

Energy Assessment  
PA2504006

# Mortlake Terminal Station Subdivision

 Officer Assessment



Department  
of Transport  
and Planning

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### Disclaimer

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## Executive Summary

Key Information	Details		
<b>Application No:</b>	PA2504006		
<b>Received:</b>	24 October 2025		
<b>Statutory Days:</b>	56		
<b>Applicant:</b>	AusNet c/- Beca		
<b>Planning Scheme:</b>	Moyne		
<b>Land Address:</b>	1154 Connewarren Lane, Mortlake, VIC 3272		
<b>Proposal:</b>	Subdivision to realign the common boundary between two lots to facilitate future extension of the existing terminal station and create a carriageway easement in favour of the terminal station land to support ongoing access to the site.		
<b>Permit preamble:</b>	Subdivision of land to re-align the boundary of two lots and the creation of a carriageway easement.		
<b>Development Value:</b>	\$0		
<b>Why is the Minister responsible?</b>	Under Clause 72.01-1, the Minister for Planning is the responsible authority for planning permits for the use and development of land for a utility installation used to transmit or distribute electricity. It is noted that the definition of 'development' under the <i>Planning and Environment Act 1987</i> (PE Act) includes the subdivision or consolidation of land.		
<b>Why is a permit required?</b>	<b>Clause</b>	<b>Control</b>	<b>Permit Trigger</b>
<b>Zone:</b>	Clause 37.01-3	Special Use Zone 1	Subdivide land in the SUZ1
<b>Overlays:</b>	Clause 44.06-2	Bushfire Management Overlay	Subdivide land in the BMO
<b>Particular Provisions:</b>	Clause 52.02	Easements, restrictions and reserves	Create an easement
	Clause 53.01	Public Open Space Contribution and Subdivision	N/A – Pursuant to section 18(1) of the Subdivision Act 1988, a Council, acting as a responsible authority or a referral authority under the Planning & Environment Act 1987 may require a contribution for public open space when the proposal creates an additional separately



Key Information	Details
	<p>disposable parcel of land by a plan of subdivision.</p> <p><i>Clause 53.01 does not apply as the Minister for Planning is the responsible authority.</i></p>
<b>Cultural Heritage:</b>	<p>The site is partially located within an area of Aboriginal cultural heritage sensitivity. A CHMP not required for this application as the subdivision activity is not classified as High Impact Activity as defined in Regulation 49 of the Aboriginal Heritage Regulations 2018 as the proposed subdivision is fewer than three lots.</p>
<b>Referral Authorities:</b>	<p>AusNet – Section 55 Determining Country Fire Authority – Section 55 Recommending SEA Gas – Section 55 Determining</p>
<b>Public Notice:</b>	<p>Notice of the application under section 52 of the PE Act was required.</p> <p><b>3</b> submissions (including 0 objections) have been received as of <b>7 April 2026</b>.</p> <p>Submissions were received from the following agencies:</p> <p>Moyne Shire Council – No objection Powercor – No objection, subject to conditions Wannon Water – No objection, subject to conditions</p>
<b>Delegation:</b>	<p>Not applicable</p>
<b>Recommendation:</b>	<p>Issue a planning permit and endorse plan of subdivision PS932463K</p>

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## Process and Documentation

### Planning Process

1. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	24 October 2025
Public notice (section 52)	19 December 2025

### Decision Documents

2. The subject of this report is the decision documents (as advertised with the application and described below).

Decision Documents
<ul style="list-style-type: none"><li>– Proposed Plan of Subdivision, prepared by All Spatial, Version A, dated 9 May 2025</li><li>– Mortlake Power Station Subdivision Planning Report, prepared by Beca, dated 3 October 2025</li><li>– AusNet Letter of No Objection, dated 2 October 2025</li><li>– Landowner Consent, dated 25 September 2025</li></ul>

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## Proposal

3. The application seeks approval for the subdivision of Mortlake Power Station (MPS) land (Lot 1) to realign the common boundary with Mortlake Terminal Station (MTS) land (Lot 2) and apply a carriageway easement as per Figure 1.
4. The purpose of this subdivision is to accommodate the future expansion of the Mortlake Terminal Station to facilitate connection to the future Mortlake Battery Energy Storage System.
5. It is noted that this proposal is consistent with the endorsed development plan of the approved Mortlake Power Station that applies to the site.
6. Table below shows the existing lot area and proposed lot area for Lot 1 and Lot 2.

Lot No.	Existing Area (ha)	Proposed Area (ha)
Lot 1	98.49	96.54
Lot 2	3.763	5.710

7. The proposed carriageway easement (E-13) will facilitate access to the site from a new entrance off the paper road to the east of the realignment area. Access to this easement will be from a private road and will not alter the road layout in the area. The carriageway easement will be in favour of AusNet Transmission Group Pty Ltd and connect to a Paper Road adjacent to the Blue Gums privately owned road. The Paper Road is secured by an easement in favour of AusNet.



Figure 1: Proposed subdivision and easement including existing easements.

## Subject Site and Surrounds

### Site Description

8. The subdivision area is located at **1154 Connewarren Lane, Mortlake, VIC 3272**.
9. The existing site comprises of a gas power station, terminal station and associated transmission lines, and a BESS which is currently under development.
10. The existing site is utilised for **energy generation and utility installation**.
11. The site is bounded in the south by Connewarren Lane, with a total size of **102.253 ha** (Lot 1 – 98.49 ha, Lot 2 – 3.763 ha).
12. The site is formally described as comprising the following land parcels:
  - Lot 1 on PS2620663 (MPS)
  - Lot 2 on PS2620663 (MTS)
13. There are several easements on the site benefiting various agencies. See Figure 2 and Table 1:

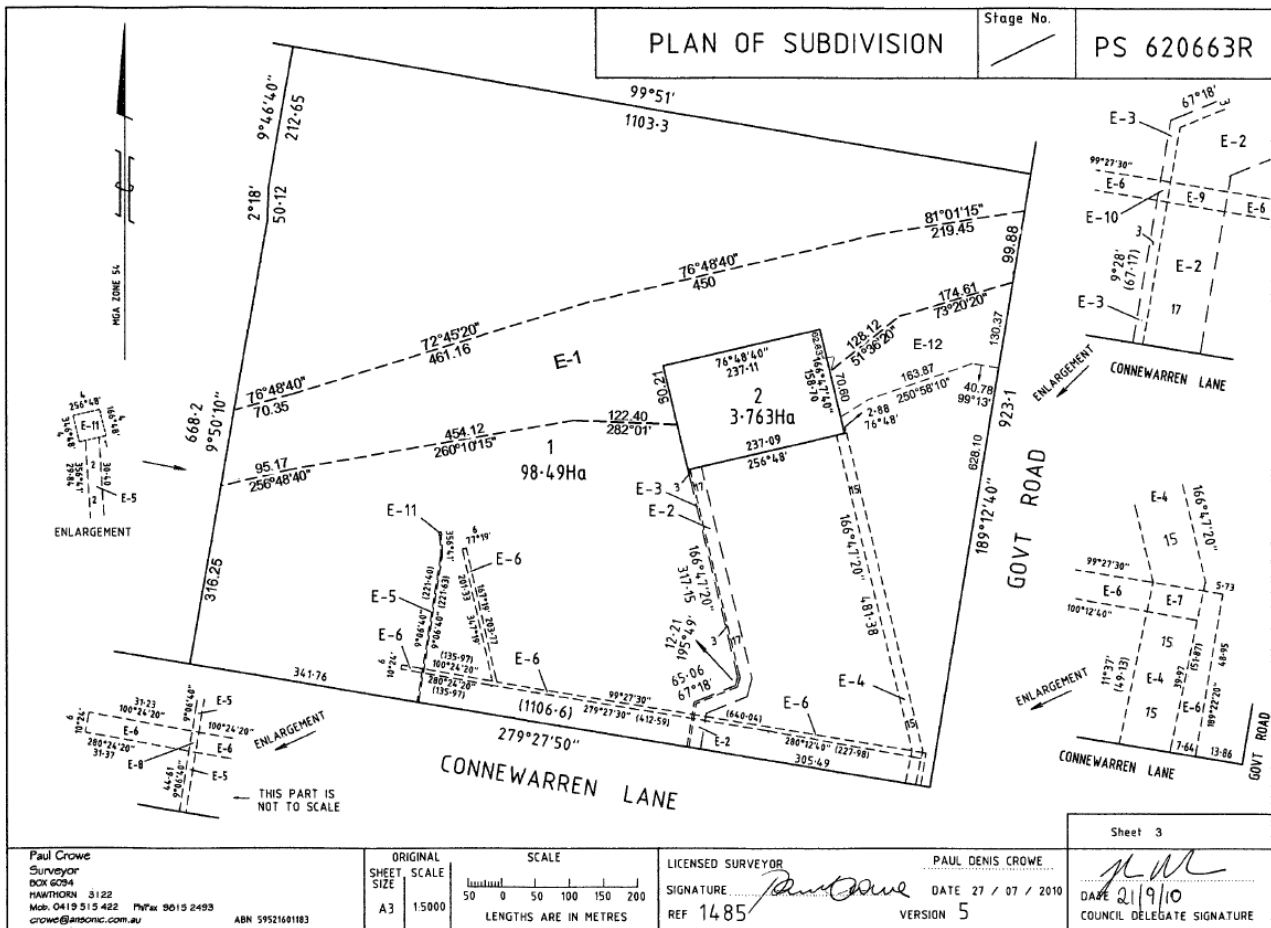


Figure 2: Current Plan of Subdivision PS620663R

Table 1: Summary of easements

Easement No.	Purpose	Land Benefited / In Favour Of
E-1	Transmission of Electricity	AusNet (formally SPI Powernet Pty Ltd)

<b>Easement No.</b>	<b>Purpose</b>	<b>Land Benefited / In Favour Of</b>
<b>E-2, E-9</b>	Carriageway & Drainage	Lot 2 on PS620663R
<b>E-3, E-10</b>	Carriageway, Drainage, Gas, Telecommunications	Lot 2 on PS620663R
<b>E-3, E-10</b>	Powerline	Powercor Australia Ltd
<b>E-3</b>	Water Supply	Wannon Region Water Corporation
<b>E-4, E-7</b>	Drainage	Lot 2 on PS620663R
<b>E-5, E-8</b>	Powerline	Powercor Australia Ltd
<b>E-6, E-7, E-8, E-9, E-10</b>	Water Supply	Wannon Region Water Corporation
<b>E-11</b>	Powerline	Powercor Australia Ltd
<b>E-12</b>	Transmission of Electricity	AusNet Transmission Group Pty Ltd

## Site Surrounds

14. The landscape surrounding the project area is rural and entirely zoned for farming and agricultural purposes. The Blue Gums substation is located immediately east of the subject site. The nearest residential property is located approximately 2.5km east of the site.
15. There are several batteries/energy facilities existing, approved or proposed in the surrounding area, as illustrated in Figure 3.

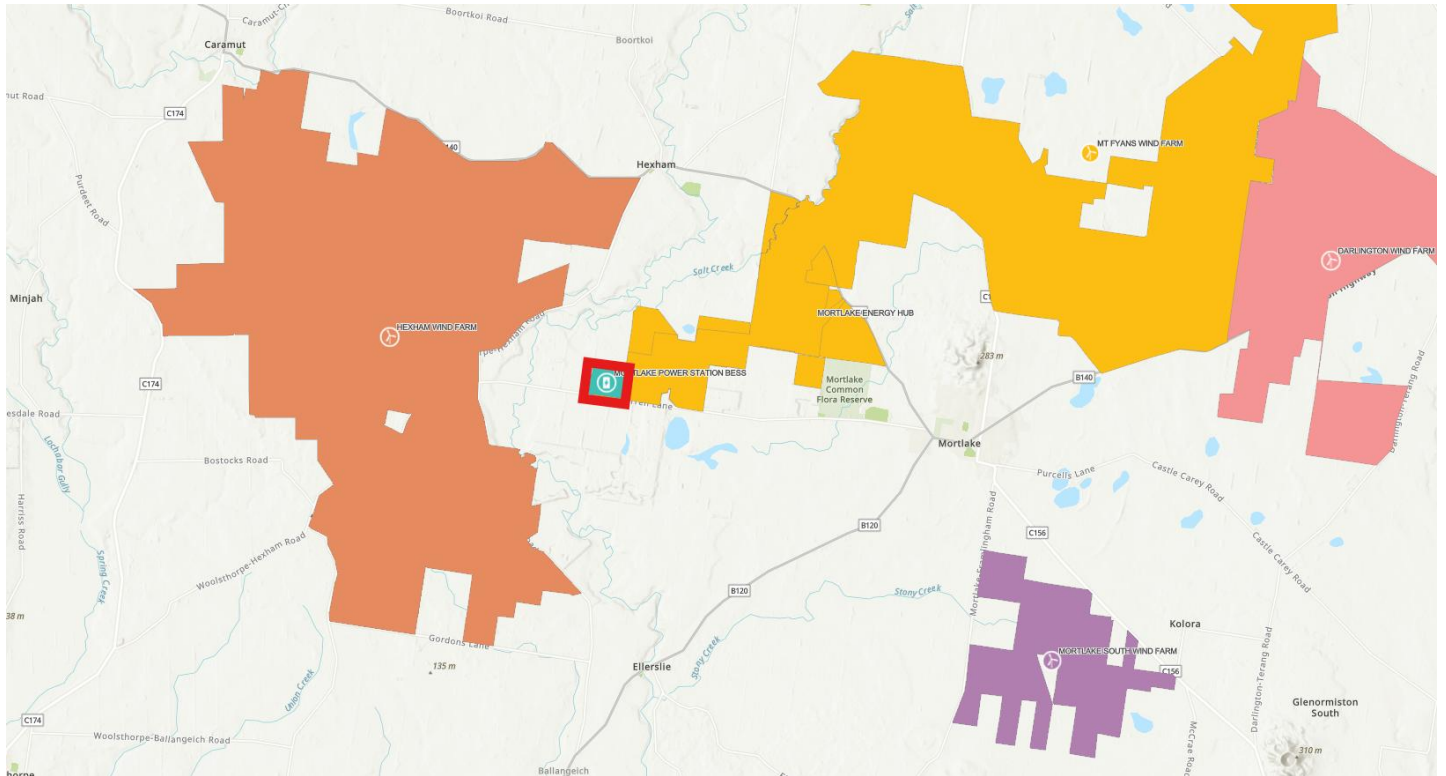


Figure 3: Surrounding energy facilities (subject site in red)

# Mortlake Terminal Station Subdivision

Officer Assessment



## Referrals

16. The application was referred to the following authorities under section 55 of the PE Act, as summarised below:

Organisation	Referral Type	Provision/ Clause	Response Date	Response	DTP Assessment
<b>AusNet</b>	Determining	Clause 66.01– To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	29 December 2025	No objection, with no condition	N/A
<b>SEA Gas</b>	Determining	Clause 66.01 - To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.	4 February 2026	<u>23 December 2025:</u> No objection with conditions  Conditions included design requirements, necessary studies, construction controls, and notifying SEA Gas prior to commencement of works.  <u>4 February 2026</u>  No objection, with no condition	SEA Gas requires no additional conditions to the permit.  SEA Gas initially requested a number of conditions related to controlling development on the site.  Through consultation with DTP, SEA Gas revised their response to “no objection, no conditions” on the basis that the application is solely for subdivision of land.

Organisation	Referral Type	Provision/ Clause	Response Date	Response	DTP Assessment
<b>Country Fire Authority</b>	Recommending	Clause 44.06 – Bushfire Management Overlay	6 January 2026	<p>No objection, with no conditions.</p> <p>CFA stated it is satisfied that the mandatory subdivision condition of clause 44.06-5 of the Scheme may be waived in this instance.</p> <p>This waiver is on the grounds that CFA is satisfied that the proponent had addressed the bushfire management objectives of the Moyne Planning Scheme via the endorsed Risk Management Plan, Fire Management Plan and Emergency Plan of the approved Mortlake BESS.</p>	DTP accepts CFA comments regarding waiving the requirements under Clause 44.06-5 of the Scheme.

## Public Notice

17. In accordance with section 52 of the PE Act, public notice of the application was given for 28 days between **19 December 2025** and **16 January 2026**.
18. DTP was satisfied that the grant of the permit would not cause material detriment to any person. The proposal involves only the re-alignment of the boundary between two existing lots and the creation of an easement located within Lot 1. No additional buildings or works are included in this application. As such, notice under section 52(1)(d) was not required.
19. Notice was given in the following manner:

Section of PE Act	Notice was given to:
<b>52(1)(b)</b>	DTP gave notice to Moyne Shire Council
<b>52(1)(d)</b>	DTP gave notice to the following agencies under clause 52(1)(d): <ul style="list-style-type: none"><li>– Wannon Regional Water Corporation</li><li>– Powercor</li><li>– Eastern Marr Aboriginal Corporation</li></ul>

20. **3** submissions (including **0** objections) have been received as of 31 March 2026.

## Objections

21. No objections were received as of 7 April 2026.

## Submissions

22. 3 submissions were received from government agencies and authorities (who were not referral authorities under section 55 of the PE Act), as summarised below:

Submitter	Date received	Summary of submission	DTP Officer Response
<b>Moyne Shire Council</b>	5 February 2026	No objection to the application.  Moyne Shire Council raised that the application requests that requirements of the BMO be waived as the application is for subdivision only. The applicant contents that bushfire risk was assessed as part of the Risk Assessment for the Mortlake BESS.  Moyne Shire Council requested that DTP establish whether the broader hazard assessment and related	See above for comments from CFA regarding the requirements under Clause 44.06-5 of the Scheme.  DTP is satisfied that bushfire management objectives have been adequately addressed via the endorsed Risk Management Plan, Fire Management Plan and Emergency Plan for the approved Mortlake BESS.



Submitter	Date received	Summary of submission	DTP Officer Response
		<p>detail is reflected in existing endorsed documents for the site.</p>	
<b>Powercor Australia Ltd</b>	16 January 2026	<p>No objection to the application subject to conditions. Powercor requested the following conditions to be included:</p> <p>The plan of subdivision submitted for certification be referred to Wannon Water in accordance with Section 8 of the <i>Subdivision Act 1988</i>. The plan of subdivision submitted for certification be referred to Powercor in accordance with Section 8 of the <i>Subdivision Act 1988</i>.</p> <p>The applicant, when required by the distributor, set aside areas for the purposes of establishing a substation or substations. Powercor provided that this arrangement will be formalised through reservations, or substation lease which would be registered by way of caveat on the title.</p> <p>The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land, and for any new powerlines to service the lots or adjust the positioning of existing easements.</p>	<p>DTP is satisfied that Powercor conditions are acceptable for inclusion in the permit.</p> <p>These conditions ensure that future utility installations on the site are appropriately secured through reserves/caveats and easements.</p> <p>These conditions recommended to be included on any permit granted.</p>
<b>Wannon Water</b>	13 January 2026	<p>No objection to the application subject to conditions.</p> <p>Wannon Water requested that the plan of subdivision submitted for certification be referred to Wannon Water in accordance with Section 8 of the <i>Subdivision Act 1988</i>.</p> <p>Wannon Water requested that easements and/or other notations be shown on the endorsed plan of subdivision to the satisfaction of</p>	<p>DTP is satisfied that these conditions are acceptable for inclusion in the planning permit in order to appropriately allow for the provision of water and sewerage services.</p> <p>These conditions recommended to be included on any permit granted.</p>



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Submitter	Date received	Summary of submission	DTP Officer Response
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Wannon Water for the provision of water and/or sewerage services.

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## Assessment

### Key Considerations

23. The planning scheme contains policies and controls that guide the assessment of **subdivision**. These are found in the state and local planning policies, the relevant zone and overlays, and other relevant provisions. The assessment below addresses the relevant sections of the planning scheme while having regard to the matters which must be considered in accordance with Section 60 of the PE Act.
24. The following are deemed the key considerations in assessing the acceptability of the proposal:
- Strategic policy context and planning controls
  - Whether the proposal responds to the vision and strategic directions of the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF)
  - Suitability of the proposal against the relevant overlays and particular provisions
  - Suitability of the proposal in relation to the endorsed plans for the Special Use Zone.
  - Bushfire risk and emergency management
  - Aboriginal cultural heritage.

### Permit Triggers

25. A planning permit for the project is triggered by the following clauses of the **Moyne** Planning Scheme (the scheme):

Clause	Permit Trigger
<b>37.01-3</b>	A permit is required to subdivide land in the SUZ
<b>44.06-2</b>	A permit is required to subdivide land in the BMO
<b>52.02</b>	A permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement.

### Strategic Direction and Policy Context

26. The Purpose and Vision for Victoria (Clause 01), Municipal Planning Strategy (Clause 02) and the Planning Policy Framework (PPF) of the **Moyne** Planning Scheme encourage the facilitation of renewable energy and storage projects, on balance with the protection of the environment and agricultural land. Clause 01.01 (Purposes of this Planning Scheme) identifies that a key purpose of the scheme is "to support responses to climate change."
27. The project is supported by *Plan for Victoria (2025)*, which seeks to ensure that 'Regional Victorian communities will attract and benefit from investment in renewable energy – wind, solar and battery storage – projects'.
28. *Victoria's Renewable Energy Action Plan, 2018* and *Victoria's Climate Change Strategy, 2021* both outline the importance of renewable energy generation and battery storage projects in Victoria's renewable energy transition.
29. The proposed subdivision is intended to facilitate the expansion of electricity generation activity on the site. Doing so will support renewable energy generation and storage activities in Victoria. As such, the proposal is in alignment with Clause 01.01, *Plan for Victoria, Victoria's Renewable Energy Action Plan, 2018* and *Victoria's Climate Change Strategy, 2021*.

## Municipal Planning Strategy (MPS)

30. An assessment against the relevant objectives and strategies of the Municipal Planning Strategy (MPS) of the scheme is provided in the table below:

Clause	Description	Assessment
<b>02.01</b>	Context	<p>The proposed subdivision is intended to facilitate expanded transmission activity on the site. As such, the application responds to the matters contained in 02.01-02.04 by facilitating intensifying existing uses on a site zoned specifically for energy generation and transmission purposes.</p> <p>Further, expansion of transmission activity facilitated by the proposed subdivision will increase the intensity of the activity on the subject site which is zoned specifically for energy generation and transmission purposes.</p>
<b>02.02</b>	Vision	
<b>02.03</b>	Strategic Directions	
<b>02.04</b>	Strategic Framework Plans	

## Planning Policy Framework (PPF)

31. An assessment of the project against the relevant objectives and strategies of the Planning Policy Framework (PPF) is provided in the table below:

Clause	Description	Assessment
<b>Clause 12</b>	<b>Environment and Landscape Values</b>	
<b>12.01-1S</b>	Protection of biodiversity	<p>No flora or fauna will be impacted or removed for the proposed boundary realignment.</p>
<b>12.01-2S</b>	Native vegetation management	
<b>Clause 13</b>	<b>Environmental Risks and Amenity</b>	
<b>13.02-1S</b>	Bushfire	<p>The subdivision area is partially within a Bushfire Management Overlay.</p> <p>DTP considers that bushfire risks have been adequately addressed in existing endorsed documentation related to the SUZ. Bushfire risk management documents on the site were submitted and subsequently endorsed on 1 July 2024 as part of the approved Mortlake BESS project.</p> <p>These documents include the expanded Mortlake Terminal Station and address associated bushfire risk matter.</p> <p>This is discussed further in the Bushfire Management Overlay section below.</p>
<b>Clause 14</b>	<b>Natural resource management</b>	
<b>14.01-1S</b>	Protection of agricultural land	<p>The subdivision will not result in any change to the available agricultural land in the region. There is no agricultural activity occurring on site.</p>

Clause	Description	Assessment
<b>Clause 15</b>	<b>Built Environment and Heritage</b>	
<b>15.01-3S</b>	Subdivision design	The subdivision responds to strategies in this clause related to by collocating with existing energy infrastructure. Doing so reduces the impact on surround land use, flora and fauna, and visual impact.
<b>15.01-6S</b>	Design for rural areas	The subdivision supports existing and approved activity on site. Given the existing development and approved development on site, the subdivision is not expected to increase the visual impacts on surrounding scenery.
<b>Clause 19</b>	<b>Infrastructure</b>	
<b>19.01-1S</b>	Energy supply	The purpose of the subdivision is to allow for the approved expansion of existing energy generation and transmission infrastructure located on site.
<b>19.01-2S</b>	Renewable energy	The purpose of the subdivision is to allow for the approved expansion of the Mortlake Terminal Station and facilitate connection of the Mortlake BESS. Supporting the connection of Mortlake BESS will facilitate increased provision of renewable energy generation.

32. Overall, the proposal is consistent with the relevant planning policies within the MPS and PPF.

## Zoning and Overlays

### Special Use Zone (SUZ) – Schedule 1 – Mortlake Power Station

33. The subdivision area is entirely within the SUZ1.

34. Pursuant to Clause 37.01-3, a permit is required to subdivide land. Schedule 1 to the SUZ does not specify any additional requirements for subdivision.

35. The purpose of Schedule 1 to the SUZ is:

- *To facilitate the development and use of a gas-fired power station in a manner which recognises the character and amenity of the surrounding area.*
- *To provide for electricity generation using natural gas.*
- *To provide for the transmission, distribution and storage of power.*

36. The SUZ1 does not prescribe any additional decision guidelines to be considered as part of the SUZ decision guidelines. Further, the decision guidelines contained in 37.01 state that, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate: the Municipal Planning Strategy and the Planning Policy Framework. These matters are discussed above.

37. The proposal to realign boundaries within the subject site with the intention to expand electricity transmission activity is consistent with the purpose of the SUZ1.

### Bushfire Management Overlay (BMO)

38. The purpose of the BMO is:



- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

39. Clause 44.06-3 requires that an application must be accompanied by a bushfire hazard assessment, a bushfire hazard landscape assessment, and a bushfire management statement. However, Clause 44.06-3 allows for these requirements to be waived, varied, or reduced if, in the opinion of the responsible authority, any part of these requirements is not relevant to the assessment of the application.
40. On 1 July 2024, DTP endorsed a Fire Management Plan, Emergency Management Plan, and Risk Management Plan for the approved Mortlake BESS. These plans were developed to include the expanded Mortlake Terminal Station which is facilitated by this subdivision application.
41. DTP is satisfied that bushfire risks associated with this application are accounted for in the above endorsed plans for the approved Mortlake BESS.
42. CFA were notified of the application under section 51(1)(d) of the PE Act and provided a submission stating CFA is also satisfied that risks have been accounted for and waiver of Clause 44.06-3 requirements is appropriate.
43. The decision guidelines contained at Clause 44.06-8 state that, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate: the Municipal Planning Strategy and the Planning Policy Framework. These matters are discussed above.

## Particular and General Provisions

### Clause 52.02 – Easements, restrictions, and reserves

44. The purpose of Clause 52.02 is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.
45. Clause 52.02 states a permit is required before a person proceeds under Section 23 of the *Subdivision Act 1988* to create an easement.
46. Clause 52.02 decision guidelines require that the responsible authority must consider the interests of affected people as well as the decision guidelines in Clause 65 before deciding on an application. Clause 52.02 "Decision Guidelines" require that the responsible authority must consider the interests of affected people as well as the decision guidelines in Clause 65 before deciding on an application.
47. The proposed subdivision is an internal boundary realignment within the subdivision area of two allotments. The affected land is owned entirely by Origin Energy who submitted a letter of consent to both the subdivision and creation of the carriageway easement. The carriageway easement is proposed to facilitate the access right to Lot 2. This easement is to be approx. 13.3m wide and is to be in the interest of AusNet Transmission Group Pty Ltd.

### Clause 65.02 – Approval of an Application to Subdivide Land

48. Clause 65.02 provides decision guidelines for applications to subdivide land. In accordance with the guidelines in this clause, DTP finds the following:

Clause 65 decision guideline	DTP assessment
The suitability of the land for subdivision	The land is well suited to the subdivision given the existing use of the land for energy generation and transmission, and the existing Special Use Zone for
The existing use and possible future development of the land and nearby land	



Clause 65 decision guideline	DTP assessment
The availability of subdivided land in the locality, and the need for creation of further lots The effect of development on the use or development of other land which has a common means of drainage.	the purpose of Mortlake Power Station. The activity proposed for the subdivision is consistent with the endorsed development plan for the approved Mortlake BESS located on proposed Lot 1.. This application does not propose a change of use or any development.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation. The density of the proposed development.	The proposed subdivision does not include development or works that may impact the physical characteristics of the land.
The area and dimensions of each lot in the subdivision.	Proposed Lot Area: Lot 1 – 96.54 ha (Mortlake PS location) Lot 2 – 5.710 ha (MTS location + MTS Extension Area)
The layout of roads having regard to their function and relationship to existing roads.	The proposed carriageway easement will facilitate access to the site from a new entrance off the Paper Road to the east of the realignment area. Access to this easement will be from a private road and will not alter the road layout in the area.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots. The provision and location of reserves for public open space and other community facilities.	The proposal will not impact pedestrian movement in the area as it does not interact with pedestrian area. Further the rural location of the site has very limited pedestrian activity. The proposal does not impact existing public spaces and facilities and does not propose public spaces or facilities.
The staging of the subdivision.	The proposed subdivision and creation of a carriageway easement does not require staging.
The design and siting of buildings having regard to safety and the risk of spread of fire.	The subdivision is supported by the endorsed fire risk management documentation discussed above. This application is not expected to increase the risk of bushfire in the area.
The provision of off-street parking.	The application does not propose additional use or development on the site and as such will have no impact on parking availability on the site.
The provision and location of common property. The functions of any owners corporation.	The proposal does not include development or works, including common property. There is no body corporate associated with this subdivision application.
The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.	The proposed subdivision is for a boundary realignment where all utility installations including water, drainage, electricity, and gas are available.



Clause 65 decision guideline	DTP assessment
If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.	The proposal will not result in the creation of lots with no utility services. The application was referred and advertised to beneficiaries of easements on the land as appropriate, all of which relate to the provision of utilities. Submissions from beneficiaries indicate that the subdivision does not negatively affect the provision of utilities.
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	This application does not include any native vegetation removal or impacts.
The impact the development will have on the current and future development and operation of the transport system.	The proposed subdivision will not have a direct impact on the transport system as no works are proposed as part of this application. Traffic impacts associated with the approved Mortlake BESS project were assessed as part of that permit application.

### Clause 53.22 – Significant Economic Development

49. DTP notes that the application documents refer to Clause 53.22 – Significant Economic Development however the application is not eligible for assessment under this clause as the application is solely for subdivision. Clause 53.22 has not been considered in the assessment of this application.

### Aboriginal Cultural Heritage

- 50. The subdivision area includes land identified as an Aboriginal Cultural Heritage Sensitivity area.
- 51. The location of the boundary realignment and easement do not intersect the sensitive area. Further, the subdivision activity is not classified as High Impact Activity as defined in Regulation 49 of the *Aboriginal Heritage Regulations 2018* as it is less than three lots.
- 52. Eastern Marr Aboriginal Corporation were notified under section 52(1)(d) of the PE Act but did not provide a response.
- 53. DTP is satisfied that the proposed subdivision will not negatively impact the relevant area of cultural heritage sensitivity.



Figure 4: Area of aboriginal cultural heritage sensitivity shown in green circle

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## Recommendation

54. The proposal has been considered against the matters at section 60 of the PE Act, is consistent with the relevant planning policies of the **Moyne** Planning Scheme. The proposal has been considered against the matters at section 60 of the PE Act and is consistent with the relevant planning policies of the **Moyne** Planning Scheme.
55. The proposal is supported by the various referral agencies (AusNet, CFA & SEA Gas) without any conditions.
56. It is recommended that planning permit **PA2504006** for **subdivision of land to re-align the boundary of two lots and creation of carriageway easement** at **1154 Connewarren Lane Mortlake** be issued under delegation from the Minister for Planning.
57. It is recommended that the proposed plan of subdivision **PS932463K (Version A)** prepared by **All Spatial** dated **9/5/2024** be endorsed.
58. It is recommended that the following stakeholders be notified of the above decision in writing:
- Applicant
  - Council
  - The following agency submitters:
    - Eastern Marr Aboriginal Corporation
    - Powercor
    - Wannon Regional Water Corporation
  - Referral authorities:
    - AusNet
    - CFA
    - SEA Gas

**Prepared by:** [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict
- Conflict and have therefore undertaken the following actions:
  - Completed the Statutory Planning Services declaration of Conflict/Interest form.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

**Name:** [REDACTED]

Signed: [REDACTED]

**Title:** [REDACTED]

Dated: 17 April 2026

**Reviewed by:** [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict
- Conflict and have therefore undertaken the following actions:
  - Completed the Statutory Planning Services declaration of Conflict/Interest form.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Signed: [REDACTED]

Dated: 17/04/2026

**Approved by:**

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict
- Conflict and have therefore undertaken the following actions:
  - Completed the Statutory Planning Services declaration of Conflict/Interest form.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

**Name:**



**Title:**



Signed:



Dated: 17 April 2026



**VICTORIA**  
State  
Government

Department  
of Transport  
and Planning