

Our Ref: CM/KC001720 File No: 2019-2703  
Your Ref: PR143407



11 March 2020

Lightsource Development Services Australia  
C/- RPS Australia East Pty Ltd  
PO Box 1559  
FORTITUDE VALLEY QLD 4006  
[Jacqueline.miller@rpsgroup.com.au](mailto:Jacqueline.miller@rpsgroup.com.au)

**Attention: Jacqueline Miller**

Dear Madam

**Re: Development approval for Material Change of Use - Renewable Energy Facility (Solar Farm) over Lot 232 LX2383 and Lot 107 LX562 – Gympie Woolooga Road and 3317 Gympie Woolooga Road, Lower Wonga**

The Negotiated Decision Notice issued 10 March 2020 refers.

An administrative error has been identified in Page 3 of the Negotiated Decision Notice – Properly Made Submissions.

This section has been updated to confirm that one (1) properly made submission was received for this application.

The amendment has been made to Page 3 and the Amended Negotiated Decision Notice is attached and will replace the original Negotiated Decision Notice dated 10 March 2020.

Should you wish to discuss the above matter further, please contact Curtis McMillan of Council's Planning and Development Directorate on (07) 5481 0454 or email [planning@gympie.qld.gov.au](mailto:planning@gympie.qld.gov.au).

Yours faithfully

**Tania Stenholm**  
**Manager Development and Compliance**

Our Ref: CM/KC001721 File No: 2019-2703  
Your Ref: PR143407



11 March 2020

Lightsource Development Services Australia  
C/- RPS Australia East Pty Ltd  
PO Box 1559  
FORTITUDE VALLEY QLD 4006  
[jacqueline.miller@rpsgroup.com.au](mailto:jacqueline.miller@rpsgroup.com.au)

**Attention: Jacque Miller**

**Negotiated Decision Notice - Amended**

(Given under section 76(3) of the *Planning Act 2016*)

The Gympie Regional Council received your change representations under section 75 of the *Planning Act 2016* on 8 January 2020. This negotiated decision notice replaces the decision notice dated 9 December 2019.

The changes agreed to are:

1. New approved plan
2. Amend Conditions 10 and 21
3. Delete Conditions 20 and 22

**Applicant Details**

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Applicant Name:	Lightsource Development Services Australia
Applicant Contact Details:	C/- RPS Australia East Pty Ltd
	PO Box 1559
	FORTITUDE VALLEY QLD 4006
	<a href="mailto:jacqueline.miller@rpsgroup.com.au">jacqueline.miller@rpsgroup.com.au</a>
	(07) 3539 9636

**Application Details**

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Application Number:	2019-2703
Approval Sought:	Development Permit
Nature of Development:	Material Change of Use
Description of Development:	Renewable Energy Facility (Solar Farm)
Assessing Officer:	Curtis McMillan

## Location Details

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Street Address: Gympie Woolooga Road and 3317 Gympie Woolooga Road, Lower Wonga  
Real Property Description: Lot 232 LX2383 and Lot 107 LX562

## Decision

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Date of Decision: 10 March 2020  
Decision Details: Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

## Details of Approval

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Development Permit: Material Change of Use - Renewable Energy Facility (Solar Farm)

## Conditions

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This approval is subject to the conditions in Attachment 1.

## Referral Agencies

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The referral agencies for this application are:

Name of referral agency	Advice agency or concurrence agency	Address	Response
Department State Development, Manufacturing, Infrastructure and Planning (DSDMIP)  State Assessment and Referral Agency (SARA)   Wide Bay Burnett	Concurrence	MyDAS 2 electronic lodgement: <a href="https://prod2.dev-assess.qld.gov.au/suite/">https://prod2.dev-assess.qld.gov.au/suite/</a>  Standard post lodgement: DSDMIP SARA Level 1, 7 Takalvan Street / PO Box 979 BUNDABERG QLD 4670  Email lodgement: <a href="mailto:WBBSARA@dsdmip.qld.gov.au">WBBSARA@dsdmip.qld.gov.au</a>	The agency provided its response on 2 October 2019.  A copy of the response is attached

### Further development permits

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

1. Development Permit for Operational Work (Landscaping Buffers)
2. Development Permit for Operational Work (Road Works and Site Works)
3. Compliance Permit for Plumbing & Drainage Work for the installation of on-site Sewerage Facilities in accordance with the Queensland Plumbing and Wastewater Code
4. Development Permit for Building Work (Buildings, Site Office, Panel Structures/Framing, Inverter/Transformer Units)

### Properly made submissions

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Properly made submissions were received from the following principal submitters:

Name of principle submitter	Residential Address
Gordon and Janet Sutherland	PO Box 1545, Gympie Qld 4570

### Rights of appeal

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

A copy of the relevant appeal provisions is attached.

### Currency period for the approval

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This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

### Advisory Notes

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The following notes are included for guidance and information purposes only and do not form part of the Assessment Manager's conditions:

#### **Aboriginal Cultural Heritage Act 2003**

In carrying out your activity you must take all reasonable and practicable measures to ensure that it does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from the Cultural Heritage Co-ordination Unit on (07) 3239 3647 or at [www.nrm.qld.gov.au](http://www.nrm.qld.gov.au)



### **Approved plans and specifications**

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Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference No.	Version/issue
<b>Aspect of development: Material Change of Use – Renewable Energy Facility (Solar Farm)</b>				
Development Plan – Woolooga Solar Farm PV Farm A	RPS	11 December 2019	PR143407	-

Should you wish to discuss the above matter further, please contact Curtis McMillan of Council's Planning and Development Directorate on (07) 5481 0454 or email [planning@gympie.qld.gov.au](mailto:planning@gympie.qld.gov.au).

Yours faithfully



**Gina Vereker**  
**Director Planning and Development**

Enc.  
Attachment 1 – Assessment Manager Conditions  
Referral Agency Response  
Approved Plan  
Appeal Rights

CC: Department of State Development, Manufacturing, Infrastructure and Planning

## Attachment 1 – Assessment Manager Conditions

Conditions to be satisfied prior to commencement of the use:

No	Condition	The time by which the condition must be met, implemented or complied with
<b>1.</b>	<b>Approved Plans and Documents</b>	
(a)	The development shall be generally in accordance with the facts and circumstances presented in the development application and generally in accordance with the approved plans outlined in <i>Approved plans and specifications</i> section of this Decision Notice subject to any amendments required by conditions of this approval.	Prior to commencement of the use and to be maintained at all times thereafter.
(b)	<p>Amended development plans are to be submitted to and approved in writing by Council.</p> <p>The plans must include the following but are not limited to:</p> <ul style="list-style-type: none"> <li>- Specific location of solar panels, inverters/transformer units, transmission lines, connection with the Woolooga Sub-station.</li> <li>- Specific location of driveways, buildings and parking areas;</li> <li>- Connection with the Woolooga Sub-station;</li> <li>- Additional landscaping, structures, works and modifications as required by the Council approved amended reports for noise and visual amenity and reflectance.</li> </ul>	Prior to lodgement of a Development Permit for Operational Work
(c)	Once approved in writing by Council the revised plans and reports shall form part of this approval and shall be complied with at all times.	Prior to lodgement of a Development Permit for Operational Work
<b>2.</b>	<b>Further Development Permits</b>	
(a)	<p>The use may not commence until:</p> <p>(i) the following development permits have been issued and complied with as required:</p> <p>a. Development Permit for Building Work (Buildings, Site Office, Panel Structures/Framing, Inverter/Transformer Units etc. as required);</p>	Prior to commencement of the use and to be maintained at all times thereafter.

	<ul style="list-style-type: none"> <li>b. Development Permit for Operational Work (Landscaping Buffers);</li> <li>c. Development Permit for Operational Work (Site Works);</li> <li>d. Compliance Permit for Plumbing &amp; Drainage Work for the installation of on-site Sewerage Facilities in accordance with the Queensland Plumbing and Wastewater Code.</li> </ul>	
(b)	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.	Prior to commencement of the use
(c)	The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS2601-2001: The Demolition of Structures, or its latest version and building permit(s) be obtained where necessary.	Prior to commencement of the use
(d)	The existing dwelling on-site (where not to be used for ancillary solar farm purposes) is to be decommissioned and evidence of same provided to Council.	Prior to commencement of the use
(e)	Re-use of the existing dwelling on site for the purpose of ancillary solar farm purposes is permitted.	Prior to commencement of the use
<b>3.</b>	<b>Nature and Extent of Approved Use</b>	
(a)	Single-axis tracking technology is to be employed for all solar panels. Alternate technology may be used with the written agreement of Council subject to submission of further plans and details.	At all times.
<b>4.</b>	<b>Building Height and Solar Panel Height</b>	
(a)	The maximum height of any solar panel including its associated structure must not exceed 4.0 metres above natural ground level. <i>Note: Height is only to be measured at the central support structure of each panel (noting that the angle of panels moves throughout the day).</i>	Prior to commencement of the use and to be maintained at all times thereafter.
(b)	The maximum height of any building must not exceed 8.5 metres above natural ground level. <i>Note: Electrical infrastructure such as overhead lines and electrical towers do not constitute a building.</i>	Prior to commencement of the use and to be maintained at all times thereafter.

<b>5. Restricted Plants</b>		
(a)	Provide evidence from a suitably qualified person that the obligations under the <i>Biosecurity Act 2014</i> have been met prior to and during the construction phase of the development.	Prior to commencement of the use
(b)	No declared plant vegetative material is to be exported from the site, unless it is separated out and transported to Gympie (Bonnick Road) Waste Management Facility.	At all times.
(c)	All vehicles, machinery, tools, boots and other equipment are to be cleaned when leaving weed-infested areas of the property	At all times.
(d)	No fill that was supporting or in contact with declared plants, or parts thereof, is to be exported from the site.	At all times.
<b>6. Lighting</b>		
(a)	All outdoor lighting must be designed, installed, operated and maintained to comply with the requirements of AS4282 – <i>Control of the obtrusive effects of outdoor lighting</i> .	At all times.
<b>7. Interface landscaping/Landscaped Buffer</b>		
(a)	<p>A development application for Operational Work (Landscape Buffers) is required to be obtained and complied with.</p> <p>The plan is to incorporate the following:</p> <ul style="list-style-type: none"> <li>a. Security fencing, 1.8m high (minimum) to all boundaries;</li> <li>b. Any security fencing is to be setback behind required landscaping buffers;</li> <li>c. Temporary screens 1.8m high to boundaries where landscaping is required to be provided; to be maintained until landscaped buffers reach maturity. <i>(N.b. sign written fence wrap banners can be applied over the required security fencing to satisfy the intent of this condition).</i></li> <li>d. minimum five (5) metre wide landscaped buffers to accommodate three (3) rows of plantings incorporating canopy and mid-storey vegetation;</li> <li>e. sections through each boundary showing the mature heights of the planted native vegetation;</li> <li>f. landscaping plant species that are associated with</li> </ul>	Prior to the commencement of all other construction and works associated with the development.

	<p>pre-clearing Regional Ecosystems on site, specifically Regional Ecosystems 12.11.14, 12.12.12, 12.11.22 and 12.12.24 (<i>n.b. Council can provide a suggested list of species</i>);</p> <p>g. plant spacing's to achieve a dense screen;</p> <p>h. plantings to incorporate tube stock;</p> <p>i. landscaping maintenance regimes over a 3-year period, detailing watering, weeding, replacement planting, frost and herbivore management;</p> <p>j. current soil condition and nutrient requirements to support successful native plant establishment;</p>	
(b)	The Landscaped buffers are to be provided in accordance with the locations nominated on the approved plan, to a minimum width of 5m and increased where necessary to satisfy other conditions of this approval.	Prior to the commencement of the use or unless otherwise agreed with Council in writing.
<b>8.</b>	<b>Roadworks:</b>	
(a)	<p>The site access off Gympie Woolooga Road is to be upgraded. Specifically, the following works are to be undertaken in accordance with plans and specifications approved by Council:</p> <p>(a) Clear vegetation in the western verge of Gympie Woolooga Road as per Figure 16 of the SLR Report in order to facilitate improved sight distance to the south and comply with design requirements of ARGD; and</p> <p>(b) Provide an 8m widened unsealed access along Tones Road between Gympie Woolooga Road and proposed site access location, with the first 50m formally sealed such as to minimise gravel transfer to Gympie Woolooga Road;</p>	Prior to the commencement of all other construction and works associated with the development (excluding landscaping).
<b>9.</b>	<b>Car Parking and Access</b>	
(a)	Access areas shall be dust-reduced pavement and designed, drained, constructed and maintained in accordance with Council's Infrastructure and Operational Works (excluding Advertising Device) Code and Council's Planning Scheme Policy 1 Development Standards.	<p>In conjunction with the lodgement of a development permit for operational works; and</p> <p>Implemented prior to commencement of the use and maintained at all times thereafter.</p>



(b)	Off-street car parking is to be provided in accordance with Council's Infrastructure and Operational Works (excluding Advertising Device) Code and Council's Planning Scheme Policy 1 Development Standards.	Prior to the commencement of the approved use and then maintained.
(c)	Additional on-site car parking facilities, exclusive of the accessible space, may be designed and constructed to a dust reduced standard in accordance with Council's Infrastructure and Operational Works (excluding Advertising Device) Code and Council's Planning Scheme Policy 1 <i>Development Standards</i> .	Prior to the commencement of the approved use
(d)	All parking and loading/unloading shall occur within the site.	At all times.
(e)	All internal access and maintenance roads and parking areas are to be identified, design details prepared and are to be submitted to Council for operational works approval. Including details of the alignments, road profiles (Nominal 3.5m wide gravel pavement or suitable alternative), stormwater drainage and all creek/gully crossings	Prior to the commencement of construction of the approved use
(f)	Car parking and access areas shall be dust-reduced pavement and designed, drained, constructed and maintained in accordance with Council's Infrastructure and Operational Works (excluding Advertising Device) Code and Council's Planning Scheme Policy 1 <i>Development Standards</i> .	Prior to the commencement of the approved use
<b>10. Compliance with Concurrence Agency Conditions</b>		
(a)	All necessary permits from the Department of Main Roads are to be obtained for the purpose of constructing an access onto the Gympie Woollooga Road.	Prior to the commencement of construction of the approved use
(b)	Written confirmation is provided to Council that the Department of Transport and Main Roads conditions are fulfilled to the satisfaction of the Department of Transport and Main Roads.	Prior to the commencement of construction of the approved use

<b>11.</b>	<b>Erosion and Sediment</b>	
(a)	Erosion and sediment control measures are to be designed and provided in accordance with the International Erosion Control Association (Australasia) 2008's <i>"Best Practice Erosion and Sediment Control for Building and Construction Sites"</i> .	<p>The design shall be submitted to Council for review with subsequent development applications for operational work; and</p> <p>The recommendations of the Plan are to be implemented and maintained during construction work and at all times thereafter.</p>
(b)	<p>Concept Erosion and Sediment Control Management Plans are to be submitted with a subsequent operational works application. Management plans are to be developed in accordance with the IECA Best Practice Erosion and Sediment Control guideline are to include but not limited to the following: -</p> <ul style="list-style-type: none"> <li>• Site hazard identification and assessment;</li> <li>• Duration and areas of works;</li> <li>• Site drainage and overland flowpaths;</li> <li>• Receiving environments;</li> <li>• Construction sequence of drainage, erosion and sediment control measures proposed for the site works;</li> <li>• Inspection, management and maintenance regime;</li> <li>• Location and sizing of swales and cut off drains;</li> <li>• Location and sizing of proposed sediment basins;</li> <li>• Flocculation testing and water sampling;</li> <li>• Phased erosion and sediment control plans;</li> <li>• Design certification.</li> </ul>	<p>To be submitted to Council for review with subsequent development applications for operational work; and</p> <p>The recommendations of the Plan are to be implemented and maintained during construction work and at all times thereafter.</p>
<b>12.</b>	<b>Stormwater</b>	
(a)	The method of treatment of stormwater runoff from and through the site shall be designed and constructed in accordance with Council's Infrastructure Works and Operational Work (excluding Advertising Device) Code and Council's Planning Scheme Policy 1 Development Standards.	Prior to the commencement of construction of the development and maintained at all times thereafter.

<b>13.</b>	<b>General</b>	
(a)	Any plans/construction for infrastructure works or any other civil works required by this development permit, are to surveyed, designed and constructed in accordance with Council's Infrastructure and Operational Work (excluding Advertising Device) Code.	Prior to commencement of the approved use and to be maintained at all times thereafter.
(b)	The alteration of any public utility mains (eg. Electricity, water, sewerage, gas etc.) or other facilities necessitated by the development of the land or associated construction works external to the site is to be undertaken at no cost to Council.	Prior to commencement of the approved use and to be maintained at all times thereafter.
(c)	Over time, the Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans for Council's approved incorporating the upgrades and/or changes.	To be complied with at all times once approved.
(d)	A soft copy of the 1% AEP Flood Modelling (including Esri ASCII Grid') shall be provided to Council – via <a href="mailto:dev.eng@gympie.qld.gov.au">dev.eng@gympie.qld.gov.au</a>	In conjunction with the lodgement of a development permit for operational work; and  Implemented prior to commencement of the use and maintained at all times thereafter

<b>14.</b>	<b>Visual Amenity and Reflectivity</b>	
(a)	<p>The Applicant must engage a suitably qualified person to undertake a Reflectivity and Visual Amenity Assessment to include the <u>final</u> PV design layout and specification. This assessment must include, but is not necessarily be limited to mitigation measures where dwellings in the surrounding locality experience reflectance and impact on visual amenity. These mitigation measures may include but may not be limited to:</p> <ul style="list-style-type: none"> <li>(i) Consultation with land owners and completion of mitigation measures on the affected site by mutual agreement;</li> <li>(ii) Movement or reorientation of solar panels;</li> <li>(iii) Removal of direct line of sight between the affected properties and the solar panels by landscape buffers or other temporary and permanent structures;</li> <li>(iv) Mitigation measures, if required, to address any possible impacts on livestock and native wildlife;</li> <li>(v) A complaint management and operational review process.</li> <li>(vi) Review and implementation of anti-reflective coatings.</li> </ul>	<p>The revised report shall be approved in writing by Council prior to approval of the required operational work applications and shall be complied with at all times once approved.</p>
(b)	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) Minimize the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels;</li> <li>(b) Ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape.</li> </ul>	<p>At all times.</p>
<b>15.</b>	<b>Land Management and Dust</b>	
(a)	<p>The applicant must construct and operate the project in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. All project related activities on the site must be undertaken with the emissions attributable to the project occurring during operation and construction. The applicant must identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of dust do not cause environmental nuisance.</p>	<p>At all times.</p>

<b>16.</b>	<b>Noise during Construction</b>													
(a)	<p>Noise from the <b>construction phase</b> of the activity to which this approval relates must not cause or be likely to cause an environmental nuisance at any nuisance sensitive place.</p> <p>For the purposes of this Condition, noise from the activity will not cause environmental nuisance where noise from the activity on the development site does not exceed the levels specified in <i>Table 1 – Noise limits</i>.</p> <p><i>Table 1 – Noise limits</i></p> <p>Taken from the Default noise standards – section 440R of the <i>Environmental Protection Act 1994</i>.</p> <table border="1" data-bbox="304 813 1011 1028"> <tr> <th colspan="2">Business day and Saturday</th><th>Sundays and Public Holidays</th></tr> <tr> <td>6.30am – 6.30pm</td><td>6.30pm – 6.30am</td><td>At all times</td></tr> <tr> <th colspan="3">Noise measured at the nearest nuisance sensitive place</th></tr> <tr> <td>Audible noise permitted</td><td>Nil audible noise</td><td>Nil audible noise</td></tr> </table> <p><sup>1</sup>This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent environmental harm or risk to life.</p> <p><sup>2</sup>Note: refer to <b>Business Day</b> definition (<i>Environmental Protection Act 1994</i>) as important exclusions apply.</p>	Business day and Saturday		Sundays and Public Holidays	6.30am – 6.30pm	6.30pm – 6.30am	At all times	Noise measured at the nearest nuisance sensitive place			Audible noise permitted	Nil audible noise	Nil audible noise	At all times.
Business day and Saturday		Sundays and Public Holidays												
6.30am – 6.30pm	6.30pm – 6.30am	At all times												
Noise measured at the nearest nuisance sensitive place														
Audible noise permitted	Nil audible noise	Nil audible noise												



(b)	<p>The Applicant must prepare and implement a Construction Noise Management Plan to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures. The Plan must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>(a) Details of construction activities and an indicative schedule for construction works;</li> <li>(b) Identification of construction activities that have the potential to generate noise impacts on surrounding land uses, particularly residential areas;</li> <li>(c) Detail what reasonable and feasible actions and measures would be implemented to minimise noise impact; and</li> <li>(d) Procedures for notifying sensitive receptors of construction activities that are likely to affect their noise amenity, as well as procedures for dealing with and responding to noise complaints.</li> </ul>	<p>The plan is to be completed prior to the commencement of construction and works on-site (excluding landscaping); and</p> <p>The recommendations of the Plan are to be implemented and maintained at all times thereafter.</p>																				
<b>17. Noise during Operation</b>																						
(a)	<p>Noise from the <b>operational phase</b> of the activity to which this approval relates must not cause or be likely to cause an environmental nuisance at any nuisance sensitive place.</p> <p>For the purposes of this Condition, noise from the activity will not cause environmental nuisance where noise from the activity on the development site does not exceed the levels specified in <i>Table 2 – Noise limits</i>.</p> <p><i>Table 2 – Noise limits</i></p> <table border="1" data-bbox="304 1473 1011 1767"> <tr> <th rowspan="3">Noise level measured in dB(A)</th><th colspan="2">On any day</th></tr> <tr> <th>6am–7pm</th><th>7pm – 6am</th></tr> <tr> <th colspan="2"><b>Noise that is <u>continuous</u> noise measured at the nearest nuisance sensitive place (eg. inverters)</b></th></tr> <tr> <td>L<sub>A90, T</sub></td><td>Nil above background</td><td>Nil audible noise</td></tr> </table> <table border="1" data-bbox="304 1809 1011 2098"> <tr> <th rowspan="3">Noise level measured in dB(A)</th><th colspan="2">On any day</th></tr> <tr> <th>6am–7pm</th><th>7pm – 6am</th></tr> <tr> <th colspan="2"><b>Noise that varies over time measured at the nearest nuisance sensitive place (eg. maintenance)</b></th></tr> <tr> <td>L<sub>Aeq adj, 1 hr</sub></td><td>Background +5</td><td>Nil audible noise</td></tr> </table>	Noise level measured in dB(A)	On any day		6am–7pm	7pm – 6am	<b>Noise that is <u>continuous</u> noise measured at the nearest nuisance sensitive place (eg. inverters)</b>		L <sub>A90, T</sub>	Nil above background	Nil audible noise	Noise level measured in dB(A)	On any day		6am–7pm	7pm – 6am	<b>Noise that varies over time measured at the nearest nuisance sensitive place (eg. maintenance)</b>		L <sub>Aeq adj, 1 hr</sub>	Background +5	Nil audible noise	<p>At all times following commencement of the use.</p>
Noise level measured in dB(A)	On any day																					
	6am–7pm		7pm – 6am																			
	<b>Noise that is <u>continuous</u> noise measured at the nearest nuisance sensitive place (eg. inverters)</b>																					
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L <sub>Aeq adj, 1 hr</sub>	Background +5	Nil audible noise																				

	<p>Associated Requirements</p> <ol style="list-style-type: none"> <li>1. The location, date and time of monitoring must be recorded.</li> <li>2. All monitoring devices must be correctly calibrated and maintained.</li> <li>3. Any monitoring must be in accordance with the most recent version of the Department of Environment and Heritage Protection's <i>Noise Measurement Manual</i>.</li> <li>4. Monitoring must be performed by a <b>suitably qualified person(s)</b>.</li> <li>5. <b>Background</b> means noise, measured in the absence of the noise under investigation, as <math>L_{A90,T}</math> being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.</li> <li>6. At the request of Council, and in response to a valid complaint (in the opinion of Council) monitoring of noise emissions from the activity must be undertaken when the activity is in operation.</li> </ol>	
(b)	<p>An Operational Noise Management Plan is to be prepared to identify noise impacts during operation and identify all feasible and reasonable noise mitigation measures. A copy of the Plan is to be provided to Council. The Plan must include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> <li>a. identification of activities that have the potential to generate noise impacts on surrounding land uses, particularly residential areas;</li> <li>b. details of reasonable and feasible actions and measures to be implemented to minimise noise impact; and</li> <li>c. procedures for notifying sensitive receptors of construction activities that are likely to affect their noise amenity, as well as procedures for dealing with and responding to noise complaints.</li> </ol>	<p>Prior to the commencement of the use; and</p> <p>The recommendations of the Plan are to be implemented and maintained at all times thereafter.</p>

<b>18.</b>	<b>Waste</b>	
(a)	<p>The number and type of refuse containers provided on site is to be determined in accordance with Council's Revenue Statement.</p> <p><i>N.b. Council will levy waste collection charges against commercial premises for the removal of commercial waste and recycling unless the Chief Executive Officer or their delegate is satisfied that a waste collection operator has been directly engaged by the ratepayer or tenant, and –</i></p> <ul style="list-style-type: none"> <li><i>provides a suitable number of bins to contain the volume of waste and recyclables produced at the commercial premises; and</i></li> <li><i>removes commercial waste and recycling from the premises at least once weekly for commercial waste and once per month for recyclables (or at a greater frequency for food processing waste or other putrescible wastes). Page 13 GRC Revenue Statement Adopted 27/06/2018</i></li> </ul>	Prior to commencement of the approved use and maintained at all times thereafter.
(b)	The applicant must maximise the reuse and/or recycling of waste materials generated on site, to minimise the need for treatment or disposal of those materials outside the site.	At all times.
(c)	The applicant must ensure that no waste is burnt on site during the life of the project.	At all times.
<b>19.</b>	<b>Bushfire and Fire Management</b>	
(a)	<p>Prepare and submit a Bushfire and Fire Management Plan to Council prepared by a suitably qualified person in accordance with the relevant requirements.</p> <p>Management measures are to be identified on the Bushfire Management Plan to reduce the level of fire hazard. These methods must include but are not limited to firebreaks, fire trails, prescribed burns, stick raking, evacuation routes and fuel reduction zones.</p> <p>The plan must detail matters relevant to both the establishment and operational phases of the development and should include but is not necessarily limited to aforementioned requirements.</p>	<p>The plan is to be completed prior to the commencement of works and construction on-site (excluding landscaping); and</p> <p>The recommendations of the Plan are to be implemented and maintained at all times thereafter.</p>

<b>20.</b>	<b>Fauna Management:</b>	
(a)	Deleted	
<b>21.</b>	<b>Waterway Management:</b>	
(a)	<p>A Waterway Management Plan is to be prepared by a suitably qualified waterway person and submitted to Council for approval prior to the submission of a development application for operational work. The plan is to nominate:</p> <ul style="list-style-type: none"> <li>• All waterways across the site, including their tributaries, shown on a plan;</li> <li>• all dams and impoundments;</li> <li>• Details of intended management of dams and impoundments (including retention, use in run-off detention, of decommission);</li> <li>• Recommendations for an appropriate buffer area to the waterways both during construction and operation of the approved use;</li> <li>• measures to be implemented to protect the waterways both during construction and operation of the approved use;</li> <li>• Water quality monitoring for surface and ground water on site;</li> <li>• Pollution prevention measures, for the containment and management of solvents, cleaning fluids, fuels, and transformer oils.</li> <li>• Cleaning of photovoltaic panels, use of solvents and cleaning solutions, storage and disposal;</li> <li>• Water storage, use, re-use and disposal.</li> </ul>	<p>The plan is to be completed prior to the commencement of works and construction on-site (excluding landscaping); and</p> <p>The recommendations of the Plan are to be implemented and maintained at all times thereafter.</p>
<b>22.</b>	<b>Vegetation Management:</b>	
(a)	Deleted.	
<b>23.</b>	<b>Environmental Management Plan (EMP):</b>	
(a)	<p>A general matters management plan is required for the development. The plan is to detail matters relevant to both the establishment and operational phases of the development and should include but is not necessarily limited to:</p> <ol style="list-style-type: none"> <li>a. storm events, lightning strikes, outages;</li> <li>b. flooding events;</li> </ol>	<p>The plan is to be completed prior to the commencement of works and construction on-site (excluding landscaping); and</p> <p>The recommendations of the</p>

	c. adjacent agricultural use and possible conflicts; d. soil degradation through soil instability; e. visitor requirements and promotions; f. waste management; g. Response procedures for potential vandalism h. Unauthorised access and arson.	Plan are to be implemented and maintained at all times thereafter.
<b>24.</b>	<b>Site Decommissioning and Rehabilitation:</b>	
(a)	A decommissioning and rehabilitation plan is required that identifies the actions that will be undertaken when the operations of the solar farm permanently cease, to return the site to a condition fit for the grazing of livestock/cattle. The actions are to include (but is not necessarily limited to): <ul style="list-style-type: none"> <li>a. Notification of cessation of operations;</li> <li>b. Recycling, re-use and/or disposal of panels, footings, structures, conduits and cabling, electrical infrastructure;</li> <li>c. Replacement of excavated spoil;</li> <li>d. Removal, ripping and re-seeding of hardened access tracks;</li> <li>e. Decommissioning of detention basins;</li> <li>f. Removal of infrastructure, panels, footings, structures, underground cabling and conduit associated with the solar arrays.</li> </ul>	<p>The preliminary plan is to be completed prior to commencement of the use with a final plan to be completed 6 months prior to decommissioning; and</p> <p>The recommendations of the Plan are to be completed within 18 months of the development ceasing its operational life.</p>

## **DEFINITIONS...**

**Nuisance sensitive place** includes -

- dwellings such as houses, units, motels, resort accommodation, nursing homes, caravans and mobile homes (provided they are principally used as residences), and including the curtilage of any such places;
- a surgery or other medical institution;
- library, childcare centres, kindergartens, schools or other educational institutions;
- a park or garden that is open to the public;
- a protected area, or an area identified under a conservation plan as a critical habitat or area of major interest, under the *Nature Conservation Act 1992*;
- a Marine Park under the *Marine Parks Act 1992*.

**Commercial place** means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

**Business day** means a day that is not a Saturday or Sunday or a public holiday, special holiday or bank holiday in the place in which any relevant act is to be or may be done. A business day does not include



a business day that occurs during the period starting on 20 December in a year and ending on 5 January in the following year.

**$L_{Aeq\ adj, T}$**  means the A-weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the activity is causing a steady state noise, and no shorter than one hour when the approved activity is causing an intermittent noise.

**Max  $L_{pA, T}$**  means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.

**Background** means noise, measured in the absence of the noise under investigation, as  $L_{A90, T}$  being the A-weighted sound pressure level exceeded for 90% of the timer period of not less than 15 minutes, using Fast response.

**time-weighting 'F'** means a fast standardised response time.

**A-weighted sound pressure level** means a measure of sound adjusted to the 'A' frequency weighting network.

**'A' frequency weighting network** means the frequency weighting described under AS IEC 61672.1—2004 (Electroacoustics—Sound level meters, Part 1—Specifications) for frequency weighting 'A'.

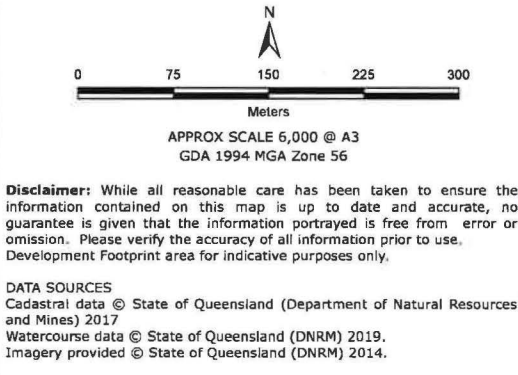
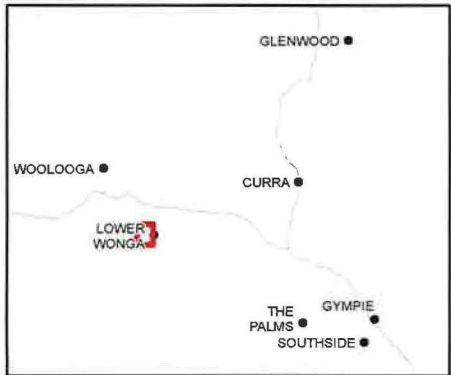
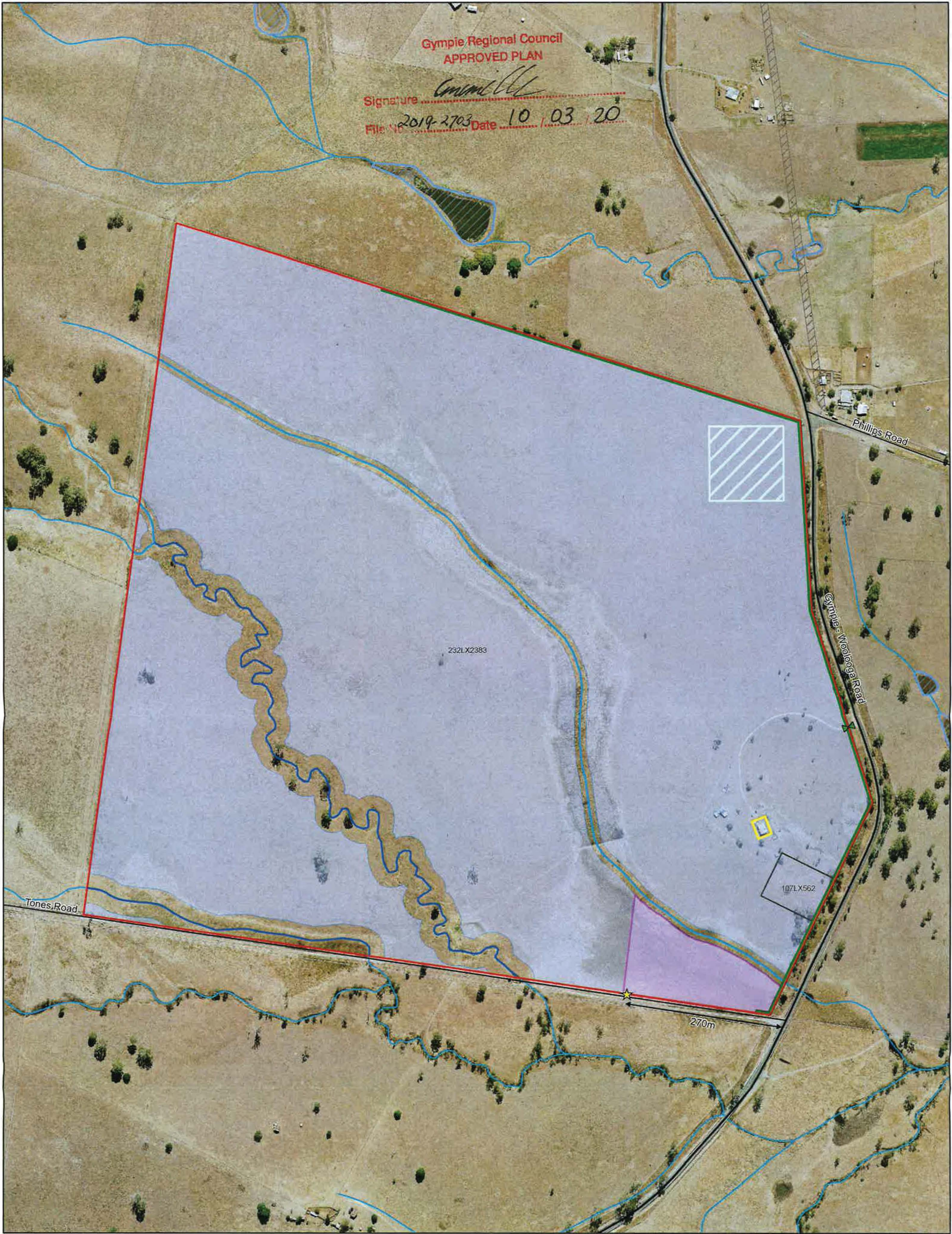
**Suitably qualified person** means a person or persons who has professional qualification, training, skills and experience relevant to the activities undertaken and can give authoritative assessment, advice and analysis in relation to the activity requirement using the relevant protocols, standards, methods or literature.

### **Concurrence Agency's Conditions**

Conditions applicable to this approval imposed by the following Concurrence Agencies:

- The Department of State Development, Manufacturing, Infrastructure and Planning is a concurrence agency with regard to this development approval. The attached concurrence agency response from this department, dated 2 October 2019 forms part of this Decision Notice.





- Access for small vehicles only - during operation
- Main construction access
- Highway
- Local Road
- Landscape strip (5m width)
- Site
- Site office
- Temporary construction area
- Substation and potential battery storage location
- Existing easements
- Site cadastral
- Cadastral
- Development area
- Waterbody
- Watercourse (10m development area setback)
- Watercourse (25m development area setback)
- Watercourse (Outside Site)



Development Plan  
**Woollooga Solar  
PV Farm A**  
Lightsource BP





Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

SARA reference: 1907-12224 SRA  
Council reference: 2019-2703

2 October 2019

Chief Executive Officer  
Gympie Regional Council  
PO Box 155  
GYMPIE QLD 4570  
planning@gympie.qld.gov.au

Attention: Curtis McMillan

Dear Mr McMillan

## SARA response—3317 Gympie Woolooga Road, Lower Wonga

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 24 July 2019.

### Response

Outcome:	Referral agency response – with conditions.
Date of response:	2 October 2019
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

Description:	Development permit	Material Change of Use for Renewable Energy Facility (Solar Farm)
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the Planning Regulation 2017	
	Development application for a material change of use within 25 metres of a State controlled road	

SARA reference: 1907-12224 SRA

Assessment Manager: Gympie Regional Council

Street address: 3317 Gympie Woollooga Road, Lower Wonga

Real property description: Lots 107 on LX562 and 232 on LX2383

Applicant name: Lightsource Development Services Australia  
C/- RPS Group

Applicant contact details: PO Box 1559  
FORTITUDE VALLEY QLD 4006  
henry.kassay@rpsgroup.com.au

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Refused
- Reference: TMR19-027862
- Date: 18 September 2019

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at WBB.IDAS@tmr.qld.gov.au.

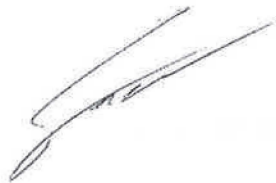
## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Cavannah Deller, Planning Officer, on (07) 4331 5614 or via email WBB.SARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Garth Nolan  
Manager, Planning and Development Services – SEQ North

cc Lightsource Development Services Australia, henry.kassay@rpsgroup.com.au

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Material change of use</b>		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – State Transport Corridors and Future State Transport Corridors—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
<b>Vegetation Buffer</b>		
1.	The vegetation buffer associated with the development must be carried out generally in accordance with the following plan: <ul style="list-style-type: none"> <li>Solar Farm A Buffer Plan, prepared by RPS Australia East Pty Ltd, dated 20 June 2019, reference SFA-L0.01, revision C as amended in red by SARA.</li> </ul>	Prior to the installation of the solar panels and to be maintained at all times
<b>Road Works on a State Controlled Road</b>		
2.	(a) Road works compromising a Channelised Right Turn Treatment with a Short Turn Slot must be provided at the Gympie-Woolooga Road/Tones Road intersection generally in accordance with Figure 7.5 of Austroads' Guide to Road Design Part 4A: Signalised and Unsignalised Intersections 2010, and an 8 metre wide sealed section for the first 50 metres of Tones Road;  (b) The road access works must be designed and constructed in accordance with the Department of Transport and Main Roads' <i>Road Planning Design Manual 2<sup>nd</sup> Edition, Technical Standards and Standard Drawings Roads</i> .	Prior to commencing construction of the development
<b>Haulage on State Controlled Roads</b>		
3.	All haulage and construction vehicles must not enter the Bruce Highway (that is the return trip from the site) using the Wide Bay Highway/Bruce Highway intersection between the hours of 08:00 and 10:00, and 14:00 and 16:00 on all days of the week to gain entry to the Bruce Highway.	At all times during the construction of the development until the Department of Transport and Main Roads Project Number 232/10B/475332 is completed and opened for use by the public
<b>Construction Management</b>		
4.	(a) A Construction Management Plan must be prepared by a suitably qualified person and certified by a Registered Professional Engineer of Queensland (RPEQ) and given to the District Director (Wide Bay Burnett) within the Department of Transport and Main Roads via WBB.IDAS@tmr.qld.gov.au or post to Locked Bag 486, BUNDABERG QLD 4670.  (b) The construction Management Plan must demonstrate how any disruption to the Bruce Highway, Wide Bay highway and Gympie-Woolooga Road will be appropriately managed during the course of construction to ensure that safety and efficiency of those roads	(a) and (b) Prior to obtaining development approval for building work or operational work, whichever occurs first



	<p>is not adversely affected. The Construction Management Plan must include, but may not be limited to:</p> <ul style="list-style-type: none"> <li>• identification and contact details of the Principal Contractor;</li> <li>• a detail schedule for the construction works;</li> <li>• measures to mitigate the traffic impact on the Wide Bay Highway/Bruce Highway intersection (noting this intersection may have undergone upgrades by the time the works commence);</li> <li>• the management of traffic accessing the site to ensure that there is no disruption to through traffic on the Wide Bay Highway;</li> <li>• measures to mitigate impacts on the Gympie-Woolooga Road;</li> <li>• a restriction on vehicles exceeding 19 metres in length associated with the proposed development from using the Gympie-Woolooga Road; and</li> <li>• demonstrate what measures to mitigate sunstrike are going to be installed and managed during construction.</li> </ul> <p>(c) The construction of the development must be in accordance with the Construction Management Plan.</p>	<p>(c) For the duration of the construction of the development</p>
<b>Stormwater Management</b>		
5.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the Wide Bay Highway (state-controlled road).</p> <p>(b) Any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the state-controlled road</li> <li>(ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road</li> <li>(iii) surcharge any existing culvert or drain on the state-controlled road;</li> <li>(iv) reduce the quality of stormwater discharge onto the state-controlled road.</li> </ul>	<p>(a) and (b) At all times.</p>
<b>Vehicular Access to the State Controlled Road</b>		
6.	<p>Direct access is not permitted between Gympie-Woolooga Road and the subject site.</p>	<p>At all times</p>

## Attachment 2—Advice to the applicant

General Advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.5. If a word remains undefined it has its ordinary meaning.
2.	<p><b>National Heavy Vehicle Regulator</b></p> <p>Department of Transport and Main Roads have advised that the Gympie -Woolooga Road is not a B-double route, unless specific approval has been obtained from the National Heavy Vehicle Regulator (NHVR) under the <i>Heavy Vehicle National Law Act 2012</i> (Cwith).</p> <p>In this regard, assumptions that include multi combination vehicles using Wide Bay Highway or other roads (whether state-controlled or local roads) that are not as-of-right for the vehicle combination proposed cannot be accepted by the Department of Transport and Main Roads without suitable written evidence from the NHVR approving the route(s) relied upon or identified in a construction management plan.</p> <p>For further information about the route approval process, please contact the NHVR on 1300 696 487 or visit <a href="http://www.nhvr.gov.au">www.nhvr.gov.au</a></p>
Further Development Permits Required	
3.	<p><b>Road Works</b></p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from Department of Transport and Main Roads to carry out road works on a State-controlled road. Please contact Department of Transport and Main Roads on (07) 4154 0200 or by email to <a href="mailto:bundaberg@tmr.qld.gov">bundaberg@tmr.qld.gov</a> to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road access works approval process takes time, please contact Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

### **Attachment 3—Reasons for referral agency response**

(Given under section 56(7) of the *Planning Act 2016*)

**The reasons for the department's decision are:**

- The development will not adversely impact the operating performance of the State controlled road network.
  - o The development has been conditioned to provide a construction management plan which manages any disruption to the State controlled road network.
- The development will not adversely impact on planned upgrades of the State controlled road network.
  - o The development has been conditioned to limit haulage and other construction vehicles associated with the development from using the Wide Bay Highway to enter the Bruce Highway during peak traffic, due to the current condition of the intersection. The limit is only required until upgrade works on the intersection are completed, to ensure no impacts on the State controlled road network or planned upgrades.
- The development will not create a safety hazard for, or distract, users of the State controlled road.
  - o The development has been conditioned to provide a vegetated buffer to the development site boundaries to screen any light reflected from the solar panels.

**Material used in the assessment of the application:**

- Development application common material
- *Planning Act 2016*
- Planning Regulation 2017
- State Development Assessment Provisions (version 2.5)
- Development Assessment Rules
- Development Assessment Mapping System

## **Attachment 4—Change representation provisions**

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## **Attachment 5—Approved plans and specifications**

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Our ref TMR19-027862  
Applicant ref PR143407  
Enquiries Ian Leyton



Department of  
**Transport and Main Roads**

18 September 2019

## **Decision Notice – Access Prohibited (s62(1) *Transport Infrastructure Act 1994*)**

Development application reference number 2019-2703, lodged with Gympie Regional Council involves constructing or changing a vehicular access between Lots 107LX562 and 232LX2383 the land the subject of the application, and Gympie-Woolooga Road (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

### **Applicant Details**

Name and address Lightsource Development Services Australia C/- RPS  
PO Box 1559  
Fortitude Valley QLD 4006

### **Application Details**

Address of Property Gympie-Woolooga Road, Lower Wonga QLD 4570  
Real Property Description 107LX562 and 232LX2383  
Aspect/s of Development Development Permit for a Material Change of Use for Renewable Energy Facility (Solar Farm)

### **Decision (given under section 67 of TIA)**

It has been decided that:

1. All access between the state-controlled road and the land subject of the application is prohibited.
2. Any existing access locations between Gympie Woolooga Road and must be permanently closed and removed prior to commencing construction of the Renewable Energy Facility. In this regard any gates must be removed and fencing reinstated to match adjoining and any roadside table drainage regraded to match adjoining.

### **Reasons for the decision**

The reasons for this decision are as follows:

- a) Access is available via the local road network and this access is proposed to be constructed as part of the construction phase.
- b) Available sight distance at existing access proposed for operational access does not meet sight distance standards set out in the Department of Transport and Main Roads' Road Planning and Design Manual 2<sup>nd</sup> Edition.



Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

**Information about the Decision required to be given under section 67(2) of TIA**

In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

**Further information about the decision**

1. In accordance with section 67(7) of TIA, this decision notice:
  - a) starts to have effect when the development approval has effect; and
  - b) stops having effect if the development approval lapses or is cancelled; and
  - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA is attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

If further information about this approval or any other related query is required, Mr Ian Leyton, Development Control Officer (Adjacent Land Management) should be contacted by email at WBB.IDAS@tmr.qld.gov.au or on (07) 5482 0367.

Yours sincerely



Adam Fryer  
**Principal Advisor (Corridor & Land Management)**

Attachments: Attachment A – Decision evidence and findings  
Attachment B - Section 70 of TIA  
Attachment C - Appeal Provisions

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

1. The objective of the *Transport Infrastructure Act 1994* requires that the establishment of a State-controlled road network that is safe and efficient.
2. Section 62 of the *Transport Infrastructure Act 1994* allows the Department of Transport and Main Roads to make decisions about permitted road access locations and usage of the location between particular/adjacent land and a state-controlled road.
3. Gympie Woolooga Road is gazetted as a state controlled road.
4. Access to the proposed development, being a renewable energy (solar farm) that has access to a local road (Tones Road) proposed to be 270 metres from the intersection with Gympie Woolooga Road. This access point is the preferred access location as recommended in section 2.4 of the Traffic Impact Assessment prepared by SLR reference 620.13059-R02 dated 1 July 2019.
5. Sight distance is constrained at the existing property access proposed for use in the operational stage does not meet standards set out in the Department of Transport and Main Roads' Road Planning and Design Manual 2<sup>nd</sup> Edition. Access for the proposal at that location is not acceptable to the department.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
Development Plan Woolooga Solar PV Farm A	RPS	Compiled 21 June 2019	--	--
Town Planning Report and Appendices	RPS	21/06/2019	143407	1
Traffic Impact Assessment	SLR Consultong Australia Pty Ltd	1 July 2019	620.13059-R0 2-V1.0	1.0
Road Planning and Design Manual 2 <sup>nd</sup> Edition	Department of Transport and Main Roads	July 2013	-	2 <sup>nd</sup> Edition



**Attachment B**

**Section 70 of TIA**

*Transport Infrastructure Act 1994*

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

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**70 Offences about road access locations and road access works, relating to decisions under s 62(1)**

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
  - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
  - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
  - (c) obtain any other access between the land and the road contrary to the decision; or
  - (d) use a road access location or road access works contrary to the decision; or
  - (e) contravene a condition stated in the decision; or
  - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
  - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

**Attachment C**  
**Appeal Provisions**

*Transport Infrastructure Act 1994*  
Chapter 16 General provisions

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**485 Internal review of decisions**

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
  - (a) applies to the review; and
  - (b) provides—
    - (i) for the procedure for applying for the review and the way it is to be carried out; and
    - (ii) that the person may apply to QCAT to have the original decision stayed.

**485B Appeals against decisions**

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
  - (a) applies to the appeal; and
  - (b) provides—
    - (i) for the procedure for the appeal and the way it is to be disposed of; and
    - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
  - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

- (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.
- (5) The court may order—
  - (a) the appeals to be heard together or 1 immediately after the other; or
  - (b) 1 appeal to be stayed until the other is decided.
- (6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.
- (7) In this section—

**original decision** means a decision described in schedule 3.

**reviewed decision** means the chief executive's decision on a review under section 485.

### **31 Applying for review**

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
  - (a) the notice did not state the reasons for the original decision; and
  - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

### **32 Stay of operation of original decision**

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
  - (a) may be given on conditions the relevant entity considers appropriate; and
  - (b) operates for the period specified by the relevant entity; and
  - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

**relevant entity** means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

### **35 Time for making appeals**

(1) A person may appeal against a reviewed decision only within—

- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
- (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

## Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

### Part 6: Changes to the application and referral agency responses

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#### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.





- LEGEND
- SUBJECT SITE
  - PLANTED BUFFER
    - EXTENT AS PER DEVELOPMENT PLAN
    - REFER TO INDICATIVE SECTION
  - DEVELOPABLE AREA
    - REFER TO LOWER WONGA SOLAR PV FARM DEVELOPMENT PLAN

## PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 1907-12224 SRA

Date: 2 October 2019



Amended in red by SARA on 2 October 2019

The width of, and species used for, the vegetation buffer must be sufficient to prevent reflection of light between the solar panels and the State controlled road

## PLANTING SCHEDULE

Plant species selected from Regional Ecosystems 12.11.18, 12.11.17 & 12.11.6. Where new plantings interact with existing vegetation distribute species locations accordingly to suit the existing vegetation, otherwise distribute species evenly across buffer in same species stands of 5 and 7.

Lower Strata	Target planting density - existing densities
	Existing herbaceous cover
Mid Strata	Target planting density - 1 plant/6m2
	Acacia complanata
	Acacia conferta
	Alphitonia excelsa
	Hovea acutifolia
	Leptospermum petersonii
	Leptospermum polygalifolium
	Macaranga tanarius
	Pultenaea villosa
Upper Strata	Target planting density - 1 plant/50m2
	Angophora leiocarpa
	Corymbia citriodora supsp variegata
	Corymbia intermedia
	Corymbia tessellaris
	Cupaniopsis anacardioides
	Elaeocarpus eumundii
	Elaeocarpus reticulatus
	Eucalyptus crebra
	Eucalyptus moluccana
	Eucalyptus siderophloia
	Eucalyptus tereticornis
	Flindersia australis
	Flindersia schottiana
	Glochidion ferdinandi
	Lophostemon confertus
	Lophostemon suaveolens

Planting installation size - 75mm Tube Stock - Refer to revegetation detail.

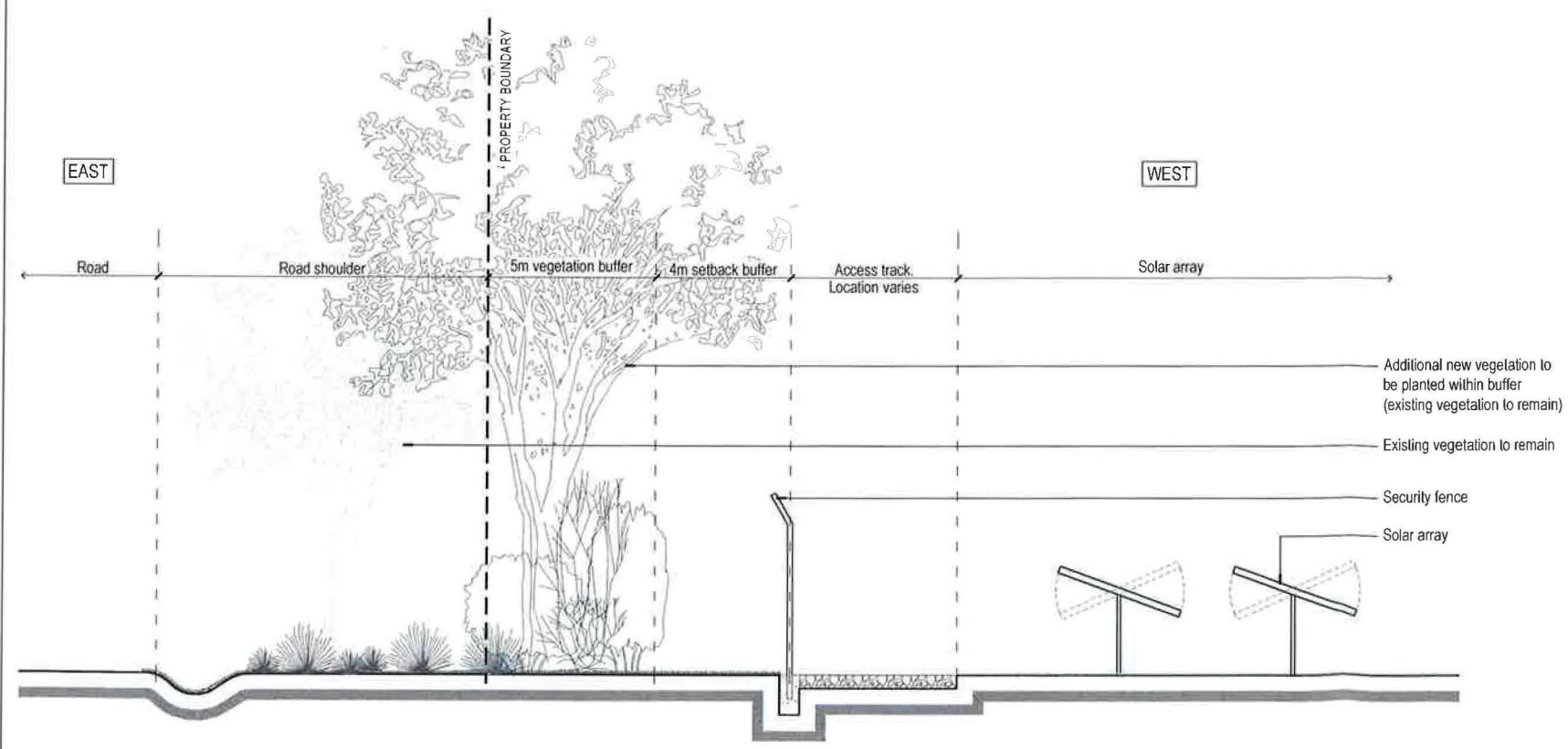
## FOR INFORMATION

rev	no	description	date	drawn	appr
C	PRELIMINARY		20/06/2019	TC	TC
B	PRELIMINARY		14/05/2019	JM	TC
A	PRELIMINARY		13/05/2019	JM	TC

PLEASE NOTE: Annotated dimensions take precedence over scaled dimensions. Contractors are to verify all dimensions on site before commencing any work or producing shop drawings. These drawings are protected by copyright and may not be copied or reproduced without the written permission of RPS Australia East Pty Ltd's management. Refer to L0-00 (cover sheet) for RPS Australia East Pty Ltd drawing disclaimers.

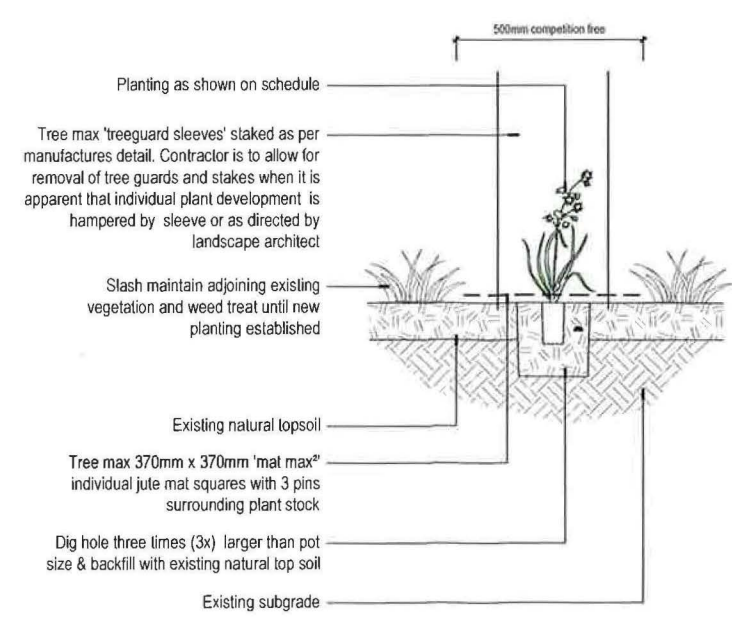
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client	LIGHTSOURCE BP		
project name	WOOLLOOGA SOLAR FARM A		
project location	LOWER WONGA, QLD		
title	SOLAR FARM A BUFFER PLAN		
scale	AS SHOWN		
project number	143407-1	northpoint	
drawing number	SFA-L0.01	rev	
		C	



02 INDICATIVE CROSS SECTION A - RESIDENTIAL INTERFACE  
SCALE 1:100

- Note:
- Maintain 500mm competition free area around desired plants
  - Take care to preserve existing desirable vegetation during installation of the tubestock and site mulch



03 TYPICAL SPOT REVEGETATION PLANTING  
SCALE 1:10