

SDA approval – conditions

Condition 1 - approved plans and documents		Timing
1.1	Carry out the approved development generally in accordance with the approved plans and documents as referenced in Table 1 (including any amendments marked in red), except insofar as modified by any of the conditions of this approval.	To be maintained at all times

Table 1 – approved plans and documents

Title	Prepared By	Document No	Revision No	Date
Power Station Location Plan	LMS Energy Pty Ltd	40041-DA-002	C	23/04/2024
Site layout Plan	LMS Energy Pty Ltd	40041-DA-001	D	23/04/2024
Risk Assessment for Development Application	LMS Energy Pty Ltd	40041-RG-032	B	14/11/2023

Condition 2 - commencement of the development		Timing
2.1	Notify the Coordinator-General in writing of the date of commencement of construction, completion of construction and the commencement of use	<i>Within 30 days of commencement of the use</i>

Condition 3 – ‘As constructed’ plans		Timing
3.1	<p>Prepare and submit to the Coordinator-General, ‘As constructed’ plans certified by RPEQ or other independent suitably qualified person.</p> <p>The plans must show that the development has been constructed generally in accordance with the plans referenced in Table 1 of Condition 1.</p> <p>Plans must be submitted in electronic pdf and shape files.</p>	<i>Prior to commencement of use</i>

Condition 4 - auditing		Timing
4.1	<p>Prepare and submit audit reports to the Coordinator-General within 30 business days after commencement of development.</p> <p>The audit report must be prepared by an independent suitably qualified person to determine whether the conditions of this approval have been complied with.</p> <p>An audit report will contain detail consistent with the information provided in Enclosure 1.</p>	<i>As indicated</i>

Condition 5 - inspection		Timing
5.1	<p>Permit the Coordinator-General, or any person authorised by the Coordinator-General, to inspect any aspect of the development.</p> <p>Note: Where practicable, at least forty-eight (48) hours’ notice will be provided</p>	<i>At all times</i>

Condition 6 – Complaints		Timing
6.1	Record all complaints received relating to the development in a register that includes, as a minimum: <ul style="list-style-type: none"> a) date and time when complaint was received b) complainant’s details including name and contact information c) reasons for complaint d) investigations undertaken and conclusions formed e) actioned taken to resolve this complaint, including the time take to implement these actions f) include a notation to the register as to the satisfaction (or dissatisfaction) of the complainant with the outcome. 	<i>At all times</i>
6.2	Prepare and provide a response to the complainant within 48 hours of receipt of the complaint	<i>As indicated</i>
6.3	Provide an up to date copy of the register if request by the Coordinator-General.	<i>As indicated</i>

Condition 7 – waste management		Timing
7.1	Reuse, recycle or lawfully dispose of all waste (other than treated wastewater released to land) generated by the development.	<i>At all times</i>
7.2	Solid waste is to be stored on site in vermin-proof facilities until it is transferred to a licensed refuse facility.	<i>At all times</i>

Condition 8 – hazardous materials		Timing
8.1	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 <i>AS1940—Storage and Handling of Flammable and Combustible Liquids</i> .	<i>At all times</i>
8.2	All containers must be secured to prevent movement during a flood event.	<i>At all times</i>
8.3	Carry out the risk mitigation controls for the development generally in accordance with the Risk Assessment for Development Application, prepared by LMS Energy, dated 14/11/2023, report reference 40041-RG-032, revision B.	<i>Prior to the commencement of use and ongoing</i>
8.4	Amend and finalise the Emergency Response Plan Draft – For Development Approval, prepared by LMS Energy, dated 18/09/2023, report reference 40041-RG-030, revision A to address the following, amongst other relevant considerations for the railway corridor: <ul style="list-style-type: none"> (a) Update the contact list in Section 2 to include the 24/7 emergency contact details for Queensland Rail (1800 079 303 - Network Control) and notify of any situation that occurs within the railway corridor or that is reasonably likely to involve or impact on the railway corridor. (b) Provide the amended and finalised Emergency Response Plan and Safety Management Plan to the Program Delivery and Operations Unit, North Queensland Region within the Department of Transport and Main Roads (North.Queensland.IDAS@tmr.qld.gov.au) and the Office of the Coordinator General (SDAinfo@Coordinatorgeneral.qld.gov.au). 	<i>Prior to the commencement of use and at all times</i>

	(c) The operation of the development must be in accordance with the amended and finalised Emergency Response Plan and Safety Management Plan required in this condition.	
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Condition 9 – services and utilities		Timing
9.1	Obtain the necessary approvals for all required services and utilities (power, potable water, sewer, gas, wastewater, communications etc) for both construction and operation.	<i>Prior to commencement of construction and to be maintained</i>
9.2	The development must be serviced by an on-site sewage treatment and disposal system in accordance with Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy, specifically SC6.4.11.8 On-site sewerage facilities of the Townsville City Plan. Unless otherwise agreed to by Townsville City Council in writing.	<i>Prior to commencement of the use.</i>
9.3	The development must be serviced by a private water supply in accordance with Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy, specifically SC6.4.11.7 On-site water supply of the Townsville City Plan. Unless otherwise agreed to by Townsville City Council in writing.	<i>Prior to commencement of the use</i>
9.4	Electricity and telecommunications must be provided to the premise in accordance with the works code of the Townsville City Plan. Unless otherwise agreed to by Townsville City Council in writing.	<i>Prior to commencement of the use</i>
9.5	Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Townsville City Council.	<i>Prior to commencement of the use and to be maintained</i>

Condition 10 – Potential contamination		Timing
10.1	Areas where potentially contaminating substances are stored or used, are roofed and sealed with concrete, asphalt or similar impervious substance and bunded.	<i>At all times</i>
10.2	Roof water is piped away from areas of potential contamination.	<i>At all times</i>

Condition 11 – Air contaminants		Timing
11.1	Materials that are capable of generating air contaminants are wholly enclosed in storage bins.	<i>At all times</i>

Condition 12 – traffic management and access		Timing
12.1	Provide adequate and safe access for firefighting/other emergency vehicles and for safe evacuation.	<i>At all times</i>
12.2	Access to the site will be restricted to the operating hours of the surrounding waste facility (Stuart waste facility)	<i>At all times</i>
12.3	All parking is to occur on site.	<i>At all times</i>

Condition 13 – Railway Interface		Timing
13.1	The development must ensure no encroachment upon the state-controlled rail corridor and maintain a minimum 25 metre setback from the railway corridor.	<i>Prior to the commencement of use and to be maintained at all times</i>

Condition 14 – Safety and Crime Prevention		Timing
14.1	Install adequate fencing and signage to warn the public of operations and safety hazards.	<i>Prior to commencement of use and to be maintained</i>
14.2	Any solid wall or semi permeable fence is protected from graffiti through means of vertical landscaping or vandal resistant paint or artwork.	<i>Prior to commencement of use and to be maintained</i>

Condition 15 – external details		Timing
15.1	Construct and/or paint external details of buildings and structures to reduce visual impact and negate excessive glare in accordance with current best practice.	<i>To be maintained</i>

Condition 16 - construction management plan		Timing
16.1	Prepare a construction management plan that includes the following: (a) Two (2) employee parking areas (b) The storage location/s materials, structures, plant and equipment on the construction site (c) management of noise and dust generated from the site during and outside construction work hours (d) a monitoring program to identify issues of noncompliance, actions for correcting any non-compliance and who is responsible for undertaking those actions (e) a timetable and process for review of the construction management plan to assess its effectiveness and to implement amendments as required.	<i>Prior to the commencement of construction</i>
16.2	Undertake all works generally in accordance with the construction management plan which must be current and available on site at all times during the construction period.	<i>At all times during the site works phase</i>
16.3	Water to be used for dust mitigation is to be drawn from sources other than Townsville City Council's reticulated water supply should Level 3 or 4 water restrictions be in effect and / or imposed during the construction of the development.	<i>At all times during the site works phase</i>

Condition 17 – stormwater		Timing
17.1	The management of stormwater and drainage within the development must not cause a worsening or actionable nuisance	
17.2	<p>The stormwater and flooding management of the development must not cause worsening to the operating performance of the railway corridor such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the railway corridor (ii) concentrate or increase the velocity of flows to the railway corridor (iii) interfere with and/or cause damage to the existing stormwater drainage on the railway corridor (iv) surcharge any existing culvert or drain on the railway corridor (v) reduce the quality of stormwater discharge onto the railway corridor (vi) impede or interfere with overland flow and/or hydraulic conveyance on the site (vii) reduce the floodplain immunity of the railway corridor. 	<i>At all times</i>

Condition 18 – Stormwater drainage		Timing
18.1	Drainage from the development works/ building shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur on adjoining land.	<i>At all times</i>
18.2	Provide the discharge of stormwater drainage flows to a legal point of discharge.	<i>At all times</i>
18.3	Drainage works shall be designed and constructed in accordance with the Queensland Urban Drainage Manual, Fourth Edition.	Prior to the commencement of the use

Condition 19 - repair of damage		Timing
19.1	Repair any property fencing, roads and service infrastructure and re-instate existing signage and pavement markings that have been removed or damaged during any works carried out in association with the approved development.	<i>Prior to commencement of development and ongoing</i>

Condition 20 – lighting		Timing
20.1	Ensure outdoor lighting installed within the development minimises light spill in the adjacent properties and sensitive receptors in accordance with AS4282:1997 Control of obtrusive effects of outdoor lighting.	<i>Prior to the commencement of the use and to be maintained</i>
20.2	Provide external lighting sufficient to provide safe ingress and egress for site users.	<i>Prior to the commencement of the use and to be maintained</i>
20.3	Outdoor lighting must be provided in accordance with AS1158.1:2005 – <i>Lighting for Roads and Public Spaces</i> .	<i>Prior to the commencement of the use and to be maintained</i>

Condition 21 – erosion and sediment control plan		Timing
21.1	Prescribed Water Contaminants (as defined in the <i>Environmental Protection Act 1994</i>) must not be released from the site or to waters within the site, or be likely to be released should rainfall occur, unless all reasonable and practicable measures are taken	<i>Prior to the commencement of site works and to be maintained</i>

	to prevent or minimise the release and concentration of contamination. These measures must be designed, implemented and maintained in accordance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australasian Chapter) (IECA, 2008).	<i>during the site works phase</i>
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Condition 22 – Electrical Safety		Timing
22.1	The statutory clearances set out in the Electrical Safety Regulation 2013 must be maintained during construction and operation. No encroachment within the statutory clearances is permitted.	<i>At all times</i>
22.2	The development must achieve compliance with the terms and conditions of Easement I on SP167049 (Dealing No.707893742)	<i>At all times</i>
22.3	The development must achieve compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure as detailed in Enclosure 2	<i>At all times</i>

Condition 23 - Infrastructure Charges Notice		Timing
23.1	Pay to Townsville City Council any outstanding charges or expenses applied over the subject land, including infrastructure charges shown on the adopted infrastructure charges notice contained in Enclosure 3, or as agree to in writing by Townsville City Council.	<i>Prior to commencement of the use</i>

Advice

Currency period

This SDA approval is valid until the end of the currency period, four years after the date of approval, unless the approval states a different period. For the SDA approval to remain valid the proponent must have, before the end of the currency period:

- (if the development is reconfiguring a lot) provided the plan of subdivision to the Coordinator-General for approval in accordance with the relevant development scheme; or
- (for all other development) substantially started the development; or
- made an application to the Coordinator-General to extend the currency period.

Other approvals

This approval relates solely to the material change of use for a high impact industry (renewable energy facility) within the Townsville State Development Area. All other approvals and/or permits required under local, state and/or commonwealth legislation must be obtained prior to the commencement of the use.

Townsville City Council

Further Approvals Required

A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

For filling and excavation associated with this approval, an Operational works application must be submitted to Townsville City Council

Building Works

A Development Permit for Building Works to carry out building works prior to works commencing on site.

Infrastructure charges

An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.

Water restrictions

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

Developers remain responsible for compliance with any water restrictions as directed by Townsville City Council.

During times of significant water shortage, Townsville City Council may refuse to grant developer exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities.

In circumstances where exemptions to water restrictions are no longer issued by Townsville City Council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of

permanent soil erosion and sediment control (such as an open drain) the use of “bonded fibre matrix” type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions.

The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer.

Construction

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

Building Work Noise

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

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

Powerlink

This response does not constitute an approval to commence any works within the easement. Prior written approval is required from Powerlink Queensland before any work is undertaken within the easement areas. All works on easement (including but not limited to earthworks, drainage, and detention basins; road construction; underground and overhead service installation) require detailed submissions, assessments and consent (or otherwise) by Powerlink.

Compliance with the *Electrical Safety Act 2002* including any Code of Practice under the Act and the *Electrical Safety Regulation 2013* including any safety exclusion zones defined in the Regulation. In respect of 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.

Department of Transport and Main Roads

Pursuant to section 255 of the *Transport Infrastructure Act 1994*, the railway manager’s written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.

Please be advised that this Coordinator-General response does not constitute an approval under section 255 of the *Transport Infrastructure Act 1994* and that such approvals need to be separately obtained from the railway manager.

The applicant should contact Bill Weston – Regional Manager Engineering Services of Queensland Rail on telephone number 0409 492 603 or at bill.weston@qr.com.au in relation to the emergency response procedures and safety management required for the railway corridor during dangerous goods incidents/emergencies.

Enclosure 1

The following information will be required in an audit report:

- Details of the development approval, including the SDA approval number, the date of approval and a summary of the audit reporting requirements. This should include a schedule of the dates by which audit reporting is to be provided to the Coordinator-General.
- Details of the independent, suitably qualified person(s) (see Schedule 1 in the Townsville SDA Development Scheme) (the auditor) responsible for preparing the audit report, including the auditor(s):
 - name, position, company and contact details
 - qualifications and experience
 - proof that the auditor is an independent third party unaffiliated with the proponent.
- Details of any external suitably qualified person(s) used to supplement reports/plans outside of the auditor's expertise.
- Details of any compliance reporting which has previously been provided to the Coordinator-General for the purpose of complying with Schedule 3 of the Townsville SDA Development Scheme.
- An audit evaluation matrix including but not limited to:
 - each condition of the SDA approval, and the status of the condition at the end of the relevant audit period
 - where a condition is current or complete, (to be activated, activated, complete), whether compliance has been achieved (compliant, non-compliant or not applicable), how compliance has been achieved (description of works, tasks or actions undertaken) and how the evaluation of the audit has been undertaken
 - a full description of the relevant standards, practices etc. against which works have been assessed together with evidence (reports, site photographs, certification documentation) to support the evaluation of the works against the compliance standards
 - the title, date, location and holder of any documentation referred to in the compliance evaluation matrix but not provided with the audit to allow the Coordinator-General to call upon these documents as required
 - details of any non-compliances identified by any party during the current audit period and a methodology specifying how compliance has been/will be achieved and by when it will be achieved, and
 - details of previous audit reports (if relevant) with an update on any non-compliance, corrective actions and revised practices (as relevant) undertaken and the current status of any corrective actions.
- Additional evidence to support the compliance evaluation, including the date and locations of any site inspection/s conducted during the preparation of the audit report and details of any employees of the proponent interviewed for the audit.
- The auditor's declaration whereby the auditor:

- certifies the conditions contained in the SDA approval have been satisfactorily complied with, subject to any qualifications which the author has outlined in the audit report
 - certifies that to the best of the auditor's knowledge, all information provided in the audit report is true, correct and complete, and
 - acknowledges it is an offence under section 1570 of the *State Development and Public Works Organisation Act 1971*, to give the Coordinator-General a document containing information the auditor knows is false or misleading in any material particular.
- Any further attachments the auditor considers relevant to the audit report.

An audit report guideline has been prepared to provide guidance to proponents and auditors in compiling audit reports. The guideline is available on the Department of State Development, Infrastructure, Local Government and Planning website at <https://www.statedevelopment.qld.gov.au/coordinator-general/state-development-areas/development-schemes-applications-and-requests> or by contacting the Planning and Services Division on 1800 001 048 or via sdainfo@coordinatorgeneral.qld.gov.au.

Enclosure 2 – Powerlink Generic Requirements

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 2002, Electrical Safety Regulation 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.

ANNEXURE A – GENERIC REQUIREMENTS

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 2002 and the Electrical Safety Regulation 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.

ANNEXURE A – GENERIC REQUIREMENTS

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 2002 and the Electrical Safety Regulation 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

Enclosure 3 – Townsville City Council Infrastructure Charges Notice



Infrastructure Charges Notice

Townsville City Council

To: LMS Energy Pty Ltd 118 Greenhill Road UNLEY SA 5061	Notice Date: 15 Aug 2023 Issue Date: 15 Aug 2023 Infrastructure charges notice number: ICN-001487 Application reference: CAR23/0229
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Type of approval:	Concurrence Agency Referral
Description:	Affected Entity Response Notice to DSDMIP associated with AP2023/004 (Renewable Energy Facility - BioEnergy)
Charges Resolution:	Infrastructure Charges Resolution - 1 July 2023

Premises to which the levied charge applies	Primary site address: 24 Vantassel Street, Stuart QLD 4811 Real property description: Lot 2 SP 132603
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About this notice	The Council has decided to give an Infrastructure Charges Notice, which states a levied charge the details of which are stated below, for the development of the premises that is the subject of the development approval.
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Applicable levied charge	Applicable levied charge \$0.00
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Infrastructure charges notice advice	Infrastructure Agreements: If an Infrastructure Agreement applies to this development, to the extent of any inconsistency, the Infrastructure Agreement applies instead of the Infrastructure Charges Notice.
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Charges reductions	No charges reductions apply.
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Other adjustments	No other adjustments apply.
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Other adjustments	No other adjustments apply.
Cost of trunk infrastructure for offset or refund	No offsets or refunds for trunk infrastructure apply
How the levied charge was worked out	Details of how the applicable levied charge and any charge reductions, other adjustments, and the cost of trunk infrastructure for offsets and refunds have been worked out are provided in the detailed calculations section of this Infrastructure Charges Notice.
Why the charge is levied	The charge is levied in accordance with Council's Infrastructure Charge Resolution to accompany any Townsville State Development Area Development Approval assessed against the State Development and Public Works Organisations Act 1971.
Increase of levied charge (automatic increase provision)	The levied charge may be increased from the date of this notice to the day the levied charge is paid by the Producer Price Index (PPI), adjusted according to the 3 year moving average quarterly percentage change between financial quarters in accordance with Council's infrastructure charges resolution.
Date levied charge is payable	Once payment is due, a levied charge is, for the purpose of recover, taken to be rates of the Council. A notation will be placed on the premises in Council's Property Database that will be discoverable by prospective purchases that a levied charge is outstanding. This will be removed once full payment is received. Should the levied charge remain outstanding, it will be considered a debt on the land, interest of 8.03% per annum compounded daily applies and Council may take legal action to recover the debt, in accordance with Council's debt recovery policy.
Making a payment	Before paying the levied charge you must request an invoice showing the total levied charge payable at the time of payment including any automatic increase.
Appeal rights	If you are dissatisfied with this Infrastructure Charges Notice, under Section 229 (3) (d) of the <i>Planning Act 2016</i> you may appeal against an Infrastructure Charges Notice within twenty (20) business days after receiving the Notice.

Calculation Details

Infrastructure charges notice number: ICN-001487
Application reference: CAR23/0229
Type of approval: Concurrence Agency Referral
Applicable resolution: Infrastructure Charges Resolution - 1 July 2023

1. How the levied charge was worked out

Development

Land Use	Development Unit	Proposed Development	Existing Development	Net Development
Use not in the list (Other nature)	Item	2	0	2

Applicable levied charge

Land Use	Development Unit	Net Development	Adopted Charge Rate \$/unit	Charge \$
Adopted rate				
Use not in the list (Other nature)	Item	2	\$0.00	\$0.00
Applicable levied charge				\$0.00

2. How the charges reduction and other adjustments were worked out

No charges reductions apply.

No other adjustments apply.