

RE3-N

Changed decision notice

Our reference: 1808-7080 SPD

Decision notice—approved with conditions

(Given under section 63 of the *Planning Act 2016*)

Original reference: SDA-0617-039760

The development application described below was properly made to the Department of State Development, Manufacturing, Infrastructure and Planning on 23 October 2018.

Applicant details

Applicant name: Catcon c/- NGH Environmental
Applicant contact details: Mr Cameron Felton
Level 5, 320 Adelaide Street
Brisbane QLD 4000

Location details

Street address: 1536 Diamondy Road, 1635, 1997 and 2064 Niagara Road, Niagara Road and North Niagara Road, Diamondy; Sarum Road and 1229 Jarail Road, Ironpot; 400 and 700 Cooranga North Niagara Road, 80 Mcquakers Road, 446 and 712 Crowles Road and Crowles Road, Cooranga; 2504 and 2880 Niagara Road, Niagara Road, 99 Bilboa Road, Bilboa Road and 758 Red Tank Road, Boyneside
Real property description: 15LY500; 16LY500; 192AG782; 193AG797; 32LY250; 34LY250; 46LY401; 48LY402; 4LY1065; 6LY1065; 79BO469; 81BO192; 83BO192; 86BO192; 89BO193; 8LY249; 90BO470; 91BO458; 9LY436; 80B0457; 10LY355; 11LY499; 13LY500; 17LY1065; 195AG797; 1RP75408; 2BO409; 2RP115600; 3BO21; 85BO192
Local government area: South Burnett Regional Council; Western Downs Regional Council

Decision

Date of decision: 12 December 2018
Decision details: Approved subject to conditions

Approval details

Development permit: Material Change of Use for a Wind Farm (up to 9 turbines)

Referral agencies

There were no referral agencies for this application.

Conditions

This approval is subject to:

- the assessment manager conditions in Attachment 1

The department has, for conditions of this approval, nominated an entity to be the enforcement authority for that condition under the *Planning Act 2016*.

Further development permits

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

1. Operational Works
2. Building Works

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration from a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Copies of the relevant appeal provisions are attached.

Currency period for the approval

This development approval will lapse if development is not started within the currency periods stated in section 85 of the *Planning Act 2016*.

enc Attachment 1—Changed assessment manager conditions
 Attachment 2—Advice to the applicant
 Attachment 3—Appeal provisions
 Attachment 4—Approved plans and specifications
 Attachment 5—Powerlink advice to the applicant

Attachment 1—Changed assessment manager conditions

No.	Conditions of development approval	Condition timing
Material change of use for a wind farm		
1.	<p>(a) Carry out the approved development, being limited to:</p> <ul style="list-style-type: none"> (i) up to eight (8) nine (9) 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"> ▪ Sheet 1: Index Map Project Layout and Sensitive Land Use Separation Map prepared by NGH Environmental, ref: CPG-CTC-EN-DWG-0032-01, dated 4 December 2018. ▪ Project layout—Map 1 prepared by AECOM, Project No. 60489152, version 2 and dated 29/05/2017 ▪ 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.	(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.	(a) and (b) Prior to commencement of construction

No.	Conditions of development approval	Condition timing
	(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).	
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. 	(a) and (b) Prior to the commencement of the use

No.	Conditions of development approval	Condition timing
	(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).	
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 Sheet 1: Index Map Project Layout and Sensitive Land Use Separation Map prepared by NGH Environmental, ref: CPG-CTC-EN-DWG-0032-01, dated 4 December 2018. 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. 	(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 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</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>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 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>(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>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>(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 HB203:2006 Environmental Risk Management Principles and Processes 	<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>

No.	Conditions of development approval	Condition timing
	<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>(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 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>(a) and (b) Prior to the commencement of construction</p> <p>(c) During construction</p>

No.	Conditions of development approval	Condition timing
	(c) Construct the development in accordance with the CEMP.	
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, 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>	<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>
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</p>	<p>(a) and (b) Prior to the commencement of construction</p>

No.	Conditions of development approval	Condition timing
	<p>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>	
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 (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>(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>(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 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> <ul style="list-style-type: none"> (i) At all noise affected existing or approved sensitive land uses on host lots: 	<p>(a) and (b) 12 months following the development being fully operational</p> <p>(c) 12 months following the development being</p>

No.	Conditions of development approval	Condition timing
	<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> (ii) At all noise affected existing or approved sensitive land uses on non-host lots: <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> • An outdoor (free-field) day-time (6am to 10pm) A-weighted acoustic level of: <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> • 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> (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). 	fully operational and to be maintained

No.	Conditions of development approval	Condition timing
	(c) Operate the wind farm in accordance with the Operational strategy prepared and submitted under parts (a) and (b) of this condition.	
18.	<p>(a) Prepare a decommissioning and rehabilitation plan prepared by a suitably qualified person.</p> <p>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 the wind 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 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>(a) and (b) 6 months prior to commencement of decommissioning</p> <p>(c) As indicated in the decommissioning and rehabilitation plan</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 	<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</p>

No.	Conditions of development approval	Condition timing
	<p>state-controlled road, including contributions to road works/maintenance and summarising key road-use management strategies</p> <p>iv. provide evidence that potential conflicts on third party land has been resolved with affected third party stakeholders/adjoining land owners</p> <p>v. demonstrate that the haul vehicle configuration proposed can physically perform/achieve manoeuvring paths.</p> <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>	<p>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>

Attachment 2—Advice to 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 accommodation2. child care centre3. community care centre4. community residence5. detention facility6. dual occupancy7. dwelling house8. dwelling unit9. educational establishment10. health care services11. hospital12. hotel13. multiple dwelling14. non-resident workforce accommodation15. relocatable home park16. residential care facility17. resort complex18. retirement facility19. rooming accommodation20. rural workers' accommodation21. short-term accommodation22. tourist park. <p>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.</p>
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>

Attachment —Appeal provisions

Planning Act 2016 – Appeal provisions

The following provisions are the **appeal rights** as defined in the Planning Act 2016, schedule 2.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

- (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
- (b) the person—
 - (i) who may appeal a matter (the **appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is—

- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Schedule 1 Appeals

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - i a material change of use for a classified building; or
 - ii operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - i a material change of use for a classified building; or
 - ii operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - i a material change of use for a classified building; or
 - ii operational work associated with building work, a retaining wall, or a tennis court; or

- (d) development condition if—
 - i the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - ii the building is, or is proposed to be, not more than 3 storeys; and
 - iii the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - i in relation to a matter under paragraphs (a) to (g); or
 - ii under the Plumbing and Drainage Act; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - i a development approval for which the development application required impact assessment; and
 - ii a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—

storey see the Building Code, part A1.1.

**Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal**

1. Development applications

For a development application other than a development application called in by the minister, an appeal may be made against—

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<ol style="list-style-type: none"> 1. A concurrence agency that is not a co-respondent 2. If a chosen assessment manager is the respondent—the prescribed assessment manager 3. Any eligible advice agency for the application 4. Any eligible submitter for the application

2. Change applications

For a change application other than a change application made to the P&E Court or called in by the Minister, an appeal may be made against—

- (a) the responsible entity's decision on the change application; or
- (b) a deemed refusal of a change application.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ol style="list-style-type: none"> 1. The applicant 2. If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice 	The responsible entity	If an affected entity starts the appeal—the applicant	<ol style="list-style-type: none"> 1. A concurrence agency for the development application 2. If a chosen assessment manager is the respondent—the prescribed assessment manager 3. A private certifier for the development application 4. Any eligible advice agency for the change application 5. Any eligible submitter for the change application

3. Extension applications

For an extension application other than an extension application called in by the Minister, an appeal may be made against—

- (a) The assessment manager's decision on the extension application; or
- (b) A deemed refusal of the extension application.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ul style="list-style-type: none"> 1. The applicant 2. For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application 	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager

4. Infrastructure charges notices

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

- (a) the notice involved an error relating to—
 - (i) the application of the relevant adopted charge; or
 - Examples of errors in applying an adopted charge:
 - the incorrect application of gross floor area for a non-residential development
 - applying an incorrect 'use category', under a regulation, to the development
 - (ii) the working out of extra demand, for section 120; or
 - (iii) an offset or refund; or
- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (d) the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—

5. Conversion applications

An appeal may be made against—

- (a) the refusal of a conversion application; or
- (b) a deemed refusal of a conversion application.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—

6. Enforcement notices

An appeal may be made against the decision to give an enforcement notice.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

**Table 2
Appeals to the P&E Court only**

1. Appeals from tribunal

An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—

- (a) an error or mistake in law on the part of the tribunal; or
- (b) jurisdictional error.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—

2. Eligible submitter appeals

For a development application or change application other than an application decided by the P&E Court or called in by the Minister, an appeal may be made against the decision to approve the application, to the extent the decision relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ol style="list-style-type: none"> 1. For a development application—an eligible submitter for the development application 2. For a change application—an eligible submitter for the change application 	<ol style="list-style-type: none"> 1. For a development application—the assessment manager 2. For a change application—the responsible entity 	<ol style="list-style-type: none"> 1. The applicant 2. If the appeal is about a concurrence agency's referral response—the concurrence agency 	Another eligible submitter for the application

3. Eligible submitter and eligible advice agency appeals

For a development application or change application other than an application decided by the P&E Court or called in by the Minister, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or the change application, that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)

<ol style="list-style-type: none"> 1. For a development application—an eligible submitter for the development application 2. For a change application—an eligible submitter for the change application 3. An eligible advice agency for the development application or change application 	<ol style="list-style-type: none"> 1. For a development application—the assessment manager 2. For a change application—the responsible entity 	<ol style="list-style-type: none"> 1. The applicant 2. If the appeal is about a concurrence agency's referral response—the concurrence agency 	Another eligible submitter for the application
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4. Compensation claims

An appeal may be made against—

- (a) a decision under section 32 about a compensation claim; or
- (b) a decision under section 265 about a claim for compensation; or
- (c) a deemed refusal of a claim under paragraph (a) or (b).

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—

5. Registered premises

An appeal may be made against a decision of the Minister under chapter 7, part 4.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<ol style="list-style-type: none"> 1. A person given a decision notice about the decision 2. If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision 	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises

6. Local laws

An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

- (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or
- (b) the erection of a building or other structure.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

**Table 3
Appeals and tribunal only**

1. Building advisory agency appeals

An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<ol style="list-style-type: none"> 1. A concurrence agency for the development application related to the approval 2. A private certifier for the development application related to the approval

2. Inspection of building work

An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—

3. Certain decisions under the Building Act and the Plumbing and Drainage Act

An appeal may be made against—

- (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or
- (b) a decision under the Plumbing and Drainage Act, part 4 or 5, if an information notice about the decision was given or required to be given under that Act.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The person who made the decision	—	—

4. Local government failure to decide application under the Building Act

An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.

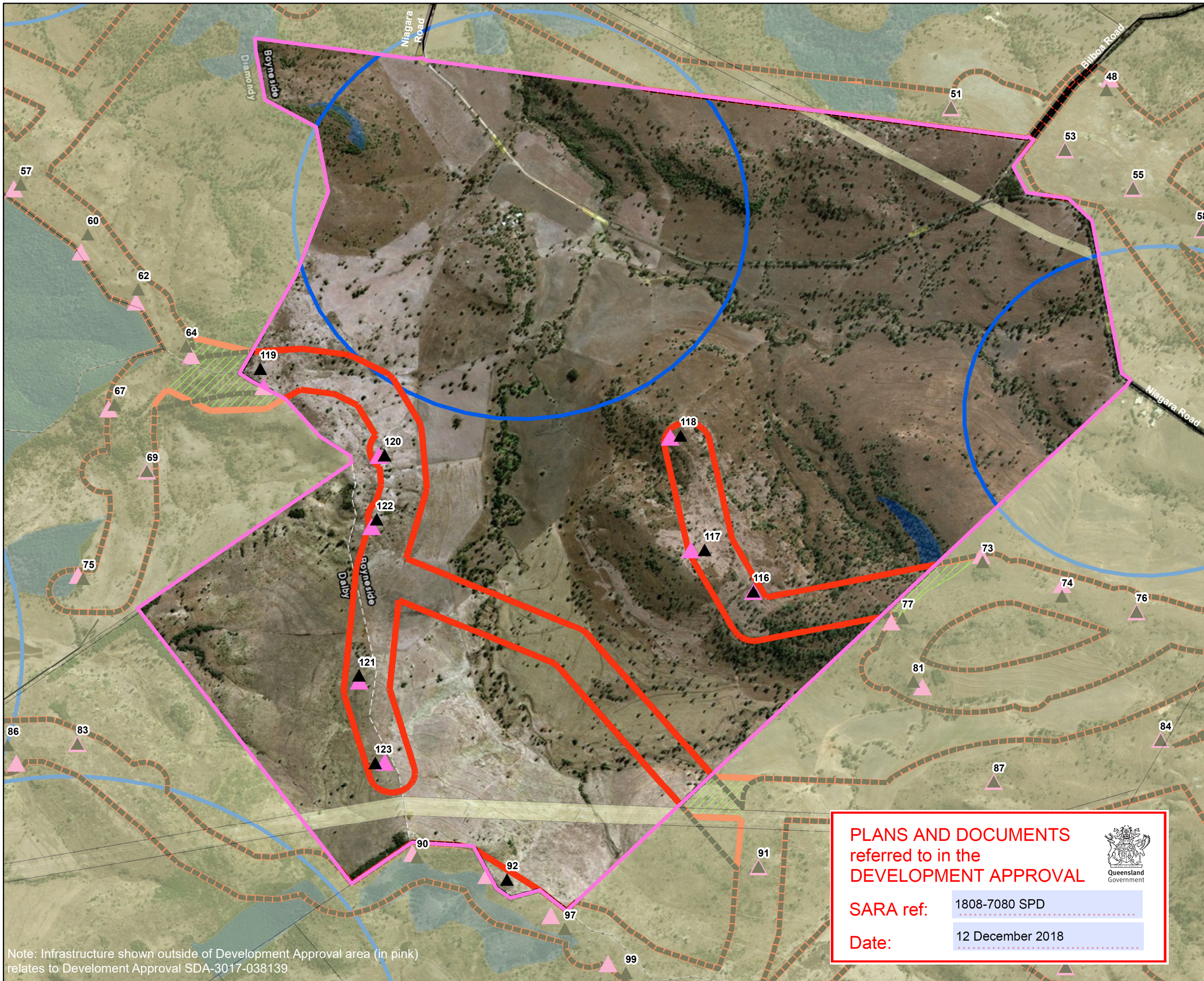
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—

Attachment —Approved plans and specifications

**COOPERS GAP WIND FARM
CHANGE APPLICATION -
Minor Change under s78 of the
Planning Act 2016
SDA-0617-039760**

**Sheet 1: Index Map
Project Layout and Sensitive Land
Use Separation Map**

CPG-CTC-EN-DWG-0032



- Development Approval Area
- Microsited Turbine Locations
- Contract Turbine Locations
- Roads
- New Project Site Envelope
- Approved Project Site Envelope
- Project Site Gaps
- Metmasts
- Sensitive Land Use
- Regulated Vegetation Management (RVM) Map**
- B - Remnant Vegetation
- C - High Value Regrowth
- R - Regrowth Vegetation within Watercourse
- X - Non- remnant Vegetation

Notes:
 - Client data courtesy of CATCON, WGA and CPP, received 2018.
 - Regulated vegetation management map, version 2.05 (7th August 2018)
 © Dept. of Natural Resources, Mines and Energy (DNRME).
 - Base map Copyright © Esri and its data suppliers.



Scale: 1:55,000 at A3
 Ref: CPG-CTC-EN-DWG-0032
 Date: 4/12/2018
 Author: C. Perkins



**PLANS AND DOCUMENTS
referred to in the
DEVELOPMENT APPROVAL**

SARA ref: 1808-7080 SPD

Date: 12 December 2018

Note: Infrastructure shown outside of Development Approval area (in pink) relates to Development Approval SDA-3017-038139

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.

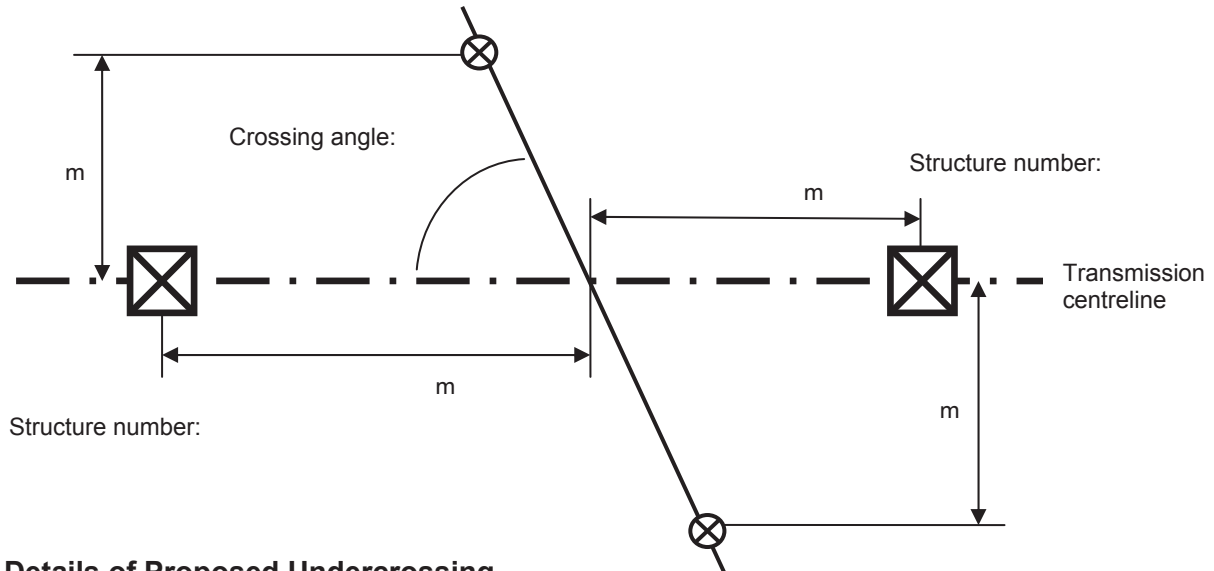
Powerlink is a member of the ENA's EMF Committee that monitors and compiles up-to-date information about EMF on behalf of all electricity network businesses in Australia. This includes subscribing to an international monitoring service that keeps the industry informed about any new developments regarding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