



SARA reference: 2410-43110 SDA

Applicant reference: 0736670

21 March 2025

Bungaban Renewable Energy Farm Pty Ltd

c/- ERM Australia Pty Ltd

michael.rookwood@erm.com

Attention: Mr Michael Rookwood

Dear Sir/Madam

SARA Decision notice—Bungaban Wind Farm

(Assessment Manager decision notice given under section 63 of the *Planning Act 2016*)

The development application described below was confirmed as properly made by the State Assessment and Referral Agency (SARA) on 25 October 2024.

Decision

Outcome:	Approved, subject to conditions	
Date of decision:	21 March 2025	
Conditions:	The approval is subject to the conditions in Attachment 1	
Advice:	Advice to the applicant is in Attachment 2	
Reasons:	The reasons for decisions are in Attachment 3	
Currency period:	This development approval will lapse if the development is not started within the following periods:	
	<ul style="list-style-type: none">• Six (6) years for the part of the development approval relating to a material change of use• Two (2) years for the part of the development approval relating to operational work	

Development Details

Description:	Development permit	Material Change of Use for a Wind Farm (up to 204 wind turbine generators and ancillary infrastructure including battery energy storage systems (BESS)) Operational Work for clearing native vegetation
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SARA role:	Assessment manager as prescribed under the Planning Regulation 2017: <ul style="list-style-type: none"> Part 4, Division 2, Section 21 – Material change of use for a wind farm (Planning Regulation 2017) Schedule 8, Table 4, Item 3(b) – Operational work for clearing native vegetation (Planning Regulation 2017)
SARA trigger:	<ul style="list-style-type: none"> Schedule 10, Part 21, Division 2, Table 1, Item 1 – Material change of use for a wind farm (Planning Regulation 2017) Schedule 10, Part 3, Division 3, Table 1, Item 1 – Operational work for clearing native vegetation (Planning Regulation 2017)
SARA reference:	2410-43110 SDA
Street address:	1055 Arndts Road, Sujeewong; 2131 and 2402 Red Range Road, Cockatoo; 1909 Big Valley Road and 433 Bocks Road, Bungaban; 1839 and 2438 Knudsens Road and Lot 7 Auburn Road, Auburn; and Knudsens Road, Shacho Road and Big Valley Road
Real property description:	Lot 1 and 2 on SP321813, Lot 21 and 22 on SP263821, Lot 2 and 4 on FT800, Lot 3 on FT831, Lot 41 and 42 on SP137907, Lot 5 on NT196 and Lot 7 on NT283
Local government area:	Banana Shire Council and Western Downs Regional Council
Applicant name:	Bungaban Renewable Energy Farm Pty Ltd
Applicant contact details:	c/- Environmental Resources Management Australia Pty Ltd GPO Box 2892 BRISBANE QLD 4000 michael.rookwood@erm.com

Additional details

Native title considerations:	<p>Native Title has been extinguished over Lots 1 and 2 on SP321813, Lots 21 and 22 on SP263821, Lots 41 and 42 on SP137907, Lot 5 on NT196 and Lot 7 on NT283 as the whole area is covered by Previous Exclusive Possession Acts (PEPA) in accordance with section 23B(2)(c)(i) of the <i>Native Title Act 1993</i>. As there is currently no claim over the proposed dealing area, Module BB of the Native Title Work Procedures is not applicable.</p> <p>Native Title has been extinguished over Lot 2 on FT800 as the whole area is covered by a Previous Exclusive Possession Act (PEPA) in accordance with section 23B(2)(c)(ii) of the <i>Native Title Act 1993</i>.</p> <p>Native Title has been extinguished over Lot 4 on FT800 and Lot 3 on FT831 as the whole area is covered by Previous Exclusive Possession Acts (PEPA) in accordance with section 23B(2)(c)(i) of the <i>Native Title Act 1993</i>.</p> <p>Native Title is wholly extinguished over the full width of the roads as depicted on the abovementioned plans in accordance with section 23B(7) of the <i>Native Title Act 1993</i> as a road is a public work under</p>
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section 253 of the *Native Title Act 1993*.

Further development permits:	Further development permits will be necessary to allow the development to be carried out.
Category of assessment:	Code assessable
<i>Human Rights Act 2019</i> considerations:	Consideration of the <i>Human Rights Act 2019</i> sections 15 to 35 has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Dispute resolution

Representations:	The rights of applicants to make representations about this decision notice during the applicant's appeal period is set out in Chapter 3, Part 5 of the <i>Planning Act 2016</i> . Copies of the relevant provisions are in Attachment 4 .
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. Copies of the relevant appeal provisions are in Attachment 5 .

For further information please contact Alex Ponomarev, Senior Planning Officer, on (07) 5644 3200 or via email wind.farms@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



John Sosso
Director General

enc **Attachment 1** – Assessment manager conditions
 Attachment 2 – Advice to the applicant
 Attachment 3 – Glossary of terms
 Attachment 4 – Reasons for the decision
 Attachment 5 – Change representations provisions
 Attachment 6 – Appeal provisions
 Attachment 7 – Documents referenced in conditions

cc Banana Shire Regional Council, enquiries@banana.qld.gov.au
 Western Downs Regional Council, info@wdrc.qld.gov.au.

Attachment 1—Assessment manager conditions

(Given under section 63(2)(e)(ii) of the *Planning Act 2016*)

(Copies of the documents referenced below are found at **Attachment 7**).

No.	Conditions of development approval	Condition timing
Material Change of Use for a Wind Farm (up to 204 wind turbine generators and ancillary infrastructure including battery energy storage systems (BESS))		
1.	<p>(a) Carry out the approved development generally in accordance with the Bunganan Renewable Energy Project – Project Layout Plan prepared by Windlab, dated 12/03/2025, site layout version D04, sheets 1 to 4.</p> <p>(b) Temporary and permanent wind monitoring / meteorological towers may be installed generally in accordance with the Bunganan Renewable Energy Project – Project Layout Plan prepared by Windlab, dated 12/03/2025, site layout version D04, sheets 1 to 4.</p>	<p>(a) At all times during construction and to be maintained at all times</p> <p>(b) Prior to commencement of construction</p>
2.	<p>(a) Prepare as-constructed plans that demonstrate that the approved development has been constructed generally in accordance with the plan referenced in condition 1 (a).</p> <p>The plans must:</p> <ul style="list-style-type: none"> i) be certified by a Registered Professional Engineer of Queensland or licensed surveyor ii) include the design and location of all wind turbines and all ancillary uses iii) include details of all erosion and stormwater management devices and infrastructure iii) include co-ordinates for all wind turbines, wind monitoring/meteorology masts and any other infrastructure elements of significant height iv) include reduced levels for maximum heights above ground of all wind turbines (measured at the highest point of blade rotation) and wind monitoring/meteorology masts. <p>(b) Submit the as-constructed plans to:</p> <ul style="list-style-type: none"> i) Airservices Australia (vod@airservicesaustralia.com) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) iv) Rural Fire Service Specialist Services, State Air Operations (sao.operations@fire.qld.gov.au) v) Department of State Development Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au). <p>(c) Any proposed upgrades to wind turbines during the life of the</p>	<p>(a) and (b) Within 3 months after practical completion of the wind farm</p> <p>(c) At all times</p>

No.	Conditions of development approval	Condition timing
	development are to remain generally in accordance with the as-constructed plans prepared in accordance with this condition.	
3.	<p>(a) Prepare a Vegetation and Fauna Management Plan (VFMP).</p> <p>(b) The VFMP must be prepared by a suitably qualified ecologist and:</p> <ul style="list-style-type: none"> i) be prepared in accordance with section 4, Management Measures of the Preliminary Vegetation and Fauna Management Plan, prepared by ERM dated 24 October 2024, reference 0736670, version 3, revision 003 as amended in red by SARA ii) identify the location and extent of all vegetation clearing and subsequent site works including areas to be used for soil and felled vegetation stockpiles iii) outline the proposed approach to the staging of vegetation clearing and how it will be managed to respond to the requirements of this condition (for example whether clearing will occur simultaneously over multiple parts of the site or on a single clearing front) iv) outline measures to be used to ensure that vegetation that is not approved for clearing is not affected by clearing activities and subsequent site works v) outline a detailed strategy to be deployed to ensure that important flora and fauna is not unduly harmed during clearing activities. This strategy should include but not be limited to: <ul style="list-style-type: none"> • how and when qualified fauna spotters/wildlife officers will be used during clearing operations (particularly if clearing is to occur on multiple areas of the site simultaneously) • protection, recovery and relocation procedures to be used by fauna spotters/wildlife officers in the course of their duties. <p>(c) Submit the VFMP to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au). <p>(d) Implement all measures detailed in the VFMP.</p> <p><i>Note: Suitably qualified ecologist means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (vegetation and fauna management).</i></p>	<p>(a) to (c) Prior to commencement of vegetation clearing</p> <p>(d) At all times during the clearing of vegetation</p>
4.	<p>(a) Prepare a Cleared Vegetation Management Plan (CVMP).</p> <p>(b) The CVMP must be prepared by a suitably qualified person and:</p> <ul style="list-style-type: none"> i) outline the overall strategy to be deployed for the felling and 	<p>(a) to (c) Prior to commencement of vegetation clearing</p>

No.	Conditions of development approval	Condition timing
	<p>managing of vegetation approved for clearing particularly in relation to the requirements of condition 3(b)(iii)</p> <p>ii) identify the location and extent of storage and stockpile areas for cleared vegetation and mulch</p> <p>iii) outline how cleared vegetation is to be treated and managed through a combination of:</p> <ul style="list-style-type: none"> • strategies for the on-site reuse of felled, non-mulched logs as part of the Rehabilitation Management Plan required in Condition 5 including how timbers will be stored and managed prior to being relocated during rehabilitation activities • ensuring that felled timbers that are pushed into permanent rows do not exceed 1 metre in height • any removal off-site of salvaged logs • use of mulched material both on-site and mulched material to be removed off-site <p>iv) outline measures to manage bushfire risks of all on-site cleared vegetation including managing risk of spontaneous combustion of mulch piles</p> <p>v) outline industry best practice measures to be used to minimise bush fire risks and environmental impacts of any on-site burning of cleared vegetation</p> <p>vi) outline measures to ensure that cleared vegetation is not pushed, stacked or in any way damages habitat or vegetation not approved to be cleared.</p> <p>(c) Submit the CVMP to the Department of State Development, Infrastructure and Planning (windfarms@dasilgp.qld.gov.au).</p> <p>(d) Implement measures to manage the cleared vegetation generally in accordance with the CVMP.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (environmental/vegetation management).</i></p>	<p>(d) Upon completion of rehabilitation for each rehabilitation area</p> <p>(e) As identified in the CVMP</p>
5.	<p>(a) Prepare a Rehabilitation Management Plan (RMP) outlining how areas cleared of vegetation (including all regulated vegetation approved to be cleared under condition 4(b) for construction, will be replanted, revegetated, and managed after construction, retaining only the minimum footprint required for safe operations, including maintenance, of the wind farm ('rehabilitation areas').</p> <p>(b) The RMP must:</p> <p>i) be prepared by a suitably qualified professional</p> <p>ii) be prepared in accordance with Section 4 of the Preliminary</p>	<p>(a) to (c) 12 months after the commencement of construction or 6 months prior to the finalisation of construction activities, whichever is triggered first</p>

No.	Conditions of development approval	Condition timing
	<p>Post-Construction Rehabilitation Plan prepared by ERM, dated 25 October 2024, reference 0736670, version 01 and amended in red by SARA</p> <ul style="list-style-type: none"> iii) be prepared acknowledging the Site Stabilisation Plan-Operations (SSPO) required in accordance with condition 10 of this approval, as well as the requirements of the Stormwater Management Plan (SWMP) required in condition 8 of this approval iv) include a copy of the Regulated Vegetation Management Map, and the Vegetation Management Regional Ecosystem Map (showing the conservation class for each regional ecosystem), for the development footprint in effect at the time of approval, overlaid with the Project Layout Plan approved in condition 1 (a) v) for approved clearing of category X areas within road reserves, collect and maintain evidence such as photos and site-based vegetation surveys, to demonstrate the indicative state of the regulated vegetation on the ground prior to clearing vi) detail all activities, actions and measures to demonstrate how all rehabilitation areas will be rehabilitated to the pre-clearing state that was present prior to clearing vii) ensure the proposed timing of rehabilitation activities minimises to the greatest extent practicable the time the disturbed project footprint is left unvegetated viii) acknowledge the requirements of condition 6 including the requirement to undertake adaptive management responses to rectify any negative results to ensure that, over time, compliance with this condition is achieved ix) outline strategies and measures that may be deployed as adaptive management responses if monitoring highlights negative results related to compliance with this condition. <p>(c) Submit the RMP to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(d) Undertake all actions and measures in accordance with the RMP to rehabilitate all areas not otherwise required for safe operation and maintenance.</p>	<p>(d) Following the completion of construction or as indicated in the RMP</p>
6.	<ul style="list-style-type: none"> (a) Prepare Rehabilitation Monitoring Reports for the first five (5) years following the commencement of export of electricity from the wind farm. (b) The reports must: <ul style="list-style-type: none"> i) provide details of implementation of the measures undertaken in accordance with condition 5(d). These details should include but not be limited to: 	<p>(a) and (b) Be undertaken annually for the first 4 years of commencement of export of electricity from the wind farm,</p>

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> • plant growth • % cover and survival rates • estimated plant losses through herbivores, disease, vandalism, storm damage, etc. • weed regrowth and control measures • plant replacement • guard repair and weeding inside guards • maintenance watering regime (if required based on prevailing weather conditions). <p>ii) Report on any adaptive management responses to rectify negative results from the monitoring undertaken in item (i) of this condition to ensure compliance with condition 5.</p> <p>(c) Submit the rehabilitation monitoring reports to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p>	<p>with a final report to be undertaken at the end of the fifth year of export of electricity</p> <p>(c) First report within 3 months after the completion of all rehabilitation measures required under condition 5 (d) then every calendar year after the first report submission</p>
7.	<p>(a) Prepare a Bird and Bat Management Plan (BBMP).</p> <p>(b) The BBMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified ecologist ii) be based on the final location of wind turbine generators iii) identify all 'at risk' bird and bat species (i.e. all threatened and common species), seasons, and areas within the development site which may attract high levels of mortality iv) incorporate baseline data, including where relevant, additional pre-operational surveys (including any prior bird and bat utilisation surveys that were carried out prior to this approval taking effect), Collision Risk Modelling and Population Viability Analysis. v) Consider Collision Risk Modelling for the Yellow-bellied Sheath-tail bat vi) Include bat surveys as part of the operational monitoring of fauna impact vii) identify threshold (trigger) levels for all at risk species viii) identify mitigation measures and implementation strategies to reduce impacts on bird and bat species include a decision-making framework and adaptive management approach, including triggers for mitigation measures which are monitored for effectiveness ix) include triggers for operational shutdown of relevant wind turbines during certain periods if the adaptive management measures implemented are determined to be ineffective and 	<p>(a) and (b) Prior to practical completion of the wind farm</p> <p>(c) Within 12 months of commencement of export of electricity from the wind farm</p> <p>(d) to (f) Within 3 months of completion of the post-operation utilisation survey in (c)</p> <p>(g) At all times after (f)</p>

No.	Conditions of development approval	Condition timing
	<p>there are ongoing impacts.</p> <p>(c) Undertake a post-operation bird utilisation survey. The survey must:</p> <ul style="list-style-type: none"> i) be certified by a suitably qualified ecologist ii) be undertaken over a wet season and a dry season after commencement of export of electricity from the wind farm iii) utilise baseline data in accordance with a Before-After-Control-Impact (BACI) design iv) be undertaken, at a minimum, in accordance with the following procedures: <ul style="list-style-type: none"> • utilise the survey points that were adopted for the previous surveys documented in the BBMP prepared in compliance with (a) and (b) • include 15-minute point-based surveys counting and documenting the distance and flight height of each observed bird in accordance with a BACI sampling design • include two counts of each site in each of four periods of the day (early morning, late morning, early afternoon and late afternoon) corresponding to different periods of bird activity (a total of eight surveys per site) • within the 15-minute point-based survey: <ul style="list-style-type: none"> (1) all bird species and numbers of individual birds observed within 200 metres of the survey point will be recorded (2) the species, the number of birds and the height of the bird when first observed will be documented (3) for species of concern (threatened species, waterbirds and raptors), the minimum and maximum heights will be recorded • each survey point will be counted eight times each survey over the two survey periods (one wet season and one dry season) at different times of the day • compilation of a bird species lists for the site from the formal counts and incidental observations, and mapping of the location (and recording of behaviours) of any rare or threatened species. <p>(d) Prepare a post-operational utilisation report. The report must:</p> <ul style="list-style-type: none"> i) be prepared by suitably qualified ecologist ii) demonstrate whether the site continues to be utilised by the range of species identified during surveys conducted before construction and assess any changes in abundance or 	

No.	Conditions of development approval	Condition timing
	<p>behaviour</p> <p>iii) include a recommendation on the need for additional surveys.</p> <p>(e) Make any necessary updates to the final Bird and Bat Management Plan based on the findings and recommendations of the post-operation utilisation report outlined in part (d) of this condition.</p> <p>(f) Submit the final BBMP to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(g) Implement measures and operate the development in accordance with the BBMP.</p> <p><i>Notes: The BACI sampling design is to be tested using the data collected in baseline and post-construction bird utilisation and bat surveys and results presented in the first-year post-construction report.</i></p> <p><i>Note: Suitably qualified ecologist means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (bird and bat management).</i></p>	
8.	<p>(a) Prepare a Stormwater Management Plan (SWMP) in accordance with the plan referenced in condition 1 (a).</p> <p>(b) The SWMP must:</p> <p>i) be certified by a Registered Professional Engineer of Queensland</p> <p>ii) relate to the operational phase of the wind farm</p> <p>iii) be prepared in accordance with section 2.3 of the Queensland Urban Drainage Manual and demonstrate that all stormwater, wastewater, discharges and overland flows leaving the site into receiving waterways during the operational phase will be of equivalent or better quality than the pre-development condition</p> <p>iv) have regard to erosion management and site stabilisation measures outlined in the SSPO as required in condition 10.</p> <p>(c) Submit the SWMP to:</p> <p>i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au)</p> <p>ii) Banana Shire Council (enquiries@banana.qld.gov.au)</p> <p>iii) Western Downs Regional Council (info@wdrc.qld.gov.au)</p> <p>(d) Implement measures and operate the development in accordance with the SWMP.</p>	<p>(a) to (c) 12 months after the commencement of construction</p> <p>(d) Following the completion of construction or as indicated in the SWMP</p>
9.	<p>(a) Prepare an Erosion and Sediment Control Plan – Construction</p>	<p>(a) to (c) Prior to commencing any</p>

No.	Conditions of development approval	Condition timing
	<p>(ESCPC).</p> <p>(b) The ESCPC required under part (a) of this condition must:</p> <ul style="list-style-type: none"> i) be prepared by an appropriately qualified professional ii) be prepared in accordance with the Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association) iii) prevent increased sediment runoff, including sediment runoff as a result of vegetation clearing, from entering into watercourses, drainage features, wetlands and/or surrounding landscapes during all construction phases from vegetation clearing, undertaking civil works and during the construction of wind turbines and ancillary infrastructure iv) include recommended measures and devices to: <ul style="list-style-type: none"> • prevent accelerated soil erosion and instability • where prevention is not possible, minimise and mitigate accelerated soil erosion and instability v) include a monitoring plan and program that is responsive to the seasonal erosion risks of the site, and is adaptive to rectifying negative monitoring results vi) include an emergency erosion management response protocol that must be enacted ahead of forecast weather events that will substantially increase the likelihood of accelerated erosion. <p>(c) Submit a copy of the ESCPC required under part (a) of this condition to:</p> <ul style="list-style-type: none"> • the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) • Natural Resource Assessment Department of Natural Resources and Mines, Manufacturing and Rural and Regional Development Email: vegetation@resources.qld.gov.au <p>(d) Implement the erosion and sediment control measures identified within the ESCPC required under parts (a) and (b) of this condition.</p> <p><i>Note: Appropriately qualified professional means a person(s) who has professional qualifications, training, skills and experience relevant to erosion control, soil chemistry and/or salinity management chemistry and can give authoritative assessment, advice and analysis in relation erosion and sediment control using the relevant protocols, standards, methods or literature.</i></p>	<p>site works</p> <p>(d) At all times during construction</p>
10.	(a) Prepare a Site Stabilisation Plan – Operations (SSPO).	(a) to (d) Within 12 months after

No.	Conditions of development approval	Condition timing
	<p>(b) The SSPO must be prepared by an appropriately qualified professional.</p> <p>(c) The SSPO prepared under part (a) of this condition must:</p> <ul style="list-style-type: none"> i) be prepared in accordance with the Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association) ii) be informed by the rehabilitation works outlined in the RMP as required in condition 5 and the SWMP as required in condition 8 of this approval iii) detail final finished profiles of all areas affected during construction by either vegetation clearing and/or civil works iv) detail how erosion and sediment control devices are to be incorporated into finished profiles in conjunction with revegetation measures to: <ul style="list-style-type: none"> • prevent increased sediment runoff, including increased sediment runoff as a result of vegetation clearing and/or civil works, from entering into watercourses, drainage features, wetlands and/or surrounding landscapes • prevent accelerated soil erosion and instability or where prevention is not possible, minimise and mitigate accelerated soil erosion and instability v) detail a monitoring plan and program that is responsive to the seasonal erosion risks of the site and is adaptive to rectifying negative monitoring results. <p>(d) Submit a copy of the SSPO required under part (a) of this condition to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(e) Implement the measures identified within the SSPO required under parts (a) and (c) of this condition.</p> <p><i>Note: Appropriately qualified professional means a person(s) who has professional qualifications, training, skills and experience relevant to erosion control, soil chemistry and/or salinity management chemistry and can give authoritative assessment, advice and analysis in relation to erosion and sediment control using the relevant protocols, standards, methods or literature.</i></p>	<p>the commencement of construction</p> <p>(e) Prior to practical completion of the wind farm</p>
11.	<p>(a) Prepare a Construction Environmental Management Plan (CEMP) in accordance with the plan referenced in condition 1 (a).</p> <p>(b) The CEMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified person ii) include measures necessary to minimise impacts to agricultural practice including stock routes and cattle movements 	<p>(a) to (c) Prior to commencement of any site works and commencement of construction</p> <p>(d) At all times</p>

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> iii) identify activities necessary to ensure the removal and disposal of waste (including hazardous waste that may need to be removed by a suitably licenced contractor) and details of the nominated waste disposal facilities noting that waste, except for vegetation, must not be burnt or allowed to be burnt onsite iv) detail how any hazardous material will be transported to and stored on the site during construction v) include measures to ensure that all construction activities occur in accordance with the plan referenced in condition 1 (a) and that construction activities do not clear or damage vegetation that is not approved for clearing vi) provide appropriate weed and pest management in accordance with the Department of Primary Industries principles of pest management vii) include biosecurity management measures that are generally aligned with the principles of relevant local and state guidelines, such as the: <ul style="list-style-type: none"> • Banana Shire Council Biosecurity Management Plan 2019-2024 (or a future revised version) • Western Downs Regional Council Biosecurity Management Plan, dated 28 July 2017 (or a future revised version) viii) include measures to manage construction noise, dust and vibration, including: <ul style="list-style-type: none"> • construction noise in accordance with the Environmental Protection (Noise) Policy 2019 • construction vibration to meet the construction vibration criteria in the Department of Transport and Main Roads' Transport Noise Management Code of Practice, dated May 2023 • identification of the proposed hours of work and what work will be undertaken during those hours, including where works are proposed outside of the hours and days specified in the default noise standards within Chapter 8, Part 3B, Division 3 of the <i>Environmental Protection Act 1994</i> • the identification of the sensitive receptor locations that may be affected by noise, vibration, and dust emissions from the construction work activities • assessment of potential noise and vibration impacts at sensitive receptors with respect to the relevant criteria • where blasting is proposed as part of construction and earthworks, the CEMP must include a specific blasting management plan outlining how all risks to sensitive receptors and areas of high ecological value (not approved for clearing) will be managed to acceptable levels 	during construction

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> • mitigation measures to manage to acceptable levels of noise, vibration and dust impacts at sensitive receptors, including: <ul style="list-style-type: none"> o scheduling of activities o consultation with occupants of relevant sensitive receptors o a complaints resolution process including nominating local site management contact person and phone number/s. <p>(c) Submit the CEMP required in part (a) of this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) <p>(d) Implement identified mitigation measures and undertake construction activities in accordance with the CEMP.</p> <p><i>Note: Work hours and days proposed in the CEMP, where complying with measures to manage construction noise, dust and vibration outlined in this condition, are taken to be approved work hours and days for the purpose of Schedule 1, Part 1, Item 3 of the Environmental Protection Act 1994.</i></p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (construction and environmental management).</i></p>	
12.	<p>(a) Prepare a Bushfire Management Plan (BMP) addressing construction and operational phases of the project.</p> <p>(b) The BMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified person ii) be prepared in consultation with the Rural Fire Service Queensland and all host land owners iii) provide evidence in the report of consultation required in ii) above iv) include a fire hazard analysis v) include evacuation procedures for construction and operational workforces in the event of a bushfire emergency vi) include mitigation strategies to achieve the development outcomes in Part E of the State Planning Policy July 2017 – Natural Hazards, Risk and Resilience vii) include emergency response procedures for any on-site battery or electricity substations (including battery energy storage systems) in the event of it catching alight as well as threats 	<p>(a) to (c) Prior to commencement of construction</p> <p>(d) and (e) At all times</p>

No.	Conditions of development approval	Condition timing
	<p>posed to it by a nearby bushfire.</p> <p>(c) Submit the BMP required in part (a) of this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) iv) Rural Fire Service Queensland (brc@fire.qld.gov.au). <p>(d) Operate the development in accordance with the BMP.</p> <p>(e) Maintain a copy of the BMP on-site (for example, at the site office) during both construction and operational phases and ensure all relevant landowners, staff, contractors, workers, and site visitors are familiar with the relevant requirements of the BMP.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (bushfire management).</i></p>	
13.	<p>(a) Prepare a Safety and Emergency Management Plan (SEMP) addressing construction and operation activities.</p> <p>(b) The SEMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified person ii) include a Hazard Analysis and Risk Assessment (HARA) undertaken in accordance with AS/NZ ISO 31000:2009 Risk Management Principles and Guidelines and with HB203:2006 Environmental Risk Management Principles and Processes iii) identify scenarios for both construction and operational phases that would trigger emergency evacuation (by workers, visitors and also host land owners) of the development iv) include emergency evacuation plans for the scenarios identified in iii) above v) contain safety management plans, fire risk management plans and emergency response procedures vi) ensure that plans required for this condition are developed in consultation with relevant state and regional emergency service providers vii) include a detailed emergency response procedure for safety hazards associated with the BESS. <p>(c) Submit the SEMP required in part (a) of this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) 	<p>(a) to (c) Prior to the commencement of construction</p> <p>(d) to (g) At all times during construction and operation of the wind farm</p>

No.	Conditions of development approval	Condition timing
	<p>iii) Western Downs Regional Council (info@wdrc.qld.gov.au)</p> <p>iv) Rural Fire Service Queensland (brc@fire.qld.gov.au).</p> <p>(d) Construct the development in accordance with the SEMP.</p> <p>(e) Operate the development in accordance with the SEMP.</p> <p>(f) Maintain a copy of the SEMP on-site (for example, at the site office) during both construction and operational phases and ensure all relevant landowners, staff, contractors, workers, and site visitors are familiar with the relevant requirements of the SEMP.</p> <p>(g) Ensure that relevant staff are appropriately trained to fulfill roles identified in the SEMP.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (i.e. Engineering, Procurement and Construction Contractor (EPC) or Operations and Maintenance (O&M) Contractor).</i></p>	
14.	<p>(a) Prepare an updated Noise Impact Assessment (NIA) in accordance with the plan referenced in condition 1 (a).</p> <p>(b) The NIA must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified acoustic consultant ii) reflect the '<i>to be constructed</i>' wind turbine generator specifications in addition to the '<i>to be constructed</i>' wind turbine generator locations and demonstrate compliance with the following criteria for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height: <ul style="list-style-type: none"> • for all existing and approved noise affected sensitive land uses on host lots (as at the date of this approval): <ul style="list-style-type: none"> o an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 45dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A) • at all existing and approved noise affected sensitive land uses on non-host lots (as at the date of this approval): <ul style="list-style-type: none"> o an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 35dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A) o an outdoor (free-field) day-time (6am to 8pm) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 37dB(A), or 	(a) to (c) Prior to commissioning of the wind farm

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A) o alternatively, the acoustic level agreed between the applicant/operator and the non-host lot owner/s via a formal deed of release and not exceeding an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 45dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A). <p>(c) Submit the NIA required in pat (a) of this condition to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.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> <p><i>Note: Sensitive land uses are defined in Schedule 24 of the Planning Regulation.</i></p>	
15.	<p>(a) Prepare a Noise Monitoring Plan (NMP).</p> <p>(b) The NMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified acoustic consultant ii) be prepared in accordance with Appendix 3 of <i>Planning guideline – State code 23: Wind farm development</i>, September 2024 iii) include the requirement to undertake operational noise monitoring once within three (3) months and once following nine (9) months of the commencement of export of electricity from the wind farm. <p>(c) Prepare a Noise Monitoring Report (NMR) based on the as-constructed details prepared in accordance with condition 2.</p> <p>(d) The NMR must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified acoustic consultant ii) outline the results of the operational noise monitoring in the NMP. <p>(e) Submit the NMP and NMR required in pats (a) and (c) of this condition to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(f) Undertake noise monitoring in accordance with the NMP.</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>	<p>(a) to (b) Prior to the commencement of export of electricity from the wind farm</p> <p>(c) to (f) Post the operational noise monitoring specified in (b)(iii)</p>

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16.	<p>(a) Prepare an Operational Noise Strategy (ONS) based on the as constructed project details prepared in accordance with condition 2.</p> <p>(b) The ONS required by part (a) of this condition must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified acoustic consultant ii) detail any necessary operating measures / regime or wind sector management measures required to ensure noise emissions achieve the following criteria (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): <ul style="list-style-type: none"> • at all existing and approved noise affected sensitive land uses on host lots as at the date of this approval <ul style="list-style-type: none"> o an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 45dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A) • at all existing and approved noise affected sensitive land uses on non-host lots as at the date of this approval: <ul style="list-style-type: none"> o An outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 35dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A) o An outdoor (free-field) day-time (6am to 8pm) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 37dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A) o Alternatively, the acoustic level agreed between the applicant/operator and the non-host lot owner/s via a formal <u>deed of release</u> and not exceeding an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> <input type="checkbox"/> 45dB(A), or <input type="checkbox"/> the background noise (LA₉₀) plus 5dB(A). <p>(c) Submit the ONS required in part (a) of this condition to Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(d) Operate the wind farm in accordance with the ONS.</p> <p><i>Note: A suitably qualified acoustic consultant with suitable acoustic</i></p>	<p>(a) to (c) Within 12 months following the commissioning of the wind farm</p> <p>(d) At all times once part (c) has been completed</p>

No.	Conditions of development approval	Condition timing
	<p><i>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>	
17.	<p>If a complaint is received in relation to acoustic emissions from a wind turbine between commencement of operation of the first wind turbine and full commencement of the windfarm (all wind turbines operating), the following process must be undertaken:</p> <ul style="list-style-type: none"> (a) Manage the complaint and process as per condition 33. (b) Through the process of investigation per condition 33 determine the likelihood/potential for exceedance of acoustic criteria specified in condition 14 (having regard to matters such as separation distance, modelled emissions and operational matters i.e., correctly operating free of mechanical and aerodynamic issues). (c) In consultation with the Department of State Development, Infrastructure and Planning, determine if there is a reasonable potential for exceedance of acoustic criteria specified in condition 14. (d) If a reasonable potential for exceedance of acoustic criteria specified in condition 14 is identified (as agreed with the Department of State Development, Infrastructure and Planning): <ul style="list-style-type: none"> i) prepare an Interim Noise Monitoring Plan (INMP) based on the as constructed development details (for the operating wind turbines) prepared in accordance with condition 2: <ul style="list-style-type: none"> • the INMP must: <ul style="list-style-type: none"> o be prepared by a suitably qualified acoustic consultant o be prepared in accordance with Appendix 3 of <i>Planning guideline – State code 23: Wind farm development</i>, September 2024 o include the requirement to commence operational noise monitoring within 3 months of completion of the INMP ii) submit the INMP to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) iii) undertake noise monitoring in accordance with the INMP iv) prepare an Interim Noise Monitoring Report (INMR) (for the operating turbines): <ul style="list-style-type: none"> • the INMR must: <ul style="list-style-type: none"> o be prepared by a suitably qualified acoustic consultant 	<p>(a) and (b) As indicated</p> <p>(c) Within 1 month of receipt of each complaint</p> <p>(d)(i) and (d)(ii) at least 1 month prior to commencement of monitoring</p> <p>(d)(iii) As specified in the INMP</p> <p>(d)(iv) 3 months following the completion of monitoring specified in the INMP</p> <p>(d)(v) 3 months following the submission of the INMR</p>

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> o outline the results of the operational noise monitoring in the INMP • submit the INMR to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au). <p>v) if exceedance is identified through the INMR, prepare an Interim Operational Noise Strategy (IONS) based on the as constructed project details (for the operating wind turbines) prepared in accordance with condition 2</p> <ul style="list-style-type: none"> • the IONS must: <ul style="list-style-type: none"> o be prepared by a suitably qualified acoustic consultant o where determined necessary, detail any operating measures / regime or wind sector management measures required to ensure noise emissions achieve the following criteria (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): <ul style="list-style-type: none"> <input type="checkbox"/> at all existing and approved noise affected sensitive land uses on host lots as at the date of this approval: <ul style="list-style-type: none"> • an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> o 45dB(A); or o the background noise (LA₉₀) plus 5dB(A) <input type="checkbox"/> at all existing and approved noise affected sensitive land uses on non-host lots as at the date of this approval: <ul style="list-style-type: none"> • an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> o 35dB(A); or o the background noise (LA₉₀) plus 5dB(A) • an outdoor (free-field) day-time (6am to 8pm) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> o 37dB(A); or 	

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> o the background noise (LA₉₀) plus 5dB(A) • Alternatively, the acoustic level agreed between the applicant/operator and the non-host lot owner/s via a formal <u>deed of release</u> and not exceeding an outdoor (free-field) night-time (8pm to 6am) A-weighted acoustic level which is the higher of: <ul style="list-style-type: none"> o 45dB(A); or o the background noise (LA₉₀) plus 5dB(A). • submit the IONS to Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) • operate the wind farm (operating turbines) in accordance with the IONS. 	
18.	<p>(a) Prepare a pre-construction assessment of the television and radio reception strength in accordance with the plan referenced in condition 1 (a).</p> <p>(b) The pre-construction assessment must:</p> <ul style="list-style-type: none"> i) be carried out by a suitably qualified and experienced independent television and radio monitoring specialist ii) be undertaken at the location of any existing or approved dwellings as at the date of this approval that are within 5 kilometres of any proposed wind turbine iii) include testing at locations to be determined by the television and radio monitoring specialist to enable the average television and radio reception strength to be determined. <p>(c) Submit the pre-construction assessment of television and radio reception strength required by part (a) of this condition to Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p>	(a) to (c) Prior to commencement of construction
19.	<p>(a) Prepare a post-construction assessment of the television and radio reception strength.</p> <p>(b) The post-construction assessment must:</p> <ul style="list-style-type: none"> i) be carried out by a suitably qualified and experienced independent television and radio monitoring specialist ii) be undertaken at the location of any existing or 	<p>(a) and (b) Within 3 months after the practical completion of the wind farm</p> <p>(c) and (d) Within 1 month of completion of the</p>

No.	Conditions of development approval	Condition timing
	<p>approved dwellings or businesses as at the date of this approval situated within 5 kilometres of any wind turbine where property access is granted by landholders</p> <p>iii) include testing at locations to be determined by the independent television and radio monitoring specialist to enable the average television and radio reception strength to be determined.</p> <p>(c) Undertake measures to restore any decline in reception attributed to the wind farm for the nominated dwellings.</p> <p>(d) If a complaint is received regarding the effect of the facility on television or radio reception at a pre-existing dwelling within 5 kilometres of the site, the operator must:</p> <p>i) investigate the complaint in accordance with the Complaint Investigation and Response Plan required by condition 33</p> <p>ii) if the investigation indicates that the wind farm has had a detrimental impact on the quality of reception, restore reception at the pre-existing dwelling to at least the quality determined in the pre-construction assessment of the television and radio reception strength required by this approval.</p> <p>(e) Submit the post-construction assessment of television and radio reception strength required in part (a) of this condition to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p>	<p>post-construction assessment required by (a)</p> <p>(e) Within 6 months of completion of the post-construction assessment required by (a) and (b)</p>
20.	<p>(a) Prepare a final Electromagnetic Interference (EMI) report.</p> <p>(b) The EMI report must:</p> <p>i) be prepared by a suitability qualified person</p> <p>ii) be prepared in consultation with the Bureau of Meteorology</p> <p>iii) confirm that the wind farm will not have an unacceptable impact on the operation of weather, navigational or defence radars</p> <p>iv) identify any mitigation measures required.</p> <p>(c) Submit the final EMI report required in part (a) of this condition to:</p> <p>i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au)</p> <p>ii) Banana Shire Council (enquiries@banana.qld.gov.au)</p> <p>iii) Western Downs Regional Council (info@wdrc.qld.gov.au)</p> <p>iv) Bureau of Meteorology (windfarmenquiries@bom.gov.au)</p>	<p>(a) to (c) Prior to commencement of construction</p> <p>(d) At all times following commencement of construction</p>

No.	Conditions of development approval	Condition timing
	<p>v) Energy Queensland (townplanning@ergon.com.au).</p> <p>(d) Construct and operate the development in accordance with the EMI report including any required mitigation measures.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (electromagnetic interference).</i></p>	
21.	<p>The development must be designed, constructed, and operated to ensure that wind turbine blade shadow flicker impact within 50 metres of the centre of existing or approved sensitive land uses (as at the date of this approval) within a distance of 265m x maximum blade chord 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 landowner/s via a formal deed of release. 	At all times
22.	<p>(a) Prepare a Traffic Impact Assessment (TIA) certified by a Registered Professional Engineer of Queensland (RPEQ):</p> <ul style="list-style-type: none"> i) in consultation with the Department of Transport and Main Roads (DTMR), Banana Shire Council, Western Downs Regional Council, relevant Port Authority and Queensland Rail ii) in accordance with any relevant local government transport and traffic impact assessment guideline/standards iii) in accordance with DTMRs' <i>Guide to Traffic Impact Assessment (GTIA) December 2018</i> and <i>Road Planning and Design Manual 2nd Edition</i>. <p>(b) The TIA must address construction and operational traffic impacts on the affected network of local roads, state-controlled roads and railway crossings. Matters to be considered in the formulation of the TIA should include but not be limited to:</p> <ul style="list-style-type: none"> i) identify the anticipated size, volume and nature of all vehicles to be used throughout construction phases. This should include the transport of vehicles to the site that will be used for vegetation clearing and civil works (bulldozers, excavators, heavy earth moving machinery, drilling rigs and the like), vehicles required to supply materials during construction (gravel, steel, concrete, water and the like), vehicle movements associated with workers' accommodation camps and vehicles used during construction to haul wind turbine components, blades, substations and transformers (including but not limited to oversize / overmass (OSOM) vehicles) from mainland points of origin to the site ii) identify the routes proposed and vehicle usage profile of all anticipated construction vehicles identified in i) above 	(a) – (c) No later than three months prior to the commencement of construction traffic on local or state-controlled roads

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	<p>iii) being informed by i) and ii), identify any sections of local and state-controlled roads that will require upgrades to accommodate identified construction traffic. Proposed upgrades must also be informed by an assessment of the capacity of road links, intersections and bridges, culverts, and other structures to accommodate anticipated construction vehicles. Where necessary, this analysis may require structural assessments of load bearing capacities</p> <p>iv) being informed by i) and ii), identify all railway level crossings affected by development generated traffic. For railway level crossings used by development traffic:</p> <ul style="list-style-type: none"> • identify the existing traffic flows, expected background traffic growth and the expected development generated traffic over the crossings (during construction and ongoing operations). Identify the maximum size and type of development vehicle that will use each crossing (during construction and ongoing operations). Each dataset should detail the total number of vehicles and also identify the number and percentage of heavy vehicles and buses • provide written evidence that comparative Australian Level Crossing Assessment Model (ALCAM) assessments have been undertaken by the railway manager/s (insert the relevant railway manager/s) and demonstrate that development traffic will not worsen the safety risk at the impacted railway level crossings • provide short stacking assessments that demonstrate there is sufficient clearance between each railway level crossing and the relevant intersection/access point or other stopping point to allow the maximum development vehicle to queue in accordance Section 5.4 – Short Stacking and Figure 3.2 – Yellow Box Marking of AS1742.7:2016 Manual of Uniform Traffic Control Devices, Part 7: Railway crossings. It is recommended that the available clearances are confirmed by a registered surveyor • if safety risks are forecast to increase or short stacking is predicted to occur, provide details of mitigation strategies and detailed design drawings showing any mitigation measures/upgrades in accordance with AS1742.7:2016 Manual of Uniform Traffic Control Devices, Part 7: Railway crossings and any relevant railway manager standards • provide evidence that written in-principle support has been provided by the railway manager/s (insert relevant railway manager/s) for the proposed mitigation strategies and upgrades <p>v) prepare a RPEQ certified pre-construction dilapidation survey of the rail transport infrastructure and other rail infrastructure,</p>	

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	<p>on and adjacent to the railway level crossings to be used by heavy vehicles associated with the development</p> <ul style="list-style-type: none"> vi) provide evidence that, subject to the upgrades proposed in iii) and (iv), anticipated construction traffic, including OSOM haulage vehicle configurations, will be able to physically perform/achieve manoeuvring paths vii) provide details of proposed upgrades to local roads that will facilitate all anticipated construction traffic movements and maintain safety and efficiency of the road network. Conceptual design drawings of upgrades should demonstrate that any proposed road works can be wholly contained within existing road corridors. Where additional land is required, evidence should be provided on how tenure will be secured to ensure that upgrades can be delivered at no cost to the local government authority viii) provide strategies and measures outlining how accelerated wear and tear on local government roads will be minimised and how the local government authority will be compensated for residual accelerated wear and tear ix) provide details of proposed upgrades to state-controlled roads that will facilitate all anticipated construction traffic movements and maintain safety, efficiency and infrastructure condition of the road network. Conceptual design drawings of upgrades should demonstrate that any proposed road works can be wholly contained within existing road corridors. Where additional land is required, evidence should be provided on how tenure will be secured to ensure that upgrades can be delivered at no cost to the state government x) provide strategies and measures outlining how accelerated wear and tear from construction traffic on state-controlled roads will be minimised and how DTMR will be compensated for residual accelerated wear and tear, including but not limited to a Pavement Impact Assessment in accordance with GTIA and accompanying Pavement Impact Assessment Practice Note xi) provide details of forecast operational traffic, including 'business as usual' maintenance traffic and outline strategies that would be deployed for 'special' maintenance incidents such as replacing blades, transformers and any other componentry and the like xii) include a road safety assessment for any roads relied upon by the development during construction and operation. The road safety assessment must, identify any existing safety risks within the development's impact assessment area, identify new or modified risks resulting from the development, and recommend management and mitigation measures to ensure the existing safety risk rating for the road(s) is not worsened by 	

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	<p>the development.</p> <p>(c) Submit the TIA required in part (a) of this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning] (windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) iv) the relevant Port Authority v) Queensland Rail vi) DTMR (downs.south.west.idas@tmr.qld.gov.au, central.queensland.idas@tmr.qld.gov.au and QLDAccess_HVROPO@tmr.qld.gov.au) <p><i>Note: See DTMR's website and relevant legislation for OSOM definition.</i></p>	
23.	<p>(a) Prepare a Traffic Management Plan (TMP) certified by a Registered Professional Engineer of Queensland (RPEQ):</p> <ul style="list-style-type: none"> i) in consultation with the DTMR, Banana Shire Council, Western Downs Regional Council, the relevant Port Authority and Queensland Rail and Powerlink (or equivalent entity responsible for management of affected overhead power lines). <p>(b) The TMP must address the management of construction and operational traffic on local roads, state-controlled roads and railway crossings and should address, but not be limited to:</p> <ul style="list-style-type: none"> i) all wind farm components triggering oversize/over mass (OSOM) haulage including maximum weights and dimensions (heights, widths and lengths) ii) details of all development vehicle types to be used, including but not limited to haulage vehicle configurations including axle spacings, axle and gross masses, ground contact width and tyre sizes iii) all routes to be used by development traffic, including but not limited to the OSOM haulage route/s to be used highlighting which vehicles and vehicle configurations will be used on which route/s iv) highlighting all conflict or tension points along haulage routes that will require specific management strategies. This should include but not be limited to the crossing of all structures (including overhead structures) such as bridges, culverts and the like and evidence of how swept paths (both vertical and horizontal geometry) will be managed v) evidence of consultation with Powerlink (or equivalent entity responsible for management of affected overhead power 	<p>(a) – (c) No later than three months prior to the commencement of construction traffic on local or state-controlled roads</p> <p>(d) At all times during construction and operation of the wind farm</p>

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	<p>lines) and strategies for how powerlines will be managed, where required, to facilitate the safe passage of construction vehicles</p> <p>vi) details of scheduling of OSOM movements between the relevant port and site and return journeys from site back to port (or other destination). This schedule should outline but not be limited to, proposed times of day and days per week of departures of all OSOM vehicles, and anticipated travel times and arrival times at site and return destination/s (consider Parts 3 and 5 of DTMRs' Traffic and Road Use Manual and the need for any railway closures when preparing the schedule)</p> <p>vii) based on the OSOM movement schedule, details of escorts (police and non-police) required to comply with all legislative requirements. These details should include evidence of availability of required number and type of escorts to service anticipated haulage demands</p> <p>viii) incident management plans, communication plans and stakeholder consultation plans, including:</p> <ul style="list-style-type: none"> • evidence of engagement with major stakeholders, including DTMR, Western Downs Regional Council, Banana Shire Council, the relevant Port Authority and Queensland Rail about impacts of proposed construction haulage and how their views have been considered <p>ix) integrated management strategies for all conflict/tension points identified in iv). These strategies should indicate anticipated delays to be experienced by other users of transport networks at these locations</p> <p>x) strategies and principles for how haulage vehicles in motion will interact with other road users (including but limited to ensuring that emergency vehicles will be able to pass as required and how safe overtaking and passing manoeuvres will be afforded other road users)</p> <p>xi) contingency planning in the event of a highway/road closure due to an incident while enroute</p> <p>xii) location of stopping places, including mandatory rest stops and vehicle storage arrangements (if movements are to be staged)</p> <p>xiii) location of any proposed truck parking bays and their suitability in terms of impacts on adjoining or nearby land uses or the road or rail network</p> <p>xiv) how impacts on school bus routes and movement of school buses will be managed</p> <p>xv) details of safety procedures, controls and management</p>	

No.	Conditions of development approval	Condition timing
	<p>measures for the safe use of railway level crossings</p> <p>xvi) induction requirements for all personnel and drivers on the safe use of the railway level crossings</p> <p>xvii) railway operational requirements and both scheduled and required railway closures.</p> <p>(c) Submit the TMP required in part (a) of this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning(windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) iv) The relevant Port Authority v) Queensland Rail vi) Powerlink (or equivalent entity responsible for management of affected overhead power lines) vii) DTMR (downs.south.west.idas@tmr.qld.gov.au, central.queensland.idas@tmr.qld.gov.au, and QLDAccess_HVROPO@tmr.qld.gov.au) <p>(d) Carry out the construction of the development in accordance with the TMP.</p> <p><i>Note: See DTMR's website and relevant legislation for OSOM definition.</i></p>	
24.	<p>(a) Construct any necessary upgrades to local roads and state-controlled roads and undertake any other required works and impact mitigation strategies in accordance with the TIA prepared in accordance with condition 22 of this approval.</p> <p>(b) Construct any necessary upgrades to the railway level crossings and undertake any other required works and mitigation strategies in accordance with the TIA prepared in accordance with condition 22.</p> <p>OR</p> <p>Provide evidence the upgrades to the railway level crossings and any other required works and mitigation strategies detailed in the TIA prepared in accordance with condition 22 have been completed.</p> <p>(c) Any works required of this condition must be:</p> <ul style="list-style-type: none"> i) certified by a Registered Professional Engineer of Queensland (RPEQ) ii) undertaken in accordance with the relevant road planning and design policies, principles and manuals for the relevant local government area/s and the relevant Port Authority 	(a) to (d) As per the recommended timing for the works documented within the TIA prepared in accordance with condition 22

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> iii) undertaken at no cost to DTMR, local government and the relevant Port Authority. (d) Submit certification from an RPEQ that the works have been undertaken in accordance with this condition to: <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) iv) the relevant Port Authority v) Queensland Rail vi) DTMR (downs.south.west.idas@tmr.qld.gov.au, central.queensland.idas@tmr.qld.gov.au, and QLDAccess_HVROPO@tmr.qld.gov.au). 	
25.	<ul style="list-style-type: none"> (a) Prepare a RPEQ certified post-construction dilapidation survey of the rail transport infrastructure and other rail infrastructure, on and adjacent to the railway level crossings that had a pre-construction dilapidation survey undertaken in accordance with condition 22(b)(v) of this approval. (b) Submit the post-construction dilapidation survey to: <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) ii) Banana Shire Council (enquiries@banana.qld.gov.au) iii) Western Downs Regional Council (info@wdrc.qld.gov.au) iv) Queensland Rail v) DTMR (Downs.South.West.IDAS@tmr.qld.gov.au, central.queensland.idas@tmr.qld.gov.au, and QLDAccess_HVROPO@tmr.qld.gov.au). (c) Undertake rectification works to rail transport infrastructure and other rail infrastructure as required where damage can be attributed to development traffic associated with this approval. OR Provide evidence the rectification works to rail transport infrastructure and other rail infrastructure as required, where damage can be attributed to development traffic associated with this approval, have been completed. (d) Any works required of this condition must be: <ul style="list-style-type: none"> i) certified by a Registered Professional Engineer of Queensland (RPEQ) ii) undertaken at no cost to DTMR, local government or Queensland Rail. 	<p>(a) to (b) No later than three months after practical completion of the wind farm</p> <p>(c) to (e) No later than nine months after the submission of the post construction condition assessment required by (b)</p>

No.	Conditions of development approval	Condition timing
	<p>(e) Submit certification from an RPEQ that the works have been undertaken in accordance with this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) vi) Banana Shire Council (enquiries@banana.qld.gov.au) vii) Western Downs Regional Council (info@wdrc.qld.gov.au) viii) Queensland Rail ix) DTMR (downs.south.west.idas@tmr.qld.gov.au, central.queensland.idas@tmr.qld.gov.au and QLDAccess_HVROPO@tmr.qld.gov.au). 	
26.	<p>(a) Provide written notice to Air Services Australia (vod@airservicesaustralia.com) when construction works are due to commence.</p> <p>(b) Provide a Notice to Airmen (NOTAM) of the survey height and location of each wind turbine and wind monitoring tower to Airservices Australia via the online form process (NOTAM originator - Airservices (airservicesaustralia.com)).</p>	<p>(a) At least 2 weeks prior to commencement of construction</p> <p>(b) Prior to commencement of construction and to remain in place until such time the wind farm is incorporated into aeronautical documentation as part of the Aeronautical Information Regulation and Control (AIRAC) cycle</p>
27.	<p>(a) Prepare a final Aviation Impact Assessment.</p> <p>(b) The final Aviation Impact Assessment required under part (a) of this condition must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified aviation expert ii) demonstrate the wind farm will not adversely impact on: <ul style="list-style-type: none"> • the safety, operational integrity and efficiency of air services and aircraft operations iii) include any recommendation or actions to ensure there are no adverse impacts on: <ul style="list-style-type: none"> • the safety, operational integrity and efficiency of air services and aircraft operations. <p>(c) Submit the final Aviation Impact Assessment required by part (a) of</p>	<p>(a) to (c) Prior to commencement of construction</p> <p>(d) At all times following the commencement of construction of the wind farm and as specified within the recommendations and/or actions</p>

No.	Conditions of development approval	Condition timing
	<p>this condition to:</p> <ul style="list-style-type: none"> i) Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) ii) Airservices Australia (AustraliaAirport.Developments@AirservicesAustralia.com) iii) Banana Shire Council (Operator of the Taroom Airport). <p>(d) Implement recommendations and/or actions outlined in the final Aviation Impact Assessment.</p>	
28.	<ul style="list-style-type: none"> (a) Permanent masts/wind monitoring towers must include the following lighting and marking measures: <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 <i>the National Airports Safeguarding Framework Guideline D</i> iii) where located above ground, contrasting colours to the surrounding ground/vegetation on the guy wire ground attachment points. (b) The number of masts/wind monitoring towers to be lit must be established by a suitably qualified aviation consultant in accordance with item 35 of the <i>Commonwealth Government's National Airports Safeguarding Framework – Guideline D</i>. (c) Wind turbines must include the following lighting and marking measures: <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) the number of wind turbines to be lit must be established by a suitably qualified aviation consultant in accordance with item 35 of the <i>Commonwealth Government's National Airports Safeguarding Framework – Guideline D</i> iv) where wind turbines are to be lit, radar activated steady red low intensity (200 cd) aviation hazard lighting is to be installed. (d) Submit evidence from a suitably qualified aviation expert that this condition has been complied with to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au). <p><i>Note: The frequency range of the LED light emitted must fall within the range of wavelengths 655 to 930 nanometres.</i></p>	<ul style="list-style-type: none"> (a) On completion of each individual meteorological mast/wind monitoring tower, and to be maintained at all times (b) On completion of each nominated mast/wind monitoring tower and to be maintained at all times (c) On completion of each individual wind turbine, and to be maintained at all times (d) Prior to practical completion of the wind farm

No.	Conditions of development approval	Condition timing
29.	<p>(a) Prepare a Wind Monitoring Tower Management Plan/Meteorology Masts Marking Plan (WMTMP/MMMP).</p> <p>(b) The WMTMP/MMMP required under part (a) of this condition must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified aviation expert ii) specify marking measures for each wind monitoring tower in accordance with Civil Aviation and Safety Authority Part 139 (Aerodromes) Manual of Standards iii) identify hazard lighting where it is recommended by CASA. <p>(c) Install and activate the marking and lighting measures as recommended by the WMTMP/MMMP.</p> <p>(d) Submit evidence to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) that part (c) of this condition has been complied with.</p>	<p>(a) and (b) Prior to construction of any wind monitoring tower and / or meteorology masts</p> <p>(c) On completion of construction of each individual wind monitoring tower and / or meteorology mast, and to be maintained at all times</p> <p>(d) Prior to practical completion of the wind farm</p>
30.	<p>(a) Prepare an End of Construction Decommissioning Management Plan (ECDMP).</p> <p>(b) The ECDMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified person ii) outline all actions to be undertaken to remove all construction related facilities and infrastructure not required by landowners or for the ongoing operation of the wind farm, including: <ul style="list-style-type: none"> • removal of above ground non-operational equipment including materials storage and handling facilities, construction offices, workers accommodation, concrete batching plants • removal and clean-up of any contamination caused during construction as defined in the <i>Environmental Protection Act 1994</i> iii) reflect any agreements with land owners about on-site conditions. <p>(c) Submit the ECDMP required in part (a) of this condition to the Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(d) Decommission the construction related components of the wind farm in accordance with the ECDMP.</p>	<p>(a) to (c) 3 months prior to finalisation of construction of the wind farm</p> <p>(d) Within 12 months following the completion of construction</p>
31.	<p>(a) Prepare an End of Operation Decommissioning Management Plan (EODMP)</p>	<p>(a) to (c) 6 months prior to ceasing operation of the</p>

No.	Conditions of development approval	Condition timing
	<p>(b) The EODMP must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified person ii) demonstrate how all wind turbine componentry and ancillary infrastructure will be reused and/or recycled to the maximum extent possible thereby minimising to the greatest extent possible material destined for land fill iii) outline all actions to be undertaken to decommission the site including: <ul style="list-style-type: none"> • deconstruction and removal off-site of all above ground non-operational equipment including the wind turbine generators, the BESS, site offices, monitoring towers and transmission lines • removal to 1m below finished ground level of wind turbine generator foundations and back filling with soil • removal of all below ground cabling and ancillary infrastructure that is deemed suitable for reuse and or recycling purposes • removal and clean-up of any contamination caused by the development as defined in the <i>Environmental Protection Act 1994</i> • rehabilitation, including ground preparation, revegetating and management of all residual areas that were cleared and/or disturbed in accordance with approvals to construct and operate the wind farm • strategies proposed for rehabilitating areas that were subjected to extensive earthworks (such as rock areas that were blasted and heavily modified) that cannot practicably be restored to their pre-development state • a consultation program with relevant parties including host and surrounding landowners • reflect any agreements with host landowners about decommissioned on-site conditions iv) strategies to manage traffic movements required to decommission the site, and where impacts on the transport network are identified, detail any mitigation measures proposed. <p>(c) Submit the EODMP required in part (a) of this condition to the Department of Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(d) Decommission the wind farm in accordance with the EODMP.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of</i></p>	<p>wind farm</p> <p>(d) Within 12 months after the wind farm has ceased operations</p>

No.	Conditions of development approval	Condition timing
	<i>expertise (decommissioning large scale industrial developments).</i>	
32.	<p>Provide to the Department of State Development, Infrastructure and Planning evidence of a financial assurance in an amount equal to the total costs or expenses associated with the timely decommissioning of the project at the end of construction in order to secure compliance with condition 30.</p> <p><i>Note: evidence of appropriate financial assurance may include, for example, executed lease agreements with host landholders that include conditions requiring the wind farm operator to establish a fund for the purpose of decommissioning and restoring the wind farm site.</i></p>	Prior to the commencement of construction
33.	<p>Provide to the Department of State Development, Infrastructure and Planning evidence of a financial assurance in an amount equal to the total costs or expenses associated with the timely decommissioning of the project at the end of operations in order to secure compliance with condition 31.</p> <p><i>Note: evidence of appropriate financial assurance may include, for example, executed lease agreements with host landholders that include conditions requiring the wind farm operator to establish a fund for the purpose of decommissioning and restoring the wind farm site.</i></p>	Prior to the commencement of construction
34.	<p>(a) Prepare a Complaint Investigation and Response Plan (CIRP).</p> <p>(b) The CIRP must include:</p> <ul style="list-style-type: none"> i) a toll-free telephone number and email, hosted by the wind farm operator, for the receipt of complaints and queries ii) how contact details will be communicated to relevant members of the public. As a minimum, signage must be provided and be visible to the public at the construction and operational entry/s containing relevant contact details iii) a proposed investigation process that will be used to process and respond to complaints in a timely manner iv) a requirement that all complaints will be recorded in an incident register that is to include the following details: <ul style="list-style-type: none"> • the complainant's name and address • a unique reference number for each complaint that is to be communicated to the complainant • any applicable turbine or monitoring mast reference number • the complainant's concerns including date, time, prevailing conditions, and description of the complaint • the process of investigation undertaken to resolve the complaint • whether or not the complaint has been resolved to the 	<p>(a) to (c) Prior to any site works</p> <p>(d) At all times following submission of the CIRP</p> <p>(e) As requested by a delegate of the Chief Executive administering the <i>Planning Act 2016</i></p>

No.	Conditions of development approval	Condition timing
	<p>satisfaction of the complainant.</p> <p>(c) Submit the CIRP required in part (a) of this condition to the Department of Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p>(d) Undertake receiving and responding to complaints in accordance with the CIRP through construction and operational phases of the wind farm.</p> <p>(e) Submit the incident register required under part (b) iv) of this condition to the Department of Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).</p> <p><i>Note: The CIRP and its complaints investigation and response process are to remain in effect until the wind farm is decommissioned in accordance with condition 31 (d).</i></p>	
35.	Copies of this decision notice and associated approval documents must be published by the operator of the wind farm on a project website. Any updates or changes to approvals must also be published to the project website.	At all times during construction and operation of the wind farm
36.	The operator of the wind farm must maintain accurate and complete records of compliance with the conditions contained in this decision notice. If requested, electronic copies of compliance records must be provided to the Department of Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au).	At all times
37.	Notify the Department of Department of State Development, Infrastructure and Planning (windfarms@dsdilgp.qld.gov.au) of any non-compliances with conditions of this decision notice. Notification should include actions proposed to respond to and/or remedy the non-compliance.	Within 15 business days of becoming aware of a compliance breach
38.	Construction and operation of the BESS must meet the acoustic quality objectives for sensitive receptors identified in the Environmental Protection (Noise) Policy 2019.	At all times during construction and operations
39.	Provide clear emergency vehicle access from the site access point to each BESS.	At all times
40.	<p>The proposed height of some wind turbines will affect the:</p> <ul style="list-style-type: none"> i) LSALT – V327 and W504 air routes which will require its Lowest Safe Altitude (LSALT) to be raised from 3,500ft to 3,600ft ii) LSALT – V250 air route which will require its LSALT to be raised from 3,300ft to 3,500ft iii) Airspace grid LSALT of 3300 ft above mean sea level (AMSL) will be required to be raised by 500ft. 	Prior to commencement of construction

No.	Conditions of development approval	Condition timing
	Further consultation with Air Services Australia is required to assist in the preparation of a revised LSALT.	
41.	Engage with the operators of Taroom Aerodrome located at Lot 49 on FT626 (Taroom Airport) regarding mitigation of potential impacts to operations of the airstrip from the construction and operation of the wind farm.	Prior to the commissioning of the wind farm.
42.	<p>(a) Prepare a Workforce Accommodation Strategy (WAS) demonstrating the development will not cause unacceptable adverse impacts on surrounding communities and townships, such as overburdening services and community facilities.</p> <p>(b) The WAS must:</p> <ul style="list-style-type: none"> i) be prepared by a suitably qualified person ii) be prepared in consultation with Western Downs Regional Council and Banana Shire Council iii) detail of the intended workforce accommodation strategy, including proposed workforce accommodation iv) provide details of consultation and or/agreements with the local government regarding the proposed strategy v) detail the expected construction period for the wind farm and the expected number and profile of the workforce for the construction and operational phases of the project vi) include an analysis methodology used and workforce accommodation options considered. This must include an analysis of local and regional labour markets and an assessment of opportunities for local workers vii) include an assessment of positive and negative implications of using and/or supplementing accommodation options in existing townships/communities. This analysis must explore the implications of all, or part, of the workers accommodation being in exiting townships, addressing: <ul style="list-style-type: none"> • the availability of existing accommodation options • implications of commuting on local roads • implications of commuting distances and times from a workplace health and safety perspective viii) identify actions, measures and remediation strategies to be undertaken to ensure the development will not cause unacceptable adverse impacts on surrounding communities and townships, including timing for each action, measure and remediation strategy, including timing for each measure and remediation strategy. 	<p>(a) to (c) Prior to commencement of construction</p> <p>(d) At all times following commencement of construction</p>

No.	Conditions of development approval	Condition timing
	<p>(c) Submit the WAS required in part (a) of this condition to the Department of State Development, Infrastructure and Planning at windfarms@dsdilgp.qld.gov.au.</p> <p>(d) Construct and operate the development in accordance with the WAS including any actions, measures and remediation strategies.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (social impact assessment).</i></p> <p><i>Note: Preparation of a Workforce Accommodation Strategy should draw on Queensland Government's 'Social Impact Assessment Guideline' (March 2018) and 'Supplementary material for assessing and managing the social impacts of projects under the Coordinator-General's Social Impact Assessment Guideline' (March 2018).</i></p>	
43.	<p>(a) Prepare an Infrastructure Report (IR) demonstrating that impacts of the development on infrastructure and services during construction including social infrastructure, communications networks and essential infrastructure are identified, and measures to manage, mitigate any impacts are undertaken:</p> <ol style="list-style-type: none"> i) prior to commencement of construction; or ii) prior to additional demand being placed on infrastructure and services. <p>(b) The IR must:</p> <ol style="list-style-type: none"> i) be prepared by a suitably qualified person ii) be prepared in consultation with Western Downs Regional Council and Banana Shire Council iii) be informed by the WAS required in condition 42 iv) include an analysis of infrastructure and servicing demands generated through the construction phase of the project. In particular, this analysis must: <ul style="list-style-type: none"> • identify essential infrastructure, social infrastructure, construction materials and services required to be utilised • document the existing capacity of relevant infrastructure, construction material and services in potentially affected towns and nearby communities • determine areas where the project would adversely impact on existing relevant infrastructure, construction material and services • identify measures and remediation strategies to be carried out to respond to identified impacts on relevant infrastructure, construction material and services, including timing for each measure and remediation strategy 	<p>(a) to (c) Prior to commencement of construction</p> <p>(d) At all times following commencement of construction</p>

No.	Conditions of development approval	Condition timing
	<ul style="list-style-type: none"> provide details of any agreements and/or engagement with any infrastructure providers, service providers and local governments. <p>(c) Submit the IR required in part (a) of this condition to the Department of State Development, Infrastructure and Planning at windfarms@dsdilgp.qld.gov.au.</p> <p>(d) Construct and operate the development in accordance with the IR including any required mitigation and remediation strategies.</p> <p><i>Note: Suitably qualified person means a person(s) who has professional qualifications, training, skills and / or experience relevant to area of expertise (social impact assessment).</i></p> <p><i>Note: Preparation of an Infrastructure Report should draw on Queensland Government's 'Social Impact Assessment Guideline' (March 2018) and 'Supplementary material for assessing and managing the social impacts of projects under the Coordinator-General's Social Impact Assessment Guideline' (March 2018)</i></p>	
Operational Work for clearing of native vegetation		
Schedule 10, Part 3, Division 3, Table 1, Item 1 (10.3.3.1.1)—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources and Mines, Manufacturing and Rural and Regional Development to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
44.	<p>Clearing of vegetation must:</p> <p>(a) only occur within Area A (Parts A1 to A15) as shown on the attached:</p> <ul style="list-style-type: none"> i) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2410-43110 SDA, Sheets 1-9, version 1 ii) Attachment to Vegetation Management Plan VMP 2410-43110 SDA Derived Reference Points for GPS <p>(b) within Area A, not exceed:</p> <ul style="list-style-type: none"> i) 6.89ha total in <u>category B area</u> ii) 60m wide and 2.68ha in <u>category B area</u> containing <u>of concern regional ecosystems</u> iii) 60m wide and 0.12ha in <u>category B area</u> within the relevant distance* of a watercourse or drainage feature shown on the <u>Vegetation Management Watercourse and Drainage Feature Map</u> iv) 0.17ha in <u>category C area</u> (within dedicated roads) v) 1.32ha in <u>category R area</u> (within dedicated roads) 	At all times

No.	Conditions of development approval	Condition timing																					
	<p>vi) 43.02ha in <u>category X area</u> (within dedicated roads).</p> <p><i>Note: Words underlined in this condition are defined in State code 16: Native Vegetation Clearing of the State Development Assessment Provisions (SDAP) v3.1, and associated vegetation map versions and legislation current at the time the development application was properly made.</i></p> <p>*The relevant distances are:</p> <table><tr><th>Stream Order</th><th>Distance from the defining bank of a watercourse or drainage feature (m)</th></tr><tr><td>1 or 2</td><td>10</td></tr><tr><td>3 or 4</td><td>25</td></tr><tr><td>5 or greater</td><td>50</td></tr></table>	Stream Order	Distance from the defining bank of a watercourse or drainage feature (m)	1 or 2	10	3 or 4	25	5 or greater	50														
Stream Order	Distance from the defining bank of a watercourse or drainage feature (m)																						
1 or 2	10																						
3 or 4	25																						
5 or greater	50																						
45.	<p>Submit a final disturbance footprint in digital data format (.kml or shapefile) to:</p> <p>Natural Resource Assessment Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development Email: vegetation@resources.qld.gov.au</p>	On completion of clearing works																					
44.	<p>(a) Enter into an Agreed Delivery Arrangement to provide an environmental offset in accordance with the <i>Environmental Offsets Act 2014</i> to counterbalance the significant residual impacts on the following prescribed environmental matters:</p> <table><tr><th></th><th>Prescribed Environmental Matter</th><th>Area (ha)</th><th>Local Government Area</th><th>Bioregion</th><th>Subregion</th><th>Regional Ecosystem number and VMA Class:</th></tr><tr><td>a.</td><td>A prescribed regional ecosystem within the defined distance from the defining banks of a relevant watercourse or relevant drainage feature</td><td>0.12</td><td>Western Downs Regional</td><td>Brigalow Belt</td><td>Barakula</td><td>11.9.7 Of Concern</td></tr><tr><td>b.</td><td>A prescribed regional ecosystem that is an of concern regional ecosystem</td><td>2.68</td><td>Western Downs Regional</td><td>Brigalow Belt</td><td>Barakula</td><td>11.9.7 Of Concern</td></tr></table> <p>(b) Deliver the environmental offset/s in compliance with the Agreed Delivery Arrangement, entered into under part (a).</p> <p>(c) Do not commence any works that impact on the prescribed environmental matter/s stated in (a) above until:</p> <p>i) for a proponent driven offset – after an Agreed Delivery Arrangement has been entered into and an Offset Delivery Plan</p>		Prescribed Environmental Matter	Area (ha)	Local Government Area	Bioregion	Subregion	Regional Ecosystem number and VMA Class:	a.	A prescribed regional ecosystem within the defined distance from the defining banks of a relevant watercourse or relevant drainage feature	0.12	Western Downs Regional	Brigalow Belt	Barakula	11.9.7 Of Concern	b.	A prescribed regional ecosystem that is an of concern regional ecosystem	2.68	Western Downs Regional	Brigalow Belt	Barakula	11.9.7 Of Concern	<p>(a) Prior to commencing any works that impact on the prescribed environmental matters identified in part (a)</p> <p>(b) Until the environmental offset/s has/have been delivered</p> <p>(c) As indicated</p>
	Prescribed Environmental Matter	Area (ha)	Local Government Area	Bioregion	Subregion	Regional Ecosystem number and VMA Class:																	
a.	A prescribed regional ecosystem within the defined distance from the defining banks of a relevant watercourse or relevant drainage feature	0.12	Western Downs Regional	Brigalow Belt	Barakula	11.9.7 Of Concern																	
b.	A prescribed regional ecosystem that is an of concern regional ecosystem	2.68	Western Downs Regional	Brigalow Belt	Barakula	11.9.7 Of Concern																	

No.	Conditions of development approval	Condition timing
	<p>is agreed to</p> <ul style="list-style-type: none"> ii) for a financial offset – after an Agreed Delivery Arrangement has been entered into and the financial offset payment has been made iii) for a combination offset – after an Agreed Delivery Arrangement has been entered into and an Offset Delivery Plan is agreed to, and the financial offset payment has been made. 	

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.1. If a word remains undefined it has its ordinary meaning, with the exception of the terms outlined in the Glossary at Attachment 3.
2.	All plans and reports submitted to SARA in order to satisfy conditions of this of this approval will be made publicly available on SARAs website at: https://planning.statedevelopment.qld.gov.au/planning-framework/state-assessment-and-referral-agency/sara-application-material .
3.	As detailed in the Bungaban Stakeholder and Community Consultation Report prepared by Windlab dated 7 March 2025, reasonable effort should be taken to: <ul style="list-style-type: none"> i. build local capabilities by implementing procurement strategies, contractor targets, and capacity-building initiatives ii. foster workforce development and career pathways in collaboration with key skills and training organisations iii. provide timely information regarding the project and be accessible and responsive to stakeholders iv. support educational and tourism opportunities where appropriate v. demonstrate responsible land stewardship throughout the project's life vi. implement a stakeholder and community engagement approach that is transparent and follows best practice principles vii. work with Traditional Owners and other stakeholders to form voluntary shared benefits agreements and Cultural Heritage Management Agreements or Plans viii. prioritise host landowners and neighbouring landholders in project decision-making processes and offer shared benefit programs ix. engage with regional advocacy groups to align the project with local economic priorities and long-term sustainability.
4.	Sensitive land uses A sensitive land use is defined by State code 23: Wind farm development. Any land uses approved after the date of this decision are not considered sensitive land uses for the purpose of this development approval.
5.	<p>The delivery of wind farm development components to site will require a coordinated approach involving the National Heavy Vehicle Regulator (NHVR), Queensland Police and the Department of Transport and Main Roads (DTMR) Heavy Vehicle Operations Unit and Powerlink/Energex. Liaison between all these parties will be essential in the preparation of the Traffic Management Plan (TMP) referenced in condition 23.</p> <p>Throughout preparation of the TMP, the applicant is strongly encouraged to contact the DTMR Heavy Vehicle Operations Unit via email to QLDAccess_HVROPO@tmr.qld.gov.au to ensure that obtaining further approvals (outside of the planning approval process) does not delay construction of the wind farm.</p>
6.	The conditions of approval require the applicant to provide a final Traffic Impact Assessment (TIA) and TMP to relevant authorities at least 3 months prior to construction commencing. It is recommended that draft copies of the TIA and TMP are provided to relevant authorities at

	<p>least 9 months prior to the anticipated construction date, so that any deficiencies can be identified and appropriately actioned prior to the final TIA and TMP being issued in compliance with the condition. Failing to do so may result in delays in finalising the TIA and TMP and commencing construction.</p>
7.	<p>Pursuant to 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 (including driveways, intersection upgrades, passing bays, stopping bays, etc.).</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland. To ensure that gaining approval does not delay construction, please contact the Department of Transport and Main Roads (downs.south.west.idas@tmr.qld.gov.au and central.queensland.idas@tmr.qld.gov.au) as soon as possible to make an application and include a completed Road Works/Road Access Works in a State-controlled road Application Form (Form F5082) available at: https://www.support.transport.qld.gov.au/qt/formsdat.nsf/forms/QF5083/</p>
8.	<p>Pursuant to section 50 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to construct, maintain, operate or conduct ancillary works and encroachments on a state-controlled road. Please contact the Department of Transport and Main Roads (downs.south.west.idas@tmr.qld.gov.au and central.queensland.idas@tmr.qld.gov.au) to make an application.</p>
9.	<p>The National Heavy Vehicle Regulator (NHVR) is responsible for administering all regulatory services under the Heavy Vehicle National Law (Queensland) (HVNL) and the <i>Heavy Vehicle National Law Act 2012 (Cwlth)</i>, including:</p> <ul style="list-style-type: none"> i. heavy vehicle access permit applications (including over size and over mass loads) ii. heavy vehicle standards modifications and exemption permits iii. fatigue management, including a national driver work diary iv. compliance and enforcement of the HVNL (through existing transport inspectors and police services). <p>For more information about these matters, please contact the NHVR on 1300 696 487 or visit NHVR's website www.nhvr.gov.au.</p>
10.	<p>Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.</p> <p><u>Dilapidation surveys</u> Access to the railway corridor to undertake dilapidation surveys is likely to require approval of the railway manager/s (Queensland Rail) including a licence to enter.</p> <p><u>Works in a railway corridor</u> Most works, including upgrades, modifications and rectification works, to a railway level crossing will be designed and constructed by the railway manager (Queensland Rail) or its approved contractor at the applicant's expense.</p> <p>The applicant is responsible for obtaining any necessary approvals, contract arrangements, and/or other agreements from the railway manager for the design and construction of any works associated with the development. Please be advised that this referral agency</p>

	<p>response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the relevant railway manager (Queensland Rail)</p> <p>Contact Queensland Rail (QRPropertyWayleaves@qr.com.au) in relation to this matter.</p>
11.	<p>Under the Transport Infrastructure (Rail) Regulation 2017 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:</p> <p>http://www.queenslandrail.com.au/forbusiness/overdimensionalloads</p>
12.	<p>Area A shown on the Vegetation Management Plan VMP 2410-43110 SDA consists of:</p> <ul style="list-style-type: none"> i. The approximate disturbance footprint; and ii. Micro-siting areas around the approximate disturbance footprint. <p>This allows for slight shifting (micro-siting) of the disturbance footprint within Area A. Clearing all vegetation within Area A is not permitted, rather it is only permitted to the extent that it complies with the area thresholds specified in part (b) of condition 1, <i>and</i> is within Area A.</p>
13.	<p>Some amendments to the areas identified in the submitted digital data were made during production of the Vegetation Management Plan VMP 2410-43110 SDA. It is therefore recommended that the applicant request an electronic file of the Derived Reference Points (attached to Vegetation Management Plan VMP 2410-43110 SDA) as contained in this decision notice. Please email a request to the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development at vegetation@resources.qld.gov.au and include the application reference (VMP 2410-43110 SDA).</p>
14.	<p>Despite this development approval, other permits or approvals may be required for the clearing of vegetation. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to www.qld.gov.au (search 'vegetation clearing requirements').</p>
15.	<p>Clearing of vegetation in category C and category R areas on freehold land is not for a relevant purpose under the <i>Vegetation Management Act 1999</i>. Accordingly, clearing of vegetation in these areas cannot be approved under a development approval. Given the proposed development includes clearing of vegetation in category C and category R areas on freehold land, the applicant should ensure this clearing can be undertaken as exempt clearing work or in accordance with an Accepted Development Vegetation Clearing Code (ADVCC). Clearing vegetation in these category C or category R areas that is not exempt or in accordance with an ADVCC is prohibited development. Information on exempt clearing work and ADVCCs is available online at www.qld.gov.au (search 'exempt clearing work' or 'accepted development vegetation clearing codes').</p>
16.	<p>Clearing of vegetation has the potential to disturb the roots of the trees of proposed retained vegetation thereby resulting in the death of trees not approved to be cleared under this development approval. It is recommended clearing and excavation activities be undertaken in accordance with the '<i>Australian Standards for the Protection of Trees on Development Sites (AS4970-2009)</i>' to avoid and consequential unauthorised clearing.</p>
17.	<p>Under the <i>Forestry Act 1959</i>, forest products on dedicated roads are the property of the State. The Department of Primary Industries may liaise with the landowners to organise the salvage harvesting of forest products (native forest log timber), if in a commercial quantity, approved for</p>

	clearing by this development approval.
18.	<p>A condition relating to the Queensland environmental offsets framework has been imposed on this approval.</p> <p>An environmental offset must be made in accordance with the <i>Environmental Offsets Act 2014</i> and Queensland Environmental Offsets Policy, version 1.16 for the maximum extent of impact to each prescribed environmental matter requiring an offset as listed in condition 44.</p> <p>The <i>Environmental Offsets Act 2014</i> also contains additional statutory requirements which are 'deemed conditions' for this approval. The deemed conditions are contained in Part 6 sections 19B, 22, 24 and 25 of the <i>Environmental Offsets Act 2014</i>.</p>

Attachment 3—Glossary of terms

Glossary

The following terms and phrases have particular meanings when referenced in this development approval. If a word is undefined by this glossary, it has its ordinary meaning.

Commissioning or **commissioned** means all activities, including turning of wind turbines, after the components of the first complete wind turbine are installed.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval (including compliance with commitments made in plans) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

Construction traffic means the transport of vehicles to the site that will be used for vegetation clearing and civil works (bulldozers, excavators, heavy earth moving machinery, drilling rigs and the like), vehicles required to supply materials during construction (gravel, steel, concrete, water and the like), vehicle movements associated with workers' accommodation camps and vehicles used during construction to haul turbine components, blades, substations and transformers (including but not limited to oversize / overmass (OSOM) vehicles) from mainland points of origin to the site.

Deed of release means a written agreement between a proponent and any landowner accepting any of the following:

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).

Note: See section 45 of the Property Law Act 1974 for the formal requirements for deeds executed by individuals.

Export of electricity means to have electricity equivalent to 50% or more of the wind farm's generating capacity enter the electricity grid from the wind farm.

Host lot means a lot that accommodates any part of a wind farm development.

Native vegetation means vegetation protected under the Vegetation Management Act 1999 that is nominated on the Regulated Vegetation Regional Ecosystem Map version 7.06.

Non-host lot means a lot no part of which is used for wind farm development or part of a wind farm development.

Other rail infrastructure see the *Transport Infrastructure Act 1994*, schedule 6.

Practical completion of the wind farm means the issuing of a Certificate of Practical Completion for the construction works for the wind farm.

Rail transport infrastructure see the *Transport Infrastructure Act 1994*, schedule 6.

Site works means any works on the site involving bulk earthworks, vegetation clearing, constructing foundations or retaining devices.

Attachment 4—Reasons for the decision

(Given under section 63(5) of the *Planning Act 2016*)

The reasons for SARA's decision are:

- The application proposes a Wind Farm consisting of up to 204 wind turbine generators and ancillary infrastructure including a battery energy storage system (BESS), requiring approximately 6.72ha of vegetation clearing. During the assessment, SARA raised several ecological concerns, including potential impacts on regional ecosystems through loss of connectivity, clearing adjacent to watercourses or drainage features, risk of soil erosion and salinity and limited ecological survey and assessment detail.

In response to the concerns raised, the applicant provided a revised ecological assessment detailing survey methodologies, mitigation measures for erosion and sediment control and environmental offsets for impacts that cannot be avoided. Adjustments were also made to the project's disturbance footprint to minimise clearing impacts and to enhance ecological connectivity.

The applicant's response and proposed mitigation measures were deemed sufficient to meet prescribed environmental outcomes, with recommended conditions.

The elements of State code 23 and State code 16 that pertain to the management of impacts on the natural environment have been viewed as being complied with due to:

- conditions requiring active management of any fauna affected by vegetation clearing
- conditions limiting the extent of clearing of regulated vegetation that is permitted to occur as part of the project
- conditions requiring extensive revegetating and replanting of cleared areas following construction
- conditions requiring rigorous management of erosion and runoff during both construction and operational phases of the project
- conditions requiring the timely decommissioning of all construction related structures and infrastructure
- conditions requiring the timely decommissioning of the wind farm at the end of its operational life.
- SARA's assessment concluded that all other aspects of the project comply with the relevant performance outcomes of State code 23 and State code 16 as the approval is conditioned to ensure that the project will be sited, designed and operated to:
 - maintain the safety, operational integrity and efficiency of air services and aircraft operations
 - minimise risks to human health, well being and quality of life by ensuring acceptable levels of acoustic emissions at sensitive land uses and exposure to natural hazards
 - not unnecessarily impact on the character, scenic amenity and landscape values of the locality
 - maintain the safe and efficient operation of transport networks and road infrastructure through both the construction and operational phases of the project.
- SARA's assessment also concluded that aspects of the project comply with the purpose statement with state code 23 as the approval is sited and/or conditioned to ensure that the development will:
 - minimise impact on agricultural land and ensure coexistence of farming and wind farm operations
 - develop a workforce strategy for the construction workforce that addresses local housing and infrastructure considerations

- mitigate construction impacts on local communities, including responsible material sourcing and efficient water and waste management
- provide financial security for the timely decommissioning of all construction related structures and infrastructure, and the wind farm at the end of its operational life.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The SDAP (version 3.1), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

Attachment 5— Change representations provisions

Attachment 6—Appeal provisions

Attachment 7—Documents referenced in conditions

(given under section 43 (b) of the Planning Regulation 2017)

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— <p>(a) The assessment manager's decision on the extension application; or</p> <p>(b) A deemed refusal of the extension application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
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— <p>(a) the notice involved an error relating to—</p> <p>(i) the application of the relevant adopted charge; or</p> <p>Examples of errors in applying an adopted charge:</p> <ul style="list-style-type: none"> ▪ the incorrect application of gross floor area for a non-residential development ▪ applying an incorrect 'use category', under a regulation, to the development <p>(ii) the working out of extra demand, for section 120; or</p> <p>(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			
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— <p>(a) the refusal of a conversion application; or</p> <p>(b) a deemed refusal of a conversion application.</p>			
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)
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<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
4. Compensation claims An appeal may be made against— <ol style="list-style-type: none"> (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— <ol style="list-style-type: none"> (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	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	—	—

Planning Act 2016 – Change representations provisions.

Chapter 3 Development Assessment

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

75 Making change representations

- 1) The applicant may make representations (***change representations***) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than—
 - i. a matter stated because of a referral agency's response; or
 - ii. a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
 - (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- 2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- 3) Only 1 notice may be given.
- 4) If a notice is given, the appeal period is suspended—
 - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - i. the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - ii. the applicant receives notice that the assessment manager does not agree with the change representations; or
 - iii. the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- 5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- 1) The assessment manager must assess the change representations against and having regard to the matters that must be considered when assessing a development application, to the extent those matters are relevant.
- 2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
 - (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - i. each principal submitter; and
 - ii. each referral agency; and
 - iii. if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - iv. if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - v. another person prescribed by regulation.
- 3) A decision notice (*a **negotiated decision notice***) that states the assessment manager agrees with a change representation must—
 - (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
- 4) A negotiated decision notice replaces the decision notice for the development application.
- 5) Only 1 negotiated decision notice may be given.
- 6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.