# The Hon Jarrod Bleijie MP Deputy Premier

Minister for State Development, Infrastructure and Planning Minister for Industrial Relations



Our reference: MBN25/982

9 July 2025

Cubico Sustainable Investments Australia Pty Ltd C/- Attexo Group Pty Ltd rosemary.shearman@attexo.com.au Attention: Ms Rosemary Shearman

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Dear Ms Shearman

## Information Request - Middle Creek Energy Hub

(Given under Chapter 1, Part 3 of the Development Assessment Rules)

This Information Request has been issued as I have identified that additional information is required to fully assess your application.

In this Information Request, references to State Development Assessment Provisions (SDAP) State Code 23 are references to v3.2.

## Item | Information requested

#### SDAP State Code 23: Wind Farm development - Community impacts

## 1. **Issue:**

PO26 requires that impacts on communities and individuals are identified, addressed and mitigated to avoid any adverse impacts. The development is not currently supported by an assessment of potential social impacts or evidence of mitigation measures or benefit enhancement strategies.

#### Action:

Provide a social impact assessment report that:

- Identifies, analyses and assesses the potential social impacts associated with the project
- Demonstrates how community and stakeholder engagement has informed the identification, analysis, assessment and management of potential social impacts including any potential social impacts relating to workforce management, housing and accommodation, local business and industry procurement and health and community well-being
- Includes a plan that includes mitigation strategies, benefit enhancement measures that will be implemented for the community, and monitoring and review processes across the project lifecycle
- Otherwise complies with the published guidelines for the preparation of a social impact assessment report for the *Planning Act 2016*, in effect at the date of the preparation of the report.

## 2. **Issue:**

The Purpose statement of State Code 23 identifies that wind farm developments must be informed by community and local government engagement. The Purpose statement and PO26 also require that impacts on communities and individuals are addressed and mitigated to avoid any adverse impacts.

Further, the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Act 2025* (to be commenced) demonstrates the importance of local government engagement and input for the assessment of wind farm development.

The application does not currently demonstrate the local government's agreement on the measures and commitments to manage and counterbalance social impacts.

#### Action:

Provide evidence of the local government's agreement on measures and commitments to manage and counterbalance the social impacts identified in the requested social impact assessment report. For example, provide an agreement with the local government that delivers tangible and equitable benefits to the community (eg. Financial contribution, physical works or both) and includes mechanisms for implementation, monitoring and reporting.

#### SDAP State Code 23: Wind Farm development - Workforce accommodation impacts

## 3. **Issue:**

The submitted Construction Workers Accommodation Options (CWAO) Report prepared by Attexo (dated 9 December 2024) recommends a combination of on-site and off-site workforce accommodation. Further information is required to demonstrate compliance with PO17, specifically, the development must demonstrate that any off-site workforce accommodation does not result in adverse impacts on surrounding communities and townships, such as overburdening services, housing supply and community facilities.

#### Action:

Provide additional information addressing the implications of housing workers in existing townships or communities. This includes evaluating the availability of local accommodation, impacts on local infrastructure and services, commuting distances and road safety. Guidance should be drawn from Queensland Government's Social Impact Assessment Guideline (March 2018) and Supplementary material for assessing and managing the social impacts of projects under the Coordinator-General's Social Impact Assessment Guideline (28 November 2023).

## SDAP State Code 23: Wind Farm development – Infrastructure

#### 4. Issue:

The development has the potential to impact on infrastructure and services including social infrastructure, communications networks and essential infrastructure. PO23 requires that these impacts should be clearly identified, and measures to manage, mitigate and remediate any impacts are undertaken prior to commencement of any development or prior to additional demand being placed on infrastructure and services.

#### Action:

Provide an analysis of the infrastructure and servicing demands during the construction phase, including essential utilities, social infrastructure, and material requirements. It should assess regional capacity, identify potential impacts on local communities, and recommend mitigation strategies. The report must also evaluate workforce accommodation needs, document existing infrastructure capacity, and outline stakeholder engagement. Guidance should be drawn from Queensland Government's Social Impact Assessment Guideline (March 2018) and Supplementary material for assessing and managing the social impacts of projects under the Coordinator-General's Social Impact Assessment Guideline (28 November 2023).

## SDAP State Code 23: Wind Farm development - Oversize/overmass vehicle haulage routes

## 5. **Issue:**

The Preliminary Transport Route Assessment prepared by PSA Consulting dated 12 December 2024 Revision V3, acknowledges that the analysis is based on a desktop assessment of the established route with no consultation with regulatory departments, bodies or other stakeholders has been undertaken for this analysis.

The Planning Guideline State Code 23: Wind farm development recommends that any heavy vehicle and oversize/overmass (OSOM) construction concept strategy include consultation with the relevant stakeholders, including identifying appropriate 'pressure point' route mitigation measures and concept road upgrades.

#### Action:

Provide amended OSOM vehicle haulage route assessments which include consultation with relevant stakeholders and identify mitigation measures and concept road upgrades where required.

#### SDAP State Code 23: Wind Farm development - Flora and fauna

#### 6. **Issue:**

The Ecological Assessment Report (EAR) prepared by Attexo Pty Ltd, dated 19 December 2024, Rev 0 does not sufficiently identify potential risks for flora, fauna and associated ecological values.

#### Action:

Provide an amended EAR, including amended appendix reports, which address the lack of detail and inconsistencies regarding:

- (a) Vegetation mapping on the site and the extent of threatened species habitat present, including amounts of vegetation clearing proposed.
  - i) Ground-truthed Regional Ecosystem (RE) mapping is required to be provided to allow assessment of project impacts to REs, particularly REs listed as of concern or Endangered under the *Vegetation Management Act 1999* (VM Act) (therefore listed as Matters of State Environmental Significance).

- ii) Clarification and justification are required as to why no ground-truthed vegetation mapping is provided given two flora surveys have been carried out. An updated Figure should be provided showing groundtruthed vegetation mapping at a suitable scale to discern impacts to vegetation communities across the site.
- (b) Significant Residual Impact (SIR) assessment.
  - i) There is no detailed mapping provided on which to assess the basis for the impacts on Endangered and Of concern REs in Section 6.6.1. The desktop mapping of existing REs (Figure 4-1) is depicted at such a scale that an assessment is unable to be carried out, as little detail can be discerned. Similarly, the assessment in Section 6.6.2 only assesses 0.05 ha of watercourse vegetation. There is no Figure provided showing the full extent of relevant watercourses (stream order 2 or greater) used in this assessment.
  - ii) The Significant Residual Impact (SRI) for protected wildlife only considers those species as known to occur. It does not consider impacts on threatened species that are likely to occur (see below). The assessment provides very little explanatory text to justify that no significant residual impact will occur. It is accepted that most species currently addressed will also be assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

#### (c) Survey efforts:

- i) Provide updated reporting which includes all relevant Bat Utilisation Survey (BUS) data collected this includes updating the EAR, Bird and Bat Utilisation Survey Report (BBUSR) and Preliminary Bird and Bat Management Plan (PBBMP).
- ii) Provide justification that 'diurnal bird surveys' carried out in October 2023 and February 2024 have been carried out as per the BUS methodology described in the BBUSR. The BBUSR should provide data collected across the different surveys.
- iii) Clarify the amount of survey effort carried out for microbats.
- iv) Provide further justification that the current survey effort for birds and bats conforms with the DCCEEW Guidance (as stated) and the State Code 23 Planning Guideline.
- v) All three documents (EAR, PBBMP and BBUSR) state the survey effort as 'following a methodology based on the recommendations within the draft Onshore Wind Farm Guidance' provided by DCCEEW (2024). The guidance document recommends 24 months of seasonal survey effort regarding bird and bat site utilisation surveys (up to eight survey events). The EAR describes the first BUS survey effort as being in May 2024 with additional surveys in August and November 2024. The BBUSR provided only describes the results of one survey in May 2024.

Clarify the survey data collected, in particular:

 timing of the surveys undertaken, including consistency of timing across all appendix reports and timing of the future surveys proposed

- clarification of depicted BUS survey sites (Figure 3.2 in the EAR) and whether they are considered impact sites or control sites
- whether any of the survey points are associated with the October 2023 and February 2024 survey work
- whether any other seasonal surveys were carried out, or are intended to be carried out for bats, the bat call recording survey data identified in the EAR and PBBMP appears to have been collected at four sites in a single extended seasonal survey from April to June 2024
- The flight height data as well as abundance and bird behaviour in the provided BUS.
- (d) Provide updated figures in the Vegetation Fauna Management Plan (VFMP) as per any changes to the EAR.
- (e) Section 6.2.1 Vegetation clearing
  - Section 6.2.1 of the EAR describes the project as clearing 41.55 ha of remnant and regrowth vegetation but Table 6.1 describes impacts to 18.79 ha of native vegetation clearing. It is unclear whether this is based on ground-truthed vegetation mapping or State-based mapping.
  - It is noted that RE 11.3.19 is identified as impacted in Table 6.1 this RE is not described in the desktop review of State mapped REs present in Table 4.1.
  - There is no explanation of how the extent of habitat values are derived for each of the threatened species listed in Table 6.2. For instance, there is 15.55 ha of habitat for Greater Glider mapped within the disturbance footprint, yet there is only 7.5 ha of Koala habitat present, with Koalas having broader habitat requirements than Greater Glider. Using the numbers provided in Table 6.1 there are approx. 13.8 ha of REs proposed to be cleared which have eucalypts as part of the RE description which would be suitable to some degree for Koala. Clarification is required on the extent of impact to Koala habitat.
- (f) Appendix C Likelihood of occurrence
  - The likelihood of occurrence table attached to the EAR (Appendix C) identifies RE 11.7.1x1 as representative of the Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions Threatened Ecological Community (TEC). This RE is not identified within the relevant descriptions of the TEC.
  - The likelihood of occurrence assessment in the BBUSR and PBBMP state several species as 'likely to occur' which are only identified as 'potential to occur' in the EAR including Glossy Black-Cockatoo (southeast), Powerful Owl, Squatter Pigeon (southern), Fork-tailed Swift and Diamond Firetail. The assessments also state Rufous Fantail as 'known to occur' and Glossy Ibis is 'likely to occur' neither species is mentioned in the EAR appendix.

- (g) Preliminary Bird and Bat Management Plan (PBBMP)
  - Section 5.2.1 of the PBBMP details the collision risk assessment for bird species and includes Fork-tailed Swift (considered likely to occur). A likelihood of collision risk of 'possible' is applied to the species. Whitethroated Needletail has very similar flight/foraging habits and is considered as 'likely'. The assessment should consider the likelihood of collision risk on Fork-tailed Swift or provide clarification on the perceived difference between the two species.
  - Section 6 discusses collision risk modelling (CRM) briefly. It is stated in the PBBMP and BBUSR that CRM will occur at the end of two years of BUS. The Planning guideline recommends that CRM (including data used and assumptions) should be a part of the EAR. It is not stated how 'high level of collision risk' is to be defined. Provide clarification on when and where CRM is to be provided and how species are to be selected for CRM.
  - Section 9.1 discusses ongoing monitoring associated with proposed postcommissioning bird and bat utilisation surveys. The survey effort is vaguely described and only states that surveys will be carried out across a two year survey period without detailing how many surveys. This section should clarify how many surveys will be carried out and when.
  - Section 9.2 discusses ongoing monitoring associated with species-specific surveys. The text states: 'In addition to the operational BBUS described above, any threatened species or species determined to be at high risk of turbine collision following the completion of the pre-commissioning BBUS and CRM will be subject of species-specific monitoring efforts.' Provide clarification on how 'high risk of turbine collision' is to be defined (see below under CRM comments) and where the requirement for these surveys will be identified (including what species).
  - Section 10.2 discusses impact triggers. White-throated Needletail is provided as an example with '10 individuals' identified as triggering the adaptive management framework review process. It should be clarified what this means i.e. when 10 individuals have been recorded over what time/search period? It is noted the following impact trigger (Section 10.2) for nonthreatened species defines the trigger as four or more of a single species found in two successive carcass searches.
  - Table 10.1 does not include \text regarding post commissioning BUS surveys

#### (h) Minor issues

- Table 5.1 The text states five species listed as MSES are considered in the report but six are identified in Table 5-1
- Figure 5.1 There are no locations for Painted Honeyeater identified
- Section 5.3 States 124 bird species have been recorded during consolidated survey efforts however the PBBMP identifies 136 species

## SDAP State Code 23: Wind Farm development - Agricultural land

### 7. **Issue:**

The development site is located on land identified as being within the Strategic Cropping Area (SCA) and the Agricultural Land Classification (ALC) Class A and Class B. Accordingly, consideration is to be given as to how the development is located and designed to ensure that there is no significant loss to high-quality agricultural land values in accordance with the requirements of PO5.

#### Action:

Provide an Agricultural Land Assessment that includes an agricultural land impact analysis that:

- (a) Is prepared by a suitably qualified professional and with consideration to any relevant parts of the *Guidelines for Agricultural Land Evaluation in Queensland* (Queensland Government, 2015).
- (b) Includes a description of the previous use of the site for agricultural production (if any).
- (c) Includes an assessment of soils and land suitability for agricultural production.
- (d) Is informed by the assessment of soils and land suitability.
- (e) Provides information about the agricultural potential of the high-quality agricultural land values area over the site.
- (f) Demonstrates that the development is located and designed to ensure that there is no significant loss of high-quality agricultural land values over the site.

## SDAP State Code 23: Wind Farm development - Natural drainage patterns

#### 8. **Issue:**

The submitted Stormwater Management Plan (SMP) prepared by Water Technology Pty Ltd dated 13 December 2024 revision V02 references two locations in which clearing will occur within waterways. The extent of the proposed clearing within these waterways is not clear in the SMP, and the interference of these crossings on waterways is unable to be assessed against PO6.

#### **Action:**

Provide a site plan that identifies the extent of clearing of vegetation proposed within any mapped or unmapped waterway (being a river, stream, waterway, drainage feature or inlet of a sea) or wetland. Further, evidence that all proposed interferences with natural drainage patterns, waterways and wetlands will not result in unacceptable impacts on receiving waterways, wetlands and catchments.

## SDAP State Code 23: Wind Farm development - Noise assessment

#### 9. **Issue:**

The Detailed Noise Assessment, prepared by Marshall Day Acoustics, dated 17 December 2024 does not include a background noise report.

The background noise is used to determine the acoustic criteria of PO12 and PO13 and therefore the approach and methodology to measuring background noise is a critical part of the noise assessment. Although the Detailed Noise Assessment indicates that background noise monitoring has been conducted, the report states: "At the date of completing this report, analysis of the wind and background noise data for the monitoring period is ongoing. Following completion of the analysis, the monitoring, analysis procedures and results will be documented in a separate background noise report."

## Action:

Provide a copy of the Background Noise Report.

#### 10. **Issue:**

In review of the submitted Detailed Noise Assessment several issues were identified which are required to be addressed, including:

(a) Battery Energy Storage System (BESS) area methodology.

The methodology for the noise modelling for the BESS is not considered to be suitable because the BESS has distributed noise sources over a large area. This results in many components being much closer to receptors than is modelled, resulting in an optimistic prediction.

(b) Predicted noise levels

The report states that the predicted noise levels for the BESS are based on low fan speeds, which results in lower noise levels. The predictions and compliance with the relevant criteria are therefore dependent on the assumption that the fan speeds will not exceed 40% at night and 60% during the day.

(c) Inconsistent turbine configuration

There is inconsistency in the specification of blade configuration. It is stated in several locations that serrated trailing edge blades are used for the assessment, which reduces noise levels. However, the Detailed Noise Assessment also includes: Option available for serrated and non-serrated trailing edge and optimised sound modes. Non-serrated trailing edge used for this assessment.

(d) Predicted noise levels at receptors

Section 7.3, Table 16 shows that the predicted noise levels at Receptors 291 and 344 exceed the night time criterion of 37dB(A) but the table indicates compliance.

(e) Nameplate capacity

The application is for 183 Wind Turbine Generators, each with a nameplate capacity of up to 6.2 MW with an expected total nameplate generating capacity of up to 1,317 MW for the wind farm. The total nameplate capacity indicates that each turbine could have a capacity of up to 7.2MW (183 x 7.2 = 1,317).

Using a lower capacity wind turbine in the Detailed Noise Assessment has the potential to understate the predicted noise levels.

#### Action:

Provide an amended Detail Noise Assessment which:

- (a) re-models the BESS noise with a distributed noise source based on the proposed equipment layout.
- (b) includes confirmation by the equipment supplier that the fan speeds will not exceed those assumed in the Detailed Noise Assessment
- (c) includes confirmation if serrated trailing edge blades have been used for the assessment.
- (d) incorporates any acoustic treatment measures necessary to achieve the relevant acoustic criteria, including specifically amending table 16 to correctly reflect compliance.
- (e) Identifies the total nameplate capacity of 1,135MW or update the noise predictions in the report to assess a 7.2MW wind turbine

## SDAP State Code 23: Wind Farm development - Electromagnetic interference

#### 11. **Issue:**

The Electromagnetic Inference Report prepared by Middleton Group dated 16 December 2024 revision 0, states that impacts cannot be ruled out on the wireless and satellite internet services, and point-to-point sites. In addition, the Bureau of Meteorology have indicated that the wind farm poses a significant risk to the operation of the Taroom radar. The report then states that the Proponent has committed to implementing appropriate mitigation measures to address these impacts.

## **Action:**

To demonstrate compliance with PO14, provide further information regarding mitigation and/or management measures that are to be undertaken to address all potential EMI impacts.

## SDAP State Code 23: Wind Farm development - Shadow flicker

## 12. **Issue:**

The Shadow Flicker Assessment prepared by Middleton Group dated 16 December 2024 Revision 0, states the project design has not fully avoided or minimised risks associated with shadow flicker, as two sensitive land users have been identified as exceeding statutory limits for shadow flicker exposure. To address this, mitigation measures have been recommended, which include:

- (a) relocating or removing turbines
- (b) implementing turbine control strategies
- (c) installation of screening structures
- (d) negotiating with dwelling owners regarding accepting higher shadow flicker limits.

#### Action:

To demonstrate compliance with PO15, provide further information regarding which mitigation measures will be undertaken to address exceedance of turbine blade shadow flicker requirements.

## SDAP State Code 16: Native vegetation clearing - Spatial data

### 13. **Issue:**

The spatial file was provided describing the disturbance footprint "PLAN\_Attexo\_DA\_DisturbanceFootprint\_7856\_V15." The extent of the spatial file includes lots that are not listed as part of this Development Application. These lots include lot 1 on AU132, lot 17 on FT99, Lot 7 on FT1004, Lot 103 on FT897, lot 61 on FT515, lot 60 on FT904, lot 41 on FT603, lot 40 on FT329, lot 16 on FT101, lot 24 on SP159192. lot 25 on SP159192.

#### Action:

Provide updated spatial files which accurately maps the disturbance footprint wholly contained within the correct lots, alternatively these lots would need to be included in the overall development application.

#### 14. **Issue:**

The spatial file provided describing the clearing footprint "ClearingFootprint\_DF\_7856" contains 3,885 polygons. The Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development's GIS team are unable to process this file to determine the statistics of the clearing areas and create a Vegetation Management Plan.

#### Action:

Provide a consolidated spatial file to determine the clearing footprint.

## SDAP State Code 16: Native vegetation clearing - Clearing associated with watercourses

#### 15. **Issue:**

The application material states that the current design of the crossing at Roche Creek exceeds the limits prescribed in reference Table 1 of the SDAP code in width and area and is not compliant with AO7.2 of the code. It is also stated that further refinement of waterway crossings during detailed design will continue to avoid and minimise clearing of native vegetation. However, it has not been sufficiently demonstrated that the clearing of the Roche Creek crossing would maintain the composition, structure and function of the regional ecosystem associated with the watercourse to protect all of the following:

- (a) bank stability by protecting against bank erosion
- (b) water quality by filtering sediments, nutrients and other pollutants
- (c) aquatic habitat
- (d) terrestrial habitat

#### **Action:**

Provide further information to justify the proposed clearing of vegetation within the bed and banks of the Roche Creek in accordance with PO7.

## SDAP State Code 16: Native vegetation clearing - Connectivity

## 16. **Issue:**

The application material, including the EAR, states that the proposed development will likely have significant impact on connectivity equating to approximately 14.17 ha. It is stated that the significance of the clearing associated with the project is driven by the existing fragmented environment of the project site and the small extent of the existing vegetation patches.

Despite the significant impact identified, the reasoning for compliance with PO9 is that the already fragmented connectivity of the regional ecosystems and the minimal clearing proposed in context of the overall site would mean the regional ecosystems would still retain sufficient vegetation.

It has not been sufficiently demonstrated that proposed development achieves PO9 of the code.

#### Action:

Provide further information to demonstrate the proposed development will retain sufficient vegetation and therefore would maintain ecological processes and ensure the regional ecosystem remains in the landscape despite threatening processes, in accordance with PO9.

## SDAP State Code 16: Native vegetation clearing - Conserving least concern regional ecosystems

#### 17. **Issue:**

A full response to PO12 for "Conserving least concern regional ecosystems - Minimising clearing of areas temporarily required to enable construction of the infrastructure" has not been provided.

#### **Action:**

Provide a full response to SDAP State Code 16 including PO12.

#### **SDAP State Code 23: Wind Farm development - Natural hazards**

#### 18. **Issue:**

A Natural Hazard Risk Assessment has not been submitted in accordance with the Planning Guideline for State Code 23: Wind Farm Development (September 2024) to demonstrate compliance with PO10 and PO11 of State Code 23. This assessment should demonstrate that all parts of the site layout would be responsive to the risks posed by natural hazards and extreme weather events that could affect the site.

### **Action:**

Submit a Natural Hazard Risk Assessment prepared in accordance with the Planning Guideline for State Code 23: Wind Farm Development (September 2024).

## Portable Long Service Leave (PLSL)

19.

#### Issue:

It has been identified on Section 21 of DA Form 1 that the PLSL levy is not applicable.

### **Action:**

Confirm if the operational works exceeds \$150,000. Evidence of payment of the PLSL levy is required before a decision is made.

## How to respond

You have three months to respond to this Information Request and the due date to provide this response to me is **8 October 2025**.

You may respond by providing either:

- (a) all of the information requested
- (b) part of the information requested or
- (c) a notice that none of the information will be provided.

Further guidance on responding to an information request is provided in Chapter 1, Part 3 of the Development Assessment Rules.

It is recommended that you provide all the information requested above. If you decide not to provide all the information requested, your application will be assessed and decided based on the information provided to date.

I have asked for Mr Phil Joyce, Acting Executive Director, Improvement and Assessment Division in the Department of State Development, Infrastructure and Planning, to assist you with any further queries. You may wish to contact Mr Joyce on (07) 3452 7449 or by email at phil.joyce@dsdilgp.qld.gov.au.

Yours sincerely

JARROD BLEIJIE MP DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

**Minister for Industrial Relations**