



Regional Development Assessment Panel Related Information

Meeting Date and Time: Wednesday, 4 December 2024; 9:30am
Meeting Number: RDAP/30

PART C – SHIRE OF HARVEY

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 4 Runnymede Road and Lot 5 Wellesley Road North, Wellesley – Proposed Renewable Energy Facility (Battery Energy Storage System) – DAP/24/02747
 - 3.2 Lot 568 Paris Road, Australind – Service Station, Bulky Goods Showrooms, Recreation – Private, Liquor Store – small – DAP/24/02767



Attendance

Officers in attendance

Elizabeth Edwards (Manager Planning Services, Shire of Harvey)

Applicants and Submitters

Item Number 3.1

Dane Gaunt (Urbis)

Shane Durlík (Trina ISBU)

Mark Knox (Westsun Energy)

Dale Newsome (Western Environmental)

Item Number 3.2

Marc Scarfone (Element)



PART C – SHIRE OF HARVEY

1. Declarations of Due Consideration

2. Disclosure of Interests

Please note a standing declaration of interest, if the items on this agenda have been considered at the relevant local government council meeting, the local government DAP members acknowledge that in accordance with section 2.4.9 of the DAP Code of Conduct 2024 they have declared that they had participated in a prior Council meeting in relation an item being determined at this meeting. However, under section 2.1.2 of the DAP Code of Conduct 2024, they acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

3. Form 1 DAP Applications

3.1 Lot 4 Runnymede Road and Lot 5 Wellesley Road North, Wellesley – Proposed Renewable Energy Facility (Battery Energy Storage System) – DAP/24/02747

3.1.1 Deputations and Presentations

Dane Gaunt (Urbi) presenting in support of the recommendation for the application at Item 3.1. The presentation will address the planning merits and condition changes.

Shane Durlík (Trina ISBU) presenting in support of the recommendation for the application at Item 3.1. The presentation will address the background and progress of the project.

Mark Knox (Westsun Energy) presenting in support of the recommendation for the application at Item 3.1. The presentation will address the site selection and technical details.

Dale Newsome (Western Environmental) presenting in support of the recommendation for the application at Item 3.1. The presentation will address environmental reporting and future processes.

The Shire of Harvey may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

3.1.1 Additional Information

The Presiding Member notes an addendum to the agenda was published to include details of a DAP request for further information and responsible authority response in relation to Item 3.1, received on 2 December 2024 and 3 December 2024.



3.2 Lot 568 Paris Road, Australind – Service Station, Bulky Goods Showrooms, Recreation – Private, Liquor Store – small – DAP/24/02767

3.2.1 Deputations and Presentations

Mark Scarfone (Element Advisory) presenting in support of the recommendation for the application at Item 3.2. The presentation will address support for the officer recommendation with deletion of condition 13 and advice note 1.

The Shire of Harvey may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.



Presentation Request Form

Regulation 40(3) and DAP Standing Orders 2024 cl. 3.6

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **3 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Dane Gaunt
Company (if applicable)	Urbis Ltd
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Regional DAP
Meeting Date	04/12/2024
DAP Application Number	DAP/24/02747
Property Location	Lot 4 Runnymede Road and Lot 5 Wellesley Road North, Wellesley
Agenda Item Number	Part C - 3.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content <u>will be published</u> as part of the Agenda:	YES <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will the presentation require power-point facilities?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes, please attach
Will you be attending in person or via electronic means	In person <input checked="" type="checkbox"/> Online <input type="checkbox"/>



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> Planning merits and requested condition changes.
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In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document setting out the substance of the submission. If the presentation references documents that are contained within the responsible authority attachments, please consider referencing the attachment and not including a duplication of documents.

Please attach detailed content of presentation or provide below:-

[Click or tap here to enter text.](#)



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Presenter Details

Name	Shane Durlik
Company (if applicable)	Trina ISBU
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Regional DAP
Meeting Date	04/12/2024
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Property Location	Lot 4 Runnymede Road and Lot 5 Wellesley Road North, Wellesley
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Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> Proponent background and project progress
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Presenter Details

Name	Mark Knox
Company (if applicable)	Westsun Energy
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

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Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> Site selection and technical details.
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Presenter Details

Name	Dale Newsome
Company (if applicable)	Western Environmental
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

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Presentation Content*

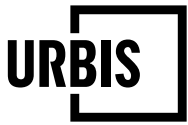
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Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> Environmental reporting and future processes.
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Please attach detailed content of presentation or provide below:-

[Click or tap here to enter text.](#)



BRIEFING NOTE

To: Regional Development Assessment Panel

Cc: Shire of Harvey Officers

From: Dane Gaunt

Email: dgaunt@urbis.com.au

Date: 01/12/2024

Subject: **Item 3.1 - Lot 4, Runnymede Road and Lot 5 Wellesley Road North, Wellesley – Proposed Renewable Energy Facility (Battery Energy Storage System) -DAP/24/02747**

Dear Regional DAP Members,

I refer to the above item, which is listed for consideration this Wednesday, 4 December 2024. We are pleased to receive the Responsible Authority Report's (RAR) recommendation for approval and thank the officers for their support for this project.

This memo provides further information regarding stakeholder engagement and the nature of the proposal with respect to the 'Strategic Proposal' referred to by the Environmental Protection Authority.

We are seeking DAP Members support to amend the following conditions:

Condition 3 – requiring the submission of detailed plans.

Condition 11 – requiring further approval for clearing native vegetation.

Conditions 13 & 14 – requiring an updated Environmental Noise Assessment and mitigation measures.

The following provides further background to this request.

PROPOSAL OVERVIEW & IMPORTANCE OF THIS SITE

Representing over \$400m in capital investment, the BESS will be one of the largest of its kind in Western Australia. The subject site was identified through a rigorous site selection process and was selected for several strategic reasons, including;

- Repurposing an already cleared 18.75Ha parcel of land.
- Close proximity to existing 330KV infrastructure, including transmission lines and Kemerton Terminal Station.

- Access to the site already accommodates heavy machinery haulage trucks and is in close proximity to Forrest Highway.
- A cleared parcel of land that can accommodate a BESS project up to 660MW/2640MWh, a significant addition to the SWIS network(one of the largest in WA).
- Through an iterative design process, appropriate separation has been established to ensure minimal vegetation clearing.
- An already cleared fire break that can accommodate an underground transmission-line alignment.

In recognition of its importance to the decarbonisation of the SWIS, the project has been allocated 'Critical Project Status' by Western Power and is considered to be of State Significance. Further details regarding the proposal are outlined in the presentation included at **Appendix A**.

CONTEXT

- The site is within the Kemerton Strategic Industrial Area (KSIA), a State Government initiative, and is associated with the region's growing industrial operations. DevelopmentWA manages Kemerton in partnership with the Department of Jobs, Tourism, Science and Innovation (JTSI),
- As part of the strategic considerations for KSIA, it is the subject of a Strategic Proposal with the Environmental Protection Authority (EPA) in collaboration with the Commonwealth Government. The Strategic Proposal aims to establish a coordinated approach for preserving environmental values and allocating offsets within the broader Kemerton Strategic Industrial Area. T
- This strategy aims to streamline the environmental approval process for individual proposals, eliminating the need for separate Federal and State approvals if they align with the Strategic Proposal. The plan will identify key environmental values that require protection across the entire estate and determine offsets for any necessary clearing within the area.
- DevelopmentWA is leading the Strategic Proposal with sponsorship from JTSI.

STAKEHOLDER ENGAGEMENT AND STRATEGIC PROPOSAL

Through our stakeholder engagement activities, the project team met with DevelopmentWA. We understand that the reporting associated with the Strategic Proposal has progressed, including identifying critical areas within which development should be avoided to maintain environmental values. Further, through our early discussions with key agencies involved in the progression of the Strategic Proposal, it is our understanding that the proposed development should not be impeded by the identification of these areas.

As a result of this suggestion, we understand that the subject site is not identified as an area in which development should be avoided.

The implementation of the project and associated environmental approval will, therefore, be consistent with Strategic Assessment outcomes (The Plan). No environmental approvals additional to or outside of the Strategic Assessment are proposed; therefore, in this context, it is not considered that the proposed development would prejudice the Strategic Proposal or be construed as implementing it.

CONDITION 3 – REQUIRING SUBMISSION OF DETAILED PLANS

Condition 3 currently states:

Prior to the commencement of works associated with the approved development or the issue of a Building Permit (whichever occurs first), detailed amended plans shall be submitted to, and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation and the Department of Biodiversity and Attractions. The detailed plans shall address the following:

- a) Realignment of the transmission lines to:*
- b) Avoid the Conservation Category Wetland UFI-1496*
- c) Avoid clearing of native vegetation*
- d) Native vegetation proposed to be cleared.*
- e) Inclusion of the proposed secondary access to ensure consistency with the Bushfire Management Plan.*
- f) Car parking for onsite operational personnel.*

A point of clarification is required regarding the commentary within the Responsible Authority Report (RAR) on the position of the Department of Biodiversity, Conservation and Attractions (DBCA) and the rationale for the wording in the Condition. In its referral response, the DBCA stated the following regarding Wetland UFI-1496:

The placement of the alignment should be reviewed to minimize intersection with the wetland values, with a preference to locate works in previously disturbed/cleared areas where possible.

Similarly, regarding the potential clearing of vegetation, DBCA states the following:

DBCA's preference is for this section of the transmission line to be realigned into existing cleared corridors such as along the existing track to the west or under the existing powerline to the east (see attached). It is considered that either of these alternative alignments would result in less clearing of significant vegetation than the currently proposed alignment and would minimise impacts on threatened flora and fauna.

Contrary to the RAR, neither of the above statements from DBCA suggests that the wetland and clearing of native vegetation must be avoided. Rather, the DBCA is encouraging the minimisation of any impacts on these environmental assets through

the potential realignment of the transmission corridor. This is something that the proponent is committed to investigating and is progressing currently.

The proposed methodology for installing the transmission line has been further developed, and the associated corridor has since been refined. The corridor outlined in the development application plans and considered through the Environmental Assessment Report (EAR) represents a worst-case scenario width of 20m. A preliminary design for the cable route has been produced, resulting in a significantly reduced corridor of 7.5m.

The reduction in the corridor width reduces the footprint required for transmission from 2.6ha to 0.8ha. The actual extent of clearing within this footprint is likely to be less due to the extent of vegetation within the corridor. Depending on the final alignment, the areas that are likely to include at least some degree of clearing are immediately south of the substation and the north-south connection between Lot 5 and the Western Power reserve.

A cross-section of the corridor based on the preliminary design is attached to this memo as **Appendix B**.

The proponent is committed to minimising any environmental impact from the proposal and will continue to refine the corridor width and alignment to achieve this outcome through the detailed design phase of the project.

In addition to the above, the proponent is in discussions with Western Power regarding the potential realignment of the corridor within Lot 5 to within the existing easement, as suggested by the DBCA.

Avoiding both the mapped wetland and any clearing in absolute terms is unlikely to be physically possible, and the condition as recommended would represent a de facto refusal.

Considering the above, it is respectfully requested that Condition 3 be modified to reflect the DBCA comments and provide flexibility regarding the final alignment of the transmission corridor. The requested modification is outlined below:

Prior to the commencement of works associated with the approved development or the issue of a Building Permit (whichever occurs first), detailed amended plans shall be submitted to, and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation and the Department of Biodiversity and Attractions. The detailed plans shall address the following:

- a) *Realignment of the transmission lines to:*
- b) *Minimise the impact on ~~Avoid the~~ Conservation Category Wetland UFI-1496*
- c) *Minimise ~~Avoid~~ clearing of native vegetation*
- d) *Native vegetation proposed to be cleared.*

- e) *Inclusion of the proposed secondary access to ensure consistency with the Bushfire Management Plan.*
- f) *Car parking for onsite operational personnel.*

The modifications requested above will allow for the ongoing investigation and detailed design of the transmission corridor. It will also allow for the consideration of the findings of the flora and fauna surveys with respect to the alignment.

CONDITION 11 – REQUIRING FURTHER APPROVAL FOR CLEARING NATIVE VEGETATION.

Condition 11 currently states:

No native vegetation clearing shall occur unless additional approval has been obtained from the Shire of Harvey.

This condition would be an unnecessary duplication of approvals required under other legislation. The justification for this position is outlined below.

It is understood that the recommended condition is intended to capture the requirement for development approval under clause 6 (1) of the Shire of Harvey Local Planning Scheme No. 2 (the Scheme). Clause 6 (1) of the Scheme is outlined below:

6. (1) Development approval is required prior to clearing native vegetation on land in all zones except land coded R15 or higher unless it is:

- (a) behind the street(s) and lot boundary setbacks;*
- (b) within an approved building envelope;*
- (c) associated with implementing an approved development;*
- (d) necessary for an approved access way;*
- (e) subject to an approved clearing permit;*
- (f) dead, unless it has the potential to serve as a habitat;*
- (g) diseased or declared dangerous by the local government;*
- (h) necessary to comply with an approved bushfire management plan; or*
- (i) associated with the provision of firebreaks as specified by the local government's Firebreak Notice.*

It has been noted within the EAR prepared by Western Environmental and appended to the Development Application that clearing permits will be required to clear any native vegetation. This has been further confirmed by the Department of Water and Environment Regulation (DWER) in its referral response. The granting of a clearing permit would have the effect of removing the requirement for approval under the

Scheme. The clearing permit process is also the most appropriate process for considering native vegetation clearing.

Notwithstanding the above, it is also considered that the EAR adequately addresses the matters identified under clause 6 (4) of the Scheme. Clause 6 (4) outlines the matters that the Shire will have due regard to when considering an application involving clearing native vegetation. These matters are identified and responded to in the table below:

Table 1 Clause 6 (4) Matters

	Requirement	Response
a)	the extent of clearing to be undertaken;	The EAR identified the worst-case scenario regarding the extent of clearing being 2.6ha. Through the refinement of the transmission corridor, this is likely to be reduced to a maximum of 0.8ha.
b)	the quality and type of native vegetation to be cleared;	The EAR identifies the nature of native vegetation likely to be cleared. The EAR takes a conservative approach to identifying the potential for Priority 3 and threatened species requiring further investigations.
c)	any re-vegetation carried out on the same land;	Not applicable.
d)	the potential for the clearing to detrimentally impact: <ul style="list-style-type: none"> (i) quality of the soil, land or water; (ii) biodiversity of the native vegetation in the surrounding local area; (iii) landscape or amenity values of the surrounding local area; and (iv) ecosystem function of the native vegetation in the surrounding local area. 	The EAR outlines the high-level implications of clearing with respect to these requirements, including consideration of fauna habitat, the CCW Wetland UFID 1496, Groundwater/Surface Water and geology. Where required, the EAR outlines further detailed investigations to be undertaken through the detailed design phase of the project.
e)	the potential for the native vegetation to provide a habitat function for protected fauna species	The EAR documents the existence of fauna habitat, the potential impacts and recommendations.
f)	the significance of the native vegetation and whether it is protected;	The EAR details the nature of the native vegetation and its level of protection. It also outlines recommendations for further investigations through the detailed design phase of the project.

	Requirement	Response
g)	any measures to conserve, protect and manage other comparable native vegetation on the same land.	The EAR, broader development application package and the supplementary information provided regarding the refinement of the transmission corridor outline the avoidance measures to conserve, protect and manage the native vegetation.

As outlined above, the consideration of the environmental assets associated with the subject site is suitably detailed for this stage of the project. Further, several recommendations have been outlined with respect to further investigations to be undertaken through detailed design. Some of these investigations have already progressed, including the spring surveys.

Additionally, the requirement for a clearing permit is captured through other legislation, and Condition 11 would unnecessarily duplicate these requirements.

Considering the above, it is respectfully requested that Condition 11 be deleted.

CONDITIONS 13 & 14 – REQUIRING AN UPDATED ENVIRONMENTAL NOISE ASSESSMENT AND MITIGATION MEASURES.

Condition 13 currently states:

Within 60 days of the proceeding winter after commencing operation of the approved development, an updated Environmental Noise Assessment shall be submitted to, and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation. The updated Environmental Noise Assessment shall:

- a) Confirm the actual running operation patterns/procedures and noise levels.*
- b) Recommended measures to reduce noise level exceedances.*

Condition 14 currently states:

Within 60 days of the updated Environmental Noise Assessment being approved, the recommended measures to reduce noise level exceedances identified shall be implemented to the satisfaction of the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation

The requirements outlined in Conditions 13 and 14 are acknowledged and accepted. However, these conditions include elements of duplication that could be consolidated to avoid any confusion through the next stages of development. Both conditions deal with the updating of the Environmental Noise Assessment post-commencement of operations and ensuring mitigation measures are in place.

Request deletion of conditions 13 and 14 and consolidation into a new condition:

Within 120 days of the commencement of operation of the approved development, an updated Environmental Noise Assessment shall be submitted to and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation, confirming:

- a. The actual running operation patterns/procedures and noise levels.*
- b. The mitigation measures identified in the updated Environmental Noise Assessment have been implemented.*

CONCLUSION

We sincerely thank Shire of Harvey for the collaborative process and positive Officer recommendation, which we believe accurately reflects the proposal and process undertaken. We trust this briefing note provides clarity regarding the proposal and the proposed condition modifications.

Representatives from Urbis and the project team are seeking to present these matters at the DAP meeting and can respond to any questions the Panel may have.

Kind regards,

A handwritten signature in blue ink, appearing to be 'Dane Gaunt', with a long horizontal line extending to the right.

Dane Gaunt

Associate Director

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M +61 437 832 969

APPENDIX A – PRESENTATION TO REGIONAL DAP

KEMERTON BATTERY ENERGY STORAGE SYSTEM



Regional DAP Presentation – 04/12/2024

DAP/24/02747

ACKNOWLEDGEMENT OF COUNTRY

Urbis acknowledges the Traditional Custodians of the lands we operate on.

We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.

We pay our respects to First Nations Elders, past and present.

Title: Sacred River Dreaming
Artist: Hayley Pigram
Darug Nation
Sydney, NSW



ABOUT TRINA SOLAR

- **Trina Solar has**
- **over 15,000 Staff worldwide and is one of the largest Renewable Energy Manufacturers/Suppliers globally of:**
 - **Solar Panels**
 - **Battery Cells**
 - **Solar Tracking Systems**
 - **Hydrogen Electrolysers**
- **Trina Solar ISBU – the investment and development arm of the business operates Globally with:**
 - **150 staff worldwide**
 - **15 In Australia**
- **Offices Across 4 states : Sydney, Brisbane, Melbourne & Perth**
- **Globally the business unit has over 9GW of grid connected renewable Energy Systems**

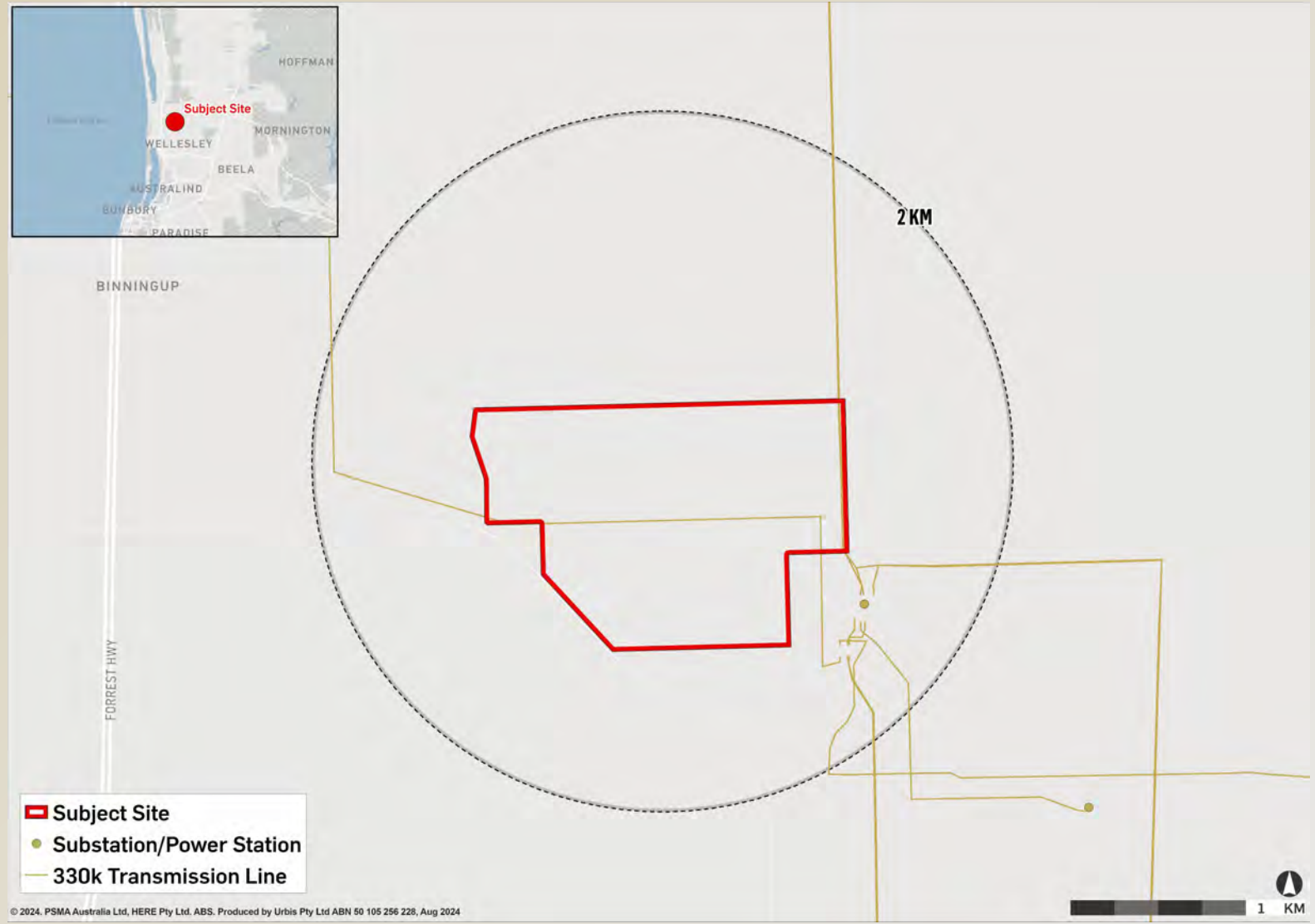


PROJECT BACKGROUND

- The subject site, part of Lot 4 Runnymede Road, Wellesley, is selected for the development of a Battery Energy Storage System (BESS), considering various factors including potential environmental impacts.
- The site is within the Kemerton Strategic Industrial Area (KSIA), a State Government initiative, and is associated with the region's growing industrial operations.
- The BESS project aims to provide a cleaner, renewable energy storage solution, aligning with the region's and State's sustainable energy vision.



SITE OVERVIEW



WHY THIS SITE?

- The subject site was identified through a rigorous site selection process and was selected for several strategic reasons, including;
- Repurposing an already cleared 18.75Ha parcel of land.
- Close proximity to existing 330KV infrastructure including transmission lines and Kemerton Terminal Station.
- Access to the site already accommodates heavy machinery haulage trucks and is in close proximity to Forrest Highway.
- A cleared parcel of land that can accommodate a BESS project up to 660MW/2640MWh which is a significant addition to the SWIS network (one of the largest of its kind in WA).
- The current landowner is supportive of the project and has been a respectable business owner in WA for more than 50 years- operating in the southwest (particularly Kemerton) for over 20 years.
- Through an iterative design process, appropriate separation has been established to ensure minimal vegetation clearing.
- An already cleared fire break which can accommodate an underground transmission-line alignment.



PROJECT BENEFITS

1

Aligned with
WA
Government
Policy for
Energy
Transition

2

Provide for the
adaptive
repurposing of a
spent sand mine

3

Maximise the
efficiency of
existing
infrastructure

4

Improve
system
strength of the
SWIS

5

Support a
growing wind
energy sector
in the South
West

6

\$400m
investment in
the Greater
Bunbury
Region

7

Utilisation of local
contractors and
subcontractors to
support up to 150
additional local jobs

8

Support the
growth of a
key skills area
to service the
energy sector

9

Utilisation of
advanced lithium-
ion battery
technology enabling
rapid response to
grid demand

PROJECT STATUS



**INITIAL
FEASIBILITY**



**WESTERN
POWER
ACCESS
APPLICATION**



**LANDOWNER
AGREEMENT**



**TECHNICAL
INVESTIGATIONS**



**CRITICAL
PROJECT
STATUS
RECEIVED**



**DEVELOPMENT
APPLICATION**



CONSTRUCTION



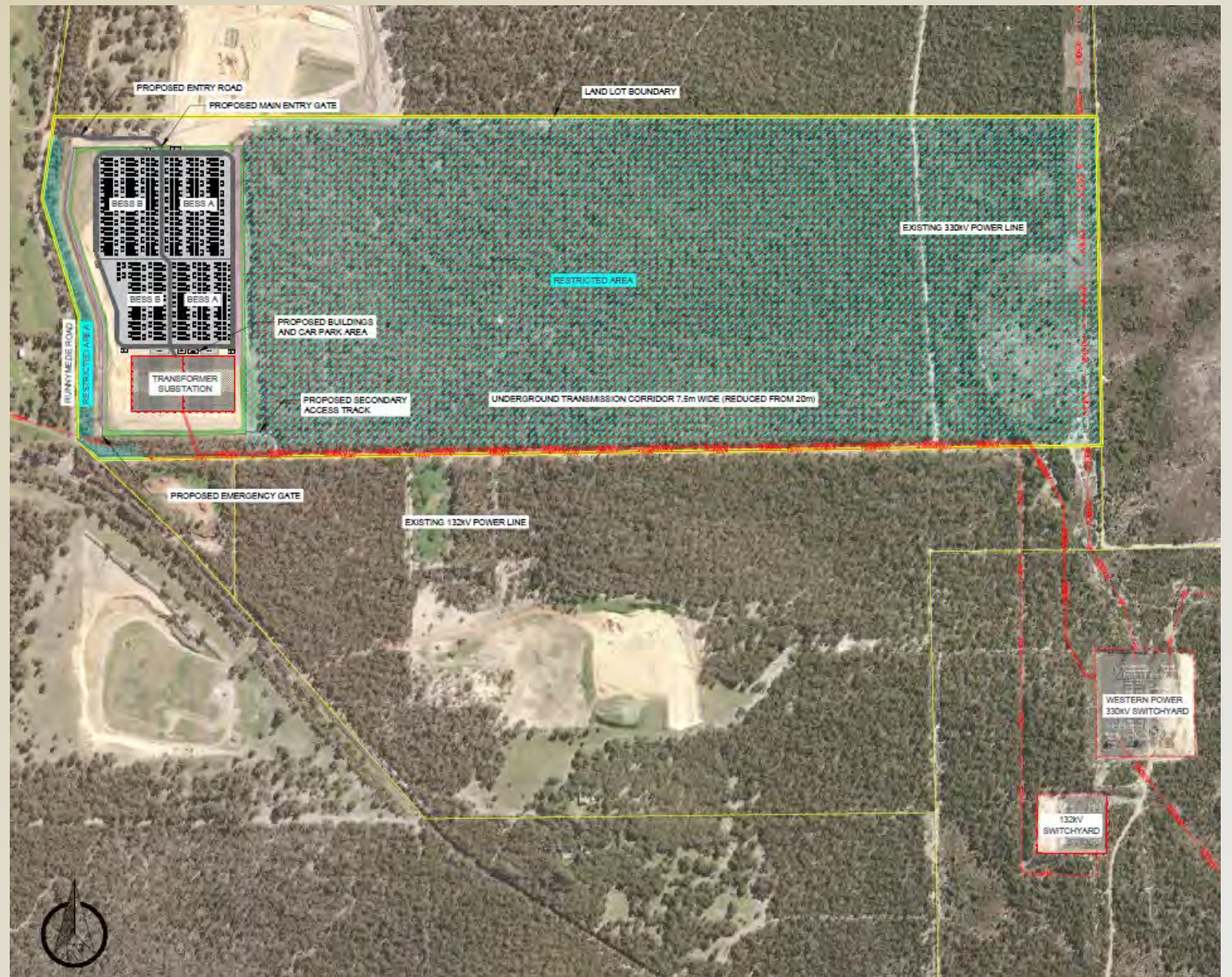
OPERATION



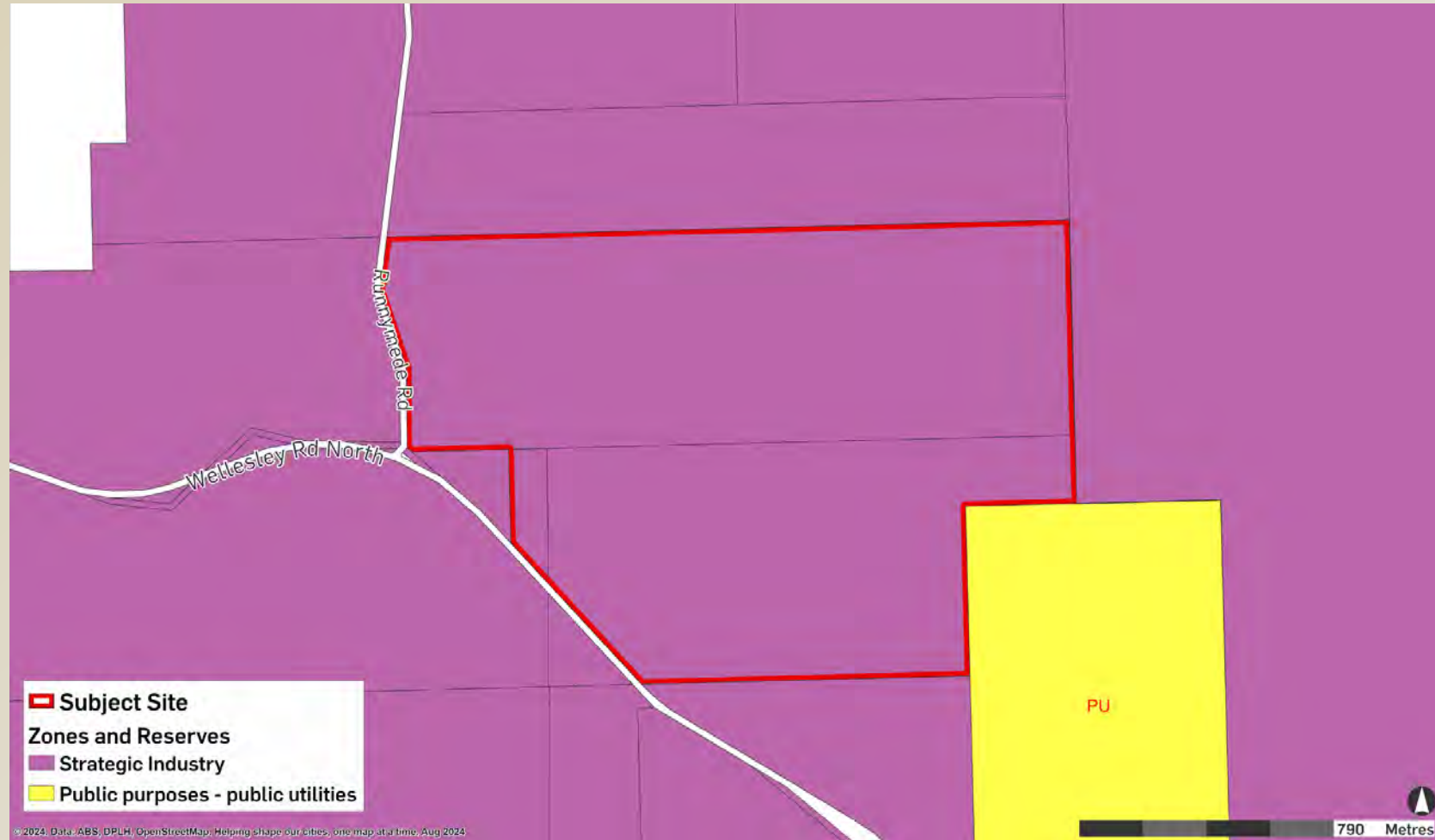
ENVIRONMENTAL IMPLICATIONS

- Relationship of the proposed development with respect to the Strategic Proposal referred to the Environmental Protection Authority.
- Environmental Assessment Report (EAR) and Preliminary Site Assessment undertaken to inform the initial design and support the Development Application.
- Key findings:
 - Potential worst-case clearing of 2.6ha of native vegetation
 - Potential loss of individuals of Priority 3 flora species *Lasiopetalum membranaceum*.
 - Loss of potential habitat for Threatened orchid species *Drakea micrantha* and *Drakea elastica*.
 - Potential impacts to Conservation Category Wetland UFID 1496
- The EAR outlined recommendations for mitigation of the impacts and further investigations required to support the subsequent stages of the proposed development.

ENVIRONMENTAL IMPLICATIONS



PLANNING CONTEXT



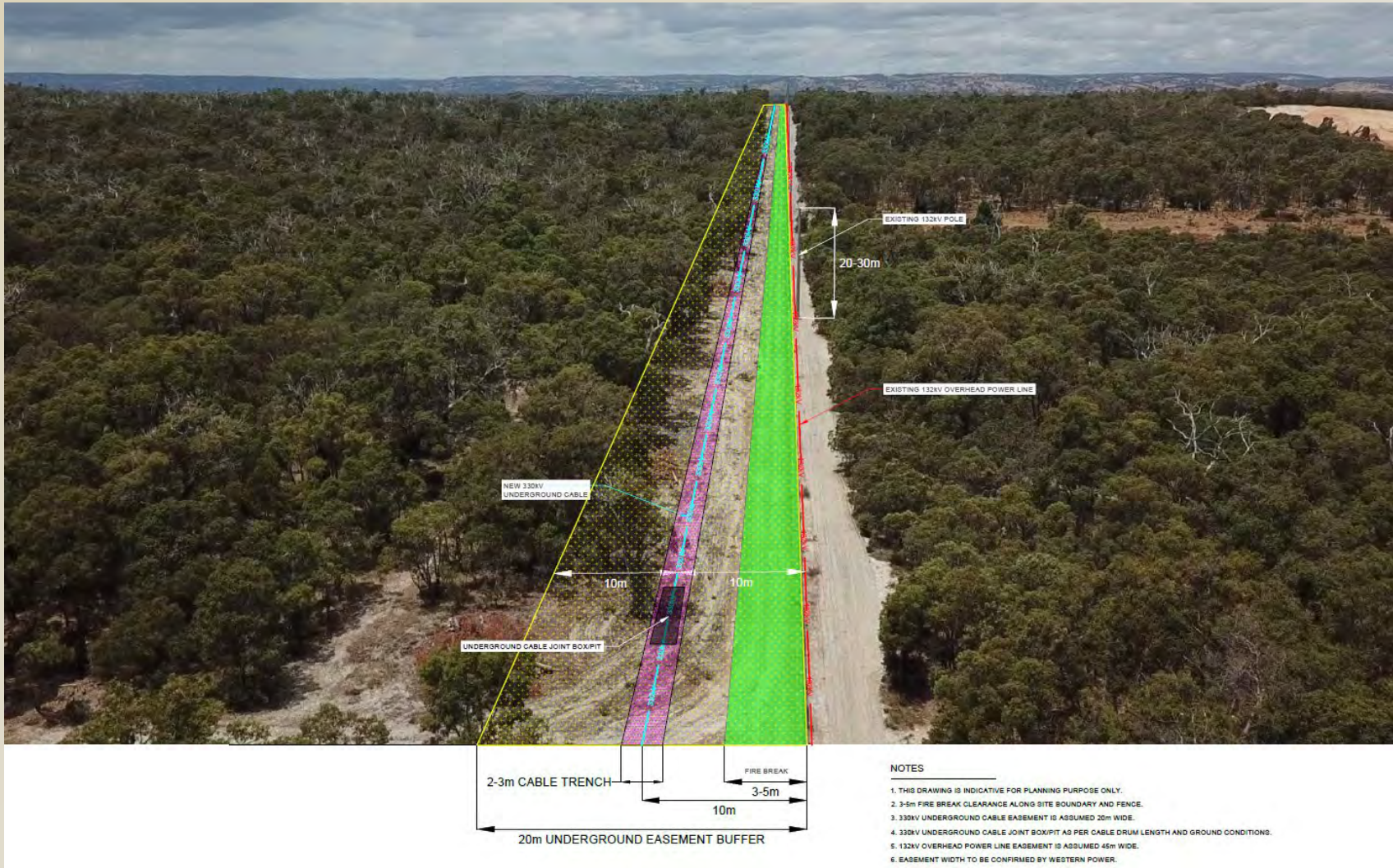
CONDITION 3

Condition 3 currently states:

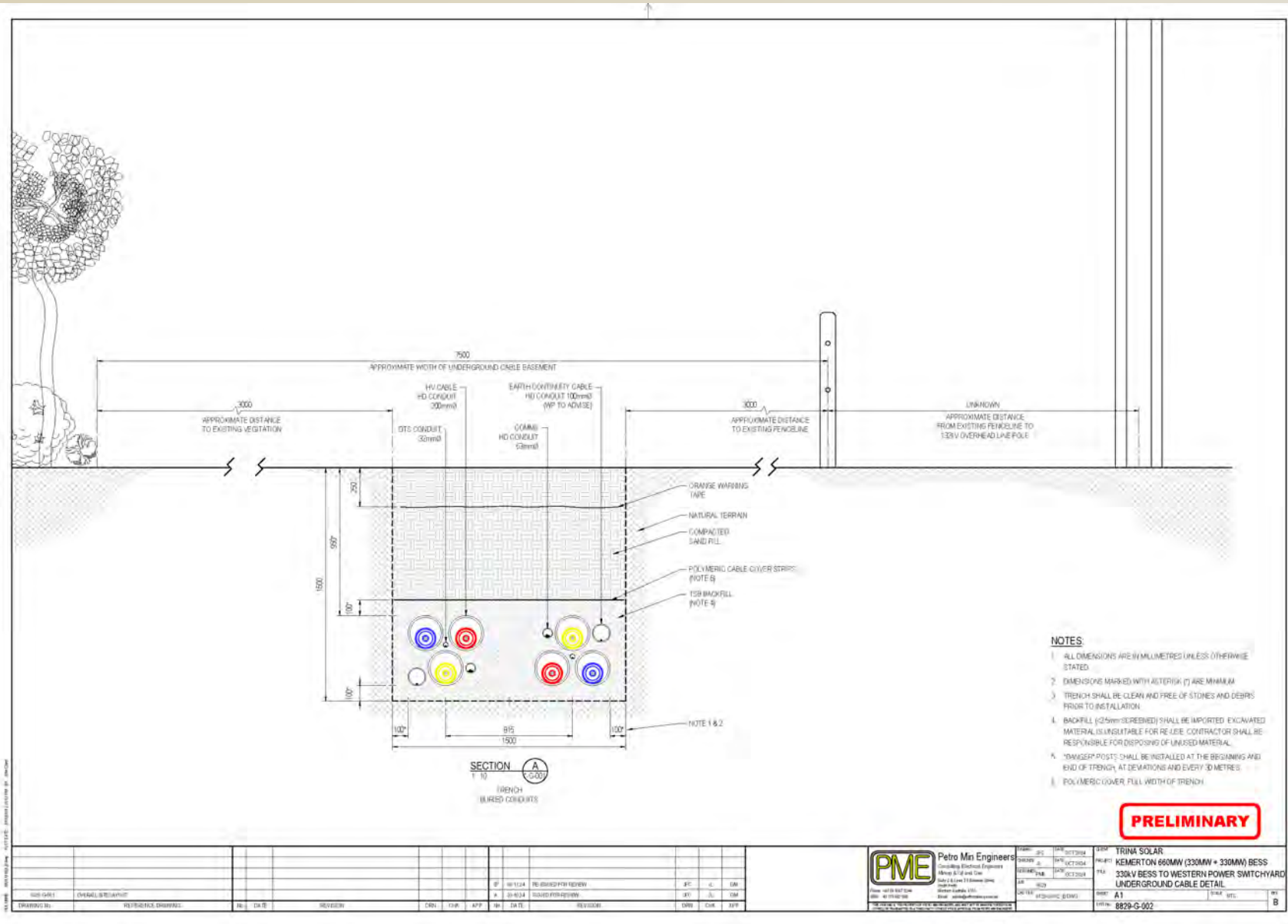
Prior to the commencement of works associated with the approved development or the issue of a Building Permit (whichever occurs first), detailed amended plans shall be submitted to, and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation and the Department of Biodiversity and Attractions. The detailed plans shall address the following:

- a) Realignment of the transmission lines to:*
- b) Avoid the Conservation Category Wetland UFI-1496*
- c) Avoid clearing of native vegetation*
- d) Native vegetation proposed to be cleared.*
- e) Inclusion of the proposed secondary access to ensure consistency with the Bushfire Management Plan.*
- f) Car parking for onsite operational personnel.*

CONDITION 3



CONDITION 3



CONDITION 3



CONDITION 3

Requested modification:

Prior to the commencement of works associated with the approved development or the issue of a Building Permit (whichever occurs first), detailed amended plans shall be submitted to, and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation and the Department of Biodiversity and Attractions. The detailed plans shall address the following:

- a) *Realignment of the transmission lines to:*
- b) *Minimise the impact on ~~Avoid the~~ Conservation Category Wetland UFI-1496*
- c) *Minimise ~~Avoid~~ clearing of native vegetation*
- d) *Native vegetation proposed to be cleared.*
- e) *Inclusion of the proposed secondary access to ensure consistency with the Bushfire Management Plan.*
- f) *Car parking for onsite operational personnel.*

CONDITION 11

Condition 11 states:

No native vegetation clearing shall occur unless additional approval has been obtained from the Shire of Harvey.

- Condition 11 is deemed unnecessary as it duplicates existing legislative requirements.
- The EAR and the Department of Water and Environment Regulation (DWER) confirm that clearing permits are necessary and sufficient for managing native vegetation clearing.
- The EAR addresses all relevant considerations under Clause 6 (4) of the Scheme, including the extent, quality, and impact of clearing, as well as habitat function and conservation measures.
- Given the comprehensive environmental assessment and existing legislative requirements for clearing permits, it is requested that Condition 11 be removed.

CONDITIONS 13 & 14

Condition 13 currently states:

Within 60 days of the proceeding winter after commencing operation of the approved development, an updated Environmental Noise Assessment shall be submitted to, and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation. The updated Environmental Noise Assessment shall:

- a) Confirm the actual running operation patterns/procedures and noise levels.*
- b) Recommended measures to reduce noise level exceedances.*

Condition 14 currently states:

Within 60 days of the updated Environmental Noise Assessment being approved, the recommended measures to reduce noise level exceedances identified shall be implemented to the satisfaction of the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation

CONDITIONS 13 & 14

Request deletion of conditions 13 and 14 and consolidation into a new condition:

Within 120 days of the commencement of operation of the approved development, an updated Environmental Noise Assessment shall be submitted to and approved by the Shire of Harvey, in consultation with the Department of Water and Environmental Regulation, confirming:

- a) The actual running operation patterns/procedures and noise levels.*
- b) The mitigation measures identified in the updated Environmental Noise Assessment have been implemented.*

QUESTIONS

A
B
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D
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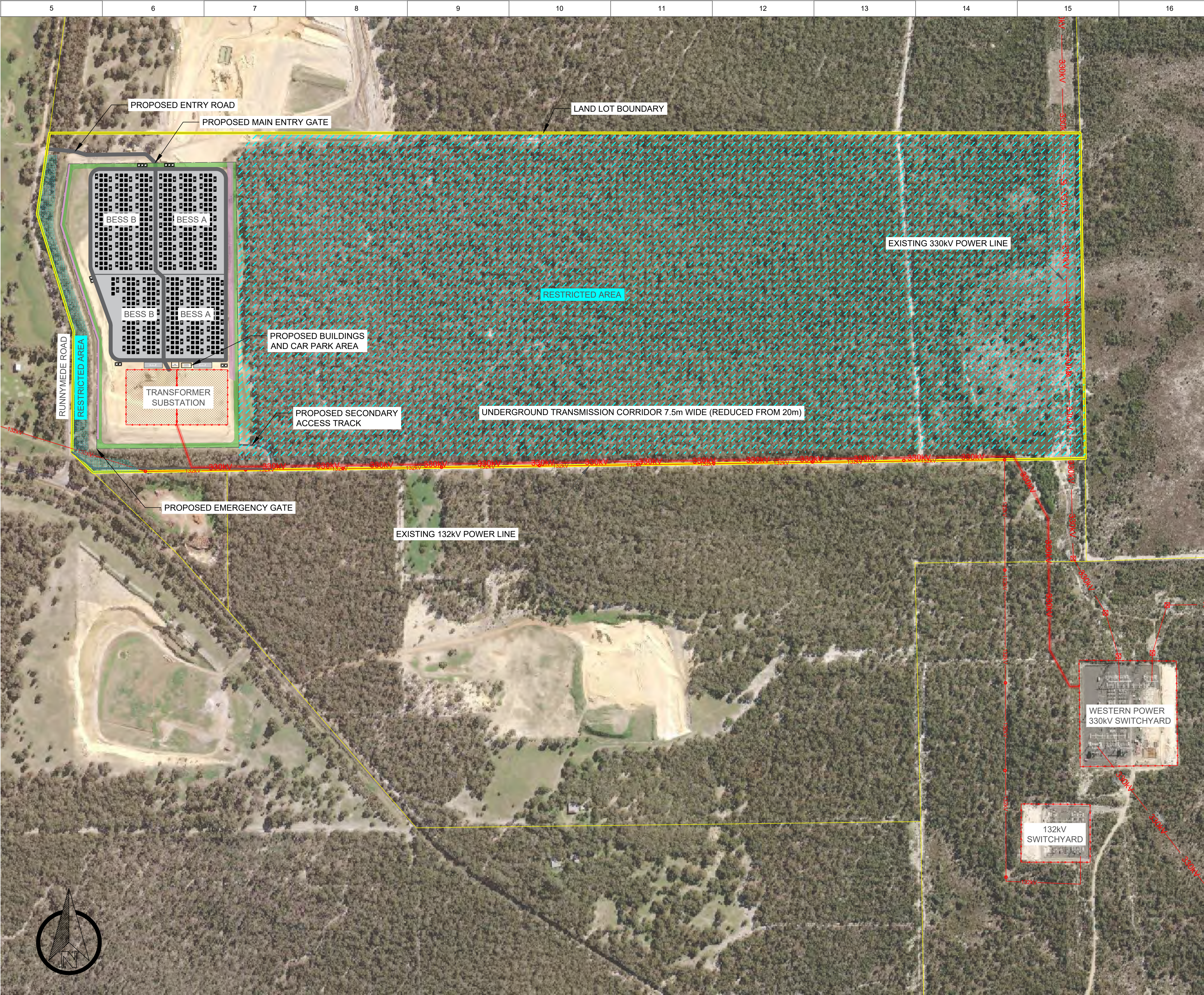
1	2	3	4
SYSTEM SPECIFICATION FOR PLANT A			
GRID CONNECTION VOLTAGE	330kV		
POC CAPACITY	330MW		
BESS CAPACITY (40°C)	UP TO 1760 MWh		
CHARGING/DISCHARGING HOURS	4 HOURS		
INVERTER / MV STATION	FREEMAQ PCSM FP4203MH4		
No. INVERTER / MV STATION	108		
BESS MODEL	BESS CONTAINER		
No. BESS CONTAINER	432		
SYSTEM SPECIFICATION FOR PLANT B			
GRID CONNECTION VOLTAGE	330kV		
POC CAPACITY	330MW		
BESS CAPACITY (40°C)	UP TO 1532 MWh		
CHARGING/DISCHARGING HOURS	4 HOURS		
INVERTER / MV STATION	FREEMAQ PCSM FP4203MH4		
No. INVERTER / MV STATION	94		
BESS MODEL	BESS CONTAINER		
No. BESS CONTAINER	376		
CABLE ROUTES DISTANCE	APPROX. 2600 METERS		
PROPOSED LEASED AREA	18.75 Ha		
SUBSTATION AREA	2.4 Ha		
BESS AREA	8.8 Ha		

NOTES

1. THIS LAYOUT IS FOR PLANNING PURPOSE ONLY SUBJECT TO CHANGE.
2. SUBSTATION, INVERTER AND BESS LOCATION TO BE CONFIRMED.
3. GRID CONNECTION POINT TO BE CONFIRMED BY WESTERN POWER.
4. 10 METERS WIDE SITE CLEARANCE BUFFER.
5. 4~6 METERS WIDE INTERNAL UNSEALED OR SEALED ROAD.
6. SITE ENTRYAND ACCESS ROAD TO BE CONFIRMED.
7. RETAINING STRUCTURE FOR SAND PIT TO CONFIRMED IN DETAIL DESIGN.
8. HV CABLE ROUTE AND EASEMENT TO BE CONFIRMED.
9. UNDERGROUND TRANSMISSION CORRIDOR 7.5m WIDE (REDUCED FROM 20m).

LEGEND

- INTERNAL CLEARANCE AND FIRE BREAK BUFFER
- RETAINING AREA
- UNDERGROUND POWER LINE ZONE BUFFER
- INTERNAL SEALED OR UNSEALED ROAD
- INVERTER STATION
- BATTERY CONTAINER
- SCREENING VEGETATION BUFFER ZONE
- SITE PERIMETER FENCE AND LEASE BOUNDARY
- LANDOWNER BOUNDARY
- UNDERGROUND OR OVERHEAD POWER LINE
- WATER TANK



PROJECT
KEMERTON BESS
RUNNYMEDE ROAD, WELLESLEY WA 6233
-33.145338, 115.745127

CLIENT
TRINA SOLAR

CHECK
DESIGNER WILSON JIN
DRAFTER WILSON JIN
PROJECT MANAGER SHANE DURLIK
PROJECT DIRECTOR JOSE FLORES

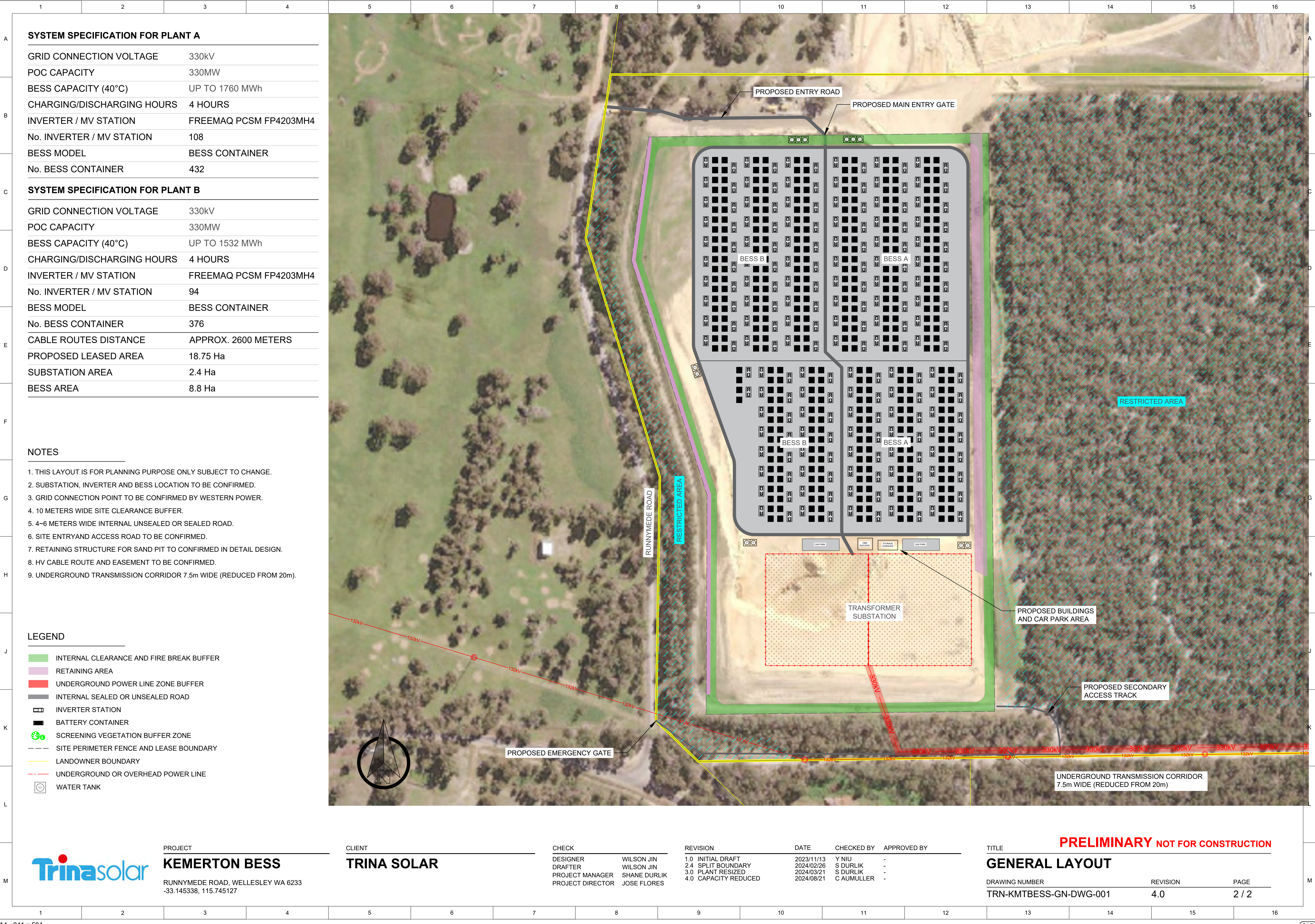
REVISION
1.0 INITIAL DRAFT
2.4 SPLIT BOUNDARY
3.0 PLANT RESIZED
4.0 CAPACITY REDUCED

DATE
2023/11/13
2024/02/26
2024/03/21
2024/08/21

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TITLE
PRELIMINARY NOT FOR CONSTRUCTION
SITE OVERVIEW
DRAWING NUMBER TRN-KMTBESS-GN-DWG-001
REVISION 4.0
PAGE 1 / 2



SYSTEM SPECIFICATION FOR PLANT A

GRID CONNECTION VOLTAGE	330kV
POC CAPACITY	330MW
BESS CAPACITY (40°C)	UP TO 1760 MWh
CHARGING/DISCHARGING HOURS	4 HOURS
INVERTER / MV STATION	FREEMAQ PCSM FP4203MH4
No. INVERTER / MV STATION	108
BESS MODEL	BESS CONTAINER
No. BESS CONTAINER	432

SYSTEM SPECIFICATION FOR PLANT B

GRID CONNECTION VOLTAGE	330kV
POC CAPACITY	330MW
BESS CAPACITY (40°C)	UP TO 1532 MWh
CHARGING/DISCHARGING HOURS	4 HOURS
INVERTER / MV STATION	FREEMAQ PCSM FP4203MH4
No. INVERTER / MV STATION	94
BESS MODEL	BESS CONTAINER
No. BESS CONTAINER	376
CABLE ROUTES DISTANCE	APPROX. 2600 METERS
PROPOSED LEASED AREA	18.75 Ha
SUBSTATION AREA	2.4 Ha
BESS AREA	8.8 Ha

NOTES

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2. SUBSTATION, INVERTER AND BESS LOCATION TO BE CONFIRMED.
3. GRID CONNECTION POINT TO BE CONFIRMED BY WESTERN POWER.
4. 10 METERS WIDE SITE CLEARANCE BUFFER.
5. 4~6 METERS WIDE INTERNAL UNSEALED OR SEALED ROAD.
6. SITE ENTRYAND ACCESS ROAD TO BE CONFIRMED.
7. RETAINING STRUCTURE FOR SAND PIT TO CONFIRMED IN DETAIL DESIGN.
8. HV CABLE ROUTE AND EASEMENT TO BE CONFIRMED.
9. UNDERGROUND TRANSMISSION CORRIDOR 7.5m WIDE (REDUCED FROM 20m).

LEGEND

- INTERNAL CLEARANCE AND FIRE BREAK BUFFER
- RETAINING AREA
- UNDERGROUND POWER LINE ZONE BUFFER
- INTERNAL SEALED OR UNSEALED ROAD
- INVERTER STATION
- BATTERY CONTAINER
- SCREENING VEGETATION BUFFER ZONE
- SITE PERIMETER FENCE AND LEASE BOUNDARY
- LANDOWNER BOUNDARY
- UNDERGROUND OR OVERHEAD POWER LINE
- WATER TANK



PROJECT
KEMERTON BESS
RUNNYMEDE ROAD, WELLESLEY WA 6233
-33.145338, 115.745127

CLIENT
TRINA SOLAR

CHECK
DESIGNER WILSON JIN
DRAFTER WILSON JIN
PROJECT MANAGER SHANE DURLIK
PROJECT DIRECTOR JOSE FLORES

REVISION
1.0 INITIAL DRAFT
2.4 SPLIT BOUNDARY
3.0 PLANT RESIZED
4.0 CAPACITY REDUCED

DATE
2023/11/13
2024/02/26
2024/03/21
2024/08/21

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TITLE
GENERAL LAYOUT

DRAWING NUMBER
TRN-KMTBESS-GN-DWG-001

REVISION
4.0

PAGE
2 / 2

SYSTEM SPECIFICATION

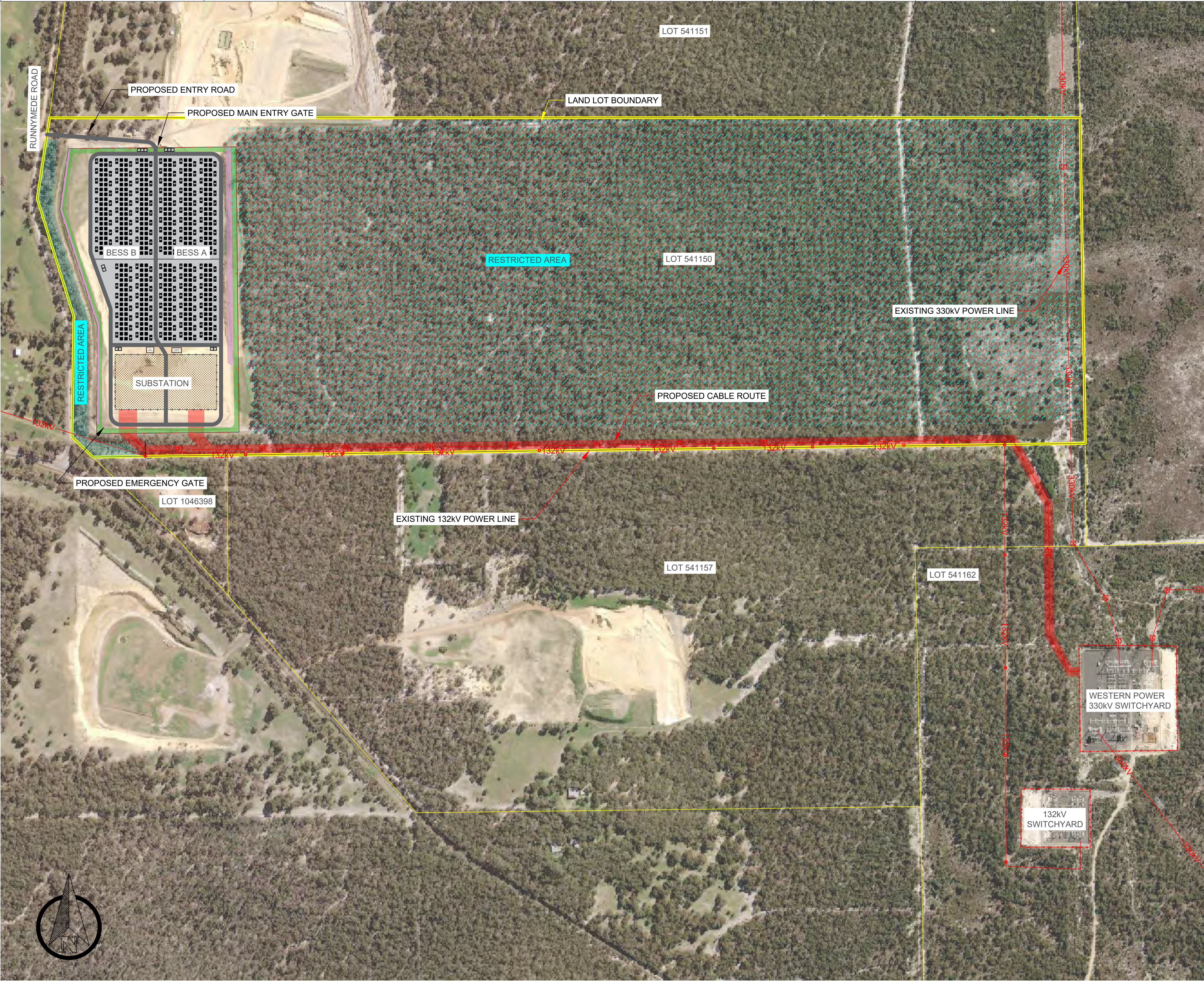
GRID CONNECTION VOLTAGE	330kV
POC CAPACITY	660MW (330+330)
BESS CAPACITY (40°C)	UP TO 814MW / 3257 MWh
CHARGING/DISCHARGING HOURS	4 HOURS
INVERTER / MV STATION	FREEMAQ PCSM FP4203MH4
No. INVERTER / MV STATION	200
BESS MODEL	BESS CONTAINER
No. BESS CONTAINER	UP TO 800
PROPOSED CABLE ROUTES DISTANCE	2600 METERS
PROPOSED LEASED AREA	18.75 Ha
SUBSTATION AREA	2.4 Ha
BESS AREA	8.8 Ha

NOTES

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7. RETAINING STRUCTURE FOR SAND PIT TO CONFIRMED IN DETAIL DESIGN.
8. HV CABLE ROUTE AND EASEMENT TO BE CONFIRMED.

LEGEND

- INTERNAL CLEARANCE AND FIRE BREAK BUFFER
- RETAINING AREA
- POWER LINE ZONE BUFFER
- INTERNAL SEALED OR UNSEALED ROAD
- INVERTER STATION
- BATTERY CONTAINER
- SCREENING VEGETATION BUFFER ZONE
- SITE PERIMETER FENCE AND LEASE BOUNDARY
- LANDOWNER BOUNDARY
- UNDERGROUND OR OVERHEAD POWER LINE
- WATER TANK



PROJECT
KEMERTON BESS
RUNNYMEDE ROAD, WELLESLEY WA 6233
-33.145338, 115.745127

CLIENT
TRINA SOLAR

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DESIGNER WILSON JIN
DRAFTER WILSON JIN
PROJECT MANAGER SHANE DURLIK
PROJECT DIRECTOR JOSE FLORES

REVISION
1.0 INITIAL DRAFT
1.1 PCS BESS CHANGE
1.2 ANNOTATION UPDATE
2.4 SPLIT BOUNDARY
3.0 PLANT RESIZED
3.1 MV CABLE REARRANGED
3.3 UPDATE FOR FIRE RISK

DATE
2023/11/13
2023/11/16
2023/12/05
2024/02/26
2024/03/21
2024/03/29
2024/06/24

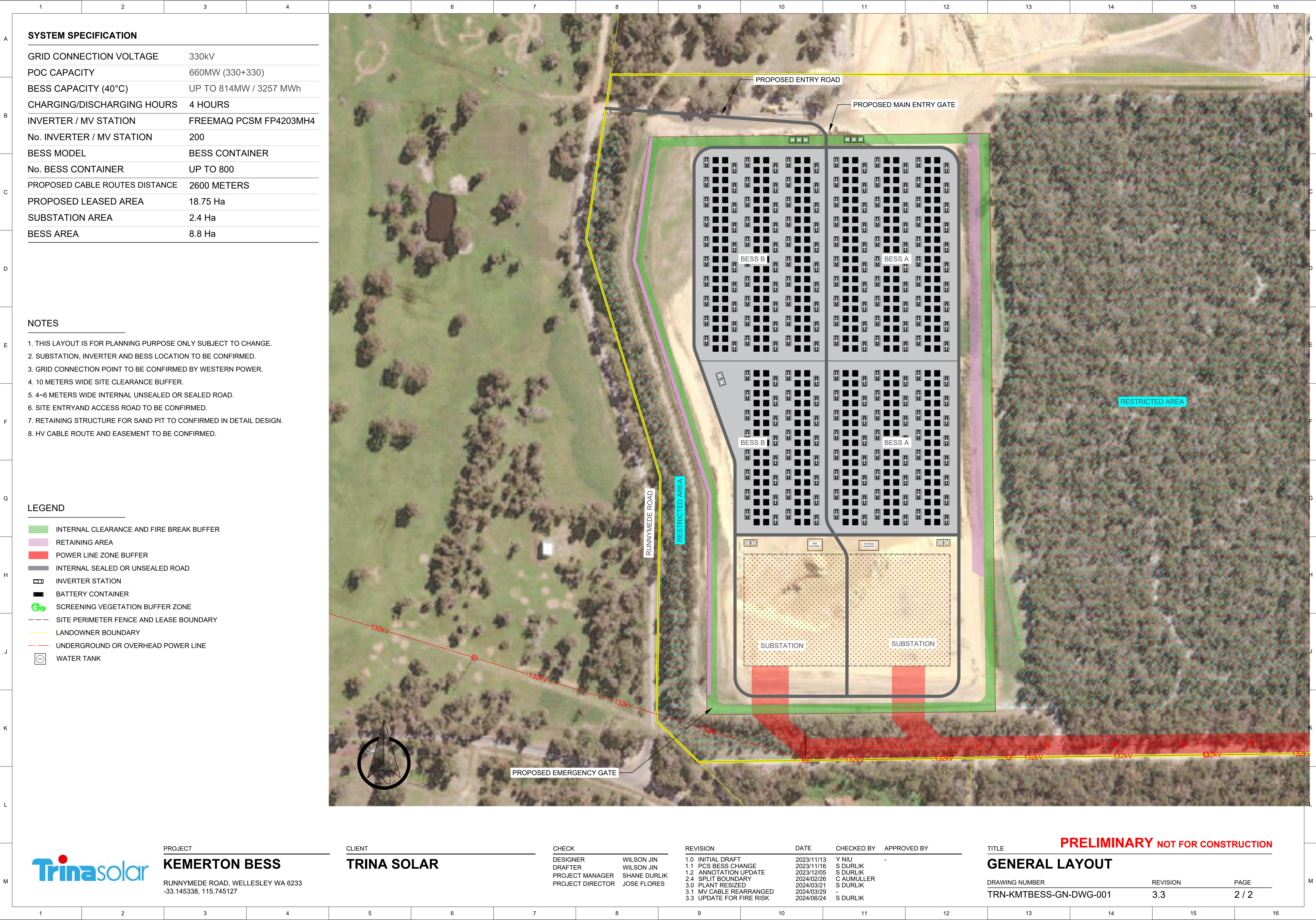
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APPROVED BY

TITLE
PRELIMINARY NOT FOR CONSTRUCTION

SITE OVERVIEW

DRAWING NUMBER TRN-KMTBESS-GN-DWG-001
REVISION 3.3
PAGE 1 / 2



SYSTEM SPECIFICATION

GRID CONNECTION VOLTAGE	330kV
POC CAPACITY	660MW (330+330)
BESS CAPACITY (40°C)	UP TO 814MW / 3257 MWh
CHARGING/DISCHARGING HOURS	4 HOURS
INVERTER / MV STATION	FREEMAQ PCSM FP4203MH4
No. INVERTER / MV STATION	200
BESS MODEL	BESS CONTAINER
No. BESS CONTAINER	UP TO 800
PROPOSED CABLE ROUTES DISTANCE	2600 METERS
PROPOSED LEASED AREA	18.75 Ha
SUBSTATION AREA	2.4 Ha
BESS AREA	8.8 Ha

NOTES

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7. RETAINING STRUCTURE FOR SAND PIT TO CONFIRMED IN DETAIL DESIGN.
8. HV CABLE ROUTE AND EASEMENT TO BE CONFIRMED.

LEGEND

- INTERNAL CLEARANCE AND FIRE BREAK BUFFER
- RETAINING AREA
- POWER LINE ZONE BUFFER
- INTERNAL SEALED OR UNSEALED ROAD
- INVERTER STATION
- BATTERY CONTAINER
- SCREENING VEGETATION BUFFER ZONE
- SITE PERIMETER FENCE AND LEASE BOUNDARY
- LANDOWNER BOUNDARY
- UNDERGROUND OR OVERHEAD POWER LINE
- WATER TANK



PROJECT
KEMERTON BESS
RUNNYMEDE ROAD, WELLESLEY WA 6233
-33.145338, 115.745127

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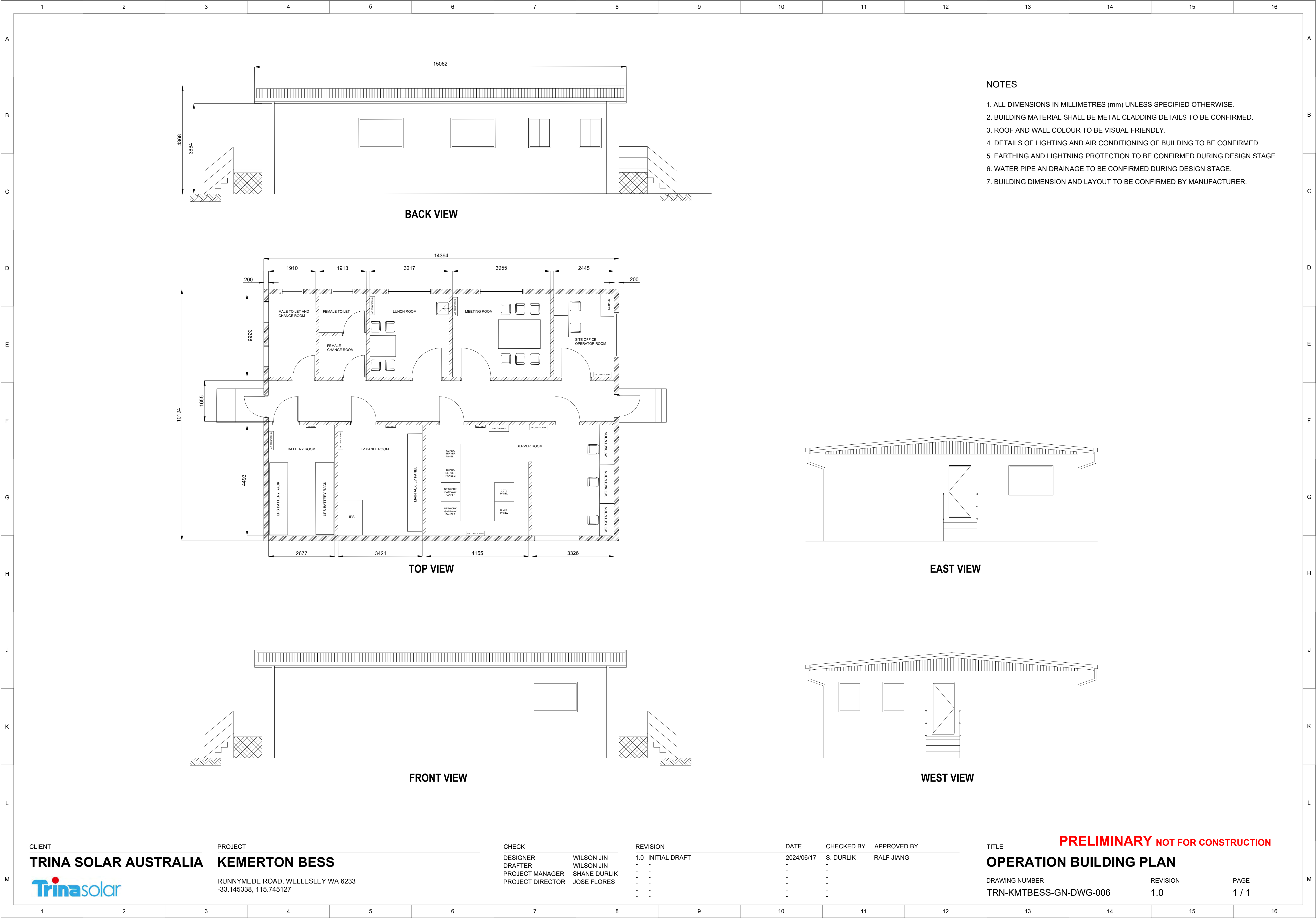
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DESIGNER WILSON JIN
DRAFTER WILSON JIN
PROJECT MANAGER SHANE DURLIK
PROJECT DIRECTOR JOSE FLORES

REVISION
1.0 INITIAL DRAFT
1.1 PCS BESS CHANGE
1.2 ANNOTATION UPDATE
2.4 SPLIT BOUNDARY
3.0 PLANT RESIZED
3.1 MV CABLE REARRANGED
3.3 UPDATE FOR FIRE RISK

DATE
2023/11/13
2023/11/16
2023/12/05
2024/02/26
2024/03/21
2024/03/29
2024/06/24

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TITLE
PRELIMINARY NOT FOR CONSTRUCTION
GENERAL LAYOUT
DRAWING NUMBER TRN-KMTBESS-GN-DWG-001
REVISION 3.3
PAGE 2 / 2



NOTES

1. ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS SPECIFIED OTHERWISE.
2. BUILDING MATERIAL SHALL BE METAL CLADDING DETAILS TO BE CONFIRMED.
3. ROOF AND WALL COLOUR TO BE VISUAL FRIENDLY.
4. DETAILS OF LIGHTING AND AIR CONDITIONING OF BUILDING TO BE CONFIRMED.
5. EARTHING AND LIGHTNING PROTECTION TO BE CONFIRMED DURING DESIGN STAGE.
6. WATER PIPE AN DRAINAGE TO BE CONFIRMED DURING DESIGN STAGE.
7. BUILDING DIMENSION AND LAYOUT TO BE CONFIRMED BY MANUFACTURER.

CLIENT
TRINA SOLAR AUSTRALIA


PROJECT
KEMERTON BESS
RUNNYMEDE ROAD, WELLESLEY WA 6233
-33.145338, 115.745127

CHECK
DESIGNER WILSON JIN
DRAFTER WILSON JIN
PROJECT MANAGER SHANE DURLIK
PROJECT DIRECTOR JOSE FLORES

REVISION
1.0 INITIAL DRAFT
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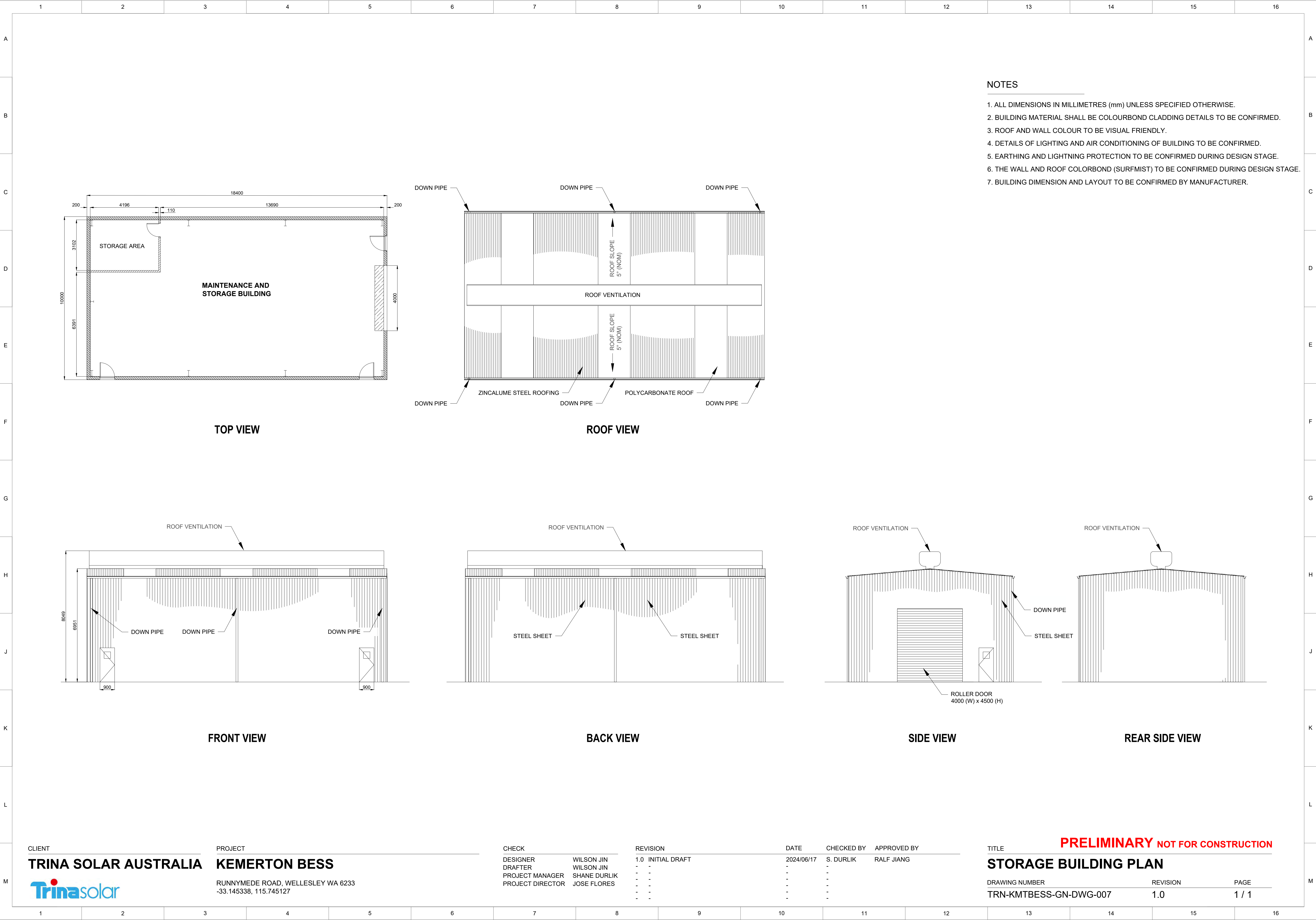
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TITLE
PRELIMINARY NOT FOR CONSTRUCTION
OPERATION BUILDING PLAN

DRAWING NUMBER
TRN-KMTBESS-GN-DWG-006

REVISION
1.0

PAGE
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Direction for Further Services from the Responsible Authority

Regulation 13(1)

Guidelines

A DAP Member who wishes to request further services (e.g. technical advice and assistance or information in writing) from the Responsible Authority must complete this form and submit to daps@dplh.wa.gov.au.

The request will be considered by the DAP Executive Director and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

DAP Application Details

DAP Name	Regional DAP (Meeting RDAP/30)
DAP Application Number	DAP/24/02747
Responsible Authority	Shire of Harvey
Property Location	Lot 4 Runnymede Road and Lot 5 Wellesley Road north, Wellesley

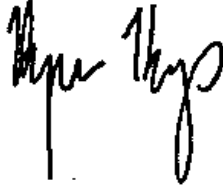
Nature of technical advice or information required*

1	DAP query	Please advise if the advice from the EPA on whether the DAP is able to determine the application without prejudicing the Strategic Environmental Assessment for the Kemerton Strategic Industrial Area has been received and, if so, provide a copy of that advice.
	Response	The EPA has confirmed that the application can be determined, and the decision maker is not constrained under section 41 of the <i>Environmental Protection Act 1986</i> . Refer to attached email confirmation.
2	DAP query	Please provide an alternate recommendation to DEFER the application with appropriate format and planning references to address the following matters: To allow the applicant to address the following issues and submit the following additional information: <ol style="list-style-type: none">Advice from the EPA on whether the Regional Development Assessment Panel is able to determine the application without prejudicing the Strategic Environmental Assessment for the Kemerton Strategic Industrial AreaThe extent of clearing to be undertakenAmended plans to address the four issues identified in recommended condition 3Review of the Environmental Noise Assessment to address the five issues identified in recommended condition 4.

* Any alternate recommendation sought does not infer a pre-determined position of the panel.

		<p>5. Finalisation of the Flora and Fauna Survey reports, which are to address the seven issues identified in recommended condition 5.</p> <p>6. Submission of specifications for the proposed structures and infrastructure (noting that detailed design will occur later)</p>
	Response	<p>That the Regional DAP resolves to:</p> <p>That the consideration of DAP Application reference DAP/24/02747 be deferred for a period of up to xx days until xx, in accordance with section 5.10.1(a) of the DAP Standing Orders 2024, to allow the applicant to address the following issues and submit the following information:</p> <ol style="list-style-type: none"> 1. The extent of clearing to be undertaken. 2. Amended plans to address the following: <ol style="list-style-type: none"> a) Realignment of the transmission lines to avoid the Conservation Category Wetland UFI-1496 and extent of native vegetation clearing. b) Native vegetation proposed to be cleared. c) Inclusion of the proposed secondary access to ensure consistency with the Bushfire Management Plan. d) Car parking for onsite operational personnel. 3. Review of the Environmental Noise Assessment to include: <ol style="list-style-type: none"> a) Assessed noise levels for all nearby sensitive receivers. b) Background noise levels. c) Operating noise levels of equipment selected for installation. d) Assessment of noise levels for worst-case scenario of night-time at 100% capacity operation. e) Recommended measures to reduce noise level exceedances. 4. Finalisation of the Flora and Fauna Survey reports to address: <ol style="list-style-type: none"> a) Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community. b) Threatened Orchid species <i>Drakea micrantha</i> and <i>Drakea elastica</i>. c) Presence of other Threatened or Priority flora species. d) Vegetation assessment of the wetland community and buffer area of Conservation Category Wetland UFID 1496. e) Threatened Black Cockatoo habitat, including quantification of breeding habitat and the application of Habitat Quality Scoring Systems. f) Threatened Western Ringtail Possum habitat. g) Impacts of the proposal on items a. to f. and recommended mitigation measures. 5. Submission of specifications for the proposed structures and infrastructure.

DAP Executive Director Authorisation

Signature	
Date	29 November 2024
Response Due	3 December 2024; 12pm (Midday)

From: [Lili Koti](#)
To: [Elizabeth Edwards](#)
Cc: [Danielle Griffiths](#); [Gaynor Owen](#); [dale.r](#) [REDACTED]; [Durlik Shane TS/ISBU](#); [Dane Gaunt](#)
Subject: Notice of Decision - Kemerton Strategic Industrial Area - BESS
Date: Monday, 2 December 2024 1:52:21 PM

OFFICIAL

OFFICIAL

Dear Elizabeth,

EPA Services is writing in regard to the two proposed Renewable Energy Facilities (Battery Energy Storage System, BESS). These proposed facilities are located within the Kemerton Strategic Industrial Area (KSIA), currently under a s. 38 assessment by the EPA.

From correspondence during a meeting on 2nd December 2024, EPA Services understands the following:

- The smaller scale BESS project on the DAP has been approved. The larger scale BESS project has not yet been approved and is on the DAP agenda for a meeting this Wednesday 4th December 2024.
- The decision maker (Shire of Harvey) states the proposal will not have a significant impact on the environment, and thus will not require referral to the EPA for assessment.
- The proponent states that while there are some significant environmental values in the area, the clearing footprint will result in low areas of impact, with no significant environmental impacts.
- The Shire of Harvey confirmed that the BESS proposals are not intended to be declared as 'derived proposals' under the Kemerton Strategic Industrial Area Strategic Proposal, which is currently being assessed as a strategic proposal under s. 38 of the EP Act.

EPA Services can confirm that, based on the updated *Environmental Protection Regulations 1987* (as at 28th November 2024) and the factors above, the Shire of Harvey is *not constrained* under s. 41 of the EP Act on making a decision on the Renewable Energy Facilities (Battery Energy Storage System) located within the Kemerton Strategic Industrial Area.

Please reach out if you have any queries.

Kind Regards,

[Lili Koti](#)

Senior Environmental Officer
Strategic Assessments, EPA Services

Department of Water and Environmental Regulation

Prime House

8 Davidson Terrace, JOONDALUP WA 6027

Locked Bag 10, JOONDALUP DC WA 6919

T: (08) 6364 6804

E: [REDACTED] | www.dwer.wa.gov.au | www.epa.wa.gov.au

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.

CAUTION: This email originated from outside the Shire of Harvey. Do NOT click links or open attachments unless you checked that the content is safe. Do NOT enter any username or passwords and report any suspicious content.



Direction for Further Services from the Responsible Authority

Regulation 13(1)

Guidelines

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The request will be considered by the DAP Executive Director and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

DAP Application Details

DAP Name	Regional DAP (Meeting RDAP/30)
DAP Application Number	DAP/24/02747
Responsible Authority	Shire of Harvey
Property Location	Lot 4 Runnymede Road and Lot 5 Wellesley Road north, Wellesley

Nature of technical advice or information required*

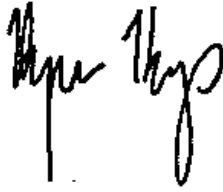
1	DAP query	Please provide a copy of correspondence provided by the Shire of Harvey to the Environmental Planning Authority (EPA), as referenced in the EPA advice email dated 2 December 2024, that is suggested to have informed the EPA's consideration and advice
	Response	<p>The correspondence of 2 December 2024 referenced by the EPA was a Teams Meeting held between EPA Services, the Applicant and the Shire. During this meeting, EPA Services asked the following questions:</p> <p>Of the Shire:</p> <ul style="list-style-type: none">The status of this application and the application for Lot 5 Wellesley Road North. The Shire advised the application for Lot 5 (DAP/24/02665) was recently determined by the RDAP and this application was scheduled to be determined on 4 December 2024. <p>Of the Applicant and the Shire:</p> <ul style="list-style-type: none">Did we consider the proposal to be a 'significant proposal' under the EP Act for referral? Both advised no.Did we intend to refer the proposal as a 'draft proposal' under the Kemerton Strategic Industrial Area Strategic Proposal? Both advised no.

* Any alternate recommendation sought does not infer a pre-determined position of the panel.

OFFICIAL

		For completeness, a copy of the original request to the EPA for advice dated 28 October 2024 is provided.
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DAP Executive Director Authorisation

Signature	
Date	3 December 2024
Response Due	3 December 2024; 3pm

From: Elizabeth Edwards

Sent: Monday, 28 October 2024 1:36 PM

To: '

Subject: Query re Assessment No 2317 | Kemerton Strategic Industrial Area

Importance: High

Good afternoon,

The Shire has recently been reminded of the above Strategic Environmental Assessment and the restrictions provided by section 41 of the EP Act for decision-makers.

The Shire currently has two development applications impacted by s.41:

1. Renewable Energy Facility (Battery Energy Storage System)
 - Lot 5 Wellesley Road, Wellesley
 - Zoned Strategic Industry, with small portion subject to Restricted Use 3 (Buffer)
 - 100MW over a 15ha portion of the lot
 - Utilisation of portion of land already cleared (previous sand extraction)
 - Application status:
 - Approved by Regional Development Assessment Panel at its meeting on 15 October 2024.
2. Renewable Energy Facility (Battery Energy Storage System)
 - Lot 4 Runnymede Road and Lot 5 Wellesley Road, Wellesley
 - Zoned Strategic Industry and subject to Restricted Use 3 (Buffer)
 - 660MW over an 18.75ha portion of the lot
 - Utilisation of portion of land already cleared with current sand extraction activities coming to an end.
 - Application status:
 - Application being assessed with Responsible Authority Report due to the Regional Development Assessment Panel on 7 November 2024.

The Shire considers that the above proposals would not prejudice the Strategic Environmental Assessment for the following reasons:

- Utilisation of land that has already been cleared of vegetation.
- Sustainable reuse of previous extractive industry sites.
- Proposed developments would have negligible offsite impacts.
- Infrastructure projects to address energy transition, energy supply issues, carbon emissions.
- In the context of the Strategic Environmental Assessment, considered to be low-scale and minor work.

Giving consideration to the above, can you please advise if the Authority would provide consent pursuant to section 41A(3) of the EP Act, thereby allowing the 100MW proposal (already approved) to be progressed and the 660MW proposal to be determined.

Regards

Elizabeth Edwards

Manager Planning Services

Shire of Harvey

P: (08) 9729 0348 | F: (08) 9729 2053

E: | W: harvey.wa.gov.au

102 Uduc Rd Harvey WA 6220 | PO Box 500 Harvey WA 6220



Presentation Request Form

Regulation 40(3) and DAP Standing Orders 2024 cl. 3.6

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **3 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Mark Scarfone
Company (if applicable)	Element Advisory
Please identify if you have any special requirements:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Regional Development Assessment Panel
Meeting Date	4 December 2024
DAP Application Number	DAP/24/02767
Property Location	Lot 568 Paris Road, Australind
Agenda Item Number	Part C – Item 3.2 - Lot 568 Paris Road, Australind – Service Station, Bulky Goods Showrooms, Recreation – Private, Liquor Store – Small

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content <u>will be</u> published as part of the Agenda:	YES <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT <input checked="" type="checkbox"/> AGAINST <input type="checkbox"/>
Will the presentation require power-point facilities?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, please attach



Will you be attending in person or via electronic means	In person <input checked="" type="checkbox"/> Online <input type="checkbox"/>
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Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> We support the officer recommendation however we request Condition 13 and Advice Note 1 are deleted for the reasons outlined below.
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In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document setting out the substance of the submission. If the presentation references documents that are contained within the responsible authority attachments, please consider referencing the attachment and not including a duplication of documents.

Please attach detailed content of presentation or provide below:-

We thank the officers for the practical and timely manner which they have dealt with this application. We support the officer recommendation however we request the deletion of Condition 13 and Advice Note 1. These changes have been discussed with the Shire.

Condition 13:

Condition 13 states: This approval supersedes the DAP/23/02586 approval dated 29 April 2024.

In April this year the Regional DAP approved a Convenience Store on the subject site Paris Road, Australind - DAP/23/02586 with conditions. Under the Shire of Harvey's new Local Planning Scheme the convenience store meets the definition of a 'Service Station'

The current development application for Service Station, Bulky Goods Showrooms, Recreation – Private, Liquor Store – Small proposes a range of new tenancies on the subject site. It also proposes a minor modification to the approved convenience store being the removal of the truck refuelling area at the rear and a small increase in the NLA. The RAR also that a Service Station is an appropriate use for the site and there are no concerns with the changes.

We request condition 13 is deleted, to provide the proponent with the flexibility to pursue either the stand alone service station or the holistic development proposal. Under the planning framework there is nothing to prevent a landowner from obtaining multiple approvals for a site.

Advice Note 1:

Advice Note 1 states that the pylon sign shown in the north west of the site is not part of the approval. The RAR states that no details of the pylon sign have been provided. The pylon sign is shown on Sheet 18 of the Development Plans in our DA report – Page 1315 of the agenda. This is in the same location and the same size as the pylon sign



shown in the DAP/23/02586 approval dated 29 April 2024. Given the pylon sign has previously been approved and there are no proposed change in terms of size or location we request this advice note is deleted.