

Our Reference: RAL/2025/6567
CS Portal Reference: N/A
Officer: James Leader
Contact: 07 4688 6664
Email: development@tr.qld.gov.au

Development Application Decision Notice
APPROVAL
Planning Act 2016 Section 63

Wayne Joseph Stevenson
C/- Reel Planning
1/9 Camford Street
MILTON QLD 4064

Email: keri@reelplanning.com
albert@reelplanning.com

19 May 2026

Dear Sir/Madam

Location: McDougalls Road, GILLA QLD 4314
Property Description: Lot 576 CA311138
Relevant Planning Scheme: *Toowoomba Regional Planning Scheme 2012*

The Development Application for Reconfiguring a Lot – Impact – One (1) Lot into Five (5) Lots, for the abovementioned property has been assessed and approved in full with Conditions. It is considered that the approved development generally complies with the relevant assessment benchmarks or can be conditioned to comply. The decision was made on 19 May 2026. The following provides all the relevant details:

Details of Approval

Development Permit – Reconfiguring a Lot – Impact – One (1) Lot into Five (5) Lots

Referral Agencies

Concurrence Agencies Name & Address: N/A
Advice Agencies Name & Address: Sheridan Keitha Griinke
452 Alderley Street, HARRISTOWN QLD 4350

Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1
Advice Agency Conditions: As per attached Schedule 2

Currency Period

In accordance with section 85(1)(b)(ii) of the *Planning Act 2016* (Qld), this Development Approval lapses if a plan for the reconfiguration is not given to Council in accordance with the *Land Title Act 1994* (Qld) within four (4) years of this Development Approval starting to have effect.

Further Development Permits Required

- Operational Work

Further Plans/Documents for Endorsement

- Nil

Submissions

There were no properly made submissions for this application.

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via:

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>.

Yours faithfully



Kasey McKillop,
Lead Senior Planner, Planning Branch



TOOWOOMBA REGIONAL COUNCIL

A.B.N. 997 8830 5360

SCHEDULE 1

DEVELOPMENT PERMIT FOR RECONFIGURING A LOT

APPLICATION NUMBER:	RAL/2025/6567
APPLICANT:	Wayne Joseph Stevenson
LOCATION:	McDougalls Road, GILLA QLD 4314
PROPERTY DESCRIPTION:	Lot 576 CA311138
APPROVED USE:	One (1) Lot into Five (5) Lots
ZONING / PRECINCT:	Rural Zone / 100ha Precinct

A. ASSESSMENT MANAGER'S CONDITIONS:

PLANNING

APPROVED DEVELOPMENT

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of One (1) Lot into Five (5) Lots.

CARRY OUT AND MAINTAIN DEVELOPMENT

2. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision and at all times thereafter.
3. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

APPROVED PLANS

4. The development must be carried out generally in accordance with the Approved Plan listed below, subject to the conditions of this Development Approval:

Plan No: 25130-PP-001, Revision A

Description: Plan of Proposed Lot Re-configuration, sheet 1 of 1, prepared by Leading Surveys and dated 20 August 2025

Amendments: Nil

APPROVED DOCUMENTS

5. The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval:

Document: Bushfire Hazard Assessment – Bushfire Management Report, Version 2

Description: Bushfire Management Report prepared by MAX Bushfire Protection and dated 16 December 2025

Amendment: Nil

Document: Environmental Assessment Report, Version 1
Description: Environmental Assessment Report prepared by 28 South Environmental and dated 9 February 2026
Amendment: Nil

LOT NUMBERING

6. The numbering of all approved lots must remain as indicated on the Approved Plan/s (unless otherwise amended/approved by Council).

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS

7. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*. For the purposes of Section 1(4) of Schedule 18, the stated date by which the request must be made is the last date of the currency period of this approval.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

8. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during subdivision earthworks and construction.

WORKS

STORMWATER DRAINAGE

9. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

DAMAGE TO SERVICES & ASSETS

10. Protect Council and public utility services and assets during construction of the development.
11. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
 - 11.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 11.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
12. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
13. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.

CONSTRUCTION WASTE MANAGEMENT & STORAGE

14. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

15. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
16. Fires are not to be lit to dispose of demolition or construction waste.
17. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
 - 17.1 Elsewhere within this Development Approval;
 - 17.2 In accordance with an associated Development Permit for Operational Work;
 - 17.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 17.4 In accordance with either a general or specific approval of a resource for recycling (in accordance with the End of Waste Codes) issued under the *Waste Reduction and Recycling Act 2011*; or
 - 17.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
18. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

EROSION & SEDIMENT CONTROL

19. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
20. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
21. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
22. All disturbed areas must be mulched or turfed as soon as possible during construction.

TRANSPORT & ACCESS

ROADWORKS (EXTERNAL TO SUBDIVISION)

23. Existing roads must be constructed as follows unless otherwise varied by a development permit for Operational Works:

Street: McDougalls Road

Classification: Rural

Construction Standard: 3.5 m pavement on a 6.5 m formation, in accordance with the 'IPWEAQ Lower Order Road Design Guidelines' from chainage 3450 to 20m south of the northern property boundary of proposed Lot 4.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

24. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and approved by Council for the road works external to the subject land and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to the endorsement of any Plan of Subdivision.
25. As part of the Operational Works permit, a Tree Clearing Plan must be provided that details the extent of vegetation clearing required within the road reserve. The tree clearing plan must detail both trees to be retained and removed.
26. The design and construction of the works must be certified by a Registered Professional Engineer Queensland (RPEQ) – Civil.

ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY

27. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

Note: Road or lane closures require approval from Council's Coordinator Traffic Management, and all conditions of that approval complied with during construction of the works.

LANDSCAPE & ECOLOGY

REMOVAL OF EXISTING TREES AND VEGETATION

28. Clearing, including felling, pushing, lopping, and grubbing of existing trees and vegetation not identified for retention must be undertaken by a suitably qualified person and must include:
 - 28.1 Stump grinding to below finished surface level;
 - 28.2 Rectification to the finished surface levels and materials;
 - 28.3 No damage to other vegetation to be retained;
 - 28.4 No burning of removed vegetation and debris; and
 - 28.5 Conclude with the area being stabilised against erosion and vegetated.

FAUNA MANAGEMENT DURING REMOVAL OF EXISTING TREES AND VEGETATION

29. A legislative compliant Fauna Spotter Catcher must be engaged to manage fauna prior to and during clearing to:
 - 29.1 Ensure works are carried out in accordance with Section 8 of the approved Environmental Assessment Report and the *Nature Conservation Act 1992*;
 - 29.2 Undertake pre-clearing inspections including fauna relocation and removal or blocking of all vacant hollows;
 - 29.3 Ensure clearing works avoids nesting times of animals and birds;
 - 29.4 Co-ordinate staging and sequence of clearing with fauna protection;

- 29.5 Protect and recover fauna during clearing operations (not previously removed); and
- 29.6 Manage the translocation of animals and recovery procedures in accordance with relevant legislation.

ECOLOGICAL PRESERVATION - FAUNA MANAGEMENT

- 30. Vegetation on site must only be removed or disturbed in accordance with Figures 6b, 6c, 6d, 6e and 6f of the Environmental Assessment Report listed within this Development Approval.
- 31. Any proposed new fencing to delineate boundary alignments must be constructed to allow for the movement of fauna. Such fencing must:
 - 31.1 Allow adequate clearance at ground level for macropods;
 - 31.2 Not include any use of barbed wire or similar materials;
 - 31.3 Provide regular opportunities for passage over and through; and
 - 31.4 Be agreed in writing by Council.

BUSHFIRE MANAGEMENT - GENERAL

- 32. Subdivision works must be carried out in accordance with Section 5.3 and 6 of the Bushfire Management Report listed within this Development Approval.

BUSHFIRE MANAGEMENT - FUTURE DWELLING REQUIREMENTS

- 33. All future dwellings on bushfire prone lots must be provided with a water storage reservoir having a minimum 10,000 litres of water for emergency firefighting purposes. Such storage must be provided in addition to the water supply capacity required for domestic use and must be provided in the form of either a dam, swimming pool, or rainwater tank located within 40m of the dwelling.
- 34. Where water storage is provided by way of rainwater tank, separate water storage for firefighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
 - 34.1 The domestic take off from the tank is at or above the 10,000 litre point; and
 - 34.2 Standard rural fire brigade fittings (a 50mm male camlock coupling and ball valve) are fitted to the tank outlet for access by four wheel drive rural services vehicles.
- 35. The water storage reservoir must be provided with a water delivery mechanism that will function during an emergency event (such as an electric pump with auxiliary power supply or a petrol driven firefighting pump) and hose of sufficient length to easily reach around to all sides of the dwelling.
- 36. A hard stand area within 6m of the water storage reservoir must be provided to ensure accessibility for fire fighting vehicles.

B. ADVICES:

GENERAL ADVICES

INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are now levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

OTHER LAWS & REQUIREMENTS

- 2) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 3) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at www.tr.qld.gov.au.
- 4) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

WHEN APPROVAL STARTS TO HAVE EFFECT

- 5) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

WHEN APPROVAL LAPSES

- 6) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

CLEARING OF NATIVE VEGETATION

- 7) The subject land supports regulated vegetation under the *Vegetation Management Act 1999* (VM Act). The clearing of regulated vegetation can only be undertaken where associated with exempt clearing activities established under the VM Act. For further information regarding exempt clearing activities please contact your local office of the Department of Resources.

EXCAVATION & FILLING

- 8) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m³ of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m³ or more of fill is deposited on, or 50m³ or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

ENVIRONMENTAL HARM

- 9) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

WATER POLLUTION

- 10) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

ABORIGINAL CULTURAL HERITAGE ACT 2003

- 11) There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003* ("ACH Act").

The ACH Act establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

FIRE ANTS

- 12) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

C. ATTACHMENTS:

- Advice Agency Conditions
- Approved Development Plans
- Approved Documents
- Appeal provisions pursuant to the *Planning Act 2016*.

SCHEDULE 2

ADVICE AGENCY (CONDITIONS AND COMMENTS)

POWERLINK QUEENSLAND



Our Ref: DA6450
MSLink/s: 12620
Council Ref: RAL/2025/6567

RECEIVED
9/10/2025
TOOWOOMBA
REGIONAL COUNCIL

9 October 2025

Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350

Wayne Joseph Stevenson
C/- Reel Planning
1/9 Camford Street
MILTON QLD 4064

Attention: James Leader
Via Email: development@tr.qld.gov.au

Attention: Keri Grainger
Via Email: keri@reelplanning.com

Dear Keri & James,

Referral Agency Response (Advice)

(Given under Section 9.2 of the Development Assessment Rules)

Transmission Infrastructure Impacted	
Transmission Corridor	Tarong Middle Ridge 275kV Transmission Line Corridor
Easement ID	Easement F on AP4634 – Dealing No. 602755177
Location Details	
Street address	McDougalls Road Gilla
Real property description	Lot 576 on CA311138
Local government area	Toowoomba Regional Council
Application Details	
Proposed development:	Reconfiguring a Lot – Impact – One (1) Lot into Five (5) Lots
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 1&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** – all or part of the lot is subject to a transmission entity easement which is part of the transmission supply network (Division 2, Table 1 1a)

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 Lots 1-5, Cancelling Lot 576 on CA311138	Leading Surveys	20/08/2025	25130-PP-001	A

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 the Property Management Team on (07) 3898 4090 or via email property@powerlink.com.au who will be pleased to assist.

Yours sincerely,



for:

Laura Donaldson

Property Management Team Leader

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.
3	Compliance with the terms and conditions of the easement dealing no. shown in the heading of this letter.	At all times.	To ensure that the existing rights contained in the registered easement dealings are maintained.
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 <i>the Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met. To ensure the integrity of the easement is maintained.
5	Powerlink require continued usage of the established access tracks on the property, as shown on enclosed plan “Powerlink Existing Access Track”.	At all times.	To ensure that the existing rights contained in the registered easement dealings are maintained. To ensure continued access to Powerlink’s infrastructure.
6	Lot Boundaries created by the Lot Reconfiguration are required to be outside the 20m exclusion zone around the base of Powerlink’s towers.		To ensure that the purpose of <i>the Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met.

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. If referral of a formal Development Application – Operational Works is not applicable, please complete a Co-Use Form, available at <https://www.powerlink.com.au/co-use-form>, to lodge your submission.

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 (Works Control Manager Easements – Mr Ehren Wittmer – Ph: 0418 233 916) 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 **six (6) metres** from the **275,000-volt** wires and exposed electrical parts.

If works have the potential to come within the prescribed clearance to the conductors and electrical infrastructure, then the applicant must seek advice from Powerlink by completing the attached Application for Safety Advice – Form and submitting to property@powerlink.com.au

ATTACHMENT 2 – ASSESSED PLANS

PLAN OF PROPOSED LOT RE-CONFIGURATION

CLIENT: W & D STEVENSON

PROJECT: McDougalls Road, Gilla

SITE ADDRESS:
Lot 576 McDougalls Road, Gilla.

Plan of Proposed Lots 1-5,
Cancelling Lot 576 on CA311138.

Area: 458.51 Ha
Local Authority: Toowoomba Regional
Contour Interval: N/A

Horiz Datum: CA311138
Vert Datum: N/A

This plan is prepared from existing survey records for the purpose of a Reconfiguration of a Lot Application, and should not be used for any other purpose.

The title boundaries shown hereon were not marked at the time of survey and have been determined by plan dimensions only and not by field measurement, with an anticipated positional accuracy of +/- 10m approx, due to the age and accuracy of the original survey plans.

Dimensions & Areas are approximate only and are subject to survey.

Services have not been investigated.

This note is an integral part of this plan.

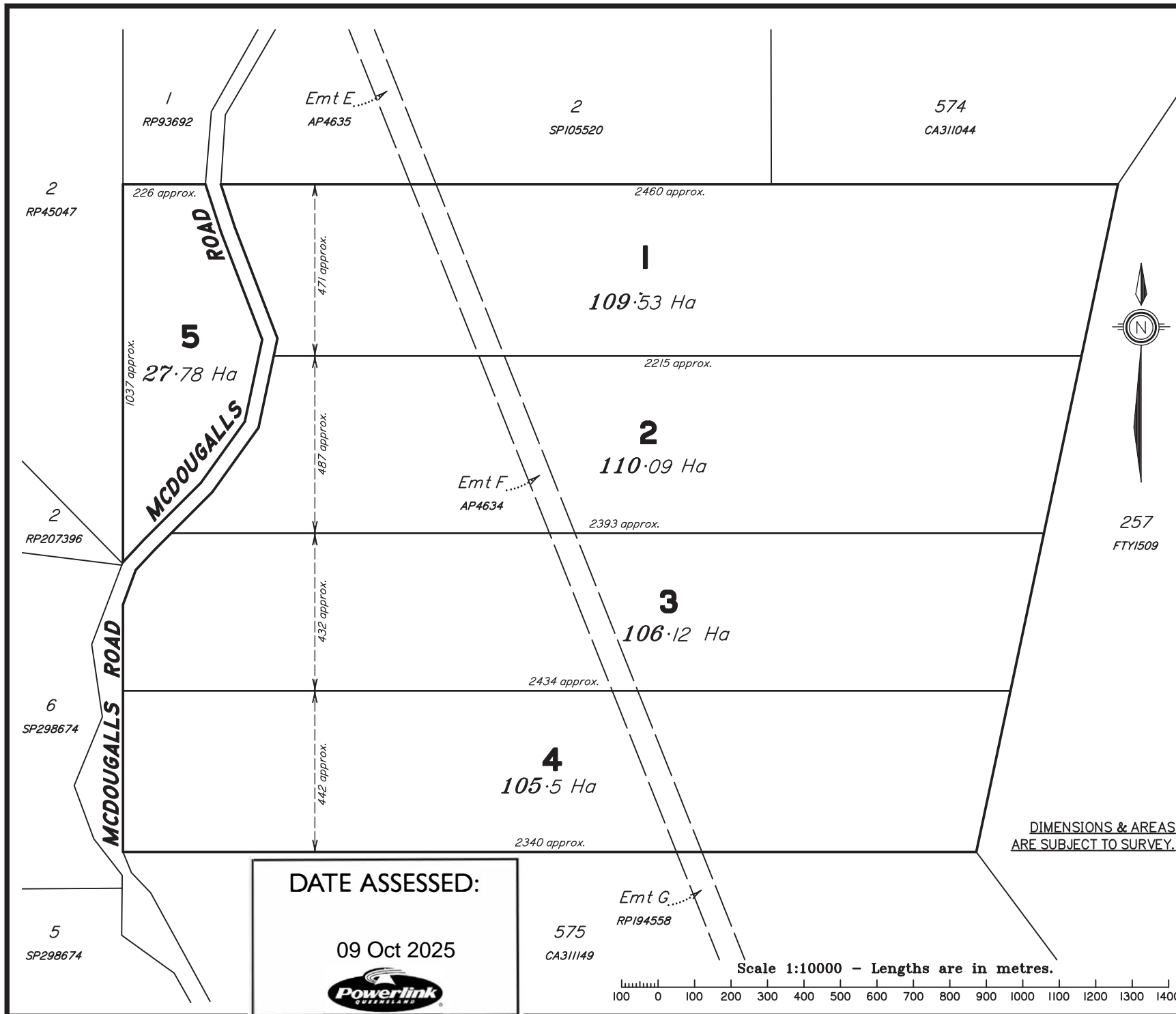


Ph: 07 3368 1666
ABN:49 630 167 841
www.LeadingSurveys.com.au

SCALE: 1:10,000 @ A3
DATE SURVEYED: N/A
SURVEYOR: N/A
DATE DRAFTED: 20/8/2025

PLAN NO.
25130-PP-001

REV.
A



ANNEXURE A – GENERIC REQUIREMENTS

The conditions contained in this Annexure have been compiled to assist persons (the applicant) intending to undertake work within the vicinity of high-voltage electrical installations and infrastructure owned or operated by Powerlink. The conditions are supplementary to the provisions of the Electrical Safety Act 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.

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.

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



Application for Safety Advice – Form

Important: The *Electrical Safety Regulation 2013* and Powerlink Queensland's *Electrical Safety Rules* require a person intending to undertake an activity that has the potential to come within the *Untrained Exclusion Zone* for live electrical equipment to consult with and seek electrical safety advice from the *Electricity Entity* for the equipment.

Important: This Application for Safety Advice is limited to the **time, scope, equipment, procedure** and **location** advised by the Applicant and will become invalid if there any changes to these details.

Part A - To be completed by Applicant (at least **28 days** before commencement of work)

A.1 – Applicant Details

Name:

Email Address:

Contact Number:

Application Date:

A.2 – Site Supervisor Details

Name:

Email Address:

Contact Number:

A.3 – Company Details

Name:

Address:

A.4 – Work Details

Project Name: (if applicable)

Project Number: (if applicable)

Work Location:

Start Date:

End Date:

**Part A - To be completed by Applicant** (continued)**A.5 – Work Summary** (including activities to be undertaken, type of plant, etc.)**A.6 – Site Drawing Reference**

Drawing No.	Drawing Title / Description

A.7 – Controls (nominated by Applicant / Site Supervisor)

Control No.	Details of Controls
1	
2	
3	
4	
5	

**Part A - To be completed by Applicant (continued)****A.8 – Electrical Clearances**

Are works within the 6m of any live electrical parts, equipment or conductors?

 Yes No – Proceed to Section A.10**A.9 – Nominated Safety Observers**

Note: If answered 'No' in Section A.8, leave this section blank and proceed to Section A.10

Name	Company	Expiry Date

Evidence of Safety Observer Training Provided:

 Yes No

Note: A suitably qualified Safety Observer is required for any work within the untrained exclusion zone. Evidence must be provided to ensure all nominated Safety Observers have completed the minimum training requirements to perform this role.

A.10 – Applicant Acknowledgement

By signing this application, the Applicant acknowledges that they will not allow the commencement of work for which safety advice is being sought until the following requirements have been met:

- Safety advice is given by a Powerlink Queensland Regional Contact Representative (RCR)
- Safety advice has been formally accepted by the nominated site supervisor
- A risk assessment has been completed by the Applicant / Site Supervisor to identify likelihood and consequences of breaching the *untrained exclusion zone*
- Adequate controls have been implemented to mitigate the risk of breaching the *untrained exclusion zone* as low as reasonably practicable.

Applicant Signature:

Date:



Part B - To be completed by Powerlink Queensland Regional Contact Representative

B.4 – Approach Distances & Exclusion Zones

Nominal Voltage (Phase-to-phase)	People (mm)	Operating Plant with Safety Observer (mm)	Operating Vehicle with Safety Observer (mm)	Operating Plant without Safety Observer (mm)	Operating Vehicle without Safety Observer (mm)

B.5 – Safety Advice

Empty box for Safety Advice input.

**Part B - To be completed by Powerlink Queensland Regional Contact Representative****B.6 – Other Control Measures**

Establishment of permanent disconnection point for duration of works	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Auto-reclose disabled for duration of works (i.e. proximity permit)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Additional Comments:		

B.7 – Regional Contact Representative

Name:			
Email Address:			
Contact Number:			
Signature:		Date:	

**Part C - To be completed by Site Supervisor****C.1 – Understanding of Electrical Safety Principles**

I have read and understood the:

- **Electrical Safety Code of Practice 2020**
- **Electrical Safety Regulation 2013**

 Yes No**Note:** If answered 'Yes' to Section B.2, the following must be completed. Otherwise, proceed to Section C.2.

I have read and understood:

- **Powerlink Queensland's Electrical Safety Rules**

 Yes No**C.2 – Receiver of Safety Advice Declaration**

To the best of my knowledge, I confirm that all details provided within this document are true and correct.

I understand and agree to comply with the electrical safety advice provided by Powerlink Queensland's Regional Contact Representative(s).

I agree to comply with any additional requirements as outlined in the Electrical Safety Act 2002, Electrical Safety Regulation 2013 and Powerlink Queensland's Electrical Safety Rules.

The aforementioned safety advice and any other electrical safety requirements will be included in a site safety management plan and site induction procedures. These requirements will be clearly communicated to all personnel involved in the work activities outlined in this document.

I understand that work shall cease and this safety advice will become void under the following circumstances:

- Change to the scope, timing, location or equipment used for the work activities
- Failure to implement adequate control measures in accordance with the electrical safety advice
- As directed by a Powerlink Queensland Regional Contact Representative

I understand that the electrical safety advice provided by Powerlink Queensland's Regional Contact Representative related only to electrical safety requirements. I acknowledge that it is my responsibility to identify and manage any other health and safety risks associated with the work activities.

C.3 – Site Supervisor

Name:

Signature:

Date:

List of Submitters:-

Chapter 6, Part 1 of the Planning Act 2016 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- either a tribunal or the P&E Court; or
 - only a tribunal; or
 - only the P&E Court; and
- (b) the person—
- who may appeal a matter (the **appellant**); and
 - who is a respondent in an appeal of the matter; and
 - who is a co-respondent in an appeal of the matter; and
 - who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
- for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note— See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund—
- the establishment cost of trunk infrastructure identified in a LGIP; or
 - the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
- is in the approved form; and
 - succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
- (a) the respondent for the appeal; and

- (b) each co-respondent for the appeal; and
- (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
- (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
- decision** includes—
- conduct engaged in for the purpose of making a decision; and
 - other conduct that relates to the making of a decision; and
 - the making of a decision or the failure to make a decision; and
 - a purported decision; and
 - a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- is final and conclusive; and
- may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.