

ADVERTISED PLAN

7 May 2025

Amanda Duong
Senior Planner, Development Approvals and Design
Department of Transport and Planning

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

Our Project Ref: 2408

**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 those requests in Table 1. This full RFI response is in addition to the responses provided on 28 January 2025.

In addition to responding to the requests, Eku Energy have re-designed the BESS layout to better integrate with the proposed transmission line. The primary change is that the internal substation has moved from the east of the site to the north-west. Accordingly, this response includes an updated set of reports which assess the revised layout.

Please also find enclosed with this letter the following documentation and supporting information:

- Updated Planning Report, Cogency Australia (6 May 2025)
- Indicative Layout Plan, Cogency Australia (29 April 2025)
- Site plans set, Cogency Australia (6 May 2025)
- Updated Engagement Summary Report, Cogency Australia (7 May 2025)
- Landscape and Visual Impact Assessment – Peter Haack Consulting (29 April 2025)
- Noise Impact Assessment – SLR Consulting (28 April 2025)
- Fire Hazard and Risk Assessment – Fire Risk Consultants (6 May 2025)
- Hydrology – Dalton Consulting Engineers (5 May 2025)
- Agriculture - Ag-Challenge Consulting (6 May 2025)
- An email from Ashurst lawyers regarding the Indigenous Land Use Agreement (ILUA), dated 20 March 2025

Please find in Table 1 below our responses to each of your requests.

Table 1 — RFI Responses

Request		Response
1.a), 1.b) and 2.		Responded on 28 January 2025 to items 1a), 1b) and part of item 2 (the remaining is provided below).
2.	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	In addition to the additional Title information provided on 28 January, the Proponent's lawyers (Ashurst Australia) has conducted a search for the ILUA listed on Crown Allotment

	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>2069/PP2749. Ashurst found that there is no native title over this parcel. As this title was created in 2023, Ashurst obtained a historical search for the parent title Vol 11740 Fol 187 which confirmed that the land was previously Crown Allotment 2E Section A in the Parish of Hazelwood. This land is included in the Gunaikurnai Native Title Determination as land with no native title due to freehold grant made prior to 1 January 1994.</p> <p>Please find enclosed the email from Ashurst confirming the above, along with a copy of the parent title.</p>
3.a)	A locality plan showing the full site context and location of dwellings and other sensitive uses.	Updated site and context plans included in the updated Planning Report (May 2025).
3.b)	<p>Site plans with the following (given the information required, it may be appropriate to provide multiple site plans):</p> <ol style="list-style-type: none"> Surrounding land uses or sensitive receptors clearly labelled, including distance from the site. Title details and boundaries of the lots comprising the subject site clearly labelled and delineated. Location of the proposed BESS relative to the entire subject site, with the proposed development footprint (BESS envelope) and setbacks from the title boundaries and Tramway Road dimensioned. Location of proposed signage. Mapped areas of cultural sensitivity. Any easements. 	<p>Updated site and context plans included in the updated Planning Report (May 2025) and have been provided as a map set for your benefit.</p> <div style="border: 2px solid red; padding: 10px; margin-top: 10px;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>
3.c)	<p>Amended concept layout plans with the following:</p> <ol style="list-style-type: none"> Proposed development footprint shown and dimensioned, including setbacks from the title boundaries. Proposed transmission line dimensioned. Location of any proposed transmission towers. 	<p>Concept development plans have been updated to include these additional details. These have been provided as a map set for your benefit.</p>

3.d)	A native vegetation plan showing the location of all native vegetation that is proposed to be retained and removed, as it relates to the proposed development.	A native vegetation plan has been included on page 41 of the Biodiversity Assessment (Ecolink, December 2024).
4.	Amended hydrology report to clarify the proposed layout of the of proposed development. The plan provided at Figure 1 of the report differs from the submitted development plans.	The Hydrology Assessment has been updated to assess the revised concept development.

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

Rebecca Wardle
Co-Founder & Director
Cogency Australia

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