

# PLANNING AND DEVELOPMENT

DEVELOPMENT ASSESSMENT



Date >> 06 July 2016



Ross River Solar Farm Pty Ltd  
C/- AECOM Australia Pty Ltd  
PO Box 5423  
TOWNSVILLE QLD 4810

Via email: [Colette.Hayes@aecom.com](mailto:Colette.Hayes@aecom.com)

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## DEVELOPMENT APPLICATION DECISION NOTICE *Sustainable Planning Act 2009 (SPA)*

The Development Application for **Development Permit – Material Change of Use (Impact) (MI16/0007) Renewable Energy Facility - Ross River Solar Farm** was assessed and **APPROVED SUBJECT TO CONDITIONS**. The decision was made on **28 June 2016**.

The following schedule provides all the relevant details.

- 1. Applicant details**

Name and address	Ross River Solar Farm Pty Ltd C/- AECOM Australia Pty Ltd PO Box 5423 TOWNSVILLE QLD 4810
Applicant reference	60478232
  
- 2. Property description**

Assessment number	13206006
Property address	160 Round Mountain Road Pinnacles QLD 4815
Legal description	Lot 2 SP 195322
  
- 3. Application details**

Application number	MI16/0007
Approval applied for	Development Permit
Development type	Material Change of Use (Impact)
Description	Renewable Energy Facility - Ross River Solar Farm
Assessed under	Townsville City Plan
  
- 4. Deemed approval**

The application has not been deemed to be approved under s.331 of the *Sustainable Planning Act 2009*.

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### 5. **Conditions**

The conditions of this approval are set out in the Schedule of Conditions (attached). The conditions are identified to indicate whether the assessment manager or a concurrence agency imposed them.

### 6. **Further development permits required for this development**

Development Permit - Building Work

### 7. **Compliance assessment required under part 10 of the *Sustainable Planning Act 2009*.**

Condition 7 – Stormwater Drainage

Condition 8 – Roadworks and Traffic

Condition 9 – Car Parking

Condition 11 – Landscaping

Condition 13 – Soil Erosion and Sediment Control

Condition 16 – Road Pavement

### 8. **Code for self assessable development**

All self assessable development related to the development approval must comply with the relevant codes identified in the Townsville City relevant policies affecting this site.

### 9. **Referral agencies**

Concurrence agency >>                      Not applicable

Advice agency >>                              Powerlink Queensland

### 10. **Submissions**

There were 19 properly made submissions about this application (see attached list).

### 11. **Conflict with a relevant instrument**

The assessment manager does not consider that this decision conflicts with a relevant instrument.

### 12. **When approval lapses**

Section.341 of the *Sustainable Planning Act 2009* establishes when an approval lapses.

### 13. **Rights of appeal**

Chapter 7, Part 1 and Part 2 of the Sustainable Planning Act 2009 detail appeal rights afforded to the applicant and submitters to the Planning and Environment Court or Building and Development Dispute Resolution Committees. Further information in relation to how to proceed to an appeal is enclosed.

**PLANNING AND DEVELOPMENT**  
DEVELOPMENT ASSESSMENT



Yours faithfully

A handwritten signature in black ink, appearing to be "Chris".

**For Assessment Manager**  
Planning and Development

Appendices >>      Conditions;  
                                 Rights of Appeal.

Enclosed >>        Approved Plans;  
                                 Referral Agency's Responses;  
                                 Infrastructure Charges Notice;  
                                 Submission List;  
                                 Related Documents.

**DEVELOPMENT PERMIT**

**MATERIAL CHANGE OF USE (IMPACT)  
(RENEWABLE ENERGY FACILITY - ROSS RIVER SOLAR FARM)**

**Material change of use conditions**

**1. Approved Plans and Supporting Documentation**

**Condition**

- a) The development must generally comply with the plan(s) and supporting documentation referenced in the table below and attached as stamped “Approved Subject to Conditions” which forms part of this approval, unless otherwise specified by any condition of this approval.

<b>Plan Name</b>	<b>Drawing No.</b>	<b>Revision No.</b>	<b>Revision Date</b>
135MW Horizontal Tracking Solar Farm	41-29561-E001	0	17 February 2016
135MW Horizontal Tracking Solar Farm	41-29561-E002	0	17 February 2016
135MW Horizontal Tracking Solar Farm	41-29561-E003	0	17 February 2016
135MW Horizontal Tracking Solar Farm	41-29561-E004	0	17 February 2016
120MW Fixed Tilt Solar Farm	41-29561-E005	0	17 February 2016
120MW Fixed Tilt Solar Farm	41-29561-E006	0	17 February 2016
120MW Fixed Tilt Solar Farm	41-29561-E007	0	17 February 2016
120MW Fixed Tilt Solar Farm	41-29561-E008	0	17 February 2016
135MW Horizontal Tracking Solar Farm	41-29561-E009	0	17 February 2016
120MW Fixed Tilt Solar Farm	41-29561-E010	0	17 February 2016
<b>Associated Reports</b>			
Flood Impact Assessment – Ref 60478232 – Dated 22 February 2016			

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.
- c) The developer must implement the recommendations outlined in the above reports/s prior to the commencement of the use.

### **Reason**

The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.

### **Timing**

During the operation and life of the development.

## **2. Lifespan and Decommissioning of Development**

### **Condition**

At the end of the operational lifespan of the development, the developer must decommission the use on the site and return the site to a rehabilitated rural state.

### **Reason**

To protect the future rural amenity and production values of the land following the end of the projects lifespan.

### **Timing**

Within 30 years of the commencement of the use, or after 12 months of the use being un-operational, whichever occurs first.

## **3. Property Numbering**

### **Condition**

Legible property numbers must be erected at the premises and must be maintained to the satisfaction of the Council.

The site identification numbers should be of reflective material. Maintained free from foliage and other obstructions, and be large enough to be read from the street.

### **Reason**

To allow the general public, service and emergency service providers to effectively identify the property.

### **Timing**

Prior to the commencement of the use and maintained for the life of the development.

#### 4. Relocation of Services or facilities

##### Condition

The developer must be responsible for any relocation and/or alteration to any public service or facility installation required as a result of any works carried out in connection with this development at no cost to Council.

##### Reason

To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.

##### Timing

Prior to the commencement of the use.

#### 5. On-site Sewerage Disposal

##### Condition

The development must be serviced by an appropriate sewerage disposal system during the construction phase of the development.

##### Reason

Development is not located within a service area for a sewerage service under the Water Supply (Safety and Reliability) Act 2008 and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development.

##### Timing

Prior to the commencement of the use.

#### 6. Electricity and Telecommunication

##### Condition

Electricity and telecommunications must be provided in accordance with Part 9.4.7 Works code.

##### Reason

To provide an appropriate level of electricity and telecommunication services for the development in accordance with relevant code/s and policy direction.

##### Timing

Prior to the commencement of the use.

### 7. Stormwater Drainage

#### Condition

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage has been achieved in accordance with Part 9.4.2 Healthy Waters Code.

#### Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.4.2 Healthy waters code.

#### Timing

Assessed as part of Compliance assessment and to be maintained for the life of the development.

### 8. Roadworks and Traffic

#### Condition

- a) The developer must construct the new access driveway and crossover from the edge of the bitumen to the property boundary at the developer's expense in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4.3.5 Development manual planning scheme policy. An application for a Road Opening Permit for the invert and crossover must be submitted and approved by Council.
- b) During the construction phase, and damages to the road reserve must be replaced by the developer in accordance with Council's standards.

#### Reason

To ensure that the premises is appropriately serviced by connection to Council road infrastructure. Construction must be in accordance with relevant code/s and policy direction.

#### Timing

Details of such works must be submitted to Council for approval as part of an application for Compliance Assessment.

### 9. Car Parking

#### Condition

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4.3.5 Development manual planning scheme policy and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a sage operating standard at all times thereafter.

- b) The developer must provide a minimum of eight (8) car spaces including disabled parking on site in accordance with SC6.10 Parking rates planning scheme policy.

### **Reason**

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

### **Timing**

Details of such works must be submitted to Council for approval as part of an application for Compliance Assessment.

## **10. Limitation of Vehicle Access**

### **Condition**

To maintain the safety and efficiency of the adjoining road network/integrity of Council infrastructure, vehicle access is only permitted as shown on the approved drawings (41-29561-E002 Rev 0) and must only obtain access from Kelso Drive.

### **Reason**

To address road safety in accordance with relevant code/s and policy direction and to ensure development does not adversely affect council infrastructure.

### **Timing**

Prior to the commencement of construction and to be maintained at all times.

## **11. Landscaping**

### **Condition**

A landscaping and Irrigation Design plan is required to be submitted to and be approved by Council.

The Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.4.3 Landscape code, the concept plans submitted to Council and include the following features;

- a) A landscaping buffer along the northern perimeter of the lease area including Kelso Drive and extending south a distance of 200m along the eastern boundary and 200m along the western boundary.
- b) A landscaping buffer along the southern perimeter of the lease area including Laudham Road and extending north along the edge of the lease area to meet the Round Mountain Road and continue for a distance of 200m along the western boundary.



- c) Landscaping buffers to a minimum width of 3m and include a variety of shrubs and low to medium height canopy trees layered to serve the design intent of reducing views to the solar panels.
- d) Details of the plant species to be used, including the height and spread of plants at maturity and their suitability in terms of appropriateness for local conditions (may include indigenous and exotic species), fire safety (low combustibility), and with good survival potential.
- e) A commitment to reinforcement planting for existing senescent vegetation likely to die within the project lifespan.
- f) Details on proposed irrigation methods for the landscaping, particularly during the establishment period.

#### **Reason**

All works must be completed in accordance with the approved landscaping plan and constructed to a standard in accordance with relevant code/s and policy direction.

#### **Timing**

To be submitted and assessed as part of Compliance Assessment for the development and to be maintained at all times.

## **12. Minimum Floor Levels**

#### **Condition**

The developer must ensure that floor levels of all non-residential buildings are above the defined flood event.

The developer must submit documentation signed by an engineer (who must be an RPEQ) to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve flood immunity.

#### **Reason**

For matters of public safety and amenity in accordance with relevant code/s and policy direction.

#### **Timing**

Prior to the issuing of a Development Permit for Building Works.

## **13. Soil Erosion Minimisation, Sediment Control**

#### **Condition**

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control

management in accordance with Part 9.4.2 Healthy Waters Code

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4.3.8.6 Development manual planning scheme policy*.

#### **Reason**

Development ensures that the receiving waters during construction are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

#### **Timing**

Assessed as part of Compliance assessment and maintained for the life of the development.

### **14. Vegetation Disposal**

#### **Condition**

The disposal of vegetation must be carried out in accordance with Part 9.4.7 works code.

#### **Reason**

Vegetation to be disposed of in an environmentally responsible manner in accordance with SC6.4.5 and SC6.4.6.11.

#### **Timing**

Prior to, or during construction of the development.

### **15. Refuse Facilities**

#### **Condition**

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Works Code and in particular:

All waste generated as a result of the construction activities is to be effectively controlled and contained entirely within the boundaries of the site before disposal, unless otherwise approved by Council. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

#### **Reason**

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

#### **Timing**

Prior to commencement of the use and to be maintained for the life of the development.

### 16. Road Pavement

#### Condition

- a) Prior to the commencement of construction, the developer must undertake a dilapidation audit of the existing Council road network of Kelso Drive (bounded by the intersection of Kelso Drive and Riverway Drive and the entrance to Lot 2 SP 195322) and Riverway Drive (bounded by the intersection of Kelso Drive and Riverway Drive and the northern most corner of Lot 2 on RP724653) as shown in red on attachment 1.
- b) Prior to the commencement of the use, the developer must undertake a second dilapidation audit of the road sections addressed in the pre-construction report above. This audit must clearly quantify any damage that has been caused as a result of this of construction traffic. Any damage created by this development must be rectified (by roadworks) unless otherwise agreed by Council.

#### Reason

To ensure that the proposed development does not create excessive impacts on the road network.

#### Timing

To be submitted and assessed as part of Compliance Assessment for the development.

### 17. Dust Control and Mitigation

#### Condition

All internal access roads must be suitably treated to ensure that there is no dust nuisance experienced by other properties.

#### Reason

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

#### Timing

Prior to commencement of the use and to be maintained for the life of the development.

### 18. Emergency Exit/Access Points

#### Condition

Emergency exit/access points must be provided at the northern and southern ends of the site fronting Round Mountain Road and approximately mid-way along the western boundary fencing fronting Round Mountain Road. These exits are to be provided to an appropriate standard to allow access to emergency vehicles in the event of an

emergency.

### Reason

To ensure safe access and egress from Round Mountain Road is provided to the site at all times.

### Timing

Prior to the commencement of the use.

## 19. Bushfire Management and Emergency Response Plan

### Condition

A bushfire prevention and emergency response plan must be prepared in consultation with and to the satisfaction of the Queensland Fire and Rescue Service (QFRS) and Council.

This plan must include and consider:

- Roads should be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- Water access points shall be located in safe easily identifiable areas, accessible in all weather conditions.
- Water access points are to be marked by appropriate signage.
- Provision of a dedicated monitoring system for the solar farm infrastructure.
- A bi-annual (every second year) program of training volunteer and paid QFRS personnel in fire suppression in and around the solar facility to be offered by the solar farm operator.

### Reason

To ensure appropriate emergency procedures are maintained onsite at all times.

### Timing

Prior to the commencement of the use.

## Referral Agency Conditions

### 1. Advice Agency – Powerlink

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, Powerlink advises that it has no objection to Townsville City Council issuing a Development Permit for a Material Change of Use, as attached.

### Advice

#### 1. Infrastructure Charges

##### Condition

A first principles assessment must be completed for the proposed development which identifies infrastructure contributions payable relevant to the Development Permit.

#### 2. Further Approvals Required

##### Condition

##### a) Compliance Assessment

A Compliance Assessment application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

Condition 7 – Stormwater Drainage

Condition 8 – Roadworks and Traffic

Condition 9 – Car Parking

Condition 11 – Landscaping

Condition 13 – Soil Erosion and Sediment Control

Condition 16 – Road Pavement

All engineering, soil erosion and sediment control and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experience person.

##### b) Building Works

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

#### 3. Water Restrictions

##### Condition

a) To manage Townsville's water resources, council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;

b) Developers remain responsible for compliance with any water restrictions as directed by council. At no time will development permit conditions override any level of water restrictions in force;

- c) During times of significant water shortage, council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;
- d) Under such circumstances, bonding of landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. The use of “bonded fibre matrix” type hydro-mulch products or other suitable methods to stabilise disturbed sites can be carried out as alternatives to demonstrate compliance with water restrictions; and
- e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer.

#### 4. Storage of Materials and Machinery

##### Condition

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.

#### 5. Building Work Noise

##### Condition

The hours of audible noise associated with construction and building work on site must be limited to between the hours of:

- 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- No work on Sundays or Public Holidays.

#### 6. Specifications and Drawings

##### Condition

Details of Council’s specifications and standard drawings can be viewed on Council’s website.

#### 7. Environmental Considerations

##### Condition

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

### 8. Roadworks Approval

#### Condition

The developer is responsible for obtaining a Roadworks permit in accordance with Subordinate Local Law No. 1.15 (Carry out Works or Interfering with a Road or its Operation) 2011 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- a) Completed Roadworks permit application form;
- b) Prescribed fee;
- c) Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 – Works on Roads.

If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of 'no objection' prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to Council.

### 9. Lighting

#### Condition

Lighting must not cause a nuisance – Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting (or the current applicable standard) must be used as a guide. The activity must not exceed the acoustic quality objectives under Schedule 1 of the Environmental Protection (Noise) Policy 2008.

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### RIGHTS OF APPEAL

Applicants and submitters have appeal rights under Chapter 7, Part 1 of the *Sustainable Planning Act 2009*. Information about how to proceed with an appeal to the Planning and Environment Court may be found on the Court's website:

<http://www.courts.qld.gov.au/courts/planning-and-environment-court>

In addition Chapter 7, Part 2 of the *Sustainable Planning Act 2009* affords the opportunity to proceed to an appeal to a Building and Development Dispute Resolution Committee. Appeals to the Building and Development Dispute Resolution Committees may be addressed to:

Building and Development Dispute and Public Works  
Department of Housing and Public Works  
GPO Box 2457  
BRISBANE QLD 4001

Or to the committees' website:

<http://hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/BuildingDevelopmentDisputeResolutionCommittees.aspx>

The Committees' Registrar contact details are as follows:

Phone: 1800 804 833

Email: [registrar@qld.gov.au](mailto:registrar@qld.gov.au)