



Shire of  
**Collie**

# MINUTES

of the

## SPECIAL MEETING OF COUNCIL

held on

Tuesday, 21 November 2023



## Our Vision

**Collie** - *A progressive community, rich in opportunities and as diverse as its heritage and landscape.*

## Our Values

The core values at the heart of the Council's commitment to the community are:

*Integrity*

*Transparency*

*Accountability*

*Collaboration*

*Respect*

## Our Commitment to Community

**We will** lead the delivery of our vision

**We will** support local business wherever possible

**We will** consult and engage with our community on issues that affect them

**We will** encourage, welcome and value feedback

**We will** encourage, support and advocate for our community

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Minutes for the Special Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 21 November 2023 at 6.07pm.

**1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE**

**PRESENT:**

Ian Miffing OAM JP	Councillor (Presiding Member)
Joe Italiano	Councillor (Deputy Member)
Brett Hansen	Councillor
Elysia Harverson	Councillor
Dale Hill-Power JP	Councillor
John Kearney	Councillor
Paul Moyses	Councillor
Stuart Devenish	Chief Executive Officer
Matthew Young	Director Development Services

**APOLOGIES:**

Gary Faries	Councillor
Leonie Scoffern	Councillor
Michelle Smith	Councillor

**PRESS:** Martin Kovacs

**GALLERY:**

Marlon Cooray (Synergy)  
 Dom Watson (Synergy) (on-line)  
 Naren Gupta (Synergy)  
 Hide Shigeyoshi (GHD)  
 Lorna Davis (Synergy) (on-line)  
 Anle Tieu (Synergy) (on-line)

**2. PUBLIC QUESTION TIME**

Nil.

**3. DISCLOSURE OF FINANCIAL INTEREST**

The Chief Executive Officer advises that Disclosures of Interest had been received from Councillors/staff as listed below:

Councillor/Staff	Agenda Item	Disclosure
Cr Kearney	5.1 Application for Development Approval - Use Not Listed- Battery Energy Storage System (Synergy Collie Battery) - Lots 3001, 113 and 74 Boys Home Road and UCL (Land ID 3123670), Palmer	Impartial – work related

**4. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

<b>Council Decision:</b>		<b>Resolution:9322</b>	
<b>Moved:</b>	<b>Cr Hansen</b>	<b>Seconded:</b>	<b>Cr Kearney</b>
<i>That Council suspend Standing Orders.</i>			
			<b>Carried: 7/0</b>

Marlon Cooray and Dom Watson from Synergy presented an outline of the project to Council.

<b>Council Decision:</b>		<b>Resolution: 9323</b>	
<b>Moved:</b>	<b>Cr Kearney</b>	<b>Seconded:</b>	<b>Cr Hill-Power</b>
<i>That Council resume Standing Orders.</i>			
			<b>Carried:7/0</b>

**5. DEVELOPMENT SERVICES REPORT**

Cr Kearney declared an impartial interest in item 5.1.

**5.1 Application for Development Approval - Use Not Listed- Battery Energy Storage System (Synergy Collie Battery) - Lots 3001, 113 and 74 Boys Home Road and UCL (Land ID 3123670), Palmer**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Isabel Fry – Town Planner
<b>Accountable Manager:</b>	Matt Young – Director Development Services
<b>Legislation</b>	<i>Planning and Development Act 2005</i>
<b>File Number:</b>	A6089
<b>Appendices:</b>	Appendix 5.1.A Development Application Report Appendix 5.1.B Location Plan Appendix 5.1.C Responsible Authority Report Appendix 5.1.D Schedule of Agency Responses
<b>Voting Requirement</b>	Simple Majority

**Report Purpose**

For Council to consider if an application for development approval for a Use Not Listed- Battery Energy Storage System at the subject land is consistent with the objectives of the Rural, Industrial Development and Strategic Industrial zones and Council is to also consider endorsing the Responsible Authority Report submission to the Development Assessment Panel.

**Officer's Recommendation/Council Decision:**

**Resolution: 9324**

**Moved: Cr Hansen**

**Seconded: Cr Hill-Power**

*That Council, in relation to an application for development approval for a proposed Use Not Listed- Battery Energy Storage System at Lots 3001,113 and 74 Boys Home Road and UCL, Palmer, resolve to:*

- 1. Determine that the proposed use is consistent with the objectives of the Rural, Industrial Development and Strategic Industry zones, pursuant to the Shire of Collie's Local Planning Scheme No.6;*
- 2. Note the submissions received during the referral period;*
- 3. Endorse the Responsible Authority Report as at Appendix 5.1.C containing a recommendation of conditional approval; and*
- 4. Submit the report to referred to in 3. Above to the Development Assessment Panel.*

**Carried  
7/0**

## **Background:**

### Proposal

The development application is for a Use Not Listed- Battery Energy Storage System (BESS), to be located on Lots 3001,113 and 74 Boys Home Road and UCL (Land ID 312367), Palmer (refer Appendix 5.1.B). Approval is being sought for both the BESS facility and the transmission infrastructure to connect to the existing Shotts Terminal.

Details of the application are set out within Appendix 5.1.A. Copies of the appendices associated with this report are provided to Council under separate cover.

The development cost for the whole facility is approximately \$1.6 Billion and it is mandatory that the application be determined by the Development Assessment Panel (DAP). Under the DAP Regulations, the Shire of Collie is required to provide a Responsible Authority Report (RAR) (refer Appendix 5.1.C) who will determine the application.

A summary of key aspects of the proposal is provided below:

<b>Element</b>	<b>Proposed/No.</b>
Stage 1 BESS (500MW/2000MWh)	656 battery enclosures/164 inverters
Potential future expansion	Infrastructure and development footprint to support a future possible 500MW/2000Mwh BESS.
Emergency diesel generators	Sized to generate sufficient power for critical systems including safety systems, control and monitoring services, communications systems, security and access control systems, offices, and maintenance facilities, firefighting pumps, contaminated surface water control and pumping if required.
Cabling	Mostly underground with some above-ground at connection points
Transformers	Up to 4 x 330/33kV units
Switchrooms	Up to 4 x 33kV units
WP Control Room	One (1)
Buildings	Control rooms, switchrooms security and operation and maintenance facilities.
Staff/ Contractor Parking	Up to 20 light vehicle bays + loading and unloading bays (less than 20 personnel to support maintenance and site services once operational)
Firetanks / Volume (m3)	2/900kL (800kL structural fire fighting. 100kL bushfire fighting)
Staff/ Contractor Parking	12 bays incl. 1x universal bay
Drainage basin (detention water and fire water)	4 x basins
Towers/poles	10 to 15, 30-60m tall transmission towers/poles
Line type	330kV overhead transmission line
Alignment	Parallel to existing 330kV line and easement

### Use Permissibility

The subject land straddles a number of zones under LPS6, being Rural, Strategic Industry and Industrial Development. The proposal does not fall within a defined land use under the Shire's Local



Planning Scheme No.6 (LPS6) and permissibility of the land use is not reflected in the Zoning Table. It is the responsibility of the local government, under section 18.4 of LPS6, to determine that the proposed land use is consistent with the objectives of the Rural, Industrial Development and Strategic Industrial zones and advertise the proposal in accordance with Cl.64 of the *Deemed Provisions* before considering the application.

Objectives of the applicable zones are as follows:

Rural zone

*The objectives of the Rural zone are:*

- *To provide for the maintenance or enhancement of specific local rural character.*
- *To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.*

Industrial Development

- *To designate land for future industrial development.*
- *To provide a basis for future detailed planning in accordance with the structure planning provisions of the Scheme.*

Strategic Industry

- *To designate industrial sites of State or regional significance.*

In response to these zone objectives the Applicant has advised:

Rural zone

- While a portion of the Development Envelope (DE) is zoned Rural, the Rural zoned land sits within the context of a wider industrial/ power generation estate; and power generation infrastructure leading to the Western Power owned Shotts terminal. Notwithstanding, the proposal is supported by a detailed Landscape and Visual Impact Assessment which demonstrates:
  - Elements of the project have either a Low or Moderate- Low impact on the visual amenity of the surrounding landscape.
  - The areas of Rural zoned land are already developed with transmission infrastructure.
  - The proposal includes additional transmission infrastructure in this zone, designed to a similar standard and along complimentary alignments. The additional infrastructure will not further disturb any remnant Rural character.
- While portions of the DE zoned Rural are used for rural pursuits, the proposal will not introduce any land use that further restricts any existing grazing activity. Historically, the majority of the DE has hosted farming/grazing activities, both prior to and following construction of the Collie Power Station. The proposal does not reduce or diminish the use of surrounding and existing agricultural uses or cropping of the land, as detailed in the Appendix 5.1.C.



- The environmental considerations have been further detailed in the applicant's report, including how design and location has minimised environmental impacts through reducing clearing of native vegetation and managing potential surface and fire water run off on the site.
- The proposal is not a sensitive land use that would diminish or restrict the ability for adjacent land to be used for rural purposes.
- The proposal is consistent with the existing industrial, mining and electrical generation activities of the Collie Power Station and broader industrial/power estate area.

#### Industrial Development zone

- The DE is proposed to be used for development that will support future industrial development, technological capability and employment within the wider Coolangatta Industrial precinct/ area and the wider Collie district.
- No structure plan has been prepared for land comprising the DE. Section 4.4.2.4 of the planning report describes the consistency of the proposal with potential future structure planning and has detailed that the proposal will not compromise development options for the balance of the Industrial zone.

#### Strategic Industry zone

- The proposal is of regional and State significance in terms of decarbonisation, enhancement of electrical supply networks and job creation, which is consistent with the objective to designate industrial sites of State and regional significance.

### **Statutory and Policy Implications:**

#### Legislation

- *Planning and Development Act 2005 (P&D Act);*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations);*
- *Planning and Development (Development Assessment Panels) Regulations 2011(DAP Regulations);*
- *Shire of Collie Local Planning Scheme No.6 (LPS6)*
- *Environmental Protection Act 1986, WA (EP Act)*
- *Environmental Protection (Noise) Regulations 1997*
- *Environmental Protection and Biodiversity Conservation Act 1999*
- *Aboriginal Heritage Act 1972*
- *Rights in Water and Irrigation Act 1914*
- *Water Services Act 2012, WA*

Compliance with and assessment against the above legislation has been detailed in Appendices 5.1.A and 5.1.C.

#### State Government Policies

- Western Australian Climate Policy (DWER, 2020)
- Energy Transformation Strategy (Energy Policy WA, 2021)
- Distributed Energy Resources Roadmap (Energy Transformation Taskforce, 2019)
- Future Battery Industry Strategy (JTSI, 2019)
- Position Statement- Renewable Energy Facilities (DPLH, 2020)
- State Planning Policy No. 2.0 Environment and Natural Resources Policy (WAPC, 2003)
- State Planning Policy No. 2.5 Rural Planning (WAPC, 2016)
- State Planning Policy No. 2.9 Water Resources
- State Planning Policy No. 3.7 Planning in Bushfire Prone Areas (WAPC, 2015)

- Guidance Statement 33 Environmental Guidance for Planning and Development (EPA, 2008)
- Bunbury Geographie Sub-regional Strategy (DPLH, 2022)
- Collie Just Transition Plan

Structure Plans/Activity Centre Plans

Not applicable.

Local Policies

- Shire of Collie Local Planning Strategy (2020)
- Shire of Collie Strategic Community Plan (2022)
- Shire of Collie Local Planning Policy 1.1 Stormwater Discharge from Building Sites (2017)

**Budget Implications:**

Nil.

**Communications Requirements:**

Public Consultation

The proposal was advertised for a period of 30 days, commencing 21 September and ending 20 October 2023. The application was advertised in the following ways:

- On the Shire's website for the whole advertising period;
- In the local newspaper on 5 October 2023 and 12 October;
- On the Shire's Facebook page.

Due to the location of the site and separation from private landowners, who are not involved in the wider development of Coolangatta Industrial Estate, it was not considered necessary to advertise via direct written correspondence with landowners in this instance.

Synergy also undertook community information sessions in the lead up to lodging this application.

No public submissions were received during the advertising period.

Referrals/consultation with Government/Service Agencies

The proposal was referred to nine government / service agencies for a period of 42 days ending 3 November 2023. A summary of submissions is included at Appendix 5.1.D, along with Applicant and Officer comment against each matter raised.

**Strategic Community Plan/Corporate Business Plan Implications:**

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	3	Our Built Environment
<b>Objective:</b>	3.2	Sound land planning and building strategies and schemes

**Comment:**

A full planning assessment of the application is contained within the Responsible Authority Report in Appendix 5.1.C.

The purpose of this report is also for the Council to determine that the proposed use is consistent with the objectives of the Rural zone.

Rural zone

It should be noted that the Rural portion of the subject site is located within a broader context of land identified for industrial development. As detailed in the landscape and visual impact assessment, the proposal will have a negligible impact on the rural character of the area. Additionally, the proposal will not result in the surrounding area not being able to be used for the purposes of agriculture/ grazing.

Industrial Development zone

Assessment relating to the development application proceeding prior to structure planning is detailed in the assessment section of the Responsible Authority Report (refer Appendix 5.1.C). The nature of reports provided to support the application are consistent with those required by LPS6 and adequately support the development of the site for this purpose. As confirmed in the submission made by JTSI, who is the agency undertaking the structure planning process for the Coolangatta Industrial Estate, the proposed use is consistent with the intended future planning for the area.

Strategic Industry zone

Supporting the South West Interconnected System (SWIS) is of State significance and is consistent with State objectives for electrical supply and job creation through the State's Just Transition Plan for Collie. The proposal will assist in ensuring affordable and reliable energy, while also reducing emissions through increasing renewable energy supply at a local and regional level. With the retirement of the Collie and Muja power stations by 2030, this project is vital in ensuring system security.

The project will also have direct benefits through employment during the construction phase and also a number of ongoing roles to manage the site.

**Conclusion:**

A full planning assessment is detailed in Appendix 5.1.C. This assessment finds the proposed use to be consistent with the objectives of the Rural, Industrial Development and Strategic Industry zones and endorses the RAR to be provided to the DAP.

The development of the proposal on Synergy owned land, adjacent to the Collie Power Station (and associated power infrastructure and sub-stations) and with the Coolangatta Industrial Estate is appropriate and consistent with orderly and proper planning.

The Responsible Authority Report to the Development Assessment Panel recommends the application be approved, subject to conditions, as detailed in Appendix 5.1.C.

The recommended conditions address matters raised by various government agencies and will ensure implementation will satisfactorily address detailed design for stormwater and surface water management, landscaping, construction management, intersection and road upgrades/ repair, bushfire management and ongoing operations.

The terms of the recommendation will allow suitable advice to be provided to the Development Assessment Panel and for approval to be granted by the Panel.

**6. CLOSE**

The Shire President closed the meeting at 6:32pm.