

Rebekah Hampson Land Insights Level 12, 197 St Georges Terrace Perth WA 6000

Dear Madam

RE: Lot 5 Robartson Road Merredin Development Application - Variation to Battery Energy Storage System DAP Approval 24/02631

Thank you for your recent application for development approval for a variation to the Battery Energy Storage System DAP Approval 24/02631 granted on 18 April 2024.

In response, I wish to advise you that your application for development approval was considered by the Shire of Merredin Council at its ordinary meeting held on 17 December 2024, where it resolved as follows;

"That Council

- 1. GRANTS development approval in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, for proposed variation to the Development Assessment Panel (DAP) approval granted on the 18th of April 2024 (DAP Ref: 24/02631), for the Battery Energy Storage System in Robartson Road, Merredin, as outlined in Attachment 12.2A, subject to the following conditions;
 - a) If the development, the subject of this approval, is not substantially commenced within a period of 4 years from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.
 - b) The submission and approval of a dedicated Construction Management Plan (CMP), including a transport impact assessment, details showing the proposed interim and longer-term facilities including building/structure setbacks, carparking facility, landscaping/ screening etc, to the satisfaction of the local government.



- c) The removal of all construction infrastructure once the facility has been completed to the satisfaction of the local government.
- d) The preparation and lodgement of a Drainage Management Plan (DMP) to contain all drainage on site to the satisfaction of the local government.
- e) The design and location of on-site effluent systems for the construction phase as well as the longer term to be designed and located to the satisfaction of the local government.
- f) Compliance with the Bushfire Management Plan (BMP) dated 14 December 2023 recommendations (including the Bushfire Risk Assessment & Management Report).
- g) Any new crossover to Robartson Road shall be located and constructed to the satisfaction of the local government; and
- 2. ADVISES the Development Assessment Panel of Councils determination on this matter.

Advice Notes

- 1. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
- 2. The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Merredin and be approved before any work requiring a building permit can commence on site."

I hope that this now clarifies the Shire's position in relation to this matter. If you have any questions, please do not hesitate to contact me at the Shire office.

Yours faithfully

Peter Zenni

Executive Manager Development Services

18 December 2024



Local Planning Scheme No. 6
Schedule 9
Notice of Determination on Application for Planning Approval

Planning and Development Act 2005.

Shire of Merredin

Determination on Application for Planning Approval

Location: Lot 5 Robartson Road	, Merredin WA 6415, Planning approval MDPA 021 (20	24)

Lot: 5

Plan/Diagram:

Vol. No:

Folio No:

Application Date: 21/11/2024

Received On: 20/11/2024

Description of proposed development: Construction and Use of Battery Energy Storage System as per plans forming part of approved variation to Development Assessment Panel (DAP) approval, granted on 18th of April 2024 (DAP Ref: 24/02631).

The application for planning approval is:

✓ granted subject to the following conditions:

Conditions:

- a) The submission and approval of a dedicated Construction Management Plan (CMP), including a transport impact assessment, details showing the proposed interim and longer-term facilities including building/structure setbacks, carparking facility, landscaping/ screening etc, to the satisfaction of the local government.
- b) The removal of all construction infrastructure once the facility has been completed to the satisfaction of the local government.
- c) The preparation and lodgement of a Drainage Management Plan (DMP) to contain all drainage on site to the satisfaction of the local government.
- d) The design and location of on-site effluent systems for the construction phase as well as the longer term to be designed and located to the satisfaction of the local government.

- e) Compliance with the Bushfire Management Plan (BMP) dated 14 December 2023 recommendations (including the Bushfire Risk Assessment & Management Report).
- f) Any new crossover to Robartson Road shall be located and constructed to the satisfaction of the local government; and

Advice Notes

Note 1. If the development, the subject of this approval, is not substantially commenced within a period of 4 years from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.

Note 2. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Note 3. The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Merredin and be approved before any work requiring a building permit can commence on site.

Signed: Dated: 18/12/2024

Piotr Zenni – Executive Manager Development Services

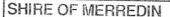
For and on behalf of the Shire of Merredin

Form 2 – Minor Amendments to Approved Battery Energy Storage System

PREPARED FOR

Nomad Energy

November 2024



This plan forms part of Planning Consent

Chief Executive Office

Date 1712 2024



Prepared by:

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Document Name: Met Mast Development Application Rev 1

Document History:

Date	Document Revision	Document Manager	Summary of Document Revision	Client Delivered
Oct-24	Rev0	RH	Draft for Client Review	Oct-24
Nov-24	Rev1	RH	Updates after client review	Nov-24
Nov-24	Rev1a	RH	Updates for Lodgement	Nov-24

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This plan forms part of Planning Consent

Chief Executive Officer

Date Talizhay

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SHIRE OF MERREDIN

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Chief Executive Officer _

Date 17/12 2024



1 Introduction

1.1 Background

Approval was granted for the Merredin Battery Energy Storage System (BESS) by the Regional Development Assessment Panel (RDAP) on the 18th of April 2024 (DAP Ref: 24/02631) subject to conditions. Further design refinement of the project has been undertaken since the approval and has resulted in minor changes to the layout of the project to achieve optimal design and operation of the facility, as well as compliance with third party assessment (eg. Bushfire Management Plan). It should also be noted that these minor changes to layout and design are improvements in the design and are contained almost wholly within the existing approved footprint of the development.

The site is the subject of a recent subdivision application that has been approved with conditions by the Western Australian Planning Commission (WAPC). As part of the subdivision application process a detailed site survey was undertaken, which has now confirmed the actual site area required for the project. This has resulted in a minor (approximately 6%) increase to the site area. WAPC has been made aware of the minor increase in site size and has confirmed (see Attachment 3) that this minor amendment can be addressed at the deposited plan (1C) stage. The increase in site area facilitates the development of suitable access and crossover requirements for the project. It should also be noted that all electrical and ancillary infrastructure still fits within the original approved footprint granted by the RDAP.

Until all conditions of subdivision approval are met and cleared by the WAPC, a Certificate of Title for the separate Lot will not be issued – most likely not until early next year. This explains why the current landowner of the site has signed this Form 2 of this application. Lodging the application now will advance consideration towards a timely approval, facilitating the appointment of contractors necessary for construction early in 2025.

In submitting this Form 2 application pursuant to r.17(2) as a minor amendment to the current approved development we request that the Shire of Merredin make the determination of the application in line with Schedule 2 clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015 to agree replacement of the Approved Plans and Elevations with the updated design layout and elevations.

Consistent with the previous DAP application the site remains as an agricultural property and does not contain any areas of remnant vegetation. It should also be noted that the local planning framework has not changed since the original application was approved earlier this year.

This report contains the following Attachments for your consideration

- Attachment 1 Signed Form 2
- Attachment 2 Updated Layout Plans and Elevations

OLD DRAWING	REPLACEMENT DRAWING	
MBB – GA - 00 A Overall site general arrangement	J25-0323-EL-GNA-003_C1 Overall site general arrangement	

MBB – GA – 01 A132/33kv Substation	J25-0323-EL-GNA-001-D1 132kV Substation
MBB – GA – 02 A BESS general arrangement	J25-0323-EL-GNA-002_C1 BESS general arrangement
MBB – EL – 231011 A Exterior fence & gates elevation	BPER00811-002-DWG-0781_A Fence section & Details BPER00811-0002-DWG-0782_A Gate sections & Details
MBB – EL – 231012 A Switchroom/Control building elevation	J25-0323-EL-ELV-002_A1 Switchroom elevation J25-0323-EL-ELV-003_A1 WP Relay Room Elevation
MBB-EL-231019 A Typical access track cross section	
	BPER00811_0002_DWG-0100_B Site Plan
	BPER00811-0002-DWG-0110_B Development Approval Plan
	J25-0323-EL-ELV-001_A1 132kV Switchyard Elevation
	125 0222 ELLAY AND AT Construction Compound Layou

Attachment 3 – WAPC email confirmation

2 The proposal

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Chief Executive Officer

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2.1 Overview

The BESS facility and associated substation and ancillary infrastructure will retain an export capacity of approximately 100MW / 400MWh and is still located adjacent to the existing Merredin Terminal Substation. The proposed changes described in this Form 2 application for the site are minor in nature and do not defer from the intention of the issued approval. No proposed changes to the components that will be on site are proposed and fall within the area that is approved as part of the previously mentioned subdivision application. Some of the changes that have occurred are required by either the manufacturers of the components, or other entities such as Western Power and inform the refinement of the design. The proposed changes are outlined in the following sections. Revised plans are attached (see Appendix 2).

2.2 Components

As outlined in the previous report lodged with the RDAP the components included within the development include the following:

110 – 120 Battery containers



- 6 Ring Main Units (RMU's) and 28 MV Transformers
- A HV/MW Switchyard
- A Western Power relay room
- Substation (with bunding to approved standards)
- Parking for workers for both the construction and post construction phase
- Operation and Maintenance building
- Spare parts building
- Internal roads (built to the required standards of both the Shire and Bushfire Requirements)
- Firefighting Infrastructure (to standards outlined in the Bushfire Management Plan)
- Development to support the construction phase

2.3 Changes to approved plans

The following describes changes which resulted from design refinement:

Battery Units

The current RDAP approval shows the battery units aligned in an east-west pattern on the site, design refinement now aligns the battery packs in a north-south pattern over the site. This change will have no significant impact on the site nor its surrounds. The project remains located behind the dam off Robartson Road and adjacent to the existing infrastructure located at the adjacent existing Western Power substation (south of the proposed development). The footprint, size and approximate location of the battery packs, as well as the number within the surveyed site boundary is the same as for the current approved development.

Ring Main Units & MV Transformers

The design refinement has reduced the number of required Ring Main Units to 6 over the site and these will sit between the battery packs as they did in the original approval. There are also 28MV transformers across the site and as per the previous approval these will sit in between the battery packs. This alignment will not have a detrimental effect on the site, nor its surrounds as their location is the same as the current approved development sited in between the battery units on site with the visual impact of the components the same as the previous approval.

HV/MV Switchyard

The refined design in relation to the HV/MV switchyard has seen a small reduction in size and has moved eastwards closer to the BESS units. The switchyard along with other electrical and ancillary equipment sits within the approved footprint of the previously approved development and consists of the same components just in a slightly altered configuration. This slight change in location has occurred as the control room has moved from in between the battery packs and the switchyard to the north of the switchyard. The change in location will have no detrimental effect on the site nor it's surrounds in terms of the management of the facility nor the visual impact of the facility.

SHIRE OF MERREDIN

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Chief Executive Officer

Date 17 17 2014

Control Room Building

The control room building is moved from the eastern side of the switchyard to the north of the switchyard. The building is consistent with the current approved footprint and as changed it will not have any detrimental effect on the site, nor it's surrounds nor the visual impact of the development.

Western Power relay room

Under the previous approval a requirement for a Western Power/Comms Building which is the relay room was shown as *Additional Control Building (if required)* along the southern boundary of the site. The design refinement process and further negotiations with Western Power have indicated the need for this building on site to operate the facility to safe standards. The development of the building has no detrimental effect on the site nor its surrounds. As part of the required infrastructure on the site it blends with the other infrastructure within the approved footprint.

Substation

The substation is moved slightly to the east closer to the BESS facility, a move facilitated by placing the control building/switch room to the north of the switchyard. The substation will be bunded to the appropriate standards within the approved boundary and adjacent to the existing Western Power substation. This redesign has no detrimental impact on the overall visual impact of the development with the components being the same and just moved slightly to the east. The substation will be fenced separately from the BESS facility with an access gate to the north (approximately 6 metres wide), this is a requirement of Western Power to facilitate joint access to the site.

Warehouse and Storage Building

During further design iterations and discussion with the BESS OEM (Tesla) the requirement for a larger warehouse, spare parts and storage building was identified to meet supplier recommendations. This building has moved from the southwestern side of the battery packs to the eastern side of the battery packs. This move will not have a detrimental impact on the overall design of the facility nor the visual impact of the facility as the proposed development will be contained within the existing footprint of the already approved development.

Internal Roads

The updated plans that form part of this application show the internal and access roads required for the BESS facility and other ancillary infrastructure within the site. As mentioned previously a detailed site survey was undertaken as part of the subdivision application, and this increased the footprint of the site slightly to allow for the required space for the internal roads and crossover to the site. The main access to the site is now shown on the plans and is shown to be 6.9 metres in width. A gated entrance to the BESS facility will have 2-way access and will be fenced and gated with the access being approximately 9.1m. Internal roads within the BESS facility are proposed to be 5m and a proposed laydown area to the east of the subject site.



The substation and control room will be fenced separately with the proposed access road to this area being constructed to a width of 6m with secure gates being located to the north of the substation within the approved development footprint.

Firefighting Infrastructure

A requirement for a tank for bushfire management and risk was detailed in the Bushfire Management Plan (BMP) that formed part of the approval granted by the RDAP on the 18th of April 2024. As part of the design iterations a suitable location was identified for the placement of these tanks and is now shown on the plan in the northwest corner of the development to the west of the operations and maintenance building which is in line with the recommendation from the BMP.

The tank requirement for firefighting purposes on the site, their location in this position is necessary (as per BMP) suitable and has no detrimental effect on the site nor its surrounds. It is located within the current approved footprint of the development.

Operations and Maintenance Building (O&M)

The previous approval showed 2 smaller O&M buildings on the site, as part of the design refinement these buildings have been combined to create 1 O&M building. The combined O&M building has been moved to the north of the control room building and will be fenced along with the BESS facility, separate to the switchyard and control room and remains within the original footprint along with all the other ancillary equipment. The combined O&M building means that there is not a duplication of facilities that are contained within the 1 building and include a workspace with desks, a meeting room, a kitchenette, bathrooms and a SCADA/COMMS and Storage Room. The justification for the components within the O&M building is that the following is required by Tesla and the operator of the BESS facility during the construction phase and for monitoring and maintenance of the facility post construction:

- Tesla requirements as per their on-site maintenance infrastructure requirements (Level 5) minimum of 7 x office desks.
- BoP contractor requirements 2 x office desks
- Owner representative 1 x office desk

Parking & Laydown Area

A laydown area has been identified for the construction phase to the east of the site. This will be used for the construction compound, site office, ablution blocks, water tank, storage units and additional parking and the laydown of equipment during the construction phase. Six (6) constructed and marked parking bays have also been identified to the west of the site, used by workers for operational and maintenance purposes onsite as well as Western Power.

3 Conclusion

This application is seeking to update the current Approved Plans to reflect the process of design refinement for the BESS facility. As noted previously the site has had a detailed survey undertaken as part of an approved subdivision which has led to a small increase of approximately 6% in size of the previously

approved plan, however it should also be noted that the previously approved plan indicated that the boundary was approximate. This increase in the size of the site has meant that the proposal meets requirements in relation to internal roads and the construction of a suitable crossover to the site. The revised plans and supporting Planning Report explain the minor changes which resulted from detailed design refinement. The revision and refinement of the components on the site and all electrical and ancillary equipment is still contained within the original footprint on Lot 5 Robartson Road in the Shire of Merredin as approved by the RDAP on the 18th of April 2024.

There will be no detrimental effect on the site nor its surrounds from this refinement of design, with the components being the same as the previous approval with the re-organisation of layout to ensure that operations on the site are optimal and meet the requirements of those supplying the components and Western Power.

The proposal therefore warrants approval for the following reasons:

- The proposed development as approved is still consistent with both the local and state planning framework as demonstrated in the report that accompanied the RDAP approval on the 18th of April 2024.
- The proposed development still contains the components of the previously approved development, just moved slightly within the approved development footprint and as determined in the previous application it will not have a detrimental visual impact over the site or its surrounds.
- The proposed BESS facility and implementation is still informed and supported by the technical documents that formed part of the approval granted by the RDAP on the 18th of April 2024 and is still subject to the conditions that formed part of that decision

The proposed revision to the layout of development is therefore recommended for consideration by the Shire of Merredin because it meets both state and local planning frameworks objectives and requirements. The changes to the development will allow for a better design layout for optimal operation of the facility.

These minor changes should be supported for approval and this Form 2 application recommended for Approval with the same conditions that formed part of the approval from the RDAP on the 18th of April 2024.

SHIRE OF MERREDIN

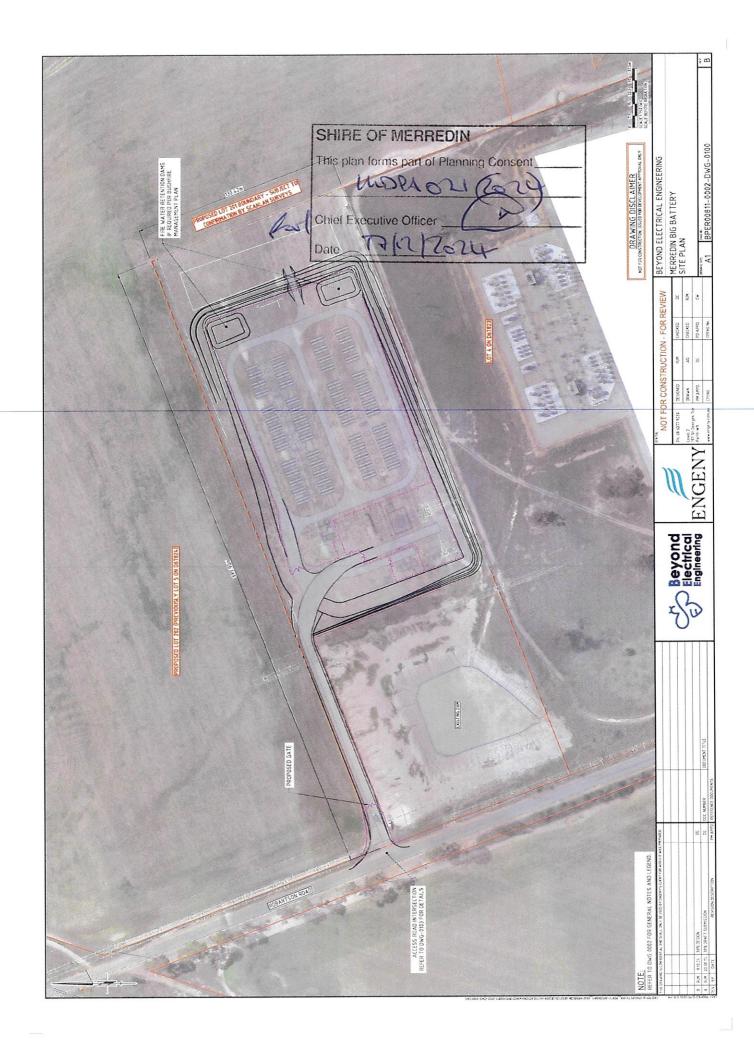
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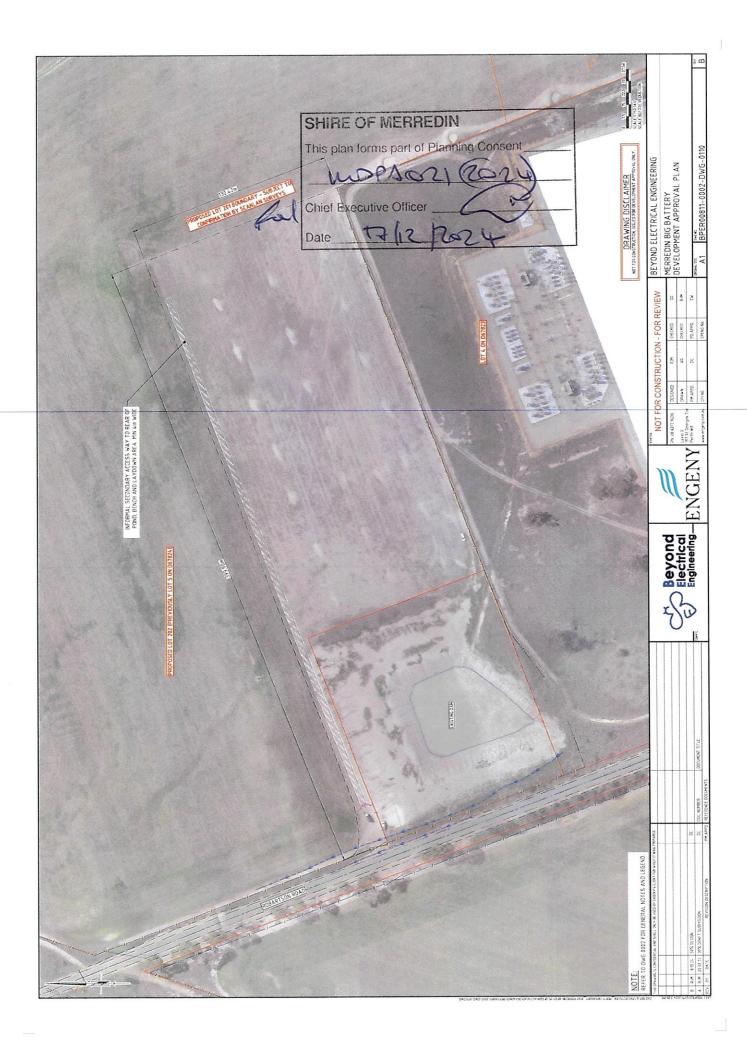
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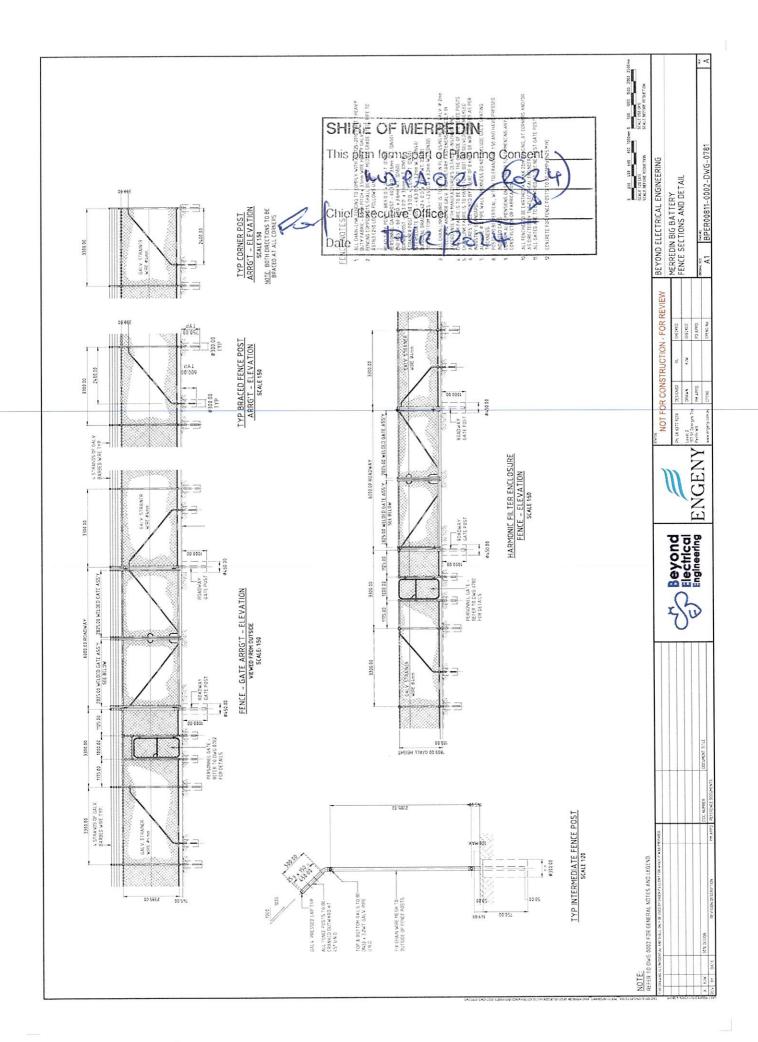
Chief Executive Officer

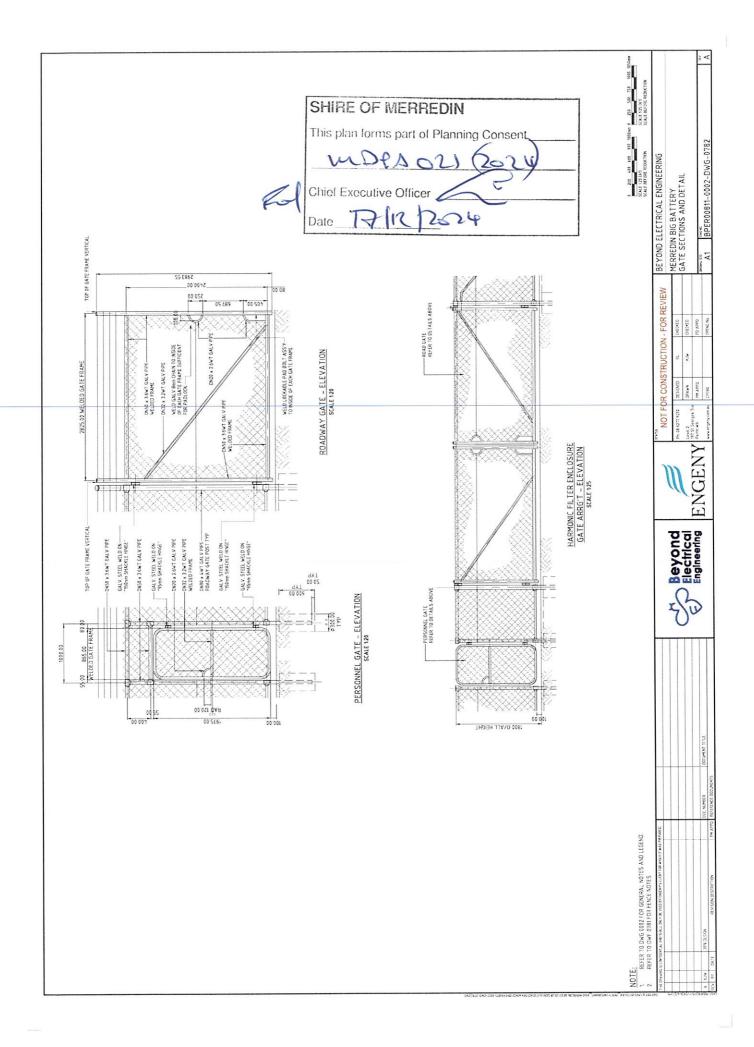
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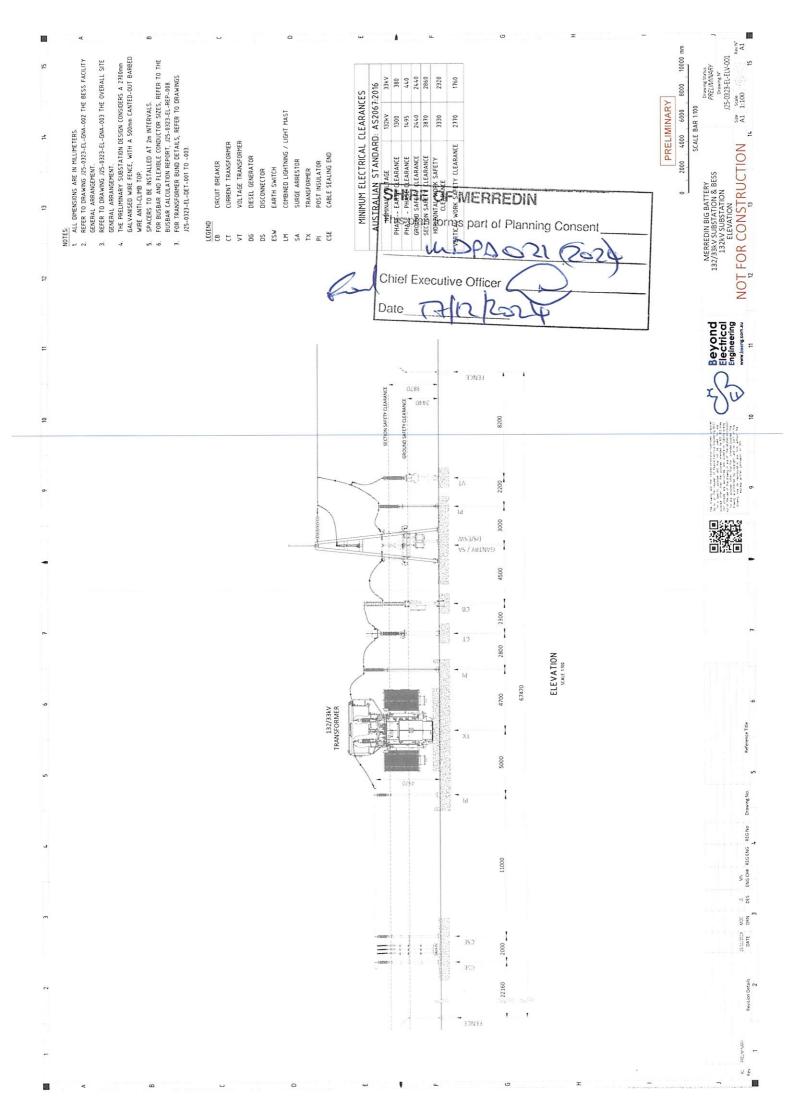


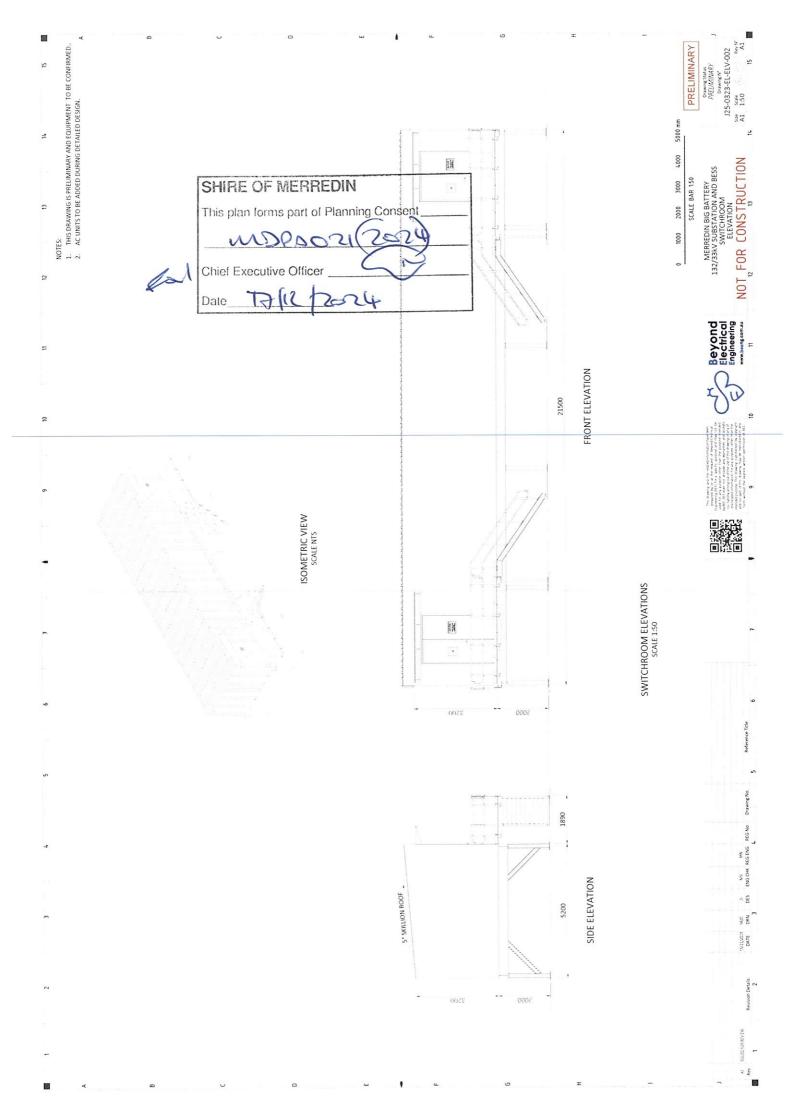


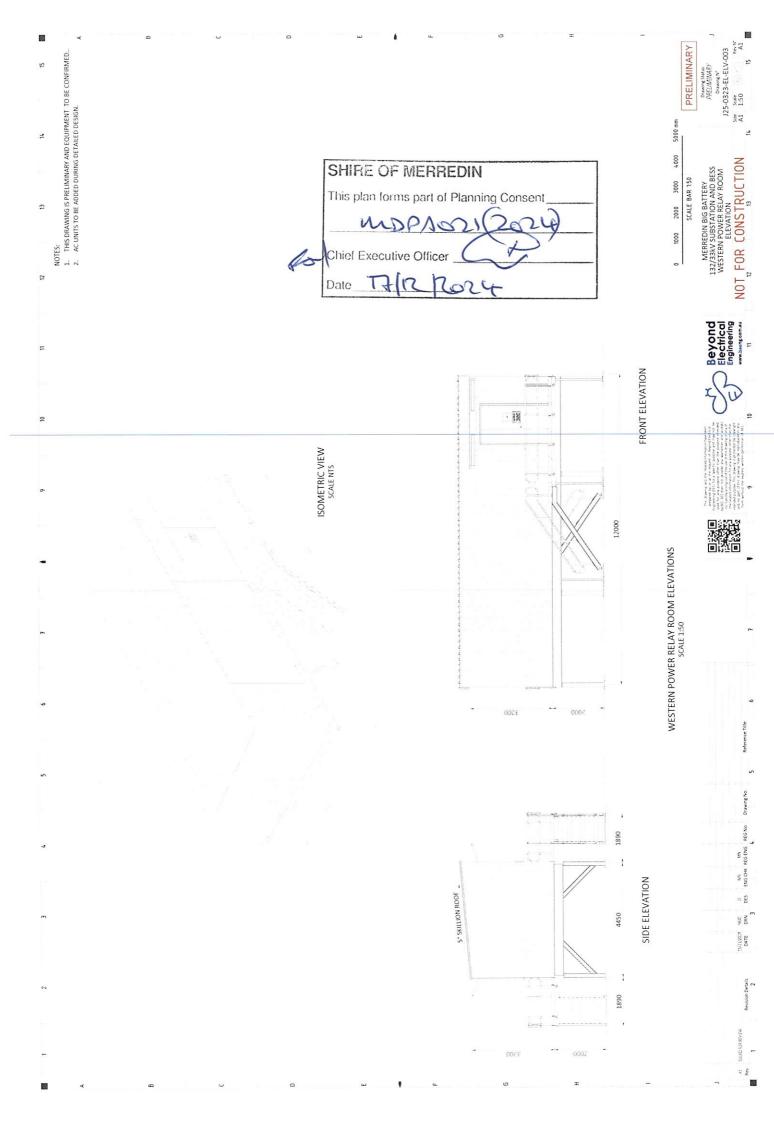


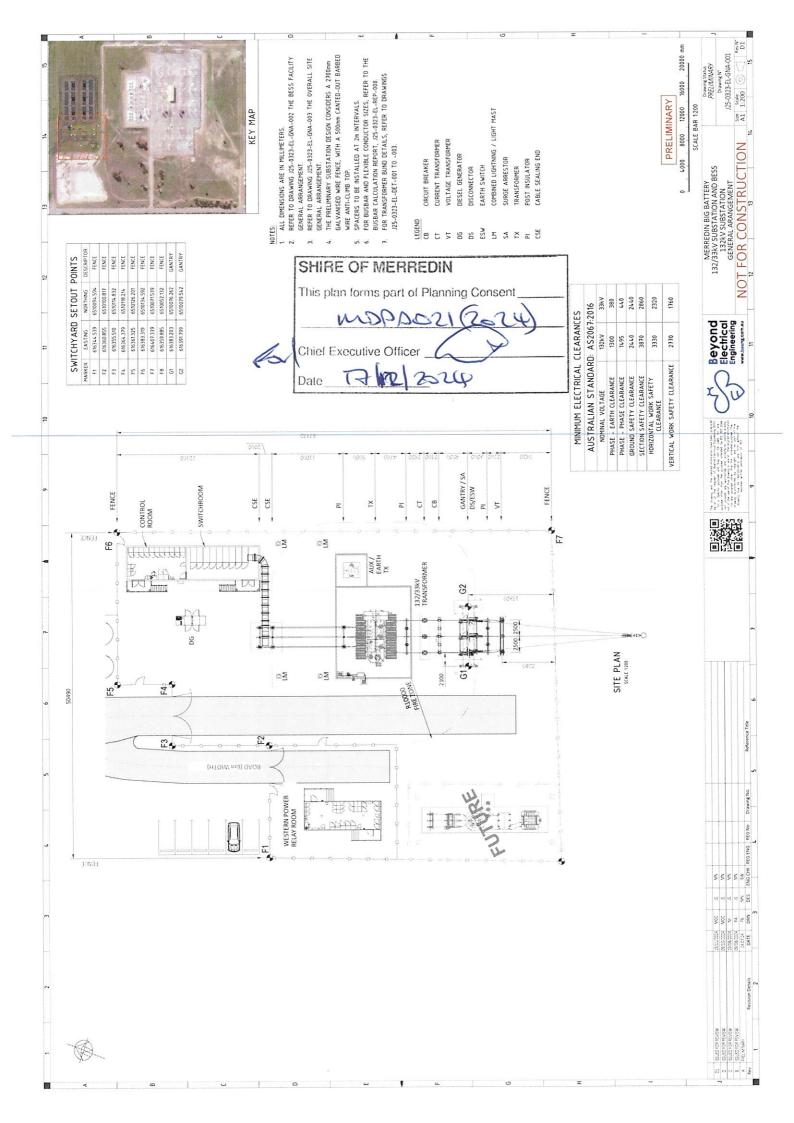


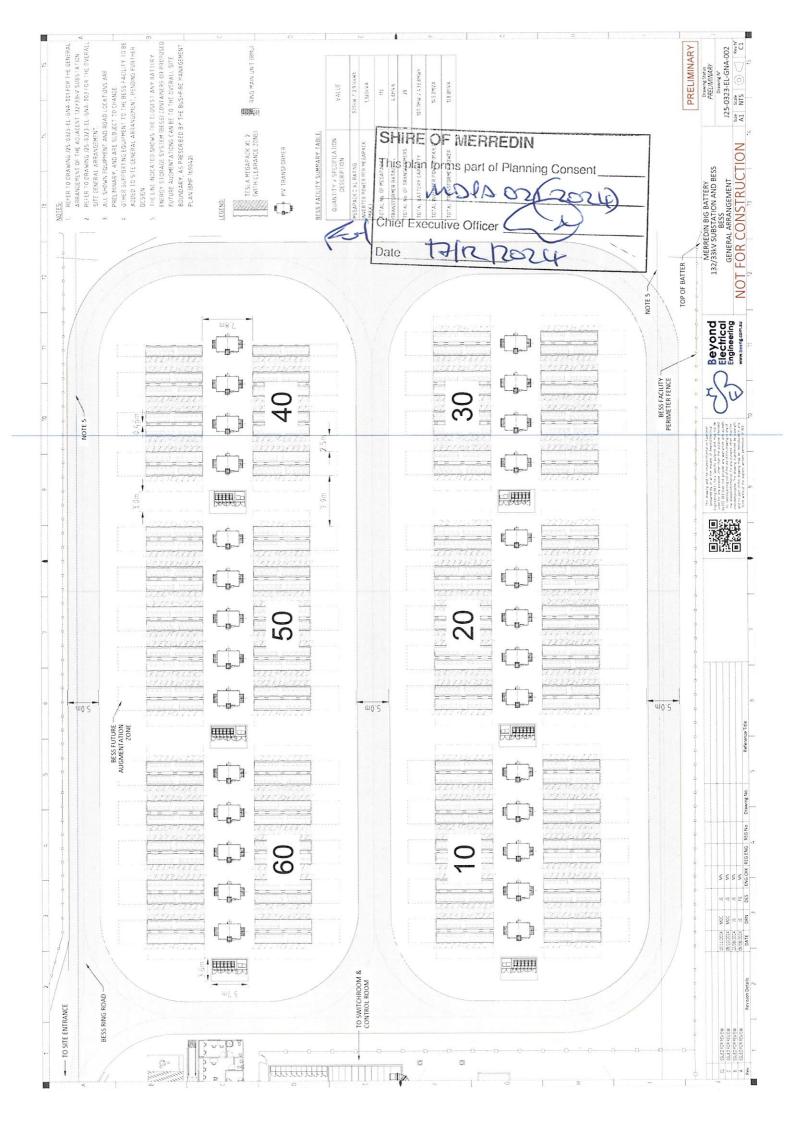


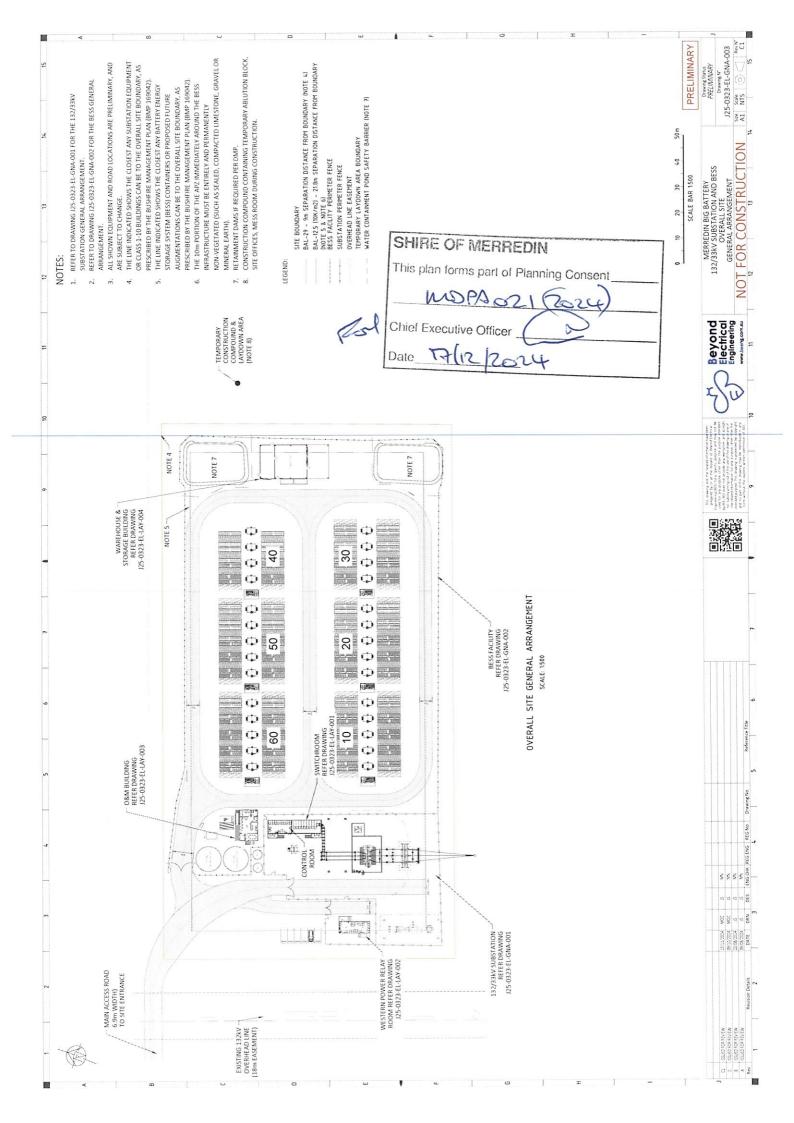












PRELIMINARY SUBSTATION GENERAL ARRANGEMENT.
REFER TO DRAWING 125-0923-EL-GNA 002 FOR THE BESS GENERAL
ARRANGEMENT.
ALL SHOWN EQUIPMENT AND ROAD LOCATIONS ARE PRELIMINARY, AND
ARE SUBJECT TO CHANGE. REFER TO DRAWING J25-0323-EL-GNA-001 FOR THE 132/33kV 20000 mm NOT FOR CONSTRUCTION MERREDIN BIG BATTERY 132/33ky SUGSTATION AND BESS CONSTRUCTION COMPOUND & FACILITIES LAYOUT SCALE BAR 1:200 8000 12000 0007 NOTES: Beyond Electrical Engineering www.beent.com.zu SHIRE OF MERREDIN This plan forms part of Planning Consent (ca) Chief Executive Officer STORAGE CONTAINERS (3m x 12m) WATER TANK - TEMPORARY COVERED WALKWAY CONTRUCTION COMPOUND & FACILITIES SCALE: 1200 GRIB WC STORAGE STORAGE CAR PARK 21000 OFFICE MA ENG CHK REG ENG 72 DES DRN DRN Syll/2014 DATE

PRELIMINALRY

J25-0323-EL-LAY-008

Size Scale A1 NTS