



SARA reference: 2201-26743 SRA  
 Council reference: D/168-2021  
 Applicant reference: 60644664

10 February 2022

Chief Executive Officer  
 Rockhampton Regional Council  
 PO Box 1860  
 Rockhampton QLD 4700  
 enquiries@rrc.qld.gov.au

Attention: Brendan Standen

Dear Sir/Madam

## SARA response—52949 Burnett Highway, Bouldercombe

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 10 January 2022.

### Response

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Outcome:	Referral agency response – with conditions.
Date of response:	10 February 2022
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

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Description:	Development permit	Reconfiguration of a Lot (Subdivision by Lease and Access Easement)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 1, Table 1, Item 1 (Planning Regulation 2017) Development application for reconfiguring a lot within an infrastructure designation	

Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1  
(Planning Regulation 2017)  
Development application for reconfiguring a lot within 25m of a state-controlled road

Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1  
(Planning Regulation 2017)  
Development application for reconfiguring a lot within 25m of a state-controlled road intersection

SARA reference: 2201-26743 SRA  
 Assessment Manager: Rockhampton Regional Council  
 Street address: 52949 Burnett Highway, Bouldercombe; 52949 Burnett Highway, Bouldercombe  
 Real property description: 1RP610887; 3RP611829  
 Applicant name: Genex Power Limited C/o AECOM  
 Applicant contact details: Level 5, Tomlins Street  
 South Townsville QLD 4810  
 renee.weightman@aecom.com

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR22-035147
- Date: 4 February 2022

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at [Central.Queensland.IDAS@tmr.qld.gov.au](mailto:Central.Queensland.IDAS@tmr.qld.gov.au)

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Jacklyn Neyenhuis, Planning Officer, on 4924 2907 or via email [RockhamptonSARA@dasilgp.qld.gov.au](mailto:RockhamptonSARA@dasilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Anthony Walsh  
Manager Planning

cc Genex Power Limited C/o AECOM, [renee.weightman@aecom.com](mailto:renee.weightman@aecom.com)

enc    Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Reconfiguring a lot</b>		
<p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 (Planning Regulation 2017) and Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 (Planning Regulation 2017)            —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
1.	<p>(a) The permitted road access location, is to be located generally in accordance with Plan of Proposed Lease Area A and Access Easement prepared by AECOM dated 30/11/2021, reference 606644664, and revision 1.</p> <p>(b) Road access works comprising far side widening (at the permitted road access location) must be provided generally in accordance with Central District Standard Drawing – Property Access Main Roads AADT &gt; 2000 vpd prepared by Department of Transport and Main Roads dated 2 October 2007, drawing number SP-02 and revision B.</p> <p>(c) The road access works must be designed and constructed in accordance with The Department of Transport and Main Roads Road Planning and Design Manual.</p>	<p>(a) At all times.            (b) and (c):            Prior to submitting the Plan of Survey (creating a lease area and/or access easement) to the local government for approval.</p>
2.	Direct access is not permitted between the Burnett Highway (the state-controlled road) and the subject site at any location other than the permitted access location as per Condition 1.	At all times.

## Attachment 2—Advice to the applicant

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<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v2.6]. If a word remains undefined it has its ordinary meaning.

## **Attachment 3—Reasons for referral agency response**

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(Given under section 56(7) of the *Planning Act 2016*)

### **The reasons for SARA's decision are:**

- The proposed development is a reconfiguration of a lot (subdivision by lease) and access easement.
- The proposed development will have no direct access to the state-controlled road (being Burnett Highway) as it will be obtained from the proposed access easement.
- The proposed development relates to and is in accordance with the existing infrastructure designation over the site.
- The proposed development is considered to be minor and generally in accordance with the requirements of the State Development Assessment Provisions of State code 1.

### **Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.6])
- The Development Assessment Rules
- SARA DA Mapping system

## **Attachment 4—Change representation provisions**

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## **Attachment 5—Approved plans and specifications**

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# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

## Part 6: Changes to the application and referral agency responses

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### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

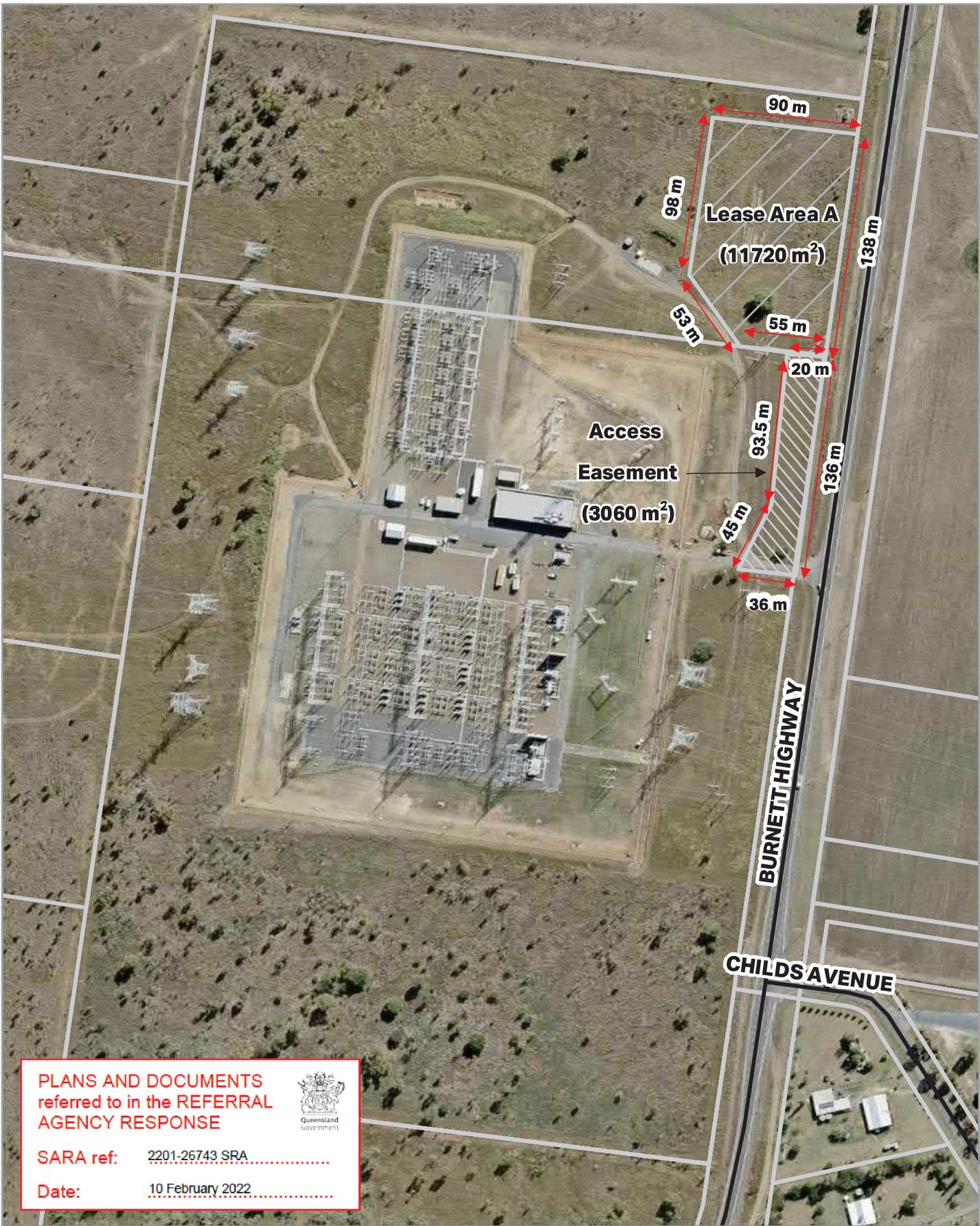
## Part 7: Miscellaneous

### 30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



**PLANS AND DOCUMENTS**  
referred to in the REFERRAL  
AGENCY RESPONSE

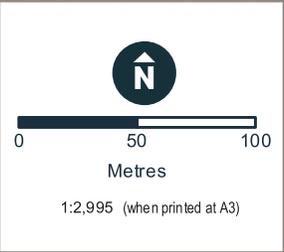
SARA ref: 2201-26743 SRA

Date: 10 February 2022



**AECOM**  
www.aecom.com

**Plan of Proposed  
Lease Area A and  
Access Easement**



- Legend**
-  Roads
  -  Lease Area A
  -  Access Easement
  -  Cadastre

Revision History	
PROJECT ID:	606644664
CREATED BY:	Cameron Adams
LAST MODIFIED:	CA 30/11/2021
VERSION:	1

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Our ref TMR22-035147  
Your ref  
Enquiries Anton DeKlerk



Department of  
**Transport and Main Roads**

4 February 2022

Bouldercombe Battery Project Co Pty Ltd  
c/- AECOM  
PO Box 5423  
Townsville QLD 4810

## Decision Notice

### Permitted road access location and conditional approval of road access works at 41F Burnett Highway (Mt Morgan – Rockhampton), Ch. 20.234km (lat: -23.537243; long: 150.489271)

**This is not an authorisation to commence work on a state-controlled road<sup>1</sup>**

Development application reference number D/168-2021, lodged with Rockhampton Regional Council involves constructing or changing a vehicular access between Lot 1RP610887, 3RP611829, the land the subject of the application, and 41F Burnett Highway (Mt Morgan – Rockhampton) (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA. Approval for road access works under section 33(1) of the TIA has also been provided.

#### Application Details

Address of Property 52949 Burnett Highway, Bouldercombe QLD 4702  
Real Property Description 1RP610887, 3RP611829  
Aspect/s of Development Development Permit for Reconfiguring a Lot (subdivision by lease and access easement)

#### Permitted Road Access Location Decision (given under section 67 of TIA)

It has been decided to approve the application subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	The permitted road access location is to be located at approximate chainage Ch. 20.234km (LHS) on 41F Burnett Highway (Mt Morgan – Rockhampton) (lat: -25.269627; long: 150.249609).	At all times.
2	Road access works consisting of far side widening must be provided at the permitted road access location in accordance with the attached Central District Standard Drawing, prepared by the Department of Transport and Main Roads, dated 2 October 2007, drawing number SP-02 and Rev B.	Prior to sealing of the survey plan (creating a lease area and/or access easement).
3	The road access is to be constructed and maintained at no cost	At all times.

<sup>1</sup> Please refer to the further approvals required under the heading 'Further approvals'

No.	Conditions of Approval	Condition Timing
	to the department in accordance with section 64(a) & (b) of the <i>Transport Infrastructure Act 1994</i> .	
4	The applicant shall be responsible for all maintenance works for the access in accordance with Module 9 of the Local Government Association of Queensland document 'TMR/Local Government Cost Sharing Arrangement', dated October 2017.	At all times.
5	All vehicles entering or exiting the property via the permitted access must travel in a forward direction only.	At all times.
6	Reasonable steps are taken to ensure that the permitted road access is used by others in accordance with these conditions.	At all times.
7	This decision shall expire after 12 months from the date of this notice should the access not be constructed in accordance with condition 1 and 2.	At all times.

### Reasons for the decision

The reasons for this decision are as follows:

- a) To maintain the safety and function of the state-controlled road.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

### Information about the decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, you are bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for your information.

### Approval of road access works (given under (section 33(1) of TIA)

It has been decided to approve the application subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	Road access works consisting of far side widening must be provided at the permitted road access location in accordance with the attached Central District Standard Drawing, prepared by the Department of Transport and Main Roads, dated 2 October 2007, drawing number SP-02 and Rev B.	Prior to sealing of the survey plan (creating a lease area and/or access easement).
2	The works must be constructed in accordance with the Department of Transport and Main Roads' Standard Specifications Roads and Standard Drawings.	At all times
3	The road access works are to be constructed at no cost to the department.	At all times
4	The department's representative, Isuru Perera must be contacted at least ten (10) business days prior to commencement of construction to arrange and have a pre-start meeting. No work is to commence in the road corridor until after	Minimum ten (10) business days prior to pre-start

No.	Conditions of Approval	Condition Timing
	<p>the pre-start meeting and an Authority to Commence Works has been issued by the department.</p> <p>The department's representative may be contacted on 0457 873 275 or by email at FitzroyDistrict@tmr.qld.gov.au.</p>	
5	<p>The following items are required to be submitted and approved by the department prior to the pre-start meeting (Please allow a minimum of five (5) business days for review):</p> <ul style="list-style-type: none"> <li>• Details of your Contractor – the attached form about the nominated contractor is to be completed and returned to the department. The applicant must demonstrate to the department the nominated contractor has sufficient expertise to carry out the proposed work and holds a current public liability insurance policy in the amount of not less than \$20 million that notes the department's interest on the policy;</li> <li>• A Construction Workplace Plan including a Traffic Management Plan(s) (including Traffic Guidance Schemes) in accordance with department's Manual of Uniform Traffic Control Devices (2003), Part 3 – Works on Roads;</li> <li>• The Traffic Management Plan must be submitted from a registered Traffic Control Company. A list of Traffic Control companies registered with the department can be accessed via the attached link: <a href="http://www.tmr.qld.gov.au/business-industry/Accreditations/Traffic-Management-Registration-Scheme.aspx">http://www.tmr.qld.gov.au/business-industry/Accreditations/Traffic-Management-Registration-Scheme.aspx</a>;</li> <li>• Deed of Indemnity from the Principal Contractor (see attached);</li> <li>• Erosion and Sediment Control Plan (to be verified by the department's representative).</li> </ul>	Prior to pre-start
6	Works must be carried out by a competent Contractor (prequalified or otherwise) experienced in executing works of a similar nature to the works proposed and who is acceptable to the department.	At all times.
7	Carrying out of works in the State-controlled road reserve must not be undertaken outside of normal working hours. All works must be undertaken during daylight hours.	At all times.
8	Copies of the stamped approved plans must be kept on site at all times and be available for sighting by the department's representative. Under no circumstances will construction be in accordance with any other plans without the express written consent of the department.	At all times.
9	The applicant is required to rectify at no cost to the department or bear the cost of repairing any damage to the existing road infrastructure caused by the construction work or any breach of Workplace Health and Safety requirements.	At all times
10	The road works required to satisfy these conditions must be completed within 12 months from the date of this letter,	At all times

No.	Conditions of Approval	Condition Timing
	otherwise this approval will lapse.	

### Important information for applicants

This approval does not authorise you to commence road works. Prior to any road works being undertaken within the boundary of the state-controlled road, the department must have issued you with an authority to commence works. The authority to commence works will not be issued until all the requirements of the above conditions have been fulfilled.

If any variations from the approved road works are required, further written approval from the department must first be obtained.

You should also be aware that you may have other statutory obligations. This conditional approval is for the TIA only.

### Further information

This decision about access replaces any earlier decision made under section 62(1) of the TIA in relation to the land.

In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA is attached in **Attachment C** for your information.

In accordance with sections 485A and 485B of the TIA and section 35 of TPCA you may appeal against a reviewed decision. You must have applied to have the decision reviewed before an appeal about the decision can be lodged in the relevant court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for your information.

This document must be retained as evidence of the road works approval.

If you would like to discuss this application, please contact Anton DeKlerk, Principal Town Planner by email at [CorridorManagement@tmr.qld.gov.au](mailto:CorridorManagement@tmr.qld.gov.au) or on (07) 4931 1500.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anton DeKlerk', written over a horizontal line.

Anton DeKlerk  
**Principal Town Planner**

Attachments: Attachment A - Decision evidence and findings  
Attachment B - Section 70 of TIA  
Attachment C - Appeal Provisions  
Attachment D - Principal contractor ~~and bond estimate form~~  
Attachment E - Pre-start meeting checklist  
Attachment F - Deed of indemnity  
Attachment G - Central District Standard Drawing – Property Access Main Roads  
AADT > 2000 vpd, prepared by the Department of Transport and  
Main Roads dated 2 October 2007, drawing number SP-02 and  
revision B.

4 February 2022

The Chief Executive Officer  
Powerlink  
PO Box 1193  
Virginia QLD 1193

Via email: [property@powerlink.com.au](mailto:property@powerlink.com.au)

Attn: Property Services

Dear Sir/Madam

**Decision notice for a permitted road access location and conditional approval of road access works at 41F Burnett Highway (Mt Morgan – Rockhampton), Ch. 20.234km (lat: -23.537243; long: 150.489271)**

For your information this is a copy of a conditional approval for a permitted access location and associated road works issued under sections 62 and 33 of the *Transport Infrastructure Act 1994*.

Yours sincerely



Anton DeKlerk  
**Principal Town Planner**

## Attachment A

### Decision Evidence and Findings

Findings on material questions of fact:

- The department was referred a reconfiguring a lot application for creating a subdivision by lease over Lot 3 RP611829 and access easement over Lot 1 RP610887 (in favour of Lot 3 RP611829).
- The proposed substation is for the purpose of facilitating the required tenure to establish the approved battery storage facility (under Development Permit D/139-2020) within the lease lot.
- The subject site has an existing access at approximate chainage 20.234km. This access currently does not include any far side widening. Furthermore, this portion of Road 41F Mt Morgan – Rockhampton Road, also known as the Burnett Highway (the state-controlled road) carries an average daily traffic of approximately 2,382 vehicles a day. Therefore, the minimum access standard the department can support requires far-side widening to be constructed at the permitted road access location to ensure propped right turning vehicles can be safely passed.
- Under section 62(A) of the Transport Infrastructure Act 1994 (TIA), a development application involving constructing or changing a vehicular access to a state-controlled road is also taken to be an application under section 62 of the TIA for a permitted access location.
- The department has issued a section 62 decision to approve the access location in addition to a section 33 road works approval to construct the far side widening necessary to safely access the site.

Evidence or other material on which findings were based:

- Development Permit for a Reconfiguration of a Lot report, prepared by AECOM, ref. 60644664, dated 14 December 2021.
- *Transport Infrastructure Act 1994*
- *Planning Act 2016*

**Attachment B**  
**Section 70 of TIA**

*Transport Infrastructure Act 1994*  
Chapter 6 Road transport infrastructure  
Part 5 Management of State-controlled roads

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**70 Offences about road access locations and road access works, relating to decisions under s 62(1)**

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
- (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
  - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
  - (c) obtain any other access between the land and the road contrary to the decision; or
  - (d) use a road access location or road access works contrary to the decision; or
  - (e) contravene a condition stated in the decision; or
  - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
  - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

**Attachment C**  
**Appeal Provisions**

*Transport Infrastructure Act 1994*  
Chapter 16 General provisions

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**485 Internal review of decisions**

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
  - (a) applies to the review; and
  - (b) provides—
    - (i) for the procedure for applying for the review and the way it is to be carried out; and
    - (ii) that the person may apply to QCAT to have the original decision stayed.

**485B Appeals against decisions**

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
  - (a) applies to the appeal; and
  - (b) provides—
    - (i) for the procedure for the appeal and the way it is to be disposed of; and
    - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
  - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

- (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.
- (5) The court may order—
  - (a) the appeals to be heard together or 1 immediately after the other; or
  - (b) 1 appeal to be stayed until the other is decided.
- (6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.
- (7) In this section—

***original decision*** means a decision described in schedule 3.

***reviewed decision*** means the chief executive's decision on a review under section 485.

### **31 Applying for review**

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
  - (a) the notice did not state the reasons for the original decision; and
  - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

### **32 Stay of operation of original decision**

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
  - (a) may be given on conditions the relevant entity considers appropriate; and
  - (b) operates for the period specified by the relevant entity; and
  - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

**relevant entity** means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

### **35 Time for making appeals**

(1) A person may appeal against a reviewed decision only within—

- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
- (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.





**PRE-START MEETING CHECKLIST**  
**Works Within State-controlled Roads Boundaries**

**Developer:** \_\_\_\_\_

**Project:** \_\_\_\_\_

**Meeting Location:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Note: Supervising Engineer to arrange pre-start meeting prior to the proposed commencement of work.*

**Wherever the endorsed documents refer to the Superintendent/Administrator for a decision about the works, or there is a conflict within the approved documents, the Superintendent/Administrator shall refer the matter/s to the DTMR Representative for consideration and acceptance prior to communicating their decision to the contractor.**

- TMR Decision Notice Date.....  Date \_\_\_\_/\_\_\_\_/\_\_\_\_.....
- 1. Nominations**
- Supervising Engineer.....  name/ph \_\_\_\_\_
- Principal Contractor.....  name/ph \_\_\_\_\_
- Principal Contractor's – WH&S Rep .....  name/ph \_\_\_\_\_
- Certified Testing Laboratory.....  name/ph \_\_\_\_\_
- TMR Inspector.....  name/ph \_\_\_\_\_
- TMR Electrical Inspector.....  name/ph \_\_\_\_\_
- 2. Management Plans**
- Inspection and Test Plan (ITP).....  .....
- Traffic Management Plan (TMP).....  .....
- Environment Management Plan (EMP)....  .....
- Quality Management Plan (QP).....  .....
- Works Program
- 3. Lodgements**
- Public Liability Insurance.....  expiry date \_\_\_\_/\_\_\_\_/\_\_\_\_.....
- Workers Compensation.....  expiry date \_\_\_\_/\_\_\_\_/\_\_\_\_.....
- Deed of Indemnity.....  .....
- Bond (Amount/Type).....  .....
- Other: \_\_\_\_\_  .....
- 4. Other points to be discussed**
- Hours of Work.....  .....
- Construction Period.....  .....
- Inspections.....  .....
- "Supplied Material" Test Results.....  .....
- Compliance Testing and Results.....  .....
- Unsuitable Subgrade Material.....  .....
- Pavement Design.....  .....
- Joining to Exist Pavement.....  .....
- Material Supplies for Surfacing.....  .....
- Bitumen/Asphalt Design.....  .....
- Variations from Endorsed Plans.....  .....
- On-maintenance...(TMR Inspection).....  .....
- Maintenance Period...(12mths).....  .....
- Off Maintenance Inspection.....  .....
- Future Maintenance Responsibilities.....  .....

**5. Works Permit Issued: N<sup>o</sup>** \_\_\_\_\_ **date** \_\_\_\_/\_\_\_\_/\_\_\_\_





# Principal Contractor's Details and Bond Estimate

## Application details

Department of Transport and Main Roads reference number

Pursuant to the conditional approval of the subject application, I nominate the following as the principal contractor for the works. I request that you deal with the principal contractor for all matters relating to the construction works.

Applicant's name

Applicant's signature

Date

## Principal contractor's details

Legal name

Australian Business Number (ABN)

Registered address

Physical address

Telephone number (work hours)

Telephone number (after hours)

Mobile number

Email address

Primary contact person (overseer)

Position

Telephone number (work hours)

Telephone number (after hours)

Mobile number

## Prequalification status (please check one)

Department of Transport and Main Roads prequalified

Prequalified number

Not Department of Transport and Main Roads prequalified

Attach evidence of:

- i. previous construction works (preferably on a State-controlled road)
- ii. ability to carry out the works in accordance with the approved plans, standards and specifications
- iii. qualifications and experience of the primary contact person (overseer), including the Registered Professional Engineer of Queensland number.

## Principal contractor's insurance and indemnity (please check if attached)

Attached is the *Deed of Indemnity for road works on a State-controlled road* (form F5109) signed by the principal contractor.

Attached is evidence of the principal contractor's public liability insurance policy of no less than \$20 million that notes the Department of Transport and Main Roads interest on the policy.

## Construction works costs

Estimated cost of the works

Bond amount

Attached are details supporting the estimation of costs of works (for example, bill of quantities).

**Privacy statement:** The Department of Transport and Main Roads is collecting the information on this form for the purpose of managing the road works (under s33 of the *Transport Infrastructure Act 1994*) that are being undertaken by a third party with respect to an application for such works. The details will not be disclosed to any other third party without your consent unless required by law.



# Deed of Indemnity for construction of road works on a State-controlled road

(section 33 of the *Transport Infrastructure Act 1994*)

Department of Transport and Main Roads reference number

TMR

Contractor (insert name of contractor carrying out works, as shown on public liability insurance)

Road works (insert description of works and location)

I/We the contractor named above:

- a. indemnify the State of Queensland (represented by the department), its officers, employees and agents (the **Indemnified**) against any or all Losses suffered or incurred (except to the extent that any Losses are caused through the negligent act or omission of the Indemnified) in connection with the construction of the **road works**
- b. acknowledge that provision of this indemnity is a condition of approval of the **road works** under section 33 of the *Transport Infrastructure Act*.

In this deed, '**Losses**' include liabilities, losses, damages, expenses and costs (including, legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature whether arising in contract or tort (including, but not limited to negligence) or under a statute, and also includes:

- a. loss of profits, loss of revenue, loss of anticipated savings, loss of opportunity, pure economic loss and loss of data
- b. any other consequential, special or indirect loss or damage.

## Executed as a deed

### For company:

Signed, sealed and delivered

on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ in accordance with section 127 of the *Corporations Act 2001* (Cth).

\_\_\_\_\_  
Signature of director

\_\_\_\_\_  
Full name of director

\_\_\_\_\_  
Signature of company secretary/director

\_\_\_\_\_  
Full name of company secretary/director

### For individual:

Signed, sealed and delivered by

\_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ in the presence of:

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Full name of witness

\_\_\_\_\_  
Signature

28 January 2022



Our Ref: DA4565  
(MSLink9629, MSLink178740)

Rockhampton Regional Council  
PO Box 1860  
ROCKHAMPTON QLD 4700

Genex Power Limited  
C/- AECOM  
Level 5, 7 Tomlins Street,  
SOUTH TOWNSVILLE QLD 4810

Attention: Brendan Standen  
Email: enquiries@rrc.qld.gov.au  
Application: D/168-2021

Attention: Renee Weightman  
Email: renee.weightman@aecom.com

Dear Sir/Madam

**Referral Agency Response (Advice)**

(Given under section 9.2 of the Development Assessment Rules)

Transmission Infrastructure Impacted	
Transmission Corridor	Bouldercombe Substation
Location Details	
Street address	52949 Burnett Highway, Bouldercombe
Real property description	Lot 1 on RP610887 and Lot 3 on RP611829
Local government area	Rockhampton Regional Council
Application Details	
Proposed development:	Reconfiguring a Lot (Subdivision by Lease and Access Easement)
Approval sought	Development Permit

We refer to the above referenced development application which has been referred to Powerlink Queensland in accordance with Section 54 of the *Planning Act 2016*.

In accordance with its jurisdiction under Schedule 10 Part 9 Division 2 of the *Planning Regulation 2017*, Powerlink Queensland is a Referral Agency (Advice) for the above development application.

Specifically, the application has been triggered for assessment by Powerlink Queensland because:

1. For reconfiguring a lot – part of the lot is within 100m of a transmission substation site (Table 1 1b)

**PLANS AND REPORTS ASSESSED**

The following plans and reports have been reviewed by Powerlink Queensland and form the basis of our assessment. Any variation to these plans and reports may require amendment of our advice.

**Table 1: Plans and Reports upon which the assessment is based**

Drawing / Report Title	Prepared by	Dated	Reference No.	Version / Issue
Plan of Proposed Lease Area A and Access Easement	AECOM	(assessed) 28/01/2022		

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

Powerlink Queensland is the registered business name of the  
Queensland Electricity Transmission Corporation Limited  
ABN 82 078 849 233

Powerlink Queensland, acting as a Referral Agency (Advice) under the Planning Regulation 2017 provides its response to the application as attached (**Attachment 1**).

Please treat this response as a properly made submission for the purposes of Powerlink being an eligible advice agency in accordance with the *Planning Act 2016*.

For further information please contact our Property Services Team via email [property@powerlink.com.au](mailto:property@powerlink.com.au) who will be pleased to assist.

Yours sincerely

*briland*

for: Brandon Kingwill

**MANAGER PROPERTY**

**ATTACHMENT 1 – REFERRAL AGENCY (ADVICE) RESPONSE**

Powerlink Queensland supports this application subject to the inclusion of the following conditions in the Assessment Manager's Decision Notice.

No.	Condition	Timing	Reason
1	The development must be carried out generally in accordance with the reviewed plans detailed in Table 1.	At all times.	To ensure that the development is carried out generally in accordance with the plans of development submitted with the application.
2	The statutory clearances set out in the <i>Electrical Safety Regulation 2013</i> must be maintained during construction and operation. No encroachment within the statutory clearances is permitted.	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met.
4	Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure as detailed in the enclosed Annexure "A".	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met.  To ensure the integrity of the easement is maintained.

**Advice to Council and the Applicant**

1. 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.
2. In order for Powerlink to maintain and operate a safe and reliable supply of electricity, we require unrestricted 24-hour access to our corridors and infrastructure.

We will require practical access (typically by 4WD vehicle – but to standard no less than existing) to the Powerlink structures.

If it is envisaged that there will be any interference or alteration to our current access arrangements prior, during or after the completion of your works, we require that the applicant contacts our Easement Maintenance Service Provider (Ergon Energy – Peter Gorrie – ph 0417 199 931) to formalise unrestricted 24-hour access arrangements.

3. 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.
- six (6) metres from the 275,000-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.

ATTACHMENT 2 – ASSESSED PLANS



## **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 unauthorised use. If other parties make damage claims against Powerlink as a result of unauthorised 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](http://www.arpansa.gov.au) Information on EMF is also available on the ENA's website: [www.ena.asn.au](http://www.ena.asn.au)