

Little River Battery Energy Storage System
(BESS) – 405-455 Sandy Creek Road,
Little River

Department of Transport and Planning, March 2025

GREATER GEELONG PLANNING SCHEME

Incorporated Document

This document is an incorporated document in the Greater Geelong Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987



Department
of Transport
and Planning

1.0 INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 45.12 (Specific Controls Overlay) and Clause 72.04 (Documents Incorporated in this Planning Scheme) of the Greater Geelong Planning Scheme (the scheme) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

The land identified in Clause 2 of this document may be used and developed in accordance with the specific controls and conditions contained in Clauses 5 and 6 of this document.

The provisions of this document prevail over any contrary or inconsistent provision in the planning scheme.

This Incorporated Document includes Incorporated Plans endorsed under the Incorporated Document.

The Minister for Planning is the Responsible Authority for administering Clause 45.12 of the Planning Scheme with respect to this Incorporated Document except that:

- a. City of Greater Geelong (the Council) is the Responsible Authority for matters expressly required by the Incorporated Document to be endorsed, approved or done to the satisfaction of the Council; and
- b. City of Greater Geelong is the Responsible Authority for the enforcement of the Incorporated Document.

2.0 LAND DESCRIPTION

This document applies to the land at **405-455 Sandy Creek Road, Little River**, which is affected by SCO17 (shown on Greater Geelong Planning Scheme Map 07SCO) and identified generally at Figure 1 below. The land is described as Portion 59 within the Parish of Lara. The subdivision plan identifies the site under Title Plan 907204Q.

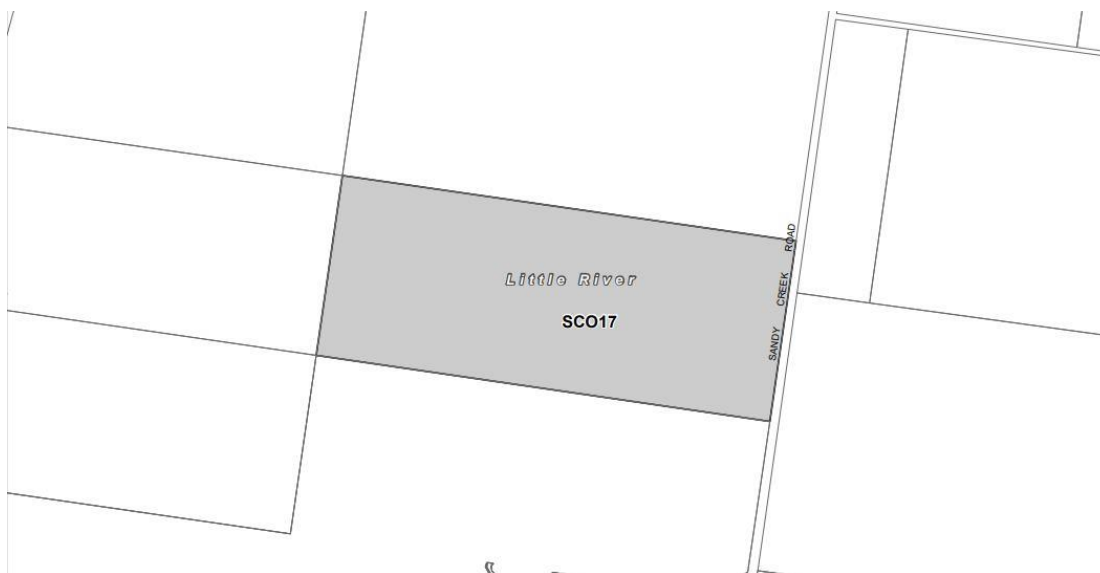


Figure 1 – Map of land subject to this Incorporated Document, labelled ‘SCO17’

3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the scheme, pursuant to Clause 45.12 of the scheme the land identified in the incorporated document may be used and developed in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail.

4.0 PURPOSE

The purpose of this incorporated document is to permit the subdivision, use and development of the land for a utility installation (Battery Energy Storage System (BESS)) facility generally in accordance with the plans approved in Clause 5.0 of this document and subject to the Clause 6.0 conditions of this document.

5.0 DETAILED DEVELOPMENT PLANS:

This document allows the use and development of the land for utility installation including battery energy storage system (BESS) facility, and subdivision of land and native vegetation removal for the purposes of the project set out in the detailed development plans endorsed under the conditions of this incorporated document.

Detailed development plans must be generally in accordance with the plans prepared by ACEnergy, titled 'Little River BESS' drawings numbered, issued and titled:

- G-1.1_022604 Issued 27/10/2024 Site Plan;
- G-1.2_022604 Issued 28/10/2024 Aerial Layout (2 of 2);
- G-2.1_022604 Issued 27/10/2024 Locality Diagram (1 of 2);
- G-2.2_022604 Issued 27/10/2024 Locality Diagram (2 of 2);
- G-3.0_022604 Issued 27/10/2024 Energy Storage Container Elevations;
- G-4.0_022604 Issued 15/08/2022 MVPS Elevations;
- G-6.1_022604 Issued 27/06/2023 Switching Station Elevations;
- G-6.2_022604 Issued 19/04/2023 Control Room Elevations; and
- G-7.0_022604 Issued 05/03/2022 Security Fence & Landscape Elevation.
- Plan of Subdivision PS915909R
- Landscape Concept Plan, Drawing No. LD3.1 – 3.4, Version B, prepared by Urban Initiatives and dated 2/12/2024

including any amendment of the plans that may be approved from time to time under the clauses of this document.

6.0 CONDITIONS

The following conditions apply to the use and development allowed by this incorporated document:

Detailed development plans

1. Before the development commences (including subdivision), amended plans to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning. When approved, the plans will be endorsed and will then form part of the incorporated plans for this document. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans listed at Clause 5, but modified to show:
 - a. Detailed location/site layout, floor, elevation and/or other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings, structures and works;

- b. The colours and finishes of all buildings and works, which must be non-reflective, and matched where possible to colours present within the surrounding landscape to minimise visual impact;
 - c. Setbacks dimensioned of all buildings, equipment and works from site boundaries and the 220kv powerline (and associated easements) traversing the site;
 - d. The BESS and MVPS containers and HV infrastructure be constructed no lower than 500 millimetres above the applicable 1% AEP flood level;
 - e. Detailed plans and elevations of the overhead power line and other grid connection works;
 - f. Any staging of the use and development, if relevant;
 - g. Landscaping, in accordance with the Landscape Plan required by condition 6;
 - h. Any noise mitigation measures required for the facility to comply with condition 20, fully dimensioned in plan and elevation;
 - i. Any changes required to comply with CFA conditions 33 to 35; and
 - j. Any development or design feature required to comply with any condition of this Incorporated Document.
2. The use and development as shown on the incorporated plans must not be modified or altered without the prior written consent of the Minister for Planning (unless the Greater Geelong Planning Scheme specifies that a permit is not required).

Plan of Subdivision

3. Concurrent with the endorsement and approval of development plans under condition 1, a plan of subdivision, including details of any easements, encumbrances, dimensions and total land areas for Lot 1 and Lot 2 must be submitted to and approved by the Minister for Planning.
4. The total number of lots must not exceed 2.
5. The plan of subdivision must not be altered or modified without the written consent of the Minister for Planning.

Landscaping

6. Before development starts, a Landscaping Plan prepared by a suitably qualified landscape architect must be approved and endorsed by the Minister for Planning. When endorsed, the plan will form part of the incorporated plans for this document.
The Landscaping Plan must be generally in accordance with the planting arrangements illustrated in the submitted Landscape Concept Plan, prepared by Urban Initiatives, dated 29/11/2024 and be amended to show:
 - a. Details and location of planting (including species, density, height at time of planting and maturity, and separation in both plan and elevation) to achieve visual screening of the facility from nearby roads, dwellings and You Yangs Regional Park;
 - b. Details of all ground surface finishes including internal access tracks, pathways, laydown areas, and driveways including how these areas will be maintained at a reasonable level.
 - c. The location of any vegetation to be protected on site.
 - d. A timetable for implementation of landscape works; and

- e. A maintenance and monitoring program to ensure the ongoing health of landscapeworks.
 - f. Additional screening along the site boundary of Sandy Creek Road looking north.
7. The landscaping works must be carried out and completed in accordance with the Landscaping Plan to the satisfaction of the City of Greater Geelong within the timeframe indicated in that plan.
 8. Once the landscaping is carried out, it must be maintained in good health for the operational life of the facility, including the replacement of any dead or diseased plants to the satisfaction of the City of Greater Geelong.
 9. Temporary stock-proof fencing must be provided around the landscaping if grazing is to occur during planting establishment, until the landscaping is sufficiently established to the satisfaction of the City of Greater Geelong.

Native Vegetation Management Plan and Offsets

10. Before development starts, a vegetation removal and management plan (including details of offset requirements) must be submitted, generally in accordance with the requirements set out in the Flora and Fauna Assessment prepared by Practical Ecology, dated January 2024.

Offset Requirement

11. To offset the removal of 0.069 hectares of native vegetation, the proponent must secure the following native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017):
 - a. A general offset of 0.015 general habitat units:
 - i. Located within the Corangamite Catchment Management Authority boundary or City of Greater Geelong municipal area
 - ii. With a minimum strategic biodiversity value of at least 0.293

Offset Evidence and Timing

12. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Minister for Planning. This evidence is one or both of the following:
 - a. credit extract(s) allocated to the project from the Native Vegetation Credit Register and/or
 - b. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site.

A copy of the offset evidence must be endorsed by the responsible authority and will form part of this Incorporated Document. A copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action (DEECA).

Monitoring and Reporting for Onsite Offset Implementation

13. In the event that a security agreement is entered into as per condition 11, the proponent must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Environmental Management Plan

14. Before development starts, an Environmental Management Plan (EMP) must be submitted to, approved and endorsed by the Minister for Planning. Once endorsed, the EMP will form part of the incorporated plans for this document.

The EMP must include:

- a. Measures to avoid and minimise amenity and environmental impacts during the operation and decommissioning of the facility;
- b. Measures to mitigate any consequential impacts on native vegetation retained on and off site, including tree protection zones;
- c. Design measures and/or procedures to manage dust, odour, light spill, mud, flood, surface water quality and stormwater runoff;
- d. Include response measures to environmental incidents, including a program for recording and reporting environmental incidents.
- e. Organizational responsibilities, and procedures for staff training and communication.

Construction Environment Management Plan

15. Before the development starts, a Construction Environmental Management Plan (CEMP) must be approved and endorsed by the Minister for Planning.

The CEMP must be prepared by an appropriately qualified environmental consultant and include:

- a. the environmental risk assessment prepared for the construction of the facility;
- b. measures to avoid and minimise amenity and environmental impacts during construction of the facility;
- c. procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834);
- d. procedures to manage mud and debris on the surrounding road network which may occur during construction;
- e. procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete;
- f. A construction timetable, including typical daily start and end times;
- g. the person(s) responsible for implementation and compliance of each of the CEMP requirements, including details of a site contact / site manager; and
- h. measures to protect native vegetation proposed to be retained during construction works. These measures must:
 - o include the erection of native vegetation protection fencing around all native vegetation to be retained (including tree protection zones), to the satisfaction of the responsible authority; and
 - o comply with Australian Standard 4970 Protection of Trees on Development Sites.

16. The EMP and CEMP must not be altered or modified without the written consent of the Minister for Planning.

17. The recommendations of the endorsed EMP and CEMP must be implemented to

the satisfaction of the City of Greater Geelong.

Drainage and Stormwater Management Plan

18. Before the development starts, a Drainage and Stormwater Management Plan (DSWMP) must be approved and endorsed by the Minister for Planning.

The DSWMP must include:

- a. Details (and computations) of how the works on the land are to be drained including drains conveying stormwater to the legal point of discharge.
- b. Details of how the drainage design affects the continuation of existing overland flowpaths and flood patterns across the land.
- c. Assessment of impacts of the development on onsite infiltration and surface water quality, including adjacent land and nearby waterways.
- d. Details on how polluted or contaminated run off is to be managed.

Control of Lighting

19. All lighting installed and operated at the site must comply with Australian Standard 4282: 2023 Control of the obtrusive effects of outdoor lighting.

Operational Noise

20. The use of the land must at all times comply with the EPA Victoria Publication 1826.4 (Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues).

21. Before the endorsement of development plans in accordance with condition 1, an updated Predictive Noise Assessment report must be provided to the Minister for Planning and must:

- a. model the final design layout and electrical components for the facility;
- b. demonstrate the proposal will comply with the EPA Victoria Publication 1826.4; and
- c. include detail of the mitigation measures that will be implemented to achieve compliance with EPA Victoria Publication 1826.4.

All measures relied on to achieve compliance with EPA Victoria Publication 1826.4, must be shown on the plans endorsed under condition 1, and implemented to the satisfaction of the Minister for Planning.

The Predictive Noise Assessment must be made available to the public.

22. Within three (3) months of the commencement of the use, a Post-Construction Acoustic Assessment Report must be prepared by a suitably qualified acoustic engineer and must be submitted to the Minister for Planning. The Post-Construction Acoustic Assessment Report must

- a. assess the compliance of the use with EPA Victoria Publication 1826.4;
- b. if necessary, make recommendations to limit the noise impacts in accordance with EPA Victoria Publication 1826.4. If recommendations to limit the noise impacts are made, they must be implemented to the satisfaction of the Minister for Planning; and
- c. be made available to the public

Traffic Management

Vehicle Access Points

23. Vehicle access points must be designed and located to the following standards, to the satisfaction of the relevant road management authority (or authorities):
- a. To the extent practicable, access points must be able to accommodate turning movements without vehicles encroaching onto the incorrect side of the road.
 - b. Safe sight distances must be provided.
 - c. Potential through traffic conflicts must be avoided.

Traffic Management Plan

24. Before development starts, a Traffic Management Plan (TMP) must be submitted to, approved and endorsed by the Minister for Planning. Once endorsed, the plan will form part of the incorporated plans for this document.

The TMP must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
 - b. specify measures to be taken to appropriately manage traffic impacts associated with the construction and operation of the facility;
 - c. identify the scheduling of all construction works;
 - d. designate appropriate construction and transport vehicle routes to the site;
 - e. designate vehicle access points to the site from surrounding roads;
 - f. include a program to inspect, maintain and (where required) repair public roads used by construction traffic; and
 - g. address coordination between construction traffic and school bus travel, if relevant.
25. The endorsed TMP must be implemented to the satisfaction of the City of Greater Geelong and relevant road management authority (or authorities).
26. Any proposed alteration or modification to the endorsed TMP must be approved by the relevant road management authority (or authorities) prior to submission to the Minister for Planning for endorsement.

Complaints

Complaint Investigation and Response Plan

27. Before development starts, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the Minister for Planning. Once endorsed, the CIRP will form part of the incorporated plans for this document.

The CIRP must:

- a. Respond to all aspects of the construction and operation of the BESS facility.
 - b. Be prepared in accordance with Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for Complaint Management in Organisations.
 - c. Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).
28. The endorsed CIRP must be implemented to the satisfaction of the Minister for Planning.

Publishing Information about Complaints Handling

29. Before development starts, the following information must be made publicly

available and readily accessible from the facility project website, or another publicly available resource to the satisfaction of the Minister for Planning:

- a. A copy of the endorsed CIRP; and
- b. A toll-free telephone number and email contact for complaints and queries to the BESS facility operator.

Complaints Register

30. Before development starts, a Complaints Register must be established which records:

- a. the complainant's name and address (if provided);
- b. a receipt number for each complaint, which must be communicated to the complainant;
- c. the time and date of the incident, and operational conditions at the time of the incident;
- d. a description of the complainant's concerns; and
- e. the process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.

31. All complaints received must be recorded in the Complaints Register.

32. The complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the Minister for Planning on each anniversary of the date of this Incorporated Document and at other times on request.

Country Fire Authority Conditions

33. Before plans are endorsed under condition 1, in consultation with the CFA, a Risk Management Plan must be submitted to, approved and endorsed by the Minister for Planning. The Risk Management Plan must be prepared in accordance with the CFA Guidelines, and:

- a. Describe the risks and hazards at the facility to and from the battery energy storage system and related infrastructure.
- b. Include dedicated fire water supplies:
 - iii. Of a quantity no less than 576kL (40L/s for four hours) effective capacity, to the satisfaction of CFA.
 - iv. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
 - v. Located in a position that is accessible without undue danger in an emergency, to the satisfaction of CFA.
 - vi. Commissioned prior to the arrival of the battery energy storage system enclosures/containers at the facility.
- c. Include an all-weather perimeter road, to the satisfaction of CFA.
- d. Include a minimum of two access points suitable for emergency vehicles into the facility, to the satisfaction of CFA.
- e. Specify the separation distance, based on radiant heat flux (output) as an ignition source, between:
 - vii. Adjacent battery containers/enclosures.

- viii. Battery containers/enclosures and related battery infrastructure, buildings/structures and vegetation.
 - f. List and describe all other controls for the management of on and off-site hazards and risks at the facility (including all proposed battery energy storage system safety and protective systems).
 - g. Provide an evidence-based determination of the effectiveness of the risk controls against the identified hazards, including justification for the omission of any battery safety and protective system/s.
 - h. Form the basis for the design of the facility.
34. Before plans are endorsed under condition 1, an Emergency Plan (EP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the Minister for Planning. The EP and FMP must be prepared in consultation with the CFA and be in accordance with the CFA Guidelines.
35. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. The fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the Minister for Planning.

City of Greater Geelong

36. All proposed infrastructure must be located at least 50 metres from the designated waterway running through the site.
37. The BESS and MVPS containers and HV infrastructure be constructed no lower than 500 millimetres above the applicable 1% AEP flood level.
38. All other critical electrical infrastructure must be constructed at least 500 mm above the natural ground level.

Weed Management Plan

39. Prior to the commencement of works, a Weed Management Plan must be submitted to and approved by the City of Greater Geelong. When approved this Weed Management Plan will form part of this permit. The plan must detail:
- a. Species and extent of weed infestation.
 - b. Current and/or proposed treatment methods.
 - c. Timeframes.
 - d. Any other relevant information

Once approved, the approved weed management plan must be implemented to the satisfaction of the City of Greater Geelong. Any non-compliance identified by the City of Greater Geelong must be rectified immediately and at no cost to Council.

Decommissioning

40. Once the facility permanently ceases operation, the responsible authority and City of Greater Geelong must be notified within three months.
41. Once the facility permanently ceases operation, all buildings and works must be removed from the site, and the site or the relevant part of the site must be rehabilitated and reinstated to the condition it was in prior to the commencement of development, unless otherwise agreed with the landowner, subject to the written consent of the responsible authority.

42. Within three months of the facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority.

The DMP must include, as a minimum:

- a. Identification of infrastructure, equipment, buildings, and structures to be removed, and details of how these will be removed.
 - b. Details of how the site will be rehabilitated to meet the requirements of condition 41
 - c. A requirement that a Decommissioning Traffic Management Plan (DTMP) be submitted to, approved and endorsed by the responsible authority prior to decommissioning works starting. The DTMP must be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority for endorsement. The DTMP must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site, to the satisfaction of the responsible authority.
 - d. A requirement that all decommissioning works identified in the DMP be completed to the satisfaction of the responsible authority as soon as practicable, but no later than 12 months after the DMP is endorsed, or such other period approved by the responsible authority.
43. The endorsed DMP must be implemented to the satisfaction of the Minister for Planning.

7.0 EXPIRY

The use and development of the land permitted under this Incorporated Document will expire if one of the following circumstances applies:

- a. The development is not commenced within four years from the date of the gazettal of Amendment C466ggee.
- b. The development is not completed within six years from the date of the gazettal of Amendment C466ggee.
- c. The use has not commenced within six years from the date of the gazettal of Amendment C466ggee.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within six months afterwards.

8.0 EXPIRY – Subdivision

The subdivision of the land permitted under this Incorporated Document will expire if one of the following circumstances applies:

- a. The plan of subdivision has not been certified under the *Subdivision Act 1988* within six years of the gazettal date of Amendment C466ggee
- b. A statement of compliance is not issued within six years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Minister for Planning for an extension of the periods referred to in this condition.

END OF DOCUMENT