



11.0 LAND USE & PLANNING

11.1 SUSTAINABLE PLANNING ACT 2009

The *Sustainable Planning Act 2009* (SPA) allows for two planning processes to be used to facilitate the proposed development. The following section provides an overview of each planning process, being:

- Integrated Development Assessment System (IDAS); and
- Ministerial Designation Process.

11.1.1 IDAS

The Integrated Development Assessment System (IDAS) outlined in Chapter 6 of the *Sustainable Planning Act 2009* provides a clear description of the Development Application Process to be used by Local Government in the assessment of Development Applications. If the project were to proceed under IDAS, it would trigger Code Assessment. Therefore the Local Authority under *Section 313 of the Sustainable Planning Act 2009* would undertake the assessment, having regard to the following:

- a. *the State planning regulatory provisions;*
- b. *the regional plan for a designated region to the extent it is not identified in the Planning Scheme;*
- c. *any applicable codes, other than concurrence agency codes the assessment manager does not apply, that are identified as a code for IDAS under this or another Act;*
- d. *State planning policies, to the extent the policies are not identified in-*
 - (i) any relevant regional plan as being appropriately reflected in the regional plan; or*
 - (ii) the planning scheme as being appropriately reflected in the planning scheme;*
- (e) *any applicable codes in the following instruments –*
 - (i) a structure plan;*
 - (ii) a master plan;*
 - (iii) a temporary local planning instrument;*
 - (iv) a preliminary approval to which section 242 applies;*
 - (v) a planning scheme;*
- (f) *if the assessment manager is an infrastructure provider – the priority infrastructure plan.*

The Integrated Development Assessment System provides a five (5) stage process. Accordingly as all Development Application have different requirements and levels of complexity, not all stages of the Integrated Development Assessment System or steps within each stage are applicable to all applications.

- Stage 1 – Application Stage;
- Stage 2 – Information and Referral;
- Stage 3 – Notification; and



- Stage 4 – Decision
- Stage 5 – Compliance Stage.

As the project would be Code Assessable under IDAS, any submitters who make a properly made submission during the Notification Stage obtain appeal rights and have the ability to appeal the decision in the Planning and Environment Court.

Type of Proposed Development

The project is defined as a Material Change of Use under Section 10 of the *Sustainable Planning Act 2009*, which is defined as:

- a. *generally –*
- (i) *the start of a new use of the premises; or*
 - (ii) *the re – establishment on the premises of a use that has been abandoned; or*
 - (iii) *a material increase in the intensity or scale of the use of the premises; or*
- b. *for administering IDAS in relation to an environmentally relevant activity, other than for a mining activity, a chapter 5A activity or a mobile and temporary environmentally relevant activity –*
- (i) *the start of a new environmentally relevant activity on the premises; or*
 - (ii) *an increase in the threshold of an environmentally relevant activity on the premises; or*
 - (iii) *the re – establishment on the premises of an environmentally relevant activity that has been abandoned; or*
 - (iv) *a material change in the intensity or scale of an environmentally relevant activity on the premises.*

11.1.2 Ministerial Designation

Part 6 of the *Sustainable Planning Act 2009* provides a clear description of the process required for a Ministerial Designation. The purpose of this EIS is to identify and outlined matters to be considered by the Minister for Natural Resources, Mines and Energy and Minister for Trade.

Powerlink proposes to seek ministerial designation following the process detailed in the “*Guidelines about Environmental Assessment and Public Consultation Procedures for designating land for Community Infrastructure*” (‘the Guideline’). These were prepared in accordance with Section 5.9.96 of the *Integrated Planning Act 1997* and have continued effect under Section 846 of the *Sustainable Planning Act 2009*.

Matters to be considered

Section 207 (1) and Section 207(2) of the SPA outline the matters which should be considered, as follows:



- 207(1) *Before designating land, the Minister must be satisfied that, for the development, the subject of the proposed designation –*
- a. adequate environmental assessment has been carried out; and*
 - b. in carrying out environmental assessment under paragraph (a), there was adequate public consultation; and*
 - c. adequate account has been taken of issues raised during the public consultation; and*
 - d. for land to which section 204 applies – adequate account has been taken of the approved development scheme mentioned in that section.*
- 2.6.7(2) *The Minister must also consider –*
- a. every properly made submission under subsection (4); and*
 - b. for land in a relevant area for a State planning regulatory provision – the provision; and*
 - c. for land in a designated region – the region's regional plan; and*
 - d. each relevant State planning policy; and*
 - e. for land in a declared master planned area – and master plans for the area;*
 - f. and each relevant Planning Scheme.*

An assessment of the proposed development against Section 207(1) of the SPA has been provided within the EIS. An assessment of the proposed development against Section 207(2) of the SPA has been provided within this document and is summarised below:

Properly made submissions under Section 207(4)

The project has not reached this stage in the process. The Second stage of the Guideline specifies the consultation process required as part of the designation process and involves the public advertising of the intent to seek ministerial designation. Submissions received from the relevant stakeholders and the matters raised will be addressed (refer Section 19.0). The Minister must consider these submissions in determining the designation.

State Planning Regulatory Provision

The site is not located within a State Development Area and as such is not subject to a State Planning Regulatory Provision.

Regional Plan

There is no Regional Plan in place that includes land contained within the Western Downs Regional Council.

State Planning Policies

An assessment of all relevant SPP are provided in Section 11.8 of this report.



Master Plans

The site is not within a declared master planned area.

Planning Scheme Provisions

An assessment of all relevant Planning Scheme Provisions is provided in Section 11.2 below.

Type of Proposed Community Infrastructure

The use of the subject corridor for a transmission line is defined as Community Infrastructure under Schedule 2 of the *Sustainable Planning Regulation 2009*, and as operation works under the *Electricity Act 1994*, which are defined as:

- | | |
|----|--|
| a. | <i>for a generation entity – the generating plant, fuel stocks, electrical and other property used for generating electricity or connecting supply to a transmission grid or supply networks; or</i> |
| b. | <i>for a transmission entity – the transmission grid and other property used for operating or managing the transmission grid; or</i> |
| c. | <i>for a distribution entity – the supply network and other property used for operating and managing the supply network.</i> |

Powerlink Queensland is considered to be transmission entity. According the provision of a transmission corridor for a 275kV transmission line and associated works are considered to be Operation Works, and is Community Infrastructure under Schedule 2 of the *Sustainable Planning Regulation 2009*.

11.1.3 Reasons for Proposed Designation

The provision of a 275kV transmission line is considered to satisfy the designation provision described in Section 201 of the *Sustainable Planning Regulation 2009*, where land may be designated for Community Infrastructure only if the designator is satisfied the Community Infrastructure will satisfy at least one of following:

- | | |
|----|--|
| a. | <i>facilitate the implementation of legislation and policies about environmental protection or ecological sustainability; or</i> |
| b. | <i>facilitate the efficient allocation of resources; or</i> |
| c. | <i>satisfy statutory requirements or budgetary commitments of the State or local government for the supply of community infrastructure; or</i> |
| d. | <i>satisfy the community's expectation for the efficient and timely supply of the infrastructure.</i> |

The proposed transmission line and associated corridor is considered Community Infrastructure that would satisfy item (d) above, as Powerlink Queensland have identified the need to construct a new transmission to provide a more reliable electricity supply throughout Southern Queensland.

The test for qualification under Section 201 of the *Sustainable Planning Act 2009* is to ensure that designated Community Infrastructure is planned and justified in terms of being beneficial to the public. For the benefit of public accountability, the consideration of the matters under Section 201 of the *Sustainable Planning Act 2009*



should be a deliberative and recorded action. Table 11.1 at the end of this section provides a summary of Town Planning requirements.

11.1.4 Comparison of Planning Processes

The primary area of difference between the Ministerial Designation Process and the Integrated Development Assessment System Process (IDAS) is that the proposed transmission line is not subject to the provisions of the Planning Scheme for the former Chinchilla Shire or former Wambo Shire, as a result of the Ministerial Designation.

The Ministerial Designation Process allows for the assessment of the development without the requirements associated with the preparation, lodgement and management of a Development Application under the IDAS process.

The Ministerial Designation Process is preferred as it would streamline the planning process enabling the timely commencement of infrastructure that will meet the growing demand and demonstrated need within the Western Downs Region.

Furthermore, as a function performed under the *Sustainable Planning Act 2009*, the proposed designation is still required to complete a thorough assessment against the Planning Scheme provisions, including public notification prior to designated by the Minister, as well as manage the effect of the development on the environment during the process.

11.2 EXISTING ENVIRONMENT

11.2.1 Current Land Use

Historically, the locality has been used for primary production and agricultural activities, such as beef and pork production, wool growing, horticulture and timber resources. More recently, extractive resources (i.e. coal and coal seam gas) have also been identified and developed in the area. The study area itself has historically been used for a variety of purposes, with grazing being the primary activity. The Tong Park Piggery is located in the locality to the south of the Township of Warra and is crossed by the alignment.

The Kogan Power Station was commissioned in 2007 and forms the western extent of the study area, with the QNI as the eastern extent of the study area. An existing 275kV transmission line extends between the power station and Braemer substation to the south. Residential housing is limited in the study area and mainly occurs in proximity to the Warra Township. Dalby State Forest is to the south of the proposed transmission line approximately 11km south of Warra.

11.2.2 Planning Scheme

The study area is located within the municipal boundaries of Western Downs Regional Council. On 15th March 2008, Western Downs Regional Council was formed with the amalgamation of Wambo, Dalby Town, Chinchilla, Murilla, Tara and Taroom Shires.



Prior to the amalgamation the study area was situated within Chinchilla Shire and Wambo Shire. The study area is subject to the provision of both the *Chinchilla Shire Planning Scheme* and the *Wambo Shire Planning Scheme*. Both the *Chinchilla Shire Planning Scheme* and *Wambo Shire Planning Scheme* are IPA compliant Planning Schemes.

11.2.2.1 Chinchilla Shire Planning Scheme

Overview / Structure

The *Chinchilla Shire Planning Scheme* is similar in structure to the majority of Planning Schemes prepared under the IPA. The *Chinchilla Shire Planning Scheme* is structured in the following manner:

1. Strategic Designation;
2. Zones;
3. Zone Codes; and
4. Planning Scheme Policies.

This section of the report outlines the processes of the *Chinchilla Shire Planning Scheme* and other mechanisms that are useful in Planning Scheme interpretation.

Use Definition

The *Chinchilla Shire Planning Scheme* provides a number of definitions to provide an explanation of the meaning of terms used in the scheme and for use to assist the community in understanding development proposals. The definitions are contained in Part 2 the Planning Scheme.

The proposed transmission line would be defined as a “*Public Utility*”, which is:

Public utility - means “premises” used for a waste landfill site, the supply of water, hydraulic power, electricity or gas, or provision of telephone, sewerage, postal or drainage services or the provision or maintenance of roads or traffic controls or railways or railway corridors.

Level of Assessment

Section 4.1.2 of the *Chinchilla Shire Planning Scheme* nominates the level of assessment for uses established in the Rural Zone. In accordance with Section 4.1.2 of the Planning Scheme, a “Public Utility” is “Code Assessable” development.

Strategic Designation

Part 3 of the Planning Scheme outlines the Strategic Direction for the former Chinchilla Shire Council area and is summarised into 3 Desired Environmental Outcomes (DEO), being:

1. The Natural Environment;
2. Economic Development; and
3. Community and Services.



Natural Environment

In Chinchilla Shire, ecological systems (including the Condamine River, its tributaries and floodplain) and the natural environment, items and places of cultural heritage significance are protected and enhanced by development:

- *Development is managed to minimise the adverse impacts on air and water quality, to prevent land degradation, loss of habitat and biodiversity and to protect riparian areas.*
- *Significant areas (including the Condamine River) and areas and items of cultural significance (including areas along water courses) are identified to ensure their environmental and landscape values and historic significance are protected and enhanced through compatible development.*

As demonstrated throughout this report, consideration has been given to the proposal and the potential for impacts upon the study area. It is acknowledged the study area has previously been used for grazing purposes and has been disturbed as a result of this and other agricultural activities.

Given the project will establish a transmission line, it is anticipated the project is unlikely to have a significant impact upon air and water quality (see Sections 5.1 and 7.0). From a vegetation perspective, it is proposed to retain as much of the existing vegetation as possible (see Section 10.0).

Consideration has also been given to the potential cultural heritage values of the study area. As outlined in Sections 17.0 of this report, no non-indigenous cultural heritage values have been identified for the site.

Based on the above, the project will not compromise the associated Natural Environment DEO through the endeavours to minimise the potential impacts of the proposal on the natural environment of the study area.

Economic Development

The economy of Chinchilla Shire is enhanced and diversified through sustainable use of natural resources (including soil, extractive and mineral resources) and through a diverse range of other economic activities that respect the hierarchy of the urban centre and the small towns:

- *The planning scheme reinforces and consolidates the role of Chinchilla as the principal place for business, industry and commerce within the shire.*
- *The local service roles of the towns of Brigalow and Kogan are protected and enhanced.*
- *Productive rural land (such as the Condamine floodplain), rural industries and natural features (including mineral and extractive resources) are protected to reflect and enhance their continued economic potential and viability.*
- *The industrial areas in Chinchilla are consolidated and protected to ensure their role as the key areas for industrial activity is reinforced.*



The emphasis of this DEO is to promote economic diversity, particularly through the sustainable use of the natural resources of the former Chinchilla Shire. In promoting economic diversification, the existing townships are not to be adversely affected.

The project is considered to satisfy this DEO on the basis the development:

- Is for a new 275kV transmission line and will not affect the role of Chinchilla as a principal place of business;
- The proposal will not affect the role of Brigalow and Kogan as townships; and
- The transmission line and associated easement will occupy land previously used for agricultural purposes, but is required to meet the on-going and increasing demand for electricity in the network. The easement will not preclude the continued use of the land within the transmission line easement from ongoing grazing or farming purposes and therefore the project is unlikely to effect the continuation of agricultural activities on adjoining land.

Community and Services

Development in Chinchilla Shire reflects community expectations and needs, and contributes to community well-being through enhancement of core community elements (including the built environment, services, facilities and infrastructure):

- *The settlement pattern is logical and sequenced and the built environment contributes to the overall rural amenity and character of Chinchilla Shire.*
- *People are connected to public spaces (including recreational areas) and community services through an appropriate land use structure and the provision of infrastructure, particularly within the urban centre and small towns of the shire.*
- *Development contributes to the health and safety of people and provides a diverse range of housing types, services and facilities.*
- *Infrastructure (including water, sewerage and roads) reflects community expectations and needs, achieves engineering and environmental standards and is provided in an orderly and logical sequence to ensure cost effectiveness.*

The proposal satisfies the DEO with respect to the provision of infrastructure to meet the needs and the expectation of the community for an ongoing and uninterrupted supply of electricity. As discussed within this report, the provision of this new transmission line and easement corridor will be designed so as to meet engineering standards and minimise the potential for environmental impact. The balance of the matters raised in the DEO is not applicable to this project.

Zoning – Rural Zone

Under the *Chinchilla Shire Planning Scheme*, land is allocated a specific zone in order to identify the predominant, preferred or existing land uses for that area. Each respective zone has a Planning Scheme Code associated with it to govern and influence development. The proposed study area is located within the *Rural*



Zone of the Chinchilla Shire Planning Scheme and any proposed development within this zone is to comply with the provisions of the *Rural Zone Code*.

In accordance with Section 4.1.3.3 of the Planning Scheme the purpose of the *Rural Zone* is as follows:

within the Rural Zone, "development":

- (a) *Maintains the environment, including soil, air and water, compatible with healthy natural systems and ensures public health and safety;*
- (b) *Protects good quality agricultural land (GQAL) from fragmentation, alienation or encroachment of incompatible land "uses" in accordance with state planning policy 1/92 – development and conservation of agricultural land;*
- (c) *Is located, designed and operated in a manner that protects and enhances the predominant rural scale, intensity, form and character;*
- (d) *Maintains the rural amenity;*
- (e) *Does not prejudice or impact adversely on other "uses" including those within other "zones";*
- (f) *Does not prejudice extractive or mining resources;*
- (g) *Has an appropriately designed access to the road network, and traffic generated by the development does not impact adversely on the local road network;*
- (h) *Protects areas and sites of conservation importance, including cultural and high landscape values;*
- (i) *Is undertaken in an orderly and logical sequence to achieve an efficient provision of infrastructure;*
- (j) *Maintains the integrity of the Condamine flood plain;*
- (k) *Is located and designed in ways that minimise the need for flood, bushfire and landslide mitigation, and to protect people and premises from such natural events;*
- (l) *Has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the "use"; and*
- (m) *Does not impact adversely on infrastructure.*

The purpose for development within the *Rural Zone* does not directly contemplate the establishment of transmission lines or public utilities in this zone. Ultimately, development that occurs within the *Rural Zone* is to ensure the continued maintenance of a high level of amenity through the protection of environmental processes. It is important to note that:

- The project has been located and designed to minimise the environmental impact.. In particular, the western portion of the proposed transmission line will be located adjacent to an existing transmission line easement (Kogan Power Station to Breamer Substation);
- The majority of the transmission line located within the former Chinchilla Shire area is not mapped as GQAL. A small section of the transmission line (approximately 2.5km) is mapped as Class B Good Quality Agricultural Plans for the purposes of the Planning Scheme (see Section 5.3.5 and Figure 5.4). Given the small length of the transmission line traversing Class B GQAL and the opportunity to continue current framing activities across the transmission line corridor, the project is not considered to affect Good Quality Agricultural land;



- The project will be limited to the corridor identified and is not anticipated to alienate agricultural uses from the adjoining allotments; and
- The project will minimise the potential for impacts upon the ecological values of the site and immediately surrounding area.

The proposal represents a sequential expansion of the existing electricity network in order to meet the future electricity demands for the region and South East Queensland. In this regard, the proposal is considered to satisfy the provision that development in the *Rural Zone* will not adversely impact upon the provision of necessary infrastructure or limit the potential to expand electricity infrastructure required to service the needs of the broader community..

Development Provisions – Rural Zone Code

The *Rural Zone Code* is used to assess all development that occurs within the *Rural Zone* (Figure 11.1). In this instance, the Project would be subject to assessment against the provisions of this code. The *Rural Zone Code* is structured with Performance Criteria and Acceptable Solutions in which to assess development.

The Acceptable Solutions within the Planning Scheme identify one solution to the relevant Performance Criteria. Where a proposal does not accord with the Acceptable Solution, the proposal will need to demonstrate it satisfies the Performance Criteria.

Within the *Rural Zone*, the Code allows for:

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| (a) Tourist related “uses” (“bed and breakfast premises” and “visitor accommodation”) and “home businesses” where they are of a small scale and are compatible with surrounding “uses”; |
| (b) The protection of existing “intensive animal industries” and “extractive industries” from incompatible “uses”; |
| (c) “Intensive animal industries” and “extractive industries”, where located and operated so as to ensure no detrimental impact on surrounding “uses” or on the environment; and |
| (d) Limited industrial “uses”, where it can be demonstrated those “uses” are associated with rural production and can not reasonably be established in the industrial “zone”. |

The *Rural Zone Code* remains relatively silent on establishing a *Public Utility* within the *Rural Zone*. However, it does not preclude the operation of such infrastructure. It is noted the code provides specific criteria for uses that are considered to be “non-rural activities”, being activities that do not involve agriculture, grazing, intensive agriculture and intensive animal husbandry.

In this instance, the proposal is inconsistent with these two provisions of the code, being:

PC2 Non-“Rural activities” - scale Non-“rural activities” are of an appropriate scale to protect the amenity of the rural “zone” and do not prejudice the operation and viability of other “uses” or activities in the rural “zone” or other “zones”.	AS2 The “total use area” is less than 150m ² on a lot.
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PC3 Non-“rural activities” - operating hours Non-“rural activities” are operated so as to ensure the activities and the operation of equipment occur at appropriate times to protect the amenity of the rural “zone”.	AS3 non-“rural activities” are operated only between the hours of 7:00am and 6:00pm.
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In both instances, it would be unreasonable for the proposal to comply with these requirements as the size of the area occupied by the project is dictated by the extent to which the network needs to satisfy energy demands. In addition, it cannot be expected that the transmission line would operate on a 7am to 6pm timeframe.

Regard is therefore given to the relevant Performance Criteria. In the first instance, the proposed transmission line will be contained within the land set aside for the incremental development of electricity infrastructure adjacent to the existing transmission line and Kogan Creek Power Station. The transmission line will be located to ensure it is suitably setback from the property boundaries and the opportunity remains for the provision of grazing across the easement corridor. Secondly, the transmission lines are considered to generate little in the way of noise. Therefore the project is capable of satisfying the Performance Criteria above. Through appropriate mitigation measures the proposed transmission line can be implemented in a manner that has minimal impact on the amenity of the existing locality whilst not jeopardizing surrounding land activities.

In addition to the above, the *Rural Zone Code* also includes a number of Performance Criteria and Acceptable Solutions for electricity transmission line easements. The provisions of the Code (and references to diagrams in the Planning Scheme) include:

PC21 “Electricity Transmission line easement” - vegetation Transmission lines within an “Electricity transmission line easement” are protected from vegetation.	AS21.1 Planted vegetation within an “Electricity transmission line easement” shall have a mature height not exceeding 2.5m as shown in schedule 2, division 3: Powerline / Electricity easements, section 3.2 diagram 3. AS21.2 No part of planted vegetation, at its mature size, is located closer than 2.5m to an electricity transmission line as shown in schedule 2, division 3: Powerline / Electricity Easements, section 3.2 diagram 3.
PC22 “Electricity transmission line easement” – Vegetated Buffers Vegetated buffers adjoining an “ <i>Electricity transmission line easement</i> ” are maintained to provide: (a) a visual buffer to the easement; and (b) a separation distance.	AS22 Existing vegetation, comprising trees and/or shrubs, shall be retained within 20m of an “ <i>Electricity transmission line easement</i> ” as shown in Schedule 2, Division 3: Powerline / Electricity Easements, Section 3.2 Diagram 4.



PC23 “Electricity transmission line easement” – Separation Distances “Habitable buildings” and “Child oriented uses” are located to ensure community safety.	AS23 “Habitable buildings” and “Child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “Electricity transmission line easement” in accordance with Schedule 2, Division 3: Powerline / Electricity Easements, Section 3.1 (1) and Section 3.1 Diagram 1.
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With regard to how Performance Criteria 21 and 22, Powerlink has a ‘Vegetation Control Standard’ (Powerlink, 2005) that outlines all initial line route clearing and subsequent maintenance is to be performed. In summary, the standard states that no vegetation is to be located within a 20m radius of the footings of the transmission towers. From a safety perspective, there is a desire for all vegetation to be removed from the easement area. However, there is recognition and intent to limit the unreasonable loss of vegetation. Therefore, vegetation may be permitted to encroach within the fringe of easement where it poses no danger to the integrity of the transmission line.

We are therefore of the view that no vegetation located within the easement would exceed 2.5m in height or would be located within 2.5m of the transmission tower or transmission line and would satisfy AS21.1 and AS21.2 of the *Rural Zone Code*.

Powerlink also has no intention of clearing vegetation beyond the boundary of the transmission line easement (unless required for safety or access) and is therefore considered to satisfy AS 22 of the *Rural Zone Code*.

In relation to Performance Criteria 23, Division 2, Section 3.1(1) states that a 30m separation distance is required between the transmission line easement and any houses and ‘child orientated’ land uses for transmission lines of 133kV – 275kV.

Based upon the desktop investigations of aerial photography, there are no houses or ‘child oriented’ land uses known to be located within 30m of the proposed transmission line. Therefore, the proposal would comply with AS23 of the *Rural Zone Code*.

11.2.3 Planning Scheme - Local Plan

The Planning Scheme does not contain any Local Plan. This matter is not relevant to the assessment.

11.2.4 Good Quality Agricultural Land

Good Quality Agricultural Land (GQAL) has been mapped by the former Chinchilla Shire Council and is illustrated on Planning Scheme Sheet 3 of 7 (see Figure 5.4). The mapping identifies Class A and Class B Good Quality Agricultural Land. This is further discussed in Section 5.3.5.

The study area is mapped as traversing small areas of Class B GQAL. Performance Criteria 33 of the *Rural Zone Code* and seeks to conserve and manage GQAL. No Acceptable Solution is provided by Council.



11.2.5 Future land use

As outlined above, the study area is included in the *Rural Zone* and as such is intended to accommodate rural activities such as agriculture, horticulture and grazing. The site is likely to be capable of accommodating limited agricultural uses, such as grazing across the transmission line corridor.

The desktop assessment of mapped and known site constraints is also provided to understand the potential future land uses for land contained within the proposed transmission line corridor. The assessment of the site is based on the following site constraints:

- Regional Ecosystem & Essential Habitat Map (DERM);
- Chinchilla Shire Council's Good Quality Agricultural Land mapping (Figure 5.4);
- Chinchilla Shire Council's Land Characteristics Map _ Features Map 1 (Figure 11.2); and
- Chinchilla Shire Council's Land Characteristics Map – Features Map 2 (Figure 11.3).

Based on the constraints assessed, an assessment of Planning Scheme intents and requirements, and the current services on the site, potential site specific and cumulative impacts of the project (from a Planning Scheme perspective) on existing and potential land uses on the site, have been considered. A summary of these findings is provided below:

Extractive Industry (Impact – Medium)

- The study corridor is mapped as a Mineral Development Licence area;
- The study corridor is not identified as being a Key Resource Area; and
- While a Mineral Development License area is identified for the site, the Planning Scheme is silent on the resource and merely provides a separation distance from the site to any building, structure and outdoor activity.

The intention to develop the study corridor for a public utility is not clearly contemplated by the Planning Scheme. However, the proposal represents a sequential and logical expansion of the existing Kogan Power Station and will also assist with meeting the future energy demands for the network. On this basis, the proposal is considered to not unreasonably prejudice the Strategic Directions provided in the *Chinchilla Shire Planning Scheme* or the purposes of the *Rural Zone*.

11.3 POTENTIAL IMPACTS

11.3.1 Conflicts with Chinchilla Shire Planning Scheme

Provisions of the Rural Zone Code

As outlined above, there are limited provisions that relate to the establishment of a transmission easement. The proposal is unlikely to conflict with the Strategic Directions of the Planning Scheme. Furthermore, the proposal is not considered to compromise the purpose of the *Rural Zone Code*.

This being said, it is acknowledged that the *Rural Zone Code* does identify Performance Criteria and Acceptable Solutions for land uses that are not Rural Activities – such as the proposed transmission line.



These provisions state:

PC2 Non-“Rural activities” - scale Non-“rural activities” are of an appropriate scale to protect the amenity of the rural “zone” and do not prejudice the operation and viability of other “uses” or activities in the rural “zone” or other “zones”.	AS2 The “total use area” is less than 150m ² on a lot.
PC3 Non-“rural activities” - operating hours Non-“rural activities” are operated so as to ensure that the activities and the operation of equipment occur at appropriate times to protect the amenity of the rural “zone”.	AS3 non-“rural activities” are operated only between the hours of 7:00am and 6:00pm.

The proposal is capable of satisfying the Performance Criterion PC2 given the information available suggests the proposed transmission line is unlikely to prejudice the ongoing use of the surrounding land for agricultural, grazing or horticultural purposes.

Similarly for Performance Criterion PC3, the key issue is to ensure the transmission line corridor maintains the amenity of the locality. Given the western portion of the project will be located adjacent to the existing Kogan Power Station and an existing transmission line corridor, it is reasonable to form the view the proposal will not result in a significant change to the amenity of the existing locality from the operation of the transmission line.

Mining/Extractive Resource

The Project corridor is identified as being within a Mineral Development Lease area on the *Chinchilla Planning Scheme* Features Map 1 (Figure 11.2). It is acknowledged that the Planning Scheme, through its Strategic Directions and purpose for the *Rural Zone* seeks to discourage development that may prejudice mining or extractive resource opportunities. In saying this, Schedule 2 of the Planning Scheme provides a clear separation distance for structures from power transmission line easement. In this instance, a separation distance of 1,000m is imposed by the Planning Scheme.

Given the existence of the existing Kogan Creek Power Station and existing transmission line along the western portion of the study area, it could be argued that land within 1,000m of the power station has been effectively sterilised from mining or extractive resource operations. This separation distance extends onto the study corridor. Therefore, based upon the desktop assessment undertaken, the proposal will not further sterilise land included in a Mineral Development Lease area. Consequently, the proposal does not unreasonably compromise the Planning Scheme.

Ground Water

The study area includes land mapped by the *Chinchilla Planning Scheme* as being land subject to Groundwater Vulnerability. Consideration of Performance Criteria 36 (PC36) of the *Rural Zone Code* identifies that the purpose of the mapping is to identify land where groundwater contamination is a concern. As such, PC36 states



that development is to ensure that “...water quality is maintained...” and “...the natural characteristics of the setting are protected from pollutants and contaminants”.

As outlined above, operational requirements will mean that mitigation measures will be put in place to manage the quality of water that leaves the site and to manage any contaminants that might be spilled on the site. On this basis, these mitigation measures are implemented and the project is considered to satisfy the Planning Scheme in this regard.

11.3.2 Changes in Property Value

The land traversed by and located in close proximity to the proposed transmission line area is located in the *Rural Zone* and is therefore considered to have a similar baseline value, subject to the arable nature of the land. A large portion of the proposed transmission line (approximately 54% in the former Chinchilla Shire) will traverse land that is either located in close proximity to the existing Kogan Power Station or is traversed by an existing 275 kV transmission line. The balance of the transmission line located in the former Chinchilla Shire area is vegetated and not mapped by Council as Good Quality Agricultural Land.

Therefore, it is reasonable to conclude that with limited mapped agricultural potential over the majority of the land traversed by the proposed transmission line and the proximity of affected land to existing electricity infrastructure, the value of land traversed by the proposed transmission line is unlikely to be significantly affected.

11.3.3 Disruptions to Neighbouring Areas and Existing Environments

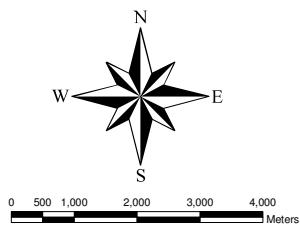
The corridor consists of land comprising both sparsely vegetated land and well vegetated land that has accommodated agricultural (i.e. grazing) activities in the past. There are seven houses located within 750m of the proposed alignment. One house is located within 250m of the proposed alignment however it is currently uninhabited. The surrounding land is also included in the *Rural Zone* and is attributed the same land uses rights and therefore it is anticipated that the proposed transmission line will not generate any significant or cumulative disruptions. The house located near the western most end of the alignment is located within approximately 1.6km of the Kogan Power Station and 400m from the Western Down Substation is therefore not expected to be further affected by the establishment of an additional transmission line.

11.4 MITIGATION MEASURES

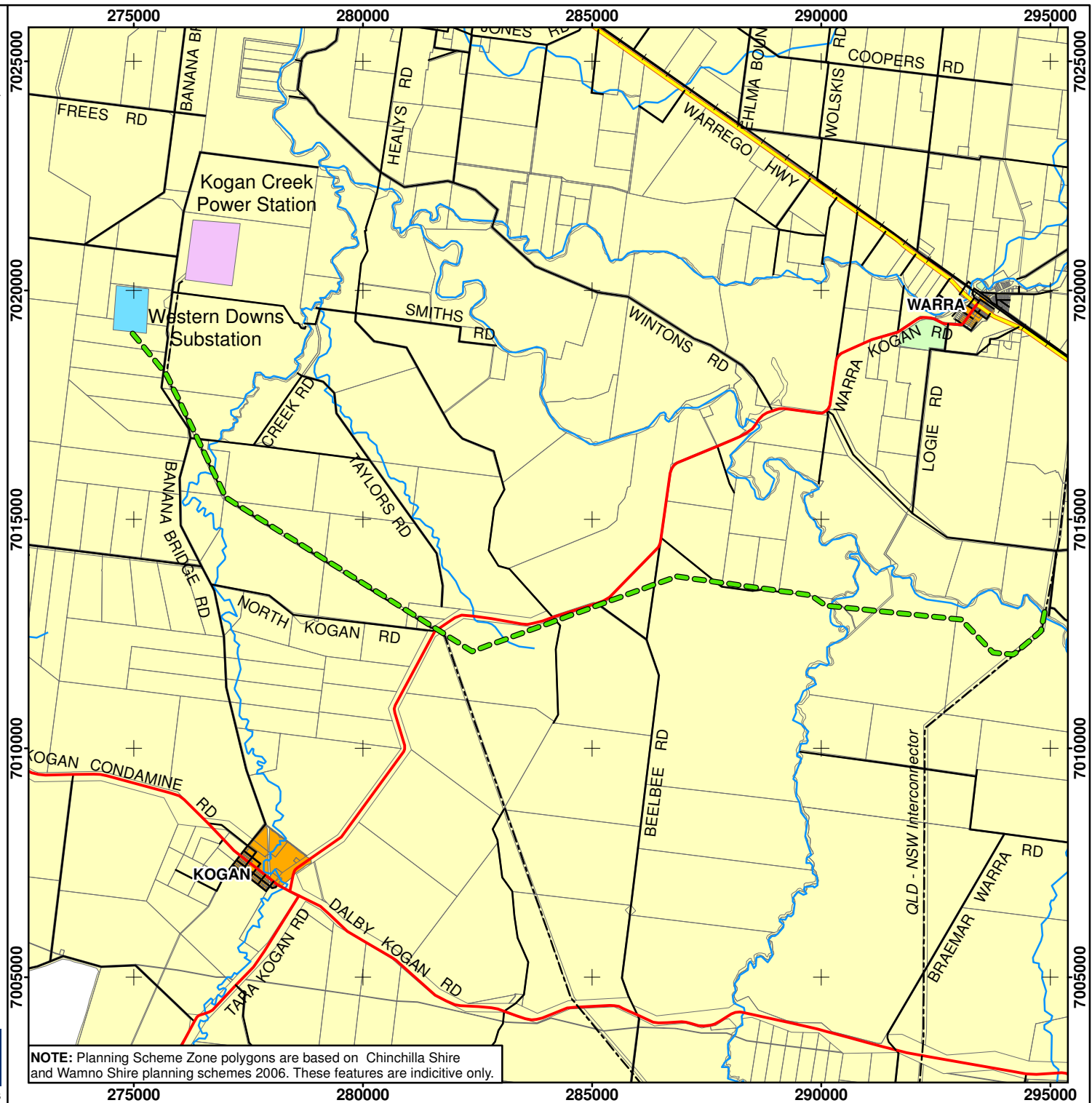
No mitigation measures are considered to be relevant in this instance.

Powerlink Western Downs EIA Planning Scheme Zone Map Figure 11.1

- Study Alignment
 - Existing 275 kV Line
 - Highway
 - Main Road
 - Local Road
 - Watercourse
 - Power Station
 - Sub-station
 - Cadastre
- Planning Scheme Zones**
- Mixed Use (MU)
 - Open Space (OSR)
 - Rural (Ru)
 - Rural Residential (RR)
 - Small Town (ST)



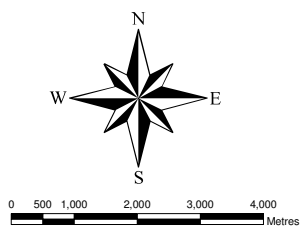
Scale 1 : 120 000
Datum / Projection: GDA94 MGA Zone 56



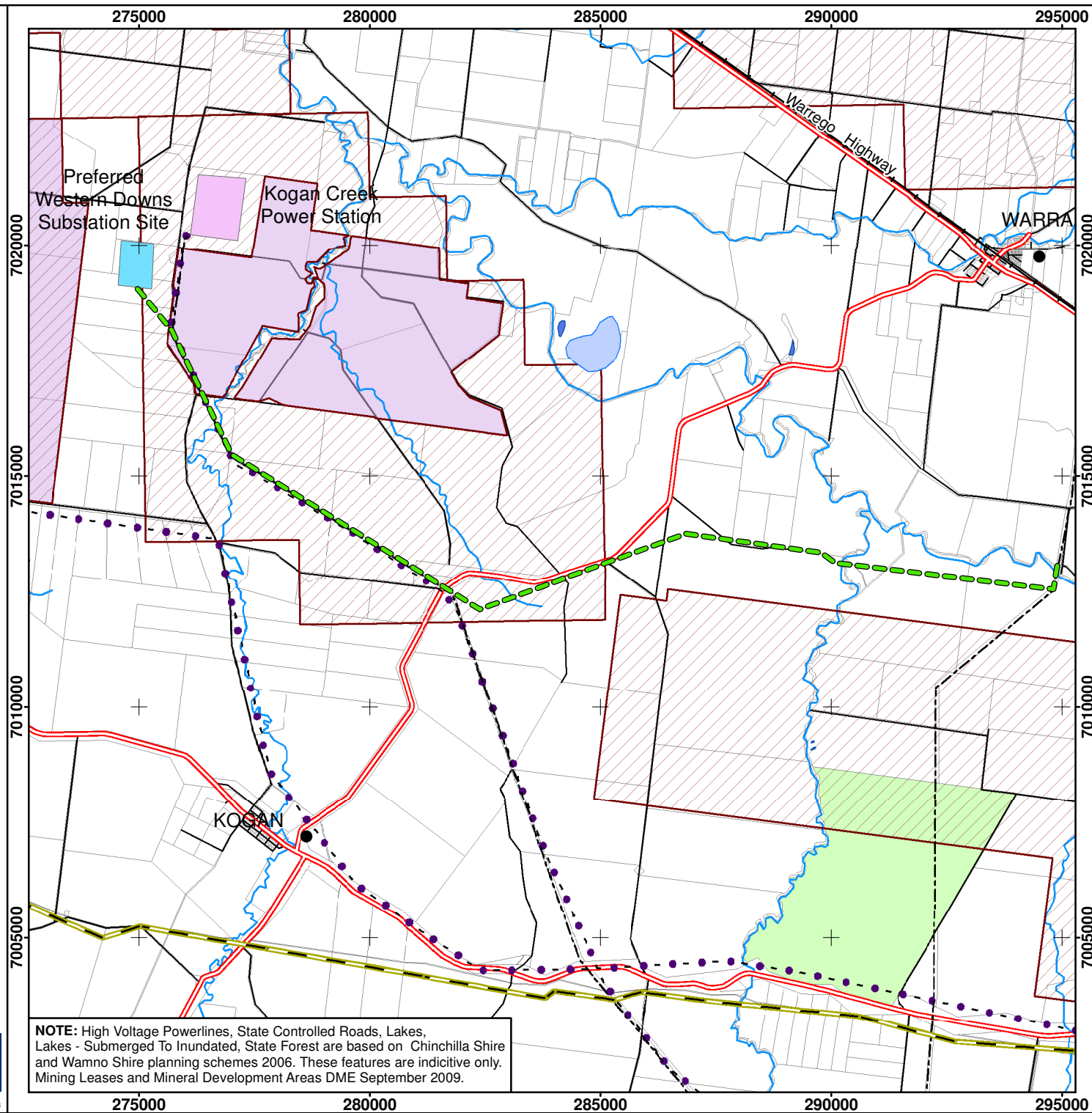
Powerlink Western Downs EIS Planning Scheme

Features
Figure 11.2

-  Study Alignment
-  Railway
-  Petroleum and Gas Pipeline
-  Existing 275 kV Line
-  Planning Scheme HV Powerline
-  State Controlled Roads
-  Highway
-  Main Road
-  Local Road
-  Watercourse
-  Mineral Development License
-  Power Station
-  Sub-station
-  Lake
-  Lake - Submerged to Inundated
-  Mining Lease
-  Cadastre
-  State Forest



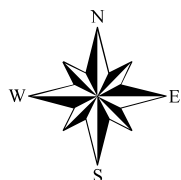
Scale 1 : 120 000
Datum / Projection: GDA94 MGA Zone 56



Powerlink Western Downs EIA Planning Scheme

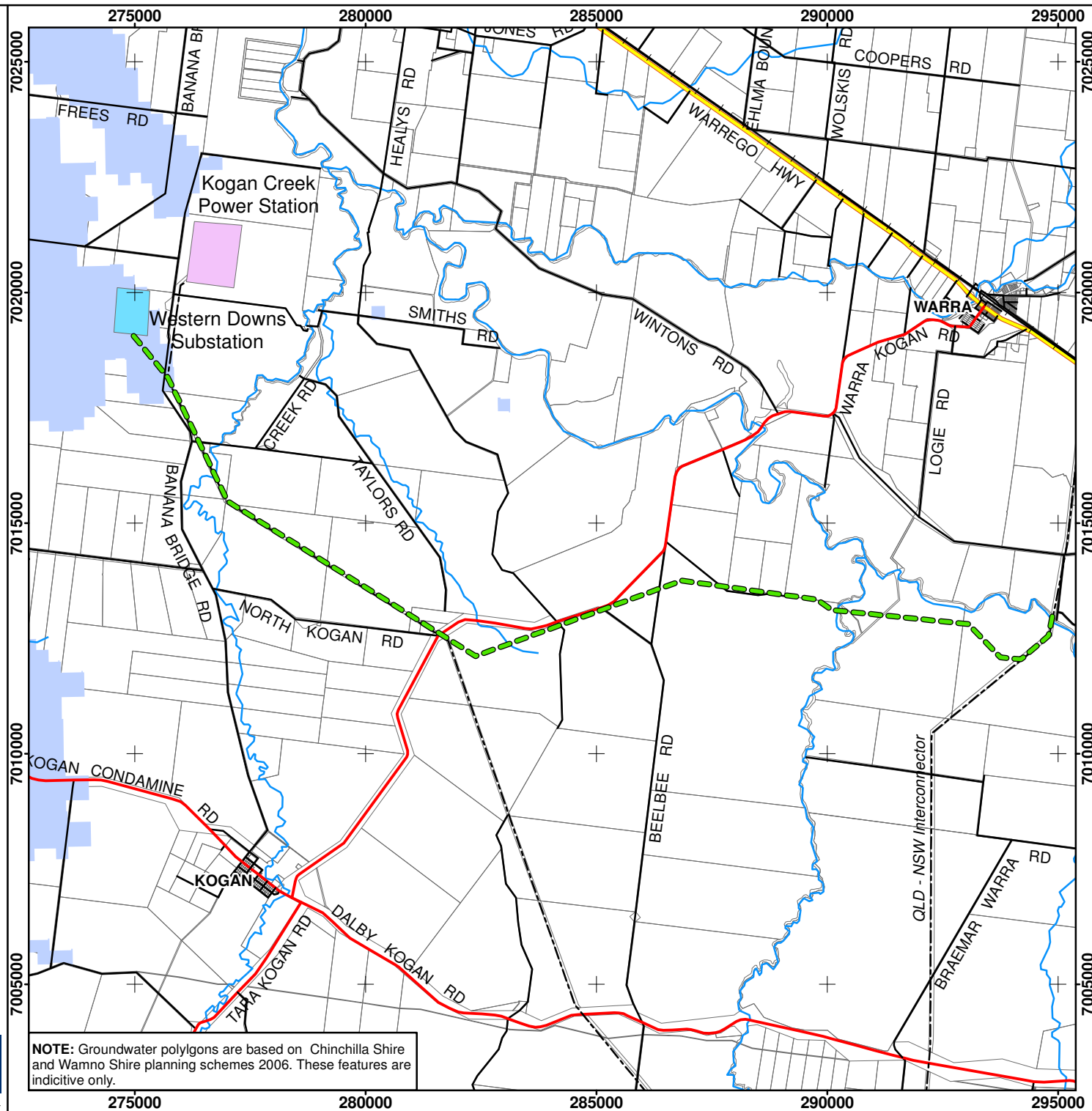
Ground Water
Figure 11.3

- Study Alignment
- Existing 275 kV Line
- Power Station
- Sub-station
- Highway
- Main Road
- Local Road
- Watercourse
- Groundwater
- Cadastre



0 500 1,000 2,000 3,000 4,000
Meters

Scale 1 : 120 000
Datum / Projection: GDA94 MGA Zone 56





11.4.1.1 Wambo Shire Planning Scheme

Overview / Structure

The *Wambo Shire Planning Scheme* is similar in structure to the majority of Planning Schemes prepared under the IPA. The *Wambo Shire Planning Scheme* is structured in the following manner:

1. Strategic Designation;
2. Zones;
3. Zone Codes; and
4. Planning Scheme Policies.

This section of the report outlines the processes of the *Wambo Shire Planning Scheme* and other mechanisms that are useful in Planning Scheme interpretation.

Use Definition

The *Wambo Shire Planning Scheme* provides a number of definitions to provide an explanation of the meaning of terms used in the scheme and for use to assist the community in understanding development proposals. The definitions are contained in Part 2 the Planning Scheme.

The proposed transmission line would be defined as a “*Public Utility*”, which is:

Public utility - means “premises” used for a waste landfill site, the supply of water, hydraulic power, electricity or gas, or provision of telephone, sewerage, postal or drainage services or the provision or maintenance of roads or traffic controls or railways or railway corridors.

Level of Assessment

Section 4.1.2 of the *Wambo Shire Planning Scheme* nominates the level of assessment for uses established in the *Rural Zone*. In accordance with Section 4.1.2 of the Planning Scheme, a “Public Utility” is “Code Assessable” development.

Strategic Designation

Part 3 of the Planning Scheme outlines the Strategic Direction for the former Wambo Shire Council area and is summarised into 3 Desired Environmental Outcomes (DEO), being:

1. The Natural Environment;
2. Economic Development; and
3. Community and Services.

Natural Environment

In Wambo Shire, ecological systems (including the Condamine River, its tributaries and floodplain) and the unique natural features (such as Bunya Mountains and Lake Broadwater) are protected and enhanced by development:

- *Development is managed to minimise the adverse impacts on air and water quality, to prevent land degradation, loss of habitat and biodiversity and to protect riparian areas.*
- *Protected areas (including Bunya Mountains and Lake Broadwater) and areas and items of cultural significance (including areas along water courses) are identified to ensure their environmental and landscape values and historic significance are protected and enhanced through compatible development.*



As demonstrated throughout this report, consideration has been given to the proposal and the potential for impacts upon the study area. It is acknowledged the study area has previously been used for grazing purposes and has been disturbed as a result of this and other agricultural activities.

Given the project will establish a transmission line and associated easement, it is anticipated the project is unlikely to have a significant impact upon air and water quality (see Sections 5.1 and 7.0). From a vegetation perspective, it is proposed to retain as much of the existing vegetation as possible (see Section 10.0).

Consideration has also been given to the potential cultural heritage values of the study area. As outlined in Sections 17.0 and 17.2 of this report, no non-indigenous cultural heritage values have been identified for the site.

Based on the above, the project will not compromise the associated Natural Environment DEO through the endeavours to minimise the potential impacts of the proposal on the natural environment of the study area.

Economic Development

The economy of Wambo Shire is enhanced through sustainable use of natural resources and through a diverse range of other economic activities that respect the hierarchy of the urban centres.

- *The planning scheme reinforces and consolidates the role of Jandowee as the principal place for business and commerce within the Shire.*
- *The local service roles of the towns of Macalister, Warra, Jimbour, Bell and Kaimkillenbun are protected and enhanced.*
- *Productive rural land (such as the Jimbour floodplain), rural industries (such as intensive animal industries, cotton and grain processing) and natural features (including mineral and extractive resources and tourist resources such as the Bunya Mountains and Lake Broadwater) are protected to reflect and enhance their continued economic potential and viability.*
- *The industrial area in Jandowae is consolidated and protected and its role as the key area for industrial activity is reinforced.*

The emphasis of this DEO is to promote economic diversity, particularly through the sustainable use of the natural resources of the former Wambo Shire. In promoting economic diversification, the existing townships are not to be adversely affected.

The project is considered to satisfy this DEO on the basis the development:

- Is for a new 275kV transmission line and will not affect the role of Jandowae as a principal place of business;
- The proposal will not affect the role of *Macalister, Warra, Jimbour, Bell and Kaimkillenbun* as Townships.; and
- The transmission line and associated easement will occupy land previously used for agricultural purposes, but is required to meet the on-going and increasing demand for electricity in the network. The easement will not preclude the continued use of the land within the transmission line easement from



ongoing grazing or farming purposes and therefore the project is unlikely to effect the continuation of agricultural activities on adjoining land.

Community and Services

Development in Wambo Shire reflects community well-being and preservation of the quality of lifestyle through management and enhancement of core community elements.:

- *The built environment reflects community expectations and contributes to the amenity and rural character of Wambo Shire.*
- *People are connected to public spaces and community services through an appropriate land use structure and the provision of infrastructure, particularly within the urban centres of the Shire.*
- *Development contributes to the health and safety of people and provides a diverse range of housing types, services and facilities.*
- *Infrastructure (including water and sewerage and roads) reflects community expectations and engineering standards and is provided in an orderly and logical sequence to ensure cost effectiveness.*

The proposal satisfies the DEO with respect to the provision of infrastructure to meet the needs and the expectation of the community for an ongoing and uninterrupted supply of electricity. As discussed within this report, the provision of this new transmission line and easement corridor will be designed so as to meet engineering standards and minimise the potential for environmental impact. The balance of matters raised in the DEO is not applicable to this project.

Zoning – Rural Zone

Under the *Wambo Shire Planning Scheme*, land is allocated a specific zone in order to identify the predominant, preferred or existing land uses for that area. Each respective zone has a Planning Scheme Code associated with it to govern and influence development. The proposed study area is located within the *Rural Zone* of the *Wambo Shire Planning Scheme* and any proposed development within this zone will comply with the provisions of the *Rural Zone Code*.



In accordance with Section 4.1.3.3 of the Planning Scheme the purpose of the *Rural Zone* and Code is as follows:

Within the Rural Zone, “development”:

- (a) *maintains the environment, including soil, air and water, compatible with healthy natural systems and ensures public health and safety;*
- (b) *protects Good Quality Agricultural Land (GQAL) from fragmentation, alienation or encroachment of incompatible land “uses” in accordance with State Planning Policy 1/92 – Development and Conservation of Agricultural Land;*
- (c) *is located, designed and operated in a manner that protects and enhances the predominant rural scale, intensity, form and character;*
- (d) *maintains the rural amenity;*
- (e) *does not prejudice or impact adversely on other “uses” including those within other “zones”;*
- (f) *does not prejudice extractive or mining resources;*
- (g) *has an appropriately designed access to the road network, and traffic generated by the development does not impact adversely on the local road network;*
- (h) *protects areas and sites of conservation importance, including cultural and high landscape values;*
- (i) *is undertaken in an orderly and logical sequence to achieve an efficient provision of infrastructure;*
- (j) *maintains the integrity of the Jimbour flood plain;*
- (k) *is located and designed in ways that minimise the need for flood, bushfire and landslide mitigation, and to protect people and premises from such natural events;*
- (l) *has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the “use”;* and
- (m) *does not impact adversely on infrastructure.*

The purpose for development within the *Rural Zone* does not directly contemplate the establishment of substations or public utilities in this zone. Ultimately, development that occurs within the *Rural Zone* is to ensure the continued maintenance of a high level of amenity through the protection of environmental processes. It is important to note that:

- The project has been located and designed to minimise the environmental impact.. In particular, the portion of the proposed transmission line within the former Wambo Shire will connect to an existing transmission line easement (QNI Line);
- The majority of the transmission line located within the former Wambo Shire is mapped as either Class A GQAL (approximately 1.5 km) or Class B GQAL (approximately 2.1km) for the purposes of the Planning Scheme (see Section 5.3.5 and Figure 5.4). Given there is the opportunity for grazing to occur within the proposed transmission line corridor, we are of the view there is limited impact the future agricultural use of this portion of the transmission line. Similarly, that portion of the study area mapped as Class A GQAL will be restricted to grazing purposes. As only a small area of Class A GQAL is affected (and is already affected by the existing QNI transmission line and there is the opportunity to continue the current agricultural activities across the transmission line corridor, the project is not considered to affect Good Quality Agricultural land; and



- The project will be limited to the corridor identified and is not anticipated to alienate agricultural uses from the adjoining allotments.

The proposal represents a sequential expansion of the existing electricity network to in order to meet the future electricity demands for the region and South East Queensland. In this regard, the proposal is considered to satisfy the provision that development in the *Rural Zone* will not adversely impact upon infrastructure and thus limit the potential for the expansion of existing electricity infrastructure.

Development Provisions – Rural Zone Code

The *Rural Zone Code* is used to assess all development that occurs within the *Rural Zone* (Figure 11.1). In this instance, the project would be subject to assessment against the provisions of this code. The *Rural Zone Code* is structured with Performance Criteria and Acceptable Solutions in which to assess development.

The Acceptable Solutions within the Planning Scheme identify one solution to the relevant Performance Criteria. Where a proposal does not accord with the Acceptable Solution, the proposal will need to demonstrate it satisfies the Performance Criteria.

Within the *Rural Zone*, the Code allows for:

- | | |
|-----|--|
| (a) | <i>Tourist related “uses” (“bed and breakfast premises” and “visitor accommodation”) and “home businesses” where they are of a small scale and are compatible with surrounding “uses”;</i> |
| (b) | <i>The protection of existing “intensive animal industries” and “extractive industries” from incompatible “uses”;</i> |
| (c) | <i>“Intensive animal industries” and “extractive industries”, where located and operated so as to ensure no detrimental impact on surrounding “uses” or on the environment; and</i> |
| (d) | <i>Limited industrial “uses”, where it can be demonstrated those “uses” are associated with rural production and can not reasonably be established in the industrial “zone”.</i> |

The *Rural Zone Code* remains relatively silent on establishing a *Public Utility* within the *Rural Zone*. However, it does not preclude the operation of such infrastructure. It is noted the code provides specific criteria for uses that are considered to be “non-rural activities”, being activities that do not involve agriculture, grazing, intensive agriculture and intensive animal husbandry.

In this instance, the proposal is inconsistent with these two provisions of the code, being:

PC2 Non-“Rural activities” - scale Non-“rural activities” are of an appropriate scale to protect the amenity of the rural “zone” and do not prejudice the operation and viability of other “uses” or activities in the rural “zone” or other “zones”.	AS2 The “total use area” is less than 150m ² on a lot.
PC3 Non-“rural activities” - operating hours Non-“rural activities” are operated so as to ensure that	AS3 non-“rural activities” are operated only between the hours of 7:00am and 6:00pm.



the activities and the operation of equipment occur at appropriate times to protect the amenity of the rural “zone”.	
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In both instances, it would be unreasonable for the proposal to comply with these requirements as the size of the area occupied by the project is dictated by the extent to which the network needs to satisfy energy demands. In addition, it cannot be expected that the transmission line would operate on a 7am to 6pm timeframe.

Regard is therefore given to the relevant Performance Criteria. In the first instance, the proposed transmission line will be contained within the land set aside for the incremental development of electricity infrastructure adjacent to the existing transmission line and Kogan Creek Power Station. The transmission line will be located to ensure it is suitably setback from the property boundaries and the opportunity remains for the provision of grazing across the easement corridor. Secondly, the transmission lines are considered to generate little in the way of noise. Therefore the project is capable of satisfying the Performance Criteria above. Through appropriate mitigation measures the proposed transmission line can be implemented in a manner that has minimal impact on the amenity of the existing locality whilst not jeopardizing surrounding land activities.

In addition to the above, the *Rural Zone Code* also includes a number of Performance Criteria and Acceptable Solutions for electricity transmission line easements. The provisions of the code (and references to diagrams in the Planning Scheme) include:

PC21 “Electricity Transmission Line Easement” - vegetation <i>Transmission lines within an “electricity transmission line easement” are protected from vegetation.</i>	<i>AS21.1 Planted vegetation within an “electricity transmission line easement” shall have a mature height not exceeding 2.5m as shown in schedule 2, division 3: Powerline / Electricity Easements, section 3.2 diagram 3.</i> <i>AS21.2 No part of planted vegetation, at its mature size, is located closer than 2.5m to an electricity transmission line as shown in schedule 2, division 3: Powerline / Electricity Easements, section 3.2 diagram 3.</i>
PC22 “Electricity transmission line easement” – Vegetated Buffers <i>Vegetated buffers adjoining an “Electricity transmission line easement” are maintained to provide:</i> <i>(a) a visual buffer to the easement; and</i> <i>(b) a separation distance.</i>	<i>AS22 Existing vegetation, comprising trees and/or shrubs, shall be retained within 20m of an “Electricity transmission line easement” as shown in Schedule 2, Division 3: Powerline / Electricity Easements, Section 3.2 Diagram 4.</i>



PC23 “Electricity transmission line easement” – separation distances “habitable buildings” and “child oriented uses” are located to ensure community safety.	AS23 “Habitable buildings” and “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with schedule 2, division 3: Powerline / Electricity Easements, section 3.1 (1) and section 3.1 diagram 1.
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With regard to how Performance Criteria 21 and 22, Powerlink has a ‘Vegetation Control Standard’ (Powerlink, 2005) that outlines all initial line route clearing and subsequent maintenance is to be performed. In summary, the standard states that no vegetation is to be located within a 20m radius of the footings of the transmission towers. From a safety perspective, there is a desire for all vegetation to be removed from the easement area. However, there is recognition and intent to limit the unreasonable loss of vegetation. Therefore, vegetation may be permitted to encroach within the fringe of easement where it poses no danger to the integrity of the transmission line.

We are therefore of the view that no vegetation located within the easement would exceed 2.5m in height or would be located within 2.5m of the transmission tower or transmission line and would satisfy AS21.1 and AS21.2 of the *Rural Zone Code*.

Powerlink also has no intention of clearing vegetation beyond the boundary of the transmission line easement (unless required for safety or access) and is therefore considered to satisfy AS 22 of the *Rural Zone Code*.

In relation to Performance Criteria 23, Division 2, Section 3.1(1) states that a 30m separation distance is required between the transmission line easement and any houses and ‘child orientated’ land uses for transmission lines of 133kV – 275kV.

Based upon the desktop investigations of aerial photography, there are no houses or ‘child oriented’ land uses known to be located within 30m of the proposed transmission line. Therefore, the proposal would comply with AS23 of the *Rural Zone Code*.

11.4.2 Planning Scheme - Local Plan

The Planning Scheme does not contain any Local Plan. This matter is not relevant to the assessment.

11.4.3 Good Quality Agricultural Land

Good Quality Agricultural Land (GQAL) has been mapped by the former Wambo Shire Council and is illustrated on Planning Scheme Sheet 5 of 9 (see Figure 5.4). The mapping identifies Class A and Class B Good Quality Agricultural Land.

The study area is mapped as traversing small areas of containing both Class A and Class B GQAL. Performance Criteria 33 of the *Rural Zone Code* and seeks to conserve and manage GQAL. No Acceptable Solution is provided by Council.



While this will be discussed in Section 11.7 in relation to State Planning Scheme Policy 1/92, for the purpose of the Planning Scheme, it is submitted the project will have limited impact upon the loss of GQAL. It is estimated the alignment will traverse approximately 1.5km of Class A GQAL and approximately 2.9km of Class B GQAL. The State Planning Scheme Policy suggests that Class A land is suitable for both cropping and grazing. Class B land is predominantly suitable for grazing purpose as it has limited cropping potential.

As Powerlink will allow grazing to occur across the transmission easement, we are of the view the project will satisfy Performance Criteria 33. Furthermore, the portion of the transmission line likely to traverse Class A GQAL is already traversed by an existing transmission line. Therefore, it is anticipated there will be little additional impact on the Class A GQAL.

11.4.4 Future land use

As outlined above, the study area is included in the *Rural Zone* and as such is intended to accommodate rural activities such as agriculture, horticulture and grazing. The site is likely to be capable of accommodating limited agricultural uses, such as grazing across the transmission line corridor.

The desktop assessment of mapped and known site constraints is provided. The assessment of the site is based on the following site constraints:

- Regional Ecosystem & Essential Habitat Map (DERM) (Figure 10.1);
- Wambo Shire Council's Good Quality Agricultural Land mapping (Figure 5.4);

Based on the constraints assessment, an assessment of Planning Scheme intents and requirements and the current services on the site, potential site specific and cumulative impacts of the project (from a Planning Scheme perspective) on existing and potential land uses on the site have been considered. A summary of these findings is provided below:

Extractive Industry (Impact – Medium)

- The corridor is mapped as a Mineral Development Licence area;
- The corridor is not identified as being a Key Resource Area; and
- While a Mineral Development License area is identified for the site, the Planning Scheme is silent on the resource and merely provides a separation distance from the site to any building, structure and outdoor activity.

The intention to develop the corridor for a public utility is not clearly contemplated by the Planning Scheme. However, the proposal represents a sequential and logical expansion of the existing Kogan Power Station and will also assist with meeting the future energy demands for the network. On this basis, the proposal is considered to not unreasonably prejudice the Strategic Directions provided in the *Wambo Shire Planning Scheme* or the purposes of the *Rural Zone*.



11.5 POTENTIAL IMPACTS

11.5.1 Conflicts with Wambo Shire Planning Scheme

Provisions of the Rural Zone Code

As outlined above, there are limited provisions that relate to the establishment of a transmission easement. The proposal is unlikely to conflict with the Strategic Directions of the Planning Scheme. Furthermore, the proposal is not considered to compromise the purpose of the *Rural Zone Code*.

This being said, it is acknowledged that the *Rural Zone Code* does identify Performance Criteria and Acceptable Solutions for land uses that are not Rural Activities – such as the proposed transmission line.

These provisions state:

PC2 Non-“Rural activities” - scale Non-“rural activities” are of an appropriate scale to protect the amenity of the rural “zone” and do not prejudice the operation and viability of other “uses” or activities in the rural “zone” or other “zones”.	AS2 The “total use area” is less than 150m ² on a lot.
PC3 Non-“rural activities” - operating hours Non-“rural activities” are operated so as to ensure that the activities and the operation of equipment occur at appropriate times to protect the amenity of the rural “zone”.	AS3 non-“rural activities” are operated only between the hours of 7:00am and 6:00pm.

The proposal is capable of satisfying the Performance Criterion PC2 given the information available suggests the proposed transmission line is unlikely to prejudice the ongoing use of the surrounding land for agricultural, grazing or horticultural purposes.

Similarly for Performance Criterion PC3, the key issue is to ensure the transmission line corridor maintains the amenity of the locality. Given the eastern portion of the project will connect with an existing transmission line corridor, it is reasonable to form the view the proposal will not result in a significant change to the amenity of the existing locality from the operation of the transmission line.

Mining/Extractive Resource

Part of the project corridor is identified as being within a Mineral Development Lease area on the *Wambo Shire Planning Scheme* Features Map 1 (Figure 11.2). It is acknowledged that the Planning Scheme, through its Strategic Directions and purpose for the *Rural Zone* seeks to discourage development that may prejudice mining or extractive resource opportunities. In saying this, Schedule 2 of the Planning Scheme provides a clear separation distance for structures from power transmission line easement. In this instance, a separation distance of 1,000 metres is imposed by the Planning Scheme.



Given the existence of the existing Queensland- New South Wales Interconnector to the national electricity grid, it could be argued that land within 1,000m of the existing transmission line has been effectively sterilised from mining or extractive resource operations. This separation distance extends onto the study area. It is therefore reasonable to form the view, based upon the desktop assessment undertaken, that the proposal will not further sterilise land included in a Mineral Development Lease area. Consequently, the proposal does not unreasonably compromise the Planning Scheme.

Ground Water

The *Wambo Shire Planning Scheme* includes mapping that identifies areas of groundwater vulnerability. The study area is not mapped as being a 'groundwater vulnerability area'. Therefore, this aspect of the Planning Scheme will not affect the project.

11.5.2 Changes in Property Value

The eastern portion of the proposal will traverse three (3) separate lots within the former Wambo Shire Council area once it deviates from the existing transmission easement that extends south-east from the Kogan Power Station.

These three parcels are included in the *Rural Zone* and are largely mapped as not Good Quality Agricultural land. There is an area of land at the eastern most extent of the transmission line that is used for agricultural purposes. The impact upon the value of this land will be subject the extent that the transmission line affects the operation and agricultural yield the land. Given the proposed transmission lines will traverse a small area of land use for agricultural purposes, it is anticipated that the corridor will have limited impact on the value of the land.

11.5.3 Disruptions to Neighbouring Areas and Existing Environments

The corridor consists of land that accommodates both sparsely vegetated land and well vegetated land that has accommodated agricultural (i.e. grazing) activities in the past. There are seven houses located within 750m of the study alignment (see Section 13.1). The surrounding land is also included in the *Rural Zone* and is attributed the same land uses rights and is therefore expected to be used for agricultural activities.

Due to the separation distances between the proposed transmission line and the seven houses, and the vegetation of the study area, minimal impacts are expected on neighbouring areas and existing environments.

11.6 MITIGATION MEASURES

No mitigation measures are considered to be relevant in this instance.

11.7 REGIONAL PLANNING INSTRUMENT

In accordance with Section 207(2)(c) of the *Sustainable Planning Act 2009*, in assessing a request for a ministerial designation for community infrastructure consideration must be given to any Regional Plan that has affect over the subject site.

In this instance, there is no Regional Plan that is applicable to the study site.



11.8 STATE PLANNING SCHEME POLICIES

The following section contains a detailed assessment of the development project against the relevant State Planning Policies for the site as per Section 207(2)(d) of the *Sustainable Planning Act 2009*. Currently seven (7) State Planning Policies (SPP) are operational within Queensland under the provisions of the *Sustainable Planning Act 2009*, being:

- SPP 1/92 Development and the Conservation of Agricultural Land 1.0;
- SPP 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities 1.0;
- SPP 2/02: Planning and Managing Development Involving Acid Sulfate Soils 1.0;
- SPP 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide 1.0;
- SPP 1/07 Housing and Residential Development including Guideline 1.0;
- SPP 2/07 Protection of Extractive Resources and Guideline; and
- State and Regional Coastal Management Plans.

It is noted that pursuant to Schedule 1, Part 2, Section 18, Subsection (5A) of the repealed *Integrated Planning Act 1997*, the Minister had identified the following SPP as having been appropriately reflected in both the Chinchilla Shire and Wambo Shire Planning Schemes:

- State Planning Policy 1/92: Development and Conservation of Agricultural Land;
- State Planning Policy 1/02: Development in the Vicinity of Certain Airports and Aviation Facilities; and
- State Planning Policy 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide - Bushfire Component.

Approval to adopt the Planning Scheme is conditional upon the continued operation and effect of the Integrated Development Assessment System triggers for Department of Main Roads matters.

As the above SPP as having been appropriately reflected in the Planning Scheme and Section 778 of the SPA states that Planning Schemes made under the repealed IPA will continue to have effect under SPA, compliance with the Planning Scheme ensures compliance with the SPP. A copy of all State Planning Policies can be found online at <http://www.dip.qld.gov.au/policies/state-planning-policies.html>.

State Planning Policies not considered applicable to the development of the site are as follows:

SPP 2/02: Planning and Managing Development Involving Acid Sulfate Soil and Guideline

The SPP identifies those Local Government Areas that may contain land considered to be 'Acid Sulfate Soils'. In particular, this policy seeks to manage both 'actual' and 'potential' acid sulphate soils that could be affected as a result of excavation or filling works.

SPP 2/02 only applies to local government areas listed in the SPP. The former Chinchilla Shire and Wambo Shire areas are not listed and therefore the SPP is not applicable to the study area.

SPP 1/07 Housing and Residential Development including Guideline 1.0



This SPP is not considered applicable as it seeks to ensure that large, higher growth local governments identify their community's housing needs and analyse, and modify if necessary, their planning schemes to remove barriers and provide opportunities for housing options that respond to identified needs.

SPP 2/07 Protection of Extractive Resources and Guideline

This SPP identifies those extractive resources of state or regional significance where extractive industry development is appropriate in principle, and aims to protect those resources from developments that might prevent or severely constrain current or future extraction when the need for utilisation of the resource arises. This SPP is not considered applicable as the study area does not contain any identified Key Resource Areas.

In addition, there is no State or Regional Coastal Management Plan relevant to the study area.

TABLE 11.1 TOWN PLANNING SUMMARY TABLE – FORMER CHINCHILLA SHIRE AND WAMBO SHIRE

PLANNING INSTRUMENT	CONCLUSION	SECTION REFERENCE
Properly Made Submissions		
The project has not reached this stage in the process. Upon submission of the request for community designation, a written notice of the project will be provided to both the Department of Environment and Resource Management (DERM) and the Western Downs Regional Council.		
Relevant State Planning Policies		
SPP 1/92 Development and the Conservation of Agricultural Land 1.0	The Minister has identified the SPP as having been appropriately reflected in the Planning Scheme. As the majority of the land proposed to be traversed by the transmission line is not identified within planning scheme as containing good quality agricultural land, the development is considered to comply with the SPP. It is noted that the eastern portion of the proposed transmission corridor traverses land mapped as Class A & B GQAL. The extent of the impact will depend upon the extent to which the transmission line prevents the continued use of the existing agricultural activity. It is anticipated that as the transmission line may sterilise a small patch of GQAL, there will be an impact, but it will be minor.	Section 11.6
SPP 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities 1.0	The Minister has identified the SPP as having been appropriately reflected in Planning Scheme. The development is considered to be consistent with the requirements of the Airport Overlay Code in the planning scheme and is therefore considered to comply with the SPP.	Section 11.6
SPP 2/02: Planning and Managing Development Involving Acid Sulfate Soils 1.0	Annex 1 of the State Planning Policy lists the former Local Government Area that contains land that may require assessment against this policy. The policy is not	Section 11.6



PLANNING INSTRUMENT	CONCLUSION	SECTION REFERENCE
	applicable as both the former Chinchilla Shire and Wambo Shire are not one of the Local Government Authorities listed in Annex 1. Therefore, the policy does not apply.	
SPP 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide 1.0	The Minister has identified the SPP as having been appropriately reflected in Planning Scheme. The development is considered to be consistent with the requirements of the Airport Overlay Code in the planning scheme and is therefore considered to comply with the SPP.	Sections 5.1.3.6 & 11.2.4
SPP 1/07 Housing and Residential Development including Guideline 1.0	The SPP is not considered applicable. It seeks to ensure that large, higher growth local governments identify their community's housing needs and provide opportunities for housing options that respond to identified needs.	Section 11.6
SPP 2/07 Protection of Extractive Resources and Guideline	This SPP is not considered to be applicable as the site is not identified as containing a Key Resource Area.	Section 11.6
Regional Planning Instruments		
The site is not located in an area that is subject to a Regional Planning Instrument.		
State Planning Regulatory Provision		
The site is not located within a State Development Area and as such is not subject to a State Planning Regulatory Provision		
Planning Scheme Requirements – Chinchilla Shire Planning Scheme		
Strategic Framework		
Desired Environmental Outcome - The Natural Environment	The project is considered to achieve the Desired Environmental Outcome in both the Chinchilla Shire and Wambo Shire Planning Schemes as the development is located on land that is considered to contain limited ecological values or known cultural significance.	Section 11.2.2
Desired Environmental Outcome - Economic Development	The development is consistent with the DEO as the proposal will not affect the economic hierarchy of the study area. Moreover, the additional employment that will be generated through the construction of the development will enhance the role of both the Kogan and Warra townships as a local service centres. In summary, the elements of the former Chinchilla Shire and former Wambo Shire that contribute to its ongoing economic development will not be compromised by the development.	Section 11.2.2
Desired Environmental Outcome - Community and Services	The development will satisfy the community's expectation for the provision of a reliable electricity supply. Furthermore, the development will not compromise the well being of the community, the pattern of settlement or ongoing provision of public spaces.	Section 11.2.2



PLANNING INSTRUMENT	CONCLUSION	SECTION REFERENCE
Rural Zone	The proposed development is inconsistent with the intent of the zone. It is noted however, that the proposed development is considered to have minimal impact on the Rural Area. The project is not expected to unreasonably compromise the environmental values of the site or the strategy for land in the rural designation.	Section 11.2.2
Development Codes		
Rural Code	Although the proposed transmission corridor is located within the Rural Zone, the area is directly adjacent to areas zoned and use for power generation (Kogan Power Station) and the western portion of the proposed transmission line will be collocated with an existing transmission line. The proposed development is therefore considered to have minimal impact on the Rural Zone and will complement the existing energy infrastructure on the study site. The opportunity for continued grazing across the proposed transmission corridor, the project is not expected to impact negatively on surrounding rural activities. Given the limited potential for wider impacts on the Rural Zone the development of the proposed 275kV transmission line corridor is considered an appropriate use for this location.	Section 11.2.2