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* Head Office / address for all correspondence:

■ *Level 1, 135 Fryers Street, Shepparton, Vic. 3630

■ Phone: (03) 5820 7700

■ Fax: (03) 5822 4878

■ www.csmith.com.au

Minister for Planning
c/- Rashmitha Perera
Manager, Renewables Team
Department of Transport & Planning

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9 July 2024
Our Ref: 22219

Via DELWP permits online portal

Planning Application PA2402747 – Section 50A Amendment and RFI Response 400 MW Battery Energy Storage System, incl. Ancillary Infrastructure Kiewa Valley Hwy & Whytes Rd, Baranduda (Lot 11, PS340793 & Lot 2, PS406394)

Dear Rashmitha,

Further to preliminary discussions with the Department's renewables team, we hereby provide our response to DTP's request for further information (dated 14 March 2024). This response is also accompanied by a request to amend the current application under Section 50A of the P&E Act, the particulars of which are detailed in the relevant sections of this letter.

Section 50A Amendment – Summary of Changes

Since the application was originally submitted, there have changes to the scope of work, with AusNet and Birdwood Energy agreeing to incorporate the overhead transmission lines and augmentation works at the Wodonga Terminal Station into this planning application.

From a technical planning perspective, the changes to the development scope invokes the following changes to the planning application:

- Change to the land to which the permit is sought, to include the adjacent parcel to the north-east of the proposed boundary, which currently contains the Wodonga Terminal Station (Whytes Rd, Baranduda, Lot 2, PS406394)
- Creation of an additional permit trigger for building and works in the Environmental Significance Overlay 5 (Clause 42.01-2).

Due to these changes, Birdwood Energy has undertaken further assessment of several of the initial specialist recommendations where the change of scope would materially impact the conclusions and recommendations of the initial assessment. Consequently, we provide listed documents which have been updated to incorporate the proposed changes:

- **Planning Report**
(by Chris Smith & Associates, Rev. 4)
 - Appendix B – **Stormwater Management Plan**
(by Chris Smith & Associates, Ref. 22219/SWMP, Rev. 3)
 - Appendix C – **Landscape Plan**
(by Chris Smith & Associates, Ref. 22219/LP, Rev. 4)

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& ASSOCIATES
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- Appendix D – **Noise Impact Assessment**
(by ADP Consulting, Ref: MEL3908, Rev. 03)
- Appendix E – **Flora and Fauna Assessment**
(by Nature Advisory, Ref: 22115.01 (2.14))
- Appendix F – **Traffic Impact Assessment**
(by Traffic Works, Project 220957, Final 2 Report, dated 21/05/24)
- **Plans of Proposed Development**
(by Enerven, Rev. 0.2 & AusNet, Rev. 0.1)
- **Copy of Title – Volume 10321, Folio 970**
(Lot 2, PS406394)

The applicant is well advanced in the preparation of a **Cultural Heritage Management Plan (CHMP)**, as required by the Aboriginal Heritage Regulations, which is now in the final stages of preparation by Benchmark Heritage. Consequently, approval of the CHMP and should be achieved well before determination of this planning application.

Further Information Response

In addition to the above changes, our response to the further information request is now provided below for your reference:

<p>1) A full copy of all certificates of title (searched within the past three months). Any section 173 agreements and/or covenants listed on the registered title and all relevant associated documents must be provided.</p>	<p>Full, current copies of both titles and their particulars are now provided.</p> <p>There are no restrictions, agreements or caveats registered to either title that would impact the proposed use and development.</p>
<p>2) Amended Development Plans to include:</p>	<p>A full suite of updated plans is now provided, these updated plans include both the initial development, as well as the connection infrastructure.</p>
<p>a) Dimensioned plans and elevations of all ancillary infrastructure (powerlines, power poles and fencing)</p>	<p>Provided, refer to page 7 and 8 of the attached revised plans (Baranduda Electricity Energy Reserve (BEER) 330kV Substation Elevations).</p>
<p>b) Indicative detail/layout of grid connection infrastructure to Wodonga Terminal Station.</p>	<p>Due to changes in the scope of work, instigated by Ausnet. The grid connection to the Wodonga Terminal Station now forms part of the application.</p> <p>This connection is now shown on the proposed plans.</p>
<p>c) Dimensions showing the distance between the accessway and the northern and eastern boundaries</p>	<p>This setback is now shown. The access would be 20m from the north-east property boundary.</p>
<p>d) Dimensions showing the setback to all title boundaries.</p>	<p>Amended plans includes setbacks to title boundaries for the proposed battery energy storage system, as well as the proposed connection works.</p>

<p>e) <i>Native vegetation proposed to be removed.</i></p>	<p>The site is wholly subject to the <i>Leneva Valley and Baranduda Native Vegetation Precinct Plan</i>. Consequently, any removal of native vegetation is exempted from the need for a planning permit.</p> <p>Despite this exemption, the proposal has nevertheless considered vegetation impacts as a matter of best practice. There would be one (1) tree that would be considered lost as a consequence of this development, though it is of limited ecological value – refer to amended flora and fauna assessment by Nature Advisory.</p>
<p>f) <i>Detail of colour and finish of all external materials.</i></p>	<p>The proposed material schedule is shown as Note #9 on the revised site plans:</p> <p><i>“BESS, inverter and substation building/equipment to be RAL7035 or similar low-impact colour. Warehouse and O&M building to be low impact Colourbond colour or similar.”</i></p> <p>A dedicated colour schedule is also included inset on these plans to illustrate the material schedule.</p>
<p>3) <i>Clarification as to whether the proposal is within 60 metres of a major electricity transmission line (220 kV or more) or an electricity transmission easement.</i></p>	<p>The aerial imagery on page 7 of the planning report provides an electrical context plan of the site and surrounding area.</p> <p>Due to the connection works and augmentation of the Wodonga Terminal Station, we confirm that <u>there are works proposed within 60m of a major electricity transmission line.</u></p>

If you require any further information in this matter, please do not hesitate to contact our office on the details below.

Yours sincerely,



Duncan Lewis

Town Planner

duncan.lewis@csmith.com.au

Direct: (03) 5820 7728

enc: as listed

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