



# Department of Environment, Land, Water & Planning

Appl. Ref.: PA2201534

9/03/2022

Esso Resources Australia Pty Ltd



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Dear [REDACTED]

### APPLICATION FOR PLANNING PERMIT PA2201534 HASTINGS GAS ENERGY GENERATION FACILITY REQUEST FOR FURTHER INFORMATION

I refer to the above matter submitted to the Minister for Planning C/- Department of Environment, Land, Water and Planning (DELWP) on 25 February 2022.

A preliminary assessment of the application has revealed that further information pursuant to section 54(1) of the *Planning and Environment Act 1987* is required in order to properly consider your application.

#### Further Information

The further information required is:

1. **Clarification about whether the proposed pipeline infrastructure forms part of this planning permit application.**
  - a. It is unclear whether the proposed pipeline and connection infrastructure at the Esso Long Island Point (LIP) facility form part of this application.
  - b. DELWP considers that the proposed pipeline infrastructure is subject to the approval requirements of the *Planning and Environment Act 1987* because the *Pipelines Act 2005* does not apply to the proposal. This is discussed in more detail in the 'Preliminary Comments' section of this request for further information.
  - c. If this is not the case, please confirm the approval pathway and/or exemptions that apply to the pipeline.
2. **Amended Application Form and provision of Certificates of Title which consider all land to which the application applies (if applicable).**
  - a. If approval is sought for the proposed pipeline as discussed above, this land should be included on the Application Form and Certificates of Title provided.
3. **Amended Planning Assessment to include:**
  - a. Assessment of the proposed pipeline and connection infrastructure at the LIP facility, including incorporation of this infrastructure into the subject site and the application more broadly (if applicable).
  - b. Assessment of potential drainage/stormwater impacts and how they are proposed to be managed, including impacts associated with potentially contaminated runoff.
  - c. Identification of dwellings within 1 km of the subject site.
  - d. Assessment of potential amenity impacts (e.g. visual, noise, etc.) on surrounding dwellings.
  - e. Discussion about how the proposed facility will connect to the electricity grid.

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#### 4. Amended Development Plans for the proposal to include:

- a. Plans showing lot boundaries, title details and existing easements of the lots comprising the subject site (including pipeline infrastructure).
- b. Plans showing the layout and details of the proposed facility, including:
  - i. Dimensioned plans and elevations of the proposed Energy generation facility and associated infrastructure (i.e. turbines, fencing, pipelines, buildings, etc.).
- c. Setbacks of all proposed infrastructure from title boundaries, neighbouring property boundaries, surrounding dwellings and any other significant features or sensitive land uses (e.g. waterways, native vegetation, etc.).
- d. Description / labelling of surrounding land uses.
- e. All existing infrastructure proposed to be retained or removed, including pipelines, access tracks, buildings, etc.

#### 5. Amended Acoustic Assessment to include:

- a. Assessment of noise impacts at all surrounding sensitive receptors, or justification as to why certain sensitive receptors have not been assessed.
  - i. Surrounding sensitive receptors which have not been assessed include, but are not limited to, dwellings at 34 Cemetery Road, Hastings; 7 Beach Drive, Hastings; 22 Beach Drive, Hastings; 47 Beach Drive, Hastings.

#### 6. Amended Aboriginal Cultural Heritage Assessment to include:

- a. Incorporation of the proposed pipeline and connection infrastructure at the LIP facility into the activity area for the site, or justification as to why this part of the proposal does not form part of the activity.

#### 7. Amended Native Vegetation Assessment to include:

- a. Identification of any existing native vegetation along the proposed pipeline alignment.
- b. Clarification about whether any native vegetation is required to be removed to facilitate the proposed pipeline and connection infrastructure at the LIP facility.

#### 8. Submission of a Traffic Impact Assessment to include:

- a. Identification of access routes and all roads proposed to be used to transport construction materials to and from the site.
- b. Suitability of any unsealed roads for construction traffic, if required.
- c. Identification of any road upgrades or roadworks required to ensure roads can accommodate access to the site, specifying whether they are temporary or permanent.
- d. Suitability of car parking during construction and operation of the facility.

**Please provide all information as part of a complete set of updated application documents and submit the documents via Permits Online.**

This request for further information is made pursuant to section 54 of the *Planning and Environment Act 1987* and must be received **on or before 9 June 2022**.

If you do not provide all requested information **on or before 9 June 2022**, your application will lapse. You are able to extend this deadline for the submission of further information by requesting an extension before the lapse date specified in this correspondence. The Minister for Planning must then either consent or refuse an extension of time to the further information lapse date in writing and appeal rights apply to any refusal of an extension of time for the further information lapse date.

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### **Preliminary Comments**

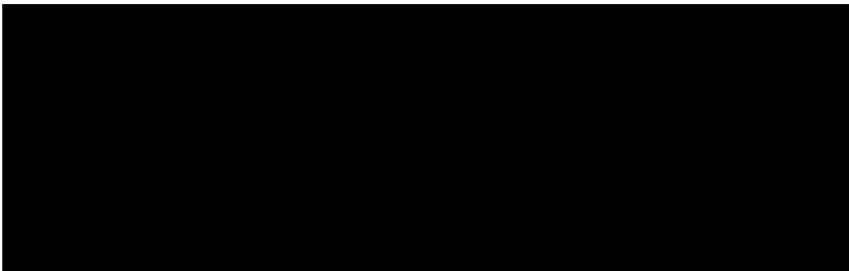
DELWP has undertaken a preliminary assessment of the application and provide the following comments:

1. The application has been referred to the following referral authorities:
  - a. Environment Protection Authority (Victoria) (determining referral authority)
  - b. Secretary to DELWP (recommending referral authority).
2. The current application does not include the proposed pipeline infrastructure in the subject site and this is only briefly discussed. DELWP considers that the proposed pipeline infrastructure requires approval under the *Planning and Environment Act 1987*. This is because the *Pipelines Act 2005* does not apply to the proposal pursuant to section 10(a) of the *Pipelines Act 2005*. As such, section 85 of the *Pipelines Act 2005* does not apply to the proposal. All plans and documents should be updated to ensure the proposed pipeline infrastructure is included as part of the application. Otherwise, further justification should be provided as to why the pipeline infrastructure does not form part of this application.
3. Key documents (e.g. development plans, acoustic assessment, etc.) that form part of the application are included in the attachments of the 'Environment, Safety and Security Information' prepared by Esso Australia Pty Ltd, dated 11 February 2022. DELWP encourages the submission of extracted / separated copies of these plans and assessments to form an easy to navigate suite of documents for the notice period.
4. Please ensure that all application documents are consistent and that any amendments made to the development plans in response to the above are consistent with the relevant assessments, and vice versa.

Please note that these are preliminary comments only and DELWP may raise further concerns as a result of undertaking a detailed assessment once the above information has been provided.

Should you have any further queries in relation to this matter please do not hesitate to contact Anthony Pollifrone, Senior Planner, Development Approvals and Design, on telephone [REDACTED] 0645 or email [REDACTED]

Yours sincerely,



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