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## AMENDED DECISION NOTICE - MINOR CHANGE APPLICATION - APPROVAL

*Given under Section 83 of the Planning Act 2016*

Approval No:	050.2024.835.001	File Refs: A12652 & LG7.6.1
Council Contact:	Dominic Bradley PLANNING OFFICER DEVELOPMENT ASSESSMENT	
Officer's Contact Details:	Ph: (07) 4679 7331 Email: <a href="mailto:dominic.bradley@wdrc.qld.gov.au">dominic.bradley@wdrc.qld.gov.au</a>	
Date of Amended Decision Notice:	21 March 2025	
Applicant's Name:	GREEN42 Pty Ltd	
Applicant's Postal Address:	C/- Reel Planning PO Box 2088 MILTON QLD 4064	
Applicant's Email Address:	<a href="mailto:kieran@reelplanning.com">kieran@reelplanning.com</a>	

Dear Sir,

**RE: DEVELOPMENT APPLICATION FOR A MINOR CHANGE TO AN EXISTING DEVELOPMENT APPROVAL FOR A MATERIAL CHANGE OF USE FOR A PUBLIC UTILITY (SOLAR FARM) AND RECONFIGURING A LOT (DIVIDING LAND INTO PARTS BY AGREEMENT EXCEEDING A 10 YEAR PERIOD) ON LAND DESCRIBED AS LOT 2 ON RP117442 INCLUDING EASEMENT AL ON SP341489 AND EASEMENT AU ON SP249474, SITUATED AT 953 16 MILE HALL ROAD, HOPELAND**

Western Downs Regional Council received your Change Application made under Section 78 of the *Planning Act 2016* on 13 December 2024 for Development Approval 050.2023.582.001 dated 13 December 2023.

This amended decision notice replaces the decision notice issued on 20 March 2025 with the omission of a typing error.

### Decision for Change Application

Date of Decision:	17 March 2025
Decision Details:	Approved in full, with amendments to existing conditions

The changes agreed to are:

(a) Condition 2 (Stage A) of the approval is amended as follows:

#### 2.0 APPROVED DEVELOPMENT

- 2.1 The approved development is Material Change of Use for a Public Utility (Solar Farm) as shown on the Approved Plan.
- 2.2 The development is approved to be undertaken in 2 Stages as follows:  
**Stage A:** Battery Energy Storage System (BESS)

**Stage B:** Solar Farm

**Stage C:** **Battery Energy Storage System (BESS)**

**Note:** The development is not required to be undertaken sequentially.

- (b) Condition 16 (Stage A) of the approval is amended as follows:

**16.0 OPERATING HOURS DURING CONSTRUCTION**

16.1 Construction work shall occur only between the hours of 6:00am and 6:00pm Monday to ~~Saturday~~ **Sunday**.

~~16.2 Work on Sundays and Public Holidays shall be limited to safety inspections, testing, checks and environmental work involving a maximum of 10 workers on-site (unless approved otherwise by Council).~~

- (c) Condition 2 (Stage B) of the approval is amended as follows:

**2.0 APPROVED DEVELOPMENT**

2.1 The approved development is Material Change of Use for a Public Utility (Solar Farm) as shown on the Approved Plan.

2.2 The development is approved to be undertaken in ~~2~~ **3** Stages as follows:

**Stage A:** Battery Energy Storage System (BESS)

**Stage B:** Solar Farm

**Stage 3:** **Battery Energy Storage System (BESS)**

**Note:** Development is not required to be undertaken sequentially.

- (d) Condition 3 (Stage B) of the approval is amended as follows:

**3.0 TERM OF APPROVAL**

3.1 The use of the land for the purpose of a Public Utility (Solar Farm) is approved for a period of thirty-seven (37) years only, from commencement of the use.

3.2 Stage B of the development must be completed within 6 years of the completion of the construction of Stage A **or C** of the development.

- (e) Condition 16 (Stage B) of the approval is amended as follows:

**16.0 OPERATING HOURS DURING CONSTRUCTION**

16.1 Construction work shall occur only between the hours of 6:00am and 6:00pm Monday to ~~Saturday~~ **Sunday**.

~~16.2 Work on Sundays and Public Holidays shall be limited to safety inspections, testing, checks and environmental work involving a maximum of 10 workers on-site (unless approved otherwise by Council).~~

- (f) A new suite of conditions and advisory notes are proposed for stage C of approval as per the below:

**S T A G E C**

**MATERIAL CHANGE OF USE**

**1.0 APPROVED PLAN**

1.1 The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

<b>Plan No./Reference</b>	<b>Title and Details</b>	<b>Dated</b>
<b>HPSF-E3-DRG-0001, Sheet 11, Rev A</b>	<b>Hopeland Solar Farm and BESS Electrical Site Layout, Prepared by UGL</b>	<b>18/11/24</b>

**1.2** Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

**1.3** The Approved Plan is to be amended in accordance with the conditions of this approval and as outlined below:

**1.3.1** Provide details on the proposed buildings to be constructed within the administration and maintenance facility and retained on-site for the life of the project. Building floor plans and elevations must also be provided.

**Note:** Infrastructure charges will be levied for the gross floor area of all administration and control buildings including storage sheds and site offices. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.

**1.3.2** Buildings and structures are to be located a minimum of 20 metres from a road frontage and 15 metres from side and rear boundaries.

**1.3.3** Buildings and structures are to be set back a minimum of 50 metres from a gas or oil pipeline. Alternatively, provide consent from the pipeline owner for structures to be located within 50 metres of the pipeline.

**1.4** The following further Development Permits must be obtained prior to commencement of any work associated with the process:

**1.5.1** Operational Work may be required where greater than 50m<sup>3</sup> of fill or excavation is proposed on the site; and

**1.5.2** Building Works.

**1.5** Unless otherwise stated, the conditions relate to works within the Stage C lease area only.

## **2.0 APPROVED DEVELOPMENT**

**2.1** The approved development is Material Change of Use for a Public Utility (Solar Farm) as shown on the Approved Plan.

**2.2** The development is approved to be undertaken in 3 Stages as follows:

**Stage A:** Battery Energy Storage System (BESS)

**Stage B:** Solar Farm

**Stage C:** Battery Energy Storage System (BESS)

**Note:** Development is not required to be undertaken sequentially.

## **3.0 TERM OF APPROVAL**

**3.1** The use of the land for the purpose of a Public Utility (Solar Farm) is approved for a period of thirty-seven (37) years only, from commencement of the use.

**3.2** Stage C of the development must be completed within 6 years of the completion of the construction of Stage A or B of the development.

#### **4.0 COMPLIANCE, TIMING AND COSTS**

- 4.1** All conditions of the approval shall be complied with prior to commencement of the use and whilst the use continues, unless otherwise noted within these conditions.
- 4.2** All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

#### **5.0 FEES AND CHARGES**

- 5.1** All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

#### **6.0 MAINTENANCE**

- 6.1** The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

#### **7.0 LANDSCAPING – MISCELLANEOUS**

- 7.1** The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any subsequent legislation.
- 7.2** Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land outside the approved Development Areas must be retained where possible, and action taken to minimise disturbance during construction work.
- 7.3** Retained vegetated areas must be maintained and the site must remain in a clean and tidy state at all times.

#### **8.0 REHABILITATION AND EXIT PLAN**

- 8.1** One (1) year prior to decommissioning, the Operator must submit to Council for endorsement, a Rehabilitation and Exit Plan prepared by a qualified person that, at a minimum:
  - 8.1.1** demonstrates that the site will be restored to a standard capable of the level of productivity that was available prior to the Material Change of Use, upon decommissioning of the Battery Energy Storage System (Stage C);
  - 8.1.2** identifies possible land use (eg grazing, cropping) following cessation of the approved use;
  - 8.1.3** clearly establishes the objectives of the Plan;
  - 8.1.4** shows adopted performance criteria for rehabilitation efforts;
  - 8.1.5** includes an Action Plan, with timing for remedial work such as structure removal, removal of imported materials such as gravel, any soil erosion, drainage and vegetation cover work, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria; and
  - 8.1.6** outlines a program for monitoring rehabilitation success using appropriate indicators.
- 8.2** Post-operational rehabilitation of the site is to be carried out generally in accordance with the strategies identified in the Approved Rehabilitation and Exit Plan.
- 8.3** Rehabilitation work must commence immediately upon cessation of the approved use and be carried out in accordance with the endorsed Rehabilitation and Exit Plan for the length of time included in the Action Plan.

## **9.0 ENVIRONMENTAL MANAGEMENT PLAN**

**9.1** Submit to Council for endorsement, an Environmental Management Plan prepared by a suitably qualified person. The Plan must be specific to the property and include strategies for hazard management of the Renewable Energy Facility (Solar Farm) and Major Electricity Infrastructure (Battery Energy Storage System). The Plan should include, but not be limited to the following matters:

**9.1.1** lithium-ion batteries, particularly relating to thermal runaway;

**9.1.2** fire prevention and management including:

**9.1.2.1** the credible hazards and risks present for the BESS facility, including fire scenarios (internal and external initiators);

**9.1.2.2** fire fighting procedures and equipment required on the property to fight bushfires and battery fires including in the event of an explosion;

**9.1.2.3** procedures and information as to how fires will be detected and monitored by the applicant on the property; and

**9.1.2.4** identification of potential fire risks and the fire management measures which will be implemented to address the potential fire risks during construction and operation of the development;

**9.1.3** handling, use and hazard precautions;

**9.1.4** emergency evacuation and shut down procedures;

**9.1.5** first aid;

**9.1.6** storage precautions;

**9.1.7** damaged products;

**9.1.8** disposal; and

**9.1.9** maintenance.

**9.2.** Once the Environmental Management Plan is endorsed by Council, the Environmental Management Plan is to be implemented by the Operator.

## **10.0 ACOUSTIC AMENITY – NOISE LIMITS**

**10.1** Noise from activity associated with the use of the site must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive place or commercial place.

## **11.0 ACOUSTIC AMENITY – MECHANICAL PLANT**

**11.1** All regulated devices as defined by the *Environmental Protection Act 1994*, must be installed, operated and maintained to comply with the noise limits as specified within the *Environmental Protection Act 1994*.

## **12.0 AIR QUALITY AND AMENITY – AIR RELEASE LIMITS**

**12.1** Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place, must not be released into the atmosphere.

## **13.0 OUTDOOR LIGHTING IMPACT MITIGATION**

**13.1** Outdoor lighting associated with the use must be designed, sited, installed and tested to comply with Tables 2.1 and 2.2 of Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting Using a Control Level of 1.

**13.2** All lighting must be of a type that gives no upward component of light when mounted horizontally (ie a full cut-off luminaire).

**14.0 VISUAL AND GENERAL AMENITY**

14.1 Any graffiti on the buildings or structures must be removed immediately.

14.2 The buildings and the site must be maintained in a clean and tidy manner at all times.

**15.0 FIRE FIGHTING**

15.1 Suitable fire fighting equipment to deal with electric and electronic fires must be installed at the development.

15.2 On-site bushfire equipment must include a minimum of a 5,000 litre water supply. If fire fighting supply is to be provided in a tank, the supply outlet is to be fitted with a 50mm male camlock fitting for rural fire fighting connections.

**16.0 WASTE MANAGEMENT**

16.1 All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

16.2 All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

**17.0 OPERATING HOURS DURING CONSTRUCTION**

17.1 Construction work shall occur only between the hours of 6:00am and 6:00pm Monday to Sunday.

**18.0 ENGINEERING WORKS**

18.1 Submit to Council, an Operational Work application for external road upgrade works (excluding work on State controlled road), access, and erosion and sediment control (during construction and operational phases).

18.2 Undertake Engineering designs and construction work in accordance with Council's Planning Scheme Policy 1, relevant Development Codes, Standard Drawings and relevant Australian Standards unless approved otherwise.

18.3 Be responsible for the full cost of any alterations necessary, to infrastructure works or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

18.4 Submit to Council, certification from a Registered Professional Engineer of Queensland (RPEQ-Civil) that all work authorised by this development approval and any related approval issued by Council, have been designed and constructed in accordance with the requirements of the development approval:

18.4.1 submit a Design Certificate with an application for Operational Work; and

18.4.2 submit a Construction Supervision Certificate at completion of the approved work and/or prior to Council's acceptance of the work on-maintenance.

**19.0 MAINTENANCE**

19.1 Maintain all work that will become Council infrastructure for a period of 24 months (maintenance period) from the date of on-maintenance. Any defective work must be rectified within the maintenance period.

- 19.2 Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

**20.0 LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

- 20.1 Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted during construction of the development.
- 20.2 Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.

**21.0 CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

- 21.1 Prior to commencement of work, submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development work for the site. The Plan is to cover where applicable, the following:
- air quality management;
  - erosion and sediment management;
  - waste management;
  - complaint management;
  - community awareness;
  - workers' car parking arrangements; and
  - traffic control during works.
- 21.2 Implement the approved Construction Management Plan at all times during construction of the development.
- 21.3 Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

**22.0 STORMWATER MANAGEMENT**

- 22.1 Design and construct stormwater drainage to ensure that the development will not create any nuisance as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like for design storms of ARI2, ARI5, ARI10, ARI20 and ARI50.
- 22.2 Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- 22.3 Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

**23.0 WATER SUPPLY**

- 23.1 Provide a potable water supply for all staff and visitors.

**24.0 ON-SITE WASTEWATER DISPOSAL**

- 24.1 Connect the development to an on-site wastewater system, in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.

**Comment:** If facilities are shared with other developments on the site, this is acceptable.

- 24.2 Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system.

## **25.0 PARKING AND ACCESS - GENERAL**

- 25.1** Design and construct all car parking, driveway and parking areas to provide a dust suppressive gravel.
- 25.2** Provide adequate car parking spaces during the operational phase.
- 25.3** Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.
- 25.4** No parking is permitted along Council's road verge for all vehicles associated with construction and operation of the development.
- 25.5.** Provide an access road from the access to the lease area.

## **26.0 VEHICLE ACCESS - TURNOUTS**

- 26.1** Design and construct vehicle turnouts at access points on 16 Mile Hall Road generally in accordance with Council's Standard Drawing No. R-007 between the property boundary and the edge of 16 Mile Hall Road the road pavement. Ensure that crossover splay is designed to accommodate turning movements of a B-Double.

## **27.0 SIGNAGE**

- 27.1** Where access to 16 Mile Hall Road is identified in the approved Transport Routes Plan, install an R2-14 A (L) Regulatory Sign "Left Turn Only" at the exit point to 16 Mile Hall Road from the development, erected 1 metre offset from the driveway and facing the opposite direction of the traffic flow, in accordance with the Manual for Uniform Traffic Control Devices.

## **28.0 APPROVED TRANSPORT ROUTES**

- 28.1** The approved access route on Council roads shall be from the site access point on 16 Mile Hall Road, directly south to Kogan-Condamine Road and vice versa.
- 28.2** No access is permitted to the north of the access point along 16 Mile Hall Road for any vehicles associated with construction and operation of Stage B works.

## **29.0 ROAD UPGRADE WORKS - 16 MILE HALL ROAD**

- 29.1** Prior to commencement of construction, submit to Council for approval, a road geometry design in accordance with Austroads' and Department of Transport and Main Roads' Road Planning and Design Manual to ensure the safety of traffic expected on 16 Mile Hall Road, certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ).
- 29.2** Prior to commencement of construction, undertake upgrades described below on 16 Mile Hall Road between the access point to the Stage C development on 16 Mile Hall Road and the intersection of 16 Mile Hall Road and Kogan-Condamine Road, to Western Downs Regional Council's standards:
  - 29.2.1** construct the 16 Mile Hall Road to provide an all-weather 7 metre wide gravelled pavement on an 8 metre formation (Rural Feeder) for a Rural Feeder Non-bitumen Road, with a minimum gravel depth of 125mm, generally in accordance with Council's Standard Drawing R-002, Rev F;
  - 29.2.2** design and construct the 16 Mile Hall Road and Kogan-Condamine Road intersection to accommodate the turning movements of a B-Double; and



**29.2.3 road drainage works including construction of flood ways as required.**

**Comment:** The required roadworks may have been completed by other developments in the area. Where the road has been upgraded by others, this condition is deemed to be satisfied. Please note that if the condition of the road does not meet the road upgrade requirements, the applicant will have to undertake the necessary maintenance/upgrades.

**30.0 ROAD CONDITION AND MAINTENANCE**

- 30.1** A maintenance bond of \$300,000, calculated unsealed (7.5km x \$40,000.00), must be provided to Council in the form of a Bank Guarantee as per Council's current "Bank Guarantee - Organisational Policy" and shall be payable to Council prior to commencement of construction. The amount payable will be in accordance with the length of Council road to be used as part of the development as outlined in the Approved Traffic Routes Plan. In the event that road maintenance works are not carried out in a timely manner, Council reserves the right to use part or all of the bond money to carry out the necessary maintenance work.
- 30.2** Upon completion of the construction phase of the project, the sealed sections of the approved transport routes shall be left, as a minimum, at the same condition as it was prior to commencement of the construction phase. The gravelled sections of the approved transport routes must be left at the same standard as detailed in Condition 30.2.1 of this development approval as applicable.
- 30.3** The applicant is responsible for the carrying out and cost of any maintenance work including dust suppression of 16 Mile Hall Road if these roads form part of the haul routes for the duration of construction of Stage C.
- 30.4** All road maintenance works must be conducted with prior approval from Council.

**31.0 ROADWORKS AND SAFETY**

- 31.1** Install signage for all work on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- 31.2** Submit to Council, an application for any road or lane closures, and ensure all conditions of that approval are complied with during construction of the work.
- 31.3** Submit to Council for approval prior to commencement of work, a Traffic Management Plan for the duration of the construction period of work near or on Council roads.

**32.0 B-DOUBLE ROUTE**

- 32.1** Road sections of approved Access Route 1 are not currently an approved B-Double Route. Obtain an approval for the route to be used by Multi-combination Vehicles from the National Heavy Vehicle Regulator prior to allowing access to Multi-combination Vehicles via the above road section. Please refer to the following link for more information:  
<https://www.nhvr.gov.au/road-access/access-management/applications-and-forms>

**33.0 EARTHWORKS - GENERAL**

- 33.1** Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

## **34.0 ENVIRONMENTAL HEALTH**

- 34.1** During the construction and on-maintenance period of the development, undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 34.1.1** do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;
  - 34.1.2** remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
  - 34.1.3** do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).
- 34.2** Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:
- 34.2.1** uncontaminated overland stormwater flow; and
  - 34.2.2** uncontaminated stormwater to the stormwater system.

## **S T A G E C**

### **RECONFIGURING A LOT**

#### **1.0 APPROVED PLAN**

- 1.1** The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

<b>Plan No./Reference</b>	<b>Title and Details</b>	<b>Dated</b>
2300950-1	Plan of proposed Leases HB and HS in Lot 2 on RP117442, Prepared by Land Sueveys	10/12/24

- 1.2** Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.
- 1.3** Unless otherwise stated, the conditions relate to works within the Stage C lease area only.

#### **2.0 APPROVED DEVELOPMENT**

- 2.1** The approved development is Reconfiguring a Lot (Dividing Land into Parts by Agreement - Lease for a Period Exceeding 10 Years) as shown on the Approved Plan.
- 2.2** The term of this approval is 37 years from the date of registration of the lease.
- 2.3** A copy of the registered lease is to be provided to Council once the lease is registered.

**Note:** If the applicant does not provide a copy of the lease once it is registered, the commencement date of the term of the lease will be taken from the date the development approval was issued.

#### **3.0 COMPLIANCE, TIMING AND COSTS**

- 3.1** All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18) and whilst the use continues, unless otherwise noted within these conditions.

- 3.2 All costs associated with compliance with these conditions shall be the responsibility of the developer.
- 3.3 Written notice must be given to Council that the Reconfiguring of a Lot (including development and/or work) fully complies with Council's Decision Notice issued in respect of the reconfiguring (please refer to the attached Notice for completion). Council's Compliance Senior Officer will then arrange a Development Compliance Inspection.

#### 4.0 FEES AND CHARGES

- 4.1 All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

#### 5.0 LEGAL ACCESS

- 5.1 Lease Area C is to maintain lawful access to 16 Mile Hall Road at all times.
- 5.2 Prior to Council's endorsement of Plan of Survey (Form 18) for Stage C of the approval, the applicant is to provide a copy of Access Agreement which provides the Lease Area C with access to 16 Mile Hall Road.

#### REFERRAL AGENCY RESPONSES

1. The Department of Infrastructure, Local Government and Planning dated 25 August 2017.
2. Powerlink dated 19 July 2017.

#### ADVISORY NOTES

##### NOTE 1 - Relevant Periods

##### Material Change of Use

*"To the extent a development approval is for a Material Change of Use of premises, the approval lapses if the first change of use under the approval does not start within the following period (the relevant period) -*

- (a) *4 years starting the day the approval takes effect;*
- (b) *if the approval states a different period from when the approval takes effect - the stated period. The stated period for this approval is six (6) years."*

##### Reconfiguring a Lot

*"To the extent a development approval is for Reconfiguring a Lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government within the following period (also the relevant period) -*

- (a) *for reconfiguration not requiring Operational Work - 2 years starting the day the approval takes effect;*
- (b) *for reconfiguration requiring Operational Work - 4 years starting the day the approval takes effect;*
- (c) *if the approval states a different period from when the approval takes effect - the stated period. The stated period for this approval is four (4) years."*

**NOTE 2 - Aboriginal Cultural Heritage**

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

**NOTE 3 - General Environmental Duty**

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

**NOTE 4 - General Safety of Public during Construction**

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction work, and to ensure safe traffic control and safe public access in respect of work being constructed on a road.

**NOTE 5 - Property Note (Audit of Conditions)**

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the work is completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

**NOTE 6 - Works in Road Reserve Permit**

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Western Downs Regional Council's Development Manual) may be accepted in place of the application for a Development Permit for Operational Work (access works).

**NOTE 7 - Infrastructure Charges Notice**

An Infrastructure Charges Notice will be issued upon receipt of amended plans as per Condition 1.3.

**NOTE 8 - Noise and Odour**

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the site is developed and maintained in such a way as to mitigate odour and noise impacts from any surrounding residential uses. These measures must be undertaken at the expense of the property owner(s).

**NOTE 9 - Duty to Notify of Environmental Harm**

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

**NOTE 10 - Commencement of Use**

- (i) Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.

- (ii) Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council within 20 business days, that this approved use has lawfully commenced.

(e) All other conditions remain unchanged other than being renumbered.

A copy of the relevant appeal provisions is attached.

Should you have any queries in regard to this matter, please contact Council's Planning Officer Development Assessment, Dominic Bradley, via email [dominic.bradley@wdrc.qld.gov.au](mailto:dominic.bradley@wdrc.qld.gov.au) or telephone (07) 4679 4331.

Yours faithfully

DocuSigned by:  
  
BDB249D129D74C2...

Bridget Moodley  
**PRINCIPAL PLANNER**

Encl

C/c State Assessment and Referral Agency  
PO Box 825  
**TOOWOOMBA QLD 4350**

Copy forwarded for your information  
and records as Referral Agency to  
the original application.  
(Your Ref: SDA-0717-040730)

Powerlink Queensland  
PO 1193  
**VIRGINIA QLD 4014**

Copy forwarded for your information  
and records as Referral Agency to  
the original application.  
(Your Ref: DA5509, DA5023, DA4356, DA2774, DA2513)

# SCHEDULE OF CONDITIONS

## STAGE A

### MATERIAL CHANGE OF USE

#### 1.0 APPROVED PLAN

- 1.1 The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

Plan No./Reference	Title and Details	Dated
HPSF_0005_01A BESS Layout, Rev 01A	BESS Site Layout, prepared by Renewable Energy Partners	25/10/2022

- 1.2 Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

- 1.3 The Approved Plan is to be amended in accordance with the conditions of this approval and as outlined below:

- 1.3.1 Provide details on the proposed buildings to be constructed within the administration and maintenance facility and retained on-site for the life of the project. Building floor plans and elevations must also be provided.

**Note:** Infrastructure charges will be levied for the gross floor area of all administration and control buildings, including storage sheds and site offices. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.

- 1.3.2 Buildings and structures are to be located a minimum of 20 metres from a road frontage and 15 metres from side and rear boundaries.

- 1.3.3 Buildings and structures are to be set back a minimum of 50 metres from a gas or oil pipeline. Alternatively, provide consent from the pipeline owner for structures to be located within 50 metres of the pipeline.

- 1.4 The following further Development Permits must be obtained prior to commencement of any work associated with the process:

- 1.4.1 Operational Work may be required where greater than 50m<sup>3</sup> of fill or excavation is proposed on the site; and

- 1.4.2 Building Works.

- 1.5 Unless otherwise stated, the conditions relate to works within the Stage A lease area only.

#### 2.0 APPROVED DEVELOPMENT

- 2.1 The approved development is Material Change of Use for a Public Utility (Solar Farm) as shown on the Approved Plan.

- 2.2 The development is approved to be undertaken in ~~2~~ **3** Stages as follows:

**Stage A:** Battery Energy Storage System (BESS)

**Stage B:** Solar Farm

**Stage C:** **Battery Energy Storage System (BESS)**

**Note:** The development is not required to be undertaken sequentially.

#### 3.0 TERM OF APPROVAL

- 3.1 The use of the land for the purpose of a Public Utility (Solar Farm) is approved for a period of thirty-seven (37) years only, from commencement of the use.

#### 4.0 COMPLIANCE, TIMING AND COSTS

- 4.1 All conditions of the approval shall be complied with prior to commencement of the use and whilst the use continues, unless otherwise noted within these conditions.

- 4.2 All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

## **5.0 FEES AND CHARGES**

- 5.1 All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

## **6.0 MAINTENANCE**

- 6.1 The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

## **7.0 LANDSCAPING – MISCELLANEOUS**

- 7.1 The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any subsequent legislation.
- 7.2 Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land outside the approved Development Areas must be retained where possible, and action taken to minimise disturbance during construction work.
- 7.3 Retained vegetated areas must be maintained and the site must remain in a clean and tidy state at all times.

## **8.0 REHABILITATION AND EXIT PLAN**

- 8.1 One (1) year prior to decommissioning, the Operator must submit to Council for endorsement, a Rehabilitation and Exit Plan prepared by a qualified person that, at a minimum:
- 8.1.1 demonstrates that the site will be restored to a standard capable of the level of productivity that was available prior to the Material Change of Use, upon decommissioning of Stage A;
  - 8.1.2 identifies possible land use (eg grazing, cropping) following cessation of the approved use;
  - 8.1.3 clearly establishes the objectives of the Plan;
  - 8.1.4 shows adopted performance criteria for rehabilitation efforts;
  - 8.1.5 includes an Action Plan, with timing for remedial work such as structure removal, removal of imported materials such as gravel, any soil erosion, drainage and vegetation cover work, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria; and
  - 8.1.6 outlines a program for monitoring rehabilitation success using appropriate indicators.
- 8.2 Post-operational rehabilitation of the site is to be carried out generally in accordance with the strategies identified in the Approved Rehabilitation and Exit Plan.
- 8.3 Rehabilitation work must commence immediately upon cessation of the approved use and be carried out in accordance with the endorsed Rehabilitation and Exit Plan for the length of time included in the Action Plan.

## **9.0 ACOUSTIC AMENITY – NOISE LIMITS**

- 9.1 Noise from activity associated with the use of the site must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2008* when measured at any sensitive place or commercial place.

## **10.0 ACOUSTIC AMENITY – MECHANICAL PLANT**

- 10.1 All regulated devices as defined by the *Environmental Protection Act 1994* must be installed, operated and maintained to comply with the noise limits as specified within the *Environmental Protection Act 1994*.

## **11.0 AIR QUALITY AND AMENITY – AIR RELEASE LIMITS**

- 11.1 Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2008* as measured at any sensitive place or commercial place, must not be released into the atmosphere.

## **12.0 OUTDOOR LIGHTING IMPACT MITIGATION**

- 12.1 Outdoor lighting associated with the use must be designed, sited, installed and tested to comply with Tables 2.1 and 2.2 of Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting Using a Control Level of 1.
- 12.2 All lighting must be of a type that gives no upward component of light when mounted horizontally (ie a full cut-off luminaire).

## **13.0 VISUAL AND GENERAL AMENITY**

- 13.1 Any graffiti on the buildings or structures must be removed immediately.
- 13.2 The buildings and the site must be maintained in a clean and tidy manner at all times.

## **14.0 FIRE FIGHTING**

- 14.1 Suitable fire fighting equipment to deal with electric and electronic fires must be installed at the development.
- 14.2 On-site bushfire equipment must include a minimum of a 5,000 litre water supply. If fire fighting supply is to be provided in a tank, the supply outlet is to be fitted with a 50mm male camlock fitting for rural fire fighting connections.

## **15.0 WASTE MANAGEMENT**

- 15.1 All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- 15.2 All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

## **16.0 OPERATING HOURS DURING CONSTRUCTION**

- 16.1 Construction work shall occur only between the hours of 6:00am and 6:00pm Monday to ~~Saturday-Sunday~~.
- 16.2 ~~Work on Sundays and Public Holidays shall be limited to safety inspections, testing, checks and environmental work involving a maximum of 10 workers on-site (unless approved otherwise by Council).~~

## **17.0 ENGINEERING WORKS**

- 17.1 Submit to Council, an Operational Work application for external road upgrade works (excluding work on State controlled road), access, and erosion and sediment control (during construction and operational phases).
- 17.2 Undertake Engineering designs and construction work in accordance with Council's Planning Scheme Policy 1, relevant Development Codes, Standard Drawings and relevant Australian Standards unless approved otherwise.
- 17.3 Be responsible for the full cost of any alterations necessary, to infrastructure works or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.



17.4 Submit to Council, certification from a Registered Professional Engineer of Queensland (RPEQ-Civil) that all work authorised by this development approval and any related approval issued by Council, have been designed and constructed in accordance with the requirements of the development approval:

17.4.1 submit a Design Certificate with an application for Operational Work; and

17.4.2 submit a Construction Supervision Certificate at completion of the approved work and/or prior to Council's acceptance of the work on-maintenance.

## **18.0 MAINTENANCE**

18.1 Maintain all work that will become Council infrastructure for a period of 24 months (maintenance period) from the date of on-maintenance. Any defective work must be rectified within the maintenance period.

18.2 Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

## **19.0 LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

19.1 Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted during construction of the development.

19.2 Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.

## **20.0 CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

20.1 Prior to commencement of work, submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development work for the site. The Plan is to cover where applicable, the following:

- air quality management;
- erosion and sediment management;
- waste management;
- complaint management;
- community awareness;
- workers' car parking arrangements; and
- traffic control during works.

20.2 Implement the approved Construction Management Plan at all times during construction of the development.

20.3 Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

## **21.0 STORMWATER MANAGEMENT**

21.1 Design and construct stormwater drainage to ensure that the development will not create any nuisance as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like for design storms of Q2, Q5, Q10, Q20 and Q50.

21.2 Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

21.3 Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

## **22.0 WATER SUPPLY**

- 22.1 Provide a potable water supply for the development independent of Council's water reticulation system. Monitor water quality continuously to ensure compliance with Australian Drinking Water Guidelines - current edition 2011 and enHealth Guidance of Use of Rainwater Standards for Potable Water.

## **23.0 ON-SITE SEWERAGE**

- 23.1 Connect the development to an on-site effluent disposal system, in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2; Standards for On-site Sewerage, AS1547 and the Queensland Plumbing and Waste Water Code.
- 23.2 Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system.

## **24.0 PARKING AND ACCESS - GENERAL**

- 24.1 Design and construct all car parking, driveway and parking areas to provide a dust suppressive gravelled seal.
- 24.2 Provide a minimum of four (4) permanent car parking spaces including a minimum of one (1) person with disability (PWD) car parking space during the operational phase.
- 24.3 Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.
- 24.4 No parking is permitted along Council's road verge for all vehicles associated with construction and operation of the development.

## **25.0 TRANSPORT ROUTES PLAN**

- 25.1 Prior to commencement of construction, submit to Council, a final Transport Routes Plan for the construction and operation of the approved use, for approval by Council's Planning and Environment Manager, or authorised delegate. The Plan must not include transport routes other than those that are approved as outlined in Condition 29.0.

## **26.0 VEHICLE ACCESS - TURNOUTS**

- 26.1 Design and construct vehicle turnouts at access points on 16 Mile Hall Road generally in accordance with Council's Standard Drawing No. R-007 between the property boundary and the edge of the road pavement, where access is identified in the approved Transport Routes Plan. Ensure that crossover splay is designed to accommodate turning movements of a B-Double.

## **27.0 SIGNAGE**

- 27.1 Where access to 16 Mile Hall Road is identified in the approved Transport Routes Plan, install an R2-14 A (L) Regulatory Sign "Left Turn Only" at the exit point to 16 Mile Hall Road from the development, erected 1 metre offset from the driveway and facing the opposite direction of the traffic flow, in accordance with the Manual for Uniform Traffic Control Devices.

## **28.0 APPROVED TRANSPORT ROUTES**

### **Access Route 1**

- 28.1 The approved access route shall be from the site access point on 16 Mile Hall Road, directly south to Kogan-Condamine Road, subject to approval from the Department of Transport and Main Roads.
- 28.2 No access is permitted to the north of the access point along 16 Mile Hall Road for any vehicles associated with construction and operation of Stage A works.

## **29.0 ROAD UPGRADE WORKS - 16 MILE HALL ROAD**

- 29.1 Prior to commencement of construction, if required by the approved Traffic Routes Plan, submit to Council for approval, a road geometry design in accordance with Austroads' and Department of Transport and Main Roads' Road Planning and Design Manual to ensure the safety of traffic expected on 16 Mile Hall Road, certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ).
- 29.2 Prior to commencement of construction, undertake upgrades described below on 16 Mile Hall Road between the access point to the Stage A development on 16 Mile Hall Road and the intersection of 16 Mile Hall Road and Kogan-Condamine Road, to Western Downs Regional Council's standards:
  - 29.2.1 construct the 16 Mile Hall Road to provide an all-weather 7 metre wide gravelled pavement on an 8 metre formation (Rural Feeder) for a Rural Feeder Non-bitumen Road, with a minimum gravel depth of 125mm, generally in accordance with Council's Standard Drawing R-002, Rev F;
  - 29.2.2 design and construct the 16 Mile Hall Road and Kogan-Condamine Road intersection to accommodate the turning movements of a B-Double; and
  - 29.2.3 road drainage works including construction of floodways as required.

## **30.0 ROAD CONDITION AND MAINTENANCE**

- 30.1 A maintenance bond, calculated as sealed (11km x \$5,000.00) + unsealed (8.5km x \$30,000.00), must be provided to Council in the form of a Bank Guarantee as per Council's current "Bank Guarantee - Organisational Policy" and shall be payable to Council prior to commencement of construction. The amount payable will be in accordance with the length of Council road to be used as part of the development as outlined in the Approved Traffic Routes Plan. In the event that road maintenance works are not carried out in a timely manner, Council reserves the right to use part or all of the bond money to carry out the necessary maintenance work.
- 30.2 Upon completion of the construction phase of the project, the sealed sections of the approved transport routes shall be left, as a minimum, at the same condition as it was prior to commencement of the construction phase. The gravelled sections of the approved transport routes must be left at the same standard as detailed in Condition 30.2.1 of this development approval, as applicable.
- 30.3 The applicant is responsible for the carrying out, and cost of any maintenance work including dust suppression of 16 Mile Hall Road if these roads form part of the haul routes for the duration of construction of Stage A.
- 30.4 All road maintenance works must be conducted with prior approval from Council.

## **31.0 TRAFFIC IMPACT ASSESSMENT**

- 31.1 Submit to Council, a final Traffic Impact Assessment Report prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) prior to submission of an Operational Work application for road works.

## **32.0 ROADWORKS AND SAFETY**

- 32.1 Install signage for all work on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- 32.2 Submit to Council, an application for any road or lane closures and ensure all conditions of that approval are complied with during construction of the work.
- 32.3 Submit to Council for approval prior to commencement of work, a Traffic Management Plan for the duration of the construction period of work near or on Council roads.

### 33.0 B-DOUBLE ROUTE

- 33.1 Road sections of approved Access Route 1 are not currently an approved B-Double Route. Obtain an approval for the route to be used by Multi-combination Vehicles from the National Heavy Vehicle Regulator prior to allowing access to Multi-combination Vehicles via the above road section. Please refer to the following link for more information:

<https://www.nhvr.gov.au/road-access/access-management/applications-and-forms>

### 34.0 EARTHWORKS - GENERAL

- 34.1 Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

### 35.0 ENVIRONMENTAL HEALTH

- 35.1 During the construction and on-maintenance period of the development, undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 35.1.1 do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;
  - 35.1.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
  - 35.1.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).
- 35.2 Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:
- 35.2.1 uncontaminated overland stormwater flow; and
  - 35.2.2 uncontaminated stormwater to the stormwater system.

## STAGE A

### RECONFIGURING A LOT

#### 1.0 APPROVED PLAN

- 1.1 The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

Plan No./Reference	Title and Details	Dated
HPSF_0006_02_A BESS Lease Area, Rev A	Battery Energy Storage System (BESS) - Lease Area, prepared by Renewable Energy Partners	27/10/2022

- 1.2 Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.
- 1.3 Unless otherwise stated, the conditions relate to works within the Stage A lease area only.

#### 2.0 APPROVED DEVELOPMENT

- 2.1 The approved development is Reconfiguring a Lot (Dividing Land into Parts by Agreement - Lease for a Period Exceeding 10 Years) as shown on the Approved Plan.
- 2.2 The term of this approval is 37 years from the date of registration of the lease.
- 2.3 A copy of the registered lease is to be provided to Council once the lease is registered.

**Note:** If the applicant does not provide a copy of the lease once it is registered, the commencement date of the term of the lease will be taken from the date the development approval was issued.

### 3.0 COMPLIANCE, TIMING AND COSTS

- 3.1 All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18) and whilst the use continues, unless otherwise noted within these conditions.
- 3.2 All costs associated with compliance with these conditions shall be the responsibility of the developer.
- 3.3 Written notice must be given to Council that the Reconfiguring of a Lot (including development and/or work) fully complies with Council's Decision Notice issued in respect of the reconfiguring (please refer to the attached Notice for completion). Council's Compliance Senior Officer will then arrange a Development Compliance Inspection.

### 4.0 FEES AND CHARGES

- 4.1 All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

### REFERRAL AGENCY RESPONSES

1. The Department of Infrastructure, Local Government and Planning dated 25 August 2017.
2. Powerlink dated 19 July 2017.

### ADVISORY NOTES

#### NOTE 1 - Relevant Periods

##### Material Change of Use

*"To the extent a development approval is for a Material Change of Use of premises, the approval lapses if the first change of use under the approval does not start within the following period (the relevant period) -*

- (a) *4 years starting the day the approval takes effect;*
- (b) *if the approval states a different period from when the approval takes effect - the stated period. **The stated period for this approval is six (6) years.***

##### Reconfiguring a Lot

*"To the extent a development approval is for Reconfiguring a Lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government within the following period (also the relevant period) -*

- (d) *for reconfiguration not requiring Operational Work - 2 years starting the day the approval takes effect;*
- (e) *for reconfiguration requiring Operational Work - 4 years starting the day the approval takes effect;*
- (f) *if the approval states a different period from when the approval takes effect - the stated period. **The stated period for this approval is four (4) years.***

#### NOTE 2 - Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

**NOTE 3 - General Environmental Duty**

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

**NOTE 4 - General Safety of Public during Construction**

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction work, and to ensure safe traffic control and safe public access in respect of work being constructed on a road.

**NOTE 5 - Property Note (Audit of Conditions)**

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the work is completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

**NOTE 6 - Works in Road Reserve Permit**

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Western Downs Regional Council's Development Manual) may be accepted in place of the application for a Development Permit for Operational Work (access works).

**NOTE 7 - Infrastructure Charges Notice**

An Infrastructure Charges Notice will be issued upon receipt of amended plans as per Condition 1.3.

**NOTE 8 - Noise and Odour**

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the site is developed and maintained in such a way as to mitigate odour and noise impacts from any surrounding residential uses. These measures must be undertaken at the expense of the property owner(s).

**NOTE 9 - Duty to Notify of Environmental Harm**

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

**NOTE 10 - Commencement of Use**

- (i) Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
- (ii) Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council within 20 business days, that this approved use has lawfully commenced.

**STAGE B**

**MATERIAL CHANGE OF USE**

**1.0 APPROVED PLAN**

- 1.1 The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

Plan No./Reference	Title and Details	Dated
HPSF_0004_01A SF Layout, Rev 01A	Solar Farm Site Layout, prepared by Renewable Energy Partners	25/10/2022

- 1.2 Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.
- 1.3 The Approved Plan **is** to be amended in accordance with the conditions of this approval and as outlined below:
- 1.3.1 Provide details on the proposed buildings to be constructed within the administration and maintenance facility and retained on-site for the life of the project. Building floor plans and elevations must also be provided.
- Note:** Infrastructure charges will be levied for the gross floor area of all administration and control buildings including storage sheds and site offices. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.
- 1.3.2 Buildings and structures are to be located a minimum of 20 metres from a road frontage and 15 metres from side and rear boundaries.
- 1.3.3 Buildings and structures are to be set back a minimum of 50 metres from a gas or oil pipeline. Alternatively, provide consent from the pipeline owner for structures to be located within 50 metres of the pipeline.
- 1.4 The following further Development Permits must be obtained prior to commencement of any work associated with the process:
- 1.4.1 Operational Work may be required where greater than 50m<sup>3</sup> of fill or excavation is proposed on the site; and
- 1.4.2 Building Works.
- 1.5 Unless otherwise stated, the conditions relate to works within the Stage B lease area only.

## **2.0 APPROVED DEVELOPMENT**

- 2.1 The approved development is Material Change of Use for a Public Utility (Solar Farm) as shown on the Approved Plan.
- 2.2 The development is approved to be undertaken in ~~2~~ **3** Stages as follows:
- Stage A:** Battery Energy Storage System (BESS)
- Stage B:** Solar Farm
- Stage C:** **Battery Energy Storage System (BESS)**
- Note:** Development is not required to be undertaken sequentially.

## **3.0 TERM OF APPROVAL**

- 3.1 The use of the land for the purpose of a Public Utility (Solar Farm) is approved for a period of thirty-seven (37) years only, from commencement of the use.
- 3.2 Stage B of the development must be completed within 6 years of the completion of the construction of Stage A **or C** of the development.

## **4.0 COMPLIANCE, TIMING AND COSTS**

- 4.1 All conditions of the approval shall be complied with prior to commencement of the use and whilst the use continues, unless otherwise noted within these conditions.
- 4.2 All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

## **5.0 FEES AND CHARGES**

- 5.1 All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

## **6.0 MAINTENANCE**

- 6.1 The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

## **7.0 LANDSCAPING – MISCELLANEOUS**

- 7.1 The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any subsequent legislation.
- 7.2 Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land outside the approved Development Areas must be retained where possible, and action taken to minimise disturbance during construction work.
- 7.3 Retained vegetated areas must be maintained and the site must remain in a clean and tidy state at all times.

## **8.0 REHABILITATION AND EXIT PLAN**

- 8.1 One (1) year prior to decommissioning, the Operator must submit to Council for endorsement, a Rehabilitation and Exit Plan prepared by a qualified person that, at a minimum:
- 8.1.1 demonstrates that the site will be restored to a standard capable of the level of productivity that was available prior to the Material Change of Use, upon decommissioning of the Solar Farm;
  - 8.1.2 identifies possible land use (eg grazing, cropping) following cessation of the approved use;
  - 8.1.3 clearly establishes the objectives of the Plan;
  - 8.1.4 shows adopted performance criteria for rehabilitation efforts;
  - 8.1.5 includes an Action Plan, with timing for remedial work such as structure removal, removal of imported materials such as gravel, any soil erosion, drainage and vegetation cover work, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria; and
  - 8.1.6 outlines a program for monitoring rehabilitation success using appropriate indicators.
- 8.2 Post-operational rehabilitation of the site is to be carried out generally in accordance with the strategies identified in the Approved Rehabilitation and Exit Plan.
- 8.3 Rehabilitation work must commence immediately upon cessation of the approved use and be carried out in accordance with the endorsed Rehabilitation and Exit Plan for the length of time included in the Action Plan.

## **9.0 ACOUSTIC AMENITY – NOISE LIMITS**

- 9.1 Noise from activity associated with the use of the site must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2008* when measured at any sensitive place or commercial place.

## **10.0 ACOUSTIC AMENITY – MECHANICAL PLANT**

- 10.1 All regulated devices as defined by the *Environmental Protection Act 1994*, must be installed, operated and maintained to comply with the noise limits as specified within the *Environmental Protection Act 1994*.

## **11.0 AIR QUALITY AND AMENITY – AIR RELEASE LIMITS**

- 11.1 Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2008* as measured at any sensitive place or commercial place, must not be released into the atmosphere.



## **12.0 OUTDOOR LIGHTING IMPACT MITIGATION**

- 12.1 Outdoor lighting associated with the use must be designed, sited, installed and tested to comply with Tables 2.1 and 2.2 of Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting Using a Control Level of 1.
- 12.2 All lighting must be of a type that gives no upward component of light when mounted horizontally (ie a full cut-off luminaire).

## **13.0 VISUAL AND GENERAL AMENITY**

- 13.1 Any graffiti on the buildings or structures must be removed immediately.
- 13.2 The buildings and the site must be maintained in a clean and tidy manner at all times.

## **14.0 FIRE FIGHTING**

- 14.1 Suitable fire fighting equipment to deal with electric and electronic fires must be installed at the development.
- 14.2 On-site bushfire equipment must include a minimum of a 5,000 litre water supply. If fire fighting supply is to be provided in a tank, the supply outlet is to be fitted with a 50mm male camlock fitting for rural fire fighting connections.

## **15.0 WASTE MANAGEMENT**

- 15.1 All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- 15.2 All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

## **16.0 OPERATING HOURS DURING CONSTRUCTION**

- 16.1 Construction work shall occur only between the hours of 6:00am and 6:00pm Monday to ~~Saturday~~ **Sunday**.
- 16.2 ~~Work on Sundays and Public Holidays shall be limited to safety inspections, testing, checks and environmental work involving a maximum of 10 workers on-site (unless approved otherwise by Council).~~

## **17.0 ENGINEERING WORKS**

- 17.1 Submit to Council, an Operational Work application for external road upgrade works (excluding work on State controlled road), access, and erosion and sediment control (during construction and operational phases).
- 17.2 Undertake Engineering designs and construction work in accordance with Council's Planning Scheme Policy 1, relevant Development Codes, Standard Drawings and relevant Australian Standards unless approved otherwise.
- 17.3 Be responsible for the full cost of any alterations necessary, to infrastructure works or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
- 17.4 Submit to Council, certification from a Registered Professional Engineer of Queensland (RPEQ-Civil) that all work authorised by this development approval and any related approval issued by Council, have been designed and constructed in accordance with the requirements of the development approval:
  - 17.4.1 submit a Design Certificate with an application for Operational Work; and
  - 17.4.2 submit a Construction Supervision Certificate at completion of the approved work and/or prior to Council's acceptance of the work on-maintenance.

## **18.0 MAINTENANCE**

- 18.1 Maintain all work that will become Council infrastructure for a period of 24 months (maintenance period) from the date of on-maintenance. Any defective work must be rectified within the maintenance period.
- 18.2 Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

## **19.0 LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

- 19.1 Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted during construction of the development.
- 19.2 Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.

## **20.0 CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

- 20.1 Prior to commencement of work, submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development work for the site. The Plan is to cover where applicable, the following:
  - air quality management;
  - erosion and sediment management;
  - waste management;
  - complaint management;
  - community awareness;
  - workers' car parking arrangements; and
  - traffic control during works.
- 20.2 Implement the approved Construction Management Plan at all times during construction of the development.
- 20.3 Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

## **21.0 STORMWATER MANAGEMENT**

- 21.1 Design and construct stormwater drainage to ensure that the development will not create any nuisance as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like for design storms of Q2, Q5, Q10, Q20 and Q50.
- 21.2 Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- 21.3 Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

## **22.0 WATER SUPPLY**

- 22.1 Provide a potable water supply for the development independent of Council's water reticulation system. Monitor water quality continuously to ensure compliance with Australian Drinking Water Guidelines - current edition 2011 and enHealth Guidance of Use of Rainwater Standards for Potable Water.

## **23.0 ON-SITE SEWERAGE**

- 23.1 Connect the development to an on-site effluent disposal system, in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2; Standards for On-site Sewerage, AS1547 and the Queensland Plumbing and Waste Water Code.
- 23.2 Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system.

## **24.0 PARKING AND ACCESS - GENERAL**

- 24.1 Design and construct all car parking, driveway and parking areas to provide a dust suppressive gravelled seal.
- 24.2 Provide a minimum of four (4) permanent car parking spaces including a minimum of one (1) person with disability (PWD) car parking space during the operational phase.
- 24.3 Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.
- 24.4 No parking is permitted along Council's road verge for all vehicles associated with construction and operation of the development.

## **25.0 TRANSPORT ROUTES PLAN**

- 25.1 Prior to commencement of construction, submit to Council a final Transport Routes Plan for the construction and operation of the approved use for approval by Council's Planning and Environment Manager, or authorised delegate. The Plan must not include transport routes other than those that are approved as outlined in Condition 29.0.

## **26.0 VEHICLE ACCESS - TURNOUTS**

- 26.1 Design and construct vehicle turnouts at access points on 16 Mile Hall Road generally in accordance with Council's Standard Drawing No. R-007 between the property boundary and the edge of the road pavement, where access is identified in the approved Transport Routes Plan. Ensure that crossover splay is designed to accommodate turning movements of a B-Double.

## **27.0 SIGNAGE**

- 27.1 Where access to 16 Mile Hall Road is identified in the approved Transport Routes Plan, install an R2-14 A (L) Regulatory Sign "Left Turn Only" at the exit point to 16 Mile Hall Road from the development, erected 1 metre offset from the driveway and facing the opposite direction of the traffic flow, in accordance with the Manual for Uniform Traffic Control Devices.

## **28.0 APPROVED TRANSPORT ROUTES**

### **Access Route 1**

- 28.1 The approved access route shall be from the site access point on 16 Mile Hall Road, directly south to Kogan-Condamine Road, subject to approval from the Department of Transport and Main Roads.
- 28.2 No access is permitted to the north of the access point along 16 Mile Hall Road for any vehicles associated with construction and operation of Stage B works.

## **29.0 ROAD UPGRADE WORKS - 16 MILE HALL ROAD**

- 29.1 Prior to commencement of construction, if required by the approved Traffic Routes Plan, submit to Council for approval, a road geometry design in accordance with Austroads' and Department of Transport and Main Roads' Road Planning and Design Manual to ensure the safety of traffic expected on 16 Mile Hall Road, certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ).

- 29.2 Prior to commencement of construction, undertake upgrades described below on 16 Mile Hall Road between the access point to the Stage B development on 16 Mile Hall Road and the intersection of 16 Mile Hall Road and Kogan-Condamine Road, to Western Downs Regional Council's standards:
- 29.2.1 construct the 16 Mile Hall Road to provide an all-weather 7 metre wide gravelled pavement on an 8 metre formation (Rural Feeder) for a Rural Feeder Non-bitumen Road, with a minimum gravel depth of 125mm, generally in accordance with Council's Standard Drawing R-002, Rev F;
  - 29.2.2 design and construct the 16 Mile Hall Road and Kogan-Condamine Road intersection to accommodate the turning movements of a B-Double; and
  - 29.2.3 road drainage works including construction of flood ways as required.

### **30.0 ROAD CONDITION AND MAINTENANCE**

- 30.1 A maintenance bond, calculated as sealed (11km x \$5,000.00) + unsealed (8.5km x \$30,000.00), must be provided to Council in the form of a Bank Guarantee as per Council's current "Bank Guarantee - Organisational Policy" and shall be payable to Council prior to commencement of construction. The amount payable will be in accordance with the length of Council road to be used as part of the development as outlined in the Approved Traffic Routes Plan. In the event that road maintenance works are not carried out in a timely manner, Council reserves the right to use part or all of the bond money to carry out the necessary maintenance work.
- 30.3 Upon completion of the construction phase of the project, the sealed sections of the approved transport routes shall be left, as a minimum, at the same condition as it was prior to commencement of the construction phase. The gravelled sections of the approved transport routes must be left at the same standard as detailed in Condition 30.2.1 of this development approval as applicable.
- 30.4 The applicant is responsible for the carrying out and cost of any maintenance work including dust suppression of 16 Mile Hall Road if these roads form part of the haul routes for the duration of construction of the Solar Farm.
- 30.5 All road maintenance works must be conducted with prior approval from Council.

### **31.0 TRAFFIC IMPACT ASSESSMENT**

- 31.1 Submit to Council, a final Traffic Impact Assessment Report prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) prior to submission of an Operational Work application for road works.

### **32.0 ROADWORKS AND SAFETY**

- 32.1 Install signage for all work on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- 32.2 Submit to Council, an application for any road or lane closures, and ensure all conditions of that approval are complied with during construction of the work.
- 32.3 Submit to Council for approval prior to commencement of work, a Traffic Management Plan for the duration of the construction period of work near or on Council roads.

### **33.0 B-DOUBLE ROUTE**

- 33.1 Road sections of approved Access Route 1 are not currently an approved B-Double Route. Obtain an approval for the route to be used by Multi-combination Vehicles from the National Heavy Vehicle Regulator prior to allowing access to Multi-combination Vehicles via the above road section. Please refer to the following link for more information:  
<https://www.nhvr.gov.au/road-access/access-management/applications-and-forms>

### **34.0 EARTHWORKS - GENERAL**

- 34.1 Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

### **35.0 ENVIRONMENTAL HEALTH**

- 35.1 During the construction and on-maintenance period of the development, undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 35.1.1 do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;
  - 35.1.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
  - 35.1.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).
- 35.2 Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:
- 35.2.1 uncontaminated overland stormwater flow; and
  - 35.2.2 uncontaminated stormwater to the stormwater system.

## **STAGE B**

### **RECONFIGURING A LOT**

#### **1.0 APPROVED PLAN**

- 1.1 The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

<b>Plan No./Reference</b>	<b>Title and Details</b>	<b>Dated</b>
HPSF_0006_01_A SF Lease Area, Rev A	Solar Farm Lease Area, prepared by Renewable Energy Partners	27/10/2022

- 1.2 Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.
- 1.3 Unless otherwise stated, the conditions relate to works within the Stage B lease area only.

#### **2.0 APPROVED DEVELOPMENT**

- 2.1 The approved development is Reconfiguring a Lot (Dividing Land into Parts by Agreement - Lease for a Period Exceeding 10 Years) as shown on the Approved Plan.
- 2.2 The term of this approval is 37 years from the date of registration of the lease.
- 2.3 A copy of the registered lease is to be provided to Council once the lease is registered.

**Note:** If the applicant does not provide a copy of the lease once it is registered, the commencement date of the term of the lease will be taken from the date the development approval was issued.

#### **3.0 COMPLIANCE, TIMING AND COSTS**

- 3.1 All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18) and whilst the use continues, unless otherwise noted within these conditions.
- 3.2 All costs associated with compliance with these conditions shall be the responsibility of the developer.

- 3.3 Written notice must be given to Council that the Reconfiguring of a Lot (including development and/or work) fully complies with Council's Decision Notice issued in respect of the reconfiguring (please refer to the attached Notice for completion). Council's Compliance Senior Officer will then arrange a Development Compliance Inspection.

#### 4.0 FEES AND CHARGES

- 4.1 All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

#### REFERRAL AGENCY RESPONSES

1. The Department of Infrastructure, Local Government and Planning dated 25 August 2017.
2. Powerlink dated 19 July 2017.

#### ADVISORY NOTES

##### NOTE 1 - Relevant Periods

###### Material Change of Use

*"To the extent a development approval is for a Material Change of Use of premises, the approval lapses if the first change of use under the approval does not start within the following period (the relevant period) -*

- (a) 4 years starting the day the approval takes effect;
- (b) if the approval states a different period from when the approval takes effect - the stated period. **The stated period for this approval is six (6) years."**

###### Reconfiguring a Lot

*"To the extent a development approval is for Reconfiguring a Lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government within the following period (also the relevant period) -*

- (g) for reconfiguration not requiring Operational Work - 2 years starting the day the approval takes effect;
- (h) for reconfiguration requiring Operational Work - 4 years starting the day the approval takes effect;
- (i) if the approval states a different period from when the approval takes effect - the stated period. **The stated period for this approval is four (4) years."**

##### NOTE 2 - Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

##### NOTE 3 - General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

##### NOTE 4 - General Safety of Public during Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction work, and to ensure safe traffic control and safe public access in respect of work being constructed on a road.

**NOTE 5 - Property Note (Audit of Conditions)**

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the work is completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

**NOTE 6 - Works in Road Reserve Permit**

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Western Downs Regional Council's Development Manual) may be accepted in place of the application for a Development Permit for Operational Work (access works).

**NOTE 7 - Infrastructure Charges Notice**

An Infrastructure Charges Notice will be issued upon receipt of amended plans as per Condition 1.3.

**NOTE 8 - Noise and Odour**

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the site is developed and maintained in such a way as to mitigate odour and noise impacts from any surrounding residential uses. These measures must be undertaken at the expense of the property owner(s).

**NOTE 9 - Duty to Notify of Environmental Harm**

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

**NOTE 10 - Commencement of Use**

- (i) Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
- (ii) Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council within 20 business days, that this approved use has lawfully commenced.

**S T A G E C**

**MATERIAL CHANGE OF USE**

**1.0 APPROVED PLAN**

- 1.1 The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:**

<b>Plan No./Reference</b>	<b>Title and Details</b>	<b>Dated</b>
<b>HPSF-E3-DRG-0001, Sheet 11, Rev A</b>	<b>Hopeland Solar Farm and BESS Electrical Site Layout, Prepared by UGL</b>	<b>18/11/24</b>

- 1.2 Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.**

- 1.3 The Approved Plan is to be amended in accordance with the conditions of this approval and as outlined below:**

- 1.3.1 Provide details on the proposed buildings to be constructed within the administration and maintenance facility and retained on-site for the life of the project. Building floor plans and elevations must also be provided.**

**Note:** Infrastructure charges will be levied for the gross floor area of all administration and control buildings including storage sheds and site offices. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.

**1.3.2** Buildings and structures are to be located a minimum of 20 metres from a road frontage and 15 metres from side and rear boundaries.

**1.3.3** Buildings and structures are to be set back a minimum of 50 metres from a gas or oil pipeline. Alternatively, provide consent from the pipeline owner for structures to be located within 50 metres of the pipeline.

**1.4** The following further Development Permits must be obtained prior to commencement of any work associated with the process:

**1.5.1** Operational Work may be required where greater than 50m<sup>3</sup> of fill or excavation is proposed on the site; and

**1.5.2** Building Works.

**1.5** Unless otherwise stated, the conditions relate to works within the Stage C lease area only.

## **2.0 APPROVED DEVELOPMENT**

**2.1** The approved development is Material Change of Use for a Public Utility (Solar Farm) as shown on the Approved Plan.

**2.2** The development is approved to be undertaken in 3 Stages as follows:

**Stage A:** Battery Energy Storage System (BESS)

**Stage B:** Solar Farm

**Stage C:** Battery Energy Storage System (BESS)

**Note:** Development is not required to be undertaken sequentially.

## **3.0 TERM OF APPROVAL**

**3.1** The use of the land for the purpose of a Public Utility (Solar Farm) is approved for a period of thirty-seven (37) years only, from commencement of the use.

**3.2** Stage C of the development must be completed within 6 years of the completion of the construction of Stage A or B of the development.

## **4.0 COMPLIANCE, TIMING AND COSTS**

**4.1** All conditions of the approval shall be complied with prior to commencement of the use and whilst the use continues, unless otherwise noted within these conditions.

**4.2** All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

## **5.0 FEES AND CHARGES**

**5.1** All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

## **6.0 MAINTENANCE**

**6.1** The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

## **7.0 LANDSCAPING – MISCELLANEOUS**

**7.1** The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any subsequent legislation.



- 7.2 Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land outside the approved Development Areas must be retained where possible, and action taken to minimise disturbance during construction work.
- 7.3 Retained vegetated areas must be maintained and the site must remain in a clean and tidy state at all times.

## **8.0 REHABILITATION AND EXIT PLAN**

- 8.1 One (1) year prior to decommissioning, the Operator must submit to Council for endorsement, a Rehabilitation and Exit Plan prepared by a qualified person that, at a minimum:
  - 8.1.1 demonstrates that the site will be restored to a standard capable of the level of productivity that was available prior to the Material Change of Use, upon decommissioning of the Battery Energy Storage System (Stage C);
  - 8.1.2 identifies possible land use (eg grazing, cropping) following cessation of the approved use;
  - 8.1.3 clearly establishes the objectives of the Plan;
  - 8.1.4 shows adopted performance criteria for rehabilitation efforts;
  - 8.1.5 includes an Action Plan, with timing for remedial work such as structure removal, removal of imported materials such as gravel, any soil erosion, drainage and vegetation cover work, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria; and
  - 8.1.6 outlines a program for monitoring rehabilitation success using appropriate indicators.
- 8.2 Post-operational rehabilitation of the site is to be carried out generally in accordance with the strategies identified in the Approved Rehabilitation and Exit Plan.
- 8.3 Rehabilitation work must commence immediately upon cessation of the approved use and be carried out in accordance with the endorsed Rehabilitation and Exit Plan for the length of time included in the Action Plan.

## **9.0 ENVIRONMENTAL MANAGEMENT PLAN**

- 9.1 Submit to Council for endorsement, an Environmental Management Plan prepared by a suitably qualified person. The Plan must be specific to the property and include strategies for hazard management of the Renewable Energy Facility (Solar Farm) and Major Electricity Infrastructure (Battery Energy Storage System). The Plan should include, but not be limited to the following matters:
  - 9.1.1 lithium-ion batteries, particularly relating to thermal runaway;
  - 9.1.2 fire prevention and management including:
    - 9.1.2.1 the credible hazards and risks present for the BESS facility, including fire scenarios (internal and external initiators);
    - 9.1.2.2 fire fighting procedures and equipment required on the property to fight bushfires and battery fires including in the event of an explosion;
    - 9.1.2.3 procedures and information as to how fires will be detected and monitored by the applicant on the property; and
    - 9.1.2.4 identification of potential fire risks and the fire management measures which will be implemented to address the potential fire risks during construction and operation of the development;
  - 9.1.3 handling, use and hazard precautions;
  - 9.1.4 emergency evacuation and shut down procedures;
  - 9.1.5 first aid;
  - 9.1.6 storage precautions;
  - 9.1.7 damaged products;\
  - 9.1.8 disposal; and

9.1.9 maintenance.

9.2. Once the Environmental Management Plan is endorsed by Council, the Environmental Management Plan is to be implemented by the Operator.

#### 10.0 ACOUSTIC AMENITY – NOISE LIMITS

10.1 Noise from activity associated with the use of the site must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive place or commercial place.

#### 11.0 ACOUSTIC AMENITY – MECHANICAL PLANT

11.1 All regulated devices as defined by the *Environmental Protection Act 1994*, must be installed, operated and maintained to comply with the noise limits as specified within the *Environmental Protection Act 1994*.

#### 12.0 AIR QUALITY AND AMENITY – AIR RELEASE LIMITS

12.1 Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place, must not be released into the atmosphere.

#### 13.0 OUTDOOR LIGHTING IMPACT MITIGATION

13.1 Outdoor lighting associated with the use must be designed, sited, installed and tested to comply with Tables 2.1 and 2.2 of Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting Using a Control Level of 1.

13.2 All lighting must be of a type that gives no upward component of light when mounted horizontally (ie a full cut-off luminaire).

#### 14.0 VISUAL AND GENERAL AMENITY

14.1 Any graffiti on the buildings or structures must be removed immediately.

14.2 The buildings and the site must be maintained in a clean and tidy manner at all times.

#### 15.0 FIRE FIGHTING

15.1 Suitable fire fighting equipment to deal with electric and electronic fires must be installed at the development.

15.2 On-site bushfire equipment must include a minimum of a 5,000 litre water supply. If fire fighting supply is to be provided in a tank, the supply outlet is to be fitted with a 50mm male camlock fitting for rural fire fighting connections.

#### 16.0 WASTE MANAGEMENT

16.1 All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

16.2 All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

#### 17.0 OPERATING HOURS DURING CONSTRUCTION

17.1 Construction work shall occur only between the hours of 6:00am and 6:00pm Monday to Sunday.

#### 18.0 ENGINEERING WORKS

18.1 Submit to Council, an Operational Work application for external road upgrade works (excluding work on State controlled road), access, and erosion and sediment control (during construction and operational phases).

- 18.2 Undertake Engineering designs and construction work in accordance with Council's Planning Scheme Policy 1, relevant Development Codes, Standard Drawings and relevant Australian Standards unless approved otherwise.
- 18.3 Be responsible for the full cost of any alterations necessary, to infrastructure works or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
- 18.4 Submit to Council, certification from a Registered Professional Engineer of Queensland (RPEQ-Civil) that all work authorised by this development approval and any related approval issued by Council, have been designed and constructed in accordance with the requirements of the development approval:
- 18.4.1 submit a Design Certificate with an application for Operational Work; and
- 18.4.2 submit a Construction Supervision Certificate at completion of the approved work and/or prior to Council's acceptance of the work on-maintenance.

## **19.0 MAINTENANCE**

- 19.1 Maintain all work that will become Council infrastructure for a period of 24 months (maintenance period) from the date of on-maintenance. Any defective work must be rectified within the maintenance period.
- 19.2 Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

## **20.0 LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

- 20.1 Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted during construction of the development.
- 20.2 Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.

## **21.0 CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

- 21.1 Prior to commencement of work, submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development work for the site. The Plan is to cover where applicable, the following:
- air quality management;
  - erosion and sediment management;
  - waste management;
  - complaint management;
  - community awareness;
  - workers' car parking arrangements; and
  - traffic control during works.
- 21.2 Implement the approved Construction Management Plan at all times during construction of the development.
- 21.3 Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

## **22.0 STORMWATER MANAGEMENT**

- 22.1 Design and construct stormwater drainage to ensure that the development will not create any nuisance as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like for design storms of ARI2, ARI5, ARI10, ARI20 and ARI50.

22.2 Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

22.3 Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

## **23.0 WATER SUPPLY**

23.1 Provide a potable water supply for all staff and visitors.

## **24.0 ON-SITE WASTEWATER DISPOSAL**

24.1 Connect the development to an on-site wastewater system, in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.

Comment: If facilities are shared with other developments on the site, this is acceptable.

24.2 Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system.

## **25.0 PARKING AND ACCESS - GENERAL**

25.1 Design and construct all car parking, driveway and parking areas to provide a dust suppressive gravel.

25.2 Provide adequate car parking spaces during the operational phase.

25.3 Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

25.4 No parking is permitted along Council's road verge for all vehicles associated with construction and operation of the development.

25.5. Provide an access road from the access to the lease area.

## **26.0 VEHICLE ACCESS - TURNOUTS**

26.1 Design and construct vehicle turnouts at access points on 16 Mile Hall Road generally in accordance with Council's Standard Drawing No. R-007 between the property boundary and the edge of 16 Mile Hall Road the road pavement. Ensure that crossover splay is designed to accommodate turning movements of a B-Double.

## **27.0 SIGNAGE**

27.1 Where access to 16 Mile Hall Road is identified in the approved Transport Routes Plan, install an R2-14 A (L) Regulatory Sign "Left Turn Only" at the exit point to 16 Mile Hall Road from the development, erected 1 metre offset from the driveway and facing the opposite direction of the traffic flow, in accordance with the Manual for Uniform Traffic Control Devices.

## **28.0 APPROVED TRANSPORT ROUTES**

28.1 The approved access route on Council roads shall be from the site access point on 16 Mile Hall Road, directly south to Kogan-Condamine Road and vice versa.

28.2 No access is permitted to the north of the access point along 16 Mile Hall Road for any vehicles associated with construction and operation of Stage B works.

## **29.0 ROAD UPGRADE WORKS - 16 MILE HALL ROAD**

- 29.1** Prior to commencement of construction, submit to Council for approval, a road geometry design in accordance with Austroads' and Department of Transport and Main Roads' Road Planning and Design Manual to ensure the safety of traffic expected on 16 Mile Hall Road, certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ).
- 29.2** Prior to commencement of construction, undertake upgrades described below on 16 Mile Hall Road between the access point to the Stage C development on 16 Mile Hall Road and the intersection of 16 Mile Hall Road and Kogan-Condamine Road, to Western Downs Regional Council's standards:
  - 29.2.1** construct the 16 Mile Hall Road to provide an all-weather 7 metre wide gravelled pavement on an 8 metre formation (Rural Feeder) for a Rural Feeder Non-bitumen Road, with a minimum gravel depth of 125mm, generally in accordance with Council's Standard Drawing R-002, Rev F;
  - 29.2.2** design and construct the 16 Mile Hall Road and Kogan-Condamine Road intersection to accommodate the turning movements of a B-Double; and
  - 29.2.3** road drainage works including construction of flood ways as required.

**Comment:** The required roadworks may have been completed by other developments in the area. Where the road has been upgraded by others, this condition is deemed to be satisfied. Please note that if the condition of the road does not meet the road upgrade requirements, the applicant will have to undertake the necessary maintenance/upgrades.

## **30.0 ROAD CONDITION AND MAINTENANCE**

- 30.1** A maintenance bond of \$300,000, calculated unsealed (7.5km x \$40,000.00), must be provided to Council in the form of a Bank Guarantee as per Council's current "Bank Guarantee - Organisational Policy" and shall be payable to Council prior to commencement of construction. The amount payable will be in accordance with the length of Council road to be used as part of the development as outlined in the Approved Traffic Routes Plan. In the event that road maintenance works are not carried out in a timely manner, Council reserves the right to use part or all of the bond money to carry out the necessary maintenance work.
- 30.2** Upon completion of the construction phase of the project, the sealed sections of the approved transport routes shall be left, as a minimum, at the same condition as it was prior to commencement of the construction phase. The gravelled sections of the approved transport routes must be left at the same standard as detailed in Condition 30.2.1 of this development approval as applicable.
- 30.3** The applicant is responsible for the carrying out and cost of any maintenance work including dust suppression of 16 Mile Hall Road if these roads form part of the haul routes for the duration of construction of Stage C.
- 30.4** All road maintenance works must be conducted with prior approval from Council.

## **31.0 ROADWORKS AND SAFETY**

- 31.1** Install signage for all work on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- 31.2** Submit to Council, an application for any road or lane closures, and ensure all conditions of that approval are complied with during construction of the work.
- 31.3** Submit to Council for approval prior to commencement of work, a Traffic Management Plan for the duration of the construction period of work near or on Council roads.

## **32.0 B-DOUBLE ROUTE**

- 32.1** Road sections of approved Access Route 1 are not currently an approved B-Double Route. Obtain an approval for the route to be used by Multi-combination Vehicles from the National Heavy Vehicle Regulator prior to allowing access to Multi-combination Vehicles via the above road section. Please refer to the following link for more information:

<https://www.nhvr.gov.au/road-access/access-management/applications-and-forms>

## **33.0 EARTHWORKS - GENERAL**

- 33.1** Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

## **34.0 ENVIRONMENTAL HEALTH**

- 34.1** During the construction and on-maintenance period of the development, undertake operations and construction work associated with this development to the requirements of Council, including the following:

**34.1.1** do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;

**34.1.2** remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and

**34.1.3** do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

- 34.2** Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:

**34.2.1** uncontaminated overland stormwater flow; and

**34.2.2** uncontaminated stormwater to the stormwater system.

## **S T A G E C**

### **RECONFIGURING A LOT**

#### **1.0 APPROVED PLAN**

- 1.1** The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

<b>Plan No./Reference</b>	<b>Title and Details</b>	<b>Dated</b>
2300950-1	Plan of proposed Leases HB and HS in Lot 2 on RP117442, Prepared by Land Sueveys	10/12/24

- 1.2** Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

- 1.3** Unless otherwise stated, the conditions relate to works within the Stage C lease area only.

#### **2.0 APPROVED DEVELOPMENT**

- 2.1** The approved development is Reconfiguring a Lot (Dividing Land into Parts by Agreement - Lease for a Period Exceeding 10 Years) as shown on the Approved Plan.

- 2.2** The term of this approval is 37 years from the date of registration of the lease.

2.3 A copy of the registered lease is to be provided to Council once the lease is registered.

**Note:** If the applicant does not provide a copy of the lease once it is registered, the commencement date of the term of the lease will be taken from the date the development approval was issued.

### 3.0 COMPLIANCE, TIMING AND COSTS

3.1 All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18) and whilst the use continues, unless otherwise noted within these conditions.

3.2 All costs associated with compliance with these conditions shall be the responsibility of the developer.

3.3 Written notice must be given to Council that the Reconfiguring of a Lot (including development and/or work) fully complies with Council's Decision Notice issued in respect of the reconfiguring (please refer to the attached Notice for completion). Council's Compliance Senior Officer will then arrange a Development Compliance Inspection.

### 4.0 FEES AND CHARGES

4.1 All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

### 5.0 LEGAL ACCESS

5.1 Lease Area C is to maintain lawful access to 16 Mile Hall Road at all times.

5.2 Prior to Council's endorsement of Plan of Survey (Form 18) for Stage C of the approval, the applicant is to provide a copy of Access Agreement which provides the Lease Area C with access to 16 Mile Hall Road.

## REFERRAL AGENCY RESPONSES

1. The Department of Infrastructure, Local Government and Planning dated 25 August 2017.

2. Powerlink dated 19 July 2017.

## ADVISORY NOTES

**NOTE 1 - Relevant Periods**

### Material Change of Use

*"To the extent a development approval is for a Material Change of Use of premises, the approval lapses if the first change of use under the approval does not start within the following period (the relevant period) -*

- (a) 4 years starting the day the approval takes effect;*
- (b) if the approval states a different period from when the approval takes effect - the stated period. The stated period for this approval is six (6) years."*

### Reconfiguring a Lot

*"To the extent a development approval is for Reconfiguring a Lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government within the following period (also the relevant period) -*

- (j) for reconfiguration not requiring Operational Work - 2 years starting the day the approval takes effect;*
- (k) for reconfiguration requiring Operational Work - 4 years starting the day the approval takes effect;*
- (l) if the approval states a different period from when the approval takes effect - the stated period. The stated period for this approval is four (4) years."*

**NOTE 2 - Aboriginal Cultural Heritage**

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

**NOTE 3 - General Environmental Duty**

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

**NOTE 4 - General Safety of Public during Construction**

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction work, and to ensure safe traffic control and safe public access in respect of work being constructed on a road.

**NOTE 5 - Property Note (Audit of Conditions)**

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the work is completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

**NOTE 6 - Works in Road Reserve Permit**

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Western Downs Regional Council's Development Manual) may be accepted in place of the application for a Development Permit for Operational Work (access works).

**NOTE 7 - Infrastructure Charges Notice**

An Infrastructure Charges Notice will be issued upon receipt of amended plans as per Condition 1.3.

**NOTE 8 - Noise and Odour**

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the site is developed and maintained in such a way as to mitigate odour and noise impacts from any surrounding residential uses. These measures must be undertaken at the expense of the property owner(s).

**NOTE 9 - Duty to Notify of Environmental Harm**

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

**NOTE 10 - Commencement of Use**

- (i) Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
- (ii) Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council within 20 business days, that this approved use has lawfully commenced.



## APPEAL RIGHTS

### "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."*

## NOTICE OF INTENTION TO COMMENCE USE

<b>Planning Approval</b>	050.2024.835.001
<b>Date of Approval</b>	17 March 2025
<b>Approved Development</b>	Minor Change to a Development Approval for a Material Change of Use for a Public Utility (Solar Farm) and Reconfiguring a Lot (Dividing Land into Parts by Lease Agreement Exceeding 10 years)
<b>Location</b>	191 Bakers Road WOLEEBEE
<b>Real Property Description</b>	Lot 5 on SP186409 including Easement G on SP261460

I am hereby notifying you of my intention to commence the approved use on

\_\_\_\_\_ (insert date)

I have read the conditions of the above Decision Notice and believe that all the applicable conditions have been complied with.

**Applicant:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contact Details:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE OF APPLICANT**

**Date:** \_\_\_\_\_



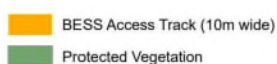
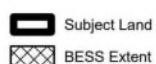




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#### Land description

Lot on plan: Lot 2 on RP117442  
Address: Ulinda Park 953 16 Mile Hall Road, Hopeland  
Landowner: Ulinda Park Pty Ltd

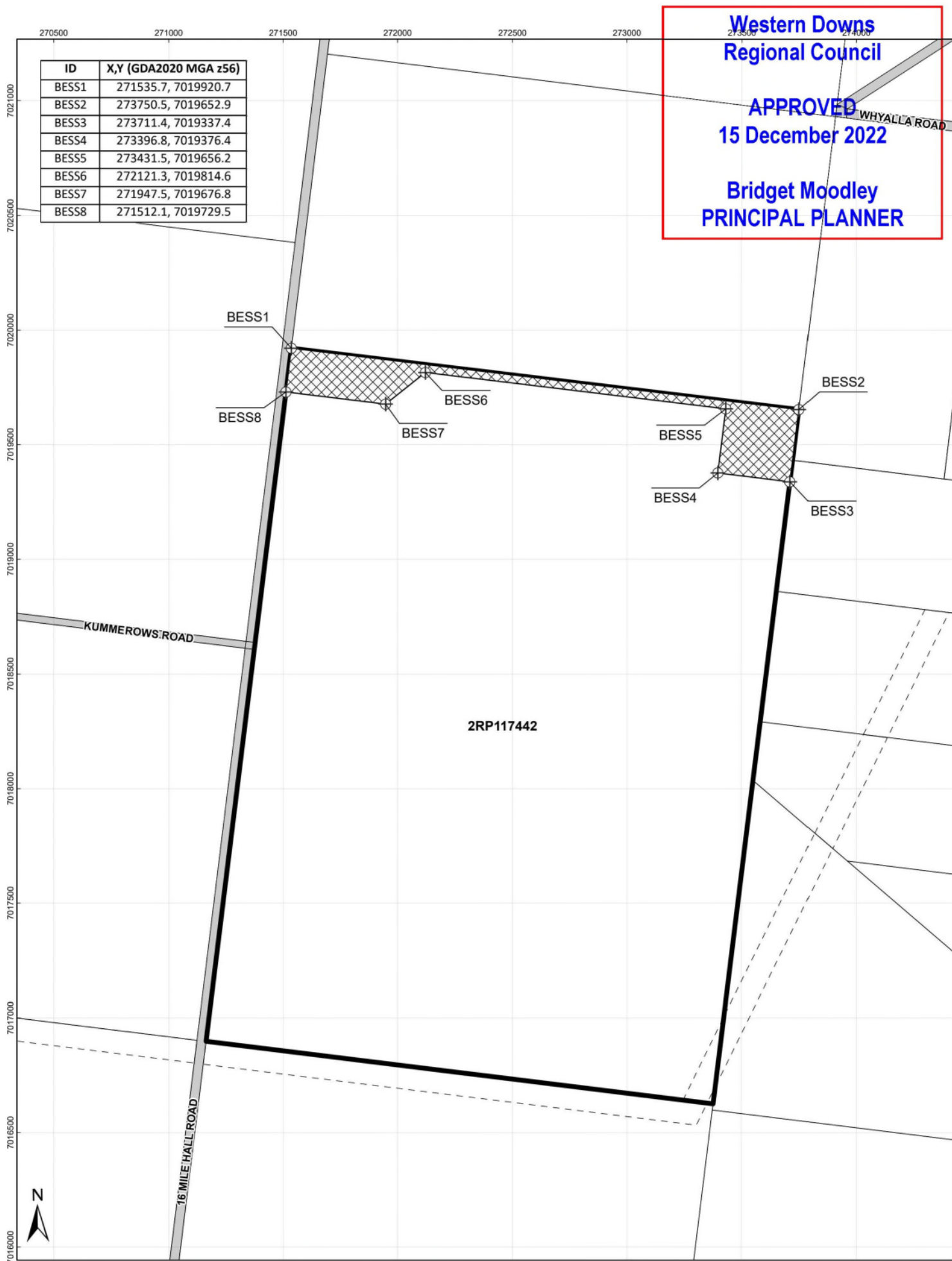


#### PROJECT Hopeland Battery Energy Storage System (BESS)

#### TITLE BESS Site Layout

DATE	25/10/2022	STATUS	DRAFT	PRODUCED	MVC
SCALE	1:15,000 @ A3	COORD	GDA2020 MGA Zone 56	APPROVED	L. McDonald
FILE	HPSF_0005_01A BESS Layout				REV 01A





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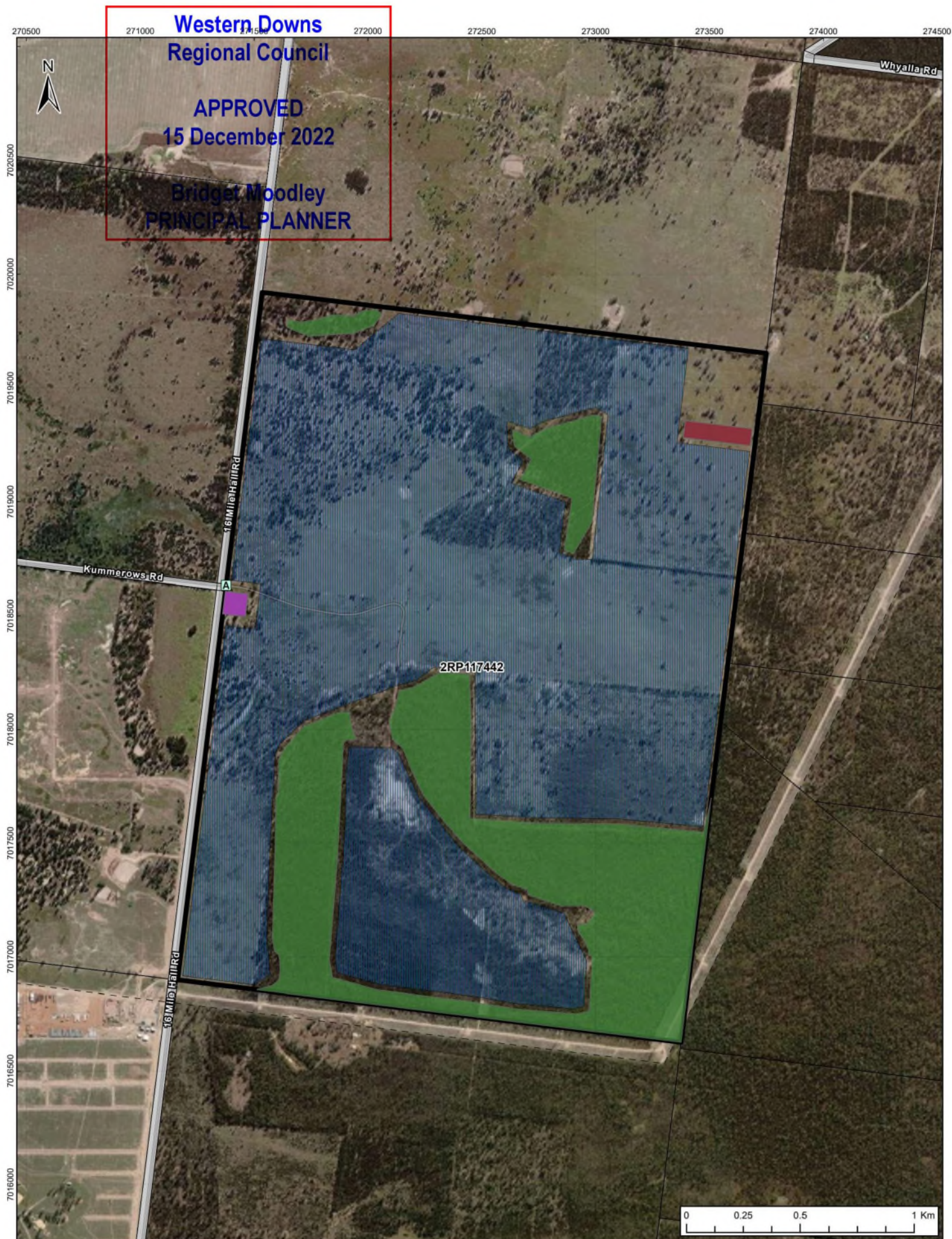
#### Land description

Lot on plan: Lot 2 on RP117442  
Address: Ulinda Park 953 16 Mile Hall Road, Hopeland  
Landowner: Ulinda Park Pty Ltd



PROJECT			
Hopeland Solar Farm			
TITLE			
Battery Energy Storage System (BESS) - Lease Area			
DATE	27/10/2022	STATUS	DRAFT
SCALE	1:15,000 @ A3	PRODUCED	MVC
FILE	HPSF_0006_02_A BESS Lease Area	APPROVED	L. McDonald
			REV A





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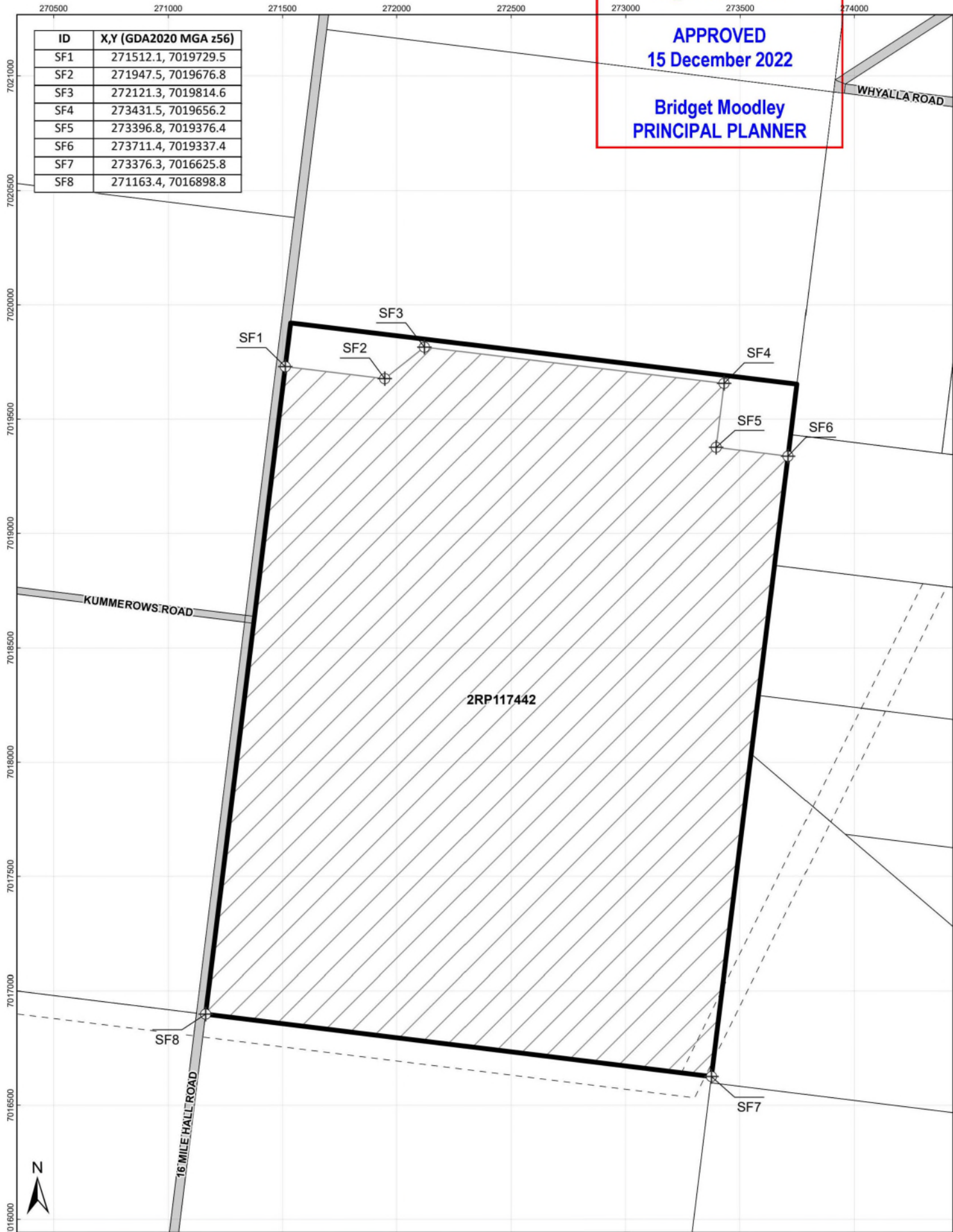
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|-------------------------|----------------------------|
| Subject Land            | Solar Farm Facilities Area |
| Solar Farm Access Point | Solar Array                |
| Solar Farm O&M Facility | Protected Vegetation       |

PROJECT			
Hopeland Solar Farm			
TITLE			
Solar Farm Site Layout			
DATE	25/10/2022	STATUS	DRAFT
SCALE	1:15,000 @ A3	PRODUCED	MVC
		DESIGN	GDA2020 MGA Zone 56
		APPROVED	L. McDonald
FILE	HPSF_0004_01A SF Layout		
		REV	01A



APPROVED  
15 December 2022

Bridget Moodley  
PRINCIPAL PLANNER



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Address: Ulinda Park 953 16 Mile Hall Road, Hopeland  
Landowner: Ulinda Park Pty Ltd

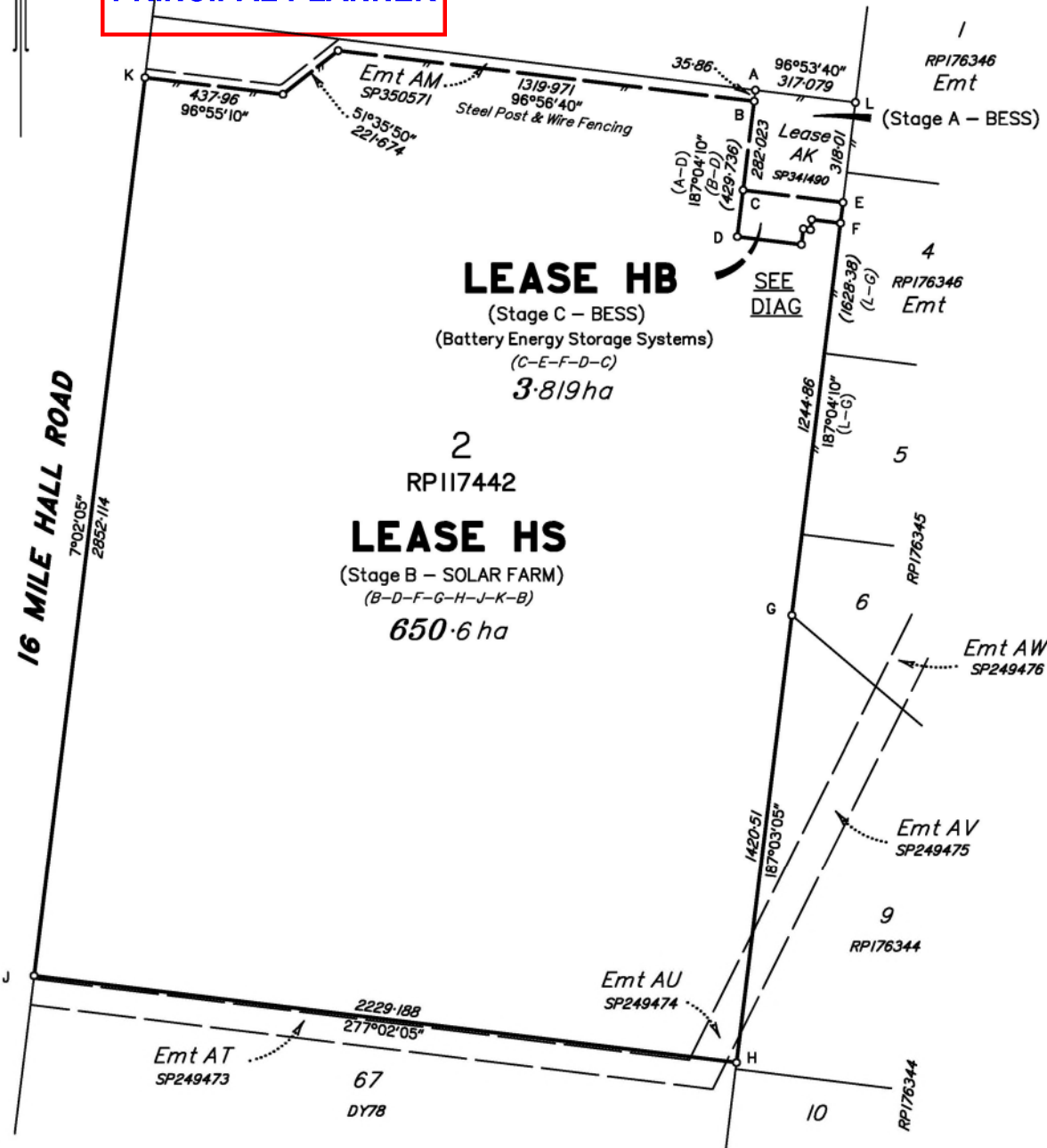
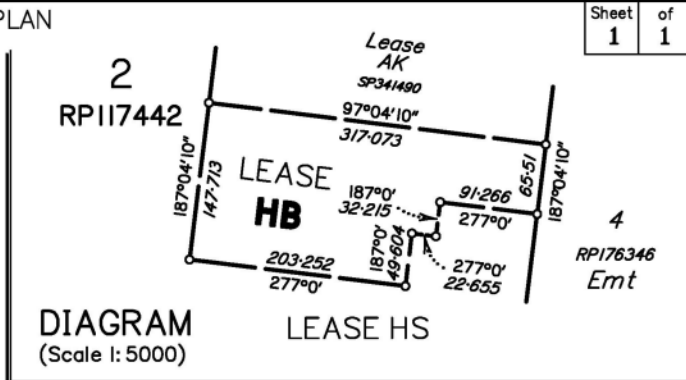
- Subject Land
- Lease Area
- Lot
- Easement
- Road Reserve

PROJECT			
Hopeland Solar Farm			
TITLE			
Solar Farm Lease Area			
DATE	27/10/2022	STATUS	DRAFT
SCALE	1:15,000 @ A3	PRODUCED	MVC
FILE	HPSF_0006_01_A SF Lease Area	APPROVED	L McDonald
			REV
			A

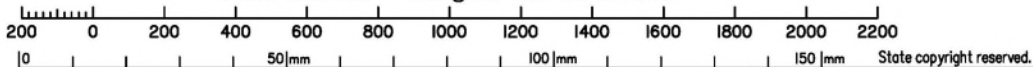
**Western Downs  
Regional Council**

**APPROVED  
17 March 2025**

**Bridget Moodley  
PRINCIPAL PLANNER**



Scale 1:15000 - Lengths are in metres.



**Land Surveys**

Unit 25 1015 Nudgee Road T (07) 3267 0074  
Banyo QLD 4014 E brisbane@landsurveys.net.au  
www.landsurveys.net.au

Plan prepared by Bryan Robert McLennan,  
Cadastral Surveyor on 10th December 2024  
Areas & dimensions subject to final survey  
& Local Authority approvals & conditions

**PLAN OF PROPOSED  
LEASES HB & HS**

In Lot 2 on RP117442

LOCAL

GOVERNMENT: Western Downs Regional

LOCALITY: HOPELAND

Meridian: MGA (Zone 56) vide SP341490

Survey Records: No

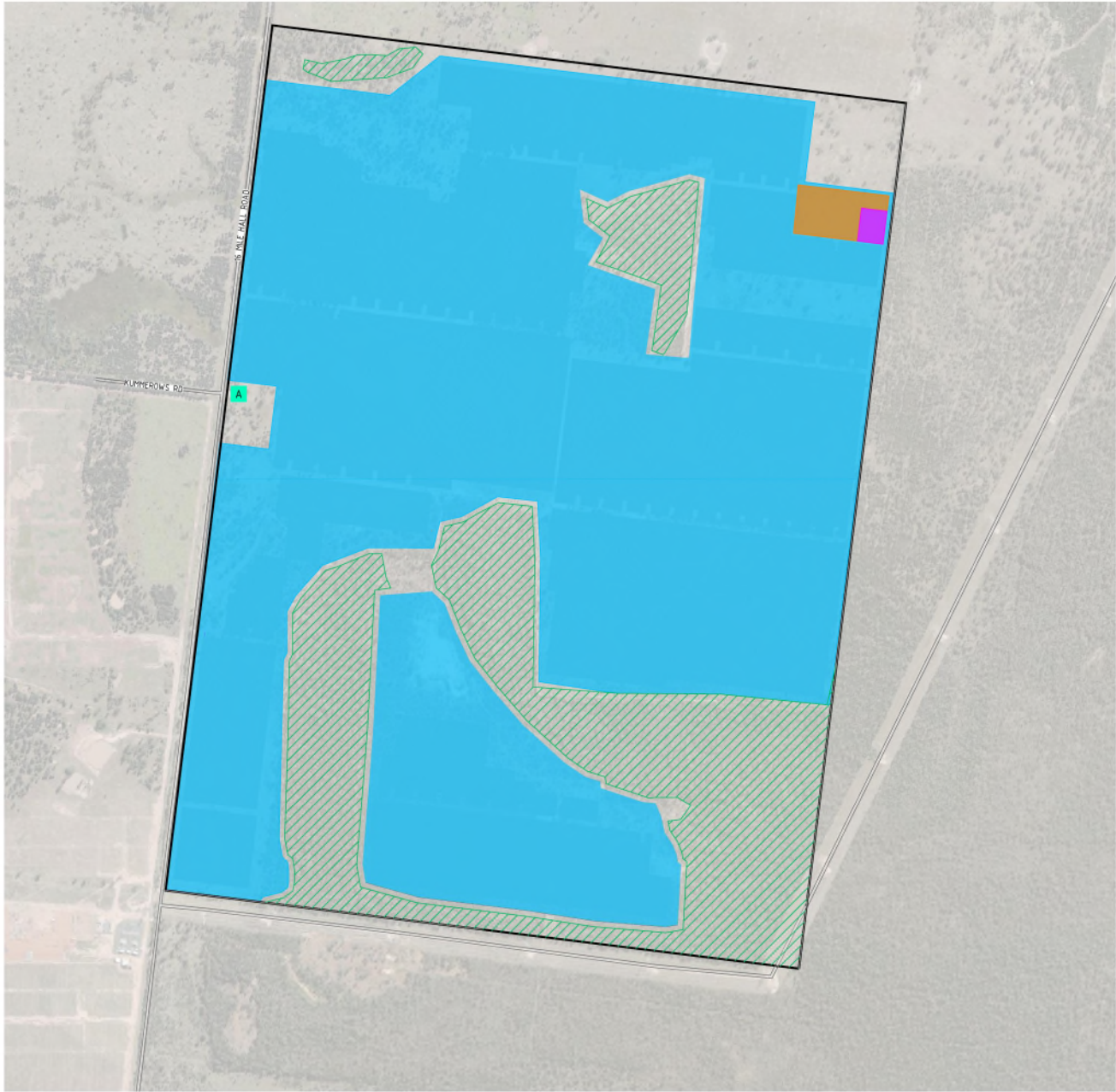
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Rev:

Job No:

**2300950-1**





- LEGEND:**
- SUBJECT LAND
  - BESS AND O&M BUILDING
  - SOLAR FARM SUBSTATION AND O&M BUILDING
  - SOLAR ARRAY
  - PROTECTED VEGETATION
  - SITE ACCESS POINT

**Western Downs  
Regional Council**

**APPROVED  
17 March 2025**

**Bridget Moodley  
PRINCIPAL PLANNER**

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A	TYP	INFORMATION	AMENDMENT DETAILS				DATE
			DESIGN	CHKD	DRAWN	CHKD	
1	ANDT						18/11/2025

**UGL**  
18 NOV 2024  
FOR  
INFORMATION

**UGL**  
ABN 96 096 365 972  
40 Miller Street  
North Sydney NSW 2060  
www.ugl.com.au

DESIGNED	KLAY
CHECKED	T.HOFFMAN
DRAWN	KLAY
CHECKED	
APPROVED	

UGL			
HOPELAND SOLAR FARM AND BESS ELECTRICAL SITE LAYOUT (FOR DA)			
CLIENT	UGL DRAWING No.	SHEET	AMDT
PACIFIC PARTNERSHIPS	HPSF-E3-DRG-0001	11	A





Our Ref. DA4356.1  
MSLink/s: 2790367  
Council Ref: 050.2022.626.001

13 January 2025

Western Downs Regional Council  
PO Box 551  
DALBY QLD 4405

Attention: Not Provided  
Via Email: [info@wdrc.qld.gov.au](mailto:info@wdrc.qld.gov.au)

Green42 Pty Ltd  
C/- Kieran Ryan - Reel Planning Pty Ltd  
PO Box 2088  
MILTON QLD 4064

Attention: Kieran Ryan  
Via Email: [kieran@reelplanning.com](mailto:kieran@reelplanning.com)

Dear Kieran & WDRC,

### Minor Change Application – Affected Entity Response

(Given under section 80(4)(a) of the Planning Act 2016)

Transmission Infrastructure Impacted	
Transmission Corridor	Western Downs Substation and Columboola Western Downs Transmission Line Corridor
Easement ID	Easement AU on SP249474 – Dealing No. 714687398
Location Details	
Street address	16 Mile Hall Road, Hopeland
Real property description	Lot 2 on RP117442
Local government area	Western Downs Regional Council
Existing Approval Details	
Approved Development	Development Permit – Material Change of Use – Public Utility (Solar Farm) and ROL (Dividing Land into parts by agreement - Lease exceeding 10 years)
Approval Type	Development Permit
Minor Change Application Details	
Details of change/s sought	Additional BESS and O&M Building, Stage C and Lease Area

We refer to the above minor change application which has been referred to Powerlink Queensland as an affected entity in accordance with section 80(1) of the *Planning Act 2016*.

## PLANS AND REPORTS ASSESSED

The following plans and reports have been reviewed by Powerlink Queensland and form the basis of our assessment. Any variation to these plans and reports may require amendment of our advice.

**Table 1: Plans and Reports upon which the assessment is based**

Drawing / Report Title	Prepared by	Dated	Reference No.	Version / Issue
Hopeland Solar Farm and BESS Electrical Site Layout (for DA)	UGL	18/11/2024	HPSF-E3-DRG-0001	A
Plan of Proposed Leases HB&HS	Land Surveys	-	2300950-1	-

We have reviewed the changes to the development application outlined in the change application and advise that we have **no objection** to the change application. Powerlink supports the minor change application subject to the conditions and advisory noted provided in Powerlink response to the application DA2504 dated 19/07/2017 and DA4356 (response to minor change application) dated 13/09/2021 being imposed by the assessment manager.

Powerlink supports the minor change application subject to the following Advice to Council:

### Advice to Council and the Applicant

1. This response does not constitute an approval to commence any works within the easement. Prior written approval is required from Powerlink Queensland before any work is undertaken within the easement areas. All works on easement (including but not limited to earthworks, drainage and detention basins; road construction; underground and overhead service installation) require detailed submissions, assessments and consent (or otherwise) by Powerlink.
2. Powerlink and Green42 Pty Ltd are currently negotiating network connection of the Battery Energy Storage System. This correspondence does not constitute approval for connection which remains the subject of ongoing technical assessment and commercial negotiations. The exact location of connecting infrastructure is also part of ongoing negotiations. As a result, we wish to advise council that the location of any infrastructure is likely to change, and as such its location should not form part of the approval.

Any further works should be in accordance with Powerlink Queensland's general conditions and guidelines when considering works either on a Powerlink Queensland easement or in the vicinity of Powerlink Queensland assets.

For further information please contact the Property Management Team on (07) 3898 4090 or via email [property@powerlink.com.au](mailto:property@powerlink.com.au) who will be pleased to assist.

Yours sincerely,



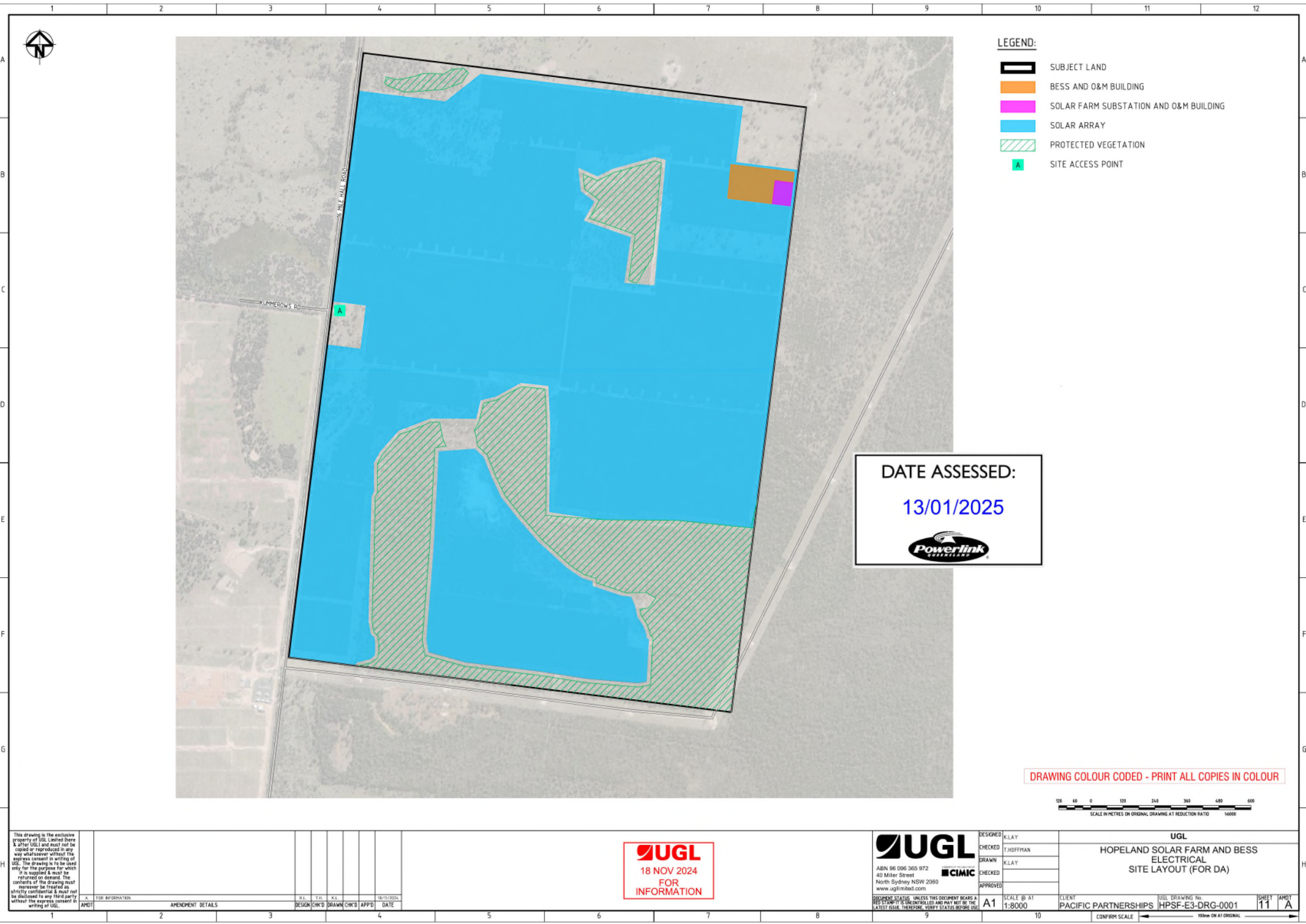
for:

Laura Donaldson

**Property Management Team Leader**

## **ATTACHMENT 1 – ASSESSED PLANS**



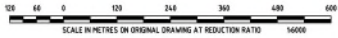


- LEGEND:
- SUBJECT LAND
  - BESS AND O&M BUILDING
  - SOLAR FARM SUBSTATION AND O&M BUILDING
  - SOLAR ARRAY
  - PROTECTED VEGETATION
  - A SITE ACCESS POINT

DATE ASSESSED:  
13/01/2025

**Powerlink**  
SOLAR

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A	TDR INFORMATION	AMENDMENT DETAILS				DATE
		DESIGN	CHKD	DRAWN	CHKD	
1	AMDT					18/11/2025

**UGL**  
18 NOV 2024  
FOR  
INFORMATION

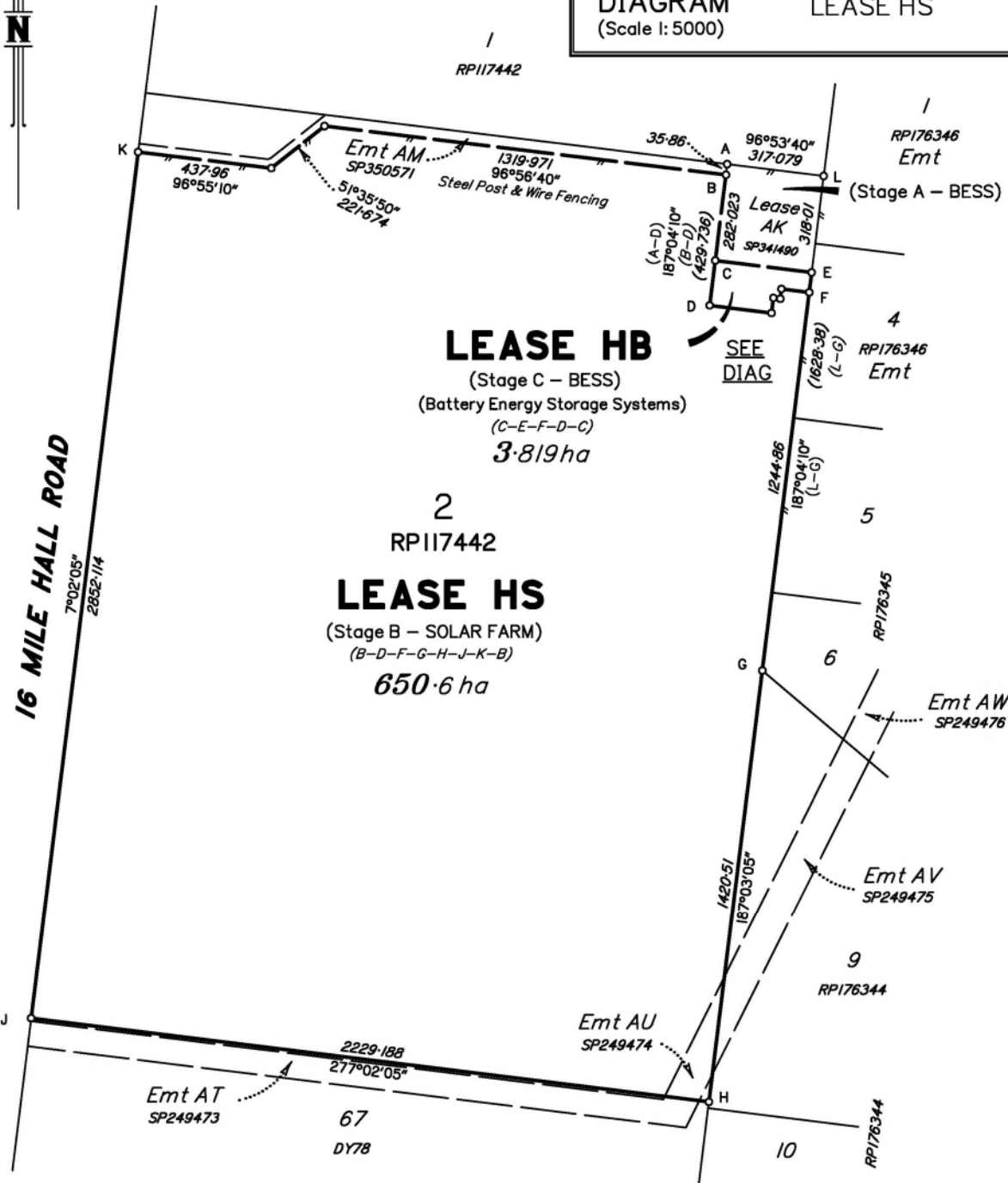
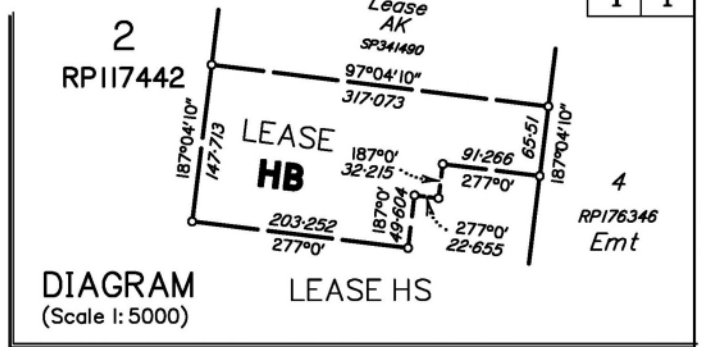
**UGL**  
ABN 96 066 365 972  
40 Miller Street  
North Sydney NSW 2060  
www.ugl.com.au

DESIGNED	KLAY
CHECKED	T.HOFFMAN
DRAWN	KLAY
CHECKED	
APPROVED	

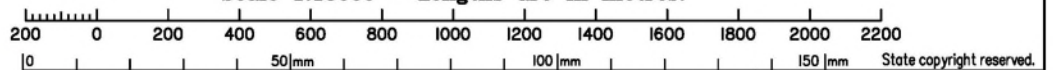
UGL			
HOPELAND SOLAR FARM AND BESS ELECTRICAL SITE LAYOUT (FOR DA)			
CLIENT	UGL DRAWING No.	SHEET	AMOT
PACIFIC PARTNERSHIPS	HPSF-E3-DRG-0001	11	A

DATE ASSESSED:

13/01/2025



Scale 1:15000 - Lengths are in metres.



**Land Surveys**

Unit 25 1015 Nudge Road T (07) 3267 0074  
Banyo QLD 4014 E brisbane@landsurveys.net.au  
www.landsurveys.net.au

Plan prepared by Bryan Robert McLennan,  
Cadastral Surveyor on 10th December 2024  
Areas & dimensions subject to final survey  
& Local Authority approvals & conditions

**PLAN OF PROPOSED  
LEASES HB & HS**

In Lot 2 on RP117442

LOCAL

GOVERNMENT: Western Downs Regional

LOCALITY: HOPELAND

Meridian: MGA (Zone 56) vide SP341490

Survey  
Records: No

Scale: 1:15000

Rev:

Job No:

**2300950-I**



Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0717-040730  
Your reference: A12450, A12431, A12652 & LG7.6.1, LG 7.9.1

25 August 2017

Chief Executive Officer  
Western Downs Regional Council  
PO Box 551  
DALBY QLD 4405

**Attn:** Kate Swepson

Dear Kate

**Concurrence Agency Response—with Conditions—Development Permit—Material Change of Use—Public Utility (Solar Farm) and Reconfiguring a Lot—Dividing Land into Parts by Agreement (Lease Exceeding 10 Years).**

137 Wyalla Road, 1158 Banana Bridge Road 953 16 Mile Hall Road, Hopeland QLD 4413  
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning (DILGP) under section 272 of the *Sustainable Planning Act 2009* on 24 July 2017.

**Applicant details**

Applicant name:	Western Downs Solar Project Pty Ltd & Tilt Renewables Australia Pty Ltd
Applicant contact details:	PO Box 2088 Milton Qld 4064 kieran@reelplanning.com

**Site details**

Street address:	137 Wyalla Road, 1158 Banana Bridge Road 953 16 Mile Hall Road, Hopeland QLD 4413
Lot on plan:	Lot 1; 3 & 4 on RP176346 Lot 2 on RP117442
Local government area:	Western Downs Regional Council

### Application details

Proposed development:	Development Permit for Material Change of Use—Public Utility (Solar Farm) and Reconfiguring a Lot—Dividing Land into Parts by Agreement (Lease Exceeding 10 Years)
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### Referral triggers

The development application was referred to DILGP under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger	Schedule 7, Table 3, Item 10— Material change of use of a lot that is 5 ha or larger, if - (a) for development for which a preliminary approval is sought under the Act, section 242, the lot contains native vegetation shown on the regulated vegetation management map as a category A area or category B area (b) for other development that is not sole or community residence clearing - (i) additional exempt operational work could be carried out because of the material change of use or the development involves operational work made assessable under schedule 3, part 1, table 4, item 1; and (ii) the additional exempt operational work or assessable operational work includes development other than the clearing of regulated regrowth vegetation on land the subject of a lease issued under the Land Act 1994 for agriculture or grazing purposes.
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### Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

### Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, DILGP must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

### Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, DILGP offers advice about the application to the assessment manager—see Attachment 3.

### Approved plans and specifications

DILGP requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
<b>Aspect of development: Material Change of Use and Reconfiguring a Lot</b>				
Technical Agency Response (Vegetation) Plan TARP SDA-0717-040730.	Department of Natural Resources and Mines.	22 August 2017.	Reference 9044 (Sheets 1 to 9).	



A copy of this response has been sent to the applicant for their information.

For further information, please contact Maria Johnson, Senior Planning Officer, SARA Darling Downs South West on 4616 7307, or email [maria.johnson@dilgp.qld.gov.au](mailto:maria.johnson@dilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A. Foley'.

Andrew Foley  
Manager (Planning)

cc: Western Downs Solar Project Pty Ltd & Tilt Renewables Australia Pty Ltd, [kieran@reelplanning.com](mailto:kieran@reelplanning.com)  
enc: Attachment 1—Conditions to be imposed  
Attachment 2—Reasons for decision to impose conditions  
Attachment 3—Further advice  
Attachment 4—Approved Plans and Specifications



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### **Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
Development permit for material change of use and reconfiguring a lot.		
Schedule 7, Table 3, Item 10—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Natural Resources and Mines (DNRM) to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The clearing of vegetation under this development approval is limited to the areas identified as Areas A as shown on attached:</p> <ul style="list-style-type: none"> <li>Technical Agency Response (Vegetation) Plan TARP SDA-0717-040730, prepared by The State of Queensland (Department of Natural Resources and Mines), dated 22 August 2017, Reference 9044 (sheets 1 to 9).</li> </ul>	At all times.
2.	Any person(s) engaged or employed to carry out the clearing of vegetation under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of clearing authorised by this development approval.	At all times.
3.	<p>The clearing of vegetation under this development approval must not contribute to land degradation through waterlogging or the salinisation of ground water, surface water or soil to the areas identified as Areas A and B as shown on attached:</p> <ul style="list-style-type: none"> <li>Technical Agency Response (Vegetation) Plan TARP SDA-0717-040730, prepared by The State of Queensland (Department of Natural Resources and Mines), dated 22 August 2017, Reference 9044 (Sheets 1 to 9).</li> </ul>	At all times.

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### **Attachment 2—Reasons for decision to impose conditions**

The reasons for this decision are:

- Conditions 1, 2 & 3 are to ensure compliance with performance outcome/s.

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### **Attachment 3—Further advice**

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<b>General advice</b>	
1.	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 'Australian Standards for the Protection of Trees on Development Sites (AS4970-2009)' to avoid any consequential unauthorised clearing.

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**Attachment 4—Approved plans and specifications**

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