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Planning Report

Gippsland BESS, Hazelwood North

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Planning Report

Gippsland BESS, Hazelwood North

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1 Introduction

This planning report has been prepared by **Accent Environmental** on behalf of **European Energy Australia** for the proposed 'Gippsland Battery Energy Storage System' (Gippsland BESS) project at **Tramway Road, Hazelwood North (Lot 1, TP383784H)** in Victoria, within the Latrobe City local council area (LGA).

Grid connection is intended through underground cables between the site and the Hazelwood Terminal Station at **530 Tramway Road, Hazelwood North (Crown Allotment 2G, Section A, Parish of Hazelwood)**.

The proposal requires planning permission for the use and development of a 'Utility installation' in a Farming Zone, the Transport Zone 2 and the Special Use Zone – Schedule 1, along with the removal of native vegetation, and the creation of an access to a Transport Zone 2 under the Latrobe Planning Scheme.

The planning permit application is to be assessed by the Department of Transport and Planning (DTP) through the Development Facilitation Program, with the Minister for Planning as the responsible authority under Clause 53.22 (Significant Economic Development).

This report provides:

- A description of the site and the surrounding area.
- A description of the proposal.
- An outline of the relevant statutory planning provisions of the Latrobe Planning Scheme.
- A summary of the technical studies conducted for the proposal.
- A planning assessment of the proposal against the relevant planning scheme provisions.

This report should be read in conjunction with the following plans and documents accompanying the application:

- Proposal site and building plans, prepared by Accent Environmental.
- Ecological Assessment, prepared by ID Ecological Management.
- Agricultural Assessment, prepared by Ag-Challenge Consulting.
- Surface Water Assessment, prepared by Water Technology.
- Fire Safety Study and Risk Management Plan, prepared by Fire Risk Consultants.
- Landscape Character and Visual Impact Assessment, prepared by Accent Environmental.
- Traffic Impact Assessment, prepared by Amber Organisation.
- Noise Impact Assessment and subsequent memorandum, prepared by WSP.
- Cultural Heritage Management Plan, prepared by Landscape.

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2 Site description

This section provides a description of the subject site, adjoining properties, surrounding context and areas of Aboriginal cultural heritage sensitivity. Additional details regarding the environmental setting of the site are provided in Section 5 where the findings of supporting technical studies have been summarised.

2.1 The subject site

The subject site as shown in **Figure 2.1** consists of two components: the 'BESS site' where the battery facility is proposed; and the 'connection site' where facility will be connected to the electricity network; joined by the Tramway Road corridor in between.

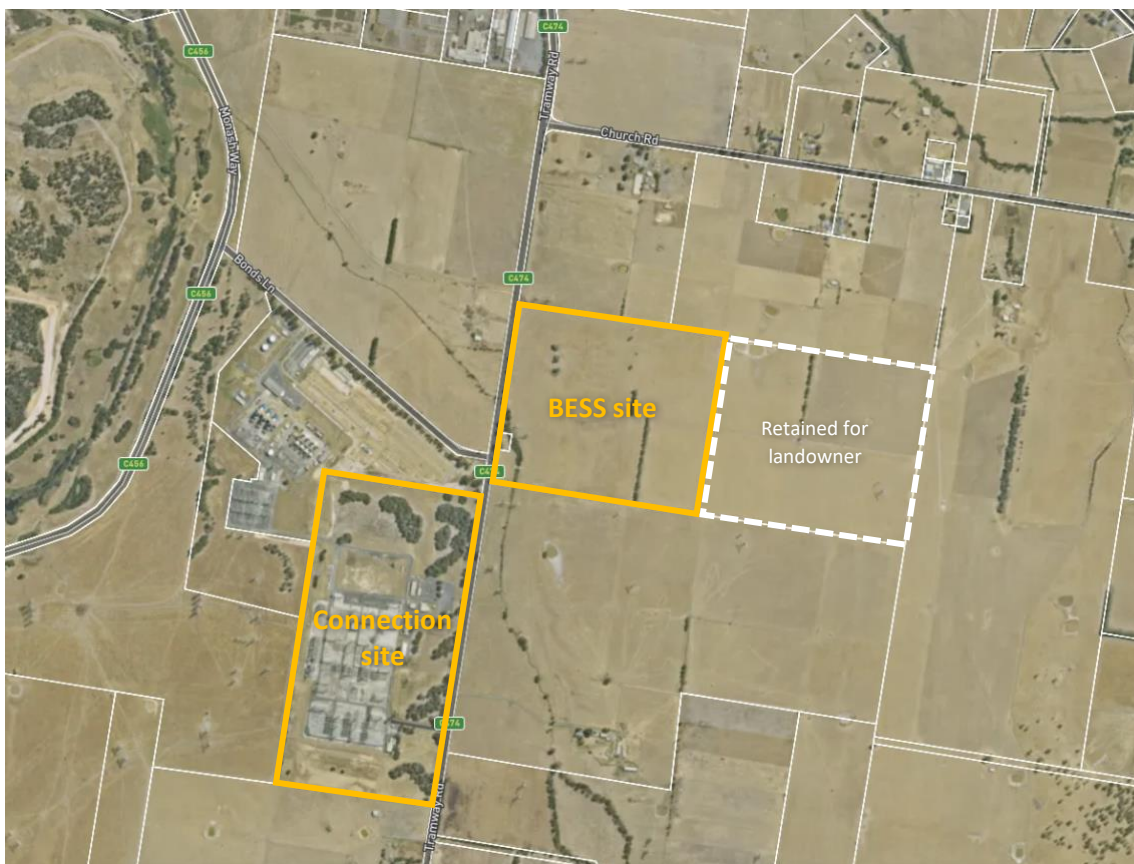


Figure 2.1 The subject site (Source: MetroMap aerial imagery of 15/02/2026, not scaled)

The subject site is located:

- Approximately 5 kilometres (km) south of the Morwell township.
- Approximately 4 km north of the Churchill township.
- Approximately 4 km west of the Hazelwood North rural living precinct.
- Approximately 5 km east of the Morwell Brown Coal Mine.
- Approximately 130 km east of the Melbourne CBD.

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The subject site is also located within the 'Gippsland (V5) Energy Generation Zone' where the Victorian Government has committed to provide up to 2100 megawatts (MW) of anticipatory network capacity for future renewable energy generation projects, expecting to increase utilised renewable energy by 7270 gigawatts per hour (GWh) annually.

The BESS site

Site location

The BESS site shown in **Figure 2.2** is formally described as **Lot 1 on Title Plan TP383784H** (Volume 06470 Folio 870), located on the eastern side of Tramway Road in Hazelwood North, opposite to Bonds Lane, approximately 520 metres (m) south of Church Road. The BESS site does not have a current street address number.



Figure 2.2 The BESS site (Source: MetroMap aerial imagery of 17/04/2025, 1:10000@A4)

Site particulars

The BESS site (Lot 1 of TP383784H) is a large rectangular parcel of approximately 38.84 hectares (388,400 square metres) in size. The site has a combined road frontage of

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approximately 526.65 m to Tramway Road on the western side; a depth of approximately 730.28-731.21 m (southern and northern sides); and a rear boundary of 532.69 m on the eastern side.

The BESS site parcel is linked to two other parcels in the same land ownership – no development is proposed within these two parcels:

- Lot 1 of TP436302, approximately 2,040 square metres in size, fully contained within the BESS site with its own frontage to Tramway Road, reserved as an easement (details below).
- Lot 1 of TP393872, approximately 324,000 square metres (324 hectares) in size, adjoining the BESS site to the east. This parcel does not have its own access from Tramway Road.

The BESS site contains a number of easements reserved for electricity transmission purposes. The details of the easements are outlined in **Figure 2.3** and **Table 1** below.

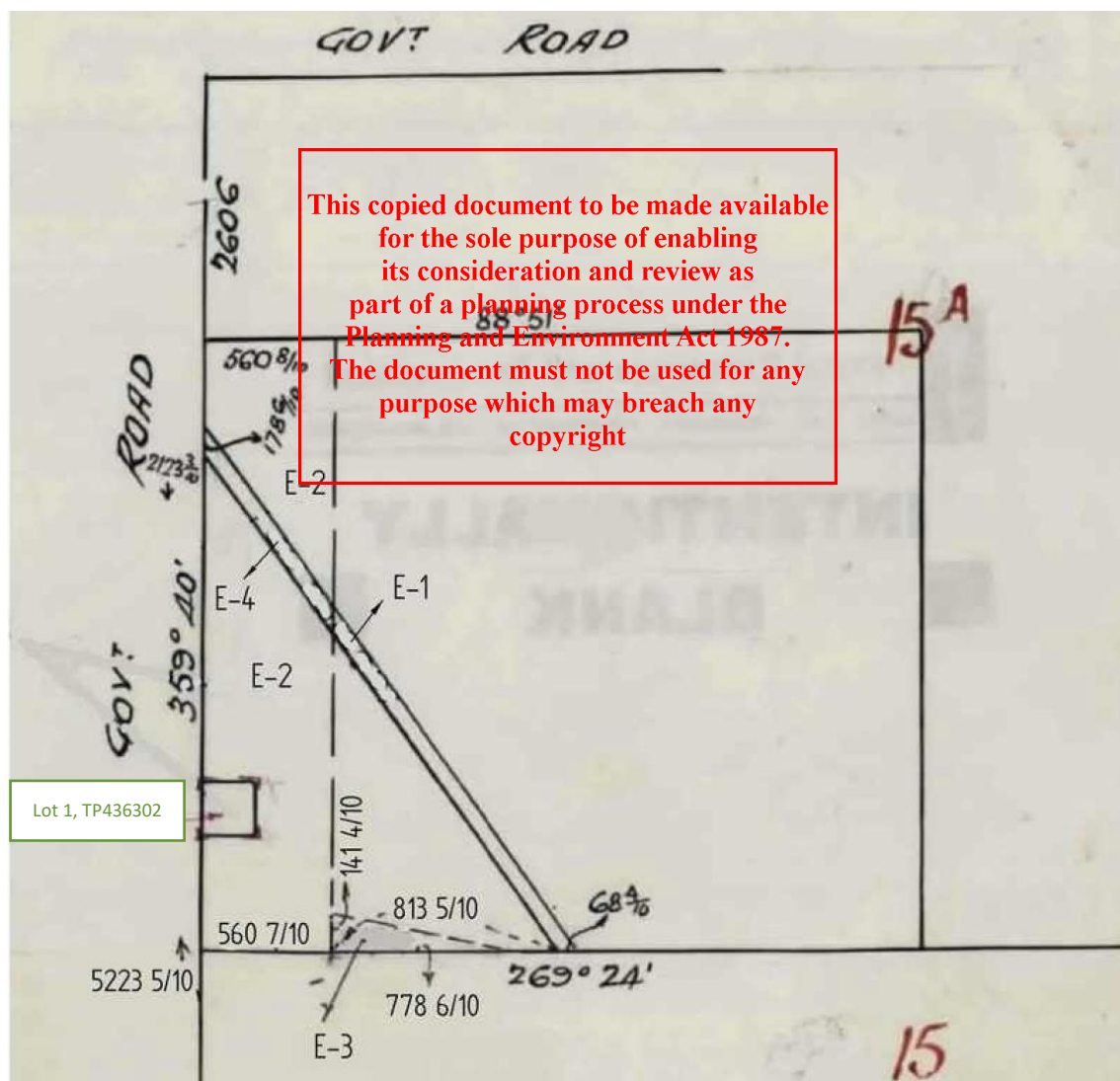


Figure 2.3 Easements within the subject site (Source: Diagram from Title Plan TP383784H)

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Table 1 Summary of easements within the subject site

Easement	Dimensions and location	Purpose (beneficiary) of the easement	Created by instrument
Lot 1, TP436302¹	50.29 m by 40.23 m along with the road boundary within E-2	Electricity (State Electricity Commission of Victoria)	C966126 created in 1967
E-1	~13.75 m in width running diagonally from the eastern side of E-2 to the southern site boundary	Electricity (State Electricity Commission of Victoria)	2018991 created in 1946
E-2	~112.79-112.82 m in width along the entire road (western) boundary	Electricity (State Electricity Commission of Victoria)	C966126 created in 1967
E-3	Triangular shape of ~28.44 m by ~156.62 m along the southern site boundary to the east of E-2	Electricity (State Electricity Commission of Victoria)	J480814 created in 1980
E-4	~35.9 m in width running diagonally from road (western) boundary to the eastern side of E-2	Electricity (State Electricity Commission of Victoria)	2018991 created in 1946; C966126 created in 1967

Existing site conditions

The BESS site (including the adjoining parcel to the east, Lot 1 of TP393872) is primarily used for grazing pasture with sparse tree cover. Es. Bennetts Creek intersects the site diagonally at the western and southern boundary, surrounded by dense vegetation and wire and post fences on either side of the creek. The topography generally rises from the road frontage towards the rear.

Two sets of high voltage, 500-kilovolt (kV) overhead electricity transmission lines and towers (between Hazelwood Terminal Station and South Morang Terminal Station) run parallel along the road frontage, contained within easement E-2. Another set of high voltage, 66 kV overhead electricity transmission lines (between Loy Yang Substation and Morwell Terminal) run parallel along Bonds Lane and intersect the site within easement E-3.

The road boundary is marked by a row of mature trees and a wire and post fence. These trees are understood to have been planted as part of a local Landcare group revegetation project based on signage present. The northern and southern side boundaries are also marked by wire and post fences. The rear boundary is not fenced as it is connected to the adjoining lot on the eastern side owned by the same landowner, also used for grazing pasture.

There are two existing vehicle access points from Tramway Road, one adjacent to the northern side boundary, the other on the southern part of the site for access to Lot 1, TP436302.

Existing site conditions are captured in the photographs at the end of this section.

¹ Lot 1, TP436302 was reported by a local community member to be the former site of the North Hazelwood Creamery and considered socially to be a site of historic significance. This site lies outside the subject site and will not be impacted by the proposal.

The connection site

Site location

Grid connection will occur at the Hazelwood Terminal Station (the 'connection site'), owned by AusNet. The connection site is formally described as **Crown Allotment 2G, Section A, Parish of Hazelwood** (Volume 10294 Folio 910), with the street address of **530 Tramway Road, Hazelwood North**. The connection site is located on the western side of Tramway Road, on the opposite side of the road from the BESS site approximately 50 m to the south, and approximately 110 m south of Bonds Lane.

Site particulars

The connection site is a large rectangular parcel of approximately 43.2 hectares (432,080 square metres) in size. The site has an extensive frontage of approximately 916 m to Tramway Road on the eastern side; a depth of approximately 463-466 m (northern and southern sides); and a rear boundary of approximately 922 m on the western side.

The site does not contain any easements or other title restrictions.

Existing site conditions

The Hazelwood Terminal Station contains switchyards of the highest voltages in Australia taking in power from multiple generators in the region and distributing across the national market. The terminal station contains 500 kV transmission facilities connecting to other terminal stations in Cranbourne, Rowville, South Morang and Loy Yang Power Station, as well as 220 kV transmission facilities connecting to Hazelwood Power Station.

The existing facilities are largely contained within the central portion of the site. The northern end of the site is currently vacant with several vegetation patches. The southern end of the site is reserved for the construction of the Hazelwood Converter Station, part of the Marinus Link project with an undersea electricity and data interconnector between Victoria and Tasmania.

Tramway Road corridor

Tramway Road is a major arterial road connecting Princes Highway in the north and Churchill in the south. The road corridor is generally between 19 m and 20m in width, containing a single lane in each direction, with vegetated verges on both sides.

2.2 Adjoining properties

The BESS site is surrounded by the following properties (**Figure 2.4**):

- Adjoining to the east, Lot 1 of TP393872, grazing pasture lot in the same land ownership as the BESS site. This lot is not part of the current proposal for development.
- Adjoining to the north, at 30 Church Road, grazing pasture lot with a dwelling and several outbuildings facing Church Road.
- Adjoining to the north is a large C-shaped grazing pasture lot enclosing two smaller lots containing two dwellings, with each located at 90 Church Road and 92 Church Road respectively.

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- Adjoining to the south, 545 Tramway Road, large grazing pasture lot with a dwelling and outbuildings located towards the southern side of the lot.
- To the west the road, the Hazelwood Terminal Station at 530 Tramway Road, and the Jeeralang A and B Power Station as well as the Wooreen BESS at 30 Bonds Lane.
- To the west across the road, 436 Tramway Road, another large grazing pasture lot, where the Morwell BESS is currently proposed, along with that project's grid connection also to the Hazelwood Terminal Station (Planning Permit PA2504027 issued on 28 May 2026).

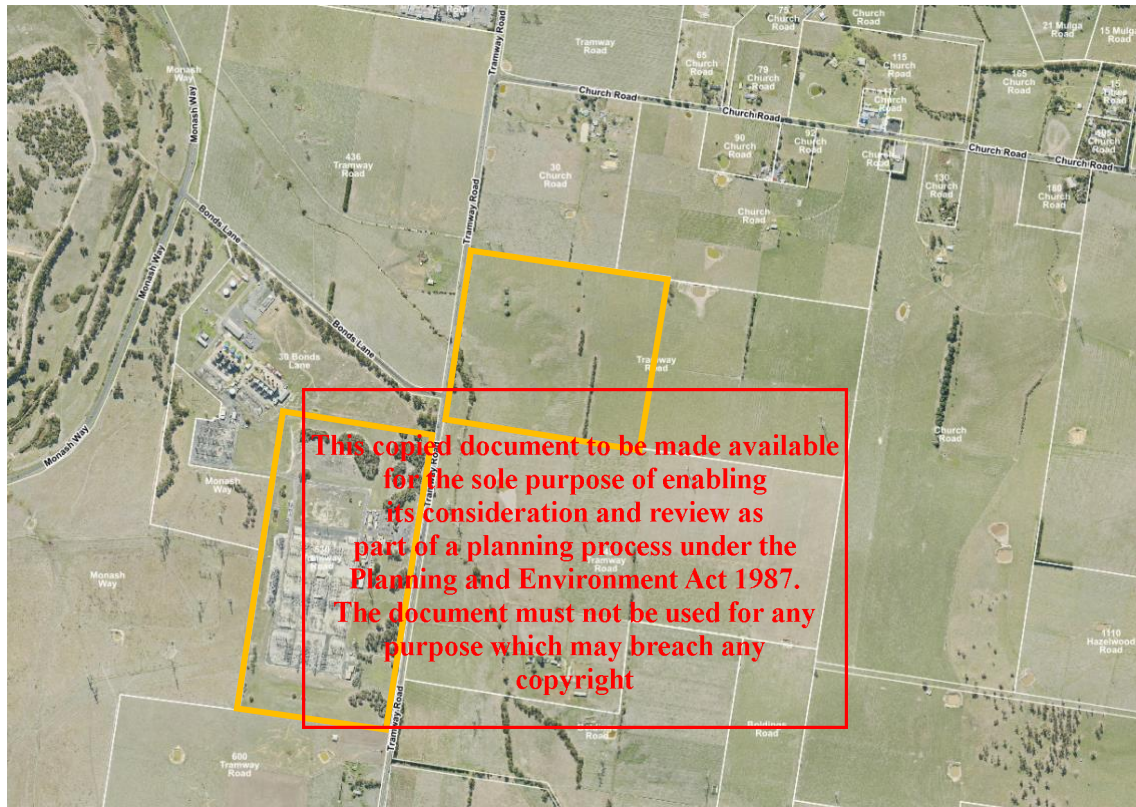


Figure 2.4 Adjoining properties (Source: MetroMap aerial imagery of 17/04/2025, not scaled)

2.3 Surrounding context

Within a 2 km radius from the BESS site, a total of 45 sensitive residential receptors have been identified, mostly concentrated on the northern side around Church Road and sparsely located to the south and to the east as shown in **Figure 2.5**. Further north is an industrial area containing a chemical plant and a waste transfer station.

The BESS site is located within an area of grazing farmland with little significant agricultural value, adjacent to the Hazelwood Terminal Station and in proximity to former coal-based energy generation infrastructure and industrial uses, suitable for an alternative use and development of complementary energy infrastructure.

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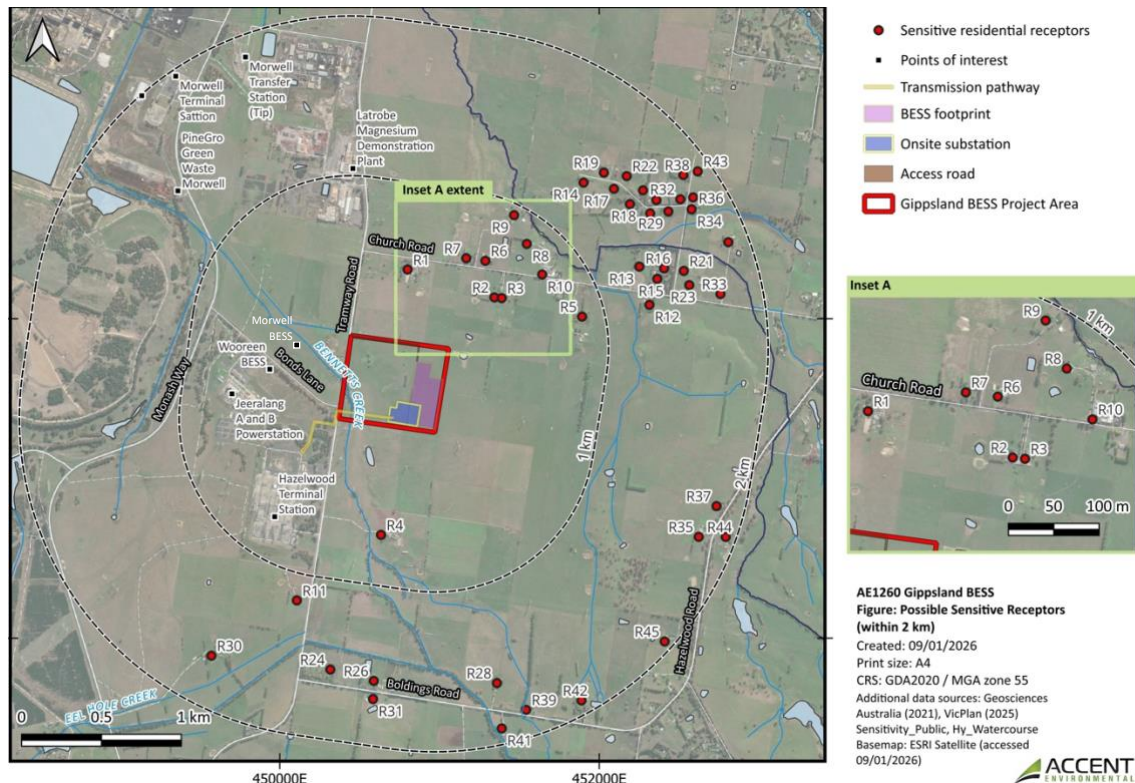


Figure 2.5 The surrounding context within 2 km of the subject site (Source: Accent Environmental)

Energy generation and storage projects in the region include:

- Morwell BESS (approved), ~20 m from the site.
- Wooreen BESS (under construction), ~1 km from the site.
- Tramway Road BESS (approved), ~1.5 km from the site.
- Bennetts Creek BESS (approved), ~3 km from the site.
- Latrobe Valley BESS (operational), ~3 km from the site.
- Hazelwood BESS (operational), ~3.5 km from the site.
- Hazelwood North Solar Farm (approved), ~7.5 km from the site.
- Delburn Wind Farm (approved), ~22 km from the site.
- Gippsland Offshore Wind Transmission Project (planned).
- Marinus Link (approved).

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The site's location provides a strategic advantage of being adjacent to two viable connection points at the 500 kV Hazelwood Terminal Station and/or the 220 kV Jeeralang Terminal Station with many available connection configurations. The future closures of the Loy Yang Power Station (~10 km from the site) and additional proposed transmission projects in the region will further necessitate additional BESS projects in Gippsland.

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2.4 Area of Aboriginal cultural heritage sensitivity

As shown in **Figure 2.6** the subject site is partially within an area of Aboriginal cultural heritage sensitivity as defined under *Aboriginal Heritage Regulations 2018*, which is within 200 m of Bennetts Creek.

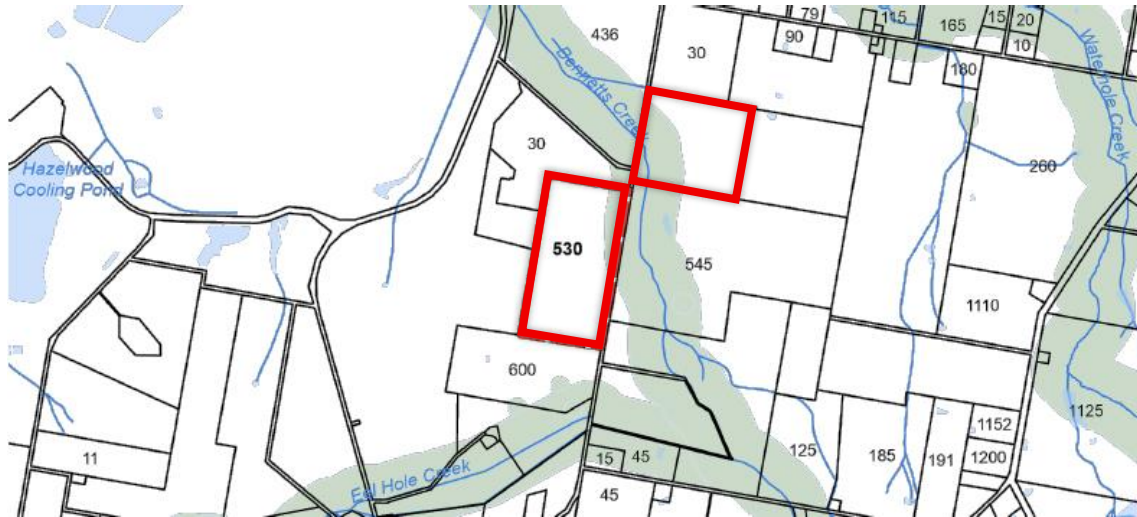


Figure 2.6 Area of Aboriginal cultural heritage sensitivity (Source: VicPlan – Planning Property Report)

As the ground disturbance for the proposal will be entirely outside of the area of Aboriginal cultural heritage sensitivity around Bennetts Creek (see Section 3.4 of this report), the proposal is not subject to the requirements of a mandatory Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

Regardless, a voluntary CHMP has been prepared and approved by the Gunaikurnai Land and Waters Aboriginal Corporation as the relevant Registered Aboriginal Party (RAP). The project will be managed in accordance with the conditions and commitments set out in this CHMP.

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Photo group 1: Site frontage to Tramway Road and high voltage powerlines within the site



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Photo group 2: Bennetts Creek and surrounding vegetation within the site



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Photo group 2 (cont.)



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Photo group 3: Grazing land within the site



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Photo group 3 (cont.)



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Photo group 3 (cont.)



Photo group 3 (cont.)



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3 The proposal

3.1 About the applicant

European Energy Australia (EE Australia Pty Ltd) is the local arm of a global business founded in Denmark in 2004, now with offices in more than 20 countries. European Energy specialises in developing, building and operating renewable energy infrastructure, including solar farms, wind farms and battery storage across different geographical regions around the world.

In Australia, the business has established a growing portfolio of projects across Victoria, New South Wales and Queensland since the opening of the Melbourne office in 2022. All projects are specifically designed to support grid reliability and renewable targets, with co-located battery storage aiming to enhance dispatchability and value stacking, with a clear commitment to a clean energy future in Australia.

Current energy generation projects in Victoria include the Mokoan Solar Farm (operational), Lancaster Solar Farm (under construction), Winton North Solar Farm (under development) and Mincha Wind Farm (early development). Current battery storage projects include Mokoan BESS, Ticoba BESS, Winton North BESS and Lancaster BESS (all under development).

3.2 Project overview

The 'Gippsland BESS' project intends to develop a 600MW / 1,200 or 2,400 MWh grid-scale battery for either 2 or 4 hours of storage, to be connected to the national energy grid via a 500kV underground connection to the adjacent Hazelwood Terminal Station.

Up to 200 new jobs will be created the construction of the project, with construction intended to commence in late 2026. Around 8-10 long term operation jobs will also be created, with operation intended to commence by end of 2028.

3.3 Proposed land use

Both the BESS facility and the transmission lines fall within the land use term of '**Utility installation**', which has the following definition from Clause 73.03 (Land Use Terms) of the Planning Scheme:

- *Land used for... c) to transmit, distribute or store power*

The proposal is not considered to be '**Minor utility installation**', due to the proposed capacity being over the limit specified in the land use definition:

- *Land used for a utility installation comprising any of the following:*
 - h) power lines designed to operate at **less than 220,000 volts** but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction;
 - ...
 - j) a battery with a storage capacity of **no more than 5 megawatts**.

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BESS components

The proposed BESS facility includes the following components:

- Battery containers (x 336) and power converters (x 168), configured in four rows
- BESS transformer kiosks (x 8)
- Sub-station for power conversion
- Harmonic filters
- Multiple outbuildings for the following purposes:
 - Site office for operations and maintenance, including a staff kitchen and toilets
 - Switchgear and control
 - Warehouse: storage of spare parts and equipment
- Retention pond, for capture of runoff from the BESS facility
- Fire water tanks and fire hydrants.

Ongoing operations

No permanent on-site staffing is intended for the facility. There will be approximately 8-10 operational / maintenance staff members or contractors attending the site for routine inspections, maintenance, and compliance activities. Each attendance is generally for short duration, around several hours to one day per visit.

On-site generation of waste and wastewater will be managed by a contractor for the infrequent and limited staff presence expected.

The contractor will provide a range of waste bins (e.g. timber, steel, and general waste) and is responsible for correctly separating and managing their waste, liaising with the site team to ensure adequate bin numbers and appropriate emptying frequencies throughout the project lifecycle.

Wastewater and effluent will also be managed by a contractor through scheduled pump-outs as required. Any hazardous waste will be handled in accordance with applicable environmental regulations.

3.4 Proposed buildings and works

The proposed BESS facility will occupy an area of approximately 86,290 square metres (8.6 hectares) within the subject site, to be fenced off from the remainder of the site.

The BESS facility area is to be positioned to the following parameters within the BESS site (all figures are approximate):

- Setback from the western, Tramway Road boundary:
 - 314 m to the sub-station, enclosed by the sub-station perimeter fence.
 - 372 m to the retention pond, enclosed by a cattle fence.
 - 426 m to the BESS units and associated structures, enclosed by the BESS facility perimeter fence.
- Setback from the northern side boundary, 111-191 m to the BESS units and associated structures, enclosed by the BESS facility perimeter fence.

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- On the southern side, sited effectively on the boundary, is the sub-station enclosed by the sub-station perimeter fence, and the BESS units and associated structures enclosed by the BESS facility perimeter fence.
- Setback from the eastern (rear) boundary, 9 m to the BESS units and associated structures enclosed by the BESS facility perimeter fence.

Fire break: All facility components and associated structures are positioned for a minimum of 10 m behind the fencing for fire separation purposes.

Internal access: All facility components and associated structures are provided with an internal accessway of a minimum of 6 m in width.

Separation from Bennetts Creek: The BESS facility area is sited entirely outside of the area of Aboriginal cultural sensitivity around Bennetts Creek, which is also riparian zone of the creek subject to potential flooding.

Grid connection: A 500 kV underground cable connection is proposed between the proposed sub-station and the Hazelwood Terminal Station, crossing Tramway Road, with the following approximate dimensions:

- Within the BESS site, for a length of approximately 313 m, approximately 55 m setback from the southern boundary of the site.
- Within the Tramway Road road corridor, for a combined length of approximately 142 m, located on the eastern side of the road corridor outside of vehicle traffic lanes. The exact location will be confirmed with Head, Transport for Victoria subject to the presence of any existing underground infrastructure (also considering any proposed transmission lines by the Morwell BESS).
- Within the connection site, for a combined length of 466 m in four segments, with a minimum setback of approximately 28 m from the northern boundary of the site.

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The connection will be entirely underground and constructed by horizontal directional drilling (HDD) within the BESS site, the Tramway Road road corridor and the connection site. The HDD method has been selected instead of the conventional open trenching method to minimise top-soil disturbance within the areas of Aboriginal cultural heritage sensitivity surrounding Bennetts Creek.

The underground cable connection is intended to be 2 m in width with a depth of 1-2 m, with HDD entry and exit pits of approximately 2 m x 2 m required in locations where the cables take a turn in direction. The cable route has been selected to minimise native vegetation disturbance. After construction, the ground conditions in and around the HDD pits will be reinstated to the existing conditions (whether it's vegetated or paved) without any permanent change to the existing topography of the land.

3.5 Proposed access and parking

Access to the BESS site:

A new access point is proposed for the BESS site. It will be the single access point for the BESS facility from Tramway Road.

The proposed crossover is 25.7 m in width at the property boundary, to accommodate a dual lane access with turning splays for larger vehicles.

For emergency purposes the access road will separate to the north of the site to run east and west of the BESS area, as well a central road (three emergency access routes total).

Car parking for the BESS site:

A total of 16 on site car parking spaces are provided, which include two disabled parking spaces. These are provided in two rows of 8 car spaces, in two separate locations, both located on the northern side of the BESS facility.

3.6 Proposed vegetation removal

To enable the proposed BESS facility, the following vegetation removal is proposed:

- Habitat Zone 3 (HZ3): A section of vegetation at the road frontage will be removed for the proposed site access.
- Habitat Zone 4 (HZ4): A small section of vegetation at the road frontage will be considered lost due to the proposed underground cable connection.
- Habitat Zone 6 (HZ6): The removal of an entire native vegetation patch within the zone, which contain trees understood to have been planted and fenced for wind protection for livestock (see Section 4.7.2 of the Ecological Assessment prepared by ID Ecological Management).

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4 Planning policy framework

This section outlines the relevant provisions of the Latrobe Planning Scheme. These include planning controls (zone, overlay and particular provisions) which specify the permit triggers for the application, as well as the planning policy framework which guide the decision-making for the application. An assessment of the proposal against the provisions outlined in this section will be provided in Section 6 of this report.

4.1 Zone

Clause 35.07: Farming Zone

The BESS site as shown in **Figure 4.1** is located in the **Farming Zone – Schedule 1 (FZ1)**.



Figure 4.1 Zone: FZ1 (Source: VicPlan – Planning Property Report)

The purpose of the Farming Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- 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 the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

The proposed land use 'Utility installation' is a Section 2 use under the zone, which means a permit is required for the use.

A permit is also required to construct or carry out works for the following:

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- A building or works associated with a Section 2 use (subject to certain exemptions)
- Earthworks specified in a schedule to the zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in a schedule to this zone, or if no setback is specified, 50 metres.
 - The setback from any other road or boundary specified in a schedule to this zone.
 - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
 - 100 metres from a small second dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designed flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.

Schedule 1 makes the following specifications corresponding with the above:

- Earthworks² which change the rate of flow or the discharge point of water across a property boundary – None specified.
- Earthworks which increase the discharge of saline groundwater – None specified.
- Minimum setback from a road – land in a Transport Zone 2 or in a Public Acquisition Overlay for the purpose of road acquisition by the Head, Transport Victoria – 100 m
- Minimum setback from a road – land in a Transport Zone 3 or in a Public Acquisition Overlay for the purpose of road acquisition by the Head, Transport Victoria – 40 m
- Minimum setback from a road, any other road – 20 m
- Minimum setback from a boundary – all other boundaries – 5 m
- Minimum setback from a dwelling not in the same ownership – any dwelling not in the same ownership – 100 m
- Minimum setback from a waterway, wetlands or designated flood plain – all land – 60 m

Accordingly, the proposal requires a permit for buildings and works for 'Utility installation' associated with the BESS facilities and the underground transmission lines.

Furthermore, the proposal does not require a permit under the FZ under the additional buildings and works triggers for the following reasons:

- No earthworks proposed which are within the meaning of the term under Clause 73.01 (General Terms) or which would change the rate of flow or the discharge of groundwater.
- No building within 100 m of Tramway Road in the Transport Zone 2.

² 'Earthworks' under Clause 73.01 (General Terms) is defined as: Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.

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- No building within 5 m of all other boundaries.³
- No building within 100 m of a dwelling not in the same ownership.
- No building within 60 m of the waterway of Bennetts Creek.

Relevant decision guidelines in addition to those under Clause 65 (detailed under Section 4.6 of this report) include:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*

Agricultural issues and the impacts from non-agricultural uses

- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*
- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *Whether Rural worker accommodation is necessary having regard to:*
 - *The nature and scale of the agricultural use.*
 - *The accessibility to residential areas and existing accommodation, and the remoteness of the location.*
- *The duration of the use of the land for Rural worker accommodation.*

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*

³ According to Clause 62.02-2 (Buildings and works not requiring a permit unless specifically required by the planning scheme), a fence is exempt from permit requirements for buildings and works, and the Farming Zone does not specifically require a permit for a fence. As such, any proposed perimeter fence within 5 m of a site boundary does not require a permit under the Farming Zone.

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- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one km from the nearest title boundary of land subject to:
 - A permit for a wind energy facility; or
 - An application for a wind energy facility; or
 - An incorporated document approving a wind energy facility; or
 - A proposed wind energy facility for which an action has been taken under Section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

Clause 37.01: Special Use Zone

The connection site as shown in **Figure 4.2** is located in the **Special Use Zone – Schedule 1 (SUZ1)**.

The purpose of the Special Use Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Schedule 1 identifies 'Brown Coal' areas, with the following purpose specified:

- To provide for brown coal mining and associated uses.

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- To provide for electricity generation and associated uses.
- To provide for interim and non-urban uses which protect brown coal resources and to discourage the use or development of land incompatible with future brown coal mining and industry.



Figure 4.2 Zone: SUZ1 (Source: VicPlan – Planning Property Report)

The proposed land use 'Utility installation' is a Section 1 use under the zone, which means a permit is not required for the use, if the following conditions are met:

- Must be directly associated with the planning process under the Planning and Environment Act 1987.
- All of the land must be at least 1000 metres from land (not a road) which is a residential zone, business zone, land used for a hospital or school or land in a Public Acquisition Overlay for a hospital or school.

The proposed transmission lines within the connection site are for the purpose of 'the generation, transmission, or distribution of electricity'. Within 1000 metres from the connection site, there is no land 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. The Section 1 conditions for 'Utility installation' are met. Therefore, the proposal does not require a permit for the use under the SUZ1.

Under the SUZ, a permit is required to construct a building or construct or carry out works unless the schedule to the zone specifies otherwise.

Schedule 1 specifies that no permit is required for the following works, as relevant to the proposal:

- Rearrange, alter, renew or maintain buildings or works (including associated plant) for use for or associated with brown coal mining, processing or treatment or electricity generation, transmission or distribution.

Accordingly, the proposal requires a permit for works associated with the underground transmission lines under the SUZ1.

Decision guidelines under SUZ1 for buildings and works include:

- Any natural or cultural values on or near the land.
- Landscape treatment.
- Parking and site access, loading and service areas, outdoor storage, fencing, lighting and stormwater discharge.
- The impact of the building and works on nearby existing or proposed brown coal mining and the sequential development of brown coal resources in the area, having regard to any comments or directions of referral authorities.
- The impact of the building and works on nearby existing or proposed brown coal mining or electricity generation and any nearby agricultural uses.

Clause 36.04: Transport Zone

Further, the proposed transmission lines within the Tramway Road corridor are within a **Transport Zone 2 (TR22)** for the purpose of principal road network).

The purpose of the Transport Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for an integrated and sustainable transport system.
- To identify transport land use and land required for transport services and facilities.
- To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.
- To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

‘Utility installation’ is a Section 1 use, subject to the condition that the use must be carried out by or on behalf of a relevant transport manager.

The transmission lines are not carried out on behalf of the Head, Transport for Victoria as the relevant transport manager (landowner consent has been provided). The proposal requires a permit for the use of ‘Utility installation’ under the TZ2. Furthermore, a permit is required to construct a building or construct or carry out works associated with a section 2 use.

Accordingly, the proposal requires a permit for works associated with the underground transmission lines under the TR22.

Decision guidelines under the TZ include:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the development, operation and safety of the transport system.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

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4.2 Overlays

Clause 44.07: State Resource Overlay

The subject site (both the BESS site and the connection site) as shown in **Figure 4.3** is located in the **State Resource Overlay – Schedule 1 (SRO1)**.

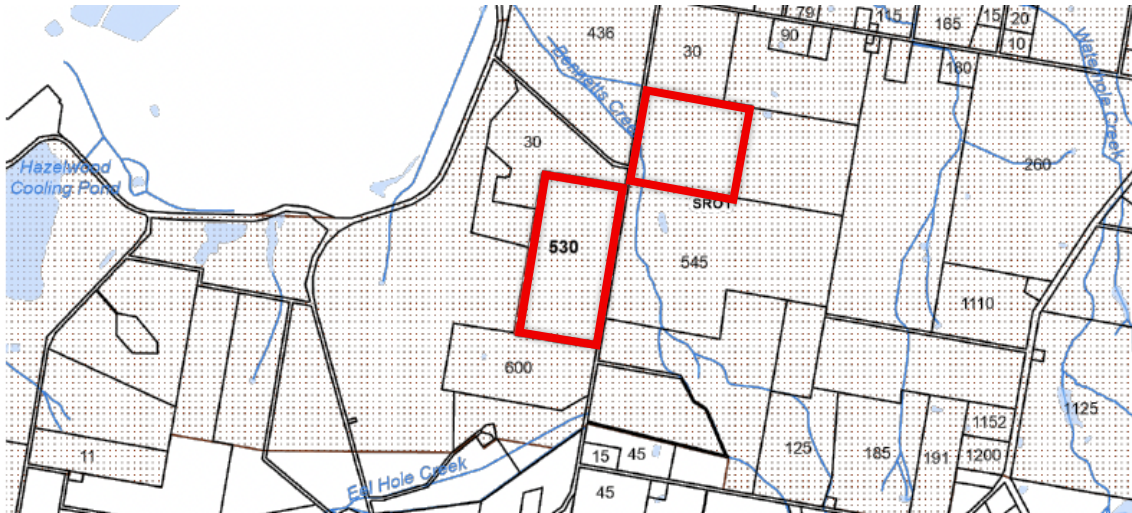


Figure 4.3 Overlay: SRO1 (Source: VicPlan – Planning Property Report)

The purpose of the State Resource Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas of mineral, stone and other resources, which have been identified as being of state significance, from use and development that would prejudice the current or future productive use of the resource.

Schedule 1 to the overlay identifies 'Gippsland Brown Coalfields'.

The statement of resource significance is:

The Gippsland Coalfields provide a secure long term energy source for base load power generation in Victoria, as well as providing an unique opportunity for other related significant developments.

The management objectives are:

To ensure the medium to long term extraction and use of the coal resource for power generation, buildings and works and subdivision of land over the resource should be designed in a way that does not inhibit the eventual productive use of that resource due to community significance or removal costs.

Permit triggers for use and buildings and works are not specified under the parent clause or the schedule or the overlay.

The proposal for the use of utility installation and the associated buildings and works is not one of specified applications and is not required to be referred to the Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990* for assessment.

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Decision guidelines include:

- *The need to ensure development of the land does not inhibit the eventual development and use of the coal.*
- *The need to exclude urban development, including low density residential development, and rural living development, from this overlay area.*
- *The impact of the building and works on nearby existing or proposed brown coal mining or electricity generation and any nearby agricultural uses.*

Other overlays

The connection site, as shown in **Figures 4.4** and **4.5** below, is partially within the **Bushfire Management Overlay (BMO)** and **Specific Controls Overlay (SCO3)** in the lower portion of the site. The proposed transmission lines are not within under – these overlays.

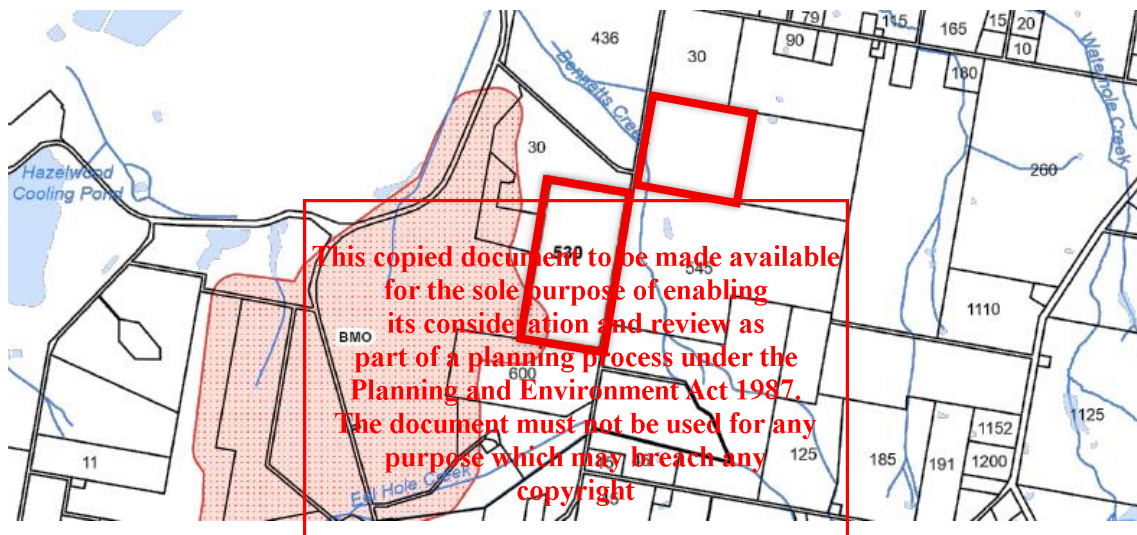


Figure 4.4 Overlay: BMO (Source: VicPlan – Planning Property Report)

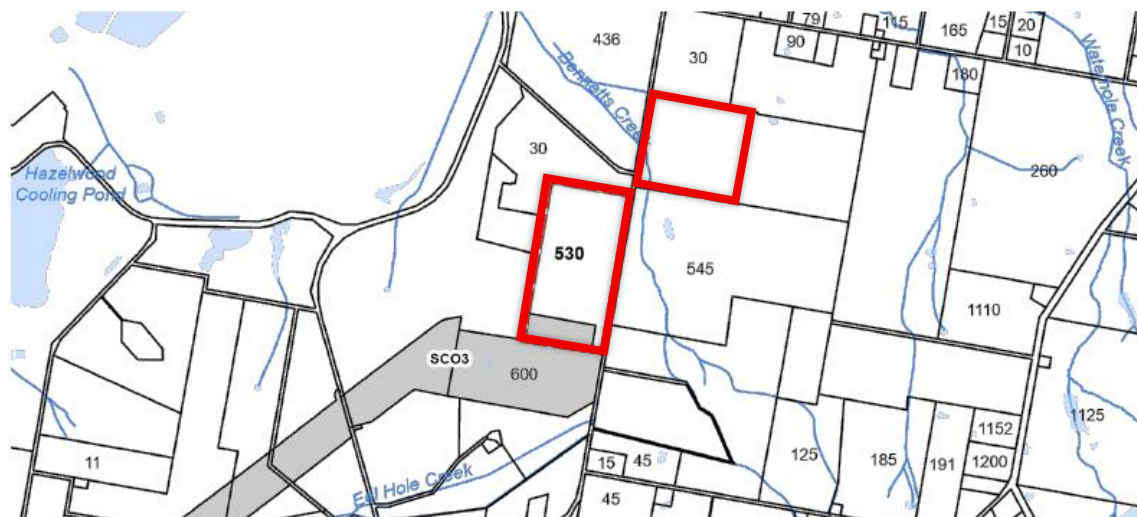


Figure 4.5 Overlay: SCO3 (Source: VicPlan – Planning Property Report)

4.3 Designated bushfire prone area

The subject site as shown in **Figure 4.6** is within a designated bushfire prone area as outlined in the *Building Regulations 2018* through the Building Code of Australia. The proposal is subject to consideration of matters under Clause 13.02-1S (Bushfire planning).

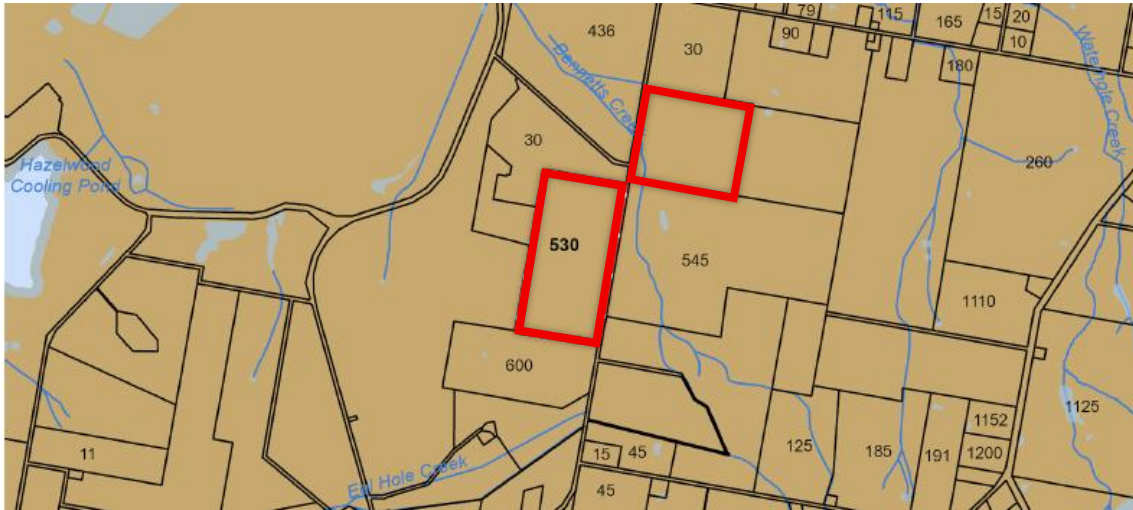


Figure 4.6 Designated bushfire prone area (Source: VicPlan – Planning Property Report)

4.4 Particular Provisions

The Particular Provisions which set out additional permit triggers and the approval pathway for the application include the following:

Clause 52.06: Car Parking

The purpose of the clause is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The clause does not specify minimum car parking requirements 'Utility installation'.

The number of on-site car parking spaces is to be provided to the satisfaction of the responsible authority, in accordance with the design standards specified under this clause.

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Clause 52.17: Native Vegetation

The purpose of the clause is:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Energy, Environment and Climate Action, 2025) (the Guidelines):*
 1. *Avoid the removal, destruction or lopping of native vegetation.*
 2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

A permit exemption is provided for 'planted vegetation', which means the removal of native vegetation within the following specification does not require a permit under this clause:

- *Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.*
- *This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.*

The proposal requires a permit under this clause to remove native vegetation (0.018 hectares of native patches, and no large tree or small scattered tree) through an 'Intermediate Assessment Pathway'. Specifically, removal of native vegetation within HZ3 and HZ4 requires a permit. Removal within HZ6 is exempt from a permit according to the 'planted vegetation' exemption.

Clause 52.29: Land Adjacent to the Principal Road Network

The purpose of the clause is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

A permit is required to create or alter access to a road in a Transport Zone 2.

The proposal requires a permit under this clause to create an access to Tramway Road in the Transport Zone 2 for the BESS facility.

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Clause 53.22: Significant Economic Development

The purpose of the clause is:

- 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.
- To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

The clause applies to the proposal involving a utility installation used to store electricity if the installed capacity is 1 megawatt or greater.

The provisions of this clause prevail over any inconsistent provision in the planning scheme.

An application under this clause is exempt from the decision requirements of Sections 64(1), (2) and (3) and the review rights of Section 82(1) of the *Planning and Environment Act 1987*.

4.5 Planning policies

The Planning Scheme sets out the local context and strategic directions in the Municipal Planning Strategy, as well as the Planning Policy Framework with policies at state (S), regional (R) and local (L) levels to guide the decision-making of an application. The relevant provisions include the following.

Clause 02.03: Strategic Directions

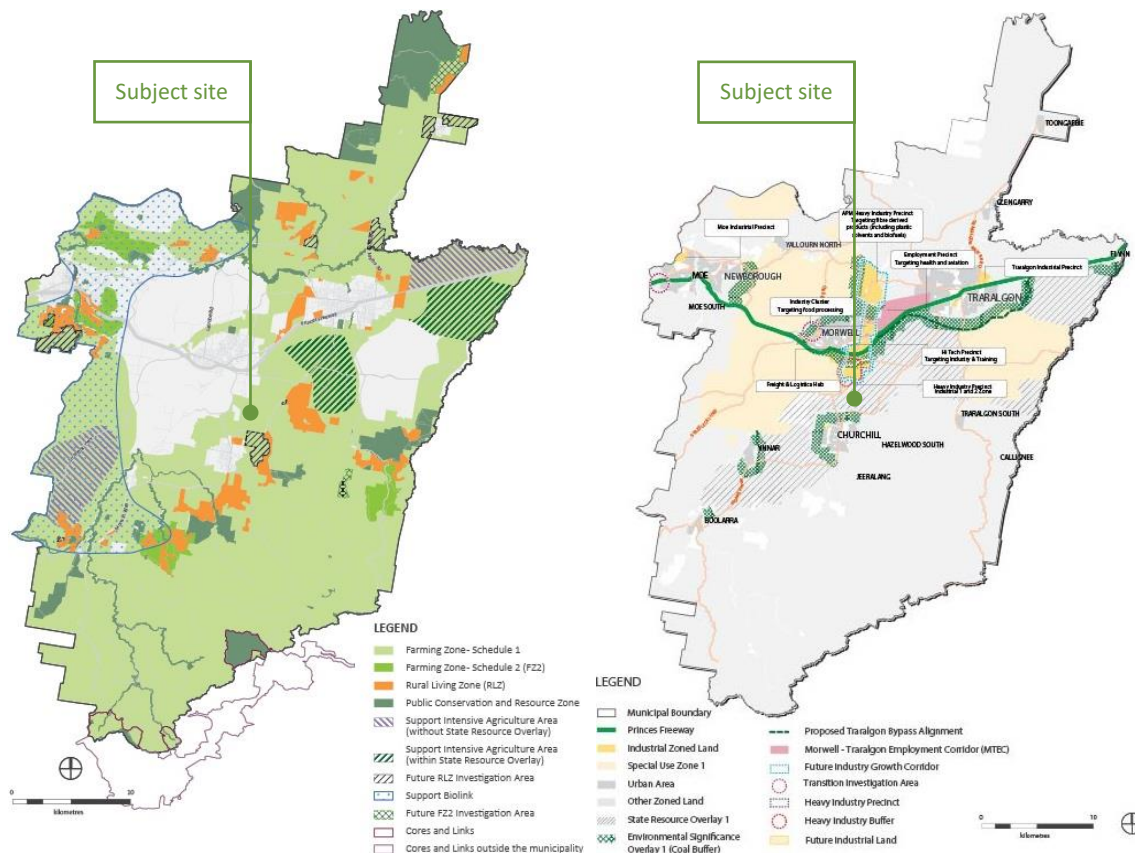


Figure 4.7 Extracts from 'Rural framework plan' and 'Industrial framework plan' under Clause 02.03

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Hazelwood North is one of the rural living precincts in Latrobe (as shown in **Figure 4.7**), which comprise clusters of housing on small rural lots with limited services. Rural living precincts support farming and rural living communities, providing an attractive lifestyle choice in a rural setting. The site is located with a reserve area of the Gippsland Brown Coalfields of state significance.

Council's strategic directions relevant to the proposal include:

Environmental and landscape values

- *Enhance Latrobe's native vegetation, biodiversity, habitats and natural ecosystems.*
- *Balance development with the protection of the natural environment.*

Environmental risks and amenity – Climate change

- *Support use and development that can adapt to the impacts of climate change and seeks to minimise its negative impacts*
- *Encourage energy efficient building design including the incorporation of energy efficient technologies.*

Environmental risks and amenity – Bushfire

- *Reduce bushfire risk through various bushfire protection measures*
- *Decrease the level of risk to life, property, the environment and biodiversity from bushfire.*
- *Ensure development in bushfire prone areas does not reduce native vegetation cover or biodiversity.*

Natural resource management – Agriculture

- *Enhance the viability of agricultural activity.*
- *Retain large lots and discourage the establishment of sensitive or non-agricultural related land uses on high quality agricultural land (Farming Zone Schedule 1) to retain its productive viability.*
- *Facilitate non-agricultural related use and development that respect settlement patterns, landscape, amenity and environmental values and adjacent land uses in highly fragmented rural areas (Farming Zone Schedule 2)*

Natural resource management – Coal

- *Minimise land use conflict with coal resource development.*
- *Ensure development does not compromise coal resources.*
- *Protect urban amenity, coal resource development and the productive use of land in the coal resource and buffer areas.*
- *Minimise the risk of life, property and the environment in and around mine sites.*
- ...

Economic development – Economic growth

- *Enable the community to prosper from the transition to a low carbon future by supporting the diversification of employment opportunities.*

- *Encourage alternative energy industries, including renewable energy and clean coal in locations with convenient access to existing energy distribution infrastructure.*
- ...

Clause 11: Settlement

Clause 11.01-1S: Settlement

The objective is to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.01-1R: Settlement – Regional Victoria

A relevant regional strategy is to focus investment and growth in Latrobe City as one of regional cities in Victoria.

Clause 11.01-1R: Settlement – Gippsland

A relevant regional strategy is to support urban growth in Latrobe City as Gippsland's Regional city.

Clause 11.01-1L-01: Latrobe settlement patterns

Relevant local strategies include:

- *Main a clear separation between urban settlements...*
- *Manage growth in rural living precincts by discouraging further rezoning of land and by discouraging impacts to environmental values.*

Clause 12: Environmental and Landscape Values

Clause 12.01-1S: Protection of biodiversity

The objective is to protect and enhance Victoria's biodiversity.

Clause 12.01-1L: Protection of biodiversity

Relevant local strategies include:

- *Adopt the precautionary principle where there are threats of environmental damage, such as damage or destruction of habitat.*
- *Protect habitats that contain indigenous flora and fauna, particularly where those species are threatened.*
- *Ensure that the enhancement of biodiversity outcomes does not pose an unacceptable increase in bushfire risk to community and infrastructure.*
- *Ensure that development does not result in a net loss of native vegetation and biodiversity.*
- ...
- *Retain native vegetation on roadsides, waterways and public and private land to facilitate health habitats to improve biodiversity.*

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Clause 12.01-2S: Native vegetation management

The objective is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Clause 12.03-1S: River and riparian corridors, waterways, lakes, wetlands and billabongs

The objective is to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.

Clause 12.03-1L: River corridors and waterways

The local strategy is to enhance the health of waterway corridors by increasing vegetation along corridors.

Clause 13: Environmental Risks and Amenity

Clause 13.01-1S: Natural hazards and climate change

The objective is to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

One relevant strategy is to site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards.

Clause 13.02-1S: Bushfire planning

The objective is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that supports the protection of human life.

The subject site is in a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*. Despite the proposal is not one of the use and development types specified under this clause, bushfire risks will be considered as part of the application.

Clause 13.02-1L-02: Bushfire prone areas

The relevant local strategies include:

- *Ensure that development, subdivision and uses identified in Clause 13.02-1S (Use and development control in a Bushfire Prone Area) incorporate measures to mitigate bushfire risk, including:*
 - ...
 - A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management of defensible space.
 - A reliable water supply for property protection and fire fighting.
 - Adequate access for emergency management vehicles.
 - A Bushfire Emergency Management Plan (BEMP), including triggers for closure or restricted operation on days of elevated fire danger.

Clause 13.03-1S: Floodplain management

The objective is to assist the protection of:

- *Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.*

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- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river, wetland or coastal health.*

Relevant strategies include:

- *Locate use and development that involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) outside floodplains unless site design and management is such that potential contact between such substances and floodwater is prevented, without affecting the flood carrying and flood storage functions of the floodplain.*
- *Ensure land use on floodplains minimises the risk of waterway contamination occurring during floods and floodplains are able to function as temporary storage to moderate peak flows and minimise downstream impacts.*

Clause 13.05-1S: Noise management

The objective is to assist the management of noise effects on sensitive land uses.

Clause 13.07-1S: Land use compatibility

The objective is to protect commercial, industrial, infrastructure and other uses with potential adverse off-site impacts.

Clause 13.07-1L: Land use compatibility

This local policy applies to Farming Zone and Rural Living Zone. Relevant strategies include:

- *Encourage industrial uses that have limited off-site amenity impacts and other compatible uses as a buffer between residential areas and more intensive industrial uses.*
- *Discourage development that would encroach on the easement for the Gippsland Water Regional Outfall System.*
- *Locate use and development that mitigates interface amenity issues with sensitive uses around Gippsland Water's emergency storage facilities.*

Clause 13.07-2S: Major hazard facilities

The objective is to minimise the potential for human and property exposure to risk from incidents that may occur at a major hazard facility and to ensure the ongoing viability of major hazard facilities.

Clause 14: Natural Resource Management

Clause 14.01-1S: Protection of agricultural land

The objective is to protect the state's agricultural base by preserving productive farmland.

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Clause 14.01-1R: Protection of agricultural land – Gippsland

The regional strategy is to protect productive land and irrigation assets, including the Macalister Irrigation District, that help grow the state as an important food bowl for Australia and Asia.

Clause 14.01-1L-01: Preservation of agricultural land in the Farming Zone

Local strategies include:

- *Discourage non-agricultural uses from locating or developing in a manner that will inhibit the expansion of farming uses.*
- *Discourage rural subdivision of land that results in the creation of a lot below the minimum lot size as specified in the Schedule to the Farming Zone.*
- *Discourage excisions that isolate key rural infrastructure from the remnant parcel of the land for subdivision in a Farming Zone.*
- *Site buildings so that they do not encroach on industry buffer and separation distances, including those designated for ‘as-of-right’ animal production land uses.*
- *Ensure the siting of a building does not compromise the operation of nearby commercial agricultural enterprises, including its impacts on noise, odour, sight lines and infrastructure and livestock movements.*

Clause 14.02-1S: Catchment planning and management

The objective is to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Clause 14.02-2S: Water quality

The objective is to protect water quality.

Clause 14.03-1S: Resource exploration and extraction

The objective is to encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.

Clause 14.03-1R: Resource exploration and extraction – Gippsland Coal Resource

The regional objective is to protect the Gippsland brown coal resource and associated buffer areas. **Figure 4.8** shows the subject site is within a Category B and C coal area as included within the State Resource Overlay – Schedule 1 (SRO1).

Relevant strategies include:

- *Ensure the extraction and use of coal is the primary planning consideration in protected coal resource areas.*
- *Minimise the social and environmental impact of coal development.*
- *Encourage land uses that do not impede coal development in the protected coal resource areas.*
- *Use the following categorisations to identify the location and staging of when the coal resource may be used:*

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- Category A coal fields – first stage for coal development.
- Category B coal fields – second stage for coal development.
- Category C coal fields – third stage for coal development.
- Uncategorised coal fields – allocated for development at any time.
- *Ensure coal excavations, overburden dumps and other associated developments are planned, managed and progressively rehabilitated to facilitate the highest practicable future use.*
- *Provide for use and development in coal resource areas identified on the Gippsland Coalfields Policy Area map that does not compromise the existing and future use of the coal resource.*
- *Manage land in the coal resource areas to mutually protect urban amenity and coal resource development.*
- *Discourage non-coal related land use or development in coal resource areas that would be costly or difficult to remove.*
- *Prevent established towns and urban areas from being subject to coal mining, and direct urban growth away from coal resource areas.*
- *Protect and maintain main transport corridors.*
- *Ensure coal resource development complements and integrates with water supply and river systems and underground waters.*
- *Minimise fire risk to open cuts, coal related industries and storage of coal.*
- *Ensure that timber production maximises effective fire protection for the coal resource.*
- *Encourage grazing, animal production and other rural land uses.*
- *Encourage existing uses on coal resource areas to continue until such time as the land is required for coal winning or processing.*
- *Discourage the encroachment of incompatible use or development on coal resource areas.*
- *Ensure that coal excavations, overburden dumps and other associated developments are planned, managed and progressively rehabilitated to facilitate the highest practicable future use.*
- *Discourage uses that could prejudice the winning or processing of the protected coal resource, including:*
 - Urban uses.
 - Non-coal related industrial uses.
 - Major overburden dumps.
 - Rural living and rural residential uses.
 - Commercial uses.

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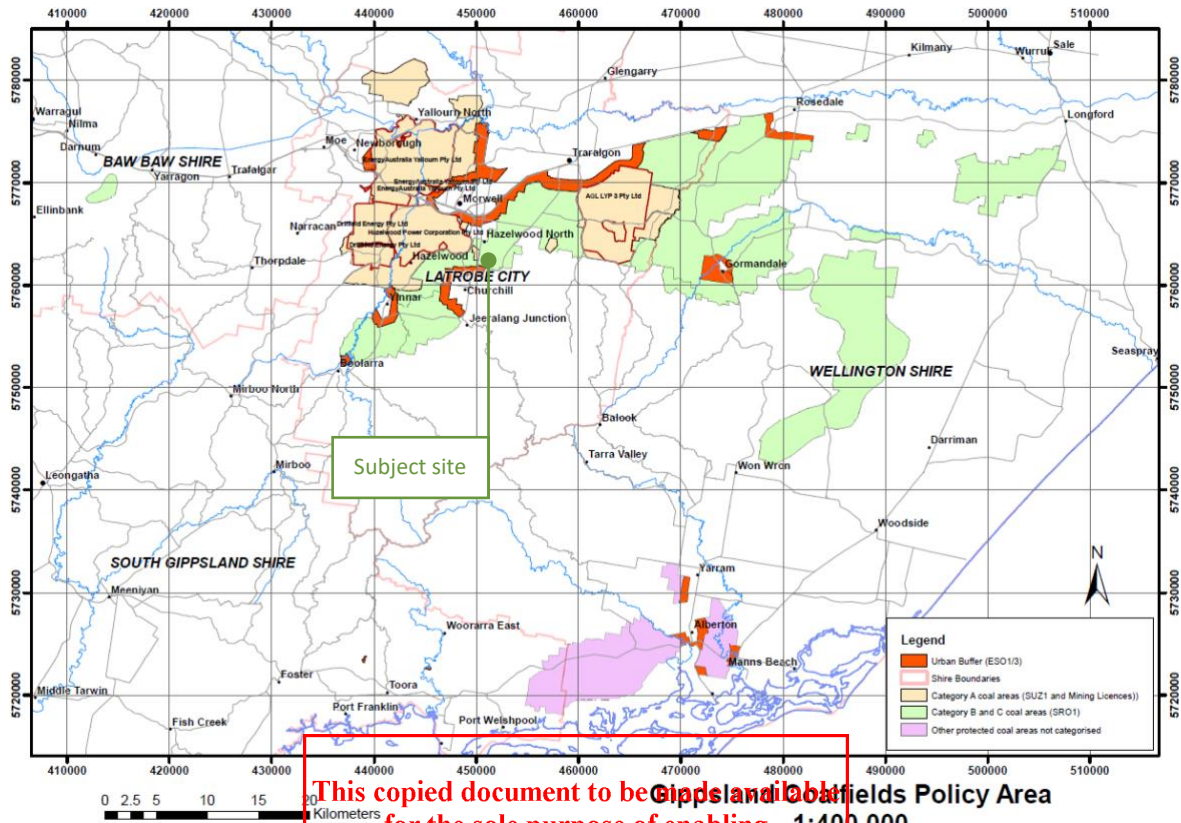


Figure 4.8 Extract from 'Gippsland Coalfields Policy Area Map' under Clause 14.03-1R
 its consideration and review as
 part of a planning process under the
 Planning and Environment Act 1987.

A relevant local strategy is to encourage Categories B and C areas identified in the Gippsland Coalfields Policy Area Map in Clause 14.03-1R to be used for agricultural uses.

Clause 15: Built Environment and Heritage

Clause 15.01-2S: Building design

The objective is to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-6S: Design for rural areas

The objective is to ensure development respects valued areas of rural character.

Clause 15.01-6L: Design for rural areas

The local strategy is to encourage buildings to locate away from ridgelines and hilltops and be designed so that they blend into the landscape.

Clause 15.03-2S: Aboriginal cultural heritage

The objective is to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 18: Transport

Clause 18.01-2S: Transport system

The objective is to facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

Clause 18.02-4S: Roads

The objective is to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Clause 18.02-4L: Road system

The local strategies include:

- *Facilitate a functional, safe and efficient rural roads system that maintains the rural character and meets the demands of both rural industry and residents.*
- *Enhance the safety of all road users by utilising a safe system approach and promoting active transport.*

Clause 19: Infrastructure

Clause 19.01-1S: Energy supply

The objective is to facilitate appropriate development of energy supply infrastructure.

Relevant strategies include:

- *Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low carbon economy.*
- *Develop appropriate infrastructure to meet community demand for energy services.*
- *Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change.*
- *Facilitate the production and distribution of zero emission gases and fuels.*
- *Support energy infrastructure projects in locations that minimise land use conflicts, including in any renewable energy zones declared under Section 63 of the National Electricity (Victoria) Act 2005.*
- *Support energy infrastructure projects in locations that take advantage of existing and planned resources and infrastructure networks.*
- *Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes.*
- *Facilitate renewable energy generation and storage to meet on site energy needs.*

Clause 19.03-3S: Integrated water management

The objective is to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

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4.6 General Provisions

Further, the Planning Scheme provides a number of general provisions regarding decision guidelines and referral requirements. The relevant provisions include the following:

Clause 65.01: Approval of an Application or Plan

General decision guidelines for a responsible authority to consider before deciding on an application or approval of a plan include:

- *The matters set out in Section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

Clause 66.02: Use and Development Referrals

The clause specifies the following referral requirements relevant to the proposal:

- Clause 66.02-4: To construct a building or construct or carry out works on land within 60 m of a major electricity transmission line (220 kV or more) or an electricity transmission easement, to be referred to the relevant electricity transmission authority as a determining referral authority.
- Clause 66.02-7: To use land for utility installation if a fire protection quantity is exceeded under the *Dangerous Goods (Storage and Handling) Regulations 2022*, to be referred to the Victorian WorkCover Authority as a determining referral authority.

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5 Summary of technical studies

This section provides a summary of the technical studies conducted for the project. For details, please refer to the corresponding reports accompanying the application submission.

5.1 Cultural Heritage Management Plan

A voluntary CHMP has been prepared by Landskape Natural and Cultural Heritage Management.

A desktop assessment was undertaken followed by a standard assessment, including a ground survey of the activity area aimed to detect the presence of Aboriginal cultural heritage in accordance with the *Aboriginal Heritage Regulations 2018*. The Standard Assessment found that no Aboriginal archaeological places were located in the activity area.

The CHMP has been approved by the Gunaikurnai Land and Waters Aboriginal Corporation as the relevant RAP. The project will be managed in accordance with the conditions and commitments set out in this CHMP.

5.2 Ecological Assessment

An Ecological Assessment has been prepared by ID Ecological Pty Ltd, with the following key findings:

Flora

The site is largely cleared and dominated by exotic pasture vegetation. Native patches, comprising mainly native aquatic, semi-aquatic and largely mid-storey trees and shrubs, cover approximately 5% of the site.

Approximately 40 large canopy trees were all positively identified as Strzelecki Gum listed as Vulnerable under the Environment Protection and Biodiversity Conservation (EPBC) Act, within the study area, all planted within revegetation windrows.

Fauna

No threatened fauna species were identified during the initial site assessment. A targeted survey for glossy grass skink and Flinders pygmy perch found the species present within the study site. Integration of recommendations from the targeted surveys into the design is recommended. Targeted surveys for swamp skink and dwarf galaxias did not record them within the project footprint and are unlikely to be present.

Environment Protection and Biodiversity Conservation (EPBC) Act 1999 Matters

There are three Matters of National Environmental Significance (MNES), that warrant further consideration through either targeted survey or species expert advice and significant impact assessments:

Strzelecki Gum was recorded on site, under the current proposal all planted individuals are impacted by the design. A Significant Impact Assessment was completed which determined that the potential impact to Strzelecki gum from this project is unlikely to be significant.

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Targeted survey for swamp skink and dwarf galaxias determined these species unlikely to be present on site.

Flora and Fauna Guarantee Act 1988

A population of glossy grass skink was found to be present on site. The species habitat should be protected and enhanced. A Fauna Conservation Management Plan should be developed to mitigate impacts, including additional habitat assessments and fauna salvage protocols.

Flinders pygmy perch was found to be present on site. The project should retain and maintain the existing fenced buffer around Bennetts Creek and avoid direct disturbance wherever practicable. Mitigation and monitoring measures must be included in the projects CEMP.

Native Vegetation Removal

The native vegetation removal report identified an offset figure of 0.005 General Habitat Units (GHUs) with a minimum strategic biodiversity score of 0.3124 and no large trees requiring removal under the current design, will not be a significant impact and an offset will be sought. A planning permit for vegetation removal will be required.

5.3 Surface Water Assessment

A Surface Water Assessment has been prepared by Water Technology Pty Ltd.

The assessment found that the proposed Gippsland BESS infrastructure is largely outside the 1% AEP inundation extent, with minor inundation on the BESS footprint, driven by runoff from the footprint itself. Earthworks will be required to ensure drainage to the retention pond.

Flood velocities across the site are almost all minor; a relatively high proportion is below 0.5m/s, with regions along Bennetts Creek reaching a maximum of 0.8m/s.

Flood hazard at the site is comprised of hazard classification levels ranging from H1 (the lowest level) to H5 (only seen within the Bennetts Creek channel). This range is only present along the Bennetts Creek floodplain; a maximum of hazard classification level H1 is otherwise observed across the flood extent located along the eastern boundary of the site.

5.4 Fire Risk Management Plan

A Fire Risk Management Plan (including Fire Safety Study) has been prepared by Fire Risk Consultants Pty Ltd. The plan was prepared in accordance with the Country Fire Authority's (CFA) *Design Guidelines and Model Requirements: Renewable Energy Facilities v4.4 (June, 2025)* (CFA Guidelines).

The plan was prepared pursuant to an assessment of the site and analysis of supplied information in relation to the design, construction, commissioning and operation of the project. The risk assessment includes the potential bushfire risk and the potential fire risk relating to a BESS installation.

The assessment of risk for the Gippsland BESS has found that the indicative design and layout can meet the requirements of the CFA Guidelines and adequately manage the fire risk to an acceptable level.

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The systems and procedures that will be implemented during design, construction (including commissioning) and operation will ensure that any risk is managed to an acceptable level.

The importance of following design requirements and committing to the ongoing maintenance of the system is critical to reduce fire risk.

5.5 Agricultural Assessment

An Agricultural Assessment has been prepared by engaged Ag- Challenge Consulting Pty Ltd. The assessment considered the impact of the BESS on the existing uses of the land and identify any potential impacts on adjacent, surrounding land uses and the regional agricultural economy.

The assessment concluded:

- The Gippsland BESS will occupy approximately 33 hectares of farmland currently used for grazing Angus weaner cattle.
- The site consists of fair quality grazing land with imperfect to poor drainage, moderate rainfall, improved pastures, and no access to irrigation. While the land is productive, it does not display characteristics of strategically important agricultural land, nor does it contain features that would classify it as high value within the regional agricultural context.
- Land Capability Assessment indicated the Project Site is suitable for grazing (Class 3) with manageable constraints related primarily to soil drainage as its capability for cropping is more limited (predominantly Class 4), with only the central, better-drained areas achieving Class 3.
- At a regional scale, the removal of this land from agricultural production represents approximately 0.013% of the Latrobe BEEF cattle population. The impacts to the agricultural amenity of the Region are not considered significant.
- There is no perceived impact on the surrounding agricultural grazing enterprises, from the development of the BESS.

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5.6 Landscape Character and Visual Impact Assessment

A Landscape Character and Visual Impact Assessment (LCVIA) has been prepared by Accent Environmental Pty Ltd.

The landscape within the study area (5 km radius of the project) was assessed. Combining the landscape sensitivity and the magnitude of landscape effects of the proposed development for each LCZ provided an overall landscape character impact rating ranging from low to medium. As stated in the Solar Guideline Technical Supplement (DPHI 2024), an impact rating of 'medium/ low' does not trigger a requirement for targeted mitigation of impacts on landscape character.

For the visual impact assessment, impact ratings ranged from very low to low. These ratings do not trigger targeted mitigation of visual impacts.

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Key mitigation measures for design and construction include:

- Apply urban design principles and objectives during detailed design phase.
- Investigate colour combinations for infrastructure items to aid visual obscurity.
- Minimise reflective surfaces on ancillary structures, with a preferred use of muted colours.
- Minimise light spill from the development into adjacent visually sensitive properties.
- Keep the site tidy and well maintained.

5.7 Traffic Impact Assessment

A Traffic Impact Assessment has been prepared by Amber Organisation Pty Ltd.

The traffic assessment was based on surveys and observations at the site and was undertaken in accordance with the relevant Austroads Guidelines and relevant Department of Transport and Planning (DTP) Guidelines.

The assessment determined the following:

- The project is expected to generate up to 264 vehicle movements per day during peak construction times, including 140 heavy vehicle, 16 shuttle bus and 108 light vehicle movements. The road network is able to accommodate the traffic generated by the development during construction and operation.
- Shuttle buses are proposed to transport 50% of the 160 person workforce to reduce the number of light vehicles accessing the site during the peak construction period. These would operate from the nearby townships of Morwell, Moe, Traralgon, Churchill, and Boolara.
- The proposed construction traffic access route from the Port of Melbourne to the site is designated for B-Double vehicles. As such, the access route is able to accommodate the loads and type of vehicle movements to be generated during construction of the Project.
- It is noted that some OSOM vehicles would be required to deliver larger plant and equipment to the. An access route assessment for Class 1 OSOM vehicles should be undertaken noting that approval from DTP would be required for Tramway Road south of Firmins Lane.
- BAR / BAL turn treatments are proposed at the site access on Tramway Road. This provision is appropriate given the temporary nature of the increase in vehicle movements associated with construction and the excellent sight distance of Tramway Road. Importantly, the proposed turn treatments align with the referral advice received from DTP.
- The proposed site access can accommodate the largest vehicles anticipated to access the site. The site access has adequate sight distance to allow vehicles to safely enter and exit the road network.
- In order to mitigate the impacts of the development during construction a Traffic Management Plan (TMP) would be prepared prior to construction commencing.

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5.8 Noise Impact Assessment

A Noise Impact Assessment has been prepared by WSP, which concludes:

- *Unattended noise monitoring was undertaken to better characterise the existing noise environment and update legacy measurements previously completed in the same locality.*
- *The Project is predicted to comply with the applicable EPA Publication 1826 noise limits at all identified Noise Sensitive Areas (NSAs) on a standalone basis, with practicable and reasonable mitigation measures incorporated into the design. This includes source noise controls: BESS Unit fan duty controls and Inverter Attenuation Kit.*
- *The cumulative noise assessment, incorporating surrounding operational and under-construction CIT premises, similarly predicts compliance at all identified NSAs based on currently available information and inclusion of all feasible and reasonable noise control measures. This includes source noise controls: BESS Unit fan duty controls, BESS Unit Sound Covers and Inverter Attenuation Kit.*
- *The Project has also considered additional feasible and practicable measures to further reduce its contribution to cumulative noise (including conceptual noise barriers); however, the preliminary assessment indicates negligible benefit.*
- *A broader risk review of cumulative noise was undertaken for information only, including other identified CIT premises with planning approval but not yet constructed.⁴ This review indicates that cumulative exceedances at some NSAs may occur even without the Project, highlighting that cumulative outcomes are dependent on the actual noise emissions from surrounding sites and are inherently uncertain at the planning stage.*
- *In this context, it is appropriate that the noise control measures requirements in this assessment remain subject to refinement through pre-construction verification and detailed design.*

To manage the potential risks with respect to cumulative noise for future CIT premises, the proponent will undertake pre-construction verification measurements and incorporate the outcomes into detailed design. Operational verification and additional practicable and reasonable mitigation measures will be implemented where required to ensure compliance with EPA obligations.

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⁴ Not yet constructed or under construction

6 Planning assessment

Based on the planning controls under the relevant zone, overlay and particular provisions outlined under Section 4, the proposal requires planning permission under the following permit triggers:

- Use of 'Utility installation' associated with the BESS facility and underground transmission lines in the Farming Zone
- Buildings and works for 'Utility installation' associated with the BESS facility and underground transmission lines in the Farming Zone
- Use of 'Utility installation' associated with the underground transmission lines in the Transport Zone 2
- Buildings and works for 'Utility installation' associated with the underground transmission lines in the Transport Zone 2
- Buildings and works for 'Utility installation' associated with the underground transmission lines in the Special Use Zone – Schedule 1
- Removal of native vegetation under Clause 52.17 (Native Vegetation)
- Creation of access to the Transport Zone 2 under Clause 52.29 (Land Adjacent to the Principal Road Network)
- Car parking to be provided to the satisfaction of the responsible authority under Clause 52.06 (Car Parking)

Accordingly, in addition to the technical assessment outlined under Section 5, the planning assessment of the proposal involves an analysis of the following matters:

- The strategic and policy support for the proposal, with regards to the relevant state, regional and local policies in the Planning Policy Framework.
- Land use compatibility with the surrounding area, including considerations of external amenity impacts to the occupiers of adjoining properties and the public realm.
- Appropriateness of the buildings and works in response to the site's context and any amenity impacts to the adjoining properties.
- Appropriateness of the access and car parking provisions.
- Appropriateness of the native vegetation removal.

6.1 Planning policy support

There is strong policy support for the nature and the location of the proposal, based on the following planning provisions:

- Clause 02.03: Strategic Directions
- Clause 11: Settlement
- Clause 19: Infrastructure

In broad policy terms, the proposal can be supported for the following reasons:

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- The proposal is expected to support the growth of the existing and planned settlements across Victoria by providing additional storage of energy generated from other facilities and providing a more stabilised supply of energy to be distributed when needed (Clause 11.01-1S: Settlements).
- The proposal will directly invest and support Latrobe City as Gippsland's Regional city (Clause 11.01-1R: Settlement – Gippsland).
- The proposal is an energy storage project and takes advantage from its close proximity to existing energy generation and transmission infrastructure in the area, which will assist the transition to a low carbon economy for Victoria (Clause 19.01-1S: Energy supply).
- The proposal is within the Gippsland V5 Renewable Energy Zone (REZ) declared under Section 63 of the *National Electricity (Victoria) Act 2005*. The proposed battery storage will assist with the implementation of the energy generation targeted for the zone (Clause 19.01-1S: Energy supply).
- The proposal can assist the local community in an existing coal energy generation location, to prosper and benefit from the transition to a low carbon future by providing future employment opportunities (Clause 02.03: Strategic Directions).
- The site's location is adjacent to the Hazelwood Terminal Station, away from the rural living precincts of Hazelwood North and other nearby townships. The proposal is not expected to create land use conflicts with the established townships intended for settlement growth (Clause 02.03: Strategic Directions).

6.2 Land use compatibility

The appropriateness of the proposed utility installation use in this location takes consideration of the following planning provisions:

- Clause 35.07: Farming Zone
- Clause 36.04: Transport Zone 2
- Clause 44.07: State Resource Overlay
- Clause 13: Environmental Risks and Amenity
- Clause 14: Natural Resource Management

The subject site is located in a Farming Zone with the zone's primary purpose to provide for agricultural uses. Additionally, the subject site is located in the Gippsland Coalfields with policy designation also for agricultural uses in the Category B and C areas within the State Resource Overlay – Schedule 1 (Clause 14.03-1L: Coal resources).

Regardless, the proposed 'utility installation' use in this location is considered appropriate for the following reasons:

- The subject site is not considered to have any significant agricultural values other than for grazing. The existing agricultural activity on the site and the in the surrounding area is also predominantly for grazing.
- The establishment of an alternative, utility use (in conjunction with the partial retention of the grazing use) in this location would not affect the existing agricultural activity in the

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area and the overall agricultural value of the region (Clause 14.01-1L-01: Preservation of agricultural land in the Farming Zone; Farming Zone – Schedule 1).

- No subdivision is proposed to fragmentise the allotment pattern in the area (Clause 14.01-1L-01: Preservation of agricultural land in the Farming Zone).
- The ongoing operation of the facility is not expected to create additional amenity burden to the area (Farming Zone – Schedule 1).
- The proposed transmission lines for the BESS connection will be entirely underground, with exact locations to be confirmed with the Head, Transport for Victoria and without impacts to any existing underground infrastructure. The construction schedule will be confirmed with Head, Transport for Victoria without any unreasonable disturbance to the operation and safety of the road network (Transport Zone 2).
- The site and the immediate surrounding are not currently planned or intended in the near future for coal extraction.
- The utility use is not one of the more intense uses identified which could prejudice the future extraction of the coal resources in the area (Clause 14.03-1L: Coal resources).
- If necessary, the proposed facility can be decommissioned in a carefully planned arrangement to enable future extraction of coal resources (State Resource Overlay – Schedule 1).
- At the end of the operational life of the facility, it is anticipated that the land will be reinstated for agricultural purposes after the decommissioning of the facility (Farming Zone – Schedule 1). It is expected that rehabilitation will be able to restore the land to its current agricultural land use and capability.

Further, environmental risks will be managed accordingly, including the following:

- All existing dwellings in the surrounding are relatively highly separated (minimum 500 m) from the site. The Noise Impact Assessment has concluded the project's compliance with the relevant EPA requirements at the current predictive stage. Prior to the commencement of construction, an additional operational noise assessment is intended to be conducted to model final site layout and engineering design to confirm whether additional mitigation measures are required to achieve compliance (Clause 13.05-1S: Noise management).
- The site is in a designated bushfire prone area. All structures will be constructed to the relevant bushfire standards, provided with fire breaks and defensible space in accordance with the CFA guidelines (Clause 13.02-1L-02: Bushfire prone areas).
- Adequate access will be provided for emergency purposes (Clause 13.02-1L-02: Bushfire prone areas).
- The future operations of the facility will be guided by a BEMP (Clause 13.02-1L-02: Bushfire prone areas).
- The facility is sited away from the catchment of Bennetts Creek to minimise riparian ecological impacts as well as to minimise runoff into the waterway and the local water system (Clause 13.03-1S: Floodplain management; Clause 13.07-1L: Land use compatibility; Clause 14.02-1S: Catchment planning and management; Clause 14.02-2S: Water quality).

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6.3 Buildings and works

The buildings and works component of the application takes consideration of the following planning provisions:

- Clause 35.07: Farming Zone
- Clause 36.04: Transport Zone
- Clause 37.01: Special Use Zone
- Clause 15: Built Environment and Heritage

The subject site is in a Farming Zone with a predominant rural character in the surrounding with the presence of some farm houses, farm buildings and relatively small amount of built features. Regardless, the overhead powerlines and towers remain a dominant feature to the area.

The proposed buildings and works are considered an appropriate response to the site's physical context for the following reasons:

- The proposed structures are between 314-426 m from the road frontage, concealed behind the existing trees along the road frontage. The proposed structures are considered of minimal visual impact to the road.
- From the northern site boundary, the BESS facility will have a setback of 111-191 m and are at least 500 m away from the dwellings on the northern side. The visual impact to the northern sites is considered to be minimal.
- On the eastern side, the BESS facility will adjoin the eastern lot under the same land ownership as the subject site which will be retained for pasture grazing and provide a physical buffer from the surrounding lots in different ownerships.
- While the BESS facility and the sub-station will have their perimeter fencing on the southern side boundary, the structures are at least 30 m from the boundary, and the existing dwelling on the neighbouring site is at least 680 m from the boundary. The visual impact to the southern site is also considered to be minimal.
- The proposed buildings and structures are relatively low in height and small in bulk and will be provided with exteriors in neutral tones to blend in with the surrounding. All structures are away from ridgelines or hilltops (Clause 15.01-6L: Design for rural areas; Farming Zone – Schedule 1).
- All BESS facility and structures will be enclosed by perimeter fencing for security and to keep out livestock.
- While the proposal will result in additional building structures for the site, it is not out of the character with the overhead powerlines across the site and the Hazelwood Terminal Station across the road.
- The proposed transmission lines (for the purpose of electricity generation, transmission or distribution) are to be installed underground with no change intended to above-ground conditions or the topography of the land. The location and depth of the transmission lines will be coordinated with the presence of any existing underground infrastructure through a detailed survey to be conducted at a later stage. Any HDD pits will be reinstated to the

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existing ground conditions. The operational system of Tramway Road and the existing services within the Hazelwood Terminal Station are not expected to be unreasonably affected (Transport Zone 2; Special Use Zone – Schedule 1).

- The overall rural character of the area is expected to be retained (Clause 15.01-6S: Design for rural areas).
- All BESS facility structures are sited outside of the area of Aboriginal cultural heritage sensitivity for the preservation of Aboriginal cultural heritage. The project will be managed in accordance with the conditions set out in the voluntary CHMP (Clause 15.03-2S: Aboriginal cultural heritage).

6.4 Access and parking

The appropriateness of access and car parking components of the application takes consideration of the following planning provisions:

- Clause 18: Transport
- Clause 52.06: Car Parking
- Clause 52.29: Land Adjacent to the Principal Road Network

The proposed access arrangement is considered appropriate for the following reasons:

- A new access point is proposed, as the single access from Tramway Road to the BESS facility. The proposed crossover is appropriately designed to facilitate larger vehicle access for the operation of the BESS facility.
- The proposed access arrangement is expected to integrate with the local and regional road system while also maintaining the rural character of Tramway Road (Clause 18.02-4: Road system).

The proposed car parking arrangement is considered appropriate for the following reasons:

- On site car parking is provided for staff and contractor access to the site for ongoing operation and regular maintenance of the facility.
- A total of 16 car parking spaces, including 2 disabled parking spaces, are provided. This is considered sufficient based on the operational considerations of the facility.
- The car parking spaces are appropriately designed in accordance with the design standards of Clause 52.06 (Car Parking).

6.5 Vegetation removal

The appropriateness of native vegetation removal takes consideration of the following planning provisions:

- Clause 12: Environmental and Landscape Values
- Clause 35.07: Farming Zone
- Clause 52.17: Native Vegetation

The proposed vegetation removal is considered minimal, involving:

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- The majority of the existing vegetation along the Tramway Road frontage will be retained, which will contribute to the visual screening of the proposed BESS facility (Clause 12.01-1L: Protection of biodiversity).
- Existing vegetation along the waterway corridor of Bennetts Creek will be retained with minimal disturbance to (Clause 12.03-1L: River corridors and waterways; Farming Zone – Schedule 1).
- The majority of the vegetation to be removed are planted trees at the centre of the site, considered to have relatively lower biodiversity and visual values. The removal of these planted trees of a native species does not require a permit or offset under Clause 52.17 (Native Vegetation).
- Only a small extent of native vegetation patches of 0.018 hectares (and no large trees or small scattered trees) are considered lost due to the proposed underground cable connection, which requires a permit for removal under Clause 52.17 (Native Vegetation).
- The vegetation removal is not expected to cause unreasonable disturbance to any fauna habitat and affect biodiversity values (Clause 12.01-1L: Protection of biodiversity).
- Should a permit be granted, offset of the following specifications can readily be obtained in accordance with the Native Vegetation Removal Report (NVRID ID: 337_10160408_5PP) contained in the accompanying Ecological Assessment:

- General offset amount: 0.018 hectares
- Minimum strategic biodiversity value score: 0.3124
- Large trees: 0
- Vicinity: West Gippsland CMA or Latrobe City LGA

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6.6 Summary of assessment

Table 2 to 5 consolidate the assessment of the proposal according to the decision guidelines under the relevant zones and Clause 65.

Table 2 Assessment of the proposal against Farming Zone (FZ) decision guidelines

FZ decision guidelines	Assessment of the proposal
<i>General issues</i>	
The Municipal Planning Strategy and the Planning Policy Framework.	There is sufficient planning policy support for the proposed battery storage and associated transmission infrastructure in the project site's location of Hazelwood North, as detailed under Section 6.1 of this report.
Any Regional Catchment Strategy and associated plan applying to the land.	There is no relevant Regional Catchment Strategy which applies to the land.

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FZ decision guidelines	Assessment of the proposal
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The proposed BESS facility will involve minimal effluent disposal, limited to the staff toilets in the on-site buildings. Any effluent can be disposed of through a future septic system, which, given the small scale and frequency of use, can be reasonably accommodated within the BESS site.
How the use or development relates to sustainable land management.	The proposal is a suitable alternative use of the currently under-utilised farm land with existing overhead powerlines adjacent to several terminal stations. The proposal will be developed in a manner to minimise the depletion of any natural resources of the land and will be decommissioned appropriately at the end of the project life.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The BESS site in the Farming Zone is not considered to have any significant agricultural values other than for grazing. The existing agricultural activity on the site and in the surrounding area is also predominantly for grazing. The establishment of an alternative, utility use (in conjunction with the partial retention of the grazing use) in this location would not affect the existing agricultural activity and therefore the overall agricultural value of the region.
How the use and development makes use of existing infrastructure and services.	The proposal takes advantage of the site's location adjacent to the Hazelwood Terminal Station and provides a battery storage facility to enhance the energy storage and distribution capacity of the Terminal Station for increased renewable energy to be generated in the Latrobe Valley region.
Agricultural issues and the impacts from non-agricultural uses	
Whether the use or development will support and enhance agricultural production.	Please refer to the Agricultural Assessment prepared by engaged Ag- Challenge Consulting Pty Ltd. The assessment concludes that the proposal is appropriate with regard to the impact of the BESS on the existing uses of the land and any potential impacts on adjacent,
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	

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FZ decision guidelines	Assessment of the proposal
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	surrounding land uses and the agricultural setting of the site.
The capacity of the site to sustain the agricultural use.	
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	
Any integrated land management plan prepared for the site.	There is no integrated land management plan prepared for the site.
Whether Rural worker accommodation is necessary having regard to: • The nature and scale of the agricultural use. • The accessibility to residential areas and existing accommodation, and the remoteness of the location.	No accommodation is proposed.
The duration of the use of the land for Rural worker accommodation.	
Accommodation issues	
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	No accommodation is proposed. 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
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	

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FZ decision guidelines	Assessment of the proposal
The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to: • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.	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
The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.	
Environmental issues	
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	Please refer to the Ecological Assessment, prepared by ID Ecological Management, and the Surface Water Assessment, prepared by Water Technology. The proposal has considered all relevant environmental issues and will result in minimal environmental impacts.
The impact of the use or development on the flora and fauna on the site and its surrounds.	
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	
Design and siting issues	

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FZ decision guidelines	Assessment of the proposal
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	Please refer to the Landscape Character and Visual Impact Assessment, prepared by Accent Environmental. The visual impacts of the proposal on the surrounding agricultural, residential and natural settings have been assessed and considered to be appropriate.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	The BESS site has existing major powerlines along the front portion of the site. The proposal will not affect these powerlines. The proposed transmission lines between the Terminal Station and the BESS battery storage will be entirely underground.
Whether the use and development will require traffic management measures.	Please refer to the Traffic Impact Assessment, prepared by Amber Organisation. Traffic impacts during the construction of the project have been considered.
The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to: • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.	No accommodation is proposed. 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
The need to locate and design buildings used for accommodation to avoid or reduce the impact	No accommodation is proposed.

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FZ decision guidelines	Assessment of the proposal
from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	

Table 3 Assessment of the proposal against Transport Zone (TZ) decision guidelines

TZ decision guidelines	Assessment of the proposal
The Municipal Planning Strategy and Planning Policy Framework.	For the proposed underground transmission lines within Tramway Road in TZ2, the use of underground utility installation is a reasonable use of a road corridor. There is sufficient planning policy support for the proposed battery storage and associated transmission infrastructure in the project site's location of Hazelwood North, as detailed under Section 6.1 of this report.
The effect of the proposal on the development, operation and safety of the transport system.	The proposed transmission lines are to be installed underground with no change intended to above ground conditions or the topography of the land. Construction program will be coordinated with the Head of Transport through a traffic management plan. The operational system and safety of Tramway Road are not expected to be unreasonably affected.
Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.	The location and depth of the transmission lines will be coordinated with the presence of any existing underground infrastructure through a detailed survey to be conducted at a later stage. Any HDD pits will be reinstated to the existing ground conditions.

Table 4 Assessment of the proposal against Special Use Zone – Schedule 1 (SUZ1) decision guidelines

SUZ1 decision guidelines for buildings and works	Assessment of the proposal
Any natural or cultural values on or near the land.	For the Hazelwood Terminal Station site in the SUZ1, the front portion of the site (approximately 100m from the Tramway Road frontage) is within an area of Aboriginal cultural heritage sensitivity. The site also has various patches of native

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SUZ1 decision guidelines for buildings and works	Assessment of the proposal
	vegetation. The proposed underground transmission lines have been sited to avoid top soil disturbance (through the use of HDD construction method) and to avoid the removal of native vegetation within the Terminal Station site in accordance with findings from the Ecological Assessment and the CHMP.
Landscape treatment.	No vegetation removal is proposed within the Terminal Station site. The entire alignment of the transmission lines will be underground, with any HDD pits to be reinstated to the existing ground conditions, i.e. grassed. No additional landscaping is proposed or warranted (which could otherwise restrict the operation of the Terminal Station).
Parking and site access, loading and service areas, outdoor storage, fencing, lighting and stormwater discharge.	The proposed transmission lines are entirely underground. These items are not necessary for consideration.
The impact of the building and works on nearby existing or proposed brown coal mining and the sequential development of brown coal resources in the area, having regard to any comments or directions of referral authorities.	The proposed transmission lines are entirely underground, and are not expected to unreasonably affect any brown coal mining activities in the area.
The impact of the building and works on nearby existing or proposed brown coal mining or electricity generation and any nearby agricultural uses.	The proposed transmission lines are entirely underground, for the purpose of transmission of electricity. These are not expected to unreasonably affect any brown coal mining, electricity generation or agricultural activities in the area.

Table 5 Assessment of the proposal against Clause 65 decision guidelines

Clause 65 decision guidelines	Assessment of the proposal
The matters set out in Section 60 of the Act.	Section 60 of the <i>Planning and Environment Act 1987</i> provides a broad range of matters of a general nature for consideration in an application. These include considerations under the relevant planning scheme and outside of a planning scheme. All relevant matters under the Latrobe Planning Scheme have been considered in this report. There are no matters outside of the

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Clause 65 decision guidelines	Assessment of the proposal
	Latrobe Planning Scheme relevant for consideration in this instance.
Any significant effects the environment, including the contamination of land, may have on the use or development.	There is no contamination known to the subject site. Any environmental constraints to the proposal have been considered in the technical reports provided. The location of the use and development of the BESS, including the transmission lines, has been sited with consideration of any environmental constraints.
The Municipal Planning Strategy and the Planning Policy Framework.	This has been considered under Sections 6.1-6.4 of this report.
The purpose of the zone, overlay or other provision.	This has been considered under discussion under the FZ, SUZ and TZ2 above.
Any matter required to be considered in the zone, overlay or other provision.	This has been considered as part of discussions under the FZ, SUZ and TZ2 above.
The orderly planning of the area.	There is no strategic plan applicable to the site. The approval of the proposal would not prejudice the orderly planning of the area.
The effect on the environment, human health and amenity of the area.	Environment: Considered in the Ecological Assessment and other technical reports, the proposal will have a minimal impact on the surrounding physical environment. Human health: There is a very low density of population in the area with single dwellings on Farm Zone land which are sparsely located. Potential adverse effects may be noise impacts, which are considered in the Noise Impact Assessment. Amenity: Considered in the Landscape and Visual Impact Assessment, the proposal will have an acceptable amenity impact to the area with an existing and emerging presence of utility infrastructure among Farm Zone land with limited agricultural operations.
The proximity of the land to any public land.	The only public land in proximity is the road corridor of Tramway Road. This has been considered in the discussions relating to TZ2.

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Clause 65 decision guidelines	Assessment of the proposal
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	This is considered in the Surface Water Assessment. The proposal is not expected to affect soil and water quality in the area.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	A stormwater management plan and detailed drainage plan can be provided as a condition in the permit, which are typically provided in the post-permit stage during detailed construction design.
The extent and character of native vegetation and the likelihood of its destruction.	This has been considered under Clause 52.17, detailed in the Ecological Assessment.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	This has been considered under Clause 52.17, detailed in the Ecological Assessment.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	This is considered in detail in the Surface Water Assessment and Fire Safety Management Plan and any relevant hazards will be appropriately managed.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	This has been considered in detail in the Traffic Impact Assessment.
The impact the use or development will have on the current and future development and operation of the transport system.	This has been considered as part of discussions under TZ2 and Clause 52.29 above, as detailed in the Traffic Impact Assessment.

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7 Conclusion

On balance, it is concluded that the 'Gippsland Battery Energy Storage System' (Gippsland BESS) project with the proposed 'utility installation' will achieve a strong community benefit as well as an appropriate development outcome for the currently underutilised site located adjacent to the Hazelwood Terminal Station.

The proposal provides an appropriate response to the site's context and is expected to contribute positively to community needs in Latrobe Valley and Victoria, in accordance with the requirements of the Latrobe Planning Scheme.

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