



Our ref: PS125526-PLN-LTR-004 RevA_RFI Response Cover Letter

Your ref: PA2201680

By email
development.approvals@delwp.vic.gov.au

24 February 2023

Mr Nathan P Aikman
Senior Planner, Development Approvals and Design
Department of Transport and Planning
Level 8, 8 Nicholson Street,
East Melbourne, Victoria 3002

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

Dear Mr Aikman,

Request for Further Information (PA2201680): Use and development of the land for an energy generation facility, utility installations, removal of native vegetation, earthworks, and associated works

WSP Australia Pty Ltd (WSP) continue to act on behalf of Lochard Energy (Iona Operations) Pty Ltd as trustee for the Lochard Energy (Iona Operations) Trust, trading as Lochard Energy (Lochard Energy), the permit applicant, in relation to the development of the Winton Energy Reserve 1 Facility (the project).

WSP received a request for further information (RFI) from the Department of Transport and Planning (DTP) on 15 February 2023 regarding our Application for a Planning Permit, reference number PA2201680, at 386 Lee Road, Winton (subject site).

WSP thanks DTP for their feedback. We have considered the information contained in the RFI and provide the following response, as set out below:

Preliminary Commentary

WSP seeks to clarify the scope of the project, as follows:

- A 200-megawatt (MW) Gas-Powered Generator (GPG) facility.
- A Battery Energy Storage System (BESS) facility. The BESS facility will supply and absorb 200 MW real power with 400-megawatt-hour (MWh) energy storage capacity.
- A single electrical substation for both battery and GPG which then feeds into the local network.
- A 220-kilovolt (kV) underground transmission line from electrical substation to the property boundary.

Level 15, 28 Freshwater Place
Southbank VIC 3006

Tel: +61 3 9861 1111
Fax: +61 3 9861 1144
www.wsp.com

WSP acknowledges that every project we work on takes place on First Peoples lands. We recognise Aboriginal and Torres Strait Islander Peoples as the first scientists and engineers and pay our respects to Elders past and present.

This Application for Planning Permit is also seeking approval for a ~3 km 220-kilovolt (kV) underground transmission line from the boundary of the subject site to the Glenrowan Terminal Station (GTS) will be submitted by AusNet Services. The transmission line will cross the Hume Freeway and follow the existing AusNet Services easement north west from the GTS. It will then head west within the road reserve of Lee Road before entering the subject site.

Additionally, a ~200 m gas pipeline including metering station from the GFG facility to the APA Gas Pipeline within the easement (E-2) will be subject to a pipeline licence in accordance with the *Pipelines Act 2005* (Pipeline Act) for the construction and operation of the pipeline included within the scope of the project. An application will be made to the Minister for Energy, Environment and Climate Change as a post-approval activity, should a planning permit be granted for the project.

Additional Information

- The additional information requested in the RFI is presented in a tabular format in Attachment 1.

It should be noted that since the preparation of the Planning Assessment Report, and following the Victorian State Government election in November 2022, the responsibilities of the former Department of Environment, Land, Water and Planning (DELWP) have been split between the Department of Energy, Environment and Climate Action (DEECA) and the Department of Transport and Planning (DTP). References to DELWP in the Planning Assessment Report and this letter should be read in this context.

We trust the information contained in this response satisfies DTP's RFI and the Application can now progress to exhibition in parallel with the EPA Development Licence application. WSP and Lochard Energy kindly request advanced notice of exhibition in order to co-ordinate further stakeholder engagement activities. If you have any questions related to this Application for a Planning Permit, please contact the undersigned on (03) 9861 1111 at your earliest convenience.

Yours sincerely

Jeff Meynell
Senior Environmental Consultant

cc: Lochard Energy - Vic Selvaraju
WSP Australia Pty Limited - Kristy Finch

Encl: Attachment 1 - RFI Additional Information

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

Attachment 1 - RFI Additional Information		PA2201680 - RFI DATED 15/02/2023
DTP RFI Item Number	Item	Response
Amended Application Form to include:		
1a	Certificates of Title for any additional parcels. (Titles of the land traversed by the utility installation (powerline) have not been provided).	Certificates of title for the transmission line route have been provided. Refer to Certificate of Title and Plan
Inclusion of the proposed powerline across all plans and documents.		
2a	The application seeks approval for the use and development of a Utility installation (powerline). This component of the proposal has not been shown or discussed consistently across the submitted development plans and specialist assessments. All documents should be revised to ensure this component of the proposal is shown and has been assessed. (Development plans submitted with the application do not show the alignment of the powerline).	All application documents have been updated to include the transmission line.
Amended Planning Assessment to include:		
3a	Assessment of the powerline component of the proposal, including any additional planning permit triggers. Reference is made to the powerline throughout however, for instance, the powerline traverses through land affected by the VPO. The extent of native vegetation removal in the planning assessment doesn't match the extent within the ecology report. Ecology report suggests that a total of 1.393ha of native vegetation removal.	The Planning Assessment has been updated to consider additional Planning Permit triggers including the VPO3 and to accurately reflect the extent of native vegetation removal proposed. Refer to Section 1.1, 2.1.2, 3.1.3, 4.2, 7.1.4 and 7.1.5 for changes.
Amended Development Plans to include:		
4a	Plans showing all components of the proposal, including the proposed powerline, external access tracks or roadworks, car parking, secondary/emergency access points, drainage infrastructure, acoustic barriers and signage.	Appendix A - Concept Layout Plan has been updated to include the location of the proposed transmission line, drainage, car parking and access points. Refer to Appendix A - Concept Layout Plan for updates.
4b	Plans showing lot boundaries and title details (including easements) of the lots comprising the subject site.	Appendix M - Feature and Site Survey has been provided to show lot boundaries and title details including easements for lots comprising the subject site. Refer to Appendix M - Feature and Site Survey.
4c	Setbacks of all proposed infrastructure from title boundaries, neighbouring property boundaries, surrounding dwellings and any other significant features or sensitive land uses (e.g. native vegetation, waterways, etc.).	Appendix A - Concept Layout Plan has been updated to include setbacks of all proposed infrastructure from title boundaries and neighbouring properties. Refer to Appendix A - Concept Layout Plan for updates.
4d	Elevation plans demonstrating the height of the facility and the materials proposed to be used, including any proposed security fencing and acoustic barriers.	Appendix I - Landscape Character and Visual Impact Assessment has been updated to reference the proposed height of the facility including typical stack heights and transmission line towers. Refer to drawing 'Sensitive Receptor 01 (SR01) on page 26 of Appendix I - Landscape Character and Visual Impact Assessment
4e	The location and types of native vegetation proposed to be removed or retained on the site.	Appendix D - Ecology Impact Assessment details the location and type of Native Vegetation proposed to be removed or retained on site. Refer to Section Appendix C-2 Ecological Values Pages 106-114 of Appendix D - Ecology Impact Assessment.
	No updates to the site development plan appears to have been made and no elevation plans have been provided.	Refer to Appendix A, D and I for updates.
Amended Ecology Assessment to include:		
5a	Confirmation as to the final amount and location of native vegetation proposed to be removed.	Appendix D - Ecology Impact Assessment and the updated planning report confirm that impacts of up to a total of 1.393 hectares of native vegetation including 8 large trees will be required.
5b	An updated Native Vegetation Report based on the final amount of native vegetation proposed to be removed which is not a 'Scenario Test' report.	Appendix D - Ecology Impact Assessment provided an updated Native Vegetation Report that is not based on a 'Scenario Test.' Approval of the DTP region and offsets – up to 0.328 general habitat units, and 8 large trees will be required for these losses. The final determination of the extent of vegetation removal, and as such, the NVR report results, will be finalised through DTP upon finalisation of the construction footprint. Further information regarding the impacts to native vegetation is available in Appendix D. Refer to Appendix D - Ecology Impact Assessment
5c	Measures proposed to be minimise the removal of Mugga Ironbark, White Box, Yellow Box and Blakeley's Red Gum in areas affected by the Vegetation Protection Overlay – Schedule 3 (VPO3).	Appendix D - Ecology Impact Assessment was previously updated to advise measures mitigating impacts to the VPO. The bore beneath the Hume Freeway has been extended to avoid High quality Box Ironbark Forest EVC 61 supported by the Winton-Glenrowan roadside reserve covered by VPO3. This is further detailed in Appendix D – Ecology Impact Assessment and Targeted Survey Report and has been addressed in the Planning Assessment. Refer to Section 5.1.3.2 of the Ecology Impact Assessment and response to RFI Item 3a for information
5d	Any other matters raised by DELWP Hume Region in their referral response.	We note an updated referral response from DEECA Hume Region has not yet been provided.
	Note: An updated Ecology assessment has been supplied. Advice from DEECA Hume Region will be obtained.	

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

Attachment 1 - RFI Additional Information		PA2201680 - RFI DATED 15/02/2023
DTP RFI Item Number	Item	Response
Updated Acoustic Assessment to include:		
6a	<p>Noise modelling based on 100% operational capacity of the facility.</p> <p>i. The Acoustic Assessment currently assumes that cooling fans will never operate at more than 40% capacity.</p> <p>ii. It is unclear whether the Acoustic Assessment considers noise impacts associated with the Energy generation facility and battery operating at the same time.</p> <p>The acoustic assessment has been updated. Reference however, appears to continue to be based on fans for the BESS operating at either 20% or 40%. This may impact the difference between the operational noise level of the BESS and the GPG when considering the cumulative impact of both facilities operating at the same time. The appendices to the acoustic assessment are no longer included.</p>	<p>The potential for noise generated by the combined operation of the Project has been assessed, which involves Battery Energy Storage Systems (BESS) and Gas-fired Power Generation (GPG) operating simultaneously.</p> <p>Two different Battery Energy Storage Systems (BESS); a Fluence system and a Tesla system, have been assessed separately. The noise source of the BESS is primarily controlled by the thermal system, specifically dominated by the fan tip speed of the cooling fans. The expected fan speed and associated sound power level of the cooling fans is dependent on ambient temperatures and discharge profiles. Conservative thermal operation scenarios have been adopted for the day and night periods of the assessment, which have been based on proprietary supplier data of worst-case ambient heat modelling.</p> <p>The GPG is predicted to be the dominant noise source when considering operation of all noise sources on site, >10dB above the predicted noise levels from the combined BESS operation. Therefore, the predicted contribution from the BESS operation is considered acoustically negligible in comparison to the GPG emissions. Results have been itemised in Section 4.2 for clarity of predicted noise output from each plant item.</p> <p>Refer to updated Section 4.2 of Appendix J - Noise Impact Assessment Report for further detail</p>
Amended Landscape and Visual Impact Assessment to include:		
7a	Removal of the proposed solar farm from maps if approval for this component of the proposal is no longer being sought.	<p>Appendix I - Landscape Character and Visual Impact Assessment has been updated to remove all references to the previously proposed solar farm.</p> <p>Refer to updated Appendix I - Landscape Character and Visual Impact Assessment</p>
7b	Inclusion of the height of the proposed facility, including typical stack heights and high voltage transmission line towers.	<p>Appendix I - Landscape Character and Visual Impact Assessment has been updated to reference the proposed height of the facility including typical stack heights and transmission line towers.</p> <p>Refer to drawing 'Sensitive Receptor 01 (SR01) on page 26 of Appendix I - Landscape Character and Visual Impact Assessment</p>
7c	Photomontages which include renders of the proposal from sensitive viewpoints. The current photomontages illustrate the location of the subject site but do not illustrate the physical infrastructure.	The photomontages provided demonstrate the current layout of the project from Sensitive viewpoints. As shown in the photomontages visible elements of the proposal are covered by vegetated areas from all sensitive viewpoints
	Photomontages continue to show a solar farm. No renders of the gas powered generation have been provided.	<p>Appendix I - Landscape Character and Visual Impact Assessment has been updated to remove all references to the previously proposed solar farm.</p> <p>Refer to updated Appendix I - Landscape Character and Visual Impact Assessment</p>
Clarification about requirements under the Aboriginal Heritage Act 2006:		
8a	Voluntary Cultural Heritage Management Plan (CHMP) No. 18379 does not currently consider the powerline component of the proposal within its Activity Area.	<p>As previously advised - The planning assessment has been updated to reflect the current status of the CHMP, which is in the process of being updated to include the transmission line route.</p> <p>Refer to updated Planning Assessment.</p>
	The provision of an updated CHMP that includes the proposed powerline when available would be appreciated.	The updated CHMP can be provided to DTP when available.

**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**