



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0617-039760
Your reference: 60489152

12 June 2017

Coopers Gap Wind Farm Pty Ltd C/- AECOM Australia Pty Ltd
PO Box 1307
Fortitude Valley QLD 4006

Email: carleen.collier@aecom.com

Dear Ms Collier

Notice of decision (Approved subject to conditions) – Extension to a Wind Farm

Development Permit for a Material Change of Use for an Extension to a Wind Farm (up to 8 additional wind turbines, up to 22 meteorology masts and associated infrastructure).

(Given under section 334 of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning as the assessment manager advises that the development application described below has been approved subject to conditions.

Applicant details

Applicant name: Coopers Gap Wind Farm Pty Ltd C/- AECOM Australia Pty Ltd

Site details

Lot on plan: 1RP75408, 1RP115600, 2RP115600, 3BO21, 4LY1065, 6LY1065, 8LY249, 9LY436, 10LY355, 11LY499, 13LY500, 15LY500, 16LY500, 17LY1065, 32LY250, 34LY250, 46LY401, 48LY402, 79BO469, 80BO457, 81BO192, 83BO192, 85BO192, 86BO192, 87BO193, 88BO427, 89BO193, 90BO470, 91BO458, 192AG782, 193AG797, 195AG797.

Local government area(s): Western Downs Regional Council and South Burnett Regional Council

Application details

Proposed development: Development Permit for Material Change of Use for an Extension to a Wind Farm (up to 8 additional wind turbines, up to 22 meteorology masts and associated infrastructure)

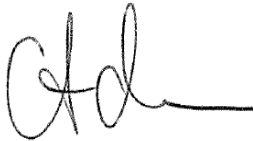
A decision notice for this application is attached.

Copies of the following documents are also attached:

- the conditions of approval
- advice to the applicant
- relevant appeal provisions in the *Sustainable Planning Act 2009*
- any plans and specifications approved in relation to the decision notice.

If you require any further information, please contact Chris Lee, Principal Planner, on 3452 7694, or via email at chris.lee@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C Adamson', with a long horizontal stroke extending to the right.

Chris Adamson
A/Manager

enc: Decision notice
 Attachment 1—Assessment manager conditions
 Attachment 2—Advice to the applicant
 Attachment 3—Powerlink advice to the applicant
 Attachment 4—SPA appeal provisions
 Attachment 5—Approved plans and specifications

Decision notice

(Given under section 334 of the *Sustainable Planning Act 2009*)

Decision

Date of decision: 12 June 2017
Decision details: Approved subject to conditions

Aspects of development and development approval granted

Development Permit for a Material Change of Use for an Extension to a Wind Farm (up to 8 additional wind turbines, up to 22 meteorology masts and associated infrastructure).

Conditions

This approval is subject to the assessment manager conditions in Attachment 1.

The department has, for particular conditions of this approval, nominated an entity to be the assessing authority for that condition under section 255D(3) of the *Sustainable Planning Act 2009*.

Approved plans and specifications

Copies of the following approved plans and specifications are included within Attachment 5:

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Project layout – Map 1	AECOM Australia Pty Ltd	29/05/2017	Project No. 60489152	2
Sensitive Land Use Separation – Map 2	AECOM Australia Pty Ltd	26/05/2017	Project No. 60489152	1

Relevant period for the approval

This development approval will lapse if development is not started within the relevant periods stated in section 341 of the Act.

Advice to the applicant

- The department offers advice about the application to the applicant – see Attachment 2.
- Powerlink offers advice about the application to the applicant – see Attachment 3.

Applicant details

Applicant name: Coopers Gap Wind Farm Pty Ltd C/- AECOM Australia Pty Ltd
Applicant contact details: PO Box 1307
Fortitude Valley QLD 4006
Email: carleen.collier@aecom.com

Application details

Level of assessment: Code assessment

Properly made date: 1 June 2017

Site details

Project name: Extension to Coopers Gap Wind Farm

Lot on plan: 1RP75408, 1RP115600, 2RP115600, 3BO21, 4LY1065, 6LY1065, 8LY249, 9LY436, 10LY355, 11LY499, 13LY500, 15LY500, 16LY500, 17LY1065, 32LY250, 34LY250, 46LY401, 48LY402, 79BO469, 80BO457, 81BO192, 83BO192, 85BO192, 86BO192, 87BO193, 88BO427, 89BO193, 90BO470, 91BO458, 192AG782, 193AG797, 195AG797.

Name of owners: Multiple land owners

Referral agencies

There were no referral agencies for this application.

Further development permits or compliance permits

Please be advised that the following development permits or compliance permits are required to be obtained before the development can be carried out:

1. Operational works
2. Building works

Self-assessable codes

Not applicable

Compliance assessment

Not applicable

Properly made submissions

Not applicable—No part of the application required impact assessment.

Conflicts with relevant instruments

This decision does not conflict with a relevant instrument.

Evidence or other material on which the findings were based

- The development application common material
- The State Development Assessment Provisions, version 1.10, published by the

- Department of Infrastructure, Local Government and Planning
- The State Planning Policy dated April 2016
 - The Darling Downs Regional Plan
 - The Wide Bay Burnett Regional Plan
 - The *Sustainable Planning Act 2009*
 - The Sustainable Planning Regulation 2009.

Rights of appeal

The rights of applicants to appeal to the Planning and Environment Court against decisions about a development application are set out in chapter 7, part 1, division 8 of the *Sustainable Planning Act 2009*. For particular applications, there may also be a right to appeal to the Building and Development Dispute Resolution Committee (see chapter 7, part 2 of the Act).

Copies of the relevant appeal provisions are included within Attachment 4.

Native title considerations

A native title assessment determined that there are no procedural rights (notification) required to native title parties under the *Native Title Act 1993* (Cth).

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Attachment 1—Assessment manager conditions

No	Conditions of development approval	Condition timing
1.	<p>(a) Carry out the approved development, being limited to:</p> <ul style="list-style-type: none"> (i) up to eight (8) wind turbines, underground cables and service roads within the extension project site on Lot 87 on BO193, Lot 88 on BO427 and Lot 1 on RP115600 (ii) underground cabling and service roads connecting to stage 1 (iii) up to eighteen (18) temporary meteorology masts shown as TMM1 to TMM18 (iv) up to four (4) permanent meteorology masts shown as PMM1 to PMM4, <p>generally in accordance with the following approved plans:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Project layout – Map 1 prepared by AECOM, Project No. 60489152, version 2 and dated 29/05/2017 <input type="checkbox"/> Sensitive Land Use Separation – Map 2 prepared by AECOM, Project No. 60489152, version 1 and dated 26/05/17. <p><i>NOTE: Micro-siting of meteorology masts, proposed service roads and proposed underground cables is permitted within the project site area shown on the project layout plan referred to in part (a) of this condition. Micro-siting of wind turbines is permitted within 100m of the wind turbine locations shown on the project layout plan referred to in part (a) of this condition, providing:</i></p> <ul style="list-style-type: none"> • <i>wind turbines are located within the extension project site area shown on the project layout plan referred to in part (a) of this condition</i> • <i>wind turbines are located at least 1,500 metres from a sensitive land use on a non-host lot, or alternatively, any lesser setback agreed by the non-host lot owner via a deed of release.</i> 	(a) At all times during construction.
2.	<p>(a) Prepare a final project layout plan taking into account micro-siting and detailed design, that identifies the final position of all aspects of the development, including wind turbines, meteorology masts, proposed service roads, proposed underground cables, proposed high voltage overhead cables and roads.</p> <p>(b) Submit the final project layout plan required by part (a) of this condition, to the Department of Infrastructure,</p>	(a) and (b) Prior to commencement of construction.

No	Conditions of development approval	Condition timing
	Local Government and Planning (windfarms@dilgp.qld.gov.au).	
3.	<p>(a) Meteorological masts/wind monitoring towers must include the following lighting and marking measures:</p> <ul style="list-style-type: none"> (i) paint the top one third in alternating contrasting bands of colour (ii) marker balls, high visibility flags or sleeves on the outside guy wires consistent with the National Airports Safeguarding Framework Guideline D, version 4.1.3 and dated 15/07/2012 (iii) where located above ground, contrasting colours to the surrounding ground/vegetation on the guy wire ground attachment points (iv) a flashing strobe light to operate during daylight hours. <p>(b) Wind turbines must include the following lighting and marking measures:</p> <ul style="list-style-type: none"> (i) the rotor blades, the nacelle and the upper two thirds of the supporting mast of wind turbines must be painted either white, off white or light grey (ii) the wind turbine blades must have a low reflectivity finish/treatment (iii) steady red medium intensity obstacle lighting installed in accordance with the requirements of the Civil Aviation Safety Authority Manual Standards Part 139 subsection 9.4.7, version 1.14 and dated January 2017 (iv) the frequency range of the LED light emitted must fall within the range of wavelengths 655 to 930 nanometres. 	(a) and (b) On completion of each individual meteorological mast/wind monitoring tower and wind turbine, and to be retained at all times.
4.	<p>(a) Prepare as-constructed project plans, including the following information:</p> <ul style="list-style-type: none"> (i) As-constructed design and location of all aspects of the development, including wind turbines, meteorology masts, service roads, underground cables, high voltage overhead cables and roads (ii) GPS co-ordinates for all wind turbines and meteorology masts (iii) Heights above ground level for all wind turbines and meteorology masts (iv) Evidence that the lighting and marking measures required by parts (a) and (b) of condition 3 have been carried out. <p>(b) Submit the as-constructed plans required by part (a) of this condition, to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p>	(a) and (b) Prior to the commencement of the use.

No	Conditions of development approval	Condition timing
5.	<p>(a) The development must be designed in accordance with the following requirements:</p> <ul style="list-style-type: none"> (i) all cabling must be provided underground, except where indicated as 'High Voltage Overhead Cable' on the approved plan Project layout – Map 1 prepared by AECOM, Project No. 60489152, version 2 and dated 29/05/2017. (ii) each wind turbine is to be separated from the existing high voltage electricity transmission line easements by a distance that is greater than the maximum tip height, or alternatively, any distance agreed in writing by Powerlink Queensland. <p>(b) Construct the development in accordance with the design requirements outlined in part (a) of this condition.</p>	<p>(a) Prior to the commencement of construction.</p> <p>(b) At all times during construction.</p>
6.	<p>(a) The development should be designed and constructed to ensure that blade shadow flicker impact at any existing or approved sensitive land use, as at the date of this approval, does not exceed:</p> <ul style="list-style-type: none"> (i) 30 hours per annum and 30 minutes per day; or (ii) the level agreed between the applicant and the relevant land owner/s via a formal deed of release. 	<p>(a) At all times.</p>
7.	<p>(a) Prepare a pre-construction assessment of the television and radio reception strength in the area within 5 kilometres of any proposed wind turbine and in which any existing or approved dwellings are located as at the date of this approval. The pre-construction assessment must be undertaken by a television and radio monitoring specialist, and include testing at selected locations to enable the average television and radio reception strength to be determined.</p> <p>(b) Submit the pre-construction assessment of television and radio reception strength to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Prepare a post-construction assessment of the television and radio reception strength in the area within 5 kilometres of any wind turbine and in which any existing or approved dwellings are located as at the date of this approval. The post-construction assessment must be undertaken by a television and radio monitoring specialist, and include testing at selected locations to enable the average television and radio reception strength to be determined.</p> <p>(d) If the post-construction assessment establishes an</p>	<p>(a) and (b) Prior to the commencement of the use.</p> <p>(c) and (d) Within six months of the commencement of the use.</p> <p>(e) Within twelve months of the commencement of the use.</p>

No	Conditions of development approval	Condition timing
	<p>unacceptable increase in interference to reception as a result of the wind farm, measures to restore the affected reception to pre-construction quality must be undertaken.</p> <p>(e) Submit the post-construction assessment of television and radio reception strength and evidence that appropriate restoration measures have been undertaken to address television and radio reception strength have been undertaken where required to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p>	
8.	<p>(a) Prepare a Vegetation Management Plan (VMP) certified by a suitably qualified ecologist. The VMP must include at a minimum:</p> <ul style="list-style-type: none"> (i) evaluation of all significant vegetation within the project site including species and botanical name plus the height and canopy spread (ii) the location and extent of all site works including all proposed infrastructure and areas of earthworks (iii) the location and description of all significant vegetation to be retained and that to be removed (iv) methods of physical identification of significant vegetation to be retained (v) a description of all measures to be used to protect significant vegetation and habitat features to be retained during construction, including protective fencing (vi) the location and extent of storage and stockpile areas for cleared vegetation and site mulch. <p>(b) Submit the VMP to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Construct the development in accordance with the VMP.</p> <p>(d) Submit certification to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au) from a suitably qualified ecologist that the development has been designed and constructed in accordance with part (a) and (c) of this condition.</p> <p><i>NOTE: Vegetation removal must be determined by consultation with a suitably qualified ecologist with a</i></p>	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) During construction.</p> <p>(d) Prior to the commencement of the use.</p>

No	Conditions of development approval	Condition timing
	<p><i>minimum of five years' experience to provide advice on vegetation retention from an ecological perspective where opportunities exist.</i></p> <p><i>NOTE: Significant vegetation is vegetation that meets one or more of the following criteria:</i></p> <p><i>(1) vegetation that is listed as threatened or otherwise significant under Commonwealth or State legislation;</i></p> <p><i>(2) vegetation that provides an important food source or shelter for native fauna;</i></p> <p><i>(3) vegetation that contributes to natural landforms, including ridgelines and steep slopes;</i></p> <p><i>(4) vegetation that contributes to local landscape character values and amenity, such as shade provision, subtropical nature and a sense of place;</i></p> <p><i>(5) vegetation that has cultural or historical value.</i></p>	
9.	<p>(a) Prepare a Fauna Management Plan (FMP) certified by a suitably qualified ecologist. The FMP must include details of all measures to protect and recover fauna during clearing operations, including presence of a qualified wildlife officer during clearing operations, pre-clearing inspections, staging and sequence of clearing and recovery procedures.</p> <p>(b) Submit the FMP to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Construct the development in accordance with the FMP.</p>	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) During construction.</p>
10.	<p>(a) Prepare a Bird and Bat Management Plan (BBMP) certified by a suitably qualified ecologist. The BBMP must include:</p> <ul style="list-style-type: none"> (i) identification of 'at risk' bird and bat groups, seasons, and areas within the project site which may attract high levels of mortality (ii) identification of mitigation measures and implementation strategies in order to reduce impacts on bird and bat groups (iii) monitoring requirements (iv) a decision making framework. <p>(b) Submit the BBMP to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p>	<p>(a) and (b) Prior to the commencement of the use.</p> <p>(c) At all times.</p>

No	Conditions of development approval	Condition timing
	(c) Operate the development in accordance with the BBMP.	
11.	<p>(a) Prepare a Safety and Emergency Management Plan (SEMP) addressing construction and operations, and including the following information at a minimum:</p> <ul style="list-style-type: none"> (i) a hazard analysis and risk assessment undertaken in accordance with AS/NZ ISO 31000:2009 Risk Management Principles and Guidelines and with HB203:2006 Environmental Risk Management Principles and Processes (ii) evacuation plans for the construction and operation phases of the development (iii) safety management plans and emergency response procedures in consultation with the state and regional emergency service providers and provide an adequate level of training to staff who will be tasked with emergency management activities. <p>(b) Submit the SEMP to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Construct the development in accordance with the SEMP.</p> <p>(d) Operate the development in accordance with the SEMP.</p> <p>(e) Maintain a copy of the SEMP on-site (for example, at the site office) at all times during construction and ensure all land owners, staff, contractors, workers and site visitors are familiar with the requirements of the SEMP.</p> <p>(f) Maintain a copy of the SEMP on-site (for example, at the site office) at all times during the operation of the wind farm and ensure all land owners, staff, contractors, workers and site visitors are familiar with the requirements of the SEMP.</p>	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) At all times during construction.</p> <p>(d) At all times.</p> <p>(e) At all times during construction.</p> <p>(f) At all times during operations.</p>
12.	<p>(a) Prepare a Construction Environmental Management Plan (CEMP). The CEMP must address:</p> <ul style="list-style-type: none"> (i) the following prepared by a suitably qualified consultant with suitable experience: <ul style="list-style-type: none"> • activities necessary to minimise impacts to agricultural practice • construction noise in accordance with the Environmental Protection (Noise) Policy 2008 and activities necessary to minimise vibration 	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) During construction.</p>

No	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> • activities necessary to ensure the removal and disposal of waste • activities necessary to manage weeds and pests <p>(ii) the following prepared by a RPEQ:</p> <ul style="list-style-type: none"> • erosion and sediment control in accordance with the Best Practice Erosion and Sediment Control document • achieve no net worsening of stormwater management in accordance with the Queensland Urban Drainage Manual • infrastructure required to provide consistent water supply. <p>(b) Submit the CEMP to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Construct the development in accordance with the CEMP.</p>	
13.	<p>(a) Prepare a Road Impact Assessment (RIA) certified by an RPEQ for the project to identify impacts on the safety, efficiency and condition of local roads. The RIA must:</p> <ul style="list-style-type: none"> (i) be developed generally in accordance with the TMR's <i>Guidelines for Assessment of Road Impacts of Development (2006)</i> (GARID) (ii) recommend strategies to mitigate the impacts of the proposal on the safety, efficiency and condition of the local road, including contributions to road works/maintenance and summarising key road-use management strategies (iii) provide evidence that potential conflicts on third party land has been resolved with affected third party stakeholders/adjoining land owners (iv) demonstrate that the haul vehicle configuration proposed can physically perform/achieve manoeuvring paths. <p>(b) Submit the RIA to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Construct any necessary intersection/accesses upgrades and undertake any other required works and</p>	<p>(a) and (b) In the case of the substation and substation access roads, no later than one month prior to the commencement of significant construction works. In all other cases, no later than three months prior to the commencement of significant construction works.</p> <p>(c) and (d) Prior to the commencement of the use.</p>

No	Conditions of development approval	Condition timing
	<p>impact mitigation strategies as detailed in the RIA in accordance with the South Burnett Regional Council and/or Western Downs Regional Council (as applicable) road planning and design policies, principles and manuals.</p> <p>(d) Submit certification to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au) from a Registered Professional Engineer Queensland that the physical works identified in the RIA have been designed and constructed in accordance with part (a) and (c) of this condition.</p> <p><i>NOTE: Significant construction works means physical construction, including significant and continuous site preparation work such as major clearing or excavation for foundations or the placement, assembly or installation of facilities or equipment at any site related to the project.</i></p>	
14.	<p>(a) Prepare a Noise impact assessment that reflects final wind turbine model selection and siting (as a result of micro siting and detailed design). The Noise impact assessment must be prepared by a suitably qualified acoustic consultant with suitable acoustic experience, and be in accordance with the PO11 and PO12 of the Wind farm state code of the State Development Assessment Provisions, version 1.10, and section 3.8 and Appendix 4 of the Wind farm state code – planning guideline, July 2016.</p> <p>(b) Submit the Noise impact assessment required by part a) of this condition to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p><i>NOTE: A suitably qualified acoustic consultant with suitable acoustic experience is a person who is: 1) eligible for membership of the Australian Acoustical Society, or 2) whose firm is a member of the Association of Australasian Acoustical Consultants, or 3) is an RPEQ with suitable acoustic experience.</i></p>	(a) and (b) Prior to the commencement of construction.
15.	<p>(a) Prepare a Noise monitoring plan consistent with the Noise impact assessment required by condition 14 of this approval. The Noise monitoring plan must:</p> <ul style="list-style-type: none"> (i) be prepared by a suitably qualified acoustic consultant with suitable acoustic experience (ii) be in accordance with Appendix 4 of the Wind 	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) Twice within the first 12 months of the</p>

No	Conditions of development approval	Condition timing
	<p>farm state code – Planning guideline</p> <p>(iii) include the requirement to undertake Operational noise monitoring twice within the first 12 months of the development being fully operational (all proposed wind turbines operating); once within 3 months and once following 9 months.</p> <p>(b) Submit the Noise monitoring plan required by part (a) of this condition to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Undertake operational noise monitoring in accordance with the Noise monitoring plan required by part a) of this condition.</p>	<p>development being fully operational (i.e. all proposed wind turbines operating); once within 3 months and once following 9 months.</p>
16.	<p>(a) Prepare a Noise monitoring report outlining the results of the operational noise monitoring required by condition 15 of this approval. The Noise monitoring report must be prepared by a suitably qualified acoustic consultant with suitable acoustic experience.</p> <p>(b) Submit the Noise monitoring report required by part a) of this condition to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p>	<p>(a) and (b) At 3 and 12 months following the development being fully operational.</p>
17.	<p>(a) Prepare an Operational strategy detailing any necessary operating measures / regime or Wind Sector Management (WSM) measures required to ensure noise emissions achieve the criteria within PO11 and PO12 of the Wind farm state code of the State Development Assessment Provisions, version 1.10, as follows:</p> <p>(i) At all noise affected existing or approved sensitive land uses on host lots:</p> <ul style="list-style-type: none"> • An outdoor (free-field) night-time (10pm to 6am) A-weighted acoustic level of: <ul style="list-style-type: none"> <input type="checkbox"/> 45dB(A), or <input type="checkbox"/> the background noise (LA₉₀) by more than 5dB(A), <p>whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height.</p> <p>(ii) At all noise affected existing or approved sensitive land uses on non-host lots:</p> <ul style="list-style-type: none"> • An outdoor (free-field) night-time (10pm to 6am) A-weighted acoustic level of: <ul style="list-style-type: none"> <input type="checkbox"/> 35dB(A), or <input type="checkbox"/> the background noise (LA₉₀) by more than 	<p>(a) and (b) 12 months following the development being fully operational.</p> <p>(c) 12 months following the development being fully operational and to be maintained.</p>

No	Conditions of development approval	Condition timing
	<p>5dB(A), whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height</p> <ul style="list-style-type: none"> • An outdoor (free-field) day-time (6am to 10pm) A-weighted acoustic level of: <ul style="list-style-type: none"> <input type="checkbox"/> 37dB(A), or <input type="checkbox"/> the background noise (LA90) by more than 5dB(A), whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height • Alternatively, the acoustic level agreed between the applicant/operator and the non-host lot owner/s via a formal deed of release (written agreement) and not exceeding an outdoor (free-field) night-time (10pm to 6am) A-weighted acoustic level of: <ul style="list-style-type: none"> <input type="checkbox"/> 45dB(A), or <input type="checkbox"/> the background noise (LA₉₀) by more than 5dB(A), whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height. <p>(b) Submit the Operational strategy required by part (a) of this condition to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Operate the wind farm in accordance with the Operational strategy prepared and submitted under parts (a) and (b) of this condition.</p>	
18.	<p>(a) Prepare a decommissioning and rehabilitation plan prepared by a suitably qualified person. The decommissioning and rehabilitation management plan must address the actions to be undertaken where any or all wind turbines have permanently ceased operating including:</p> <ul style="list-style-type: none"> (i) removal of above ground non-operational equipment (ii) removal and clean-up of any residual contamination (iii) rehabilitation/revegetation of storage areas, construction areas, access tracks and other areas affected by the decommissioning of 	<p>(a) and (b) 6 months prior to commencement of decommissioning.</p> <p>(c) As indicated in the decommissioning and rehabilitation plan.</p>

No	Conditions of development approval	Condition timing
	<p>the wind turbines if those areas are not otherwise useful to the ongoing use of the land</p> <p>(iv) a consultation program with relevant parties including surrounding land owners.</p> <p>(b) Submit the decommissioning and rehabilitation plan to the Department of Infrastructure, Local Government and Planning (windfarms@dilgp.qld.gov.au).</p> <p>(c) Decommission the wind farm in accordance with part (a) of this condition.</p>	
<p>Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:</p>		
19.	<p>(a) Prepare a Road Impact Assessment (RIA) certified by an RPEQ for the project to identify impacts on the safety, efficiency and condition of state-controlled roads. The RIA must:</p> <ul style="list-style-type: none"> i. be developed in accordance with the TMR's <i>Guidelines for Assessment of Road impacts of Development (2006)</i> (GARID) and include a completed TMR 'Transport Generation proforma' detailing project-related traffic and transport generation information or as otherwise agreed in writing with DTMR ii. use DTMR's <i>Pavement Impact Assessment tools</i> (from GARID) or such other method or tools as agreed in writing with DTMR iii. recommend strategies to mitigate the impacts of the proposal on the safety, efficiency and condition of the state-controlled road, including contributions to road works/maintenance and summarising key road-use management strategies iv. provide evidence that potential conflicts on third party land has been resolved with affected third party stakeholders/adjoining land owners v. demonstrate that the haul vehicle configuration proposed can physically perform/achieve manoeuvring paths. 	<p>(a) and (b) In the case of the substation and substation access roads, no later than one month prior to the commencement of significant construction works, or as otherwise agreed between the proponent and TMR. In all other cases, no later than three months prior to the commencement of significant construction works, or as otherwise agreed between the proponent and TMR.</p> <p>(c) and (d) Prior to the commencement of the use.</p>

No	Conditions of development approval	Condition timing
	<p>(b) Submit the RIA to the Department of Transport and Main Roads (mdp@tmr.qld.gov.au).</p> <p>(c) Construct any necessary intersection/accesses upgrades and undertake any other required works and impact mitigation strategies as detailed in the RIA in accordance with the current TMR road planning and design policies, principles and manuals, unless otherwise agreed in writing with the TMR.</p> <p>(d) Submit certification to the Department of Transport and Main Roads (mdp@tmr.qld.gov.au) from a Registered Professional Engineer Queensland that the physical works identified in the RIA have been designed and constructed in accordance with part (a) and (c) of this condition.</p> <p><i>NOTE: The Transport Generation proforma is available from Transport System Management Branch, Brisbane.</i></p> <p><i>NOTE: Significant construction works means physical construction, including significant and continuous site preparation work such as major clearing or excavation for foundations or the placement, assembly or installation of facilities or equipment at any site related to the project.</i></p>	

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 Your reference: 60489152

Attachment 2—Advice to the applicant

General advice	
1.	<p><u>Host lots</u></p> <p>Host lot means a lot that accommodates any part of a wind farm development.</p>
2.	<p><u>Non-host lots</u></p> <p>Non-host lot means a lot no part of which is used for wind farm development or part of a wind farm development.</p>
3.	<p><u>Deeds of release</u></p> <p>A deed of release means a written agreement between proponent and landowner accepting any of the following:</p> <ol style="list-style-type: none"> 1. a reduced setback between wind turbines and the landowner’s existing or approved sensitive land use(s) 2. an increased acoustic level at the landowner’s existing or approved noise affected sensitive land use(s) 3. an increased blade shadow flicker impact at the landowner’s existing or approved sensitive land use(s) <p>Note: See section 45 of the <i>Property Law Act 1974</i> for the formal requirements for deeds executed by individuals.</p>
4.	<p><u>Sensitive land uses</u></p> <p>A sensitive land use means any of the following:</p> <ol style="list-style-type: none"> 1. caretakers accommodation 2. child care centre 3. community care centre 4. community residence 5. detention facility 6. dual occupancy 7. dwelling house 8. dwelling unit 9. educational establishment 10. health care services 11. hospital 12. hotel 13. multiple dwelling 14. non-resident workforce accommodation 15. relocatable home park 16. residential care facility 17. resort complex 18. retirement facility 19. rooming accommodation 20. rural workers’ accommodation 21. short-term accommodation 22. tourist park.

	Where reference to 'existing or approved' sensitive land use/s is included, this is taken to be at the time of lodgement of the original development application.
State-controlled roads	
5.	<p><u>Works in State-controlled road reserve (WSCRR)</u></p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a State-controlled road or interfere with a State-controlled road or its operation. This may include where road works to a Council road interferes with a State-controlled road or its operations.</p> <p>The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). This approval may be subject to conditions related to the works construction process.</p> <p>Copies of the forms and additional information regarding this process can be obtained from: http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Other-matters-requiring-approval.aspx.</p>
6.	<p><u>Access to State-controlled roads</u></p> <p>Under section 62 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to locate a permitted access on a State-controlled road. A decision of access approval may include conditions or restrictions on the location or use of the permitted road access, type or number of vehicles to use the permitted road access location.</p> <p>Copies of the forms and additional information regarding this process can be obtained from: http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Other-matters-requiring-approval.aspx.</p>
Railways	
7.	<p><u>Overdimensional Road Loads (Queensland Rail)</u></p> <p>Under the <i>Transport Infrastructure (Rail) Regulation 2006</i> permission from the railway manager (Queensland Rail) is required to take overdimensional road loads across Queensland Rail infrastructure (e.g. rail level crossings and rail bridges). Further information can be obtained from Queensland Rail's website at: http://www.queenslandrail.com.au/forbusiness/overdimensionalloads.</p>
Cultural heritage	
8.	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> seeks to protect artefacts and cultural sites that are of significance to Aboriginal people. Under Section 23 of the Act, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care").</p>

Our reference: SDA-0617-039760
Your reference: 60489152

Attachment 3—Powerlink advice

***Sustainable Planning Act 2009*—Representation and appeal provisions**

The following relevant appeal provisions are provided in accordance with s336(a) of the *Sustainable Planning Act 2009*.

Chapter 6 Integrated development assessment system (IDAS)

Part 8 Dealing with decision notices and approvals

Division 1 Changing decision notices and approvals during applicant’s appeal period

360 Application of div 1

This division applies only during the applicant’s appeal period.

361 Applicant may make representations about decision

- (1) The applicant may make written representations to the assessment manager about—
 - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or
 - (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

362 Assessment manager to consider representations

The assessment manager must consider any representations made to the assessment manager under section 361.

363 Decision about representations

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the ***negotiated decision notice***) to—
 - (a) the applicant; and
 - (b) each principal submitter; and
 - (c) each referral agency; and
 - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—
 - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and
 - (b) must comply with section 335; and
 - (c) must state the nature of the changes; and
 - (d) replaces—
 - (i) the decision notice previously given; or
 - (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to

agree with any of the representations, give written notice to the applicant stating the decision about the representations.

364 Giving new notice about charges for infrastructure

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of an infrastructure charge, regulated infrastructure charge or adopted infrastructure charge.
- (2) The local government may give the applicant a new infrastructure charges notice under section 633, regulated infrastructure charges notice under section 643 or adopted infrastructure charges notice under section 648F to replace the original notice.

366 Applicant may suspend applicant's appeal period

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
 - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
 - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
 - (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal.

Chapter 7 Appeals, offences and enforcement

Part 1 Planning and Environment Court

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

- (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) development for an aquacultural ERA; or
 - (b) development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - i. a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
 - ii. a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 11 Making and appeal to Court

481 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.
- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
 - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and
 - (ii) the assessment manager for the development application to which the notice relates; and
 - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and

- (d) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
- (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
- (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
 - (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—
 - (a) the grounds of the appeal; and
 - (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - i. the assessment manager is the respondent; and
 - ii. if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and
 - iii. any other person given notice of the appeal may elect to become a co-respondent.
- (10) For an appeal under section 466—
 - (a) the responsible entity for making the change to which the appeal relates is the respondent; and
 - (b) if the responsible entity is the assessment manager—
 - (i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and
 - (ii) any other person given notice of the appeal may elect to become a co-respondent.
- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

490 Lodging appeal stops particular actions

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.
- (3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

Our reference: SDA-0617-039760
Your reference: 60489152

Attachment 5—Approved plans
