

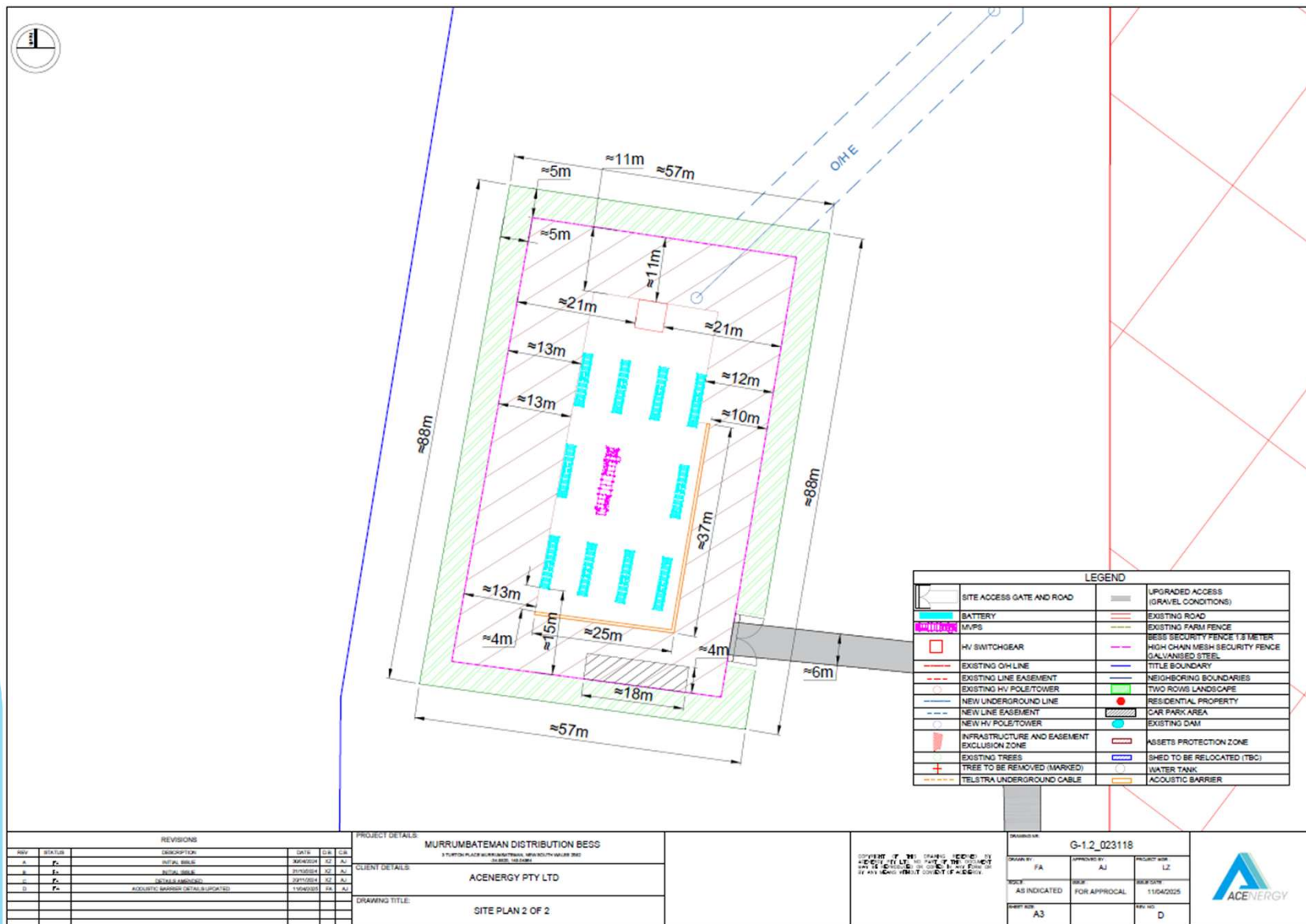


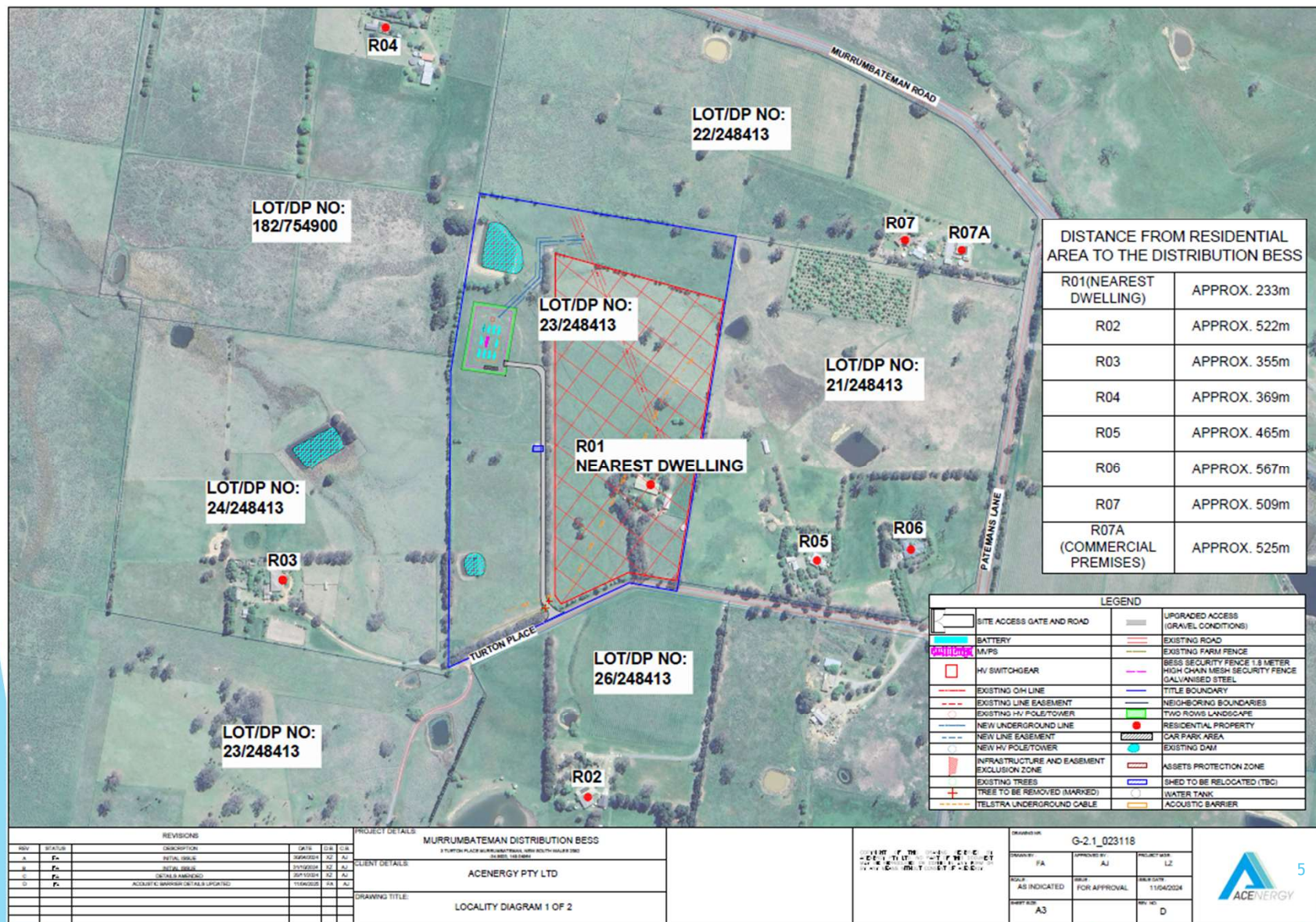
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PAN-441621
Murrumbateman DBESS

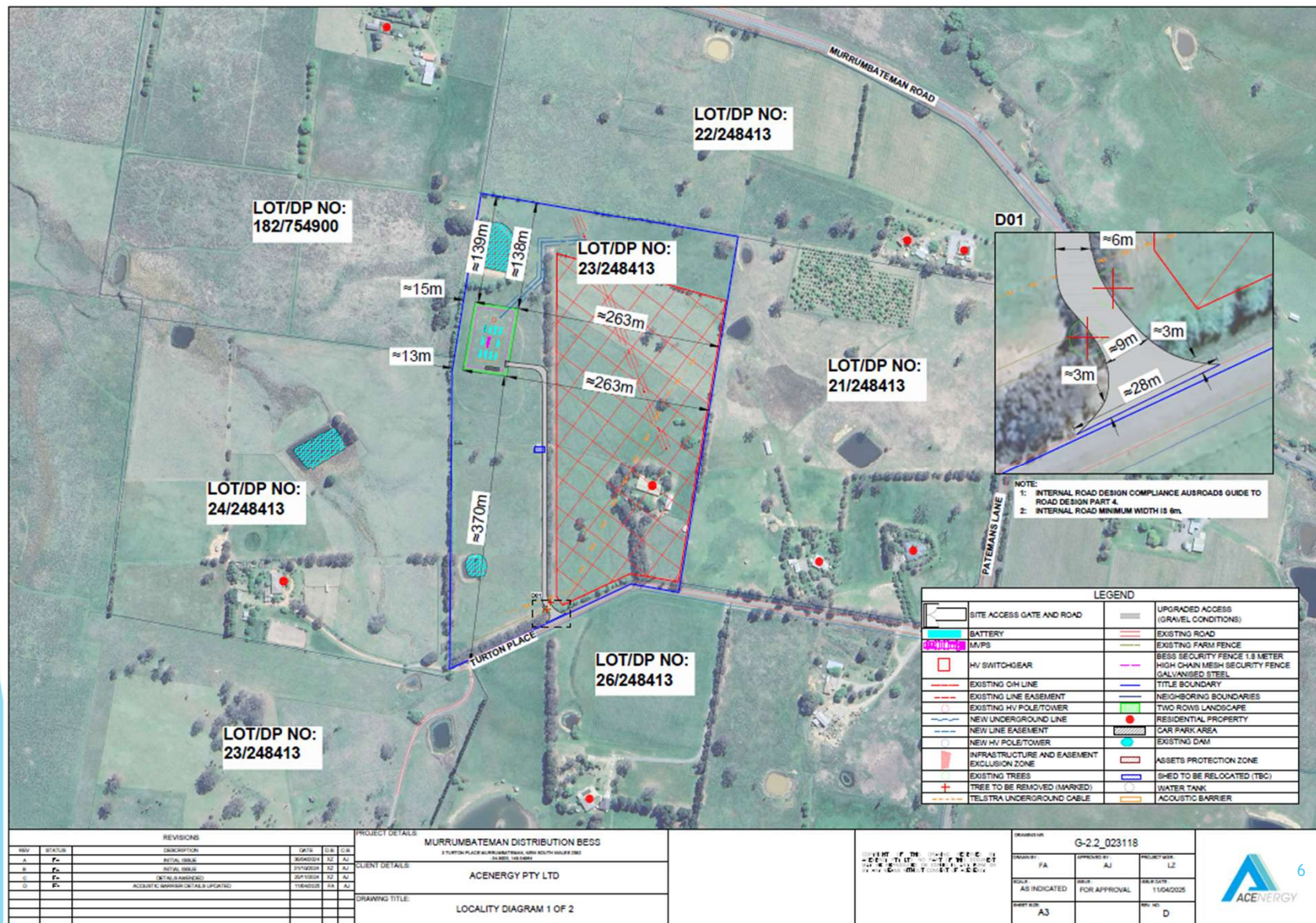
Project Description and Site

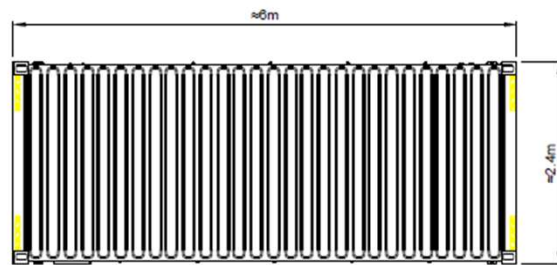
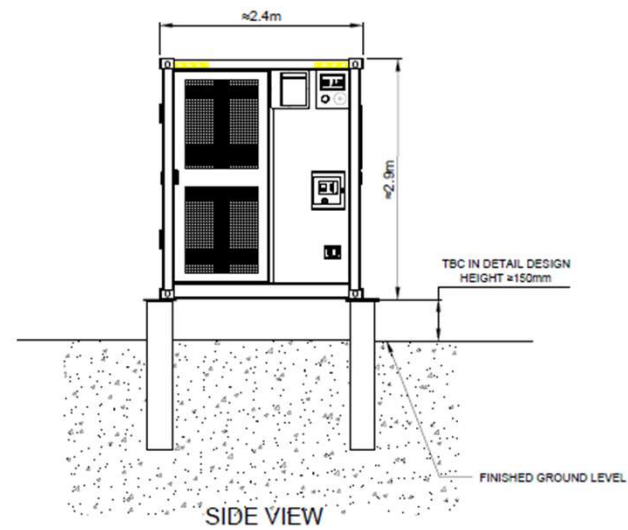
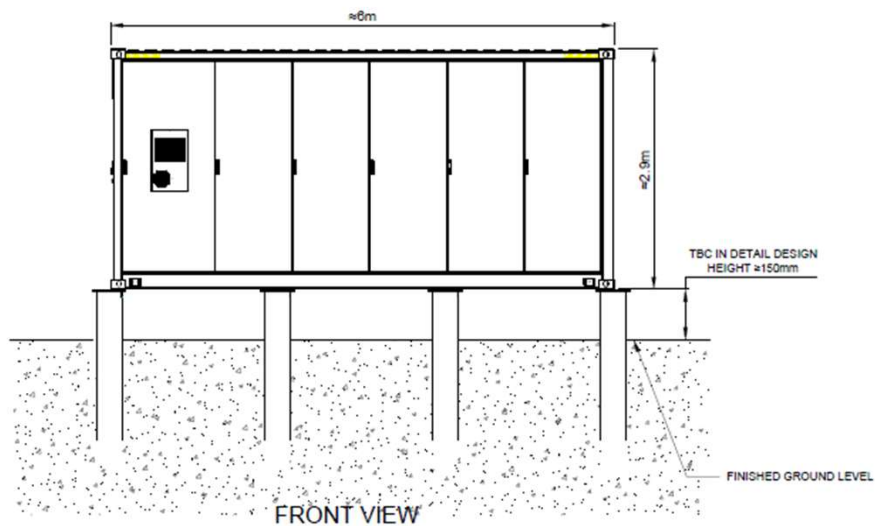
- Applicant: ACEnergy Pty Ltd (Distribution Energy Storage Project No 26 Pty Ltd)
- Project: Construction and operation of a Distribution Battery Energy Storage System (DBESS) with an approximate capacity of 5 megawatts (MW).
- Location: 3 Turton Place, Murrumbateman (Lot 23 DP248413) – approximately 2.62 km southeast of the centre of Murrumbateman.
- Function: Through regulating the availability of energy, the development would function to provide grid flexibility services and improve the overall efficiency of the electrical network, storing excess energy during periods of low demand and supplying it back to the grid during periods of high demand.
- Key project infrastructure:
 - New access arrangement from Turton Place.
 - Security fencing and landscaping around the DBESS.
 - Electrical components of the DBESS, including 10 battery containers (separated into blocks); a medium voltage power station (MVPS) and high voltage switchgear; and
 - Ancillary electrical sub-transmission lines to connect the DBESS to the existing powerlines to the east and an Acoustic Wall
- The following slides depict the conceptual design for the DBESS including details on the proposed layout, surrounding receivers, the access arrangement and elevations.











NOTE: MATERIAL FINISHES AND COLOUR PALLETTE TBC IN DETAILED DESIGN ACCORDING TO MANUFACTURER SPECIFICATIONS.

REVISIONS				PROJECT DETAILS				CLIENT DETAILS				DRAWING TITLE			
REV	STATUS	DESCRIPTION	DATE	DES	CHK	APP	DATE	CLIENT	STATUS	DATE	DATE	CLIENT	STATUS	DATE	DATE
1	FC	INITIAL DESIGN	20/05/2024	AL				AL				AL			
2	FC	DETAILS AMENDED	20/05/2024	AL				AL				AL			
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Technical drawing of the side view of the container unit. The drawing shows the unit's profile with various internal components like the engine, fuel tank, and electrical systems. Dimensions are indicated: a total length of approximately 12m (≈12m) and a height of approximately 2.5m (≈2.5m). The unit is supported by a series of vertical legs.

FINISHED GROUND LEVEL
TBC IN DETAIL DESIGN

— BATTERY INVERTER

— INDICATIVE
PLATFORM

Technical drawing of a long, narrow building layout, likely a school or institutional building. The drawing shows a central corridor with rooms on both sides. The overall length is approximately 12m, and the width is approximately 2.1m. The drawing includes various rooms, corridors, and a central entrance area.

REVISIONS										PROJECT DETAILS									
REV	STATUS	BY	DESCRIPTION	DATE	ISS	ISS	MURRUMBATAMAN DISTRIBUTION BESS				1 STATION PLACE MURRUMBATAMAN, NEW SOUTH WALES 280								
1	1	1	1	1	1	1	DATE: 10/01/2024				CLIENT DETAILS								
2	2	2	2	2	2	2	DRAWING TITLE				ACENERGY PTY LTD								
3	3	3	3	3	3	3	DRAWING TITLE				MVP'S ELEVATIONS								

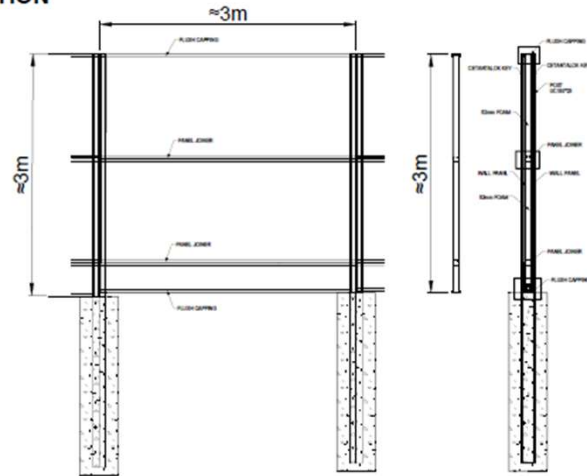
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FORM 101	APPROVAL BY	PREPARED BY
XZ	AJ	LZ
SCALE	FILE	FILE NAME
NO SCALE	FOR APPROVAL	31/10/2003
INSET 101	PREPARED BY	FILE NAME
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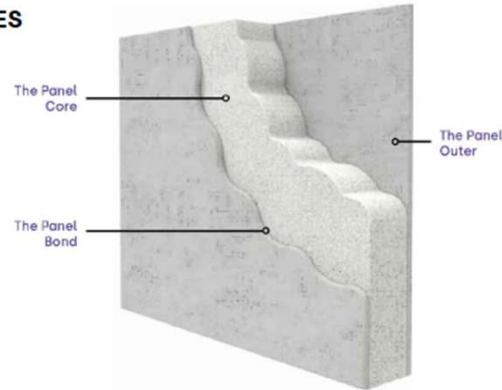


SECTION



TYPICAL PANEL DETAIL AT 3000 MAX HEIGHT

FEATURES



The Panel Core

- Termite resistant
- Superb compressive strength to weight ratio
- Absorbs minimal water - no mould or rotting
- Treated with Fire Retardant

The Panel Bond

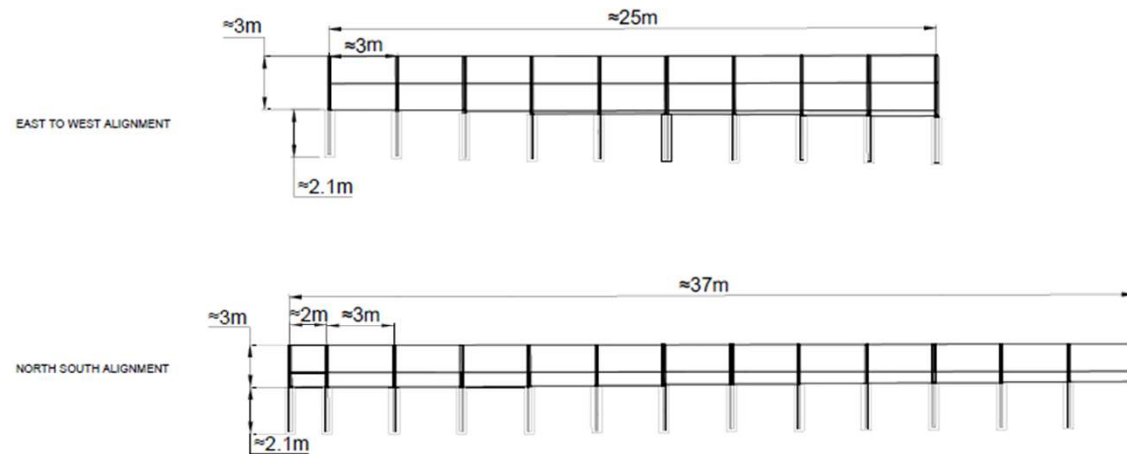
- Full surface contact adhesion
- High grade Polyurethane glue

The Panel Outer

- Fire resistant & non-combustible
- Smooth finish - easy to apply paint or render
- Maintenance Free

NOTE: MATERIAL FINISHES AND COLOUR PALETTE TBC IN DETAILED DESIGN ACCORDING TO MANUFACTURER SPECIFICATIONS.

ELEVATIONS



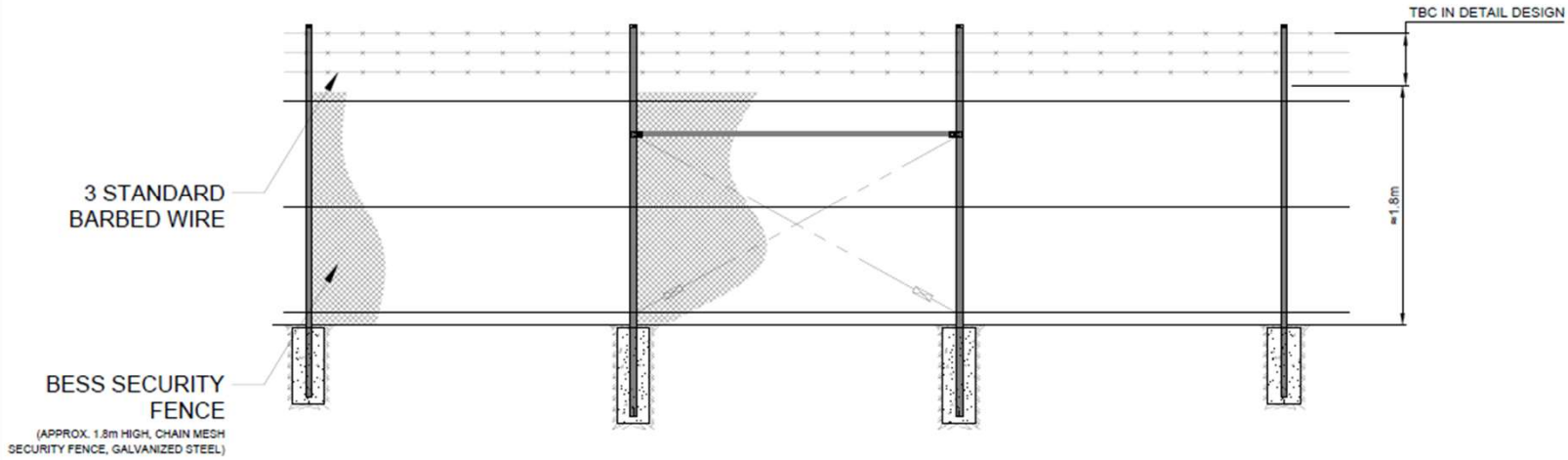
REVISIONS					PROJECT DETAILS		
REV	STATUS	DESCRIPTION	DATE	BY	MURRUMBATMAN DISTRIBUTION BESS		
A	FA	INITIAL DESIGN	15/04/2025	AL	1 YORTON PLACE MERRIMBURN VICTORIA 3606 SOUTH AUSTRALIA 0800 160 000		
					CLIENT DETAILS:		
					ACENERGY PTY LTD		
					DRAWING TITLE:		
					ACOUSTIC BARRIER GENERAL DETAILS (SECTION AND ELEVATIONS)		

CONSENT OF THE CHAIRMAN: THE CHAIRMAN OF THE COMMITTEE OF THE BOARD OF DIRECTORS OF THE COMPANY SHALL BE RESPONSIBLE FOR THE CONTENT OF ANY DOCUMENT PREPARED BY ACENERGY.

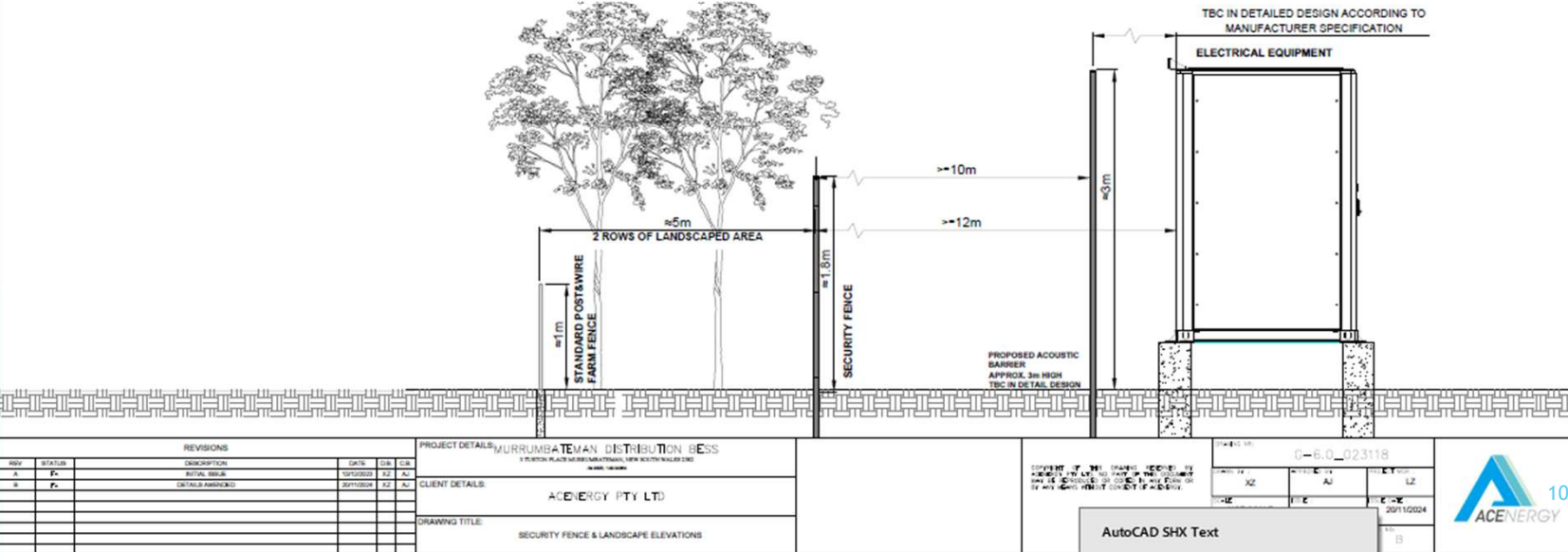
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DESIGNER: FA	DRAWN BY: AJ	CHECKED BY: LZ
SCALE: NO SCALE	FILE FOR APPROVAL	DATE: 15/04/2025
REVISED BY: AL	REVISED DATE: 23/11/18	REVISED BY: A



SECURITY FENCE FRONT VIEW



SECURITY FENCE AND TWO ROWS OF LANDSCAPE SIDE VIEW



Approval Pathway

- The proposed development consists of a DBESS, which is most appropriately defined under the *Yass Valley Local Environmental Plan (LEP) 2013* as (emphasis added):
 - **electricity generating works** means a building or place used for the purpose of:
 - a) making or generating electricity,
 - b) or **electricity storage**.
- The application was initially lodged as local development. At the request of Council, the Estimated Development Cost (EDC) was reviewed and adjusted to \$5,411,265 excluding GST, [\$5,952,391 including GST]. (MCG Quantity Surveyors, September 2024)
- Regionally Significant Development (RSD) under the *Environmental Planning and Assessment Act 1979* (EP&A Act) pursuant to Schedule 6, Section 5 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) (emphasis added):
 - Development that has an estimated development cost of more than \$5 million for any of the following purposes—
 - (a) air transport facilities, **electricity generating works**, port facilities, rail infrastructure facilities, road infrastructure facilities, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, or wharf or boating facilities,
 - (b) affordable housing, child care centres, community facilities, correctional centres, educational establishments, group homes, health services facilities or places of public worship

Permissibility

- ‘Electricity generating works’ is prohibited within *the RU4 - Primary Production Small Lots* land use zone via the LEP.
- The development is permissible pursuant to Division 4, Section 2.36 of State Environmental *Planning Policy (Transport and Infrastructure) 2021* (Infrastructure SEPP) (emphasis added):
 - Development for the purpose of **electricity generating works** may be carried out by any person with consent on the following land—
 - (a) in the case of electricity generating works comprising a building or place used for the purpose of making or generating electricity using waves, tides or aquatic thermal as the relevant fuel source—on any land,
 - (b) in any other case—any land in a **prescribed non-residential zone**.
- The RU4 zone applying to the site is a prescribed non-residential zone under Section 2.35 of Division 4 of the Infrastructure SEPP.
- The Infrastructure SEPP prevails to the extent of any inconsistency with another planning instrument (including the LEP) pursuant to Part 2.1, Section 2.7.

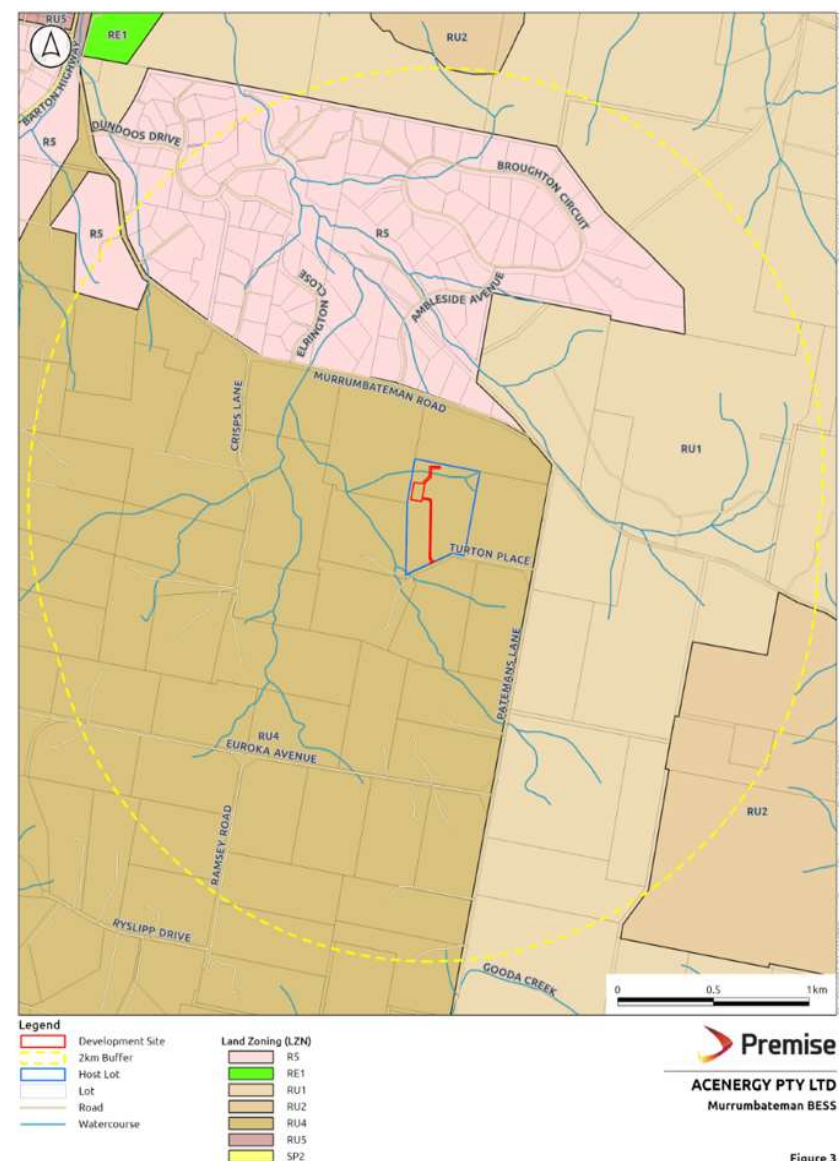


Figure 3

Development Application

- A Statement of Environmental Effects (SEE) report was prepared by Premise to support the development application originally lodged on 4 June 2024.
- The SEE includes a consideration of the legislative context of the development and potential impacts against the provisions of section 4.15(1)b) of the EP&A Act.
- The development application is supported by the following specialist assessments:
 - Flora and Fauna Assessment Report (Waratah Ecology);
 - Traffic Impact Assessment (Trafficworks);
 - Landscaping Plan (Ground Control, Landscape Architecture);
 - Flood and Groundwater Assessment (Water Technology);
 - Bush Fire Management and Emergency Response Plan (Harris Environmental); and,
 - Acoustic Report (Watson Moss Growcott Acoustics).

Community Consultation and Submissions

- A Summary of Community Consultation Activity was prepared by ACEnergy and provided to YVC via email on 4/10/2024.
 - Prior to DA Lodgement.
 - Letterbox drop introducing the project to surrounding receivers and including an invitation to provide feedback on the project issued on 06/05/2024.
 - Post DA Lodgement.
 - Two (2) open consultation sessions held on 12 and 13 August 2024 at Murrumbateman Community Hall, 19 East Street Murrumbateman. The sessions were advertised via a written letter posted on 02/08/24 and via the Yass Valley Times Newspaper (Edition 08/08/24).
- A comprehensive spreadsheet was prepared by ACEnergy to respond to enquires and concerns raised by community members during an initial public exhibition of the DA. This spreadsheet was provided to YVC via email on 4/10/2024.
- ACEnergy have remained committed to informing the community of the proposed development and responding to community concerns throughout progression of the DA.
- It is acknowledged that the proposal has been placed on public exhibition for three periods including:
 - An Initial public exhibition period from 2 July 2024 to 21 July following the original lodgement of the development applications – 37 submissions received.
 - Two subsequent public exhibition periods from:
 - 12 December 2024 to 20 January 2025 for Additional Information (RFI Response Letter 1) - 6 submissions received; and,
 - 2 May 2025 to 16 May 2025 for Additional Information 2 (RFI Response Letter 2) – 5 submissions received.
- Issues identified have been addressed through further explanation of assessments undertaken and subsequent responses to RFIs issued by YVC.

Requests for Information (RFIs) and Responses

- Three (3) RFIs have been issued by Yass Valley Council (YVC) following the original submission of the DA:
 1. An RFI dated 23/08/2024 requesting clarification on the EDC provided for the proposed development, the Development Application Cost Plan prepared by MCG Quantity Surveyors and the classification of the development as RSD.
 - Response: A revised MCG Quantity Surveyor report was uploaded to the planning portal on 20/09/2024. The revised report amended the EDC and has resulted in the reclassification of the development as RSD.
 2. An RFI dated 25/10/2024 requesting the following:
 - A revised acoustic report;
 - Additional detail with respect to the proposed acoustic barriers;
 - A VIA including photomontage;
 - Clarification on landscaping plans;
 - Consideration of the Yass Valley Development Control Plan 2024 which came into effect on 1 August 2024;
 - Clarification on external lighting;
 - Clarification on life expectancy of the DBESS and potential end of life measures for rehabilitation and recycling;
 - A revised Flora and fauna assessment (or addendum) which includes a consideration of clearing bushfire asset protection zones and a revaluation on the application of the Biodiversity Offset Scheme;
 - Details on finished levels, fill material and internal access road design for the proposed development; and,
 - A revised SEE report.
 - Response: RFI Letter 1 was prepared to address matters raised by YVC during their assessment of the Development Application and was uploaded on 04/12/2024. The response letter is supported by:
 - A tabular response to council matters;
 - Conceptual design drawings which provide an indication on cut and fill arrangements;
 - A photomontage from the receiver with the greatest potential for visual impact; and,
 - A revised SEE report supported by amended specialist assessments.

Requests for Information (RFIs) and Responses

3. An RFI dated 18/02/2025 requesting the following:

- A revised acoustic report to respond to council's acoustic report peer review
- Details on materials and colours;
- A response to advice from The NSW RFS together with a revised sit plan demonstrating provisions of appropriate APZs and a statement from a bushfire consultant confirming that the proposed landscape plan and planting is consistent with APZ requirements.

- Response: RFI Letter 2 was prepared to address matters raised by YVC during their assessment of the Development Application and was uploaded on 17/04/2025. The response letter is supported by:

- A tabular response to council matters;
- A revised set of design drawings which include details of the proposed acoustic barrier and an updated site plan
- A revised acoustic report including measurement of the existing acoustic environment to verify the requirement for an acoustic barrier, revised consideration of receivers and details on the acoustic barrier;
- Additional detail with respect to the proposed acoustic barrier including confirmation on the existence of suitable products and details of the acoustic barrier in drawings;
- A revised bushfire assessment, together with a consideration of contamination risks associated with fire management.
- A statement from the bushfire consultant; and,
- A revised landscape plan.

The Locality and Land Use Compatibility

- The Yass Valley Settlement Strategy 2036 contains the Murrumbateman Structure Plan (Master Plan 2031) which identifies the site within a 'winery precinct' described as:
 - *"Smaller rural lots in productive use such as grape growing and boutique wineries, the majority of which are located east of the Barton Highway and south of Murrumbateman Road."*
- We appreciate that Council and the community have expressed concerns regarding the compatibility of the development with the desired long-term character of this precinct.
- Council's Assessment Report, however, has detailed that the development is not considered to have a significant impact in the realisation of the aims of the Settlement Strategy:
 - *"The site is located in the RU4 Primary Production Small Lots area, but towards the eastern (outer) edge of that zone. Whilst the area may be subject to more intense large lot residential development in the future, this is likely to be on a long-term timescale beyond the life of the proposed BESS. The Settlement Strategy directs future urban growth for Murrumbateman to be centred to the north of Murrumbateman"*
 - *The proposal does not have a significant impact on, and is not incompatible with the 'winery precinct', for the reasons detailed in this assessment report, noting:*
 - *The visual impact and presence from the public domain (including winery trail) can be mitigated subject to ensuring appropriate colours, finishes, and landscaping to protect the rural character. This is in conjunction with it being well setback from public roads.*
 - *The size and scale of the BESS is relatively small at 5MW. Small scale 'electricity generating development' can be compatible with the desired land uses. It is not considered to present a significant land use conflict.*
 - *The proposal does not fundamentally or significantly alter the character of the winery precinct area overall. This represents use of 0.5ha of land area of the approximately 570ha in that area."*

Figure 4: Murrumbateman Master Plan 2031



The Locality and Land Use Compatibility

- The Development Application was lodged on 4 June 2024 prior to the commencement of the *Yass Valley Development Control Plan 2024* (DCP) on 1 August 2024. Following the attainment of legal advice by Council, the DA was updated to include a consideration of the commenced DCP.
- The land use matrix provided in Part A of the DCP indicates the parts and controls applicable to ‘electricity generating works’.
- As the proposal is permitted on the RU4 land use zone via the application of the Infrastructure SEPP, the development, however, does not clearly align with the direction of the land use matrix to relevant parts and controls of the DCP, specifically in relation to:
 - Part E is for Rural Large Lot and Environmental Zone Development, and
 - Part L Miscellaneous Land Uses;
- Council’s Assessment Report acknowledges this issue to identify the applicability of controls under the DCP for a BESS stating::

“A broad assessment has been undertaken of DCP and there is majority compliance, however, there are potential areas of non-compliance depending on which controls are considered. This includes, for example, setback distance from adjoining land with viticulture (E.1(c)), noise levels at adjoining property boundaries for intensive agriculture and rural industry (E3.1), and Part L6 in relation to renewable energy projects. Areas of potential non-compliance are not considered to represent basis for refusal due to uncertainty with applicability of controls”
- With respect to Council’s argument on non compliance it is additionally noted that Section 4.15 (3A) of the EP&A Act provides that if a development application does not comply with the standard of a DCP, the consent authority is to be flexible in applying provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

The Locality and Land Use Compatibility

- In relation to setbacks under Part E: E.1(c) Siting of Building Councils Assessment Report states that:

“The nature of the proposal as a BESS is not a sensitive land use. It is unlikely that there are incompatible issues by way of noise, light intrusion and spray drift that would adversely affect the BESS. Conversely, it is unlikely that the nature of the BESS would have any adverse impact on the viticulture operations at the proposed setback of 140m to the property boundary instead of 250m. The exception to this is in relation to the potential for smoke in a major fire incident, however, again the difference between the proposed 140m and required 250m is unlikely to make any significance difference.

To this end, it is considered that the proposed development does meet the objective of the control contained in E.1(c) - Siting of Buildings and the proposed setback can be supported.”

- In relation to potential non-compliances with Part L6 Renewable Energy Project Councils Assessment Report states: that:

The key areas of potential non-compliances would be in relation to (a), (c), (d), (e) and (f).

(a) The proposal is not directly consistent with the Settlement Strategy noting this area is identified as ‘winery precinct’. However, it is not considered to have a significant impact in the realisation of the aims of the Settlement Strategy. Refer to discussion under Settlement Strategy in Section 3.6 of this Assessment Report.

(c) The proposal is not located in area where it is visible by town and villages, however, is visible by several rural dwellings nearby.

(d) The proposal is considered to have some adverse impact on the amenity of nearby dwellings in by way of noise, however the controls are contradictory in that it is then consistent with (g) having been demonstrated that the noise impacts are within acceptable standards of NPfI.

(e) The impact of infrastructure (“e.g. turbines, panels”) on the rural landscape and tourism values of the Yass Valley is to be minimised. There is considered to be some impact on the rural landscape, noting it is partially visible from public domain and from neighbouring properties, although this can be reduced through the use of appropriate screening landscaping and colours and finishes. Thoughtful implementation of these measures could significantly reduce any tourism-related concerns. It is also noted that the BESS proposal is not the same scale or nature as a solar or wind renewable energy project.

(f) The proponent has not proposed a ‘sharing the benefits scheme’ or ‘community enhancement fund, however a s7.12 development contribution will be collected. Refer to further discussion under economic impacts in this assessment report.”

Acoustic Impacts

- A Revised acoustic report was prepared to respond to the matters raised within council's peer review. This included
 - Revision of receivers addressed;
 - Monitoring via a site investigation to characterise the existing acoustic environment;
 - Verification on the requirement to install an acoustic Barrier; and,
 - Details of the proposed acoustic barrier.
- Council's Assessment Report acknowledges the following with respect to acoustic impacts:

"The extent and size of the proposed acoustic barrier have been reduced during the assessment following changes to the underlying acoustic report (Attachment J shows changes on site plans). The acoustic barrier is now proposed around the southeast corner only, extending 25m on the southern side and 37m on the eastern side. The height has also been reduced to maximum 3m. Although subjective, this is generally considered to be an improvement in that it reduces the extent and visual presence of the acoustic fence in the landscape."
- In conclusion Council's Assessment Report identifies that the key issues associated with noise and the acoustic barrier have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions.

Fire Risk and Management

- Fire Risks have been carefully assessed as a component of the Development Application:
 - The proposed BESS is based on a lithium-ion battery configuration. Lithium-iron-phosphate (LFP) battery chemistry has been proposed to provide improved safety and decreased fire risk as compared to other common battery chemistries such as nickel-manganese-cobalt (NMC).
 - A bush fire management and emergency response plan prepared by an accredited bush fire practitioner details compliance with *Planning for Bushfire Protection 2019*. The application was also referred to the NSW Rural Fire Services for advice and their recommendations including in respect of APZ requirements have been addressed.
- Risk Management and Control Measures
 1. Primary Control Measures: Prevention at the Source
 - Automatic Fire Suppression Systems and Safety Devices: The BESS units adhere to stringent standards such as AS/NZS 5139:2019, UL9540, UL9540a, and NFPA-855. Internal fire detection and suppression systems, including aerosol extinguishing mechanisms and gas/thermal sensors, provide immediate containment of potential fire events
 - Self-Bunding BESS Containers: The BESS units are housed in self-bunded containers, ensuring that any potential electrolyte leakage remains contained within the system and does not reach the surrounding environment
 - LFP Chemistry Advantages: LFP batteries offer enhanced safety due to the absence of heavy metals and their lower thermal runaway nature.
 - Site Layout and Design: Strategic site planning incorporates safety measures, including asset protection zones, fuel-free zones, static water tanks, site access, battery separations, and setbacks, to minimize fire spread.
 2. Secondary Control Measures: Managing Larger Incidents
 - Firefighting Strategy: A defensive “controlled burn” approach is intended for fire management and would allow battery units affected by fire to consume themselves. This approach would restrict the application of firefighting water to surrounding areas cooling nearby exposures outside of affected battery containers. The application of water directly to affected battery units is considered to have minimal effect, is unlikely to extinguish a BESS fire and would likely only delay the eventual combustion of an affected unit. The defensive firefighting strategy of applying fire to surrounding areas seeks to prevent the propagation of fire and would avoid generating short circuits in adjacent equipment, minimise the amount of water needed for firefighting activities and reduce the volume of contaminated water produced.
 - Runoff Management: While permanent retention basins are impractical for a small-scale D-BESS due to space considerations, temporary containment measures such as impermeable surfaces, bunding, and portable spill barriers can effectively handle any potential runoff.
 - Operation and Maintenance: Well-defined Emergency Response Plans (ERP) and Fire Management Plans (FMP) will ensure that, in the unlikely event of substantial water usage, suitable containment, collection, remediation and off-site disposal measures are implemented effectively through an incident management process. Additional safeguards, including regular inspections, water quality testing, and the installation of monitoring bores, will further support efficient containment, cleanup, and safe disposal of firefighting water as necessary.

Fire Risk and Management

- We note that the draft consent conditions have included requirement to prepare an Emergency and Incident Management Plan prior to construction certificate. This is considered a reasonable response to the concerns raised and would ensure effective management outcomes are implemented to prevent and respond to fire risks throughout the life of the development.
- In conclusion Council's Assessment Report identifies that the key issues associated with fire (including smoke and bush fire risk and management have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions.

HB1

Slide 23

HB1 ACEnergy/ David Walker to confirm Approach
Hugh Bertinetti, 2025-07-24T14:39:55.191

Visual Impacts - Colours, Materials and Finishes

- Visual Impacts have been considered as a component of the Development Application and via Responses to RFI's issued by Council. This has included a review of surrounding vegetation and topography, panoramic photographs produced following a site visit by an architect and the provision of landscaping as part of the design to further obscure views of the development.
- Council's Assessment report has provided the following resolution in respect to visual impacts:
 - *It is considered that visual impacts can be appropriately mitigated through the use of appropriate landscaping and colours and finishes for both the BESS components and the acoustic barrier. The importance of this is recognised in context of site within an area with high values for agritourism and reflected in referral comments provided by Council's Manager Community and Economic Development. However, the level of commitment to detail in this instance by the applicant is currently insufficient to ensure.*
- In response to the outstanding level of commitment to colours and finishes (which is subject to the procurement of equipment and selection of vendors) and measures to ensure visual impacts are minimised, we note that Council have recommended deferred conditions to address the following:
 - *Colours, finishes and acoustic construction materials are appropriate to minimise visual impact and presence in the landscape, and to ensure the acoustic wall can be constructed per recommendations of the Acoustic Report.*
 - *A final revised landscaping plan which includes plantings that not just 'hiko' or 'tube' to ensure the screening vegetation establishes in a timely manner.*
- These deferred conditions are considered a reasonable compromise and response to the concerns raised for visual impacts. Submitting final details on colours materials and finishes and a revised landscape plan for Council approval would ensure any remaining potential for visual impacts is addressed prior to construction and operation of the development.
- While the colours, materials and finishes of the development are subject to confirmation with vendors and approval with Council, ACEnergy's procurement team have provided an example of a comparable BESS development which utilises a muted grey colour (Wallaby C35).

Example of a Comparable BESS Development

Wallaby C35



Questions?

