

Loy Yang B Battery Energy Storage System (BESS)

Buildings and works at the existing Loy Yang B Power Station to facilitate a construction of battery energy storage system up to 250MW/500MWh and associated infrastructure.

Planning Permit PA2402944
Bartons Lane, Loy Yang



Officer Assessment Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information	Details		
Application No:	PA2402944		
Received:	23 May 2024		
Statutory Days:	42 days		
Applicant:	Alinta Energy Clean Energy Development Pty Ltd		
Planning Scheme:	Latrobe		
Land Address:	Bartons Lane, Loy Yang, formally known as Crown Allotment 16A2 Parish of Loy Yang TP822775Q		
Proposal:	Buildings and works associated with a utility installation (battery energy storage system)		
Proposal Description:	<p>The Loy Yang B Battery Energy Storage System (BESS) proposal consists of the following:</p> <ul style="list-style-type: none"> Installation of battery modules of storing up to 500MWh in one of two configurations: <ul style="list-style-type: none"> Up to 250MW, 2-hour battery, or Up to 125MW, 4-hour battery. Installation of underground cables, transformers and inverters for each battery section. Construction of ancillary infrastructure including control room, switch room, fencing, access gates and internal roads. The proposed development will impact existing native vegetation; however, a permit <u>is not</u> triggered under Clause 52.17. Refer assessment below. 		
Development Value:	\$ 750 million		
Zones:	Special Use Zone (Schedule 1) (SUZ1)		
Overlays	Buffer Area Overlay (Schedule 1) (BAO1) [partially encumbers the site]		
Why is a permit required?	Clause	Control	Trigger
Zones:	37.01	Special Use Zone (Schedule 1)	Clause 37.01-4 - A planning permit is required to construct a building or carry out works.
Particular Provisions:	52.06	Car Parking	To the satisfaction of responsible authority.
	52.17	Native Vegetation	N/A - The assessment concluded that the scattered native vegetation density was below the 25% perennial native groundcover to trigger a planning permit.
	52.29	Land Adjacent to Principal Road Network	N/A - No changes to the existing access and no proposed access.
	53.22	Significant Economic Development	N/A – The proposal qualifies under this process since it meets the conditions listed for the use of Utility Installation.
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 store electricity if the installed capacity is 1MW or greater.		
Cultural Heritage:	The site is not located within an area of Aboriginal cultural heritage sensitivity.		
Referral Authorities & Advice Sought:	<p>AusNet Services (s55 – Determining)</p> <p>DEECA – Earth Resources Regulator (s55 – Determining)</p> <p>Head, Transport for Victoria (Interdepartmental Advice)</p> <p>WorkSafe Victoria (s55 – Determining)</p> <p>EnergySafe Victoria (External Advice)</p> <p>CFA/FRV (External Advice)</p>		

**Public Notice:**

Notice of the application under section 52 of the Act was not required for this application due to the notice exemption under Clause 4.0 of Schedule 1 of SUZ. Pursuant to Clause 4.0 of Schedule 1 of SUZ of Latrobe Planning Scheme, an application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the application relates to a building or works of a use for or associated with either.

- Brown coal mining, processing or treatment.
- Electricity generation, transmission or distribution.

This application relates to building and works of a use associated with electricity generation, transmission and distribution, and therefore, is exempt from notice requirements and review rights.

Planning History:

Planning Permit PA2101310 was issued on 2 February 2022 for the 'Development of a Utility Installation (battery energy storage system) and associated buildings and works' for a 100MW BESS. This separate battery facility on the site has not been constructed.

Delegation Received:

Approval to determine under delegation received on 12 August 2024.



Application Process

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

Milestone	Date
Application lodgement	23 May 2024
Further information requested	12 June 2024
Further information received	02 July 2024
Decision Plans	Development Plans prepared by GHD, titled 'Loy Yang B BESS', Revision P03 and dated 18/06/2024.
Other Assessment Documents	<p>Planning Report, prepared by Alinta Energy and submitted on 24 May 2024.</p> <p>Traffic Impact Assessment (Appendix B), prepared by RPS and dated 12 April 2024.</p> <p>Environmental Noise Assessment (Appendix C), prepared by Resonate and dated 12 April 2024.</p> <p>Bushfire Assessment (Appendix D), prepared by Bushfire Planning & Design and dated April 2024.</p> <p>Ecological Constraints Report (Appendix E), prepared by Eco Logical Australia Pty Ltd, and dated 16 April 2024.</p>

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">• The proposed development involves the construction and installation of a BESS with up to 500MWh capacity. Key components include:<ul style="list-style-type: none">○ Prefabricated enclosures or containers housing battery modules and inverters, with two possible configurations:<ul style="list-style-type: none">- Up to 250MW, 2-hour battery.- Up to 125MW, 4-hour battery.○ Installation and connection of:<ul style="list-style-type: none">▪ A 33/33/500kV transformer.▪ A 33kV switchroom with two 33kV buses for BESS connection.▪ A 500kV disconnector, circuit breaker, and earth switch.▪ 500kV and 33kV cable sealing ends for transitioning from overhead to underground cables.▪ 33kV underground cables.▪ LV and ELV electrical, control, and telemetry cables (both above and below ground).▪ One control room.▪ An auxiliary transformer and an earthing transformer.▪ 500kV underground cables.• Installation of a new overhead gantry, switchgear, and connection infrastructure for

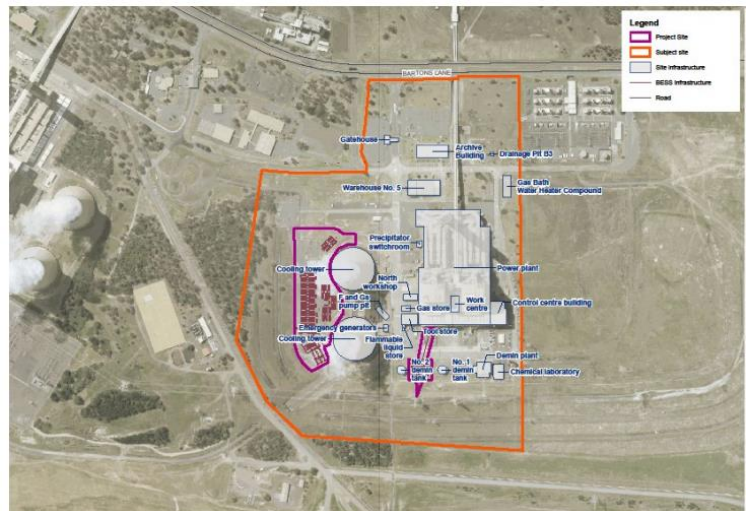
Subject Site and Surrounds

Site Description

8. The site is located at the Loy Yang B power station at Crown Allotment 16A2 Bartons Lane, Loy Yang. Loy Yang B is a 1,200 MW, brown coal fired power station.
9. The site currently consists of:
 - Coal conveyor system
 - Two boilers, two steam turbine generators, two cooling towers
 - High pressure gas pipeline receiving station
 - Office buildings, warehouses, workshops, car-parks
 - Various above ground storage tanks for water and treatment chemicals
 - Water treatment facility including in-ground storage for wastewater systems
 - High voltage electrical transmission and towers
 - Security checkpoint and perimeter fencing
 - Mix of grassed, gravel and hardstand surfaces.
10. The site is an irregularly shaped parcel, adjacent to Bartons Lane, that covers an area of 33.61 hectares. The project area for the BESS is primarily located in the west section of the Lot, adjacent to the cooling towers. The remainder of the site is occupied by large scale utility associated with the coal mine.
11. There are a number of easements located on subject site. These easements have a list of purposes including sewerage, gas, and electricity transmission.
12. There are no restrictions registered on the title.



Figure 2 - Subject Site and Surrounds (Source: VicPlan)





17. The closest land not zoned with the SUZ1 or Transport Zone 2, approximately 2km south-east of the subject site, is land located in the Farming Zone.
18. Bartons Lane/Hyland Highway runs through the power plant area, providing vehicle access to the several operational areas of the two power plants.
19. The land beyond the SUZ1 to the north, south, east and west of the subject site is all occupied by land within the Farming Zone and used for grazing purposes.

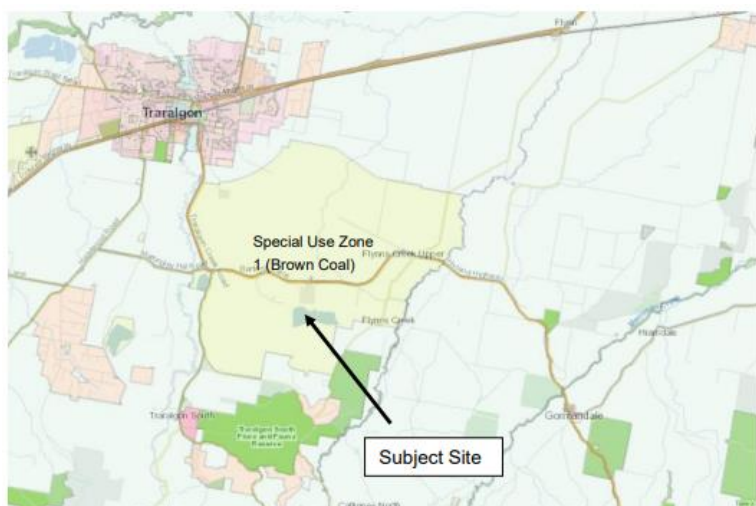


Figure 4 - Zoning Map (SUZ1 in light yellow and FZ in light blue) (Source: VicPlan)



Municipal Planning Strategy

20. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.02	Vision
02.03	Strategic Directions

Planning Policy Framework

21. 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
13.01-1S	Natural hazards and climate change
13.02-1S	Bushfire planning
13.05-1S	Noise management
13.07-1S	Land use compatibility
Clause 17	Economic Development
17.01-1S	Diversified Economy
Clause 18	Transport
18.02-4S	Roads
Clause 19	Infrastructure
19.01-1S	Energy supply
19.01-2S	Renewable energy

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

Zoning and Overlays

Special Use Zone – Schedule 1 (SUZ1)

23. The utility installation is to be located on land which is zoned Special Use Zone – Schedule 1 (Brown Coal) (SUZ1).

24. Pursuant to Clause 1 of Schedule 1 to the Special Use Zone, a planning permit is not required to use the land for utility installation, given that the listed conditions have been met:

- The utility installation is directly associated with the mining, processing, or treatment of brown coal, or the generation, transmission, or distribution of electricity; and
- All of the land is located greater than 1000 metres from land (not a road) which is in a residential zone, business zone, land used for a hospital or school or land in a Public Acquisition Overlay for a hospital or school.

25. Pursuant to Clause 37.01-4 of Special Use Zone, a planning permit is required to construct a building or construct or carry out works.



Buffer Area Overlay (Schedule 1) (BAO1)

26. The site is partially encumbered by the Buffer Area Overlay – Schedule 1.

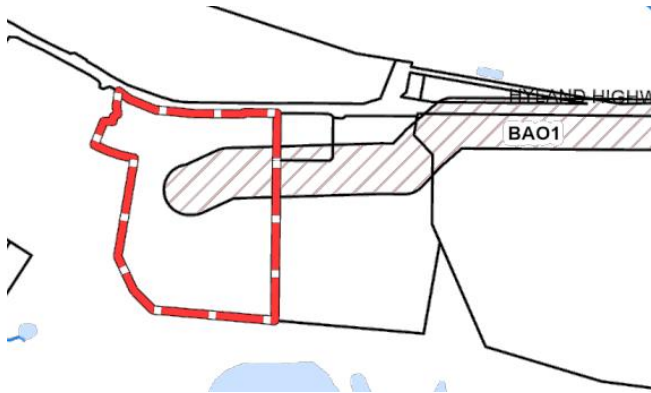


Figure 5 - Overlay Map Showing BAO1 at Loy Yang B Power Station Site (Source: VicPlan)

27. The proposed development does not trigger a planning permit under BAO1 because the buildings and works are not associated with any of the uses listed in Clause 3.0 of BAO1.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

28. Clause 52.06 sets out the requirements of car parking. Pursuant to Clause 52.06-6, car parking must be provided to the satisfaction of the Responsible Authority. Clause 52.06 is not applicable for this application given that number of car parking spaces on site remains unaltered. The existing car parking at the subject site is sufficient to cater for existing operations and construction for the proposed development.
29. Clause 52.17 seeks to provide for the protection, management and removal of native vegetation. No native vegetation impacts or removal is required for the proposed development. The ecology assessment submitted with the application identified that the identified scattered native vegetation at two locations, within and adjacent, to the proposed development. As this is present in densities lower than the 25% perennial native groundcover required to trigger planning permit and offset implications as a remnant patch under the Guidelines, there will be no legislative implications for works at these two sites under 52.17.
30. 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 for the development of land for a utility installation qualifies under this process and falls under Category 1. The proposal meets the conditions listed for the use of utility installation.

Relevant Background Documents

Other Planning and Environmental Approvals

28. 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:

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

29. Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on matters of national environmental significance, including nationally or internationally important flora, fauna, ecological communities, and heritage places, must be referred to the Commonwealth Minister for the Environment.



30. The proposal is informed by an Ecological Constraints Report prepared by Eco Logical Australia Pty Ltd. The assessment states that no values within the study area for this project met the thresholds for EPBC-listed flora, fauna, or ecological communities. The assessment concluded that no referral is required under the EPBC Act.

Environment Effects Act 1978 (EE Act)

31. The *Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978 (DSE 2006)* outlines the triggers for referral of a project to the Victorian Minister for Planning who will determine if an Environmental Effects Statement (EES) is required.
32. The Ecological Constraints Report prepared by Eco Logical Australia Pty Ltd, and states that the project will not trigger a referral under the EE Act based on the based on any criteria specifically relevant to flora, fauna or biodiversity.

Flora and Fauna Guarantee Act 1988 (FFG Act)

33. Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land.
34. The proposed development will be carried out on private land and is therefore exempt under the FFG Act.

Aboriginal Heritage Act 2006 (AH Act)

35. 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.
36. The subject site does not fall within an area of cultural heritage sensitivity and the site has been subject to significant disturbance; therefore, no approval is expected to be required under the Aboriginal Heritage Act/Regulations.

Environment Protection Act 2017 (EP Act)

38. The Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (Noise Protocol), is incorporated into the Environment Protection Regulations as of 1 July 2021 (EPA publication 1826.4).
39. The Noise protocol is used for determining noise limits for new and existing commercial, industrial and trade premises and entertainment venues.



Referrals

40. The application was referred to the following group:

Provision	Clause	Organisation	Response and date received
Section 55 Referral – Determining	66.02-4	AusNet Transmission Group	No objection subject to a condition, received 09/07/2024.
Section 55 Referral – Determining	66.04	DEECA – Earth Resources Regulator	No response provided as of 25/07/2024.
Section 55 Referral – Determining	66.02-7	WorkSafe Victoria	No objection with no conditions, received 17/07/2024.

Advice Sought

Head, Transport for Victoria

41. Interdepartmental advice was sought from Head, Transport for Victoria on 06 June 2024.
42. A response from Head, Transport for Victoria was received 02 July 2024, providing no objection to the proposal with no conditions.

County Fire Authority (CFA) / Fire Recue Victoria (FRV)

43. Agency advice was sought from CFA on 31 May 2024. CFA advised that the site is in FRV's jurisdictions and had passed on the application to FRV for review and comment.
44. No response received from FRV as of 26 July 2024.

EnergySafe Victoria (ESV)

45. Agency advice was sought from ESV on 31 May 2024.
46. No response received from ESV as of 26 July 2024.

Latrobe City Council

47. The Latrobe City Council (the council) considered the application and provided written correspondence on 01 July 2024.
48. Overall, the Council's views on the previously approved planning permit PA2101310 consider to essentially be the same for this planning permit application. The advice received from council is that the conditions imposed on permit PA2101310 should essentially be imposed on this permit.
49. The Council's Environmental Planning team has confirmed that the vegetation on the site does not qualify as a patch, and therefore, there is no objection to the granting of a planning permit.
50. The Council's Development Engineers have requested the inclusion of the following conditions and permit notes on any permit issued as shown below. These conditions and permit notes will be included in this permit.

CONDITIONS

- 1 Before the use commences of the development hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken:
 - a) All stormwater discharging from the proposed building and works must be conveyed to the legal point of discharge by the existing drainage system within the property.
- 2 Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

NOTES

- 1) This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
- 2) Unless exempted by Latrobe City Council, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works, as defined by Latrobe City Council's Local Law No. 3. Latrobe City Council's Asset Protection Officer must be notified in writing at least 7 days prior to the building works commencing or prior to the delivery of materials/equipment to the site.

Notice

51. Notice of the application under section 52 of the Act was not required for this application due to the notice exemption under Clause 4.0 of Schedule 1 of SUZ. Pursuant to Clause 4.0 of Schedule 1 of SUZ of Latrobe Planning Scheme, an application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the application relates to a building or works of a use for or associated with either.

- Brown coal mining, processing or treatment.
- Electricity generation, transmission or distribution.

52. This application relates to building and works of a use associated with electricity generation, transmission and distribution, and therefore, is exempt from notice requirements and review rights.



Key Considerations

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

- Planning Policy Context
- Purpose and Decision Guidelines of Zone
- Potential Amenity Impacts
- Hazards and Safety
- Vehicle Access and Traffic Impacts

Planning Policy Context

Planning Policy Framework

54. The state planning policies encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations in relation to impacts on amenity, and which supports the improvement of public infrastructure. New development should be designed and implemented in a manner that is suitable for existing conditions, including the consideration of risks such as bushfire and flooding.
55. The proposed BESS will improve grid-reliability and contribute to Victoria achieving its net zero emissions targets for 2050 while also providing economic benefits of jobs both in construction and the operation of the facility. The project will be well-located in the SUZ1 and surrounded by other uses within the Special Use Zone (Clauses 15.02-1S, 19.01-1S).
56. The proposal will have an overall positive impact on the environment, community and economy. The Victorian Government has committed to transition towards a climate resilient economy to reduce environmental effects and air pollution of fossil fuels. The total capital investment for the project is estimated to be in the order of \$750 million within the Latrobe municipality which maximises resource use, is appropriately designed and meets the council's energy service needs (19.01-2S and 19.01-2R)
57. The proposal is consistent with the relevant state planning policies which support the renewable energy led transition to a low-carbon economy with reduced greenhouse gas emissions.

Municipal Planning Strategy

58. The planning scheme identifies objectives that relate to land use and development. These include adapting to diverse industries for future economic growth, leveraging the municipality location for industry growth, supporting the creation of jobs and a skilled workforce, improving liveability, and protecting the environment by addressing climate change (02.03-3).
59. The proposal is consistent with the relevant municipal planning strategies which seek to diversify the local economy and facilitate renewable energy with minimal impacts to existing land (02.03-4).
60. The proposed development will support Latrobe's electricity network. This will help to ensure that the community, and particularly the local manufacturing and engineering industries, will have secure power supply to contribute to a reliable and diversified economy (Clauses 02.03-7).

Purpose and Decision Guidelines of Zone

Special Use Zone - Schedule 1 (SUZ1)

61. The SUZ1 seeks to provide for brown coal mining and associated uses, electricity generation and associated uses as well as interim and non-urban uses which protect brown coal resources and to discourage to the use or development of land incompatible with future brown coal mining and industry.



62. The proposed buildings and works are sited on the Loy Yang B Power Station site, which means the site layout is already configured to protect the area from incompatible land use activities and development. The SUZ is in place to strategically protect the brown coal resource and power industry as well as facilitate development for uses that directly support these industries including the transmission and distribution of electricity. The proposed development also makes use of the existing infrastructure at the Loy Yang B site by directly connecting into the power station and thereby being able to export energy using the existing transmission network. Therefore, it is considered that the proposal aligns with the intent of the SUZ1 purpose.
63. The works will be within a fenced area and include 60 BESS packs or containers. The packs will be approx. 2.766m in height, while the auxiliary transformers will reach approx. 2.5m in height. A control room is also to be provided in the western end of the site and will be approx. 6m in height. It is noted that the switchroom will be located directly east of the control room; the building height is not known for the switchroom and will be addressed via condition 1 requirement. Given the site has been heavily industrialised and is currently used as a power station, the site is appropriate for the proposed buildings and works.
64. The utility connection involves the installation of a new overhead gantry, switchgear, and connection infrastructure for connecting the 500kV underground cable to the 500kV overhead transmission network. All works are within the site boundaries.
65. The proposal is appropriate, having regard to the decision guidelines of the SUZ1 as follows:
- The development will provide for onsite energy storage for the existing brown coal industry uses.
 - The construction of the BESS will not result in loss of land currently used for brown coal industry.
 - The development of the BESS will enhance the existing brown coal uses on the site and surrounding land parcels.
 - The proposal is unlikely to impact any surrounding agricultural land as the subject site maintains a generous setback of 1.6km to the nearest agricultural land.
 - The proposed development does not require any sewerage or water infrastructure connections.
66. Based on the above, and subject to the conditions recommended on any permit granted, the application responds positively to the decision guidelines of the SUZ1.

Potential Amenity Impacts

Noise and Vibration

67. The proposed BESS is not expected to result in any unreasonable impacts due to noise or vibration while operating at full capacity at all times. The proposal is appropriately located within the coal mining and power production and is adequately setback from sensitive uses.
68. It is noted a planning permit is not required for the use of the development, and therefore the noise emissions from the proposed use are not a relevant consideration of this application. However, noise emissions have been assessed in this instance, as a Noise Assessment prepared by a suitably qualified professional has been submitted.
69. The noise assessment assesses the proposed development of the facility against the noise requirements set out in *EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (EPA Publication 1826.4).

70. The Noise Assessment has identified 11 residential receivers with the nearest residential property, 720 Traralgon Creek Road, being located approx. 3.3km from the proposed BESS facility.

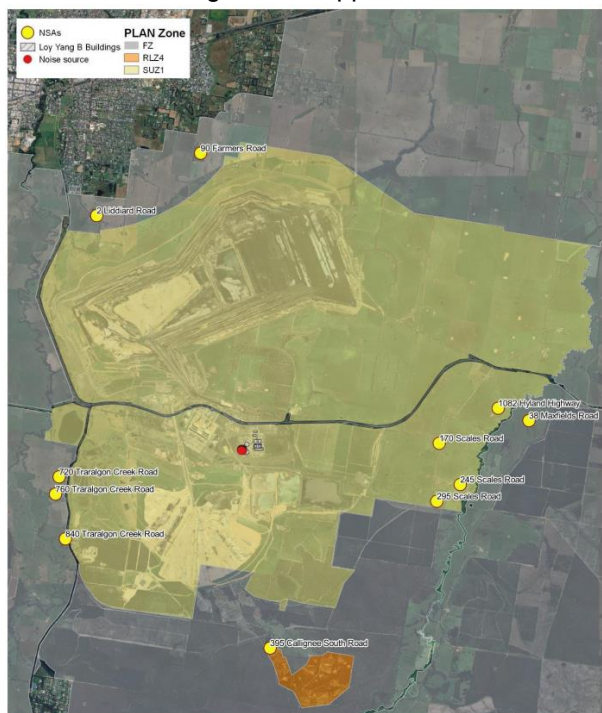


Figure 6 - Map of Sensitive Receivers (Source: Environmental Noise Assessment)

71. Modelled noise impacts associated with the equipment described in Figure 7.

Noise sensitive area	Predicted Effective noise level, L _{Aeq} dB	Night limit, dB L _{Aeq}	Compliance
170 Scales Rd (SUZ1)	20	43	✓
245 Scales Rd (SUZ1)	18	43	✓
295 Scales Rd (SUZ1)	17	43	✓
1082 Hyland Hwy (SUZ1)	12	43	✓
840 Traralgon Creek Rd (FZ)	21	39	✓
760 Traralgon Creek Rd (FZ)	22	37	✓
720 Traralgon Creek Rd (FZ)	21	38	✓
2 Liddiard Rd (FZ)	< 10	37	✓
90 Farmers Rd (FZ)	< 10	36	✓
38 Maxfields Rd (FZ)	< 10	37	✓
395 Callignee South Rd (RLZ4)	20	32	✓

Figure 7 - Predicate Noise Levels at Noise Sensitive Areas (Source: Environmental Noise Assessment)

72. Preliminary modelling as shown in Figure 7 indicates that will all equipment operating concurrently noise emissions from the site comply with the noise limits (night period). The noise emissions from the proposal are predicted to be more than 12 dB below the Noise Protocol noise limits. Even if the noise emissions from other sources are at the Noise Protocol noise limit level, the predicted cumulative noise level would still comply as the change in cumulative noise level would be less than 0.5 dB.

73. No permit condition in relation to noise mitigation is required. A standard permit note will be included to ensure the permit holder continues to operate the Loy Yang B Power Station in compliance with EPA noise regulations. Any noise concerns that may arise from the proposal can be regulated under the Environment Protection Act 2017.

Visual Amenity

74. There will be no unreasonable visual amenity impacts from the proposed development.
75. The subject site is in a heavily industrialised area for mining and power generation and is approx. 3.3km from the nearest residential dwelling. The visibility of the land from Bartons Lane/Highway is mostly obscured by the existing buildings associated with the power plant, including towers, conveyors and large industrial style buildings.
76. The proposed BESS facility is setback approx. 320m from Bartons Lane/Highland Highway and will sit below the maximum height of the adjoining power plant buildings. The associate infrastructure, such as the control room, will reach a building height of 6m, which is a typical for such structures.
77. An assessment of available street and aerial imagery found that there are no designated views or sites of environmental/landscape significance within the area, and that the proposal will not be readily visible from any major public interfaces due to the existing structures fronting Bartons Lane.



Figure 8 - Street View towards the Project area from Bartons Lane/Highland Highway (Source: Goole Maps, Nov 2022)

78. There is no landscape mitigation design proposed. DTP officers consider this appropriate based on the above context and the limited (if any) visibility of the subject site from the public realm.
79. In relation to the appearance of buildings on site, the plans do not demonstrate the colours and finishes of the structures. This will be addressed as a condition 1 requirement.

Hazards and Safety

Fire and Emergency Management

80. The site is entirely located within a Bushfire Prone Area (BPA). The submitted Bushfire Risk Assessment states that the bushfire risk from the wider landscape and the immediate environs to the proposed BESS is considered to be low. The land within 100m of the proposed BESS is either non vegetated or low threat managed vegetation.
81. There is also the risk of fire directly associated with the proposed BESS, in addition to bushfire risk. It is noted that the proposed battery modules would include a fire detection and suppression system, as does the power station more broadly. Further to this, the Loy Yang B Power Station is critical state infrastructure and there is already a bushfire mitigation plan in place to protect this infrastructure.



82. Advice was sought from FRV, but no response was received as of 12 August 2024. Notice of the application was not given to FRV, as the application for buildings and works is exempt from notice.
83. DTP officers recommend that several permit conditions requiring the preparation of a Risk Management Plan, Emergency Management Plan and Fire Management Plan in consultation with FRV to be included. All fire protection measures must also be implemented before the development starts and maintained in working order over the lifetime of the proposed BESS facility.

Dangerous Goods

84. The applicant has advised that at the ultimate capacity (500MWh) the quantity of dangerous goods (lithium-ion batteries) exceeds the fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
85. Exceedance of the abovementioned fire protection quantity also triggers referral to WorkSafe Victoria (WSV) as a determining referral authority under Clause 66.02-7 of the Latrobe Planning Scheme. Referral comments from WSV were received on 17 July 2027. WSV has no objection to the granting of a planning permit and no conditions provided.
86. The WSV referral comments notes the following:
- The applicant's site refers to the following CFA guideline for fire protection: 'CFA Design Guidelines and Model Requirements: Renewable Energy Facilities, Version 4, August 2023'.
 - The applicant highlights that a 20,000-litre hydrogen trailer exists in proximity to the BESS module and ensures a separation distance of approximately 90 metres between the hydrogen trailer and BESS module, complying with AS/NZS 5139:2019.
 - The applicant also ensures emergency response plans are in place, including an automatic fire protection deluge system.
87. WSV has no objection to the granting of a planning permit and no conditions provided.

Flooding

88. The proposal is not located within an area identified as being susceptible to flooding.

Vehicles Access and Traffic

89. The proposal does not seek to introduce new vehicle crossover or car parking area nor alter the existing layout of the car parking area. The proposal only requires internal road modifications, such as new internal access tracks, connecting the development of the BESS facility to the existing Loy Yang B Power Station, as well as temporary loading for construction.
90. The application is supported by a Traffic Impact Assessment (TIA) prepared by RPS and dated 12 April 2024. Bartons Lane / Hyland Highway is a road in a Transport Road Zone 2. The application sought advice from Head, Transport for Victoria, who had no objection to the proposal and did not suggest any conditions.
91. Vehicles associated with the project will access the site via the Loy Yang B Access Road or the Valley Power Peaking Facility Access Road as shown below.

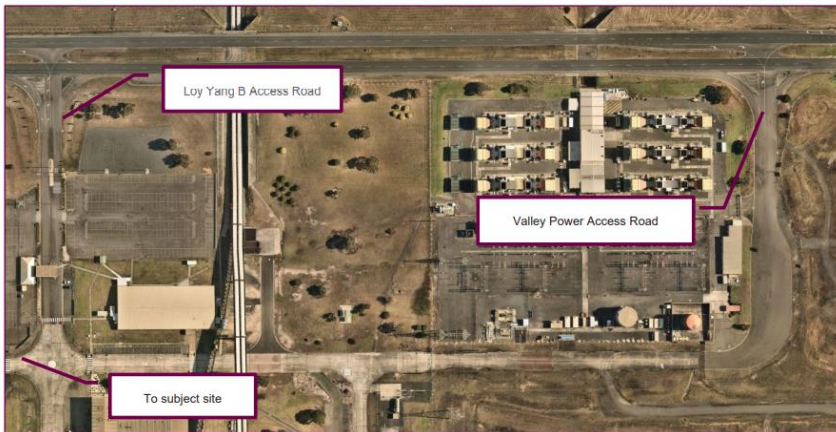


Figure 9 - Site Access Points (Source: Traffic Impact Assessment)

92. The submitted TIA concluded that:

- The proposed traffic volumes generated by the project would not interfere with the operations or flow of traffic on adjacent roads including Hyland Highway or the three unsignalised Loy Yang B site access road intersections.
- The site currently has a total of 588 designated car parks and a further 160 car parks available as extension, with an average occupancy rate of 42%. The existing supply of onsite car parking is adequate to accommodate the construction phase demand for car parking. The existing car parking provision is considered satisfactory.
- The project is not expected to negatively affect the existing level of access and amenity of the local road environment.
- There are no restrictions on the proposed routes for heavy vehicles to access the Loy Yang B Power Station site.
- Relative to the existing scale and operational requirements of the existing Loy Yang B Power Station, the Project will have a negligible impact on external and internal road networks.

93. The project will provide appropriate vehicular access and egress arrangements for all anticipated modes of transport. Traffic volumes generated by the Project during the construction and operational phases will be minimal and can be effectively accommodated by the existing road network. The existing arrangement for car parking on site is adequate.

94. Furthermore, the TIA notes that the layout of the internal road network of the Loy Yang B site will remain in its existing state. However, the development plans and planning report indicate that there are proposed modifications to the internal roads as mentioned above. It is noted that any roadworks is exempt under Clause 62.02-2 (Buildings and Works) of the Latrobe Planning Scheme and therefore do not require planning approval. The TIA does not require to be amended nor will it be endorsed in this instance.

Social and Economic Impacts

95. Under section 60(1)(f) of the PE Act, the responsible authority is required to consider any significant social effects and economic effects which the responsible authority considers the use or development may have. Under section 60(1)(b) of the PE Act, the responsible authority must also have regard (where appropriate) to the number of objectors in considering whether the use or development may have a significant social effect.

96. The proposal is expected to result in local and regional economic benefits, including the provision of construction jobs and ongoing operational employment opportunities. The proposal is appropriately located in an area where there is existing energy generation and utility infrastructure. This reduces potential social impacts by not introducing the use in an incompatible area and avoids the need for additional grid connection infrastructure that would further impact on



social amenity. The proposal will have economic and social benefits for the local community through job creation and ensuring electricity network reliability.



97. The proposal is consistent with the relevant planning policies of the Latrobe Planning Scheme and will contribute to the provision of energy storage within the Loy Yang B Power Station.
98. The proposal is generally supported by the various referral agencies and Latrobe Council.
99. It is recommended that, under delegation from the Minister for Planning:
 - Planning Permit PA2402944 for 'Buildings and works associated with a utility installation (battery energy storage system)', be issued subject to conditions.
 - That the applicant, council, and organisations, such as WSV, DEECA – Earth Resources, AusNet, Head, Transport for Victoria, EngerySafe Victoria and FRV be advised that the permit has been issued.



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]
Title: [REDACTED]
Phone: [REDACTED]

Reviewed: [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]
Title: [REDACTED]
Phone: [REDACTED]

Approved 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]
Title: [REDACTED]
Phone: [REDACTED]