

Your Reference:

Our Reference: RR: mw: 22-10 (FID91303, EC002-22/23, 14348-00000-000, ID1741482)
Contact: enquiries@banana.qld.gov.au

10 October 2022

Downer Group
Attn: Liz Mansell
Level 7, 19 Lang Parade
MILTON QLD 4064

Dear Liz,

Exemption Certificate

(Given under section 46 of the Planning Act 2016)

Exemption Certificate for: *Material Change of Use (Telecommunications Facility)*

Site Address: *959 Biloela Callide Road*

Lot & Plan Details: *Lot 4 on SP103557*

I wish to advise that an exemption certificate has been granted on 06 October 2022 for development for Material Change of Use (Telecommunication Facility). This exemption certificate attaches to the subject land and must be provided to future owners and successors of title.

1. Description of the development to which this certificate relates

The following development is exempt under this certificate:

Assessable development under the Taroom Shire Planning Scheme 2005	Scheme reference
<i>Material Change of Use – Telecommunication Facility</i>	5.7.2

2. Referral Agencies

The referral agencies for the development, subject of this certificate is:

For an application involving	Name of Referral Agency	Date of agreement to giving of exemption certificate
State-controlled Road Railway corridor	Department of State Development, Infrastructure, Local Government and Planning (SARA)	06 October 2022
Major electricity Infrastructure Electricity substation	Powerlink	14 September 2022

3. Reasons for giving exemption certificate

The development is exempt under this certificate under s46(3)(b)(iii) of the Planning Act for the following reason/s:

- The development was categorised as assessable development because of an error.

Development for Material Change of Use for Telecommunications Facility is categorised as Impact Assessment if in the Special Industry Zone. The same facility in the Community Facilities Zone does not trigger a Development Application and any expansion of the power station on this site would similarly not trigger an application. Council confirms that it considers that there is an error in the Planning Scheme that has created the need for an application in these circumstances.

Based on the above it is concluded that there is an error in the Banana Shire Council Planning Scheme 2021, that relates to the requirement for a development application for the proposed telecommunication facility in the Special Industry Zone. The proposed development relating to the telecommunication facility is therefore exempt as assessable development.

4. When exemption certificate ceases to have effect

This exemption certificate has effect for two years from the day after the date of this certificate, or the day the Planning Scheme is amended and adopted to rectify the error, whichever is the later date.

Should you require further assistance in relation to this matter, please do not hesitate to contact Council's Development and Environmental Services Department, on (07) 4992 9500.

Yours sincerely



Chris Welch

DIRECTOR COUNCIL SERVICES

Enc Advice received from Powerlink dated 14 September 2022.
Letter received from State Assessment and Referral Agency dated 6 October 2022.



14 September 2022

Our Ref: DA4940

Chris Welch
Banana Shire Council
PO Box 412
BILOELA QLD 4715

By Email: enquiries@banana.qld.gov.au
Ref: EC002-22/23

Dear Chris,

**CALVALE SUBSTATION
CALVALE - STANWELL NO. 2 132kV TRANSMISSION LINE CORRIDOR
Co-use – Telecommunications Facility
Lot 4 on SP103557 – Easement D on CP890133 Dealing No. 701150157**

We refer to your email concerning the above.

We have assessed your application and Powerlink Queensland consent to the telecommunication facility, subject to the following conditions:

1. Compliance with the easement terms and conditions outlined the abovementioned dealing number.
2. Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink infrastructure which must be met. Refer Annexures 'A' attached hereto.
3. All necessary consents and/or approvals (land holder, statutory and/or otherwise) shall be obtained by the applicant.
4. Any variation to the amended design shown on Drawing No. Q117216 Sheet No. 1 Dated 27/07/2022 (attached) shall require resubmission.
5. 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, and the need for access by a 100-tonne crane must also be considered.

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

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 this Act to seek advice from Powerlink.

Should you require further information on this matter, please contact our Property Team by email – property@powerlink.com.au

Yours sincerely



Narelle Titman
MANAGER PROPERTY

Attachments: "Annexure A"
Drawing No. Q117216 Sheet No. 1 Dated 27/07/2022

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 (cont'd)**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

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."


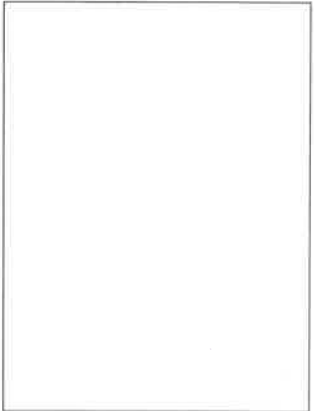
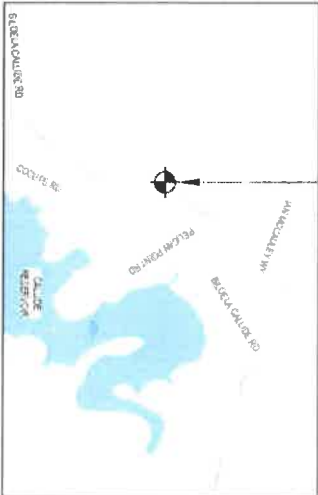

Whilst there is no scientifically proven causal link between EMF and human health, Powerlink nevertheless follows an approach of "*prudent avoidance*" in the design and siting of new powerlines. This includes seeking to locate new powerline easements away from houses, schools and other buildings, where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

ASSESSED DRAWING:

A				
B	<p>PRE-CONSTRUCTION PHOTO</p> <p>POST-CONSTRUCTION PHOTO</p>			
C	<p>NODE CODE KBPZ</p> <p>RFNSEA SITE NO. 4719007</p>			
D	 <p>Copyright: © Wharfedale Registered Trademark of Sense Pty Ltd</p> <p>SCALE</p>			
E	<p>PROPERTY DESCRIPTION</p> <p>PART OF LOT 4 ON SP10357</p>			
F	<p>ASSET DESCRIPTION</p> <p>POLE OWNER - TELSTRA</p> <p>POLE TYPE - 20m INGAAL</p> <p>STEEL POLE</p>			
DO NOT SCALE	<p>SITE STRUCTURE COORDINATES (GDA84)</p> <p>GPS READING ACCURACY: ±10m</p> <p>CENTRE OF POLE</p> <p>LATITUDE 24.34457° (GDA84)</p> <p>LONGITUDE 150.82218° (GDA84)</p>			
				
<p>SHEET MUST BE PLOTTED IN COLOUR TO BE READ IN CONJUNCTION WITH SHEETS 2, 3 & 4</p>				
DRAWING / DOCUMENT DESCRIPTION	DRAWING NUMBER	DATE	ISSUE DATE	DRAWING STATUS
PHOTOS AND SITE LAYOUT	Q117216	2	27/07/22	FOR CONSTRUCTION
ELEVATION AND PHOTOS	Q117216	3	27/07/22	FOR CONSTRUCTION
EME EXCLUSION ZONES	Q117216	4	27/07/22	FOR CONSTRUCTION
SITE EARTHING	Q117216	G4	27/07/22	FOR CONSTRUCTION
ELECTRICAL SPECIFICATION	Q117216	E0	27/07/22	FOR CONSTRUCTION
AD POWER CONNECTION	Q117216	E2	27/07/22	FOR CONSTRUCTION
PACK LAYOUT	Q117216	E5	27/07/22	FOR CONSTRUCTION
REFERENCE DRAWINGS				
STANDARD CONSTRUCTION NOTES	017866P05	1	16/11/10	FOR CONSTRUCTION
CABLE FINISH TO MONOPOLE ALTERNATIVE DETAILS	017866P52	2	28/05/13	FOR CONSTRUCTION
LAST GASP POWER SYSTEM	017866P169	8	28/08/19	FOR CONSTRUCTION
PRECAST FOUNDATION	017866P189	30	12/04/21	FOR CONSTRUCTION
PRECAST FOUNDATION	017866P189	32	12/04/21	FOR CONSTRUCTION
GENERAL ARRANGEMENT SHEET 2 OF 2	017866P189	33	12/04/21	FOR CONSTRUCTION
PRECAST FOUNDATION	017866P189	34	12/04/21	FOR CONSTRUCTION
CABINET SUPPORT DETAILS - ELVATED	017866P189	46	12/04/21	FOR CONSTRUCTION
FEEDER EARTHING DETAILS	017866P201	2	20/05/11	FOR CONSTRUCTION
FEEDER EARTHING DETAILS	017866P201	11	13/05/15	FOR CONSTRUCTION
STEEL POLE EARTHING DETAIL	017866P205	1	08/08/12	FOR CONSTRUCTION
GENERAL ARRANGEMENT OF SITE PLAN FOR ASSESSMENT	Q412500	1	08/03/21	FOR CONSTRUCTION
GENERAL ARRANGEMENT OF SITE PLAN FOR ASSESSMENT	Q413693	1	21/08/21	FOR CONSTRUCTION
FOR DESIGN, CONSTRUCTION AND STANDARD DRAWINGS - REFER TO FPO DOCUMENTATION				
<div style="border: 2px solid red; padding: 5px; display: inline-block;"> <p>COMPLIANCE BOX</p> <p>COMPLETED AS PER DESIGN</p> <p>ALTERATIONS IN RED</p> <p>NAME: [REDACTED] DATE: [REDACTED]</p> <p>SHOWING: [REDACTED]</p> </div>				
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <p>FOR CONSTRUCTION</p> </div>				
<p>SMALL CELL SITE 358372</p> <p>CALLIDE 8 POWER STATION</p> <p>PHOTOS AND LOCALITY PLAN</p> <p>559 BLODELA QUAYE RD MOONAN MURCHISON, QLD 4715</p> <p>DWG NO. Q117216 SHEET 1</p>				



Our ref: WR21/33058

6 October 2022

Banana Shire Council
PO Box 412
BILOELA QLD 4715

Attention: Chris Welch (Director Council Services)

Dear Chris

Request to agree to exemption certificate

The Department of State Development, Infrastructure, Local Government and Planning (the department) received your request to agree to an exemption certificate being given for the development described below on 9 September 2022.

Under section 46(3)(a) of the *Planning Act 2016*, the department advises it agrees to the Banana Shire Council issuing an exemption certificate for the development described below.

Applicant details

Applicant name: Liz Mansell
Downer Group

Applicant contact details: Liz.Mansell@downergroup.com
0418 698 701

Premises details

Street address: 959 Biloela Callide Road, Biloela

Real property description: Lot 4 on SP103557

Local government area: Banana Shire Council

Development details

Material change of use for a Telecommunications Facility

As described above in accordance with the following plans/specifications.

Plans/specifications	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material change of use				
SMALL CELL SITE 359372 CALLIDE B POWER STATION PHOTOS AND LOCALITY PLAN	Downer	27.07.22	Q117216	1
SMALL CELL SITE 359372 CALLIDE B POWER STATION PHOTOS AND SITE LAYOUT	Downer	27.07.22	Q117216	1
SMALL CELL SITE 359372 CALLIDE B POWER STATION ELEVATION AND PHOTOS	Downer	27.07.22	Q117216	1

Referral triggers

The request to agree to exemption certificate being given relates to the following provisions of the Planning Regulation 2017:

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Material change of use of premises near a State transport corridor)

For further information please contact Thomas Gardiner, Principal Planning Officer, on 3243 1664, or via email RockhamptonSARA@dSDLGP.qld.gov.au who will be pleased to assist.

Yours sincerely



Althena Davidson
Regional Director
Planning and Development Services