

Energy Assessment
PA2504027

Morwell BESS

 Officer Assessment



Department
of Transport
and Planning



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Executive Summary

Key Information	Details
Application No:	PA2504027
Received:	31 October 2025
Statutory Days:	63
Applicant:	Morwell BESS Pty Ltd c/- EMM Consulting Pty Ltd
Planning Scheme:	Latrobe
Land Address:	436 Tramway Road, Hazelwood North
Proposal:	Use and development of land for a utility installation (Battery Energy Storage System (BESS)), associated buildings and works, display of a business identification sign, and removal of native vegetation.
Project Description:	<p>The proposed Morwell BESS has a storage capacity of up to 1000MW/4000MWh and includes the following elements:</p> <ul style="list-style-type: none">- BESS units, inverters and transformers.- Associated infrastructure including two on-site substations, control building and switch rooms.- An underground powerline connecting the BESS to the terminal station via the road reserve (220kV).- Permanent O&M buildings and temporary laydown areas.- Water storage for fire-fighting purposes.- Security fencing, car parking and monitoring systems.- Primary vehicle access to the site will be via Bonds Lane.- 0.170ha native vegetation removal (basic assessment pathway) and earthworks.- Two small business identification signs (under 1.5sqm each).
Development Value:	\$1.3 billion
Why is the Minister responsible?	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.
Planning Controls:	<p>Zones: Farming Zone (FZ), Transport Zone Schedule 2 (TRZ2), Special Use Zone (SUZ1)</p> <p>Overlays: State Resource Overlay Schedule 1 (SRO1), Land Subject to Inundation Overlay (LSIO), Floodway Overlay (FO), Buffer Area Overlay Schedule 1 (BAO1).</p>
Why is a permit required?	<p>35.07-1 (FZ) - Use of land for the purpose of a utility installation</p> <p>35.07-4 (FZ) - Construct a building or construct or carry out works for any use in</p>



Key Information	Details
	<p>Section 2 of Clause 35.07-1.</p> <ul style="list-style-type: none">- Construct a building within the 100m setback from a TRZ2.- Construct a building within the 5 metre setback from a boundary- Construct a building within the 60 metre setback from a waterway, wetland or designated floodplain. <p>36.04-1 (TRZ2) – Use of the land for the purpose of a utility installation.</p> <p>36.04-2 (TRZ2) – Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1.</p> <p>37.01-4 (SUZ1) – Construct or carry out buildings and works for a utility Installation.</p> <p>44.03-2 (FO) – Construct a building or carry out works.</p> <p>52.05-14 (Signs) – To construct or display business identification signage. Sign must not exceed 3sqm.</p> <p>52.17-1 (Native vegetation) - Remove native vegetation.</p>
Cultural Heritage:	Amended Cultural Heritage Management Plan (CHMP) 17291 was approved on 26 March 2026.
Referral Authorities:	<ul style="list-style-type: none">- AusNet Services (Section 55 determining)- WorkSafe (Section 55 determining)- West Gippsland Catchment Management Authority (Section 55 recommending)- DEECA – Earth Resources Regulator (Section 55 determining)
Public Notice:	<p>Notice was given between 9 February 2026 and 9 March 2026.</p> <p>3 submissions including no objections have been received at the time of writing this assessment.</p>
Delegation:	Permission to determine under delegation received on 13 April 2026.
Recommendation:	Issue a planning permit subject to conditions.

Process and Documentation

Planning Process

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

Milestone	Date
Application lodgement	31 October 2025
Public notice	9 February 2026 - 9 March 2026

Project Background and Planning History

2. The BESS site portion of the subject site formed part of the land upon which the former Morwell Solar Farm proposal was sited, for which planning approval (PA2000928) was granted by the Minister for Planning on 11 January 2022.
3. The approval was for a solar energy facility and utility installation (battery and powerlines) including the removal of native vegetation, alteration of access to a Road Zone, Category 1 and construction and display of business identification signage. This approval also included underground cabling in Tramway Road. This permit has not been acted on.
4. A CHMP (no. 17291) associated with the solar farm proposal was approved on 18 June 2021. Development of the solar energy facility never commenced, however the planning permit remains live due to it being extended pursuant to s69 of the *Planning and Environment Act 1987*.

Decision Documents

5. The subject of this report is the decision documents (as advertised with the application and described below):

Decision Documents

- Cover letter, prepared by EMM Consulting Pty Ltd and dated 27 October 2025.
- Planning Report, prepared by EMM Consulting Pty Ltd, version 3 and dated 4 December 2025.
- Development Plans including:
 - Development Plans – Figures 1.1 – 1.7 prepared by EMM Consulting Pty Ltd dated between 18 July 2025 & 22 October 2025 (7 pages).
 - Australian Clean Energy - Morwell 500kV - Interconnection Design, prepared by ACE Power Pty Ltd & Queensland Power System Design (QPSD) Pty Ltd and dated 15 October 2025 (2 pages).
 - Utility-Scale Energy Storage Data Sheet, prepared by CSE Storage, version 1 and dated 1 December 2024 (2 pages).
 - Commercial Drawings Including Equipment, prepared by SMA Solar Technology AG and dated 10 February 2023 (2 pages).
 - Hazelwood Terminal Station 500kV South Switchyard Sections, prepared by AusNet Services, revision 15 and dated 21 April 2022 (1 page).
- Certificates of Title produced 30 June 2025.
- Acoustic Report, prepared by Renzo Tonin & Associates, revision 7 and dated 18 September 2025.
- Biodiversity Assessment, prepared by Ecology & Heritage Partners, version 2 and dated 21 October 2025.
- Fire Impact Assessment, prepared by Ecology & Heritage Partners, version 2 and dated 21 October 2025.
- Flood Impact Assessment, prepared by Northern Consulting Engineering, revision C and dated 17 October 2025.



Decision Documents

- Traffic Impact Assessment, prepared by Rytenskild Traffic Engineering, version 1 and dated 11 August 2025.
 - Landscape and Visual Impact Assessment, prepared by EMM Consulting Pty Ltd, version 3 and dated 24 October 2025.
 - Strategic Framework Plans from the Municipal Planning Strategy of the Latrobe Planning Scheme.
 - Head, Transport for Victoria consent for the application to be made in the TRZ2, dated 1 July 2025
-

Proposal

6. The application proposes the use and development of a 1000MW/4000MWh Battery Energy Storage System (BESS).
7. The project can be summarised as follows:
 - 876 containerised BESS, with approximate dimensions of 5.88 m (l) x 2.28 m (w) x 2.90 m (h).
 - 292 containerised inverters, with approximate dimensions of 6.06 m (l) x 2.44 m (2) x 2.90m (h).
 - Two on-site substations, located in the eastern part of the BESS facility, with one for each half of the BESS system, will feature switch rooms and transformers.
 - The BESS facility will also include the following:
 - A car parking area
 - A laydown area
 - Operations and maintenance buildings
 - Control rooms
 - Perimeter and internal security fencing (chain link style to a height of up to 2.5 metres)
 - Business identification signage in the form of two 1.5 sqm non-illuminated signs, one located at each site access point along Bonds Lane.
 - Water tanks, sized and located in line with CFA guidelines.
 - Primary and secondary (emergency) access to the BESS site are proposed from two new access points on Bonds Lane.
 - Underground 500 kV power transmission cables linking the substation on the BESS site with the Hazelwood Terminal Station, installed in trenches under the shoulder of Tramway Road, crossing Tramway Road twice, and entering the BESS and Hazelwood Terminal Station sites underground.
 - Augmentation of the existing terminal station via installation of dedicated receiving bays to facilitate transmission-cable terminations.
 - Removal of 0.170 hectares (ha) of native vegetation in the road reserve of Bonds Lane and on the Hazelwood Terminal Station site.

8. The applicant has provided the following concept plans and images of the proposal:

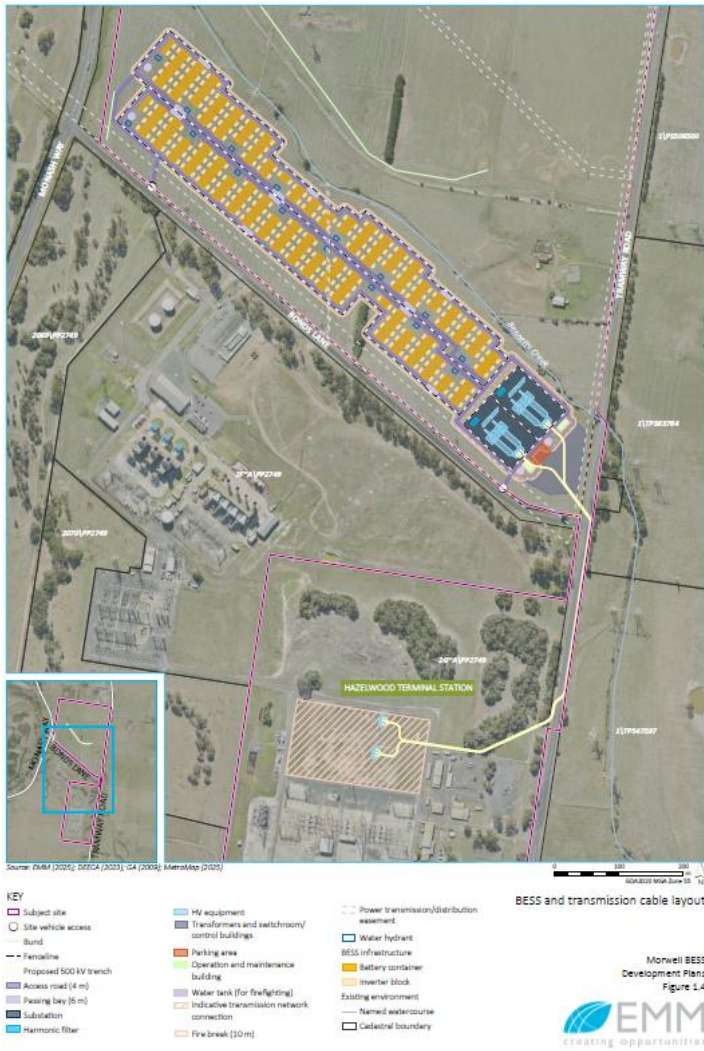


Figure 1: Proposed Morwell BESS indicative site layout. Source: Advertised documents.

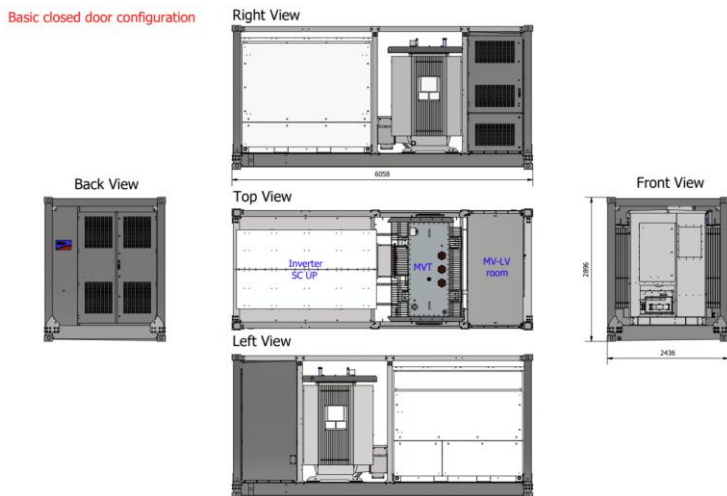


Figure 2: Elevation of the proposed BESS and associated infrastructure. Source: Advertised documents.



Subject Site and Surrounds

Site Description

9. The site is located in the locality of Hazelwood, in Latrobe City Council, in Gippsland's Latrobe Valley. The site is approximately 3.5 km south of Morwell and 138km east of Melbourne.
10. The site located within a Bushfire Prone Area (BPA).
11. The subject site is formally described as comprising the following land parcels:
 - Lot 1 TP79490 - 436 Tramway Road, Hazelwood North
 - N/A (unalienated Crown Land - Tramway Road (road reserve)
 - Allot. 2G Sec. A Parish of Hazelwood – 430 Tramway Road, Hazelwood North
12. The BESS site on the parcel at 436 Tramway Road abuts Tramway Road to the east, Bonds Lane to the south, and Monash Way to the west. The site is generally flat with a fall of approximately 10 m from south to north. Bennetts Creek runs parallel to Bonds Lane through the middle of the site, an ephemeral waterway that is generally dry.
13. The lot has a total area of approximately 74 ha, however only the part of the lot south of Bennetts Creek is proposed to be used for the BESS, which has an area of approximately 19 ha.
14. The site has historically been used for agricultural grazing and contains farm sheds with planted windbreak vegetation and access tracks, including existing unsealed crossovers to Tramway Road north of Bennetts Creek, and Bonds Lane opposite the vehicle entrance to the Jeeralang power Station.
15. A 66kV distribution line runs adjacent to Bonds Lane inside the southern boundary of the site. Local distribution powerlines also run along the eastern boundary adjacent to Tramway Road and across the northeast third of the site running adjacent to Bonds Lane and Bennetts Creek.
16. Tramway Road is a sealed single-carriageway arterial road on the principal road network running in a north-south direction. It is an unalienated Crown land reserve with a width of approximately 20 m under the management of the Head, Transport and Planning (Gippsland Region).
17. Hazelwood Terminal Station is operated by AusNet on land at 530 Tramway Road, approximately 490 m south of the BESS site. The site includes a range of energy transmission infrastructure and equipment, perimeter fencing and planting vegetation screening views from Tramway Road, with a number of high voltage overhead transmission lines crossing into the site from the east and west. The land is generally flat, and features clusters of planted vegetation in its northern and eastern setbacks, screening views from Monash Way and Tramway Road.

18. Figure 3 below provides details regarding the locations of easements and encumbrances, including their purpose, beneficiaries, and intersection with the project footprint.

Easement reference	Purpose	Land Benefited/In favour of	Project layout intersects with easement (Y/N)	Location
E1	Powerline	State Electricity Commission of Victoria	N	11.27 m wide easement running from north-west to south-east across northernmost third of allotment.
E2	Powerline	State Electricity Commission of Victoria	Y	25 m wide easement abutting southern title boundary of BESS site
E3	Powerline	State Electricity Commission of Victoria	N	Easement at junction of E1 and E4
E4	Powerline	State Electricity Commission of Victoria	Y	3 m wide easement running from Bonds Lane north to Bennetts Creek
E5	Powerline	State Electricity Commission of Victoria	N	Easment at junction of E1 and E6
E6	Powerline	State Electricity Commission of Victoria	N	9.5 m wide easement abutting Tramway Road
E7	Powerline	State Electricity Commission of Victoria and The Shire of Morwell	N	6 m wide easement, effectively a northern extension of E6

Figure 3: Easements and encumbrances. Source: Advertised documents.

19. There are no covenants or restrictions on any of the titles that would prohibit the proposed use or development of the land for a BESS.

Site Surrounds

20. The subject site is situated within an area predominantly used and developed for industrial and farming purposes.

21. To the north, the BESS site abuts an area used and developed with heavy industry and infrastructure related to coal mining and power production including the Morwell Terminal Station, Latrobe Valley BESS (PA2101132) and the former Morwell Power Station. Hazelwood North Solar Farm (PA2302383) has also been approved approximately 2.3 km north of the site.

22. To the south, the BESS site abuts Bonds Lane, a sealed local road. Immediately to the south of this is the Jeeralang A and B Power Station and Wooreen BESS (currently under construction). Hazelwood Terminal Station, location of the proposed transmission cable network connection, is approximately 490 m south of the BESS site. To the south of this land is farmland at 600 Tramway Road, containing a single dwelling.

23. Tramway Road runs in a north-south alignment abutting the eastern boundary of the BESS and Terminal Station sites. To the east of Tramway Road, pastoral farmland characterises the landscape. A number of dwellings are located across this land, particularly along Church Road to the north. The closest dwellings to the proposed BESS are approximately 550 m north-east of the site at 30 Church Road, and the next closest



is 865 m to the south-east at 545 Tramway Road. Hazelwood North Primary School is situated at 121 Church Road, approximately 1 km to the east of Tramway Road.

24. West of the subject site, adjacent to the BESS site, is land accommodating the Longford-Melbourne underground high-pressure gas pipeline. Further west in this location is Monash Way, a sealed arterial road. West of Monash Way is a large expanse of land associated with the former Hazelwood Power Station. Further south and west of the Hazelwood Terminal Station, is a large expanse of cleared farmland featuring a number of overhead transmission powerlines extending from the Jeeralang Power Station and Hazelwood Terminal Station.
25. A site inspection of the subject site and surrounds was undertaken on 5 May 2026. Images of the site and surrounds are shown in Figures 3 - 8.



Figure 3: Subject site as viewed east from Bonds Lane.



Figure 4: View along Bonds Lane, looking northeast to the subject site abutting Tramway Road.



Figure 5: View along Bonds Lane, looking west toward the subject site on the right. The land on the southeastern side (left) comprises the proposed Wooreen Battery Energy Storage System (BESS), currently under construction.



Figure 6 : View towards the Tramway Road and Bonds Lane intersection, showing the subject site to the left and the proposed Wooreen BESS site to the right.



Figure 7: View from Tramway Road at the intersection with bonds Lane.



Figure 8: View from the subject site along Bonds Lane, looking south toward the proposed Wooreen BESS.

Referrals

26. The application was referred to the following authorities under section 55 of the *Planning and Environment Act 1987* (PE Act), as summarised below:

Organisation	Referral Type	Clause	Response Date	Response	DTP Officer Comment
WorkSafe	Determining	66.02-7	06/01/26	No objection, subject to conditions requiring: <ul style="list-style-type: none"> - Risk Management Plan - Fire Management Plan - Emergency Response Plan all in line with CFA guidelines - The applicant must engage Energy Safe Victoria (ESB) regarding the high-pressure gas pipeline. - The applicant must consult with the owner of the high-pressure gas pipeline. - The applicant must undertake a safety assessment. 	These conditions have been included on the permit.
AusNet Services	Determining	66.02-4	04/12/25	No objection, subject to conditions requiring: <ul style="list-style-type: none"> - Details of any proposed development or use of the AusNet easements. - Buildings and structures are not permitted on AusNet easements without prior written approval. - Vehicle access by AusNet to remain available. - Vegetation planted on the AusNet easement must not exceed 3 metres. - Future works within the easement must be approved by AusNet prior to the commencement of works. 	These conditions have been included on the permit.
West Gippsland	Recommending	44.03-6	10/04/26	No objection, subject to conditions requiring:	These conditions and



Organisation	Referral Type	Clause	Response Date	Response	DTP Officer Comment
Catchment Management Authority				<ul style="list-style-type: none">- An updated flood impact assessment- A waterway management plan- A stormwater management plan- S173 agreement stipulating that:<ul style="list-style-type: none">- A waterway management plan (WMP) and stormwater management plan (SMP) as amended and updated to the satisfaction of WGCMA- The current and future owner(s) of all lots in plan of subdivision must comply the requirements of the WMP and SMP.- The current and future owner(s) of all lots in plan of subdivision must keep a copy of this WMP and SMP at all times.- Permit note requiring all works within 50 metres of a designated waterway require a Works on Waterways permit from WGCMA issued under the <i>Water Act 1989</i>. <p>On 14 May 2026, WGCMA confirmed its agreement to replace the condition which required a Section 173 Agreement, with the following conditions:</p>	permit note have been included on the permit.



Organisation	Referral Type	Clause	Response Date	Response	DTP Officer Comment
				<ul style="list-style-type: none">- Rehabilitation to exclude the stabilisation and vegetation works undertaken in accordance with the Waterway Management Plan, which are to be retained following decommissioning.- The requirement for annual monitoring and reporting. This reporting must demonstrate, to the satisfaction of WGCMA, that the maintenance and management actions outlined in the Waterway Management Plan are being effectively implemented.	
DEECA – Earth Resources Regulator	Determining	66.04	21/04/26	<p>No objection. Recommended permit notes include:</p> <ul style="list-style-type: none">- The infrastructure that forms part of this referral should have regard to, and employ any or all relevant fire risk management plan requirements to minimise fire risk arising from Coal mining.- Advice should be sought in relation to any licencing requirements from the Essential Services Commission where electricity is generated under a	These permit notes have been included on the permit.



Organisation	Referral Type	Clause	Response Date	Response	DTP Officer Comment
				separate licence to that issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	

Public Notice

27. In accordance with Section 52 of the PE Act, public notice of the application was given between 9 February 2026 and 9 March 2026. Notice was given in the following manner:

Section of PE Act:	Notice was given to:	Given by:
52(1)(a)	Owners and occupiers of adjoining land	Permit applicant
52(1)(b)	Latrobe City Council	DTP
52(1)(c)	N/A – The scheme does prescribe any notice	
52(1)(d)	In accordance with section 52(2) of the PE Act, notice under 52(1)(d) was given in the following ways:	Given by:
52(2)(a)(ii)	Notice was given in the Latrobe Valley Express for one issue.	Permit applicant
52(2)(a)(iii)	Owners and occupiers of all land within 1 km of the project boundary	Permit applicant
52(2)(b)	<ul style="list-style-type: none"> – Country Fire Authority (CFA) – Fire Rescue Victoria (FRV) – Energy Safe Victoria (ESV) – Emergency Management Victoria – Head, Transport for Victoria (TfV) – Gunaikurnai land and Waters Aboriginal Corporation – VicGrid – VicTrack 	DTP

28. 3 submissions (including no objections) have been received at the time of writing this report.

29. As of 28 May 2026 no submission has been received from the Latrobe City Council.

Submissions

30. Three submissions were received from government agencies and authorities (who were not referral authorities under s55 of the PE Act), as summarised below:

Submitter	Date received	Summary of submission	DTP Officer Response
Country Fire Authority (CFA)	17/03/2026	No objection, confirmed that the project site was within FRV's area.	The comments received from the CFA have been noted.
Fire Rescue Victoria (FRV)	23/03/2026	<p>No objection, and recommended conditions requiring the preparation of:</p> <ul style="list-style-type: none">– Amended plans to be prepared to show any changes required to comply with FRV conditions.– A Risk Management Plan– Emergency Management Plan– Fire Management Plan– Emergency Information Book <p>Recommended conditions also require:</p> <ul style="list-style-type: none">– Before the arrival of battery energy storage system enclosures/containers at the facility, the fire hydrant system must be installed and commissioned.– All fire protection measures shown on the endorsed plans must be implemented before the use starts. <p>On 21 April 2026, FRV confirmed that they were agreeable to amend the wording of condition 6 from “before the arrival of battery energy storage system enclosures/containers at the facility, the fire hydrant system must be installed and commissioned” to “before the installation of any specific battery energy storage system enclosures/containers at the facility, the relevant fire hydrant system to</p>	The recommendations have been incorporated into the conditions of the permit.



Submitter	Date received	Summary of submission	DTP Officer Response
The Head, Transport for Victoria (Head, TfV)	11/02/2026	service that enclosure/container at its installed location must be installed and commissioned."	<p>DTP acknowledges that Head, TfV's no objection submission does not imply approval of the proposed transmission cable alignment.</p> <p>A condition of the planning permit will require that a Traffic Management Plan be approved by the relevant road management authority (or authorities), to ensure the involvement of the Head, TfV in its preparation.</p> <p>A permit note will also be including to specify that separate consent under the Road Management Act 2004 is required for any works within the road reserve associated with the proposed transmission cable alignment.</p>
		<p>No objection, however Head, TfV notes that this no-objection does not constitute approval of the proposed transmission cable alignment. Separate consent under the Road Management Act 2004 is required for any works within the road reserve associated with this infrastructure.</p> <p>Head, TfV also requested to be included in any approvals for a Traffic Management Plan (TMP) to ensure any required upgrades at intersections are considered.</p>	

Assessment

Key Considerations

31. The Latrobe Planning Scheme (the scheme) contains policies and controls that guide the assessment of utility installations. These are found in the state, regional and local planning policies, the relevant zone and overlays, and other relevant provisions. The assessment below addresses the relevant sections of the planning scheme while having regard to the matters which must be considered in accordance with Section 60 of the PE Act.

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

- Strategic policy context and planning controls
- Whether the proposal responds to the vision and strategic directions of the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF)
- Suitability of the land use in the FZ and impacts on agricultural land
- Suitability of the land use in the TRZ2 and SUZ1
- Suitability of the proposal against the relevant overlays and particular provisions
- Biodiversity and native vegetation impacts
- Bushfire risk and emergency management
- Vehicle access, road and traffic considerations
- Amenity impacts in terms of noise, light spill, visual impact and construction impacts
- Flooding and hydrology impacts

Permit Triggers

33. A planning permit for the project is triggered by the following clauses of the Latrobe Planning Scheme (the scheme):

Clause	Permit Trigger
35.07-1	Use of the land for the purpose of a utility installation.
35.07-4	Construct a building or construct or carry out works for any use in Section 2 of Clause 35.07-1. Construct a building within the 5 metre setback from a boundary. Construct a building within the 60 metre setback from a waterway, wetland or designated floodplain. Construct a building within the 100m setback from a TRZ2.
36.04-1	Use of the land for the purpose of a utility installation.
36.04-2	Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1.
37.01-4	Construct or carry out buildings and works for a utility Installation.
44.03-2	Construct a building or construct or carry out works.



Clause	Permit Trigger
52.05-14	To construct or display a business identification sign. Sign must not exceed 3sqm.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.

34. There are no works proposed in the LSIO, BMO, SRO1 or BAO1 that trigger a permit.

Strategic Direction and Policy Context

35. Overall, the Purpose and Vision for Victoria (Clause 01), Municipal Planning Strategy (Clause 02) and the Planning Policy Framework (PPF) of the scheme encourage the development of energy storage projects to support responses to climate change, on balance with the protection of the environment, communities and agricultural land. In particular, Clause 01.01 (Purposes of this Planning Scheme) identifies that a key purpose of the scheme is “to support responses to climate change”.

36. The project is supported by Plan for Victoria (2025), which seeks to ensure that ‘Regional Victorian communities will attract and benefit from investment in renewable energy – wind, solar and battery storage – projects’.

37. Additionally, *Victoria’s Renewable Energy Action Plan, 2018* and *Victoria’s Climate Change Strategy, 2021* both outline the importance of renewable energy generation and battery storage projects in Victoria’s renewable energy transition.

Municipal Planning Strategy (MPS)

38. An assessment against the relevant objectives and strategies of the Municipal Planning Strategy (MPS) of the scheme is provided in the table below:

Clause	Description	Assessment
02.01	Context	<p>The MPS acknowledges the Latrobe local government area is characterised as a rural landscape currently experiencing economic restructuring to align with changes to Victoria’s power production sectors. Latrobe is now recognised as one of Victoria’s four Major Regional Cities made up of four central towns: Churchill, Moe-Newborough, Morwell and Traralgon, which combined for a ‘networked city’. The four central towns are supported by small and district townships. The rural landscapes of Latrobe are diverse ranging from traditional broadacre farming landscapes to rural residential settlements to pristine natural environments.</p> <p>The vision for Latrobe City seeks to support the equitable diversification of Council’s economic base and transition toward a low emissions future and have a natural environment that is nurtured and respected.</p> <p>Additionally, the strategic directions of the MPS seek to:</p> <ul style="list-style-type: none"> – Protect and enhance biodiversity values, habitats and natural ecosystems. – Balance development with the protection of the natural environment. – Reduce bushfire risk through various bushfire protection measures.
02.02	Vision	
02.03	Strategic Directions	
02.04	Strategic Framework Plans	



Clause	Description	Assessment
		<ul style="list-style-type: none"> – Enhance agricultural viability while managing land use in fragmented rural areas. <p>The proposed BESS has generally been sited to protect the key biodiversity values on site, respond to bushfire risks and ensure the continued use of the site for grazing uses.</p> <p>The application will provide for a \$1.3B project within the municipality.</p> <p>Conditions of the recommendation will require additional protection of the sites retained environmental values during construction.</p> <p>Consultation with the FRV, including their recommended conditions will ensure that the risk of fire on the site is appropriately managed.</p> <p>The use is discretionary in the FZ, however, is considered appropriate as a BESS of this scale could not reasonably be located within an urban zone.</p>

Planning Policy Framework

39. An assessment of the project against the relevant objectives and strategies of the PPF is provided in the table below:

Clause	Description	Assessment
Clause 12 Environment and Landscape Values		
12.01-1S	Protection of biodiversity	<p>Clause 12 focuses on the protection of ecological systems, native vegetation, biodiversity, and identified environments or landscapes. Where possible, the project has avoided impacts to ecological values, including:</p> <ul style="list-style-type: none"> – The project is able to entirely avoid flora and fauna impacts by designing the BESS and transmission cable to avoid scattered trees. – The impact of up to 0.170ha of native vegetation removal limited expected at the BESS site for a vehicle crossing. – Avoiding direct impacts to waterway systems, including Bennetts Creek. – The siting of the project within a highly modified landscape. <p>Refer to the biodiversity section of the report below for a more detailed discussion of these matters. Conditions of the recommendation will further minimise impacts to biodiversity values during construction.</p>
12.01-1L	Protection of biodiversity	
12.01-2S	Native vegetation management	
12.05-2S	Landscapes	<p>As discussed in more detail in the Landscape and Visual Impact section of this assessment, it is considered that the colour matching of infrastructure to the landscape where possible will be affective at minimising views towards the proposed infrastructure.</p>
Clause 13 Environmental Risks and Amenity		
13.02-1S	Bushfire	

Clause	Description	Assessment
13.02-1L	Planning in the Bushfire Management Overlay	The facility has been developed in accordance with the <i>CFA's Guidelines and Model Requirements for Renewable Energy Facilities</i> (the CFA Guidelines) to appropriately respond to bushfire risks. Refer to the bushfire section of the report for additional information.
13.03-1S	Floodplain management	The application is supported by a Flood Impact Assessment which undertook flood modelling for a range of Annual Exceedance Probability (AEP) flood events. The assessment found that the site could be designed to avoid flooding impacts. Conditions provided by the West Gippsland CMA have been included in the recommendation to ensure that the final design of the facility minimises flood risk to an acceptable level. Refer to the hydrology section of the report for additional information later on in this report.
13.03-1L	Floodplain management	
13.05-1S	Noise management	<p>The application is supported by a Noise Assessment demonstrating that compliance with the EPA Noise Protocol can be achieved.</p> <p>Conditions of the recommendation will require the preparation of a final predictive noise assessment, measuring impacts of the final chosen BESS units.</p> <p>Refer to the noise section of the report below for additional information and assessment.</p>
13.07-1S	Land use compatibility	As discussed further on in this assessment, the proposed use is considered acceptable with appropriate mitigations in place, on balance with the generation and storage of renewable energy.
13.07-1L	Land use compatibility	As discussed further on in this assessment, the proposed use is considered acceptable with appropriate mitigations in place, on balance with the generation and storage of renewable energy.
Clause 14	Natural resource management	
14.01-1S	Protection of agricultural land	<p>The development will not impact agricultural activities on surrounding land as it is noted that only the BESS site is located on farming land, which has only been used for grazing for many years. Furthermore, the BESS will occupy only a limited portion of the overall site. As a result, the majority of the land will remain available for ongoing agricultural use, ensuring that the development does not significantly constrain the site's existing rural function.</p> <p>Additionally, conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the BESS ceases operations, to ensure that the land continues to remain suitable for agricultural uses into the future.</p> <p>Refer to the agricultural section of the report below for additional discussion.</p>
14.01-1R	Protection of agricultural land - Gippsland	



Clause	Description	Assessment
14.02-1S	Catchment planning and management	<p>The development avoids altering the flow of surface water across any property boundaries through the use of bunding, and continues to allow the creek to function “as temporary storage to moderate peak flows and minimise downstream impacts”.</p> <p>The development is located outside the extent of the 1% AEP flood event under the 2100 climate change scenario. Furthermore, the proposal avoids direct impacts on waterway systems, with all buildings set back a minimum of 30 metres from the centreline of Bennetts Creek. While the relevant strategy recommends a 50-metre setback, a 30-metre setback is considered appropriate in this instance, as it is supplemented by a proposed 10-metre-wide vegetated swale. This swale will reduce stormwater volume, slow flow velocities, and filter sediments and pollutants prior to discharge.</p> <p>The proposed setback and stormwater management measures support the objectives of Clauses 14.02-1S and 14.02-2S, which seek to protect and enhance the environmental values of waterways and their in-stream uses. In addition, conditions provided by the West Gippsland Catchment Management Authority (CMA) have been incorporated into the recommendations to mitigate flood risk. These conditions include a requirement for a Works on Waterways permit for any works undertaken within 50 metres of a designated waterway.</p>
14.02-2S	Water Quality	
14.03-1S	Resource exploration and extraction	<p>The project infrastructure is highly modular and transportable, and none of the buildings or works proposed have a high degree of permanency. The proposed BESS infrastructure consists of modular, surface-mounted equipment that can be readily decommissioned and removed. As such, the proposed utility installation could be removed if extraction of material below the site was deemed a more profitable land use, and therefore accords with the direction under the clauses to discourage incompatible uses or developments in coal resource areas.</p>
14.03-1R	Resource exploration and extraction – Gippsland Coal Resource	
14.03-1L	Coal resources	
Clause 15 Built Environment and Heritage		
15.01-6S	Design for rural areas	<p>The proposal seeks to ensure development in rural areas respects valued landscape character, avoids visual intrusion, and is sympathetically integrated into its surroundings.</p> <p>The project sits within the context of a rural and energy infrastructure precinct and with a height of just over 3 metres above natural ground level across most of its area, is of a low profile relative to the scale of surrounding vegetation, landscape features and existing infrastructure.</p>
15.01-6L	Design for rural areas	
Clause 17 Economic Development		
17.01-1S	Diversified economy	

Clause	Description	Assessment
17.01-1R	Diversified economy – Gippsland	The proposed BESS meets the objectives of Clause 17 by creating jobs during the construction and operation of the facility, supporting the rural economy to grow and diversify.
17.01-1L	Diversified economy	
Clause 19 Infrastructure		
19.01-1S	Energy supply	The proposal is consistent with the relevant PPF which support the renewable energy led transition to a low-carbon economy with reduced greenhouse gas emissions. The proposed facility is estimated to store approximately 1,000 megawatt (MW) / 4,000 megawatt hour (MWh) of electricity. The proposed BESS will also assist the delivery of power during peak times to the network to meet community demand for energy needs.
19.01-1R	Energy supply - Gippsland	
19.01-2S	Renewable energy	

40. Overall, the proposal is consistent with the relevant planning policies within the MPS and PPF.

Zoning and Overlays


Farming Zone (FZ)

41. The relevant purpose of the FZ is to:

- 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.

42. Having regard to the relevant decision guidelines at Clause 35.07-6, the proposed use and development is appropriate outcome in the FZ as follows:

- The proposal efficiently makes use of existing infrastructure and services, being co-located with the Hazelwood Terminal Station, enabling direct connection to the electricity grid without the need for extensive new transmission infrastructure. The site is also well connected to the arterial road network.
- The site is located within the West Gippsland Catchment Management Authority (WGCMA) area and is subject to the West Gippsland Regional Catchment Strategy (2021-2027). The project is consistent with the goals presented in this strategy, as it involves minimal disturbance to the land surface, avoids waterways and areas of biodiversity significance.
- The proposal will remove 12 ha of grazing land from agricultural production, however this is not a permanent loss and is not land of outstanding quality. Further, the majority of adjoining land to the west and south is developed for infrastructure purposes. The project will not affect soil quality, and the site can be returned to its existing condition when the BESS ceases use.

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- The siting and low-profile design of the BESS site infrastructure minimises visual and environmental impacts and materials and colours will be selected to reduce visual contrast with the landscape. Additional discussion of the visual impacts of the project is contained in the further sections of the report.
 - The proposed use and development of the site has considered potential fire hazards and incorporates safety design recommendations in accordance with CFA guidelines, including fire breaks, site access and appropriate separation.
 - The traffic impacts of the construction and use of the facility are discussed further in the relevant section of this report and are acceptable subject to standard conditions.
 - The proposal is expected to create 150 direct jobs during the construction stage and there is expected to be around 10 full time staff responsible for the operations and maintenance of the facility, encouraging long-term regional employment opportunities.

Transport Zone 2 (TRZ2)

43. The relevant purpose of the TRZ is to:

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

44. Having regard to the relevant decision guidelines at Clause 36.04-5, the proposed use and development is appropriate outcome in the TRZ2 as follows:

- The proposal involves limited temporary works to the principal road network. These works support the delivery and operation of the BESS and are compatible with the function of TRZ2 as part of the state's transport network.
- Additionally, as part of the application, a letter prepared by DTP, Transport dated 10 October 2025 confirmed consent to lodge the application in accordance with clause 36.04-3.
- No sensitive or incompatible uses are introduced, and the works do not compromise the broader operation of the transport system.
- Overall, the proposal is consistent with the purpose of the TRZ2, enabling essential infrastructure while maintaining the safe and efficient functioning of the declared road network.

Special Use Zone 1 (SUZ1)

45. The relevant purpose of the SUZ is to:

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

46. Having regard to the relevant decision guidelines at Clause 37.01-2, the proposed development is appropriate outcome in the SUZ as follows:

- The proposed buildings and works abut an area used and developed with heavy industry and infrastructure related to coal mining and power production as mentioned previously. The SUZ is in place to strategically protect the brown coal resource and power industry as well as facilitate development for uses that directly support these industries including the transmission and distribution of electricity.



- The proposal does not affect areas of architectural, historic, scientific or scenic significance recognised in the Latrobe Planning Scheme, and is visually consistent with the surrounding energy infrastructure. The project does occupy land of legislated Heritage Sensitivity. CHMP 17291 has been prepared to evaluate and manage Aboriginal cultural heritage.
- The proposal does not constrain the sequential development of brown coal resources as the infrastructure is modular, surface-mounted, and can be easily removed at the conclusion of the project's life.
- The proposal will have no adverse impact on adjacent agricultural uses, as it does not introduce sensitive receptors.

Floodway Overlay (FO)

47. The relevant purpose of the FO is to:
- *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 ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*
48. The FO is applied to a strip of land on the site with a variable width of approximately 35 metres running generally along Bennetts Creek on the BESS site.
49. Having regard to the relevant decision guidelines at Clause 44.03-7, the proposed use and development is appropriate outcome in the FO as follows:
- The submitted Flood Impact Assessment (FIA) has been produced for the proposed development based on the best-available data, including from local floodplain managers. The proposed development has responded to the recommendations of the Assessment as discussed in the hydrology section below.
 - The FIA has been prepared in consultation with the West Gippsland CMA. In particular, the flood modelling scenarios are based on the 211 SSP3 climate change scenario as requested by WGCMA.
 - The following strategies are considered to be relevant to this application:
 - Victorian Waterway Management Strategy 2013
 - West Gippsland Floodplain Management Strategy 2018-2027
 - West Gippsland Regional Catchment Strategy 2021-2027
 - The proposal is consistent with the above strategies in that it seeks to provide a net benefit to the health of Bennetts Creek. All electrical infrastructure is set back at least 30 metres from the centreline of the creek, and the course of the creek (although ephemeral) will not be interrupted by the proposed development.

Land Subject to Inundation Overlay 1 (LS1O1)

50. A small area of land in the western part of the BESS site is affected by the Land Subject to Inundation Overlay (LSIO), as shown in Figure 9 below.
51. The proposed land use and development are located wholly outside the areas affected by the LSIO1. A planning permit is therefore not required under this control.

Bushfire Management Overlay (BMO).

52. The southwest corner of the Hazelwood Terminal Station site is affected by the BMO, as shown in Figure 9 below.
53. The proposed land use and development are located wholly outside the areas affected by the BMO. A planning permit is therefore not required under this control.

State Resource Overlay 1 (SRO1).

54. The relevant purpose of the SRO1 is to:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To protect areas of mineral, stone and other resources, which have been identified as being of state significance, from use and development that would prejudice the current or future productive use of the resource.*
55. Section 1.0 of Schedule 1 to Clause 44.07 includes the following statement of resource significance:
...the Gippsland Coalfields provide a secure long term energy source for base load power generation in Victoria, as well as providing an unique opportunity for other related significant developments.
56. Section 2.0 of Schedule 1 to Clause 44.07 includes the following management objective:
In order to ensure the medium to long term extraction and use of the coal resource for power generation, building, works and subdivision of land over the resource should be of a type that will not inhibit, by way of community significance or cost of removal, the eventual productive use of that resource.
57. Neither the use or development of land under the overlay requires a planning permit.

Buffer Area Overlay 1 (BAO1)

58. The area within 35 metres of the western boundary of the BESS site is affected by the Buffer Area Overlay (BAO1).
59. The purpose of Clause 44.08 include:
- *To identify buffer area where there is potential for off-site impacts on human health or safety, or significant off-site impacts on amenity, from industry, warehouse, infrastructure or other uses.*
 - *To ensure that use and development within buffer areas is compatible with potential off-site impacts.*
60. Schedule 1 to the overlay, "Major Pipeline Infrastructure", notes that the overlay protects a licences, high pressure pipeline and that "changes in land use and increases in development activity may pose threats to the pipeline, through penetration or puncture, and increase the consequences of pipeline failure."
61. Schedule 1 has the following objectives:
- *To identify the location of licenses pipelines and the region where impacts from pipeline failure are greatest.*
 - *To ensure that land use and development around pipelines is appropriately designed and sited to minimise risks.*
 - *To protect the integrity of licenced pipelines.*
62. Clause 3.0 of Schedule 1, "Use of land", requires a planning permit for a number of land uses, but not for a Utility Installation.
63. Clause 5.0 Schedule 1, "Buildings and works", requires a planning permit to construct a building or construct or carry out works associated with a use listed in Clause 3.0, and to construct two or more dwellings on a lot.
64. A utility installation is not a use listed under Clause 3.0, therefore a planning permit is not required.




Figure 9: Zoning and Overlays Map (advertised Planning Report, EMM Consulting Pty Ltd, 2025)

Particular and General Provisions

Clause 52.05 – Signs

65. The application proposes two small non-illuminated business identification signs at the gateway of the BESS facility. The business identification signage is proposed in the form of two 1.5 sqm non-illuminated signs, one located at each site access point along Bonds Lane.

66. Pursuant to clause 52.05-14, a permit is required to display business identification signage, noting the total display area must not exceed 3m².

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67. The location and scale of the signs is considered acceptable to the size of the facility and the character of the surrounding landscape. Support structures are minimal and will visually integrate with the sign panels, avoiding any impact on nearby landscape features or impact on road safety.
68. As such, the signs are considered to meet the objectives and decision guidelines of clause 52.05.

Clause 52.06 - Car parking

69. Clause 52.06 (Car parking) seeks to ensure that an appropriate number of car parking spaces is provided for new uses.
70. Pursuant to clause 52.06-6, car parking must be provided to the satisfaction of the responsible authority. Car parking is discussed further below.
71. The applicant has proposed parking will be provided to the satisfaction of the responsible authority.

Clause 52.17 (Native vegetation)


72. The application seeks the removal of up to 0.170 ha of native vegetation, including Plains Grassy Forest EVC in the road reserve of Bonds Lane and on the Hazelwood Terminal Station site.
73. Pursuant to clause 52.17-1 of the Latrobe Planning Scheme, a permit is required to remove, destroy or lop native vegetation.
74. The purpose of clause 52.17 is:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Energy, Environment and Climate Action, 2025) (the DEECA Guidelines):

- 1. Avoid the removal, destruction or lopping of native vegetation.*
- 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

75. The location of the proposed native vegetation to be removed can be found at Figure 2e of the Biodiversity Assessment.
76. As the site is located with Location 1, and the application proposes the removal of 0.170 ha of native vegetation, the application falls under the basic assessment pathway of the DEECA Guidelines.
77. Furthermore, the removal requires an offset of 0.045 General Habitat Units (GHUs) with a minimum Strategic Biodiversity Score of 0.354, including no large trees, which must be secured from the Latrobe Shire Council area or the West Gippsland CMA.
78. The Biodiversity Assessment contains the avoid and minimise statement for the project. The design and development of the facility has avoided and minimised impacts to native vegetation by:
- Siting most of the project components in cleared agricultural land;
 - Locating site access points to minimise native vegetation impacts.
79. DTP officers recommend that permit conditions are included requiring the following:
- Amended plans showing the location of retained and removed vegetation and protection measures
 - Native vegetation fencing
 - Offset of removed vegetation
 - Preparation of a construction environment management plan (CEMP).



80. With these conditions included on the permit, the application is considered to meet the decision guidelines of clause 52.17 and the DEECA Guidelines. Refer to additional discussion of biodiversity matters further on in this assessment.

Clause 53.22 (Significant Economic Development)

81. 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.
- To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

82. This application is a Category 1 application at clause 53.22-1. As such it is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the PE Act.

Other Matters

Agricultural Impact

83. The proposal is consistent with Clauses, 14.01-1S (Protection of agricultural land), 14.021-1R (Protection of agricultural land – Gippsland) and 14.01-1L-01 (Preservation of agricultural land in the Farming Zone) which seek to protect the state’s agricultural base by preserving productive farmland.

84. It is noted that of the land forming the subject site, only the BESS is located within the Farming Zone (FZ) which has only been used for grazing for many years.

85. The BESS site infrastructure will be surface-mounted and non permanent allowing for the land to be returned to agricultural use without significant remediation.

86. The proposed development footprint is compact and occupies the southern part of the BESS site which is already separated from the remaining part of the lot by Bennetts Creek. The development footprint avoids fragmentation of viable agricultural lots, and the proposed Utility Installation is not a use that would constrain agricultural operations on adjoining land.

87. The project has evolved from the earlier Morwell Solar Farm proposal approved in 2021, which covered an area of approximately 100 hectares, to now only cover an area of 12 hectares (for the BESS component).

88. Use of the Tramway Road corridor for the transmission cable also reduces the project’s total impact on agricultural land.

89. Given the context of the site within a heavily modified energy infrastructure precinct and the inherent necessity of co-location of the proposed use with existing uses on the surrounding land, the project is not considered to result in the unplanned or irreversible loss of productive agricultural land.


90. Conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the BESS ceases operations, to ensure that the land remains suitable for agricultural use into the future.

Bushfire Risk

91. The subject site is located within a Bushfire Prone Area (BPA) and partially in the Bushfire Management Overlay (BMO).

92. Clause 13.02-1S (Bushfire planning), 13.02-1L-01 (Planning in the Bushfire Management Overlay), 13.02-1L-02 (Bushfire prone areas) requires the consideration of bushfire risk to strengthen the resilience of settlements and communities and prioritise the protection of human life.

93. The application is supported by a Fire Risk Assessment which has been prepared in accordance with the CFA’s *Design Guidelines and Model Requirements: Renewable Energy Facilities* (the CFA Guidelines).

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94. The risk assessment found that both the risk posed to the project from off-site fire sources and the potential risk the project presents to its surrounds can be managed to an acceptable level, if the risk mitigation measures specified are implemented.
95. The project has incorporated bushfire mitigation measures in its design including:
- All-weather access roads with passing bays
 - Static water supplies at both site entry points
 - Compliant fire detection and suppression infrastructure
 - Fire breaks
 - Use of containerised BESS and inverter units incorporating internal fire suppression and safety systems.
 - Ongoing maintenance programs for the life of the facility (e.g. vegetation management)
96. Notice of the application was given to FRV who did not object to the application, subject to conditions that have been included in the recommendation requiring:
- Amended plans to be prepared to show any changes required to comply with FRV conditions.
 - A Risk Management Plan
 - Emergency Management Plan
 - Fire Management Plan
 - Emergency Information Book
97. Recommended conditions also require:
- Before the installation of any specific battery energy storage system enclosures/containers at the facility, the relevant fire hydrant system to service that enclosure/container at its installed location must be installed and commissioned.
 - All fire protection measures shown on the endorsed plans must be implemented before the use starts.
98. DTP submits that with FRV's conditions, the appropriately responded to the bushfire risk.

Noise

99. Clause 13.05-1S (Noise management) requires the consideration of noise effects on sensitive land uses, including the consideration of the noise requirements of the Environment Protection Regulations under the *Environment Protection Act 2017 (EP Act)*.

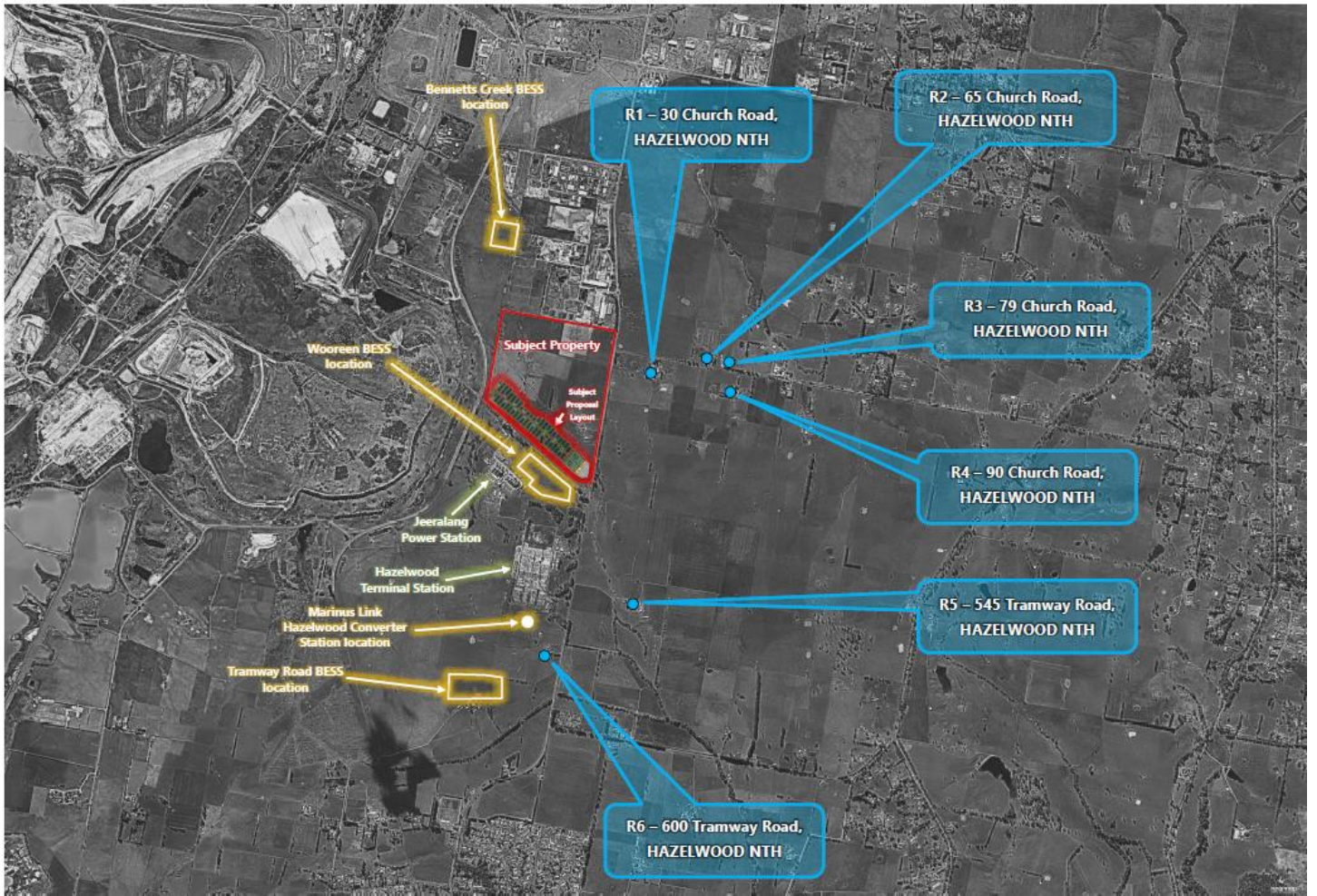


Figure 10: Project area and nearest noise receivers (Figure 1 of Acoustic Report, Renzo Tonin & Associates 2025)

100. The application is supported by an Acoustic Assessment prepared by Renzo Tonin & Associates and dated 18 September 2025. The acoustic assessment has been prepared in accordance with EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.

101. The assessment adopted a conservative approach by assuming the continuous operation of the facility with all equipment running at full capacity as well as including cumulative impacts from the existing impacts from the following planned and existing infrastructure:

- The planned (and approved) Wooreen BESS currently under construction.
- The planned Bennetts Creek BESS
- The planned Tramway Road BESS
- The proposed Marimus Link Hazelwood Converter Station

102. Six noise-sensitive receivers are within the vicinity of the site are shown in Table 1 (all of which are located in the Farming Zone), with noise monitoring undertaken at the following locations as shown in Table 1 below:

ID	Address	Approximate distance to closest noise source associated with the Proposal	Zone
R1	30 Church Road, HAZELWOOD NTH VIC 3840	800 metres	Farming Zone 1 (FZ1)
R2	65 Church Road, HAZELWOOD NTH VIC 3840	1160 metres	Farming Zone 1 (FZ1)
R3	79 Church Road, HAZELWOOD NTH VIC 3840	1260 metres	Farming Zone 1 (FZ1)
R4	90 Church Road, HAZELWOOD NTH VIC 3840	1230 metres	Farming Zone 1 (FZ1)
R5	545 Tramway Road, HAZELWOOD NTH VIC 3840	1190 metres	Farming Zone 1 (FZ1)
R6	600 Tramway Road, HAZELWOOD NTH VIC 3840	1480 metres	Farming Zone 1 (FZ1)

Note: As noise reduces with distance, assessment of noise levels at these dwellings also addresses noise impacts at more distant dwellings.

Table 1 – Noise Sensitive Receivers (Table 1 of Acoustic Report, Renzo Tonin & Associates 2025).

103. The predicted noise levels at the identified representative sensitive receivers are assessed against the most stringent night-time criterion. Table 2 shows the predicted noise levels and margin of compliance with the relevant night criteria. Demonstrating compliance at night ensures compliance during the day and evening periods as well.

Dwelling ID	Predicted noise levels, L_{eq} dB(A)	EPA Pub. 1826-P1 recommended night-time noise limit (most stringent), L_{eq} dB(A) ¹	Complies?
R1	33	36	✓
R2	27	36	✓
R3	27	36	✓
R4	28	36	✓
R5	26	36	✓
R6	23	36	✓

Notes 1. Noise limit for each receiver adjusted in accordance with clause 2.2 of EPA Publication 1826 Part I

Table 2 – Predictive Noise Levels from BESS Operations (Table 8 of Acoustic Report, Renzo Tonin & Associates 2025).

104. On the basis of the assessed configuration, it is considered that the proposal with respect to operational and construction noise and vibration and can operate, without the need to incorporate acoustic mitigation (i.e. noise barriers), continuously and at full capacity without adverse acoustic impact on residential amenity.

105. As discussed above, a review of the noise impact assessments for the Wooreen BESS, Bennetts Creek BESS, Tramway Road BESS and Marinus Link Hazelwood Converter Station was undertaken, and presented in the Acoustic Assessment. The predicted results have been utilised to assess the cumulative noise impacts of these existing and planned industry. The key sensitive receivers are 30 Church Road (R1) and 545 Tramway Road (R5), which has been used as representative of the most affected sensitive receivers.

106. The predicted individual contributions to receivers R1 and R5 of the project, as well as those for the existing and planned industry are shown in shown in Table 3 below.



Receiver ID and address	Predicted noise contribution from individual projects					Cumulative predicted noise level Leq dB(A)	EPA Pub. 1826-P1 night noise limit, Leq dB(A)
	Morwell BESS	Wooreen BESS	Bennett's Creek BESS	Tramway Road BESS	Marinus Link		
[R1] 30 Church Road	33	31	34	21 ²	16 ²	38 (✓)	38
[R2] 545 Tramway Road	26	32	30 ¹	27	22	36 (✓)	38

- Notes
1. Based on prediction for 3 Bridge Water Drive, being a similar distance from noise source.
 2. Based on prediction for 545 Tramway Road, plus distance attenuation (-6 dB reduction as a conservative approach).

Table 3 – Night Noise Limits for Cumulative Impacts (Table 10 of Acoustic Report, Renzo Tonin & Associates 2025).

107. Compliance at the two most affected sensitive receivers for the most stringent assessment period (i.e. night) is predicted.
108. Furthermore, compliance with the Noise Protocol, including the design and specification of any noise mitigation measures, will be dependent on and need to be based on the final project design and equipment selection, which would be determined at the detailed design stage. As such, a condition has been included in the recommendation requiring the proponent to complete a final predictive noise assessment demonstrating that the final infrastructure chosen and final design will comply with the protocol. A note will also be included on the permit explaining that the facility must comply with EPA Publication 1826.5.
109. Construction related noise impacts will be required to comply with all relevant construction noise guidelines and be managed under the Construction Environment Management Plan (CEMP), which is recommended as a condition.

Landscape and Visual Impact

110. The application is supported by a Landscape and Visual Impact Assessment (LVIA) prepared by EMM Consulting Pty Ltd, dated 24 October 2025 to assess the potential visual impacts of the proposal, within a visual study area extending 2km from the subject site in all directions.
111. The existing visual environment surrounding the proposal is characterised by historic and ongoing rural land uses on a landscape with gently rolling topography with Hazelwood Terminal Station directly south of the project area, Loy Yang Power Station to the east and the now decommissioned Hazelwood Power Station to the west. The open cut coal mine pit and pondage adjacent to the former Hazelwood Power Station are also major landscape features. Within the landscape character assessment boundary, three landscape character zones (LCZs) were identified, with these and the proposal's described as follows:



LCZ	Name	Landscape sensitivity	Magnitude of impact	Landscape character impact
LCZ01	Mining and industrial	<p>Low</p> <ul style="list-style-type: none"> The landscape is highly modified with clearing of native vegetation and presence of cropping, agricultural structures, dwellings, roadways and railway. The landscape elements that contribute to its quality will remain the same. The project is not predicted to impact any key landscape features. 	<p>Low</p> <ul style="list-style-type: none"> The extent of the visible Project infrastructure will be minor in relation to the LCZ. 	Low
LCZ02	Urban residential and commercial	<p>Low</p> <ul style="list-style-type: none"> Human modification of the landscape defines this LCZ with dwellings, commercial buildings, roadways and supporting infrastructure. The LCZ has a high capacity to absorb change. 	<p>Low</p> <ul style="list-style-type: none"> The project infrastructure is not expected to be visible from this LCZ. Any views that may be obtained be from this LCZ will narrow and overlooking land in LCZ01. 	Low
LCZ03	Rural agriculture and residential	<p>Low</p> <ul style="list-style-type: none"> The landscape's natural state has been significantly altered by clearing. This LCZ has a high visual absorption capacity and low visual sensitivity. 	<p>Low</p> <ul style="list-style-type: none"> The project will result in a small reduction in the total area of this LCZ. However, the location of the reduction is west of Tramway Road and surrounded by LCZ01. 	Low

Table 4 – Landscape Character Zones (Table 5.1 of Landscape and Visual Impact Assessment, EMM Consulting Pty Ltd 2025).

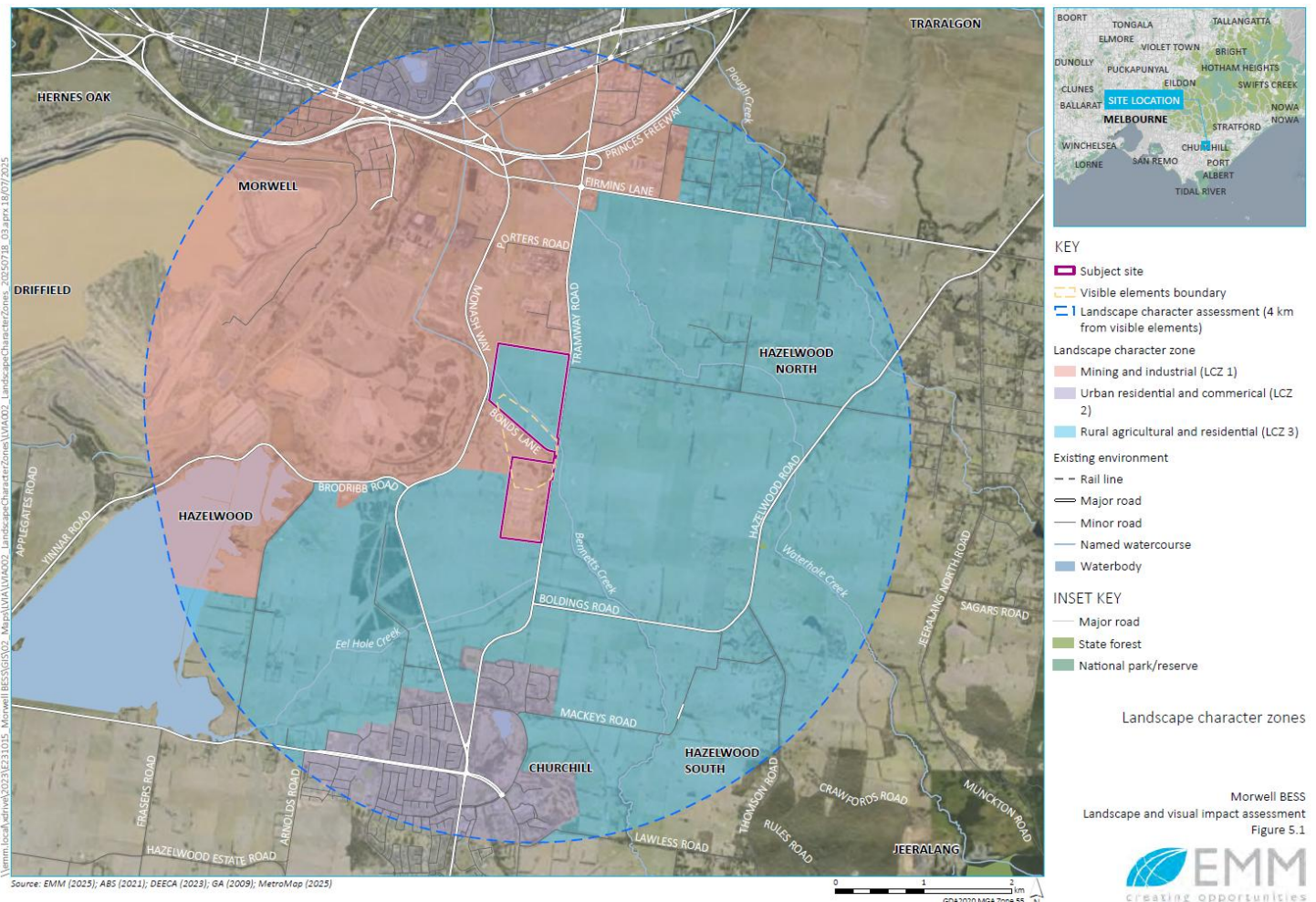


Figure 11 – Landscape Character Zones (Landscape and Visual Impact Assessment Acoustic Report, EMM Consulting Pty Ltd 2025).

112. Within the visual study area, 13 non-associated private receivers and seven public viewpoints were identified. The visual impact for all assessed public viewpoints and private receivers has been rated as low or very low. The LVIA concluded that:

- There will be no significant visual impacts caused by construction of the proposal.
- Seven public viewpoints were assessed.
 - One (VP-01, on Tramway Road north of Bonds Lane) received a low visual impact rating
 - Six public viewpoints received a very low visual impact rating.
- 25 private receivers in the visual study area were assessed:
 - Two (R1 and R5) received visual impacts ratings of low
 - Eight private receivers (R7, R11, R12 and R19-R23) will have no visual impact because terrain will prevent views of the proposal.
 - The remaining 15 private receivers were assessed as having possible views of the proposal with a very low visual impact.

113. It should also be noted the LVIA excludes project elements that are part of the Hazelwood Terminal Station located south of Bonds Lane. Due to the magnitude of existing infrastructure, together with it being set back behind other infrastructure and existing mature vegetation, these elements will result in a




negligible increase in visible infrastructure of scale and type similar to that already at the site. Because of its location and form, the visual impact of this infrastructure will not be significant.

114. As visual impacts have been rated as low or very low, the LVIA does not recommend the use of any mitigation measures to resolve visual impacts from the project, for example through landscape screening treatments. The LVIA does recommend however, the colour matching of infrastructure to the landscape where possible and that existing vegetation be retained where possible to maintain existing levels of screening.
115. Overall, it is considered that the proposal will have an acceptable level of visual impact, on balance with the benefits of the provision of an energy storage facility. The surrounding landscape to the south is already modified with existing electrical infrastructure from surrounding energy generation.
116. Conditions of the permit will require the colours and finishes of all buildings be non-reflective and of natural/muted tones to minimise visual impact.


Traffic and Car Parking

117. Clause 18.01-1S (Land use and transport integration), 18.02-4S (Roads) and 18.02-4L (Road system), the FZ, TRZ2 clause 65.02 all require consideration of access and traffic impacts relating to the proposed use and development.
118. The application is supported by a Transport Impact Assessment (TIA) prepared by Rytenschild Traffic Engineering, dated 11 August 2025 which considers the traffic impacts of the proposed facility on local and state roads during construction and operation, including car parking demand of the facility.
119. The TIA estimated the total number of construction and operational traffic movements required for the development and found that these can be supported from the surrounding principal road network (i.e. Monash Way and Tramway Road) via two new access points located at either end on the Bonds Lane (local road) frontage, without the need for signalisation or upgrading of existing intersections.
120. Access points to the site are proposed to be constructed in accordance with VicRoads Standard Drawing SD 2066A- *Typical Rural Driveway Access to Residential Properties – Type C*, with a temporary extension to the primary access point required during construction to accommodate Oversize-Overmass (OSOM) vehicle movements. The existing native vegetation in this location has been considered lost for the purposes of the Biodiversity Assessment discussed below.
121. In accordance with Clause 52.06-6, the provision of car parking for the proposed facility must be provided to the satisfaction of the responsible authority.
122. Final car parking design will also be confirmed through a condition requiring detailed design and is expected to comply with Clause 52.06 and Australian Standard AS2890.1. Further recommendations for a Traffic Management Plan will be required to address temporary car parking areas during construction, which the TIA anticipates can be wholly accommodated on-site.
123. The TIA estimates that approximately 2 heavy vehicles, 21 OSOM vehicles and 120 light vehicles are expected during peak construction activities, that is to accommodate up to 150 construction workers and occur across a 12 month peak construction period. The largest vehicles that will access the site will be OSOM vehicles at 30 metres in length associated with the delivery of the HV transformers, inverters and battery containers.
124. The majority of traffic generated by the proposed development will be generated during construction/installation phases associated with trade persons, facility staff and deliveries. During the future operational phase, the level of traffic generated will be significantly reduced due to the low employee intensity requirements of the facility.
125. Head, Transport for Victoria (The Head TfV) reviewed the application documents and did not object to the facility. As discussed above however, Head, TfV noted that their no-objection does not constitute approval of the proposed transmission cable alignment. Separate consent under the Road Management Act 2004 is required for any works within the road reserve associated with this infrastructure.

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126. Head, TfV also requested to be included in any approvals for a Traffic Management Plan (TMP) to ensure any required upgrades at intersections are considered.
 127. As of 28 May 2026, the Latrobe City Council has not made a submission regarding the planning permit application.
 128. Furthermore, the proposed vehicle access and traffic impacts from the facility are accepted. Conditions will require a Traffic Management Plan to be approved in consultation with the Latrobe City Council and the Head, Transport for Victoria to ensure adequate consultation with the relevant road authorities for the site.

Biodiversity

129. Clause 12.01-1S (Protection of biodiversity), Clause 12.01-1L (Protection of biodiversity) and Clause 12.01-2S (Native vegetation management), seek to protect and enhance Victoria's biodiversity.
130. The application was accompanied by a Biodiversity assessment prepared by Ecology and Heritage Partners dated 21 October 2025.
131. Several patches of native vegetation and scattered native trees were recorded within the study area. However, the majority of the study area comprised introduced and planted vegetation, present as pasture grass and ornamental gardens.
132. Native vegetation in the study areas is representative of one EVC: Plains Grassy Forest (EVC 151). Eighteen patches of Plain Grassy Forest were identified within the study area in varying condition, divided into the following three habitat zones:
 - Habitat zone PGF1 consisted of several small strips of wetland vegetation within an artificial drainage line on the northern side of Bonds Lane, abutting the southern boundary of the BESS site.
 - Habitat zone PGF2 consisted of only remnant Red Stringybark *Eucalyptus macrorhyncha* over a primarily exotic grassy ground layer, along Tramway Road and on the immediately-adjacent land within the Hazelwood Terminal Station site.
 - Habitat zone PGF3 occurred low-quality patches of a relatively sparse cover of native grasses, within the central and western parts of the Hazelwood Terminal Station site.
133. The design of the proposed BESS was refined following the site survey, to ensure the identified native vegetation in habitat zones PGF1 and PGF2 is completely avoided.
134. However, the proposal will nevertheless result in the unavoidable loss of up to 0.170ha of the Plains Grassy Forest EVC in the road reserve of Bonds Lane and on the Hazelwood Terminal Station site.
135. In the case of Bonds Lane, this cannot be avoided due to the prevalence of native vegetation along this boundary, along with the need for the crossover to avoid existing electricity transmission pylons, and to maintain an adequate setback from the intersection with Tramway Road.
136. In the case of the Hazelwood Terminal Station site, this could not be avoided due to the existing layout of the terminal station, which can only be augmented northwards to support the cable connection. It is noted the design, location and extent of the terminal station's extension footprint is entirely determined by AusNet, which must comply with the Electricity Safety Act 1998 and associated regulations.
137. It is noted that the proposal will follow the "basic assessment pathway" as the vegetation impact is <0.5ha and the study site falls within a Location Category 1. Furthermore, the removal requires an offset of 0.045 General Habitat Units (GHUs) with a minimum Strategic Biodiversity Score of 0.354, which must be secured from the Latrobe City Council area or the West Gippsland CMA.
138. The Biodiversity Assessment contains the avoid and minimise statement for the project. The design and development of the facility has suitably avoided and minimised impacts to native vegetation by:
 - Site chosen due to its strategic location in the landscape, as the BESS facility is located on farming property that is within 500 metres of the Hazelwood Terminal Station.
 - Access points into the BESS facility from Bonds Lane being repositioned following the biodiversity field assessment, as they would have intersected Plains Grassy Forest EVC patches if retained in their preliminary positions.


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139. DTP recommends conditions relating to pre-construction works including:
- Preparation of a Construction Environmental Management Plan
 - Protecting retained native vegetation
 - Securing native vegetation offsets.

Hydrology

140. As mentioned previously, the site is affected by the Floodway Overlay which applies to a strip of land running generally along Bennetts Creek on the BESS site.
141. The application is supported by a Flood Impact Assessment (FIA) prepared by Northern Consulting Engineers and dated 17 October 2025. The report assesses the potential flood and stormwater impacts of the proposed Morwell BESS and provides guidance to support future drainage and stormwater design.
142. A detailed rain-on-grid model of the BESS site was created, having regard to the observed size of culverts on the site, to model a 1% AEP (under both historic and 2100 climate change scenario) flood event and the impacts of this caused to, and by, the proposed development of the BESS.
143. The FIA concluded that the proposal does not generate any actionable or adverse flood impacts offsite and does not result in increased flood hazard.
144. Pursuant to section 55 of the PE Act and Clause 44.03-6 of the Latrobe Planning scheme, the West Gippsland Catchment Management Authority (WGCMA) was referred the application. After consultation between the proponent and the WGCMA, they responded on 14 May 2026 with conditional approval.
145. The recommended conditions relate to pre-construction works including the preparation of:
- An updated flood impact assessment
 - A waterway management plan
 - A stormwater management plan
 - Annual monitoring and reporting to demonstrate, to the satisfaction of WGCMA, that the maintenance and management actions outlined in the Waterway Management Plan are being effectively implemented.
146. Further the recommended permit note relates to the following:
- All works within 50 metres of a designated waterway require a Works on Waterways permit from West Gippsland Catchment Management Authority issued under the Water Act 1989. This includes (but is not limited to) all works undertaken as part of a waterway management plan and stormwater management plan within 50 metres of a designated waterway.
147. It is considered that the recommended conditions and permit note provided by WGCMA appropriately addresses any stormwater impacts as a result of the proposal and are to be included on any planning permit that is issued.

Dangerous Goods

148. The proposal includes the presence of dangerous goods on the site in the form of lithium-ion batteries. The estimated quantity of dangerous goods (lithium-ion batteries) exceeds the 'Fire Protection Quantity' under the Dangerous Goods (Storage and Handling) Regulations 2012. As such, a fire protections system must be established with regard to written advice from the emergency services authority.
149. As discussed above, FRV have reviewed the application documents and will inform the development of site-specific fire protection features through the preparation of management plans and ongoing consultation.
150. Exceeding the abovementioned Fire Protection Quantity also triggers a referral to WorkSafe Victoria as a determining referral authority under Clause 66.02-7 of the Latrobe Planning Scheme. On 6 January 2026, WorkSafe Victoria advised it does not object to a permit being granted for the proposal, subject to conditions.
151. WorkSafe's conditions that include preparation of a Fire Management Plan, Risk Management Plan and Emergency management Plan prior to the development have been included in the permit conditions.



152. Risks associated with the storage of dangerous goods are also managed under the relevant Dangerous Goods regulations.

Social and Economic Effects

153. Sections 60(1)(f) and 60(1B) of the PE Act require the responsible authority to consider any significant social effects the use or development may have, including having regard to the number of objectors in considering whether the use or development may have a significant social effect.

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

155. The use will also contribute to the enhancement of the electricity network by ensuring grid reliability during peak demand periods.

156. The proposal will have economic and social benefits for the local community through job creation and ensuring electricity network reliability. Off-site amenity (social) impacts can be addressed through various mitigation measures including noise attenuation, traffic management and siting in an area already used for electrical infrastructure.

157. It is considered that, on balance, the proposal achieves a net community benefit when balanced with its other social, economic and environmental outcomes.

Decommissioning

158. The future decommissioning of the proposed facility can be adequately addressed via permit conditions requiring a decommissioning management plan (DMP). These conditions will require

- The infrastructure to be removed from the site
- The land to be rehabilitated and reinstated to its prior condition to ensure that there is no permanent loss of agricultural land.
- To be prepared in consultation with Latrobe City Council.

Staging

159. Given the scale of the proposed project, conditions have been included on the permit to allow the use and development to be completed in stages, providing that the corresponding conditions/obligations are also satisfied at each stage.

Other Victorian and Commonwealth legislation

160. The subject of this report is the assessment of the project under the PE Act.

161. The table at Attachment 2 of this report provides an overview of the project's key approval and assessment requirements under other Victorian and Commonwealth legislation.



Recommendation

162. The proposal is consistent with the relevant planning policies of the Latrobe Planning Scheme and will contribute to the provision of energy storage within the Latrobe local government area.
163. The proposal is supported by the various referral agencies, subject to conditions which have been included in the recommendation.
164. It is recommended that Planning Permit No. PA2504027 for the use and development of the Morwell BESS project (as described in this report) be issued under delegation from the Minister for Planning, subject to conditions.
165. It is recommended that the following stakeholders be notified of the above decision in writing:
- Applicant
 - Latrobe City Council
 - Objectors
 - All submitters, including the following agency submitters:
 - CFA
 - FRV
 - Head, TfV
 - Referral authorities:
 - AusNet
 - WorkSafe
 - West Gippsland CMA
 - DEECA – Earth Resources Regulator



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 into the relevant electronic workspace.

Reviewed 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
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Approved by: [REDACTED]

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- No Conflict
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Attachment 1: Other Legislative Requirements

Act	Discussion
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	<p>Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on matters of national environmental significance (MNES), must be referred to the Commonwealth Minister for Environment and Water.</p> <p>The Biodiversity Assessment, prepared by Ecology & Heritage partner, dated 21 October 2025 determined that the proposed action is highly unlikely to have a significant impact of any matter of National Environmental Significance (NES). As such, a referral to Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.</p>
Environment Effects Act 1978 (EE Act)	<p>The EE Act requires the preparation of an Environmental Effects Statement (EES) for activities considered to have, or to be capable of having, a significant effect on the environment. <i>The Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978</i> (DTP 2023) outlines the criteria for referring a project to the Victorian Minister for Planning who will determine if an EES is required.</p> <p>Documentation in relation to the EE Act has not been submitted as part of the proposal. It is the responsibility of the proponent to determine whether a referral is required under the EE Act.</p>
Aboriginal Heritage Act 2006 (AH Act)	<p>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.</p> <p>The subject site includes areas of Aboriginal cultural heritage sensitivity, and thus a mandatory Cultural Heritage Management Plan (CHMP) is required. A CHMP was approved on 26 March 2026 by the Gunaikurnai Land and Waters Aboriginal Corporation. The application is consistent with the activity described in the CHMP.</p>
Flora and Fauna Guarantee Act 1988 (FFG Act)	<p>Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land. There are permit exemptions under the FFG Act which apply to the non-commercial removal of protected flora from private land, unless there is 'critical habitat' that has been declared on the land.</p> <p>The Biodiversity Assessment, prepared by Ecology & Heritage partners, dated 21 October 2025 determined that there are confirmed records of two species listed as Threatened and Generally Protected Flora (Spotted Gum and Giant Honey-myrtle) under the FFG Act. However, the study area is privately owned, and as such a permit under the FFG Act is not required if these species are removed as part of the development.</p>
Climate Action Act 2017 (CA Act)	<p>The purpose of the CA Act includes (but is not limited to):</p> <ul style="list-style-type: none"> – to facilitate the consideration of climate change issues in specified areas of decision making of the Government of Victoria; and,

Act	Discussion
	<ul style="list-style-type: none"> – to set policy objectives and guiding principles to inform decision-making under this Act and the development of government policy in the State. <p>Section 20 of the CA Act states that: <i>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.</i></p> <p>This assessment has had consideration of the policy objectives and the guiding principles of the CA Act.</p> <p>The project is anticipated to meet the evening peak demand needs for approximately 344,828 households.</p> <p>It is noted that the community were invited to be involved in the decision-making process via public notice under s52 of the PE Act.</p>
<p>Charter of Human Rights and Responsibilities Act 2006 (the Charter)</p>	<p>The Charter gives legal recognition and protection in Victoria to many important human rights, particularly civil and political rights. DTP is committed to upholding its responsibilities under the Charter.</p> <p>This planning application has been assessed in a manner that is compatible with the human rights identified in the Charter.</p>
<p>Transport Integration Act 2010 (TI Act)</p>	<p>The purpose of the TI Act is to create a new framework for the provision of an integrated and sustainable transport system in Victoria.</p> <p>The assessment of this planning application has had regard to the transport system objectives and decision-making principals of the TI Act.</p>



Department
of Transport
and Planning