

Our Ref.: PECS/MB;jkMCU18/0011

24 September 2018

## Notice about decision - Statement of reasons

(in accordance with section 63 (5) of the *Planning Act 2016*)

<b>Proposal:</b>	Change Application ('Other Changes') for Material Change of Use – Utility (Public) [approximately 392MW Renewable Energy Facility (Solar Photovoltaic PV Farm) and associated infrastructure]. To amend: A. The Property description to reflect the additional Lot 1 on RP801235; B. Condition 1.1 to reflect the additional Lot 1 on RP801235; and C. Condition 1.3 to include the amended set of development plans.
<b>Application Number:</b>	MCU18/0011
<b>Address:</b>	353 Manly Access Road, Clarke Creek
<b>Property Description:</b>	Lot 1 on RP801235 Lot 2 on RP801346
<b>Type of Approval:</b>	Development Permit for Material Change of Use
<b>Decision:</b>	Approved in full with conditions
<b>Date of Approval:</b>	14 September 2018

### 1. Reasons for the decision

- The Applicant submitted the Change Application which was considered a change application, other than for a minor change. This is because, by the inclusion of Lot 1 on RP801235, the proposed changes did not satisfy the requirements for the change application to be considered a 'Minor Change', and therefore an 'Other Change' is assessable in accordance with Section 82 other than Section 79 of the *Planning Act 2016*.
- The Applicant as part of the Change Application sought to amend the approval to include a transmission line which will connect the proposed Solar Farm on Lot 2 on RP801346 to a Powerlink substation on Lot 8 on ROP162. The route will traverse an additional land parcel being Lot 1 on RP801235. Consequently, the amendment to the approval will include this additional Lot 1 on RP801235.

## 2. Assessment benchmarks

Benchmarks applying for the development	Benchmark reference
Assessing and deciding application for other change	Section 82 of the <i>Planning Act 2016</i> .

## 3. Compliance with benchmarks

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
<p><b>Assessing and deciding application for other changes</b></p> <p><i>(1) This section applies to a change application, other than for a minor change to a development approval.</i></p> <p><i>(2) For administering the change application, and assessing and deciding the change application in the context of the development approval, part 2, division 2 and part 3, other than sections 51, 63 and 64(8)(c), and the development assessment rules, apply—</i></p> <p><i>(a) as if—</i></p> <p><i>(i) the responsible entity were the assessment manager; and</i></p> <p><i>(ii) the change application were the original development application, with the changes included, but was made when the change application was made; and</i></p> <p><i>(b) with necessary changes.</i></p> <p>...</p>	<p>The inclusion of an additional allotment constituted a change application, other than for a minor change to a development approval.</p> <p>The Isaac Regional Council was the original assessment manager and has assessed this change application as if it was the original development application with the changes included but was made when the change application was made with necessary changes.</p>
<p><i>(4) To remove any doubt, it is declared that the following matters apply, only to the extent the matters are relevant to assessing and deciding the change application in the context of the development approval—</i></p> <p><i>(a) the assessment benchmarks;</i></p> <p><i>(b) any matters a referral agency must, may, or may only assess the application against or have regard to under section 55(2);</i></p> <p><i>(c) any matters the assessment must have regard to under section 45(3) or (5);</i></p> <p><i>(d) any other relevant matters under section 45(5)(b).</i></p>	<p>It is confirmed that the assessment manager has only considered the assessment benchmarks including those matters that the referral agency had assessed the application against.</p>
<p><i>(5) If a change application is made within 1 year after the development approval was given, any properly made submission for the application for the</i></p>	<p>The original application was code assessable and it did not require public notification. As such, there were no submissions.</p>

<i>development approval is taken to be a properly made submission for the change application.</i>	
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**4. Relevant matters for impact assessable development**

Not applicable.

**5. Matters raised in submissions for impact assessable development**

Not applicable.

**6. Matters prescribed by Regulation**

Not applicable.

If you find an inaccuracy in any of the information provided above or have a query or seek clarification about any of these details, please contact Council.

Yours faithfully



MANUS BASSON  
**Manager – Planning & Land Development**  
(on behalf of Gary Stevenson PSM, Chief Executive Officer)