

Energy Assessment
PA2504078

Mortlake BESS Subdivision

 Officer Assessment



Department
of Transport
and Planning



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| Attachment 1: Requirements under other legislation | Error! Bookmark not defined. |

Disclaimer

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Executive Summary

| Key Information | Details | | |
|---|--|---|---|
| Application No: | PA2504978 | | |
| Received: | 15 December 2025 | | |
| Statutory Days: | 104 | | |
| Applicant: | Yanara Power c/- Urbis | | |
| Planning Scheme: | Moyne | | |
| Land Address: | Crown Allotment 1 Section 10 Parish of Connewarren, Vol 10785 Fol 016 Lot 2 on Plan of Subdivision 525429F Vol 10857 Fol 051 | | |
| Proposal: | Subdivision to realign the common boundary between two lots to facilitate future the development of a battery energy storage system (BESS) associated with the approved Mortlake Energy Hub. | | |
| Permit preamble: | Subdivision of land to re-align the boundary of two lots. | | |
| Development Value: | \$0 | | |
| Why is the Minister responsible? | Under Clause 72.01-1, the Minister for Planning is the responsible authority for planning permits for the use and development of land for a utility installation used to transmit or distribute electricity. It is noted that the definition of 'development' under the <i>Planning and Environment Act 1987</i> (PE Act) includes the subdivision or consolidation of land. | | |
| Why is a permit required? | Clause | Control | Permit Trigger |
| Zone: | Clause 35.07-3 | Farming Zone (FZ) | Subdivide land in the FZ |
| Overlays: | Clause 42.01-2 | Environmental Significance Overlay (ESO) (Schedule 3) | Subdivide land in the ESO |
| | Clause 44.06-2 | Bushfire Management Overlay (BMO) | Subdivide land in the BMO |
| Particular Provisions: | Clause 53.01 | Public Open Space Contribution and Subdivision | N/A – Pursuant to section 18(1) of the Subdivision Act 1988, a Council, acting as a responsible authority or a referral authority under the Planning & Environment Act 1987 may require a contribution for public open space when the proposal creates an additional separately |

| Key Information | Details |
|------------------------------|---|
| | <p>disposable parcel of land by a plan of subdivision.</p> <p><i>Clause 53.01 does not apply as the Minister for Planning is the responsible authority.</i></p> |
| Cultural Heritage: | <p>The site is partially located within an area of Aboriginal cultural heritage sensitivity. A CHMP not required for this application as the subdivision activity is not classified as High Impact Activity as defined in Regulation 49 of the Aboriginal Heritage Regulations 2018 as the proposed subdivision is fewer than three lots.</p> |
| Referral Authorities: | <p>AusNet – Section 55 Determining Country Fire Authority – Section 55 Recommending</p> |
| Public Notice: | <p>Notice of the application under section 52 of the PE Act was required.</p> <p>1 submission (including 0 objections) have been received as of 1 May 2026.</p> <p>Submissions were received from the following agencies:</p> <p>Moyne Shire Council – No objection</p> |
| Delegation: | <p>Approval to determine under delegation received on 6 May 2026.</p> |
| Recommendation: | <p>Issue a planning permit and endorse plan of subdivision PS930203Y</p> |

Process and Documentation

Planning Process

1. The key milestones in the application process were as follows:

| Milestone | Date |
|----------------------------|-------------------------------|
| Application lodgement | 15 December 2025 |
| Public notice (section 52) | 23 March 2026 – 10 April 2026 |

Decision Documents

2. The subject of this report is the decision documents (as advertised with the application and described below).

Decision Documents

- Proposed Plan of Subdivision, prepared by Smith Land Consulting, Version 1, dated 23 October 2025.
 - Certificated of title produced 13 November 2025.
 - Plan Overlay Map prepared by Urbis Pty Ltd, Revision G and dated 16 January 2026.
 - Mortlake Energy Hub – BESS Subdivision Permit Application Letter, prepared by Urbis Pty Ltd and dated 20 January 2026.
-

Proposal

3. The application seeks approval for subdivision via a boundary realignment for the development of a battery energy storage system (BESS) and substation associated with the approved Mortlake Energy Hub.
4. Figure 1 shows the extent of the Mortlake Energy Hub approved under PA2402939 and the portion of the land relevant to this application, as well as the area for the BESS which will connect to the Mortlake Terminal Station to the west.
5. It is noted that this proposal is consistent with the endorsed development plan of the approved Mortlake Energy Hub that applies to the site.
6. Table below shows the existing lot area and proposed lot area for Lot 1 and Lot 2.

| Lot No. | Existing Area (ha) | Proposed Area (ha) |
|---------|--------------------|--------------------|
| Lot 1 | 64.8 | 30 |
| Lot 2 | 175.9 | 210.8 |

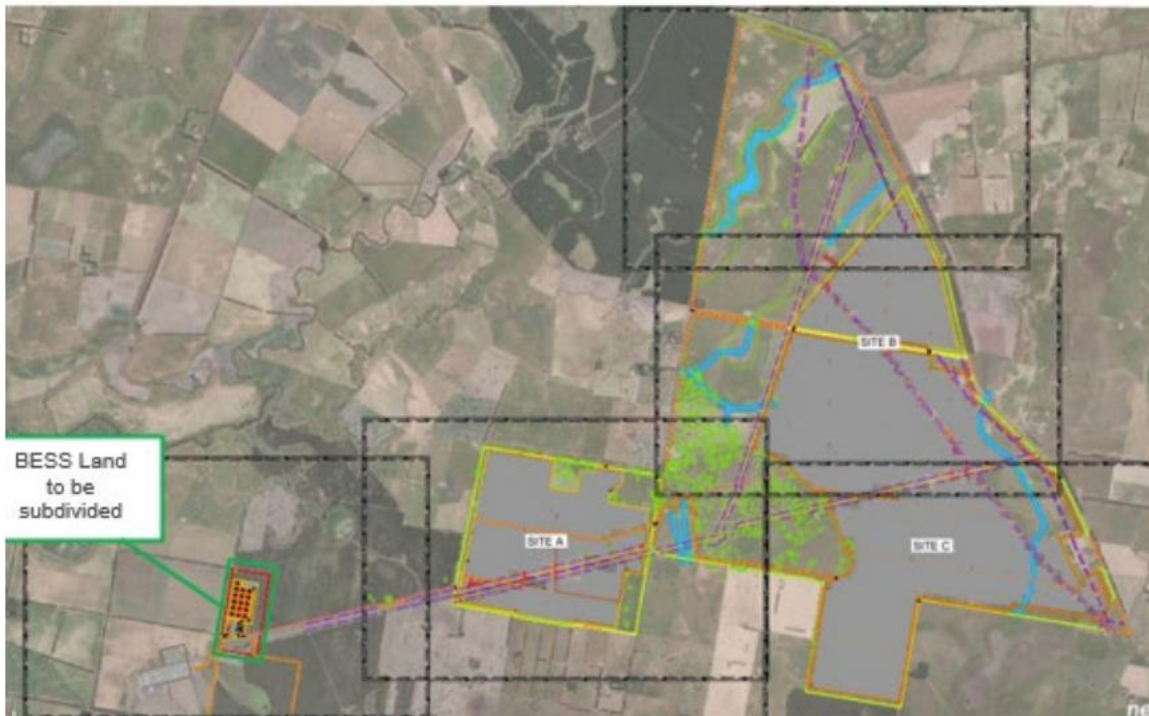


Figure 1: Mortlake Energy Hub Site Plan and (Source: Decision Plans, Urbis, 2024)



Figure 2: Site Context (Source: Decision Plans)

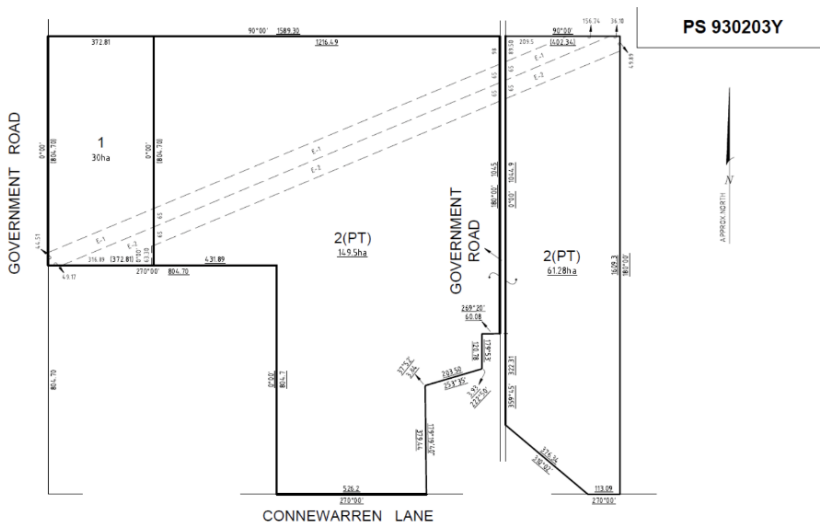


Figure 3: Proposed Plan of Subdivision (Source: Decision Plans)

Subject Site and Surrounds

Site Description

7. The subdivision area is located at **1-10\PP2425, Connewarren Lane, Mortlake, VIC, 3272.**
8. The existing site is an irregular-shaped allotment and comprises of two (2) parcels of Farming Zone land which is currently used as plantation land. There is an approved (but yet to be constructed) Battery Energy Storage System (BESS) and project substation on the site.
9. The site is located to the north of Connewarren Lane, with a total size of **240.7ha** (Lot 1 – 64.8 ha, Lot 2 – 175.9 ha).
10. The site is formally described as comprising the following land parcels:
 - Lot 1 on Crown Allotment 1 Section 10 Parish of Connewarren, Vol 10785 Fol 016
 - Lot 2 on Plan of Subdivision 525429F Vol 10857 Fol 051
11. There are two easements traversing the sites in a northeast/southwest direction. The easements run parallel to each other and are each 60 metres wide. They are for the State Electricity Commission (SEC) (E-1) and Ausnet (E-3) for electricity transmission. There is also a powerline easement for Powercor (E-2). See Figure 4 and Table 1:

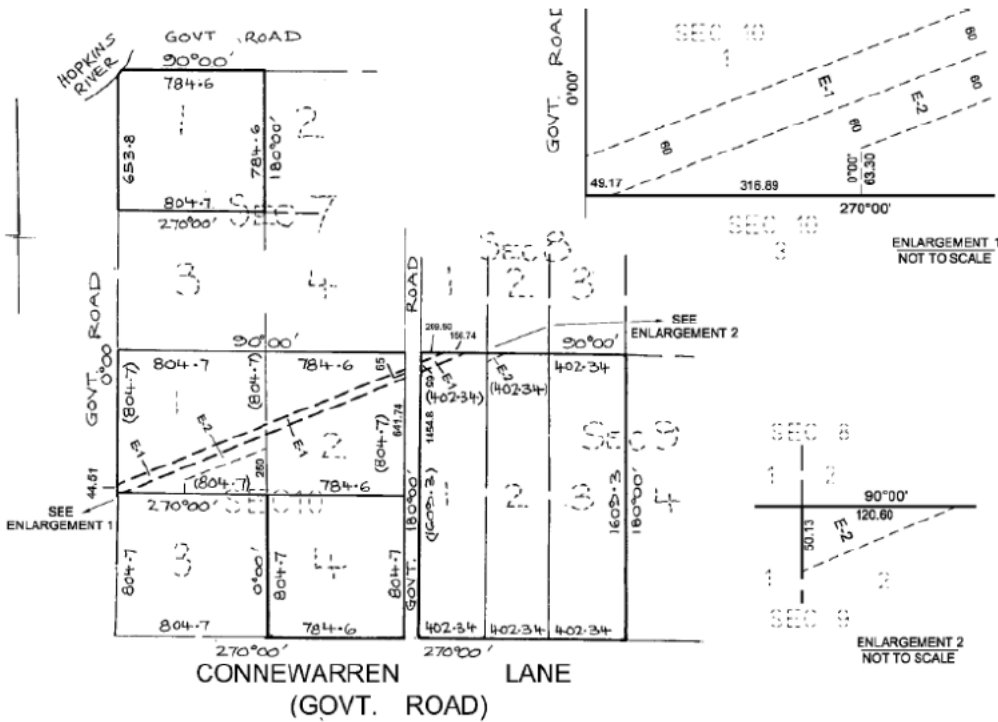


Figure 4: Easements located on Crown Allotment 1 Section 10 Parish of Connewarren, Vol 10785 Fol 016

14. To the **south** the site adjoins the Blue Gums Switching Station operated by AusNet and its associated transmission lines. The immediate southern land is either cleared to accommodate the station infrastructure or covered by blue gum plantation.
15. To the **east** beyond the plantation, the site is bordered by open agricultural land which will be developed with the Mortlake Energy Hub. The land is interspersed with transmission line easements that form part of the surrounding renewable energy infrastructure network.
16. Immediately to the **west** is the unmade Government Road which runs along the western boundary of the site extending from Connewarren Road. Further west, the land continues as large rural parcels appearing to be primarily used for grazing and cropping. The land to the southwest has been cleared and developed into the Mortlake Terminal Station located on AusNet owned land and surrounded by Origin land, which contains the Origin gas plant and a large-scale Battery Energy Storage System.
17. *Figure 6* shows the extent of the Mortlake Energy Hub approved under PA2402939 and the portion of the land relevant to the application, the area designated for the BESS which connects to the Mortlake Terminal Station to the west.

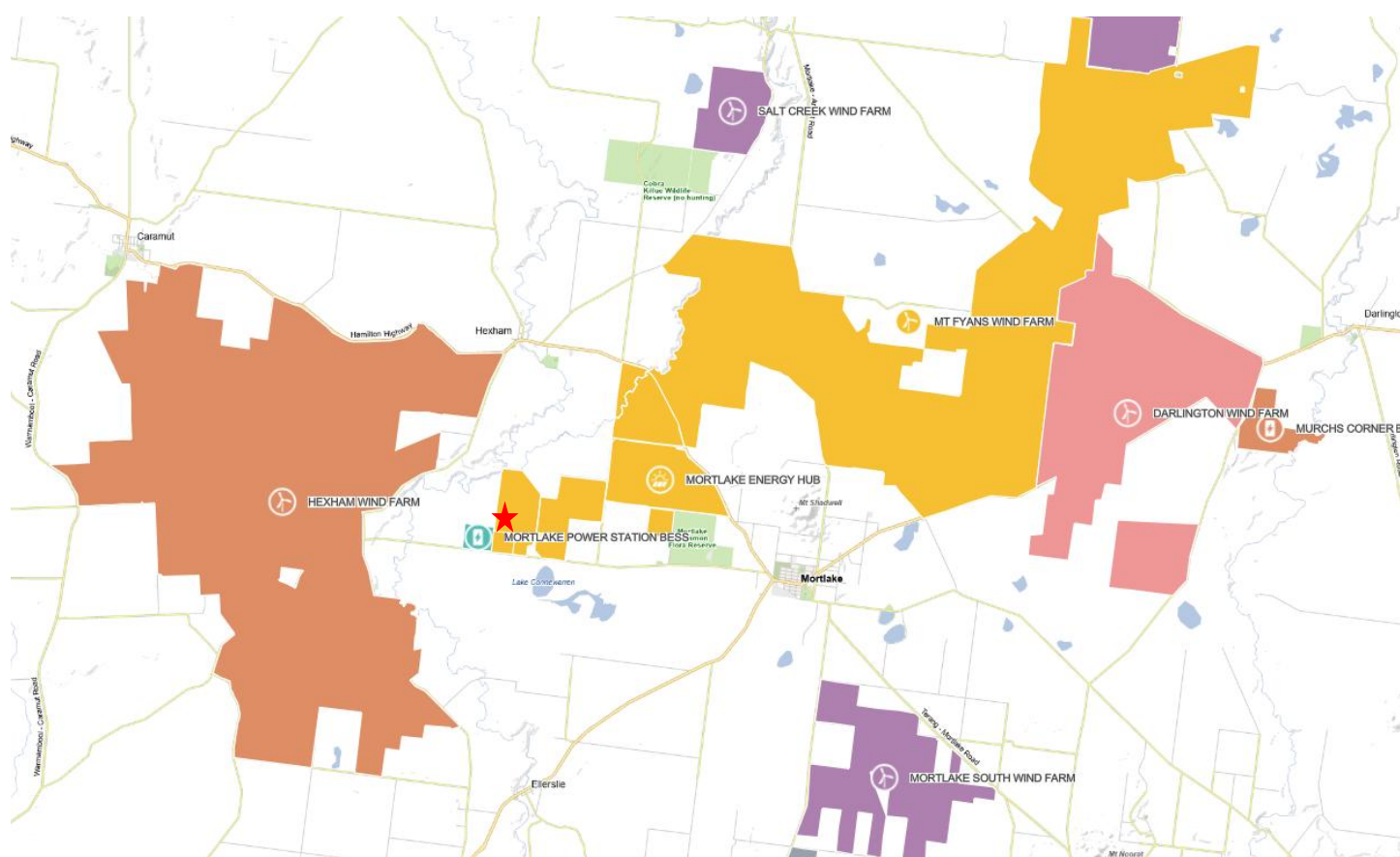


Figure 6: Surrounding energy facilities (subject site in red)

Mortlake BESS Subdivision

Officer Assessment

Referrals

18. The application was referred to the following authorities under section 55 of the PE Act, as summarised below:

| Organisation | Referral Type | Provision/ Clause | Response Date | Response | DTP Assessment |
|--------------|---------------|--|-----------------|---|---|
| AusNet | Determining | Clause 66.01– To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement. | 20 January 2025 | No objection, with conditions including: <ol style="list-style-type: none">1. The plan of subdivision submitted for certification must be referred to AusNet.2. The plan of subdivision submitted for certification under the Subdivision Act 1988 must:<ol style="list-style-type: none">a. Show the AusNet easement fully dimensioned.b. Adjust the position of the AusNet easement where necessary to accord with the position of the existing transmission lines as determined by survey.3. Before the approval of Detailed Engineering plans, for any stage containing the AusNet Transmission easement, written consent must be obtained from AusNet. | These conditions and permit notes have been included on the permit. |

| Organisation | Referral Type | Provision/ Clause | Response Date | Response | DTP Assessment |
|-------------------------------|---------------|--|-----------------|--|--|
| | | | | <p>4. Written approval must be obtained from AusNet for any new lot boundaries within the easement.</p> <p>5. Written approval must be obtained from AusNet to construct any road within the easement.</p> <p>Permit notes to also be included:</p> <ul style="list-style-type: none"> I. It should be noted that there are restrictions on development of the AusNet easement, including buildings, structures, earthworks, roads, services and trees, and that vehicle access is required by AusNet at all times. II. Details of any proposed use of the easement must be submitted to and approved by AusNet before work is commenced on site. Further information is available from AusNet on request. | |
| Country Fire Authority | Recommending | Clause 44.06 – Bushfire Management Overlay | 12 January 2026 | No objection and no conditions. | Although the BMO has associated application requirements, DTP supports the request to waive the requirements under Clause 44.06-3, as an |

| Organisation | Referral Type | Provision/ Clause | Response Date | Response | DTP Assessment |
|--------------|---------------|-------------------|---------------|----------|---|
| | | | | | assessment of the bushfire risk was undertaken during the assessment of the main application for the BESS and solar farm. |

Public Notice

- In accordance with section 52 of the PE Act, public notice of the application was given for 14 days between **27 March 2026** and **10 April 2026**.
- DTP was satisfied that the grant of the permit would not cause material detriment to any person. The proposal involves only the re-alignment of the boundary between two existing lots. No additional buildings or works are included in this application. As such, notice under section 52(1)(d) was not required.
- Notice was given in the following manner:

| Section of PE Act | Notice was given to: |
|-------------------|--|
| 52(1)(b) | DTP gave notice to Moyne Shire Council |
| 52(1)(d) | DTP gave notice to the following agencies under clause 52(1)(d): <ul style="list-style-type: none">– State Electricity Commission of Victoria– Powercor |

- 1** submission (including **0** objections) have been received as of 1 May 2026.

Objections

- No objections were received as of 1 May 2026.

Submissions

- 1 submission was received from government agencies and authorities (who were not referral authorities under section 55 of the PE Act), as summarised below:

| Submitter | Date received | Summary of submission | DTP Officer Response |
|----------------------------|---------------|--|---|
| Moyne Shire Council | 16 April 2026 | No objection to the application. Regarding proposed access to the site as detailed at Section 3.1.3 of the Planning Report, Council advised that this process is still underway. As an update, Council has written to DEECA to request that unused road Agricultural License ID 3003808, held over a portion of the unused road, be revoked as it is required for public traffic. It is understood that DEECA has subsequently written to the license holder Origin Energy regarding this matter. | DTP acknowledges Council's comment on the proposed access to the site which is discussed further in the assessment section below. |

Assessment

Key Considerations

9. The planning scheme contains policies and controls that guide the assessment of subdivision. These are found in the state and local planning policies, the relevant zone and overlays, and other relevant provisions. The assessment below addresses the relevant sections of the planning scheme while having regard to the matters which must be considered in accordance with Section 60 of the PE Act.
10. The following are deemed the key considerations in assessing the acceptability of the proposal:
 - Strategic policy context and planning controls
 - Whether the proposal responds to the vision and strategic directions of the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF)
 - Purpose and Decision Guidelines of FZ
 - Purpose and Decision Guidelines of ESO
 - Purpose and Decision Guidelines of BMO
 - Clause 65.02 – Approval of an Application to Subdivide Land

Permit Triggers

11. A planning permit for the project is triggered by the following clauses of the **Moyne** Planning Scheme (the scheme):

| Clause | Permit Trigger |
|---------|--|
| 35.07-3 | A permit is required to subdivide land in the FZ |
| 42.01-2 | A permit is required to subdivide land in the ESO3 |
| 44.06-2 | A permit is required to subdivide land in the BMO |

Strategic Direction and Policy Context

12. The Purpose and Vision for Victoria (Clause 01), Municipal Planning Strategy (Clause 02) and the Planning Policy Framework (PPF) of the Moyne Planning Scheme encourage the facilitation of renewable energy and storage projects, on balance with the protection of the environment and agricultural land. Clause 01.01 (Purposes of this Planning Scheme) identifies that a key purpose of the scheme is "to support responses to climate change."
13. The project is supported by *Plan for Victoria (2025)*, which seeks to ensure that 'Regional Victorian communities will attract and benefit from investment in renewable energy – wind, solar and battery storage – projects'.
14. *Victoria's Renewable Energy Action Plan, 2018* and *Victoria's Climate Change Strategy, 2021* both outline the importance of renewable energy generation and battery storage projects in Victoria's renewable energy transition.
15. The proposed subdivision is intended to facilitate the development of a BESS associated with the approved Mortlake Energy Hub. Doing so will support renewable storage activities in Victoria. As such, the proposal is in alignment with Clause 01.01, *Plan for Victoria, Victoria's Renewable Energy Action Plan, 2018* and *Victoria's Climate Change Strategy, 2021*.

Municipal Planning Strategy (MPS)

16. An assessment against the relevant objectives and strategies of the Municipal Planning Strategy (MPS) of the scheme is provided in the table below:

| Clause | Description | Assessment |
|--------|---------------------------|---|
| 02.01 | Context | The proposed subdivision is intended to facilitate expanded energy generation activity on the site. As such, the application responds to the matters contained in 02.01-02.04 by facilitating intensifying existing uses on a site which is appropriately zoned for energy generation purposes. |
| 02.02 | Vision | |
| 02.03 | Strategic Directions | |
| 02.04 | Strategic Framework Plans | |

Planning Policy Framework (PPF)

17. An assessment of the project against the relevant objectives and strategies of the Planning Policy Framework (PPF) is provided in the table below:

| Clause | Description | Assessment |
|------------------|---|---|
| Clause 12 | Environment and Landscape Values | |
| 12.01-1S | Protection of biodiversity | No flora or fauna will be impacted or removed for the proposed boundary realignment. |
| 12.01-2S | Native vegetation management | |
| 12.05-1S | Significant Environments and Landscapes | It is noted that the planning permit application pertains exclusively to subdivision (boundary realignment) and will not impact environmentally sensitive areas. |
| Clause 13 | Environmental Risks and Amenity | |
| 13.02-1S | Bushfire | The subdivision area is located within a Bushfire Management Overlay. It is noted that both DTP and the CFA support the request to waive the requirements under Clause 44.06-3 as these considerations have been addressed through the planning permit application process for the Mortlake Energy Hub (PA2402939). |
| Clause 14 | Natural resource management | |
| 14.01-1S | Protection of agricultural land | The subdivision will not result in any change to the available agricultural land in the region. Lot 1 (30) hectares will contain the approved BESS and Lot (210.8) hectares will remain Australian Blue Gum Plantations ownership which is currently used as a timber plantation and contains energy infrastructure. |
| Clause 15 | Built Environment and Heritage | |
| 15.01-3S | Subdivision design | The subdivision responds to strategies in this clause related to by collocating with existing energy |

| Clause | Description | Assessment |
|------------------|------------------------|---|
| | | infrastructure. Doing so reduces the impact on surround land use, flora and fauna, and visual impact. |
| 15.01-6S | Design for rural areas | The subdivision supports existing and approved activity on site. Given the existing development and approved development on site, the subdivision is not expected to increase the visual impacts on surrounding scenery. |
| Clause 19 | Infrastructure | |
| 19.01-1S | Energy supply | The purpose of the subdivision is to allow for the approved expansion of existing energy generation and transmission infrastructure located on site. |
| 19.01-2S | Renewable energy | The purpose of the subdivision is to facilitate the development of the Mortlake BESS associated with the approved Mortlake Energy Hub. Supporting the BESS which will connect to the Mortlake Terminal Station will facilitate increased provision of renewable energy generation. |

18. Overall, the proposal is consistent with the relevant planning policies within the MPS and PPF.

Zoning and Overlays

Farming Zone (FZ) – Schedule 1

19. The subject site is located within the Farming Zone (FZ), which includes the following purpose:

- *To implement the Municipal Planning Strategy and Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

20. Pursuant to Clause 35.07-3 of the Farming Zone, a planning permit is required to subdivide land.

21. Clause 35.07-3 specifies a minimum lot requirement of 40 hectares for each lot within the Farming Zone.

The proposed lot sizes are:

- Lot 1 (30ha) – Ownership to be transferred to Yanara Power and to be developed as the Mortlake BESS and substation.
- Lot 2 (210.8ha) – will remain in Australian Blye Gum Plantations ownership.

22. Clause 35.07-3 further specifies that a permit may be granted to create smaller lots if any of the following apply:

- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*



- *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.*
23. As the application relates to a boundary realignment and the number of lots will remain at two, the proposed site size of 30 hectares is consistent with the requirements of Clause 35.07-3. Additionally, the application is for a utility installation greater than 1MW and used to store electricity.
24. The proposal is appropriate having regard to the decision guidelines of the FZ as follows:
- The proposed subdivision is necessary to facilitate the development of the approved Mortlake BESS and substation. The subdivision will not prejudice the future development of surrounding land.
25. The proponent proposes to utilise the current unused government road that is currently affected by a grazing license. The grazing licence extends approximately 920 metres north from Connewarren Lane between the Mortlake Power Station.
26. In November 2025, the proponent lodged an application with Moyne Shire Council seeking its support for revocation of the grazing licence. Moyne Shire Council has issued a formal notice to the Licensee whose response is awaited.
27. DTP officers however note that access can be provided to Lot 1 as it is considered that the subject land has lawful frontage to an existing road (Government Road, as shown on the Plan of Subdivision). This constitutes legal access for the purposes of the *Planning and Environment Act 1987* and the *Subdivision Act 1988*. A carriageway easement is therefore not required to be created.
28. It is acknowledged that the proponent has provided written confirmation that the proposed subdivision layout is generally in accordance with the site layout of the BESS and subdivision. Figure 7 shows the overlay of the site layout and the proposed plan of subdivision.

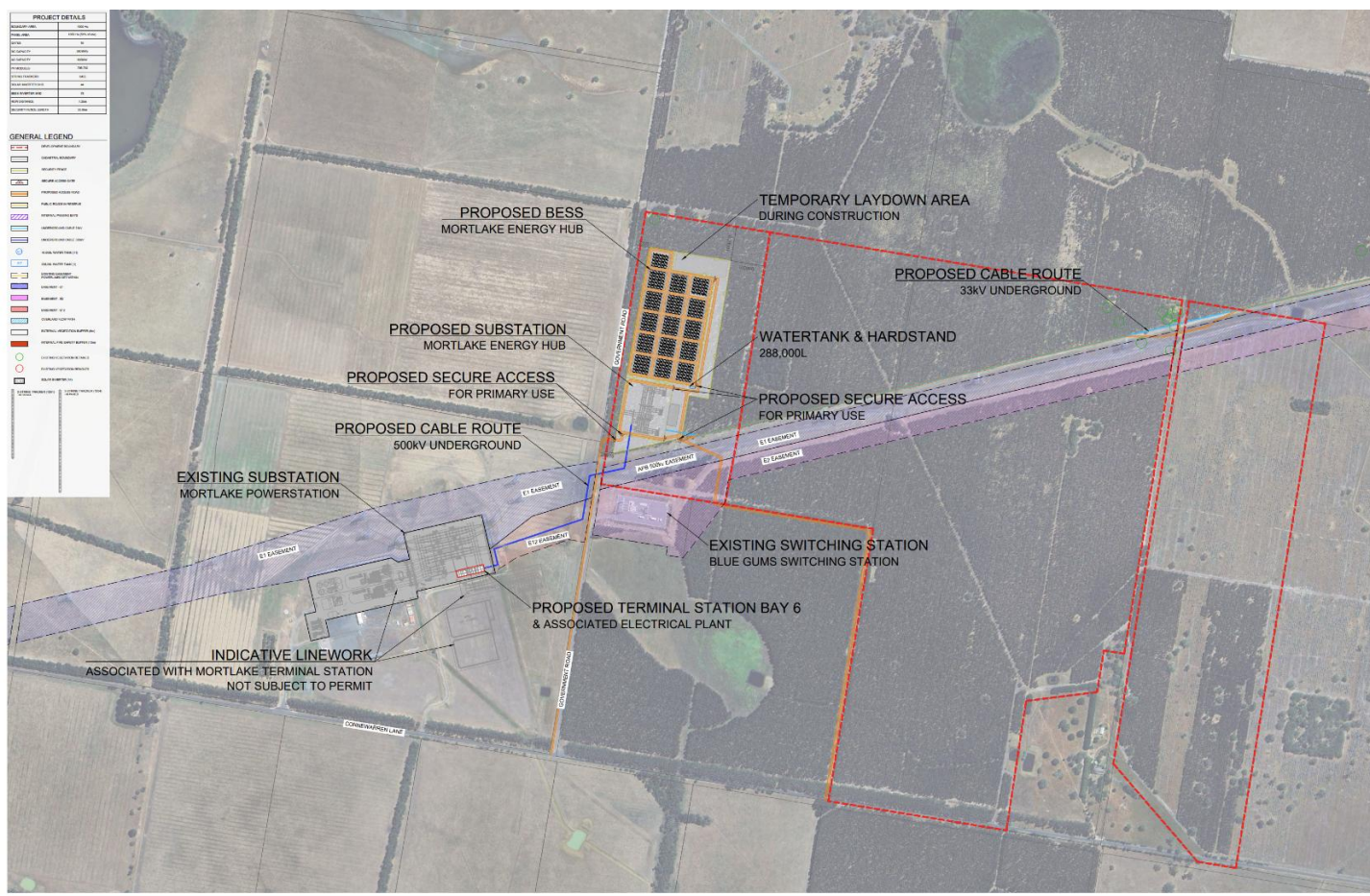


Figure 7: Overlay of the Site Layout Plan and Proposed Plan of Subdivision (Source: Decision Plans)

29. The proposal does not alter the current land management of the lot and does not involve any works or development that may impact sustainable land management.
30. The proposal will facilitate the ongoing operation and maintenance of infrastructure.
31. The subdivision is compatible with adjoining and nearby land use.
32. The BESS and substation will occupy the entirety of Lot 1. Lot 2 will remain as a timber plantation. The proposed subdivision will not have any impact on agricultural activities on Lot 2.
33. It is noted that no vegetation removal is required to accommodate the boundary realignment.
34. The proposal does not propose any on-site effluent disposal.
35. Based on the above, and subject to the conditions recommended on any permit granted, the application responds positively to the decision guidelines of the Farming Zone.

Environmental Significance Overlay (ESO3) – Schedule 3 – Mortlake Power Station Environs

36. The purpose of the ESO3 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

37. The environmental objectives of the ESO3 are:

- To ensure that the development and use of the Mortlake Power Station is not constrained by the establishment of potentially conflicting accommodation uses and developments nearby.



- To ensure that potential noise impacts are considered in any decision regarding accommodation land use and development.
- To apply acoustic measures in the design of any accommodation developments in proximity to the Mortlake Power Station.

38. Pursuant to Clause 42.01-02, a permit is required to subdivide land.

39. The proposal is appropriate, having regard to the decision guidelines of the ESO as follows:

- It is noted that this permit application is solely for the purposes of subdivision to facilitate the development of the approved Mortlake BESS and substation. Further, a permit is not required for any buildings and works within the ESO3 that are not associated with accommodation.
- Planning Permit PA2402939 has already approved the use and development of the site for the solar energy facility, and all relevant acoustic, environmental and bushfire considerations were comprehensively addressed as part of the approval process.

Bushfire Management Overlay (BMO)

40. The purpose of the BMO is:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

41. Pursuant to Clause 44.06-2 of the Bushfire Management Overlay, a permit is required to subdivide land.

42. The CFA confirmed that they are supportive of the request to waive the application requirements of Clause 44.05-3 as specified in their referral response dated 12 January 2026.

43. Subsequently, although the BMO has associated application requirements, DTP also supports the request to waive the requirements under Clause 44.06-3, as the application relates to subdivision only.

44. Clause 44.06-5 of the BMO specifies a mandatory condition relating to the owner entering into an agreement with the responsible authority under Section 173 of the *Planning and Environment act 1987*. This is required for a subdivision permit which creates a lot for a single dwelling on land zoned for residential or rural purposes.

45. As this application related to a boundary realignment for a two lot subdivision to facilitate the development of a BESS and substation, it is not required to include the mandatory condition.

Particular and General Provisions

Clause 65.02 – Approval of an Application to Subdivide Land

46. Clause 65.02 provides decision guidelines for applications to subdivide land. In accordance with the guidelines in this clause, DTP finds the following:

| Clause 65 decision guideline | DTP assessment |
|--|--|
| The suitability of the land for subdivision | The land is well suited to the subdivision given the existing use of the land for energy generation and transmission. The activity proposed for the subdivision is consistent with the endorsed development plan for the approved Mortlake BESS and substation located on proposed Lot 1. This |
| The existing use and possible future development of the land and nearby land | |
| The availability of subdivided land in the locality, and the need for creation of further lots | |



| Clause 65 decision guideline | DTP assessment |
|--|--|
| The effect of development on the use or development of other land which has a common means of drainage. | application does not propose a change of use or any development. |
| The subdivision pattern having regard to the physical characteristics of the land including existing vegetation. | The proposed subdivision does not include development or works that may impact the physical characteristics of the land. |
| The density of the proposed development. | |
| The area and dimensions of each lot in the subdivision. | Proposed Lot Area: Lot 1 – 30 ha (Mortlake BESS and substation location) Lot 2 – 120.8 ha (Timber Plantation location in the ownership of Australian Bluegum Plantations) |
| The layout of roads having regard to their function and relationship to existing roads. | Lot 1 is proposed to be accessed from the west, via the existing Government Road leading from Connewarren Lane. Refer above for further details on the status of this road. |
| The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots. | The proposal will not impact pedestrian movement in the area as it does not interact with pedestrian area. Further the rural location of the site has very limited pedestrian activity. |
| The provision and location of reserves for public open space and other community facilities. | The proposal does not impact existing public spaces and facilities and does not propose public spaces or facilities. |
| The staging of the subdivision. | The proposed subdivision does not require staging. |
| The design and siting of buildings having regard to safety and the risk of spread of fire. | This application is not expected to increase the risk of bushfire in the area. |
| The provision of off-street parking. | The application does not propose additional use or development on the site and as such will have no impact on parking availability on the site. |
| The provision and location of common property. | The proposal does not include development or works, including common property. |
| The functions of any owners corporation. | There is no body corporate associated with this subdivision application. |
| The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas. | The proposed subdivision is for a boundary realignment where all utility installations including water, drainage, electricity, and gas are available. The proposal will not result in the creation of lots with no utility services. |
| If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot. | The application was referred and advertised to beneficiaries of easements on the land as appropriate, all of which relate to the provision of utilities. Submissions from beneficiaries indicate that the subdivision does not negatively affect the provision of utilities. |



Clause 65 decision guideline

DTP assessment

Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This application does not include any native vegetation removal or impacts.

The impact the development will have on the current and future development and operation of the transport system.

The proposed subdivision will not have a direct impact on the transport system as no works are proposed as part of this application. Traffic impacts associated with the approved Mortlake BESS project were assessed as part of that permit application.

Clause 53.22 – Significant Economic Development

47. DTP notes that the application documents refer to Clause 53.22 – Significant Economic Development however the application is not eligible for assessment under this clause as the application is solely for subdivision. Clause 53.22 has not been considered in the assessment of this application.

Aboriginal Cultural Heritage

48. The subdivision area includes land identified as an Aboriginal Cultural Heritage Sensitivity area.

49. The location of the boundary realignment does not intersect the sensitive area. Further, the subdivision activity is not classified as High Impact Activity as defined in Regulation 49 of the *Aboriginal Heritage Regulations 2018* as it is less than three lots.

50. DTP is satisfied that the proposed subdivision will not negatively impact the relevant area of cultural heritage sensitivity.



Figure 8: Area of aboriginal cultural heritage sensitivity shown in the north eastern corner of the site.



Recommendation

51. The proposal has been considered against the matters at section 60 of the PE Act, is consistent with the relevant planning policies of the Moyne Planning Scheme The proposal has been considered against the matters at section 60 of the PE Act and is consistent with the relevant planning policies of the Moyne Planning Scheme
52. The proposal is supported by the various referral agencies (AusNet and CFA) with conditions.
53. It is recommended that planning permit PA2504078 for subdivision of land to re-align the boundary of two lots at 1154 Connewarren Lane Mortlake be issued under delegation from the Minister for Planning.
54. It is recommended that the proposed plan of subdivision PS930203Y (Version 1) prepared by Smith Land Consulting dated 23/10/2025 be approved and endorsed.
55. It is recommended that the following stakeholders be notified of the above decision in writing:
 - Applicant
 - Council

 - Referral authorities:
 - AusNet
 - CFA

Prepared by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict
- Conflict and have therefore undertaken the following actions:
 - Completed the Statutory Planning Services declaration of Conflict/Interest form.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Reviewed by: [REDACTED]

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Approved by: [REDACTED]

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 - Completed the Statutory Planning Services declaration of Conflict/Interest form.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Title:
Manager,
Energy
Assessment

Dated: 6 May 2026



Department
of Transport
and Planning