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Our Reference 322524  
Your Reference PA2201507-1

19 September 2024

Divyaa Sundaravadivel  
Planner, Development Approvals and Design  
Department of Transport and Planning  
GPO Box 2392  
MELBOURNE 3001

**ADVERTISED  
PLAN**

**Via Email (original not following in mail)**

Dear Divyaa,

**PA2201507-1 – APPLICATION TO AMEND PLANNING PERMIT – 910 SIDEBOTTOMS ROAD  
PINE LODGE VIC 3631 – PINE LODGE BESS**

**RESPONSE TO REQUEST FOR FURTHER INFORMATION**

## **1. INTRODUCTION**

Spiire continues to act on behalf of ACEnergy and ACLE Services in relation to Planning Permit PA2201507 regarding land at 910 Sidebottoms Road, Pine Lodge & 490 Cosgrove-Lemnos Road, Pine Lodge.

The Department of Transport and Planning (The Department) issued a request for further information via email on 10 September 2024. The purpose of this letter is to provide a response to the items raised in The Department's correspondence. Our response is detailed below.

## **2. RESPONSE**

### **Registered Title & Title Plan**

- 1. A recent copy of Title and Title Plan for 490 Cosgrove-Lemons Road, Pine Lodge (searched within the past 30 days).**

In response to item 1, a recent copy of the title for 490 Cosgrove-Lemnos Road, Pine Lodge has been included at Appendix A.

### **Written Submission**

- 2. Provide a written submission to address the following:**
  - a. confirm if the proposal triggers a permit under Clause 44.04 – Land Subject to Inundation (LSIO), particularly concerning any construction of towers or poles.**
  - b. confirm whether the Cultural Heritage Management Plan (CHMP) is required given that the plans indicate proposed native vegetation removal in cultural heritage sensitivity area.**
  - c. confirm if the proposal seeks the removal of Condition 1c, as it references Condition 15.**
  - d. explanation of the proposed changes regarding the re-alignment of the powerline connection to the BESS.**

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In response to item 2, we note the following:

- a. The proposal does trigger a permit pursuant to Clause 44.04-2 – Land Subject to Inundation Overlay (LSIO). The Schedule to the LSIO confirms that the Greater Shepparton Local Floodplain Development Plans apply to sites affected by the overlay and are contained within precinct plans. In this case, the site is located within the Precinct of Broken Creek.

We acknowledge that this permit trigger was not applied to the original planning permit application. The proposed amendment to the BESS facility, necessary to align with AusNet requirements as discussed further in response to point D below, now requires an additional power pole to be installed which is located within the LSIO area. This pole will align with the existing 220kv transmission lines located to the south of the main BESS facility and will require minimal earthworks.

Given the minor increase to impervious area created by the pole, its inclusion is not considered to result in adverse impacts to the free passage and temporary storage of floodwaters as required by the LSIO. In response to the decision guidelines provided at Clause 44.04-8, we note the following:

- The proposal is consistent with the Local Floodplain Development Plan. The works proposed specifically within the LSIO related to the power pole are limited to a pit for the pole to sit in. These earthworks are minimal and do not obstruct any natural flow paths or drainage lines located on the site.
- The proposed location of the pole within the LSIO area is necessary due to the connection requirements into the existing overhead powerline network. This connection location has been determined in conjunction with AusNet's requirements.
- The inclusion of the pole in this location does not increase the susceptibility of the site to potential flooding and does not increase the potential flood risk to life, health and safety.
- The power pole is located on the eastern edge of the mapped LSIO area and proposed a minor increase in impervious area. The pole is not considered to redirect or obstruct floodwater or stormwater on the site.

Regarding the location of the proposed pole, this is appropriately shown on the amended plans package provided in Appendix B.

- b. The location of the proposed works is not within a mapped area of cultural heritage sensitivity and the removal of native vegetation does not constitute a high impact activity. As such, no Cultural Heritage Management Plan is required.
- c. The proposed amendment seeks the removal of condition 1c. As the application is seeking the removal of condition 15, the reference to condition 15 within 1c will become redundant and should be deleted.
- d. At the time of the initial planning permit application, the Switching Station design was indicative and the associated line connecting it was consequently (also) indicative. As a result of the maturing of the design in consultation with AusNet, the switching station slightly changed location and orientation, which caused a change in the location of the lines that connect it to the existing 220kV line. It should be noted that the impact of the new alignment will be less than the original submission because it entails less footprint area.

## **Amended Plans**

3. **Amend plans to show the following:**
  - a. **site plan to show extent of LSIO boundary**

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- b. site plan to reference section A-A to reflect the 220kV Switchyard Section**
- c. provide a complete set of the 220kV Switchyard Sections, as only Sheet 1 of 5 is provided**
- d. location of all existing native vegetation proposed for removal, with relevant IDs of any tress or patches to be removed, consistent with the Ecological Assessment and NVR Report (Note: The proposed native vegetation removal shown on plans does not match with the NVR report.)**
- e. Dimensioned elevation plans of the proposed powerline to connect the facility to the grid, including ancillary infrastructure (e.g., inverters, transformers, energy storage containers) and buildings, such as O&M facility**
- f. location of new power poles on site and elevation plans as applicable**

In response to item 3, we note the following:

- a. The site plan has been updated to show the extent of the LSIO boundary.
- b. Section A-A as shown on the site plan has been updated to reflect the 220kV Switchyard Section.
- c. We note that Sheets 2-5 as referenced do not provide sections of the switching station. Sheet 1 provides a section depiction of the switchyard and should suffice.
- d. All native vegetation proposed for removal has been clearly identified on the site plan with relevant ID's consistent with the ecological assessment and NVR report.
- e. The elevation plan of the proposed powerline connection has been dimensioned.
- f. The location of all new power poles have been included on the site and elevation plans.

Please refer to the amended plans located at Appendix B.

### 3. CONCLUSION

Spiire trusts that the information provided assists The Department in the continued assessment of this application. If you would like to discuss this response, please don't hesitate to contact me on 03 9993 7909 or at [Thomas.russell@spiire.com.au](mailto:Thomas.russell@spiire.com.au).

Yours sincerely



Thomas Russell  
Senior Professional - Planning

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