



* 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

9 August 2024
Our Ref: 22105

Minister for Planning
c/- Belinda Casic
Renewables Team
Department of Transport & Planning

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Via DELWP permits online portal

Planning Application PA2402710

5 MW Solar Energy Facility, Utility Installation (BESS & power lines) and associated infrastructure at Baddaginnie-Benalla Road, Baddaginnie (Lot 1, TP106246)

Dear Belinda,

This letter is provided in response to the Department Transport and Planning's request for further information (dated 23 February 2024).

For ease of assessment, our response to the further information request is now provided below and numbered as it appears in the original letter:

<p>1. <i>A full copy of all certificates of title (searched within the past 30 days). Any section 173 agreements and/or covenants listed on the register search statement, and all relevant associated documents must be provided.</i></p> <p>a) <i>An explanation of any section 173 agreements and/or covenants listed on the register search statement must be provided, including commentary on whether the application breaches these restrictions.</i></p>	<p>The current title – Volume 09672, Folio 644 – is now provided in full.</p> <p>There are no restrictions registered to title that would impact the proposal.</p>
<p>2. <i>Updated planning report to:</i></p> <p>a) <i>Clarification if the use and development of the Battery Energy Storage System (BESS) permission is sought under the definition of a minor utility installation or utility installation.</i></p> <p>b) <i>Clarification of the maximum storage capacity of the BESS.</i></p> <p>ADVERTISED PLAN</p>	<p>The proposed BESS meets the land use definition of a 'minor utility installation' as the point of connection would be a 22kV transmission line.</p> <p>This is detailed in Section 8.1 of the revised planning report.</p> <p>The revised planning report (Revision 2) now reflects the requested changes.</p> <p>A "tracked changes" .doc version of the report is also prepared to assist DTP officers undertake their assessment of the changes.</p> <p>The proposed BESS has a maximum storage capacity of 20 MW/h.</p>

ADVERTISED PLAN

<p>3. Updated plans to address the following:</p> <p>a) A site locality/context plan showing the full site area and proximity to nearby surrounds.</p> <p>b) An amended site plan showing the following:</p> <ol style="list-style-type: none"> i. Title details of the lots comprising the site. ii. Adjacent roads and infrastructure. iii. Dwellings and other sensitive land uses shown, with labels to match the numbering in the Glint and Glare Report. iv. Existing vegetation to be retained and removed on site. v. Mapped areas of cultural sensitivity. vi. Mapped wetlands or waterways. vii. Location of any proposed powerline to connect the facility to the distribution network. viii. Location of the two (2) proposed power poles clearly delineated. ix. Location of car parking area (if any). x. All proposed ancillary infrastructure. xi. A legend reflecting notations of any of the above. <p>c) A native vegetation plan showing the location of all existing native vegetation proposed to be retained and removed concerning the proposed development.</p>	<p>Birdwood Energy have provided an amended set of plans that now include a locality and context plan, title details, surrounding site conditions and environmental features</p> <p>Amended site plans are now provided that includes the items listed. The development footprint remains clear of any areas of established vegetation or cultural heritage sensitivity.</p> <p>These amended site plans also show the existing secondary access to the east.</p> <p>The elevation and equipment plans remain unchanged from the initially submitted plans.</p> <p>A vegetation plan is now provided as sheet 5 on the now submitted plans.</p>
<p>4. A Traffic Impact Assessment, prepared by a suitably qualified independent civil or traffic engineer which assesses potential traffic impacts on the existing road network associated with the construction and operation of the proposed facility.</p>	<p>Traffic Works have been engaged to undertake a Traffic Impact Assessment, which is now provided in support of the proposal.</p> <p>The TIA concluded that there would be no undue traffic impacts from the development, subject to recommendations.</p>
<p>5. A Bushfire Risk Assessment, prepared by a suitably qualified Bushfire Consultant which addresses CFA's Design Guidelines and Model Requirements for Renewable Energy Facilities v4 (2023).</p>	<p>The proposed facility has been designed in accordance with the CFA's Design Guidelines and in direct consultation with the CFA.</p> <p>It is submitted that a formal Bushfire Risk Assessment and Risk Management Plan be imposed as a conditional requirement of the sought planning permit.</p>
<p>6. A response to DEECA – Planning and Environment Assessment – Energy Projects Request for further information letter dated 20 February 2024.</p>	<p>An updated ecological assessment has been prepared by Succession Ecology. The changes requested by DEECA have been highlighted throughout the revised report for ease of assessment.</p> <p>The most significant change is the change in methodology for the offset calculations for the landscaping perimeter.</p>

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	<p>The application now seeks to calculate a total loss off grasses within the four-metre-wide landscaped area.</p> <p>The original application proposed a partial loss calculation across a wider, 6-metre-wide landscaping corridor.</p> <p>The result is a slight increase to the proposed vegetation removal from 6.145 hectares to 6.153 hectares.</p> <p>The updated assessment also seeks planning approval for the removal of a third native tree. This tree's loss is proposed solely due to TPZ encroachment. In all likelihood, the tree will be retained – as it is outside the solar farm footprint.</p>
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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

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