habitat

Town Planning Report

Laceby Battery Energy Storage System

Wangaratta-Kilfeera Road, Laceby

FEBRUARY 2026

Submitted to **Minister for Planning**
On behalf of **Bison Energy Australia Pty Ltd**

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1. Introduction

This Report has been prepared by Habitat Planning on behalf of Bison Energy Australia Pty Ltd in support of a planning permit application for the development of a utility installation at Lot 1 in TP253930, addressed as Wangaratta-Kilfeera Road, Laceby.

The subject land is zoned Farming Zone ("FZ") pursuant to the Wangaratta Planning Scheme ("the planning scheme") and is subject to the Design and Development Overlay – Schedule 6 (Area 3) ("DDO6-A3"), the Floodway Overlay ("FO"), and the Land Subject to Inundation Overlay ("LSIO").

A permit is required:

- to use and develop land for a utility installation in the FZ pursuant to clause 35.07-1 and 35.07-5;
- to construct a building and carry out works in the FO, pursuant to clause 44.03-2;
- to create or alter access to a road in a Transport Zone 2, pursuant to Clause 52.29-2.

This report and accompanying information are provided in accordance with the requirements of the *Planning and Environment Act 1987* and the planning scheme. It provides a detailed description of the existing site and its context, an assessment against the relevant planning policies and matters for consideration within the planning scheme and other relevant documentation. This report is also accompanied by specialist technical reports as required.

The purpose of this report is to detail the proposed development and consider the proposal against the relevant matters for consideration and demonstrate the proposal is worthy of approval by the Department.

1.1. Planning history

A planning permit has already been approved on the site for the use and development of a solar farm, referenced as PLNAPP19/158.01, approved on 10 September 2020.

This application will work in conjunction with the above permit, storing the electricity captured by the solar energy structure.

1.2. Pre-DA Meeting

A pre-lodgement meeting was held with the Department on 21 November 2025.

1.3. Supporting Plans and Documentation

This application is accompanied by:

- Appendix A: Title Details
- Appendix B: Plans
- Appendix C: Quantity Surveyor's Report
- Appendix D: Business Case
- Appendix E: Cultural Heritage Advice Letter
- Appendix F: Cultural Heritage Management Plan
- Appendix G: Traffic Impact Assessment Report
- Appendix H: Noise and Vibration Impact Assessment

2. Purpose of this Report

The contents of this report and accompanying information are provided in accordance with the requirements of the *Planning and Environment Act 1987* and the Wangaratta Planning Scheme, specifically Clause 65.01.

The contents of this report herein therefore provide a description of the site and its context, outline the applicable statutory planning framework (including applicable strategic planning context by way of Municipal Planning Framework and Planning Policy Framework) and provides a consolidated assessment of the proposal against these matters for consideration. This report is also accompanied by specialist technical reports as required.

The following report is designed to be read sequentially as to inform a fulsome assessment and consideration of all relevant matters associated with the proposal.

3. Description of Proposal

3.1. Overview

The proposal seeks to use and develop the site for the purpose of a utility installation comprising a Battery Energy Storage System ("BESS"). The facility is proposed to be connected into the solar farm that has been approved to be developed on the site.

3.2. Project details

Specifically, the proposal involves the following primary components:

- 44 x 5.6kWh Battery Energy Storage Systems
- 22 x BESS inverters
- Control Room (plus external stairs)
- 4 water tanks
- Security fencing and gates
- Car park and laydown area

A site plan of the proposal is provided in the attached plans and reproduced below.

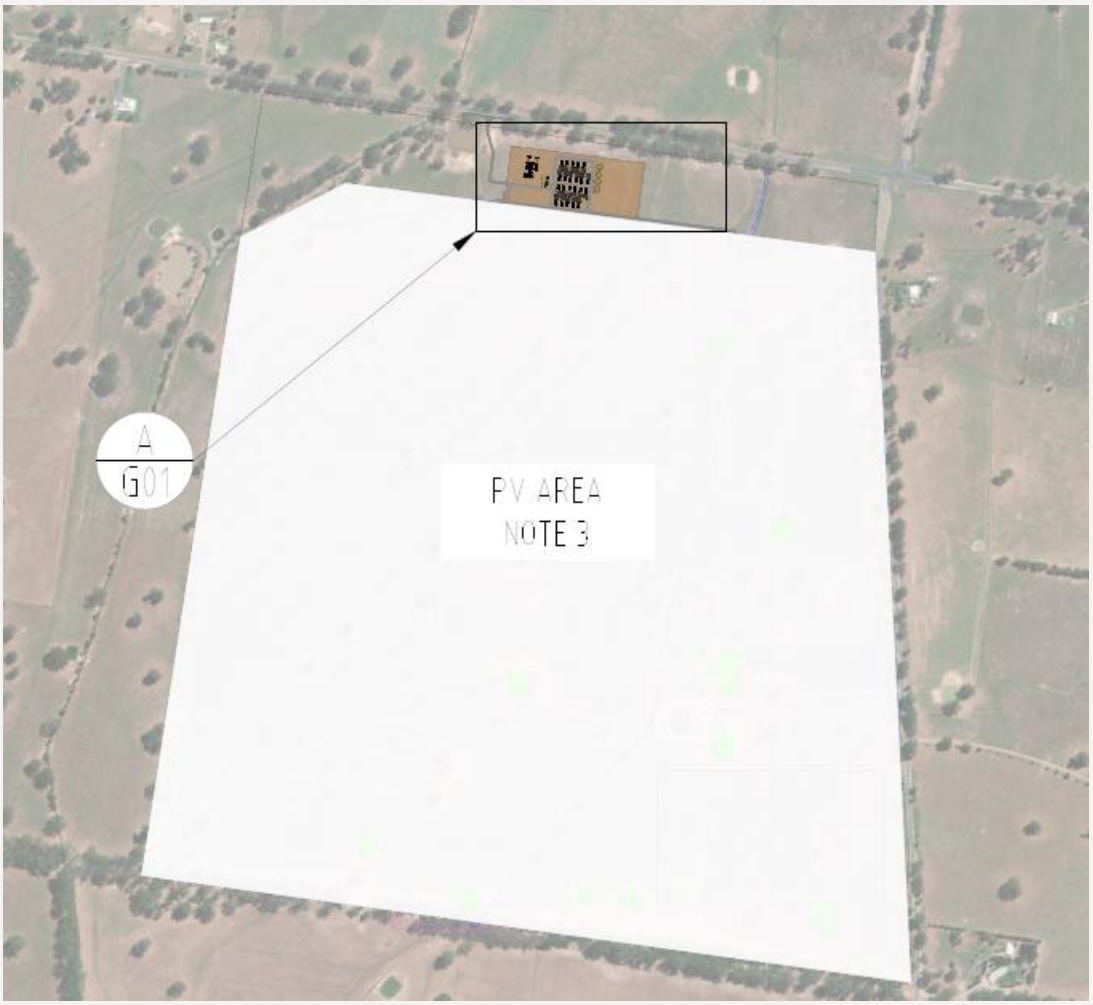

Figure 1 **| Proposed site plan**

3.3. Battery Energy Storage System

The development will include 44 x 5.6kWh battery energy storage containers. The structures will have dimensions of 6.05m length, 2.46m width, 2.89m height.

The structure will be prefabricated containers that will be delivered and placed on the site. The units will each have a battery capacity of 3.72 MWh and a voltage capacity of 1331 V. The EnerC system will provide a liquid cooling system to the batteries and reduce fire risk.

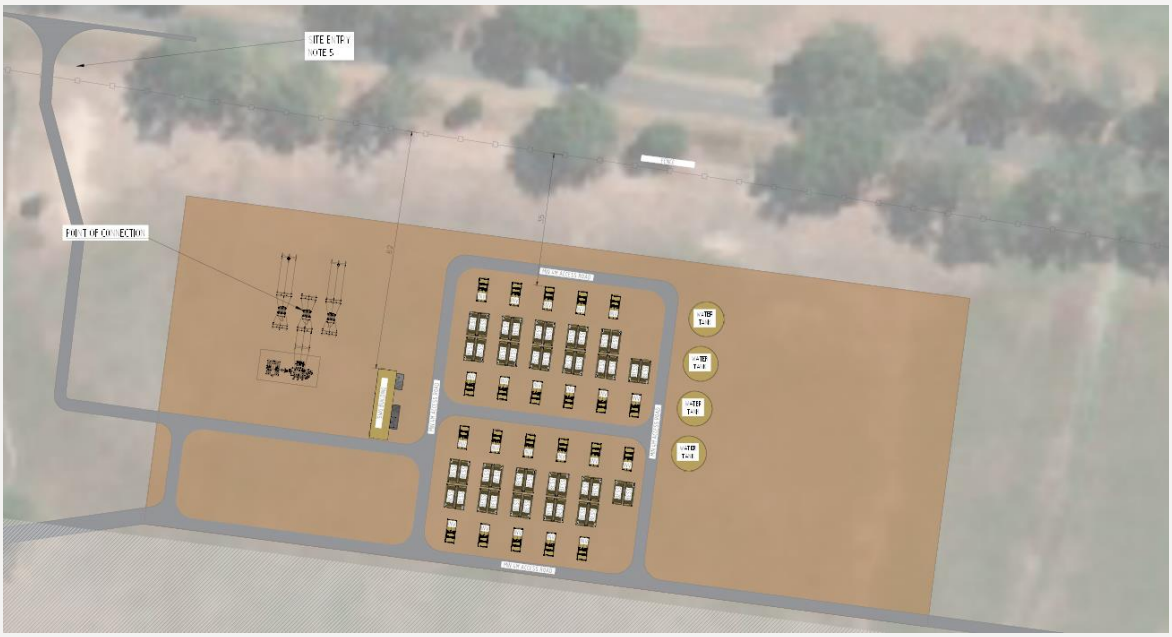

Figure 2 | Proposed BESS layout

3.4. Maintenance

Once operational, the facility will involve daily monitoring of plant and all associated infrastructure. Staff will access the site as necessary for monitoring and management of equipment.

Where required, minor repairs and maintenance of components of the facility will be undertaken by either staff or contractors. Other occasional maintenance tasks will include controlling grass and weeds on site, maintaining internal access tracks, general waste collection and disposal.

Regular inspections of the site will be carried out to ensure that grassland is managed to reduce the risk of bushfire to surrounding land and to control weeds.

3.5. Landscaping

While no new landscaping is proposed, the development will take advantage of the landscape screening required by the approved solar farm.

3.6. Security

Security of the facility will be critical to operations and ensuring safety of the public. A new security fence and gate is to be established inside the site and set behind the landscape buffers, to enclose the proposed battery container facility.

No security lighting will be installed for the facility.

3.7. Vegetation removal

The area of works is clear of significant vegetation, and accordingly no vegetation removal will be required to be removed to facilitate the development.

3.8. Decommissioning

The facility is intended to remain in operation for a period of up to 30 years and may be continued for a further period of 10 years of more beyond this period subject to landowner and operator agreement. This period of time represents the useable life of the approved solar energy facility, after which the

infrastructure and components would need to be upgraded to the latest technologies for ongoing efficient operation.

If the facility ceases operations at this point, all infrastructure would be disassembled and removed from the site to enable the site to be re-cultivated for cropping or grazing purposes.

4. Site Analysis

4.1. Site location and context

The subject site ('the site') is formally described as Lot 1 in TP253930, addressed as Wangaratta-Kilfeera Road, Laceby VIC 3678.

The site is located between the townships of Glenrowan and Oxley, on an arterial road (Wangaratta-Kilfeera Road). **Figure 3** below indicates the subject land in context to the surrounding urban areas.

A copy of the certificate of title and title plan is attached within this application. There are no covenants or Section 173 agreements registered on the title; however, an electricity transmission easement does traverse the northern boundary of the property.

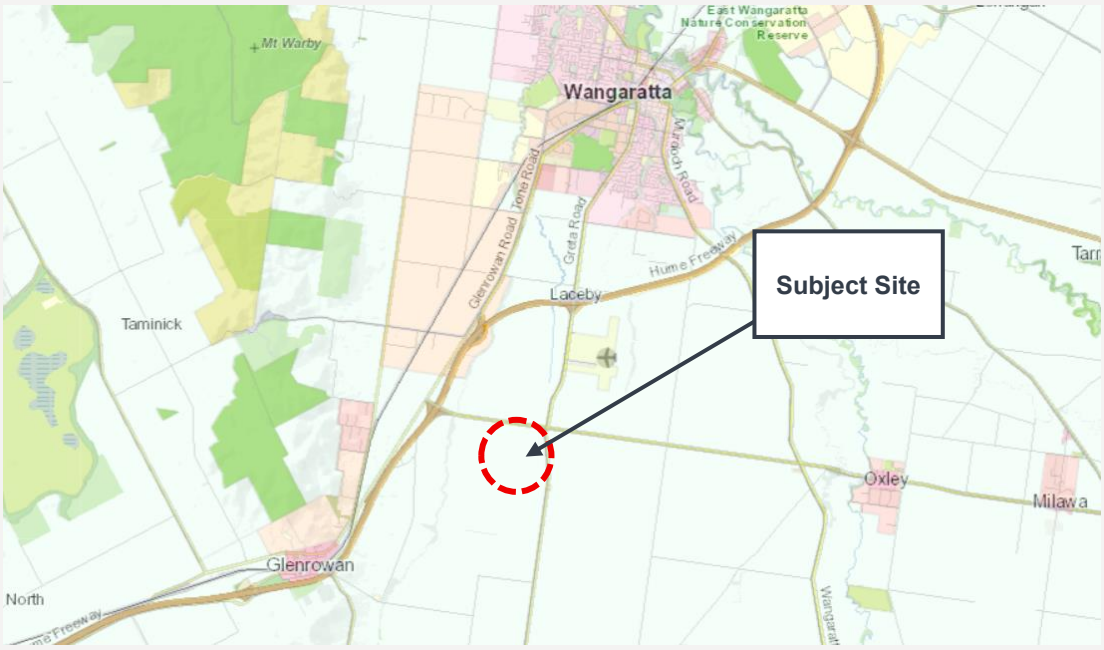

Figure 3 | Context Map (Source: VicPlan, 2025)

4.2. Site description

The site is a near-rectangular lot allotment with a primary frontage of 1110 metres to Wangaratta-Kilfeera Road in the east, 959 metres to Snow Road in the north, 1143 metres to O'Connell Lane to the south, and comprising a total area of approximately 130 hectares.

Physical access to the site is currently provided via an informal crossover to Wangaratta-Kilfeera Road, as well as two crossovers to Snow Road.

The existing conditions of the property are illustrated by the image at **Figure 5** below.

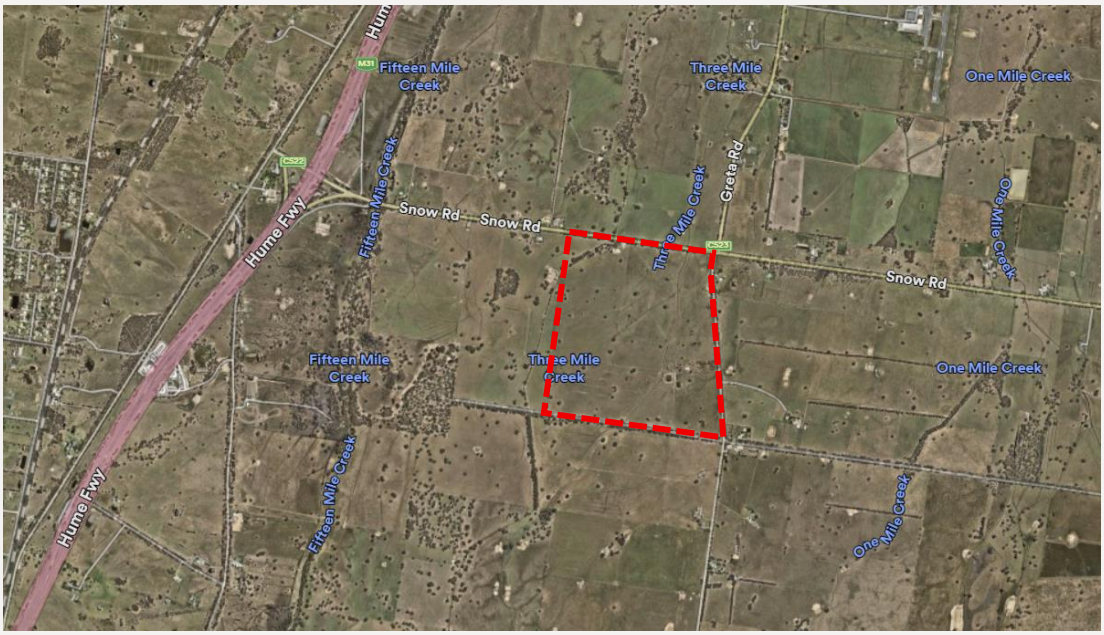

Figure 4 | Site aerial (Source: NearMap, 2025)

Figure 5 | Site aerial – zoomed (Source: NearMap, 2025)

4.3. Existing conditions

The site currently contains limited built structures, with only a small open hay shed located proximate to the vehicular entry. Several dams are provided across the site. There are several mapped waterways across the site, as shown in the above figures. The site is currently utilised for livestock grazing.

Several remnant trees are provided scattered across the site, as well as areas of denser vegetation adjacent to road reserves.

The site presents generally flat topography, with some flood inundation occurring in low-lying areas around dams. A 66kV overhead electricity line traverses the land close to the northern boundary from east to west, and this is contained with an easement registered on the title.

4.4. Surrounding development

The site is located within a rural context, attributable to its location at the eastern fringe of the Glenrowan township and reflective of the underlying zoning of the area. While the surrounding uses are generally utilised for livestock grazing, there are some different uses in the broader surrounds.

Land to the north, beyond Snow Road, is utilised for livestock grazing. Further north, the Wangaratta Airport is located.

Land to the east, beyond Wangaratta-Kilfeera Road, is utilised for livestock grazing with some smaller lots used for hobby farming or rural residential dwellings.

Land to the south, beyond O 'Connell Lane, is utilised for livestock grazing. South-east of the site is the Laceby fire station.

Land to the west is occupied by livestock grazing. Further east is the Hume Freeway and Glenrowan rest area. A highway service centre is also located to the west.

5. Statutory Planning Framework

5.1. Planning and Environment Act 1987

Section 60(1) of the *Planning and Environment Act 1987* ("the P&E Act) requires that before deciding on an application, the responsible authority must consider:

(a) the relevant planning scheme; and

(b) the objectives of planning in Victoria; and

(c) all objections and other submissions which it has received and which have not been withdrawn; and

(d) any decision and comments of a referral authority which it has received; and

(e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development; and

(f) any significant social effects and economic effects which the responsible authority considers the use or development may have.

An assessment of the proposal against these considerations leads to the following general conclusions:

- The application has been prepared in accordance with the relevant requirements of the Planning Scheme.
- The objectives of planning in Victoria are of a very general nature and are more or less satisfied by consideration of all the other assessment criteria in this report.
- The application will be publicly exhibited and any issues raised in submissions received will be considered as part of the assessment process.
- The application will be referred to any relevant referral authorities for review and comment.
- The environmental impacts of the proposal have been considered in this report.

There are no other matters of the P&E Act relevant for consideration in this report.

5.2. Zone

5.2.1. Farming Zone – Schedule 1

The site is located within the Farming Zone (FZ1) of the Planning Scheme. 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.*

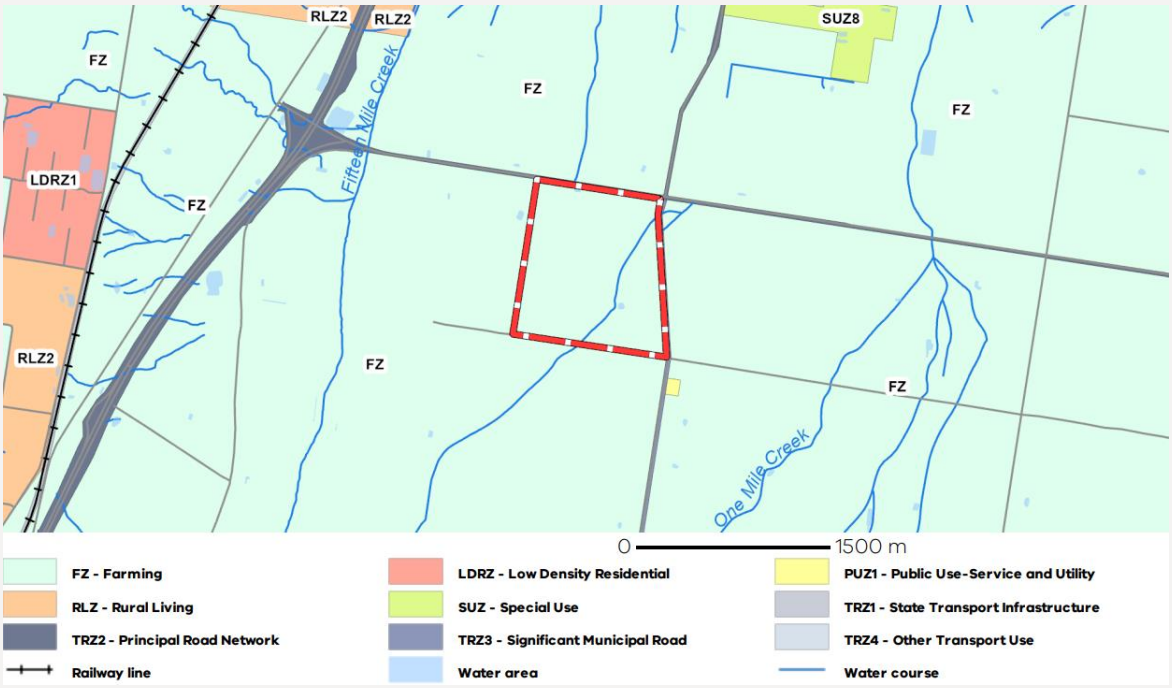

Figure 6 | Site zoning

The use and development of land for the purpose of a utility installation requires a planning permit pursuant to the requirements of Clauses 35.07-1 and 35.07-4 of the Farming Zone. An application for use and development must consider the relevant Decision Guidelines of Clause 35.07-6.

Schedule 1 to the Farming outlines the following design and siting requirements:

- Minimum setback from a road – 20 metres
- Minimum setback from a boundary – 5 metres
- Minimum setback from a dwelling not in the same ownership – 50 metres

5.3. Overlays

5.3.1. Design and Development Overlay – Schedule 6 (DDO6)

The site is affected by the Design and Development Overlay – Schedule 6, Area 3 (DDO6-3) which relates to the Wangaratta Aerodrome and subsequent obstacle height areas.

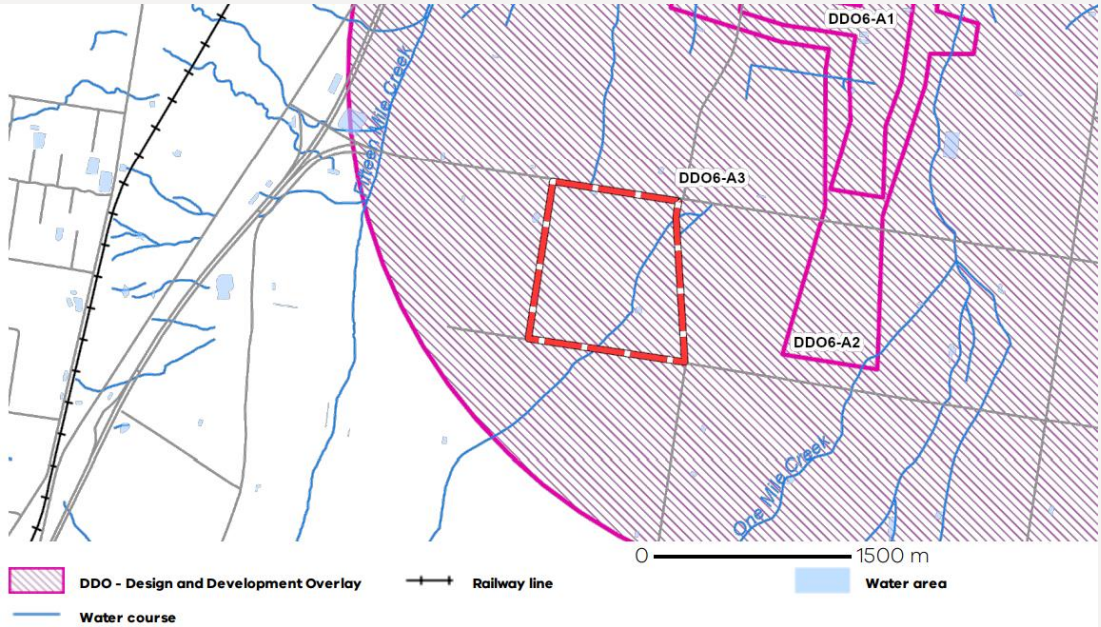

Figure 7 | Extent of Design and Development Overlay

The relevant design objectives of DDO6 include:

- *To ensure that all buildings and works are within specified height limits.*
- *To ensure that appropriate external building materials are used, to avoid creating a hazard to aircraft flight paths in the vicinity of airport.*
- *To ensure that flight paths associated with airport are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the airport.*

Under this clause, a permit is not required to construct a building or construct or carry out works for a height which does not exceed 196 metres Australian Height Datum in Obstacle Height Area 3.

Accordingly, no planning permit is triggered under this clause.

5.3.2. Floodway Overlay

The site is affected by the Floodway Overlay.

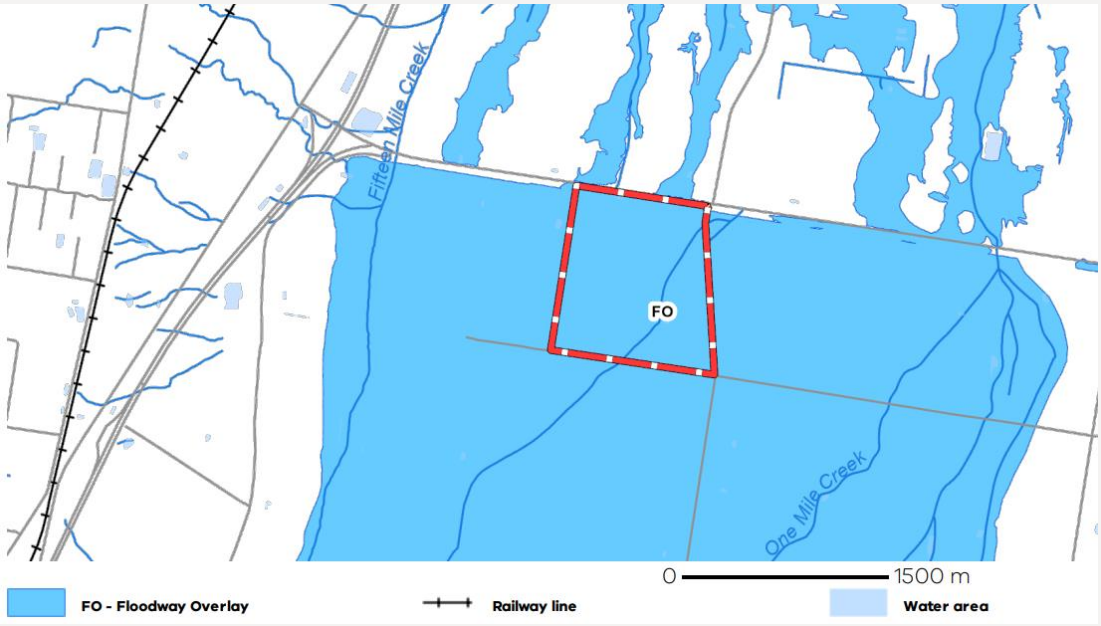

Figure 8 | Extent of floodway overlay

The relevant purpose of the overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.*
- *To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

A planning permit is required construct a building and carry out works in the Floodway Overlay.

5.3.3. Land subject to inundation overlay

The site is partially affected by the Land Subject to Inundation Overlay.

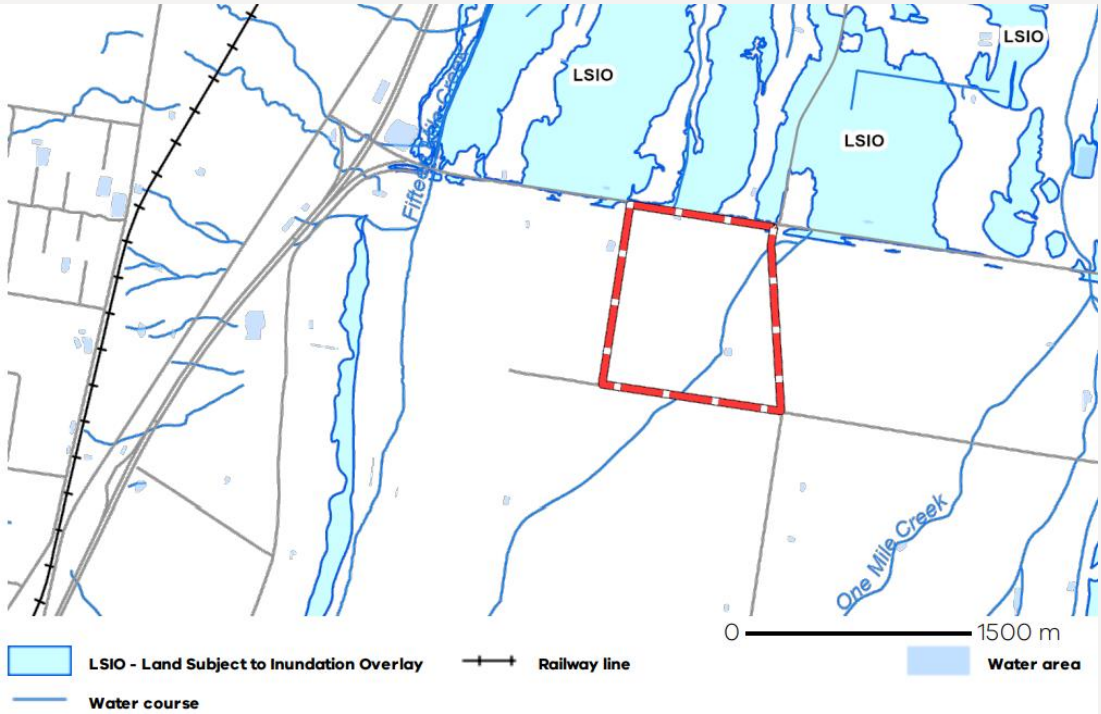

Figure 9 | Extent of land subject to inundation overlay

However, the area of development lays outside of the affected area, and accordingly no permit is triggered under this clause.

5.4. Particular Provisions

- Car Parking (Clause 52.06)
- Native Vegetation (Clause 52.17)
- Land Adjacent to the Principal Road Network (Clause 52.29)
- Significant Economic Development (53.22)

5.4.1. Clause 53.22 – Significant Economic Development

Pursuant to this clause, the use is for a utility installation which will be used to store electricity with an installed capacity of 1 megawatt or greater. Accordingly, this clause and its exemptions from notice and review apply.

5.5. General Provisions

5.5.1. Decision guidelines (Clause 65)

Before deciding on an application or approval of a plan, the responsible authority must consider a number of decision guidelines. **Section 6.13** below provides an assessment of the proposal against the relevant general decision guidelines at clause 65.01 - Approval of an application or plan.

5.6. Planning Policy Framework and Municipal Planning Strategy

The PPF seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development policies and practices. It informs the preparation and implementation of Municipal Planning Strategy objectives and the introduction of zone and overlay controls, and seeks to integrate relevant

environmental, cultural, social, and economic factors in the interest of net community benefit and sustainable development.

An assessment against these policies, where relevant, is provided in **Section 6** below.

6. Planning Assessment

Consideration of the planning merits of the proposal and how it responds to the relevant policies and planning provisions in relation to the land use and development has been addressed below.

The response and assessment have been grouped under the following key headings:

- Strategic Planning Directions
- Land Use Consistency
- Agricultural Capacity of Land
- Built Form, Design, Siting and Visual Impact
- Native Vegetation Removal
- Flooding
- Cultural Heritage
- Bushfire
- Traffic, Access and Parking
- Stormwater Management
- General Provisions

6.1. Strategic planning directions

Within the Planning Policy Framework, key themes emerge in relation to the strategic directions and policy objectives sought. The proposal responds to these themes by:

- Directly facilitating the development of renewable energy storage to assist in the combatting of climate change forces.
- Promoting the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.
- Providing for storage of a clean and renewable source of energy while minimising the potential for any negative environmental impacts.
- Contributing to a reduction in the Municipalities' carbon footprint to help to mitigate risks associated with climate change as well as reduce the dependence on non-renewable sources of energy.
- Siting and designing the facility to minimise impacts on the surrounding environment and community, through site responsive design that assists with mitigating issues associated with noise and visual amenity.
- Implementing the principles of ecologically sustainable development through the provision of alternative energy sources and renewable energy facilities.
- Minimising the removal of native vegetation where possible.
- Designing and siting the facility to protect and enhance the surrounding rural landscape while contributing to the implementation of the provision of sustainable environmental character.
- Providing a clean and renewable source of energy that supports emergency preparedness and enhances the resilience of the community.

- Siting and designing development to minimise visual impacts on surrounding natural scenery and landscape features of the surrounding context.
- Contributing to the decentralisation of the energy production through the provision of alternate sources of energy production.
- Design for bushfire mitigation through observing the design, alignment and setback recommendations of the *Design Guidelines and Model Requirements Renewable Energy Facilities*.
- Optimising the use of presently underutilised agricultural land for the storage of renewable energy and isolating site selection of the facility away from prime agricultural land.
- Co-locating the proposed use and development in immediate proximity of existing electrical infrastructure to facilitate direct connection into the broader network supply.
- Providing a positive contribution to the built form environment through appropriate siting, design, landscaping and ongoing maintenance to minimise the impact of the development and prioritise the safety for users of Snow Road and Wangaratta-Kilfeera Road.
- Siting and designing the facility to minimise associated impacts related to noise on surrounding sensitive receptors.
- Stimulating economic growth through the creation of new job opportunities in the construction, development and ongoing management of the proposed facility, broadening the economic base of the Municipality.
- Reducing the impacts associated with climate change through the provision of additional supply of renewable energy into to the grid, reducing the reliance on non-renewable energy sources that are associated with a myriad of negative climate, health and economic issues and contributing to a more sustainable and reliable energy supply to support the growth and development of the Municipality.
- Supporting the sustainable development of the Municipality through the provision of a reliable and renewable source of energy that contributes to a raft of social, economic and environmental benefits for the broader community.

The development also obtains benefits from the application of Clause 53.22, which recognises the need for renewable energy projects to be processed as quickly and efficiently as possible.

6.2. Land use consistency

The overarching objectives of the Farming Zone place a strong emphasis on the retention and ongoing enhancement of productive farming land to ensure its ongoing viability for agricultural use. The Zone goes on to prioritise the use of the land for agricultural purposes and ensure that uses not directly related to agricultural activities be limited.

The use of the land for the purpose of a utility installation is a Section 2 (permit required) land use. Pursuant to Clause 73.03 a utility installation is defined as:

Land used:

a) for telecommunications;

b) to transmit or distribute gas or oil;

c) to transmit, distribute or store power;

d) to collect, treat, transmit, store, or distribute water; or

e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.

It includes any associated flow measurement device or a structure to gauge waterway flow.

The proposed development is considered to harness the ambitions and directions of this Clause to deliver an acceptable land use outcome for the site.

Renewable energy production is commonly undertaken in rural areas given the larger spatial provision and availability of land, and planning policy recognises that such uses can be appropriately accommodated in rural areas. In particular it is noted that 'agricultural production' as defined by the planning scheme includes "*Any form of primary production of renewable commodities*" (emphasis added). While the development itself does not propose energy production, it works in conjunction with the approved solar farm to provide for the storage of the energy generated on the site, which can then be fed into the electrical grid to service surrounding communities.

The proposed BESS buildings will be limited in scale and footprint, which will largely blend into the surrounding landscape, and will be easily removable when the solar facility is decommissioned.

The development will not generate high levels of traffic, will not generate any significant noise and has been designed to be as recessive as possible in the landscape.

The development of a utility installation to support an approved renewable energy facility is considered to facilitate the overarching objectives of this Clause in the following ways:

- Implements the MPS and PPF through the promotion of sustainable development and supporting the transition to a low-carbon economy. The storage of renewable energy sources can reduce greenhouse gas emissions and mitigate the impacts of climate change, which are key objectives of these planning policies and frameworks.
- Supporting the provision of land for agricultural purposes by utilising underutilised or marginal land, such as unused farmland for the purposes of energy storage thus preserving productive agricultural land from encroachment from alternative uses.
- Minimising the impact of the development on the ongoing production of the land for agricultural uses through appropriate siting and design.
- Providing for a meaningful contribution to the local economy through a broadening of the economic base to include the development of renewable energy storage. It is anticipated that the development will contribute to the creation of local employment opportunities through the construction, development and ongoing management of the facility as well as decentralising the income source of the landowner away from standard agricultural practices.
- Contributing to the sustainable management of the land through best practice initiatives including vegetation and land management, erosion control and bushfire risk minimisation.
- Facilitating a meaningful contribution to the ongoing long-term sustainability of the area.

6.3. Agricultural capacity of land

The majority of renewable solar energy development is undertaken on rural land, and the planning scheme and DTP guidelines set out various considerations when proposing such uses on rural land. While the development proposed is for solar energy storage, it will work in conjunction with the approved solar farm on the site and will collect and store energy from this use.

Overall, the development is proposed across a small portion of land, and the total land lost from agricultural production for this purpose is minimal. The design also enables the site to be returned to its agricultural function at the end of its life.

6.3.1. Response to Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate the decision guidelines of the FZ. The decision guidelines considered against this proposal in below.

Table 1 | Consideration of the decision guidelines of the FZ

Decision Guidelines	Response
General	
The Municipal Planning Strategy and the Planning Policy Framework	Addressed in **Section 6.1**.
Any Regional Catchment Strategy and associated plan applying to the land	The North East Regional Catchment Strategy is the relevant catchment strategy that applies to the land. The proposal is consistent with this strategy where relevant.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The land is suitable to accommodate the proposed development as it has excellent site access for both construction and operational traffic, is flat, is generally cleared and is co-located adjacent existing electricity infrastructure. The site is able to accommodate the use with minimal impact. The works proposed will include ground disturbance, however no on-site wastewater disposal is required.
How the use or development relates to sustainable land management.	The use of the land in this instance is for an activity that will provide for storage of a sustainable renewable energy source. The earthworks required to establish the facility are not extensive. After the decommissioning of the use, the land can return to its former agricultural function.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	This Planning Report and the submitted technical assessments demonstrate that the land is suitable for development of a battery energy storage system, particularly when considered in the context in relation to the approved solar farm. Landscape screening measures will already be established via the requirements for the approved solar farm, and these can suitably reduce the visual impact of the proposed development.
How the use and development makes use of existing infrastructure and services.	The proposal will not have any significant load on existing services in the area, and will be appropriately connected into the electricity network in accordance with AusNet's requirements. The proposal has a positive benefit in that it will deliver additional renewable energy input into the local electricity system.
Agricultural issues and the impacts from non-agricultural uses	

Whether the use or development will support and enhance agricultural production.	The proposed use is for a BESS associated with an approved renewable energy facility, however, has been carefully considered and designed to be integrated into the agricultural context without significant impacts. The land will not be significantly compromised given the nature of construction works, and can be decommissioned and returned to an agricultural function at the end of its life.
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	The proposed development has a small physical scale and will occupy a minimal portion of the site. Earthworks for the development are minimal, as described above, and will not include significant disturbance of the site conditions. Topography and other physical conditions will be generally unchanged. Once decommissioned, the subject site can be easily reinstated to be used for productive purposes. The works will therefore not 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 development does not include any processes that will impact surrounding agricultural uses or expansion.
The capacity of the site to sustain the agricultural use.	No agricultural uses are proposed.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	Refer to discussion above.
Any integrated land management plan prepared for the site.	Not applicable.
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 development has been designed to minimise the impact upon the natural and environmental features of the land. It has been located within an area of the site that avoids the more significant areas of native vegetation (including scattered mature trees). The proposal does not include significant earthworks or modification of the topography of land and will be constructed using primarily 'light touch' construction techniques to enable minimal land disturbance.

The impact of the use or development on the flora and fauna on the site and its surrounds	As above, the proposed works are within an area of the site that avoids significant areas of native vegetation.
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	Areas of more significant vegetation have been protected by the proposal. The development will also include the establishment of new perimeter plantings in sections that are not buffered by established vegetation, which will provide additional revegetation opportunities. The development will also offset the vegetation loss from the site within the surrounding region.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	There is no on-site effluent disposal required as part of the proposal.

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 development will be located in one isolated area of the site.
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 development is co-located with an approved solar farm, which already establishes appropriate landscape buffers along parts of the perimeter without vegetation interface.
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 development will not have impacts on the character of the area. The development is suitably screened, and cultural heritage matters have been considered as discussed later in this report.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities	The proposed facility is provided with public road access. The proposal will connect to the electrical infrastructure traversing the site. The site does not require connections to other essential service infrastructure.
Whether the use and development will require traffic management measures.	A Traffic Impact Assessment has been completed and is attached to this application, please refer to this report for further details.

6.4. Built form, design, siting and visual impact

Guidance in relation to the design, siting and built form outcome for the development is primarily limited to the provision of the Farming Zone, Design and Development Overlay – Schedule 6, Clauses 15.01-1S, 15.01-2L-03, 15.01-6S, 15.01-6L and more broadly the Urban Design Guidelines for Victoria. The proposal responds to this policy context by:

- Meeting the broad setback requirements outlined within Schedule 1 to Farming Zone.
- Responding to the physical and contextual characteristics of the site and surrounds through sympathetic design techniques and building siting.
- Minimising potential visual amenity impacts associated with the development through building siting behind meaningful landscaping provisions to soften the appearance of the development from the public realm.
- Isolating vehicle entry and egress to the secondary road frontage away from the primary highway interface.
- Promoting best practice urban design outcomes along primary transport corridor through the minimisation of visual amenity impacts.
- Incorporate non-reflective and muted materials and colours to ensure the development is read a secondary element within the broader landscape context to avoid impacts on the surrounding area.
- Consolidating development to a site characterised by relatively flat topography to minimise visual impact on surrounding scenery and landscape features.

6.5. Noise and vibration

A Noise and Vibration Impact Assessment has been completed for the proposal, with specific consideration of the operational characteristics of the BESS, including inverters, transformers and battery units.

The assessment confirms that operational noise will remain comfortably within EPA Publication 1826.5 criteria at all nearby dwellings when the recommended design mitigation is incorporated. This includes the installation of purpose-designed noise barriers around the BESS compound and the transformer, which ensure that tonal noise emissions are effectively attenuated.

Predicted noise levels at the nearest residences remain below the applicable limits during the day, evening and night, and vibration impacts are not expected to be detectable beyond the site boundary.

Construction noise and vibration can be appropriately managed through standard scheduling, equipment selection and communication measures and will be temporary in nature.

Overall, the assessment verifies that the BESS can operate continuously without creating adverse noise or vibration impacts on surrounding land uses, with performance outcomes equivalent to those already addressed for the approved solar farm.

6.6. Native vegetation removal

Clause 52.17 of the planning scheme refers to native vegetation and has the purpose to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. The requirements of the clause are supported by application of the three-step approach in accordance with Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (“the Guidelines”).

The development does not propose the removal of any native vegetation, and accordingly no planning permit is required under clause 52.17.

6.7. Flooding

The subject land is affected by the Floodway Overlay, reflecting its potential inundation during a 1% Annual Exceedance Probability (AEP) flood event associated with the Fifteen Mile Creek and Three Mile Creek systems. The overlay acknowledges the strategic role of this land in facilitating the conveyance of floodwaters in extreme rainfall events. Accordingly, the design and siting of the proposed development have been developed to ensure compatibility with the identified flood characteristics and the continued functioning of the natural floodplain.

It is recognised that the application will be formally referred to the North East Catchment Management Authority (NECMA) for specialist input, and their recommendations will be accommodated as part of the assessment process. Notwithstanding this, preliminary consultation and a review of flood-related planning requirements indicate that the following mitigation and design responses are likely to be necessary and are readily achievable for the project:

- Critical electrical infrastructure to be positioned no less than 300 millimetres above the 1% AEP flood level to ensure operational resilience during major inundation scenarios and to prevent risk to public safety.
- Earthworks to be minimised and limited to the extent required to enable site access and the establishment of essential infrastructure, ensuring that the natural flood storage and flow paths across the land are not materially altered.
- Buildings and above-ground structures to be located a minimum of 30 metres from all waterways traversing the site, preserving natural riparian functions, avoiding obstruction of overland flow, and supporting floodplain health.

Collectively, these measures ensure that the development responds appropriately to the known flood risk and does not introduce adverse off-site flooding impacts. Importantly, the proposal represents a logical and compatible co-location with the approved solar farm, enabling renewable energy generation and storage infrastructure to be delivered on land that has already been strategically identified for this purpose. The design framework achieves a balanced outcome, maintaining the integrity and function of the floodplain environment while facilitating critical clean-energy infrastructure that supports energy reliability, security, and decarbonisation objectives.

6.8. Cultural heritage

The site is mapped as containing areas of cultural heritage sensitivity associated with the waterways traversing the land. However, a Cultural Heritage Management Plan (CHMP 16206) has already been prepared and approved for the Laceby Solar Project, which encompasses the full activity area proposed for the current development. The approved CHMP remains valid for the life of the project, provided works remain consistent with the approved activity description and within the endorsed activity area. Biosis has confirmed that the proposed works to develop the BESS comply with the activity area, activity description and management conditions set out in CHMP 16206, and can therefore proceed under the existing CHMP without the need for a new or amended plan.

Importantly, the approved CHMP explicitly anticipated the possibility of future installation of battery and energy storage devices within the development footprint, meaning the BESS element forms part of the authorised activity identified during the original cultural heritage approvals process. In addition, the CHMP investigations determined that no Aboriginal places were recorded within or adjacent to the activity area and assessed the likelihood of unidentified cultural heritage material as low given the existing disturbed ground conditions.

The proposed development will be delivered in accordance with all management conditions of the CHMP, including cultural heritage inductions, the presence of a RAP representative during ground-disturbing works, and implementation of the documented contingency procedures should cultural heritage material be unexpectedly encountered.

On this basis, the development clearly satisfies the cultural heritage approval requirements, with the BESS forming a logical and compliant extension to the already approved renewable energy facility. The proposal therefore does not trigger the need for a new CHMP and continues to ensure that cultural

heritage values of the landscape are appropriately protected through an endorsed management framework.

6.9. Bushfire

The subject land is not mapped within the Bushfire Management Overlay. However, it is identified as Bushfire Prone under the Building Regulations, and clause 13.02-1S (Bushfire Planning) requires that bushfire risk be prioritised in decision making. In this context, it is appropriate that the BESS component of the development demonstrates a clear and deliberate response to bushfire risk, noting that the approved solar farm on the site has already been designed to satisfy bushfire resilience and emergency access requirements.

Although the site sits within a low bushfire risk setting overall, the *CFA Design Guidelines and Model Requirements: Renewable Energy Facilities* state that battery energy storage systems introduce specific fire and emergency management considerations that must be assessed regardless of location. The guidelines require fire risk management to be included across planning, design, construction and ongoing operation. Relevant matters include:

- Identifying risks to the BESS from external fire sources such as bushfire or grassfire, and identifying risks from the BESS to adjoining land and other onsite infrastructure.
- Siting the BESS and configuring its layout to enable safe emergency access and to provide suitable separation distances that reduce the likelihood of fire spreading between battery units, buildings and surrounding vegetation.
- Ensuring that fire protection systems and water supply capacity are appropriate for the specific BESS hazard profile, including sufficient volume and pressure to enable effective cooling of battery units and safe emergency response.
- Preparing a Risk Management Plan, a Fire Management Plan and an Emergency Plan in consultation with CFA prior to development commencing.

The BESS will operate within a facility that already incorporates strong bushfire resilience measures through the approved solar farm layout and supporting emergency access infrastructure. These features include all-weather internal access roads suitable for firefighting appliances, managed fuel loads and perimeter defensible space. The BESS will adopt complementary measures that align with the CFA model requirements and will ensure that the bushfire risk to and from the storage system remains acceptable.

Overall, the proposal achieves a planning outcome that is consistent with the intent of clause 13.02-1S. The facility will contribute to renewable energy generation and energy security while maintaining an appropriate level of safety for site personnel, neighbouring land, emergency responders and the broader community.

6.10. Traffic, access and parking

The site adjoins Snow Road, which is included within the Transport Zone 2, and Wangaratta-Kilfeera Road, which is included within the Transport Zone 3.

A Traffic Impact Assessment has been prepared for the proposal and considers expected traffic generation, access arrangements and road safety implications associated with both construction and operational phases of the renewable energy facility. The assessment confirms that the surrounding road network has sufficient capacity to accommodate the projected vehicle movements without creating unacceptable impacts on traffic efficiency or safety.

Construction traffic will be temporary in nature and primarily associated with delivery of materials, machinery and workforce movements. While traffic volumes during this stage will increase relative to existing rural conditions, the assessment finds that the network can safely absorb the additional load provided deliveries are managed through a construction traffic management plan. Heavy vehicle arrivals will be scheduled to avoid peak local traffic periods and to minimise cumulative vehicle clustering on surrounding roads.

During the operational phase, traffic demand will be substantially lower than during construction. Vehicle movements will be limited to periodic maintenance visits and occasional servicing of electrical and supporting infrastructure. The Traffic Impact Assessment confirms that ongoing operation will generate negligible demand on the road network and that no upgrades are required to accommodate day-to-day traffic conditions.

The study finds that safe access can be achieved via the nominated site entry point and that sight distance, turning movements and vehicle swept paths operate within acceptable parameters. A construction traffic management plan, to be prepared prior to works commencing, will provide the mechanism for managing temporary construction traffic impacts. Overall, the assessment concludes that the proposal can be accommodated on the existing transport network without material impact on road function, safety or the broader community.

6.11. Stormwater management

The development itself will require limited stormwater management measures. However, the approval for the solar farm required the submission and approval of a Stormwater Management Plan, which will provide for a holistic stormwater management system and the treatment of water quality and quantities to ensure that the impact on surrounding water catchments is sufficiently limited.

6.12. Clause 53.22 – Significant Economic Development

Pursuant to this clause, the use is for a utility installation which will be used to store electricity with an installed capacity of 1 megawatt or greater. Accordingly, this clause and its exemptions from notice and review apply.

The development responds to the purpose of this clause by facilitating the development of an energy storage facility and by:

- Facilitating the efficient planning, assessment and delivery of a renewable energy storage facility that contributes to the decentralisation of energy production, strengthens network supply and supports the growth and development of the Municipality.
- Providing a reliable and renewable source of energy that delivers substantial social, economic and environmental benefits, including the creation of new job opportunities in construction, development and ongoing management of the facility.
- Optimising the use of presently underutilised agricultural land and co-locating the development in immediate proximity to existing electrical infrastructure to facilitate efficient land use and direct connection to the broader network supply.
- Siting and designing the facility to minimise impacts on the surrounding environment and community through site responsive design, landscaping and mitigation of noise and visual impacts, while protecting and enhancing the surrounding rural landscape.
- Providing a positive contribution to the built form environment through appropriate siting, design and ongoing maintenance that prioritises safety and high-quality outcomes consistent with sustainable environmental character and ecologically sustainable development principles.

6.13. General Provisions

Clause 65.01 of the Planning Scheme identifies that prior to determining an application the Responsible Authority must consider the directions of this Clause. The contents of this report herein clearly demonstrate consistency with outcomes of these considerations.

The proposal represents a carefully crafted design response that has provided due consideration to the site's opportunities and constraints to deliver a development outcome that is not only responsive to the directions and aspirations of planning policy, but also its existing physical context.

The proposal represents an efficient use of land zoned for agricultural purposes contributing to the promotion of sustainable development and the transition to a low carbon economy. The proposed design is responsive and sympathetic to the established character of its surrounds, can be suitably serviced by infrastructure, minimises the impact on any biodiversity values and appropriately manages impacts associated with natural hazard risk.

Accordingly, the proposal represents an acceptable response to the directions of this Clause.

7. Conclusion

This application seeks a planning permit for the development of a utility installation at Lot 1 in TP253930, addressed as Wangaratta-Kilfeera Road, Laceby.

Having regard for the content of this report, the proposal deserves the support of DTP because:

- it complies with the standards and objectives outlined within the Wangaratta Planning Scheme;
- it represents orderly planning of large farming allotments in an area that minimises impacts on more sensitive land;
- it proposes a site responsive design which integrates with the existing topography and ensures the development does not significantly impact the amenity of the area;
- access can be easily obtained through connections to the surrounding road network;
- existing infrastructure connections, including to a conveniently located distribution line, can be easily extended with minimal works required;
- it contributes to the sustainability of the shire through providing an alternative renewable energy source;
- it contributes towards the state objective to reduce emissions by 28-33 per cent by 2025 and 45-50 per cent by 2030;
- it will have a positive economic effect through providing work and contracting opportunities to local businesses, and through indirect effects such as accommodation, hardware stores, or food premises.

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest.

Appendix A: Title Details

Appendix B: Plans

Appendix C: Quantity Surveyor's Report

Appendix D: Business Case

Appendix E: Cultural Heritage Advice Letter

Appendix F: Cultural Heritage Management Plan

Appendix G: Traffic Impact Assessment Report

Appendix H: Noise and Vibration Impact Assessment