

Council File Reference: DA 601617
Council Contact: Brett Walsh
Council Contact Phone: (07) 4651 5600

6 October 2017

Barcardine Solar Farm Stage II Pty Ltd
c/- Elecnor Australia Pty Ltd
Level 40, 140 William Street
MELBOURNE VIC 3000

Attention: Joseph De Pedro

Development Application for:

Development Permit—
Material Change of Use: "Community Oriented Activity" – "Public Utility"
– 50MW Grid Connect Solar Photovoltaic Array Facility, including Battery
Storage, and Substation
Street Address: "Lexington", 56998 Capricorn Highway, Barcardine
Property Description: Lot 1 on SP259521, part of Lot 4 on SP252191, Lot 5 on SP252192 and Lot 6
on SP252193
Applicant: Barcardine Solar Farm Stage II Pty Ltd c/- Elecnor Australia Pty Ltd
Council File Reference: DA 601617

I refer to your development application as described above and advise your development application has been approved in the form and manner as proposed.

Pursuant to sections 334 and 335 of the *Sustainable Planning Act 2009* (SPA), please find attached the **Decision Notice**.

Please contact Brett Walsh of at the Barcardine Administration Office should you have any queries.

Yours Faithfully



D A Howard
Chief Executive Officer

End

DECISION NOTICE – APPROVAL
(Section 334 of the *Sustainable Planning Act 2009*)

Pursuant to section 335 of the Sustainable Planning Act 2009 (SPA):

(1) DATE OF DECISION

On 5 October 2017, Barcaldine Regional Council, as the assessment manager, decided and approved the development application (Council File Reference: 601617) seeking:

Development Permit – Material Change of Use for:

“Community Oriented Activity” – “Public Utility” – 50MW Grid Connect Solar Photovoltaic Array Facility, including Battery Storage, and Substation

(2) APPLICANT DETAILS

Name: Barcaldine Solar Farm Stage II Pty Ltd

Postal Address: c/- Elecnor Australia Pty Ltd
Level 40, 140 William Street
MELBOURNE VIC 3000

Attention: Joseph De Pedro

Phone No.: (03) 9607 8339
Email: asutera@elecnor.com

(3) SUBJECT SITE – PROPERTY DESCRIPTION

RPD	Street Address	Area
Lot 1 on SP259521	56998 Capricorn Highway, Barcaldine	67.34 ha
Part of Lot 4 on SP252191	56998 Capricorn Highway, Barcaldine	33.62 ha
Lot 5 on SP252192	‘Lexington’, Capricorn Highway, Barcaldine	66.37 ha
Lot 6 on SP252193	‘Lexington’, Capricorn Highway, Barcaldine	16.21 ha

Coordinates of Part of Lot 4 on SP252191		
Point	Latitude	Longitude
B.16	-23.5433839691	145.3314078401
B.14	-23.5424683997	145.3233864498
B.10	-23.5461241031	145.3228950005
B.11	-23.5470397248	145.3309167410

(4) **REFERRAL AGENCIES**

Pursuant to sections 250 and 251 of the *Sustainable Planning Act 2009* (SPA) and *Schedule 7 Referral Agencies and their Jurisdictions* of the *Sustainable Planning Regulation 2009* (SP Reg), the following referral agency was prescribed for the development application.

Referral Agency Name and Type	Referral Agency Address
Department of Infrastructure, Local Government and Planning— as concurrence agency	Via Post: State Assessment and Referral Agency Mackay Isaac Whitsunday Regional Office PO Box 257 MACKAY QLD 4740
– Department of Transport and Main Roads (DTMR) with Jurisdiction	Via Email: MIWSARA@dilgp.qld.gov.au
– Department of Natural Resources and Mines (DNRM) with Jurisdiction	Via MyDAS: www.dilgp.qld.gov.au

Refer to Attachment B for Department of Infrastructure, Local Government and Planning, Concurrence Agency Response (dated 6 September 2017).

(5) **DECISION**

The development application has been assessed and is:

- Approved in Full
- Approved in Part
- Approved in Full, with Conditions
- Approved in Part, with Conditions
- Refused

(6) **APPROVAL UNDER SECTION 331**

Pursuant to section 331 of SPA, the development application has not been deemed to be approved.

(7)

DETAILS OF APPROVAL

Aspect of Development	Development Permit	Preliminary Approval
Carrying out Building Work	<input type="checkbox"/>	<input type="checkbox"/>
Carry out Operational Work	<input type="checkbox"/>	<input type="checkbox"/>
Making a Material Change of Use for: "Community Oriented Activity" – "Public Utility" – 50MW Grid Connect Solar Photovoltaic Array Facility, including Battery Storage, and Substation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reconfiguring a Lot	<input type="checkbox"/>	<input type="checkbox"/>

(8)

CONFLICT WITH A RELEVANT INSTRUMENT AND REASONS FOR THE DECISION DESPITE THE CONFLICT

The assessment manager does consider that the assessment manager's decision conflicts with a relevant instrument.

Details of the conflict with the relevant instrument	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict
<p>1. The proposed development is located in the Rural Zone. The intent of the Rural Zone is: <i>The Rural "Zone" is intended primarily for rural uses and associated activities.</i></p> <p>The proposed development, by Planning Scheme definition, is a "Public Utility", and is generally inconsistent with the Rural Zone Code of the Barcaldine Shire Planning Scheme given the development, a 50MW Grid Connect Solar Photovoltaic Array Facility, including Battery Storage, and Substation, with a subject site area of 183.54 ha, is a non-rural use of a significant scale, located within the Rural Zone which is primarily intended for rural uses.</p>	<p>The development application is approved, despite the inconsistency with the Rural Zone Code, on the following grounds:</p> <ul style="list-style-type: none"> (a) the proposal is not incompatible with rural uses; (b) the proposed development adequately addresses the Performance Criteria of the Rural Zone Code as applicable to non-rural activities and uses generally; (c) the proposal can only be located within the Rural Zone given it is the only zone where adequate vacant land is available to accommodate a use of the proposed scale; (d) the proposed development represents Stage II of the Barcaldine Solar Farm developments and is located adjacent to the existing approved and operational Stage I Barcaldine Remote Community Solar Farm and is appropriately located in relatively close proximity to the gas-fired power station and 132 kV substation; (e) the proposed development is consistent with the Central West Regional Plan given the proposal will provide a power supply to support existing and future development within Barcaldine; (f) the proposed development can be conditioned to ensure all impacts associated with the use are adequately ameliorated, the amenity of the Rural Zone is not adversely impacted and all provisions of the Rural Zone Code are appropriately addressed; and (g) the subject site is not good quality agricultural land.

(9)

SUBMISSIONS

Not applicable.

(10)

APPROVED PLANS AND SUPPORTING DOCUMENTS

Refer to Attachment A for a copy of the approved plans.

APPROVED PLANS		
1.	Reference: Description: Amendments:	Elecnor No. "Drawing No. 1", Rev "06" "Vegetation Management Supporting Map", prepared by Elecnor Infrastructures, dated 25/05/2017 Nil
2.	Reference: Description: Amendments:	Elecnor No. "Drawing No. 2", Rev "06" "Site Details – Title Details", prepared by Elecnor Infrastructures, dated 25/05/2017 Nil
3.	Reference: Description: Amendments:	Elecnor No. "Drawing No. 3", Rev "06" "Layout", prepared by Elecnor Infrastructures, dated 25/05/2017 Nil
4.	Reference: Description: Amendments:	Elecnor No. "Drawing No. 4", Rev "01" "Site Plan", prepared by Elecnor Infrastructures, revision "00", dated 25/05/2017 Nil

SUPPORTING DOCUMENTS		
1.	Description:	"Town Planning Report – Barcaldine Solar Farm STAGE II – Capricorn Highway, Barcaldine", prepared by Elecnor Australia Pty Ltd, dated 5 June 2017
2.	Description:	"Property Vegetation Management Plan – Barcaldine Solar Farm Stage II", Version 1, Yarramine Environmental, dated 5 June 2017

(11)

ASSESSMENT MANAGER'S CONDITIONS

NO.	CONDITION	TIMING																		
Approved Use																				
1.	Approval is granted for the purpose of Material Change of Use for: "Community Oriented Activity" – "Public Utility" – 50MW Grid Connect Solar Photovoltaic Array Facility, including Battery Storage, and Substation	At all times while the use continues.																		
Approved Plans and Documents																				
2.	The development shall be undertaken generally in accordance with the approved plans and the supporting documents, as listed in Item 10 (above) of this Decision Notice.	At all times while the use continues.																		
Extent of Development																				
3.	All components of the solar photovoltaic array facility, battery storage and substation must be fully contained within the subject site, being Lot 1 on SP259521, part of Lot 4 on SP252191 (as identified below), Lot 5 on SP252192 and Lot 6 on SP252193, as indicated on the approved plans. <table border="1" data-bbox="316 884 1061 1108"> <thead> <tr> <th colspan="3">Coordinates of Part of Lot 4 on SP252191</th> </tr> <tr> <th>Point</th> <th>Latitude</th> <th>Longitude</th> </tr> </thead> <tbody> <tr> <td>B.16</td> <td>-23.5433839691</td> <td>145.3314078401</td> </tr> <tr> <td>B.14</td> <td>-23.5424683997</td> <td>145.3233864498</td> </tr> <tr> <td>B.10</td> <td>-23.5461241031</td> <td>145.3228950005</td> </tr> <tr> <td>B.11</td> <td>-23.5470397248</td> <td>145.3309167410</td> </tr> </tbody> </table>	Coordinates of Part of Lot 4 on SP252191			Point	Latitude	Longitude	B.16	-23.5433839691	145.3314078401	B.14	-23.5424683997	145.3233864498	B.10	-23.5461241031	145.3228950005	B.11	-23.5470397248	145.3309167410	At all times while the use continues.
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Existing Bore																				
4.	The existing free-flowing bore on Lot 1 on SP259521 shall be capped, as indicated on the approved plans.	Prior to the commencement of the use.																		
Existing Dams																				
5.	The existing dams on Lot 1 on SP259521 shall be retained, as indicated on the approved plans.	At all times while the use continues.																		
Existing Buildings and Structures																				
6.	All existing buildings and structures on the subject site which are not a component of the proposed development shall be removed, as indicated on the approved plans.	Prior to the commencement of the use.																		
Amalgamation of Lots																				
7.	Lot 1 on SP259521, part of Lot 4 on SP252191, Lot 5 on SP252192 and Lot 6 on SP252193 shall be amalgamated. (Note: Inclusion of part of Lot 4 on SP252191 in the amalgamation of lots will require subdivision of Lot 4 on SP252191 prior to or together with the amalgamation. Refer to Advisory Note 2 of this Decision Notice regarding the requirement to submit a development application for reconfiguring a lot for subdivision of Lot 4 on SP252191 into two lots.)	Prior to the commencement of the use.																		

NO.	CONDITION	TIMING
8.	A Plan of Survey of the amalgamation of Lot 1 on SP259521, part of Lot 4 on SP252191, Lot 5 on SP252192 and Lot 6 on SP252193, prepared by a licensed surveyor, shall be lodged with the Registrar of Titles for registration and issuing of title in respect of the amalgamated lot. On completion of registration of the survey plan, a copy of the survey plan and title shall be provided to Council.	Prior to the commencement of the use.
Location of Solar Photovoltaic Panel Arrays		
9.	The solar photovoltaic array facility, battery storage and substation shall be configured and located generally as indicated on the approved plans and in the supporting documents.	At all times while the use continues.
Location of Battery Storage		
10.	Plans of the design and location of proposed battery storage buildings and structures shall be submitted to and for the endorsement of Council.	Prior to lodging development application for building works for battery storage
11.	Battery storage facilities shall be located and constructed in accordance with the endorsed plans.	At all times while the use continues.
Location of Control Room Building and O & M Building		
12.	Plans of the design and location of the proposed control room building and the design of the O & M building (reuse of existing dwelling) shall be submitted to and for the endorsement of Council.	Prior to lodging development application for building works for the control room and for the O & M building.
13.	The control room and the O & M buildings shall be located and constructed in accordance with the endorsed plans.	At all times while the use continues.
Construction Phase – Required Technical Reporting		
14.	<u>Traffic Impact Management Plan:</u> A detailed Traffic Impact Management Plan for the construction phase of the development shall be prepared by a suitably qualified and experienced person (RPEQ) to and for the endorsement of Council.	Prior to the commencement of any works on the subject site.

15.	<p>Site Works Construction Plan: Detailed reporting and plans of all construction works shall be prepared by a suitably qualified and experienced person and shall be submitted to and for endorsement by Council. The reporting and plans must comprehensively address all matters relating to the construction, including:</p> <ul style="list-style-type: none"> (a) all earthworks; (b) the construction of foundations and framing on which the solar panels are to be mounted, including method of installation; (c) internal access driveways and tracks; (d) the installation of all components; (e) trenching necessary for the laying of electrical conduits and cabling connecting solar arrays with inverters, transformers and other associated electrical equipment; (f) proposed final site levels/contours and associated site drainage lines. (g) temporary lay-down areas for equipment and components; (h) temporary site amenities; (i) staggered delivery of equipment and components; and (j) provision of an adequate water supply for firefighting and dust suppression purposes. 	Prior to the commencement of any works on the subject site.
16.	<p>Stormwater Drainage Management Plan: A Stormwater Drainage Management Plan shall be prepared by a suitably qualified and experienced person and shall be submitted to and for the endorsement of Council. The Stormwater Drainage Management Plan shall detail all temporary mechanisms to be implemented during construction to ensure:</p> <ul style="list-style-type: none"> (a) no sediment leaves the subject site; (b) no contaminants are discharged into the receiving environment.; (c) no scouring occurs on the subject site; (d) no ponding of overland flow occurs within the boundaries of the subject site; and (e) all aspects of construction meet the requirements of the interim development assessment requirements, Part E of the SPP, April 2016, specifically Part H, Appendix 3 – SPP Code: Water Quality. 	Prior to the commencement of any works on the subject site.
17.	<p>Construction Management Plan: A Construction Management Plan shall be prepared and shall be submitted to and for the endorsement of Council. The Construction Management Plan shall incorporate all reporting relating to construction works and procedures, including, but not limited to:</p> <ul style="list-style-type: none"> (a) the endorsed Site Works Construction Plan; and (b) the endorsed Stormwater Drainage Management Plan. 	Prior to the commencement of any works on the subject site.
18.	All construction works shall be carried out in accordance with the endorsed Construction Management Plan.	At all times during construction on the subject site.
19.	All reporting in respect of the construction phase must ensure activities are in accordance with industry best practice.	At all times during construction on the subject site.

Operational Phase – Required Technical Reporting		
20.	<p><u>Weed and Pest Management Plan:</u> A detailed Weed and Pest Management Plan shall be prepared by a suitably qualified and experienced person and shall be submitted to and for the endorsement of Council. The Weed and Pest Management Plan shall address, but is not limited to the identification of weed and pest species existing or likely to exist within the subject site, the control of any identified species and the measures required to prevent the transport of weed species from the subject site by vehicle.</p>	Prior to the commencement of any works on the subject site.
21.	<p><u>Fire Management Plan:</u> A Fire Management Plan shall be prepared by a suitably qualified and experienced person and shall be submitted to and for the endorsement of Council. The Fire Management Plan shall address all matters relating to fire management on the subject site, including, but not limited to:</p> <ul style="list-style-type: none"> (a) staff training; (b) provision/storage of water required for firefighting; (c) location of fire access tracks; (d) firefighting equipment and infrastructure; and (e) all remedial and preventative measures, including periodic fuel reduction. 	Prior to the commencement of any works on the subject site.
22.	<p><u>Stormwater Drainage Management Plan:</u> A Stormwater Drainage Management Plan shall be prepared by a Registered Professional Engineer Queensland (RPEQ)-Civil or other suitably qualified and experienced person, and shall be submitted to and for the endorsement of Council and shall address all matters of stormwater management, including, but not limited to:</p> <ul style="list-style-type: none"> (a) the change in stormwater flow and runoff as a result of the change to ground surface from construction works; (b) details of the amount of stormwater which may be discharged from the subject site in an average storm event for a 100 year storm return period (100 ARI); (c) the flow paths of stormwater through the subject site; (d) any water collection/storage devices on the subject site to control the volume of water leaving the subject site; (e) details of any erosion and pollution/sediment control devices to be installed to ensure: <ul style="list-style-type: none"> (i) no sediment leaves the subject site; (ii) no contaminants are discharged into the receiving environment. (f) the lawful point or points of discharge from the subject site; (g) measures to be adopted to ensure no ponding; and (h) ensure compliance with <i>Environmental Protection (Water) Policy 2009</i>. 	Prior to the commencement of any works on the subject site.
23.	Plans, drawn to scale, of all works required to implement the findings and recommendations of the endorsed Stormwater Drainage Management Plan shall be submitted to and for the endorsement of Council.	Prior to the commencement of any works on the subject site.
24.	All stormwater collection and stormwater quality devices shall be constructed and maintained in accordance with the endorsed stormwater plans.	Prior to the commencement of the use and at all times while the use continues

25.	<p>Operational Management Plan:</p> <p>An Operational Management Plan for the operation and maintenance of all aspects of the use shall be prepared by a suitably qualified and experienced person and shall be submitted to and for the endorsement of Council. The Operational Management Plan shall incorporate all reporting relating to systems and procedures associated with the operation and maintenance of the use, including, but not limited to:</p> <ul style="list-style-type: none"> (a) the endorsed Weed and Pest Management Plan; (b) the endorsed Fire Management Plan; and (c) the endorsed Stormwater Drainage Management Plan. <p>The Operational Management Plan shall include relevant plans of all operational aspects of the proposed development, including but limited to the location of fire access and maintenance tracks.</p>	Prior to the commencement of any works on the subject site.
26.	All aspects of the use shall be operated in accordance with the endorsed Operational Management Plan.	At all times while the use continues.
27.	All reporting in respect of the operational phase must ensure activities are in accordance with industry best practice.	At all times while the use continues.
Works During Construction		
28.	Best practice soil erosion control techniques shall be used at the location of all works on the subject site, in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1 of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards, and <i>State Planning Policy</i> , April 2016, Part H, Appendix 3 – <i>SPP Code: Water Quality</i> , Table A: <i>Construction phase – stormwater management design objectives</i> .	Prior to the commencement of any works on the subject site and maintained at all times during construction.
Decommissioning Plan		
29.	<p>A Decommissioning Plan shall be submitted to and for the endorsement of Council. The Decommissioning Plan shall address all matters relating to the decommissioning of the use, including, but not limited to:</p> <ul style="list-style-type: none"> (a) the dismantling and removal of all buildings and structures associated with the use; (b) the remediation of all vehicle manoeuvring areas; (c) the rehabilitation and regeneration of the area to rural pasture grassland; and (d) the timing of all decommissioning works. 	Prior to the commencement of the use.
30.	Should the approved development cease to operate on the subject site, all aspects and components of the approved use must be decommissioned in accordance with the endorsed Decommissioning Plan.	Within six months of cessation of the use.
Landscaping and Fencing		
31.	A 1.8 m high security fence, constructed of chain wire, surmounted by three strand barbed wire, shall be erected along and for the full length of the perimeter of the solar array installation area, in accordance with the approved plans.	Prior to the commencement of the use and at all times while the use continues.

32.	A 10 metre minimum width vegetation strip shall be provided inside the security fence, for the full length of the perimeter of the solar array installation area, in accordance with the approved plans.	Prior to the commencement of the use and at all times while the use continues.
33.	A 6.5 metre minimum width fire break shall be provided inside the vegetation strip, for the full length of the perimeter of the solar array installation area, in accordance with the approved plans.	Prior to the commencement of the use and at all times while the use continues.
34.	A 10 metre minimum width buffer shall be provided between the fire break and any component of the solar photovoltaic array facility, in accordance with the approved plans.	Prior to the commencement of the use and at all times while the use continues.
35.	The 10 m vegetation strip, 10 m buffer and all parts of the subject site between the outer extent of all components of the development and the perimeter of the subject site shall retain existing native vegetation and shall be managed in such a way as to encourage regrowth of vegetation to ensure appropriate visual screening of the use.	At all times while the use continues.
Property Access and Internal Bushfire Access and Maintenance Tracks		
36.	One sealed industrial vehicle access crossover shall be provided from the subject site to the State-controlled Road (Capricorn Highway), located approximately 180 m from the western boundary of Lot 1 on SP259521 at chainage 136.5 on the Capricorn Highway (Alpha-Barcaldine), in accordance with the approved plans.	Prior to commencement of any works on the subject site.
37.	The existing property access to the Capricorn Highway, located at the western boundary of Lot 1 on SP259521, shall be closed	Prior to commencement of any works on the subject site.
38.	Internal vehicle bushfire access and maintenance tracks shall be provided within the solar photovoltaic array facility for operational and maintenance purposes, in accordance with the approved plans.	Prior to the commencement of the use and at all times while the use continues.
39.	The access crossover and internal bushfire access and maintenance tracks and areas where vehicles regularly manoeuvre and park shall be formally constructed of suitable material to ensure all-weather operation and shall be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b) of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.	Prior to the commencement of the use and at all times while the use continues.
Car Parking		
40.	A minimum of four (4) car parking spaces shall be provided on-site, adjoining the control room building or the O & M building, for maintenance and security employees.	Prior to the giving of Certificate of Classification by Building Certifier for the control room building and for the O & M building and at all times while the use continues.
41.	All carparking spaces and associated driveways and manoeuvring areas shall be designed and constructed in accordance with Australian Standards AS2890.	At all times while the use continues.
Water Supply		

42.	An adequate supply of water shall be provided on-site with a volume, quality and pressure appropriate for the use, including for: <ul style="list-style-type: none"> - firefighting; - dust suppression; and - cleaning of solar panels. 	Prior to the commencement of the use and at all times while the use continues.
43.	An adequate supply of potable water shall be provided for the control room building and the O & M building to relevant standards.	Prior to the giving of Certificate of Classification by Building Certifier for the control room building and for the O & M building and at all times while the use continues.
44.	A water supply demand plan shall be prepared by a suitably qualified and experienced person (RPEQ) and submitted to and for the endorsement of Council. The water supply demand plan shall be to relevant engineering and environmental standards and shall address, but is not limited to: <ul style="list-style-type: none"> - water demand (quantity and quality) for all water use categories; - source of supply; - on-site storage of water, depicted on plans of the subject site, (including capacity and locations of storage tanks). 	Prior to the commencement of any works on the subject site.
Effluent Disposal		
45.	Waste water from sanitary and other facilities in the control room building and the O & M building shall be connected to on-site effluent collection, treatment and disposal systems in accordance with Schedule 1, Division 4: Standards for Sewerage, Section 4.2 of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.	Prior to the giving of Certificate of Classification by Building Certifier for the control room building and for the O & M building and at all times while the use continues.
46.	Reporting regarding the design of the proposed on-site effluent collection, treatment and disposal systems shall be prepared by a Registered Professional Engineer Queensland (RPEQ)-Civil or other suitably qualified and experienced person and shall be submitted to and for the endorsement of Council. This reporting shall detail the design and capacity of the on-site effluent system, including any disposal areas or transpiration trenches.	Prior to the lodgement of development application for building works for the control room building and for the O & M building.
47.	The on-site effluent collection, treatment and disposal systems shall be constructed and operated in accordance with the design endorsed by Council.	Prior to the giving of Certificate of Classification by Building Certifier for the control room building and for the O & M building and at all times while the use continues.
Cleaning of Solar Panels		

48.	The cleaning of solar panels shall use only water, with no chemical additives.	At all times while the use continues.
Amenities for Workers		
49.	Adequate amenities, including drinking water, washing facilities and toilet facilities shall be provided on-site for workers, in accordance with the relevant provisions of the <i>Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011</i> .	At all times while the use continues.
50.	No short-term or long-term accommodation of any nature shall be provided on the subject site.	At all times while the use continues.
Electricity and Telecommunication Services		
51.	The subject site shall be connected to the reticulated electricity supply and to telecommunication services in accordance with relevant standards required by the service provider.	Prior to the commencement of the use and at all times while the use continues.
Lighting		
52.	Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the subject site at any property boundary. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties or the operational safety of the State-controlled Road (Capricorn Highway).	At all times while the use continues.
Dust Suppression		
53.	Appropriate dust suppression measures and/or containment shall be incorporated into all construction and operational activities to ensure all activities are conducted to ensure compliance with <i>Environmental Protection (Air) Policy 2008</i> . Measures may include the watering of driveway, manoeuvring and construction areas, where necessary. There shall be no visible dust at the boundaries of the subject site.	At all times while the use continues.
Refuse		
54.	Provision shall be made for the on-site collection of general refuse in covered waste containers with a capacity sufficient for the use. Waste containers shall be maintained in a clean and tidy state and shall be emptied and the waste removed from the site on a regular basis.	At all times while the use continues.
Loading and Unloading of Goods		
55.	Loading and unloading of goods shall occur only between the hours of 7:00 am to 6:00 pm, Monday to Friday and 7:00 am to 12:00 noon, Saturday. There shall be no loading or unloading of goods on Sundays or Public Holidays.	At all times during construction and at all times while the use continues.
Provision of Documents to Building Certifier		

56.	The applicant shall provide the building certifier with a copy of this decision notice and shall ensure the building certifier is familiar with the content and all requirements of the conditions of this decision notice which require compliance “prior to lodgement of development application for building works”, “prior to giving of certificate of classification by building certifier” or “prior to commencement of any works on the subject site”.	Prior to lodgement of the first development application for building works.
Provision of Documents to Council		
57.	The applicant shall provide Barcaldine Regional Council with documentation confirming all conditions of this decision notice have been complied with and all works and/or other requirements of each condition have been completed.	Prior to the commencement of the use.
Cost of Works and Services		
58.	The cost of carrying out works and providing services to the subject site, as required by the conditions of approval, shall be at the expense of the applicant and at no cost to the local government.	
Payment of Rates and Charges		
59.	All outstanding rates and charges shall be paid to Council.	Prior to the commencement of the use.

ADVISORY NOTES:

The Relevant Period	
1.	Pursuant to section 341 of the <i>Sustainable Planning Act 2009</i> , this approval shall lapse if the use under this Approval has not commenced within four (4) years from the day the approval takes effect.
Reconfiguring a Lot	
2.	A development application for reconfiguring a lot (one lot into two lots) must be submitted to Barcaldine Regional Council for the subdivision of Lot 4 on SP 252191 to accord with the boundary of the subject site. The development application must be in accordance with the requirements of the <i>Planning Act 2016</i> .
Clearing Native Vegetation	
3.	This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i> additional to that authorised in the Concurrence Agency Response, dated 6 September 2017.
Aboriginal Cultural Heritage	
4.	This approval in no way removes the duty of care responsibility of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i> . Pursuant to Section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> , a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).

(12) REFERRAL AGENCY CONDITIONS

Refer to Attachment B for Department of Infrastructure, Local Government and Planning, Concurrence Agency Response (dated 6 September 2017).

(13) CODES FOR SELF-ASSESSABLE DEVELOPMENT

Not applicable.

(14) DETAILS OF ANY COMPLIANCE ASSESSMENT REQUIRED

Not applicable.

(15) OTHER DEVELOPMENT PERMITS REQUIRED

Listed below are other development permits that are necessary to allow the development to be carried out

- Carrying out Building Work
- Carry out Operational Work
- Making a Material Change of Use of premises
- Reconfiguring a Lot

(16) RIGHTS OF APPEAL FOR APPLICANT

Refer to Attachment C for a copy of the relevant extracts of *Sustainable Planning Act 2009* which detail your appeal rights regarding this decision.

(17) RIGHTS OF APPEAL FOR SUBMITTERS

Not applicable.

(18) ASSESSMENT MANAGER

Barcaldine Regional Council Signature 

Date: 6/10/2017

Attachment A – Approved Plans for Material Change of Use for:
“Community Oriented Activity” – “Public Utility” – 50MW Grid Connect Solar
Photovoltaic Array Facility, including Battery Storage, and Substation

Attachment B – Referral Agency Response

Attachment C – *Sustainable Planning Act 2009* extract on Appeal Rights