

Appendix A

Development Approval



Document ID: SODR-1262144384-26246
Enquiries: Brad Allen



Zephyr Energy Pty Ltd
C/- Element Advisory Pty Ltd
18/191 St Georges Terrace
PERTH WA 6000

6 January 2025

Dear Claire

PROPOSED PARRON WIND FARM EXPANSION TO 79 TOTAL WIND TURBINE GENERATORS

I refer to the above application and advise that the Dandaragan Shire Council granted development approval at their Ordinary Meeting held on 19 December 2024.

Accordingly attached is a formal 'Notice of Development Approval' which you are encouraged to read thoroughly and become familiar with the respective conditions of approval. Should you have any further queries, please contact the undersigned at the Jurien Bay Administration Centre during normal office hours.

Furthermore, should you be aggrieved by this decision, or any conditions imposed, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of the determination.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Brad Allen", is placed over a white rectangular background.

Brad Allen
PLANNING OFFICER



**PLANNING AND DEVELOPMENT ACT 2005
DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL**

Location: 'Parron Place' comprising of Lots 3738, 3739, 3742, 3743, 3744 in the Badgingarra & Hill River

Lot: 3738, 3739, 3742, 3743, 3744

Plan / Diagram:

Volume No:

Folio:

Application Date: 14 October 2024

Received on: 14 October 2024

Description of proposed development:

The application for development approval is:

- granted subject to the following conditions:
 refused for the following reason (s):

Conditions:

1. This development approval is valid until 12 December 2029. If the development is not substantially commenced within this period, the approval shall lapse and be of no further effect.
2. All development shall occur in accordance with the approved plans unless varied by a condition of approval or a minor amendment, to the satisfaction of the Shire of Dandaragan.
3. The approved wind turbines may be micro-sited within a 300 m radius of the turbine locations on the endorsed development plans. Prior to the commencement of construction, amended development plans, including the final siting of wind turbine locations, shall be submitted to and approved by the Shire of Dandaragan.
4. Prior to the commencement of construction, detailed design drawings for any upgrades to site access and associated roadworks (including drainage and signage) are to be submitted to and approved by the Shire of Dandaragan. Costs associated with the construction of road access and upgrades shall be borne by the proponent.

- 5. Local construction traffic access to the proposed development may be allowed along the local roads of Cowalla Road, Cadda Road and Yerramullah Road. Confirmation of the construction access route is to be confirmed in a Construction and Traffic Management Plan, to be submitted to and approved by the Shire of Dandaragan prior to the commencement of construction. The proponent will be required to undertake routine maintenance works on the approved local construction access route for the duration of the construction phase.**

The cost of routine maintenance will be determined on a shared basis with the Shire of Dandaragan (to be agreed prior to construction and based on forecast traffic volumes).
- 6. The proponent, in consultation with the Shire of Dandaragan, shall commission a Road Condition Report for the proposed local construction access route, to be prepared by a recognised engineer (agreed to by both parties) prior to the commencement of construction. The Road Condition Report shall include, as a minimum, the following:**

 - a) suitability of the existing pavement strength (in wet and dry conditions) to cater for the proposed haulage loads and traffic volumes;**
 - b) suitability of the existing horizontal and vertical alignments to cater for the proposed haulage loads and traffic volumes;**
 - c) identify and provide plans and costings for any required upgrade works to the proposed construction access route to make it suitable for the proposed haulage loads and traffic volumes; and**
 - d) a photographic record of the condition of the access route.**

The costs associated with the preparation of the Road Condition Report and any road works identified in the Road Condition Report shall be undertaken at the cost of the proponent prior to the commencement of construction works. The Shire of Dandaragan requires the access route to be in no lesser standard at the end of the construction phase as prior to the commencement of construction.
- 7. Prior to the commencement of construction, a Construction and Traffic Management Plan shall be submitted to and approved by the Shire of Dandaragan in consultation with Main Roads WA and thereafter implemented to the satisfaction of the Shire of Dandaragan. The Construction and Traffic Management Plan shall address:**

 - a) construction timeline, process and procedures;**
 - b) storage and removal of construction waste;**
 - c) storage of equipment and machinery;**
 - d) hydrocarbon storage and spill procedures;**
 - e) construction service requirements e.g. power and water;**
 - f) the local construction access route off Brand Highway;**
 - g) the overall port to site transportation route for delivery of materials; and**
 - h) the necessary written approvals / permits from Main Roads WA Heavy Vehicle Operations Branch.**
- 8. Prior to the commencement of construction, or delivery of wind turbine components, the applicant shall demonstrate to the Shire's satisfaction that**

necessary approvals have been obtained in respect of road or intersection upgrades to secure access to the development site.

9. Prior to commencement of construction, the proponent shall provide construction traffic road signage to the specification and satisfaction of Main Roads Western Australia and the Shire of Dandaragan.
10. Noise from the operational approved development shall not exceed more than 5dB(A) above the background noise level or 35dB(A) (using LA90), whichever is the greater, at surrounding noise sensitive premises located outside the approved development boundary unless the noise sensitive premises is the subject of a neighbour waiver agreement with the relevant landowner, for which 30dB(A) indoors and 45dB(A) outdoors shall not be exceeded.
11. Prior to the commencement of construction, an updated Noise Mitigation Plan shall be submitted to and approved by the Shire of Dandaragan in consultation with the Department of Water and Environmental Regulation and thereafter implemented for the life of development to the satisfaction of the Shire of Dandaragan.
12. Prior to the commencement of construction, Surface Water Management Plans (applicable for the construction and operational phase of the project) that incorporates appropriate design methods to manage water erosion from intense summer and/or winter rainfall events, shall be submitted to and approved by the Shire of Dandaragan in consultation with the Department of Primary Industries and Regional Development.
13. Prior to the commencement of construction, a Land Rehabilitation Plan is to be submitted to and approved by the Shire of Dandaragan in consultation with the Department of Primary Industries and Regional Development, to address the rehabilitation of agricultural land after initial construction. The Decommissioning and Land Rehabilitation Plan is to be implemented to the satisfaction of the Shire of Dandaragan.
14. The proponents shall develop and implement a post construction noise monitoring program at the noise sensitive receptors to assess compliance of the operational approved development with the noise limits. The postconstruction noise monitoring program shall be conducted at the same time of year as when the background noise measurements were recorded. Results of the program shall be forwarded to the Department Water and Environmental Regulation Noise Branch.
15. Prior to the approved development being decommissioned, a Decommissioning and Rehabilitation Management Plan is to be submitted to and approved by the Shire of Dandaragan. The Decommissioning and Rehabilitation Management Plan should address the removal of above ground plant and equipment (excluding concrete pads, footings and inground cables) in order to return the lots to their pre-development state. The Decommissioning and Rehabilitation Management Plan is to be implemented to the satisfaction of the Shire of Dandaragan.
16. The applicant is to implement to the satisfaction of the Shire of Dandaragan the approved Environmental Assessment and Management Plan prepared by Emerge Associates and dated October 2024 for the life of approved development.

17. The applicant is to implement to the satisfaction of the Shire of Dandaragan the approved Bushfire Management, Risk Management, and Bushfire Emergency Response Plans prepared by Emerge Associates and dated October 2024 for the life of approved development.
18. Prior to the commencement of construction, the applicant shall demonstrate to the Shire's satisfaction that necessary approvals have been obtained in respect of road or intersection upgrades to secure access to the development site.

Advice Notes:

- A. The background noise limits for the proposed development are to be based on the prerecorded background noise measurements.
- B. The proponent shall (prior to the erection of wind turbine generators) provide notification to the RAAF Aeronautical Service, Air Service Australia and the Civil Aviation Safety Authority of the location and height details of the wind turbine generators.
- C. Any amendments resulting in significant additional environmental impacts in the opinion of the Shire of Dandaragan shall require referral to the Environmental Protection Authority.
- D. The proponent is required to obtain a Clearing Permit in accordance with the provisions of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* in the case of any proposal to clear existing remnant native vegetation on the development site.
- E. In relation to Condition 14, should the annual monitoring program for Carnaby's Black Cockatoo indicate significant impacts on Carnaby's Black Cockatoo, particularly in relation to bird strike mortalities, there may be the requirement to report these impacts to the Department of Climate Change, Energy, Environment and Water (DCCEEW).
- F. The proponent shall ensure sufficient clearance is maintained from Western Power's existing and planned transmission and distribution lines and associated facilities to the satisfaction of Western Power.
- G. Prior to the commencement of construction, the proponent shall make arrangements in consultation with the South West Aboriginal Land and Sea Council (Central Services Corporation) and Yued Corporation for any required Aboriginal heritage monitoring.
- H. In relation to Condition 6, the proponent should consult with Main Roads Western Australia, Heavy Vehicle Services and the Midwest Gascoyne Office on the proposed route.
- I. In relation to Condition 17, the proponent is required to submit an application to Main Roads WA to undertake works within the road reserve prior to undertaking any works within the Brand Highway road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads. Cowalla Road is the preferred access following a meeting and discussion with the applicant on 30 July 2024 and as indicated in the development proposal.
- J. In relation to Conditions 8 and 9, it is advised that noise from the operational approved development is to comply with the Environmental Protection (Noise)

Regulations 1997 based on the testing procedures and analysis contained in the South Australian Environmental Protection Authority's Wind Farms – Environmental Noise Guidelines (as amended).

- K. The updated acoustic report shall include measures and or procedures to address any areas of non-compliance with the maximum permitted noise levels specified in the *Environmental Protection (Noise) Regulations 1997*.**
- L. In relation to Condition 10, the movement of heavy machinery across the landscape during this rehabilitation will result in soil compaction and DPIRD recommends that the rehabilitation includes deep ripping to ensure any compacted areas/layers are broken up.**
- M. In relation to Condition 14, all cables (during operation) and footings (following decommissioning) should be at least 50cm below ground level as to not inhibit deep ripping that might be required to break up layers of compacted soil.**



Signed:

Louis Fouché, Executive Manager Development Services

Dated: 6 January 2025

for and on behalf of the Shire of Dandaragan.