



Deputy Premier
Minister for Transport, Minister for Infrastructure,
Local Government and Planning and Minister for Trade

Our ref: MBN15/1537

25 October 2015

Level 12 Executive Building
100 George Street
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3719 7100
Email deputy.premier@ministerial.qld.gov.au

FRV Services Australia Pty Ltd
Attention: Ms Alexandra Isgro
c/- URS Australia
GPO Box 302
BRISBANE QLD 4000

Dear Ms Isgro

DECISION NOTICE

I refer to my decision made on 28 August 2015 to exercise my ministerial powers and call in the development application for the proposed solar farm at 82, 124 and 196 Shadforth Road, Clare.

Please be advised that on 25 October 2015, I decided to approve the development application, subject to conditions.

Applicant details

Name of Applicant:	FRV Services Australia Pty Ltd c/- URS Australia Pty Ltd
Address of Applicant:	GPO Box 302, Fortitude Valley Qld 4006

Application details

Original assessment manager:	Burdekin Shire Council (the Council)
Date application properly made:	12 December 2014
Approvals sought:	Development permit for material change of use – Solar farm (use not defined).
Description of development:	Solar farm consisting of up to up to 238 ha of rotating photovoltaic modules with a tracking system mounted in rows
Level of assessment:	Impact assessable

Property details

Real property description:	Lot 241 on SP199878 Lot 242 on GS1028 Lot 243 on GS1029.
Address of property:	82, 124 and 196 Shadforth Road, Clare Qld 4807

Ministerial call in details

Date of call in notice: 28 August 2015

The development application has been assessed and decided under the normal assessment and decision provisions under sections 314 and 326 of the *Sustainable Planning Act 2009* (SPA) as referred to in section 423 of SPA.

Date of decision: 25 October 2015

Details of decision: Development permit for material change of use – Solar farm (use not defined), subject to conditions

Type of approval: Development permit for material change of use – Solar farm (use not defined)

Referral Agencies

The following agencies were referral agencies for the development application. As a result of the decision to call in the development application under section 425(1) of SPA, any concurrence agencies for the development application are taken to be advice agencies until I give the decision notice (section 427(4) of SPA).

Referral agency	Address	Jurisdiction
Powerlink	PO Box 1193 VIRGINIA QLD 4014	Advice agency – Subject site part of an easement in favour of a distribution entity or transmission entity under the <i>Electricity Act 1994</i>
Ergon Energy	PO Box 264 FORTITUDE VALLEY QLD 4006	Advice agency – Subject site part of an easement in favour of a distribution entity or transmission entity under the <i>Electricity Act 1994</i>

Further to this, advice was also sought from the following entities:

Entity	Address
Department of Agriculture and Fisheries	80 Ann Street Brisbane GPO Box 46 BRISBANE QLD 4000
Department of Energy and Water Supply	41 George Street Brisbane PO Box 15456 CITY EAST QLD 4002
Queensland Health	Queensland Health Building 147 – 163 Charlotte Street BRISBANE QLD 4000
SunWater	Level 10, 179 Turbot Street PO Box 15536 CITY EAST QLD 4002

Approval despite the conflict with the planning scheme

I have identified that the development application conflicts with the following parts of the Economic Development Desired Environmental Outcome of the Burdekin Shire IPA Planning Scheme 2011:

"The Shire will have a sustainable economic base built upon its natural resources and traditional rural industries by diversifying and value-adding to the rural base, consistent with the sustainable use of the Shire's natural and community resources, through:

- (i) the protection of Good Quality Agricultural Land from conflicting forms of development and land use activities in accordance with State Planning Policy 1/92;*
- (iii) facilitating the development of economic opportunities that value add to primary industries;*
- (iv) facilitating the development of industry that capitalise on synergies with the sugar industry through value adding of by-products. Such industry will be located on land contiguous with the Shire's sugar mills, particularly in the identified Rural Industry Sub-area at Pioneer Mill."*

Despite these conflicts, I consider that there are sufficient grounds to approve the development application, subject to conditions.

The reasons for my decision, including sufficient grounds for my decision despite the conflict, are as follows:

- The Queensland Government is committed to increasing renewable energy sources by 2020.
- The site's location on a flat site with very high levels of solar irradiance, adjacent to the Clare substation, on land disturbed by agricultural uses with no noted native flora and fauna, is a prime location for a solar farm.
- The solar farm will represent a positive diversification of the local economy and will provide up to 200 jobs during construction and five (5) operational jobs.
- Over 2,700 ha of additional land has been approved for intensive agriculture (predominantly sugar cane farming) in the Burdekin region since February 2014 resulting in a net increase in availability and utility of land for agriculture.
- Upon decommissioning, conditions will require the land to be rehabilitated as far as practical to its pre-development condition, including slope and soil profile.

Approval subject to conditions

The conditions and plans of this approval are set out in the **Schedules 1 and 2 attached**. General advice is set out in **Schedule 3 attached**.

I have decided it is appropriate to attach the advice from:

- Ergon Energy in **Schedule 4 attached**.
- Powerlink in **Schedule 5 attached**.

I have imposed conditions which I consider are:

- a) relevant to, but not an unreasonable imposition on, the development or use of premises as a consequence of the development; or
- b) reasonably required in relation to the development or use of premises as a consequence of the development.

Other development permits

The other development permits and compliance permits and certificates are necessary to allow the development to be carried out are set out below:

- Operational works – Development permit
- Building works – Development permit.

Infrastructure Charges

An infrastructure charges notice has not been issued for the approved development and is not attached to this decision notice. The Council may give an infrastructure charges under section 635 of SPA following this decision notice.

Properly made submissions

Five (5) properly made submissions were received in respect of this development application during the public notification period between 18 February 2015 and 13 March 2015. The names and addresses of submitters are included in **Schedule 6 attached**.

Deemed approval of applications

As a result of my decision to call in and reassess the development application, chapter 6, part 5, division 3, subdivision 4 of SPA does not apply to the development application (section 427(7) of SPA).

The development application is not taken to have been approved under section 331 of SPA.

Relevant period (Development permit)

The relevant period for the development permit is in accordance with sections 341(1)(a) and (b) and 341(4) of SPA.

Appeal rights

A person may not appeal against the Minister's decision pursuant to section 427(5) of SPA which states *"The Minister's decision on the application is taken to be the original assessment manager's decision but a person may not appeal against the Minister's decision."*

If you require further information, please email: Ministerial.Callin@dilgp.qld.gov.au.

Yours sincerely



JACKIE TRAD MP
DEPUTY PREMIER
Minister for Transport, Minister for Infrastructure,
Local Government and Planning and Minister for Trade

Enc (6)

SCHEDULE 1

Conditions of approval

Condition	Timing
General Conditions	
1 Carry Out The Approved Development Carry out the approved development generally in accordance with the approved General Layout Plan, Drawing Number 14001 Issue A, attached at Schedule 2.	While site / operational work is occurring and then to be maintained
2 Approved Drawings and Documents A legible copy of the approved drawings, documents and the conditions contained in the decision notice is to be available on site.	While site / operational work is occurring
3 Notice of intention to commence the use Provide to the Council written notice that the use complies with conditions 2, 4, 7, 8, 10, 11, 12 and 13(a).	Prior to the commencement of the use
4 Damage to Council infrastructure Any damage which is caused to the Council's infrastructure as a result of the proposed development must be repaired to its original condition.	Prior to the commencement of the use
5 Period of use The approved use is limited to operating for a period of 30 years from the date this approval takes effect.	As indicated
6 Decommissioning/Post Operations a) At the end of the period of use or if the solar farm is not used for the generation of electricity for a continuous period of 12 months, the use shall be considered decommissioned b) Within 18 months of the site being decommissioned the site shall be returned as far as practical back to its pre-development condition in accordance with the certified Decommissioning and Rehabilitation Management Plan required by Condition 13 of this approval.	As indicated
Access and car parking	
7 Car parking Provide one car parking space per 100m ² gross floor area, or one space per two employees, whichever is the greater, in accordance with Division 2 – Car Parking Rates of Schedule 2 – Vehicle parking rates and standards for Industry (Otherwise) of the Burdekin Shire IPA Planning Scheme 2011	Prior to the commencement of use
8 Access Provide access to the site in accordance with Division 3 – Parking Access and Manoeuvring Standards of Schedule 2 – Vehicle parking rates and standards of the Burdekin Shire IPA Planning Scheme 2011.	Prior to the commencement of use

Infrastructure

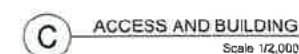
9	<p>Stormwater</p> <p>a) The approved development and uses(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads</p> <p>b) Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system</p> <p>c) Where not in conflict with parts (a) and (b) of this condition, the applicant is to implement the mitigation measures detailed in the report titled Stormwater Assessment – Clare, dated 27 November 2014 and prepared by URS Australia Pty Ltd.</p> <p><i>NOTE: If remedial works are required that involve drainage, drawings are to be submitted and approval obtained from the Chief Executive Officer, Burdekin Shire Council to provide a means to rectify the site drainage and not to cause nuisance to neighbouring properties</i></p>	During operational works and then at all times
10	<p>Water and Wastewater</p> <p>Provide the following:</p> <p>a) water and wastewater services, in accordance with council standards/policies</p> <p>b) on-site fire-fighting facilities and storage in accordance with the relevant Australian fire standards and Queensland Fire and Emergency Services requirements.</p>	Prior to the commencement of use






Management and Mitigation

11	<p>Construction Management Plan</p> <p>Prepare, implement and maintain a Construction Management Plan (CMP) for the subject site. The CMP must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ), submitted to the Council and available on site at all times. The 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 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 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</p>	Prior to site / operational / building work commencing and then maintained
----	---	--

SCHEDULE 2

Approved Plan



-  PHOTOVOLTAIC PLANT OCCUPIED AREA
 SUBSTATION ZONE
 WAREHOUSE AND O&M BUILDING ZONE
 BUFFER POWER LINES
 BUFFER PROPERTY BOUNDARY

ISSUE
A

SCHEDULE 3

General Advice

Advice	
A.	<p data-bbox="252 383 619 416">Applicant responsibilities</p> <p data-bbox="252 432 1390 506">The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.</p> <p data-bbox="252 517 1358 685">Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:</p> <ul data-bbox="252 696 1422 1111" style="list-style-type: none"><li data-bbox="252 696 1422 842">(a) Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc. by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration<li data-bbox="252 853 1422 999">(b) Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the <i>Environmental Protection Act 1994</i> of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity')<li data-bbox="252 1010 1422 1111">(c) Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval).
B.	<p data-bbox="252 1144 1070 1178">Cultural heritage legislation and duty of care requirement</p> <p data-bbox="252 1189 1382 1290">Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the <i>Aboriginal Cultural Heritage Act 2003</i> requires all activities to cease.</p> <p data-bbox="252 1301 1430 1447">The <i>Aboriginal Cultural Heritage Act 2003</i> ('AHCA') is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The AHCA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:</p> <ul data-bbox="252 1458 1102 1648" style="list-style-type: none"><li data-bbox="252 1458 1102 1491">(a) Is not negated by the issuing of this development approval<li data-bbox="252 1503 1102 1536">(b) Applies on all land and water, including freehold land<li data-bbox="252 1547 1102 1581">(c) Lies with the person or entity conducting an activity; and<li data-bbox="252 1592 1102 1648">(d) If breached, is subject to criminal offence penalties. <p data-bbox="252 1659 1422 1727">Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.</p> <p data-bbox="252 1738 1430 1805">Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the AHCA.</p> <p data-bbox="252 1816 1406 1895">The applicant should contact DATSIMA's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the AHCA.</p>
C.	<p data-bbox="252 1928 1166 1962">Environment Protection and Biodiversity Conservation Act 1999</p> <p data-bbox="252 1973 1414 2051">Under the Commonwealth Government's <i>Environment Protection and Biodiversity Conservation Act 1999</i> (the EPBC Act), a person must not take an action that is likely to</p>

have a significant impact on a matter of national environmental significance without Commonwealth approval. Penalties for taking such an action without approval are significant. If you identify that the development may have a significant impact on a matter of national environmental significance, or if you are unsure, contact the Department of Environment on 1800 803 772.

Further information is available from Environment Australia's website at <http://www.environment.gov.au/topics/about-us/legislation/environment-protection-and-biodiversity-conservation-act-1999>.

SCHEDULE 4

Ergon Energy Advice



825 Ann Street Fortitude Valley 4006
PO Box 264 Fortitude Valley 4006

ergon.com.au

30 January 2015

Chief Executive Officer
Planning and Development
Burdekin Shire Council
(sent via email: burdekinsc@burdekin.qld.gov.au)

Attention: Shane Great, Manager Planning and Development

cc FRV Services
C/- URS
(sent via email – alexandra.isgro@urs.com)

Attention: Alexandra Isgro

Dear Shane,

ADVICE AGENCY RESPONSE

**MATERIAL CHANGE OF USE FOR SOLAR FARM
82, 124 & 196 SHADFORTH ROAD CLARE**

241SP199878, 242GS1028, 243GS1029

**COUNCIL REFERENCE: CONS 12/0028 SG.MB
ERGON ENERGY REFERENCE: EE15/004981**

This response is made on behalf of Ergon Energy Corporation Limited ACN 087 646 062 (*Ergon Energy*) pursuant to section 292 (advice agency response) of the *Sustainable Planning Act 2009* (Act).

In accordance with table 3 of Schedule 7 of the *Sustainable Planning Regulation 2009*, referral is triggered due to the proximity of a substation and the presence of easements.

Connection of the proposed infrastructure to either Ergon Energy's network or Powerlink's network is yet to be determined. Notwithstanding, these negotiations are commercial and technical in nature and are not considered to be influential or relevant for Council's assessment or decision regarding the proposed material change of use.

I wish to advise that Ergon Energy has no objection to the proposed development, subject to the following conditions being applied to any approval:

1. Development is carried out generally in accordance with the plans and reports provided as part of the application.
2. All easement conditions must be maintained.
3. Access to our infrastructure must be available at all times.
4. Any proposed earthworks do not result in an increase in ponding or runoff of stormwater onto existing electricity infrastructure;
5. Should changes to Ergon Energy infrastructure be proposed or required as part of the development, those changes are made with Ergon Energy's consent and at the developer/owner's expense (unless otherwise agreed to by Ergon Energy).

We respectfully request that a copy of the decision be provided in accordance with section 334 (1) (b) of the Act. Please contact me on 3851 6530 or via email address: ian.turton@ergon.com.au for any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ian Turton', with a long horizontal stroke extending to the right.

Ian Turton
Principal Town Planner
Ergon Energy

SCHEDULE 5

Powerlink Advice

MSLink334489
MSLink014185
MSLink14186
20 January 2015



Our ref: DA1609

URS for FRV Services
GPO Box 302
BRISBANE QLD 4001

cc. Burdekin Shire Council
PO Box 974
AYR QLD 4807

Attn:- Alexandra Isgro
Your Ref:- Project No 42627398

Attn:- Shane Great
Your Ref:- Cons 14/0028 SG.MB

Dear Sir/Madam

**Development Application –
Development Permit Material Change of Use (MCU) for Solar Farm –
82, 124, 196 Shadforth Road, Clare
L241 on SP199878, L242 on GS1028, L243 on GS1029 – Easement D&E on GS1027,
Easement A on GS512, Easement C on GS1028 and Easement A on GS1029**

Thank you for your application received 12 January 2015 regarding the above matter.

Pursuant to the following item or items of Schedule 7 of the *Sustainable Planning Regulation 2009*, Powerlink Queensland is an advice agency for the above development application:

☒ Item 7, Table 3 of Schedule 7 of the *Sustainable Planning Regulation 2009* (a material change of use in certain circumstances);

Powerlink Queensland acting as an advice agency under the *Sustainable Planning Act 2009* provides its response to the above application as **attached**.

The assessment manager is to treat the response as a properly made submission.

Yours sincerely


Brandon Kingwill
PROPERTY SERVICES MANAGER

Enquiries: Cecily Weld

Telephone: (07) 3866 1307

33 Harold Street, Virginia
PO Box 1193, Virginia, Queensland 4014, Australia
Telephone: (07) 3860 2111 Facsimile: (07) 3860 2100
Website: www.powerlink.com.au

ADVICE AGENCY'S RESPONSE
Sections 291 and 292
of the Sustainable Planning Act 2009

RESPONSE TO DEVELOPMENT APPLICATION

Powerlink Queensland, acting as an advice agency under the *Sustainable Planning Act 2009* provides its response to the above application.

The advice agency's response is that:

☒ this application should be approved **subject to the following conditions:**

1. Compliance with the terms and conditions of easement dealing nos. 700599560, 700599560, 700597656, 700597647.
2. Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure as detailed in the enclosed Annexure "A".
3. Any variation to the works as detailed in the enclosed copies of the submitted Drawing Figure 6 General Layout Dwg No 14001 Issue A.
4. This advice is valid for a period of 2 years from the date of this response, should the development not be initiated within that period, the applicant should resubmit the application for re-consideration.
5. This response **does not constitute an approval to commence any works within the transmission line corridor**. While Powerlink Queensland has no 'in principle' objection to the works, and the works are largely off easement, any works on easement, in particular the access road which traverses Powerlink's easement, will require detailed final design submissions, assessments and approvals (or otherwise) by Powerlink Queensland. We would prefer this information to be submitted in electronic format 3D DXF of final design RL's AHD and MGA GDA94 in applicable zone. The design of the access road can be submitted as a co-use application. This application can be made online, or via a submission to propsearch@powerlink.com.au. Please refer to Powerlink's website for further information.
6. Compliance with the *Electrical Safety Act 2002* ("the Act") including any Code of Practice under the Act and the *Electrical Safety Regulation 2013* ("the Regulation") including any safety exclusion zones defined in the Regulation.

In respect to this application the exclusion zone for untrained persons and for operating plant operated by untrained persons is **three (3) metres** from the **132,000-volt** wires and exposed electrical parts.

Should any doubt exist in maintaining the prescribed clearance to the conductors and electrical infrastructure, then the applicant is obliged under the Act to seek advice from Powerlink Queensland.

7. In order for Powerlink Queensland to maintain and operate a safe and reliable supply of electricity, we require unrestricted 24-hour access to our infrastructure.

Typically such access must be suitable for a 4WD vehicle but to a standard no less than existing.

If it is envisaged that there will be any interference to our current access arrangements; we require that the applicant contacts our Maintenance Service Provider: Peter Gorrie ph (07) 4789 5037 to formalise unrestricted 24-hour access arrangements for Powerlink Queensland.

Enclosures:-

*
*

Annexure "A"

Drawing Figure 6 General Layout Dwg No 14001 Issue A

ANNEXURE A – GENERIC REQUIREMENTS

The conditions contained in this Annexure have been compiled to assist persons (the applicant) intending to undertake work within the vicinity of high-voltage electrical installations and infrastructure owned or operated by Powerlink. The conditions are supplementary to the provisions of the Electrical Safety Act 2013, Electrical Safety Regulations 2013 and the Terms and Conditions of Registered Easements and other forms of Occupational Agreements hereinafter collectively referred to as the "Easement". Where any inconsistency exists between this Annexure and the Easement, the Easement shall take precedence.

1. POWERLINK INFRASTRUCTURE

You may not do any act or thing which jeopardises the foundations, ground anchorages, supports, towers or poles, including (without limitation) inundate or place, excavate or remove any soil, sand or gravel within a distance of twenty (20) metres surrounding the base of any tower, pole, foundation, ground anchorage or support.

2. STRUCTURES

No structures should be placed within twenty (20) metres of any part of a tower or structure foundation or within 5m of the conductor shadow area. Any structures on the easement require prior written consent from Powerlink.

3. EXCLUSION ZONES

Exclusion zones for operating plant are defined in Schedule 2 of the Electrical Safety Regulation 2013 for Untrained Persons. All Powerlink infrastructure should be regarded as "electrically live" and therefore potentially dangerous at all times.

In particular your attention is drawn to Schedule 2 of the Electrical Safety Regulation 2013 which defines exclusion zones for untrained persons in charge of operating plant or equipment in the vicinity of electrical facilities. If any doubt exists in meeting the prescribed clearance distances from the conductors, the applicant is obliged under this Act to seek advice from Powerlink.

4. ACCESS AND EGRESS

Powerlink shall at all times retain the right to unobstructed access to and egress from its infrastructure. Typically, access shall be by 4WD vehicle.

5. APPROVALS (ADDITIONAL)

Powerlink's consent to the proposal does not relieve the applicant from obtaining statutory, landowner or shire/local authority approvals.

6. MACHINERY

All mechanical equipment proposed for use within the easement must not infringe the exclusion zones prescribed in Schedule 2 of the Electrical Safety Regulation 2013. All operators of machinery, plant or equipment within the easement must be made aware of the presence of live high-voltage overhead wires. It is recommended that all persons entering the Easement be advised of the presence of the conductors as part of on site workplace safety inductions. The use of warning signs is also recommended.

7. EASEMENTS

All terms and conditions of the easement are to be observed. Note that the easement takes precedence over all subsequent registered easement documents. Copies of the easement together with the plan of the Easement can be purchased from the Department of Environment & Resource Management.

8. EXPENDITURE AND COST RECOVERY

Should Powerlink incur costs as a result of the applicant's proposal, all costs shall be recovered from the applicant.

Where Powerlink expects such costs to be in excess of \$10 000.00, advanced payments may be requested.

9. EXPLOSIVES

Blasting within the vicinity (500 metres) of Powerlink infrastructure must comply with AS 2187. Proposed blasting within 100 metres of Powerlink infrastructure must be referred to Powerlink for a detailed assessment.

10. BURNING OFF OR THE LIGHTING OF FIRES

We strongly recommend that fires not be lit or permitted to burn within the transmission line corridor and in the vicinity of any electrical infrastructure placed on the land. Due to safety risks Powerlink's written approval should be sought.

11. GROUND LEVEL VARIATIONS**Overhead Conductors**

Changes in ground level must not reduce statutory ground to conductor clearance distances as prescribed by the Electrical Safety Act 2013 and the Electrical Safety Regulations 2013.

Underground Cables

Any change to the ground level above installed underground cable is not permitted without express written agreement of Powerlink.

12. VEGETATION

Vegetation planted within an easement must not exceed 3.5 metres in height when fully matured. Powerlink reserves the right to remove vegetation to ensure the safe operation of the transmission line and, where necessary, to maintain access to infrastructure.

13. INDEMNITY

Any use of the Easement by the applicant in a way which is not permitted under the easement and which is not strictly in accordance with Powerlink's prior written approval is an unauthorised use. Powerlink is not liable for personal injury or death or for property loss or damage resulting from unauthorized use. If other parties make damage claims against Powerlink as a result of unauthorized use then Powerlink reserves the right to recover those damages from the applicant.

14. INTERFERENCE

The applicant's attention is drawn to s.230 of the Electricity Act 1994 (the "Act"), which provides that a person must not wilfully, and unlawfully interfere with an electricity entity's works. "Works" are defined in s.12 (1) of the Act. The maximum penalty for breach of s.230 of the Act is a fine equal to 40 penalty units or up to 6 months imprisonment.

15. REMEDIAL ACTION

Should remedial action be necessary by Powerlink as a result of the proposal, the applicant will be liable for all costs incurred.

16. OWNERS USE OF LAND

The owner may use the easement land for any lawful purpose consistent with the terms of the registered easement; the conditions contained herein, the Electrical Safety Act 2013 and the Electrical Safety Regulations 2013.

17. ELECTRIC AND MAGNETIC FIELDS

Electric and Magnetic Fields (EMF) occur everywhere electricity is used (e.g. in homes and offices) as well as where electricity is transported (electricity networks).

Powerlink recognises that there is community interest about Electric and Magnetic Fields. We rely on expert advice on this matter from recognised health authorities in Australia and around the world. In Australia, the Federal Government agency charged with responsibility for regulation of EMFs is the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA's *Fact Sheet – Magnetic and Electric Fields from Power Lines*, concludes:

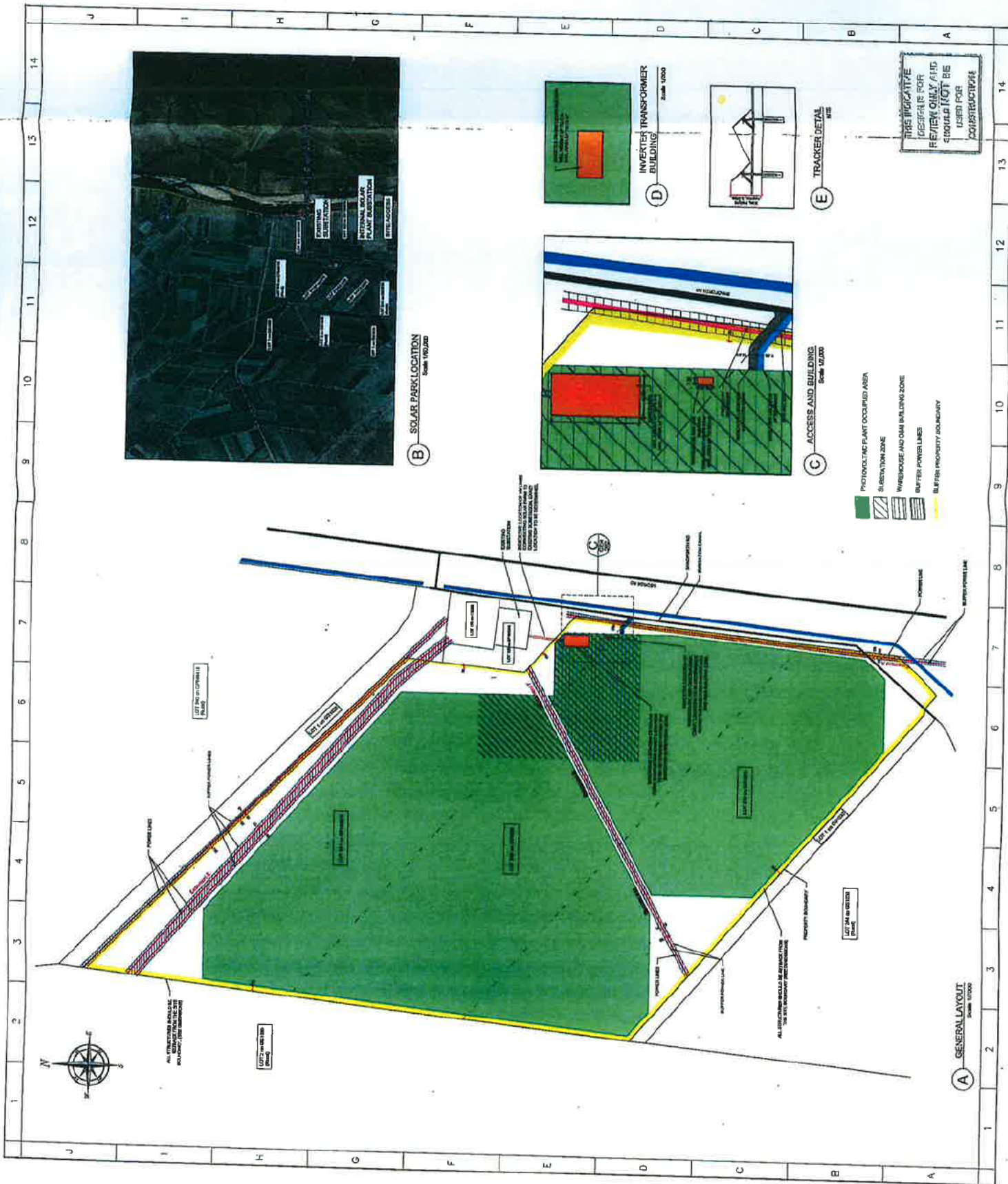
"On balance, the scientific evidence does not indicate that exposure to 50Hz EMF's found around the home, the office or near powerlines is a hazard to human health."

Whilst there is no scientifically proven causal link between EMF and human health, Powerlink nevertheless follows an approach of "*prudent avoidance*" in the design and siting of new powerlines. This includes seeking to locate new powerline easements away from houses, schools and other buildings, where it is practical to do so and the added cost is modest.

The level of EMF decreases rapidly with distance from the source. EMF readings at the edge of a typical Powerlink easement are generally similar to those encountered by people in their daily activities at home or at work. And in the case of most Powerlink lines, at about 100 metres from the line, the EMF level is so small that it cannot be measured.

Powerlink is a member of the ENA's EMF Committee that monitors and compiles up-to-date information about EMF on behalf of all electricity network businesses in Australia. This includes subscribing to an international monitoring service that keeps the industry informed about any new developments regarding EMF such as new research studies, literature and research reviews, publications, and conferences.

We encourage community members with an interest in EMF to visit ARPANSA's website: www.arpansa.gov.au Information on EMF is also available on the ENA's website: www.ena.asn.au



ENVIRONMENTAL ETHOS
ABN: 65 054 076 045
TEL: +61 (0) 419 407 882
Email: info@environmentalethos.com.au

CLIENT
FRV SERVICES AUSTRALIA PTY LTD

PROJECT
CLARE SOLAR PARK

SCALE: NTS
SOURCE: GENERAL LAYOUT PREPARED BY INGENIA



FIGURE 6
GENERAL LAYOUT
DRAWING NUMBER 14001
ISSUE A

SCHEDULE 6

Names and Addresses of Submitters

Name	Address
Wilmar Sugar	Level 1, Denham Street, Townsville QLD
L and P Brotto	64 Kirknie Road, Home Hill QLD
D and R Booth	Shadforth Road, Clare QLD
Invicta Cane Growers Organisation Ltd	22 Queen Street, Ayr QLD
SunWater Limiter	Level 10, 179 Turbot Street, Brisbane QLD