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HM Capital

5 June 2026

Ms Laine Challis
Senior Planner – Energy Assessment
Department of Transport and Planning
1 Spring Street St
East Melbourne 3001

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Dear Laine,

Re: Application for a Subdivision of land at 555 Ballan Road Moorabool

This application is for a permit to subdivide land to accommodate the approved Moorabool Battery development (Permit Number PA2201610-1). The objective is to create a separate title for the Moorabool Battery with an area of 11.28 Ha.

Please see Attachment A, the Plan of Subdivision PS936374M prepared by AGS P/L.

This application is lodged with the Department of Transport and Planning in accordance with Clause 72.01-1 of the Greater Geelong Planning Scheme, whereby the Minister for Planning is the Responsible Authority in relation to Permit PA2201610-1, allowing the use and development of land for utility installations (battery energy storage system and powerline) and removal of an easement in accordance with the endorsed plans.

As ‘subdivision’ is included within the definition of ‘development’ under Section 3.1 of the *Planning and Environment Act 1987* (the Act), the Minister is the Responsible Authority in this matter.

Background

The site is located approximately 13km northwest of the Geelong city centre in an established farming area and sits to the immediate west of the Moorabool Terminal Station. It is directly adjacent to a previous subdivision for the Victorian Big Battery (VBB).

In 2020 Neoen Australia was awarded Planning Permit PP-1062-2020 to develop the VBB. Subsequent to that approval, Neoen Australia sought a subdivision permit for the site, which was granted in 2021, and the site was purchased by Neoen Australia prior to construction of the VBB.

Next door, development began on a second stage called Moorabool Battery. An option to purchase land adjacent to the VBB was executed with the original landholder, and a planning permit for the battery was secured, as discussed above.

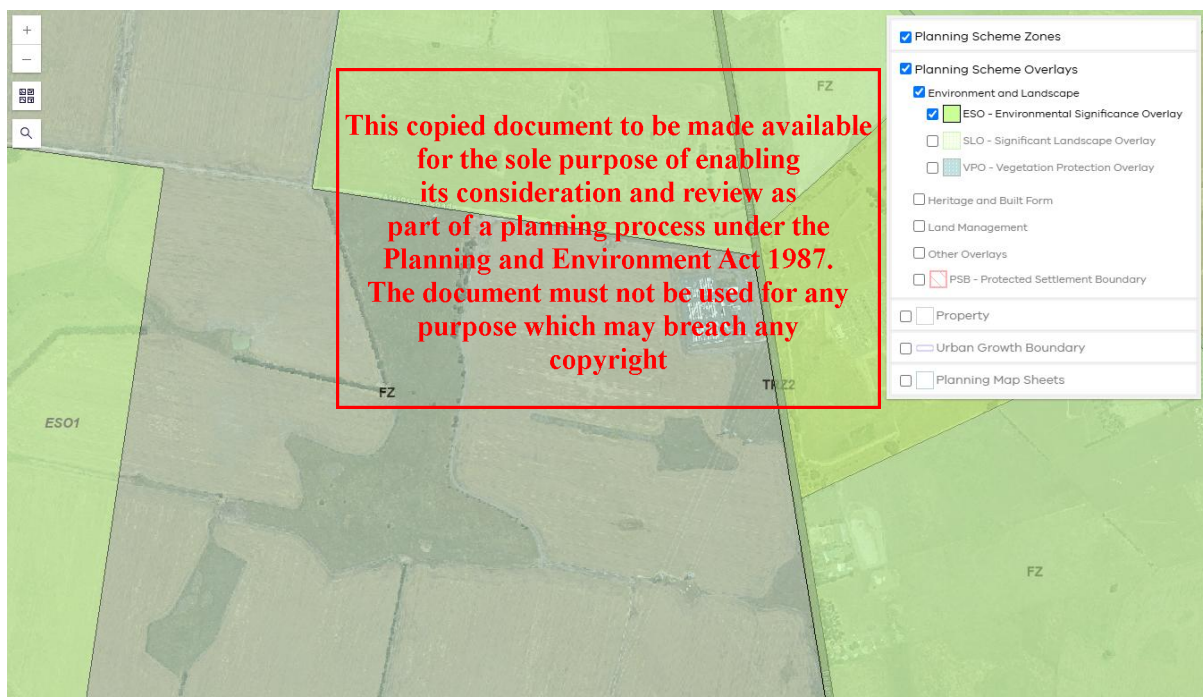
In 2025, Neoen Australia sold its Victorian generation and battery assets as well as its development portfolio to HMC Capital. This sale included VBB and the land on which it is sited, and the option to purchase the Moorabool Battery land. This option was exercised in April 2026, and the sale of the land to HMC Capital will be finalised following subdivision.

Planning Scheme Provisions

The site is located within the Farming Zone of the Greater Geelong Planning Scheme and a permit for the subdivision of the land is required pursuant to Clause 35.07 Subdivision of Land.

The site is not subject to an Environmental Significance Overlay.

Please refer to the figure below for the zoning of the site and immediate environs.



The Schedule to Clause 35.07 includes a map designating minimum subdivision areas across the Farming Zone in the municipality. This site is within the Northern Rural Area in which the minimum lot size is 80 ha.

Clause 35.07-3 provides for a permit to be granted to create smaller lots if:

- *The subdivision is to create a lot for a utility installation used to:*
 - *transmit or distribute electricity; or*
 - *store electricity if the installed capacity is 1 megawatt or greater.*

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The Moorabool Battery will store electricity with an installed capacity of 300 MW and 1200 MWh, therefore the permit can be granted for a subdivision less than 80 hectares.

Policy Context

The approved Moorabool Battery will make a meaningful contribution to Victoria's legislated energy storage targets of at least 2.6 GW of energy storage capacity by 2030 and at least 6.3 GW by 2035.

Amendment VC271 was made to the Victorian Planning Provisions in 2026 in order to support the energy transition by enabling the creation of new smaller lots for the transmission or distribution of electricity (typically, power lines) and storage of electricity (typically, batteries). This amends clause 35.07-3 described above.

Local Planning Policy within the Greater Geelong Planning Scheme is set out in the Municipal Planning Strategy. The policy basis notes that subdivision not related to farming activity is an issue in Geelong's rural areas. Policy objectives are concerned with management of new dwellings and policy is silent on subdivision other than for house excisions or construction of a dwelling of land zoned Farming.

Given the policy context for the approved Moorabool Battery, the subdivision of a lot to create a separate parcel for the approved Moorabool Battery is consistent with the overarching directive as legislated in storage targets, to support the development of energy facilities in appropriate locations. The appropriateness of the location has already been determined with the grant of the permit.

Referral of application

Clause 66.01 sets out provisions for the referral of applications for subdivision of land. It directs that an application to subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement must be referred to the relevant electricity transmission authority which has the status of Determining Referral Authority.

Mandatory conditions for subdivisions are prescribed at Clause 66.01-1. The clause directs a permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

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- *a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

It further directs that the owner must provide written confirmation from those respective parties prior to the issue of a Statement of Compliance except in an application to subdivide land in a rural zone if the responsible authority is satisfied that connection to telecommunications services is not warranted.

In this matter, given the nature of the use of the land, we believe there is no requirement for the site to be connected to telecommunications services and would ask that this condition not be included on any permit which issues.

Decision guidelines

The Farming Zone sets out decision guidelines that the responsible authority must consider as appropriate in determining an application. The guideline of relevance to this application, in addition to the planning policy context, concerns the capability of the land to accommodate the proposed use or development. Other considerations concern the impact of the development which has already been assessed with the grant of the permit (Permit Number PA22016101) and there are no other matters set out at Section 60 of the Act of relevance to this proposed subdivision.

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Conditions

We note that mandatory conditions for subdivisions are prescribed at Clause 66.01-1 and that the application is to be referred to the relevant electricity transmission authority which has the status of Determining Referral Authority. We ask that the following condition be added to the planning permit to issue allowing five years for registration of the subdivision.

Expiry of Permit

In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if:

- A plan in accordance with this permit is not certified under the Subdivision Act 1988 within two (2) years of the issue of the permit; or
- The registration of the subdivision is not completed within five years of the date of this permit.

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In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the period for certification if a request is made in writing.

Conclusion

With the above submission in mind, we respectfully request the Minister for Planning to issue a planning permit for a subdivision as proposed to accommodate the Moorabool Battery facility on its own lot and allowing the balance of the parent title to remain as productive agricultural land.

Please see attached the following documents forming part of and supporting this application:

Attachment A – Proposed Plan of Subdivision PS936374M (Edition 1) prepared by *All General Surveying Pty Ltd*

Attachment B – Title Search of Volume 12399 Folio 480

Given the proposed subdivision is an administrative matter to allow for the transfer of the land to accommodate the approved Moorabool Battery we are of the opinion it does not warrant notification. There will be no offsite impact as a consequence of the subdivision.

Should you have any queries, or require and additional information, please do not hesitate to contact me.

Kind regards,



Alicia Webb
Victorian lead
HMC Capital Energy Transition Platform

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