

29 August 2024



Our Ref: DA5818A  
(MSLink107657)

Attexo Group Pty Ltd  
PO Box 617  
Fortitude Valley QLD 4006

Rockhampton Regional Council  
PO Box 1860  
Rockhampton, QLD 4700

Attention: Sue Walker  
Email: sue.walker@attexo.com.au  
Application: D/90-2024

Attention: Sophie Muggeridge  
Email: Sophie.Muggeridge@rrc.qld.gov.au

Dear Ms Walker,

### Referral Agency Response (Advice)

(Given under section 9.2 of the Development Assessment Rules)

Transmission Infrastructure Impacted	
Transmission Corridor	Calvale - Stanwell (275kv) Transmission Line Corridor
Easement ID	Easement B on RN1575 (Dealing No. 602802801) Easement A on RN1575 (Dealing No. 602802801)
Location Details	
Street address	42 Boulder Creek Rd, Boulder Creek
Real property description	Lot 42 on RN244
Local government area	Rockhampton Regional Council
Application Details	
Proposed development:	Reconfiguring a Lot (Registration of a Lease exceeding a term of 10 years)
Approval sought	Change to current ROL development application D/90-2024

We refer to the above referenced development application which has been given to Powerlink Queensland in accordance with Section 52 of the *Planning Act 2016*.

In accordance with its jurisdiction under Schedule 10 Part 9 Division 2 of the *Planning Regulation 2017*, Powerlink Queensland would be a **Referral Agency (Advice)** for the above development application.

Specifically, the application would be triggered for assessment by Powerlink Queensland because:

1. For **reconfiguring a lot** – all or part of the lot is subject to a transmission entity easement which is part of the transmission supply network (Table 1 1(a))

**This response before application is provided based on the information outlined in Table 1 and on the understanding that it will accompany a Development Application to Rockhampton Regional Council within 3 months. If these circumstances change this advice is void and referral in accordance with the *Planning Regulation 2017* is required.**

33 Harold Street, Virginia  
PO Box 1193, Virginia, Queensland 4014, Australia  
Telephone: (07) 3860 2111 Facsimile: (07) 3860 2100  
[www.powerlink.com.au](http://www.powerlink.com.au)

Powerlink Queensland is the registered business name of the  
Queensland Electricity Transmission Corporation Limited  
ABN 82 078 849 233

## 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**

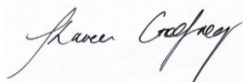
Drawing / Report Title	Prepared by	Dated	Reference No.	Version / Issue
Boulder Creek Wind Farm Site Overview	Attexo Group Pty Ltd	27.08.2024	24527-MP-03 1 of 3	C
Boulder Creek Wind Farm Site Overview Rockhampton R.C	Attexo Group Pty Ltd	27.08.2024	24527-MP-03 2 of 3	C
Boulder Creek Wind Farm Site Overview Banana Shire Council	Attexo Group Pty Ltd	27.08.2024	24527-MP-03 3 of 3	C

Powerlink Queensland, acting as a Referral Agency (Advice) under the Planning Regulation 2017 provides its response to the application as attached (**Attachment 1**).

Please treat this response as a properly made submission for the purposes of Powerlink being an eligible advice agency in accordance with the *Planning Act 2016*.

For further information please contact our Property Services Team via email [property@powerlink.com.au](mailto:property@powerlink.com.au) who will be pleased to assist.

Yours sincerely



for: Peter Hornburg

**PROPERTY MANAGEMENT TEAM LEADER**

## ATTACHMENT 1 – REFERRAL AGENCY (ADVICE) RESPONSE

Powerlink Queensland **supports** this application subject to the inclusion of the following conditions in the Assessment Manager's Decision Notice.

No.	Condition	Timing	Reason
1	The development must be carried out generally in accordance with the reviewed plans detailed in Table 1.	At all times.	To ensure that the development is carried out generally in accordance with the plans of development submitted with the application.
2	The statutory clearances set out in the <i>Electrical Safety Regulation 2013</i> must be maintained during construction and operation. No encroachment within the statutory clearances is permitted.	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met.
3	Compliance with the terms and conditions of the easement dealing no. shown in the heading of this letter.	At all times.	To ensure that the existing rights contained in the registered easement dealings are maintained.
4	Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure as detailed in the enclosed Annexure "A".	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met. To ensure the integrity of the easement is maintained.

### Advice to Council and the Applicant

- Should any doubt exist in maintaining the prescribed clearance to electrical infrastructure the applicant is obliged under the *Electrical Safety Act 2002* to seek advice from Powerlink.
- 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.

## ATTACHMENT 2 – ASSESSED PLANS

## ANNEXURE A – GENERIC REQUIREMENTS

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

### 1. POWERLINK INFRASTRUCTURE

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

### 2. STRUCTURES

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

### 3. EXCLUSION ZONES

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

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

### 4. ACCESS AND EGRESS

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

### 5. APPROVALS (ADDITIONAL)

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

### 6. MACHINERY

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

## **ANNEXURE A – GENERIC REQUIREMENTS**

### **7. EASEMENTS**

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

### **8. EXPENDITURE AND COST RECOVERY**

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

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

### **9. EXPLOSIVES**

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

### **10. BURNING OFF OR THE LIGHTING OF FIRES**

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

### **11. GROUND LEVEL VARIATIONS**

#### **Overhead Conductors**

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

#### **Underground Cables**

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

### **12. VEGETATION**

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

### **13. INDEMNITY**

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

## ANNEXURE A – GENERIC REQUIREMENTS

### 14. INTERFERENCE

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

### 15. REMEDIAL ACTION

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

### 16. OWNERS USE OF LAND

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

### 17. ELECTRIC AND MAGNETIC FIELDS

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

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

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

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

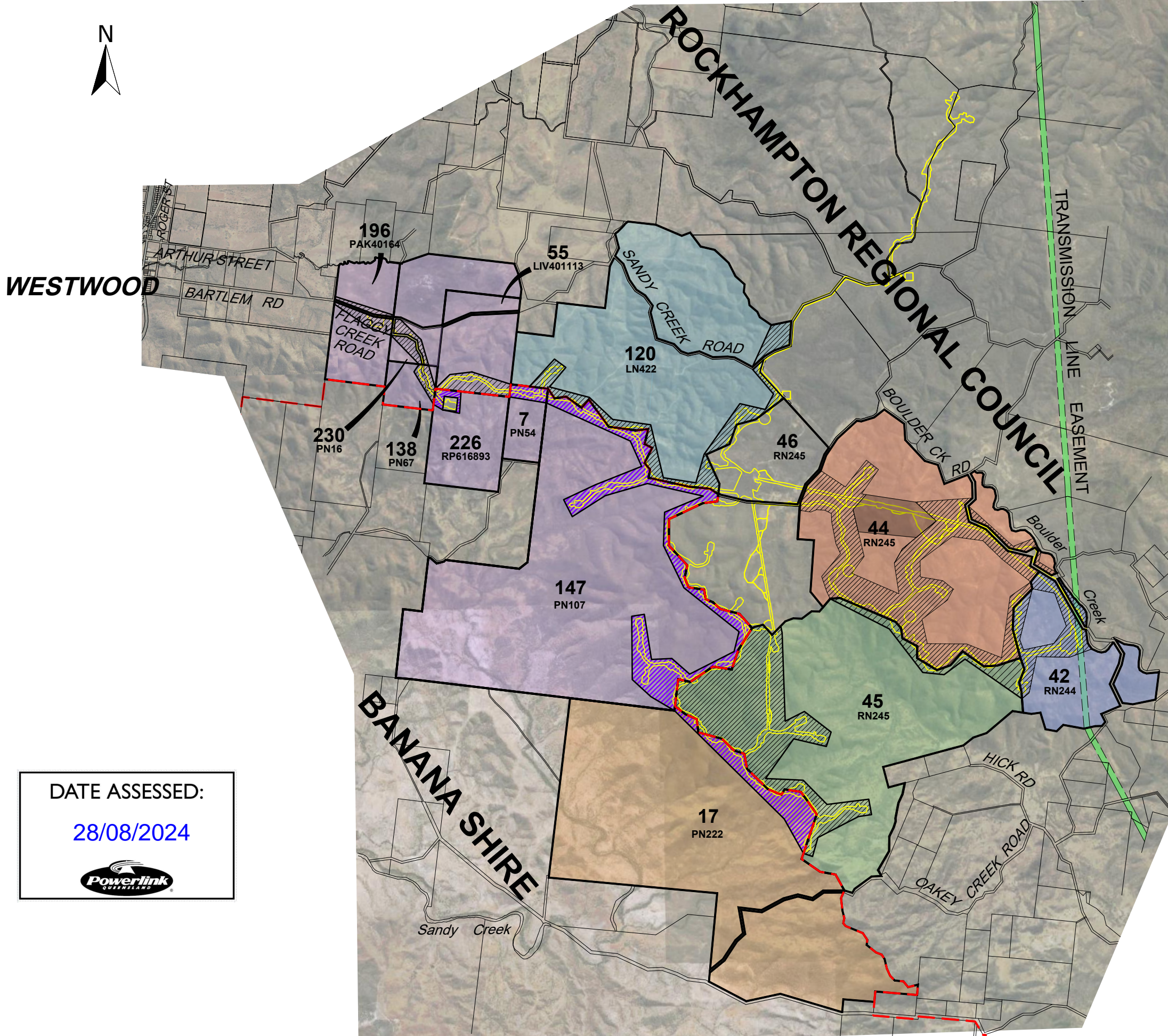
The level of EMF decreases rapidly with distance from the source. EMF readings at the edge of a typical Powerlink easement are generally similar to those encountered by people in their daily activities at home or at work. And in the case of most Powerlink lines, at about 100 metres from the line, the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

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

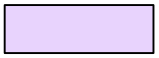





We encourage community members with an interest in EMF to visit ARPANSA's website: [www.arpansa.gov.au](http://www.arpansa.gov.au) Information on EMF is also available on the ENA's website: [www.ena.asn.au](http://www.ena.asn.au)



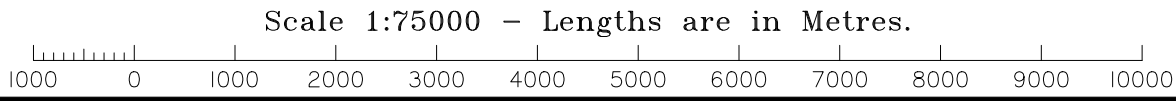

# BOULDER CREEK WIND FARM SITE OVERVIEW



## LEGEND

	<b>LANDHOLDER 2</b> LEASE AREA (RCC) 112 Ha LEASE AREA (BSC) 320 Ha TOTAL LEASE AREA 432 Ha
	<b>LANDHOLDER 3</b> RRC LEASE AREA 157 Ha
	<b>LANDHOLDER 5</b> RRC LEASE AREA 556Ha
	<b>LANDHOLDER 6</b> BSC LEASE AREA 102Ha
	<b>LANDHOLDER 7</b> RRC LEASE AREA 537Ha
	<b>LANDHOLDER 8</b> RRC LEASE AREA 115Ha

DATE ASSESSED:  
**28/08/2024**

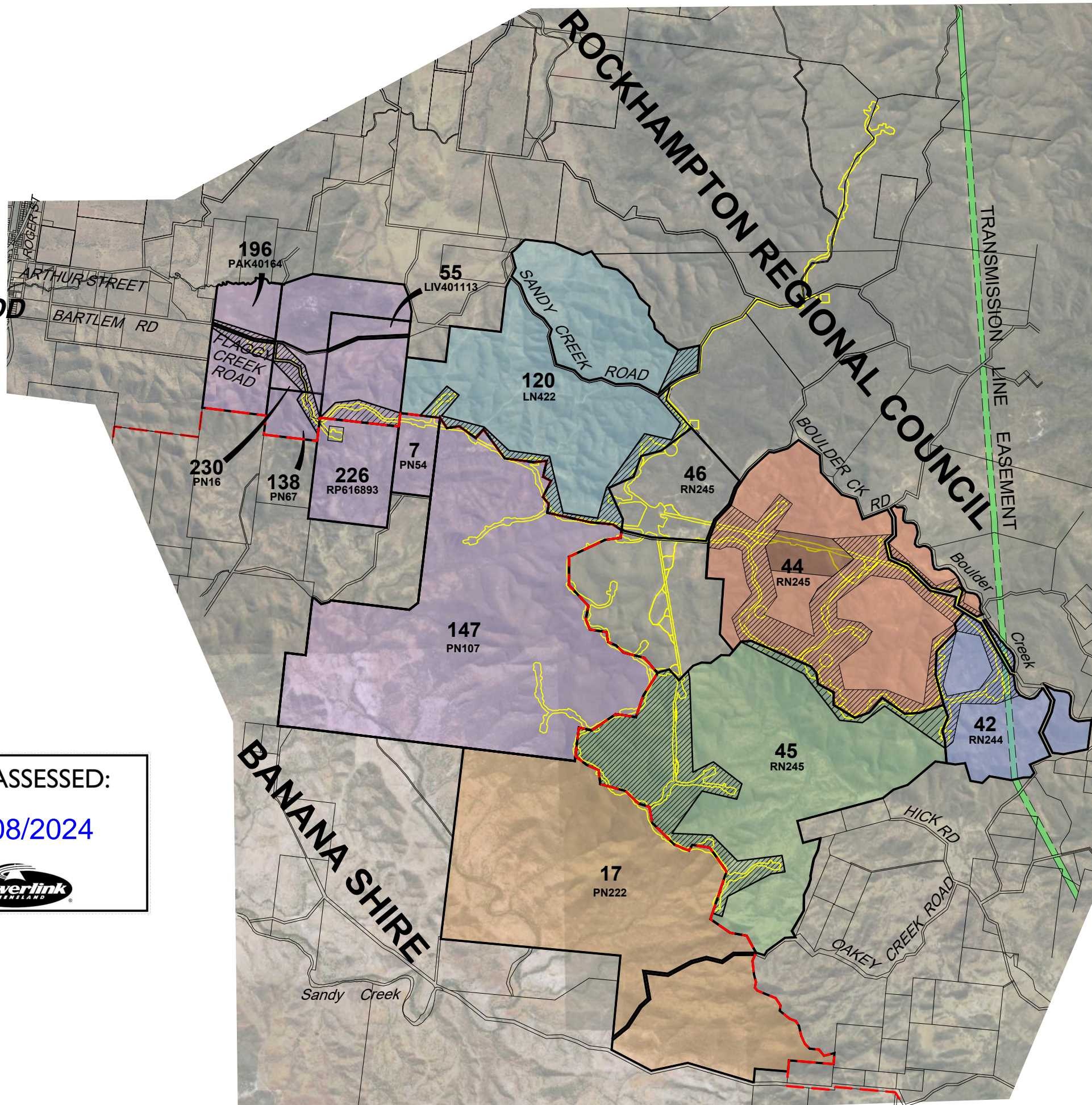
Airlie Beach | Mackay | Townsville | Rockhampton | Brisbane | Gold Coast  
 E : admin@visionsurveysqld.com.au P : 13000VISION

Scale: 1 : 75000 @ A3	DWG No: 24527-MP-03
Surveyed: -	Sheet: 1 of 3
Drawn: AG	Revision: C





WESTWOOD



# BOULDER CREEK WIND FARM SITE OVERVIEW

Rockhampton R.C.

## LEGEND

- LANDHOLDER 2  
RRC LEASE AREA 112 Ha
- LANDHOLDER 3  
RRC LEASE AREA 157 Ha
- LANDHOLDER 5  
RRC LEASE AREA 556 Ha
- LANDHOLDER 7  
RRC LEASE AREA 537 Ha
- LANDHOLDER 8  
RRC LEASE AREA 115 Ha

DATE ASSESSED:

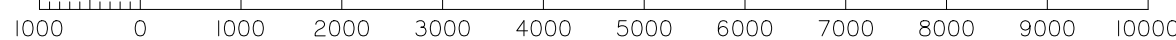
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BANANA SHIRE

ROCKHAMPTON REGIONAL COUNCIL

Scale 1:75000 - Lengths are in Metres.



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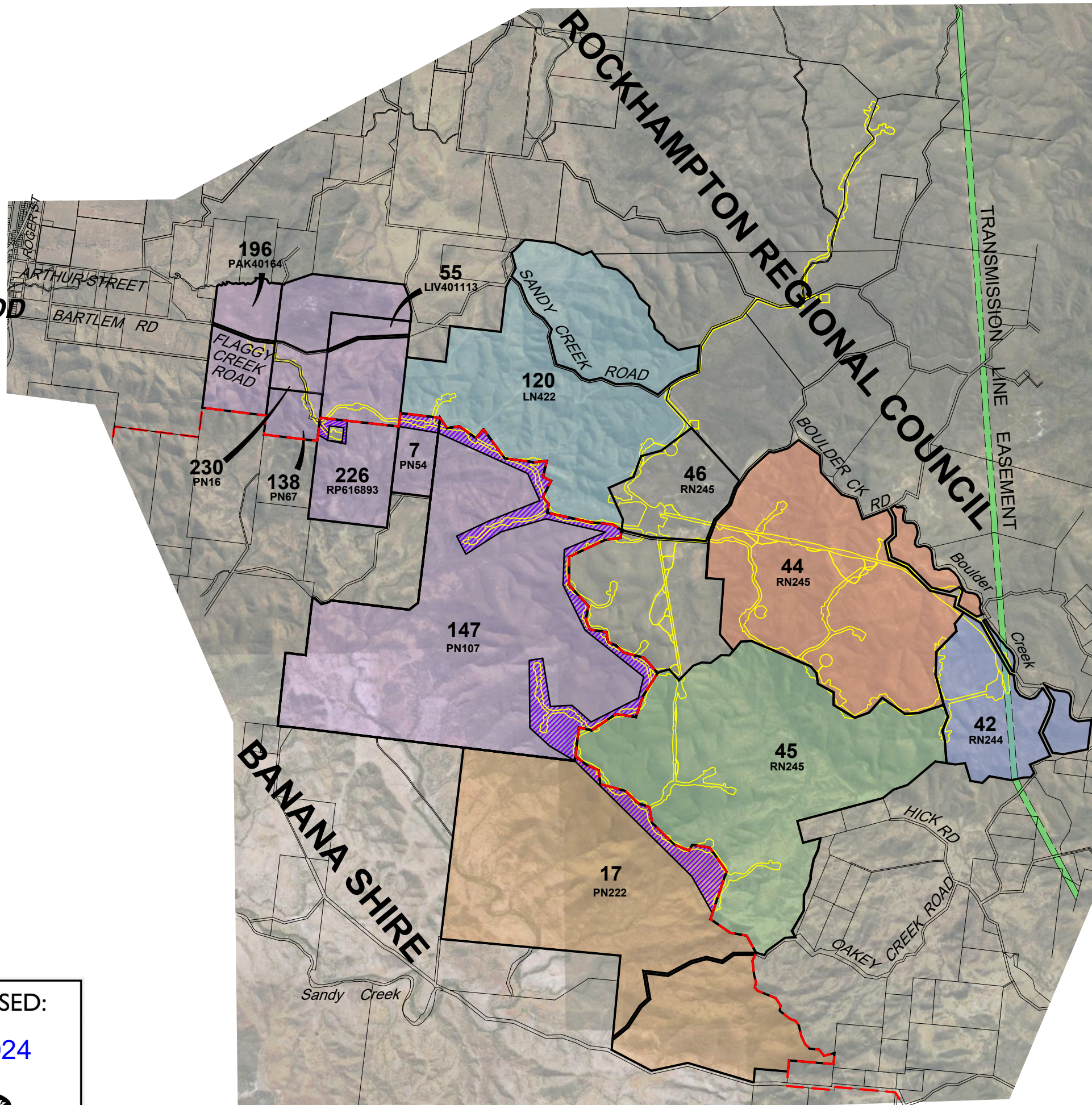
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WESTWOOD



# BOULDER CREEK WIND FARM SITE OVERVIEW

Banana Shire Council

## LEGEND

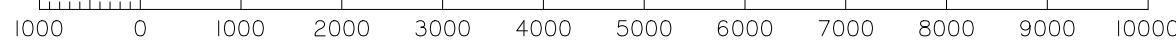
- LANDHOLDER 2  
BSC LEASE AREA 320Ha
- LANDHOLDER 6  
BSC LEASE AREA 102 Ha

DATE ASSESSED:

28/08/2024



Scale 1:75000 - Lengths are in Metres.



Airlie Beach | Mackay | Townsville | Rockhampton | Brisbane | Gold Coast

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Scale: 1 : 75000 @ A3	DWG No: 24527-MP-03
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Surveyed: -	Sheet: 3 of 3
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Drawn: AG	Revision: C
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SARA reference: 2408-41730 SRA  
 Council reference: D/90-2024  
 Applicant reference: GIG-001

9 September 2024

Chief Executive Officer  
 Rockhampton Regional Council  
 PO Box 1860  
 Rockhampton QLD 4700  
 enquiries@rrc.qld.gov.au

Dear Sir/Madam

## **SARA referral agency response— 4892 Capricorn Highway, Westwood, 1080 Sandy Creek Road, Bushley, Lot 42 Boulder Creek Road, Boulder Creek, 1481 Boulder Creek Road, Boulder Creek, and 940 Oakey Creek Road, Oakey Creek**

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 14 August 2024.

### **Response**

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Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	9 September 2024
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### **Development details**

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Description:	Development Permit for Reconfiguring a Lot for a Lease (term exceeding 10 years) over the approved Boulder Creek Wind Farm site
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 1, Table 1, Item 1 (10.9.1.1.1) Development on premises that are the subject of a Ministerial designation (Planning Regulation 2017)



SARA reference: 2408-41730 SRA

Assessment manager: Rockhampton Regional Council

Street address: 4892 Capricorn Highway, Westwood, 1080 Sandy Creek Road, Bushley, Lot 42 Boulder Creek Road, Boulder Creek, 1481 Boulder Creek Road, Boulder Creek, and 940 Oakey Creek Road, Oakey Creek

Real property description: Lot 196 on PAK40164, Lot 230 on PN16, Lot 138 on PN67, Lot 55 on LIV401113, Lot 120 on LN422, Lot 42 on RN244, Lot 44 on RN245 and Lot 45 on RN245

Applicant name: Boulder Creek Wind Farm Pty Ltd

Applicant contact details: C/- Attexo Group Pty Ltd  
Level 4, TC Beirne Building, PO Box 617  
Fortitude Valley QLD 4006  
sue.walker@attexo.com.au

*Human Rights Act 2019* considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

## Representations

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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 3**.

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

For further information please contact Alice Davis, Principal Planning Officer, on (07) 5644 3223 or via email RockhamptonSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh  
Manager Planning

cc Boulder Creek Wind Farm Pty Ltd, C/- Attexo Group Pty Ltd via email sue.walker@attexo.com.au

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations about a referral agency response provisions

## Attachment 1 — Advice to the applicant

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General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> and its regulation. If a word remains undefined it has its ordinary meaning.



## **Attachment 2—Reasons for referral agency response**

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

### **The reasons for SARA's decision are:**

Without conditions, the development is consistent with the designation with reference 481. Specifically, the development for the lease areas is related infrastructure that is consistent with the purpose of the easement and designation.

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

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the Development Assessment Rules
- the infrastructure designation
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

## **Attachment 3— Representations about a referral agency response provisions**

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# 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.