

No.	Permit Condition	Appendix	Ref.	Comment
1	Before the use and/or development starts three copies of revised plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with plans submitted with the permit application but modified to show to the satisfaction of the Responsible Authority:	A		
1(a)	(a) At a scale of 1:100 or 1:200:	A	3.1	
1(a)(i)	The exact location of the wind turbines (including dimensions from adjoining property boundaries). No turbine shall be closer to the closest wall of any existing residence based on the measurements contained in the report prepared by Marshall Day Acoustics dated 10 October 2006, Table 1 at page 5.	A	3.2	
1(a)(ii)	If the turbines are re-positioned from the locations identified in the report prepared by Marshall Day Acoustics dated 10 October 2006 Table 1 at page 5: 1. a report must be submitted setting out the results of subsurface testing by a qualified archaeologist that assesses the cultural heritage and archaeological sensitivity of the revised location of the turbines. 2. a revised shadow flicker assessment must be submitted.	A	3.3	
1(a)(iii)	The location, layout and dimensions of all buildings and works, including (but not limited to) the grid connection monitoring and control booth, site office, hard stand areas, footing pads, all roads, tracks, underground cabling, car parking areas, construction lay-down areas and landscaping areas (including landscaping required by this permit).	A	3.4	Also refer to the onsite and offsite screening and landscaping plans for details.
1(a)(iv)	The detailed design of the wind generators (inclusive of nacelles, blades and foundations) including dimensions and elevations.	A	3.5	
1(a)(v)	A detailed schedule of materials, colours and finishes of the wind generators (inclusive of nacelles, blades and foundations) based on the description set out in the planning report accompanying the permit application including at page 26 of 68 "Reflectivity and Colour" unless an alternative is to the satisfaction of the Responsible Authority;	A	3.6	
1(a)(vi)	A detailed schedule of materials, colours and finishes for all other structures, such as the grid connection booth and site office;	A	3.7	

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1(a)(vii)	The location of services such as powerlines and gas pipeline;	A	3.8	
1(b)	Details of any signage proposed to be displayed as part of the wind energy facility, which must be limited to:	A	3.9	
1(b)(i)	one site identification sign not exceeding 2 metres by 2 metres, at the entrance to the site;	A	3.9	
1(b)(ii)	a logo or company identification for the wind energy facility operator or wind generator manufacturer displayed on the wind turbines;	A	3.9	
1(b)(iii)	necessary signs relating to site safety issues.	A	3.9	
2	Use and layout not altered The use and development as shown on the endorsed plans must not be altered or modified in any way without the written consent of the Responsible Authority.	-	-	The proposed use and layout has not been altered from the approved plan and as such no further consent under this condition is required.
3	Wind energy facility specifications The wind energy facility must be constructed in accordance with the following specifications to the satisfaction of the Responsible Authority:	A	-	
3(a)	A total of not more than two (2) wind generators in the locations shown on the endorsed plans.	A	3.2	
3(b)	Each wind generator must have an overall height of not more than 110 metres.	A	3.5	
3(c)	The rotor on each wind generator must comprise no more than three (3) blades.	A	3.5	
3(d)	The turbines must be Repower MM82 2MW or another model that is to the satisfaction of the Responsible Authority.	A	3.5	
3(e)	The wind generators must not be artificially illuminated at night except for any safety lighting to warn low flying aircraft.	A	3.5	
3(f)	No external lighting of infrastructure associated with the wind energy facility, other than low level security lighting where appropriate, may be installed or operated.	A	3.4	
3(g)	All new electricity cabling associated with the collector network within the wind energy facility generator cluster must be placed under the ground.	A	3.4	

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3(h)	Any transformer associated with each wind generator must be located beside each tower and be pad mounted, or be enclosed within the tower structure.	A	3.4	
3(i)	The access track(s) within the site must be sited to minimise impacts on existing native trees on the site, and be constructed to the minimum standard practicable in order to ensure minimum impacts on the site, including impacts on overland flows.	A	3.4	
4	On-site landscape and visual screening plan Before the use or any development starts, a Landscaping and Visual Screening Plan must be submitted to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed by the Responsible Authority. The Landscaping and Visual Screening Plan must include:	B	-	
4(a)	Visual screening of hard stand areas and the grid control booth from the Ballan - Daylesford Road.	B	2 - 2.2	
4(b)	Planting along the site's perimeter to provide visual screening to dwellings #2, #3, #11, #12 and #19 (dwelling numbers from Map 5 –Neighbouring Residences in the Proposed Hepburn Community Wind Park Landscape and Visual Assessment Study by J Cleary 2006 at page 41).	B	3 - 3.1	
4(c)	Details of species proposed to be used for landscaping including details of the height and size of species at maturity.	B	3.2 - 3.4	
4(d)	Details of fencing to protect new vegetation from stock impacts.	B	4	
4(e)	A maintenance program.	B	4	
4(f)	A timetable for the implementation of landscaping and visual screening works that includes planting being completed prior to any turbine being commissioned.	B	5	
4	The use and development must be carried out in accordance with the endorsed Landscaping and Visual Screening Plan to the satisfaction of the Responsible Authority.	B	-	
5	Off-site landscape and visual screening plan Before the development starts, a program of landscape mitigation works is to be made available to relevant landowners. As part of that program an Off-site Landscape Plan must be prepared and submitted to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed by the Responsible Authority. The Off-site Landscaping Plan may be submitted in	C	-	

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	stages to the satisfaction of the Responsible Authority (so that not all stages are completed before the development starts) and must include (but may not be limited to) the following:			
5(a)	A provision for landowners within a one kilometre radius of any wind turbine to have the opportunity to accept the offer to provide visual screen planting at any time up until six (6) months after the commissioning of the last wind generator;	C	1.2 and 1.4	
5(b)	The process by which landowners within a one kilometre radius of any wind turbine will be informed of this offer and the process by which it can be accepted;	C	1.4 – 1.6 and Appendix A	
5(c)	Details of planting or other treatments that will be used to reduce the visual impact of the wind turbines at the dwellings of participating landowners;	C	1.3	
5(d)	Details of species proposed to be used for the landscaping including details of height and size of species at maturity;	C	1.3	
5(e)	A timetable for the implementation of the plan;	C	1.4 and 1.7	
5(f)	A maintenance program.	C	1.7	
5	The use and development must be carried out in accordance with the endorsed Off-site Landscape Plan to the satisfaction of the Responsible Authority.	C	-	
6	Traffic management Before the development starts, a Traffic Management Plan must be prepared to the satisfaction of the Responsible Authority and VicRoads. When approved, the plan will be endorsed by the Responsible Authority. The plan must include (but is not limited to):	D	-	
6(a)	Designation of vehicle access point(s).	D	2.1	
6(b)	Details on whether the access location point to the proposed development meets the safe intersection sight distance requirements specified in Austroads Guide to Traffic Engineering Practice Part 5 – Intersections at Grade and, if not, details of any mitigating works required to meet the sight distance requirements.	D	3.2.3	
6(c)	Details of any roadside pruning, vegetation removal and vegetation restoration.	D	3.3	

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6(d)	The designation of appropriate construction and transport vehicle routes to the wind energy facility.	D	2.2	
6(e)	A traffic management plan for the Ballan-Daylesford Road during construction of the development including temporary speed signage and times of operation in accordance with VicRoads Roadworks Signing Code of Practice.	D	5	
6(f)	Details of any works required along the Ballan-Daylesford Road during construction.	D	3.2	
6(g)	The requirements for Over Dimensional Load permits and escorting of long or large loads along roads in the area.	D	3.5	
6(h)	A timetable for implementation of any preconstruction works identified to be undertaken.	D	4.1	
6	The use and development must be carried out in accordance with the endorsed Traffic Management Plan to the satisfaction of the Responsible Authority and VicRoads and the cost of any works including maintenance is to be at the permit holders expense.	D	-	
7	Environmental management Before the development starts, an Environmental Management Plan must be prepared to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed by the Responsible Authority. The Environmental Management Plan must include (but is not limited to):	E	-	
7(a)	A construction and work site management plan. This plan must include:	E	6	
7(a)(i)	Procedures for access, noise and pollution management.	E	6.5.1	
7(a)(ii)	The identification of all potential contaminants, hazardous chemicals, liquids and similar materials to be stored on site.	E	6.5.2	
7(a)(iii)	The identification of all construction and operational processes that could potentially lead to water contamination.	E	6.5.3, 3 and 5	
7(a)(iv)	The identification of appropriate storage, construction and operational and spill control methods to control any identified contamination risks including any arising from the identification processes in Conditions 7(a)(ii) and (iii).	E	6.5.4, 3 and 5	
7(a)(v)	Criteria for the siting of any temporary concrete batching plant associated and procedures for its removal and reinstatement of the site once its use finishes. The establishment and operation of any temporary concrete batching plant	E	6.5.5	

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	must be in accordance with the Environment Protection Authority's Environmental Guidelines for the Concrete Batching Industry, Publication No. 628.			
7(a)(vi)	The identification of waste re-use recycling and disposal procedures.	E	6.5.6	
7(a)(vii)	Procedures for the storage of any fuels, lubricants or waste oil to be stored in bunded areas and procedures for managing any spills.	E	6.5.7 and 5	
7(a)(viii)	The removal of works buildings and staging area on completion of construction of the project and for the return of the site to its former condition.	E	6.5.8	
7(b)	A wildfire prevention and response plan.	E	4	
7(c)	A sediment and erosion management plan. This plan must include:	E	3	
7(c)(i)	Procedures to ensure that silt from batters, cut-off drains, table drains and road works is retained on the work site during and after the construction stage of the project. All land disturbances must be confined to a minimum practical working area and to the vicinity of the identified work areas. Soil to be removed must be stockpiled and separate soil horizons must be retained in separate stockpiles and not mixed. Stockpiles must be located away from drainage lines.	E	3.6	
7(c)(ii)	All track construction and maintenance equipment, 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 removed from the works site on completion of the development.	E	3.6	
7(c)(iii)	All road-making and maintenance material such as rock, gravel and sand required for the project must come from an area free of weeds.	E	3.6	
7(c)(iv)	The installation of geotextile silt fences (with sedimentation basins where appropriate) on all drainage lines from the site which are likely to receive run-off from disturbed areas.	E	3.6	
7(c)(v)	Procedures to contain any contaminated or turbid run-off during and after construction of the wind energy facility.	E	3.6 and 5	
7(c)(vi)	Procedures to suppress dust arising from construction-related activities. Appropriate measures may include water sprays 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.	E	3.6	

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7(c)(vii)	Procedures to ensure that steep batters are treated in accordance with Environmental Protection Authority recommendations detailed in the 'Construction Techniques for Sediment Pollution Control' No 275, May 1991.	E	3.6	
7(c)(viii)	Procedures for waste water and discharge management to prevent adverse off-site impacts.	E	3.6	
7	The use and development must be carried out in accordance with the endorsed Environmental Management Plan to the satisfaction of the Responsible Authority.	E	-	
8	Bird, avifauna and bat management Prior to the development commencing, a bird and bat management plan must be prepared to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed by the Responsible Authority. The bird and bat management plan must include (but is not limited to):	F	-	
8(a)	A pre-construction monitoring program to monitor the presence and behaviour of bats on the site. The monitoring program is to be carried out by an independent fauna consultant. The program must specify that the following data be recorded and include provision for reporting of the data to the satisfaction of the Responsible Authority:	F	3	
8(a)(i)	The frequency and height of bat movements across the site;	F	3.2	
8(a)(ii)	Seasonal changes in bat movements;	F	3.2	
8(a)(iii)	The species involved and whether the species is identified as significant or threatened under the Environment Protection and Biodiversity Conservation Act (1999) or the Flora and Fauna Guarantee Act (1988); and	F	3.2	
8(b)	A strategy for managing and mitigating bird and bat strike arising from the wind energy facility operation. The strategy must include:	F	4	
8(b)(i)	The areas required to be inspected.	F	4.1.1	
8(b)(ii)	The frequency of monitoring and inspections.	F	4.1.2	
8(b)(iii)	Scavenger management, for example, regular removal of carcasses likely to attract raptors to areas near generators and other measures to routinely control bird feed and prey.	F	4.1.6	
8(b)(iv)	Recording and reporting requirements to the Responsible Authority.	F	5	

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8(c)	A procedure for addressing any significant impacts on bird and bat populations under the Environment Protection and Biodiversity Conservation Act (1999) or the Flora and Fauna Guarantee Act (1988) caused by the wind energy facility operation. This procedure must provide that the operator of the wind energy facility immediately investigates the possible causes of any significant impacts on bird and bat populations, and thereafter must design and implement measures to mitigate those impacts in consultation with the Responsible Authority.	F	6	
8	The use and development must be carried out in accordance with the endorsed bird and bat management plan to the satisfaction of the Responsible Authority.	F	-	
9	Heritage protection and management Prior to the development commencing, a management plan addressing heritage protection must be prepared to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed by the Responsible Authority. The heritage protection management plan must include (but is not limited to):	G	-	
9(a)	A qualified archaeologist must be on-site during initial excavation works to identify any archaeological artefacts, and initiate measures for interim protection and reporting of any such objects or sites.	G	3	
9(b)	Protocols for the control of construction activities, including the activities by contractors, that have been identified to have potential effects on sites of cultural significance.	G	3	
9(c)	Protocols for ongoing consultation with the relevant Aboriginal communities throughout the project, especially those relating to relating to the detailed on-surface and sub-surface archaeological investigations, including maintaining confidentiality (where considered appropriate) of the locations of Aboriginal archaeological sites.	G	3	
9(d)	Prior to disturbing any identified archaeological site, place or object, procedures for seeking and obtaining written consent of any identified Aboriginal local aboriginal community, as nominated for the purposes of Part 11A of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth).	G	3	
9(e)	Procedures providing appropriate workshops and training courses with contractors to protect all known sites of Aboriginal cultural heritage value.	G	3	

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9(f)	Protocols for protecting and reporting the discovery of any human remains in accordance with the requirements of the Victoria Police, the State Coroners Office and Aboriginal Affairs Victoria.	G	3	
9	The use and development must be carried out in accordance with the endorsed Heritage Protection Management Plan to the satisfaction of the Responsible Authority.	G	-	
10	Commissioning report and noise management The operation of the wind energy facility must comply with the New Zealand Standard 'Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators' (NZ 6806:1998) (the 'New Zealand Standard'), in relation to any dwelling existing at the date of approval of this permit, to the satisfaction of the Responsible Authority.	-	-	This condition is a post commissioning requirement and will be addressed within two months of the commissioning of any of the turbines.
11	Within two months of the commencement of operation of any turbine(s), an independent post-construction noise monitoring program must be undertaken by the proponent to the satisfaction of the Responsible Authority in accordance with the New Zealand Standard. The program must monitor noise levels at any dwelling within a one kilometre radius of any wind turbine that is not in the same ownership as the subject land. A report summarising the results of the program, and the data collected, must be forwarded to the Responsible Authority within 30 days of the end of the monitoring period. The results must be written in plain English and formatted for reading by lay people. Recommendations to address any non-compliance with NZS6808 must be included in the report and, on agreement by the Responsible Authority, measures to address non-compliance must be immediately implemented to the satisfaction of the Responsible Authority.	-	-	This condition is a post commissioning requirement and will be addressed within two months of the commissioning of any of the turbines.
12	Before the use commences, details of a noise complaint and evaluation process must be submitted to and approved by the Responsible Authority. This evaluation process should include, but not be limited to the following components:	-	-	This condition is a post commissioning requirement and will be addressed within two months of the commissioning of any of the turbines.
12(a)	Details of validity requirements for noise complaints (that is, date, time, noise description and weather conditions at the receptor).	-	-	
12(b)	Response protocol to valid noise complaints.	-	-	
12(c)	A register of complaints, responses and rectifications which may be inspected	-	-	

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	by the Responsible Authority.			
12(d)	Provision for review of the complaint and evaluation process, including review of the process 12 months after commencement of the operation of the wind energy facility.	-	-	
12	The use and development must be carried out in accordance with the endorsed process to the satisfaction of the Responsible Authority.	-	-	
13	Blade shadow flicker The operator of the wind energy facility must ensure that no existing dwelling will experience over 30 hours blade shadow flicker per annum or undue blade glint to the satisfaction of the Responsible Authority.	-	-	The proposed layout has not been altered from the approved plan and as such no further shadow flicker assessment is required.
14	Electromagnetic interference Prior to the commencement of the development, a pre-construction qualitative survey of television and radio reception must be offered in writing to the owners and occupiers of all dwellings within a one kilometre radius of the approved turbines.	-	-	The Hepburn Shire Council has sent a letter of offer on behalf of Hepburn Wind.
15	A pre-construction survey of television and radio reception must be undertaken at any premises where the offer for such a survey has been accepted, to the satisfaction of the Responsible Authority.	-	-	Hepburn Wind will undertake a pre-construction television and radio reception survey for all offers that are accepted.
16	If any written complaint is received by the operator or the Responsible Authority as to interference with television or radio reception at residences within a one kilometre radius of the approved turbines who accepted a preconstruction survey, and a request is made for a post-construction survey to be undertaken, the operator of the wind energy facility must undertake a post-construction qualitative survey within three months of a request to do so. If the qualitative survey establishes any detrimental increase in interference to reception, measures must be taken to mitigate the interference to return the affected reception to pre-construction quality at the cost of the wind energy facility operator and to the satisfaction of the Responsible Authority.	-	-	This condition is a post commissioning requirement and will be addressed upon receipt of a complaint as outlined in the condition.
17	Decommissioning The wind energy facility operator must, within one month, notify the Responsible Authority in writing as soon as all wind energy facility generators have permanently ceased to generate electricity. Within 12 months of that date, the wind energy facility operator must undertake the following to the satisfaction of the Responsible Authority:	-	-	This condition is a post commissioning requirement and will be addressed prior to decommissioning of any wind turbine.

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17(a)	remove all non-operational or downed equipment, structures and buildings;	-	-	
17(b)	remove and clean up any residual spills;	-	-	
17(c)	clean up and restore all storage, construction and other areas associated with the use, development and decommissioning of the wind energy facility;	-	-	
17(d)	restore all access roads and any other area affected by the project closure or decommissioning, if not otherwise useful to the on-going management of the land;	-	-	
17(e)	submit a post-decommissioning traffic management plan to the Responsible Authority and, when approved by the Responsible Authority, implement that plan; and	-	-	
17(f)	submit a post-decommissioning revegetation management plan to the Responsible Authority and, when approved by the Responsible Authority, implement that plan.	-	-	
18	Following the endorsement of plans under Condition 1 of this Permit, and prior to the erection of any turbine, the operator must meet any requirements of the Civil Aviation Safety Authority including in relation to the reporting of tall structures under the requirements of the Civil Aviation Regulations 1988.	-	-	Following the endorsement of plans under condition 1 of this permit, consultation with the Civil Aviation Safety Authority will commence to ascertain any requirements for the lighting of the structures and notification of tall structures as per the Civil Aviation Regulations 1988.
19	This permit will expire if one of the following circumstances applies:	-	-	
19(a)	The development and use is/are not started within four (4) years of the date of this permit.	-	-	It is anticipated that the proposed development will be commence in November / December 2010 and will comply with the requirement to commence construction by 27 July 2011.
19(b)	The development is not completed within two (2) years of the date of the commencement of the works.	-	-	Development will be completed within two years of the commencement of works.
19	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.	-	-	

