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Planning Report

Approvals sought to facilitate the proposed Battery Energy Storage System (BESS).

- Material Change of Use (Battery Storage Facility);
- Reconfiguration of a Lot (creation of a Lease in excess of 10 years and/or Access Easement/s);
- Operational Works – Vegetation Removal.

Ewan Road, Mount Fox

Prepared for:
Hinchinbrook Shire Council

Prepared on behalf of:

Mount Fox BESS Pty Ltd

Our Reference	J001546
Site	Ewan Road, Mount Fox; • Lot 18 on WU6; • Lot 591 on SP302249; • Lot 592 on SP302249; • Lot 57 on SP237064; • Lot 3 on WG274; and • Several existing road reserves (Mountain Ash Road; Spotted Gum Road; Knuckledown Road; and Furber Road).
Date	27 September 2023
Approver	Sera Rohan

Important Note

This Report has been prepared for Mount Fox BESS Pty Ltd for the sole purpose of making a Development Application seeking Development Permits for the following:

- Material Change of Use – Battery Storage Facility;
- Reconfiguration of a Lot – Creation of a Lease in excess of 10 years and/or Access Easement/s;
- Operational Works – Vegetation Removal.

This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilized for any other purpose, use, matter or application.

Gilvear Planning has made certain assumptions in the preparation of this report, including:

a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;
b) That information obtained as a result of a search of a government register or database is complete and accurate.

Gilvear Planning is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

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Signed on behalf of
Gilvear Planning Pty Ltd

Sera Rohan

PROJECT DIRECTOR
September 2023

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1.0 Introduction

The following Planning Report has been prepared by Gilvear Planning Pty Ltd (Gilvear Planning) on behalf of Mount Fox BESS Pty Ltd (the Applicant) in support of a Development Application submitted to Hinchinbrook Shire Council seeking approval for a Material Change of Use (Battery Storage), Reconfiguring a Lot (Lease and/or Easement) and associated Operational Works for vegetation clearing and access on land at Ewan Road, Furber Road and Knuckledown Road, Mount Fox.

Specifically, it is proposed to construct a Battery Storage Facility and associated infrastructure including transmission lines, laydown, operations and maintenance facility, substation and access tracks. Leases in excess of 10 years and/or easements over that part of the lots which include the battery and permanent access will also be required. Associated construction access and necessary vegetation clearing is also proposed as a consequence of the proposed development across various adjoining sites. Although no formal tenure will be required.

The proposed Mount Fox Energy Park Battery Energy Storage System ('MFEP BESS') project (the 'project') forms part of the broader Mount Fox Energy Park. The project site subject of this application includes part of five (5) individual freehold lots described as follows:

- Lot 18 on WU6;
- Lot 591 on SP302249;
- Lot 592 on SP302249;
- Lot 57 on SP237064;
- Lot 3 on WG274.

The bulk of the MFEP BESS infrastructure (battery, substation, O&M facility, access, transmission and laydown) is proposed to be constructed within Lot 592 on SP302249 and will ultimately connect via overhead transmission lines to Lot 591 on SP302249 (Guybal Munjan Switching Station). Access to the BESS infrastructure is to be formalised to the north across Lot 592 on SP302249 and Lot 18 on WU6, with informal/construction access likely to be within gazetted road reserves, however may traverse Lot 57 on SP237064 and Lot 3 on WG274.

Pursuant to the Hinchinbrook Planning Scheme 2017, the MFEP BESS subject site is mapped as being within the Rural Zone and is influenced by various overlay matters. The site is also mapped as being within the Solar Energy Development Precinct.

Pre-lodgement advice was sought from Council, which ultimately influenced the approach and layout of the proposal. Environmental and civil engineering assessments have been prepared taking into consideration the pre-lodgement advice. The assessments demonstrate the project has been designed and can be constructed and

operated in a manner that minimises impacts on the existing environmental values, amenity of surrounding land and has positive benefits for the local and wider community.

Following a detailed analysis of the relevant assessment benchmarks, it is submitted that the proposed development complies with the applicable assessment benchmarks the Planning Scheme and relevant State Development Assessment Provisions. This Development Application is therefore provided to the Council for consideration and approval subject to the imposition of reasonable and relevant conditions.

2.0 Summary

Table 1: Summary of application and site details

SUMMARY OF SITE DETAILS	
Address:	Ewan Road, Mountain Ash Road, Knuckledown and Furber Road, Mount Fox.
Real Property Description and Ownership:	• Lot 18 on WU6 (Lollo Investment Pty Ltd); • Lot 3 on WG274 (Furnlea Pastoral Co Pty Ltd); • Lot 57 on SP237064 (Lollo Investment Pty Ltd); • Lot 591 on SP302249 (Queensland Electricity Transmission Corporation Ltd); • Lot 592 on SP302249 (Lollo Investment Pty Ltd); Refer to Certificates of title and consents in Attachment 1.
Applicant:	Mount Fox BESS Pty Ltd.
Easements and Encumbrances:	• Covenant (712267379) – Restricting dealings (separate transfer of lots) over Lot 1 on RL2631 and Lot 18 on WU4. • Profit a Prendre (720175164) – Forest consent agreement in accordance with s61JA of the *Forestry Act 1959* over Lot 3 on WG274. • Covenant (713495763) – Restricting dealings (separate transfer of lots) over Lot 1 on CP RL3694 and Lot 57 on SP237064. • Easement A (703443113) – For Electricity Transmission Line within Lot 591 on SP302249. • Easement A on CP805060 (703443113) – For Electricity Transmission Line within Lot 592 on SP302249 • Road Licence (RL24/2631) – Temporarily Closed Road within part of Mountain Ash Road fronting Lot 592 on SP302249.
Proposal:	The proposed development is for the construction of a Battery Storage Facility (BESS) and associated transmission facilities. A long-term Lease (in excess of 10 years), will also be created (including the creation of separate lease/s and/or access easement/s) for the BESS and Substation components, and a lease and/or easement will be established over the permanent access.
Approvals Sought:	• Development Permit for Material change of use – Battery Storage Facility including a substation and associated transmission (Lots

SUMMARY OF SITE DETAILS	
	591 & 592 on SP302249) and associated access over Lots 18 WU6, 3 on WG274 and 57 on SP237064). • Development Permit for Reconfiguration of a Lot – Creation of a Lease/s (in excess of 10 years) and/or Access Easement/s over Lot 592 on SP302249 and Lot 18 WU6 only). • Development Permit for Operational Works – Vegetation Removal over all lots.
Level of Assessment:	• Material change of use – Battery Storage Facility – ***Impact Assessable.*** • Reconfiguration of a Lot – Creation of a Lease/s (in excess of 10 years) and/or Access Easement/s – ***Code Assessable***. • Operational Works – Vegetation Removal – ***Code Assessable***.
Zone:	Rural Zone (Solar Energy Development Precinct - Lot 592 only).
Local Area Plan (Precincts):	Nil.
Overlays (Precincts):	• Environmental Significance Overlay (High Value Vegetation). • Bushfire Hazard Overlay (Medium and High Risk area). • Transport Network Overlay (Knuckledown Road – part Minor Rural Road).
Regional Plan Designation:	North Queensland Regional Plan 2020 – Strategic Environmental Area.
State Interests – State Planning Policy:	• Matters of State Environmental Significance - Wildlife habitat (endangered or vulnerable) - Regulated vegetation (category B, category C; category R; essential habitat; wetland; and intersecting a watercourse) • Natural Hazards Risk and Resilience - Flood hazard area (Level 1 – Qld floodplain assessment) - Local Government Flood Hazard Area - Bushfire Prone Area (Very High; High; and Medium Potential Bushfire Intensity) • Energy and Water Supply - Major electricity infrastructure (Powerlink & Ergon)
State Interests – SARA Mapping:	• Queensland Waterways for waterway barrier works

SUMMARY OF SITE DETAILS	
	- Moderate and Low waterways; • Water Resources - Water resource planning area boundaries • Regulated Vegetation - Category A & B - Category R
Referral Agencies:	• Chief Executive of Department of State Development, Infrastructure, Local Government and Planning pursuant to Schedule 10, Part 3, Division 4, Table 2 & 3. • The Chief Executive of the distribution/transmission entity (Powerlink) pursuant to Schedule 10, Part 9, Division 2, Tables 1, 2 and 3.
State Development Assessment Provisions:	• State Code 16: Vegetation clearing
Pre-lodgement Advice	Yes – Attachment 3 – Pre-lodgement Advice.

3.0 Site Description

The project site is comprised of five individual allotments which are located 35 kilometres south-west of Ingham, on the Seaview Range in North Queensland, as shown in Figure 2 below. Combined, the project site has a total area of 3,185 hectares and forms the western boundary of Hinchinbrook Shire Council Local Government Area. Generally, the project site is bound by Blackbutt/Knuckledown Road in the north, Ewan Road in the East and Furber Road in the South and West.

Figure 2: Locality Plan (source: SARA Mapping)

Specifically, the application comprises the following lots as reflected in Figure 3:

- Lot 592 on SP302249 upon which the bulk of the BESS and associated infrastructure is located within the north-west portion of the subject lot including lease area and associated access easement to Knuckledown Road (to the north).
- Lot 591 on SP302249, which adjoins the main project site to the south-west and is included for the purposes of connecting the project substation and BESS to the Guybal Munjan Switching Station, which is located entirely within Lot 592 on SP302249.
- Lot 18 on WU6, which is located to the north of Lot 592 and will contain the permanent northern access and associated lease or easement.
- Lot 592 on SP302249, Lot 3 on WG274 and Lot 57 on SP237064 which will include temporary construction access for the development. The majority of the proposed eastern access track is to be located within Mountain Ash Road; Spotted Gum Road, Knuckledown Road and Furber Road road reserves; however there may be a requirement to construct accesses outside of these gazetted road reserves. Accordingly, these lots are included for the disturbance to vegetation required for access only, with no permanent infrastructure or tenure required for the project.

Figure 3: Project site where pink shaded lots are where physical infrastructure is proposed, orange is formal access and white is for access only.

Topographically, the site is undulating with several mountains within and adjoining the site including Mount Fox to the west and Mount Ryan to the south. The majority of the sites are heavily vegetated, with cleared sections within Lot 57 and Lot 3 containing homesteads and rural outbuildings associated with cattle production. The Guybal Munjan Switching Station is located within Lot 591 adjoining the Ross to Cairns Transmission Line which traverses Lots 591 and 592 along the western section of the property.

There are several dedicated road reserves which traverse the site and an Easement (Easement A on CP805060) which traverses Lots 591 and 592 in a north-west/south-east direction and contains the Ross to Cairns Powerlink Transmission line and a smaller, Ergon transmission line traversing the northern portion of the project site within Lot 18 on WU6, Lot 57 on SP237064 and Lot 3 on WG274, although not included within an Easement. In addition, there is a Road License (Lot 1 RL2631) over part of Mountain Ash Road which bisects the project site (between Lot 18 and Lot 592); and a Road License (RL3694) bordering the northern boundary of Lot 57 within Bluckbutt Road. Both Road Licenses are understood to relate to cattle grazing and associated covenants are in place to secure their connection to the adjoining land.

It is understood that surrounding sites are primarily used for cattle grazing, electricity transmission and smaller mining tenures. Surrounding the site to the east and north are smaller freehold landholdings and Mount Fox National Park to the north west of the site and Girringun Forest Reserve to the north east. To the west are larger pastoral holdings.

Pursuant to Hinchinbrook Planning Scheme 2017, the project site is mapped as being within the Rural Zone and is influenced by various overlay matters. Part of the project site (Lots 591 and 592 on SP302249 and Lot 18 on WU6) is also mapped as being within the Solar Energy Development Precinct.

4.0 Background

There are several approvals considered to be current and/or relevant to the project site which are summarised below. Such approvals are related to the larger wind farm project associated with the Mount Fox Energy Park.

4.1 State Approvals – Mount Fox Energy Park

4.1.1 Application for conversion to freehold GHPL 24/1512 – Lot 3 on WG274 (Elvas Case: 2019/003613)

An application was submitted to the former Department of Natural Resources, Mines and Energy (date unknown). Correspondence from DRME confirmed that during an assessment of the application – consideration would be given to the future use of the areas of road which has been set aside as a reservation in title. Additionally, it is noted that the Forest Products unit within the Department of Agriculture and Fisheries (DAF) has imposed a requirement prior to freeholding of the land, of the placement of a Forest Consent Agreement (FCA) over the land.

4.1.2 Application for a Property Map of Assessable Vegetation (PMAV 2019/003625)

A Property Map of Assessable Vegetation (PMAV) was approved by the Chief Executive of the Department of Natural Resources, Mines and Energy, on 21/08/2019. The PMAV applies to Lot 18 on WU6, Lot 21 on WU4, Lot 57 on SP237064 & Lot 59 on SP237064 (since subdivided into Lot 591 on SP302249 and Lot 592 on SP302249) and identifies majority of the subjects lots as being mapped as 'Category B' regulated vegetation, with several small patches of 'Category X' regulated vegetation.

4.1.3 Application for a Relevant Purpose, pursuant to Section 22A of the Vegetation Management Act 1999 (Ref: 2020/013869)

An application seeking determination of a Relevant Purpose, pursuant to Section 22A of the *Vegetation Management Act 1999*, was submitted with the Department of Resources on 4 December 2020. The application sought approval for all proposed clearing extents associated with the proposed Mount Fox Energy Park Project. Relevant Purpose determination was issued on 04 February 2021.

4.1.4 Development Application for Material Change of Use – Wind Farm and associated Operational Works (Clearing of Native Vegetation) (SRA Ref: 2102-21213 SDA)

A combined Development application for a Material Change of Use for a Wind Farm (57 turbines and ancillary infrastructure) and Operational Work involving the clearing of native vegetation was submitted to the Chief Executive on 26 February 2021. The development application included Lot 18 on WU6, Lot 21 on WU4, Lot 3 on WG274, Lot 57 on SP237064 & Lot 59 on SP237064 (since subdivided into Lot 591 on SP302249 and Lot 592 on SP302249). A Decision Notice was issued approving the development, subject to conditions, on 13 September 2021.

4.1.5 Application for a Relevant Purpose, pursuant to Section 22A of the Vegetation Management Act 1999 (Ref: 2023/001829)

An application seeking determination of a Relevant Purpose, pursuant to Section 22A of the *Vegetation Management Act 1999* was submitted with the Department of Resources on 19 May 2023. The application sought approval for all proposed clearing extents associated with the proposed Mount Fox Energy Park Battery Energy Storage System (BESS). This application Relevant Purpose determination was approved/issued on 15 September 2023.

4.2 Commonwealth Approvals

4.2.1 EPBC Act Referral

On 18 June 2021, the Minister for the Environment determined the above project is likely to have a significant impact on various maters protected under Part 3 of the *Environment Protection and Biodiversity Act 1999* (EPBC Act). The Minister also declared the project to be a "Controlled Action", with a decision on the project to be made via "preliminary documentation". This referral also considers the Mount Fox Battery Project as a separate stage of the development.

5.0 Proposal

5.1 Project Background

The Mount Fox Energy Park will be a wind and battery energy park, involving 57 utility-scale wind turbines and associated infrastructure aimed to facilitate the provision of an alternative / environmentally sustainable power source, within North Queensland. The proposed development will benefit a wide range of land uses within the surrounding area/s – including, but not limited to, the agricultural industry. The establishment of renewable energy facilities is seen as an economic driver in North Queensland.

As identified above, relevant approvals for the proposed Wind Farm development are well advanced, including both Material Change of Use and Operational Works. Relevantly, a declaration that the clearing of vegetation associated with the project was for a relevant purpose was issued by the Department of Resources in February 2021, pursuant to section 22A of the *Vegetation Management Act 1999*. A copy of the approval is provided in Attachment 2. Since the issuing of this approval, the BESS component of the project that was included within the initial section 22A application, has been changed in relation to both location and size.

Additionally, modifications to the *Planning Regulation 2017* now clearly require a separate land use approval for this component of the project where such uses are not ancillary to the primary wind farm. Accordingly, this development application has been made for the stand-alone BESS component of the Mount Fox Energy Park project. Details in relation to the proposed MFEP BESS are summarised in the sections below.

5.2 Proposal for Mount Fox Energy Park Battery Energy Storage System (BESS)

The application seeks a Development Permit for the following:

- Material Change of Use – Battery Storage Facility (over Lot 592 on SP302249) and associated transmission (over Lots 591 and 592 on SP302249) and temporary access over Lots 18 WU6, 3 on WG274 and 57 on SP237064);
- Reconfiguration of a Lot – to create a lease/s in excess of 10 years and/or access easement/s (over Lot 592 on SP302249 and Lot 18 WU6); and
- Operational Works – vegetation removal over all lots.

Further details on the above required development permits are provided in sections below.

5.2.1 Material Change of Use – Battery Storage Facility

While the MFEP BESS will form part of the overall Mount Fox Energy Park project, it is intended to be developed separately to the Wind Farm project. The Mount Fox Energy Park is expected to generate up to 350 Mega Watt (MW) of wind energy, which is sufficient to support many of the surrounding local communities, land uses and industries.

The BESS itself includes a battery system capable of both storing and exporting electrical energy and is electrically connected to the national grid (via a substation). Electrically, this includes changing voltages and both importing and exporting electricity into the grid. Technically, a battery system is both a generator (when it exports electricity) and a load (when it imports from the grid). The purpose is to absorb excess electricity for re-use during peak demand periods. In this way, the battery and substation work together to regulate electricity as well as switch the voltages up and down to smooth the supply of electricity to the transmission grid. It is noted that the BESS originally formed part of the existing wind farm approval. It is now intended that construction and operation of the BESS is to occur separately from the wind farm. Additionally, the proposed BESS will not be constructed in the same location originally approved. The requirement to move the substation and BESS resulted from the subdivision and sale of the portion of land in which it was originally intended to construct these components.

Development for a BESS is defined as a 'Battery Storage Facility', within Schedule 24 of the *Planning Regulation 2017* and constitutes a 'new use' for the purposes of *Planning Act 2016* as outlined below.

Battery Storage Facility is defined as:

Means the use of premises for the operation of 1 or more battery storage devices.

Battery Storage Device is defined as:

(a) Means plant that –
  i. *Converts electricity into stored energy; and*
  ii. *Releases stored energy as electricity; and*
(b) includes any equipment necessary for the operation of the plant.

Advice was sought in relation to the appropriate land use definition for the proposed Mount Fox BESS from the Department of State Development, Infrastructure, Local Government and Planning and the relevant Local Government Authority, that being Hinchinbrook Shire Council. Both entities confirmed that the proposed Mount Fox BESS would be most appropriately defined as a Battery Storage Facility in this instance. A copy of pre-lodgement advice is provided in Attachment 3.

The proposed MFEP BESS will consist of several components, the details of which have been provided below:

- **BESS Megapacks** - the size of the BESS is 300MW providing 600MWh of power through 164 x Tesla Megapack XL 2.0 and associated medium voltage transformers and Ring Main Units (RMU) located entirely within the proposed lease area within Lot 592 on SP302249. Dimensions of the proposed Megapacks to be utilised are provided in Attachment 4 – Proposal Plans.

- **BESS Substation and associated infrastructure** - power will be stepped up from 33kV to 275kV via transformers and associated substation infrastructure located entirely within the proposed lease area within Lot 592 on SP302249. Plans depicting the general arrangement of the Mount Fox Energy Park BESS Substation and associated infrastructure, as well as elevations, have been provided in Attachment 4 – Proposal Plans.

- **Operations and Maintenance Infrastructure –** the operations and maintenance facility will likely consist of an office trailer, with enough desk space to accommodate a maximum of seven (7) people; amenities, kitchenette facilities and a staging area and will be contained within Lot 592 on SP302249. Detailed requirements/specifications relevant to the operations and maintenance facilities are provided in Attachment 4 – Proposal Plans.

- **Transmission Line** - the BESS substation will connect to Guybal Munjan switching station via an overhead transmission line ('OHTL') spanning approximately 700m. The transmission line extends south-west, from the proposed BESS Substation on Lot 592 and extends into/traverses Lot 591 on SP302249, ultimately connecting to the Guybal Munjan switching station owned by Powerlink. The location and extent of the transmission line is detailed in the proposal plans included in Attachment 4. It is noted that Powerlink will be responsible for the construction of the transmission line component and will eventually become the registered owners of the lease and/or easement created to formalise access to/use of the transmission line. As such, no formal tenure is proposed over this component.

- **Temporary construction/laydown area** – a small area, located west of the proposed MFEP BESS access track, will be used as a temporary laydown area during the construction phase. This area will be appropriately rehabilitated upon completion of construction of the MFEP BESS and is contained within Lot 592.

- **Access – Formalised access to the MFEP BESS** - Access tracks are proposed to be constructed/formalised and form part of the proposed Mount Fox BESS. The main MFEP BESS access will be provided north of the BESS traversing the portion of Mountain Ash Road that has been temporarily closed, extending further north, through Lot 18 on WU6, ultimately connecting to Knuckledown Road.

- **Access – informal/temporary access to facilitate construction of the MFEP BESS –** Temporary access to the MFEP BESS will be established via the 'east-west' access track. The proposed alignment of the temporary east-west access is expected to utilise existing road reserves where possible (Mountain Ash Rd; Spotted Gum Road; Knuckledown Rd; and Furber Rd), as well as traverse through several freehold lots (Lot 57 on SP237064 and Lot 3 on WG274). The proposed alignment of the temporary east-west access track has been detailed on the proposal plans included in Attachment 4 – Proposal Plans. It should be noted that the east-west access will not form part of the MFEP BESS development and will only be used to facilitate construction of the MFEP BESS. The east-west access will be formalised, and will likely form part of the Wind Farm component of the Mount Fox Energy Park, at a later date. Accordingly, no formal tenure is proposed over this section, however the establishment of the roads and vegetation clearing is proposed as part of this application.

5.2.2 Reconfiguration of a Lot

It is proposed to create a long term lease (i.e. in excess of ten (10) years), over the area in which the proposed MFEP BESS and other physical infrastructure (such as the substation, O&M facility and laydown area) is to be established within part of Lot 592 on SP302249. This lease area will incorporate an approximate area of 6.069 hectares. In addition, the proposed 'northern access' will likely be formalised via a lease and/or access easement within part of Lot 592 on SP302249 and part of Lot 18 on WU6. This

lease/easement will incorporate an area of up to 5 hectares. No tenure is required (as part of this application) for the overhead transmission line between the BESS and Lot 591 on SP302249 or the 'east-west' road used for construction.

The proposed MFEP BESS lease area/boundaries have been appropriately designed to ensure that suitable firebreaks/bushfire buffers can be accommodated within the lease boundary, discussed below.

The proposed boundaries of the MFEP BESS lease area/s are included on the proposal plans provided in Attachment 5 – Preliminary proposed lease area/s and/or access easement/s. This is subject to final survey and engineering and will take into consideration any limitations for vegetation clearing. Accordingly, these are conceptual only in nature.

5.2.3 Operational Works – Vegetation Clearing

Pursuant to Table 5.5.1 of the Hinchinbrook Shire Council planning scheme, Operational Work for Reconfiguration of a Lot and Material Change of Use are code assessable in all circumstances. Accordingly, this application seeks approval for vegetation clearing associated with both the Material Change of Use and Reconfiguring a Lot component.

Total disturbance area and clearing footprint is approximately 40.2 hectares and incorporates the following setback distances/buffers:

- Approximately 68m of cleared area to the north of the proposed BESS Infrastructure. It is noted that approval to clear a 68m wide buffer, north of the BESS was sought to enable clearing necessary to facilitate the future construction of the Mount Fox Wind Farm Infrastructure. Although vegetation clearing, in support of the MFEP Wind Farm, is likely to occur at the same time as clearing undertaken/relevant to the MFEP BESS (in accordance with the approved s22A Relevant Purpose Determination) – it is submitted that construction of the Wind Farm Infrastructure (within the approved 68m wide buffer) is subject to a separate approval and does not form part of this application.
- Approximately 45m of cleared area to the east of the proposed BESS Infrastructure;
- Approximately 45m of cleared area to the south of the proposed BESS Infrastructure;
- Additionally, it is noted that there is a proposed lay down area located adjacent to and west of the BESS Access track. Proposed buffers/setbacks have been reduced (approx. 7m) around the perimeter of the lay down area, given that this area will only be used temporarily to facilitate construction of the BESS and associated infrastructure, to the east.
- The clearing corridor required to facilitate the construction and/or operation of the transmission line is approximately 75m.
- For the most part the proposed access aligns with previously existing access tracks and/or fence lines within the property. Several of these access tracks are cleared to widths of approx. 20m to accommodate a 6-10m wide pavement with associated drainage and earthworks within the 20m cleared section. Total proposed clearing extents for new access roads to be constructed are not likely to exceed a width of 30m.

4 Elements consulting were engaged as part of the larger Mount Fox Energy Park project and prepared the supporting information with respect to the section 22A application for vegetation clearing. It is our view that

the majority of issues will be considered as part of the referral of the application the State for vegetation clearing matters.

6.0 Statutory Planning Considerations

This section provides an overview of the Legislative provisions relevant to the application.

6.1 Planning Act 2016

6.1.1 CONFIRMATION OF DEVELOPMENT

The proposed development is likely to result in the removal of native vegetation, for which a Development Permit for Operational Works will be required to be obtained. The removal of native vegetation is considered to be prohibited development, for which an application cannot be made until such time as a declaration under s22A of the Vegetation Management Act 1999 is provided by the Chief Executive (Schedule 10, Part 3, Division 1, section 4 of the *Planning Regulation 2017*). In considering this, we note that a Relevant Purpose Determination, in relation to development proposed, was issued by the Chief Executive on 15 September 2023.

All other components of the proposed development are not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under *Planning Act 2016* (The Act) including:

- Schedule 10 of the *Planning Regulation 2017*;
- Relevant categorising instruments.

6.1.2 ASSESSABLE DEVELOPMENT

The development proposed by this application includes development that is made assessable under the Hinchinbrook Shire Council Planning Scheme 2017, in accordance with Section 43(1) of the Act.

6.1.3 ASSESSMENT MANAGER

The Assessment Manager for this development application is Hinchinbrook Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

6.1.4 LEVEL OF ASSESSMENT

The table below summarises the assessable development subject to this application and the relevant level of assessment for each aspect of development.

ASPECT OF DEVELOPMENT	REFERENCE	LEVEL OF ASSESSMENT
Material Change of Use for a Battery Storage Facility	Section 5.3.2(1)(b)	Impact Assessable

Reconfiguration of a Lot (for the creation of a Lease (in excess of 10 years) and/or Access Easement/s)	Table 5.5.1	Code Assessable
Operational work for the reconfiguration of a lot and/or a material change of use	Table 5.5.1	Code Assessable

6.1.5 STATUTORY CONSIDERATIONS FOR ASSESSABLE DEVELOPMENT

The relevant considerations of the Assessment Manager in making the decision pursuant to Section 60 of the Act, are outlined in:

- For **code** assessable development:
  - Section 45(3) of the Act; and
  - Section 25, 26, 27 and 28 of the *Planning Regulation 2017.*
- For **impact** assessable development:
  - Section 45(5) of the Act; and
  - Section 29, 30 and 31 of the *Planning Regulation 2017.*

6.1.6 REFERRAL TRIGGERS

6.1.6.1 Waterway for Waterway Barrier Works

While the development will inevitably require access across the established watercourses, only upgrades to established crossings and new culverts will be required (therefore, no assessable Operational Works for works within a watercourse is sought). Where detailed engineering identifies upgrades that do not comply with the Accepted Development Code for Waterway Barrier Works, a separate application will be made once details are confirmed.

6.1.6.2 Vegetation Clearing

Pursuant to Schedule 10, Part 3, Division 4, the proposed development requires referral to the State Assessment Referral Agency (SARA) for vegetation matters:

- Pursuant to Schedule 10, Part 3, Division 4, Table 2 – the proposed development involves the reconfiguration of a lot and associated operational work (vegetation clearing), that is assessable development under Schedule 10, Part 3, Division 2, Section 5. Additionally, it is noted that the proposed reconfiguration involves a lot with a total area that exceeds 5ha and the proposed new lease area (in excess of 10 years) is approximately 6.069ha in total (not including land required to establish access and/or the transmission line). The area of land required to establish the northern access is expected to be approximately 5ha in total.
- Pursuant to Schedule 10, Part 3, Division 4, Table 3 – the proposed development involves an application for a material change of use that relates to a lot/s larger than 5ha. Additionally, it is noted that the proposed material change of use involves associated operational works (vegetation

clearing) considered to be assessable development under Schedule 10, Part 3, Division 2, Section 5. The proposed vegetation clearing is not considered to be 'prescribed clearing' and involves the clearing of regulated vegetation (Category B) on freehold land.

We note that in our view, whilst the application includes Operational Works for Vegetation Clearing, that referral is not separately required under Table 1 of Schedule 10, Part 3, Division 4 as it is associated with both a Material Change of Use and Reconfiguring a Lot stated in Table 2 & 3.

6.1.6.3 Development near a substation site or subject to an easement

It is noted that the proposed development is on a premises that is subject to an existing easement, (specifically Easement A on CP805060) which is for the purposes of Transmission, benefitting Powerlink (i.e. Transmission/Distribution entity). While not constructed we note that the Guybal Munjan switching station, within Lot 591 on SP302249 is relevant, although not a formal trigger (as it is not a substation site).

Accordingly, referral to the Chief Executive of the distribution entity or transmission entity, for advice only, pursuant to Schedule 10, Part 9, Division 2, Tables 1, 2 and 3.

6.1.7 STATE RESOURCE

The proposed development does not involve any State Resources.

6.1.8 STATE DEVELOPMENT ASSESSMENT PROVISIONS

The proposed development has been assessed against SDAP Code 16. A copy of the Code Compliance is contained in Attachment 6 – Code Compliance Responses.

6.1.9 REGIONAL PLAN

The Hinchinbrook Shire Planning Scheme 2017 was implemented prior to the Regional Plan publication, and therefore does not integrate the Regional Plan into the scheme. An assessment against the relevant provisions of the Regional Plan is required.

The subject site is located within a Strategic Environmental Area and contains Regional Biodiversity Value, pursuant to the North Queensland Regional Plan 2020. Additionally, it is noted that the site is located directly adjacent to a Renewable Energy Investigation Area, as well as being within proximity to existing High Voltage Electricity Infrastructure (>66kV). As such, the Assessment Manager is required to have regard to the assessment benchmarks for the development.

As the proposed does not involve a Resource Activity (as defined under section 12 of the RPI Act), within an identified area of regional interest, no assessment against the Regional Planning Interests Act is required.

6.1.10 STATE PLANNING POLICY

The project site is subject to the following State Interests of the State Planning Policy.

- Biodiversity
  - Matters of State Environmental Significance
    - Wildlife habitat (endangered or vulnerable)
    - Regulated vegetation (category B; category C; category R; essential habitat; wetland; and intersecting a watercourse)
- Natural Hazards Risk and Resilience
  - Flood hazard area (level 1 – Queensland floodplain assessment and Local Government flood mapping);
  - Bushfire prone area;
- Energy and Water supply
  - Major Electricity Infrastructure (Powerlink)
  - Major Electricity Infrastructure (Ergon)

Pursuant to Section 2.1 of the Hinchinbrook Shire Planning Scheme 2017, it is noted that the Planning Scheme adequately integrates the applicable State Interests within the State Planning Policy and therefore a separate assessment against Part E of the SPP is not required.

6.1.11 TEMPORARY LOCAL PLANNING INSTRUMENTS

There are no relevant Temporary Local Planning Instruments applying to the property or the project.

6.1.12 LOCAL GOVERNMENT INFRASTRUCTURE PLAN

Given the Rural nature of the sites, the project area is wholly outside of the identified Priority Infrastructure Area.

Pursuant to Hinchinbrook Shire Council's Infrastructure Charges Resolution (No.1-2018), it is understood that there are no charges applicable to the Material Change of Use component of development proposed, pursuant to Table 4.

For the Reconfiguration of a Lot component, charges may be payable in accordance with the Resolution, noting that the site is outside of the Priority Infrastructure Area.

7.0 Council Planning Considerations

Within the Hinchinbrook Shire Planning Scheme, the project site is mapped as being within the Rural Zone, partly within the Solar Energy Development Precinct and is affected by various Overlays such as:

- Environmental Significance Overlay (High Value Vegetation).
- Bushfire Hazard Overlay (Medium and High Risk area).
- Transport Network Overlay (Knuckledown Road – part Minor Rural Road).

7.1 Strategic Framework – Hinchinbrook Shire Planning Scheme 2017

The proposed Battery Storage Facility, being Impact Assessable, was assessed against the applicable Strategic Framework provisions within the Planning Scheme.

STRATEGIC FRAMEWORK THEME	APPLIES	COMPLIANCE SUMMARY
3.2 Strategic Intent	Yes	The proposed development achieves the strategic intent set out in the Planning Scheme. More specifically it is noted that the MFEP BESS will form part of the larger Mount Fox Energy Park project, which is expected to benefit the surrounding local communities, by: • Generating up to 300 jobs, during the construction phase; • Encouraging local patronage (i.e. quarries, trucking companies, accommodation, goods and services); • Providing long-term access to advanced weather profiling and/or environmental generated data; • Providing a sustainable and renewable energy source throughout the region.
3.3 Theme – Economy		
3.3.1 Strategic Outcomes	Yes	The proposed development achieves the intended strategic outcomes. The proposed MFEP BESS will enable and provide access to an alternative sustainable and renewable energy source, which is expected to service surrounding local communities into the future.

		It is expected that several local jobs will be generated, during the construction phase of the proposed MFEP BESS. Notwithstanding this, the broader Mount Fox Energy Park project is expected to generate up to 300 local jobs, which will ultimately strengthen the local economy through diversity of employment. Additionally, it is noted that the project site is currently used mainly for pastoral purposes and therefore, the construction of a BESS will add value to, and not diminish the existing pastoral activities currently occurring onsite.
3.3.2 Element – Diversity	No	N/A
3.3.3 Element – Infrastructure	Yes	The proposed battery will assist in 'smoothing' of the electricity supply in the transmission network thereby improving the electricity supply reliability. Construction of the project will require upgrades to various roads both internal and external and will be developed in accordance with detailed engineering approvals where necessary and constructed to an appropriate standard.
3.3.4 Element – Tourism	No	N/A
3.3.5 Element – Rural Areas	Yes	The project site is mapped as being within the Rural Zone, pursuant to the Planning Scheme. Currently, the project site is primarily used for cattle grazing. The proposed Mount Fox Energy Park will not impact on the existing rural land uses by limiting the footprint of development and co-locating the battery with the existing Switching Station and Transmission lines. It is intended that the project site will continue to be used for grazing in conjunction with the proposed Wind Farm and//or Battery Storage land uses/operations.
3.3.6 Element – Resources and Mining	Yes	The proposed development does not involve a hazardous use. Notwithstanding this, the proposed MFEP BESS will be suitably located, away from existing/surrounding sensitive land uses. The proposed MFEP BESS is not likely to produce emissions and has been sited within an area of the project site that is not considered to be of high environmental significance. Decommissioning of the project will occur in accordance with the appropriate standards to ensure long term impacts on the site are minimised to the greatest practical extent.

3.4 Theme – Thriving Places		
3.4.1 Strategic Outcomes	No	N/A
3.4.2 Element – Hinchinbrook Style	No	N/A
3.4.3 Element – Urban Settlements	No	N/A
3.4.4 Element – Natural Environments	No	N/A
3.5 Theme – Natural Hazards		
3.5.1 Strategic Outcomes	No	N/A
3.5.2 Element – Development	Yes	Upgrading the Rural roads surrounding the site will improve emergency access to the area more generally. Access to and throughout the project site will be maintained and upgraded, and appropriate fire breaks will be established to protect people and property from the risk of natural hazards.
3.5.3 Element -- Infrastructure	Yes	The risk of and exposure to natural hazards was considered when planning the location, design and/or layout of the proposed MFEP BESS. The proposed MFEP BESS is to be located away from the coastline and any major identified floodplain. Appropriate buffers will be applied to critical infrastructure to ensure protection from bushfire events (where required).
3.6 Theme – Savvy Infrastructure		
3.6.1 Strategic Outcomes	Yes	Consideration was given to the following during the planning phase of the Mount Fox Energy Park project: • Construction and operational costs – while the initial constructions costs may be considerable, the ongoing operation of the MFEP BESS will be minimal and are likely to relate mostly to general/ongoing maintenance. • Operational capacity and requirements – regular maintenance will be required to ensure the ongoing operations of the proposed MFEP BESS. Ongoing operations will not require, nor rely on the use of existing

		local infrastructure. The use of local roads is expected to be minimal during the operational phase. • Economic demand – given the high costs associated with coal-fired power stations, there is greater economic demand for renewable energy sources to become established and available. • Locations and constraints – detailed climate modelling and environmental assessments have been completed/are currently being undertaken to better understand constraints and furthermore inform the design, layout and/or location of proposed development. • Demographics and community need – proposed development will provide local communities with an alternative source of power that is sustainable and cost effective. Notwithstanding this, proposed development is expected to create new jobs locally, which will ultimately strengthen the local economy through diversity of employment. • The project site is located within one of the identified Renewable Energy Zones, set out in the Queensland Energy and Jobs Plan 2022 and is within proximity to existing major electricity infrastructure.
3.6.2 Element – Location and Constraints	Yes	The proposed MFEP BESS will not be located within proximity to any urban areas and accordingly, the proposed development is not likely to impact on existing infrastructure within urban areas. The location of the project was determined with reference to detailed field studies particularly with respect to environmental values, access and co-location of infrastructure. Overall, the project will improve the consistency and continuity of electricity supply which will improve service delivery to the urban areas within the LGA more broadly.
3.6.3 Element – Delivery and Sequencing	Yes	The proposed MFEP BESS will not be located within proximity to any urban areas and accordingly, the proposed development is not likely to impact on existing infrastructure within urban areas. The project will be developed as a single stage and delivery of components will be managed to minimise impacts on established urban areas.

3.6.4 Element – Level of Service	Yes	Consideration was given to the following during the planning phase of the Mount Fox Energy Park project: • Construction and operational costs – while the initial constructions costs may be considerable, the ongoing operation of the MFEP BESS will be minimal and are likely to relate mostly to general/ongoing maintenance. • Economic demand – given the high costs associated with coal-fired power stations, there is greater economic demand for renewable energy sources to become established and available. • Location and constraints – detailed climate modelling and environmental assessments have been completed/are currently being undertaken to better understand constraints and furthermore inform the design, layout and/or location of proposed development. • Demographics and community need – proposed development will provide local communities with an alternative source of power that is sustainable and cost effective. Notwithstanding this, proposed development is expected to create new jobs locally, which will ultimately strengthen the local economy through diversity of employment. Additionally, it is noted that the project site is not connected to reticulated infrastructure. The proposed developed will be appropriately serviced via onsite.
3.6.5 Element – Renewable Energy	Yes	The MFEP BESS forms part of the broader proposed Mount Fox Energy Park project – being a renewable energy project involving a Wind Farm. Detailed environmental assessments have been undertaken to determine the suitability of the proposed location of the MFEP project. More specifically, it is noted that the MFEP BESS will be suitably located away from existing/surrounding sensitive land uses, and will avoid areas considered to have greater environmental significance. Where development cannot avoid environmentally significant areas, appropriate measures will be adopted and implemented to reduce and/or mitigate environmental impacts. It is noted that a Relevant Purpose Determination was approved/issued for the proposed MFEP BESS (Attachment 2 – MFEP BESS Relevant Purpose Determination). Detailed environmental assessments were undertaken by 4 Elements

		Consulting Pty LTd, and informed the Relevant Purpose Application/Determination. In summary, the current proposed BESS alignment will involve the clearing of Category B, remnant vegetation and the clearing of 'Of Concern' vegetation as described under the *Vegetation Management Act 1999*. Whilst acceptable outcomes have been identified for some areas of clearing, other areas of vegetation will not fall under the acceptable outcomes, and thus environmental offset will be required for this vegetation clearing.
3.6.6 Element – Tourism and Recreational	No	N/A

7.2 Development Code Assessment – Hinchinbrook Shire Planning Scheme 2017

The following table outlines the relevant Codes and provides a summary of the compliance with requirements of the Codes. It is submitted to Council that all other Codes, not included in the table provided below, are not applicable to development proposed and therefore an assessment against these codes has not been completed.

APPLICABLE CODES	COMPLIANCE SUMMARY
Rural Zone Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Rural Zone Code. Performance Outcomes are sought in relation to PO1 and PO2 of the Code. Performance Outcomes were generally sought in respect to development involving buildings and structures that are not appropriately setback from property boundaries and/or have an overall height that exceeds 8.5m and/or 2 storeys. Notwithstanding this, it is submitted to Council that development proposed is not likely to adversely impact on existing and/or future rural land uses and activities and is in keeping with the amenity of adjoining premises. It is noted that adjacent properties, to the west, currently comprise of major electricity infrastructure, such as the Ross to Chalumbin / Ross to Cairns Transmission Line, as well as Powerlink's new switching station, Guybal Munjan which is located on Lot 591 on SP302249, but not yet constructed. Both developments will comprise of similar built infrastructure provisions. Additionally, it is noted that the proposed development:

	• has a lifespan of 30 years and is therefore 'temporary' in nature and only requires minimal earthworks to establish the infrastructure such that the land is able to be returned to its pre-development state upon decommissioning thereby not prejudicing the productive capacity of the future rural land; • the current use of the land is not for highly productive agricultural use, such as cropping etc; with the land able to continue to be used for grazing throughout the lifespan of the development; and • The layout has been informed by detailed ecological assessments which ensures that strategic biodiversity corridors and remnant areas of vegetation are protected. • An appropriate decommissioning plan can be prepared to ensure appropriate rehabilitation can occur.
Bushfire Hazard Overlay Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Bushfire Hazard Overlay Code. Performance Outcomes are sought in relation to PO2, PO4 and PO7 of the Code. Performance Outcomes were generally sought in respect to the provision of suitable separation distances between proposed development and hazardous vegetation, as well as the provision of access tracks/vehicle manoeuvring provisions within the nominated setback areas. This have been informed through a Bushfire Assessment for the project (Attachment 6 – Draft Bushfire Management Plan), which has nominated appropriate buffers. Additionally, it is noted that a Performance Outcome was sought with respect to proposed development being located within a Medium or High bushfire intensity area. In considering this, it is submitted to Council that the proposed development incorporates acceptable measures to ensure that risks to people and/or property are likely to be minimised/mitigated during a bushfire event. As summary of the proposed mitigation measures is provided below for Council's further consideration: • Adequate setbacks/buffers around proposed permanent BESS infrastructure are proposed to be established as a result of site specific Bushfire Assessment; • The proposed MFEP BESS is located in a section of the subject site that can be easily accessed using the existing local road network (which will likely be improved by the project). • The proposed MFEP BESS will provide additional access into areas of the project site that may not have been previously accessible, therefore providing alternative/additional options for emergency services to use when responding to any bushfire threat and/or conducting bushfire preparedness activities such as backburning for fuel reduction;

	• The design/layout of the proposed lease area incorporates the provision of internal access tracks that can be utilised for fire fighting purposes during a bushfire event. • The project itself does not include additional people living or working on site permanently.
Environmental Significance Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Environmental Significance Overlay Code. A Performance Outcome is sought in relation to PO1 of the Code. The Performance Outcome in respect to development occurring within an area/s identified as containing very high value vegetation. Notwithstanding this, it is noted that there are no mapped waterways/waterway corridors within the subject site. The location of proposed development cannot reasonable avoid vegetated areas given the locational requirement to be in proximity to high voltage transmission lines and was further informed by a detailed site assessment which considered the avoid-minimise-mitigate-offset approach. Where possible, the MFEP BESS has been appropriately located to include already cleared areas (existing access tracks/fence lines). Suitable environmental offsets are proposed where environmental impacts cannot be reasonable avoided.
Infrastructure, Services and Works Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Infrastructure, Services and Works Code. Performance Outcomes are sought in relation to PO4, PO5, PO10 and PO12 of the Code. Performance Outcomes sought were in respect to the following matters: • Provision of a connection to the telecommunications network. Where connections to the telecommunication network do not exist – provisions for telecommunications will be provided by another means to ensure the needs of users are met. • The discharge of stormwater flows. It is noted that the subject site is within the Rural zone. There is no stormwater infrastructure existing within the subject area. Notwithstanding this, the proposed development is not likely to impact on existing overland flow paths and will discharge stormwater from impervious surfaces on site. • Excavation and fill occurring within 1.5m of a property boundary. To facilitate construction of the proposed northern MFEP BESS access track, excavation and/or fill may be required, within 1.5m of a property boundary. Notwithstanding this, where excavation and/or fill is likely to occur within 1.5m of a property boundary – this is likely to occur in an

	area where the subject properties boundaries are adjacent to a temporarily closed road – meaning that access to/use of this existing road is currently limited/restricted. In considering this, the proposed works are not likely to adversely impact on the existing streetscape/amenity. • The requirement for earthworks to be carried out in accordance with a soil erosion and sediment control plan will be undertaken during detailed operational works once engineering detail has been finalised.
Landscaping Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Landscaping Code. A Performance Outcome is sought in relation to PO1 of the Code, with respect to the requirement for landscaping along property boundaries, access driveways and/or car parking areas. Notwithstanding this, it is submitted to Council that the proposed development is to be constructed on land located within the Rural zone. Additionally, it is noted that proposed development is suitably setback (approximately 200m) from all property boundaries, and all setback areas are heavily vegetated.
Parking and Access Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Parking and Access Code. Sufficient areas are available for parking and servicing of the site and will be established prior to construction.
Reconfiguring a Lot Code	The proposed development is compliant with the relevant Acceptable Outcomes and Performance Outcomes specified within the Reconfiguring a Lot Development Code. Performance Outcomes are sought in relation to PO1, PO2, and PO13 of the Code. Performance Outcomes were generally sought in respect to the creation of new lots (lease area/s) that do not comply with the specified reconfiguration outcomes (minimum lot sizes, lot shapes, etc). Additionally, it is noted that a Performance Outcome was sought with respect to the creation of a new lease area within an existing lot that is mapped as being impacted by Bushfire hazard overlay mapping. It is submitted to Council that the proposed development involves the reconfiguration of a lot (for the creation of a lease/leases in excess of 10 years and/or access easement/s) – and therefore will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area, for a particular purpose (the Mount Fox Energy Park Battery Storage Facility). In considering this, it is submitted to Council that the specified reconfiguration outcomes are not applicable in this instance.

With respect to the creation of a new lease area within a lot that is mapped as being impacted by the Bushfire hazard overlay map – it is submitted to Council that appropriate measures will be implemented to ensure the ongoing safety of people and property and include, but are not limited to the following:

- Access to/from the site will be maintained to ensure the site can be safely evacuated during the event of bushfire;
- Appropriate buffers have been incorporated into the lease area design/layout to separation between buildings/structures and nearby hazardous vegetation informed through a detailed, site specific assessment;
- Connection to the existing road network will be provided for and maintained to facilitate emergency management and service provisions; and
- The ongoing operation does not significantly increase the risk to people or property.

A detailed assessment of the proposal against the applicable codes is contained in Attachment 7 – Code Compliance Responses, and demonstrates that the proposed development complies or can comply with the relevant assessment criteria.

9.0 Summary and Conclusions

This Planning Report has been prepared by Gilvear Planning Pty Ltd, in support of a Development Application submitted to Council seeking Development Permits for a Material Change of Use for a Battery Storage Facility, Reconfiguration of a Lot (for the creation of a Lease/s (in excess of 10 years) and/or access easement/s); and Operational Works – vegetation removal associated with the Mount Fox Battery Energy Storage System project. The project site is proposed on land described as Lot 18 on WU6, Lot 3 on WG274. Lot 57 on SP237064, Lot 591 on SP302249 and Lot 592 on SP302249.

As per the Planning Scheme, the subject site is mapped as being within the Rural Zone and is mapped as being affected by several overlays. The Reconfiguring a Lot and Operational Works components of the proposed development are Code Assessable Development, and the Material Change of Use requires Impact Assessment. The development requires referral to the State for various matters outlined within section 6.1.6 of this report.

As demonstrated through this assessment report, the project has been designed and can be operated and managed in a manner that protects the existing environmental values of the site, ensures amenity of the rural area is maintained by limiting any external impacts and ensures the long term productive capacity of the land is not fragmented or prejudiced by the development as required by the relevant assessment benchmarks.

Ultimately, the project is part of a larger renewable energy development and will assist in contributing towards the Queensland Government target to achieve of 50% renewable energy by 2030 as well as providing economic benefits to the Hinchinbrook region by providing construction jobs and permanent jobs during the operation phase, which will indirectly benefit local businesses, contractors and suppliers.

Accordingly, it is anticipated the project will be supported, subject to a number of reasonable and relevant conditions pertaining to the detailed design of the development.

Attachment 1

Title Searches

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**50344737**	**Search Date:**	22/02/2023 11:06
Date Title Created:	13/02/2001	**Request No:**	43653267
Previous Title:	40027783		

ESTATE AND LAND

Estate in Fee Simple

LOT 21 CROWN PLAN WU4
Local Government: HINCHINBROOK

LOT 18 CROWN PLAN WU6
Local Government: HINCHINBROOK

REGISTERED OWNER

Dealing No: 712247872 27/02/2009

LOLLO INVESTMENTS PTY LTD A.C.N. 116 798 451 TRUSTEE
UNDER INSTRUMENT 712247872

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40027783 (Lot 21 on CP WU4)
(Lot 18 on CP WU6)

2. COVENANT No 712267379 10/03/2009 at 09:26
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF NATURAL RESOURCES AND WATER)
RESTRICTS DEALINGS OVER LOT 1 ON RL2631
AND LOT 18 ON WU4

3. CAVEAT No 721291541 29/11/2021 at 09:14
MT FOX ENERGY PARK PTY LTD A.C.N. 636 341 627

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Requested by: D-ENQ CITEC CONFIRM

Current State Tenure Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**17695092**	**Search Date:**	26/04/2023 15:55
Date State Tenure Created:	21/10/1995	**Request No:**	44235942
Creating Dealing:			

DESCRIPTION OF LAND

Tenure Reference: RL 24/2631

Lease Type: NO TERM

LOT 1 CROWN PLAN RL2631
Local Government: HINCHINBROOK

Area: 3.390000 Ha. (ABOUT)

Area Description:
The road separating portion 18 from portion 19.

No Forestry Entitlement Area

Purpose for which granted:
NO PURPOSE DEFINED

REGISTERED LICENSEE

Dealing No: 712247872 27/02/2009

LOLLO INVESTMENTS PTY LTD A.C.N. 116 798 451 TRUSTEE
UNDER INSTRUMENT 712247872

COMMENCEMENT DATE

Commencement Date: 20/11/1956

CONDITIONS

M76 No structural improvements other than fencing shall be erected on the land during the currency of the license.

ENDORSEMENTS

1. COVENANT No 712267379 10/03/2009 at 09:26
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF NATURAL RESOURCES AND WATER)
RESTRICTS DEALINGS OVER LOT 1 ON RL2631
AND LOT 18 ON WU4

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act (1994) or section 281 Land Act (1994)

Requested by: D-ENQ CITEC CONFIRM

QUEENSLAND LAND REGISTRY

COVENANT

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Page 1 of 1

712267379

$120.50 LY
10/03/2009 09:26

BE 616

Lodger Name, address & phone number

Lodger Code

...t 1994 and the Water Act 2000 and is used to maintain the publicly searchable registers in the land registry and the water register. For more information about privacy in NR&W, see the department's website.

1. Covenantor

Lollo Investments Pty Ltd ACN 116 798 451 as Trustee for the Lollo Family Trust

2. Description of Lots subject to the covenant	County	Parish	Title Reference
Lot 1 on Crown Plan RL2631	WAIRUNA	BARRETT	17695092
Lot 18 on Crown Plan WU4	WAIRUNA	BARRETT	50344737

3. Covenantee

The State of Queensland (represented by the Department of Natural Resources and Water)

4. Description of Covenant

For the purpose of restricting the separate transfer of the lots described in Item 2 pursuant to Section 97A(3)(c) of the Land Title Act and Section 373A(3) of the Land Act.

5. Execution

The Covenantor being the registered owner of the lots described in item 2 covenants with the Covenantee in respect of the covenant described in item 4.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer

.....signature

.....full name

.....qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Execution Date

30/03/09

Covenantor's Signature

LOLLO INVESTMENTS PTY LTD ACN 116 798 451

DIRECTOR

DIRECTOR

Witnessing Officer

COMMISSIONER FOR DECLARATIONS ... DEPARTMENT OF JUSTICE ... QUEENSLAND

CC Reg. No. C Dec 51963 .....signature

Constance Coral Smith .....full name

Commissioner of Declarations .....qualification

Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

CONSTANCE CORAL SMITH

Execution Date

15/10/2008

Covenantee's Signature

Power exercised: Section 373B(1)(d) of the Land Act 1994

.....

Julie Maree Monzeglio
A/Senior Land Officer
a duly authorised delegate *under the current Land Act (Ministerial) Delegation*

GENERAL CONSENT

2. Description of Lots	County	Parish	Title Reference
Lot 1 on Crown Plan RL2631	WAIRUNA	BARRETT	17695092
Lot 18 on Crown Plan WU4	WAIRUNA	BARRETT	50344737

2. Instrument being consented to

Instrument type: Consent to Covenant

Dated 15/10/2008

Names of parties: The State of Queensland (represented by the Department of Natural Resources and Water) and Lollo Investments Pty Ltd ACN 116 798 451 as Trustee for the Lollo Family Trust

3. Instrument under which consent required

Dealing Type: Covenant

Dealing No:

Name of consenting party: Minister for Natural Resources and Water

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2, conditional on compliance with items specified on the attached Schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer
NO WITNESS REQUIRED

.....signature

.....full name

.....qualification

Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

Execution Date

15/10/2008

Consenting Party's Signature
Power exercised: Section 322 of the Land Act 1994

.....

Julie Maree Monzeglio
p/ **Senior Land Officer**
a duly authorised delegate *under the current Land Act (Ministerial) Delegation*

Privacy Statement
Collection of this information is authorised by the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used to maintain the publicly searchable registers in the land registry and the water register. For more information about privacy in NR&W, see the department's website.

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**51229140**	**Search Date:**	22/02/2023 11:06
Date Title Created:	18/09/2020	**Request No:**	43653270
Previous Title:	40077991		

ESTATE AND LAND

Estate in Fee Simple

LOT 3 CROWN PLAN WG274
Local Government: HINCHINBROOK

REGISTERED OWNER

Dealing No: 720276185 18/09/2020

FURNLEA PASTORAL CO PTY LTD A.C.N. 635 671 984

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40077991 (Lot 3 on CP WG274)
2. PROFIT A PRENDRE No 720175164 27/07/2020 at 11:28
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
3. CAVEAT No 721291524 29/11/2021 at 09:03
MT FOX ENERGY PARK PTY LTD A.C.N. 636 341 627

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Requested by: D-ENQ CITEC CONFIRM

QUEENSLAND TITLES REGISTRY

PROFIT A PRENDRE

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Page 1 of 11

720175164

NO FEE
27/07/2020 11:28

Client No: 3645526 Duties Act 2001
Transaction No: 519533-046
Duty Paid $ Nil ☑ Exempt S426
UTI $ —
Date: 20/07/2020 Signed:

BE 615

1. Grantor

FURNLEA PASTORAL CO PTY LTD
A.C.N. 635 671 984
5 Rumbala Court
Bushland Beach
QLD 4818

Lodger (Name, address, E-mail & phone number)

THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
PO Box 6014, Red Hill Rockhampton QLD 4701
Phone: 4843 2650
Email: fp.northfma@daf.qld.gov.au

Lodger Code

RN8

2. Description of Profit A Prendre/Lot on Plan burdened

Lot 3 on WG274

Title Reference

17651249

Description of Lot on Plan benefited (if applicable)

N/A

N/A

3. Grantee

Given names	Surname/Company name and number	(include tenancy if more than one and interest if not fee simple)
	THE STATE OF QUEENSLAND (REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)	N/A

4. Purpose

FOREST CONSENT AGREEMENT IN ACCORDANCE WITH SECTION 61JA FORESTRY ACT 1959

5. Termination date or Occurrence

ON RELEASE OF THIS PROFIT A PRENDRE BY THE GRANTEE IN ACCORDANCE WITH SECTION 61JB(3) FORESTRY ACT 1959

6. Consideration

$1

7. Grant/Execution

The Grantor grants to the Grantee for the above consideration a profit a prendre for the purpose stated in item 4 and the Grantor and Grantee covenant with each other in terms of:- *the attached schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

JUSTICE OF THE PEACE (QUALIFIED) — DEPT. OF JUSTICE & ATTORNEY-GENERAL

signature
Cassie-marie McCann full name 12962
JP QUAL. qualification

Witnessing Officer

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

9/7/2020 **Execution Date**

Furnlea Pastoral Co PTY LTD JCW
Company Director JCW **Grantor's Signature**

Jodi CN Signature
JODI KIM NEWTON full name
CDEC qualification

Witnessing Officer

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec) Reg No. 126789

COMMISSIONER FOR DECLARATIONS — DEPT. OF JUSTICE & ATTORNEY-GENERAL

The State of Queensland (Represented By Department of Agriculture and Fisheries) by: Ross Miller
Name of delegated officer:
Position of delegated officer: Manager Business

20/7/2020 **Execution Date**

Grantee's Signature

Title Reference [17651249]

Forest Consent Agreement / Profit à Prendre
Forest Consent Area 2019/003613

(Version A.3, January 2017)

1. Definitions, interpretation and effect as Forest Consent Agreement under the Act

1.1 Definitions

In this agreement:

Act means the *Forestry Act 1959*.

Business Day means a day that is not a Saturday, Sunday or a public holiday in Brisbane.

Commencement Date means the date this agreement is Registered.

Contact means the contact person for each party specified in clause 7.2.

Department means the Queensland Government agency responsible under the Act for Forest Consent Areas, which at the Commencement Date is the Department of Agriculture and Fisheries, and is representing the State of Queensland, which is the initial Grantee specified in Item 3 of the Form 29 for this agreement.

Expiry Date means the date on which the Department removes or releases the Registered profit a prendre for this agreement, from the Land Registry.

Forest Products means forest products as defined in the Act which consist (only) of all vegetable growth and material of vegetable origin whether living or dead and whether standing or fallen, contained in plants of every size and every life stage, including seedlings, saplings and trees, of the commercial timber species specified in Annexure A of this agreement. To remove any doubt, Forest Products does not include grasses (indigenous or introduced) or crops grown by the Grantor on the Forest Consent Area.

Forest Consent Area has the same meaning as in the Act, and for this agreement is:

Lot 3 on Plan WG274, known as Forest Consent Area 2019/003613.

Get has the same meaning as in the Act.

Grantee means:

(a) the party specified in Item 3 of the Form 29;

(b) the successors in title and assignees of the party stated in (a); and

(c) where the context permits, the Representatives of a party stated in (a) or (b).

Grantor means the owner or lessee, from time to time, of the Land, being the Grantor identified in item 1 of the Form 29 for this agreement and the grantor's successors in title.

GST means a goods and services tax or any similar tax, levy or impost imposed by the Commonwealth of Australia.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Land means all the land stated in Item 2 of the Form 29 for this agreement.

Land Registry means a land register under the *Land Act 1994*, or the freehold land register under *the Land Title Act 1994*, whichever applies.

Operational Harvesting Plan means the specific plan prepared and/or approved by the Department, in consultation with the Grantor, the Permittee and other parties as appropriate, to account for the particular requirements of the Forest Consent Area, the Land and the Grantor, and the code of practice to be applied to the harvesting of the Forest Products.

Permit means a sales permit to Get Forest Products granted by the Department under the Act.

Permittee means the holder of a Permit, and where the context permits, includes the Representatives of the Permittee.

Register means to register this agreement as a profit a prendre in the appropriate register in the Land Registry under the *Land Act 1994* or the *Land Title Act 1994*, whichever applies from time to time.

Representative means an employee, agent, officer, director, contractor, subcontractor or other authorised representative of a party (or of the Permittee), as the context requires.

Title Reference [17651249]

Restricted Matter means:

(a) prohibited matter under the *Biosecurity Act 2014* (Qld); or

(b) restricted matter under the *Biosecurity Act 2014* (Qld); or

(c) a pest declared under a local law by the local government for the Land to be a pest because the pest is causing, or has the potential to cause, an adverse environmental, economic or social impact in all or part of the local government area.

Term means the period commencing on the Commencement Date and ending on the Expiry Date.

1.2 Interpretation

In this agreement:

(a) headings are for convenience only and do not affect interpretation,

and unless the context indicates a contrary intention:

(b) if more than one person is identified as the Grantor, then that expression refers to them, and the obligations of the Grantor under this agreement bind them, jointly and severally;

(c) person includes an individual, the estate of an individual, a corporation, an authority, an association or a joint venture (where incorporated), a partnership and a trust;

(d) a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation and, in the case of a trustee, includes a substituted or an additional trustee;

(e) a reference to a document (including this agreement) is to that document as varied, novated, ratified or replaced from time to time;

(f) a reference to a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;

(g) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;

(h) a reference to a party, clause, schedule, attachment or annexure is a reference to a party, clause, schedule, attachment or annexure to or of this agreement, and a reference to this agreement includes all schedules, attachments and annexures to it;

(i) if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning;

(j) includes in any form is not a word of limitation;

(k) a reference to $ or dollar is to Australian currency; and

(l) no rule of construction will apply to a provision of this agreement to the disadvantage of a party merely because that party drafted the provision or would otherwise benefit from it.

1.3. Effect as Forest Consent Agreement under the Act

1.3.1 Agreement under s 61JA of the Act

(a) The parties acknowledge that:

  (i) this is a Forest Consent Agreement in relation to the use and management of, including access to, Forest Products on the Forest Consent Area that are the absolute property of the State;

  (ii) the Act applies in respect of the Forest Consent Area and the Land;

  (iii) subject to the terms of this agreement, this agreement does not in any way restrict or limit the rights and powers of the State of Queensland under the Act; and

(b) The Grantor acknowledges a failure to comply with a condition of this agreement constitutes an offence under the Act (section 60).

Title Reference [17651249]

1.3.2 Ownership of Forest Products

(a) The Grantor acknowledges that, under the Act:

(i) the State of Queensland owns the Forest Products on the Forest Consent Area at all times (section 45(1)(ea));

(ii) the chief executive of the Department is responsible for the administration and management of the Forest Products on the Forest Consent Area (section 39A); and

(iii) interference with Forest Products on the Forest Consent Area, other than under the authority of:

(A) an Act or law; or

(B) a permit, lease, licence or agreement granted or made under the Act,

is an offence under the Act (section 53A).

(b) The parties acknowledge that on the issuance of a deed of grant for the Land following a successful conversion application under section 166 of the *Land Act 1994* all forest products (as defined in the Act) on the Land which:

(i) are not Forest Products (as defined in clause 1.1); but

(ii) are the absolute property of the State; and

(iii) have not been reserved to the State in the deed of grant,

become the absolute property of the Grantor.

1.3.3 Access to Forest Consent Area

The Grantor acknowledges that, under the Act:

(a) the chief executive of the Department and its (authorised) Representatives may enter and traverse the Land for the purpose of accessing the Forest Consent Area to perform functions under the Act (sections 48 and 61JA(2));

(b) the chief executive of the Department may from time to time, cause to be Got Forest Products on the Forest Consent Area and grant Permits to Permittees to Get Forest Products on the Forest Consent Area (sections 46 and 56);

(c) Permittees may enter and traverse the Land, including with vehicles, plant and equipment, to access the Forest Consent Area for purposes authorised under the Act and the Permit (sections 46 and 57); and

(d) the chief executive of the Department may, despite paragraphs (a) to (c), do anything which the chief executive is so authorised in respect of forest products (as defined in the Act) which are:

(i) not Forest Products (as defined in clause 1.1); and

(ii) the absolute property of the State,

even if those forest products are situated on the Land, including the Forest Consent Area.

1.3.4 Registration as profit a prendre

(a) The parties acknowledge that this agreement will be Registered as a profit à prendre as required under section 61JB(1) of the Act.

(b) This agreement is binding on the Grantee, the Grantor, and the Grantor's successors in title.

(c) The profit à prendre created by this agreement exists in respect of the Land (as defined in clause 1.1) and, as such, may exist in respect of a lot that is subject to the Forest Consent Area and another lot that is or other lots that are subject to a right of access, as provided for or referred to in this agreement, to the Forest Products on the Forest Consent Area or to the Forest Consent Area generally.

2. Term and termination

2.1 Term

This agreement commences on the Commencement Date, and remains in force until the Expiry Date.

2.2 Effect of expiry or termination under s61JB of the Act

The parties acknowledge that:

(a) under section 61JB(4) of the Act, if this agreement stops being in force:
  (i) the Forest Consent Area stops being a Forest Consent Area; and
  (ii) all Forest Products on the Forest Consent Area are no longer the property of the State of Queensland, and become the property of the Grantor; and

(b) section 61JB(5) of the Act states that if the chief executive agrees to release the profit a prendre, the chief executive's agreement may be made conditional on the other party to the forest consent agreement paying the State the value of Forest Products on the Forest Consent Area as decided by the chief executive.

2.3 Survival

Clause 5 (Risk and Indemnity) survives expiration or termination of this agreement for any reason.

3. Grantee's rights and obligations

The Grantee:

(a) subject to clause 3(b), may enter the Land at any time (including with such vehicles, plant and equipment as are necessary) for the purposes of accessing the Forest Consent Area;

(b) must provide the Grantor with reasonable notice prior to entering the Land for the first time (including for planning or harvest management purposes);

(c) must enter and depart the Land using gates and/or grids provided on the Land: however where it is necessary, the Grantee may, in consultation with the Grantor, cut a fence on the Land, in which case the fence must be repaired or a gate or grid must be installed by the Grantee promptly;

(d) must use reasonable endeavours to ensure that the Grantee does not spread the reproductive material of Restricted Matter. If the risk of spreading Restricted Matter is likely to be reduced by the washing down of vehicles and machinery then the Department must ensure that all the Grantee's vehicles and machinery are washed down before entering the Land. For the avoidance of doubt, the Grantee is not responsible for controlling Restricted Matter on the Land that:
  (i) are not directly the result of the Grantee's own entry onto the Land or use of the Forest Consent Area; or
  (ii) were present on the Land prior to the Commencement Date;

(e) must repair any damage to any road, track or route where the damage is in excess of normal wear and tear, cultivated land, crops or other improvements on the Land where such damage is directly caused by the Grantee's entry onto the Land under this agreement;

(f) must notify the Grantor from time to time of the name and contact details of any Permittee who is authorised to access the Forest Consent Area;

(g) must take reasonable steps to consult with the Grantor in the preparation of any Operational Harvesting Plan for any scheduled harvesting on the Forest Consent Area;

(h) must advise the Grantor within a reasonable time when scheduled harvesting on the Forest Consent Area has been completed; and

(i) may undertake any works or activities on the Forest Consent Area as required by the Grantee in its sole discretion, to properly manage the Forest Products on the Forest Consent Area.

4. Grantor's rights and obligations

The Grantor:

Title Reference [17651249]

(a) must allow access to persons lawfully authorised (including Permittees) to enter and traverse the Land and occupy the Forest Consent Area under the Act and this agreement;

(b) may use and occupy the Forest Consent Area, including for various types of agricultural activities, or to implement reasonable fire prevention and control measures such as a low intensity prescribed burning program or firebreaks, however, such use must not be inconsistent with the State's ownership of the Forest Products or a Permittee's right to harvest Forest Products from the Forest Consent Area;

(c) must, as soon as practicable after becoming aware of:

(i) any unauthorised interference with and/or unauthorised use of Forest Products on the Forest Consent Area; or

(ii) the result of any damage to Forest Products or to forested areas within the Forest Consent Area following a damaging event (such as strong winds, fire, rain, hail, flooding, lightning strike, or insect attack),

use reasonable endeavours to notify the Grantee of such interference, use or damage (as the case may be);

(d) must not Get Forest Products from the Forest Consent Area except under the authority of a Permit, or as otherwise provided for under the Act; however the Grantor is hereby authorised by the Grantee under the Act to Get Forest Products on the Forest Consent Area but only:

(i) to the extent required to undertake reasonable management works or activities on the Land;

(ii) where these Forest Products are used by the Grantor on the Land; and

(iii) up to a limit of 20 cubic metres per calendar year;

(e) may interfere with Forest Products on areas of the Forest Consent Area that are:

(i) not mapped as Category B (remnant vegetation) areas under the *Vegetation Management Act 1999* on the Regulated Vegetation Management Map, but only to the extent authorised under the *Vegetation Management Act 1999* and its associated self-assessable codes; and

(ii) mapped as Category B (remnant vegetation) areas under the *Vegetation Management Act 1999* on the Regulated Vegetation Management Map, but only subject to, and in compliance with an agreement under section 39A(2)(c) of the Act;

(f) acknowledges that as a result of activities under a Permit, stumps and other harvesting residue may remain in situ on the Forest Consent Area; and

(g) must not, without the prior written consent of the Grantee, or unless required by law, enter into any agreement or any arrangements, including but not limited to agreements or arrangements relating to nature conservation, nature refuge, environmental offsets, carbon abatement, carbon farming, access, mining or coal seam gas, in regard to the Forest Consent Area for purposes contrary to the lawful use of the Forest Consent Area under the Act.

5. Risk and indemnity

5.1 Grantee's Indemnity

(a) The Grantee indemnifies the Grantor against all liability, loss, costs and expenses (including legal fees, costs and disbursements on a solicitor and own client basis) arising from or incurred in connection with:

(i) any unlawful, wilful or negligent act or omission of the Grantee or any person for whose conduct the Grantee is liable; or

(ii) personal injury (including sickness and death) or property damage or loss in connection with the use of the Land by the Grantee.

(b) The Grantee's liability to indemnify the Grantor under clause 5.1(a) will be reduced proportionally to the extent that any unlawful, wilful or negligent act or omission or breach of this agreement by the Grantor caused the loss, damage or liability.

(c) To the full extent permitted by law, the Grantee will not be liable to the Grantor for any special, indirect or consequential damages, including consequential financial loss.

Title Reference [17651249]

(d) To remove doubt, the parties agree that the indemnity provided in this clause extends to any claim arising from the use of any area of the Land by the Grantee in performing the Grantee's obligation to control or eradicate Restricted Matter under this agreement.

(e) The indemnity granted in clause 5.1(a) is in addition to and not exclusive of any other remedies the Grantor may have at law.

(f) It is not necessary for the Grantor to incur expense or to make a payment before enforcing a right of indemnity conferred by this agreement.

5.2 Grantor to pay costs in respect of injunction

If the Grantee obtains injunctive relief against the Grantor in respect of a breach of this agreement by the Grantor, the Grantor must pay the Grantee the Grantee's costs of obtaining such relief on an indemnity basis.

6 Dispute resolution

6.1 Dispute resolution process

(a) Subject to clause 6.3, the parties must adhere to the following procedure in relation to disputes arising from this agreement prior to the commencement of litigation or other external dispute resolution procedure.

(b) The Contact for a party may notify the other in writing of the occurrence of a dispute (Dispute Notice) and the Contacts will try to resolve the dispute through negotiation.

(c) If the Contacts are unable to resolve the dispute within 15 Business Days from the receipt of the Dispute Notice, the dispute will be referred to:

(i) for the Grantor, the person holding the position of Chief Executive Officer (or equivalent); and
(ii) for the Grantee, the person holding the position of Chief Executive Officer (or equivalent),

for resolution.

(d) If the dispute is not resolved within 15 Business Days after its referral to the representatives of each of the parties listed in clause 6.1(c), either party may refer the dispute to a mediator agreed by the parties with costs to be shared equally between the parties.

(e) If the parties cannot agree upon a mediator, either party may request the President of the Queensland Law Society to nominate a mediator and the terms of mediation.

6.2 Continuity during dispute

Notwithstanding the existence of a dispute, each party must continue to perform its obligations under this agreement.

6.3 Urgent interlocutory relief

Nothing in this clause prevents either party from commencing court proceedings relating to any dispute arising from this agreement at any time where that party seeks urgent interlocutory relief.

7. Notices and Contacts

7.1 Notices

Each communication (including each notice, consent, approval, request and demand) in connection with this agreement to be given by either party to the other:

(a) must be in writing;

(b) must be signed by the party making it (or by a person duly authorised by that party);

(c) must be addressed in accordance with clause 7.2 (or as otherwise notified from time to time);

Title Reference [17651249]

(d) must be delivered by hand or posted by pre-paid post to that address, or sent by facsimile transmission to the number of the addressee, in accordance with clause 7.2; and

(e) is taken to have been received by the addressee:

(i) where sent by pre-paid post – on the fifth day after the date of posting;

(ii) where sent by facsimile transmission – at the time in the place to which it is sent equivalent to the time recorded on the transmitting machine from which it was sent;

(iii) where hand delivered – on delivery,

but if the communication is taken to have been received on a day that is not a Business Day or later than 5.00 pm on a Business Day, the communication is taken to have been received at 9.00 am on the next Business Day.

7.2 Contacts

Grantor:

Party Name:	FURNLEA PASTORAL CO PTY LTD
ABN/ACN:	A.C.N. 635 671 984
Street Address:	1625 Mount Fox Road, Mount Fox, QLD 4850
Contact Name:	Brett Lollo
Contact Postal Address:	5 Rumbala Court, Bushland Beach, QLD, 4818
Contact Telephone:	0408 063 258
Contact Facsimile:	NA
Contact Email(not to be used for giving notices under clause 7.1):	brettlollo@gmail.com

Grantee:

Party Name:	The State of Queensland (Represented By Department of Agriculture and Fisheries)
ABN:	ABN 66 934 348 189
Street Address:	25 Yeppoon Road, Parkhurst QLD 4701
Contact Name:	Operations Manager Hardwood North
Contact Postal Address:	PO Box 6014, Red Hill Rockhampton QLD 4701
Contact Telephone:	(07) 4843 2650
Contact Facsimile:	(07) 4924 2055
Contact Email (not to be used for giving notices under clause 7.1):	fp.northfma@daf.qld.gov.au

8 General

8.1 Entire agreement

To the extent permitted by law, in relation to its subject matter, this agreement:

(a) embodies the entire understanding of the parties and constitutes the entire terms agreed by the parties; and

(b) supersedes any prior written or other agreement of the parties.

Title Reference [17651249]

8.2 Costs

(a) Subject to clause 8.2(b), each party must pay its own costs and expenses in connection with negotiating, preparing, executing and performing its obligations under this agreement.

(b) In respect of the grant of this profit a prendre and any subsequent variation to it, the Grantor must pay:
  (i) the costs and expenses of and incidental to preparing any survey required to Register or re-Register it;
  (ii) any stamp duty payable on it;
  (iii) Registration fees; and
  (iv) release or removal (from Land Registry) fees.

8.3 No relationship

Nothing contained in this agreement will be taken as giving rise to any employment, agency, partnership or joint venture relationship between the parties.

8.4 Amendments

This agreement may only be varied by a Registered document signed by or on behalf of each party.

8.5 Further acts and documents

Each party must promptly do all acts and deliver all documents (in form and content reasonably satisfactory to that party) required by law or reasonably requested by the other party to give effect to this agreement.

8.6 Waiver

(a) Failure to exercise or enforce, or a delay in exercising or enforcing, or the partial exercise or enforcement of, a right, power or remedy provided by law or under this agreement by a party does not preclude, or operate as a waiver of, the exercise or enforcement, or further exercise or enforcement, of that or any other right, power or remedy provided by law or under this agreement.

(b) A waiver or consent given by a party under this agreement is only effective and binding on that party if it is given or confirmed in writing by that party.

(c) No waiver of a breach of a term of this agreement operates as a waiver of another breach of that term or any other term of this agreement.

8.7 Severance

If at any time a provision of this agreement is or becomes illegal, invalid or unenforceable in any respect under the law of any jurisdiction, that will not affect or impair:

(a) the legality, validity or enforceability in that jurisdiction of any other provision of this agreement; or

(b) the legality, validity or enforceability under the law of any other jurisdiction of that or any provision of this agreement.

8.8 Governing law

This agreement is governed by and will be construed according to the law applying in Queensland.

8.9 Jurisdiction

Each party irrevocably:

(a) submits to the non-exclusive jurisdiction of the courts of Queensland, and the courts competent to determine appeals from those courts, with respect to any proceedings that may be brought at any time relating to this agreement; and

Title Reference [17651249]

(b) waives any objection it may now or in the future have to the venue of any proceedings, and any claim it may now or in the future have that any proceedings have been brought in an inconvenient forum, if that venue falls within clause 8.9(a).

Title Reference [17651249]

ANNEXURE A – COMMERCIAL TIMBER SPECIES (FOREST PRODUCTS) FOR THE FOREST CONSENT AREA

Trade Name	**Botanical Name/s** **(Note these names are subject to taxonomical review)**
Ironbark	*Eucalyptus fibrosa subsp. nubila, E. fibrosa subsp. fibrosa, E. caleyi, E. drepanophylla, E. siderophloia, E. decorticans, E. staigeriana, E. crebra, E. sideroxylon,*
Carbeen	*Corymbia confertiflora, C. tessellaris*
Tea-tree	*Melaleuca leucadendra, M. linariifolia,*
Bloodwood	*Corymbia trachyphloia, C. nesophila, C. terminalis, C. abergiana, C. gummifera, C. intermedia, C. polycarpa,*
Brown hazelwood	*Lysicarpus angustifolius*
Cadaga	*Corymbia torelliana*
Cooktown ironwood	*Erythrophleum chlorostachys*
Coolibah	*Eucalyptus microtheca*
Stringybark	*Eucalyptus baileyana, E. tetrodonta, E. planchoniana, E. pellita, E. resinifera, E. tenuipes, E. acmenoides, E. portuensis, E. helidonica, E. latisinensis, E. mediocris, E. carnea, E. apothalassica, E. psammitica, E. eugenioides, E. mensalis, E. reducta, E. tindaliae*
Red gum	*Eucalyptus tereticornis, E. camaldulensis,*
Box	*Eucalyptus major, E. propinqua, E. biturbinata, E. longirostrata, E. punctata, E. populnea, E.conica, E. microcarpa, E. moluccana, E. pilligaensis, E. leptophleba, E. melliodora*
Gympie messmate	*Eucalyptus cloeziana*
Lancewood	*Acacia shirleyi*
Yellowjacket	*Corymbia watsoniana, C. bloxsomei*
New England blackbutt	*Eucalyptus andrewsii, E. campanulata,*
Northern woollybutt	*Eucalyptus miniata*
Queensland peppermint	*Eucalyptus exserta*
Queensland sandalwood	*Santalum lanceolatum*
Rose gum	*Eucalyptus grandis, E. saligna*
Rosewood	*Acacia rhodoxylon*
Rough/ Smooth barked apple	*Angophora floribunda, A. costata, A.leiocarpa*
Rustyjacket	*Corymbia peltata,*
Spotted gum	*Corymbia citriodora subsp. variegata, C. citriodora subsp. citriodora, C. maculata, C. henryi.*
Swamp mahogany	*Eucalyptus robusta*
Turpentine	*Syncarpia glomulifera*
White cypress pine	*Callitris glaucophylla, C. intratropica*

NEWTON Jodi

From: Titlesinfo
Sent: Friday, 7 August 2020 12:33 PM
To: NEWTON Jodi
Subject: Requisition Notice for 720175164 and 720175160
Attachments: Requisition 720175164.pdf; Requisition 720175160.pdf; Stamped FCA.pdf; 717768692.JPG; 717768690.JPG; 717566511.JPG; 718853349.JPG

DEPARTMENT OF NATURAL RESOURCES AND MINES
Titles Registry

Email: titlesinfo@dnrme.qld.gov.au
Telephone: 1300 255 750
GPO Box 1401, Brisbane QLD 4001

EDOCS REF: 10836341

Dear Ms Newton,

I refer to your email in response to the requisitions issued on the above dealings relating to the Description of Lots in Items 2.

The dealings, requisitions and your correspondence have been reviewed.

Land registry forms contain an Item which require the Description of Lot to be shown, which relates to the real property description. Whether a lot is issued from a Survey Plan (SP), Registered Plan (RP) or Crown Plan (CP) the plan number is prefixed by the type of plan. Therefore such should be shown, especially to remove the possibility of further requisitions of this nature being issued.

In regards to these two dealings, in this instance the requisitions are not required to be addressed and it is requested that they be returned to the office so that they may proceed.

I trust that this information has been of assistance.

Yours faithfully,

Queensland Government

Peter Jimmieson
Manager Operations
Titles Registrations |
Department of Natural Resources, Mines and Energy

A: Level 12, 53 Albert Street , Brisbane Q 4000 | GPO Box 1401 Brisbane QLD 4001

From: NEWTON Jodi <Jodi.Newton@daf.qld.gov.au>
Sent: Tuesday, 4 August 2020 3:21 PM
To: Titlesinfo
Subject: Requisition Notice for 720175164 and 720175160

Hi,

I refer to the 2 attached requisitions. They have been requisitioned because no plan identifier was used.

Please find attached previous examples where I have had Profit a Prendre's registered with no plan identifier.

Can you please explain why this case is different?

Thank you,

Queensland
Government

Jodi Newton
Administration Officer
Sales and Resources
Forest Products
Department of Agriculture and Fisheries

T 07 4843 2630
E jodi.newton@daf.qld.gov.au
W www.daf.qld.gov.au
25 Yeppoon Road, Parkhurst, QLD, 4702
PO Box 6014 Red Hill Rockhampton, QLD 4701
Customer Service Centre 13 25 23

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**50825408**	**Search Date:**	22/02/2023 11:06
Date Title Created:	06/10/2010	**Request No:**	43653273
Previous Title:	50374373		

ESTATE AND LAND

Estate in Fee Simple

LOT 57 SURVEY PLAN 237064
Local Government: HINCHINBROOK

REGISTERED OWNER

Dealing No: 713423119 23/08/2010

LOLLO INVESTMENTS PTY LTD A.C.N. 116 798 451 TRUSTEE
UNDER INSTRUMENT 712247872

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40031002 (Lot 57 on CP WU20)
2. COVENANT No 713495763 01/10/2010 at 14:53
restricts dealings over
LOT 1 ON CP RL3694 AND
LOT 57 ON SP237064
3. CAVEAT No 721291541 29/11/2021 at 09:14
MT FOX ENERGY PARK PTY LTD A.C.N. 636 341 627

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Requested by: D-ENQ CITEC CONFIRM

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

COVENANT

FORM 31 Version 3
Page 1 of 1

713495763

NO FEE
01/10/2010 14:53

TE 616

Lodger (Name, address, E-mail & phone number)
McDonald Leong Lawyers
1 Thuringowa Drive
KIRWAN QLD 4817
Ph: (07) 4723 5155
Email: general@mcdleong.com.au

Lodger Code
754

1. **Covenantor**

Lollo Investments Pty Ltd ACN 116 798 451 As Trustee For The Lollo Family Trust under Instrument 712247872

2. Description of Covenant / Lot on Plan	County	Parish	Title Reference
LOT 1 ON CP RL3694	WAIRUNA	BARRETT	17697247
LOT 57 ON SP 237064	WAIRUNA	BARRETT	50374373

3. **Covenantee**

The State Of Queensland (represented by The Department of Environment and Resource Management)

4. **Description of Covenant**

For the purpose of restricting the separate transfer of the lots described in Item 2 pursuant to Section 97A(3)(c) of the Land Title Act and Section 373A(3) of the Land Act.

5. **Execution**

The Covenantor being the registered owner of the lot described in Item 2 covenants with the Covenantee in respect of the covenant described in Item 4.

* delete if not applicable

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

.....signature
.....full name
.....qualification
Witnessing Officer
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

10/09/10
Execution Date

Lollo Investments Pty Ltd ACN 116798451
.....
Director
.....
Director **Covenantor's Signature**

.....signature
.....full name
.....qualification
Witnessing Officer
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

27/9/10
Execution Date

.....
Covenantee's Signature
Daniel Gillander Senior Land Officer, Lmb, a duly authorised delegate of the minister under current Land Act (ministerial) Delegations

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**51257311**	**Search Date:**	22/02/2023 11:06
Date Title Created:	15/07/2021	**Request No:**	43653272
Previous Title:	50825409		

ESTATE AND LAND

Estate in Fee Simple

LOT 591 SURVEY PLAN 302249
Local Government: HINCHINBROOK

REGISTERED OWNER

Dealing No: 720975747 29/07/2021

QUEENSLAND ELECTRICITY TRANSMISSION CORPORATION LIMITED A.C.N. 078 849 233

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40031002 (Lot 57 on CP WU20)

2. RESUMPTION EASEMENT No 602799566 (L565092D) 14/07/1993
BY RESUMPTION AN EASEMENT OVER LOT A ON CROWN PLAN 805060 IS TAKEN BY
QUEENSLAND ELECTRICITY COMMISSION
AS FROM 16 OCT 1992

3. TRANSFER No 703443113 08/07/1999 at 16:00
RESUMPTION EASEMENT: 602799566 (L565092D)
QUEENSLAND ELECTRICITY TRANSMISSION CORPORATION LIMITED
A.C.N. 078 849 233

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Requested by: D-ENQ CITEC CONFIRM

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**51257312**	**Search Date:**	04/08/2022 12:09
Date Title Created:	15/07/2021	**Request No:**	41880305
Previous Title:	50825409		

ESTATE AND LAND

Estate in Fee Simple

LOT 592 SURVEY PLAN 302249
Local Government: HINCHINBROOK

REGISTERED OWNER

Dealing No: 720920625 07/07/2021

LOLLO INVESTMENTS PTY LTD A.C.N. 116 798 451 TRUSTEE
UNDER INSTRUMENT 712247872

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40031002 (Lot 57 on CP WU20)

2. RESUMPTION EASEMENT No 602799566 (L565092D) 14/07/1993
BY RESUMPTION AN EASEMENT OVER LOT A ON CROWN PLAN 805060 IS TAKEN BY
QUEENSLAND ELECTRICITY COMMISSION
AS FROM 16 OCT 1992

3. TRANSFER No 703443113 08/07/1999 at 16:00
RESUMPTION EASEMENT: 602799566 (L565092D)
QUEENSLAND ELECTRICITY TRANSMISSION CORPORATION LIMITED
A.C.N. 078 849 233

4. CAVEAT No 721291541 29/11/2021 at 09:14
MT FOX ENERGY PARK PTY LTD A.C.N. 636 341 627

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Requested by: D-ENQ CITEC CONFIRM

Attachment 2

Relevant Purpose Determination

Author : Serena Van De Velde
Ref number : 2023/001829

Queensland Government
Department of **Resources**

15th September 2023

Ms. Kristy Gilvear
PO Box 228
Babinda, QLD 4861

Dear Ms. Gilvear,

Application for a Relevant Purpose determination under section 22A of the *Vegetation Management Act 1999* for the clearing of native vegetation on lot/s 592 SP302249, 591 SP302249, 3 WG274, & 18 WU6 - Hinchinbrook Shire Council - Hinchinbrook Shire Council.

I refer to your application submitted to the Department of Resources (the department) on 19 May 2023.

As the delegate for the Chief Executive, I have considered your request and am satisfied that the proposed development to clear vegetation for the purpose of Relevant Infrastructure Activities meets the relevant requirements of section 22A of the *Vegetation Management Act 1999*. The areas determined to be for a relevant purpose are shown as Area A1 and Area A2 on the attached Relevant Purpose Determination Plan (RPDP) – 2023/001829.

This decision is based on:

- The development proposal and information you submitted to the department on 19 May 2023; and
- The attached RPDP; and
- The circumstances at the time of this determination; and
- The total clearing extent for the roads do not exceed a width of 30m; and
- The asset protection zone for built infrastructure does not exceed a width of 45m.

Should your proposal change (eg. development footprint) or circumstances associated with your proposal change (eg. legislation changes, regional ecosystem mapping changes), you will need to request another section 22A relevant purpose determination.

This relevant purpose determination is valid for 2 years and will expire on 15 September 2025.

Please note that this letter is not a development approval to carry out vegetation clearing. You will need to apply for a development approval from your local Council, or the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) under the *Planning Act 2016.*

Prior to lodging a development application, it is strongly recommended that, you arrange a pre-lodgement meeting through the State Assessment and Referral Agency (SARA) to identify all relevant State legislation, approvals and application requirements.

Please note, clearing vegetation to the extent the clearing is in any category C areas or category R areas is not for a relevant purpose under the *Vegetation Management Act 1999*. Accordingly clearing of vegetation in these areas cannot be approved under a development approval. If your proposed development includes clearing vegetation in any category C areas or category R areas you should ensure this clearing can be undertaken as exempt clearing work or in accordance with an Accepted Development Vegetation Clearing Code (ADVCC). Clearing vegetation in any category C areas or category R areas that is not exempt or in accordance with an ADVCC is prohibited development. Information on exempt clearing work or ADVCCs is available online at www.qld.gov.au (search 'exempt clearing work' or 'accepted development vegetation clearing codes').

Disclaimer: *Please note, assessment of rehabilitation requirements and environmental offset requirements will be undertaken as part of the State Development Assessment Provisions: State Code 16 (SDAP: State Code 16) assessment. Accordingly, any determination that the proposed development is for a relevant purpose under section 22A of the Vegetation Management Act 1999 is not a finding that the proposed development also satisfies any Performance Outcome requirements to rehabilitate or provide environmental offsets where required under SDAP: State Code 16.*

Other relevant Commonwealth or State approvals may also be required to undertake vegetation clearing. An indicative list of other legislation is provided in Attachment 1.

Should you require any additional information please contact your local SARA office as below:

SARA Townsville Office

Location: Level 4, 445 Flinders Street, Townsville

Postal address: PO Box 5666, Townsville Qld 4810

Telephone: 07 4758 3423

Email: nqsara@dsdilgp.qld.gov.au

Should you have any enquiries or require assistance regarding this request, please do not hesitate to contact Ms Serena Van de Velde of the department on telephone 4222 5400 quoting the above reference number.

Yours sincerely

Angela Mason
Acting Senior Natural Resource Management Officer

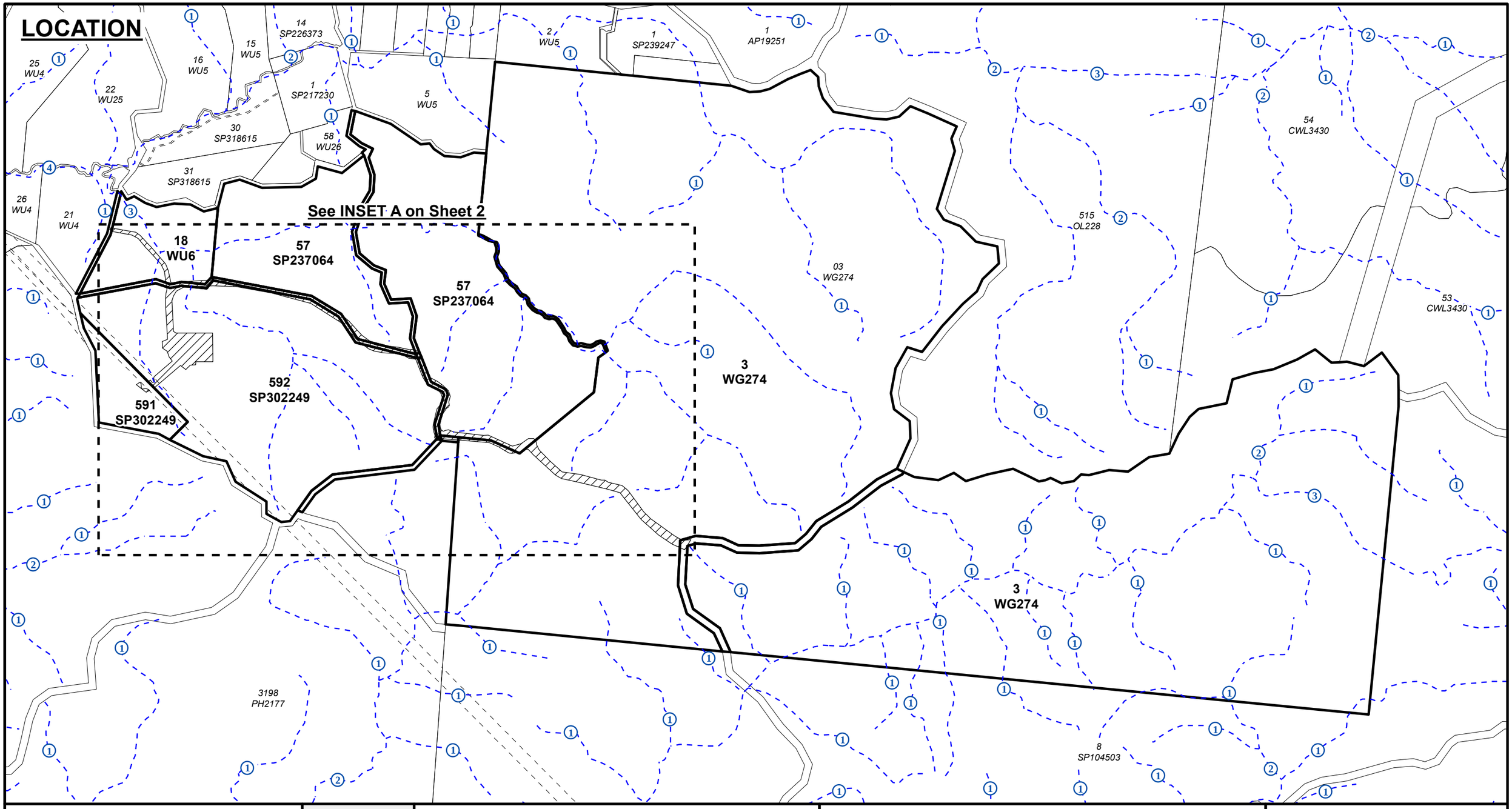
Attachment 1 - Legislation and Acts

Activity	Legislation	Agency	Contact details
Interference with overland flow	*Water Act 2000*	Department of Regional Development, Manufacturing and Water (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dnrme.qld.gov.au
Earthworks, significant disturbance	*Soil Conservation Act 1986*	Department of Resources (Queensland Government)	Ph: 13 QGOV (13 74 68) www.resources.qld.gov.au
Indigenous Cultural Heritage	*Aboriginal Cultural Heritage Act 2003* *Torres Strait Islander Cultural Heritage Act 2003*	Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (Queensland Government)	Ph. 13 QGOV (13 74 68) www.datsip.qld.gov.au
Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues Protected plants and protected areas[1]	*Environmental Protection Act 1994* *Coastal Protection and Management Act 1995* *Queensland Heritage Act 1992* *Nature Conservation Act 1992*	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) www.des.qld.gov.au
Interference with fish passage in a watercourse, mangroves Forest activities	*Fisheries Act 1994* *Forestry Act 1959*[2]	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 25 23 www.daf.qld.gov.au
Matters of National Environmental Significance including listed threatened species & ecological communities	*Environment Protection and Biodiversity Conservation Act 1999*	Department of the Environment, (Australian Government)	Ph: 1800 803 772 www.environment.gov.au
Development and planning processes	*Planning Act 2016* *State Development and Public Works Organisation Act 1971*	Department of State Development, Infrastructure, Local Government and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au
Local government requirements	*Local Government Act 2009* *Planning Act 2016*	Your relevant local government office	

[1] In Queensland, all plants that are native to Australia are protected plants under the *Nature Conservation Act 1992,* which endeavours to ensure that protected plants (whether whole plants or protected plants parts) are not illegally removed from the wild, or illegally traded. Prior to ***clearing***, you should check the flora survey trigger map to determine if the ***clearing*** is within a high-risk area by visiting For further information or assistance on the protected plants flora survey trigger map for your property, contact the Department of Environment and Science on 13QGOV (13 74 68) or email palm@des.qld.gov.au

[2] Contact the Department of Agriculture and Fisheries before ***clearing:***

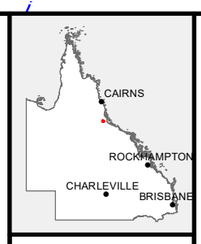
- Any sandalwood on state-owned land (including leasehold land)
- On freehold land in a 'forest consent area'
- More than five hectares on state-owned land (including leasehold land) containing commercial timber species listed in parts 2 or 3 of Schedule 6 of the Vegetation Management Regulation 2012 and located within any of the following local government management areas–Banana, Bundaberg Regional, Fraser Coast Regional, Gladstone Regional, Isaac Regional, North Burnett Regional, Somerset Regional, South Burnett Regional, Southern Downs Regional, Tablelands Regional, Toowoomba Regional, Western Downs Regional.



LEGEND

- Subject Lots
- Area A
- Land Parcels
- Easements
- Watercourse and/or drainage feature (Stream order label)

Note: This is a colour plan and must be reproduced in colour.



N

SCALE 1:30000 @ A3 paper size

0 0.5 1 1.5 2 Kilometers

Projection: UTM (MGA Zone 55) Datum: GDA2020

Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder.
Watercourse and drainage feature locations shown on the Vegetation Management Plan are derived from the certified Vegetation Management Watercourse and Drainage Feature Map. These alignments are approximate only and require ground truthing to identify the exact location of the watercourse or drainage feature. The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

Relevant Purpose Determination Plan

Plan of Area A (Parts A1 - A2) in Lot 1 on RL2631, Lot 57 on SP237064, Lots 591 and 592 on SP302249, Lot 3 on WG274, Lot 18 on WU6 and Roads

Version: 2

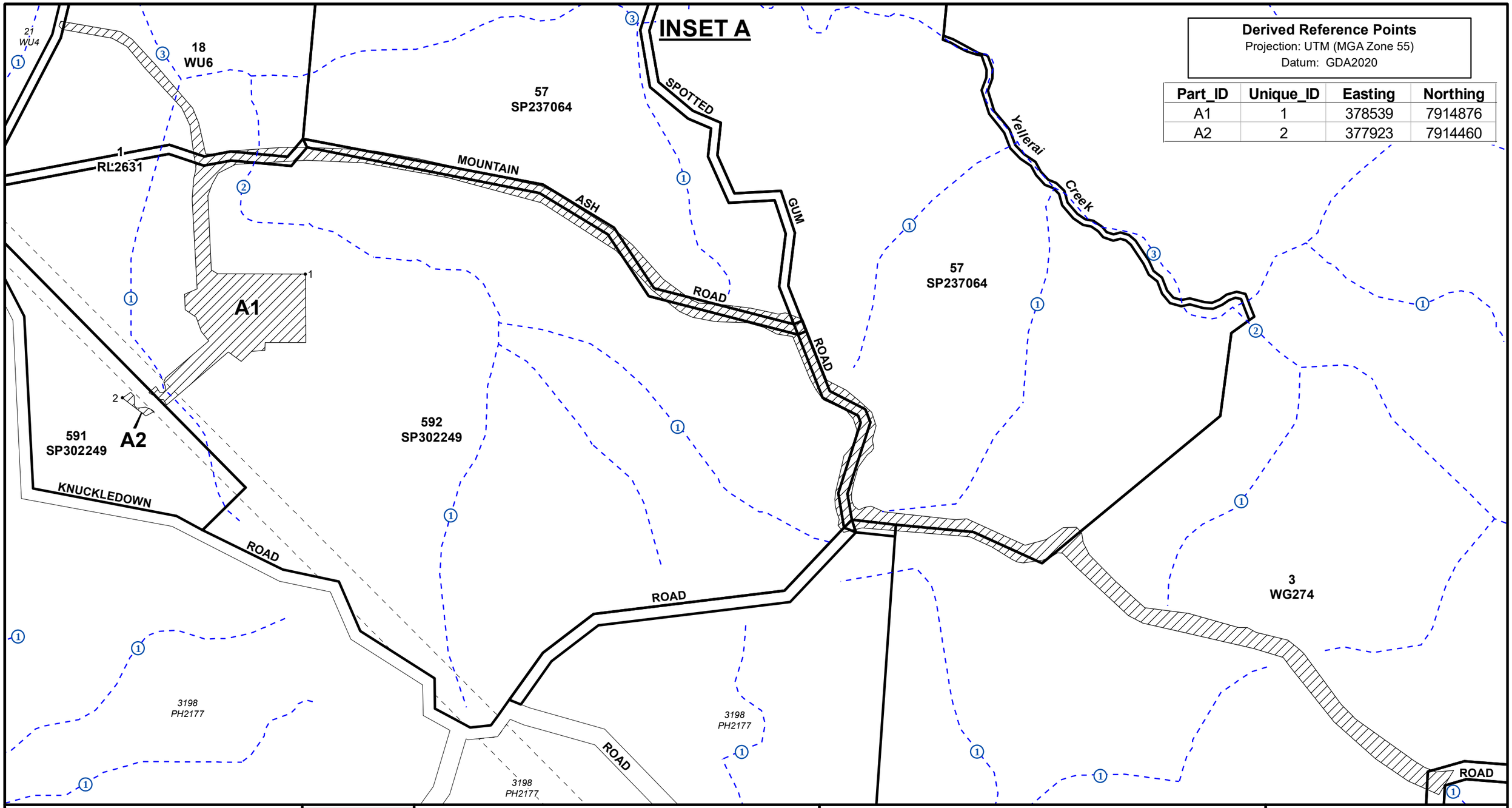
eLVAS Case ID: 2023/001829

Queensland Government

RPDP 2023/001829

Sheet 1 of 2

VMGIS-NR-1994



Relevant Purpose Determination Plan

Plan of Area A (Parts A1 - A2) in Lot 1 on RL2631, Lot 57 on SP237064, Lots 591 and 592 on SP302249, Lot 3 on WG274, Lot 18 on WU6 and Roads

Version: 2

eLVAS Case ID: 2023/001829

Queensland Government

RPDP 2023/001829

Sheet 2 of 2

VMGIS-NR-1994

Attachment 3

Pre lodgement advice

Haylee Mlikota <haylee@gilvearplanning.com.au>

RE: Request for pre-lodgement advice - Mount Fox Energy Park BESS

1 message

Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au> Thu, Jul 13, 2023 at 3:26 PM
To: Haylee Mlikota <haylee@gilvearplanning.com.au>
Cc: Sera Rohan <sera@gilvearplanning.com.au>, Denise Weber <DWeber@hinchinbrook.qld.gov.au>, Veronica Aster <VAster@hinchinbrook.qld.gov.au>, Kristy Gilvear <kristy@gilvearplanning.com.au>

Good Afternoon Haylee,

Thank you for the below email, its contents have been received and noted.

Officers understand and acknowledge the new proposed application package will consist of:

1. Material Change of Use - Battery Storage Facility;
2. Reconfiguration of Lot - creation of a long term sublease (in excess of 12 years); and
3. Operational Works - Vegetation Removal.

In relation to the creation of a long-term sublease within Lot 592 on SP302249 and the sought Council advice and/or support, Officers can advise the following.

At an Officer level, preliminary support can be provided for the proposal, given the long-term sublease is proposed primarily for and around the BESS Infrastructure, however, as this response is only based on the generalised advice provided (by Gilvear Planning), the Council advice may be subject to change once a formalised proposal is generated and provided to Council for a formalised assessment.

Please note, this Officers advice is general in nature, and is not a definitive decision from Council. Should you require any further clarification in relation to this matter, please do not hesitate to contact Council's Planning and Development Team on 4776 4600.

Thank you and Kind Regards,

AIMEE GODFREY
Planning and Development Coordinator - Corporate and Community Services - Hinchinbrook Shire Council
P 07 4776 4658 **E** agodfrey2@hinchinbrook.qld.gov.au
hinchinbrook.qld.gov.au | facebook I linkedin

From: Haylee Mlikota <haylee@gilvearplanning.com.au>
Sent: Wednesday, 12 July 2023 4:28 PM
To: Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au>
Cc: Sera Rohan <sera@gilvearplanning.com.au>; Denise Weber <DWeber@hinchinbrook.qld.gov.au>; Veronica

Aster <VAster@hinchinbrook.qld.gov.au>; Kristy Gilvear <kristy@gilvearplanning.com.au>
Subject: Re: Request for pre-lodgement advice - Mount Fox Energy Park BESS

Good afternoon Aimee,

I hope you are well.

Please be advised that we are currently progressing preparation of the development application package for the proposed Mount Fox Energy Park Battery Storage System, for lodgement with Hinchinbrook Shire Council in due course.

We have tried on a few occasions now to touch base via phone to discuss matters outlined below - however, have been unsuccessful in reaching you.

Following on from the formal advice you provided on 27th April 2023 (attached below), in relation to the proposed Mount Fox Energy Park BESS - we are seeking further advice on the following matters, from Council:

- It is intended that the proposed Mount Fox Energy Park BESS is to be constructed within a separate parcel (long-term sub lease). The sublease will be formalised around the BESS infrastructure, which is to be located primarily within Lot 592 on SP302249.
- In considering this, a combined application package will be submitted to Council, and is likely to include the following:
    - Material Change of Use - Battery Storage Facility;
    - Reconfiguration of Lot - creation of a long term sublease (in excess of 12 years); and
    - Operational Works - Vegetation Removal.
- We are seeking additional advice on whether (or not) Council is likely to support the creation of a long-term sublease within Lot 592 on SP302249, that is likely to be an irregular shape, with a total area which is less than the minimum lot size requirements, specified in table Table 9.4.4.4b of the Hinchinbrook Shire Planning Scheme.

Provided below is a screenshot of the anticipated preliminary subdivision design/layout.

Should you require any further information, please do not hesitate to contact me.

Kind Regards,

Haylee

Haylee Mlikota **PLANNER**

0488 021 793

PO Box 228 Babinda QLD 4861

www.gilvearplanning.com.au

On Thu, Apr 27, 2023 at 12:19 PM Kristy Gilvear <kristy@gilvearplanning.com.au> wrote:

> Thanks for this advice Aimee.
>
> We will liaise with our clients and be in touch as we work towards submission.

We will be in touch if we have further queries.

Talk soon!
Cheers,

Kristy

Kristy Gilvear **MANAGING DIRECTOR**

0448 897 991

PO Box 228 Babinda QLD 4861

www.gilvearplanning.com.au

From: Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au>
Date: Thursday, 27 April 2023 at 8:36 am
To: Haylee Mlikota <haylee@gilvearplanning.com.au>
Cc: Sera Rohan <sera@gilvearplanning.com.au>, Denise Weber <DWeber@hinchinbrook.qld.gov.au>, "kristy@gilvearplanning.com.au" <kristy@gilvearplanning.com.au>, Veronica Aster <VAster@hinchinbrook.qld.gov.au>
Subject: FW: Request for pre-lodgement advice - Mount Fox Energy Park BESS

Good Morning Haylee and Team,

Thank you for the below email, its contents have been received and noted.

Following our meeting and review of the below content, Council can confirm the Land Use definition which Council considers appropriate and the requirements for an Operational Works approval.

LAND USE DEFINITION

Officers have reviewed the possibility of the use complying with *Major Electricity Infrastructure* or a *Substation*, however, further review of these definitions identified the proposed use does not comply with these land use definitions.

Officers are of the view that the *Hinchinbrook Shire Planning Scheme 2017* does not have a land use definition which is appropriate for the proposed MFEP BESS, therefore, triggering an Impact Assessable Development Application.

Major Electricity Infrastructure is defined as:

Major electricity infrastructure—

1. *means the use of premises for—*

    (i) a transmission grid or supply network; or

    (ii) a telecommunication facility, if the use is ancillary to the use in subparagraph; but

2. *does not include the use of premises for a supply network or private electricity works stated in the Planning Regulation 2017, Schedule 6 [Development local categorising instrument is prohibited…], section 26(5), unless the use involves—*

    (i) a new zone substation or bulk supply substation; or

    (ii) the augmentation of a zone substation or bulk supply substation that significantly increases the input or output standard voltage.

Examples include: Powerlines greater than 66kV

Substation is defined as:

Substation means the use of premises—

1) as part of a transmission grid or supply network to—

(i) convert of transform electrical energy from one voltage to another; or

(ii) regulate voltage in an electrical circuit; or

(iii) control electrical circuits; or

(iv) switch electrical current between circuits; or

2) for a telecommunications facility for—

(i) works, as defined under the Electricity Act, section 12(1); or

(ii) workforce operational and safety communication.

Examples include: Substations, switching yards

The proposal is for a Battery Energy Storage System, and a Battery Storage Device or System does not fit the above use definitions, as the use is not for a transmission grid or supply network or a telecommunication facility (as per the above full definitions). Officers note the proposed Mount Fox Battery Energy Storage System, as being a

plant which stores and releases energy as electricity, which the *Hinchinbrook Shire Planning Scheme 2017* does not have a set use definition for.

OPERATIONAL WORKS

Further to the letter correspondence from Paul Cohen on 14 October 2022, the *Hinchinbrook Shire Planning Scheme 2017* does not include vegetation clearing as assessable development, as it relies upon the *Planning Regulation* and the *Vegetation Management Act 1999* to manage such approval processes.

However, as Council Officers are of the view that the proposed Mount Fox Battery Energy Storage System will trigger an Impact Assessable Development Application, it is recommended by Officers to lodge a combined Operational Works Development Application to cover all proposed operational works onsite, as the Planning Scheme identifies that Operational Work for a Material Change of Use is assessable development.

Officers hope this information is of assistance, and should you have any questions or concerns, please do not hesitate to contact the Planning and Development Team on 4776 4600.

Thank you and Kind regards,

AIMEE GODFREY

Planning and Development Coordinator - **Corporate and Community Services** - **Hinchinbrook Shire Council**

P 07 4776 4658 **E** agodfrey2@hinchinbrook.qld.gov.au

hinchinbrook.qld.gov.au | facebook | linkedin

From: Haylee Mlikota <haylee@gilvearplanning.com.au>
Sent: Thursday, 6 April 2023 10:59 AM
To: Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au>
Cc: Sera Rohan <sera@gilvearplanning.com.au>; Denise Weber <DWeber@hinchinbrook.qld.gov.au>; Kristy

Gilvear <Kristy@gilvearplanning.com.au>; Veronica Aster <VAster@hinchinbrook.qld.gov.au>
Subject: RE: Request for pre-lodgement advice - Mount Fox Energy Park BESS

Good afternoon Aimee,

Thanks again for your time on Monday, and for the opportunity to discuss the proposed Mount Fox Energy Park project with you and your team.

As agreed – we have collated information relevant to the proposed Mount Fox Battery Energy Storage System (BESS). At this stage, the BESS component is a priority. Please note that pre-lodgement advice on other components forming part of the broader Mount Fox Energy Park (MFEP) (e.g. access) is also required, and a separate request in relation to these outstanding matters will be submitted to Council in due course.

As discussed, on 16 December 2022, the State Government changed the *Planning Regulation 2017*, including changes to land use definitions for 'Battery Storage' and 'Battery Storage Facility' – as a 'stand-alone' proposition.

Formal advice was obtained from the State (Dept of State Development, Infrastructure, Local Government and Planning), in regards to the application of these new land use definitions.

State advice confirmed that ultimately Council's would be responsible for deciding which use definition is the most appropriate (more specifically in relation to Batteries), and that each project would need to be considered on a case-by-case basis.

In considering this, can we please request that Council provides pre-lodgement advice on the following matters:

· Confirmation of the land use definition Council considers to be most appropriate for the proposed MFEP BESS. Noting that previous advice provided by Paul Cohen confirmed that the BESS would be most appropriately defined as 'Major Electricity Infrastructure'.

· Depending on confirmation of the abovementioned – can Council please confirm whether/or not Paul Cohen's advice regarding 'Operational Works associated with a MCU' is still relevant/current (i.e. no separate Op Works application is likely to be required for Accepted Development)?

The following information has been attached for your review/reference:

· Formal advice received from Department of State Development, Infrastructure, Local Government and Planning – in relation to new land use definitions: 'Battery Storage' and 'Battery Storage Facility'.

· Formal advice received from Hinchinbrook Shire Council's Planning Officer (Paul Cohen), dated 14 October 2022 – in relation to the proposed MFEP BESS.

· Draft proposal plans of the BESS and associated infrastructure.

· Draft site plan demonstrating locations of the BESS and associated infrastructure.

In addition to the above, specific details in relation to the proposed MFEP BESS are provided below. We trust this information is sufficient and will assist you in determining the appropriate land use definition.

The Mount Fox BESS will consist of a battery energy storage system, substation, over head transmission line, access roads and an operation & maintenance facility. During construction temporary construction facilities shall also be located in close proximity of the BESS. The size of the BESS is 300MW providing 600MW/h of power. This will be done through 164 x Tesla Megapack XL 2.0 and associated medium voltage transformers and Ring Main Units (RMU). Power will be stepped up from 33kV to 275kV via two 180MVA transformers and associated substation infrastructure. The BESS substation will connect to Guybal Munjan switching station via a 700m over head transmission line. The areas that are expected to be cleared are as follows but do not take into account additional areas required to build within the existing topography which will be undertaken at the detailed design stage:

· *BESS – 2ha*

· *Substation – 1ha*

· *Over head transmission line – 1ha*

· *Access roads – 40-60ha depending on final civil design*

We look forward to receiving your advice in regard to this matter as soon as possible; should additional be required, please call or email.

Thanks and regards,

Haylee Mlikota **PLANNER**

0488 021 793

PO Box 228 Babinda QLD 4861

www.gilvearplanning.com.au

Haylee Mlikota <haylee@gilvearplanning.com.au>

Re: Request for pre-lodgement advice - Mount Fox Energy Park BESS

1 message

Kristy Gilvear <kristy@gilvearplanning.com.au> Thu, Apr 27, 2023 at 12:19 PM
To: Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au>, Haylee Mlikota <haylee@gilvearplanning.com.au>
Cc: Sera Rohan <sera@gilvearplanning.com.au>, Denise Weber <DWeber@hinchinbrook.qld.gov.au>, Veronica Aster <VAster@hinchinbrook.qld.gov.au>

Thanks for this advice Aimee.

We will liaise with our clients and be in touch as we work towards submission.

We will be in touch if we have further queries.

Talk soon!
Cheers,

Kristy

Kristy Gilvear **MANAGING DIRECTOR**

0448 897 991

PO Box 228 Babinda QLD 4861

www.gilvearplanning.com.au

From: Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au>
Date: Thursday, 27 April 2023 at 8:36 am
To: Haylee Mlikota <haylee@gilvearplanning.com.au>

Cc: Sera Rohan <sera@gilvearplanning.com.au>, Denise Weber <DWeber@hinchinbrook.qld.gov.au>, "kristy@gilvearplanning.com.au" <kristy@gilvearplanning.com.au>, Veronica Aster <VAster@hinchinbrook.qld.gov.au>
Subject: FW: Request for pre-lodgement advice - Mount Fox Energy Park BESS

Good Morning Haylee and Team,

Thank you for the below email, its contents have been received and noted.

Following our meeting and review of the below content, Council can confirm the Land Use definition which Council considers appropriate and the requirements for an Operational Works approval.

LAND USE DEFINITION

Officers have reviewed the possibility of the use complying with *Major Electricity Infrastructure* or a *Substation*, however, further review of these definitions identified the proposed use does not comply with these land use definitions.

Officers are of the view that the *Hinchinbrook Shire Planning Scheme 2017* does not have a land use definition which is appropriate for the proposed MFEP BESS, therefore, triggering an Impact Assessable Development Application.

Major Electricity Infrastructure is defined as:

Major electricity infrastructure—

1. *means the use of premises for—*

    (i) a transmission grid or supply network; or

    (ii) a telecommunication facility, if the use is ancillary to the use in subparagraph; but

2. *does not include the use of premises for a supply network or private electricity works stated in the Planning Regulation 2017, Schedule 6 [Development local categorising instrument is prohibited…], section 26(5), unless the use involves—*

    (i) a new zone substation or bulk supply substation; or

    (ii) the augmentation of a zone substation or bulk supply substation that significantly increases the input or output standard voltage.

Examples include: Powerlines greater than 66kV

Substation is defined as:

Substation means the use of premises—

1) as part of a transmission grid or supply network to—

(i) convert of transform electrical energy from one voltage to another; or

(ii) regulate voltage in an electrical circuit; or

(iii) control electrical circuits; or

(iv) switch electrical current between circuits; or

2) for a telecommunications facility for—

(i) works, as defined under the Electricity Act, section 12(1); or

(ii) workforce operational and safety communication.

Examples include: Substations, switching yards

The proposal is for a Battery Energy Storage System, and a Battery Storage Device or System does not fit the above use definitions, as the use is not for a transmission grid or supply network or a telecommunication facility (as per the above full definitions). Officers note the proposed Mount Fox Battery Energy Storage System, as being a plant which stores and releases energy as electricity, which the *Hinchinbrook Shire Planning Scheme 2017* does not have a set use definition for.

OPERATIONAL WORKS

Further to the letter correspondence from Paul Cohen on 14 October 2022, the *Hinchinbrook Shire Planning Scheme 2017* does not include vegetation clearing as assessable development, as it relies upon the *Planning Regulation* and the *Vegetation Management Act 1999* to manage such approval processes.

However, as Council Officers are of the view that the proposed Mount Fox Battery Energy Storage System will trigger an Impact Assessable Development Application, it is recommended by Officers to lodge a combined Operational Works Development Application to cover all proposed operational works onsite, as the Planning Scheme identifies that Operational Work for a Material Change of Use is assessable development.

Officers hope this information is of assistance, and should you have any questions or concerns, please do not hesitate to contact the Planning and Development Team on 4776 4600.

Thank you and Kind regards,

AIMEE GODFREY

Planning and Development Coordinator - Corporate and Community Services - Hinchinbrook Shire Council

P 07 4776 4658 **E** agodfrey2@hinchinbrook.qld.gov.au

hinchinbrook.qld.gov.au | facebook | linkedin

From: Haylee Mlikota <haylee@gilvearplanning.com.au>
Sent: Thursday, 6 April 2023 10:59 AM
To: Aimee Godfrey <AGodfrey2@hinchinbrook.qld.gov.au>
Cc: Sera Rohan <sera@gilvearplanning.com.au>; Denise Weber <DWeber@hinchinbrook.qld.gov.au>; Kristy Gilvear <Kristy@gilvearplanning.com.au>; Veronica Aster <VAster@hinchinbrook.qld.gov.au>
Subject: RE: Request for pre-lodgement advice - Mount Fox Energy Park BESS

Good afternoon Aimee,

Thanks again for your time on Monday, and for the opportunity to discuss the proposed Mount Fox Energy Park project with you and your team.

As agreed – we have collated information relevant to the proposed Mount Fox Battery Energy Storage System (BESS). At this stage, the BESS component is a priority. Please note that pre-lodgement advice on other components forming part of the broader Mount Fox Energy Park (MFEP) (e.g. access) is also required, and a separate request in relation to these outstanding matters will be submitted to Council in due course.

As discussed, on 16 December 2022, the State Government changed the *Planning Regulation 2017*, including changes to land use definitions for 'Battery Storage' and 'Battery Storage Facility' – as a 'stand-alone' proposition.

Formal advice was obtained from the State (Dept of State Development, Infrastructure, Local Government and Planning), in regards to the application of these new land use definitions.

State advice confirmed that ultimately Council's would be responsible for deciding which use definition is the most appropriate (more specifically in relation to Batteries), and that each project would need to be considered on a case-by-case basis.

In considering this, can we please request that Council provides pre-lodgement advice on the following matters:

- Confirmation of the land use definition Council considers to be most appropriate for the proposed MFEP BESS. Noting that previous advice provided by Paul Cohen confirmed that the BESS would be most appropriately defined as 'Major Electricity Infrastructure'.

- Depending on confirmation of the abovementioned – can Council please confirm whether/or not Paul Cohen's advice regarding 'Operational Works associated with a MCU' is still relevant/current (i.e. no separate Op Works application is likely to be required for Accepted Development)?

The following information has been attached for your review/reference:

- Formal advice received from Department of State Development, Infrastructure, Local Government and Planning – in relation to new land use definitions: 'Battery Storage' and 'Battery Storage Facility'.

- Formal advice received from Hinchinbrook Shire Council's Planning Officer (Paul Cohen), dated 14 October 2022 – in relation to the proposed MFEP BESS.

- Draft proposal plans of the BESS and associated infrastructure.

- Draft site plan demonstrating locations of the BESS and associated infrastructure.

In addition to the above, specific details in relation to the proposed MFEP BESS are provided below. We trust this information is sufficient and will assist you in determining the appropriate land use definition.

The Mount Fox BESS will consist of a battery energy storage system, substation, over head transmission line, access roads and an operation & maintenance facility. During construction temporary construction facilities shall also be located in close proximity of the BESS. The size of the BESS is 300MW providing 600MW/h of power. This will be done through 164 x Tesla Megapack XL 2.0 and associated medium voltage transformers and Ring Main Units (RMU). Power will be stepped up from 33kV to 275kV via two 180MVA transformers and associated substation infrastructure. The BESS substation will connect to Guybal Munjan switching station via a 700m over head transmission line. The areas that are expected to be cleared are as follows but do not take into account additional areas required to build within the existing topography which will be undertaken at the detailed design stage:

- *BESS – 2ha*
- *Substation – 1ha*
- *Over head transmission line – 1ha*
- *Access roads – 40-60ha depending on final civil design*

We look forward to receiving your advice in regard to this matter as soon as possible; should additional be required, please call or email.

Thanks and regards,

Haylee Mlikota **PLANNER**

0488 021 793

PO Box 228 Babinda QLD 4861

www.gilvearplanning.com.au

SARA reference: 2303-33676 SPL
Applicant reference: J001335

11 April 2023

Mount Fox Energy Park Pty Ltd
PO Box 228
BABINDA QLD 4861
haylee@gilvearplanning.com.au

Attention: Haylee Mlikota, Planner, Gilvear Planning

Dear Mount Fox Energy Park Pty Ltd

SARA Pre-lodgement advice – Mount Fox Wind Farm: Ewan Road and 1625 Mount Fox Road, Mount Fox

I refer to the pre-lodgement meeting held on 03 April 2023 in which you sought advice from the State Assessment and Referral Agency (SARA) regarding the proposed development at the above address. This notice provides advice on aspects of the proposal that are of relevance to SARA.

SARA's understanding of the project

Proposed changes to an existing Development Permit for material change of use for a Wind Farm (up to 57 wind turbines and ancillary infrastructure) and operational works for native vegetation clearing, issued by SARA on the 13 September 2021 Ref: 2102-21213 SDA.

Proposed changes include a reduction in the number of turbines from 57 to 45, changes to location of the proposed BESS/substation, and changes to location of met masts. There is currently no proposed change to the location of the workers accommodation. It was confirmed in the meeting that there is no change to the number of lots subject to the application.

DA Advisory Team (DAAT)
Level 13, 1 William Street, Brisbane
PO Box 15009 CITY EAST QLD 4002

Supporting information

The advice in this letter is based on the following documentation that was submitted with the pre-lodgement request or tabled at the pre-lodgement meeting.

Drawing/report title	Prepared by	Date
MFEP Comparison between proposed new and previously approved design/layout	Gilvear Planning	March 2023
Mount Fox Energy Park (MFEP)- Proposed new design/layout	Gilvear Planning	March 2023

Pre-lodgement meeting record

Meeting date	03 April 2023
Meeting location	MS Teams
Meeting chair	Lucy Stenzel, Principal Planner, DSDILGP Development Assessment Advisory and Wind Farm Team
Meeting attendees	Refer to **Attachment 1**

Pre-lodgement advice

The following advice outlines the aspects of the proposal that are of relevance to SARA.

SARA's jurisdiction and fees	
1.	The application will require lodgement to SARA (the Wind Farm Team) under the following provisions of the Planning Regulation 2017: • Part 4.2.21.2.b.i- Development application for a material change of use for a wind farm and other assessable development, if the other assessable development is prescribed development assessment only; • 8.4.3.b- If tables 1 to 3 do not apply and the development application is for 1 or more of the following and no other assessable development, other than a material change of use for an environmentally relevant activity- operational work that is the clearing of native vegetation This will require a fee of $1757.00 to be paid in accordance with Schedule 15. The Wind Farm Team would be the assessment manager for the proposed application.
Key matters and action items	
2.	From the material provided prior to the meeting and discussions in the meeting, the Wind Farm Team considers a minor change to be an appropriate assessment pathway for the revised layout of the Mount Fox Wind Farm. An assessment against the Development Assessment Rules Schedule 1: Substantially different development is required to be submitted with any future minor change application.
3.	It is recommended that the following application material is submitted when lodging the application to the Wind Farm Team: • Change application form

	• A full response to the relevant sections of SDAP Codes 23 and 16: Wind Farm Development and Native Vegetation Clearing • Landowner's consent • The existing and proposed layout of the wind farm and associated development • Any revised or amended technical reports as detailed below. • a list of any conditions imposed as part of the original decision package and detail any proposed changes to conditions including changes to plans numbers/names (if relevant)
4.	Technical reports submitted as part of the original application may require amendment to reflect the new layout, turbine locations or height (if applicable) and BESS locations. Digital spatial data of the new layout is also required. These technical reports include: - Noise assessment (note the size of the turbines and location of sensitive receptors) - Ecological assessments - Landscape and Visual Impact Assessment - Electromagnetic Interference Assessment - Aviation Impact Assessment - Environmental Management Plan - Shadow Flicker Assessment - Vegetation Management Plan - Fauna Management Plan/Bird and Bat Management Plan
5.	It was discussed in the instance of the Mount Fox battery not being proposed as an 'ancillary' use for the primary use of wind farm, the proposed Battery be most appropriately defined. The Wind Farm Team confirms that battery storage facility that meets the definition in the Planning Regulation 2017 for the same use, therefore will be impact assessable until it has been included in the local government planning schemes' Tables of Assessment.
6.	The Wind Farm Team confirms that that a s22a does not apply for minor changes. In accordance with s22a of the VMA, an RPD is triggered for a "vegetation clearing application" which is defined as: *"a development application for development that involves the clearing of vegetation and is categorised as assessable development under a regulation made under the Planning Act; or* *a change application, other than a minor change application, to change a development approval, as defined in that Act, to approve development mentioned in paragraph (a), if the development approval does not already approve that development."*
6.	The Wind Farm Team recommends seeking advice from Department of Resources regarding any potential vegetation mapping changes that may have occurred since the assessment of the original application, and if any such changes will impact on a future minor change assessment.

This advice outlines aspects of the proposed development that are relevant to the Wind Farm Team's jurisdiction.

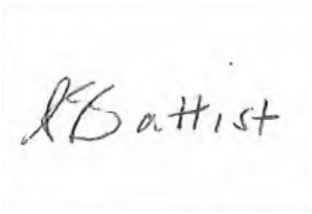
This advice is provided in good faith and is:

- based on the material and information provided to the Wind Farm Team
- current at the time of issue
- not applicable if the proposal is changed from that which formed the basis of this advice.

The advice in this letter does not constitute an approval or an endorsement that the Wind Farm Team supports the development proposal. Additional information may be required to allow the Wind Farm Team to properly assess the development proposal after a formal application has been lodged.

For further information please contact Lucy Stenzel, Principal Planner, on 34526805 or via email DAAT@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Sallie Battist
Manager

enc Attachment 1 – Pre-lodgement meeting attendance record

Development details	
Proposal:	MCU (Wind Farm) and OPW (Native Vegetation Clearing)
Street address:	Ewan Road, Mount Fox
Real property description:	18WU6, 21WU4, 3WG274, 57SP237064, 591SP302249, 592SP302249
SARA role:	Assessment manager
Assessment Manager:	Wind Farm Team
Assessment criteria:	State Development Assessment Provisions (SDAP): Stage code 16 and State code 23
Existing use:	Grazing
Relevant site history:	Development permit 2102-21213 SDA issued by SARA on 13 September 2021 for a Material change of use for a wind farm (up to 57 wind turbines and ancillary infrastructure) and Operational work for native vegetation clearing

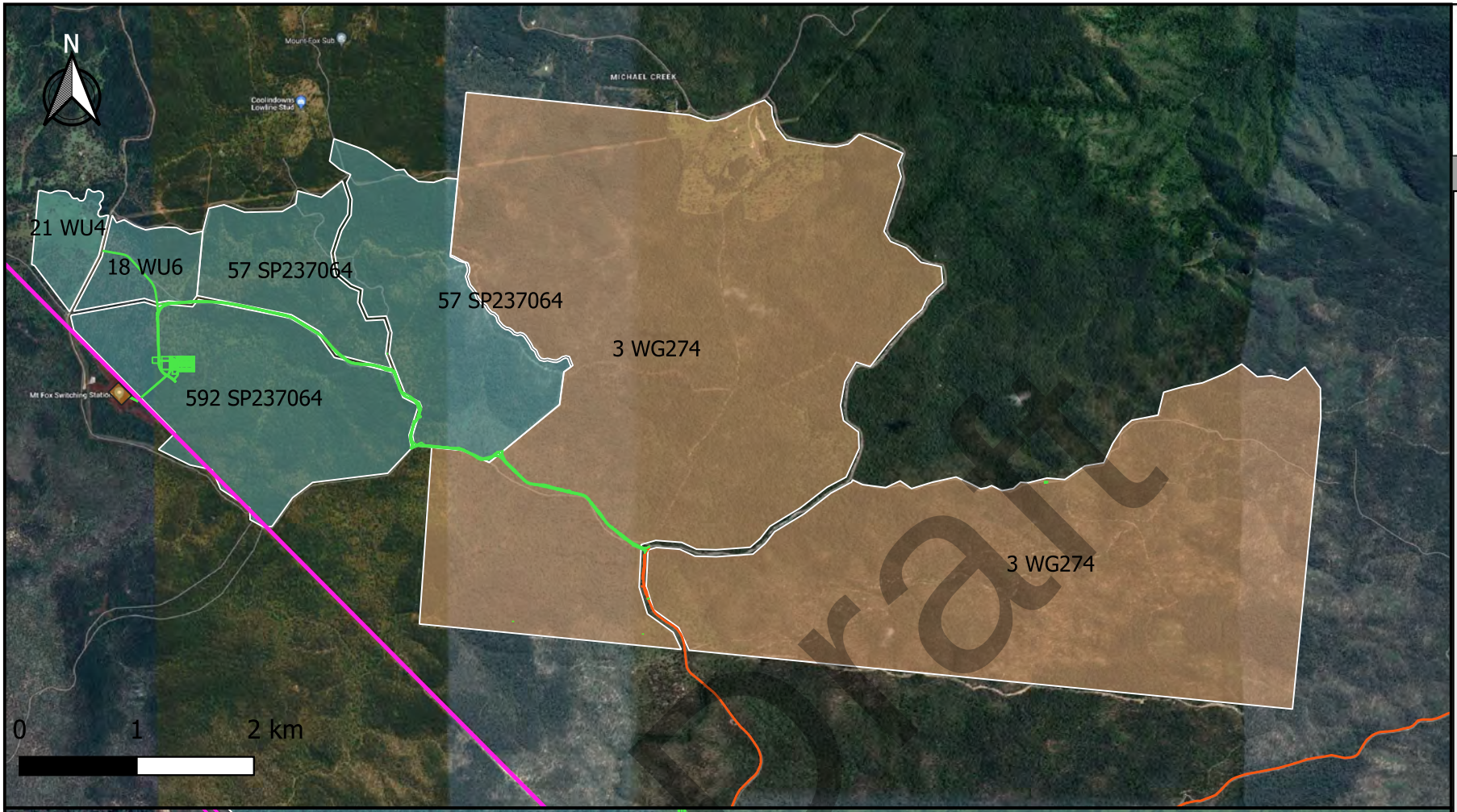
Attachment 1 — Pre-lodgement meeting attendance record

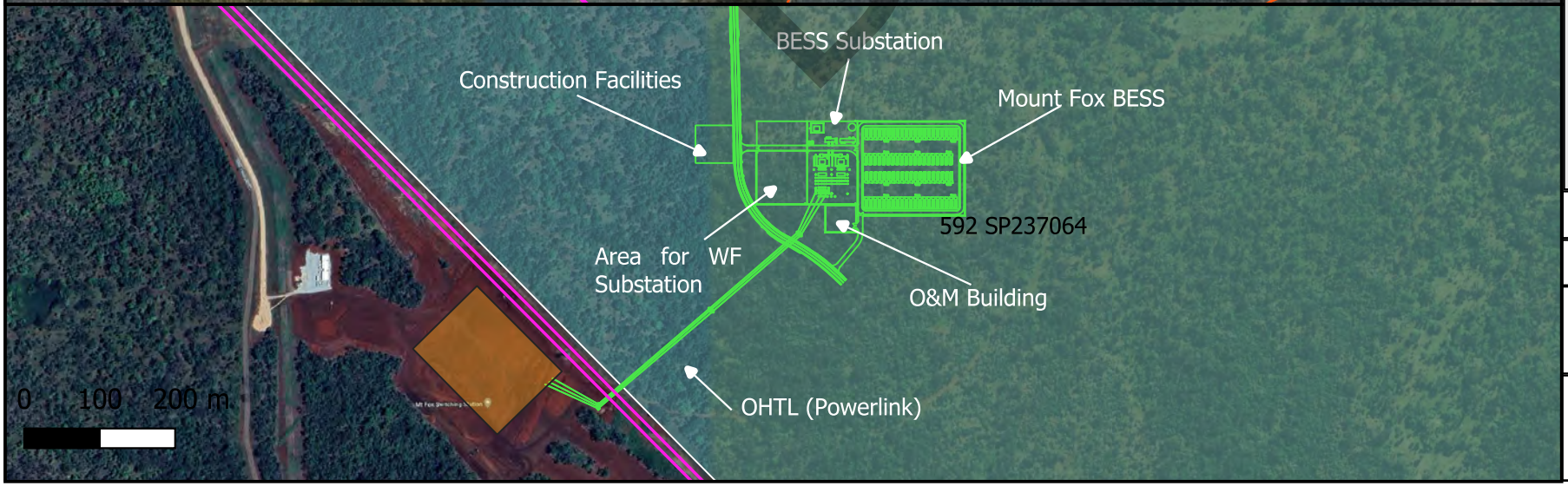
Meeting attendees:

Name	**Position**	**Organisation**
Lucy Stenzel	Principal Planner	DSDILGP
Dean Jones	Principal Planner	DSDILGP
Kristy Gilvear	Managing Director	Gilvear Planning
Sera Rohan	Project Director	Gilvear Planning
Haylee Mlikota	Planner	Gilvear Planning
Alex Graham	Senior Project Development Manager	Tag Energy
Alex Ransley	Project Manager	Project.e

Attachment 4

Proposal Plans





Mount Fox BESS Infrastructure

DRAFT

- BESS Infrastructure
- Council Road - existing
- Guybal Munjan Switching Station
- 275kV Powerlink
- Site Boundaries
- Knuckledown Lease
- Furnlea Lease

20 June 2023

MFBS-GEN-DR-100-004

Coordinate System: EPSG 7855
Scale : 1:25000

Prepared by: AG
Made with: QGIS 3.6
File name: 20230608 -Mt Fox_Master

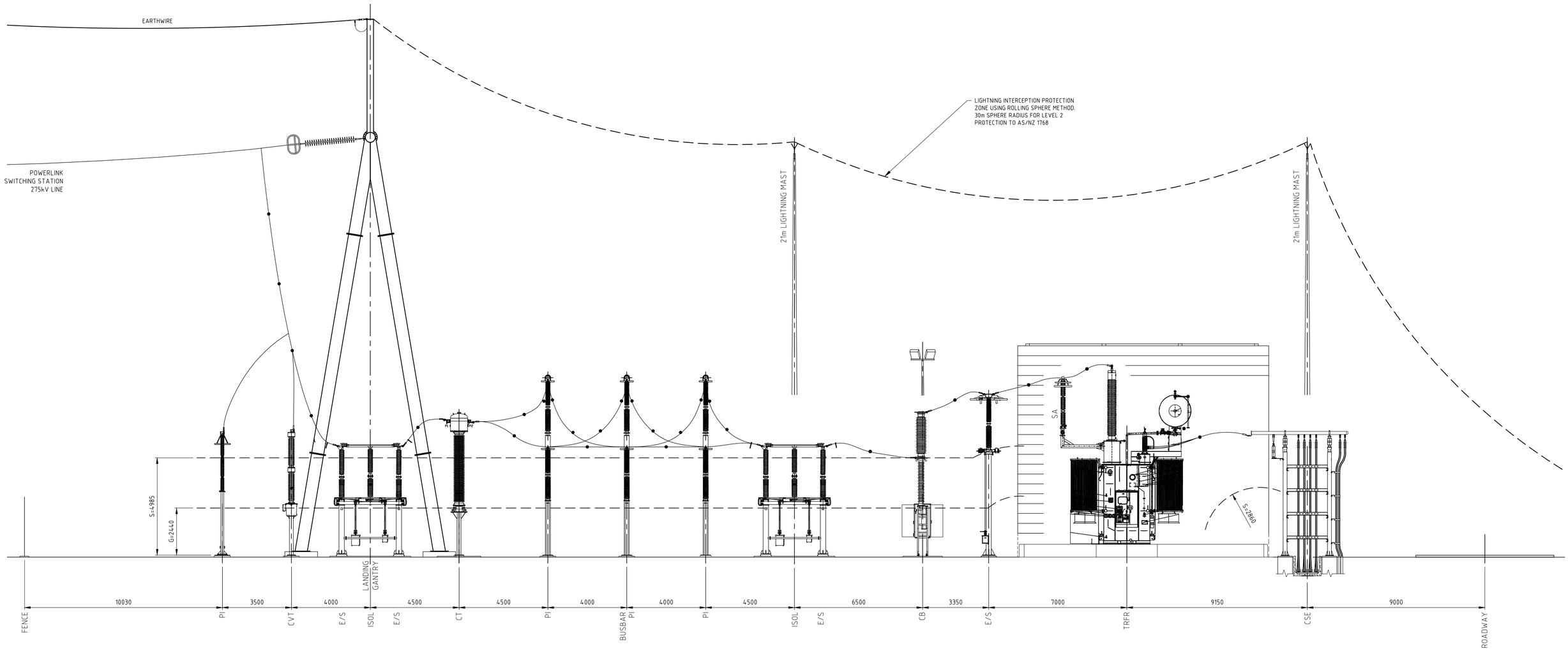
LEGEND:

TRFR - POWER TRANSFORMER
NER - NEUTRAL EARTHING RESISTOR
AUX S/S - AUXILIARY STATION SERVICES TRANSFOMER
GEN - GENERATOR
DISC - DISCONECTOR
ES - EARTH SWITCH
CT - CURRENT TRANSFORMER
CVT - CAPACITIVE VOLTAGE TRANSFORMER
SA - SURGE ARRESTER
PI - POST INSULATOR
LM - LIGHTNING MAST
LP - LIGHTING MAST
DTCB - DEAD TANK CIRCUIT BREAKER
CB - LIVE TANK CIRCUIT BREAKER
CBE - CABLE END
RPC - REACTIVE POWER COMPENSATION EQUIPMENT
SEP - WATER/OIL SEPARATOR

NOTES:

1) ALL DIMENSIONS IN MILLIMETERS UNLESS NOTED OTHERWISE.
2) MINIMUM ELECTRICAL CLEARANCES IN ACCORDANCE WITH AS 2067

	275kV	33kV
a) BETWEEN PHASES	3100mm	440mm
b) BETWEEN PHASE TO EARTH	2400mm	380mm
c) SECTION SAFETY CLEARANCE	4985mm	2860mm
d) GROUND SAFETY CLEARANCE	2440mm	2440mm
3) EQUIPMENT INTERCONNECTION	275kV	33kV
a) MAIN BUSBAR	Φ160 X 10 AL	Φ160 x 10 Al
b) DROPPER	TWIN AAC VENUS	QUAD AAC VENUS
c) INTERPLANT	TWIN AAC VENUS	QUAD AAC VENUS



ELEVATION A 001
SCALE 1:100

DRAWING STATUS
PRELIMINARY ISSUE

1:100 0 2000 4000 6000 8000 10000mm
2000 AT A1

No	DESCRIPTION	DRAWN	CHKD	APPRD	DATE
A	ISSUED FOR CLIENT REVIEW	G.L.S.	K.R.G.	G.L.S.	06/02/23

REVISIONS

DESCRIPTION	DRAWING No.
275/33kV BESS SUBSTATION SLD	MFWF-EL-DR-120-SH2
275/33kV WIND FARM SUBSTATION LAYOUT	MFWF-EL-DR-002
275/33kV BESS SUBSTATION ELEVATION	MFBE-EL-DR-003
275/33kV BESS SUBSTATION LAYOUT	MFBE-EL-DR-001
SITE LAYOUT	MFWF-EL-DR-001

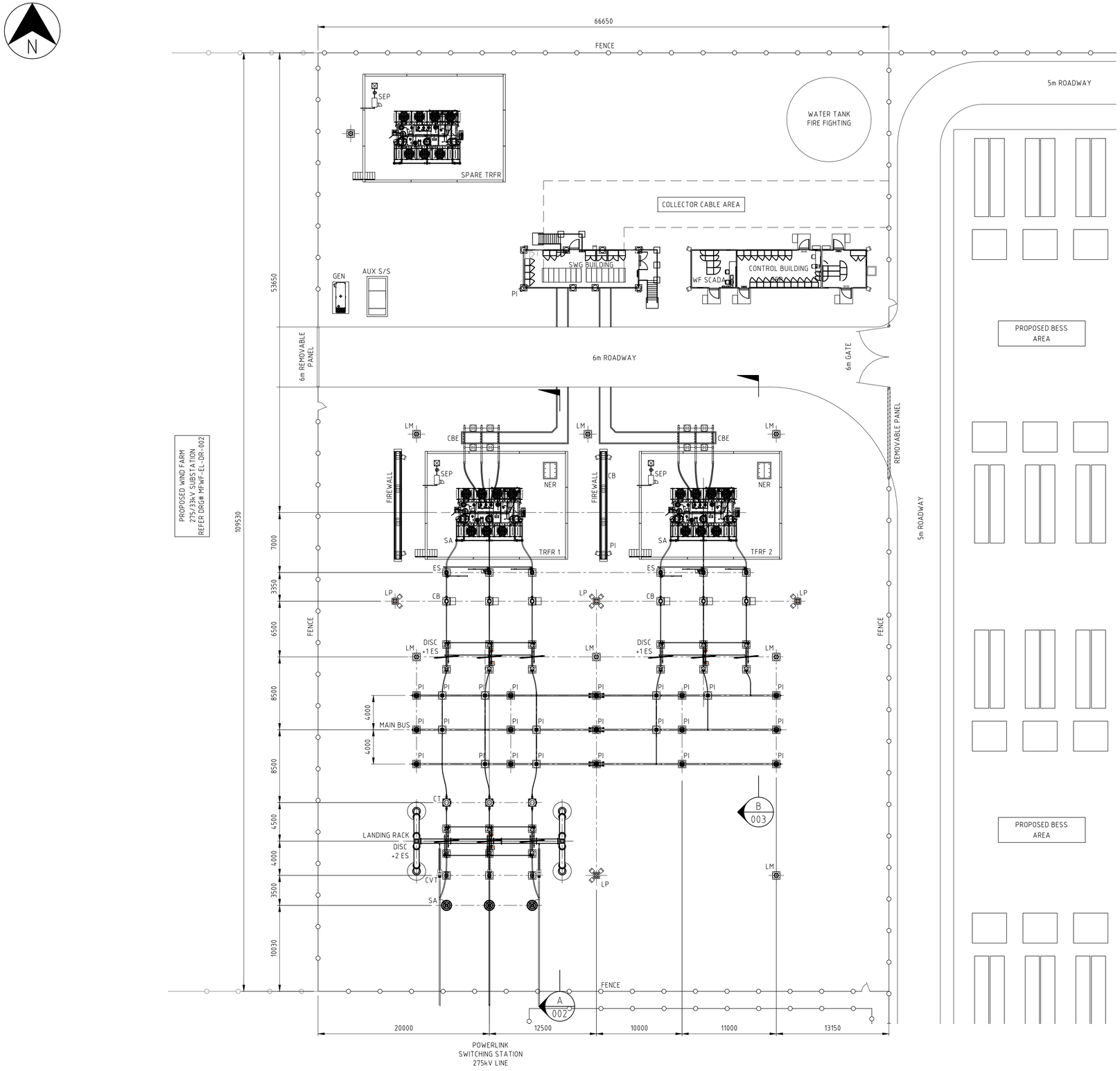
REFERENCES

EHV CONSULTING AND DESIGN
91 HEMSLEY PROMENADE
POINT COOK VIC 3030
AUSTRALIA
ABN: 74 615 402 447
Telephone: +61 3 9395 6713
Facsimile: +61 3 9395 6713
Email: info@ehvdesign.com.au
Web: www.ehvdesign.com.au

tagenergy
AUSTRALIA
525 COLLINS STREET
MELBOURNE
VIC 3000
Web: www.tag-en.com

DRAWING TITLE
MT FOX ENERGY PARK
275/33kV BESS COLLECTOR STATION
ELEVATION A-A

DESIGN	G.L.Smith	DRAWN	G.L.Smith	DATE	25/01/2023
A1 SCALE 1:250		CAD FILE MFBE-EL-DR-002			FOLDER MFWF
DRAWING NUMBER MFBE-EL-DR-002		SHEET NUMBER 1		OF 1	REV A



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2) MINIMUM ELECTRICAL CLEARANCES IN ACCORDANCE WITH AS 2067

	275kV	33kV
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LEGEND:

TRFR - POWER TRANSFORMER
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LM - LIGHTNING MAST
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DTCB - DEAD TANK CIRCUIT BREAKER
CB - LIVE TANK CIRCUIT BREAKER
CBE - CABLE END
RPC - REACTIVE POWER COMPENSATION EQUIPMENT
SEP - WATER/OIL SEPARATOR

DRAWING STATUS
PRELIMINARY ISSUE

1:250 0 5 10 15 20 25m
5 4 3 2 1 AT A1

No	DESCRIPTION	DRAWN	CHKD	APPRD	DATE
B	ISSUED FOR CLIENT REVIEW	G.L.S.	K.R.G.	G.L.S.	01/03/23
A	ISSUED FOR CLIENT REVIEW	G.L.S.	K.R.G.	G.L.S.	06/02/23

REVISIONS

DESCRIPTION	DRAWING No.
275/33kV BESS SUBSTATION SLD	MFWF-EL-DR-120-SH2
275/33kV WIND FARM SUBSTATION LAYOUT	MFWF-EL-DR-002
275/33kV BESS SUBSTATION ELEVATION	MFBE-EL-DR-003
275/33kV BESS SUBSTATION ELEVATION	MFBE-EL-DR-002
SITE LAYOUT	MFWF-EL-DR-001

REFERENCES

EHV CONSULTING AND DESIGN
91 HEMSLEY PROMENADE
POINT COOK VIC 3030
AUSTRALIA
ABN: 74 615 402 447
Telephone: +61 3 9395 6713
Facsimile: +61 3 9395 6713
Email: info@ehvdesign.com.au
Web: www.ehvdesign.com.au

tagenergy
AUSTRALIA
525 COLLINS STREET
MELBOURNE
VIC 3000
Web: www.tag-en.com

DRAWING TITLE
MT FOX ENERGY PARK
275/33kV BESS COLLECTOR STATION
GENERAL ARRANGEMENT

DESIGN	G.L.Smith	DRAWN	G.L.Smith	DATE	06/02/23
A1 SCALE	1:250	CAD FILE	MFBE-EL-DR-001	FOLDER	MFWF
DRAWING NUMBER	MFBE-EL-DR-001	SHEET NUMBER	1	OF	1
REV	B				

Indicative concept of Megapacks

Figure 21. Center of Gravity Dimensions

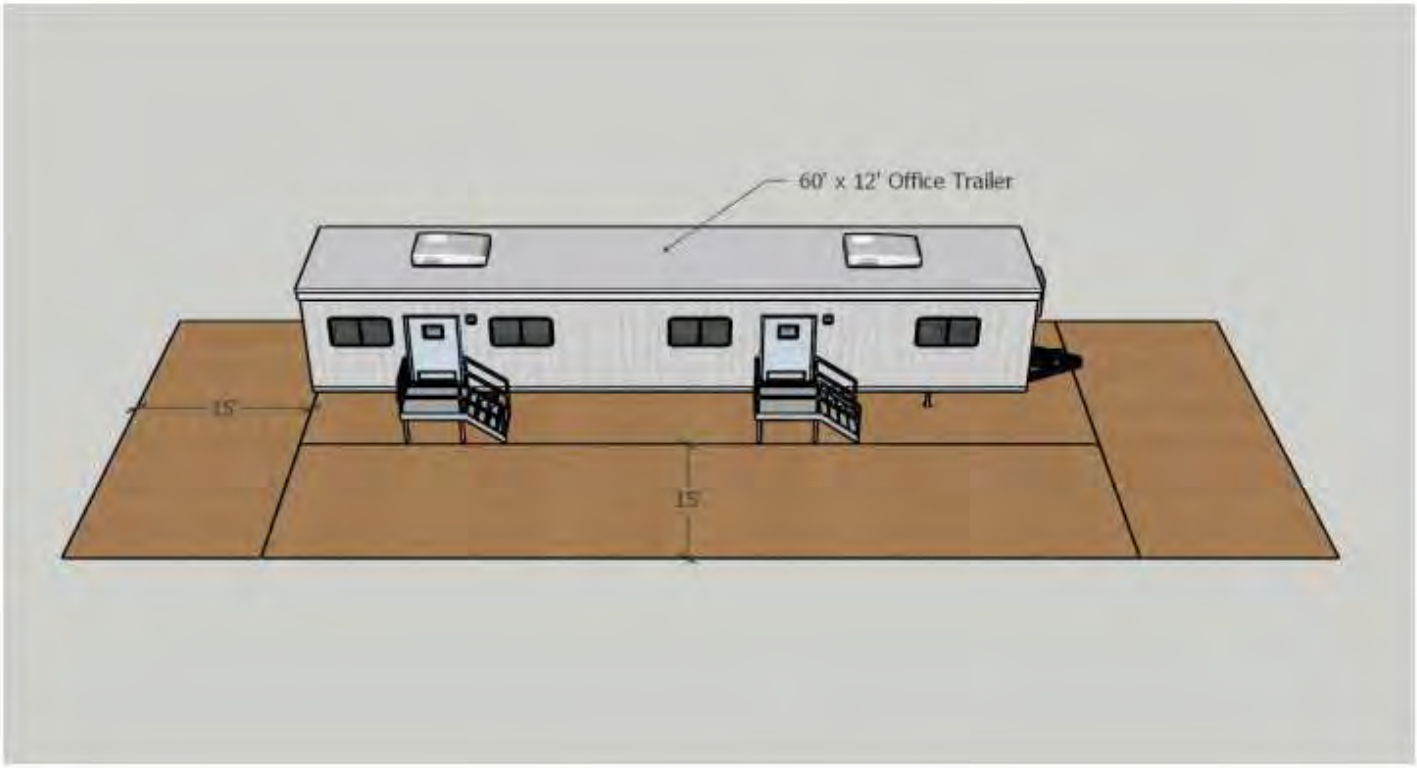
Table 11. Center of Gravity Location

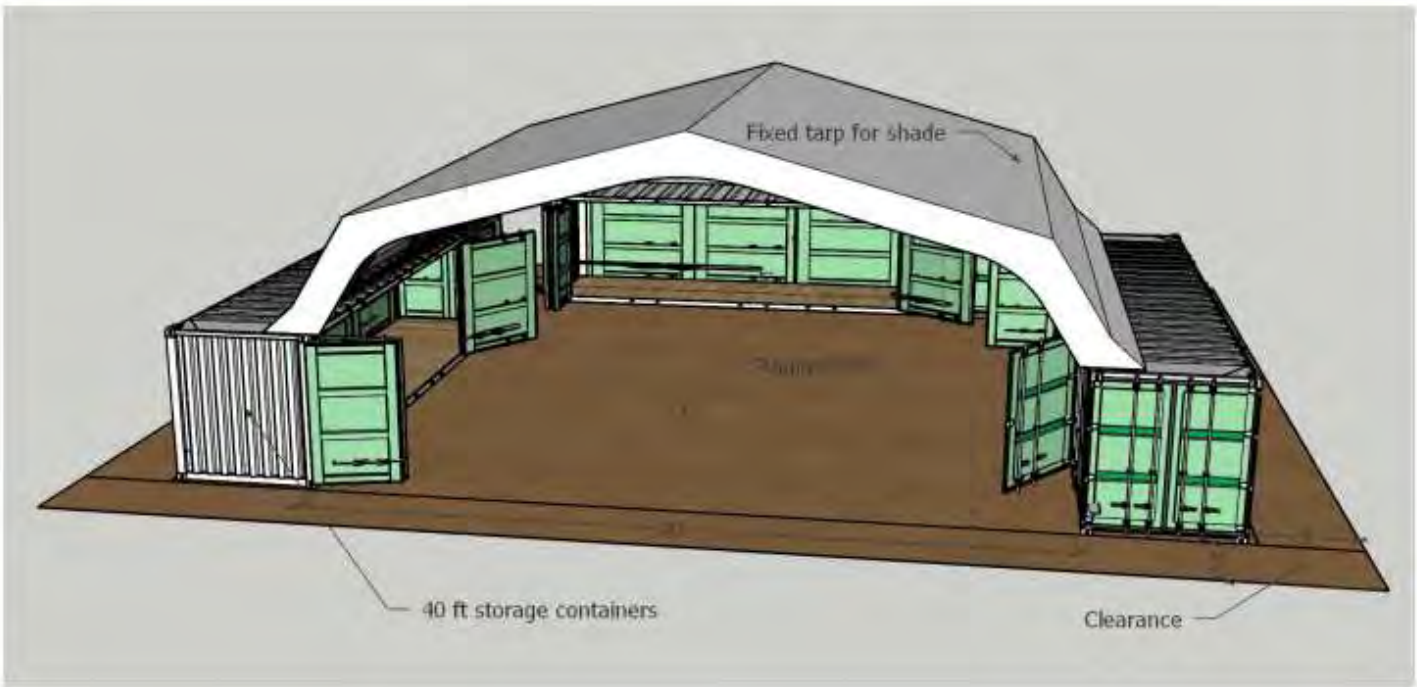
System Duration	X (Distance from Rear Panel)	Y (Distance from Left Panel)	Z (Distance from Base)
2-Hour	791 mm (31 in)	4395 mm (173 in)	1202 mm (47 ¼ in)
4-Hour	791 mm (31 in)	4395 mm (173 in)	1199 mm (47 ¼ in)

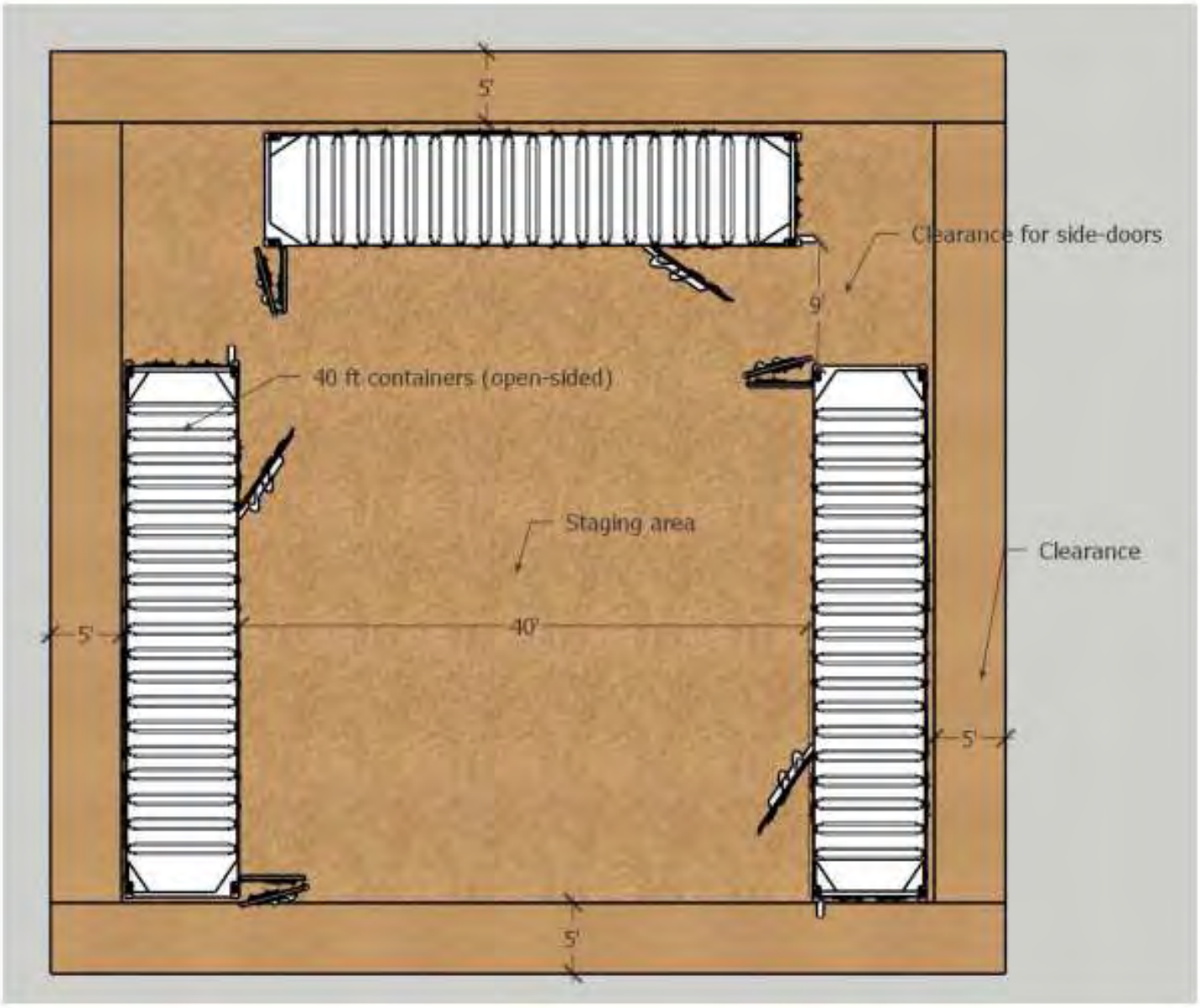
3.4 Enclosure Colors

Megapack's exterior paint color code is *RAL 9016 Traffic White*. Touch-up paint ships as a Megapack accessory (see *Touch-Up Paint on page 84*).

Indicative concept plans - on-site maintenance infrastructure






5'
Clearance for side-doors
9'
40 ft containers (open-sided)
Staging area
Clearance
5'
40'
5'
5'

Attachment 5

Preliminary proposed lease area/s and/or access easements

Pelleri Road
The Crater Road
Knuckledown Road
21WU4
18WU6
Road
57SP237064
Mountain Ash Road
57SP237064
03WG274
Mount Fox Road
Ewan Road
591SP302249
592SP302249
Furber Road
Furber Road
Furber Road
Ewan Road
Ewan Road
3WG27
Road
Ross to Cairns
Red Hill Road
0 1 2 km

Legend

- Mount Fox Energy Park - Project Site Boundary
- Proposed Mount Fox Energy Park BESS Infrastructure (Includes primary access, temporary access, overhead transmission line)
- Proposed MFEP BESS permanent access alignment
- Proposed temporary access alignment - for construction purposes only
- Proposed Mount Fox Energy Park BESS Lease Area* (* Lease area may be formalised by one or more lease/s (in excess of 10 yrs) and/or easement/s)
- Existing Electricity Transmission Lines (275kV)
- Gazetted Road
- Gazetted Road - Temporarily Closed
- Queensland roads and tracks
- Cadastre
- Approved clearing footprint - pursuant to an Application for Relevant Purpose Determination under section 22A of the Vegetation Management Act 1999 (Ref: 2023/001829)
- Proposed Mount Fox Energy Park Wind Farm Infrastructure (Concept Design)

18WU6
The Crater Road
Knuckledown
Chalumbin
Ross to Cairns
Mount Fox BESS Access
57SP237064
Mountain Ash Road
BESS Substation
Temporary Laydown Area
Mount Fox BESS
592SP302249
Furber Road
Area for WF Substation
591SP302249
O & M Building
Powerlink Switching Station
OHTL (Powerlink)
0 250 500 m

Proposed Mount Fox Energy Park BESS Lease and/or Easement Area/s in relation to approved clearing footprint and the future proposed Wind Farm development.

Mountain Ash Road
Ross to Cairns
Road to Chalumbin
0 100 200 m
Scale 1 : 8000 @ A3

Mount Fox Energy Park (MFEP) - Proposed BESS Lease and/or Easement Area/s

SCALE:	1 : 30000 @ A3	CLIENT:	Tag Energy Pty Ltd
COORDINATE SYSTEM:	WGS84 EPSG: 4326	DATE:	21 September 2023
JOB NUMBER:	J001546		

gilvear planning
GENUINE | VERSATILE | DEDICATED

Attachment 6

Draft Bushfire Management Plan

Bushfire management plan

Mount Fox Energy Park | Mount Fox | Queensland
Prepared for TagEnergy Australia Pty Ltd | 10 August 2023

Land and Environment Consultants Pty Ltd
Suite 5, 66 Bay Terrace
Wynnum Queensland 4178
T: 07 2112 5692
E: info@landeconsultants.com.au

Bushfire management plan

Draft

Report 23050 | TagEnergy Australia Pty Ltd | 10 August 2023

Approved by	Robert Janssen
Position	Managing principal
Signature	
Date	

Document control

Version	Date	Prepared by	Reviewed by
Draft	10 August 2023	C. Turner	R. Janssen

LEC
Land and environment consultants

T: 07 2112 5692 | E: info@landeconsultants.com.au | http://www.landeconsultants.com.au/

Suite 5, 66 Bay Terrace | Wynnum | Queensland | 4178 | Australia

Table of contents

Contents

Figures

Tables

Appendix

Disclaimer

Notwithstanding the precautions adopted in this report, it should always be remembered that bushfires burn under a range of conditions. An element of risk, no matter how small always remains, and although AS 3959-2018 is designed to improve the performance of such buildings, there can be no guarantee, because of the variable nature of bushfires, that any building will withstand bushfire attack on every occasion.

It should be noted that upon lodgement of a development proposal, State Government, council and/or the fire service may recommend additional construction requirements.

Although every care has been taken in the preparation of this report, Land and Environment Consultants Pty Ltd accept no responsibility resulting from the use of the information in this report.

Executive Summary

This bushfire management plan (**BMP**) has been prepared for the Mount Fox Energy Park (**the Project**) which is located approximately 35 kilometres south-west of Ingham, within the local government area of Hinchinbrook Shire Council.

The BMP is required for compliance with condition 11(a) of the State Assessment and Referral Agency (**SARA**) development permit (**the development permit**) – SARA reference 2102-21213 SDA.

The Project area is identified as a bushfire hazard area by the Queensland State Planning Policy (**SPP**) *Bushfire prone area map.* As a result, condition 11(a) of the development permit is seeking compliance with the SPP *Bushfire prone area overlay code* (**SPP bushfire prone area overlay code**) and *Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest 'Natural Hazards, Risk and Resilience - Bushfire'* (**Bushfire resilient communities**) which was prepared by the Queensland Fire and Emergency Services (**QFES**) to provide technical guidance for the implementation of the *Natural Hazards, Risk and Resilience – Bushfire, State Planning Policy State Interest guidance material* (DSDMIP 2019). Although not referred to in condition 11(a) of the development permit; compliance with guidelines in *Wind Farms and Bushfire Operations* (AFAC 2018) is also considered relevant to the construction and operations and maintenance phases of the Project.

This BMP has been prepared to satisfy condition 11(a) of the development permit.

The Project involves the development of a battery energy storage system (**BESS**) and a wind farm that will be constructed in two stages and will deliver 350 megawatts of energy to the national grid. It will consist of:

- 57 wind turbine generators;
- wind turbine generator foundations and hardstand areas;
- BESS;
- meteorology masts;
- access tracks and underground and overhead transmission lines;
- BESS and wind farm operations and maintenance facilities;
- BESS and wind farm substations; and
- BESS and wind farm substation construction facilities, construction compound, laydown area and batching plant.

The bushfire hazard assessment of the Project area confirmed the Project is within a bushfire hazard area.

The SPP bushfire prone area overlay code and Bushfire resilient communities requires above ground infrastructure to be appropriately setback from bushfire hazard areas. These setbacks are referred to as asset protection zones (**APZs**). APZs were identified for above ground infrastructure based on results of radiant heat exposure assessments and compliance with the radiant heat exposure outcomes of the SPP bushfire prone area overlay code. The recommended width of APZs for the Project range from 10-45 m but there is potential for the refinement of APZs through detailed design and micro-siting of the Project's above ground infrastructure.

Chapter 6 of the BMP provides the bushfire mitigation measures that must be implemented during the construction and operations and maintenance phases of the Project. These mitigation measures include:

- Design and maintenance specifications for APZs around above ground infrastructure.
- Requirements for vegetation clearing and maintenance under overhead transmission lines.
- Requirements for vegetation clearing around cable pits.

- Requirements for the disposal of vegetation waste that is cleared during the construction phase.
- Design and construction specifications for vehicle access tracks.
- Design specifications for a fire-fighter water supply.
- Requirements for wayfinding signage.
- Requirements for buildings to comply with the relevant sections of the *National Construction Code–Building Code of Australia* (volume 1) and governing Queensland laws, codes and standards that apply to the building industry.
- Requirements for administrative controls which include:
  - a hot works permit system;
  - provision of fire-extinguishers;
  - information sharing with the QFES and local Rural Fire Brigades (**RFB**);
  - annual bushfire preparedness meetings;
  - project rules and inductions;
  - safety documentation;
  - the monitoring of fire weather conditions and the associated precautions;
  - the planning and implementation of fire-fighting near Powerlink Queensland high voltage overhead transmission lines;
  - communication with staff and landowners about bushfire mitigation;
  - emergency response planning;
  - the development of a fire-fighter operations plan poster for the local RFBs;
  - operation of the Project in accordance with the Queensland *Electrical Safety Act 2002* and its regulations and the electrical safety codes of practice by the Electrical Safety Office of Queensland;
  - the storage and handling of hazardous chemicals away from bushfire hazard areas;
  - the shut-down of wind turbine generators during fire-fighting operations; and
  - lighting fires.

With the implementation of the above listed bushfire mitigation measures, the Project complies with the SPP bushfire prone area overlay code and Bushfire resilient communities.

1 Introduction

This bushfire management plan (**BMP**) has been prepared for the Mount Fox Energy Park (**the Project**) which is located approximately 35 kilometres (**km**) south-west of Ingham within the local government area of the Hinchinbrook Shire Council.

The Project involves six properties described as lot 18/WU6, lot 21/WU4, lot 3/WG274, lot 57/SP237064 and lots 591 and 592/SP302249. These properties have a combined area of approximately 3,285 hectares (**ha**) and are hereafter referred to as the **Project area**.

This BMP documents a bushfire hazard assessment for the above ground infrastructure areas and identifies strategies that will mitigate the potential risk of bushfire hazards for the construction and operations and maintenance phases of the Project. It includes:

- an introduction (this section) and description of methods and information resources used for the preparation of this BMP;
- description of the Project area and the Project;
- bushfire hazard assessment;
- identification of bushfire hazards associated with the Project area and the Project;
- radiant heat exposure assessment;
- a plan for mitigating the potential risk of bushfire hazards; and
- assessment of compliance with the SPP bushfire prone area overlay code.

1.1 Approvals context

On 13 September 2021, the State Assessment and Referral Agency (**SARA**) approved a development permit – material change of use for a wind farm (up to 57 wind turbine generators and ancillary infrastructure) and operational works for native vegetation clearing (**the development permit**) – SARA reference 2102-21213 SDA.

This BMP has been prepared to demonstrate compliance with condition 11(a) of the development permit which states (sic):

a) Prepare a Bushfire Management Plan (BMP) certified by a suitably qualified person and in consultation with the Queensland Fire and Emergency Services addressing construction and operations, and including the following information at a minimum:

   i. a fire hazard analysis

   ii. mitigation strategies to achieve the development outcomes in Part E of the State Planning Policy July 2017 – Natural Hazards, Risk and Resilience.

The Project area is identified as a bushfire hazard area by the Queensland State Planning Policy (**SPP**) *Bushfire prone area map* (**SPP bushfire prone area map**). As a result, condition 11(a) of the development permit is seeking compliance with the SPP *Bushfire prone area overlay code* (**SPP bushfire prone area overlay code**) and *Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest 'Natural Hazards, Risk and Resilience - Bushfire'* (QFES 2019) (**Bushfire resilient communities**) which was prepared by the Queensland Fire and Emergency Services (**QFES**) to provide technical guidance for the implementation of the *Natural Hazards, Risk and Resilience – Bushfire, State Planning Policy State Interest guidance material* (DSDMIP 2019). Although not referred to in condition 11(a) of the development permit; compliance with guidelines in *Wind Farms and Bushfire Operations* (AFAC 2018) (**Wind farms and bushfire operations**) is also considered relevant to the construction and operations and maintenance phases of the Project.

The design of the Project has been amended since the development permit was issued. This BMP has been prepared to satisfy condition 11(a) of the development permit as it relates to the current layout of the Project. It demonstrates how compliance with the SPP bushfire prone area overlay code and

Bushfire resilient communities will be achieved during the construction and operations and maintenance phases of the Project.

1.2 Bushfire management plan review

This BMP has been prepared to satisfy condition 11(a) of the development permit. Upon appointment, the construction contractor and operations and maintenance contractor may wish to prepare their own version of this BMP to distil the matters which are specific to their contract or to include corporate documentation or procedures. Notwithstanding, this does not permit the construction contractor or operations and maintenance contractor to change or deviate from the mitigation measures specified in Chapter 6.

1.3 Method

To meet requirements of Bushfire resilient communities, the following steps were undertaken:

- review of the SPP bushfire prone area map in the SPP interactive mapping system (DSDILGP 2023) and the Queensland regional ecosystem map, vegetation hazard class (**VHC**) map, severe fire weather map and fire history map in the QFES online mapping system (QFES 2023) (**Catalyst**);
- a drive over the Project area and field inspection of the above ground infrastructure areas for vegetation characteristics, current land management practices, slope and evidence of previous fires;
- bushfire hazard assessment in accordance with the method in Bushfire resilient communities;
- radiant heat exposure assessment using the Fire Protection Association of Australia *BAL calculator V4.9* (**BAL calculator**) which models the 'method 2' bushfire attack level assessment procedure in the *Australian Standard* (AS 3959-2018) *Construction of buildings in bushfire prone areas* (Standards Australia 2018); and
- identification of mitigation measures required to reduce the potential risk of bushfire hazards for the construction and operations and maintenance phases of the Project and for compliance with the SPP bushfire prone area overlay code.

Aerial imagery of the Project area was accessed online from Google Earth to assist in validating observations and measurements made during the field inspection.

1.4 Suitably qualified person

This BMP was technically reviewed and approved by Robert Janssen who is a suitably qualified and experienced bushfire management consultant.

Robert is the managing principal at Land and Environment Consultants Pty Ltd (**LEC**) and has over 25 years of experience in bushfire planning and operations. He has prepared BMPs for residential, commercial and industrial property developments, utilities, government facilities and conservation estates.

Robert's formal qualifications as an environmental scientist and consulting experience are coupled with 10 years of experience as a nationally accredited fire-fighter with the national parks and wildlife service in New South Wales and Queensland.

2 Description of the Project area and the Project

This chapter provides a description of the Project area and the Project.

2.1 The Project area

The Project area consists of six properties and is approximately 3,285 ha.

Access and egress for the Project area is via Mount Fox Road, Ewan Road and Knuckledown Road.

The western part of the Project area, ie west of Ewan Road, consists of bushland vegetation and modified vegetation which is a result of land clearing and grazing livestock. The eastern part of the Project, ie east of Ewan Road, consists of bushland vegetation.

The Mount Fox switching station, which is under construction is located within lot 591/SP302249 in the western part of the Project area and will provide a connection to the existing Powerlink Queensland (**Powerlink**) high voltage overhead transmission line which runs along the western boundary of the Project area. The Mount Fox switching station is not included in the scope of this BMP.

The boundaries of the Project area mostly adjoin farming land with large continuous areas of bushland vegetation. The exception is part of the northern boundary which adjoins the Girringun Forest Reserve.

2.2 The Project

The current layout of the Project is shown in the staging plans in Appendix 1. It involves the development of a battery energy storage system (**BESS**) and a wind farm that will be constructed in two stages and will deliver 350 megawatts of energy to the national grid. It will consist of:

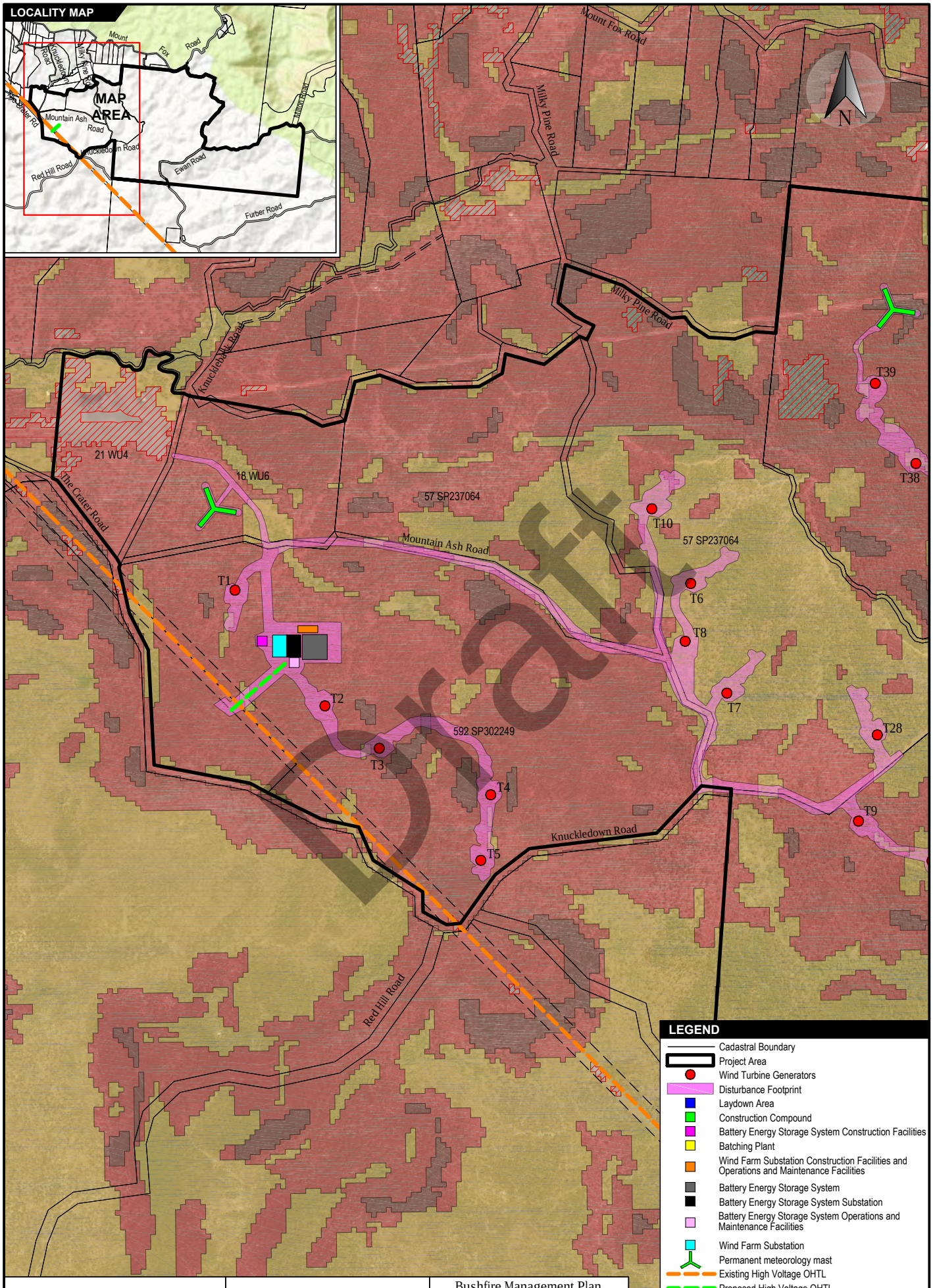
- 57 wind turbine generators;
- wind turbine generator foundations and hardstand areas;
- BESS;
- meteorology masts;
- access tracks and underground and overhead transmission lines;
- BESS and wind farm operations and maintenance facilities;
- BESS and wind farm substations; and
- BESS and wind farm substation construction facilities, construction compound, laydown area and batching plant.

The Projects substations will distribute energy to the national grid via a new Powerlink high voltage overhead transmission line connection to the Mount Fox switching station.

2.3 State Planning Policy bushfire prone area map

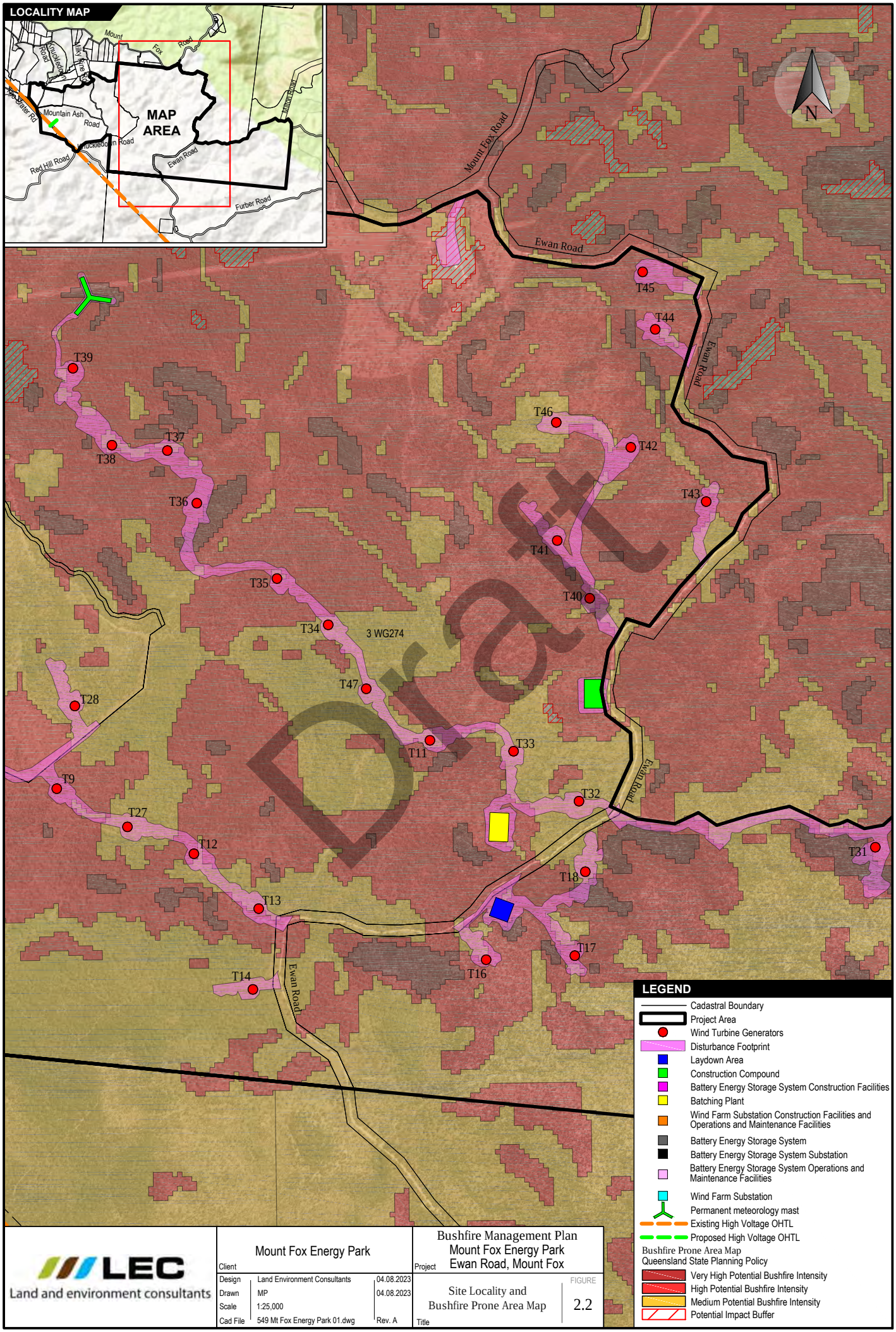
The SPP bushfire prone area map for the Project area is shown in Figure 2.1-Figure 2.3. They show that the Project is located within a combination of medium, high and very high potential bushfire intensity areas and potential impact buffer areas.

Please note, the terms ‘bushfire prone area’ and ‘bushfire hazard area’ have the same meaning and are interchanged throughout this BMP. Both terms mean an area of vegetation which is determined to have a potential bushfire intensity ≥ 4,000 kilowatts/metre (**kW/m**) and the land within 100 m of this vegetation.



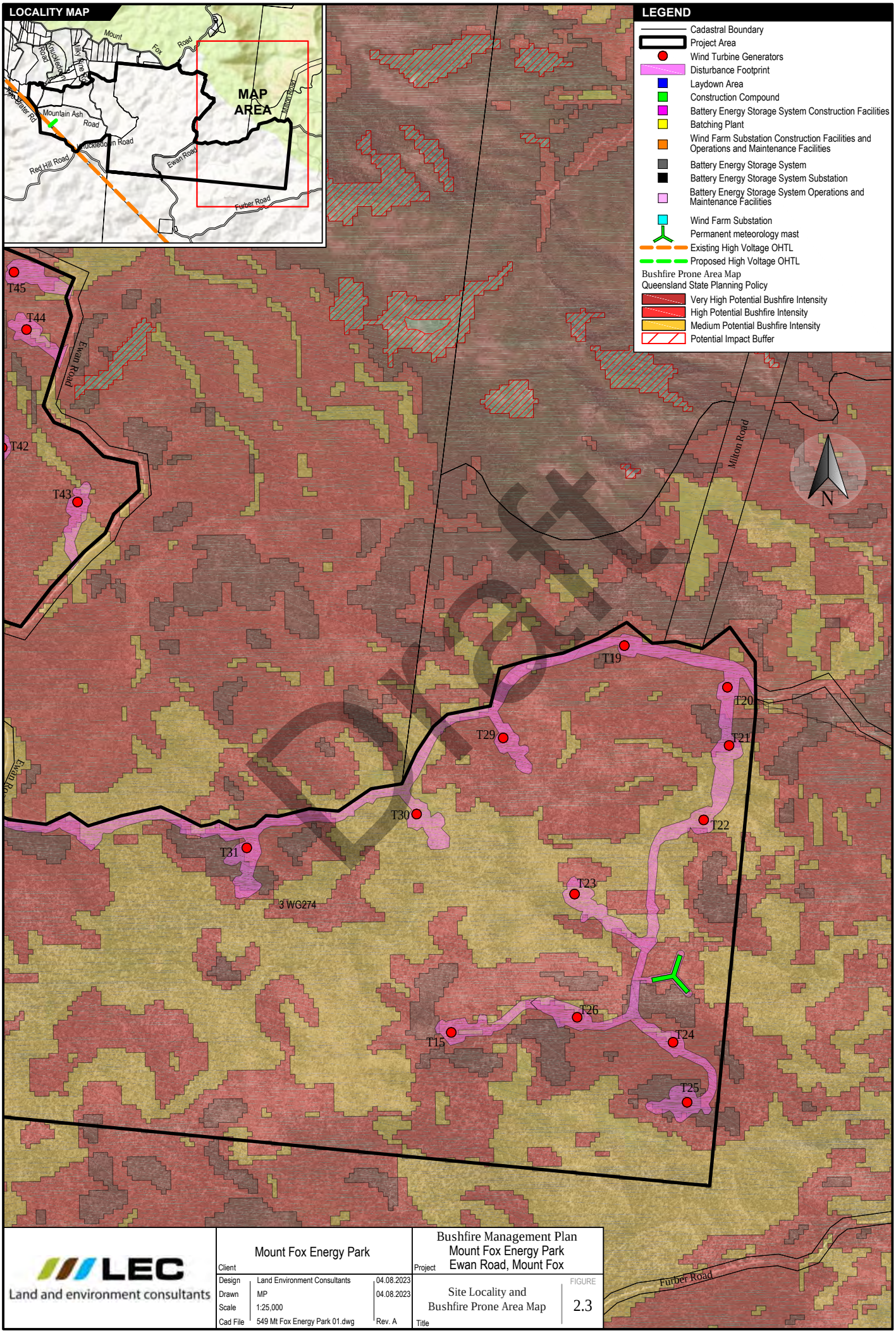
LEC Land and environment consultants

Client	Mount Fox Energy Park	Project	Bushfire Management Plan Mount Fox Energy Park Ewan Road, Mount Fox
Design	Land Environment Consultants	04.08.2023	
Drawn	MP	04.08.2023	
Scale	1:25,000		
Cad File	549 Mt Fox Energy Park 01.dwg	Rev. A	
Title	Site Locality and Bushfire Prone Area Map	FIGURE	2.1



LEC Land and environment consultants

Client	Mount Fox Energy Park	
Project	Bushfire Management Plan Mount Fox Energy Park Ewan Road, Mount Fox	
Design	Land Environment Consultants	04.08.2023
Drawn	MP	04.08.2023
Scale	1:25,000	
Cad File	549 Mt Fox Energy Park 01.dwg	Rev. A
Title	Site Locality and Bushfire Prone Area Map	FIGURE 2.2



LEC Land and environment consultants

Client	Mount Fox Energy Park	Project	Bushfire Management Plan Mount Fox Energy Park Ewan Road, Mount Fox
Design	Land Environment Consultants	04.08.2023	
Drawn	MP	04.08.2023	
Scale	1:25,000		
Cad File	549 Mt Fox Energy Park 01.dwg	Rev. A	
Title	Site Locality and Bushfire Prone Area Map	FIGURE	2.3

3 Bushfire hazard assessment

This chapter provides details of the desktop review, field inspection and bushfire hazard assessment.

3.1 Severe fire weather

The severe fire weather map in Catalyst indicates the 5 % annual exceedance probability forest fire danger index (**FFDI**) for the Project area is 46-47. An FFDI value of 47 has been used for the potential bushfire intensity calculations in Section 3.4 and the radiant heat exposure assessment in Section 3.6.

3.2 Fire history

Fire history data in Catalyst indicates that the Project area and adjoining land regularly burns. The burnt areas generally align with the medium, high or very high potential bushfire intensity areas shown in Figure 2.1-Figure 2.3.

3.3 Field inspection

A drive over the Project area and field inspection of the above ground infrastructure areas was performed by LEC from 3-7 July 2023. Observations were recorded about current land use and management, vegetation characteristics, the slope of land and evidence of previous fires.

A summary of observations made at the infrastructure areas shown in the staging plans in Appendix 1 is provided in Appendix 2. Features of the infrastructure areas are shown in photographs in Appendix 3.

Where infrastructure adjoined two VHCs, the VHC which was associated with the worst case bushfire attack scenario was used to assess potential bushfire intensity and radiant heat exposure at the infrastructure area.

3.4 Potential bushfire intensity calculations

The potential bushfire intensity of infrastructure areas was determined using the Queensland Public Safety Business Agency *Potential Bushfire Intensity Calculator* (version November 2014) which is an Excel spreadsheet calculator that models the bushfire hazard assessment method in Bushfire resilient communities.

Bushfire resilient communities defines bushfire hazard classes as follows:

- very high – potential bushfire intensity > 40,000 kW/m;
- high – potential bushfire intensity 20,000-40,000 kW/m;
- medium – potential bushfire intensity 4,000-20,000 kW/m; and
- non bushfire hazard - potential bushfire intensity <4,000 kW/m.

Results of potential bushfire intensity calculations which determine the bushfire hazard class of the infrastructure areas shown in the staging plans in Appendix 1 are presented in Appendix 4.

3.5 Bushfire prone areas

Results of the potential bushfire intensity calculations in Appendix 4 generally align with the SPP bushfire prone area map and confirm that the Project is within a bushfire hazard area. These results confirm the Project must comply with the SPP bushfire prone area overlay code.

3.6 Radiant heat exposure assessment

The SPP bushfire prone area overlay code and Bushfire resilient communities requires above ground infrastructure to be appropriately setback from bushfire prone areas. They require above ground infrastructure associated with 'community infrastructure for essential services', ie the BESS and wind farm and BESS substations, to be setback from hazardous vegetation by a distance which achieves a radiant heat flux level ≤ 10 kW/m^2. They also require permanent above ground infrastructure associated with 'other uses', ie the wind farm and BESS operations and maintenance facilities and wind turbine generators, to be setback from hazardous vegetation by a distance which achieves a radiant heat flux level ≤ 29 kW/m^2. These setbacks are hereafter referred to as asset protection zones (**APZs**).

The APZs minimise the impact of bushfire attack on above ground infrastructure and provide a defendable space for fire-fighters to operate.

The radiant heat profile of bushfire attack on permanent above ground infrastructure, ie the BESS, wind farm and BESS substations, wind farm and BESS operations and maintenance facilities and wind turbine generators, shown in the staging plans in Appendix 1 was assessed using the BAL calculator.

The analysis of bushfire attack scenarios was based on VHCs observed during the field inspection, VHC mapping in Catalyst and the steepest slopes measured for VHCs during the desktop review and field inspection. Inputs used to assess the radiant heat profile of each bushfire attack scenario and results of the BAL calculator are provided in Appendix 5.

The APZs were identified for permanent above ground infrastructure based on results of the radiant heat exposure assessment and compliance with the radiant heat exposure outcomes of the SPP bushfire prone area overlay code.

For the meteorology masts and temporary infrastructure, ie the wind farm and BESS substation construction facilities, construction compound, laydown area and batching plant, this BMP applies an alternative solution to the SPP bushfire prone area overlay code and Bushfire resilient communities and recommends an APZ with a nominal cleared width of 10 m.

The APZs around above ground infrastructure are summarised in Table 3.1.

Table 3.1 Asset Protection Zones around above ground infrastructure

Width of APZ around above ground infrastructure (m)[1]					
10	**15**	**20**	**30**	**35**	**45**
Meteorology mast 1 (near T1), Meteorology mast 2 (near T39), Meteorology mast 3 (near T24), Batching plant (near T33), laydown area (near T16), Construction compound (near T40), BESS construction facilities and Wind farm substation construction facilities.	T8, T14, T28 and T33.	T1, T2, T3, T4, T5, T6, T7, T9, T10, T11, T13, T16, T18, T19, T20, T21, T22, T24, T26, T27, T29, T30, T31, T32, T34, T35, T36, T39, T41, T42, T43, T44, T45, T46 and T47.	T12, T15, T17, T25, T37, T38 and T40.	T23	BESS operations and maintenance facility, BESS, BESS substation, Wind farm substation and Wind farm operations and maintenance facility.

Note 1 The locations of above ground infrastructure are shown in the staging plans in Appendix 1.
2 APZs may be refined and potentially reduced through detailed design and micro-siting of the Project.

The APZs are not applied to access tracks, retaining walls, earthwork embankment batters, fences, terraced walkways or transmission lines. Notwithstanding, above ground transmission lines are

located within a vegetation clearing which is designed to be relevant to electricity transmission and distribution networks in Queensland.

The APZs are measured from the electrical infrastructure within the wind farm and BESS substations, the external walls, supporting posts or columns of buildings, wind turbine generators and the location of compound fencing at the wind farm and BESS construction facilities, construction compound, laydown area and batching plant. If there is no compound fencing at the wind farm and BESS construction facilities, construction compound, laydown area and batching plan, the APZ can be measured from the location of temporary structures, plant, equipment and storage areas.

4 Bushfire hazards associated with the Project area and the Project

This chapter identifies bushfire hazards associated with the Project area and the Project.

4.1 Fire danger season

The fire danger season at the Project area starts in August, peaks in September and begins to fall in November, but will remain elevated until consistent summer rainfall occurs. Typically, the worst fire weather conditions will be experienced during the fire danger season when the wind direction is from the north or west.

An FFDI of 47, ie the 5 % annual exceedance probability FFDI for the Project area, will be associated with hot, dry and windy conditions. If a bushfire starts and takes hold under these conditions, it will be difficult to control and fast moving in large areas of bushland vegetation.

The fire danger rating (**FDR**) system provides advice about the level of bushfire threat on a day. The most recent national FDR system was introduced in September 2022. It is based on a new fire behaviour index system and is no longer linked to FFDI values. The FDR system has four levels which are summarised below:

- moderate – most fires can be controlled;
- high – fires can be dangerous;
- extreme – fires will spread quickly and be extremely dangerous; and
- catastrophic – if a fire starts to take hold, it could result in the loss of life.

The FDRs will be monitored during both the construction and operations and maintenance phases of the Project.

4.2 Fire history

As discussed in Section 3.2, fire history data indicates that the Project area and adjoining land regularly burns.

Based on the fire history data it is considered almost certain that the Project's above ground infrastructure will be exposed to bushfire attack in the future.

4.3 Vegetation

The disturbance footprint of the Project will be cleared of vegetation in preparation for civil works.

The APZs will be established around above ground infrastructure as specified in Table 3.1 and will be maintained for the life of the Project.

The APZs will be either hardstand areas which are maintained free of weeds and grass cover or grass areas which are maintained at a nominal height of < 30 centimetres (**cm**).

4.4 Bushfire management within the Project area

TagEnergy Australia Pty Ltd (**TagEnergy**) and the construction contractor or operations and maintenance contractor will be responsible for bushfire management within the disturbance footprint which is leased from the landowners of the Project area. The landowner's hosting the Project are responsible for bushfire management in the balance of the Project area.

Notwithstanding, bushfire management is a landscape issue and there will be benefits for both the Project and landowners if all parties work collaboratively to manage bushfire hazards within the Project area.

4.5 Bushfire attack and the protection of above ground infrastructure

A bushfire in areas of woodland or forest vegetation on steep slopes present the main issue for the protection of above ground infrastructure.

During fire weather conditions which correlate with the 5 % annual exceedance probability FFDI for the Project area, a bushfire in areas of woodland or forest vegetation has potential to generate radiant heat energy up to 62,789 kW/m which in combination with steep slopes will make fire-fighting operations and access difficult. Therefore, direct attack of a fire under these fire weather conditions and the protection of infrastructure may not always be possible.

4.6 Workforce

The Project will not result in the permanent exposure of large numbers of people to bushfire hazard. It is expected that the workforce will peak during construction at <<TagEnergy to advise number>> personnel over an <<TagEnergy to advise duration>> month period and will be reduced to <<TagEnergy to advise number>> full time equivalent roles during the operations and maintenance phase.

Workers will not be accommodated within the Project area for the construction or operations and maintenance phases of the Project.

During the construction phase, it is expected that most of the workforce will live locally or in adjacent regional centres.

Workers employed for the operations and maintenance phase of the Project are generally local people seeking employment, who are trained appropriately by the operations and maintenance contractor.

4.7 Hazardous chemicals

Storage or handling of hazardous chemicals during the construction and operations and maintenance phases of the Project will be in accordance with *Managing risks of hazardous chemicals in the workplace – Code of Practice* (SWA 2023), applicable safety data sheets, and otherwise in accordance with the Queensland *Work Health and Safety Act 2011* and its regulations.

4.8 Access

The Project will establish an access track network that will link the Project infrastructure to existing roads. Access tracks will be designed for heavy articulated vehicles and will meet the design standards for emergency vehicle access in the SPP bushfire prone area overlay code including (where required) the provision of turnaround areas on dead-end access tracks. If there are gates across access tracks, they will be at least 4 m wide.

In addition to the Project's access tracks and the road network, there are numerous property access tracks which are of varying design and maintenance standards and may require restoration prior to use for bushfire management operations.

There are multiple vehicle access points into the Project area, ie via Mount Fox Road, Ewan Road and Knuckledown Road.

4.9 Rural Fire Brigade resources and capability

The local Rural Fire Brigades (**RFBs**) are voluntary primary producer brigades and have limited resources to respond to a fire ignition within the Project area. They are unlikely to have any training or experience operating around electrical infrastructure, ie the wind farm and BESS substations, and have limited capability to respond to structural fires.

Local RFB personnel may not be familiar with the layout of the Project and out of area RFBs will not be familiar with the location of the Project area, ie access roads, water points, terrain, etc.

4.10 Aerial fire-fighting operations

The wind turbine generators and meteorology masts pose a navigation risk to pilots performing aerial fire-fighting operations.

4.11 Fire-fighter water supply

There will be dedicated fire-fighter water supply tanks for the construction and operations and maintenance phases of the Project.

There are numerous dams and creeks within the Project area. However, the standard of vehicle access to them and the reliability of their water supply is unknown and they should not be relied upon.

4.12 Warning and evacuation requirements

Queensland emergency services use a range of methods to warn the community about bushfire, severe weather and other emergencies that require preparation and action at the property level. The construction workforce and operations and maintenance workforce will be subject to advice and warnings by Queensland emergency services via radio, online media and local community safety announcements.

A safety and emergency management plan and an evacuation plan will be prepared for the construction phase and operations and maintenance phase of the Project. These plans will provide details of actions to be undertaken in response to a bushfire emergency. They are separate plans to this BMP.

4.13 Buildings

Offices and worker amenities that are required for the construction phase of the Project will be demountable buildings, ie temporary buildings, that will be located in a cleared compound.

Buildings associated with the wind farm and BESS operations and maintenance facilities and the wind farm and BESS substations will be designed to meet the fire resistance and safe access and egress requirements of the *National Construction Code–Building Code of Australia* (**NCC-BCA**) (volume 1) (ABCB 2019) and governing Queensland laws, codes and standards that apply to the building industry.

Fire detection and first attack fire-fighting equipment in buildings will comply with requirements in the NCC–BCA (volume 1) and any Queensland specific requirements.

5 Fire ignition risks

This chapter identifies fire ignition risks within the Project area.

5.1 Land use

The boundaries of the Project area mostly adjoin farming land with large continuous areas of bushland vegetation. The exception is part of the northern boundary which adjoins the Girringun Forest Reserve.

The operation of equipment and machinery or hot works associated with agricultural activities could result in unplanned fires that impact on the Project, particularly on days with an FDR of extreme or above. In addition, landowners may light fires to burn waste or for bushfire fuel hazard reduction. Therefore, land which is used for agricultural activities is a potential bushfire hazard to the Project.

The custodians of the Girringun Forest Reserve are likely to light fires for bushfire fuel hazard reduction or to achieve biodiversity conservation outcomes. Therefore, this area is also a potential bushfire hazard to the Project.

5.2 Overhead transmission lines

Powerlink high voltage overhead transmission lines are susceptible to 'flashover' which can cause a fire ignition in surrounding vegetation. Fires with a flame height greater than 1 m adjacent to or under high voltage overhead transmissions lines have the potential to:

- create electrical arcs (known as flashovers) that can endanger people, animals and objects;
- damage or destroy wires, insulators and supports of the transmission line; and
- interrupt power supply to households, business and industry.

Vegetation under the high voltage overhead transmission lines will be maintained in accordance with Powerlink's vegetation management specifications for high voltage overhead transmission lines (Powerlink 2018).

Wind turbine generators will be connected to the wind farm substation by underground and overhead transmission lines. The risk of a fire ignition caused by these overhead transmission lines is minor when compared to the risk profile that exists for Powerlink's high voltage overhead transmission lines. Nonetheless, vegetation management under these overhead transmission lines will be in accordance with *Energy Queensland – Vegetation Management Strategy – Version 2* (EQ 2023).

5.3 Lightning strike

A lightning strike could cause a fire within the Project area, particularly during the fire danger season, ie from late winter to early summer, when dry electrical storms most commonly occur.

The Australasian Fire and Emergency Service Authorities Council Limited suggests that it is possible that wind turbine generators may reduce the risk of bushfires caused by lightning strikes, given that wind turbine generators can attract lightning during thunderstorms. If struck by lightning, a wind turbine generator is not expected to start a fire as it has built-in fire protection mechanisms (AFAC 2018).

5.4 Mechanical or electrical fire

There is potential for a fire of electrical or mechanical origin to develop in wind turbine generators, transformer kiosks or substations and result in a fire within the Project area. However, this situation is unlikely to occur as this infrastructure has built-in fire protection mechanisms (AFAC 2018), will be surrounded by an APZ where vegetation is managed.

5.5 Construction activities

The use of tracked earthmoving machinery on rocky ground, vehicles driving or parking in long grass, hot works and people smoking has potential to cause a bushfire during the construction phase.

5.6 The operations and maintenance activities

Similar risks may exist during the operations and maintenance phase of the Project that existed during the construction phase, ie vehicles driving or parking in long grass, hot works and people smoking. However, worker numbers will be significantly reduced and access throughout the Project area will be on formed access tracks, meaning vehicle and mobile plant movement off formed access tracks will rarely occur.

6 Bushfire mitigation plan

This chapter identifies bushfire mitigation measures that must be implemented during the construction and operations and maintenance phases of the Project.

The bushfire mitigation measures will reduce the risk of bushfire hazards to a tolerable level which in this report means compliance with outcomes of the SPP bushfire prone area overlay code.

It is the total of the mitigation measures in this chapter of the report that will reduce the risk of bushfire hazards to a tolerable level. Failure to implement all of the mitigation measures in their entirety could result in an increased level of exposure to bushfire hazards.

6.1 Asset protection zones

The APZs shown in Figure 6.1-Figure 6.3 must be established and maintained around above ground infrastructure. The width of APZs must comply with the minimum widths specified for the above ground infrastructure in Table 3.1.

The APZs must be measured from the electrical infrastructure within the wind farm and BESS substations, the external walls, supporting posts or columns of buildings, wind turbine generators and the location of compound fencing at the wind farm and BESS construction facilities, construction compound, laydown area and batching plant. If there is no compound fencing at the wind farm and BESS construction facilities, construction compound, laydown area and batching plan, the APZ can be measured from the location of temporary structures, plant, equipment and storage areas.

The APZs must be cleared of vegetation and established as a gravel hardstand area or grass area. A gravel hardstand area must be maintained free of weeds and grass cover. Where establishing a gravel hardstand area is not practical, a grass area must be established. A grass area must be maintained free of woody vegetation and with grass cover which has a height of ≤ 30 cm.

The APZs must be inspected at regular times intervals during the calendar year and vegetation maintained in accordance with the specifications above.

6.2 Overhead transmission lines

Vegetation management under any high voltage overhead transmission lines must be in accordance with Powerlink's vegetation management specifications for high voltage transmission lines (Powerlink 2018).

Vegetation management under overhead transmission lines which connect wind turbine generators to the wind farm substation must be in accordance with the *Energy Queensland – Vegetation Management Strategy* (EQ 2023).

6.3 Cable pits

A 1 m wide area around cable pits must be cleared of all vegetation greater than 10 cm in height.

6.4 Vegetation waste

Vegetation cleared from the disturbance footprint during the construction phase must not be pushed into windrows. The cleared vegetation must be removed from the disturbance footprint or mulched, in which case the mulch can be used for erosion and sediment control within the disturbance footprint. Maintenance must occur prior to the annual fire danger season, ie prior to the end of August.

6.5 Access and evacuation

There are multiple vehicle access routes into the Project area, ie via Mount Fox Road, Ewan Road and Knuckledown Road. These access routes and the access track network that will be constructed within the Project area are shown in Figure 6.1-Figure 6.3.

As a minimum requirement, access tracks must meet the design specifications for category 1 fire-fighter vehicles by the New South Wales Rural Fire Service (NSW RFS 2016) which are summarised as follows:

- Width – The trafficable surface has a width of 4 m except for short constrictions to 3.5 m for no more than 30 m in length where an obstruction cannot be reasonably avoided or removed. Curves have a minimum inner radius of 6 m. The minimum distance between inner and outer curves is 6 m.
- Capacity – Trail surfaces and crossing structures are capable of carrying vehicles with a gross vehicle mass of 15 tonnes (**t**) and an axle load of 9 t.
- Grade and crossfall – The maximum grade of a trail is not more than 15 degrees. The crossfall of the trail surface is not more than 6 degrees. Drainage structures, feature crossings, or other significant changes in the grade of the trail shall be in accordance with the *Fire Trail Design, Construction and Maintenance Manual* (NSW DISCS 2017).
- Clearance – A minimum vertical clearance of 4 m is provided above the surface of the trafficable surface clear of obstructions.
- Passing – Capacity for passing is provided every 250 m comprising:
  - a widened trafficable surface of at least 6 m for a length of at least 20 m; or
  - a 6 m wide and 8 m long area clear of the trafficable surface with a minimum inner curve radius of 6 m and minimum outer radius of 12 m; or
  - a turnaround area is provided (as outlined below).
- Turnarounds – A turning area is provided at the termination of a trail and every 500 m and is achieved by:
  - an area clear of the trafficable surface, which is 6 m wide and 8 m deep, with a minimum inner curve radius of 6 m and minimum outer radius of 12 m; or
  - a turning circle of minimum 22 m diameter;
  - a T-junction with each terminating end of the junction being at least 10 m in length from the intersection of the roads and the inner radius of the intersection being at least 6 m; or
  - a fire trail or road intersection.

Drainage for access tracks must be designed and constructed in accordance with the *Fire Trail Design, Construction and Maintenance Manual* (NSW DISCS 2017).

Access tracks must be inspected at regular times intervals during the calendar year and maintained in accordance with the specifications above. Maintenance must occur prior to the annual fire danger season, ie prior to the end of August.

6.6 Fire-fighter water supply

Upon commencement of the construction phase, fire-fighter water storage tanks must be installed at the BESS or wind farm construction facilities and the construction compound. They must be made of metal or concrete and have a minimum capacity of 40,000 litres. The indicative locations of the fire-fighter water storage tanks are shown in Figure 6.1 and Figure 6.2.

The fire-fighter water storage tanks must remain in place during both the construction phase and the operations and maintenance phase. They must be kept full of water and must not be used for activities other than bushfire management.

The fire-fighter water storage tanks must be fitted with RFB fire-fighter fittings – we recommend contacting the local RFB to confirm the standard RFB fittings in use at the locality. All above ground fittings, ie connections, valves and pipes, must be made of metal.

The fire-fighter water storage tanks must have a hardstand area within 4 m of the inlet and outlet points. The hardstand areas must have the load bearing capacity and dimensions suitable for a heavy rigid vehicle to park.

The fire-fighter water storage tanks and fittings must be inspected annually and any required maintenance work undertaken prior to the annual fire danger season, ie prior to the end of August.

6.7 Wayfinding

Reflective wayfinding signage must be installed at the intersection of access tracks and identify the location of project infrastructure and fire-fighter water storage tanks.

Wayfinding signage must be based on a naming and marking convention which enhances accessibility for out of area fire-fighters. For example, marking the intersection of access tracks as A-B to indicate that it links landmark A to landmark B; landmarks used for this purpose must be identifiable on site and marked on any site mapping.

Access track marking must clearly indicate no through access tracks.

6.8 Buildings

Buildings must comply with the fire resistance and safe access and egress requirements of the NCC-BCA and governing Queensland laws, codes and standards that apply to the building industry.

Fire detection and first attack fire-fighting equipment in buildings must comply with specifications in the NCC–BCA and any Queensland specific requirements.

These matters will be dealt with in detail through the building certification and approvals process.

6.9 Administrative controls

6.9.1 General

Hot works must be managed under a hot works permit system.

Hot works and other high fire risk activities, eg the operation of track machinery on rocky ground, must be monitored for ignitions and only performed if fire management controls are in place.

Vehicles and mobile plant and equipment must not be operated or parked in long grass, ie grass > 30 cm in height, unless fire management controls are in place.

Vehicles and mobile plant and equipment must be fitted with an ultra-high frequency (UHF) radio and a portable fire extinguisher. The portable fire extinguisher must be suitable for extinguishing a fire associated with the vehicle or mobile plant and equipment.

Water carts/water tanks must be located adjacent to construction work areas during the fire danger season, ie from late winter until summer when significant rainfall occurs.

6.9.2 Information transfer

Prior to commencing the operations and maintenance phase of the Project, spatial data which identifies the location of access tracks and infrastructure must be provided to the QFES so that it can be uploaded into the QFES online incident management system and is readily available for bushfire emergency planning.

TagEnergy must consult with the QFES to determine the information and data format requirements and the specifics of the data transfer.

6.9.3 Bushfire preparedness

The construction contractor and operations and maintenance contractor must invite the local QFES and RFBs and landowners hosting the Project to participate in an annual bushfire preparedness meeting for the Project.

The meeting will be used to familiarise QFES and RFB personnel and landowners with the Project's infrastructure, access tracks, fire-fighter water storage tank and fittings, communication procedures and safety requirements for operating within the Project area. It will also provide an opportunity to review any bushfire incidents within or adjacent to the Project area and any plans for hazard reduction burns by the landowners.

Opportunities to upgrade dams and access tracks located within the Project area must also be discussed at the preparedness meeting as these upgrades could have benefits for the Project.

The bushfire preparedness meeting also provides an opportunity to run a bushfire response training drill with the local QFES and RFBs.

6.9.4 Project rules and inductions

Access to the Project area during the construction and operations and maintenance phases of the Project will be conditional on compliance with workers completing an induction and complying with entry rules, including rules regarding smoking.

Smoking must only be permitted in cleared areas, ie the site compound, laydown areas, the operations and maintenance facility and wind turbine generator hardstands.

6.9.5 Safety documentation

Activities associated with the construction and operations and maintenance phases of the Project must be governed by safety documentation, including safe work method statements. Activity specific bushfire risk management controls must be identified through the safety documentation. Where required, the safety documentation must be managed through a permit to work system which must provide an additional layer of control around bushfire risk management.

6.9.6 Monitor fire weather conditions

The FDRs and fire weather warnings must be monitored daily for the construction and operations and maintenance phases of the Project. The FDR and associated guidance from the QFES must be communicated to staff or contractors prior to commencing the day's work, ie during the daily pre-start safety brief.

The FDRs for the Project area are updated daily by the QFES and can be accessed online at https://www.qfes.qld.gov.au/prepare/bushfire/fire-danger-rating - search for Herbert and Lower Burdekin district. Fire weather warnings are published online by the Bureau of Meteorology at http://www.bom.gov.au/qld/index.shtml.

Table 6.1 provides guidance on precautions for activities during the construction and operations and maintenance phases of the project in relation to FDRs.

Table 6.1 Fire Danger Rating activity guidelines

FDR	Fire danger guidance	Operational guidance
Moderate	Plan and prepare. Most fires can be controlled. Stay up to date and be ready to act if there is a fire.	Maintain APZs. Access tracks are checked and maintained clear of obstacles. Fire extinguishers are checked and are operational. Fire-fighter water storage tanks are full and plumbing is checked and is operational. During construction - inspect any mulched piles of cleared vegetation for signs of combustion. Hot works are performed in accordance with a hot works permit. Monitor FDR conditions.
High	Be ready to act. Fires can be dangerous. Decide what you will do if a fire starts. There is a heightened risk. Be alert for fires in your area. If a fire starts, avoid bushfire prone areas.	Maintain APZs. Access tracks are checked and maintained clear of obstacles. Fire extinguishers are checked and are operational. Fire-fighter water storage tanks are full and plumbing is checked and is operational. During construction - inspect any mulched piles of cleared vegetation for signs of combustion. Construction and operational activities that may cause accidental ignitions, eg slashing and machine/vehicle operation in long grass, require a spotter and water cart to be present onsite. Hot works require additional approval from the construction contractor and operations and maintenance contractor or delegate and will occur under a permit to work system. Monitor FDR conditions.
Extreme	Fires will spread quickly and will be extremely dangerous. Make sure the Project is fire ready. If a fire starts, take immediate action.	Fire extinguishers are checked and are operational. Fire-fighter water storage tanks are full and plumbing is checked and is operational. During construction - inspect any mulched piles of cleared vegetation for signs of combustion. Fire weather warnings and restrictions imposed by the QFES must be observed.

FDR	Fire danger guidance	Operational guidance
		Construction and operational activities that may cause accidental ignitions, eg slashing and machine operation in long grass, are not permitted. Hot works must not occur in outdoor areas. Surveillance for fire ignitions and smoke plumes within and adjoining the Project area. Monitor FDR conditions.
Catastrophic	Do not enter bushfire prone areas. If a fire starts, it will potentially be life threatening. These are the most dangerous conditions for a fire. Stay safe by going to a safer location early. Buildings may not withstand fires in these conditions.	Fire weather warnings and restrictions imposed by the QFES must be observed. Surveillance for fire ignitions and smoke plumes within and adjoining the Project area. No construction activities are permitted (other than administrative activities which occur indoors). No operational or maintenance activities are permitted (other than administrative activities which occur indoors). Monitor FDR conditions.

6.9.7 High voltage overhead transmission line

Fire-fighting operations near the Powerlink high voltage overhead transmission lines must be planned and implemented in accordance with the *National Guidelines on Electrical Safety for Emergency Service Personnel* (ENA DOC 008-2006) and the Powerlink's instructions.

6.9.8 Communications planning

TagEnergy must ensure the following is in place by the time construction commences:

- all relevant staff are aware of the mitigation measures in this BMP;
- an emergency contact number is available online and is attended to at all times by trained staff;
- contingency communication systems are in place for the onsite representative of the construction contractor and operations and maintenance contractor in case of failed telephone communication attempts;
- communication with the landowners hosting the Project to ensure that access to the Project area is not constrained for the local QFES and RFBs; and
- a mechanism to provide periodical updates to the landowners hosting the Project and the local QFES and RFBs as the Project is progressively built.

6.9.9 Emergency response planning

A separate emergency response plan must be prepared by the construction contractor for the construction phase of the Project and by the operations contractor for the operations and maintenance phase of the Project.

The emergency response plan must include procedures to be followed in the event of a bushfire warning by the QFES and a bushfire within properties hosting the Project. It must also identify the location of safe assembly/evacuation areas and the access routes to these areas.

With regards to bushfire, a safe assembly or evacuation area must have a gravel surface or consist of low cut grass, ie grass slashed to a nominal height ≤ 30 cm, and must not be located in areas identified as medium, high and very high potential bushfire intensity in Figure 2.1-Figure 2.3.

In the event of a fire ignition that cannot be safely extinguished with available resources, ie a bushfire, the following procedure must be followed:

1. Contact the QFES via a 000 call.
2. Notify property owners hosting the Project of the fire ignition.
3. Evacuate personnel and contractors to a safe assembly/evacuation area and account for all personnel and contractors.
4. Meet the QFES and provide information relevant to the bushfire emergency.
5. Resume construction or operations and maintenance works when advised by the QFES that it is safe to do so.

6.9.10 Fire-fighter operations plan

Prior to the operations and maintenance phase of the Project, a fire-fighter operations plan must be prepared for the Project area and provided to the local RFBs. It must be in the format of a poster plan that can be rolled out and used in the field.

The fire-fighter operations plan must identify (as a minimum) the location of infrastructure, access tracks, water points and reference wayfinding signage. It must also include contact and communications information, instructions for operating around electrical infrastructure and operational guidelines for fire control.

6.9.11 Electrical safety

The Project must be operated in compliance with the Queensland *Electrical Safety Act 2002* and its regulations and the electrical safety codes of practice by the Electrical Safety Office of Queensland (ESO 2020a, ESO 2020b and ESO 2021).

Electrical equipment installed to support the operations and maintenance phase of the Project must be regularly inspected in accordance with the manufacturer's guidance (where this applies) or in accordance with industry best practice.

6.9.12 Hazardous chemicals

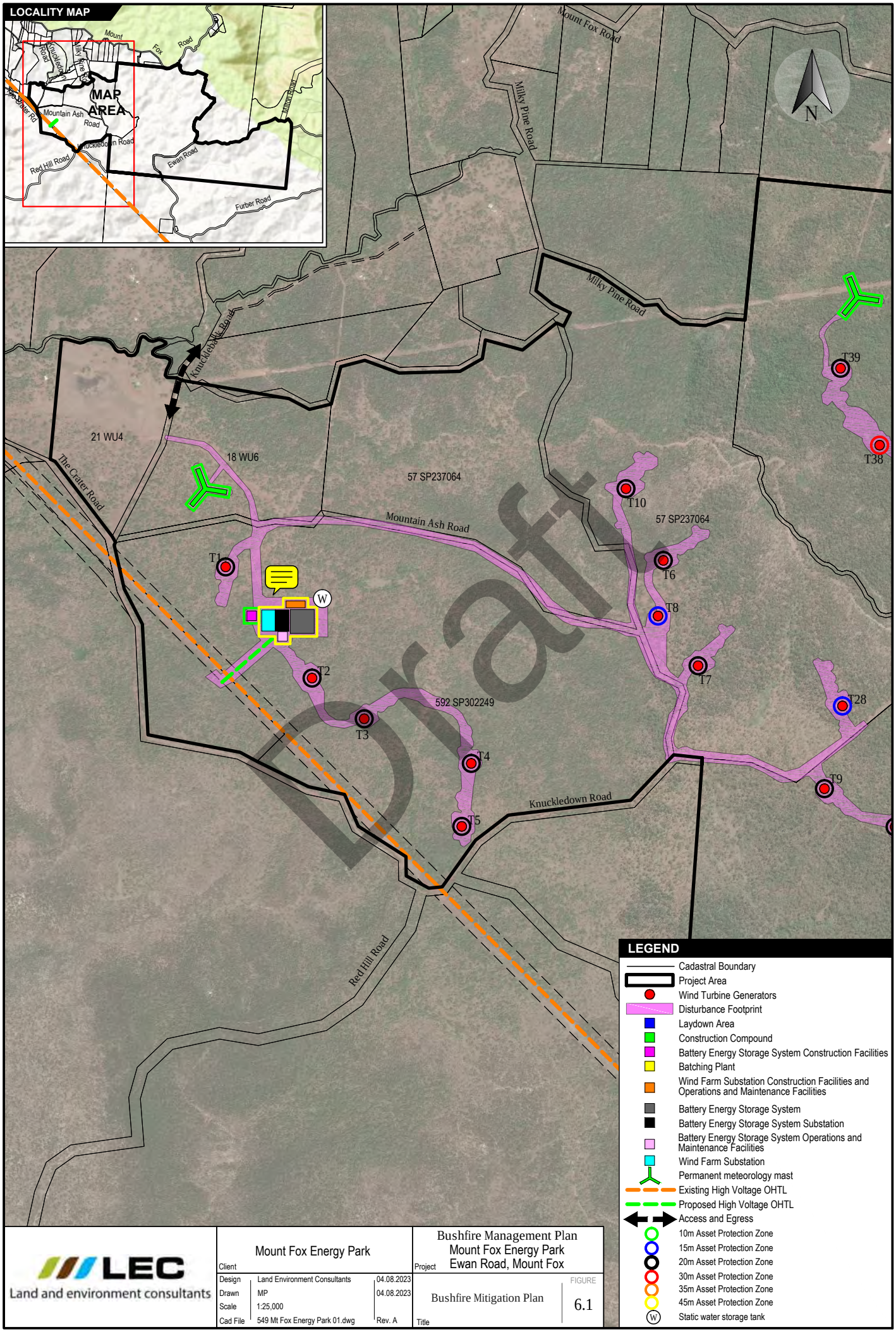
Storage or handling of hazardous chemicals during the construction and operations and maintenance phases of the Project must not occur in vegetated areas and must be in accordance with *Managing risks of hazardous chemicals in the workplace – Code of Practice* (SWA 2023), applicable safety data sheets, and otherwise in accordance with Queensland *Work Health and Safety Act 2011* and its regulations.

6.9.13 Shut down

The wind turbine generators must be locked in a static position if advised by the QFES that aerial fire-fighting operations are to be undertaken within the properties hosting the Project. Protocols for the operations and maintenance phase of the Project must be explicit about what party has the authority to lock wind turbine generators in a static position.

6.9.14 Lighting fires

Lighting fires is prohibited within the Project area (unless requested by the QFES or RFB in response to a bushfire emergency, eg backburning containment lines to protect infrastructure).



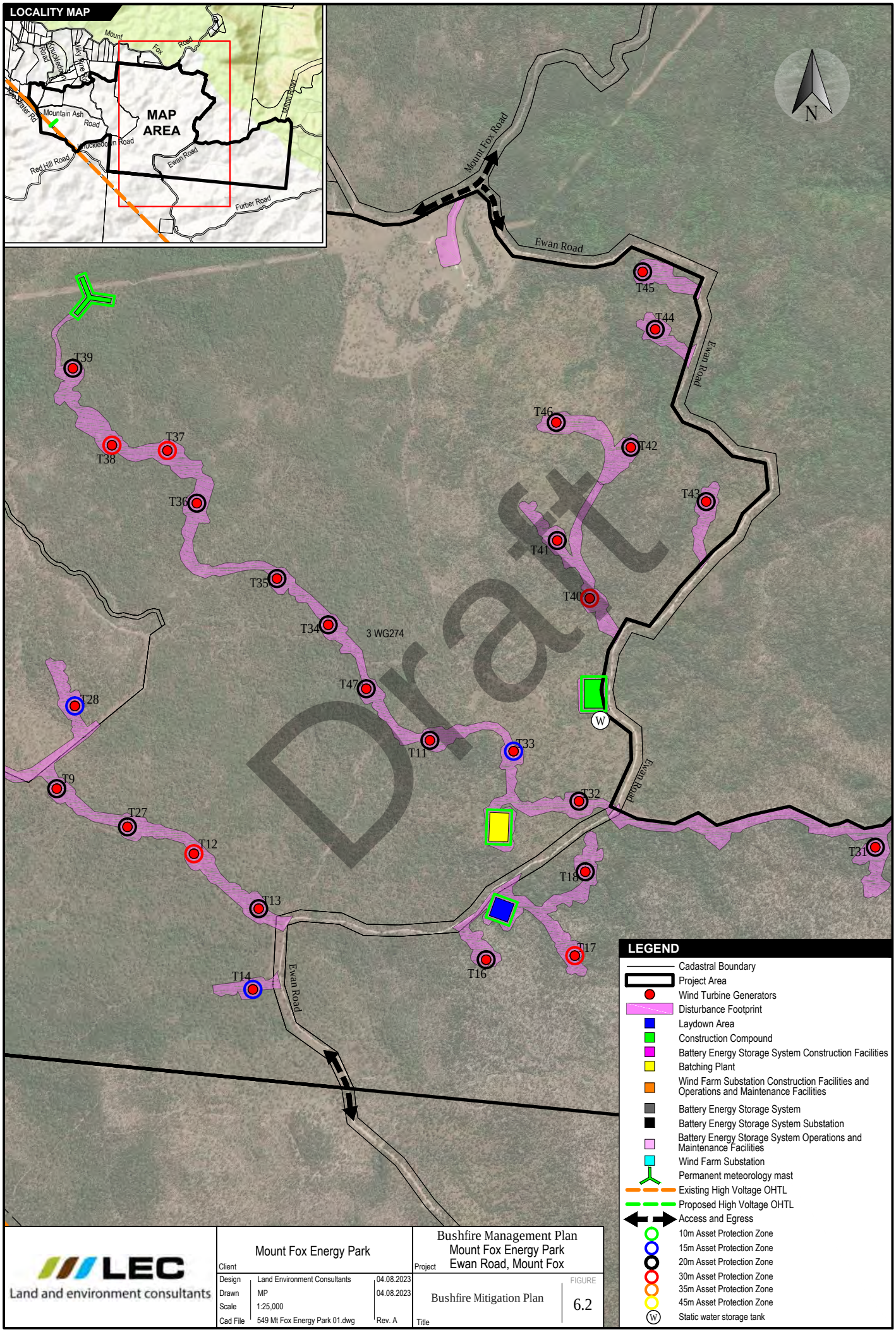
LEC Land and environment consultants

Client	Mount Fox Energy Park	
Design	Land Environment Consultants	04.08.2023
Drawn	MP	04.08.2023
Scale	1:25,000	
Cad File	549 Mt Fox Energy Park 01.dwg	Rev. A

Project: Bushfire Management Plan, Mount Fox Energy Park, Ewan Road, Mount Fox

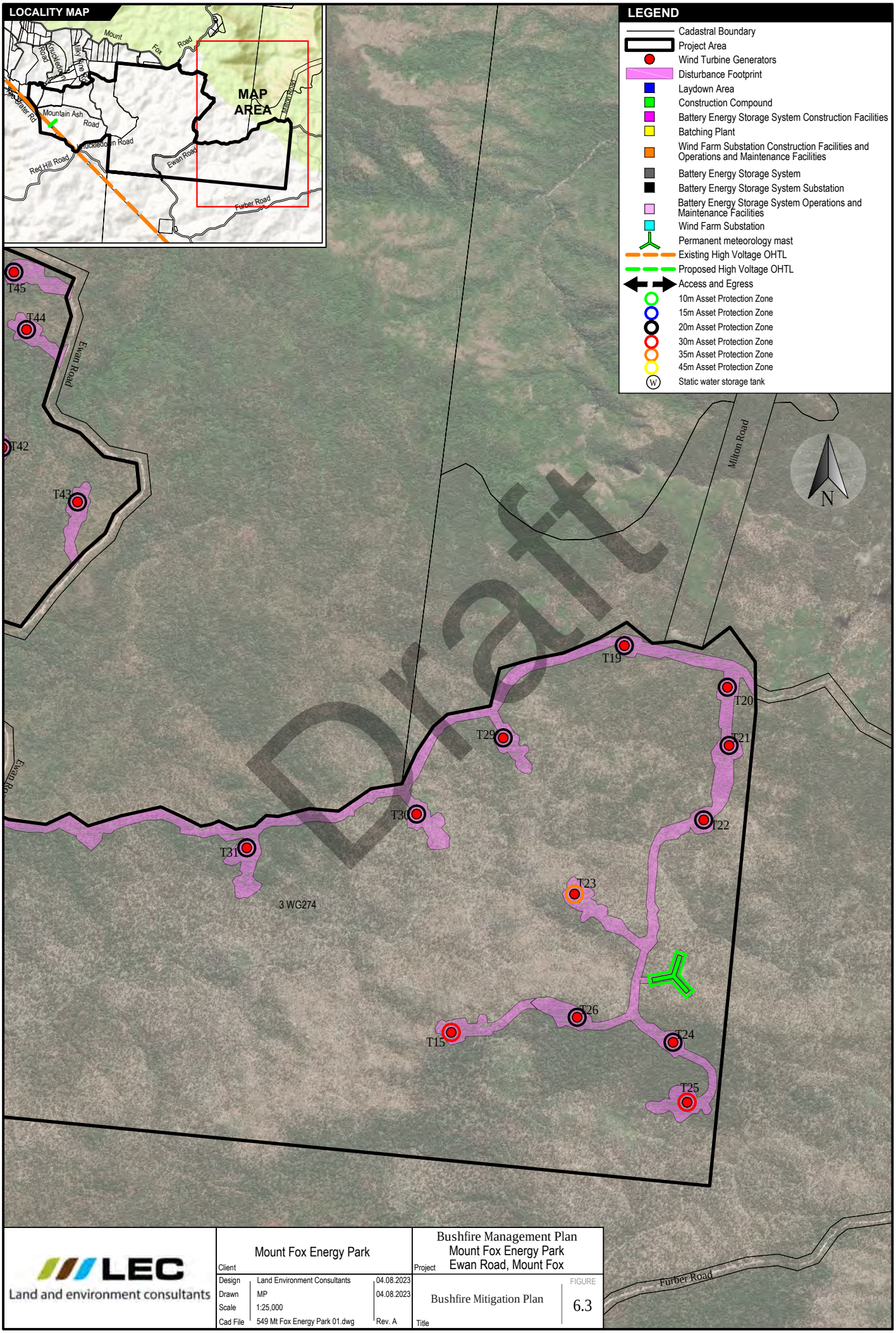
Title: Bushfire Mitigation Plan

FIGURE 6.1



LEC Land and environment consultants

Client	Mount Fox Energy Park	
Project	Bushfire Management Plan Mount Fox Energy Park Ewan Road, Mount Fox	
Design	Land Environment Consultants	04.08.2023
Drawn	MP	04.08.2023
Scale	1:25,000	
Cad File	549 Mt Fox Energy Park 01.dwg	Rev. A
Title	Bushfire Mitigation Plan	FIGURE 6.2



LEC Land and environment consultants

Client	Mount Fox Energy Park	Project	Bushfire Management Plan Mount Fox Energy Park Ewan Road, Mount Fox
Design	Land Environment Consultants	04.08.2023	
Drawn	MP	04.08.2023	
Scale	1:25,000		FIGURE 6.3
Cad File	549 Mt Fox Energy Park 01.dwg	Rev. A	Title: Bushfire Mitigation Plan

7 Closing

This BMP has been prepared for compliance with condition 11(a) of the development permit as it relates to the amended design for the Project. It has been technically reviewed and approved by a suitably qualified person and is in general accordance with requirements of the SPP bushfire prone area overlay code and Bushfire resilient communities. Its preparation involved an in-field inspection of the Project area and consultation with one of the landowners hosting the Project.

The bushfire hazard assessment confirmed that the Project area is a bushfire hazard area and the construction and operations and maintenance phases of the Project are subject to compliance with the SPP bushfire prone area overlay code. An assessment of compliance with the SPP bushfire prone area overlay code is provided in Appendix 6.

Mitigation measures that must be implemented during the construction and operations and maintenance phases of the Project are specified in Chapter 6. Upon appointment, the construction contractor and the operations and maintenance contractor may wish to prepare their own version of this BMP to distil the matters which are specific to their contract or to include corporate documentation or procedures. Notwithstanding, this does not permit the construction contractor or operations and maintenance contractor to change or deviate from the mitigation measures specified in Chapter 6.

There is an opportunity for refining the APZs specified in Chapter 6 through detailed design and micro-siting of the Project's infrastructure.

Compliance with condition 11(a) of the development permit requires the BMP to be prepared in consultation with the QFES. The draft version of this BMP will be submitted to the QFES for their review and comment. Consideration of QFES comments will be undertaken during the finalisation of this BMP. Compliance with condition 11(b) requires the final version of the BMP to be submitted to Queensland Treasury at windfarms@dsdmip.qld.gov.au. Compliance with condition 11(c) requires that the Project to be constructed and operated in accordance with the final version of this BMP.

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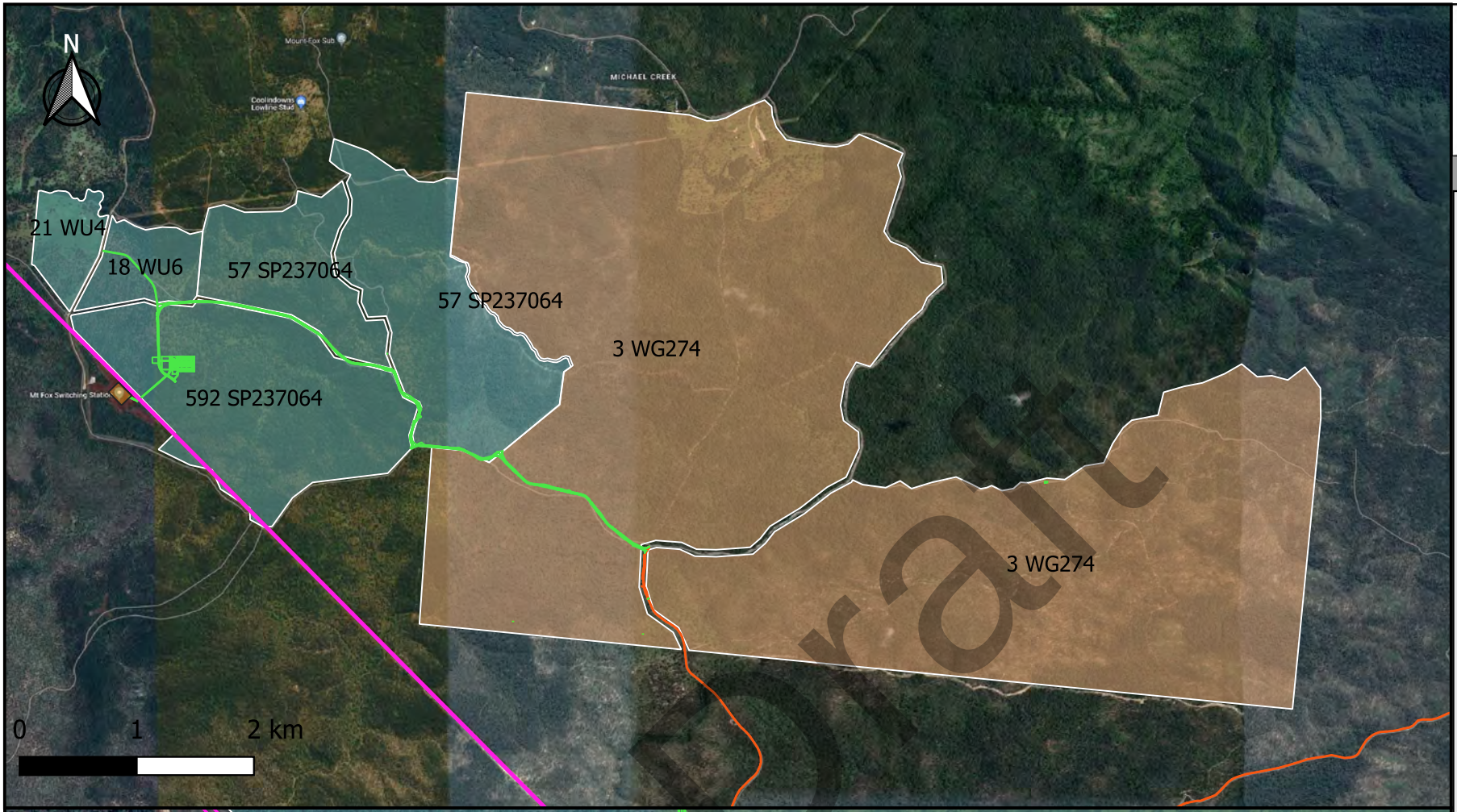
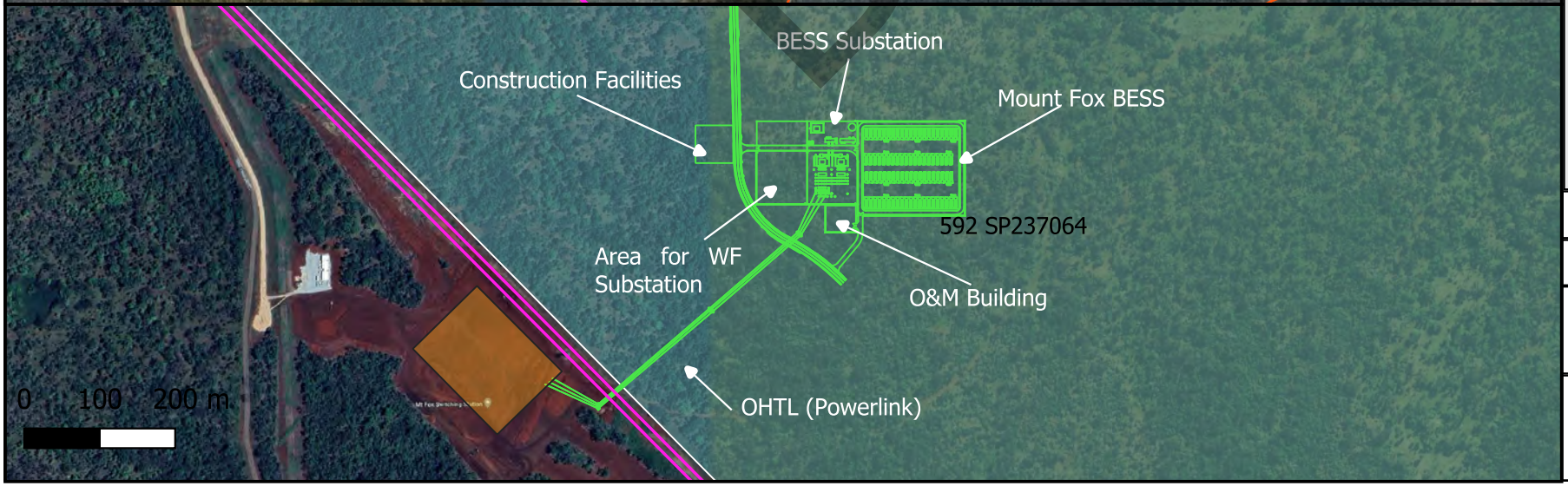
Appendix 1 Staging plans





Mount Fox BESS Infrastructure

DRAFT

- BESS Infrastructure
- Council Road - existing
- Guybal Munjan Switching Station
- 275kV Powerlink
- Site Boundaries
- Knuckledown Lease
- Furnlea Lease

20 June 2023

MFBS-GEN-DR-100-004

Coordinate System: EPSG 7855
Scale : 1:25000

Prepared by: AG
Made with: QGIS 3.6
File name: 20230608 -Mt Fox_Master

Mount Fox Wind Farm Infrastructure

DRAFT

N

0 1 2 km

Permanent Met Mast Site 2

Permanent Met Mast Site 3

Construction Compound

Batching Plant

Laydown

-18.838314,145.892202

21 WU4

18 WU6

57 SP237064

592 SP237064

3 WG274

Mt Fox Switching Station

0 100 200 m

Wind Farm Substation Construction Facilities / O&M

Mount Fox BESS

Wind Farm Substation

Wind Farm OHTL (Powerlink)

- BESS Infrastructure
- Wind Farm Infrastructure
- Council Road - existing
- 275kV Powerlink
- Site Boundaries
- Knuckledown Lease
- Furnlea Lease
- WTG Locations (rev2)
- Guybal Munjan Switching Station

20 June 2023

MFWF-GEN-DR-100-002

Coordinate System: EPSG 7855
Scale : 1:25000 (top)

Prepared by: AG
Made with: QGIS 3.6
File name: 20230608 -Mt Fox_Master

Appendix 2 Summary of site observations

Summary of site observations at infrastructure areas

Infrastructure	Catalyst VHC	Ground truthed VHC	Notes
Turbines (T)			
T1	VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges* (**VHC 9.1**)	VHC 9.1	Continuous forest vegetation on 4° slope.
T2	VHC 9.1	VHC 9.1	Continuous forest vegetation on 6° slope.
T3	VHC 9.1	VHC 9.1	Continuous forest vegetation on 3° slope.
T4	VHC 9.1	VHC 9.1	Continuous forest vegetation on 6° slope.
T5	VHC 9.1	VHC 9.1	Continuous forest vegetation on 5° slope.
T6	VHC 9.2 *Moist to dry eucalypt woodland on coastal lowlands and ranges* (**VHC 9.2**)	VHC 9.2	Continuous woodland vegetation on 15° slope.
T7	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 10° slope.
T8	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 5° slope.
T9	VHC 9.1	VHC 9.1	Continuous forest vegetation on 2° slope.
T10	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 12° slope.
T11	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 10° slope.
T12	VHC 9.1	VHC 9.1	Continuous forest vegetation on 15° slope.
T13	VHC 9.1	VHC 9.1	Continuous forest vegetation on 4° slope.
T14	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 2° slope.
T15	VHC 9.1	VHC 9.1	Continuous forest vegetation on 13° slope.
T16	VHC 10.2 *Spotted gum dominated woodlands* (**VHC 10.2**)	VHC 10.2	Continuous woodland vegetation on 12° slope.
T17	VHC 9.1	VHC 9.1	Continuous forest vegetation on 12° slope.
T18	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 12° slope.
T19	VHC 9.1	VHC 9.1	Continuous forest vegetation on 9° slope.
T20	VHC 9.1	VHC 9.1	Continuous forest vegetation on 5° slope.
T21	VHC 9.1	VHC 9.1	Continuous forest vegetation on 5° slope.
T22	VHC 10.2	VHC 9.1	Continuous forest vegetation on 5° slope.

Infrastructure	Catalyst VHC	Ground truthed VHC	Notes
T23	VHC 10.2	VHC 9.1	Continuous forest vegetation on 19° slope.
T24	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
T25	VHC 9.1	VHC 9.1	Continuous forest vegetation on 12° slope.
T26	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
T27	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 7° slope.
T28	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 5° slope.
T29	VHC 9.1	VHC 9.1	Continuous forest vegetation on 6° slope.
T30	VHC 10.2 and VHC 28.3 *Shrubland associated with woodlands in coastal locations* (**VHC 28.3**)	VHC 10.2	Continuous woodland vegetation on 12° slope.
T31	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 12° slope.
T32	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 8° slope.
T33	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 5° slope.
T34	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 8° slope.
T35	VHC 9.1	VHC 9.1	Continuous forest vegetation on 10° slope.
T36	VHC 9.1	VHC 9.1	Continuous forest vegetation on 10° slope.
T37	VHC 9.1	VHC 9.1	Continuous forest vegetation on 16° slope.
T38	VHC 9.1	VHC 9.1	Continuous forest vegetation on 15° slope.
T39	VHC 9.1	VHC 9.1	Continuous forest vegetation on 9° slope.
T40	VHC 9.1	VHC 9.1	Continuous forest vegetation on 12° slope.
T41	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
T42	VHC 9.1	VHC 9.1	Continuous forest vegetation on 5° slope.
T43	VHC 9.1	VHC 9.1	Continuous forest vegetation on 4° slope.
T44	VHC 9.1	VHC 9.1	Continuous forest vegetation on 7° slope.
T45	VHC 9.1	VHC 9.1	Continuous forest vegetation on 5° slope.
T46	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 8° slope.

Infrastructure	Catalyst VHC	Ground truthed VHC	Notes
T47	VHC 9.2	VHC 9.2	Continuous woodland vegetation on 8° slope.
Battery Energy Storage System (BESS) Infrastructure			
BESS construction facilities	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
BESS operations and maintenance facilities	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
BESS	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
BESS substation	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
Wind farm infrastructure			
Wind farm substation	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
Wind farm substation construction facilities and operations and maintenance facilities	VHC 9.1	VHC 9.1	Continuous forest vegetation on 8° slope.
Permanent meteorology (**met**) mast 1 (near T1)	VHC 9.1	-	Not ground-truthed
Permanent met mast 2 (near T39)	VHC 9.1	-	Not ground-truthed
Permanent met mast 3 (near T24)	VHC 9.1 and VHC 29.3 *Healthlands and associated scrubs and shrublands*	-	Not ground-truthed
Laydown area (near T16)	VHC 9.1	-	Not ground-truthed
Batching plant (near T33)	VHC 9.1	-	Not ground-truthed
Construction compound (near T40)	VHC 9.1	-	Not ground-truthed

Appendix 3 Photographs of infrastructure areas

Photograph 1 VHC 9.1 at T1

Photograph 2 VHC 9.1 at T2

Photograph 3 VHC 9.1 at T3

Photograph 4 VHC 9.1 at T4

Photograph 5 VHC 9.1 at T5

Photograph 6 VHC 9.2 at T6

Photograph 7 VHC 9.2 at T7

Photograph 8 VHC 9.2 at T8

Photograph 9 VHC 9.1 at T9

Photograph 10 VHC 9.2 at T10

Photograph 11 VHC 9.2 at T11

Photograph 12 VHC 9.1 at T12

Photograph 13 VHC 9.1 at T13

Photograph 14 VHC 9.2 at T14

Photograph 15 VHC 9.1 at T15

Photograph 16 VHC 10.2 at T16

Photograph 17 VHC 9.1 at T17

Photograph 18 VHC 9.2 at T18

Photograph 19 VHC 9.1 at T19

Photograph 20 VHC 9.1 at T20

Photograph 21 VHC 9.1 at T21

Photograph 22 VHC 9.1 at T22

Photograph 23 VHC 9.1 at T23

Photograph 24 VHC 9.1 at T24

Photograph 25 VHC 9.1 at T25

Photograph 26 VHC 9.1 at T26

Photograph 27 VHC 9.2 at T27

Photograph 28 VHC 9.2 at T28

Photograph 29 VHC 9.1 at T29

Photograph 30 VHC 10.2 at T30

Photograph 31 VHC 9.2 at T31

Photograph 32 VHC 9.2 at T32

Photograph 33 VHC 9.2 at T33

Photograph 34 VHC 9.2 at T34

Photograph 35 VHC 9.1 at T35

Photograph 36 VHC 9.1 at T36

Photograph 37 VHC 9.1 at T37

Photograph 38 VHC 9.1 at T38

Photograph 39 VHC 9.1 at T39

Photograph 40 VHC 9.1 at T40

Photograph 41 VHC 9.1 at T41

Photograph 42 VHC 9.1 at T42

Photograph 43 VHC 9.1 at T43

Photograph 44 VHC 9.1 at T44

Photograph 45 VHC 9.1 at T45

Photograph 46 VHC 9.2 at T46

Photograph 47 VHC 9.2 at T47

Photograph 47 VHC 9.1 at the battery energy storage system (BESS), BESS construction facilities, BESS operations and maintenance building, BESS substation, wind farm substation, wind farm substation construction facilities and wind farm operations and maintenance building

Appendix 4 Potential bushfire intensity calculations

Potential bushfire intensity calculations

Infrastructure	VHC	Potential fuel load (t/ha)[1]	Slope (°)	Potential bushfire intensity (kW/m)	Bushfire hazard class
Turbines (T)					
T1	VHC 9.1	24.2	4	22,304	High
T2	VHC 9.1	24.2	6	25,605	High
T3	VHC 9.1	24.2	3	20,817	High
T4	VHC 9.1	24.2	6	25,605	High
T5	VHC 9.1	24.2	5	23,898	High
T6	VHC 9.2	17.2	15	24,268	High
T7	VHC 9.2	17.2	10	17,187	Medium
T8	VHC 9.2	17.2	5	12,172	Medium
T9	VHC 9.1	24.2	2	19,429	Medium
T10	VHC 9.2	17.2	12	19,731	Medium
T11	VHC 9.2	17.2	10	17,187	Medium
T12	VHC 9.1	24.2	15	47,645	Very high
T13	VHC 9.1	24.2	4	22,304	High
T14	VHC 9.2	17.2	2	9,896	Medium
T15	VHC 9.1	24.2	13	41,504	Very high
T16	VHC 10.2	18	12	21,609	High
T17	VHC 9.1	24.2	12	38,736	High
T18	VHC 9.2	17.2	12	19,731	Medium
T19	VHC 9.1	24.2	9	31,493	High
T20	VHC 9.1	24.2	5	23,898	High
T21	VHC 9.1	24.2	5	23,898	High
T22	VHC 9.1	24.2	5	23,898	High
T23	VHC 9.1	24.2	19	62,789	Very high
T24	VHC 9.1	24.2	8	29,394	High
T25	VHC 9.1	24.2	12	38,736	High
T26	VHC 9.1	24.2	8	29,394	High
T27	VHC 9.2	17.2	7	13,974	High
T28	VHC 9.2	17.2	5	12,172	Medium
T29	VHC 9.1	24.2	6	25,605	High
T30	VHC 10.2	18	12	21,609	High
T31	VHC 9.2	17.2	12	19,731	Medium
T32	VHC 9.2	17.2	8	14,972	Medium
T33	VHC 9.2	17.2	5	12,172	Medium

Potential bushfire intensity calculations

Infrastructure	VHC	Potential fuel load (t/ha)[1]	Slope (°)	Potential bushfire intensity (kW/m)	Bushfire hazard class
T34	VHC 9.2	17.2	8	14,972	Medium
T35	VHC 9.1	24.2	10	33,743	High
T36	VHC 9.1	24.2	10	33,743	High
T37	VHC 9.1	24.2	16	51,049	Very high
T38	VHC 9.1	24.2	15	47,645	Very high
T39	VHC 9.1	24.2	9	31,493	High
T40	VHC 9.1	24.2	12	38,736	High
T41	VHC 9.1	24.2	8	29,394	High
T42	VHC 9.1	24.2	5	23,898	High
T43	VHC 9.1	24.2	4	22,304	High
T44	VHC 9.1	24.2	7	27,434	High
T45	VHC 9.1	24.2	5	23,898	High
T46	VHC 9.2	17.2	8	14,972	Medium
T47	VHC 9.2	17.2	8	14,972	Medium
Battery Energy Storage System (BESS) Infrastructure					
BESS construction facilities	VHC 9.1	24.2	8	29,394	High
BESS operations and maintenance facilities	VHC 9.1	24.2	8	29,394	High
BESS	VHC 9.1	24.2	8	29,394	High
BESS substation	VHC 9.1	24.2	8	29,394	High
Wind farm infrastructure					
Wind farm substation	VHC 9.1	24.2	8	29,394	High
Wind farm substation construction facilities and operations and maintenance facilities	VHC 9.1	24.2	8	29,394	High
Permanent meteorology (**met**) mast 1 (near T1)[2]	VHC 9.1	24.2	4	22,304	High
Permanent met mast 2 (near T39)[2]	VHC 9.1	24.2	9	31,493	High
Permanent met mast 3 (near T24)[2]	VHC 9.1	24.2	8	29,394	High

Potential bushfire intensity calculations

Infrastructure	VHC	Potential fuel load (t/ha)[1]	Slope (°)	Potential bushfire intensity (kW/m)	Bushfire hazard class
Laydown area (near T16)[2]	VHC 9.1	24.2	12	38,736	High
Batching plant (near T33)[2]	VHC 9.1	24.2	5	23,898	High
Construction compound (near T40)[2]	VHC 9.1	24.2	12	38,736	High

Notes 1 Fuel load taken from *Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest 'Natural Hazards, Risk and Resilience – Bushfire'* (QFES 2019).
2 Infrastructure site not inspected – VHC is based on information in Catalyst and slope measured using the path tool in Google Earth or a slope measured in the field at nearby infrastructure.

Appendix 5 Radiant heat exposure assessment

Bushfire attack – Turbine (T)1, T2, T3, T4, T5, T9, T13, T20, T21, T22, T29, T42, T43 and T45

- Forest fire danger index - 47
- Vegetation – VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges*
- Understorey fuel load – 21 tonnes/hectare (**t/ha**)
- Total fuel load – 24.2 t/ha
- Effective slope – 6° down slope
- Site slope – 0° slope
- Flame width – 100 metres (**m**)

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of *Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest 'Natural Hazards, Risk and Resilience – Bushfire* (QFES 2019a) (**Bushfire resilient communities**).

Calculated July 19, 2023, 1:25 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	1.79 km/h
Vegetation classification	Forest	Flame length	14.55 m
Understorey fuel load	21 t/ha	Flame angle	53 °, 63 °, 71 °, 75 °, 77 ° & 82 °
Total fuel load	24.2 t/ha	Elevation of receiver	5.81 m, 6.48 m, 6.87 m, 7.02 m, 7.08 m & 7.2 m
Vegetation height	n/a	Fire intensity	22,403 kW/m
Effective slope	6 °	Transmissivity	0.872, 0.853, 0.827, 0.802, 0.788 & 0.727
Site slope	0 °	Viewfactor	0.6001, 0.4457, 0.301, 0.2048, 0.1663 & 0.0451
Flame width	100 m	Minimum distance to < 40 kW/m²	12 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	16.1 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	23.5 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	33 m
		Minimum distance to < 10 kW/m²	39.1 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – Battery energy storage system (BESS) operations and maintenance facility, BESS, BESS substation, wind farm substation and wind farm operations and maintenance facility

- Forest fire danger index - 47
- Vegetation – VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges*
- Understorey fuel load – 21 t/ha
- Total fuel load – 24.2 t/ha
- Effective slope – 8° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

Calculated July 22, 2023, 2:51 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	2.05 km/h
Vegetation classification	Forest	Flame length	16.27 m
Understorey fuel load	21 t/ha	Flame angle	53 °, 62 °, 70 °, 74 °, 76 ° & 82 °
Total fuel load	24.2 t/ha	Elevation of receiver	6.49 m, 7.18 m, 7.64 m, 7.82 m, 7.89 m & 8.050000000000001 m
Vegetation height	n/a	Fire intensity	25,719 kW/m
Effective slope	8 °	Transmissivity	0.869, 0.849, 0.822, 0.796, 0.783 & 0.723
Site slope	0 °	Viewfactor	0.6011, 0.4475, 0.3031, 0.2059, 0.1675 & 0.0454
Flame width	100 m	Minimum distance to < 40 kW/m²	13.4 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	17.9 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	25.9 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	36.1 m
		Minimum distance to < 10 kW/m²	42.5 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T19, T24, T26, T35, T36, T39, T41 and T44

- Forest fire danger index - 47
- Vegetation – VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges*
- Understorey fuel load – 21 t/ha
- Total fuel load – 24.2 t/ha
- Effective slope – 10° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

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Calculated July 19, 2023, 1:45 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	2.36 km/h
Vegetation classification	Forest	Flame length	18.25 m
Understorey fuel load	21 t/ha	Flame angle	52 °, 62 °, 69 °, 73 °, 75 ° & 81 °
Total fuel load	24.2 t/ha	Elevation of receiver	7.19 m, 8.050000000000001 m, 8.52 m, 8.720000000000001 m, 8.81 m & 9.01 m
Vegetation height	n/a	Fire intensity	29,524 kW/m
Effective slope	10 °	Transmissivity	0.866, 0.844, 0.8159999999999999, 0.79, 0.777 & 0.719
Site slope	0 °	Viewfactor	0.6063, 0.4502, 0.3048, 0.2076, 0.1686 & 0.0456
Flame width	100 m	Minimum distance to < 40 kW/m²	14.9 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	20 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	28.6 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	39.4 m
		Minimum distance to < 10 kW/m²	46.2 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T12, T15, T17, T25, T37, T38 and T40

- Forest fire danger index - 47
- Vegetation – VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges*
- Understorey fuel load – 21 t/ha
- Total fuel load – 24.2 t/ha
- Effective slope – 16° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

Calculated July 19, 2023, 1:46 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	3.57 km/h
Vegetation classification	Forest	Flame length	26.12 m
Understorey fuel load	21 t/ha	Flame angle	51 °, 59 °, 66 °, 70 °, 72 ° & 79 °
Total fuel load	24.2 t/ha	Elevation of receiver	10.15 m, 11.19 m, 11.93 m, 12.27 m, 12.42 m & 12.82 m
Vegetation height	n/a	Fire intensity	44,666 kW/m
Effective slope	16 °	Transmissivity	0.853, 0.828, 0.798, 0.772, 0.761 & 0.706
Site slope	0 °	Viewfactor	0.6137, 0.4592, 0.3121, 0.2123, 0.1723 & 0.0465
Flame width	100 m	Minimum distance to < 40 kW/m²	21.1 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	27.6 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	38.3 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	51.2 m
		Minimum distance to < 10 kW/m²	59.1 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T23

- Forest fire danger index - 47
- Vegetation – VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges*
- Understorey fuel load – 21 t/ha
- Total fuel load – 24.2 t/ha
- Effective slope – 19° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

Calculated July 19, 2023, 1:47 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	4.39 km/h
Vegetation classification	Forest	Flame length	31.46 m
Understorey fuel load	21 t/ha	Flame angle	50 °, 58 °, 64 °, 68 °, 70 ° & 78 °
Total fuel load	24.2 t/ha	Elevation of receiver	12.05 m, 13.34 m, 14.14 m, 14.58 m, 14.78 m & 15.38 m
Vegetation height	n/a	Fire intensity	54,939 kW/m
Effective slope	19 °	Transmissivity	0.846, 0.819, 0.789, 0.764, 0.753 & 0.698
Site slope	0 °	Viewfactor	0.6185, 0.4649, 0.3162, 0.2147, 0.1743 & 0.047
Flame width	100 m	Minimum distance to < 40 kW/m²	25.1 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	32.4 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	44.2 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	58.2 m
		Minimum distance to < 10 kW/m²	66.7 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T8, T14, T28 and T33

- Forest fire danger index - 47
- Vegetation – VHC 9.2 *Moist to dry eucalypt woodland on coastal lowlands and ranges*
- Understorey fuel load – 14.9 t/ha
- Total fuel load – 17.2 t/ha
- Effective slope – 5° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

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Calculated July 19, 2023, 1:48 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	1.18 km/h
Vegetation classification	Woodland	Flame length	9.77 m
Understorey fuel load	14.9 t/ha	Flame angle	53 °, 64 °, 72 °, 77 °, 79 ° & 84 °
Total fuel load	17.2 t/ha	Elevation of receiver	3.9 m, 4.39 m, 4.64 m, 4.76 m, 4.79 m & 4.86 m
Vegetation height	n/a	Fire intensity	10,544 kW/m
Effective slope	5 °	Transmissivity	0.882, 0.867, 0.846, 0.823, 0.8100000000000001 & 0.741
Site slope	0 °	Viewfactor	0.5957, 0.4392, 0.2949, 0.1987, 0.1618 & 0.0443
Flame width	100 m	Minimum distance to < 40 kW/m²	8.1 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	11 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	16.3 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	23.8 m
		Minimum distance to < 10 kW/m²	28.6 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T7, T10, T11, T18, T27, T31, T32, T34, T46 and T47

- Forest fire danger index - 47
- Vegetation – VHC 9.2 *Moist to dry eucalypt woodland on coastal lowlands and ranges*
- Understorey fuel load – 14.9 t/ha
- Total fuel load – 17.2 t/ha
- Effective slope – 12° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

Calculated July 19, 2023, 1:49 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	1.92 km/h
Vegetation classification	Woodland	Flame length	14.56 m
Understorey fuel load	14.9 t/ha	Flame angle	53 °, 63 °, 71 °, 75 °, 77 ° & 82 °
Total fuel load	17.2 t/ha	Elevation of receiver	5.81 m, 6.48 m, 6.88 m, 7.03 m, 7.09 m & 7.21 m
Vegetation height	n/a	Fire intensity	17,092 kW/m
Effective slope	12 °	Transmissivity	0.872, 0.853, 0.827, 0.802, 0.788 & 0.727
Site slope	0 °	Viewfactor	0.6007, 0.4461, 0.3013, 0.2043, 0.1665 & 0.0452
Flame width	100 m	Minimum distance to < 40 kW/m²	12 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	16.1 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	23.5 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	33.1 m
		Minimum distance to < 10 kW/m²	39.1 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T6

- Forest fire danger index - 47
- Vegetation – VHC 9.2 *Moist to dry eucalypt woodland on coastal lowlands and ranges*
- Understorey fuel load – 14.9 t/ha
- Total fuel load – 17.2 t/ha
- Effective slope – 15° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

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Calculated July 19, 2023, 1:51 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	2.36 km/h
Vegetation classification	Woodland	Flame length	17.44 m
Understorey fuel load	14.9 t/ha	Flame angle	52 °, 62 °, 70 °, 74 °, 75 ° & 82 °
Total fuel load	17.2 t/ha	Elevation of receiver	6.87 m, 7.69 m, 8.19 m, 8.380000000000001 m, 8.42 m & 8.630000000000001 m
Vegetation height	n/a	Fire intensity	21,023 kW/m
Effective slope	15 °	Transmissivity	0.867, 0.846, 0.8179999999999999, 0.792, 0.779 & 0.721
Site slope	0 °	Viewfactor	0.6037, 0.4488, 0.3042, 0.2067, 0.1682 & 0.0455
Flame width	100 m	Minimum distance to < 40 kW/m²	14.3 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	19.2 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	27.5 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	38.1 m
		Minimum distance to < 10 kW/m²	44.7 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

Bushfire attack – T16 and T30

- Forest fire danger index - 47
- Vegetation – VHC 10.2 *Spotted gum dominated woodlands*
- Understorey fuel load – 17 t/ha
- Total fuel load – 18 t/ha
- Effective slope – 12° down slope
- Site slope – 0° slope
- Flame width – 100 m

Note Inputs used for the radiant heat exposure assessment are in accordance with Section 7.3 of Bushfire resilient communities.

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Calculated July 19, 2023, 1:52 pm (MDc v.4.9)

J23050

Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	47	Rate of spread	2.19 km/h
Vegetation classification	Woodland	Flame length	16.42 m
Understorey fuel load	17 t/ha	Flame angle	53 °, 62 °, 70 °, 74 °, 76 ° & 82 °
Total fuel load	18 t/ha	Elevation of receiver	6.55 m, 7.25 m, 7.71 m, 7.89 m, 7.96 m & 8.130000000000001 m
Vegetation height	n/a	Fire intensity	20,408 kW/m
Effective slope	12 °	Transmissivity	0.868, 0.849, 0.821, 0.795, 0.782 & 0.723
Site slope	0 °	Viewfactor	0.6022, 0.4491, 0.3033, 0.2064, 0.1675 & 0.0454
Flame width	100 m	Minimum distance to < 40 kW/m²	13.5 m
Windspeed	n/a	Minimum distance to < 29 kW/m²	18 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m²	26.1 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m²	36.3 m
		Minimum distance to < 10 kW/m²	42.8 m

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

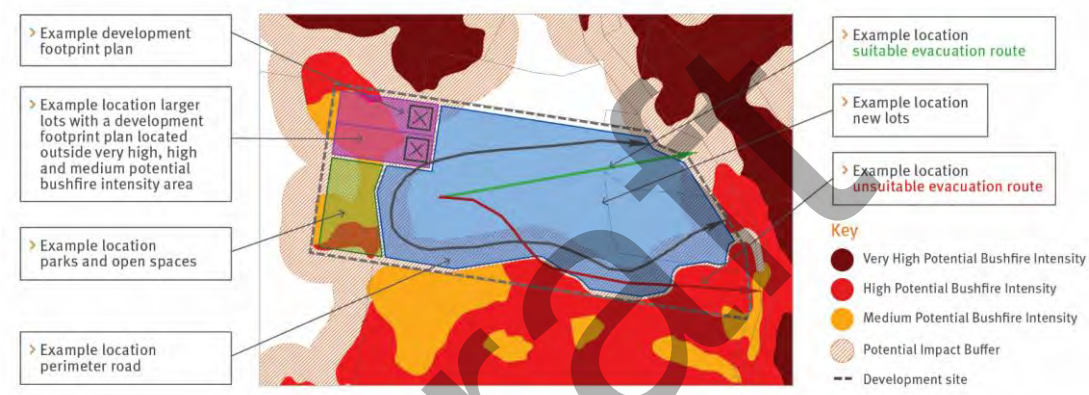
Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005

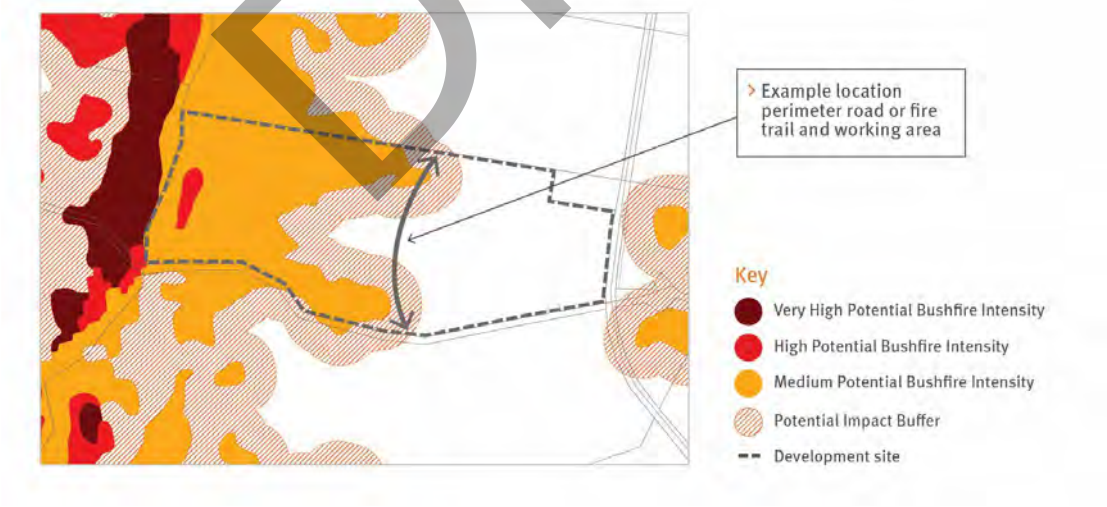
Appendix 6 State Planning Policy bushfire prone area overlay code assessment

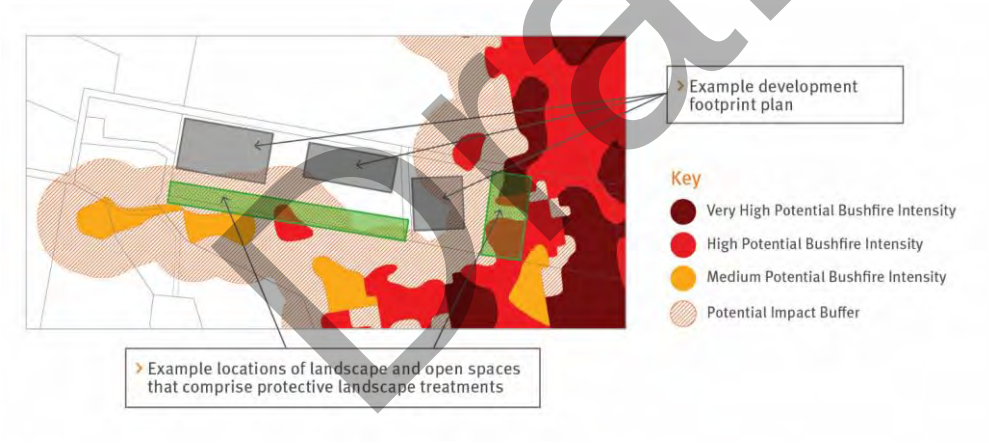
Performance outcomes	Acceptable outcomes	Compliance assessment
Section A **Reconfiguring a lot (RaL) – where creating lots of more than 2,000 square metres**		
PO1 The subdivision layout: (a) enables future buildings to be located away from slopes and land forms that expose people or property to an intolerable risk to life or property; and (b) facilitates emergency access and operational space for firefighters in a reduced fuel area between future buildings and structures and hazardous vegetation, that reduce risk to an acceptable or tolerable level. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment in accordance with the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.	**AO1.1** A development footprint plan is identified for each lot that avoids ridgelines, saddles and crests where slopes exceed 15 per cent.	**Not applicable**
	AO1.2 A development footprint plan is identified for each lot that is separated from the closest edge to the adjacent mapped medium, high or very high potential bushfire intensity area by: (a) a distance that is no closer than the distances specified in Table 5 at all development footprint plan boundaries; or (b) a distance that achieves a radiant heat flux level of 29 kW/m2 or less at all development footprint plan boundaries. Note – This separation area is often termed an asset protection zone. Note – The radiant heat flux levels can be established by undertaking a bushfire hazard assessment in accordance with the methodology in the QFES Bushfire resilient communities document.	**Not applicable**
PO2 The subdivision layout enables: (a) future buildings to be located as close as possible to property entrances to facilitate safe evacuation during a bushfire event; and (b) future site access to be located and designed to allow safe evacuation of the site by occupants and maintain access by emergency services under critical event conditions.	**AO2** A development footprint plan is identified for each lot that: (a) is located within 60 metres of the street frontage; and (b) sited to enable a route between the development footprint plan and the street frontage with a gradient that does not exceed of 12.5 per cent.	**Not applicable**
Section B		
Reconfiguring a lot (RaL) – where creating lots of 2,000 square metres or less		
PO3 The subdivision layout: (a) avoids creating lots on slopes and land forms that expose people or property to an intolerable risk to life or property; and (b) facilitates emergency access and operational space for	**AO3.1** The subdivision layout results in lots that are sited so that they are separated from the closest edge to the adjacent mapped medium, high or very high potential bushfire intensity area by: (a) a distance that is no closer than the distances specified	**Not applicable**

Performance outcomes	Acceptable outcomes	Compliance assessment
firefighters in a reduced fuel area between future buildings and structures and hazardous vegetation, that reduce risk to an acceptable or tolerable level. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment, in accordance with the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.	in Table 5 at all lot boundaries; or : (b) a distance that achieves a radiant heat flux level of 29 kW/m^2 or less: (i) at the building envelope, if identified at RaL stage; or (ii) where a building envelope is not identified, at all lot boundaries. Note – This separation area is often termed an asset protection zone. Note – The radiant heat flux levels can be established by undertaking a bushfire hazard assessment in accordance with the methodology in the QFES *Bushfire resilient communities* document. Note – For staged developments, temporary separation areas may be absorbed as part of subsequent stages. Note - Existing cleared areas external to the site may only be used in calculating necessary separation where tenure ensures that the land will remain cleared of hazardous vegetation (for example the land is a road, watercourse or highly managed park in public ownership).	
	AO3.2 The subdivision layout does not create lots that are within bushfire prone areas and on ridgelines, saddles and crests where slopes exceed 15 per cent (roads and parks may be located in these areas).	**Not applicable**
Section C		
Reconfiguring a lot (RaL) – where creating more than 20 lots		
PO4 The subdivision layout is designed to minimise the length of the development perimeter and number of lots exposed to hazardous vegetation. Note – For example, avoid finger-like subdivision patterns or substantive vegetated corridors between lots.	**AO4** No acceptable outcome is prescribed	**Not applicable**
PO5 The subdivision layout provides for adequate access and egress and safe evacuation routes, to achieve an acceptable or tolerable risk to people.	**AO5.1** The subdivision layout: (a) avoids the creation of bottle-neck points in the movement network within the development (for example, avoids	**Not applicable**

Performance outcomes	Acceptable outcomes	Compliance assessment
	hourglass patterns); and (b) ensures the road network has sufficient capacity for the evacuating population.	
	AO5.2 The subdivision layout ensures evacuation routes: (a) direct occupants away from rather than towards or through areas with a greater potential bushfire intensity; and (b) minimise the length of route through bushfire prone areas. Refer Figure 5.	**Not applicable**
 *Figure 5 – Subdivision layout and evacuation routes*		
PO6 The subdivision layout provides adequate buffers between hazardous vegetation and development. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment, in accordance with the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.	**AO6.1** The subdivision layout results in an asset protection zone being located to create a separation area from adjacent mapped medium, high or very high potential bushfire intensity areas.	**Not applicable**
	AO6.2 The asset protection zone is comprised of: (a) parks and open spaces; and/or (b) lots greater than 2000 square metres; and/or (c) public roads (termed perimeter roads). Note – Parks and open space may be located within the mapped medium, high and very high potential bushfire intensity areas to create a separation between the development and the balance of the bushfire prone area. Note – Portions of lots greater than 2000 square metres may be located within the mapped medium, high and very high potential bushfire intensity areas.	**Not applicable**

Performance outcomes	Acceptable outcomes	Compliance assessment
	Refer Figure 5.	
	AO6.3 Where the asset protection zone includes lots greater than 2000 square metres a development footprint plan is identified for each lot that is located in accordance with AO1.2.	**Not applicable**
PO7 Parks or open space provided as part of the asset protection zone do not create additional bushfire prone areas. Note –The undertaking of a bushfire hazard assessment, in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome.	**AO7** Where the asset protection zone includes parks or open spaces, they: (a) comprise only low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, cultivated gardens and nature strips; or (b) are designed to ensure a potential available fuel load is maintained at less than eight tonnes/hectare in aggregate and with a fuel structure that remains discontinuous. Note – Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short-cropped grass to a nominal height of 10 centimetres.	**Not applicable**
PO8 Perimeter roads are accessible for fire-fighting vehicles, to facilitate emergency access and operational space for fire- fighting, maintenance works and hazard reduction activities.	**AO8.1** Where the asset protection zone includes a perimeter road it: (a) has a two-lane sealed carriageway clear of hazardous vegetation; and (b) is connected to the wider public road network at both ends and at intervals of no more than 200 metres; and (c) does not include design elements that may impede access for fire-fighting and maintenance for fire- fighting purposes (for example traffic calming involving chicanes).	**Not applicable**
	AO8.2 Where the subdivision contains a reticulated water supply, the road network and fire hydrants are designed and installed in accordance with: (a) *Fire Hydrant and Vehicle Access Guidelines for residential, commercial and industrial lots*, Queensland	**Not applicable**

Performance outcomes	Acceptable outcomes	Compliance assessment
	Fire and Emergency Services, 2015, unless otherwise specified by the relevant water entity; and (b) the *Road Planning and Design Manual 2nd edition*, Department of Transport and Main Roads, 2013.	
Section D		
Reconfiguring a lot (RaL) – where creating additional lots for the purpose of residential development and a reticulated water supply is not provided.		
PO9 The subdivision layout provides for perimeter roads or fire trail and working areas that are accessible by the type of fire-fighting vehicles servicing the area, to facilitate emergency access and operational space for fire-fighting, maintenance works and hazard reduction activities.	**AO9.1** The subdivision layout includes: (a) a fire trail and working area designed and constructed in accordance with the design parameters in Table 6 that separates the residential lot or development footprint plan from adjacent mapped medium, high or very high potential bushfire intensity areas; or (b) a perimeter road designed and constructed in accordance with AO8.1. Refer Figure 6.	**Not applicable**
 *Figure 6 – Siting of fire trail and working area*		
Section E		
Material change of use		
PO10 Site layout achieve an acceptable or tolerable risk to people. Landscape or open space provided as part of the development:	**AO10.1** Site layout places the landscape and open spaces within the site between premises and adjacent mapped medium, high or very	**Complies with AO10.1** Asset protection zones (**APZs**) will be established and maintained around above ground infrastructure as

Performance outcomes	Acceptable outcomes	Compliance assessment
(a) acts as a buffer between hazardous vegetation and development; and (b) does not create additional bushfire prone areas. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment in accordance with the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.	high potential bushfire intensity areas. Refer Figure 7.	specified in Section 6.1 of the bushfire management plan (**BMP**).
	AO10.2 This landscaping and open space comprises protective landscape treatments that: (a) comprise only low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses and cultivated gardens; or (b) are designed to ensure a potential available fuel load is maintained at less than 8 tonnes/hectare in aggregate and that fuel structure remains discontinuous. Note – Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short-cropped grass to a nominal height of 10 centimetres.	**Complies with AO10.2** APZs will be cleared of vegetation and established as a gravel hardstand area or grass area. A gravel hardstand area will be maintained free of weeds and grass cover. Where establishing a gravel hardstand area is not practical, a grass area will be established and maintained free of weeds and woody regrowth and grass cover which has a height of ≤ 30 centimetres (**cm**).
 *Figure 7 – Siting of protective landscape treatments*		
PO11 The development establishes evacuation areas, to achieve an acceptable or tolerable risk to people.	**AO11** If in an isolated location, development establishes direct access to a safe assembly/evacuation area. Note – Guidance on identifying safe evacuation areas is contained in the QFES *Bushfire resilient communities* document.	**Complies with AO11** Section 6.9.9 of the BMP requires separate emergency response plans to be prepared for the construction and operations and maintenance phases of the Project. The emergency response plans must identify the location of safe assembly/evacuation areas and the access routes to these areas. Section 6.9.9 of the BMP provides guidance for the construction contractor and operations and maintenance contractor to identify safe assembly and evacuation areas. It states that they must have a gravel

Performance outcomes	Acceptable outcomes	Compliance assessment
		surface or consist of low cut grass, ie grass slashed to a nominal height ≤ 30 cm, and must not be located in areas identified as medium, high and very high potential bushfire intensity in Figures 2.1-2.3 of the BMP.
PO12 If on a lot of over 2,000 m^2, where involving a new premises or an existing premises with an increase in development footprint, development: (a) locates occupied areas as close as possible to property entrances to facilitate safe evacuation during a bushfire event; and (b) ensures vehicular access is located and designed to allow safe evacuation of the site by occupants and maintain access by emergency services under critical event conditions	**AO12** No acceptable outcome is prescribed.	**Complies with PO12** Specifications for the minimum standard of vehicle access tracks within the Project area are provided in Section 6.5 of the BMP and are based on the design specifications for category 1 fire-fighter vehicles by the New South Wales Rural Fire Service (NSW RFS 2016).
PO13 Development is located within a reticulated water supply area or includes a dedicated static water supply that is available solely for fire-fighting purposes and can be accessed by fire-fighting vehicles. Note – Swimming pools, farm ponds and dams are not considered reliable sources of static water supply in Queensland due to regular drought events. Note for Local Government – Information on how to provide an appropriate static water supply, may form a condition of a development approval. For further information on preferred solutions refer to the QFES *Bushfire resilient communities* document.	**AO13** No acceptable outcome is prescribed	**Complies with PO13** Upon commencement of the construction phase, fire-fighter water storage tanks will be installed at the Battery Energy Storage System (**BESS**) or wind farm construction facilities and the construction compound. They will remain in place during both the construction and operations and maintenance phases of the Project. Design specifications for the fire-fighter water storage tanks are based on guidance in *Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest 'Natural Hazards, Risk and Resilience - Bushfire'* (QFES 2019) (**Bushfire resilient communities**) and are provided in Section 6.6 of the BMP.
PO14 Vulnerable uses listed in Table 7 are not established or intensified within a bushfire prone area unless: (a) there is an overriding need in the public interest for the new or expanded service the development provides; and (b) there are no other suitable alternative locations within the required catchment; and (c) site planning can appropriately mitigate the	**AO14.1** No acceptable outcome is prescribed.	**Not applicable**

Performance outcomes	Acceptable outcomes	Compliance assessment
risk (for example, siting ovals for an educational establishment between the hazardous vegetation and structures. Note – The preparation of a bushfire management plan in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome		
PO15 Community infrastructure providing essential services listed in Table 7 are not established within a bushfire prone area unless: (a) there is an overriding need in the public interest for the new or expanded service the development provides (for example, there are no other suitable alternative locations that can deliver the required level of service or meet emergency service response times during and immediately after a bushfire event); and (b) the infrastructure can function effectively duringand immediately after a bushfire event. Note – The preparation of a bushfire management plan in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome.	**AO15** No acceptable outcome is prescribed.	**Complies with PO15** The BESS and the BESS and wind farm substations could be regarded as community infrastructure providing essential services. In accordance with guidance in Section 9.4 of Bushfire resilient communities, electrical infrastructure at the BESS and the BESS and wind farm substations will have an APZ which is designed to achieve a radiant heat flux level ≤ 10 kilowatts/square metre (**kW/m²**) at the electrical infrastructure.
PO16 Development avoids or mitigates the risks to public safety and the environment from the manufacture or storage of materials listed in Table 7 that are hazardous in the context of bushfire to an acceptable or tolerable level. Note – The preparation of a bushfire management plan in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this acceptable outcome. Editor's note – In addition to the requirements of this code the *Work Health and Safety Act 2011* and associated Regulation and Guidelines, the *Environmental Protection Act 1994* and the relevant building assessment provisions under the *Building Act 1975* contain requirements for the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous	**AO16** No acceptable outcome is prescribed.	**Complies with PO16** Storage or handling of hazardous chemicals during the construction and operations and maintenance phases of the Project will not occur in vegetated areas and will be in accordance with *Managing risks of hazardous chemicals in the workplace – Code of Practice* (SWA 2023), applicable safety data sheets, and otherwise in accordance with Queensland *Work Health and Safety Act 2011* and its regulations.

Performance outcomes	Acceptable outcomes	Compliance assessment
chemicals, available at: www.business.qld.gov.au/running-business/protecting-business/risk-management/hazardous-chemicals/storing-transporting.		
Section F		
Where involving an asset protection zone		
PO17 Asset protection zones are designed and managed to ensure they do not increase the potential for bushfire hazard. Note – The preparation of a landscape management plan undertaken in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome.	**AO17.1** Landscaping treatments within any asset protection zone comprise only low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks. Note – Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short-cropped grass to a nominal height of 10 centimetres. OR	**Complies with AO17.1** APZs will be cleared of vegetation and established as a gravel hardstand area or grass area. A gravel hardstand area will be maintained free of weeds and grass cover. Where establishing a gravel hardstand area is not practical, a grass area will be established and maintained free of weeds and woody regrowth and with grass cover which has a height of ≤ 30 centimetres.
	AO17.2 Landscaping management within any asset protection zone maintains a: (a) potential available fuel load which is less than eight tonnes/hectare in aggregate; and (b) fuel structure which is discontinuous. Note – The preparation of a landscape management plan undertaken in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this acceptable outcome.	**Complies with AO17.2** See response to AO17.1.
Section G		
Where planning provisions or conditions of approval require revegetation or rehabilitation		
PO18 Revegetation or rehabilitation areas are designed and managed to ensure they do not result in an unacceptable level of risk or an increase in bushfire intensity level. Note – The undertaking of a bushfire hazard assessment in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome.	**AO18.1** Required revegetation or rehabilitation: (a) is located outside of any asset protection zone; or (b) maintains a potential available fuel load which is less than eight tonnes/hectare in aggregate and fuel structure which is discontinuous. Note – The preparation of a landscape management plan undertaken in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with acceptable outcome	**Not applicable** The Project does not involve revegetation or rehabilitation.

Performance outcomes	Acceptable outcomes	Compliance assessment
	(b).	
	AO18.2 Revegetation or rehabilitation of areas located within mapped medium, high or very high potential bushfire intensity areas, revegetate and rehabilitate in a manner that maintains or reduces the existing fuel load. OR Revegetation or rehabilitation of areas located within the mapped potential impact buffer area, revegetate and rehabilitate in a manner that maintains or reduces the existing fuel load. Note – The preparation of a vegetation management plan undertaken in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this acceptable outcome.	**Not applicable** The Project does not involve revegetation or rehabilitation.

Table 6 – Fire trail and working area design parameters

Parameter	Provisions
Width	Contains a width of at least 20 metres including: 1. A trafficable area (cleared and formed); a. with a minimum width of 4 metres than can accommodate a rural firefighting vehicle b. with no less than 4.8 metres vertical clearance from canopy vegetation c. with no adjacent inhibiting embankments or retaining walls 2. A working area each side of the trafficable area: a. with a minimum width of 3 metres each side b. cleared of all flammable vegetation greater than 10 centimetres in height 3. The balance (i.e. 10 metre width) managed vegetation area: a. sited to separate the trafficable area from adjacent mapped medium, high or very high potential bushfire intensity areas managed vegetation b. comprising managed vegetation clear of major surface hazards.
Access	Access is granted in favour of the local government and Queensland Fire and Emergency Services Note – this access is commonly granted in the form of a easement that is to be maintained by the grantor.
Egress	Contains trafficable vehicle routes in to low hazard areas, every 200 metres

Table 7 – Vulnerable uses, community infrastructure for essential services and materials that are hazardous in the context of bushfire hazard

Group	Uses
Vulnerable uses	*childcare centre, community care centre, detention facility, educational establishment, hospital, nature-based tourism, relocatable home park, rooming accommodation, residential care facility, resort complex, retirement facility, tourist park*
Community infrastructure for essential services	*educational establishment, emergency services, hospital*
Hazardous materials in the context of bushfire hazard	Hazardous chemicals that are present at the levels or in the quantities that would constitute the use being a hazardous chemical facility Hazardous materials that are present in the quantities in the Work Health and Safety Regulation, schedule 15

Attachment 7

Code Compliance Responses

6.2 RURAL ZONE CODE

6.2.1 Rural zone code

6.2.1.1 Application

This code applies to assessing development in the Rural zone.

When using this code, reference should be made to Part 5.

6.2.1.2 Context and setting

This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Rural zone code.

Hinchinbrook Shire is a very fertile alluvial plain that along with reliable rainfall provides the fertility for the region's farming. In addition to sugar and grazing, there is potential for a range of alternative crops, tropical agriculture and boutique rural industries. The Herbert River Valley is a local strength and rural uses are the priority in rural areas. Agricultural land in the Shire is primarily classified as Class A suitable for broadacre farming and horticulture. Agricultural diversification and value adding are supported as range of quality local produce will contribute to a prosperous community. There are also opportunities for rural and agricultural tourism and edu-tourism that supports rural uses and capitalises on the high quality rural amenity, access to waterways, boat ramps and natural attractions. The location of sensitive land uses such as houses and accommodation should be carefully considered to ensure that rural uses are the priority and the future use of rural land including ancillary yards, stables, holding facilities and repair and service of machinery are not unreasonably hampered. Rural lots, for houses that are not associated with a farming activity are not supported as they have the potential to compromise rural uses and also result in people and property being isolated during floods and other natural disasters, however it is recognised that there are locations where boutique farming lots could occur on land that is already fragmented by roads and that is of a size and shape that is difficult for mechanical harvesting and still large enough for alternative crops or horticulture.

6.2.1.3 Purpose

1) The purpose of the Rural zone is to—
    a. provide for rural uses and activities; and
    b. provide for other uses and activities that are compatible with:
        i. existing and future rural uses and activities; and
        ii. the character and environmental features of the zone; and

c. maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.

2) The purpose of the zone will be achieved through the following overall outcomes—
   a. The productive capacity of rural land is protected for rural uses and associated value adding industries.
   b. Development provides for the protection of agricultural land classification (refer to OM-06 – Agricultural land overlay) Class A and Class B land for sustainable agricultural use.
   c. Development minimises conflicts with existing and future rural uses and activities on the surrounding land.
   d. Tourist accommodation and other non-rural uses may be established where they support rural enterprise or nature based or rural tourism.
   e. Rural service industries and activities, including rural workers' accommodation, occur in designated villages.
   f. Development results in people and property being located in accessible areas for emergency management and service provision.
   g. Houses for rural living are located near a rural settlement or rural village and lot fragmentation is avoided.
   h. Development maintains the rural and landscape character, scale and amenity of the zone.
   i. Development is reflective of, and responsive to, the environmental constraints of the land including those shown on the overlay maps.
   j. Development including intensive animal husbandry, intensive horticulture and extractive industry are located, designed and constructed to avoid or effectively mitigate adverse impacts on sensitive land uses.
   k. Development occurs on appropriately maintained transport routes.
   l. In the Solar energy development precinct, the land is protected for solar renewable energy development and supporting infrastructure.

6.2.1.4 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 6.2.1.4a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
General		
PO1 The height of buildings and structures is: (a) in keeping with the amenity of adjoining premises; and	**AO1** Buildings and structures are a maximum of 8.5m and 2 storeys in height.	**Complies PO1.** The proposed development involves construction of a Battery Storage Facility (referred to as MFEP BESS) on land located at Ewan Road, Mount Fox.

(b) complimentary to the character of the area; and (c) sufficient to achieve resilience to flood and storm tide hazard.		It is noted that some components (more specifically, the overhead transmission line and some lighting poles) of the proposed MFEP BESS are likely to exceed 8.5m and 2 storeys. The proposed overhead transmission line is required to be constructed in accordance with the applicable standards and is therefore likely to involve an overall height of approximately 25m. Notwithstanding this, the proposed development is considered to be in keeping with the amenity of adjoining premises, to the west, which currently comprise of major electricity infrastructure, such as the Ross to Chalumbin / Ross to Cairns Transmission Line, as well as Powerlink's new switching station, Guybal Munjan which is located on Lot 591 on SP302249, but not yet constructed. Both developments will comprise of similar built infrastructure provisions. Additionally, it is noted that the primary rural (pastoral and cattle grazing) land use will continue into the future. Proposed development is not likely to impact on existing rural land uses and furthermore is considered to value add, given that the two different land uses can continue to be carried out in the same location, with no significant impacts to either operations. It is for this reason that proposed development is considered to be complimentary to the character of the area.

		Additionally, it is noted that the proposed MFEP BESS has been appropriately located, to ensure that critical infrastructure is not impacted by flood events. The area in which the proposed MFEP BESS is to be constructed involves relatively flat land and is appropriately setback from nearby mapped watercourses. The proposed subject site is located away from the coast line and is therefore not likely to be impacted by storm tide hazards.
PO2 Dwellings are located in accessible areas for effective emergency management and service provision.	**PO2** Dwellings are located on lots with access from roads identified on **OM-10.0 – OM-10.1 – Transport network overlay**.	**Not applicable.** The proposed development does not involve construction of a Dwelling House.
PO3 Buildings and structures are set back to: (a) maintain the rural character of the area; and (b) achieve appropriate separation from rural activities occurring on adjoining premises; and (c) achieve separation from neighbouring buildings and from road frontages.	**AO3.1** Buildings and structures are setback a minimum of: (a) 10m from any property boundary, except for Roadside stalls; and (b) 25m from cane rail infrastructure; and (c) Roadside stalls are: (i) not located within the road reserve; and (ii) setback a minimum of 10m from side boundaries.	**Complies with PO3.** The MFEP BESS comprises of several components – of which are suitably setback from property boundaries. Setback distances have been detailed below for Council's further consideration: - The minimum setback distance of the proposed MFEP BESS Substation, Operations and Management Building/s, and Battery Mega Packs, from the nearest property boundary is approx. 320m. All other boundary setbacks are greater than 400m. - The minimum setback distance of the proposed MFEP BESS Temporary Laydown

		Area, from the nearest property boundary is approx. 270m. Additionally, it is noted that a transmission line will be constructed and forms part of the proposed MFEP BESS. The transmission line is proposed to extend out from (south-west of) the MFEP BESS Substation, and will bisect the existing shared property boundary between Lot 591 on SP302249 and Lot 592 on SP302249. In considering this, it is submitted to Council that the proposed transmission line will be constructed by Powerlink. Powerlink will be responsible for formalising a services easement over the transmission line which will support/enable ongoing access for maintenance purposes. In considering this, it is submitted to Council that although the minimum setback provisions cannot be achieved due to the requirement for the transmission line to be connected into the adjacent electricity infrastructure and/or switching station, the proposed development achieves appropriate separation from rural activities currently occurring on neighbouring properties. More specifically, it is noted that the proposed transmission line, forming part of the MFEP BESS, will be setback approximately 500m from the nearest/adjacent rural property, being Lot 3198 on PH2177.
	AO3.2	**Not applicable.**

	Residential dwellings and other sensitive receptors achieve a minimum separation distance from adjoining rural zoned land of: (a) 1,000m; or (b) 50m: (i) with a minimum planted width of 10m of a variety of tree and shrub species of differing growth habits, at spacings of 4m –5m; and (ii) include species with long, thin and rough foliage; and (iii) have species that has foliage from the base to the crown; and **(iv)** include species which are fast growing and hardy and have a minimum mature tree height 15m.	The proposed development does not involve construction of a Dwelling House and/or other sensitive receptors.
PO4 Home based business: (a) a small-scale activity sympathetic to and compatible with the rural character of the locality; and (b) subordinate to the primary use of the dwelling as a permanent residence; and (c) maintains the rural appearance of the dwelling and street; and (d) maintains the low traffic flows in the rural street; and	**AO4.1** Activities on the premises do not involve: (a) the display of goods; or (b) hiring out of any item; or (c) repairing, servicing, cleaning or loading of motor vehicles.	**Not applicable.** The proposed development does not involve a Home Based Business. Additionally, it is noted that the proposed development will not involve the display and/or hiring out of goods/items.
	AO4.2 The total area used for the home-based business is less than 30% of the GFA of the dwelling or outbuildings.	**Not applicable.** The proposed development does not involve a Home Based Business.

(e) signage is small and unobtrusive.	**AO4.3** The home-based business is conducted by a resident or residents of the premises and a maximum of one non-resident employee.	**Not applicable.** The proposed development does not involve a Home Based Business.
	AO4.4 Unless for a residential use (such as a bed and breakfast), the home-based business: (a) is conducted between the hours of 8:00am to 7:00pm Monday to Saturday; (b) is not conducted on Sundays or on public holidays.	**Not applicable.** The proposed development does not involve a Home Based Business.
	AO4.5 One sign may be provided for the home-based business where: (a) it is located on the premises; and has a maximum face area of 1m	**Not applicable.** The proposed development does not involve a Home Based Business.
	AO4.6 The home-based business does not attract more than two clients at any one time.	**Not applicable.** The proposed development does not involve a Home Based Business.
Tourist accommodation uses		

PO5 Guest accommodation maintains the appearance of a dwelling house.	**AO5.1** Accommodation (including bed and breakfasts) is within the primary dwelling house; and: (a) the visual appearance is not altered to accommodate the use; and (b) the accommodation is constructed and designed using the same materials and elements as the existing primary dwelling house on the site.	**Not applicable.** The proposed development does not involve Tourist Accommodation Uses.
	AO5.2 Accommodation must be located within the main dwelling and may not be detached.	**Not applicable.** The proposed development does not involve Tourist Accommodation Uses.
	AO5.3 One sign may be provided for the home-based business where: (a) it is located on the premises; and (b) has a maximum face area of $0.75m^2$.	**Not applicable.** The proposed development does not involve Tourist Accommodation Uses.
PO6 Guest accommodation does not compromise the primary use of the premises as a residence.	**AO6.1** The primary use of the residential structure remains a dwelling house.	**Not applicable.** The proposed development does not involve Tourist Accommodation Uses.
	AO6.2	**Not applicable.** The proposed development does not involve Tourist Accommodation Uses.

	At least one bedroom within the dwelling is excluded from short-stay accommodation use, for the residential occupation of the owner/ operator.	
PO7 Urban areas maintained as the primary location for residential and accommodation uses.	**AO7** Guests stay no longer than fourteen consecutive days.	**Not applicable.** The proposed development does not involve Tourist Accommodation Uses.
Roadside stall		
PO8 Roadside stalls: (a) are a small-scale rural activity; and (b) are safe; and (c) do not impact on the amenity and character of the surrounding area.	**AO8.1** The Roadside stall: (a) is for the sale of primary produce grown on the same farm or on rural properties in the immediate locality; and (b) operates within daylight hours only; and (c) has no more than two signs with each sign a maximum of face area of $1m^2$.	**Not applicable.** The proposed development does not involve a Roadside Stall.
	AO8.2 Buildings and structures comprising the roadside stall: (a) have a maximum of 20m2 gross floor area; and (b) are constructed of lightweight materials and are temporary in nature unless the roadside stall forms part of an existing farm building; and (c) are a maximum of 5m in height.	**Not applicable.** The proposed development does not involve a Roadside Stall.

	AO8.3 Parking is designed and located to: (a) be on the site and not in the road reserve; and (b) allow vehicles to enter and exit the site in a forward gear.	**Not applicable.** The proposed development does not involve a Roadside Stall.
Solar energy development		
PO9 The nature and scale of the solar energy development project is appropriately communicated to the Council and community.	**AO9.1** Prior to construction commencing, written confirmation is provided to Council identifying: (a) the site layout; (b) construction timing; (c) work force accommodation strategy; and (d) energy supply agreements with relevant electricity network providers.	**Not applicable.** The proposed development does not involve a Solar Energy Development.
	AO9.2 A sign is erected on all road frontages that (a) details the project; and (b) provides contact details for community members to seek further information	**Not applicable.** The proposed development does not involve a Solar Energy Development.
PO10	**AO10.1**	**Not applicable.**

The use is appropriately scaled and sited.	The total use area of the facility does not exceed 100ha.	The proposed development does not involve a Solar Energy Development.
	AO10.2 The development provides an access strip, of a minimum of 10m, along each boundary	**Not applicable.** The proposed development does not involve a Solar Energy Development.

Part A – For accepted development and assessable development.

Table 6.2.1.4b – Assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Development Generally		
PO11 Development is consistent with the purpose and overall outcomes sought for the code.	No acceptable outcome provided.	**Complies with PO11.** Development proposed is consistent with the purpose of the zone and is not likely to adversely impact on existing and/or future rural land uses and activities. In considering this, it is submitted to Council that development proposed: - Will not detract from, nor result in any impacts on the existing rural land uses (pastoral and/or cattle grazing activities) currently being undertaken within the defined project site. - Will be constructed within a small portion of the broader defined project site. The area required for the MFEP BESS (infrastructure only) involves approximately 6.069 Hectares (not including land required to establish access and/or the transmission line). The total area of land required

		to establish the northern access in expected to be approximately 5 Hectares. - Is compatible with and has been appropriately designed to respond to/protect existing natural and environmental features. Extensive environmental assessments were undertaken to inform the location, layout and design of the proposed MFEP BESS. In summary, the current proposed BESS alignment will involve the clearing of Category B, remnant vegetation and the clearing of 'Of Concern' vegetation as described under the *Vegetation Management Act 1999*. Whilst acceptable outcomes have been identified for some areas of clearing (namely the clearing of non-remnant category R vegetation), other areas of vegetation will not fall under the acceptable outcomes listed in State Code 16 and thus environmental offset will be required for this vegetation clearing. Notwithstanding this, the impacts likely to result from the necessary vegetation clearing were considered as part of an application for a relevant purpose determination, pursuant to Section 22A of the *Vegetation Management Act 1999.* The application sought approval for all proposed clearing extents associated with the proposed Mount Fox Energy Park Project. Relevant Purpose determination was issued on 04 February 2021 (Attachment 2 – MFEP BESS Relevant Purpose Determination).

		- Will be suitably fenced to ensure further protection from/separation of existing rural land uses, in order to minimise conflict. - Maintain the capacity of land for rural uses and activities through implementing operational procedures that reduce/mitigate the potential for impacts on the environment (i.e. introduction of pest species). - Is to be constructed in an area that is easily accessible (utilising appropriately maintained transport routes), to ensure the safety of people and property during natural disaster events. - Does not involve solar renewable energy, although it located within a portion of the defined 'solar energy development precinct'. Notwithstanding this, the MFEP BESS and any future associated infrastructure to be constructed as part of the broader Mount Fox Energy Park project, may likely provide greater opportunities for solar energy projects throughout the area, through the possible provision of supporting infrastructure and/or the driver for enhancements/upgrades to existing major electricity networks.
PO12 The site coverage of buildings, structures and associated services does not have an intrusive effect on the rural or scenic values of the site.	No acceptable outcome provided.	**Complies with PO12.** The project site incorporates four (4) separate allotments – with a combined total area of approximately 2,794.93 Hectares.

		The MFEP BESS proposes a total site coverage of approximately 6.069 Hectares, within which the proposed lease area is to be established (not including land required to established access and/or the transmission line). The total area of land required to establish the northern access in expected to be approximately 5 Hectares. In considering this, it is submitted to Council that the proposed MFEP BESS is not likely to have an intrusive effect the rural and/or scenic values of the site. The MFEP BESS will be considerably setback from all property boundaries.
PO13 Non-rural uses: (a) are compatible with agriculture, the environmental features, and landscape character of the area; and (b) do not compromise the long-term use of the land for rural purposes; and (c) value add to rural activities or support nature based rural tourism; and (d) are of an appropriate size and scale for the use and locality; and (e) include appropriate separation distances or buffers from rural uses.	No acceptable outcome provided.	**Complies with PO13.** The proposed development involves a non-rural land use – that being a Battery Storage Facility – on Rural zoned land. Notwithstanding this, proposed development: - is considered to be compatible with and will not detract from, nor impact on the existing rural land uses (pastoral and/or cattle grazing activities) currently being undertaken within the defined project site. - Will be constructed within a small portion of the broader defined project site. The area required for the MFEP BESS involves approximately 6.069 Hectares (not including land required to establish access and/or the transmission line). The total area of land required to establish the

		northern access in expected to be approximately 5 Hectares. - Is compatible with and has been appropriately designed to respond to/protect existing natural and environmental features. Extensive environmental assessments were undertaken to inform the location, layout and design of the proposed MFEP BESS. In summary, the current proposed BESS alignment will involve the clearing of Category B, remnant vegetation and the clearing of 'Of Concern' vegetation as described under the *Vegetation Management Act 1999*. Whilst acceptable outcomes have been identified for some areas of clearing (namely the clearing of non-remnant category R vegetation), other areas of vegetation will not fall under the acceptable outcomes listed in State Code 16 and thus environmental offset will be required for this vegetation clearing. Notwithstanding this, the impacts likely to result from the necessary vegetation clearing were considered as part of an application for a relevant purpose determination, pursuant to Section 22A of the *Vegetation Management Act 1999.* The application sought approval for all proposed clearing extents associated with the proposed Mount Fox Energy Park Project. Relevant Purpose determination was issued on 04 February 2021 (Attachment 2 – MFEP BESS Relevant Purpose Determination).

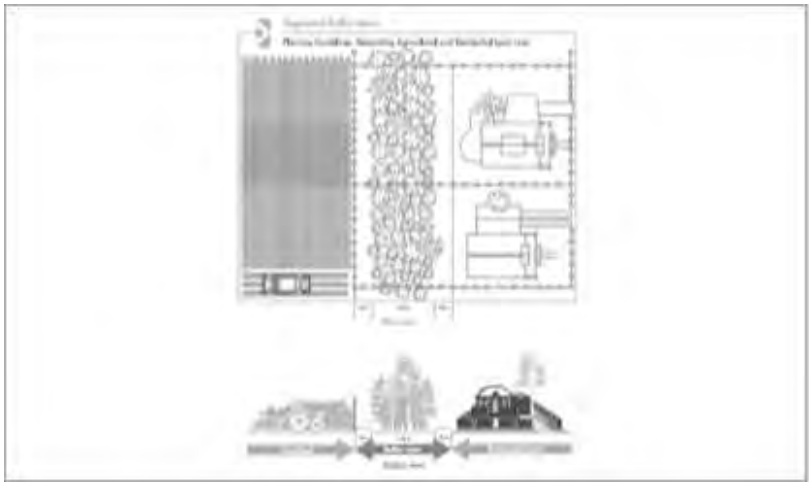
		- Maintain the capacity of land for rural uses and activities through implementing operational procedures that reduce/mitigate the potential for impacts on the environment and/or the rural capacity of the land (i.e. introduction of pest species). - Is of an appropriate size and scale for the use and locality. The MFEP BESS is in a remote location, away from existing major urban areas/communities. - Is considered to value add to the existing rural activities. Pastoral and grazing activities can be known to significantly degrade the environment and therefore, it can be assumed that given the project site has been subject to a long history of cattle grazing, any alternative rural land use may not be achievable and/or viable in this instance. In considering this, the proposed Mount Fox Energy Park is considered to be a good alternative to using the subject land in conjunction with existing rural land uses. - Will be suitably fenced to ensure further protection from/separation of existing rural land uses, in order to minimise conflict.
Extractive Industries		

PO14 Extractive industry operations are adequately separated from sensitive land uses to minimise nuisance.	**AO14** Extraction, processing and separation activities are separated from existing Noise sensitive land uses by: (a) 150m from the boundaries of the premises; and (b) 200m where the extractive resource does not involve blasting or crushing; and (c) 1000m where the extraction or processing of the resource involves blasting or crushing; and (d) the minimum distance shown on **OM-08– Extractive resources overlay** for a Key Resource Area.	**Not applicable.** The proposed development does not involve an Extractive Industry.
PO15 Quarry haul routes: (a) avoid residential areas; and (b) minimise the number of dwelling houses affected; and (c) follow the shortest practical route to the nearest State controlled road; and (d) are constructed to minimise dust nuisance, noise nuisance, erosion and sedimentation of water courses and maintenance costs.	No acceptable outcome provided.	**Not applicable.** The proposed development does not involve an Extractive Industry.
PO16 Extractive industry does not compromise public safety.	**AO16.1**	**Not applicable.** The proposed development does not involve an Extractive Industry.

	Safety fencing and signage is provided around extractive industry stockpiles and operation to prevent unauthorised access.	
	AO16.2 Blasting does not result in materials escaping or being ejected from the site.	**Not applicable.** The proposed development does not involve an Extractive Industry.
PO17 Extractive industry activities occur at times that will not result in disturbance at surrounding uses.	**AO17** Extractive industry operations are confined to the following periods: (a) Blasting operationsarelimitedto8:00am to 5:00pm Monday to Friday; and (b) Extraction, crushing, screening, loading, operation of plant equipment, ancillary activities and haulage are limited to 6:00am to 6:00pm Monday to Saturday; and (c) Maintenance of equipment and vehicles is carried out so as not to cause nuisance at nearby sensitive land uses; and No operations are conducted on Sundays or public holidays.	**Not applicable.** The proposed development does not involve an Extractive Industry.
PO18 Extractive industries include the staged rehabilitation of the site such that the site: (a) is safe and clear of contamination; and (b) provides an acceptable degree of visual amenity; and	No acceptable outcome provided.	**Not applicable.** The proposed development does not involve an Extractive Industry.

(c) is suitable for alternative land uses; and (d) is re-contoured and stable; and (e) is revegetated in disturbed areas.		
Protection of sugar mills		
PO19 Development does not constrain the operation of the Victoria Sugar Mill, the Macknade Sugar Mill, or any future sugar mills within the Shire.	No acceptable outcome provided.	**Complies with PO19.** The proposed development is located within proximity to any existing sugar mill and will not impact on ongoing mill operations.

Figure 6.2.1.4a – Vegetated buffer element



8.2.2 Bushfire hazard overlay code

8.2.2.1 Application

This code applies to assessable development—

(1) subject to bushfire hazard areas identified as medium or high bushfire hazard on the overlay maps contained within Schedule 2 (Mapping); and
(2) identified as requiring assessment against the Bushfire hazard overlay code by the Tables of assessment in Part 5 (Tables of assessment).

8.2.2.2 Purpose

(1) The purpose of the Bushfire hazard overlay is to ensure that development avoids or mitigates the potential adverse impacts of bushfire on people, property, economic activity and the environment.
(2) The purpose of the overlay will be achieved through the following overall outcomes—
  (a) Development in areas at risk from bushfire hazard is compatible with the nature of the hazard.
  (b) The risk to people, property and the natural environment from bushfire hazard is minimised.
  (c) Development is sited and designed to assist emergency services in responding to any bushfire threat.

8.2.2.3 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 8.2.2.3a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Water supply for fire fighting purposes		
PO1	**AO1.1** Development is connected to a reticulated water supply where within a water supply area.	**Complies with AO1.2.** Development proposed will be provided with an adequate water supply for firefighting purposes.

Development provides an adequate water supply for fire fighting purposes that is reliable, safely located and accessible.	OR **AO1.2** Where outside a water supply area, a storage of at least 10,000L is provided.	Compliance with the requirements of AO1.2 can be ensured through the imposition of appropriate condition(s) on the Development Permit.
General		
PO2 Development including lot boundaries, use areas or building envelopes (including existing or potential future buildings or structures) are appropriately separated from hazardous vegetation.	**AO2** Development is provided with a setback that is 1.5 times the mature height of the predominant nearby vegetation.	**Complies with PO2.** Adequate setbacks/buffers around proposed permanent BESS infrastructure are proposed to ensure/facilitate the provision of suitable separation from hazardous vegetation. It is noted that a draft bushfire management plan (BMP) has been prepared for the proposed MFEP BESS. Asset protection zones, applicable to the BESS infrastructure, have been determined and are detailed in the draft BMP. Detailed engineering is expected to further inform the implementation of appropriate bushfire buffers/separation distances. Notwithstanding this, the proposed clearing footprint included, is considered to be adequate in facilitating provision of buffers anticipated likely to be required. In considering this, it is noted that the following setback distances/buffers apply: - Approximately 68m of cleared area to the north of the proposed BESS Infrastructure; - Approximately 45m of cleared area to the east of the proposed BESS Infrastructure; - Approximately 45m of cleared area to the south of the proposed BESS Infrastructure;

		- Additionally, it is noted that there is a proposed lay down area, located adjacent to and west of the BESS Access track. Proposed buffers/setbacks have been reduced (approx. 7m) around the perimeter of the lay down area, given that this area will only be used temporarily to facilitate construction of the BESS and associated infrastructure, to the east. - The clearing corridor required to facilitate the construction and/or operation of the transmission line is approximately 75m. - For the most part the proposed access aligns with previously existing access tracks and/or fence lines within the property. Several of these access tracks are cleared to widths of approx. 20m.

Part B – For assessable development.

Table 8.2.2.3b – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Development generally		
PO3 Development is consistent with the purpose and overall outcomes sought for the code.	No acceptable outcome provided.	**Complies with PO3.** Development proposed is considered to be consistent with the purpose and overall outcomes of the Bushfire

		Hazard Code. More specifically, it is submitted to Council that proposed development: - Is considered to be compatible with the nature of the hazard. Majority of the project site is mapped as being either High Risk and/or Medium Risk. Development proposed will incorporate/implement additional design measures to ensure that the risk of bushfire impacts are minimised/mitigated. - The subject site is subject to rural land use activities that may be considered to contribute to the reduction of fuel loads, and therefore reducing bushfire risks. - Reduces the potential risk to people and/or property by: ▪ Ensuring people can easily and safely evacuate the site during bushfire events (where appropriate). Access to and from the subject site is to be via a suitably maintained access track that provides connection to Knuckledown Road, being an existing constructed/gazetted road. ▪ Applying and maintaining suitable buffers for all buildings and/or structures; ▪ Providing access to previously inaccessible areas within the project site, to increase/enhance onsite bushfire management.

		- The proposed MFEP BESS is located in a section of the subject site that can be easily accessed using the existing local road network. Additionally, it is noted that the proposed MFEP BESS will provide additional access into areas of the project site that may not have been previously accessible, therefore providing alternative/additional options for emergency services to use when responding to any bushfire threat.
Safety of people and property		
PO4 Development maintains the safety of people and property from the adverse impacts of bushfire by avoiding people living or congregating in bushfire hazard areas.	**AO4** Development is not located in, and does not result in new lots within Medium or High bushfire hazard area.	**Complies with PO4.** The proposed development involves the reconfiguration of a lot (for the purpose of creating a lease in excess of 10 years and/or access easement/s). The proposed lease boundary incorporates the MFEP BESS and associated infrastructure (including access roads). Appropriate buffers have been incorporated into the subdivision design/layout and ensure suitable separation distances from hazardous vegetation. The proposed development does not provide opportunities for people to live on-site. Notwithstanding this, it is intended that several employees will, from time to time, work on site in the offices proposed to be constructed as part of the operations and maintenance area. Suitable evacuation plans will be implemented to ensure the ongoing safety of life and property.

Community Infrastructure		
PO5 Facilities with a role in emergency management and vulnerable community services are able to function effectively during and immediately after bushfire events.	**AO5.1** Community infrastructure is not located within a confirmed Medium or High bushfire hazard area.	**Not applicable.** Development proposed does not involve community infrastructure.
	AO5.2 Where located in a confirmed medium or High bushfire hazard area, development involving community infrastructure is designed to function effectively during and immediately after bushfire events.	**Not applicable.** Development proposed does not involve community infrastructure.
Access and evacuation		
PO6 Development: (a) allows easy and safe movement away from any encroaching fire; (b) allows easy and safe access for fire fighting and other emergency vehicles; and (c) provides for alternative safe access and evacuation routes should access in one direction be blocked in the event of a fire; and (d) allow for efficient emergency access to buildings for fire fighting.	**AO6.1** Lots are designed so that their size and shape allow for efficient emergency access to buildings for fire fighting (e.g. by avoiding long narrow lots).	**Complies with AO6.1.** The proposed development involves the reconfiguration of a lot (for the purpose of creating a lease in excess of 10 years and/or access easement/s). In considering this, it is submitted to Council that the proposal does not involve the creation of a new conventional lot. Notwithstanding this, the proposed lease boundary incorporates the MFEP BESS and associated infrastructure (including access roads). The proposed lot design/layout (lease area) incorporates the provision of internal access tracks that can be utilised for fire fighting purposes during a bushfire event. Internal access tracks will allow for the efficient access to building and/or structures. More specifically, it is noted that there is an access track provided

		around the perimeter of the proposed Battery component (MFEP BESS – Mega Packs).
	AO6.2 The road layout provides for through-roads and avoids cul-de-sacs.	**Complies with AO6.2.** No cul-de-sacs are proposed.
	AO6.3 Roads have a maximum gradient of 12.5%.	**Complies with AO6.3.** The gradient of proposed access roads will not exceed 12.5%. Compliance with the requirements of AO6.3 can be ensured through the imposition of appropriate condition(s) on the Development Permit.
Fire breaking trails		
PO7 Development provides a fire break which also facilitates adequate access for fire fighting and emergency vehicles, and safe evacuation.	**AO7.1** Lot boundaries and use areas or building envelopes (including existing or potential future buildings or structures) are separated from hazardous vegetation by a distance that is 1.5 times the mature height of the predominant nearby vegetation.	**Complies with AO7.1.** The proposed development involves the reconfiguration of a lot (for the purpose of creating a lease in excess of 10 years and/or access easement/s). The proposed lease boundary incorporates the MFEP BESS and associated infrastructure (including access roads). Appropriate buffers/separation distances from hazardous vegetation, have been incorporated into the design/layout of the proposed new lease area. For further details on the buffers proposed, please refer to the response provided in AO2 (above) and the draft bushfire management plan in Attachment 6.

	AO7.2 The separation area mentioned in AO7.1 contains a fire access trail that: (a) has a minimum cleared and formed width of 6m; (b) has vehicular access at each end; (c) provides passing bays and turning areas for fire fighting appliances; and (d) is either located on public land, or within an access easement that is granted in favour of Council and QFRS.	**Complies with PO7.** Proposed buffers will incorporate access tracks that range in widths from 5m to 6m. A 5m wide access track around the perimeter of the BESS area is proposed. Access tracks to and in between the substation and Operations and Management Buildings are also proposed. In considering this, it is submitted to Council that access track provisions are considered to be sufficient enough to accommodate vehicles used to fight and respond to bushfire events.

8.2.4 ENVIRONMENTAL SIGNIFICANCE CODE

8.2.4.1 Application

This code applies to assessing development—

1) subject to the Environmental significance overlay identified on the overlay maps contained within Schedule 2 (Mapping); and
2) identified as requiring assessment against the Environmental significance overlay code by the Tables of assessment in Part 5 (Tables of assessment).

8.2.4.2 Purpose

1) The purpose of the Environmental significance overlay is to protect the natural areas of the region through—
   (a) avoiding development within biodiversity areas, waterways and waterway corridors, wetlands and declared fish habitat areas;
   (b) minimising adverse direct and indirect impacts of development on natural areas;
   (c) minimising adverse impacts on sensitive receiving environments; and (d) encouraging expansion of habitat and ecological connectivity and restoration of terrestrial and aquatic ecosystems.
2) The purpose of the overlay will be achieved through the following overall outcomes—
   (a) Development is avoided within:
      (i) biodiversity;
      (ii) wetlands;
      (iii) waterways and waterway corridors; and
      (iv) declared fish habitat areas.
   (b) Where development cannot be avoided, development:
      (i) protects and enhances areas of environmental significance;
      (ii) provides appropriate buffers to areas of environmental significance;
      (iii) protects known populations and supporting habitat of rare and threatened flora and fauna species, as listed in relevant State and Commonwealth legislation;
      (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
      (v) does not cause adverse impacts on integrity and quality of water in upstream or downstream catchments, including declared fish habitat areas and the Great Barrier Reef World Heritage Area;
      (vi) protects and maintains ecological and hydrological functions of waterways, wetlands, waterway corridors and declared fish habitat areas;

(vii) enhances connectivity across barriers for aquatic species and habitats; (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent; and (ix) protects areas of environmental significance from weeds, pests and invasive species.

(c) Strategic rehabilitation is directed to areas on or off site where it is possible to achieve expanded habitats and increased connectivity.

8.2.4.3 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 8.2.4.3a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Waterways and waterway corridor areas		
PO1 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration.	**AO1.1** Development does not occur on the part of the lot affected by a waterway or waterbody corridor or within an area identified as Very high value vegetation.	**Complies with PO1.** Pursuant to Council's planning scheme overlay maps, there are no waterways and/or waterbody corridors mapped as being within and/or nearby the project site. Notwithstanding this, it is noted that there are several areas mapped as being 'Very High Value Vegetation' within proximity to the proposed development. Refer to Image 1 provided below. Where the proposed development bisects with areas mapped as Very High Value Vegetation, the following applies: - the proposed northern access track bisects a small section of mapped high value vegetation within Lot 18 on WU6. It is noted that there is an existing track that has informed the alignment of the proposed MFEP BESS access and will be used/formalised as part of the MFEP BESS project. Given that the access is existing, no

		new impacts to mapped vegetation are considered to be likely in this instance. - The proposed MFEP BESS transmission line will extend out (south-west) from the bulk of the BESS infrastructure, bisecting both the existing easement and shared property boundary between Lots 591 and 592 on SP302249. Efforts will be made to ensure that where the proposed transmission line bisects mapped very high value vegetation – that only the overhead powerline component of the transmission line will impact these areas. In considering this, impacts to existing vegetation within this area are only likely to be minimal and will not result in the reduction of existing environmental values, and are unlikely to result in fragmentation. In considering this, it is submitted to Council that the proposed development is appropriately setback from waterways. No impacts on waterways will result from development proposed.

		 Image 1: Environmental Significance Overlay Map – OM-07 (© Hinchinbrook Shire Council Planning Scheme 2017)

Part B – For assessable development.

Table 8.2.4.3b – Assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Biodiversity areas		
PO2 Development does not cause adverse direct or indirect impacts on biodiversity values.	**AO2.1** Development within a biodiversity area, as mapped by **OM-07 – Environmental significance overlay** is avoided;	**Complies with AO2.2.** Where development cannot avoid environmentally significant areas, appropriate measures will be adopted and implemented to reduce and/or mitigate environmental impacts.
	AO2.2	

	Where development cannot be avoided, development ensures adverse impacts on biodiversity values do not occur by: (a) designing, siting, operating and managing development to: (i) be situated within existing cleared areas, including necessary fire management infrastructure and fire breaks; (ii) ensure unrestricted fauna movement; (iii) retain and restore habitat corridors and biodiversity values; (iv) provide appropriate buffers to biodiversity areas; (v) minimise light and noise emission into biodiversity areas; (vi) manage domestic animal movements, through adequate containment. (b) protecting and maintaining the values of biodiversity areas; (c) providing for strategic rehabilitation of vegetation species and coverage, and habitat connectivity; (d) protecting undeveloped areas of biodiversity through appropriate land tenure; and rehabilitating degraded areas to improve habitat condition, function and extent.	It is noted that a Relevant Purpose Determination was approved/issued for the proposed MFEP BESS (Attachment 2 – MFEP BESS Relevant Purpose Determination). A summary of findings from the Environmental Assessment Report prepared by 4 Elements Consulting, is provided below for Council's further consideration: - Most of the regional ecosystems within the MFES BESS alignment are 'Of Concern'. - The proposed MFEP BESS does not conform to the acceptable clearing widths as stipulated in State Code 16 and therefore, the only acceptable outcome is for the implementation of suitable environmental offsets. - It is noted that the proposed MFEP BESS development footprint/lease area has been appropriately sited to ensure that vegetation clearing is minimised, in some areas. Where possible, existing access tracks and/or cleared fence lines will be used, to reduce the amount of clearing required. - Clearing across a waterway is proposed in order to connect into the existing transmission line. Since the clearing is occurring across a water course in this instance, this is considered to be an Acceptable Outcome in accordance with State Code 16, AO11.2.

Water quality and integrity		
PO3 Development does not cause adverse impacts on the quality and integrity of water in upstream or down-stream catchments, including the Great Barrier Reef Marine Park.	No acceptable outcome provided.	**Complies with PO3.** The subject site is located inland from the coastline (approximately 45km) and therefore is not likely impact on the Great Barrier Reef Marine Park. Additionally, it is noted that no down-stream and/or upstream catchments are likely to be impacted as a result of development, given that the requirement for vegetation clearing is minimal, especially within and/or near waterways. The area in which the MFEP BESS is to be constructed involves relatively flat land and therefore impacts from run-off and/or increased flooding are unlikely.
Declared fish habitat areas and fish habitat buffer areas		
PO4 Development does not cause adverse impacts on fish habitat values.	**AO4.1** Development ensures adverse impacts on fish habitat values are avoided by designing, siting, operating and managing development to: (a) contribute to the protection of fish habitat values; (b) maintain the quality and integrity of declared fish habitat areas and water entering them.	**Not applicable.** The subject site is not mapped as being impacted by a fish habitat area.
Wetlands and wetland buffer areas		
PO5 Development does not occur within a wetland.	No acceptable outcome provided.	**Not applicable.** There are no wetlands mapped within the subject site.

PO6 Development is set back from wetlands to maintain water quality, ecological and hydrological functions and values of wetlands and their receiving waters.	**AO6.1** Development is set back a minimum of 50m from wetlands.	**Not applicable.** There are no wetlands mapped within the subject site.
	AO6.2 Where an alternative buffer is proposed, the width of the alternative buffer is supported by an evaluation of the environmental values, functioning and threats to the wetland	**Not applicable.** There are no wetlands mapped within the subject site.
PO7 Wetlands and wetland buffer areas are maintained, protected and restored.	**AO7.1** Native vegetation within wetlands and wetland buffer areas is retained	**Not applicable.** There are no wetlands mapped within the subject site.
	AO7.2 Degraded sections of wetlands and wetland buffer areas are revegetated with native plants in patterns and densities which emulate the relevant regional ecosystem.	**Not applicable.** There are no wetlands mapped within the subject site.
Waterways and waterway buffer areas		
PO8	**AO8.1** Waterway corridors are provided adjacent to waterways in accordance with the requirements of **Table 8.2.4.3c**.	**Not applicable.** There are no waterways and/or waterway corridors mapped within the subject site.

Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration.	**AO8.2** Where a waterway corridor of an alternative width is proposed, the alternative width is supported by an evaluation of the waterway to ensure the protection and maintenance of: (a) water quality; (b) hydrological functions; (c) opportunities for in stream migration; (d) ecological processes; (e) riparian and instream habitat values and connectivity; and/or (f) biodiversity values.	

Table 8.2.4.3c — Setbacks and buffer areas for wetlands

Top of a defined bank of streams (gully, creek or river) that are represented on the 1:100 000 topographic map series in accordance with the stream order classification system.	Stream order 1 to 2: 5 metres; or Stream order 3 to 5: 10 metres; or Stream order 6: 20 metres.

9.4.1 Infrastructure, services and works code

9.4.1.1 Application

This code applies to development identified as requiring assessment against the Infrastructure, services and works code by the Tables of assessment in Part 5.

When using this code, reference should be made to Part 5.

9.4.1.2 Purpose

(1) The purpose of the Infrastructure, services and works code is to ensure development is provided with a level of infrastructure which maintains or enhances community health, safety and amenity, and that works occur in a manner that does not adversely impact upon character and amenity, environmental values, and flooding and drainage.

(2) The purpose of the code will be achieved through the following overall outcomes—

(a) The standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient.

(b) Risk to life and property is avoided.

(c) Flooding and drainage problems do not occur as a consequence of development.

(d) Development does not detrimentally impact upon the environment, including the quality of receiving waters.

(e) The integrity of existing infrastructure is maintained.

(f) Infrastructure is integrated and delivered in sequence in a timely and cost effective manner.

(g) The servicing of development achieves and maintains the community expectations.

(h) Whole of life cycle costs for infrastructure are minimised.

(i) New works (including renovations, new buildings and streetscaping) are sympathetic to and respectful of the local heritage and streetscape values through a combination of form, scale, bulk and materials.

9.4.1.3 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 9.4.1.3a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Water supply		
PO1 A potable water supply is provided that is adequate for the needs of the intended use.	**AO1.1** Where within an area designated for urban development, the development is connected to Council's reticulated water supply system.	**Not Applicable.** No urban development is proposed. Proposed development is located within the Rural Zone. Water tanks will be provided.
	AO1.2 Otherwise, the development is provided with an onsite water supply that is sufficient to meet the demand generated by the development.	**Complies with AO1.2.** The proposed development will feature multiple water tanks suitable for generated demand. Supply will also be sourced from on-site bores.
	AO1.3 Water supply systems and connections are designed and constructed in accordance with Council's standards.	**Complies with AO1.3.** Water tanks and pumps will be designed accordingly. Compliance in this respect may be confirmed via issuance of condition on any approval granted.
Sewer and effluent management		
PO2 Development is connected to reticulated sewer, or includes infrastructure to treat and dispose of effluent, appropriate for the level of demand, to ensure: (a) no adverse impacts on water quality; and	**AO2.1** Where within Council's sewered area, the development is connected to Council's reticulated sewerage system.	**Not Applicable.** The proposed development will provide an adequate on site effluent disposal system.
	AO2.2 Reticulated sewerage infrastructure is designed and constructed in accordance with Council's standards.	**Not Applicable.** The proposed development will provide an adequate on site effluent disposal system.

(b) no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	**AO2.3** Otherwise, the development is serviced with an effluent disposal system that is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended).	**Complies with AO2.3.** Onsite effluent disposal is proposed and will be constructed according to standards. Compliance in this regard may be confirmed via imposition of condition on any approval granted.
	AO2.4 Where for a rural use within the Rural zone, on-site effluent is appropriately managed to deal with demand generated by the use.	**Complies with AO2.4.** Onsite effluent disposal is proposed and will be constructed according to standards. Compliance in this regard may be confirmed via imposition of condition on any approval granted.
Energy supply		
PO3 The development is provided with an adequate energy supply which maintains acceptable standards of public health, safety, environmental quality and amenity.	**AO3.1** Development is serviced by: (a) an underground electricity supply approved by the relevant energy authority; (b) an overhead supply approved by the relevant energy authority where not in the residential or centres zone and (c) within an area where the existing supply is overhead.	**Complies with AO3.1.** The proposed development involves a Battery Storage Facility. Connection into the existing electricity transmission line located south-west of proposed development is proposed. Appropriate authority has been obtained, approving proposed additional connections into the existing electricity grid network. Compliance in this regard may be confirmed via imposition of condition on any approval granted.
	AO3.2 Where connection to electricity supply is not available, development is serviced by an independent energy	**Not applicable.** Connections into the existing electricity grid network are proposed.

	system with sufficient capacity to service the development (at near average energy demands associated with the use).	
Telecommunications		
PO4 The development is provided with telecommunications services that are suited to the needs of its users.	**AO4** Development is serviced with a connection to the telecommunications network.	**Complies with PO4.** Connection to telecommunication services will be provided for on site, to meet the needs of the users. Compliance in this regard may be confirmed via imposition of condition on any approval granted.
Stormwater		
PO5 Development does not adversely impact on other premises as a result of storm water drainage flows or flooding.	**AO5** Storm water drainage flows must be taken to a lawful point of discharge.	**Complies with PO5.** The project site is located within the Rural Zone. Stormwater is likely to continue to drain via existing overland flow paths. Proposed development is not considered to significantly alter existing storm water drainage flows across the site.
Location of buildings		
PO6 Buildings do not obstruct surface drainage flows or utility services and are located to provide access to for future maintenance.	**AO6** Buildings are located clear of any overland flow path.	**Complies with AO6.** The project site is located within the Rural Zone. There are several waterways existing within the project site – some of which are located within proximity to the proposed development. Notwithstanding this, proposed development is adequately setback from existing/mapped waterways (approximately 200m) and therefore is

		unlikely to impact on/significantly alter existing storm water drainage flows/overland flow paths. It is noted that the proposed transmission line, which forms part of the MFEP BESS, bisects a mapped waterway. Notwithstanding this, infrastructure will be located on either side of the mapped waterway, to reduce/mitigate impacts.
Excavation and filling		
PO7 Excavation or filling does not adversely impact on other premises as a result of storm water drainage flows or flooding.	**AO7.1** Excavation and filling: (a) do not cause the ponding of water on the premises or nearby land; (b) does not impede the flow of water in any overland flow path; and (c) does not increase velocity of overland flow on premises or adjacent premises.	**Complies with AO7.1.** No major earthworks are proposed. Where excavation and filling is proposed, works are not anticipated to result in the ponding of water on the premises, or nearby land. The project site is located within the Rural Zone and comprises of a large area which is currently heavily vegetated. Proposed development is adequately setback from existing/mapped waterways, so as to ensure that it doesn't not impede on existing overland flow paths.
	AO7.2 Excavation or filling must not result in an increase in the volume of water or concentration of water in: (a) overland flow paths of the premises and other premises; and (b) waterways.	**Complies with AO7.2.** It is not anticipated that an increase in volume or concentration of water will occur as a result of this development.
PO8	**AO8**	**Complies with AO8.**

Filling or excavation does not impact adversely on natural areas or environmental values.	Excavation or filling does not occur within 25m of a waterway.	No excavation within 25m of a waterway is proposed. Compliance in this regard may be confirmed via imposition of condition on any approval granted.
PO9 Filling or excavation does not impact adversely upon transport infrastructure.	**AO9** Excavation or filling does not occur within 25m of cane railway infrastructure or road infrastructure.	**Complies with AO9.** No excavation within 25m of cane infrastructure is proposed.
PO10 Excavation or filling does not have an adverse impact on the streetscape or amenity, safety, stability, access to or function of the site or adjoining premises.	**AO10.1** Excavation or fill is set back a minimum of 1.5m from property boundaries in accordance with **Figure 9.4.1.3a** – Filling setbacks for stormwater management.	**Complies with PO10.** Minor excavation and/or fill may be required to facilitate construction of the proposed access and is likely to occur within 1.5m of a property boundary. Notwithstanding this, excavation and/or fill will be minor in nature and will improve access to/from the proposed development, as well as the proposed new lease area. Improved access requirements will ensure a greater level of safety to people and property, as well as contributing to the ongoing function of the site. Proposed excavation and/or fill requirements are not likely to adversely impact on the existing amenity/streetscape. Where excavation and/or fill is likely to occur within 1.5m of a property boundary – this is likely to occur in an area where the subject properties boundaries are adjacent to a temporarily closed road – meaning that access to/use of this existing road is currently limited/restricted.

	AO10.2 Filling or excavation does not involve a change in level of more than 1m relative to the natural ground level at any point.	**Complies with AO10.2.** No significant change in ground level is proposed.
	AO10.3 If filling greater than 650mm in height, site specific modelling is undertaken to ensure there are no unacceptable off-site impacts.	**Complies with AO10.3.** No significant filling is proposed.
PO11 Filling or excavation does not result in any contamination of land.	**AO11** No contaminated material is: (a) used as fill; or (b) excavated or disturbed.	**Complies with AO11.** No contaminated material is known to exist on site, no disturbance or usage of such as fill is proposed.
Soil erosion and sediment control		
PO12 Works do not result in: (a) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; or (b) any associated loss of chemical, physical or biological fertility — including, but not	**AO12** Earthworks are undertaken in accordance with a soil erosion and sediment control plan which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development.	**Complies with PO12.** No significant earthworks are proposed. Earthworks required to facilitate construction of the proposed access are likely to be minor in nature given that the proposed access alignment incorporates existing gazetted road/s and/or existing informal access tracks.

limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients within or outside the lot(s) that are the subject of the application.		
Stormwater quality		
PO13 Development has adequate provision for controlling stormwater, to ensure that the environmental values of the surface and ground water resources are not diminished.	**AO13** Industrial development: (a) has physical measures for intercepting and treating surface water drainage and spilled substances prior to their release to the waterways; (b) provides bunding or areas within sites or integrated drainage systems which include waste water treatment measures, where chemicals, fuels, lubricants and other soluble pollutants are being handled on site; (c) is designed so that all liquid wastes are contained and discharged to a sewer or removed from the site for treatment and disposal to an approved facility; and (d) is designed to ensure protection of the Shire's potable water supply and aquifers.	**Not applicable.** No release of contaminated water is proposed. No industrial development is proposed.
Service, storage and refuse areas		
PO14	**AO14**	**Complies with AO14.**

Service, utility and refuse storage are unobtrusive and adverse impacts on adjoining properties are mitigated.	Service, storage and refuse storage areas: (a) are not visible from the street or public areas; and (b) are not located adjacent to residential lots; and (c) are accessible by waste collection vehicles.	Service and storage areas are to be designed accordingly. The subject lot, including all surrounding lots are located within the Rural Zone.

Part b – For assessable development.

Table 9.4.1.3B – Assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
General		
PO15 Development is consistent with the purpose and overall outcomes of the code.	No acceptable outcome provided.	**Complies with PO15.** The proposed development is consistent with the purpose and outcomes of the code as it intends to meet required standards for amenity and servicing.
Roads and movement networks		
PO16 Development is accessed from a transport network that: (a) meets the needs of its users; and (b) is consistent with the character of the area; and (c) serves a drainage function to the extent necessary; and	No acceptable outcome provided.	**Complies with PO16.** The subject site will be accessed via the existing road network. The proposed access alignment incorporates some informal access tracks, that are proposed to be formalised via ether a lease and/or access easement.

(d) is safe and efficient.		
PO17 Development does not compromise or adversely impact upon the efficiency, integrity or safety of major infrastructure.	No acceptable outcome provided.	**Complies with PO17.** It is anticipated that proposed development is considered to compliment/enhance the efficiency and integrity of the existing transmission grid/electricity network.

Table 8.2.4.3c — Setbacks and buffer areas for wetlands

Top of a defined bank of streams (gully, creek or river) that are represented on the 1:100 000 topographic map series in accordance with the stream order classification system.	Stream order 1 to 2: 5 metres; or Stream order 3 to 5: 10 metres; or Stream order 6: 20 metres.

9.4.2 LANDSCAPING CODE

9.4.2.1 Application

This code applies to development identified as requiring assessment against the Landscaping code by the Tables of assessment in Part 5.

When using this code, reference should be made to Part

5. 9.4.2.2 Purpose

(1) The purpose of the Landscaping code is to ensure development is landscaped to enhance the appearance of the development, the amenity and environmental values of the site, the streetscape and the local environs.
(2) The purpose of the code will be achieved through the following overall outcomes—
  (a) Landscaping is a functional part of development design and takes account of the intended use and utility service protection.
  (b) Development provides area that can be landscaped to provide shade and to enhance the tropical landscape character of development and the identity of the region.
  (c) Natural environmental values of the site and the locality are incorporated into landscape areas.
  (d) Landscaping buffers provide effective screening both on site, if required, and between conflicting or different land uses.
  (e) Landscaping is functional, durable, contributes to passive energy conservation and provides for the efficient use of water and ease of ongoing maintenance.

9.4.2.3 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 9.4.2.3a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
PO1 Development provides areas for landscaping to create a quality landscape character for the site, street and local areas.	**AO1.1** A minimum 1m wide landscaped strip is provided to all property boundaries except where there is a building or structure.	**Complies with PO1** The project site is within the Rural zone. It is submitted that extensive landscaping is unnecessary, given that significant boundary setbacks apply and all setback areas are heavily vegetated. Regardless, compliance with reasonable and relevant landscaping requirements may be confirmed by condition, if required.
	AO1.2 A minimum 1m wide landscaped strip is provided between any access ways, driveways, vehicle manoeuvring areas and car parking and: (a) a road frontage excluding pedestrian and vehicle access; and (b) side and rear property boundaries.	**Complies with PO1** The project site is within the Rural zone. It is submitted that extensive landscaping is unnecessary, given that significant boundary setbacks apply and all setback areas are heavily vegetated. Regardless, compliance with reasonable and relevant landscaping requirements may be confirmed by condition, if required.
	AO1.3 For development in the Centre zone parking areas include a minimum of 1 shade tree for every 10 parking spaces.	**Not Applicable.** The subject site is located within the Rural zone.
	AO1.4 All landscaping areas are maintained to the reasonable satisfaction of Council for the life of the use.	**Complies with AO1.4** Compliance with this requirement may be confirmed by condition.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
PO2 Development maintains the conveyance of overland flow and does not act as barrier to debris.	**AO2** (a) Landscaping is used for screening in preference to fence, to allow the overland flow of water; or (b) Where fencing is used it is i. constructed of open material such as aluminium pool fencing; and ii. includes a removable panel below the 1 in 100 ARI level.	**Complies with AO2** Development and landscaping (if any) for same will be undertaken to ensure no impacts on overland flow paths. Compliance in this regard may be confirmed by condition.
For assessable development		
PO3 Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	**AO3.1** Existing vegetation on site is retained and incorporated into the site design, wherever possible.	**Complies with AO3.1** Existing vegetation is not being affected by proposed development. Where development results in the removal of/damage to existing vegetation, this will be carried out in accordance with the approved Relevant Purpose Determination obtained, pursuant to Section 22A of the Vegetation Management Act 1999.
	AO3.2 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.	**Complies with AO3.2** The existing landscape character currently observed in the locality includes larger/heavily vegetated rural lots – most of which are used for cattle grazing and/or pastoral purposes. Appropriate offsets will be applied and form part of the relevant purpose determination obtained.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
	AO3.3 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the tropical locality.	**Complies with AO3.3** Compliance may be confirmed by condition, if required.

9.4.3 PARKING AND ACCESS CODE

9.4.3.1 Application

This code applies to assessing a development identified as requiring assessment against the Parking and access code by the Tables of assessment in Part 5.

When using this code, reference should be made to Part 5.

9.4.3.2 Context and setting

This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Parking and access code.

Development is encouraged in Hinchinbrook. The parking code includes built in incentives to encourage development through reduced parking rates and the inclusion of on-street parking in the parking calculations. However there is still a requirement for off-street parking. The approach to parking recognises that there is an oversupply of parking within the centres and that the on-street parking forms part of the character of these centres. The main centres are compact and accessible and walking, cycling and mobility scooters are viable transport options for residents. The parking provisions recognise that there are people who cannot, should not, or prefer not to own and operate a motor vehicle.

This population includes:

- Approximately 6% of households in Hinchinbrook and 10% of households in Ingham do not have a motor vehicle.
- Approximately 7% of the Hinchinbrook population and 10% of persons in Ingham are passengers in a car to work.
- Approximately 11% of the Hinchinbrook population and 11% of persons in Ingham bus, walk or ride to work.
- Youths 10-19 years of age who lack drivers licenses (approx. 13% of Hinchinbrook population).
- Seniors over 70 who do not or should not drive (approx. 16% Hinchinbrook population).
- Adults who cannot drive due to disability or lack of driver's license (typically 5-10% of any population).
- 20-40% of travellers in a typical community.
- Households with low incomes that want to minimize transportation expenses.
- Drivers whose vehicle is temporarily unavailable.
- Law-abiding drinkers.

- People who want to walk or bike for enjoyment and health.

9.4.3.3 Purpose

(1) The purpose of the Parking and access code is to ensure that parking and access infrastructure and loading/service and manoeuvring areas are provided to service the demand of the development.
(2) The purpose of the code will be achieved through the following overall outcomes—
(a) Development has sufficient parking to meet the requirements of the user.
(b) Parking and manoeuvring areas are safe and functional.
(c) Parking and access facilities are designed and constructed in accordance with relevant standards.
(d) Parking and access are convenient and accessible and do not adversely impact on the safety and efficiency of the surrounding road network.
(e) Parking and access does not disrupt the on-street parking arrangements in the surrounding area.

9.4.3.4 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 9.4.3.4a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Parking rates and dimensions		
PO1 Sufficient parking spaces are provided on the site to accommodate the amount and type of vehicle traffic generated by the development of the site, having particular regard to: (a) the desired character of the area in which the premises are located; and	**AO1.1** The minimum number of parking spaces provided is as prescribed in **Table 9.4.3.4c – Parking rates** for the particular development. Where the use only involves the re-use of existing building and either:	**Complies with AO1.1.** The Planning Scheme does not specify parking requirements for a Battery Storage Facility. Notwithstanding this, it is submitted to Council that sufficient carparking spaces will be provided to accommodate the number of vehicles likely to be parked at any one time. No less than six (6) car parks in total are proposed.

(b) the nature and scale of the development; and (c) accessibility to the premises; and (d) the nature and frequency of public transport serving the area; and (e) whether or not the development involves the retention of an existing building, particularly an identified historic building, and the previous requirements for car parking for the building; and (f) whether or not the use involves the retention of other cultural heritage features or significant vegetation; and (g) the different types of vehicles that visit the premises are adequately accommodated.	(a) no building work; or (b) minor building work only, it does not result in the loss of on-site carparking.	
Parking, loading and manoeuvring areas		
PO2 Parking, loading and manoeuvring areas are designed and constructed to allow efficient, safe and convenient access.	**AO2.1** Vehicle parking spaces are designed in accordance with Australian Standard: (a) AS2890.1 *off-street car parking*; or (b) AS2890.6 *Parking facilities - Off-street parking for people with disabilities.*	**Complies with AO2.1.** Parking areas have been designed according to standards.
	AO2.2 Parking, loading and manoeuvring areas are drained, line marked.	**Complies with AO2.2.** Parking areas have been designed according to standards.

	AO2.3 All parking, loading and manoeuvring areas are: (a) located to the side or rear of the building; and (b) have sufficient manoeuvring areas to allow vehicles to exit the site in a forward direction; and (c) kept and used exclusively for parking and loading; and (d) maintained in a suitable condition for parking and circulation of vehicles.	**Complies with AO2.3.** Parking areas have been designed and will be maintained according to standards.
	AO2.4 In the Industry zone, parking, loading and manoeuvring areas may be finished with a dust free compacted surface.	**Not Applicable.** The subject site is within the Rural zone.
Access and queuing		
PO3 Access points are located, designed and constructed: (a) to operate safely and efficiently; and (b) to accommodate the anticipated type and volume of vehicles; and	**AO3.1** Access is a minimum of (a) 3.5m wide in a residential zone; or (b) 8.0m in all other zones.	**Complies with AO3.1.** A new access road is proposed to be constructed north of the project site (enabling vehicle access to/from Knuckledown Road, through Lot 18 on WU6). The alignment of the proposed new access incorporates existing informal access tracks and/or existing constructed/gazetted road. The proposed MFEP BESS will be approximately thirty (30) metres in width.

(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; and (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; and (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; and (f) so that they do not adversely impact current and future on-street parking arrangements; and (g) so that they do not adversely impact upon existing services within the road reserve adjacent to the site.	**AO3.2** The location of the access points is in accordance with the provisions of Australian Standards AS 2890.1 and AS 2890.2.	**Complies with AO3.2.** Access points have been sited accordingly.
	AO3.3 Access is located as far a practical from the intersection.	**Complies with AO3.3.** Access points have been sited accordingly.
PO4 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	**AO4.1** Queuing and set down areas are designed and constructed in accordance with Australian Standard AS2890.1.	**Not Applicable.** No queuing areas are proposed.
	AO4.2 Development provides adequate area for onsite vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick- up services are proposed as part of the use, including but not limited to the following land uses: (a) car wash; or	**Not Applicable.** No queuing areas are proposed.

	(b) child care centre; or (c) educational establishment; or (d) a drive-through facility for any use including food and drink outlet; hardware and trade supplies; hotel; or service station.	
On-street parking		
PO5 On-street parking supplements off-street parking areas, and: (a) creates activity on the street; and (b) provides an appropriate level of parking, relative to demand; and (c) provides for enhanced landscaping of the verge or carriageway.	**AO5.1** Where more than 2 parking spaces are required for the development, on-street parking located within the immediate frontage of the site, can be counted as part of the parking provision.	**Not Applicable.** No on-street parking is proposed.

Part B – For assessable development.

Table 9.4.3.4b – Assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
Transport impact		
PO6 The development is located on roads that are appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport	No acceptable outcome is nominated.	**Complies with PO6.** Development proposed involves construction of a Battery Storage Energy System (BESS). Traffic generated as a result of the ongoing BESS operations is not expected to be significant and will consist mostly of workers cars and/or smaller service

network, and the functions and characteristics of the elements of the network. The transport network is shown on **OM-10.0 – OM-10.1 – Transport network overlay**		vehicles. Notwithstanding this, development proposed will be predominantly accessed via existing gazetted roads that are considered to be appropriate for the nature of traffic generated. Upgrades to those parts of proposed access that consist of informal dirt tracks, ae proposed to be undertaken to ensure access is suitable and sufficient.

Table 9.4.3.4c – Parking rates

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.
	Where the number of spaces required is not a whole number, the number of spaces to be provided is rounded-up to the next highest whole number.
Accommodation activities	
Caretaker's accommodation	1 space per dwelling unit.
Community residence	3 spaces.
Dual occupancy	1 covered space per dwelling.
Dwelling house	1 covered space.
Home based business	Where for a bed and breakfast? (a) 1 space per bed and breakfast bedroom; and (b) parking spaces required for the dwelling house. Where for any other Home-based business: (a) 1 space; and (b) parking spaces required for the dwelling house.

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
Multiple dwelling	(a) 1 covered space per accommodation unit; and (b) 1 visitor space per 2 accommodation units.
Non-resident workforce accommodation	1 space per 5 dwelling units.
Relocatable home park	(a) 1 space for each home site; and (b) 1 space per 15 home sites for visitors.
Residential care facility	(a) 1 space per 4 beds; and (b) 1 space for an emergency vehicle
Resort complex	Use the minimum number of spaces for each land use component of the Resort complex.
Retirement facility	Where for self-contained accommodation units: (a) 1 covered space per unit; and (b) 1 space per 5 units which may be uncovered. Where for all other accommodation units: (a) 1 covered space per 10 accommodation units; and (b) 1 space per 5 units which may be uncovered.
Rooming accommodation	1 space per 2 guest rooms.
Rural worker's accommodation	1 space per 10 guest rooms.
Short-term accommodation	Where for self-contained accommodation units: (a) 1 covered space per unit; and (b) 1 space per 5 units which may be uncovered. Where for all other accommodation units: (a) 1 covered space per 10 accommodation units; and (b) 1 space per 5 units which may be uncovered.

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
Tourist park	1 space per guest room; and 1 space per site.
Business Activities	
Adult Store	(a) 1 space per 50m^2 GFA.
Agricultural supplies store	(a) 1 space per 100m^2 GFA; and (b) 1 delivery vehicle space
Bulk landscape supplies	(a) 1 space per 250m^2 of use area; and (b) 1 delivery vehicle space.
Food and drink outlet	(a) 1 space per 50m^2 GFA; and (b) Where including a drive-through Queuing spaces for 3 passenger vehicles within the site boundaries.
Function facility	1 space per 75m^2 of GFA.
Garden centre	1 space per 75m^2 of GFA and outdoor display area.
Hardware and trade supplies	(a) 1 space per 75m^2 GFA; and (b) 1 delivery vehicle space.
Office	(a) 1 space per 50m^2 GFA; and (b) 1 bicycle space per 250m^2 GFA.
Outdoor sales	1 space per 100m^2 of GFA and outdoor display area.
Service station	4 spaces.
Shop	(a) 1 space per 75m^2 of GFA; and (b) 1 bicycle space per 250m^2 GFA.

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
Shopping centre	(a) 1 space per 50m^2 GFA; and (b) 1 delivery vehicle space; and (c) 1 bicycle space per 250m^2 GFA.
Showroom	(a) 1 space per 75m^2 GFA; and (b) 1 delivery vehicle space.
Veterinary services	(a) 1 space per 50m^2 GFA.
Community activities	
Cemetery	As determined by Council
Child care centre	(a) 1 space per 10 children able to be accommodated in the centre, to be used for setting down and picking up children; and (b) 1 space per full time employee.
Community care centre	1 space per 50m^2 GFA.
Community use	1 space per 50m^2 GFA.
Correctional facility	As determined by Council.
Crematorium	1 space per 50m^2 GFA.
Educational establishment	(a) 2 spaces per classroom for primary schools; and (b) 3 spaces per classroom for secondary schools and tertiary education; and (c) 5 spaces for setting down and picking up of children; and (d) 3 bicycle parking spaces per classroom.
Funeral parlour	1 space per 50m^2 GFA.
Health care services	1 space per 50m^2 GFA.
Hospital	(a) 1 space per 5 beds; and

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
	(b) 2 spaces per consulting room.
Place of worship	1 space per 25m^2 GFA.
Entertainment activities	
Bar	1 space per 25m^2 GFA.
Club	1 space per 25m^2 GFA.
Function facility	1 space per 25m^2 GFA.
Hotel	(a) 1 space per 25m^2 of GFA and licensed outdoor area; and (b) 1 space per 50m^2 of GFA for liquor barn or bulk liquor sales area.
Nightclub	1 space per 50m^2 GFA.
Theatre	1 space per 5 seats.
Tourist attraction	(a) 1 space per 100m^2 GFA; and (b) 1 coach space per 200m^2 GFA.
Industry activities	
Extractive industry	3 spaces.
High impact industry	1 space per 100m^2 GFA.
Low impact industry	1 space per 100m^2 GFA.
Medium impact industry	1 space per 100m^2 GFA.
Noxious and hazardous industries	1 space per 100m^2 GFA.
Research and technology industry	1 space per 100m^2 GFA.
Warehouse	1 space per 100m^2 GFA.

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
Waterfront and marine industry	1 space per 100m^2 GFA.
Recreation activities	
Environment facility	3 spaces.
Indoor sport and recreation	(a) 1 space per 25m^2 GFA; and (b) 3 bicycle parking spaces per 100m^2 GFA.
Major sport, recreation and entertainment facility	As determined by Council.
Motor sport	As determined by Council.
Nature-based tourism	(a) 1 space per lodge, hut, tent site or cabin; and (b) 1 space for an on-site manager.
Outdoor sport and recreation	(a) 40 spaces and 1 bus space per football field; and (b) 10 spaces per bowling green; and (c) 10 spaces per swimming pool; and (d) 2 spaces per tennis court; and (e) 10 spaces per netball court. (f) 2 spaces per tee on a golf course. (g) 1 space per tee or firing station where for a driving or firing range.
Park	As determined by Council.
Rural activities	
Animal husbandry	1 space.
Animal keeping	3 spaces.
Aquaculture	1 space per 100m^2 GFA for indoor aquaculture; and 1 space per 1,000m^2 of ponds for outdoor aquaculture.
Cropping	1 space.
Intensive animal industries	(a) 1 space per 100m^2 GFA; and (b) 1 delivery vehicle space.

DEFINITION	MINIMUM NUMBER OF CAR PARKING SPACES
Intensive horticulture	(a) 1 space per 100m^2 GFA; and (b) 1 delivery vehicle space.
Permanent plantations	1 space.
Roadside stalls	2 spaces per stall.
Rural industry	1 space per 100m^2 GFA.
Wholesale nursery	2 spaces.
Winery	As determined by Council.
Infrastructure activities	
Major electricity infrastructure	As determined by Council.
Minor electricity infrastructure	As determined by Council.
Renewable energy facility	As determined by Council.
Substation	As determined by Council.
Telecommunications facility	2 spaces.
Utility installation	2 spaces.

9.4.4 RECONFIGURING AN LOT CODE

9.4.4.1 Application

This code applies to assessing a development application for reconfiguring a lot.

When using this code, reference should be made to Part 5.

9.4.4.2 Context and setting

This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Reconfiguring a lot code.

The towns within the Shire have a sense of spaciousness with wide roads, generous parks and access to waterways.

The stock of land that is unconstrained or has acceptable levels of flooding is limited. The available stock is likely to accommodate the anticipated growth in the next 20 years and the focus of new development is within or adjacent to existing towns.

The Reconfiguring a lot code has been developed with the understanding that new development will need to fit in with the character of individual towns and be respectful of their history, location and development pattern.

At the same time, new development will bring incremental change to the development patterns of towns particularly with smaller residential lots. The code provisions have been written to provide Residential neighbourhoods where people:

(a) can safely walk and ride in streets that connect with neighbouring streets;
(b) lots yards that are useable, and where possible oriented to not exposed to western sun;
(c) have more opportunity to live in unconstrained areas; and
(d) can downsize their house or land while staying where they have a sentimental attachment to an area or community.

Land suitable for agriculture is a finite resource that must be conserved and managed for the longer term. As far as practicable, reconfiguration of land that results in the potential or actual location of sensitive land uses such as houses and accommodation near rural uses should be carefully considered to ensure that rural uses are the priority and the future use of rural land including ancillary yards, stables, holding facilities and repair and service of machinery are not unreasonably hampered.

Rural lifestyle lots, for houses that are not associated with a farming activity are not encouraged as they have the potential to compromise rural uses and also result in people and property being isolated during floods and other natural disasters, however it is recognised that there are locations where rural lifestyle lots or boutique farming lots could occur on land that is already fragmented by roads and that is of a size and shape that is difficult for mechanical harvesting and of a size that is suitable for alternative crops or horticulture.

9.4.4.3 Purpose

(1) The purpose of the Reconfiguring a lot code is to ensure that development—
- (a) protects productive rural land and minimises conflict between rural uses and other development;
- (b) results in lots that are suitable for their intended use;
- (c) results in lots that do not prejudice the development on nearby lots;
- (d) is responsive to land constraints;
- (e) provides lawful and practical access; and
- (f) provides infrastructure and services to new lots and communities.

(2) The purpose of the code will be achieved through the following overall outcomes—
- (a) Lots have sufficient areas, dimensions and shapes to be suitable for their intended use, taking into account environmental features and site constraints.
- (b) Lot configuration and orientation facilitates climate responsive design.
- (c) Road, drainage and active networks provide connectivity that is integrated with adjoining existing or planned development.
- (d) People and property are not placed at risk from natural hazards.
- (e) A range of functional parkland, is available for the use and enjoyment of residents and visitors to the region.
- (f) Development does not diminish environmental and scenic values.
- (g) The appropriate standard of infrastructure is provided and the potential safety and amenity impacts associated with infrastructure provision are minimised.
- (h) Additional flood-free residential lots is made available through urban infill in appropriate locations of Ingham, Allingham / Forrest Beach and Taylors Beach.
- (i) Development in rural areas maintains the rural and landscape character, scale and amenity of the zone.
- (j) Development in rural areas supports the diversification of rural industries and products.
- (k) Any reconfiguring a lot in the Rural zone does not result in a net increase in the number of lots.

9.4.4.4 Assessment benchmarks

Part A – For accepted development and assessable development.

Table 9.4.4.4a – Accepted development and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	APPLICANT RESPONSE
PO1 Lots have areas and dimensions that: (a) are consistent with the purpose and overall outcomes of the applicable zone; and (b) can be safely and efficiently serviced with infrastructure and stormwater drainage; and (c) are generally rectangular in shape; and (d) support energy efficient development.	**AO1.1** Lots comply with the lot reconfiguration outcomes in Table 9.4.4.4b. **AO1.2** Drainage management and infrastructure services are integrated across sites through easements, reserves or other legal means. **AO1.3** New lots are generally rectangular in shape.	**Complies with PO1.** Proposed development involves the reconfiguration of a lot (for the creation of a lease/leases in excess of 10 years and/or access easement/s). In considering this, it is submitted to Council that development proposed will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area (including access arrangements), for a particular use/purpose (the Mount Fox Energy Park Battery Storage Facility). Notwithstanding this, development proposed is consistent with the purpose of the zone and is not likely to adversely impact on existing and/or future rural land uses and activities. Furthermore, it is submitted to Council that development proposed: - Will not detract from, nor result in any impacts on the existing rural land uses

		(pastoral and/or cattle grazing activities) currently being undertaken within the defined project site. - Will be constructed within a small portion of the broader defined project site. The area required for the MFEP BESS involves approximately 6.069 Hectares (not including land required to establish access and/or the transmission line). The total area of land required to establish the northern access in expected to be approximately 5 Hectares. - Is compatible with and has been appropriately designed to respond to/protect existing natural and environmental features. Extensive environmental assessments were undertaken to inform the location, layout and design of the proposed MFEP BESS. In summary, the current proposed BESS alignment will involve the clearing of Category B, remnant vegetation and the clearing of 'Of Concern' vegetation as described under the *Vegetation Management Act 1999*. Whilst acceptable outcomes have been identified for some areas of clearing (namely the clearing of non-remnant category R vegetation), other areas of vegetation will not fall under the acceptable outcomes listed in State Code 16 and thus environmental offset

		will be required for this vegetation clearing. Notwithstanding this, the impacts likely to result from the necessary vegetation clearing were considered as part of an application for a relevant purpose determination, pursuant to Section 22A of the *Vegetation Management Act 1999.* The application sought approval for all proposed clearing extents associated with the proposed Mount Fox Energy Park Project. Relevant Purpose determination was issued on 04 February 2021 (Attachment 2 – MFEP BESS Relevant Purpose Determination). - Will be suitably fenced to ensure further protection from/separation of existing rural land uses, in order to minimise conflict. - Maintain the capacity of land for rural uses and activities through implementing operational procedures that reduce/mitigate the potential for impacts on the environment (i.e. introduction of pest species). - Is to be constructed in an area that is easily accessible (utilising appropriately maintained transport routes), to ensure the safety of people and property during natural disaster events. - Does not involve solar renewable energy, although it located within a portion of the defined 'solar energy development

		precinct'. Notwithstanding this, the MFEP BESS and any future associated infrastructure to be constructed as part of the broader Mount Fox Energy Park project, may likely provide greater opportunities for solar energy projects throughout the area, through the possible provision of supporting infrastructure and/or the driver for enhancements/upgrades to existing major electricity networks. The proposed Mount Fox Energy Park is a combined wind and battery project, so although the project does not propose/consider a solar farm, the project is still considered to be a renewable energy project. In addition to the abovementioned, it is also noted that the proposed lease area is generally rectangular in shape, with the exception of a proposed rectangular shaped omission – which is required to accommodate the complex leasing/ownership arrangements likely involved with the future operations of the Mount Fox Energy Park project. No impacts to the existing overland flow paths are likely to result from development proposed. All services will be provided for and/or managed on site.
People and property		

PO2 Development: (a) avoids unacceptable exposure of people to hazards; and (b) does not increase the risk to life or property; and **(c)** avoids exposure of people and property to unacceptable risk of hazards.	**AO2.1** No new lots are created in the high hazard area identified on the Flood hazard overlay map.	**Not applicable.** The subject site is not impacted by Council's Flood hazard overlay mapping.
	AO2.2 No new lots are created in the high hazard area identified on the Bushfire hazard overlay map.	**Complies with PO2.** The proposed development involves the reconfiguration of a lot (for the purpose of creating a lease/s in excess of 10 years and/or access easement/s). The proposed lease boundary incorporates the MFEP BESS and associated infrastructure (including access roads). Appropriate buffers have been incorporated into the subdivision design/layout and ensure suitable separation distances from hazardous vegetation. The proposed development does not provide opportunities for people to live on-site. Notwithstanding this, it is intended that several employees will, from time to time, work on site in the offices proposed to be constructed as part of the operations and maintenance area. Suitable evacuation plans will be implemented to ensure the ongoing safety of life and property. Access tracks will be appropriately maintained to ensure that people can safely exit the site during a bushfire event, where required.
	AO2.3	**Not applicable.**

	No new lots are created in the high hazard area identified on the Coastal hazard overlay map.	The subject site is not impacted by Council's Coastal hazard overlay mapping.
Subdivision design		
PO3 Development responds appropriately to its local context, natural systems and infrastructure.	**AO3** Lot layout is responsive to site features such as: (a) drainage paths and waterways; and (b) infrastructure and transport networks; and **(c)** significant vegetation.	**Complies with AO3.** The proposed new lease area/s and/or access easement/s have been located appropriately within the subject site, to ensure that existing attributes such as drainage pathways, waterways and significant vegetation, are avoided where appropriate/possible. Where development proposed interferes with features such as mapped significant vegetation – measures have been implemented to try to reduce impacts (i.e. use of existing cleared areas (roads and fences lines)).
PO4 Road, drainage and pedestrian networks provide connectivity that is integrated with adjoining existing or planned development.	**AO4.1** The lot layout provides a grid road network that achieves connectivity across adjoining lots that are capable of subdivision.	**Not applicable.** No new roads are proposed. The proposed reconfiguration involves the construction of a new access. Notwithstanding this, the proposed new access is predominantly located on freehold land (bisects with an existing gazetted road that is currently temporarily closed) and will be for private use only.
	AO4.2 The ability to further reconfigure the site is demonstrated by submitting a concept plan that meets requirements for the applicable zone.	**Not applicable.** The proposed lease/s and/or access easement/s are not considered to impact on the ability to further subdivide the subject lots.

	AO4.3 For connectivity, drainage, amenity, efficiency of infrastructure of provision, cul-de-sac streets are minimised or avoided and where necessary the cul-de-sac provides connections: (a) to open space or other streets; and **(b)** with a minimum width of 12 metres from the top of the cul-de-sac.	**Not applicable.** Proposed development does not involve the construction of a cul-de-sac.
PO5 Neighbourhood design supports walkable catchments, diverse housing choices through block sizes and lot design.	**AO5.1** Changes in lot size and frontage widths are established to facilitate a mix of housing choice.	**Not applicable.** The proposed development will not result in changes to the existing lot sizes and/or frontages.
	AO5.2 Development provides opportunities for neighbourhood focal points such as community facilities, parks, corner stores, public / school transport stops, generally every 500m.	**Not applicable.** The proposed development relates to Rural zoned land. The provision of neighbourhood focal points are not applicable within the Rural zone.
	AO5.3 Lots surrounding neighbourhood focal points are of a size that enables higher residential densities to support the facilities.	**Not applicable.** The proposed development relates to Rural zoned land. The provision of neighbourhood focal points and/or lots that enable higher residential densities, are not applicable within the Rural zone.
PO6	**AO6.1** New development maximises the number of:	**Not applicable.** Proposed development involves the reconfiguration of a lot (for the creation of a

Lots in new residential subdivisions are orientated so that new houses: (a) have outdoor living spaces are shaded from the afternoon sun; and (b) minimise the extent of wall that faces west; and **(c)** have carports and garages (access) to shade the western side of the house and do not block predominant breeze.	(a) lots where the longest axis of the lot has a general east-west orientation; and (b) streets running in a general north-south direction; and **(c)** crossovers located on the western boundary.	lease/leases in excess of 10 years and/or access easement/s). In considering this, it is submitted to Council that development proposed will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area, for a particular use/purpose (the Mount Fox Energy Park Battery Storage Facility).
PO7 Lots have safe, legal and practical access to a public road.	**AO7.1** Each lot is provided with direct access to a gazetted road reserve.	**Complies with AO7.1.** It is noted that the development proposed will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area, for a particular use/purpose (the Mount Fox Energy Park Battery Storage Facility). Notwithstanding this, it is submitted to Council that the access to the MFEP BESS is proposed to be constructed and will form part of the proposed development. The proposed MFEP BESS access is located north of the MFEP BESS infrastructure, and provides direct access/connection to an existing gazetted road reserve (Knuckledown Road). The proposed access is expected to traverse across an additional gazetted road reserve (Mountain Ash Road), which is currently

		temporarily closed, as well as through Lot 18 on WU6.
	AO7.2 Rear laneways may be established in residential subdivisions, to: (a) promote infill; and (b) reduce the number of rear-lot access strips; and **(c)** promote integrated drainage.	**Not applicable.** No rear laneways are proposed.
PO8 Where rear lots are proposed, development: (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; and (b) positively contributes to the character of adjoining properties and the area; and **(c)** does not adversely affect the safety and efficiency of the road from which access i`s gained.	**AO8.1** Where rear lots are proposed: (a) the minimum area of the rear lot, exclusive of any access strip, complies with the lot reconfiguration outcomes in Table 9.4.4.4b; and (b) rear lots are generally rectangular in shape; and (c) access strips to the rear lot are located on only one side of the front lot; and (d) not more than 2 access strips to rear lots directly adjoin one another; and **(e)** lots have adequate drainage.	**Not applicable.** No rear lots are proposed.
	AO8.2 Access strips are a minimum width of: (a) 3.5m in a residential zone; or	**Complies with AO8.2.** The proposed northern access track is expected by be approximately 30m wide.

	(b) 8.0m in all other zones.	
PO9 Small residential lots are designed to a high standard of amenity for future communities and residents and the provision of a range of housing types.	**AO9** Small lots: (a) provide for consistently designed and managed attached housing on individual lots; or (b) ensure dwelling houses can be managed through building envelopes; or **(c)** provide access to the rear of the lot by a laneway	**Not applicable.** Proposed development involves the reconfiguration of a lot (for the creation of a lease/leases in excess of 10 years and/or access easement/s). In considering this, it is submitted to Council that development proposed will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area, for a particular use/purpose (the Mount Fox Energy Park Battery Storage Facility).
PO10 Development protects the cane rail network: (a) to support the on-going operation of the agricultural industry; and **(b)** recognising the strategic value of connectivity across the Shire and the potential for re-use of any redundant sections of the network for walking and cycling.	**AO10** Reconfiguration of land that includes a cane rail infrastructure results in rail infrastructure being included in its own lot, with a minimum distance of 5m either side of the centreline of the rail.	**Not applicable.** No cane rail infrastructure exists within the subject site.

PO11 Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to open space.	**AO11.1** Open space areas are positioned to be capable of being overlooked by surrounding development.	**Not applicable.** Proposed development does not include open space areas.
	AO11.2 The number of lots that back onto the urban parkland and other open space is minimised.	**Not applicable.** The subject site involves rural zoned land. No urban parkland and/or open spaces currently exist within the subject site.
Separation of incompatible uses		
PO12 Development on or adjacent to land within the Rural zone or to existing utility infrastructure, provides an appropriate separation area on site to: (a) buffer development from impacts arising from uses which may occur on the land within the Rural zone; and (b) prevent potential adverse impacts on future users of the lots; and (c) separate the lots from incompatible uses; and **(d)** avoid "reverse amenity" situations where the continued operation of existing uses or existing utility infrastructure is compromised by the proposed development.	**AO12** The lot layout provides opportunity for adequate separation distances between residential dwellings, major utility infrastructure or other sensitive receptors and rural zoned land in accordance with Table 9.4.4.4c.	**Complies with AO12.** No part of the proposed MFEP BESS (excluding access tracks) is located within 1.5km of an existing sensitive receptor. In considering this, it is submitted to Council that the proposed development complies with the provisions set out in table 9.4.4.4c.
Rural zone		

PO13 Development results in people and property being located in accessible areas for emergency management and service provision.	**AO13.1** Reconfiguring a lot including boundary realignments does not result in the creation of a lot/s which have twice the minimum lot size identified in Table 9.4.4.4b – Lot size and frontage unless the lot previously had twice this area.	**Complies with PO13.** Proposed development involves the reconfiguration of a lot (for the creation of a lease/leases in excess of 10 years and/or access easement/s).
	AO13.2 Where reconfiguration cannot achieve the lot reconfiguration outcomes in Table 9.4.4.4b further reconfiguration may be considered to excise land that is: (a) already fragmented by roads; and (b) of a size and shape that is difficult to mechanical harvest; and (c) is of sufficient size for small crops or horticulture; and (d) has direct access to a maintained road identified on the Transport infrastructure overlay map; and (e) can accommodate a residential dwelling and achieve separation distances to adjoining rural zoned land; and **(f)** located outside of medium and high hazard areas as identified on the bushfire, flood and storm tide overlay maps.	In considering this, it is submitted to Council that development proposed will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area, for a particular use/purpose (the Mount Fox Energy Park Battery Storage Facility). It is noted that the proposed lease area/design does not comply with the minimum lot size requirements set out in Table 9.4.4.4b. Notwithstanding this, the proposed new MFEP BESS lease area is suitably located within the subject site. The proposed MFEP BESS will be easily accessed via the existing road network for emergency management and/or service provision purposes. An access track will be constructed and forms part of the proposed MFEP BESS development. This access track is to be appropriately maintained to ensure the ongoing safety of life and property.

PO14 Development maintains the rural and landscape character, scale and amenity of the zone.	**AO14** Reconfiguring a lot, including boundary realignments does not create small lots that contribute to an enclave of single residential houses not associated with rural activities.	**Not applicable.** Proposed development involves the reconfiguration of a lot (for the creation of a lease/leases in excess of 10 years and/or access easement/s). In considering this, it is submitted to Council that development proposed will not result in the creation of a new lot; but rather will facilitate the creation of a lease and/or easement over a defined area within the subject site, to both recognise and formalise the use of this area, for a particular use/purpose (the Mount Fox Energy Park Battery Storage Facility). No residential land uses are proposed to be established within the lease area.
Landslide Hazard		
PO15 Development maintains the safety of people and property from the risk of landslide.	**AO15** Reconfiguring a lot, outside of the Rural zone, does not creates lots with a slope greater than 15%.	**Not applicable.** The subject site involves Rural zoned land.

Table 9.4.4.4b – Lot size and frontage

Zone	Minimum Lot dimensions

Community facility	No minimum is provided.
Centre	No minimum is provided.
Environmental management and conservation zone.	No minimum is provided. Reconfiguration in this zone results in no additional lots.
General residential	(a) 400m2 where connected to Council's reticulated Sewer network; otherwise (b) 4,000m2
Industry	(a) 2000m2 where connected to Council's reticulated Sewer network and 40m lot frontage; Otherwise (b) 4,000m2 and 40m lot frontage.
Mixed use	(a) No minimum provided where connected to Council's reticulated Sewer network; Otherwise (b) 4,000m2
Recreation and open space	(a) No minimum provided where connected to Council's reticulated Sewer network; Otherwise (b) 4,000m2
Rural	30ha minimum lot size.

Table 9.4.4.4c – Buffer design criteria

	Duration threshold (approximate number of hours over a year a nuisance impact is detected)	**Minimum default distance for buffer**	**Minimum design distance with vegetated buffer element**
Chemical spray drift	None	300 metres	40 metres
Intermittent odour *	Intermittent odour * More than 88 hours per year	500 metres	500 metres
Intermittent noise where noise occurs between 6am-10pm where noise occurs between outside of 6am-10pm	10 hours to 50 hours per year	 60 metres 1000 metres	 15 metres 250 metres
Long term noise where noise occurs between 6am-10pm where noise occurs between outside of 6am-10pm	More than 50 hours per year	 500 metres 1000 metres	 120 metres 1000 metres
Dust, smoke and ash	None	150 metres	40 metres
* Minimum design distance for an odour buffer area may be reduced on consideration of site factors and nature of odour			

State code 16: Native vegetation clearing

State Development Assessment Provisions guideline - State Code 16: Clearing native vegetation. This guideline provides direction on how to address State Code 16 below.

Please note: It is only necessary to provide a response to the performance outcomes relevant to the clearing purpose(s). Table 16.1 below specifies which tables of performance outcomes are relevant for each clearing purpose. Tables that are not relevant to your clearing purpose can be left blank or deleted.

As an example, only Table 16.2 and Table 16.15 are relevant for a development application for operational works that involves managing thickened vegetation. The remaining tables may be deleted.

Table 16.1: Relevant code provisions for each type of development

Clearing purpose	Relevant provisions
Material change of use and / or reconfiguring a lot and / or operational work	
Public safety, **relevant infrastructure activities** and / or **consequential development of IPA approval**	Table 16.2 and Table 16.3
Extractive industry	Table 16.2 and Table 16.4
Coordinated project (agriculture)	Table 16.2 and Table 16.5
Coordinated project (**extractive industry**)	Table 16.2 and Table 16.6
Coordinated project (all other purposes)	Table 16.2 and Table 16.7
Material change of use and / or reconfiguring a lot for all other purposes	Table 16.2 and Table 16.8
Material change of use and / or reconfiguring a lot for which there will be no **clearing as a result of the material change of use** or **reconfiguring a lot**	Table 16.9
Material change of use and / or reconfiguring a lot for which **clearing** is limited to **clearing** that could be done as **exempt clearing work** for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved	Table 16.2 and Table 16.10
Operational work	
Necessary environmental clearing	Table 16.2 and Table 16.11
Control non-native plants or **declared pests**	Table 16.2 and Table 16.12
Encroachment	Table 16.2 and Table 16.13
Fodder harvesting	Table 16.2 and Table 16.14

Managing thickened vegetation	Table 16.2 and Table 16.15

Table 16.2: General

Performance outcomes	Acceptable outcomes	Response
PO1 Clearing of **vegetation** is consistent with any **notice requiring compliance** on the land subject to the development application, unless a **better environmental outcome** can be achieved.	No acceptable outcome is prescribed.	**Not applicable.** The proposed development does not involve an area that is a Particular Regulated Area and/or an area subject to a Notice Requiring Compliance.
PO2 Clearing of **vegetation** is consistent with **vegetation management requirements** for **particular regulated areas** unless a **better environmental outcome** can be achieved.	No acceptable outcome is prescribed.	**Not applicable.** The proposed development does not involve an area that is a Particular Regulated Area and/or an area subject to a Notice Requiring Compliance.
PO3 Clearing of **vegetation** in a **legally secured offset area**: 1. is consistent with the **offset** delivery plan; or 2. is consistent with an **agreement** for the **offset area** on the land subject to the development application; or 3. only occurs if an additional **offset** is provided.	No acceptable outcome is prescribed.	**Not applicable.** Development proposed is not likely to result in the clearing of vegetation within a legally secured offset area.

Table 16.3: Public safety, relevant infrastructure activities and / or consequential development of IPA approval

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO4 Clearing of **vegetation** and **adverse impacts of clearing vegetation** do not occur unless the application	No acceptable outcome is prescribed.	**Complies with PO4.**

Performance outcomes	Acceptable outcomes	Response
has demonstrated that the **clearing** and the **adverse impacts of clearing** have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.		Where development cannot avoid clearing within environmentally significant areas, appropriate measures will be adopted and implemented to reduce and/or mitigate environmental impacts. It is noted that a Relevant Purpose Determination was approved/issued for the proposed MFEP BESS (Attachment 2 – MFEP BESS Relevant Purpose Determination). A summary of findings from the Environmental Assessment Report prepared by 4 Elements Consulting, is provided below for Council's further consideration: - Most of the regional ecosystems within the MFES BESS alignment are 'Of Concern'. - The proposed MFEP BESS does not conform to the acceptable clearing widths as stipulated in State Code 16 and therefore, the only acceptable outcome is for the implementation of suitable environmental offsets. - It is noted that the proposed MFEP BESS development footprint/lease area has been appropriately sited to ensure that vegetation clearing is minimised, in some areas. Where possible, existing access tracks and/or cleared fence lines will be used, to reduce the amount of clearing required. - Clearing across a waterway is proposed in order to connect into the existing transmission line. Since the clearing is occurring across a water

Performance outcomes	Acceptable outcomes	Response
		course in this instance, this is considered to be an Acceptable Outcome in accordance with State Code 16, AO11.2.
Clearing associated with wetlands		
PO5 Clearing of **vegetation** within a natural **wetland** and/or within 100 metres of the **defining bank** of a natural **wetland** maintains the composition, structure and function of any **regional ecosystem** associated with any natural **wetland** to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	**AO5.1 Clearing** does not occur in a natural **wetland** or within 100 metres of the **defining bank** of any natural **wetland**. OR **AO5.2 Clearing** within 100 metres of the **defining bank** of any natural **wetland**: 1. does not occur within 10 metres of the **defining bank** of any natural **wetland**; and 2. does not exceed widths in reference table 1 in this code.	**Not applicable.** There are no natural wetlands mapped/existing within the defined subject site.
PO6 Where **clearing** of **vegetation** in a **regional ecosystem** associated with a natural **wetland** does not maintain the composition, structure and function of the **regional ecosystem**, and cannot be avoided and has been mitigated, an **offset** is provided for any acceptable **significant residual impact**.	No acceptable outcome is prescribed.	**Not applicable.** Vegetation clearing is not proposed within regional ecosystems associated with natural wetlands.
Clearing associated with watercourses and drainage features		
PO7 Clearing of **vegetation** within a **watercourse** and/or **drainage feature** and/or within the relevant distance (listed in reference table 2) of a **watercourse** and/or **drainage feature,** maintains the composition, structure and function of the **regional ecosystem**	**AO7.1 Clearing** does not occur in any of the following areas: 1. inside the **defining bank** of a **watercourse** or **drainage feature**; and	**Complies with PO7.** One MSES defined watercourse of stream order 1, is located within the south-west end of the MFEP BESS alignment. The MFEP BESS alignment intersects with

Performance outcomes	Acceptable outcomes	Response
associated with the **watercourse** and/or **drainage feature** to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	2. within the relevant distance of the **defining bank** of any **watercourse** or **drainage feature** in reference table 2 of this code. OR **AO7.2 Clearing** within any **watercourse** or **drainage feature**, or within the relevant distance of the **defining bank** of any **watercourse** or **drainage feature** in reference table 2 of this code: 1. does not exceed the widths in reference table 1 of this code; and 2. does not occur within 10 metres of the **defining bank**, unless **clearing** is required into or across the **watercourse** or **drainage feature**.	the watercourse at a width of approximately 75m. In addition to this, it is noted that the proposed MFEP BESS requires clearing into and/or across the watercourse to facilitate/enable the connection of the MFEP BESS overhead transmission line component, into the existing transmission line and nearby Powerlink switching station (recently constructed). It is submitted that where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, appropriate offsets will be implemented. Proposed offsets to be implemented will be in accordance with Relevant Purpose Determination approved/issued, pursuant to section 22A of the Vegetation Management Act 1999.
PO8 Where **clearing** of **vegetation** in a **regional ecosystem** associated with a **watercourse** and/or **drainage feature** does not maintain the composition, structure and function of the **regional ecosystem**, and cannot be avoided and has been mitigated, an **offset** is provided for any acceptable **significant residual impact**.	No acceptable outcome is prescribed.	**Complies with PO8.** It is submitted that where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided, appropriate offsets will be implemented. Proposed offsetting applicable to development proposed was supported as part of the Relevant Purpose Determination approved/issued, pursuant to section 22A of the Vegetation Management Act 1999 (Attachment 2 – MFEP BESS Relevant Purpose Determination).
Connectivity		

Performance outcomes	Acceptable outcomes	Response
PO9 Regional ecosystems on the subject land and any adjacent land retain sufficient **vegetation** to: 1. maintain **ecological processes**; and 2. ensure the **regional ecosystem** remains in the landscape despite **threatening processes**.	**AO9.1 Clearing** occurs in accordance with reference table 3 in this code.	**Complies with AO9.1.** The proposed development will result vegetation clearing that is considered to be in accordance with the requirements set out in Table 3 of the Code. More specifically, it is noted that: - Vegetation clearing is proposed to be undertaken within heavily vegetated areas – all of which exceed 10 ha in total. - As a result of vegetation clearing, the existing vegetated areas are not likely to be significantly reduced. Existing vegetated areas will continue to be greater than 10 ha in total, following the completion of proposed clearing works. - Proposed clearing works will be carried out in areas where the width of existing vegetated areas is greater than 100m (minimum observed width is approximately 600m). The proposed clearing works will not result in a significant reduction to existing vegetated widths. - All subject lots are heavily vegetated. The total proposed disturbance area/clearing footprint is approximately 40.2Ha. In considering this, the percentage of the total vegetated area of each subject lot is not considered to be significantly reduced as a result of the proposed vegetation clearing.
Soil erosion if the local government is not the assessment manager for the development application		

Performance outcomes	Acceptable outcomes	Response
PO10 Clearing of **vegetation** does not result in **accelerated soil erosion** within or outside the land the subject of the development application.	**AO10.1 Clearing** only occurs if an **erosion and sediment control plan** is developed and implemented to prevent increased **soil erosion and instability** resulting from the **clearing**.	**Not applicable.** The proposed development is made assessable under the local categorising instrument – being the Hinchinbrook Shire Planning Scheme 2017.
Salinity		
PO11 Clearing of **vegetation** within 100 metres of a **salinity expression area** does not contribute to or accelerate **land degradation** through either of the following: 1. **waterlogging**; 2. the **salinisation** of **groundwater**, surface water or soil.	**AO11.1 Clearing** does not occur within 100 metres of a **salinity expression area**.	**Not applicable.** Salinity expressions areas are not known to exist within the subject site.
Conserving least concern regional ecosystems - Minimising clearing of areas temporarily required to enable construction of the infrastructure		
PO12 Clearing of **vegetation** for temporary use areas to construct necessary infrastructure, such as temporary use roads or access tracks, maintains the composition, structure and function of **least concern regional ecosystems**.	**AO12.1 Clearing** for temporary use areas to construct necessary infrastructure does not occur in a **least concern regional ecosystem**. OR **AO12.2** Total **clearing** for temporary use areas to construct necessary infrastructure in any **regional ecosystem** combined does not exceed the widths prescribed in table reference table 1 of this code. OR **AO12.3** Total **clearing** for temporary use areas to construct necessary infrastructure in any **regional**	**Complies with AO12.1.** The proposed development involves a temporary laydown area, which is likely to be used to facilitate the construction of the proposed MFEP BESS. Notwithstanding this, the temporary laydown area will result in some vegetation clearing, in an area that does not involve a least concern regional ecosystem.

Performance outcomes	Acceptable outcomes	Response
	ecosystem combined does not exceed areas prescribed in table reference table 1 of this code.	
PO13 Where **clearing** of **vegetation** in a **regional ecosystem** for temporary use areas to construct necessary infrastructure does not maintain the composition, structure and function of the **regional ecosystem**, and cannot be avoided and has been mitigated, the **cleared** area is **rehabilitated**.	No acceptable outcome is prescribed.	**Complies with PO13.** Temporary laydown area/s will be appropriately rehabilitated following the completion of construction of the proposed MFEP BESS.
Conserving endangered and of concern regional ecosystems		
PO14 Clearing of **vegetation** maintains the composition, structure and function of **endangered regional ecosystems** and/or **of concern regional ecosystems**.	**AO14.1 Clearing** does not occur in an **endangered regional ecosystem** or an **of concern regional ecosystem**. OR **AO14.2** Total **clearing** of **endangered regional ecosystems** and **of concern regional ecosystems** combined does not exceed the widths prescribed in table reference table 1 of this code. OR **AO14.3** Total **clearing** of **endangered regional ecosystems** and **of concern regional ecosystems** combined does not exceed areas prescribed in table reference table 1 of this code.	**Complies with PO14.** Proposed clearing works are not likely to result in significant impacts to existing 'of concern' regional ecosystems. Where impacts are likely to occur and/or unavoidable, suitable environmental offsetting will be implemented.
PO15 Where **clearing** of **vegetation** in an **endangered regional ecosystem** or an **of concern regional ecosystems** does not maintain the composition, structure and function of the **regional ecosystem**, and	No acceptable outcome is prescribed.	**Complies with PO15.** It is submitted that where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the

Performance outcomes	Acceptable outcomes	Response
cannot be avoided and has been mitigated, the cleared area: 1. is **rehabilitated**; or 2. where the **cleared** area cannot reasonably be **rehabilitated**, an **offset** is provided for any acceptable **significant residual impact**.		composition, structure and function of the regional ecosystem, and cannot be avoided, appropriate offsets will be implemented. Proposed offsetting applicable to development proposed was supported as part of the Relevant Purpose Determination approved/issued, pursuant to section 22A of the Vegetation Management Act 1999 (Attachment 2 – MFEP BESS Relevant Purpose Determination).
Essential habitat excluding essential habitat for *Phascolarctos cinereus* (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO16 Clearing of **vegetation** in a **regional ecosystem** that is an area of **essential habitat** maintains the composition, structure and function of the **regional ecosystem** for each **protected wildlife** species individually.	**AO16.1 Clearing** does not occur in **essential habitat**. OR **AO16.2 Clearing** in **essential habitat** does not exceed the widths prescribed in reference table 1 of this code. OR **AO16.3 Clearing** in **essential habitat** does not exceed the areas prescribed in table reference table 1 of this code.	**Not applicable.** The proposed development does not involve vegetation clearing within essential habitat.
PO17 Where **clearing** of **vegetation** in a **regional ecosystem** that is an area of **essential habitat** does not maintain the composition, structure and function of the **regional ecosystem**, and cannot be avoided and has been mitigated, an **offset** is provided for any acceptable **significant residual impact for** each **protected wildlife** species individually.	No acceptable outcome is prescribed.	**Not applicable.** The proposed development does not involve vegetation clearing within essential habitat.
Acid sulfate soils if the local government is not the assessment manager for the development application		

Performance outcomes	Acceptable outcomes	Response
PO18 Clearing of **vegetation** does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals.	**AO18.1 Clearing** does not occur in **land zone 1**, **land zone 2** or **land zone 3**. OR **AO18.2 Clearing** in **land zone 1**, **land zone 2** or **land zone 3** in areas below the five metre Australian Height Datum only occurs where: 1. **mechanical clearing** does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.	**Not applicable.** The proposed development will not take place in any of the specified land zones and is made assessable under the local categorising instrument – being the Hinchinbrook Shire Planning Scheme 2017.