20 February 2026

Divyaa Sundaravadivel
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Department of Transport and Planning

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Dear Divyaa,

Re: Planning Application No. PA2504110 – Winton BESS - RFI Response

We refer to your request for further information dated 13 January 2026, requiring a response to be submitted by 10 March 2026. Please accept this as our response to that request, addressing each item contained within DTP's RFI. We have also addressed the referral responses of the relevant authorities.

RFI and our response

1. The application form amended to include all correct landowners, all lots and road reserves associated with this project, and the permit trigger under Clause 52.29 for creating access to a road in a Transport Zone 2.

A cover letter has been prepared which details all landowners, lots, and road reserves associated with the project, and accompanies this RFI response. The application form has also been amended to include the permit trigger under Clause 52.29.

2. The certificate of title for Title Plan TP098337Y must be provided (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.

Please note the amended title documentation package now includes the Title Plan TP098337Y and associated registered search statement.

3. Amend development plans to scale to show the following:

> ***a. identify all native vegetation proposed to be removed and protected***

Provided, please refer to Sheet 1 of the amended development plans.

> ***b. setbacks from the BESS units and inverters to the property boundaries***

Provided, please refer to Sheet 1 and 2 of the amended development plans.

> ***c. location of the existing dwelling and outbuildings on site and their setbacks to the proposed BESS***

Provided, please refer to Sheet 1 of the amended development plans.

> ***d. add a notation on the plans detailing the proposed outcome for the existing dwelling and outbuildings (e.g., to be demolished, decommissioned or retained) on site***

Provided, please refer to Sheet 1 of the amended development plans.

> ***e. dimensions of the BESS unit, inverter, substation, car parking area and access points***

Provided, please refer to Sheet 2 of the amended development plans.

> ***f. provide a dimensioned floor plan for all permanent buildings (switch room, O&M building and site office)***

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Provided, please refer to Sheet 7 and 8 of the amended development plans.

g. provide a minimum of two (2) dimensioned and labelled elevations plans for each of the following:

i. all ancillary infrastructure (inverters, BESS units, transformer, substation etc.)

ii. buildings (switch room, O&M building and site office)

Provided, please refer to Sheet 4 - 8 of the amended development plans.

h. label the infrastructure shown on the substation elevation plan

Provided, please refer to Sheet 4 of the amended development plans.

i. location and dimensions of the proposed signage

Provided, please refer to Sheet 1 of the amended development plans.

4. Amend the Planning Report to address the following:

a. details of the proposed outcome for the existing dwelling and multiple outbuildings on subject site, including whether these buildings will be demolished, decommissioned, or retained

b. confirm whether the proposed signage is located within the Farming Zone (FZ) or the Transport Zone 2 (TRZ2)

c. confirm if the 'use' of the utility installation and proposed signage triggers Clause 36.04 (TRZ2)

The Planning Report has been amended and accompanies this RFI response. The amended report confirms that:

- The existing dwelling and associated outbuildings on the site are proposed to be demolished (refer to section 1.1.1 of the Planning Report).
- The proposed signage at the proposed Bowers Road site access point is located within the Transport Zone 2 (Refer to section 5.1.7 of the Planning Report).
- The use of the land for a utility installation triggers a permit under Clause 36.04 (TRZ2) (refer to section 4.1 of the Planning Report).
- The proposed signage does not trigger a permit under Clause 36.04 (TRZ2) (refer to section 5.1.7 of the Planning Report).

5. Amend Visual Impact Assessment to address the following:

a. Additional assessment and photomontage (viewpoint 5) from Lee Road (looking south towards BESS facility).

The Visual Impact Assessment has been amended to include an additional viewpoint and photomontage from Lee Road looking south towards the proposed BESS.

Referral Responses

CFA

Regarding the proposed design, the site plans show the acoustic barriers/noise walls on three sides of the BESS. To ensure that hydrant coverage is not obstructed, CFA requires acoustic barriers for battery energy storage systems to be fully open (absent) on two adjoining sides OR if this cannot be achieved, during detailed design modelling must be provided for gas and smoke dispersion with the proposed acoustic barriers, to the satisfaction of CFA.

Further to discussions with DTP, we understand CFA would seek to include this point as part of the Risk Management Plan condition should any permit be issued, which would allow for both scenarios to comply with the condition.

As such, the configuration of the proposed noise barriers have not been altered as part of the amended development plans. During detailed design, the proponent intends to explore alternative noise barrier configurations that would comply with CFAs requirement of maintaining two open adjacent sides of the BESS, while maintaining compliance with the applicable noise limits at surrounding receivers.

Head, Transport for Victoria (Head, TfV)

We note that a referral response and RFI request has been received from the Head, TfV, seeking clarification on the statutory roles and responsibilities in relation to the proposed 66kv underground transmission line.

The Head, TfV has asked for clarification with regard to the following two questions:

- ***What are the respective roles of Avenis Energy and AusNet in the design, construction, ownership and operation of the BESS and the external 66kV transmission line?***

Avenis Energy Pty Ltd is solely developing Winton BESS on behalf of the project company AE BESS 10 Pty Ltd. The project company (AE BESS 10) will design, construct, own and operate the BESS and the external 66kV powerline (Connection Asset). AusNet will be the connecting (incumbent) DTSO and is responsible for design, construction and operation of the non-contestable augmentation works at Glenrowan Terminal Station

- ***Is Avenis Energy a distribution, transmission or generation company?***

Avenis Energy Pty Ltd is solely developing Winton BESS on behalf of the project company AE BESS 10 Pty Ltd. AE BESS 10 Pty Ltd is neither a transmission or distribution company. AE BESS 10 Pty Ltd is further no generation company, but a generating license will be obtained with ESC prior to operation of the BESS.

Additionally, the Head, TfV has requested responses to the following:

The permit applicant must clearly identify:

- ***the entity that will ultimately own and operate the external 66kV transmission line;***

AE BESS 10 PTY LTD AS TRUSTEE FOR AE BESS 10 UNIT TRUST

- ***the licensing status of that entity under the Electricity Industry Act 2000;***

AE BESS 10 Pty Ltd does not hold a transmission or distribution licence as defined under the Electricity Industry Act 2000. A generation licence will be obtained by this entity prior to operation of the BESS.

- ***whether any statutory powers or exemptions under the Electricity Industry Act 2000 are being relied upon to deliver the transmission line; and***

No statutory powers or exemptions under the Electricity Industry Act 2000 are being relied upon to deliver the transmission line.

- ***the relationship between Avenis Energy, AusNet, and any third-party owner in respect of the design, construction, operation and maintenance of the transmission line.***

Please see above.

Clarification of the above matters is required to determine:

- ***whether exemptions under the Electricity Industry Act 2000 apply to the proposal; and***
- ***the extent to which the proposed transmission line can reasonably be located outside the Hume Freeway road reserve.***

Please note the Proposed Connection Route chapter of the Planning Report (Chapter 3) provides detailed justification for the location of the cable route within the Hume Freeway Road reserve and why there are no feasible alternatives. This includes a detailed overview of the consideration made for several alternative connection route options, as shown in Figure 3-1 of the Planning Report, and provided in Figure 1-1 below. An extract of Section 3.1, which details the reasoning for the proposed connection route selection, is provided below:

As part of early development, connection options for the project were discussed as part of the mandatory preliminary enquiry with the connecting NSP; AusNet. As part of this process, AusNet advised a direct connection into the AusNet Glenrowan Terminal Substation to be the most feasible connection option. Furthermore, due to the project's enquired capacity of 120MW, for import and export, connection in the underlaying 66kV network was deemed unfeasible by AusNet - and therefore disregarded.

Following this advice, four potential connection routes were identified which complied with AusNet's guidance. These are shown in Figure 1-1. The project only considered underground cabling along the whole extent of the proposed powerline to minimize potential ecological impacts and vegetation removal, and to satisfy the preference of Benalla Council and DTP for underground crossing over the Hume Freeway and Winton-Glenrowan Road.

Preferred and selected connection option

- Based on ecological surveys, this route has been identified as having the least amount of impact on the existing native vegetation especially in comparison to vegetation conditions north of Hume Freeway (Route A in Figure 1-1 below) and south of Winton-Glenrowan Road (Route C in Figure 1-1 below)
- This route allows a direct perpendicular crossing of Hume Freeway and the location of the required entry and exit pits for Horizontal Directional Drilling (HDD) under-boring are deemed most suitable for this crossing location. The proposed HDD locations are shown in Figure 1-1 below.
- The proposed crossing location over Hume Freeway provides the least impact and most flexibility to avoid native vegetation, due to the requirement of an increased cable bending radius to accommodate a single HDD cable.
- The affected 'area' underneath Hume Freeway is deemed to be the smallest of our selected options, especially in comparison to the alternative connection routes A and B (in Figure 1-1 below), for which a larger bending radius under Hume Freeway is expected.

For all considered options, a single crossing location of Winton-Glenrowan Road was selected to utilise most 'pre-disturbed' areas.

DEECA

We note that a referral response and RFI request has been received from DEECA seeking additional information to assist their assessment of potential impacts associated with the proposed removal of native vegetation:

1. ***An updated avoid and minimise statement addressing application requirement 5 of the Guidelines for the removal, destruction or lopping of native vegetation (DEECA, 2025).***
    a) ***DEECA believes further opportunities may exist to avoid and minimise native vegetation impacts within the project footprint. The avoid and minimise statement should consider further opportunities to avoid impacts to native vegetation, for example, if impacts to EVC Plains Sedgy Wetlands and Plains Woodland/Herb-rich Gilgai Wetland Mosaic could potentially be avoided through HDD (Figure 3.1 of the Biosis Flora and fauna assessment Final Report). Avoiding these endangered EVCs may reduce the assessment pathway of the application below the detailed assessment pathway.***

As noted in the ecological assessment supporting this application, the proposed removal of native vegetation is necessary for the delivery of the project. The avoid and minimise statement details the measures taken to limit ecological impacts as far as reasonably practicable, both in relation to the siting of the BESS, and the siting and design of the proposed connection route.

Through the detailed design stage, the project will explore further opportunities to limit impacts to native vegetation, through the final design and footprint of the connection route, and construction methodologies. The ecological assessment notes:

- *'Underboring across the full connection route will be explored where the route intersects areas of native vegetation. Where underboring is not feasible, open trenching will be utilised along the route. All native vegetation along the connection route has been considered lost within the NVR, however removal of vegetation deemed lost within the NVR will be avoided where possible.'* (pg 27.)

An extract of Section 3.3 of the planning report, which describes the underground cable construction methodology, is provided below:

Horizontal Directional Drilling (HDD)

To protect DTP's freeway asset and minimise environmental and traffic impacts, HDD will be utilised for all crossings of the Hume Freeway. This trenchless technique avoids surface excavation and maintains the structural integrity of the road corridor.

Key details include:

- Drill entry and exit pits will be located in the project site and the Hume Freeway road reserve, ensuring no impact to traffic or pavement infrastructure (see Figure 1-1).
- The HDD path will maintain sufficient depth beneath the pavement and subgrade to meet DTP requirements.

This approach ensures minimizing interruption to traffic flow on the Hume Freeway and avoids damage or long-term maintenance impacts to the road asset.

Open-cut trench installation within the road reserve

Following the initial HDD crossing, the cable alignment continues underground via Open-Cut trenching within the southern freeway road reserve. The trenching will occur along the centreline of the reserve, minimising vegetation clearance and avoiding impacts to adjacent landowners.

Trench construction will include:

- Installation of appropriate bedding, conduits or direct-buried cable;
- Marker tape and protection layers;
- Controlled backfilling and surface reinstatement.

All trenching activities will be carried out in accordance with relevant environmental management plans, construction standards, and occupational health and safety requirements.

The project will investigate the use of HDD for the whole extent of the powerline route as part of the detailed design process prior to construction to further minimise the need for native vegetation removal and impact to the road reserve asset.

Final HDD Crossing and Cable Termination

At the point of entry into the Glenrowan Terminal Substation, a second perpendicular HDD crossing will allow the cable to transition beneath the southern boundary of the reserve and surface within the substation lot. This ensures direct access into the terminal infrastructure with minimal surface disturbance.

Work Area and Laydown Considerations

HDD Entry Point Laydown areas of up to 15 m × 10 m across Hume Freeway and Winton-Glenrowan Road will be required to accommodate the HDD rig and associated equipment required during drilling operations. In addition, a laydown area of 10m × 10 m at the exit point has been considered, excavation of intermediate pits (approx. 2.5m deep x 3.5 m long x 3.0 m wide) for installation of bends between HDD segments. The requirement for intermediate pits will be confirmed during detailed design.

b) Clarifying which areas of native vegetation may be avoided, as described in the last dot point on p.27 of the Flora and Fauna Assessment. DEECA understands the intent of the application is to consider all potential losses along the connection route as lost in the NVRR and seek to avoid where possible, however, the application should describe which areas of native vegetation the project is committing to avoid, if possible, during later stages. If directional drilling is not being used to avoid impacts, this should be clarified.

The proposed extent of native vegetation removal (NVR) represents a worst-case scenario for the project. All native vegetation located within the connection route is therefore considered lost for the purpose of the NVR calculation.

Through detailed design of the connection route and associated construction methodology, the project will seek to further reduce impacts to native vegetation. For example, horizontal directional drilling is proposed for the section of the connection route which crosses beneath Winton-Glenrowan road from the Hume Freeway road reserve to connect to Glenrowan Terminal Station. While the area of vegetation (Box Ironbark Forest) located within this section is considered lost for the purpose of the NVR calculation, it is likely that the proposed construction methodology will assist in limiting impacts to this area of vegetation. The native vegetation impacts will be further defined when the construction method and exact footprint is resolved as part of detailed design.

For details on the sections of the connection route where horizontal directional drilling is proposed, please refer to Figure 1-1 below. It is noted that engagement between the Proponent, DTP and Benalla Rural City Council indicated that open trenching is preferred for the section of the cabling that extends along the Hume Freeway road reserve.

Should a permit be issued, the proponent would be open to the inclusion of a permit condition requiring a detailed plan for the proposed connection route be provided prior to construction, showing the construction methodology and cable route with the removal of vegetation avoided so far as reasonably practicable.

Figure 1-1 Alternative Connection Routes

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We trust this satisfies DTP's request for further information and clarifications on the application. However, should anything further be required, we request a 30 day extension to the RFI lapse date to satisfy this request.

If you have any questions, please contact me or Gerry McGrath at Gerry.McGrath@fyfe.com.au. We would be pleased to discuss any aspect of this project with you further.

Yours sincerely,

Fi Cotter
Principal Planner – NGH Consulting

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