

# Report to the Legislative Assembly

Directions under section 95 of the Planning Act 2016 – two undecided wind farm applications



The Department of State Development, Infrastructure and Planning connects industries, businesses, communities and government (at all levels) to leverage regions' strengths to generate sustainable and enduring economic growth that supports well-planned, inclusive and resilient communities.

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# 1.0 Introduction

On 5 March 2025, and 4 April, 2025, I, as the Planning Minister directed the Chief Executive of the *Planning Act 2016* (Planning Act) to decide two undecided wind farm applications. I directed that Bungaban Wind Farm be decided within 12 business days and Wongalee Wind Farm within 26 business days.

Pursuant to section 97(2) of the Planning Act, this report:

- explains the nature of my direction and the matters I considered in making the direction; and
- includes a copy of my directions (Annexures A and B).

Section 97(2) of the Planning Act requires that I table a copy of this report in the Legislative Assembly within 14 sitting days after I gave the direction.



## 2.0 Directions

On 5 March 2025, and 4 April, 2025, I exercised my Ministerial direction powers outlined in Chapter 3, Part 6, Division 2, Section 95 of the Planning Act. I, by Gazette Notices, directed the decision-maker (being the Chief Executive of the Planning Act) to decide two undecided applications, for which I had previously issued a direction on 16 January 2025, to the decision-maker (being the Chief Executive of the Planning Act), not to decide for a period of 4 months.

A copy of the Gazette Notices, including my reasons for the respective directions, are at **Annexure A** and **Annexure B**.

The two then undecided wind farm applications the subject of the directions are described below:

1. Windlab's subsidiary's Bungaban wind farm (Bungaban)
  - Development:
    - material change of use for a wind farm (up to 204 wind turbine generators and ancillary infrastructure including a battery energy storage system (BESS) up to 350MW)
    - operational work for clearing native vegetation
  - Location: Western Downs, 35 kilometres northeast of Wandoan
  - Number of turbines: 204 turbines
  - Category of assessment: code assessment
2. Windlab's Wongalee wind farm (Wongalee)
  - Development:
    - material change of use for a wind farm of up to 175 wind turbines and ancillary infrastructure
    - operational work for clearing native vegetation
  - Location: Flinders Shire, 40 kilometres northeast of Hughenden
  - Number of turbines: 175 turbines
  - Category of assessment: code assessment

I directed that Bungaban be decided within 12 business days and Wongalee within 26 business days.

Bungaban has now been decided and Wongalee is due to be decided by 16 May 2025.

## 3.0 Matters considered

Prior to giving the directions under section 95 of the Planning Act, I was provided with a Briefing Note and attachments, including:

- Preliminary Assessment Report, prepared by officers of DSDIP
- Draft gazette notice including reasons
- Human rights assessment.

### *Bungaban*

The state interests for which the direction was given are:

1. An interest that affects the economic or environmental interest of the State or part of the State; and
2. The interest of ensuring the Planning Act purpose is achieved.

The reasons for the direction are as follows:

- (a) The development the subject of the application, involves or is likely to involve, the State interests set out above in particular, the State interests articulated in the Darling Downs Regional Plan 2013 and the State Planning Policy 2017 (SPP).
- (b) The SPP underscores planning's role in economic growth, supporting both traditional and emerging sectors by:
  - a. emphasising the importance of providing a safe, reliable, and affordable supply of energy for a sustainable Queensland,
  - b. highlighting the importance of safeguarding biodiversity through informed planning and development decisions, and
  - c. ensuring that planning supports community needs and promotes innovative responses to challenges.
- (c) The proposed development is on premises subject to the Darling Downs Regional Plan 2013 which supports growth of energy infrastructure where environmental and social values are protected.
- (d) The proposed development is for a significant wind farm with a large number of turbines and ancillary infrastructure, and substantial clearing. More specifically:
  - a. The application is for a wind farm development incorporating up to 204 turbines together with various types of ancillary infrastructure.
  - b. The wind farm proposes to clear 6.7 ha of native vegetation.
  - c. The wind farm requires haulage of construction materials and wind farm infrastructure across Queensland's transport network.
- (e) The development is a complex and significant project in relation to the respective potential social, economic and environmental impacts.
- (f) The development application is subject to code assessment under the Planning Act and does not require public notification.
- (g) Planning has a role in economic growth, supporting both traditional and emerging sectors through emphasising the importance of a sustainable energy supply, safeguarding biodiversity and supporting community needs, as reflected in the SPP and the regional plan.
- (h) On 16 January 2025, under section 95(1)(b) of the Planning Act, I directed the Chief Executive to not decide the application for a period of 4 months (January Direction).



- (i) The January Direction suspended the assessment of the application, to allow my consideration of the assessment framework that applies to the application having regard to the purpose of the Planning Act to provide an efficient, effective, transparent, integrated, coordinated, and accountable planning system.
- (j) Since the January Direction, I have been provided with additional information about the application.
- (k) I am satisfied that extensive consultation has been undertaken prior to and after lodgement of the application, including consultation with community, a wide range of stakeholders, and the local governments relevant to the premises.
- (l) I am satisfied that the applicant can provide sufficient information for the application to allow an informed assessment to be undertaken by the Chief Executive as the assessment manager under the Planning Act including with respect to:
  - a. Decommissioning and rehabilitation at the cessation of the use; and
  - b. On-site workforce accommodation impacts.

*Wongalee*

The state interests for which the direction was given are:

- i. An interest that affects the economic or environmental interest of the State or part of the State; and
- ii. The interest of ensuring the Planning Act purpose is achieved.

The reasons for the direction are as follows:

- (a) The development the subject of the application, involves or is likely to involve, the State interests set out above in particular, the State interests articulated in the North West Regional Plan 2010 (regional plan) and SPP.
- (b) The SPP underscores planning's role in economic growth, supporting both traditional and emerging sectors by:
  - a. emphasising the importance of providing a safe, reliable, and affordable supply of energy for a sustainable Queensland,
  - b. highlighting the importance of safeguarding biodiversity through informed planning and development decisions, and
  - c. ensuring that planning supports community needs and promotes innovative responses to challenges.
- (c) The proposed development is on premises subject to the regional plan which supports growth of energy infrastructure where environmental and social values are protected.
- (d) The proposed development is for a significant wind farm with a large number of turbines and ancillary infrastructure, and substantial clearing. More specifically:
  - a. The application is for a wind farm development incorporating up to 175 turbines together with various types of ancillary infrastructure.
  - b. The wind farm proposes to clear 2,172 hectares of native vegetation.
  - c. The wind farm requires haulage of construction materials and wind farm infrastructure across Queensland's transport network.
- (e) The development is a complex and significant project in relation to the respective potential social, economic and environmental impacts.
- (f) The development application is subject to code assessment under the Planning Act and does not require public notification.
- (g) Planning has a role in economic growth, supporting both traditional and emerging sectors through emphasising the importance of a sustainable energy supply, safeguarding biodiversity and supporting community needs, as reflected in the SPP and the regional plan.

- (h) Pursuant to a direction gazetted on 16 January 2025, under section 95(1)(b) of the Planning Act, I directed the Chief Executive to not decide the application for a period of four months (January Direction).
- (i) The January Direction suspended the assessment of the application, to allow my consideration of the assessment framework that applies to the application having regard to the purpose of the Planning Act to provide an efficient, effective, transparent, integrated, coordinated, and accountable planning system.
- (j) Since the January Direction, I have been provided with additional information about the application.
- (k) I am satisfied that extensive consultation has been undertaken prior to and after lodgement of the application, including consultation with community, a wide range of stakeholders, and the Local Government for the premises.
- (l) I am satisfied that the applicant can provide sufficient information for the application to allow an informed assessment to be undertaken by the Chief Executive as the assessment manager under the Planning Act including with respect to:
  - a. decommissioning and rehabilitation at the cessation of the use, and
  - b. workforce accommodation impacts.



## 4.0 Conclusion

After considering the above matters, I decided to give the directions to the Chief Executive of the Planning Act to decide Bungaban within 12 business days, and Wongalee within 26 business days.

Dated:

16 / 5 / 25



JARROD BLEIJIE MP

DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

Minister for Industrial Relations

## **Annexure A: Section 95 Direction Gazette Notice (Bungaban)**





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**WEDNESDAY 5 MARCH 2025**

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### *Planning Act 2016*

#### **DIRECTION TO CHIEF EXECUTIVE OF THE *PLANNING ACT 2016* – CURRENT APPLICATION**

I, the Honourable Jarrod Bleijie MP, Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations, direct, pursuant to section 95 of the *Planning Act 2016* (the Planning Act), the Chief Executive administering the Planning Act (Chief Executive) to decide the application (the application) stated in the Schedule within 20 business days after the date this direction is gazetted.

The state interests for which this direction is given are –

- (a) an interest that affects an economic or environmental interest of the State or part of the State; and
- (b) the interest of ensuring the Planning Act purpose is achieved.

The reasons for the direction are –

- (a) The development the subject of the application, involves or is likely to involve, the State interests set out above in particular, the State interests articulated in the *Darling Downs Regional Plan 2013* and the State Planning Policy 2017 (SPP).
- (b) The SPP underscores planning's role in economic growth, supporting both traditional and emerging sectors by:
  - a. emphasising the importance of providing a safe, reliable, and affordable supply of energy for a sustainable Queensland,
  - b. highlighting the importance of safeguarding biodiversity through informed planning and development decisions, and
  - c. ensuring that planning supports community needs and promotes innovative responses to challenges.
- (c) The proposed development is on premises subject to the Darling Downs Regional Plan 2013 which supports growth of energy infrastructure where environmental and social values are protected.
- (d) The proposed development is for a significant wind farm with a large number of turbines and ancillary infrastructure, and substantial clearing. More specifically:
  - a. The application is for a wind farm development incorporating up to 204 turbines together with various types of ancillary infrastructure.
  - b. The wind farm proposes to clear 6.7 ha of native vegetation.
  - c. The wind farm requires haulage of construction materials and wind farm infrastructure across Queensland's transport network.
- (e) The development is a complex and significant project in relation to the respective potential social, economic and environmental impacts.
- (f) The development application is subject to code assessment under the Planning Act and does not require public notification.
- (g) Planning has a role in economic growth, supporting both traditional and emerging sectors through emphasising the importance of a sustainable energy supply, safeguarding biodiversity and supporting community needs, as reflected in the SPP and the regional plan.
- (h) On 16 January 2025, under section 95(1)(b) of the Planning Act, I directed the Chief Executive to not decide the application for a period of 4 months (January Direction).
- (i) The January Direction suspended the assessment of the application, to allow my consideration of the assessment framework that applies to the application having regard to the purpose of the Planning Act to provide an efficient, effective, transparent, integrated, coordinated, and accountable planning system.
- (j) Since the January Direction, I have been provided with additional information about the application.

- (k) I am satisfied that extensive consultation has been undertaken prior to and after lodgement of the application, including consultation with community, a wide range of stakeholders, and the local governments relevant to the premises.
- (l) I am satisfied that the applicant can provide sufficient information for the application to allow an informed assessment to be undertaken by the Chief Executive as the assessment manager under the Planning Act including with respect to:
- Decommissioning and rehabilitation at the cessation of the use; and
  - On-site workforce accommodation impacts.
- (m) Accordingly, I am satisfied that it is appropriate for a further direction to be issued to the Chief Executive under section 95(1)(c) of the Planning Act, to proceed to decide the application within 20 business days after the date this direction is gazetted.
- (n) The effect of this further direction is to restart the balance of the process for administering the application to now permit a decision to be made on the application, noting that the Director-General's current period for deciding the application will end 12 business days after the direction is given.
- (o) The decision to issue the direction is compatible with human rights under the *Human Rights Act 2019*.
- (p) Before deciding to issue this direction, I was provided with briefing material by the Department of State Development, Infrastructure and Planning.

## SCHEDULE

State Assessment and Referral Agency reference:	Applicant details	Location details	Application details
2410-43110 SDA	<ul style="list-style-type: none"> <li>Applicant name: Bungaban Renewable Energy Farm Pty Ltd, c/- Environmental Resources Management Australia Pty Ltd</li> </ul>	<ul style="list-style-type: none"> <li>Street address: 1055 Arndts Road, Sujeewong; 2131 and 2402 Red Range Road, Cockatoo; 1909 Big Valley Road and 433 Bocks Road, Bungaban; 1839 and 2438 Knudsens Road and Lot 7 Auburn Road, Auburn; and Knudsens Road, Shacho Road and Big Valley Road</li> <li>Real property description: Lot 1 and 2 on SP321813, Lot 21 and 22 on SP263821, Lot 2 and 4 on FT800, Lot 3 on FT831, Lot 1 and 42 on SP137907, Lot 5 on NT196 and Lot 7 on NT283</li> <li>Local government areas: Banana Shire Council and Western Downs Regional Council</li> </ul>	<ul style="list-style-type: none"> <li>Development permit: <ul style="list-style-type: none"> <li>Material Change of Use for a Wind Farm (up to 204 wind turbine generators and ancillary infrastructure including a battery energy storage system (BESS) up to 350MW)</li> <li>Operational Work for Clearing Native Vegetation</li> </ul> </li> </ul>



## **Annexure B: Section 95 Direction Gazette Notice (Wongalee)**



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### *Planning Act 2016*

#### **DIRECTION TO CHIEF EXECUTIVE OF THE PLANNING ACT 2016 – CURRENT APPLICATION**

I, the Honourable Jarrod Bleijie MP, Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations, direct, pursuant to section 95 of the *Planning Act 2016* (the Planning Act), the Chief Executive administering the Planning Act (Chief Executive) to decide the application (the application) stated in the Schedule within 26 business days after the date this direction is gazetted.

The State interests for which this direction is given are –

- (a) an interest that affects an economic or environmental interest of the State or part of the State; and
- (b) the interest of ensuring the Planning Act's purpose is achieved.

The reasons for the direction are –

- (a) The development the subject of the application, involves or is likely to involve, the State interests set out above in particular, the State interests articulated in the *North West Regional Plan 2010* (regional plan) and the *State Planning Policy 2017* (SPP).
- (b) The SPP underscores planning's role in economic growth, supporting both traditional and emerging sectors by:
  - a. emphasising the importance of providing a safe, reliable, and affordable supply of energy for a sustainable Queensland,
  - b. highlighting the importance of safeguarding biodiversity through informed planning and development decisions, and
  - c. ensuring that planning supports community needs and promotes innovative responses to challenges.
- (c) The proposed development is on premises subject to the regional plan which supports growth of energy infrastructure where environmental and social values are protected.
- (d) The proposed development is for a significant wind farm with a large number of turbines and ancillary infrastructure, and substantial clearing. More specifically:
  - a. The application is for a wind farm development incorporating up to 175 turbines together with various types of ancillary infrastructure.
  - b. The wind farm proposes to clear 2,172 hectares of native vegetation.
  - c. The wind farm requires haulage of construction materials and wind farm infrastructure across Queensland's transport network.
- (e) The development is a complex and significant project in relation to the respective potential social, economic and environmental impacts.
- (f) The development application is subject to code assessment under the Planning Act and does not require public notification.
- (g) Planning has a role in economic growth, supporting both traditional and emerging sectors through emphasising the importance of a sustainable energy supply, safeguarding biodiversity and supporting community needs, as reflected in the SPP and the regional plan.
- (h) Pursuant to a direction gazetted on 16 January 2025, under section 95(1)(b) of the Planning Act, I directed the Chief Executive to not decide the application for a period of four months (January Direction).



- (i) The January Direction suspended the assessment of the application, to allow my consideration of the assessment framework that applies to the application having regard to the purpose of the Planning Act to provide an efficient, effective, transparent, integrated, coordinated, and accountable planning system.
- (j) Since the January Direction, I have been provided with additional information about the application.
- (k) I am satisfied that extensive consultation has been undertaken prior to and after lodgement of the application, including consultation with community, a wide range of stakeholders, and the Local Government for the premises.
- (l) I am satisfied that the applicant can provide sufficient information for the application to allow an informed assessment to be undertaken by the Chief Executive as the assessment manager under the Planning Act including with respect to:
  - a. decommissioning and rehabilitation at the cessation of the use, and
  - b. workforce accommodation impacts.
- (m) Accordingly, I am satisfied that it is appropriate for a further direction to be issued to the Chief Executive under section 95(1)(c) of the Planning Act, to proceed to decide the application within 26 business days after the date this direction is gazetted.
- (n) The effect of this further direction is to restart the balance of the process for administering the application to now permit a decision to be made on the application, noting that the Chief Executive's current period for deciding the application will end 26 business days after the direction is given.
- (o) The decision to issue the direction is compatible with human rights under the *Human Rights Act 2019*.
- (p) Before deciding to issue this direction, I was provided with briefing material by the Department of State Development, Infrastructure and Planning.

SCHEDULE

StateAssessment and Referral Agency reference:	Applicant details	Location details	Application details
2407-41277 SDA	<ul style="list-style-type: none"><li>Applicant name: Wongalee Renewable Energy Farm Pty Ltd c/- Environmental Resources Management Australia Pty Ltd.</li></ul>	<ul style="list-style-type: none"><li>Street address: 32161 Kennedy Developmental Road, Porcupine</li><li>Real property description: 4WNG27</li><li>Local Government Area: Flinders Shire Council.</li></ul>	<ul style="list-style-type: none"><li>Development permit:<ul style="list-style-type: none"><li>– Material change of use for a wind farm of up to 175 wind turbines and ancillary infrastructure</li><li>– Operational work for clearing native vegetation.</li></ul></li></ul>

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