

Our Ref: DA:14/11 & 15/11
Your Ref:
Enquiries: Jerom Hurley

11 January 2012

Wind Prospect WA Pty Ltd
20 Beach Road
CHRISTIES BEACH SA 5165

Dear Sir / Madam,

**APPLICATION FOR PLANNING APPROVAL - [REDACTED]
[REDACTED] YANDIN WIND FARM - RRN12762
BRAND HIGHWAY, DANDARAGAN**

The above application was presented to the last Meeting of Council on 15 December 2011.

At this meeting it was resolved that planning approval be granted for the establishment of the [REDACTED] Yandin Wind Farm subject to the attached conditions.

In relation to the conditions, the advice note refers to Condition 29 not Condition 28 as stated. Lots referred to in Condition 29 are Lots 4 (CT Vol 2751 Fol 794) and Lot 3824 (CT Vol 1585 Fol 192). I trust this clarifies these matters.

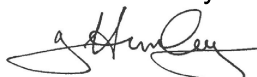
Should you have any further queries please contact the undersigned at the Jurien Bay office during normal office hours.

Should you be aggrieved by this decision, or any conditions imposed, there is a Right of Review under the *Planning and Development Act 2005*. An application for Review must be submitted in accordance with Part XIV of the *Planning and Development Act* within 28 days of the date of this decision to:

The State Administrative Tribunal
GPO Box U1991
PERTH WA 6845

** Please note a separate application is necessary for a Building Licence and no work is to commence on site prior to issue of such.

Yours faithfully



Jerom Hurley
MANAGER OF PLANNING



**PLANNING AND DEVELOPMENT ACT 2005
SHIRE OF DANDARAGAN**

DETERMINATION ON APPLICATION FOR PLANNING APPROVAL

[Clause 10.4.1 Applies]

Location:	Brand Highway	
Lot:	12762RRN	Plan / Diagram:
Volume No:	Folio:	
Application Date:	16 February 2011	Received on: 16 February 2011
Description of proposed development:	94 Wind Turbines	
The application for planning approval is:		
<input checked="" type="checkbox"/>	granted subject to the following conditions:	
<input type="checkbox"/>	refused for the following reason (s):	
Conditions:		
<ol style="list-style-type: none">1. The land use and development shall be undertaken generally in accordance with the approval plans, in a manner that is deemed to comply, to the satisfaction of the Chief Executive Officer.2. Following the submission of the development application, if the proponent proposes changes resulting in significant additional environmental impact in the opinion of the Shire of Dandaragan, these changes shall not be undertaken without prior consultation with the Shire of Dandaragan and the Environmental Protection Authority Service Unit.3. The proponent shall (prior to the erection of wind turbine generators) provide notification to the RAAF Aeronautical Service of the location and height details of the wind turbine generators.4. The proponent shall (prior to the erection of wind turbine generators) provide notification to Air Services Australia of the location and height details of the wind turbine generators.5. The proponent shall (prior to the erection of wind turbine generators) provide notification to CASA of the location and height details of the wind turbine generators.6. The proponent shall (prior to the erection of wind turbine generators) provide notification to Aerial Agricultural Association of Australia of the location and height details of the wind turbine generators.7. 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.8. The proponent shall offer nearby residents that may be affected by electromagnetic interference a pre-construction and post-construction assessment of television reception and will remedy any reception problems attributable to the presence of the wind farm.9. The proponent shall provide a Traffic Management Plan to Main Roads WA and the Shire of Dandaragan prior to the commencement of construction. The Traffic Management Plan shall address;<ul style="list-style-type: none">▪ details of the selected transportation route;▪ detailed traffic management measures;		


- transportation of materials to the project site;
 - obtaining the necessary written approvals / permits from Main Roads WA Heavy Vehicle Operations Branch; and
 - the transport of all divisible and indivisible loads and acquisition of necessary permits for transport of these loads.
10. The access points onto the subject land and any road works shall be located and constructed to the satisfaction of the Manager of Technical Services and Works and include all necessary drainage and signage. Costs applicable to the construction of the access points onto the site and any related issues shall be borne by the proponent.
 11. The proponent in conjunction with the Shire of Dandaragan shall commission a Road Condition Report prepared by a recognised engineer (agreed to by both parties) prior to the commencement of the project. The Road Condition Report shall, at least but not be limited to, identifying the following issues;
 - 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; and
 - c) identify and provide plans and costings for any required upgrade works to the existing road network to make it suitable for the proposed haulage loads and traffic volumes.

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 any works commencing onsite.
 12. The Wind Farm shall comply, at all times, with the Western Australian Environmental Protection Authority *Environmental Protection (Noise) Regulations 1997* revision dated November 2003 and the South Australian Environmental Protection Authority *Environmental Noise Guidelines for Wind Farms* dated February 2003.
 13. Noise from the operational Wind Farm shall not exceed 45dB(A) (using a 10 minutes LAeq), at surrounding noise sensitive premises within the wind farm boundary, unless otherwise agreed with the respective landowner.
 14. Noise from the operational Wind Farm shall not exceed 5dB(A) above the background noise level or 35dB(A) (using a 10 minutes LAeq), whichever is the greater, at surrounding noise sensitive premises outside the wind farm boundary.
 15. The background noise levels for the proposed development are to be based on the pre-recorded background noise measurements (Refer to Table 16.1 of the development application).
 16. The proponent shall develop and implement a post-construction noise monitoring program at the noise sensitive receptors listed in Table 16.3 of the development application to assess compliance of the operational Wind Farm with the noise criteria. The post-construction 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 relevant authority.
 17. Prior to the commencement of construction, the proponent shall commission third party noise modelling studies to demonstrate the final Wind Farm design complies with the noise limits outlined in this approval. The intended noise modelling methodology shall be discussed with the Department of Environment and Conservation Noise Branch, at the appropriate time.
 18. In relation to the concerns raised in the letter from the Western Australian Department of Environment and Conservation dated 02 June 2011, the proponent shall, prior to commencement of construction, implement necessary strategies to mitigate any future noise non-compliance that may arise from the construction or operation of the Wind Farm.
 19. The proponents are 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 site to the satisfaction of the Department of Environment and Conservation.
 20. The proponent shall develop and implement an Avian Fauna Collision Monitoring Program, to the satisfaction of the Western Australia Department of Environment and Conservation, to monitor the impact of the Wind Farm on avian fauna in the project area, specifically in respect to the endangered Carnaby's Cockatoo.

21. Prior to the commencement of construction, the proponent shall commission detailed archaeological and ethnographic surveys, compliant with *Aboriginal Heritage Act (1972)* dated September 2011, over areas of proposed infrastructure.
22. Prior to the commencement of construction, the proponent shall make arrangements in consultation with the South West Aboriginal Land & Sea Council for any required Aboriginal heritage monitoring.
23. Prior to the commencement of construction, the proponent shall provide and implement, a Fire Management Plan that addresses the impacts of the Wind Farm through the construction phase to operation, approved by Council and FESA.
24. The proponent shall provide a viewing area in a location approved by the Shire, prior to the operation of the wind farm. The viewing area shall consist of a public viewing platform, a series of interpretative boards and an associated car park.
25. All fencing shall be of rural construction such as open post and rail or post and wire, to the satisfaction of the Shire.
26. Prior to the commencement of construction, the proponent will consult with landowners on the location of known weed infestations and will implement measures, as agreed with landowners, and in accordance with any relevant regulation under the *Bio-security and Agriculture Management Act 2007* and measures recommended by the Western Australia Department of Food and Agriculture.
27. The proponent shall provide road signage to the specification and satisfaction of Main Roads WA and the Shire of Dandaragan.
28. Any leasehold arrangements exceeding 20 years for part lots are to be referred to the Western Australian Planning Commission for approval.
29. Prior to the commencement of construction of the overhead power line on Lots 4 and 3824, written evidence shall be submitted to the Council that an agreed power line route has been reached with Iluka Resources Limited.
30. Decommissioning of the above ground plant and equipment (excluding concrete pads; footings; and underground cables) on the subject land will commence within a period of 12 months from termination of operations and be completed within a time period of the satisfaction of the Shire of Dandaragan. This will occur following submission by the proponent of a plan outlining the process of decommissioning.
31. Planning consent is granted for a maximum period of four years from the date of this approval during which time the development must be substantially commenced.
32. The proponent is advised that planning approval is not a building licence. A building licence must be formally applied for and obtained from Building Services before commencement of any site and / or development works.

Advice Notes:

- In relation to condition 28, the proponent may propose a replacement / alternative overhead power line route outside the indicative site works area, subject to further approval of the Council.



Signed:

Dated: 11 January 2012.

for and on behalf of the Shire of Dandaragan