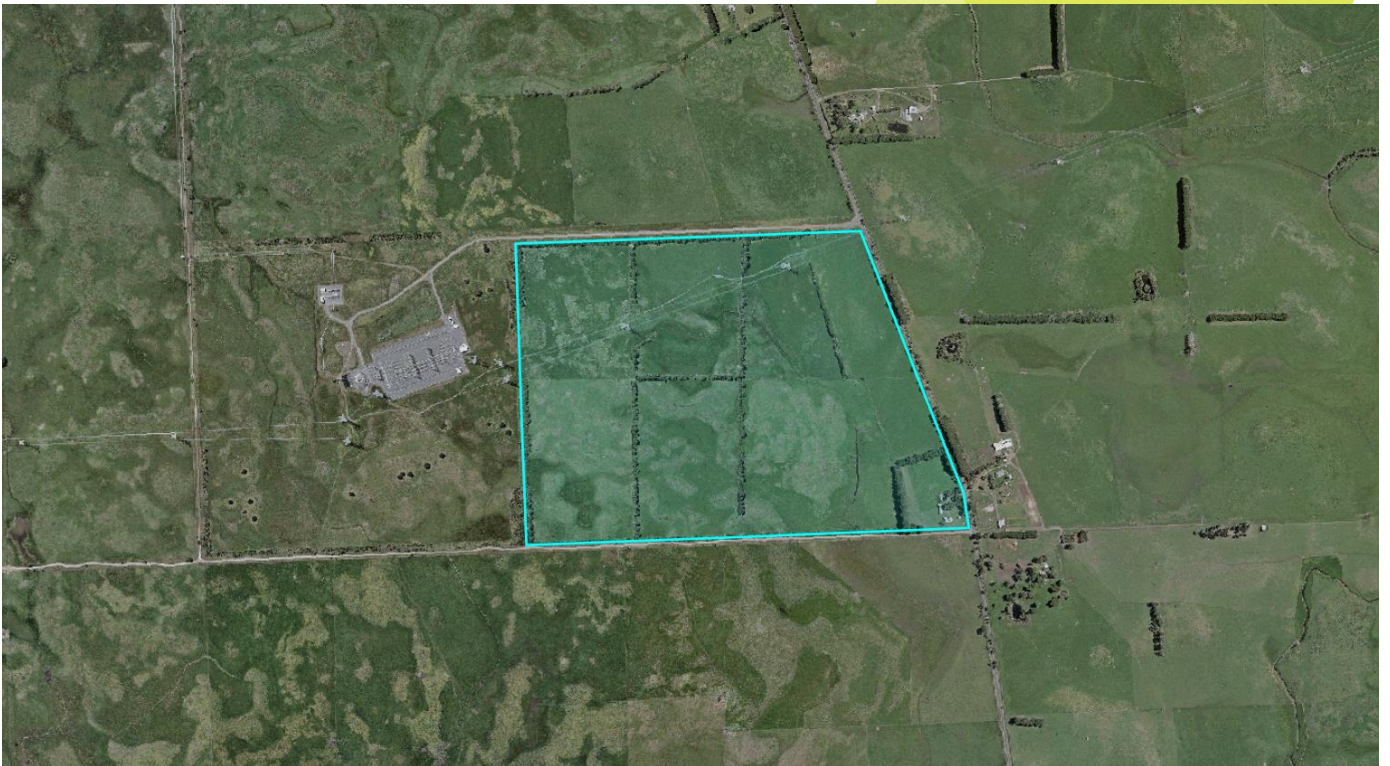


574 Tarrone North Road, Tarrone

Subdivision of land to re-align the boundary of two lots and the creation of easements (E-6, E-7, E-8 and E-9).

Planning Permit PA2403011



Officer Assessment Report
Development Approvals & Design

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Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information	Details		
Application No:	PA2403011		
Received:	27 June 2024		
Statutory Days:	27 days		
Applicant:	Beca Pty Ltd c/o – AusNet Services		
Planning Scheme:	Moynes		
Land Address:	574 Tarrone North Road, Tarrone		
Proposal:	Subdivision of land to re-align the boundary of two lots and the creation of easements (E-6, E-7, E-8 and E-9).		
Development Value:	\$0		
Zones:	Farming Zone (Schedule) (FZ)		
Overlays	Environmental Significance Overlay (Schedule 5) (ESO5)		
Why is a permit required?	Clause	Control	Trigger
Zone:	35.07-3	Farming Zone	<i>Clause 35.07-3 - A planning permit is required to subdivide land.</i>
Overlay:	42.01-2	Environmental Significance Overlay	<i>Clause 42.01-2 - A planning permit is required to subdivide land.</i>
Particular Provisions:	52.02	Easements, Restrictions and Reserves	<i>Clause 52.02 – A permit is required before a person proceed under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement.</i>
	53.01	Public Open Space Contribution and Subdivision	<i>Clause 53.01-1 – The subdivision is exempt from a public open space requirement because it is subdivision of land will maintain two lots and the RA considers it is unlikely that each lot will be further subdivided.</i>
	53.22	Significant Economic Development	<i>N/A – The proposal qualifies under this process as the application seeks to subdivide land used as a utility installation to transmit or distribute electricity.</i>
Why is the Minister responsible?	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 and use or development to which Clause 53.22 applies. It is noted that the definition of 'development' under the Planning and Environment Act 1987 includes the subdivision or consolidation of land.		
Cultural Heritage:	The site is partially located within an area of Aboriginal cultural heritage sensitivity. A CHMP is not required for this application. Refer to assessment below.		
Referral Authorities & Advice Sought:	AusNet Services (section 55) – Determining It is noted the applicant has provided a letter from AusNet Services, dated 5 June 2024.		
Public Notice:	<p>Notice of the application under section 52(1)(a) of the Planning and Environment Act 1987 was not required for this application, as the responsible authority is satisfied that granting 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 easements located within these allotments. No additional buildings or works are included in this application.</p> <p>Notice of application under section 52(1)(b) of the Planning and Environment Act 1987 was given to Moynes Shire Council.</p> <p>Notice of application under section 52(1)(d) of the Planning and Environment Act 1987 was given to other organisations, as the grant to the permit may cause material detriment to State Electricity Commission, SPI</p>		



Powernet Pty Ltd (renamed to AusNet) and Powercor Australia Ltd. Notice was sent to these organisations in favour of the existing easements on site.

The notice period occurred for 14 days and concluded on 14th August 2024.

Delegation Received: Delegation not required for this application, as confirmed by Director on 02 September 2024.



Application Process

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

Milestone	Date
Application lodgement	23 June 2024
Further information requested	22 July 2024
Further information received	23 July 2024
Decision Plans	Proposed Subdivision Plans, prepared by All Spatial, Version F and dated 02/09/2024.
Other Assessment Documents	Planning Report, prepared by Beca and dated 06 June 2024. Consent Letter from Landowner, prepared by GPG Naturgy Group. Letter from AusNet Servies, dated 05 June 2024.

2. The subject of this report is the decision plans (as described above).

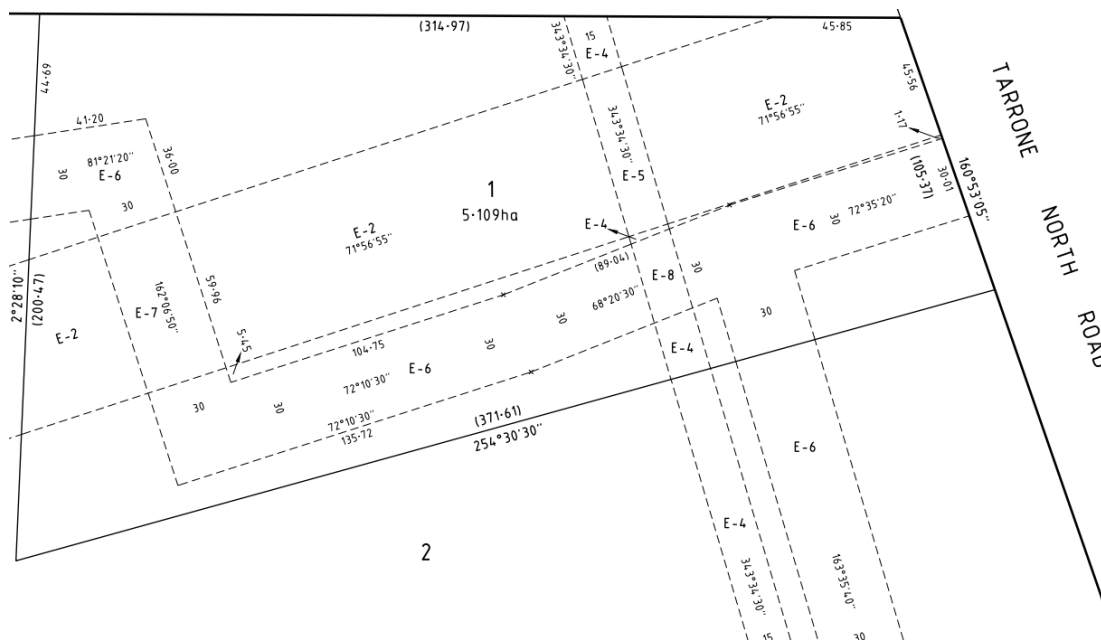
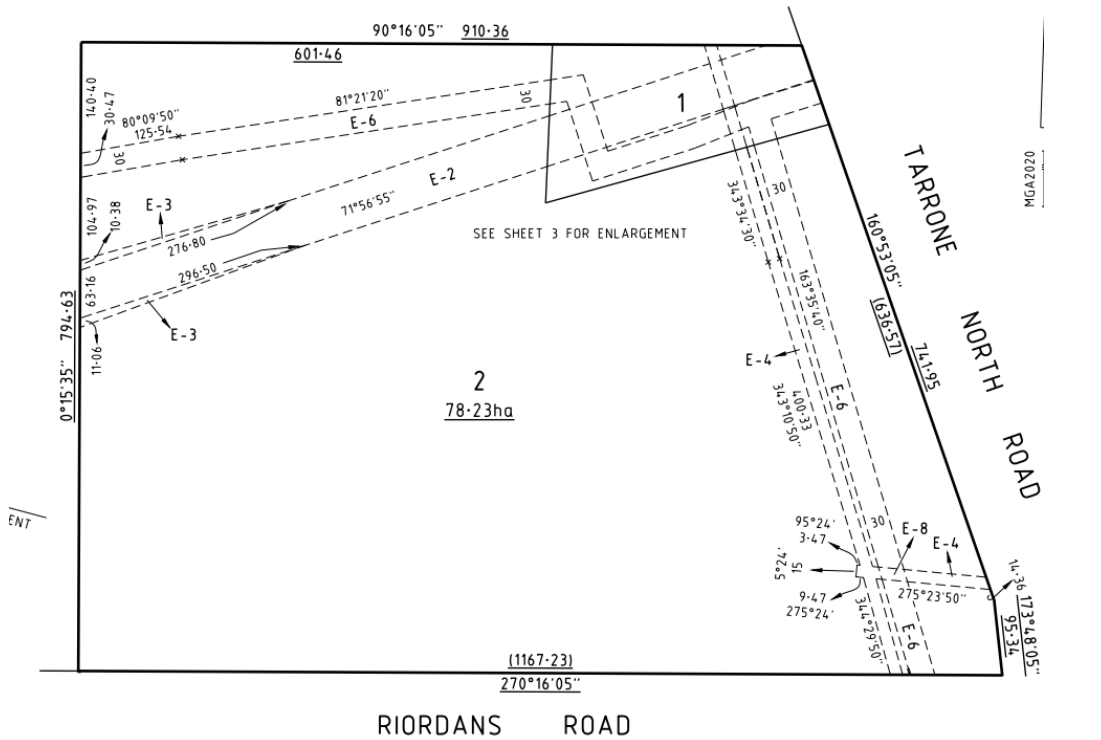
Proposal Summary

3. The proposal can be summarised as follows:

Key Information	Details						
Proposal Description:	<ul style="list-style-type: none">• AusNet seeks to amend the boundary between Lots 1 and 2 of PS918386. The purpose of this boundary realignment is to facilitate the transfer of Lot 1 to AusNet to allow for the ongoing operation and maintenance of the transmission lines which connect Hawkesdale and Ryan Corner Wind Farms to the transmission network. The transmission lines connect to the existing Tarrone Terminal Station located directly to the west of subject site.• The access rights to the easements for the lines connecting Hawkesdale and Ryan Corner wind farms to the electricity network are tied to land ownership. AusNet, as the transmission network service provider, must own a portion of the land within the subject lot to access the easements and fulfill its duties to operate and maintain the lines.• The lot most encumbered by transmission infrastructure is seeking to <u>re-align the boundaries of Lot 1 and Lot 2 of PS918386G</u> to minimise impact on agricultural land. The boundary between Lots 1 and 2 of PS918386G will be moved north and west, to form two revised lots:<table><thead><tr><th>Existing Lot Area</th><th>Proposed Lot Area</th></tr></thead><tbody><tr><td>Lot 1 – 40.00 hectares</td><td>Lot 1 – 5.109 hectares</td></tr><tr><td>Lot 2 – 43.34 hectares</td><td>Lot 2 – 78.23 hectares</td></tr></tbody></table>	Existing Lot Area	Proposed Lot Area	Lot 1 – 40.00 hectares	Lot 1 – 5.109 hectares	Lot 2 – 43.34 hectares	Lot 2 – 78.23 hectares
Existing Lot Area	Proposed Lot Area						
Lot 1 – 40.00 hectares	Lot 1 – 5.109 hectares						
Lot 2 – 43.34 hectares	Lot 2 – 78.23 hectares						
	<ul style="list-style-type: none">• Lots 1 and 2 is currently under the ownership of Ryan Corner Development Pty Ltd. The ownership of the revised Lot 1 (5.401 hectares) to be transferred to AusNet Transmission Group Pty. The revised Lot 2 (78.23 hectares) ownership to be retained by Ryan Corner Development Pty Ltd.						

- Creation of new easements (E-6, E-7, E-8 and E-9). These easements are designated for a powerline, and all new easements will be in favour of AusNet Electricity Services Pty Ltd. The intended purpose of these easements is to capture existing transmission lines and ancillary infrastructure. The easements are to be in the interest of AusNet, for the ongoing management and maintenance of the transmission lines. Easements E-6 and E-7 is 30m wide. Easement E-8 is 15m wide. Easement E-9 is 0.99m wide.

4. The applicant has submitted following plan of the proposal:



Figures 1 & 2 - Proposed Plan of Subdivision (Source: Decision Plans)



EASEMENT INFORMATION				
Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)				
SUBJECT LAND	PURPOSE	WIDTH (Metres)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1, E-9	TRANSMISSION OF ELECTRICITY	SEE DIAG	G154906	STATE ELECTRICITY COMMISSION
E-2, E-7	TRANSMISSION OF ELECTRICITY	SEE DIAG	L728627P	STATE ELECTRICITY COMMISSION
E-3	TRANSMISSION OF ELECTRICITY	SEE DIAG	AH945532M	SPI POWERNET PTY LTD
E-4, E-8	POWERLINE	SEE DIAG	SECTION 88 - ELECTRICITY INDUSTRY ACT 2000 (PS918386G)	POWERCOR AUSTRALIA LTD
E-5	POWERLINE	15	SECTION 88 - ELECTRICITY INDUSTRY ACT 2000 (PS918386G)	POWERCOR AUSTRALIA LTD
E-5	TRANSMISSION OF ELECTRICITY	15	L728627P	STATE ELECTRICITY COMMISSION
E-6, E-7, E-8, E-9	POWERLINE	30	THIS PLAN: SECTION 88 - ELECTRICITY INDUSTRY ACT 2000 (MCP7380)	AUSNET ELECTRICITY SERVICES PTY LTD

Figure 3 - Proposed Easement Information (Source: Decision Plans)

Subject Site and Surrounds



Site Description

5. The subject site is located at 574 Tarrone North Road, Tarrone, and consists of two allotments, formally known as Lots 1 and 2 of PS918386G. Both allotments are currently owned by Ryan Corner Development Pty Ltd.
6. Both allotments are generally rectangular in shape, with Lot 1 having an area of 40 hectares and Lot 2 having an area of 43.34 hectares. Tarrone North Road is located to the east of subject site. Both lots have existing vehicle access from Tarrone North Road.
7. A series of transmission lines traverse the land, primarily located within Lot 1 on PS918386G. This includes the 500kV Mortlake to Heywood transmission lines and the transmission lines which connect the Hawkesdale and Ryan Corner wind farms to the transmission network.
8. The subject land is primarily vegetated by grass with several shelter belts that border and transect the land.
9. Lot 2 of PS918386G is predominantly used for agricultural purposes and contains an existing dwelling and associated outbuildings situated in the southwest corner of the allotment.
10. There are several easements located on Lots 1 and 2. The titles identify a total of five easements, as follows:

Lot No.	Easement Reference	Purpose	Width
Lot 1	E-2	Transmission of Electricity	60m
Lots 1 & 2	E-3	Transmission of Electricity	11.06m
Lot 1	E-4	Powerline	15m
Lot 1	E-5	Transmission of Electricity	15m
Lot 2	E-1	Transmission of Electricity	2m
Lot 2	E-4	Powerline	15m

11. There are no restrictions registered on title for Lots 1 and 2 on PS918386G.

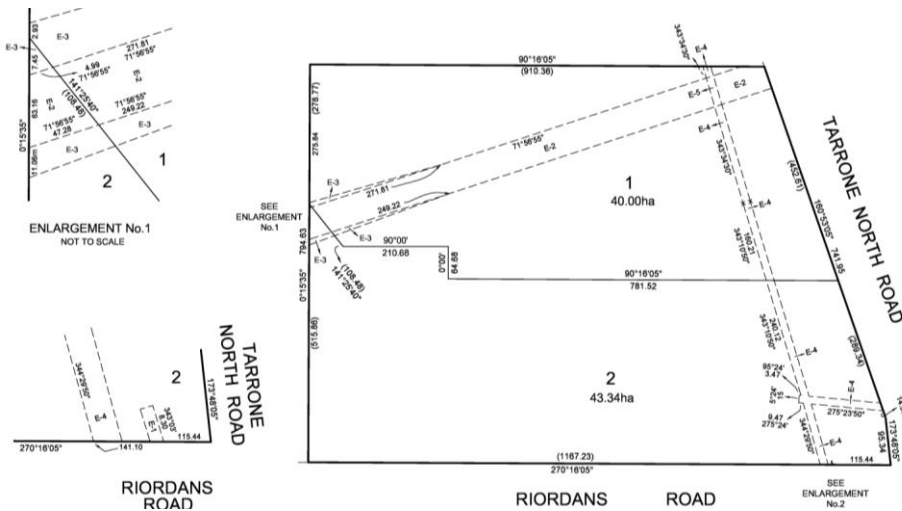


Figure 4 - Existing Plan of Subdivision PS918386G



EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	TRANSMISSION OF ELECTRICITY	2	G154906	STATE ELECTRICITY COMMISSION
E-2	TRANSMISSION OF ELECTRICITY	60	L728627P	STATE ELECTRICITY COMMISSION
E-3	TRANSMISSION OF ELECTRICITY	SEE DIAG	AH945532M	SPI POWERNET PTY LTD
E-4	POWERLINE	15	SECTION 88 - ELECTRICITY INDUSTRY ACT 2000 (THIS PLAN)	POWERCOR AUSTRALIA LTD
E-5	POWERLINE	15	SECTION 88 - ELECTRICITY INDUSTRY ACT 2000 (THIS PLAN)	POWERCOR AUSTRALIA LTD
E-5	TRANSMISSION OF ELECTRICITY	15	L728627P	STATE ELECTRICITY COMMISSION

Figure 5 - Existing Easement Information on PS918386G

Site Surrounds

12. The surrounding area is predominately a mix of agricultural and rural residential uses.
13. Agriculture is the predominant land use of the local area. There are several existing single dwellings, each with multiple outbuildings that are presumably ancillary to agricultural use.
14. The existing Tarrone Power Station is located to the immediate west of the subject land.
15. Back Creek is located approx. 485 meters east of the site. There are no mapped waterways identified on either allotment.

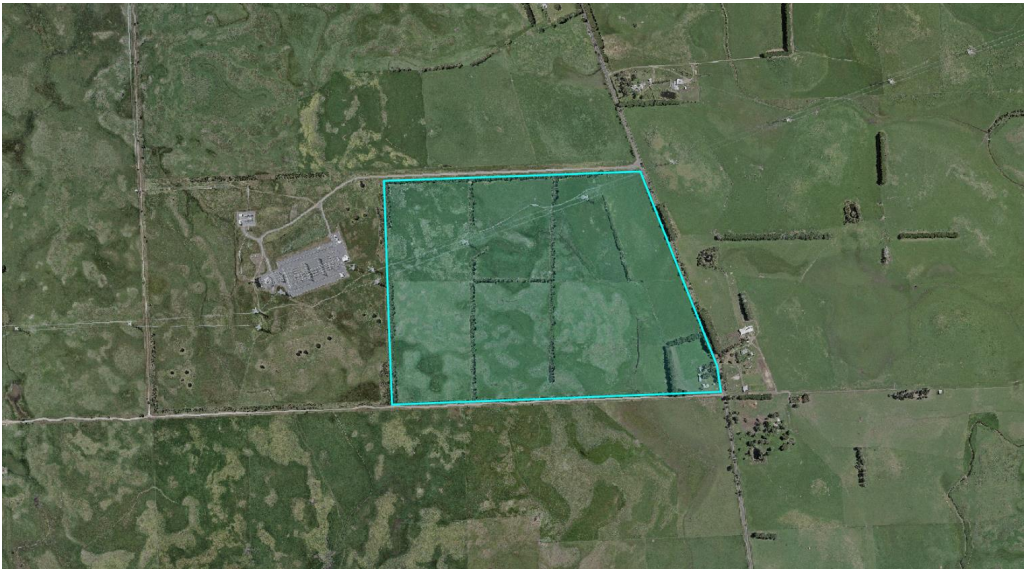


Figure 6 - Aerial Imagery (Source: VicPlan)



Planning Policy Framework

16. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 12	Environmental and Landscape Values
12.01-1S	Protection of biodiversity
12.01-2S	Native vegetation management
Clause 13	Environmental Risks and Amenity
13.02-1S	Bushfire planning
Clause 14	Natural Resource Management
14.01-1S	Protection of agricultural land
Clause 15	Built Environment and Heritage
15.01-3S	Subdivision design
Clause 19	Infrastructure
19.01-1S	Energy supply

17. The assessment section of this report provides a detailed assessment of the relevant planning policies.

Zoning and Overlays

Farming Zone – Schedule 1 (FZ1)

18. The site is entirely located within the Farming Zone – Schedule 1.

19. Pursuant to Clause 35.07-3 of the Farming Zone, a planning permit is required to subdivide land.

20. Clause 35.07-3 specifies a minimum lot requirement of 40 hectares for each lot within the Farming Zone. The proposed lot sizes are:

- Lot 1 – 5.109 hectares
- Lot 2 – 78.23 hectares

21. Clause 35.07-3 states that a permit may be granted to create lots smaller than 40 hectares if the subdivision is the subdivision is by a public authority or utility service provider to create a lot for a utility installation.

22. The subdivision is proposed by AusNet, a utility service provider as per the definition in Clause 73.01 and the provisions of the *Electricity industry Act 2000*.

23. The proposed Lot 1 would approx. 70% be occupied by transmission infrastructure, inclusive of those relating to Ryan Corner Wind Farm and Hawkesdale Wind Farm. These transmission lines operate at a combination of 500kV and 132kV. Lot 1 is for the purpose of operating and maintaining power lines directly associated with an energy generation facility, is defined as a utility installation. The proposed boundary re-alignment facilitates a smaller Lot 1 from 40 hectares to 5.109 hectares and is considered acceptable in this instance.

Environmental Significance Overlay (Schedule 5) (ESO5)

24. The site is partially encumbered by the Environmental Significance Overlay – Schedule 5 – Tarrone Power Station Environs.



Figure 6 - Overlay Map Showing ESO5 at Subject Site (Source: VicPlan)

25. Pursuant to Clause 42.01-2 of Environmental Significance Overlay, a permit is required to subdivide land.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

26. Clause 52.02 seeks 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. Pursuant to Clause 52.02, a permit is required before a person proceeds under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement.
27. Clause 52.17 seeks to provide for the protection, management and removal of native vegetation. No native vegetation will be impacted or removed for the proposed boundary realignment and creation of easements.

General Requirements and Performance Standards

28. Clause 53.01 seeks a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*. Pursuant to Clause 53.01-1, a subdivision is exempt from a public open space requirement specified in this scheme if it subdivides land into two lots and the responsible authority considers it unlikely that each lot will be further subdivided. The proposed boundary realignment will maintain two lots, which cannot be further subdivided. Specifically, Lot 2, with an area of 78.23 hectares, cannot be further subdivided due to the minimum subdivision area requirement of 40 hectares per lot under the FZ.
29. Clause 53.22 seeks to prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians. This application involves the subdivision of land that includes a utility installation (i.e., transmission lines) used for transmitting or distributing electricity. As a result, it qualifies under this pathway and falls within Category 1.

Relevant Background Documents

Other Planning and Environmental Approvals

30. It is the proponent's responsibility to ensure all relevant approvals outside of the *Planning and Environment Act 1987* are in place. However, comment is made on the following relevant legislation:



Aboriginal Heritage Act 2006 (AH Act)

31. The AH Act seeks to avoid adverse effects to Aboriginal cultural heritage values as far as reasonably practicable. Where adverse effects cannot be avoided, measures must be implemented to minimise and mitigate adverse effects.
32. The subject site is partially located within an area of cultural heritage sensitivity. However, the proposed subdivision does not qualify as a high-impact activity under Regulation 49 of the Aboriginal Heritage Regulations 2018, as it does not involve the subdivision of land into three or more lots, nor does it involve the subdivision of land into two or more lots within an industrial zone.
33. The creation of easements is also not considered a high-impact activity, as it is limited to capturing existing transmission lines and ancillary infrastructure, with no significant ground disturbance required. Therefore, a CHMP is not required under the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018.



Referrals

34. The application would ordinarily have been required to be referred to AusNet Services pursuant to section 55 of the Act and Clause 66.01 due to the proposed subdivision of land occurring within 60m of a line (220 Kilovolts or more) or an electricity transmission easement.
35. DTP did not refer the application to AusNet Services, as the applicant provided a letter from AusNet Services dated 5 June 2024. This letter states that AusNet Services has no objections to a planning permit being issued does not include any conditions, as per section 55(1) of the Act.
36. No other referrals were required pursuant to section 55 of the Act.

Advice Sought

37. The application was not required to seek advice from external agencies.

Notice

38. Notice of the application under section 52(1)(a) of the *Planning and Environment Act 1987* was not required for this application, as the responsible authority is satisfied that granting 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 easements located within these allotments. No additional buildings or works are included in this application.
39. Notice of application under section 52(1)(b) of the *Planning and Environment Act 1987* was given to Moyne Shire Council.
40. Notice of application under section 52(1)(d) of the *Planning and Environment Act 1987* was given to other organisations, as the grant to the permit may cause material detriment to State Electricity Commission, SPI Powernet Pty Ltd (renamed to AusNet) and Powercor Australia Ltd. Notice was sent to these organisations in favour of the existing easements on site.
41. The notice period occurred for 14 days and concluded on 14th August 2024.
42. No comments were received from Moyne Shire Council, State Electricity Commission, SPI Powernet Pty Ltd (renamed to AusNet) and Powercor Australia Ltd as of 28 August 2024.

Moyne Shire Council

43. An online meeting was facilitated between Department of Transport and Planning and Moyne Shire Council on 29 July 2024.
44. In the meeting, Council did not raise any concerns but acknowledged that Council had issued a planning permit PL23/101 for a two-lot subdivision at the subject site in September 2023. The Plans of Subdivision 918386G has been certified on 21 November 2023 and the State of Compliance issued on 23 November 2023.



Key Considerations

45. The following are deemed the key considerations in assessing the acceptability of the proposal:

- Planning Policy Context
- Purpose and Decision Guidelines of FZ
- Purpose and Decision Guidelines of ESO & ESO5
- Clause 52.02 – Easements, Restrictions and Reserves
- Clause 65.02 – Approval of an Application to Subdivide Land

Planning Policy Context

Planning Policy Framework

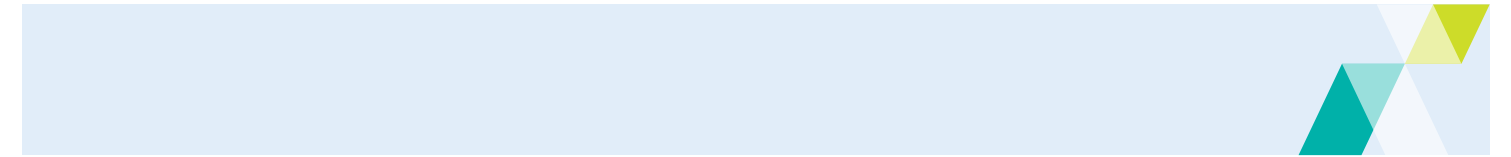
46. The table below provides an assessment of the Planning Policy Framework:

Clause 12	Environmental and Landscape Values	Assessment
12.01-1S	Protection of biodiversity	No vegetation removal will be impacted or removed for the proposed boundary realignment and creation of easements.
12.01-2S	Native vegetation management	
Clause 13	Environmental Risks and Amenity	Assessment
13.02-1S	Bushfire Planning	The subject site is wholly located within the designated Bushfire Prone Area. Bushfire risk considerations are not required for this application because the proposed subdivision does not exceed 10 lots and the proposal does not include any works.
Clause 14	Natural Resource Management	Assessment
14.01-1S	Protection of agricultural land	Lot 1, the area most encumbered by transmission infrastructure, has been selected for subdivision to minimize potential impacts on agricultural land use in Lot 2. The productive agricultural land in fact will be expanded as Lot 2 will increase in lot area from 43.34 hectares to 78.23 hectares.
Clause 15	Built Environment and Heritage	Assessment
15.01-3S	Subdivision design	The purpose of the subdivision is to facilitate the access rights necessary for the ongoing operation and maintenance of energy supply infrastructure. Proposed Lot 1, at 5.401 hectares, will accommodate existing transmission lines and infrastructure, while proposed Lot 2, at 78.23 hectares, will be used primarily for agricultural purposes. The number of lots will remain unchanged.
Clause 19	Infrastructure	Assessment
19.01-1S	Energy supply	The purpose of the subdivision is to facilitate the access rights necessary for the ongoing operation and maintenance of energy supply infrastructure.

Purpose and Decision Guidelines of Farming Zone (Schedule 1) [FZ1]

47. The purpose of the Farming Zone (FZ) is:

- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*



48. The proposal is for the boundary re-alignment of two lots and creation of easements (E-6 to E-9). The proposal seeks to decrease Lot 1 area from 40 hectares to 5.401 hectares to facilitate the access rights to AusNet Services for the ongoing operation and maintenance of existing energy supply infrastructure, including transmission lines located on this allotment. This will result in an increase for Lot 2 from 43.34 hectares to 78.23 hectares. The proposed Lot 2 is predominantly used for agricultural purposes, though is also occupied by transmission lines and a dwelling. The propose meets the purpose of the FZ as the proposal seeks to retain and expand productive agricultural land.

49. The proposal is appropriate, having regard to the decision guidelines of the FZ as follows:

- The Glenelg Hopkins Regional Catchment Strategy 2021-2027 applies to the land. The proposal does not include any physical works and does not require any additional infrastructure, and will not negatively impact biodiversity, land, or water associated with the catchment.
- The proposal will not alter the current land use and does not propose the disposal of effluent.
- The proposal does not alter the current land management of the lot and does not involve any works or development that may impact sustainable land management.
- The proposal facilitates the access rights necessary for the ongoing operation and maintenance of existing infrastructure. The transmission lines connect to the existing Tarrone Terminal Station, adjoining to the west of the subject site. The subdivision is consistent with the existing land use, does not propose any development and is compatible with adjoining and nearby land use.
- The proposal will not have any impact on agricultural land use. The primary use of Lot 1 is utility installation. The proposed Lot 1 would approx. 70% be occupied by transmission infrastructure. The primary use of Lot 2 is agriculture. The proposed subdivision and creation of easements has no anticipated impact on current levels of agricultural production.
- The proposal does not include any dwellings, accommodation, a wind energy facility or an extractive industry operation.
- There are no anticipated impacts on natural physical features and resources or biodiversity due to no works being proposed. No vegetation removal required to accommodate the proposal.
- The proposed subdivision does not propose any effluent disposal.
- Both lots have existing vehicle access from Tarrone North Road. No new vehicle access is proposed, and therefore, will not result in an increase in traffic volume.

50. Based on the above, and subject to the conditions recommended on any permit granted, the application responds positively to the decision guidelines of the FZ1.

Purpose and Decision Guidelines of Environmental Significance Overlay (Schedule 5) [ES05]

51. The purpose of Environmental Significance Overlay (ESO) is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

52. The proposal does not include any development or works, so there would be no concerns of any direct impacts to any environmental constraints or values.

53. The proposal is appropriate, having regard to the decision guidelines of the ESO and ESO5 as follows:

- The ESO seeks to avoid the development of uses that are sensitive to noise emitted by the Tarrone Power Station facility. The application is considered consistent with the objective of the ESO as it does not propose



any development.

- The proposal does not include any vegetation removal.
- The application does not need to seek comments from EPA as the proposed does not include and development.

54. Based on the above, the application is considered meet the purpose and decision guidelines of the ESO and ESO5.

Clause 52.02 – Easements, Restrictions and Reserves

55. 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.

56. The intended purpose of the creation of easements (E-6, E-7, E-8 and E-9) is to capture existing transmission lines and ancillary infrastructure. The easement is to be in the interest of AusNet, for the ongoing management and maintenance of the transmission line. No works are required for the proposed creation of easements.

57. The proposed creation of easements is appropriate, having regard to the decision guidelines of Clause 52.02 as follows:

- This application is not anticipated to affect other people other than AusNet Services and the existing landowner (Ryan Corner Development Pty Ltd). A letter of consent from the existing landowner has been provided.

58. The next section will assess the proposal against the decision guidelines under Clause 65. Nonetheless, the application is considered meet the decision guidelines under Clause 52.02.

Clause 65.02 – Approval of an Application to Subdivide Land

59. The proposal is appropriate, having regard to the decision guidelines of Clause 65.02 as follows:

- The proposal is consistent with the existing land use, does not propose a change of use or any development.
- The proposed boundary re-alignment does not alter the number of lots within the locality and does not prevent the creation of further lots in the surrounding area.
- The proposed subdivision realigns the existing boundaries and does not include development or works that may impact the physical characteristics of the land.
- The proposal has been designed so that Lot 1, which will facilitate access for operation and maintenance of the transmission lines, captures the area of the land most encumbered by transmission infrastructure. The proposal increased the area of Lot 2, which is primarily used for agricultural purposes. The lot area and dimensions are appropriate for this use.
- The proposal does not alter access or impact the layout of the roads. The proposed lots include existing access points and do not propose or necessitate further access points.
- The proposed subdivision does not include the addition of roads, or road access and is not anticipated to impact the current or future development or operation of the transport system.



- The proposal does not impact existing public spaces and facilities and does not propose public spaces or facilities.
- The proposed subdivision comprises of a boundary realignment and creation of easements and does not require staging.
- The proposed subdivision comprises of a boundary realignment and creation of easements and does not include development or works, including common property.
- There is an existing dwelling and associated outbuildings located on Lot 2. This allotment would be connected to utility services. There is no new sewerage or sullage anticipated.

60. The application is considered meet the decision guidelines under Clause 65.02.



61. The proposal is consistent with the relevant planning policies of the Moyne Planning Scheme.

62. The proposal is supported by AusNet Services.

63. It is recommended that the delegate of the Minister of Planning:

- Issue a Planning Permit PA2403011 for the 'subdivision of land to re-align the boundary of two lots and the creation of easements (E-6, E-7, E-8 and E-9)', subject to conditions.
- Endorse sheets 1 to 3 of Plan of Subdivision PS919272S, prepared by All Spatial, Rev F, dated 02/09/2024.
- Notify the permit applicant, Moyne Shire Council, and organisations, such as State Electricity Commission, AusNet, and Powercor Australia Ltd of the decision in writing.



Prepared by: Divyaa Sundaravadivel

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: Divyaa Sundaravadivel

Title: Planner, Development Approvals and Design

Signed:

Phone: 03 5172 2356

Dated: 29/08/2024

Reviewed: Hannah Scott

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: Hannah Scott

Title: Senior Planner, Development Approvals and Design

Signed:

Phone: (03)

Dated: 30 August 2024

Approved by: Michael Juttner

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: Michael Juttner

Title: Manager, Development Approvals and Design

Signed:

Phone: 0429 887 827

Dated: 2 September 2024