



# **Appendix D**

## Pre-lodgement Minutes and Correspondence

Our ref: DEPC26/631

21 MAY 2026

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City East Queensland 4002  
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ABN 65 959 415 158

RWE Tully Battery Pty Ltd  
C/- Ms Sue Walker  
Principal Consultant, Statutory Planning and Approvals  
Attexo Group Pty Ltd  
sue.walker@attexo.com.au

Dear Ms Walker



I refer to your letter of 29 April 2026 requesting the determination of an assessment manager under section 48(6) of the *Planning Act 2016* (the Planning Act) for the Tully Battery Energy Storage System (the Tully BESS), which I understand involves a Material Change of Use for a Battery Storage Facility (including an ancillary transmission line).

I understand the proposed development is located at 37 and 71 Sandy Creek Road and 175 Tully Gorge Road, Tully, formally described as Lot 1 on RP852238, Lot 1 on RP735276 and Lot 1 on RP716718, within the Cassowary Coast Regional Council (the Council) Local Government Area.

Under Part 4, Division 2, section 21(5)(b)(ii) of the Planning Regulation 2017, I must decide whether the Council or the Chief Executive of the Planning Act is the assessment manager for the Tully BESS. In addition, under section 48(7) of the Planning Act, I can also decide that an entity who could have been the assessment manager for a development application, can instead be a referral agency.

Following a review of your request, I have determined that the Chief Executive of the Planning Act should be the assessment manager for the Tully BESS under section 48(6) of the Planning Act.

I have further determined that the Council should be a referral agency under section 48(7) of the Planning Act, with its powers limited to providing advice only.

I have asked for Mrs Rebecca Carpenter, Manager, Planning Services, in the Department of State Development, Infrastructure and Planning, to assist you with any further queries. You may wish to contact Mrs Carpenter on telephone (07) 3452 7656 or by email at [renewablesplanning@dspdip.qld.gov.au](mailto:renewablesplanning@dspdip.qld.gov.au).

Yours sincerely



**JARROD BLEIJIE MP**  
**DEPUTY PREMIER**  
**Minister for State Development, Infrastructure and Planning**  
**Minister for Industrial Relations**

cc Mr Daniel Horton  
Manager, Planning and Development  
Cassowary Coast Regional Council  
[enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au)

SARA reference: 2512-49855 SPL

28 January 2026

RWE Renewables Australia Pty Ltd  
C/- Attexo Group Pty Ltd  
Level 4, 315 Brunswick Street  
Fortitude Valley QLD 4006  
emma.jeremy@attexo.com.au

Attention: Emma Jeremy

Dear Ms Jeremy,

## **SARA Pre-lodgement Advice – Tully Battery Energy Storage System**

I refer to your pre-lodgement meeting held on 18 December 2025 (**Attachment 1**) in which you sought pre-lodgement 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 that is based on the documentation uploaded into MyDAS2 on 12 December 2025 and the material received via email on 19 December 2025.

### **Development details**

Summary of proposal:	The proposal involves a battery storage facility (BSF) with a capacity of up to 200 MW. The proposal also involves associated infrastructure, including a transmission line and substation. Grid connection is proposed via the neighbouring Powerlink 132 kV Tully substation, located on Lot 1 on RP716718.
Description:	Development Permit for Material change of use for Battery storage facility
SARA role:	Assessment manager
SARA jurisdiction under the Planning Regulation 2017:	Schedule 10, Part 2, Division 2, Table 1 – Material change of use for battery storage facility
Street address:	175 Tully Gorge Road, 37 Sandy Creek Road and 71 Sandy Creek Road, Tully
Real property description:	Lot 1 on RP716718, Lot 1 on RP735276 and Lot 1 on RP852238

### **Pre-lodgement advice**

SARA provides the following pre-lodgement advice:

- Table 1: SARA advice in response to applicant's request
- Table 2: Additional SARA advice

<b>Table 1: SARA advice in response to applicant's request</b>	
1.	<p><b>Advice requested:</b> Performance Outcomes (PO) PO2-7 Risk Mitigation, Incident Response (and PO18 related to facility fire or explosion) – Hazard assessment, fire safety study and emergency response plan will be provided.</p> <p>SARA understand you are seeking advice on the Performance Outcomes (PO) of State code 27: Battery storage facility development which relate to risk mitigation and incident response (PO2 – PO7).</p> <p>For BSF development, risk mitigation is a key consideration. A development application must be supported by a Risk Management Assessment Report which adequately addresses all potential hazards and risks, in accordance with PO2 – PO4 of State code 27.</p> <p>Due to the site's location in Far North Queensland (an area that experiences higher rainfall), SARA would expect that the development includes effective bunding and containment measures to limit potential water and soil contamination. The Risk Management Assessment Report should provide a thorough assessment of water and soil contamination and appropriate mitigation measures.</p> <p>Despite being in a high rainfall area, SARA acknowledge that a key focus for BSF development is fire hazard and mitigation. The Risk Management Assessment Report must provide a detailed assessment of potential fire hazards and proposed management approaches. Containment measures for potential fire incidents should be appropriately documented within this reporting.</p> <p>Furthermore, and in relation to PO5 – PO7 of State code 27, it is expected that a Fire Safety Strategy and Operational Emergency Management Plan will be provided. This reporting must address how potential hazard incidents on site will be responded to and managed.</p> <p>To inform this reporting, SARA expects that consultation will occur with the Queensland Fire Department (QFD) and the local government. As requested in the prelodgement meeting, please find below QFD contact information:</p> <ul style="list-style-type: none"> <li>• For bushfire related enquiries, contact <a href="mailto:brc@qfes.qld.gov.au">brc@qfes.qld.gov.au</a></li> <li>• For fire safety matters, contact <a href="mailto:CIS@fire.qld.gov.au">CIS@fire.qld.gov.au</a></li> </ul> <p>For further guidance on how to respond to PO2 – PO7 of State code 27, please refer to the <a href="#">Planning guideline - State code 27: Battery storage facility development</a> available on the departments' website.</p>
2.	<p><b>Advice requested:</b> PO13-15 Natural Hazards – Bushfire hazard assessment, flooding assessment already completed.</p> <p>SARA understand you are seeking confirmation on the requirement to provide a consolidated Natural Hazard Risk Assessment Report, where dedicated reporting is being provided (separate bushfire assessments, flood reporting etc).</p> <p>To address PO13 – PO15 of State code 27, a Natural Hazard Risk Assessment Report is required, in addition to dedicated specialist reporting. While SARA acknowledge there may be some overlap between such reports, it is important that the proposal is supported by a consolidated assessment of all potential natural hazards.</p>

	<p>For the proposed development, SARA note that a key natural hazard that should be assessed and considered is cyclones. Given the site's location in Far North Queensland, it is critical that such hazard events are appropriately assessed.</p> <p>The Natural Hazard Risk Assessment Report should confirm that the proposed development is a suitable land use for the site and will not result in any adverse impacts or worsen natural hazards which may occur on the site or in the region.</p>
3.	<p><b>Advice requested:</b> PO20-21 Noise and vibration – Vibration not expected.</p> <p>SARA understand you are seeking confirmation on the requirements of PO21 of State code 27.</p> <p>SARA note that the construction of a BSF, as well as the operation of a BSF and associated infrastructure, may result in vibration impacts.</p> <p>To support a response to PO21 of State code 27, information must be submitted with a development application which determines whether the proposed development will result in vibration impacts. This may be in the form of manufacturing details and/or construction details.</p> <p>SARA requires this information to determine whether the proposal will have any vibrational impacts to sensitive receptors in proximity to the site, during the construction, operational and decommissioning phases of the development.</p> <p>Where vibration impacts are expected, these impacts must be assessed in a Noise Impact and Vibration Assessment, to address PO21 of State code 27. This reporting should demonstrate that the development can mitigate against any impacts on sensitive receptors at all stages of development.</p>
4.	<p><b>Advice requested:</b> PO27 Oversize/Overmass (OSOM) – Traffic Impact Assessment already developed and only one (1) OSOM movement expected for the transformer.</p> <p>SARA understand you are seeking confirmation on the reporting requirements relevant to PO27 of State code 27.</p> <p>As noted in the submitted material, the proposal is anticipated to generate one (1) OSOM movement for the transformer.</p> <p>Despite the proposal generating one (1) OSOM movement only, SARA requires a complete Traffic Impact Assessment to be provided, as well as a Heavy Vehicle and OSOM Construction Concept Strategy. As part of these assessments, SARA expects a route analysis will be undertaken confirming the suitability of the proposed route.</p> <p>These assessments are required to address PO24 – PO28 of State code 27 and provide certainty of the potential impacts to local and State controlled road networks.</p>
5.	<p><b>Advice requested:</b> PO31-35 Decommissioning – Decommissioning security report will be provided.</p> <p>SARA understand you are seeking advice on the financial security requirements and type of evidence which SARA would require to support financial security.</p> <p>SARA is currently preparing additional guidance on the requirements of the Decommissioning Security Report, including timing of provision of this security and the management of commercially in confidence information. Once finalised, SARA will coordinate this guidance with you.</p>

The following additional advice outlines aspects that are relevant from the jurisdiction of SARA:

<b>Table 2: Additional SARA advice</b>	
<b>Battery storage facility definition</b>	
1.	<p>SARA note that the definition of a battery storage facility (BSF) in the Planning Regulation 2017 was not amended through the <i>Planning (Battery Storage Facilities) and Other Legislation Amendment Regulation 2025</i>.</p> <p>The definition of a BSF is as follows:</p> <p style="padding-left: 40px;"><i>A battery storage facility means the use of premises for the operation of 1 or more battery storage devices.</i></p> <p>Further to this, a battery storage device means —</p> <p style="padding-left: 40px;">(a) <i>means plant that—</i></p> <p style="padding-left: 80px;">(i) <i>converts electricity into stored energy; and</i></p> <p style="padding-left: 80px;">(ii) <i>releases stored energy as electricity; and</i></p> <p style="padding-left: 40px;">(b) <i>includes any equipment necessary for the operation of the plant.</i></p> <p>SARA is currently seeking legal advice on what infrastructure is considered <i>necessary for the operation of the plant</i>. Once SARA receives this advice and finalises its position on the matter, advice will be coordinated with you outlining what infrastructure, if any, is considered <i>necessary for the operation of the plant</i>. SARA also anticipate that this advice will outline what infrastructure may be considered ancillary to a BSF.</p>

This advice is provided in good faith and is:

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

This advice does not constitute an approval or an endorsement that SARA supports the development proposal. Additional information may be required to allow SARA to properly assess the development proposal when a formal application has been lodged.

If you require further information please contact Faith Duffy, A/Senior Planning Officer, on (07) 3452 7656 or via email [renewablesplanning@dndip.qld.gov.au](mailto:renewablesplanning@dndip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Thomas Gardiner  
Principal Planning Officer

## Attachment 1 — Pre-lodgement meeting details

<b>Meeting date</b>	18 December 2025
<b>Meeting location</b>	Microsoft teams
<b>Meeting chair</b>	Faith Duffy

### Meeting attendees:

<b>Name</b>	<b>Position</b>	<b>Organisation</b>
Sallie Battist	Manager	DSDIP
Thomas Gardiner	Principal Planning Officer	DSDIP
Faith Duffy	A/Senior Planning Officer	DSDIP
Steven Tarte	Principal Consultant	Attexo
Emma Jeremy	Planner	Attexo
Jordan Hooper	Development manager	RWE
Balvinder Saini	Development manager	RWE
Amanda Meldrum	-	RWE

# Meeting Notes

<b>Date &amp; time</b>	Thursday, 12 March 2026, [10:00am]	
<b>Location</b>	MS Teams	
<b>Present</b>	Jordan Hooper, RWE (Development Manager) Bal Saini, RWE (Senior Development Manager) Steven Tarte, Attexo (Principal Consultant) Sue Walker, Attexo (Principal Planner) Emma Jeremy, Attexo (Planner)	Adam Martin, QFD Chris Ryan, QFD Michael Beecroft, QFD
<b>Ref</b>	RWE-002 Tully BESS	

## Discussion items

### 1. Project description

- Propose to use Tesla MegaPack (MP) 3
- Lithium-ion phosphate chemistry
- FSS and other assessments have used test data for Tesla MP2
- Slide Pack for meeting to be provided with notes.

### 2. Discussion

- QFD has two distinct sections for reviewing material to support SARA applications for SC27:
  - Complex Infrastructure (attendees for this meeting)
  - Bushfire Resilient Communities (separate meeting required)
- QFD confirmed that the Complex Infrastructure Team provides advice on fire within the Project boundary whereas the Bushfire Resilient Communities will comment on the bushfire hazard assessment and management plan.
- QFD enquired about the proposed fire intervention strategy needed for the Project in the event of fire at the site?
  - Tesla note that no water should directed to a battery unit containing cells in thermal runaway or fire as would prolong the fire duration
  - RWE confirmed the systems in place to reduce the potential energy of the battery and those adjacent to reduce the risk of spread.
- RWE/Attexo confirmed that Tesla MP3 testing data for U9540A is not yet available and the Project is relying on MP2 specifications and testing data. The MP3 specification and data will be available in the coming months allow for the documentation to be updated to specifically address MP3. However, the development application documentation submitted to SARA is likely to be based on MP2 specification and data.
- .
- QFD noted that the Bouldercombe BESS is a relevant example in Qld. The Bouldercombe incident occurred in the commissioning phase and could have been worse if the batteries were holding greater charge. This incident also involved an “arcing” event which led to the spread of the fire. This type of fire event was not captured in the Tesla MP2 U9540A testing.



## Discussion items

- QFD suggested consideration to be given to the MV transformer units which connect to 4 battery units and the possibility of fire spread. This scenarios should be included in the assessment documentation.
- QFD noted that the critical cell temperature leading to thermal runaway is obtained from bespoke testing such as UL9540A..
- QFD requested further consideration of the potential toxic plume and how this might impact the QFD intervention strategy. QFD requested plume modelling to be incorporated into the assessment reports. Also taking account of worst-case/prevaling meteorological conditions.
- Separation distances between battery units and other infrastructure to consider meteorological conditions.
- QFD indicated that the criteria for fire spread in the FSS to be reviewed, 23kw/m2 may be too high Thresholds for other effects such as piloted ignition of combustible material, and thermal runaway, that could then lead to further fire spread have not been considered.
- QFD requested the FSS to include further detail of what protections are included in battery units to prevent fire spread. Noting the specific risk profile of the site (i.e. close to Tully township as opposed to a BESS in a remote location).
- Access to the site has two points of egress from Sandy Creek Road, and QFD noted that these are deemed suitable, provided there is sufficient access to all battery units within the site.
- QFD noted the following operational matters for fire intervention:
  - QFD would generally respond from uphill and upwind
  - Zero fire intervention by QFD is very unlikely
  - Project will need to include fire water on-site.
  - Contact details for RWE/ responsible person to be available at the site entrances.
  - QFD unlikely to enter site/respond to event until contact has been made with RWE/ responsible person to confirm cause and type of fire and required strategy for intervention.
- QFD noted some concerns with BESS venting systems - Deflagration vents are usually more effective when located on the top of the battery units. The sizing of any vents in the ventilations system need to be correctly sized to account of the appropriate number of cells in the unit and a worst-case scenario.

### 3. Actions

#### 3.1 RWE/Attexo

- Confirm meeting notes and actions
- Confirm timing of Tesla MegaPack 3 specifications and testing data availability.
- Request comparison document from Tesla for MP2 and MP3 to confirm applicability of test data to be used.
- Consider fire intervention strategy for battery fire vs other fires.
- Consider preferences for fire suppression: static storage on site and/ or hydrant or suppression system within the Project footprint.
- Investigate location of deflagration vents on MegaPack 3.

#### 3.2 QFD

- Confirm the availability of reports available for Bouldercombe incident. Or include appropriate comments on the Fire Safety Study.
- Provide comments on reports issued.

Our reference: 2510-48638 SRA  
Council reference: MCU25/0043  
Your reference: RWE-002

19 November 2025

RWE Renewables Australia Pty Ltd  
c/- Attexo Group Pty Ltd  
PO Box 617  
FORTITUDE VALLEY QLD 4006  
emma.jeremy@attexo.com.au

Attention: Sue Walker

Dear Sir/Madam

## Notification of removal of assessment jurisdiction

(Related to section 49 of the *Planning Act 2016*)

Your development application for the following premises was properly referred to the State Assessment and Referral Agency (SARA) on 16 October 2025.

### Location details

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Street address:	175 Tully Gorge Road, 37 Sandy Creek Rd and 71 Sandy Creek Rd, Tully
Real property description:	Lot 1 on RP852238, Lot 1 on RP716718 and Lot 1 on RP735276
Local government area:	Cassowary Coast Regional Council

SARA has commenced assessment of your development application and has formed the view that the following jurisdiction does not apply:

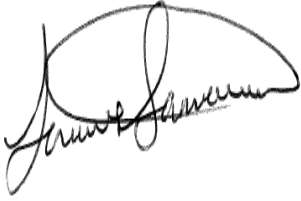
- Schedule 10, Part 20, Division 4, Table 3, Item 1 – Material change of use of premises in a wetland protection area

The reason for this view is:

- The development proposal does not involve high impact earthworks that divert water to or from a wetland in a wetland protection area

Please be advised that SARA will provide a refund of the above referral payment of \$3,760. For further information please contact Helen Reilly, Planning Officer, on 4037 3239 or via email CairnsSARA@dspdip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Javier Samanes', written in a cursive style.

Javier Samanes  
Manager

cc Cassowary Coast Regional Council, [planning@ccrc.qld.gov.au](mailto:planning@ccrc.qld.gov.au), [sue.walker@attexo.com.au](mailto:sue.walker@attexo.com.au)