



**Burdekin Shire Council**

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**HELD AT COUNCIL ADMINISTRATION BUILDING,  
145 YOUNG STREET, AYR**

**on 10 December 2024**

**COMMENCING AT 9:00 AM**

---

## **ORDER OF BUSINESS:**

### **1. ATTENDANCE**

Councillor Pierina Dalle Cort, Councillor Michael Detenon, Councillor John Furnell, Councillor Amanda Hall, Councillor Max Musumeci, Councillor Callan Oar, Councillor Fina Vasta

Mr. M. Magin - Chief Executive Officer  
Mrs. K. Olsen – Director Corporate and Community Services  
Mr. J. Stewart - Director Infrastructure, Planning and Environmental Services  
Mr. K. Byers - Manager Technical Services (Part)  
Mrs. K. Galletta - Manager Planning and Development (Part)  
Mr. P. Day - Manager Environmental and Health Services (Part)  
Ms. F. Smith - Financial Account Reporting (Part)  
Mrs. R. Martin - Coordinator Waste Services (Part)

Minutes Clerk - Mrs. S Iturriaga

### **2. PRAYER**

The meeting prayer was delivered by Pastor Peter Holmes of the Australian Christian Churches.

### **3. DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

No declarations of interest were identified.

### **4. AND BUSINESS ARISING**

#### **4.1. Ordinary Council Meeting Minutes - 26 November 2024**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 26 November 2024 be received as a true and correct record.

##### **Resolution**

Moved Councillor Vasta, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

---

---

## **5. EXECUTIVE**

### **5.1. CEO**

### **5.2. ECONOMIC DEVELOPMENT**

## **6. CORPORATE AND COMMUNITY SERVICES**

### **6.1. CLIENT SERVICES**

### **6.2. COMMUNITY DEVELOPMENT**

### **6.3. FINANCIAL AND ADMINISTRATIVE SERVICES**

#### **6.3.1. Request for Write Off of Rates and Charges - PN 9096**

##### **Executive Summary**

On 21 October 2022, Council received a request from the property owner of Lot 1 on RP 735164 requesting Council resume or purchase the parcel of land created by a road realignment that occurred back in 1980. The realignment to remove two 90-degree bends on Garrone Road, Shirbourne, resulted in two (2) triangular blocks of land approximately 1250m<sup>2</sup> in size with the subject land parcel having an 863m<sup>2</sup> easement over it and existing drainage path running through the block. The ratepayer stated that the land parcel was unusable for any purpose other than a road reserve.

Council at its workshop held on 4 April 2023 agreed to investigate the possible purchase of the land and its dedication to a road reserve. It was later approved for Council to proceed with the resumption process in lieu of rates and charges.

In late October 2024, Council was advised that property number 9096 was under contract for sale which included Lot 1 on RP 735164. As part of its due diligence, Council contacted the purchaser's solicitor to advise of discussions undertaken with the vendor, and Council's intention to resume the land. The purchaser's solicitor confirmed their client's desire to retain the parcel of land described as Lot 1 RP 735164.

Due to the prior discussions and undertaking between Council and the current property owner, Council advised the purchaser's solicitor that there were no outstanding rates and charges due at settlement and that the new owners will be issued with a Supplementary

---

---

Rates Notice for rates and charges from the date of possession being 29 October 2024 to the end of the current rating period being 31 December 2024.

A Council resolution is required to write off the outstanding rates and charges raised on property 9096 from 1 July 2023 to 29 October 2024. The total amount to be written off is \$1,680.66.

### **Recommendation**

That given the prior discussions and undertaking Council had with the previous property owner of Lot 1 RP 735164, regarding the resumption of the parcel of land into a road reserve, that Council writes off the outstanding rates and charges totalling \$1,680.66 levied on property number 9096 between the period of 1 June 2023 to the date of the change of ownership being the 29 October 2024.

### **Resolution**

Moved Councillor Hall, seconded Councillor Detenon that the recommendation be adopted.

FOR - Councillors Dalle Cort, Musumeci, Detenon, Furnell and Vasta

AGAINST - Councillors Hall and Oar

CARRIED

## **6.3.2. Monthly Financial Report - November 2024**

### **Recommendation**

That the Monthly Financial Report for Period Ending 30 November 2024 be received.

### **Resolution**

Moved Councillor Detenon, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

*9.20am - Mrs. Galletta entered the meeting.*

*9.20am - Ms. Smith left the meeting.*

## **6.4. GOVERNANCE**

### **6.4.1. Trustee Lease Renewal - Part of Lot 8 on Crown Plan 910254 - Ayr Golf Club Incorporated**

The Mayor informed Council that this report will be withdrawn due to administrative errors and will be included in the next Ordinary Council Meeting agenda.

---

---

**Resolution**

Moved Councillor Musumeci and seconded Councillor Furnell that Council agree that 6.4.1 Trustee Lease Renewal - Part of Lot 8 on Crown Plan 910254 - Ayr Golf Club Incorporated be withdrawn from agenda and included in the next Ordinary Council Meeting agenda.

CARRIED

**6.4.2. Freehold Lease Renewal - Lot 4 on Survey Plan 114470 - Ayr Golf Club Incorporated**

The Mayor informed Council that this report will be withdrawn due to administrative errors and will be included in the next Ordinary Council Meeting agenda.

**Resolution**

Moved Councillor Musumeci and seconded Councillor Furnell that Council agree that 6.4.2 Freehold Lease Renewal - Lot 4 on Survey Plan 114470 - Ayr Golf Club Incorporated be withdrawn from agenda and included in the next Ordinary Council Meeting agenda.

CARRIED

**6.4.3. Freehold Lease Renewal - Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome (Lease W on SP353304) - Vedanta Medical Enterprises Pty Ltd****Executive Summary**

Council approval is requested to enter into a new Freehold Lease as follows:

Lessor: Burdekin Shire Council  
Lessee: Vedanta Medical Enterprises Pty Ltd  
Leased Area: Lease W on SP353304 in Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome  
Term: 5 years plus 1 x 5 year option, 1 February 2025 to 31 January 2030  
Rent: As per Council's Fees and Charges.

**Recommendation**

That Council agrees to enter into a Freehold Lease with Vedanta Medical Enterprises Pty Ltd over Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome shown on Attachment 1 as Lease W on SP353304, for an initial five (5) year term, plus one (1) x five (5) year option, being 1 February 2025 to 31 January 2030.

**Resolution**

Moved Councillor Detenon, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

---

---

#### **6.4.4. Funding Application - Active Transport Fund**

##### **Executive Summary**

This report seeks Council's endorsement of a funding application to the Australian Government's Active Transport Fund for the design and construction of the remainder of the Burdekin Be Active Trail - Home Hill, over a three (3) year period - total estimated cost \$1,133,702.00.

##### **Recommendation**

That Council:

1. Endorse the submission of a funding application to the Australian Government's Active Transport Fund for the design and construction of the remainder of the Home Hill Walking Path Network, estimated at two (2) kilometres, over a three (3) year period - total estimated cost \$1,133,702.00;
2. Notes the Council's financial commitment of 50 percent towards the project, of approximately \$566,851.00, which has been included in and will be financed from the 2025/26 and future Council budgets.

##### **Resolution**

Moved Councillor Vasta, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

#### **7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES**

##### **7.1. ENVIRONMENTAL AND HEALTH SERVICES**

##### **7.2. OPERATIONS**

##### **7.3. PLANNING AND DEVELOPMENT**

##### **7.3.1. RAL24/0007 – Development Application for a Development Permit for Reconfiguring a Lot – One (1) Lot into Two (2) Lots - 74 Ferguson Road, Ayr (Lot 7 on SP270760)**

##### **Executive Summary**

This request to Council is with respect to the development application lodged by Brazier Motti on behalf of the applicant, seeking a Development Permit for Reconfiguring a Lot (One (1) Lot into Two (2) Lots) on rural zoned land described as Lot 7 on SP270760 and located at 74 Ferguson Road Ayr.

---

Council at the meeting held on 26 November 2024 refused the officer's recommendation to refuse the above proposal and then resolved to approve the proposed development with Council officers to develop conditions of approval for consideration at the next Ordinary Council Meeting.

## Recommendation

That Council approve the conditions as set out below:

Condition	Reason	Timing
<b>General and Administration</b>		
<u>Compliance with Conditions</u>		
<p>1.1 The applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with:</p> <p>1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports.</p> <p>1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering.</p> <p>1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail.</p> <p>1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.</p> <p><u>Works – Applicant's Responsibility/Expense</u></p> <p>1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council.</p> <p>1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.</p> <p>1.6 The developer must at its own cost undertake all necessary alterations to public utility mains and services as rendered necessary by the carrying out of any required external works or other works associated with the approved development to the satisfaction of Council, and at no cost to Council.</p> <p><u>Infrastructure Conditions</u></p> <p>1.7 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i>, should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.</p>		At all times.
<b>2. Approved Plans and Documents</b>		
<u>Approved Plans &amp; Documents</u>		
<p>2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.</p> <p>2.2 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.</p> <p>2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.</p>	The development must comply with all Planning Scheme requirements as approved and conditioned by this development permit.	At all times.
<b>Approved Plans</b>		
<b>Drawing Title</b>	<b>Drawing/Revision</b>	<b>Date</b>
Proposed Reconfiguration - Lots 1 & 2 Cancelling Lot 7 on SP270760	Plan No: 55838/088 B (Prepared by Brazier Motti)	4 September 2023
<b>3. Payment of Rates, Charges and Expenses</b>		
<p>3.1 Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.</p> <p>3.2 Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.</p>	Confirmation to be provided to Council prior to the release of the Plan of Survey.	
<b>4. Services and Infrastructure Provision</b>		
<u>Confirmation of Existing Services</u>		
4.1 The existing services for each lot must be contained within the boundaries of the individual allotments.	To ensure legal access requirements are in place and the proposed lots are serviced appropriately, in a safe manner.	Confirmation to be provided to Council prior to Council's endorsement of the Plan of Survey.
<u>On-Site Potable Water Supply and Sewerage Disposal</u>		
4.2 Future potable water supply and on-site sewerage treatment and disposal systems are to be suitably located within the proposed boundaries.		On-site water supply and sewerage disposal infrastructure are to be installed prior to the

Condition	Reason	Timing
		issue of the final inspection certificate for building works and plumbing and drainage works.
<b>6. Access and Roadworks</b>		
5.1 The construction of any additional crossovers to give access to the land is the owner's responsibility. 5.2 An application must be made to and approved by Council before the construction of any additional access crossovers. 5.3 Approved crossovers must be constructed in accordance with the requirements of the approval to the satisfaction of Council.	To provide appropriate access in accordance with relevant code/s and policy direction, suitable to their intended use.	At all times.
<b>6. Environmental Management and Matters of Environmental Significance</b>		
<b>Drainage and Stormwater</b> The approved development and use(s) thereafter must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.	To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.	At all times.

#### Advice

<b>1. Infrastructure Charges</b> An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the development permit is attached for your information.
<b>2. Compliance with Conditions</b> Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.
<b>3. Reticulated Water Infrastructure</b> Proposed Lot 2 is unable to be connected to Council's reticulated water supply.
<b>4. Limitation of Approval</b> 4.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant. 4.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnify and save the Council harmless in respect of any claim so arising.
<b>5. Amenity Impacts</b> Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the <i>Environmental Protection Act 1994</i> .
<b>6. Earthworks</b> Earthworks are not approved as part of this development permit. If any earthworks are required and deemed assessable development, an Operational Works Development Application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.
<b>7. Acid Sulfate Soils</b> Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.
<b>8. Miscellaneous</b> If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained. The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: <a href="http://www.datsip.qld.gov.au">www.datsip.qld.gov.au</a> .
<b>9. Future Development and Flood Management</b> 9.1 Any future on-site sewerage treatment and disposal on the proposed lots must be in accordance with the On-Site Sewerage Code and AS/NZS 1547:2000. 9.2 Any development application for building works which includes habitable rooms may have to include a 1% AEP Flood Certificate. N.B. this applies in localised and river flood areas as identified in Burdekin Shire Council's mapping.

## Resolution

Moved Councillor Oar, seconded Councillor Hall that the recommendation be adopted.

FOR - Councillors Dalle Cort, Furnell, Hall, Oar and Vasta

AGAINST - Councillors Musumeci and Detenon

CARRIED

9.26am - Mr. Byers entered the meeting.



**7.3.2. Change Representations - Request for Negotiated Decision Notice for Development Permit for Material Change of Use - Renewable Energy Facility (Solar Farm) and Two (2) Substations (Staged) at 829 and 834 Keith Venables Road and 667 Black Road, Upper Haughton (Lots 1 and 6 on SP302825 and Part Lot 2 on SP302825).**

**Executive Summary**

Council is in receipt of change representations made on the 29 October 2024 by Urbis Ltd on behalf of the applicant, Cambridge JMD Australia, seeking a Negotiated Decision Notice for the Development Permit for a Material Change of Use – Staged Renewable Energy Facility (Solar Farm) and Two (2) Substations on land located at 829 and 834 Keith Venables Road and 667 Black Road, Upper Haughton and described as Lots 1 and 6 on SP302825 and part Lot 2 on SP302825.

The change representations have been made to amend and/or remove several conditions of the original development permit issued on 14 October 2024.

**Recommendation**

That Council agree to the Change Representations and issue a Negotiated Decision Notice for MCU24/0006 Development Permit for a Material Change of Use – Staged Renewable Energy Facility (Solar Farm) and two (2) Substations on land located at 829 and 834 Keith Venables Road and 667 Black Road, Upper Haughton and described as Lots 1 and 6 on SP302825 and part Lot 2 on SP302825, subject to the amended conditions as set out below:

Condition	Reason	Timing
<b>General and Administration</b>		
<u>Compliance with Conditions</u>		
1.1 The applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering.		At all times.
1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail.		
1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.		
<u>Works – Applicant's Responsibility/Expense</u>		
1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council.		
1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.		
1.6 The developer must at its own cost undertake all necessary alterations to public utility mains and services as rendered necessary by the carrying out of any required external works or other works associated with the approved development to the satisfaction of Council, and at no cost to Council.		
<u>Infrastructure Conditions</u>		
1.7 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.		
<b>Approved Plans and Supporting Documents</b>		
2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/documents identified in the table below, which forms part	The development must comply with all legislative and Planning	At all times.

Condition	Reason	Timing																		
of this approval except as otherwise specified and/or amended by any condition of this approval.	Scheme requirements as approved and conditioned by this development permit.																			
<table border="1"> <thead> <tr> <th>Plan/Document Name</th> <th>Number</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Cambridge Solar Farm Plan of Development - Overall</td> <td>P0044793 MP-01 (6)</td> <td>10 April 2024</td> </tr> <tr> <td>Cambridge Solar Farm Plan of Development – Lot 1</td> <td>P0044793 MP-02 (6)</td> <td>10 April 2024</td> </tr> <tr> <td>Cambridge Solar Farm Plan of Development – Lot 6</td> <td>P0044793 MP-03 (6)</td> <td>10 April 2024</td> </tr> <tr> <td>Cambridge Solar Farm Indicative Staging Plan</td> <td>P0044793 MP-04 (6)</td> <td>10 April 2024</td> </tr> <tr> <td>Sunseap Viet Nam Solar Power Plant</td> <td>19182.HK1.E1.03</td> <td>October 2019</td> </tr> </tbody> </table>			Plan/Document Name	Number	Date	Cambridge Solar Farm Plan of Development - Overall	P0044793 MP-01 (6)	10 April 2024	Cambridge Solar Farm Plan of Development – Lot 1	P0044793 MP-02 (6)	10 April 2024	Cambridge Solar Farm Plan of Development – Lot 6	P0044793 MP-03 (6)	10 April 2024	Cambridge Solar Farm Indicative Staging Plan	P0044793 MP-04 (6)	10 April 2024	Sunseap Viet Nam Solar Power Plant	19182.HK1.E1.03	October 2019
Plan/Document Name	Number	Date																		
Cambridge Solar Farm Plan of Development - Overall	P0044793 MP-01 (6)	10 April 2024																		
Cambridge Solar Farm Plan of Development – Lot 1	P0044793 MP-02 (6)	10 April 2024																		
Cambridge Solar Farm Plan of Development – Lot 6	P0044793 MP-03 (6)	10 April 2024																		
Cambridge Solar Farm Indicative Staging Plan	P0044793 MP-04 (6)	10 April 2024																		
Sunseap Viet Nam Solar Power Plant	19182.HK1.E1.03	October 2019																		
<b>Reports</b>																				
Bushfire Hazard Assessment and Mitigation Plan – Cambridge Solar Farm Stage 1 (prepared by Rob Friend & Associates Pty Ltd) – 25 January 2024.																				
Cambridge Solar Farm Noise Assessment Report (prepared by WSP) – approved 25 February 2024.																				
Social Economic Impact Assessment – Cambridge Solar Farm (prepared by Urbis Pty Ltd) – 23 February 2024.																				
Cambridge Solar Farm – Ecological and Environmental Approvals Report – Matters of State and Local Environmental Significance (prepared by 28 South Environmental Pty Ltd) – 19 December 2023.																				
Oakly North Flood Study (prepared by WMS) – 2 May 2023.																				
Cambridge Renewable Energy Park (CREP) – Viewshed Analysis & Preliminary Visual Advice (prepared by Urbis Pty Ltd) – 14 November 2023.																				
Cambridge Solar Farm – Town Planning Report (prepared by Urbis Pty Ltd) – April 2024.																				
Cambridge Solar Farm – Transport Assessment Report (prepared by Urbis Pty Ltd) – 7 August 2024.																				
Cambridge Solar Farm – Agricultural Assessment (prepared by Farmacist Pty Ltd) – 9 September 2024.																				
2.2	The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.																			
2.3	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval will prevail.																			
<b>Outstanding Charges</b>																				
3	All rates and charges (including infrastructure charges), in arrears in respect of the land subject of the application, are to be paid in full prior to the commencement of the proposed use.																			
<b>Notice of Intention to Commence the Use</b>																				
4	A minimum two (2) weeks prior to the commencement of the use on the land subject to this application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notices issued in respect of the use.																			
<b>Nature and Extent of Approved Use</b>																				
5.1	<p>This approval provides for a staged development comprising:</p> <p><b>'Renewable Energy Facility (Solar Farm)' and 'Substation'</b>, as defined under <i>Schedule 1 – Definitions, Table SC1.1.2—Use definitions: Renewable Energy Facility</i></p> <p>a) <i>The use of premises for the generation of electricity or energy from a renewable energy source, including, for example, sources of bioenergy, geothermal energy, hydropower, ocean energy, solar energy or wind energy; but</i></p> <p>(b) <i>does not include the use of premises to generate electricity or energy to be used mainly on the premises.</i></p> <p><b>Substation</b></p> <p>(a) <i>as part of a transmission grid or supply network to—</i></p> <p>(i) <i>convert or transform electrical energy from one voltage to another; or</i></p> <p>(ii) <i>regulate voltage in an electrical circuit; or</i></p> <p>(iii) <i>control electrical circuits; or</i></p> <p>(iv) <i>switch electrical current between circuits; or</i></p> <p>(b) <i>for a telecommunications facility for—</i></p> <p>(i) <i>works as defined under the Electricity Act, section 12(1);</i></p> <p>(ii) <i>workforce operational and safety communications.</i></p> <p><b>Stage 1 and 2 Works</b></p> <ul style="list-style-type: none"> <li>Construction of 522.3 hectares of solar panels;</li> <li>Construction of a substation over a 19.8ha area;</li> </ul> <p><b>Stage 3 Works</b></p> <ul style="list-style-type: none"> <li>Construction of 566.7 hectares of solar panels;</li> <li>Construction of a substation over a 20.0 ha area;</li> </ul>	<p>The development must comply with all planning scheme requirements including definitions, nature and extent as approved and conditioned by this development permit.</p>	At all times.																	

Condition	Reason	Timing
<p>5.2 Specifically, the approved use is to remain generally in accordance with the scale and intensity provided in the development application and as set out on the approved proposal plans listed in the table forming part of Condition 2 and Condition 5.</p> <p>5.3 No other operations and/or activities are allowed other than that approved by this permit.</p> <p>5.4 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the applicant.</p> <p>5.5 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.</p>		
<b>Staged Development</b>		
<p>6.1 Staging of the development is to occur generally in accordance with the staging indicated on the approved plans listed within this development approval, subject to and modified by any conditions of this development approval, being:  <u>Stage 1 and 2 Works</u>  a. Construction of 522.3 hectares of solar panels;  b. Construction of first substation over a 19.8 ha area;  <u>Stage 3 Works</u>  a. Construction of 566.7 hectares of solar panels area  b. Construction of second substation over a 20.0 hectares area</p> <p>6.2 Easement granted in Council's favour for access purposes burdening Lot 1 on SP302825, Lot 2 on SP302825 and Lot 6 on SP302825 as required by Condition 10.2, prior to the commencement of the first stage.</p> <p>6.3 Upgrading the unsealed section of Keith Venables Road prior to the commencement of the first stage of works to the standard as required by Condition 11.7.</p> <p>6.4 Stages can be developed in a non-sequential manner as well as in parallel with each other, provided each stage fulfils all the conditions required of that particular stage.</p> <p>6.5 The development must be carried out in accordance with those conditions applicable to one or more of the stages of the development.</p>	<p>The development must comply as approved and conditioned by this development permit.</p>	<p>i. Amended plans are to be submitted to Council for approval prior to or as part of the lodgement of an Operational Works application.</p> <p>ii. Once approved, the use and associated works must be completed and maintained generally in accordance with the approved drawings and documents, at all times.</p>
<p>6.6 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.</p>		
<b>Decommissioning, post operation and rehabilitation</b>		
<p>7.1 At the end of the operational lifespan or the asset life of the development (whichever occurs first), the developer/operator must decommission the use on the site and return the site to a rehabilitated rural state, to the standard of the predevelopment state or better.  <i>Note</i>  <i>If the solar farm is not used for the generation of electricity for a continuous period of 12 months, the use will be considered decommissioned.</i></p> <p>7.2 Within 12 months of the site being decommissioned, submit to the Council a Decommissioning and Rehabilitation Management Plan prepared and certified by a suitably qualified person. The plan must include but is not limited to:  a) identification of structures, including but not limited to all solar panels, the substation, the control and facility building and electrical infrastructure, including underground infrastructure to be removed, except where the substation, control room or overhead electricity lines are transferred to or in control of the local electricity network operator, and how they will be removed.  b) measures to reduce impacts of the development on the environment and surrounding land uses including those related to appropriate disposal, recycling or reuse of components.  c) details of how the land will be rehabilitated back to its predevelopment condition, including slope and soil profile.</p> <p>7.3 Once the decommissioning and rehabilitation plan is approved, it forms part of this approval and the developer/operator must undertake all actions in accordance with it.</p>	<p>To protect the future rural amenity and production values of the land following the end of the project's lifespan.</p>	<p>As stated, or after 12 months of the use being un-operational whichever occurs first.</p>
<b>Monitoring and Auditing</b>		
<p>8.1 Prepare and submit an audit report to Council.</p> <p>8.2 An audit report must be prepared by an independent and suitably qualified person to determine whether the conditions of this approval have been complied with.</p> <p>8.3 Audit reports are required for both temporary and permanent infrastructure within 30 business days of the following:</p>	<p>The development must comply with all legislative and planning scheme requirements as approved and conditioned by this development permit.</p>	<p>At stated, and during the operation and life of the development.</p>

Condition	Reason	Timing
<p>(a) commencement of site works;  (b) every six months during construction;  (c) commencement of the use;  (d) decommissioning; and  (e) rehabilitation.  A final audit report must be submitted to the Council within 30 business days of commencement of the use, confirming all conditions of this approval have been complied with.</p> <p>8.4 The operator of the facility must develop and implement asset management plans and carry out routine preventative maintenance.</p> <p>8.5 The development must be monitored at all times for compliance with:  (a) conditions of this approval;  (b) Environmental standards and policies as legislated;  (c) applicable standards to the operation of the facility;  (d) asset management plans;  (e) completion of routine preventive maintenance regimes; and  (f) Health and Safety Management Plan.</p> <p>8.6 Audit reports must also include a summary of the project's current status at the time of the audit, details of any incidents, including safety or environmental and details of any stakeholder consultation including any complaints received during the audit period.</p> <p>8.7 An annual report outlining compliance with the conditions of this development must be submitted to Council by 30 June each calendar year.</p>		
<b>Inspections by Council</b>		
<p>9 Permit the Chief Executive Officer or any person authorised by the Chief Executive Officer to inspect any aspect of the development.  <i>Note: Permission to enter the premises must be obtained and entry only undertaken with authorisation from the operator of the facility.</i></p>	To ensure the development is constructed and operated in accordance with all legislative and planning scheme requirements as approved and conditioned by this development permit.	At all times during the operation and life of the development.

<b>Services, Easement and Infrastructure Provision</b>		
<p>10.1 Premises are to be provided with a level of infrastructure that allows for the efficient functioning of the use during construction and operation, while not impacting on nearby land uses or the environment.</p> <p><u>Easements</u></p> <p>10.2 Prior to the commencement of the first stage of works, grant Council access rights over easements S, W, X and Z on SP302825 to provide vehicular access from Keith Venables Road to the Haughton River to access flood reporting infrastructure. Rights shall be granted via registered easements or legally binding agreement between property owner, applicant and Council.</p> <p>10.3 Council will bear all costs associated with the preparation of easement documents or legal agreement.</p> <p><u>Water Supply and On-Site Sewerage Disposal</u></p> <p>10.4 The development both during construction and operation must be serviced by an appropriate, reliable and adequate on-site water supply that provides:  a) potable water; and  b) water sufficient to satisfy the demands of the development including construction.</p> <p>10.5 Evidence demonstrating compliance with Condition 10.5 is to be provided to Council prior commencing the use or construction whichever requires potable water supply to be available first.</p> <p>10.6 No discharge of grey or black wastewater is permitted on-site and is to be managed in accordance with Council's policies and all other legislative requirements.</p> <p><u>Siting, Design and Management of On-Site Services and Infrastructure</u>  <u>Bushfire Hazard</u></p>	<p>To ensure:</p> <ol style="list-style-type: none"> <li>i. legal access requirements are in place; and</li> <li>ii. the proposed development is serviced appropriately, during construction and operation.</li> </ol>	<p>At all times.</p> <p>The approved easement documents must be <u>registered</u> and the on-site water supply provisions and sewerage disposal infrastructure (if required) is to be installed, prior to the commencement of construction and/or issue of the final inspection certificate for building works and plumbing and drainage works, whichever occurs first.</p>

Condition	Reason	Timing
<p>10.7 A formal Bushfire Management Plan (BMP) is to be prepared by a suitably qualified person for the entire development (<i>solar farm, substation and associated ancillary infrastructure (invertors, transformers and cabling)</i>) that includes at a minimum firefighting elements aligned with an Emergency Response Plan that will be developed for the site and a Project Fire Safety Study, and is to be provided to Council for review and approval.</p> <p>10.8 Once approved, implement the recommendations of the BMP and undertake operations in accordance with the recommendations, at all times.</p> <p><u>Flood Hazard</u></p> <p>10.9 Critical or potentially hazardous infrastructure and services such as water supply, electricity, gas and telecommunications are to be suitably located where possible to reduce the impacts of flood hazard upon it.</p> <p>10.10 An appropriate Flood Response Plan (FRP) for both the construction phase and operational phase is to be prepared by a suitability qualified professional demonstrating compliance with Condition 10.11 and provided to Council for review and approval.</p> <p>10.11 The final FRP and its associated control and mitigation measures and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/operator at all times.</p> <p>10.12 The minimum finished floor heights of any proposed structures and buildings on-site will need to achieve appropriate flood immunity in this locality including any freeboard requirements required for a solar farm, substation and associated ancillary infrastructure (invertors, transformers and cabling).</p>		

<b>Traffic, Transport Management and Access</b>		
<u>Traffic Impact Assessment</u>		
<p>11.1 Due to the developmental impacts on the road infrastructure, a pavement contribution must be paid to Council prior to the commencement of each stage of the development. Contribution amounts are:  a) Stage 1 - \$169,800  b) Stage 2 - \$127,300  c) Stage 3 - \$339,600</p>	To provide appropriate access in accordance with relevant code/s and policy direction, suitable to their intended use.	Must be submitted prior to commencement of any works.

Condition	Reason	Timing
<p>11.2 Contribution amounts are subject to indexation with the increase having parity with the ABS Producer Price Index - Class 3101 Road and Bridge Construction Queensland.</p> <p>11.3 Provide a level two bridge inspection report prior to the commencement of each stage and at the completion of each stage to confirm the structural suitability of the Keith Venables Road bridge to accommodate heavy vehicle movements. Inspection reports must be certified by a Registered Professional Engineer of Queensland.</p> <p><b>Traffic Management Plan</b></p> <p>11.4 The applicant/operator must prepare a Traffic Management Plan (TMP) for the subject site.</p> <p>11.5 The TMP must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ) and be submitted to and approved by Council for approval prior to the commencement of any works on-site, for each stage.</p> <p>11.6 The submitted TMP must include, but not be limited to, the following details for the construction phase of the approved development:</p> <ol style="list-style-type: none"> <li>Details of the chain of responsibility for the project, its works, transport and relevant contact persons;</li> <li>Details of how construction traffic for the project on the transport routes will be managed, including amounts of materials, hours of operation, truck movements and signage on transport routes;</li> <li>Details of traffic routes for heavy vehicles, including any necessary route for oversized loads.</li> </ol> <p><b>Note - All oversize routes will require all necessary NHVR approvals</b></p> <ol style="list-style-type: none"> <li>Details of how potential safety hazards resulting from the increased vehicle movements will be mitigated during the construction phase;</li> <li>Procedures for informing the public where any road access may be impacted or restricted as a result of the material transport activities for the works;</li> <li>Identification and design details of any intended temporary crossover or temporary access restriction.</li> </ol> <p>11.6 The final TMP and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/operator at all times during construction. A</p>		

Condition	Reason	Timing
<p>copy of the TMP must always be available on-site and any subcontractor or other worker involved in the works must be made aware of its terms, requirements and the approved recommendations being implemented.</p> <p><b>External Works (Non-trunk infrastructure)</b></p> <p>11.7 Upgrade the unsealed section of Keith Venables Road prior to the commencement of stage 1 to the following standard:</p> <ul style="list-style-type: none"> <li>- 6.6m formation width;</li> <li>- Minimum 20 year pavement design life, in accordance with the design standard for heavy duty pavements as per TMRs Pavement Design Supplement Table 7.4.2;</li> <li>- Full width double/double bitumen seal;</li> <li>- Design must be certified by a Registered Professional Engineer of Queensland (RPEQ) and submitted to Council for approval as part of an Operational Works application.</li> </ul> <p>11.8 All access roads to the proposed development and contained within the proposed access easement are to be formed, trafficable and constructed to a standard appropriate to their intended use.</p> <p><b>Access and Carparking</b></p> <p>11.9 On site carparking during operation is to be provided at 1 space per 100m<sup>2</sup> gross floor area, or 1 space per 2 employees, whichever is the greater.</p> <p>11.10 All on-site parking must be designed in accordance with the relevant Australian Standards and certified by a suitably qualified Registered Professional Engineer of Queensland (RPEQ).</p> <p>11.11 All car parking facilities must be always maintained to a safe operating standard thereafter.</p> <p>11.12 Provide access to the site in accordance with in accordance with the relevant Australian standards and to the satisfaction of the Council.</p>		
<b>Environmental Management and Matters of Environmental and Ecological Significance</b>		
12.1 Construct, carry out, operate and maintain the development in accordance with the requirements of the Cambridge Solar Farm Ecological and Environmental Approvals	To ensure that a. development complies with the requirements of the	Prior to the commencement of works and once approved maintained at all times.

<p>Report – Matters of State and Local Environmental Significance, Reference No. 2023-007, dated 19 December 2023, prepared by 28 South Environmental Pty Ltd.</p> <p><u>Environmental Management Plan</u></p> <p>12.2 An Environmental Management Plan (EMP) prepared by a suitably qualified and experienced person for both construction and operations phases must <u>be submitted</u> to Council for review and approval.</p> <p>12.3 The EMP must be site specific and activity specific for the proposed development.</p> <p>12.4 The EMP must address/detail at a minimum <u>but not limited to</u>, matters of site-based management pre, during and post construction and operations, erosion and sediment control, dust management, litter and other waste, hydrocarbons and other contaminants, storage of hazardous chemicals, vibration, dust, noise, light and odour emissions, and refuse and waste management, including any rehabilitation measures.</p> <p>12.5 The EMP must also have a section for incident recording including management and corrective action recording.</p> <p>12.6 The final EMP and its associated control measures and any conditions or amendments thereto approved by Council must be <u>implemented and maintained by the applicant/owner at all times</u>.</p> <p>12.7 A copy of the Environmental Management Plan for the site must be <u>held on-site at all times</u> and produced if requested by Council officers. All staff, including sub-contractors, must be inducted and familiar with the plan.</p> <p>12.8 Where potential or actual environmental harm may be caused by the approved development, Council may at any time direct the applicant/operator, or persons acting on behalf of the applicant/operator, to:</p> <ol style="list-style-type: none"> <li>cease an <u>activity</u>;</li> <li>implement appropriate impact control <u>measures</u>;</li> <li>modify work plans or methods.</li> </ol> <p><u>Weed Control and Pest Management</u></p> <p>12.9 Weed management is required in accordance with the relevant requirements of the <i>Biosecurity Act 2017 (QLD)</i>.</p>	<p>planning scheme, applicable legislation and guidelines and all other approval requirements to avoid impact to</p> <ol style="list-style-type: none"> <li>areas of environmental or natural significance; and</li> <li>ecological function of the area; OR</li> <li>where impacts cannot be avoided, they are appropriately minimised and mitigated.</li> </ol> <p>b. To manage and to minimise disruption to the local community and users of the site and construction workers while works are occurring.</p> <p>c. To ensure that receiving waters during construction of the development are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.</p>	
--	--	--

Condition	Reason	Timing
<p>12.10 The development is not to result in the introduction of pest species (plant or animal), that pose a risk to ecological integrity or disturbance to native flora and fauna.</p> <p><u>Fauna Management</u></p> <p>12.11 A fauna spotter/catcher is to be present during all disturbance activities which involves the clearing of trees, to ensure fauna is safely relocated if encountered during construction phases.</p> <p><u>Avoiding Nuisance</u></p> <p>12.12 At all times, the proposed activity shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards.</p> <p>12.13 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage the emissions or likelihood of emissions that constitutes noise, dust, light, vibration and odour nuisances.</p>		
<b>Amenity Impacts</b>		
<p>13 Construction of the development and operation/use of the site is to be undertaken in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of noise, traffic, dust, odour, noise or lighting.</p>	<p>To manage and to minimise disruption to the local community and users of the site and construction workers while works are occurring.</p> <p>To ensure that the activities associated with the proposed development protects the values of the locality and do not cause a nuisance in accordance with the relevant provisions of the <i>Queenstand Environmental Protection Act 1994</i>.</p>	<p>At all times.</p>
<b>Bushfire Hazard</b>		

<p><b>Bushfire Management Plan</b></p> <p>14.1 Prior to the commencement of any site works, the applicant/operator must prepare a formal Bushfire Management Plan (BMP) for all three stages of the proposed development that complies with the requirements of the Bushfire Hazard Assessment, Council's Planning Scheme and all other relevant legislation, standards and guidelines, and provide the BMP to Council for review and approval.</p> <p>14.2 The BMP must at a minimum include an amended site plan clearly showing:</p> <ol style="list-style-type: none"> <li>both internal and external roads that would be used for firefighting purposes.</li> <li>Include a figure within RFA23-028, <u>similar to figure 3</u> provided in 28°S Environmental "Cambridge Solar Farm - Ecological and Environmental Approvals Report Matters of State and Local Environmental Significance".</li> <li>water tank locations.</li> </ol> <p>14.3 The elements to be included in the BMP must include but are not limited to provisions covering:</p> <ol style="list-style-type: none"> <li>Gas and Electricity <u>Services</u>;</li> <li>Access <u>Management</u>;</li> <li>Emergency <u>Management</u>;</li> <li>Evidence of consultation with local fire <u>authorities</u>;</li> <li>Location of flammable and combustible liquid <u>storage</u>;</li> <li>Location of firefighting equipment and water <u>tanks</u>;</li> </ol> <p>14.7 The Bushfire Management Plan (BMP) is to contain firefighting elements aligned with the Emergency Response Plan and align with the requirements of a Project Fire Safety Study.</p> <p>14.8 Once approved, the Bushfire Management Plan forms part of this approval.</p> <p>14.9 The requirements of the final BMP and any conditions or amendments thereto approved by Council must be <u>implemented and maintained by the applicant/operator at all times</u>.</p> <p>14.10 The final BMP is to be, <u>at all times</u>, kept and made available on-site at no cost to Council, for all phases of the approved development.</p> <p>14.11 The development is to be provided with suitable vehicular access that enables safe evacuation for all persons and easy access by firefighting vehicles and equipment.</p> <p>14.12 Bushfire risk mitigation treatments are not to have a significant impact on the natural environment or landscape character of the locality.</p>	<p>To ensure that development occurring in bushfire prone area complies with the requirements of the bushfire hazard overlay code to ensure that risk from bushfire is reduced and safety of persons is ensured.</p>	<p>Must be submitted prior to commencement of any works, then <u>at all times</u>.</p>
--	--	--

<p><b>Fire Safety Management and Emergency Response Plan</b></p> <p>14.13 The development must be designed and operated to achieve compliance with the Design Guidelines and Model Requirements Renewable Energy Facilities Version 4, August 2023 prepared by the Country Fire Authority Specialist Risk and Fire Safety Unit for Battery Energy Storage Systems, or similar standards or guidelines produced for the State of Queensland, as published by the Queensland Fire and Emergency Services (or equivalent department).</p> <p>14.14 A Fire Safety Management and Emergency Response Plan (FSMERP) must be prepared by a suitably qualified person, in consultation with Queensland Fire and Rescue Services, and submitted to Council for review and approval.</p> <p>14.15 The final FSMERP and any conditions or amendments thereto approved by Council must be <u>implemented and maintained by the applicant/operator at all times</u> during construction and operation.</p> <p>14.16 A copy of the FSMERP must always be available on-site and any subcontractor or other worker involved in the works must be made aware of its terms, requirements and the approved recommendations being implemented.</p> <p>14.17 The FSMERP is to be, <u>at all times</u>, kept and made available on-site and implemented, at no cost to Council, for the duration of the approved development.</p> <p><b>Storage of Flammable and Combustible Materials</b></p> <p>14.18 All flammable and combustible liquids (including hazardous waste materials) must be contained within an on-site containment system, controlled in a manner that prevents environmental harm and must be maintained in accordance with the current edition of AS1940—Storage and Handling of Flammable and Combustible Liquids.</p>		
--	--	--

<b>Flood Hazard</b>		
<p>15.1 Development including an access provision to it must not change inundation characteristics outside the subject site in ways that would:</p> <p>(a) result in loss of flood storage or loss of, or changes to, flow paths;</p> <p>(b) adversely change the depth or behaviour of the hazard; or</p> <p>(c) reduce warning times; or</p> <p>(d) increase the duration of the hazard.</p> <p>15.2 An appropriate Flood Response Plan (FRP) for both the construction phase and operational phase is to be prepared by a suitability qualified professional and provided to Council for review and approval.</p> <p>15.3 The final FRP and its associated control and mitigation measures and any conditions or amendments thereto approved by Council must be <u>implemented and maintained by the applicant/operator at all times.</u></p> <p>15.4 Provide a final flood study prepared by a suitably qualified professional that demonstrates the achievement of appropriate flood immunity in this locality and specifically establishes the minimum finished floor levels required for a <i>solar farm, substation and associated ancillary infrastructure (invertors, transformers and cabling).</i></p> <p>15.5 The minimum finished floor heights of any proposed structures and buildings proposed on site will need to include any freeboard requirements as part of building works and/or to meet the requirements of other service providers.</p>	<p>The proposed development must be designed to ensure that it does not worsen the severity of or exposure to the hazard on other properties.</p>	<p>Prior to preliminary site works, then construction/operational/building works commencing, whichever occurs first.</p>
<b>Stormwater</b>		
<p>16.1 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.</p> <p>16.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.</p> <p>16.3 Provide an RPEQ certified Stormwater Management Plan (SWMP) to demonstrate compliance with conditions 16.1 and 16.2, to Council for review and approval.</p>	<p>To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.</p>	<p>During construction and then <u>at all times.</u></p>
<b>Condition</b>	<b>Reason</b>	<b>Timing</b>
<p>16.4 The final SWMP and its associated control and mitigation measures and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/operator at all times.</p>		
<b>Construction Management Plan</b>		
<p>17.1 The applicant/operator must prepare a Construction Management Plan (CMP) for the subject site and works.</p> <p>17.2 The CMP must be prepared and certified by a suitably qualified person and be submitted to Council for approval prior to the commencement of any works on-site.</p> <p>17.3 In the event the applicant/operator causes compliance with this condition to be undertaken by or any entity working on behalf of the applicant/operator, the applicant/operator must provide its consent to the CMP being provided to Council on its behalf.</p> <p>17.4 The submitted CMP must include, but not be limited to, the following details for the construction phase of the approved development:</p> <p>a. A description of all relevant activities to be undertaken on the site during construction including the anticipated staging for any bulk earthworks and the construction works program;</p> <p>b. A description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;</p> <p>c. Details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site that would be implemented;</p> <p>d. Statutory and other obligations that the applicant/operator is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>e. Details of how the environmental performance of construction will be monitored, and what actions will be taken to address identified potential adverse environmental impacts including soil and water impacts and dust emissions;</p> <p>f. Emergency management measures including measures to control bushfires;</p>	<p>To ensure works are carried out properly and in accordance with the plans and specifications approved by Council.</p>	<p>Prior to the commencement of works and once approved maintained at all times.</p>



<p>g. Details of the complaints management and response program being <u>effected</u> and the responsible on-site party for contact at all times.</p> <p>17.5 The final CMP and any conditions or amendments thereto approved by Council must be <u>implemented and maintained by the applicant/operator at all times.</u></p> <p>17.6 A copy of the CMP must always be available on-site and any subcontractor or other worker involved in the works must be made aware of its terms, requirements and the approved recommendations being implemented.</p>		
<b>Avoiding Nuisance</b>		
<p>18.1 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage significant impacts on the existing amenity of the locality and/or interference with environmental values as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy, aerosols, fumes, particles, or smoke or any other cause including an unhealthy, offensive, or unsightly condition because of contamination.</p> <p>18.2 At all times, the proposed activity shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards.</p> <p><u>Lighting</u></p> <p>18.3 The vertical illumination resulting from direct, reflected or incidental light coming from the site is not to exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from ground level up.</p> <p><u>Dust and Air Pollutants</u></p> <p>18.4 Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the land and must not cause a nuisance to surrounding properties in accordance with the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p><u>Acoustic Management and Noise Levels</u></p> <p>18.5 Noise generated from the activity must not cause environmental nuisance to any sensitive place.</p> <p>18.6 No night construction works are permitted.</p>	<p>To ensure that the use of the site does not extend beyond the boundary of land and must not cause an <u>acceptable nuisance</u> to the surrounding property in accordance with community expectations, and relevant legislation including the <i>Environmental Protection Act 1994</i>.</p>	<p>At all times, unless other timing is stipulated as part of this condition.</p>
<p><b>Condition</b></p> <p>18.7 The approved development must comply with the recommendations and mitigation measures proposed in the Cambridge Solar Farm Noise Assessment Report, prepared by WSP, Revision 1, dated 25 February 2024.</p> <p><u>Construction noise and vibration management</u></p> <p>18.8 A detailed Construction Noise and Vibration Management Plan (CNVMP) is to be prepared prior to the commencement of construction and submitted to Council for review and approval and is to form part of both the Construction Management Plan (CMP) and the Environmental Management Plan (EMP).</p> <p>18.9 The final Construction Noise and Vibration Management Plan (CNVMP) and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/operator at all times during construction.</p> <p>18.10 A copy of both the Construction Management Plan (CMP) and the Environmental Management Plan (EMP), including the Construction Noise and Vibration Management Plan (CNVMP) must always be available on-site and any subcontractor or other worker involved in the works must be made aware of its terms, requirements and the approved recommendations being implemented.</p> <p><u>Operational Noise Management</u></p> <p>18.11 A detailed operational noise review is to be prepared to confirm the predicted noise impacts from the operation of the project post construction and if required nominate suitable operational mitigation measures to avoid or mitigation nuisance and submitted to Council for review and approval.</p> <p>18.12 The final Operational Noise Management Plan (ONMP) and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/operator at all times during construction.</p> <p>18.13 The ONMP must form part of the Environmental Management Plan (EMP).</p> <p>18.14 The Operational Noise Management Plan (ONMP) must always be available on site and any subcontractor or other worker involved in the works must be made aware of its terms, requirements and the approved recommendations being implemented.</p> <p><u>Waste Management</u></p>	<p><b>Reason</b></p>	<p><b>Timing</b></p>

18.15 All solid wastes or other materials likely to produce contaminants shall be stored in bins with lids in place to prevent the ingress of stormwater.		
18.16 There shall be no release of litter or contaminants from the site to any roadside, drain or waters.		
18.17 All waste generated in carrying out the activity must be lawfully reused, recycled, or removed to a facility that can lawfully accept the waste.		
<b>Complaint Management</b>		
18.18 In the event of a complaint being received by Council in relation to any nuisance associated with the use that is considered reasonable, Council will require the developer/operator to engage a suitably qualified consultant to undertake an assessment addressing nuisance emanating from the site for this use to the satisfaction of the Burdekin Shire Council. Note: As considered reasonable by an authorised officer by considering the general emission criteria or if the emission is of noise, the noise emission criteria as written in the <i>Environmental Protection Act 1998</i> .		
18.19 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and must provide a recommended method and proposed measures for Council's review and approval.		
18.20 If required as result of the reporting, the developer/operator must undertake any works within three (3) months at no cost to Council.		
<b>Indigenous Cultural Heritage</b>		
19 A Cultural Heritage Management Plan if required is to be completed and provided to Council prior to the commencement of any works on-site.	To ensure areas of known Indigenous cultural heritage significance on the site and in the locality are recognised and protected.	At all times
<b>Regional Infrastructure – Existing High Voltage Electricity Transmission Corridor</b>		
20 The proposed development and all works associated with it including operation, are required to comply with the requirements of: a) the relevant legislation and associated <u>regulations</u> ; b) all easement detailing <u>terms</u> .	To ensure: i. The purpose of the Electrical Safety Act 2002 is achieved	At all times.
c) all generic requirements with respect to proposed works within the vicinity of Powerlink Queensland infrastructure and specifically as outlined in the Referral Agency Response (Advice) issued by Powerlink QLD on 10 June 2024.	ii. Electrical safety requirements are <u>met</u> ; iii. The integrity of the easement is maintained; and iv. The existing rights in the registered easement dealings are maintained.	

#### Advice

<b>1. Infrastructure Charges</b> Infrastructure Charges have not been levied upon the proposed development.
<b>2. Compliance with Conditions</b> Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.
<b>3. Limitation of Approval – Uses other than 'Renewable Energy Facility (Solar Farm)' and 'Substation'</b>
3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.
3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnify and save the council harmless in respect of any claim so arising.
3.3 Any other uses proposed on this site that are not defined as 'Renewable Energy Facility (Solar Farm)' and 'Substation' and/or are separately defined in Council's Planning Scheme will require a separate development application and permit as per the planning scheme requirements and all relevant legislation.
<b>4. Further Approvals Required</b>
a) Operational Works A Development Permit for Operational Works to carry out civil works associated with the planning approval is required prior to any works commencing on-site.
b) Plumbing and Drainage Works A Compliance Permit to carry out Plumbing and Drainage Works must be obtained prior to the commencement of plumbing and drainage works.

c)	<b>Building Works</b> A Development Permit for Building Works to carry out building works is required, prior to works commencing on site.
5.	<b>Storage of Materials and Machinery</b> All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.
6.	<b>Hours of Work</b> It is the developer's responsibility to ensure compliance with the <i>Environmental Protection Act 1994</i> , policies and guidelines, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Mondays to Saturdays and at all times on Sundays or public holidays.
7.	<b>General Safety of Public During Construction</b>
7.1	It is the project manager's responsibility to ensure compliance with the <i>Work Health and Safety Act 2011</i> . It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.
7.2	It is the principal contractor's responsibility to ensure compliance with the <i>Work Health and Safety Act 2011</i> . It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.
7.3	It is the responsibility of the person in control of the workplace to ensure compliance with the <i>Work Health and Safety Act 2011</i> . It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.
8.	<b>Electrical Safety and Workplace Health and Safety</b> Renewable energy projects in Queensland must be electrically safe and must comply with all relevant legislation, associated regulations, relevant codes of practice and best practice Australian and industry standards. Persons conducting a business or undertaking must ensure the safety of every worker and visitor. This includes duties and responsibilities throughout the life cycle of a renewable energy facility or energy storage system; from the design and construction phases through to the operation, maintenance and decommissioning phases.
9.	<b>Other Legislative Requirements</b> This approval does not remove the approval of the development under separate State and/or Federal legislation and their associated regulations, including under the following: <ul style="list-style-type: none"> <li>• <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>;</li> <li>• <i>Nature Conservation Act 1992 (Qld)</i>;</li> </ul>
	<ul style="list-style-type: none"> <li>• <i>Vegetation Management Act 1999 (Qld)</i>.</li> <li>• <i>Electrical Safety Act 2002</i>.</li> </ul>
10.	<b>Cultural Heritage</b>
10.1	The applicant/operator is reminded of their obligations under the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> .
10.2	The applicant/operator is to ensure compliance with the requirements of the <i>Aboriginal Cultural Heritage Act</i> and in the 'duty of care' imposed is maintained at all times.
10.3	If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: <a href="http://www.datsip.qld.gov.au">www.datsip.qld.gov.au</a>
11.	<b>Environmental Considerations</b> Construction and operation must comply with the <i>Environmental Protection Act 1994</i> , policies and guidelines.
12.	<b>Equitable Access and Facilities</b> The plans for the proposed development have NOT been assessed for compliance with the requirements of the <i>National Construction Code - Building Code of Australia (Volume 1)</i> as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the <i>National Construction Code</i> as they relate to people with disabilities, one or more of the following may impact on the proposed building work: <ol style="list-style-type: none"> <li>(a) <i>the Disability Discrimination Act 1992 (Commonwealth)</i></li> <li>(b) <i>the Anti-Discrimination Act 1991 (Queensland)</i></li> <li>(c) <i>the Disability (Access to Premises - Buildings) Standards</i>.</li> </ol>
13.	<b>Miscellaneous</b>
13.1	Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.
13.2	The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of Council.
13.3	It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.
14.	<b>Sediment Control</b> It is the applicant/operator's responsibility to ensure compliance with the <i>Environmental Protection Act 1994</i> and <i>Schedule 9 of the Environmental Protection Regulation 2008</i> to prevent soil erosion and contamination of the waterways.
15.	<b>Earthworks</b> Earthworks are not approved as part of this development permit. If any earthworks are required and deemed assessable development, an Operational Works Development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.
16.	<b>Acid Sulfate Soils</b>
	Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.

## Resolution

Moved Councillor Furnell, seconded Councillor Vasta that the recommendation be adopted.

CARRIED

9.32am - Mr. Day and Mrs. Martin entered the meeting.

9.34am - Mrs. Galletta left the meeting.

---

## **7.4. TECHNICAL SERVICES**

### **7.4.1. Permanent Road Closure - Unnamed Road, Kirknie**

#### **Executive Summary**

Request for Council's views on an application for a permanent 160 metre wide road closure (approximately 90 hectares) over a part of an unnamed road off Old Fort Road, Kirknie, for agriculture and primary production purposes.

#### **Recommendation**

That Council resolves to offer no objection to the proposed permanent road closure over part of the Unnamed Road, Kirknie.

#### **Resolution**

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

*9.37am - Mr Byers left the meeting.*

## **8. NOTICE OF MOTION**

## **9. RECEIPT OF PETITIONS**

## **10. CORRESPONDENCE FOR INFORMATION**

## **11. COUNCILLOR REPORTS**

### **11.1. Councillor Reports for November 2024**

#### **Executive Summary**

Monthly reports are provided by the Mayor and Councillors indicating commitments they have taken over the previous month.

#### **Recommendation**

Council notes the November 2024 monthly reports.

---

---

## **Resolution**

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be noted, and the amendment on Councillor Hall report, reflecting the correct information "20 Nov Home Hill Chamber of Commerce Meeting" also be noted.

CARRIED

## **12. GENERAL BUSINESS**

### **13. CLOSED BUSINESS ITEMS**

**Council Meeting closed to Public under Section 254J (3) (b) of *Local Government Regulation 2012*.**

#### **Resolution**

Moved Councillor Vasta, seconded Councillor Furnell that the Council meeting be closed to the public under the following sections of the Local Government Regulation 2012: 254J (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government:

For the purpose of discussing:

1. Confidential details of the Collection Services Waste Contract tender.

CARRIED

#### **Council Meeting opened to Public.**

Moved Councillor Oar, seconded Councillor Furnell that the Council meeting be opened to the public.

### **13.1. Collection Services Waste Contract**

#### **Executive Summary**

Cleanaway Pty Ltd is Burdekin Shire Council's current contractor for the kerbside domestic and commercial collection of waste, recyclables, and greenwaste. They also manage the collection and disposal of waste from Council's Transfer Stations via the roll-on-roll-off (RORO) bin system, and the collection of mobile and bulk bins from Council premises.

The current collection contract expires on 30 June 2025, so to ensure business continuity is preserved, Council staff have worked with Joel Harris from Ethos Resources and Ochre Legal to create a new contract, specification for works, and associated tender documentation. The tender process closed on 25 November 2024.

---

---

A detailed evaluation process was undertaken of tender submissions on 28 November 2024. The Council was updated regarding this process at a workshop on 3 December 2024.

This report seeks Council approval to award the Collection Services contract to Cleanaway from 1 July 2025.

### **Recommendation**

That Council:

1. Awards TBSC/24/027 - "Collection Services" to Cleanaway Pty Ltd, for a period of ten (10) years from 1 July 2025, with a projected cost of \$18,011,94.00 excluding GST (unadjusted for rise and fall), and
2. Delegates authority under s257(1)b of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise, and execute any and all matters.

### **Resolution**

Moved Councillor Detenon, seconded Councillor Vasta that the recommendation be adopted.

CARRIED

*9.56am - Mr. Day and Mrs. Martin left the meeting.*

### **14. DELEGATION**

There being no further business the meeting closed at 9.57am.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 28 January 2025.**

**MAYOR**

---