



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0317-038139
Your reference: 60489152

8 August 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) – Coopers Gap Wind Farm

Development Permit for a Material Change of Use for a Wind Farm (up to 115 wind turbines).
(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: Lot 1 RP75408, Lot 3 BO21, Lot 4 LY1065, Lot 6 LY1065, Lot 8 LY249, Lot 9 LY436, Lot 10 LY355, Lot 11 LY499, Lot 13 LY500, Lot 15 LY500, Lot 16 LY500, Lot 17 LY1065, Lot 32 LY250, Lot 34 LY250, Lot 2 RP115600, Lot 46 LY401, Lot 48 LY402, Lot 79 BO469, Lot 80 BO457, Lot 81 BO192, Lot 83 BO192, Lot 85 BO192, Lot 86 BO192, Lot 89 BO193, Lot 90 BO470, Lot 91 BO458, Lot 192 AG782, Lot 193 AG797, Lot 195 AG797.

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 a Wind Farm (up to 115 turbines)

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



Adam Yem
Acting Executive Director

enc: Decision notice
Attachment 1—Assessment manager conditions
Attachment 2—Coordinator-General's stated conditions
Attachment 3—Advice to the applicant
Attachment 4—Powerlink advice to the applicant
Attachment 5—SPA appeal provisions
Attachment 6—Approved plans and specifications

Decision notice

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

Decision

Date of decision: 8 August 2017
 Decision details: Approved subject to conditions

Aspects of development and development approval granted

Development Permit for a Material Change of Use for a Wind Farm (up to 115 turbines).

Conditions

This approval is subject to:

- the assessment manager conditions in Attachment 1
- the Coordinator General's stated conditions in Attachment 2.

Section 39(3)(b) of the *State Development and Public Works Organisation Act 1971* states that the assessment manager may 'impose conditions not inconsistent with conditions that must be attached under subsection (1)(a) [the stated conditions]'. The assessment manager's conditions of approval in Attachment 1 to the decision notice are not considered to be inconsistent with the Coordinator General's stated conditions in Attachment 2 of the decision notice.

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 6:

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Project layout – Figure 1	AECOM Australia Pty Ltd	23/05/2017	Project No. 60489152	2
Sensitive Land Use Separation – Figure 2	AECOM Australia Pty Ltd	23/05/2017	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 3.
- Powerlink offers advice about the application to the applicant – see Attachment 4.

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: 28 March 2017

Site details

Project name: Coopers Gap Wind Farm

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

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 Coordinator-General's evaluation report on the environmental impact statement dated March 2017
- The development application common material
- The further issues response prepared by AECOM Australia Pty Ltd dated 19 April 2017 and 10 May 2017
- 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 5.

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 generally in accordance with the following approved plans:</p> <ul style="list-style-type: none"> (i) Project layout – Figure 1 prepared by AECOM, Project No. 60489152, version 2 and dated 23/05/2017 (ii) Sensitive Land Use Separation – Figure 2 prepared by AECOM, Project No. 60489152, version 1 and dated 23/05/17. <p><i>NOTE: Micro-siting of meteorology masts, proposed service roads, proposed underground cables, proposed high voltage overhead cables, roads, proposed laydown areas and proposed substations/switchyard areas, is permitted within the project site area shown on the project layout plan referred to in part (a) of this condition. Micro-siting of turbines is permitted within 100m of the 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>turbines are located within the project site area shown on the project layout plan referred to in part (a) of this condition</i> • <i>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 turbines, meteorology masts, proposed service roads, proposed underground cables, proposed high voltage overhead cables, roads, proposed laydown areas and proposed substations/switchyard areas.</p> <p>(b) Submit the final project layout plan 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 commencement of construction.
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 	(a) and (b) On completion of each individual meteorological mast/wind monitoring tower and wind

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	<p>Airports Safeguarding Framework Guideline D, version 4.1.3 and dated 15/07/2012</p> <ul style="list-style-type: none"> (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) 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. 	<p>turbine, and to be retained at all times.</p>
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 turbines, meteorology masts, service roads, underground cables, high voltage overhead cables, roads, laydown areas and substations/switchyard areas (ii) GPS co-ordinates for all turbines and meteorology masts (iii) Heights above ground level for all 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>	<p>(a) and (b) Prior to the commencement of the use.</p>
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 – Figure 1 prepared by AECOM, Project No. 60489152, version 2 and dated 23/05/2017. 	<p>(a) Prior to the commencement of construction.</p> <p>(b) At all times during construction.</p>

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	<p>(ii) each 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> <p>(b) Construct the development in accordance with the design requirements outlined in part (a) of this condition.</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> <p>(i) 30 hours per annum and 30 minutes per day; or</p> <p>(ii) the level agreed between the applicant and the relevant land owner/s via a formal deed of release.</p>	(a) At all times.
7.	<p>(a) Prepare a pre-construction assessment of the television and radio reception strength in the area within 5 kilometres of any proposed 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 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 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</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>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 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>(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>(1) vegetation that is listed as threatened or otherwise significant under Commonwealth or State legislation;</p> <p>(2) vegetation that provides an important food source or shelter for native fauna;</p> <p>(3) vegetation that contributes to natural landforms, including ridgelines and steep slopes;</p> <p>(4) vegetation that contributes to local landscape character values and amenity, such as shade provision, subtropical nature and a sense of place;</p> <p>(5) vegetation that has cultural or historical value.</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>(c) Operate the development in accordance with the BBMP.</p>	<p>(a) and (b) Prior to the commencement of the use.</p> <p>(c) At all times.</p>
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 	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) At all times during</p>

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	<p>HB203:2006 Environmental Risk Management Principles and Processes</p> <p>(ii) evacuation plans for the construction and operation phases of the development</p> <p>(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> <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>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> <p>(i) the following prepared by a suitably qualified consultant with suitable experience:</p> <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 • 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 	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) During construction.</p>

No	Conditions of development approval	Condition timing
	<p>with the Best Practice Erosion and Sediment Control document</p> <ul style="list-style-type: none"> • 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 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,</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>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 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 farm state code – Planning guideline, July 2016 (iii) include the requirement to undertake Operational noise monitoring twice within the first 12 months of the development being fully operational (all proposed turbines operating); once within 3 months and once following 9 months. 	<p>(a) and (b) Prior to the commencement of construction.</p> <p>(c) Twice within the first 12 months of the development being fully operational (i.e. all proposed turbines operating); once within 3 months and once following 9 months.</p>

No	Conditions of development approval	Condition timing
	<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>	
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>	(a) and (b) At 3 and 12 months following the development being fully operational.
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"> ▪ 45dB(A), or ▪ 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"> ▪ 35dB(A), or ▪ 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> <ul style="list-style-type: none"> • An outdoor (free-field) day-time (6am to 10pm) A-weighted acoustic level of: 	<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>

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	<ul style="list-style-type: none"> ▪ 37dB(A), or ▪ 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> <ul style="list-style-type: none"> • 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"> ▪ 45dB(A), or ▪ 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>(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 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 the turbines if those areas are not otherwise useful to the ongoing use of the land (iv) a consultation program with relevant parties including surrounding land owners. <p>(b) Submit the decommissioning and rehabilitation plan to</p>	<p>(a) and (b) 6 months prior to commencement of decommissioning.</p> <p>(c) As indicated in the decommissioning and rehabilitation plan.</p>

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	<p>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>	
19.	<p>No excavation, construction or other activity that may cause harm to Aboriginal cultural heritage takes place for the project without the development and approval of a cultural heritage management plan for the project.</p> <p><i>Note: Please refer to section 87 of Aboriginal Cultural Heritage Act 2003.</i></p>	As indicated.
<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>		
20.	<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>

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	<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>	

Our reference: SDA-0317-038139
Your reference: 60489152

Attachment 2—Concurrence agency conditions (Coordinator-General stated conditions)

Under section 39(6)(b) of the *State Development and Public Works Organisation Act 1971*, the Coordinator-General's stated conditions are taken to be concurrence agency conditions under the Act. The Coordinator-General's stated conditions are included as Attachment 2.

Appendix 2. Stated conditions

This appendix contains conditions stated by the Coordinator-General under section 39(1)(a) of the *State Development and Public Works Organisation Act 1971*.

Schedule 1. Development permit for a material change of use

This schedule applies to decisions for a development permit for a material change of use under the *Sustainable Planning Act 2009*.

Condition 1. Location

- (a) Prior to commencement of construction, the proponent must submit to DILGP a revised wind farm layout plan identifying the final position of all proposed turbines and supporting infrastructure.
- (b) The wind farm development must be carried out generally in accordance with the plan required by part (a) of this condition.

Condition 2. Design

- (a) The wind farm must be designed and constructed in accordance with the following:
 - (i) the maximum number of turbines must not exceed 115
 - (ii) all turbines must be setback a minimum of 1500 metres (m) from any existing or approved sensitive land use on a non-host lot (as at the date of the Coordinator-General's report), or alternatively, the setback agreed between the non-host lot owner and proponent via a deed of release
 - (iii) the overall maximum height of any turbine (measured to the tip of the rotor blade at the highest point above ground level) must not exceed 180 m.
- (b) Prior to the commencement of use, the proponent must submit certification to DILGP from a Registered Professional Engineer Queensland (RPEQ) that the wind farm as constructed complies with the design specifications indicated in part (a) of this condition.

Condition 3. Updated noise impact assessment

- (a) Prior to commencement of construction, the proponent must submit to DILGP an updated noise impact assessment that reflects final turbine model selection and siting in accordance with the wind farm layout plan required by Part A. Condition 1 of this approval.
- (b) The updated noise impact assessment must be prepared by a suitably qualified acoustic consultant, and be in accordance with the acoustic criteria of the Wind farm state code and Wind farm state code – planning guideline.

Condition 4. Noise monitoring plan

- (a) Prior to construction, the proponent must submit to DILGP a noise monitoring plan prepared by a suitably qualified acoustic consultant.
- (b) The noise monitoring plan must be consistent with the noise impact assessment required by Part B. Condition 3 of this approval, and prepared in consultation with DILGP.

Condition 5. Operational noise monitoring

- (a) No later than 12 months of the wind farm commencing operation, and as agreed with DILGP, the proponent must submit to DILGP a noise monitoring report prepared by a suitably qualified acoustic consultant outlining the results of the operational noise monitoring under Part B. Condition 5(a).

Appendix 2. Stated conditions

Coopers Gap Wind Farm:

Coordinator-General's evaluation report on the environmental impact statement

- (b) At 12 months following the wind farm being fully operational the proponent must submit to DILGP an operational strategy outlining any necessary operating measures / regime to ensure the wind farm complies with the criteria of the Wind farm state code.

Condition 6. Operational noise levels

- (a) The wind farm must be operated in accordance with any operational strategy under Part B. Condition 5 of this approval to ensure that resulting noise meets the acoustic level requirements of the Wind farm state code and Wind farm state code – planning guideline.

Condition 7. Shadow flicker

- (a) Blade shadow flicker impacting on any existing or approved sensitive land use(s) (as at the date of the Coordinator-General's report) must meet the performance outcomes of the Wind farm state code having regard to any agreements with owner of the relevant land.

Condition 8. Material or coating of turbine blades

- (a) The wind turbine blades must have a low reflectivity finish/treatment.

Condition 9. External lighting

- (a) During wind farm operation, external lighting of infrastructure associated with the wind farm is not permitted other than:
 - (i) low-level, low-intensity security lighting
 - (ii) aviation obstacle lighting required by the Department of Defence
 - (iii) lighting necessary in the case of an emergency or for operational call-outs.

Condition 10. Television, radio and radar

- (a) Within one month of receiving any complaint that the operation of the wind farm is having an adverse effect on television, radio or radar transmission or reception at any existing or approved sensitive land use (as at the date of the Coordinator-General's report) within 5 km of a wind turbine, unless otherwise agreed with DILGP; the proponent must engage a suitably qualified person to undertake an assessment of the television, radio and radar transmission or reception at the relevant sensitive land use.
- (b) If the assessment establishes an unacceptable increase in interference to television, radio or radar transmission or reception at the relevant sensitive land use as a result of the wind farm, the proponent must undertake measures to restore the affected transmission or reception to a reasonable standard, within two months of undertaking the assessment required by part (a) of this condition.
- (c) On request, the proponent must provide to DILGP the results of any assessment carried out in response to a complaint under Part D, Condition 10 (a), and evidence that any restoration measures required by Part D. Condition 10(b) have been undertaken.

Condition 11. Ecological assessment

- (a) The proponent must submit to DILGP, an ecological assessment in accordance with the methodology outlined in the wind farm state code planning guideline.

Condition 12. Notice of construction

- (a) The proponent must provide written notice to DILGP of the start date of the construction works subject of this approval. The notice must be provided at least one week prior to the construction works commencing unless otherwise agreed by DILGP.
- (b) The proponent must provide written notice to DILGP of the completion of the construction works subject of this approval. The notice must be provided within one week following completion of the construction works.

Condition 13. Construction management plan

- (a) Prior to the commencement of construction, the proponent must submit to DILGP a construction management plan reflecting the wind farm layout required by Part A. Condition 1 of this approval.
- (b) The construction management plan must be prepared in accordance with the Wind farm state code planning guideline.
- (c) The wind farm development must be carried out generally in accordance with the construction management plan(s).

Condition 14. Erosion and sediment control plan

- (a) Prior to the commencement of construction, the proponent must submit to DILGP an updated erosion and sediment control plan reflecting the wind farm layout required by Part A. Condition 1 of this approval.
- (b) The erosion and sediment control plan must be certified by a RPEQ.
- (c) The wind farm development must be carried out in accordance with the updated erosion and sediment control plan.

Condition 15. Bushfire management

- (a) Prior to commencement of construction, the proponent must submit to DILGP a bushfire management plan which has been completed in consultation with State Assessment and Referral Agency and the Queensland Fire and Emergency Services.
- (b) The bushfire management plan must detail the mitigation strategies used to achieve the outcomes of Part E of the *State Planning Policy (April 2016) - Natural Hazards, risk and resilience*; along with any other strategies to minimise bushfire risk.
- (c) The bushfire management plan must outline how an adequate level of training will be provided to staff that will be tasked with emergency management activities.
- (d) The wind farm development must be carried out in accordance with the bushfire management plan.

Condition 16. Emergency evacuation plan

- (a) Prior to commencement of construction, the proponent must submit to DILGP a copy of the wind farm's emergency evacuation plan for the wind farm construction and operations.
- (b) The emergency evacuation plan must be completed in consultation with State and regional emergency services providers, including the Darling Downs Hospital and Health Service.
- (c) The wind farm development must be carried out in accordance with the emergency evacuation plan.

Condition 17. Notification of turbine locations

- (a) Prior to the commencement of use, the proponent must send a copy of the coordinates of the each turbine location and a map of the locations of any associated roads or tracks to the following entities:
 - (i) Queensland Fire and Emergency Services
 - (ii) Queensland Ambulance Service
 - (iii) CASA and local aerodromes
 - (iv) Airservices Australia
 - (v) Department of Defence

Appendix 2. Stated conditions

Coopers Gap Wind Farm:

Coordinator-General's evaluation report on the environmental impact statement

- (vi) South Burnett Regional Council and Western Downs Regional Council.

Condition 18. Decommissioning and rehabilitation plan

- (a) Six months prior to decommissioning of the wind farm, the proponent must submit to DILGP a decommissioning and rehabilitation plan prepared by a suitably qualified person.
- (b) The decommissioning and rehabilitation plan must address the actions to be undertaken where any or all turbines will permanently cease to generate electricity. The plan must outline potential impacts of the decommissioning stage and proposed mitigation measures. The plan must also include a program for:
 - (i) removal of all wind turbines and supporting infrastructure except where agreed with the land owner
 - (ii) removal and clean-up of any residual contamination resulting from the wind farm
 - (iii) rehabilitation / revegetation of storage areas, access tracks and other areas affected by the decommissioning of turbines, if those areas will not otherwise form part of the ongoing use of the land.
- (c) Decommissioning and rehabilitation must be carried out in accordance with the decommissioning and rehabilitation plan.
- (d) No later than two months after the turbines cease operation, the proponent must notify the following entities that the wind farm operations have ceased and the proposed timing of removal:
 - (i) Queensland Fire and Emergency Services
 - (ii) Queensland Ambulance Service
 - (iii) CASA and local aerodromes
 - (iv) Airservices Australia
 - (v) Department of Defence
 - (vi) South Burnett Regional Council and Western Downs Regional Council.

Definitions

Construction: any construction activities associated with the project other than:

- (e) installation of wind monitoring masts
- (f) building / road dilapidation surveys
- (g) investigative drilling and geotechnical investigations
- (h) establishing temporary site offices and construction compounds
- (i) installation of environmental impact mitigation measures, fencing and enabling works
- (j) minor access tracks

Our reference: SDA-0317-038139
 Your reference: 60489152

Attachment 3—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-0317-038139
Your reference: 60489152

Attachment 4—Powerlink advice

ANNEXURE A – GENERIC REQUIREMENTS

The conditions contained in this Annexure have been compiled to assist persons (the applicant) intending to undertake work within the vicinity of high-voltage electrical installations and infrastructure owned or operated by Powerlink. The conditions are supplementary to the provisions of the Electrical Safety Act 2002, Electrical Safety Regulation 2013 and the Terms and Conditions of Registered Easements and other forms of Occupational Agreements hereinafter collectively referred to as the “Easement”. Where any inconsistency exists between this Annexure and the Easement, the Easement shall take precedence.

1. POWERLINK INFRASTRUCTURE

You may not do any act or thing which jeopardises the foundations, ground anchorages, supports, towers or poles, including (without limitation) inundate or place, excavate or remove any soil, sand or gravel within a distance of twenty (20) metres surrounding the base of any tower, pole, foundation, ground anchorage or support.

2. STRUCTURES

No structures should be placed within twenty (20) metres of any part of a tower or structure foundation or within 5m of the conductor shadow area. Any structures on the easement require prior written consent from Powerlink.

3. EXCLUSION ZONES

Exclusion zones for operating plant are defined in Schedule 2 of the Electrical Safety Regulation 2013 for Untrained Persons. All Powerlink infrastructure should be regarded as “electrically live” and therefore potentially dangerous at all times.

In particular your attention is drawn to Schedule 2 of the Electrical Safety Regulation 2013 which defines exclusion zones for untrained persons in charge of operating plant or equipment in the vicinity of electrical facilities. If any doubt exists in meeting the prescribed clearance distances from the conductors, the applicant is obliged under this Act to seek advice from Powerlink.

4. ACCESS AND EGRESS

Powerlink shall at all times retain the right to unobstructed access to and egress from its infrastructure. Typically, access shall be by 4WD vehicle.

5. APPROVALS (ADDITIONAL)

Powerlink's consent to the proposal does not relieve the applicant from obtaining statutory, landowner or shire/local authority approvals.

6. MACHINERY

All mechanical equipment proposed for use within the easement must not infringe the exclusion zones prescribed in Schedule 2 of the Electrical Safety Regulation 2013. All operators of machinery, plant or equipment within the easement must be made aware of the presence of live high-voltage overhead wires. It is recommended that all persons entering the Easement be advised of the presence of the conductors as part of on site workplace safety inductions. The use of warning signs is also recommended.

7. EASEMENTS

All terms and conditions of the easement are to be observed. Note that the easement takes precedence over all subsequent registered easement documents. Copies of the easement together with the plan of the Easement can be purchased from the Department of Environment & Resource Management.

8. EXPENDITURE AND COST RECOVERY

Should Powerlink incur costs as a result of the applicant's proposal, all costs shall be recovered from the applicant.

Where Powerlink expects such costs to be in excess of \$10 000.00, advanced payments may be requested.

9. EXPLOSIVES

Blasting within the vicinity (500 metres) of Powerlink infrastructure must comply with AS 2187. Proposed blasting within 100 metres of Powerlink infrastructure must be referred to Powerlink for a detailed assessment.

10. BURNING OFF OR THE LIGHTING OF FIRES

We strongly recommend that fires not be lit or permitted to burn within the transmission line corridor and in the vicinity of any electrical infrastructure placed on the land. Due to safety risks Powerlink's written approval should be sought.

11. GROUND LEVEL VARIATIONS**Overhead Conductors**

Changes in ground level must not reduce statutory ground to conductor clearance distances as prescribed by the Electrical Safety Act 2002 and the Electrical Safety Regulation 2013.

Underground Cables

Any change to the ground level above installed underground cable is not permitted without express written agreement of Powerlink.

12. VEGETATION

Vegetation planted within an easement must not exceed 3.5 metres in height when fully matured. Powerlink reserves the right to remove vegetation to ensure the safe operation of the transmission line and, where necessary, to maintain access to infrastructure.

13. INDEMNITY

Any use of the Easement by the applicant in a way which is not permitted under the easement and which is not strictly in accordance with Powerlink's prior written approval is an unauthorised use. Powerlink is not liable for personal injury or death or for property loss or damage resulting from unauthorised use. If other parties make damage claims against Powerlink as a result of unauthorised use then Powerlink reserves the right to recover those damages from the applicant.

14. INTERFERENCE

The applicant's attention is drawn to s.230 of the Electricity Act 1994 (the "Act"), which provides that a person must not wilfully, and unlawfully interfere with an electricity entity's works. "Works" are defined in s.12 (1) of the Act. The maximum penalty for breach of s.230 of the Act is a fine equal to 40 penalty units or up to 6 months imprisonment.

15. REMEDIAL ACTION

Should remedial action be necessary by Powerlink as a result of the proposal, the applicant will be liable for all costs incurred.

16. OWNERS USE OF LAND

The owner may use the easement land for any lawful purpose consistent with the terms of the registered easement; the conditions contained herein, the Electrical Safety Act 2002 and the Electrical Safety Regulation 2013.

17. ELECTRIC AND MAGNETIC FIELDS

Electric and Magnetic Fields (EMF) occur everywhere electricity is used (e.g. in homes and offices) as well as where electricity is transported (electricity networks).

Powerlink recognises that there is community interest about Electric and Magnetic Fields. We rely on expert advice on this matter from recognised health authorities in Australia and around the world. In Australia, the Federal Government agency charged with responsibility for regulation of EMFs is the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA's *Fact Sheet – Magnetic and Electric Fields from Power Lines*, concludes:

"On balance, the scientific evidence does not indicate that exposure to 50Hz EMF's found around the home, the office or near powerlines is a hazard to human health."

Whilst there is no scientifically proven causal link between EMF and human health, Powerlink nevertheless follows an approach of "prudent avoidance" in the design and siting of new powerlines. This includes seeking to locate new powerline easements away from houses, schools and other buildings, where it is practical to do so and the added cost is modest.

The level of EMF decreases rapidly with distance from the source. EMF readings at the edge of a typical Powerlink easement are generally similar to those encountered by people in their daily activities at home or at work. And in the case of most Powerlink lines, at about 100 metres from the line, the EMF level is so small that it cannot be measured.

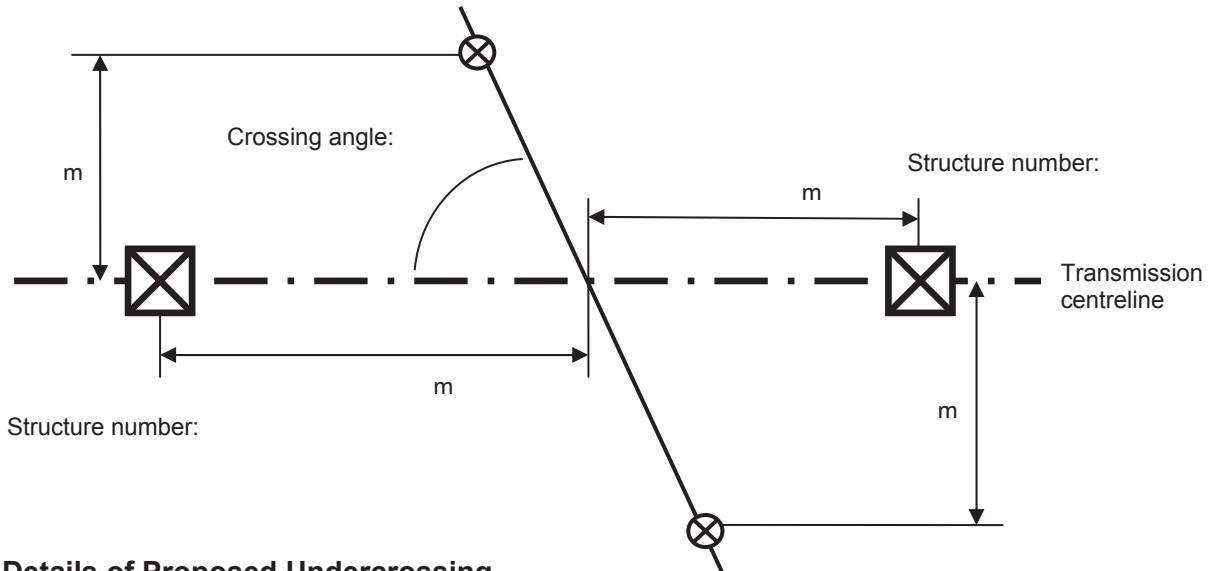
Powerlink is a member of the ENA's EMF Committee that monitors and compiles up-to-date information about EMF on behalf of all electricity network businesses in Australia. This includes subscribing to an international monitoring service that keeps the industry informed about any new developments regarding EMF such as new research studies, literature and research reviews, publications, and conferences.

We encourage community members with an interest in EMF to visit ARPANSA's website: www.arpansa.gov.au Information on EMF is also available on the ENA's website: www.ena.asn.au



Under Crossings Form

Location Sketch



Details of Proposed Undercrossing

- Location:
(real property description or street address)
- Undercrossing line voltage:
- Number of phases:
- Subsidiary circuits:
- Type of construction:
(materials, etc)

Powerlink requires an “unattached crossing” circuit to circuit clearance starting at a minimum of **5 metres** (upper circuit hot curve to under crossing lower circuit cold curve) for all voltages. Where this cannot be achieved, Powerlink will consider other separations via engineering assessment on a case by case basis considering issues such as the distance into the span for the crossing, the two voltages etc.

Note: The support structures for the under crossing should be strain (shackle) construction to facilitate the lowering of the span for work on the upper circuit.

Required Attachments

Plan and profile drawing detailing under crossing circuit (cold curve conditions) to Powerlink circuit, including pole heights and ground levels (AHD).

Please see Powerlink’s ‘Conductor Survey Guideline’ for requirements regarding the survey of our assets.

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Attachment 5—SPA appeal provisions

***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)
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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—
- 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
 - 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
 - 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—
- the refusal, or the refusal in part, of the development application;
 - any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - the decision to give a preliminary approval when a development permit was applied for;
 - the length of a period mentioned in section 341;
 - 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—
- 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
 - 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

- (c) 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

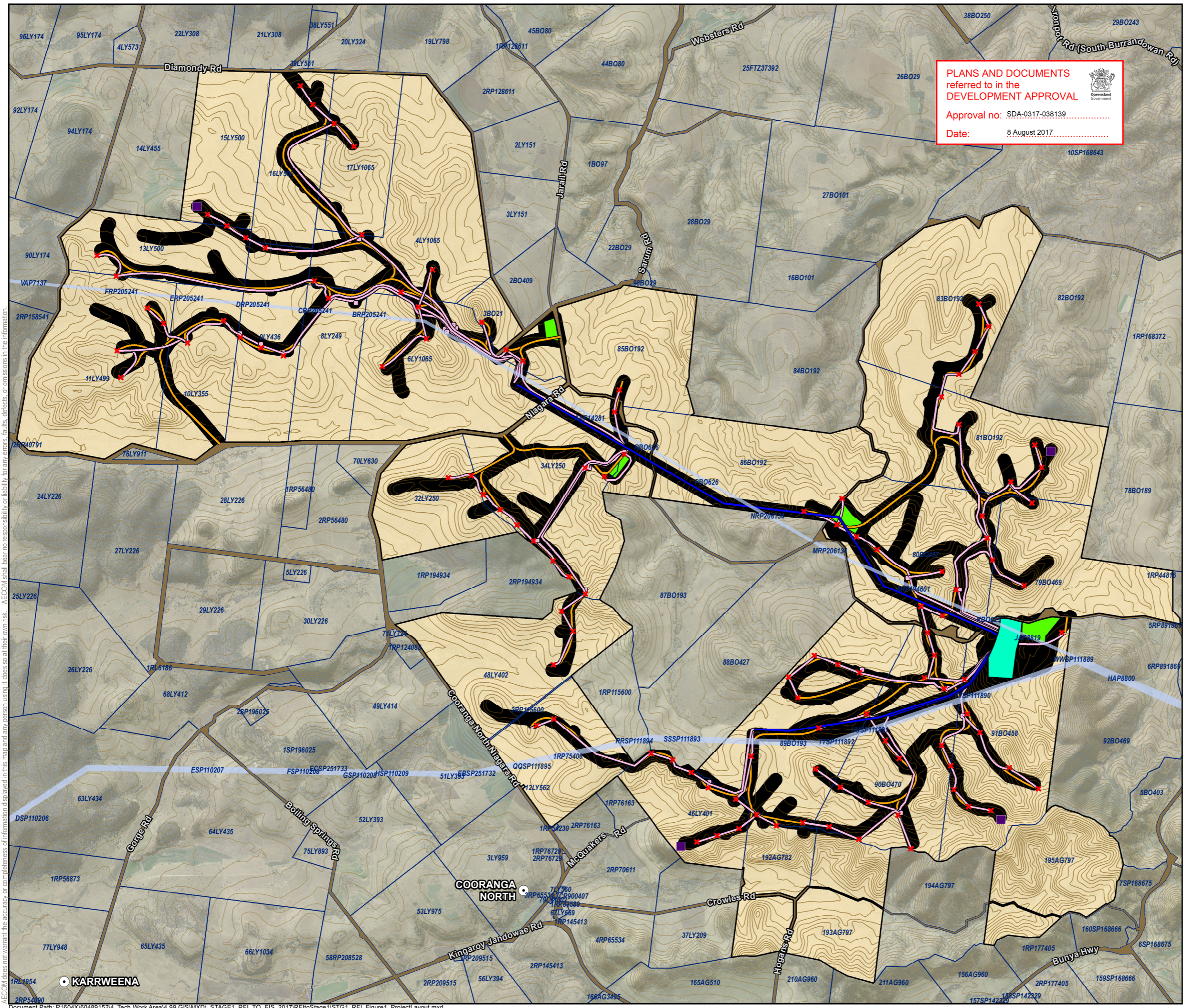
An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

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-0317-038139
Your reference: 60489152

Attachment 6—Approved plans



PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Approval no: SDA-0317-038139

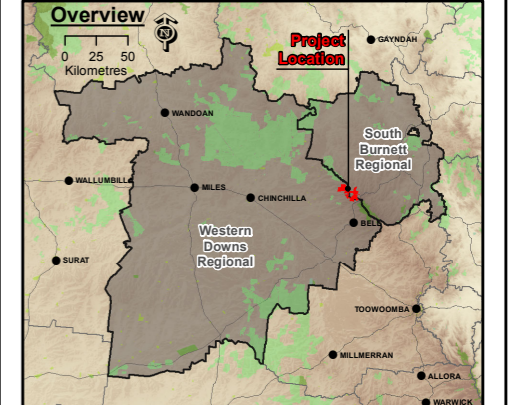
Date: 8 August 2017

DATUM GDA 1994, PROJECTION MGA ZONE 56

0 1 2
Kilometres

1:55,000 (when printed at A3)

- Legend**
- Project Site
 - MCU Application Study Area
 - Locality
 - ✖ Turbines
 - ~ Contours 10m
 - Proposed High Voltage Overhead Cable
 - Proposed Underground Cable
 - Proposed Service Road
 - Lot Type Parcel
 - Road
 - Existing High Voltage Transmission Line Easement
 - Proposed Laydown Areas
 - Proposed Substations/Switchyards Area



Data Sources:

1. Project Site @ AECOM, 2016
2. Turbine Layout, UG/OH and Roads Layout @ GE CATCON, 2017
3. Service Road, Transmission Lines @ AGL, 2014
4. Locality, Roads @ StreetPro 2011
5. Cadastral Data (DCDB) @ State of Queensland (DNRM), 2017
6. Contours 10m @ Department of Natural Resources and Mines, 2013
7. Hillshade, based on the 25m DEM covering the SEQ, DNRM 2005
8. Local Government Area (LGA) boundaries @ Australia Bureau of Statistic (ABS), 2011
9. Vegetation Management Watercourse and Drainage features map (1:100 000 and 1:250 000) - version 1.4 dataset @ State of Queensland (Department of Natural Resources and Mines) 2016
10. Background Image, Captured on 27/04/2011, Bing Maps
11. Surat Basin Main map 40 cm Imagery @ SISIP, 2013

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2. StreetPro © 2011 Pitney Bowes Software Pty Ltd. All rights reserved.

3. © State of Queensland (Department of Natural Resources and Mines) 2014. Data from Commonwealth of Australia (Geoscience Australia) 2009 used in creating this dataset provided under Creative Commons Attribution licence. Updated data available at <http://roads.information.qld.gov.au/roads/>

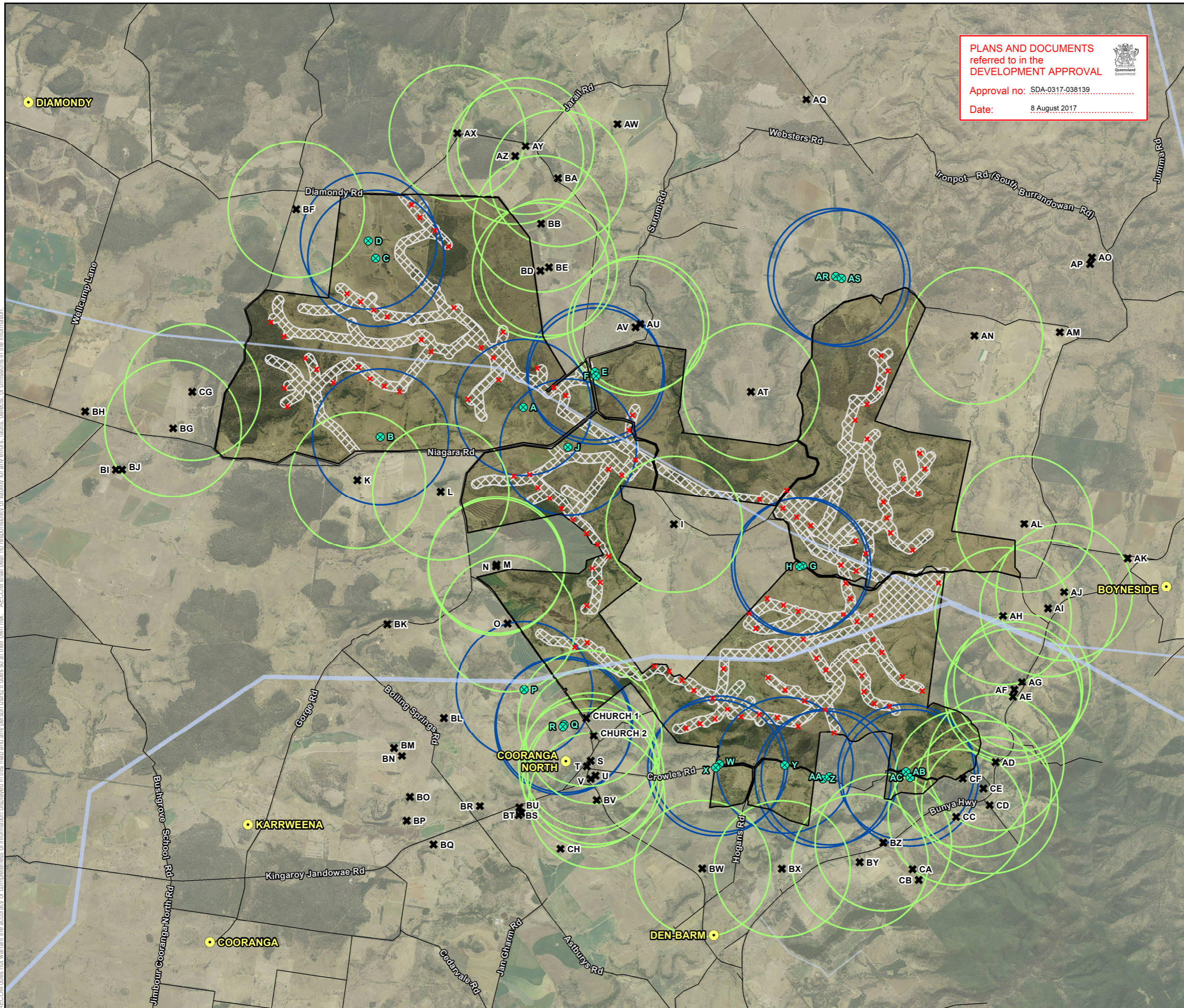
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COOPERS GAP WIND FARM RESPONSE TO FURTHER ISSUES

PROJECT LAYOUT	
PROJECT #:	60489152
CREATED BY:	BM
LAST MODIFIED:	BM: 23/05/2017
VERSION:	2
Figure 1	

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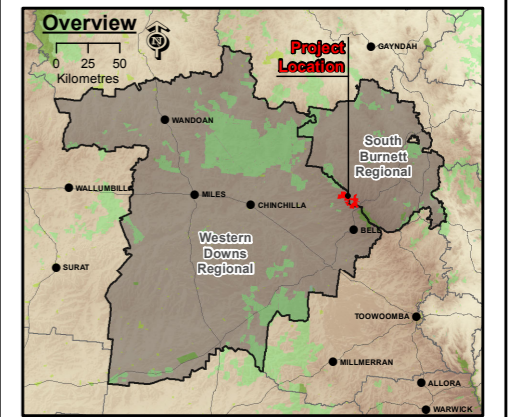
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PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL
Approval no: SDA-0317-038139
Date: 8 August 2017

AGL Energy in action **AECOM**
DATUM GDA 1994, PROJECTION MGA ZONE 56
0 1 2
Kilometres
1:80,000 (when printed at A3)

Legend
MCU Application Study Area
Project Site
Locality
Turbines
Participatory Landowners
Non-Participatory Landowners
Road
1,500m setback – Participating Landowners*
1,500m setback – Non-Participating Landowners*
Note:
*only setbacks intersecting Study Area shown



Data Sources:
1. Project Site, @ AECOM, 2016
2. Turbine Layout @ GE CATCON, 2017
3. Service Road, Transmission Lines @ AGL 2014
4. Locality, Roads @ StreetPro 2011
5. Cadastral Data (DCDB) @ State of Queensland (Department of Natural Resources and Mines) 2017
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2. StreetPro © 2011 Pinney Bowes Software Pty Ltd. All rights reserved.
3. © State of Queensland (Department of Natural Resources and Mines) 2014. Data from Commonwealth of Australia (Geoscience Australia) 2009 used in creating this dataset provided under Creative Commons Australia - Attribution licence. Updated data available at <http://hdds.information.qld.gov.au/hdds/>
4. © The State of Queensland (Department of Environment and Resource Management) 2011. While every care is taken to ensure the accuracy of the Information Product, the Department of Environment and Resource Management makes no representation or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

**COOPERS GAP WIND FARM
RESPONSE TO FURTHER ISSUES**
SENSITIVE LAND USE SEPARATION
PROJECT #: 60489152
CREATED BY: BM
LAST MODIFIED: BM: 23/05/2017
VERSION: 1
Figure 2