

ADVERTISED PLAN

28 January 2025

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Department of Transport and Planning

By email: amanda.duong@transport.vic.gov.au

Our Project Ref: 2408

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**RE: Response to request for Further Information, Tramway Road BESS PA2403430
Hazelwood North, VIC 3840**

Dear Amanda,

Thank you for your Request for Further Information (RFI) dated 16 January 2025. Please find below our response to requests one and two in Table 1. Responses to requests three and four will be provided in due course.

Please also find attached with this letter: Appendices A.1 through A.6 – Certificates of Title, and the updated Planning Application Report (in track changes and a clean version).

Table 1 — RFI Responses

Request	Response
<p>1a)</p> <p>Amended application form to:</p> <ul style="list-style-type: none"> Identify all land, including road reserves, for which works are proposed <p>It appears this has not been correctly translated on the online POL form. Acknowledgement of this on the responding cover will be satisfactory.</p>	<p>Please find listed below all land for which works are proposed (note: not all parcels have a street address, so the following list comprises formal lot numbers):</p> <p>BESS site:</p> <ul style="list-style-type: none"> Lot 2 on PS 700402C Lot 1 on LP 123958 Lot 19A~A on PP 2749 Tramway Road road reserve (access) <p>Grid connection land:</p> <ul style="list-style-type: none"> Lot 1 on PS 700402 Lot 2G~A on PP 2749 Lot 2069 on PP 2749 <p>The Planning Application Report has been updated to include the Tramway Road road reserve.</p>
<p>1b)</p> <p>Amended application form to:</p> <ul style="list-style-type: none"> Identify all provisions which trigger a planning permit requirement under 'Application details'. <p>It is noted only Clause 53.22 has been identified on the form.</p>	<p>Please find below all provisions that trigger a planning permit requirement for this application:</p> <ul style="list-style-type: none"> 35.07-1 – Section 2 Use of land for a Utility Installation 35.07-4 – To construct or carry out buildings or works associated with a Section 2 Use 37.01-4 – To construct a building or construct or carry out works 52.05-14 – To develop land for a business identification sign 52.17-1 – To remove, destroy or lop native vegetation, including dead native vegetation 52.29-2 – To create or alter access to a road in a Transport Zone 2 (TRZ2)

2)	<p>A copy of all register search statements, including any section 173 agreements and/or covenants listed on the register search statement, and all relevant associated documents.</p> <p>It is noted that the register search statements included at Appendix A of the submitted planning report indicate that a number of s173 agreements and caveats also apply to the land. It is kindly requested that the information requested be provided as a separate document (Appendix) similar to that provided for the other supporting documents.</p>	<p>Please see attached Appendices A.1 through A.6 – Certificates of Title that includes register search statements and associated documentation, including section 173 agreements and caveats.</p>
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Eku Energy and the project team are continuing to respond to requests three and four and will submit amended development plans and amended concept layout plans on or before 13/03/2025 as required by section 54 of the *Planning and Environment Act 1987*. The project team is additionally actively working on the Draft CHMP, appreciating that a planning permit cannot be issued in advance of the CHMP being approved.

Should you have any questions on the above, please do not hesitate to contact me on 0400 797 106 or at rebecca@cogencyaustralia.com.au.

Yours Sincerely,



Rebecca Wardle
Co-Founder & Director
Cogency Australia

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