

Altona Battery Energy Storage System (BESS)

Buildings and works associated with the existing utility installation (Altona Terminal Station) to facilitate a construction of 100 MW/200 MWh battery energy storage system and associated infrastructure

Planning Permit PA2402783
130 Cherry Lane, Laverton North



Officer Assessment Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information	Details		
Application No:	PA2402783		
Received:	05 March 2024 but fees paid on 04 August 2024		
Statutory Days:	49 days		
Applicant:	AusNet Transmission Group Pty Ltd C/- Beca Pty Ltd		
Planning Scheme:	Wyndham		
Land Address:	130 Cherry Lane, Laverton North, formally known as Lot 1 on Title Plan 75860H		
Proposal:	Buildings and works associated with the existing utility installation (Altona Terminal Station) to facilitate a construction of 100 MW/200 MWh battery energy storage system and associated infrastructure		
Proposal Description:	<p>The Altona Battery Energy Storage System (BESS) proposal consists of the following:</p> <ul style="list-style-type: none"> Installation of a 100MW/200 MWh BESS and associated infrastructure to the southeast of the Altona Terminal Station yard. Installation of above ground and underground cables, battery units, inverters, cooling systems, MV transformers, HV transformer, protection devices, earthing systems, ring main units, and connecting infrastructure. Construction of ancillary infrastructure including control room, switch room, maintenance room, including ablution facilities, security fencing, lighting poles, lighting masts and internal accessways. A site identification sign with a total display area not exceeding 8 sqm. A permit is not required for this sign, as it meets the display area threshold under Clause 52.05-12. Note – A planning permit <u>is not required</u> for the use of an ‘utility installation’ for the proposed BESS given that the existing ATS on subject site is classified as a utility installation. Therefore, it will not need to be evaluated as a new use. 		
Development Value:	\$ 130 million		
MPL Certificate Provided:	Yes – Issued on 1 March 2024. Certificate Number: MPLCERT25593		
Zones:	Industrial 2 Zone (Schedule)		
Overlays	None		
Why is a permit required?	Clause	Control	Trigger
Zones:	33.02	Industrial 2 Zone (Schedule)	Clause 33.02-4 - A planning permit is required to construct a building or carry out works.
Particular Provisions:	52.05	Signs	N/A – A site identification sign is proposed but will not exceed the prescribed 8sqm as per Clause 52.05-12. No permit trigger for proposed signage. To the satisfaction of responsible authority.
	52.06	Car Parking	N/A – No native vegetation removal required as the site is highly disturbed.
	52.17	Native Vegetation	N/A – No native vegetation removal required as the site is highly disturbed.
	53.22	Significant Economic Development	N/A – The proposal qualifies under this process since it meets the conditions listed for the use of Utility Installation.
Why is the Minister responsible?	Under clause 72.01-1, the Minister for Planning is the responsible authority for planning permits for the use and development of land for a utility installation used to store electricity if the installed capacity is 1MW or greater.		
Cultural Heritage:	The site is not located within an area of Aboriginal cultural heritage sensitivity.		
Referral Authorities & Advice Sought:	AusNet Services (s55 – Determining) WorkSafe Victoria (s55 – Determining)		



EnergySafe Victoria (External Advice)
Emergency Management Victoria (External Advice)
FRV (External Advice)
APA Transmission (External Advice)
Wyndham City Council (External Advice)

Public Notice:

Notice of the application under section 52 of the Act was not required for this application due to the notice exemption under Clause 33.02-4 of IN2Z. Pursuant to Clause 33.02-4 of IN2Z of Wyndham Planning Scheme, an application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay (PAO) to be acquired for a hospital or an education centre.

This application relates to building and works, and the proposal is not located within 30 meters of residential-zoned land, land used for a hospital or education centre, or land in a PAO. Therefore, it is exempt from notice requirements and review rights.

Delegation Received:

Approval to determine under delegation received on 09 October 2024.



Application Process

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

Milestone	Date
Application received	05 March 2024
Application lodgement	04 August 2024 (fees paid)
Further information requested	21 March 2024
Further information received	02 August 2024
Decision Plans	Development Plans for Altona BESS prepared by AusNet Services, titled ATS BESS, Revision 04 and dated 24/07/2024.
Other Assessment Documents	<p>Planning Report, prepared by Beca and dated 31 July 2024.</p> <p>Traffic Impact Assessment, prepared by Beca and dated 14 June 2024.</p> <p>Preliminary Hazard Analysis, prepared by Fire Risk Consultants, dated July 2024.</p> <p>Risk Management Plan and Fire Safety Study, prepared by Fire Risk Consultants, dated January 2024.</p> <p>Environmental Noise Assessment (Stage 2), prepared by Sonus Pty Ltd and dated June 2024.</p> <p>Environmental Site Investigation (Soil Contamination Report), prepared by GeoPollution Management, dated 10 March 2023.</p> <p>Contaminated Soil Removal, prepared by Multiworks Environmental Services, dated 11 September 2023.</p> <p>Leachability Testing, prepared by BlueSphere Environmental, dated 12 October 2022.</p> <p>Stockpile Removal Validation Works, prepared by Presna, dated 8 September 2023.</p>

2. The subject of this report is the decision plans (as described above).

Proposal Summary

3. The proposal can be summarised as follows:

Key Information	Details
Proposal Description:	<ul style="list-style-type: none">• The proposed development involves the construction and installation of a 100MW/200 MWh BESS. The development will include:<ul style="list-style-type: none">○ A series of battery units, inverters, cooling systems, medium voltage transformers, protection devices, ring main units and connecting infrastructure.

- Transmission connection infrastructure including a HV transformer, protection devices, earthing systems and connecting infrastructure.
- Control room, 33kV switch room and maintenance room, including ablution facilities.
- Utility connections
- Sealed access at the entrance to the BESS facility
- Unsealed access tracks and parking areas to provide access to the BESS facility.
- Buried earth grid around the entire equipment area.
- Fire protection equipment including booster pumps and hydrants.
- Aboveground and underground direct current (DC) cabling
- Low voltage (LV) aboveground infrastructure and underground alternating current (AC) cables
- Medium voltage (MV) of 33kV aboveground infrastructure and underground alternating current (AC) cables
- High voltage (HV) 66 kV aboveground infrastructure and underground alternating current (AC) cables
- Underground communications cables
- Civil and drainage infrastructure within the site
- Installation of perimeter security fencing, lighting poles and lightening masts
- The proposed BESS would be located adjacent and connected to the existing Altona Terminal Station.
- The proposed footprint spans 14,000m2 with 56 BESS shipping container units. The intention is to convert electricity from 66kV to 33kV via a high voltage transformer, allowing the BESS to be connected to the ATS.
- A proposed vehicle crossover on Cherry Lane, to provide the main access to the BESS.
- Additional five (5) car parking spaces is proposed.
- The proposed development footprint is approximately 14,000sqm.

4. The applicant has submitted following plan of the proposal:

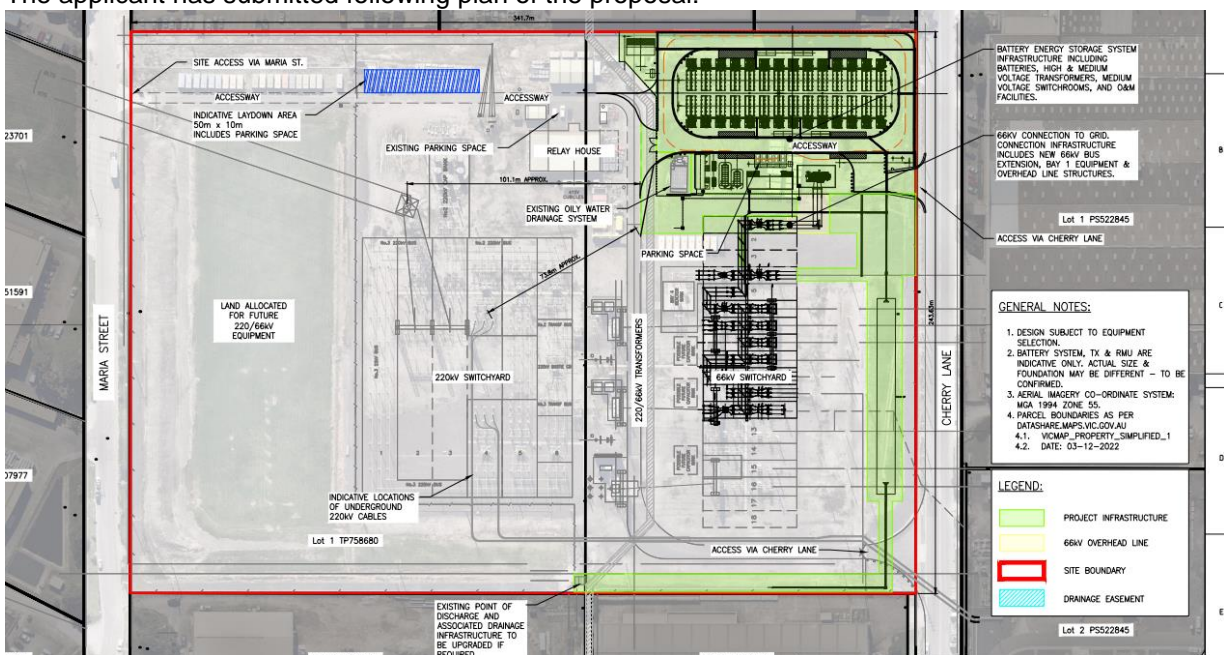


Figure 1 - Site Plan (Source: Decision Plans)



Municipal Planning Strategy

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

Clause	Description
02.02	Vision
02.03	Strategic Directions

Planning Policy Framework

15. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 12	Environmental and Landscape Values
12.01-1S	Protection of biodiversity
12.01-2S	Native vegetation management
Clause 13	Environmental Risks and Amenity
13.01-1S	Natural hazards and climate change
13.04-1S	Contaminated and potentially contaminated land
13.05-1S	Noise management
13.07-1S	Land use compatibility
Clause 17	Economic Development
17.01-1S	Diversified economy
17.03-2S	Sustainable industry
Clause 18	Transport
18.02-4S	Roads
Clause 19	Infrastructure
19.01-1S	Energy supply
19.01-2S	Renewable energy

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


Zoning and Overlays

Applicable Zone(s)

Industrial 2 Zone – Schedule (IN2Z)

17. The proposed utility installation is to be located on land which is zoned Industrial 2 Zone – Schedule.
18. Pursuant to Clause 33.02-4 of IN2Z of Wyndham Planning Scheme, a planning permit is required to construct a building or construct or carry out works.
19. Pursuant to Clause 33.02-1 of IN2Z of Wyndham Planning Scheme, a planning permit is not required for the use of an 'utility installation' in this instance given that the existing ATS on subject site is classified as a utility installation. Therefore, it will not need to be evaluated as a new use.

Applicable Overlay(s)



20. The site is not subject to any overlays.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

21. Clause 52.05 seeks to regulate the development of land for signs and associated structures. The proposal includes a site/business identification sign that will have a total display area less than 8sqm. Pursuant to Clause 33.02-5 of IN2Z of Wyndham Planning Scheme, the applicable sign category under IN2Z is Category 2. Category 2 (Office and Industrial) is to provide for adequate identification signs and signs that are appropriate to office and industrial areas. Pursuant to Clause 52.05-12 of Wyndham Planning Scheme, a business identification sign does not require a permit provided the total display area of all signs to each premises must not exceed 8sqm. The proposal meets this requirement, and therefore, no permit required for the proposed site identification sign.
22. Clause 52.06 sets out the requirements of car parking. Pursuant to Clause 52.06-6, car parking must be provided to the satisfaction of the Responsible Authority. This application does not trigger a permit under Clause 52.06. The existing ATS contains six (6) car parking spaces. The proposal includes an addition of five (5) car parking spaces in proximity to the BESS. A total of 11 car parking spaces will be present on site and this is sufficient to cater for existing operations and construction for the proposed development.
23. Clause 52.17 seeks to provide for the protection, management and removal of native vegetation. No native vegetation impacts or removal is required for the proposed development. The subject site is highly disturbed, particularly the project area for the BESS. The site does not contain any vegetation on site, and site clearing is not required in this instance. Therefore, a permit is not triggered under Clause 52.17.
24. Clause 53.22 seeks to prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians. This application for the development of land for a utility installation qualifies under this process and falls under Category 1. The proposal meets the conditions listed for the use of utility installation.

Relevant Background Documents

Other Planning and Environmental Approvals


28. It is the proponent's responsibility to ensure all relevant approvals outside of the *Planning and Environment Act 1987* are in place. However, comment is made on the following relevant legislation:

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

29. Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on matters of national environmental significance, including nationally or internationally important flora, fauna, ecological communities, and heritage places, must be referred to the Commonwealth Minister for the Environment.
30. The applicant has advised that the proposal is unlikely to impact on any species or communities listed under the EPBC Act due to the heavily developed nature of the site and the lack of vegetation present on site. Therefore, referral under the EPBC Act is not required.

Environment Effects Act 1978 (EE Act)

31. The *Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978 (DSE 2006)* outlines the triggers for referral of a project to the Victorian Minister for Planning who will determine if an Environmental Effects Statement (EES) is required.



32. The project will not trigger a referral under the EE Act based on the based on any criteria specifically relevant to flora, fauna or biodiversity.

Flora and Fauna Guarantee Act 1988 (FFG Act)

33. Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land.

34. The proposed development will be carried out on private land and is therefore exempt under the FFG Act.

Aboriginal Heritage Act 2006 (AH Act)

35. The AH Act seeks to avoid adverse effects to Aboriginal cultural heritage values as far as reasonably practicable. Where adverse effects cannot be avoided, measures must be implemented to minimise and mitigate adverse effects.

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

Environment Protection Act 2017 (EP Act)

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

39. The Noise protocol is used for determining noise limits for new and existing commercial, industrial and trade premises and entertainment venues.

Climate Change Act 2017 (CC Act)

40. The purpose of the CC Act includes (but is not limited to):

- to facilitate the consideration of climate change issues in specified areas of decision making of the Government of Victoria; and,
- to set policy objectives and guiding principles to inform decision-making under this Act and the development of government policy in the State.

41. Section 20 of the CC Act states that:

The Government of Victoria will endeavour to ensure that any decision made by the Government and any policy, program or process developed or implemented by the Government appropriately takes account of climate change if it is relevant by having regard to the policy objectives and the guiding principles.

42. This assessment has had consideration of the policy objectives and the guiding principles of the CC Act. The proposed facility is estimated to store up to 100MW of electricity which will help achieve the emissions reduction and storage targets set by Victorian Government.



Referrals

43. The application was referred to the following group:

Provision	Clause	Organisation	Response and date received
Section 55 Referral – Determining	66.02-4	AusNet Transmission Group	No objection with no condition, received 27/08/2024.
Section 55 Referral – Determining	66.02-7	WorkSafe Victoria	No objection subject to conditions, received 19/09/2024.

Advice Sought

EngerySafe Victoria (ESV) & Emergency Victoria Management (EMV)

44. Agency advice was sought from ESV and EMV on 15 March 2024.
45. No response received from ESV and EMV as of 10 October 2024.

APA Group

46. Wyndham City Council advised that the subject site is located within close proximity to the APA high pressure gas pipeline which runs along Cherry Lane. Agency advice was sought from APA Transmission on 13 August 2024.
47. A response was received from APA Transmission on 03 September 2024. APA does not object to the proposed subject to permit conditions and notes to be included in any approval issued for the proposal.

Fire Rescue Victoria (FRV)

48. Agency advice was sought twice from FRV on 21 March 2024 and 13 August 2024.
49. The first response received from FRV, dated 22 April 2024, requested a Preliminary Hazard Analysis (PHA) to determine offsite impact or risk to people, property, and the environment at the proposed location, prior to a permit being issued, and also provided permit conditions to be included in the permit.
50. A PHA was requested in the further information request. A PHA, prepared by Fire Risk Consultants, was supplied as part of further information response. This document and updated plans were sent to FRV for any comments or advice.
51. The second response received from FRV, dated 17 September 2024, advised that the PHA and Fire Safety Study (FSS) are not adequate because they were not developed as per the relevant standards. Therefore, FRV was not satisfied with the documents provided.
52. FRV recommended to include a conditional approval process, wherein obtaining satisfactory clearance from FRV is a prerequisite for the PHA and FSS to ensure that all necessary aspects are adequately addressed directly with FRV. A revised PHA and FSS will be requested via permit conditions.

Wyndham City Council

53. Advice was sought from the Wyndham City Council (the council) who considered the application and provided written correspondences on 30 April 2024 and 23 May 2024.
54. The advice received from council on the 30 April 2024 stated they have not identified any significant concerns with the proposal. However, the council provided feedback on several matters as detailed in the table below.

Council Feedback	DTP Response
A referral to APA should be processed due to the site being in close proximity to the APA high pressure gas	This has been addressed (advice sought) and APA does not object to the proposal subject to conditions.



pipeline, which runs along Cherry Lane.	
The planning report states that the site surface is not sealed (appears to be crushed rock). The council generally requires accessways and parking areas be sealed and drained where new development occurs to prevent pollution to the drainage system and mud/debris from being transferred onto the road/drainage system. At a minimum measure should be implemented during the construction phase to ensure the road and drainage system is not impacted by material from trucks entering and exiting the site.	The updated planning report states that the area within the BESS will be either hardstand or compacted crushed rock. The accessway will include compacted crushed rock accessways with drainage to prevent excess run-off. The construction phase will implement measures (such as rumble/shaker grid(s) and washdown areas to minimise any mud tracking onto public roads. Council has provided written confirmation via email, dated 22 May 2024, that the proposed measures are appropriate.
A recommendation that a condition of permit require a Construction Management Plan be submitted and approved prior to commencement of works.	A permit condition will be included for a CEMP prior to commencement of works.
The Construction Management Traffic Plan recommended by the Traffic Impact Assessment should be required by condition of permit and approved by the responsible authority prior to commencement of works.	A permit condition will be included for a Construction Management Traffic Plan (CTMP) prior to the commencement of works. The Traffic Impact Assessment recommends a CTMP to be prepared prior to the commencement of construction works to maintain the safety of all road users and workers within the vicinity of the construction site.
A separate road opening permit will be required for the new crossover. An application for this should be made to Council after the permit is approved.	A permit note will be included to ensure the applicant seeks a road opening permit from Council.
Council generally requires a 3m wide landscaping strip to be provided along road interfaces in our industrial estates to improve the visual amenity of the area. It would be desirable if landscaping could be implemented particularly along the Cherry Lane interface.	The applicant's justification for the exclusion of the landscaping strip is that electricity and gas providers must develop and monitor risk management plans, including security measures, under the Victorian Terrorism (Community Protection) Act 2003. As part of this, AusNet sites avoid landscaping near security fences to prevent intruders from climbing and entering the site as well as to maintain clear sightlines in the event of a breach of security. As a result, a 3m landscaping strip will not be required for this application.

55. Council's Traffic Department provided an initial response on 23 May 2024 providing alternative turning movements and requesting revised SIDRA analysis and swept paths. The table below details the comments provided by the council's Traffic Department:

Council's Traffic Dept. Comments	DTP Response
<p>The concern is that the current swept paths for mobile cranes and b-doubles using the unsignalised Fitzgerald Rd/Maria Street T-intersection require heavy vehicles to use multiple lanes, making turning difficult, especially with nearby on-street parking.</p> <p>In contrast, the Fitzgerald Rd/Cherry Lane roundabout appears safer for heavy vehicles.</p>	<p>An updated Traffic Impact Assessment has been prepared that includes an updated SIDRA analysis and swept paths as per Council's Traffic Department comments. This has been addressed as part of the further information response.</p>



An alternative option was put forward to have all mobile cranes and b-doubles enter utilise the Fitzgerald Rd/Cherry Lane roundabout, turn left into Maria Street from Cherry Lane and access the site from the eastern side of Maria St frontage.	
An updated SIDRA analysis and swept paths to consider the alternative route was required to be submitted.	
A construction management plan with a similar Traffic Impact Assessment should also be provided at application stage to ensure any latest road updates/issues are not overlooked.	A Construction Management Plan will be requested via permit condition prior to the commencement of works.

53. The updated documents were sent to Council for a review and advice on 12 August 2024. Council Traffic Department provided a second response on 24 September 2024. The Traffic Department is generally satisfied with the updated documents; however, an updated TIA is required due to a typo on page 30. The report needs to be amended to read “make a left turn onto Fitzgerald Road” instead of Cherry Lane due to a typo on page 30. Given the TIA will not be endorsed as part of this application, the recommendation will not be included. A Construction Traffic Management Plan will be requested via condition.

54. Furthermore, Council has provided following requirements to be implemented:

- Traffic controllers required at Fitzgerald Rd/Cherry Lane roundabout for ingress/egress of construction vehicles.
- For egress, construction vehicles must turn left onto Fitzgerald Road and travel south bound.
- Traffic controllers required at Maria St/Fitzgerald Rd intersection for ingress/egress of construction vehicles.

55. These requirements listed above will be addressed via a Construction Traffic Management Plan.

Notice

56. The application is exempt from notice under section 52 of the Act under Clause 33.02-4 of IN2Z. Pursuant to Clause 33.02-4 of IN2Z of Wyndham Planning Scheme, an application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay (PAO) to be acquired for a hospital or an education centre.

57. This application relates to building and works, and the proposed building or works is not located within 30 meters of residential-zoned land, land used for a hospital or education centre, or land in a PAO. Therefore, it is exempt from notice requirements and review rights.



Key Considerations

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

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

Planning Policy Context

Planning Policy Framework

59. The table below assesses the how the proposal meets the relevant objective and strategies contained in the planning policy framework.

Clause 12	Environmental and Landscape Values	Assessment
12.01-1S	Protection of biodiversity	The proposed development is located on an established terminal station. The site is heavily disturbed and does not contain any vegetation. No vegetation removal required to accommodate the BESS. Biodiversity loss due to the development is not expected.
12.01-2S	Native vegetation management	
Clause 13	Environmental Risks and Amenity	Assessment
13.04-1S	Contaminated and potentially contaminated land	An Environmental Site Investigation by GeoPollution Management in May 2022 categorised stockpiles at the site as Category D Priority Waste, requiring reuse or off-site disposal. A subsequent investigation in March 2023 found low or no contamination on the rest of the site, deeming it suitable for the proposal. To mitigate any contamination risks, contaminated topsoil was removed and classified as Reportable Priority Waste. The removal, conducted by Multiworks from 17 th August to 5 th September 2023, was followed by an assessment by Prensa Pty Ltd, confirming that no further remediation is needed.
13.05-1S	Noise management	A noise impact assessment by Sonus has been completed to evaluate the proposal's noise impacts. The noise assessment found that the predicted noise levels at the nearest sensitive receivers would not exceed the environmental noise criteria, as set out by the Noise Protocol.
13.07-1S	Land use compatibility	The proposal is appropriately located within the existing ATS as well as within an established industrial precinct. The nearest residential land is located approx. 1.1km away. The proposal ensures that noise, air quality, amenity and human health impacts are avoided and minimised as feasible.
Clause 17	Economic Development	Assessment
17.01-1S	Diversified economy	The development of a BESS at ATS contributes towards the Victorian State Governments renewable energy goals as energy storage systems improve grid reliability and in-turn contribute to lower electricity prices. The proposed BESS will assist in providing several community benefits, including the capacity to provide energy to households, and the creation of jobs.
17.03-2S	Sustainable industry	
Clause 18	Transport	Assessment
18.02-4S	Roads	The proposal includes a new vehicle crossover along Cherry Lane to provide main access to the BESS facility. The transport



		impacts of this proposed development are negligible during construction and operational phases. Refer to assessment below.
Clause 19	Infrastructure	Assessment
19.01-1S	Energy supply	The proposed development of the BESS supports the transition to renewable energy solutions and plays a pivotal role in modernising Victoria's power supply and providing a secure, reliable, and cost-effective energy source to Victoria.
19.01-2S	Renewable energy	

60. It is considered that the proposal is consistent with the relevant planning policy frameworks.

Purpose and Decision Guidelines of Zone

Industrial 2 Zone - Schedule (IN2Z)

61. IN2Z seeks to provide for manufacturing industry, the storage and distribution of goods and associated facilities in a manner which does not affect the safety and amenity of local communities, as well as promoting manufacturing industries and storage facilities that require a substantial threshold distance within the core of the zone, and to keep the core of the zone free of uses which are suitable for location elsewhere so as to be available for manufacturing industries and storage facilities that require a substantial threshold distance as the need for these arises.

62. The proposed buildings and works are sited on the existing ATS, which means the site layout is already configured to protect the area from incompatible land use activities and development. The proposed development also makes use of the existing infrastructure at the ATS site by directly connecting into the switchyard. Therefore, it is considered that the proposal aligns with the intent of the IN2Z purpose.

63. The proposal is appropriate, having regard to the decision guidelines of the IN2Z as follows:

- The subject site does not contain any natural or cultural values. The site is not within cultural heritage sensitivity.
- The ancillary infrastructure will be sufficiently setback 12m from eastern boundary and 13.3m from southern boundary. The proposal is visible from the Cherry Lane streetscape given that it is located in the south-eastern corner of site; however, the proposal is appropriately located within the established terminal station and the existing heavily modified industrial context. The proposal will not be visible from Princes Freeway.
- The proposed location of the utility installation is appropriately sited away from interfaces with non-industrial areas.
- The project is not a listed type of use or activity in the Table to Clause 53.10-1 (Threshold Distance).
- The proposal is unlikely to impact any surrounding residential land as the subject site maintains a generous setback of approx. 1.1km to the nearest residential zoned land.
- The development will provide sufficient car parking and access arrangements in accordance with Clause 52.06, discussed further below.

64. Based on the above, and subject to the conditions recommended on any permit granted, the application responds positively to the decision guidelines of the IN2Z.

Potential Amenity Impacts

Noise and Vibration

65. The proposed BESS is not expected to result in any unreasonable impacts due to noise or vibration while all the equipment has been assumed to operate concurrently. The proposal is appropriately located within an established industrial precinct and is adequately setback from sensitive uses.
66. It is noted a planning permit is not required for the use of the development, and therefore the noise emissions from the proposed use are not a relevant consideration of this application. However, noise emissions have been assessed in this instance, as a Noise Assessment prepared by a suitably qualified professional has been submitted.
67. The noise assessment assesses the proposed development of the facility against the noise requirements set out in *EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (EPA Publication 1826.4).
68. The Noise Assessment has identified the nearest noise sensitive receiver to the proposal are the residential area located in Laverton, bounded by Old Geelong Road to the north and Princes Freeway to the east and the Westside Hotel and Honey Hush Caravan Park along Leakes Road as shown in Figure 3.



Figure 3 - Map of Sensitive Receivers (Source: Environmental Noise Assessment)



69. The setbacks to the nearest noise sensitive receivers are as follows:

- ~1.1km to the residential zoned land.
- ~700m to Honey Hush Caravan Park.
- ~850m to Westside Hotel.

70. It is noted that the caravan park is located within the Industrial 2 Zone, and the Westside Hotel is within the Industrial 3 Zone.

71. The environmental noise criteria is presented in the table below.

Table 3: Summary of noise criteria

Location	Assessment Period	Time of Day	Noise Criterion
Residential Area	Day	0700-1800 Monday – Friday 0700-1300 Saturdays	65 dB(A)
	Evening	1800-2200 Monday - Friday 1300-2200 Saturdays 0700-2200 Sundays and public holidays	63 dB(A)
	Night	2200-0700 all days	55 dB(A)
Westside Hotel	Day	0700-1800 Monday – Friday 0700-1300 Saturdays	66 dB(A)
	Evening	1800-2200 Monday - Friday 1300-2200 Saturdays 0700-2200 Sundays and public holidays	62 dB(A)
	Night	2200-0700 all days	54 dB(A)
Honey Hush Caravan Park	Night	2200-0700 all days	45 dB(A)

72. Given the assumed equipment and the conservative application of a penalty the predicted noise level at the nearest residence within the residential area is 36 dB(A) and at the Westside Hotel is 40 dB(A). These noise levels will easily achieve the most onerous criterion of 55 dB(A) and 54 dB(A) for the residential area and Westside Hotel respectively, during the night period.

73. The predicted noise level at the caravan park is 38 dB(A). This will achieve the criterion of 45 dB(A) determined in accordance with the World Health Organisation Guidelines. It can therefore be concluded that the noise from the site will not cause sleep disturbance at the nearby caravan park.

74. The noise level contours for the site are shown in Figure 4. Based on the above, the report indicates that noise emissions from all equipment operating concurrently on the site will comply with the noise limits (night period).

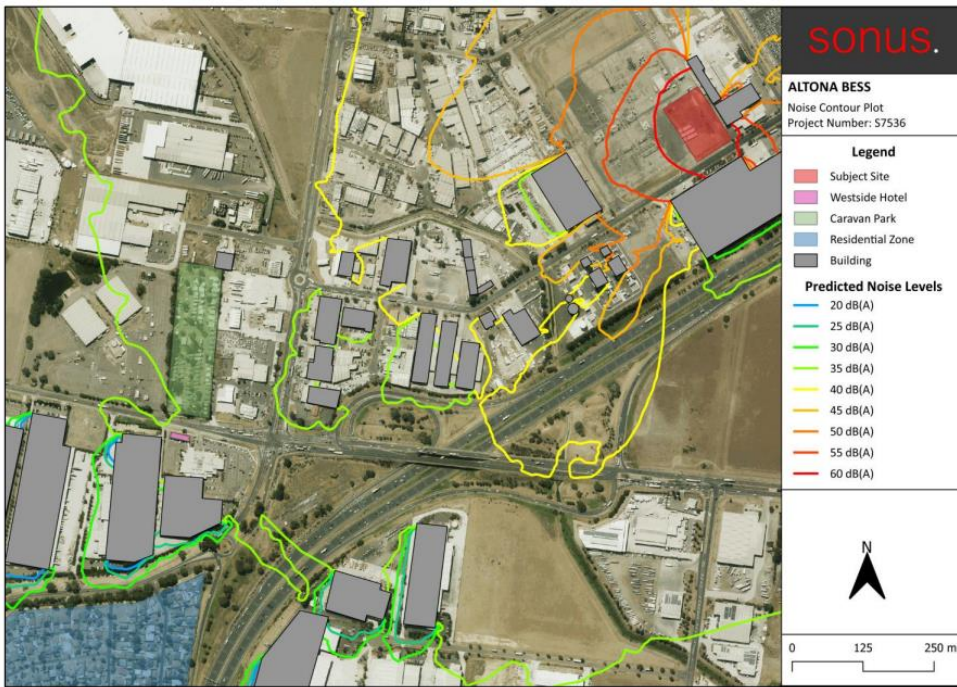


Figure 4 - Noise Level Contours (Source: Environmental Noise Assessment)

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

Visual Amenity

76. There will be no unreasonable visual amenity impacts from the proposed development.
77. The land is zoned industrial and is heavily modified area. The BESS will be located within the established ATS.
78. The scale and appearance of the proposed BESS and associated infrastructure will be similar to the existing infrastructure at ATS and are not expected to contrast with the existing setting.
79. The proposed BESS facility is setback approx. 13.3m from Cherry Lane. An assessment of available street and aerial imagery and a site visit found that there are no designated views or sites of environmental/landscape significance within the area, and that the proposal will be visible from the Cherry Lane.



Figure 5 - Street View towards the Project area from Cherry Lane (Source: Google Maps, Jan 2023)




Figure 6 & 7 - Site Visit Photos, dated 07/10/2024

80. There is no landscape mitigation design proposed. Council suggested a 3m wide landscaping strip particularly along Cheery Lane to improve the visual amenity of the area. The applicant's justification for the exclusion of the landscaping strip is that electricity and gas providers must develop and monitor risk management plans, including security measures, under the Victorian Terrorism (Community Protection) Act 2003. As part of this, AusNet sites avoid landscaping near security fences to prevent intruders from climbing and entering the site as well as to maintain clear sightlines in the event of a breach of security.
81. DTP officers have determined that landscaping measures are not required in this instance for the following reasons:
- The proposal includes a 6.2m wide accessway to the front boundary, leaving no opportunity for meaningful landscaping.
 - The applicant's justification is considered acceptable.
 - No existing landscaping is present at the established ATS site.
 - There are precedents in the area, such as [REDACTED], where landscaping is absent.
 - The immediate surrounding is an industrial precinct that is appropriately located approx. 1.1km from residential area. Given this industrial context, the inclusion of landscaping would provide minimal aesthetic or functional benefits.

Hazards and Safety

Fire and Emergency Management

82. The site is not located within a Bushfire Management Overlay or Bushfire Prone Area. Therefore, no assessment required against Clause 13.02 of the Wyndham Planning Scheme.
83. The submitted Risk Management Plan & Fire Safety Study states the potential for bushfires to impact on this site are considered extremely low. The risk assessment determined that the location of the BESS is not considered to be in a high bushfire risk location. The BESS is bounded on all sides by existing industrial developments. The assessment of risk for the Altona BESS has resulted in a low to medium risk.
84. Advice was sought from FRV on two separate occasions. FRV's initial response requested a Preliminary Hazard Analysis (PHA) to assess offsite impacts or risks to people, property, and the environment at the proposed location before a permit can be issued and also included permit conditions.
85. PHA, prepared by Fire Risk Consultants, was supplied as part of further information response. This document and updated plans were sent to FRV for any comments or advice.

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86. FRV's second response, dated 17 September 2024, stated that the PHA and Fire Safety Study (FSS) were inadequate as they did not meet relevant standards. Consequently, FRV recommended implementing a conditional approval process, requiring satisfactory clearance from FRV for the PHA and FSS. A revised PHA and FSS will be requested through permit conditions to ensure all necessary aspects are adequately addressed.
87. DTP officers recommend that several permit conditions requiring the preparation of preparation of a Risk Management Plan (combined with FSS), Emergency Management Plan and Fire Management Plan in consultation with FRV to be included. All fire protection measures must also be implemented before the development starts and maintained in working order over the lifetime of the proposed BESS facility.

Dangerous Goods

88. The applicant has advised that at the ultimate capacity (500MWh) the quantity of dangerous goods (lithium-ion batteries) exceeds the fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
89. Exceedance of the abovementioned fire protection quantity also triggers referral to WorkSafe Victoria (WSV) as a determining referral authority under Clause 66.02-7 of the Latrobe Planning Scheme. Referral comments from WSV were received on 19 September 2024. WSV has no objection to the granting of a planning permit subject to conditions.
90. The WSV referral comments notes the following:
- The applicant site is required to submit a DGSH notification due to being over fire protection quantities for DG 9, however they are not required to submit a 10% of 100% Major Hazard notification.
 - The identified land use is appropriate for a BESS and the applicant has submitted a comprehensive risk management plan and fire safety study in line with CFA guidelines.
 - DG segregation has been considered in relation to BESS thermal runaway and recommendations outlined in CFA's 2023 Design Guidelines & model requirements for renewable energy facilities.
 - The proposed development is:
 - 20m from the DGL Warehousing & Distribution Major Hazard Facility (which is classified as 'Non-Volatile Toxic', with an inner safety area of 100m and an outer safety area of 500m),
 - 587m from the Qenos (Resins) Major Hazard Facility (which is classified as 'Highly Flammable', with an inner safety area of 300m and an outer safety area of 1000m).
 - 122.7m from Ron Crouch Transport Pty Ltd, a registered Major Hazard Facility (not yet classified).
 - The proposal is therefore placed within the safety areas of the DGL, Qenos and Ron Crouch facilities.
 - The application does not include an emergency response plan to ensure that persons present at site are able to safely respond to potential incidents at the nearby major hazard facilities.

91. WSV has provided the following conditions to be included on the permit:

- The site occupier(s) develop and implement an emergency response plan prior to BESS arrival at the site, to ensure that persons present at site can safely respond to potential incidents at the nearby major hazard facilities. This should include coordination with the major hazard facilities, and a shelter in place option in the event of a toxic smoke plume.
- The applicant must consider impacts to the gas pipeline running along Cherry Lane as part of their risk assessment. This requires collaboration with the associated pipeline owner and Energy Safe Victoria.

92. All conditions provided by WSV will be included on the permit.

Flooding

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

Vehicles Access and Traffic

94. The proposal seeks to introduce new vehicle crossover along Cherry Lane, an onsite laydown and an additional parking area to the east side of the internal access road. This will provide on-site parking during the construction and operation phases, with the area decreasing in size as the BESS facility is built and becomes operational.
95. The proposal includes additional five car parking spaces to be provided for the BESS facility, in addition to the existing six car parking spaces located at the ATS. A total of 11 car parking spaces will be provided on site.
96. The application is supported by a Traffic Impact Assessment (TIA) prepared by Beca Pty Ltd, dated 14 June 2024. Cherry Lane is classified as a major road. The construction phase is anticipated to last approx. 15 months.
97. Council's Traffic Department reviewed the TIA and advised that the using the unsignalised Fitzgerald Rd/Maria Street T-intersection require heavy vehicles to use multiple lanes, making turning difficult, especially with nearby on-street parking. Council recommended an alternative option for heavy vehicles to use the Fitzgerald Rd/Cherry Lane roundabout, as it appears to be a safer route.
98. The updated TIA addresses Council's comments and was submitted for a second review. Council's Traffic Department has requested an updated TIA and additional requirements to be implemented. An updated TIA is not required as a Construction Traffic Management Plan (CTMP) will be requested via condition. Additional requirements will be requested via condition within the CTMP. Refer to the section above for specific details.
99. The submitted TIA concluded that:
- Trip generation during the construction and operation phases is projected as:
 - Construction traffic is expected to make up of 28 light vehicle trips and 6 heavy vehicle trips per day during the construction of the BESS facility, equating to 6 light vehicles and 2 heavy vehicles during AM/PM peak.
 - Operation phase traffic is anticipated to be a maximum of 5 vehicles per day.
 - Cherry Lane access will facilitate both ingress and egress during the operation/maintenance phase.
 - Construction vehicles access will be via Cherry Lane (ingress) and Maria Street (egress). The proposed new internal road through the BESS site will need to be made available early and utilised for B-double and semi-trailer access to avoid height constraints along the existing internal route.
 - While light vehicles are using an access via Cherry Lane for both ingress and egress, the site access for heavy vehicles during the construction phase is expected to be used as follows:
 - Option 1: Ingress and Egress through Maria Street.
 - Option 2: Ingress and Egress through either Cherry Lane or Maria Street.
 - Option 2-A: Ingress through Maria Street and Egress to Cherry Lane.
 - Option 2-B: Ingress through Cherry Lane and Egress to Maria Street.
 - Option 3: Ingress and Egress through Cherry Lane.

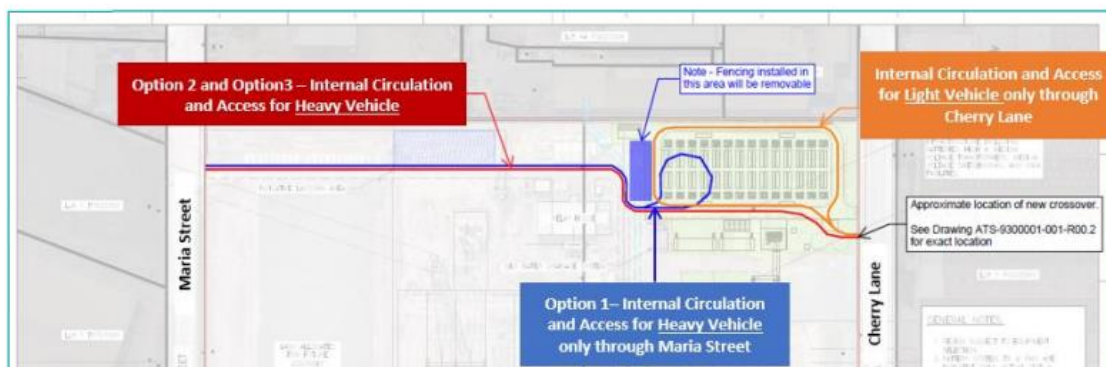


Figure 8 - Internal Circulation and Access Pathways (Source: Traffic Impact Assessment)

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- The swept path assessment with respect to site access indicates:
 - Utilising the roundabout of Fitzgerald Road and Cherry Lane is considered as the safer option than ingress/egress at the intersection of Fitzgerald Road and Maria Street.
 - Overall, the transport impacts of this proposed development are negligible during construction and operational phases.

100. The TIA recommends that specific access routes will be confirmed and adopted for the construction phase and detailed in an appropriate site-specific CTMP. This will be requested via permit condition.

Social and Economic Impacts

101. Under section 60(1)(f) of the PE Act, the responsible authority is required to consider any significant social effects and economic effects which the responsible authority considers the use or development may have. Under section 60(1)(b) of the PE Act, the responsible authority must also have regard (where appropriate) to the number of objectors in considering whether the use or development may have a significant social effect.
102. The proposal is expected to result in local economic benefits, including the provision of construction jobs and ongoing operational employment opportunities. The proposal is appropriately located in an area where there is an existing ATS. This reduces potential social impacts by not introducing the use in an incompatible area. The proposal will have economic and social benefits for the local community through job creation and ensuring electricity network reliability.



103. The proposal is consistent with the relevant planning policies of the Wyndham Planning Scheme and will contribute to the provision of energy storage within the site.
104. The proposal is generally supported by the various referral agencies and Wyndham City Council.
105. It is recommended that, under delegation from the Minister for Planning:
- Planning Permit PA2402783 for 'Buildings and works associated with the existing utility installation (Altona Terminal Station) to facilitate a construction of 100 MW/200 MWh battery energy storage system and associated infrastructure', be issued subject to conditions.
 - That the applicant, council, and organisations, such as WSV, AusNet Services, EngerySafe Victoria, APA Transmission and FRV be advised that the permit has been issued.



Prepared by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

[REDACTED]

Reviewed: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

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[REDACTED]

Approved by: [REDACTED]

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[REDACTED]