

Attachment 1

AusNet Easement Removal Confirmation

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PLAN**

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From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [EXTERNAL] RE: Neoen | Victorian Big Battery Stage 2 - AusNet Easement
Date: Tuesday, November 23, 2021 11:20:13 PM
Attachments: [image002.png](#)

Hi [REDACTED]

Yes you are correct, the portion of easement marked E-1 on TP 201169 is redundant. The original transmission lines between Geelong and Ballarat used this easement (i.e. the benefits of this easement have been enjoyed). Towers that were located in this portion of easement were removed.

With the introduction of Moorabool Terminal Station, the Geelong-Ballarat lines were deviated through the new terminal station making easement E-1 redundant.

Our advice to you is to engage a Licenced Surveyor to prepare a Plan for Removal of Easement and lodge it in a Planning Application with the City of Greater Geelong. This is the most efficient means to remove the easement.

The plan will find its way back to AusNet for approval through the subdivision referral process.

Don't hesitate to contact me if you have any queries.

Kind regards

[REDACTED]
Senior Easements Officer
Asset Management



AusNet Services
Level 30, 2 Southbank Boulevard
Southbank Victoria 3006 Australia

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From: [REDACTED]
Sent: Tuesday, 23 November 2021 11:47 AM
To: LMG <lmg@ausnetservices.com.au>
Cc: [REDACTED]
Subject: Neoen | Victorian Big Battery Stage 2 - AusNet Easement

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Dear AusNet Easements Team

We act for Neoen Australia Pty Ltd (Neoen).

The purpose of this email is to request that AusNet surrender an unutilised easement currently encumbering Certificate of Title Volume 12340 Folio 883 (Lot 1 on TP 201169A) (Land). A title search and plan of the Land are **attached**. The relevant easement is marked E1 on the attached plan and was created by Instrument B501605 (Easement). A copy of Instrument B501605 is also **attached**.

Our understanding is that AusNet has carriage of the Easement. Our instructions are that no above-ground transmission assets currently exist within the area of the Land marked E-1 and encumbered by the Easement.

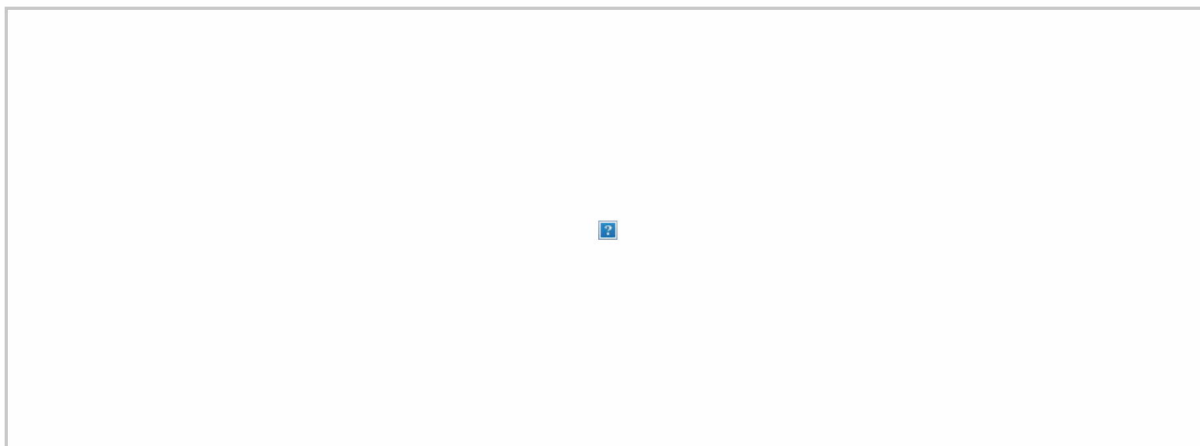
The current registered proprietors of the Land are [REDACTED]. For context, Neoen has an interest in the Land to the extent that its subsidiary Victorian Big Battery Pty Ltd (ACN 644 584 421) has entered into an Option to Purchase with the registered proprietor for a portion of the Land.

We note that:

1. the Easement was registered on 11 September 1962;
2. the Easement permits the State Electricity Commission to install up to 6 transmission towers and associated cable wiring between the towers on the Land encumbered by the Easement;
3. to enjoy the rights provided by the Easement, the State Electricity Commission was required to determine the location of the transmission towers within 21 years of the grant of the easement (i.e. 11 September 1983); and
4. on the basis that there are no towers currently situated on the Easement, we suggest the State Electricity Commission / AusNet has forfeited its rights to utilise the Easement and would be prevented from now installed transmission towers. On that basis, the Easement should now be surrendered and removed from the title to the Land.

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A diagram of the Land below indicates that no assets are currently constructed on the part of the Land marked E-1.



By way of next steps we request that you kindly:

1. confirm whether any AusNet assets are currently situated on the Easement and provide evidence of such assets if installed; and
2. let us know whether AusNet would be agreeable to surrender the Easement.

Please let me know if you have any queries.

Kind regards

Associate
Baker & McKenzie
Level 19, CBW, 181 William Street | Melbourne Victoria 3000 | Australia



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