

Advice Agency Response – Acid Sulfate Soils SPAR04184612

This notice is issued by the Department of Environment and Resource Management pursuant to section 292 (advice agency response) of the Sustainable Planning Act 2009 ("the Act").

The Chief Executive Officer
Townsville City Council
PO Box 1268
TOWNSVILLE QLD 4810

Attn: Kristy Crowe
Email: enquiries@townsville.qld.gov.au

cc. Evans Long Pty Ltd
C/- Brazier Motti
595 Flinders Street
TOWNSVILLE QLD 4810

Attn: sch4p4(6) Personal ir
Email: sch4p4(6) Personal information

Our reference: IA0512TSV0002

1. Application Details

Assessment Manager Ref: MC12/0032 & ECA12/0002

Date application referred to DERM: 8 May 2012

Development approval applied for: Development permit

Development description: Material Change of Use – Service Station

Aspect(s) of development:

Various aspects of development - Acid sulfate soils	<i>Sustainable Planning Regulation 2009 - Schedule 7, table 3, item 3</i>	DERM Ref No – 386961 DERM Permit No – SPAR04184612
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Property/Location description: Lot 851 SP240571 being 22-28 Market Street, Burdell, QLD

2. Advice Agency Response

The Chief Executive, Department of Environment and Resource Management (DERM), Advice Agency response for the application the subject of this Notice is as follows:

Recommendation

The State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulfate Soils (SPP 2/02) sets out the State's interests concerning development involving acid sulfate soils (ASS) in low-lying coastal areas. The SPP 2/02 is triggered where a development would involve either of the following activities:

- excavating or otherwise removing 100 m³ or more of soil or sediment from at or below 5 m AHD; or
- filling land below 5 m AHD with 500 m³ or more of material having an average depth of 0.5 of a metre or greater.

Review of the application material indicates that that proposed development includes an underground structure (fuel storage tank). This structure is likely to involve excavation of greater than 1000 m³ of soil or sediment which may intercept soil at or below 5 m AHD. The Department advises that the proposed underground works would be compliant with the SPP2/02 on the basis that the applicant meets the following recommended condition(s).

- 5.1. The applicant must provide the assessment manager with a competent ASS investigation for the proposed underground fuel storage tank and associated piping. Such investigations must meet specifications contained within the *State Planning Policy 2/02 Guideline*¹, *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland, 1998*² and the *Acid Sulfate Soil Laboratory Methods Guidelines 2004*³. The assessment manager must be satisfied that investigations are adequate before any operational works are permitted on the site
- 5.2. Should results of the investigation indicate that ASS will be disturbed; all acid sulfate soil excavated during installation of the underground fuel storage tank must be appropriately managed. Further, the applicant must provide a concise and site specific Acid Sulfate Soil Management Plan. The assessment manager must be satisfied that the management plan is consistent with the eight Management Principles documented in the *Queensland Acid Sulfate Soil Technical Manual - Soil Management Guidelines*⁴ before any operational works are permitted on the site.

¹ State Planning Policy 2/02 Guideline – Planning and Managing Development involving Acid Sulfate Soils, Department of Natural Resources and Mines and the Department of Local Government and Planning

² Ahern CR, Ahern MR and Powell B (1998). *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland*. Department of Natural Resources, Indooroopilly

³ Ahern CR, McElnea AE and Sullivan LA (2004). *Acid Sulfate Soils Laboratory Methods Guidelines*. In *Queensland Acid Sulfate Soils Technical Manual*. Department of Natural Resources and Mines, Indooroopilly

⁴ Dear SE, Moore NG, Dobos SK, Watling KM and Ahern CR (2002). *Soil Management Guidelines*. In *Queensland Acid Sulfate Soils Technical Manual*. Department of Natural Resources and Mines, Indooroopilly

3. **General advice to assessment manager**

The State's Native Title Work Procedures provide that responsibility for assessment of native title issues for an IDAS application rests with the assessment manager. Therefore, DERM as a referral agency for the relevant application has not provided notification to native title parties.

4. **Additional information for applicants**

Notifiable Activities under the *Environmental Protection Act 1994*

It is a requirement of Section 371 of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware that a Notifiable Activity (as defined under Schedule 3 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant they must, within thirty (30) days after becoming aware the activity is being carried out, give notice to the Department of Environment and Resource Management. A list of Notifiable Activities is provided within Schedule 3 of the *Environmental Protection Act 1994*. Failure to give the required notice, except where notice has already been given, may give rise to an offence.

Aboriginal Cultural Heritage

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$1,000,000 for a corporation and \$100,000 for an individual.

Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in accordance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants are also encouraged to undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM website www.derm.qld.gov.au/cultural_heritage.

Should you have any questions about the above, please contact Elizabeth Crombie on telephone 07 4222 5443 quoting the above reference number.

sch4p4(6) Personal in

Delegate

Elizabeth Crombie
Senior Natural Resource Officer
Regional Planning & Coordination
North Region

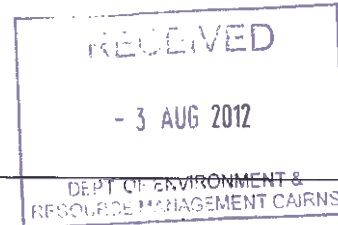
13 June 2012

Enquiries:

Elizabeth Crombie
5b Sheridan Street, Cairns Q 4870
PO Box 937, Cairns Q 4870
Phone: (07) 4222 5443
Fax: (07) 4222 5493
Email: elizabeth.crombie@derm.qld.gov.au

PLANNING AND DEVELOPMENT

DEVELOPMENT ASSESSMENT



RECEIVED

30 JUL 2012

PaLM

Date >> 25 July 2012

TOWNSVILLE CITY COUNCIL
ADMINISTRATION BUILDING
103 WALKER STREET

PO BOX 1268, TOWNSVILLE
QUEENSLAND 4810

TELEPHONE >> 07 4727 9001
FACSIMILE >> 07 4727 9052

enquiries@townsville.qld.gov.au
www.townsville.qld.gov.au

Administration Officer

Permit and Licence Management
Implementation and Support Unit
Department of Environment & Resource Management
GPO Box 2454
BRISBANE QLD 4001

Dear Sir/Madam

SUBJECT >> **Notice to Referral Agency of a Decision Concerning a Development Application**

Application Type:	Material Change of Use (Code)
Application No:	MC12/0032
Assessment No:	10962022
Property Address:	22-28 Market Street BURDELL QLD 4818
Legal Description:	Lot 851 SP 240571
Description:	Service Station
Your Reference/Contact:	SPAR04184612

Please find enclosed a copy of the Decision Notice and Approved Plans issued concerning the above application.

Should you require any further information on this matter, please do not hesitate to contact Kirsty Crowe on telephone 07 4727 9513 or email kirsty.crowe@townsville.qld.gov.au.

Yours faithfully

sch4p4(6) Personal ir

For Assessment Manager

Planning and Development

Encl.

RECEIVED

30 JUL 2012

P&LM

Date >> 25 July 2012

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Evans Long Pty Ltd
C/- Brazier Motti
595 Flinders Street
TOWNSVILLE QLD 4810

DEVELOPMENT APPLICATION DECISION NOTICE

Sustainable Planning Act 2009 (SPA)

Your Reference/Contact >> 25544-133-01 (Konrad Grinlaubs)

The Development Application for **Development Permit – Material Change of Use (Code) (MC12/0032) Service Station** was assessed and **APPROVED SUBJECT TO CONDITIONS**. The decision was made on **24 July 2012**.

The following schedule provides all the relevant details.

- 1. Applicant details**
Name and address
Evans Long Pty Ltd
C/- Brazier Motti
595 Flinders Street
TOWNSVILLE QLD 4810
- 2. Owners details**
Name and address
SP North Shore Pty Ltd
69 Hale Street
BRISBANE QLD 4000
- 3. Property description**
Assessment number
10962022
Property address
22-28 Market Street BURDELL QLD 4818
Legal description
Lot 851 SP 240571
- 4. Application details**
Application number
MC12/0032
Assessing officer
Kirsty Crowe
Approval applied for
Development Permit
Development type
Material Change of Use
Description
Service Station
Assessed under
North Shore Plan of Development
- 5. Decision Notice History**
Original Decision Decided
24 July 2012

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6. Deemed approval

The application has not been deemed to be approved under s.331 of the *Sustainable Planning Act 2009*.

7. Conditions

Assessment manager's conditions (Refer to attached Schedule of Conditions).

8. Further development permits required for this development

Development Permit - Building Work

9. Referral agencies

Concurrence agency >> Not Applicable

Advice agency >> Administration Officer
Permit and Licence Management
Implementation and Support Unit
Department of Environment & Resource Management
GPO Box 2454
BRISBANE QLD 4001

10. Conflict with a relevant instrument

The assessment manager does not consider that this decision conflicts with a relevant instrument.

11. When approval lapses

Section.341 of the *Sustainable Planning Act 2009* establishes when an approval lapses.

12. Rights of appeal

Attached is an extract from the *Sustainable Planning Act 2009* which details the applicant's appeal rights.

Appeals by applicants

An applicant for the development application may appeal to the Planning and Environment Court against the following:

- the refusal, or refusal in part of the development application;
- any conditions of a development approval, another matter stated in a development approval and the identification or inclusion of a code under s.242 of the *Sustainable Planning Act 2009*;
- the decision to give a preliminary approval when a development permit was applied for;
- the length of a period mentioned in s.341;
- a deemed refusal of the development application;

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The timeframes for starting an appeal in the Planning and Environment Court are set out in s.461(2) of the *Sustainable Planning Act 2009*.

Applicants may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, refer to the *Sustainable Planning Act 2009*, chapter 7, part 2.

Should an applicant not wish to appeal or make written representations in accordance with s.361 of the *Sustainable Planning Act 2009*, the applicant may provide council with a written statement advising agreement with the decision notice and subsequently waiving the rights of appeal. This action will result in the finalisation of the applicant's appeal period.

Yours faithfully

sch4p4(6) Persona

For Assessment Manager

Planning and Development

Encl.

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE - MC12/0032 SERVICE STATION

SCHEDULE OF CONDITIONS

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped "Approved Subject to Conditions", except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING No.	REVISION No.	STAMP DATE
Cover Sheet	-	-	3 April 2012
Drawing List	P1289 DA000	A	3 April 2012
Existing Site Plan	P1289-A099	A	3 April 2012
Proposed Site Plan	P1289-A100	E	27 June 202
Proposed Floor Plan	P1289-A200	A	3 April 2012
Elevations Sheet 1 of 2	P1289-A201	B	27 June 2012
Elevations Sheet 2 of 2	P1289-A202	B	27 June 2012
Dimensioned Floor Plan	P1289-A204	A	3 April 2012
Under Canopy Plan	P1289-A350	A	3 April 2012
Canopy Elevations Sheet 1 of 2	P1289-A351	A	3 April 2012
Canopy Elevations Sheet 2 of 2	P1289-352	A	3 April 2012
Site Signage Details Sheet 1 of 2	P1289-S110	A	3 April 2012
Site Signage Details Sheet 2 of 2	P1289-S111	A	3 April 2012
Concept Landscape Plan	ED 12129 DA-01	B	3 April 2012

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Signage

The signage associated with this development must be provided in accordance with the approved plans, as shown on Drawing No. P1289-S110 and P1289-S111. dated 3 April 2012.

3. Storage

Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

4. Lighting

The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.

5. Screening of Plant and Utilities

Plant and utilities including air-conditioners must not be visible from the street. Furthermore they must be provided with aesthetic screens prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

6. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

7. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- d) The developer must erect signage indicating the location of the entry and exits to the car parks, specific use bays (eg. visitor, disabled, bus, taxi, bicycle, loading, etc.), as well as regulatory signs controlling movement within the car park.
- e) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.
- f) All signage and line marking for on-street car parking and traffic control must comply with the requirements of the Department of Transport and Main Roads (DTMR) Manual of Uniform Traffic Control Devices (MUTCD) and associated standards.

8. Stormwater Drainage

Prior to the issue of a Development Permit for Building Works, certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve. In particular:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being the underground stormwater drain on Market Street or as agreed upon by Council.
- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- e) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

9. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management. In particular,

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *Aus-Spec Specification - C211 Control of Erosion and Sedimentation*.
- b) During the construction and maintenance phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

10. Roadworks and Traffic

- a) The developer must replace the kerb and channelling as necessary to repair any irregularities or breaks for the full frontage of the site in accordance with Council's Standard Drawing for *Concrete Kerbing*.
- b) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

11. Landscaping

- a) Prior to any works commencing on site, a landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of Thuringowa Planning Scheme - General Development Code 5.5.1 (Landscaping). As part of the landscaping plan the following items are to be included:

- * The footpath/road reserve along Market Street and Nexus Drive to be provided with automated irrigation connected to the site's water supply.
 - * Mature shade trees located as per the concept landscape plan.
 - * One shade tree planted centrally to both of the turf areas proposed in the concept landscape plans.
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
 - c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within Thuringowa Planning Scheme - General Development Code 5.5 (Landscaping). Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

12. Existing Street Trees

The existing street trees located within the road reserve must not be damaged, removed, destroyed or lopped without the written consent of Council first being obtained.

13. Waste Conditions

- a) An approved waste storage area is to be made available on site. The storage area is to be of sufficient size to house all waste containers. The storage area is to be an imperviously paved area, graded and drained through an approved sediment/silt trap to a legal sewer connection with a hose cock and hose fitted in close proximity to the enclosure. A trade waste approval may be required before discharging wastewater to sewer from this area. For further information you can contact a Trade Waste Officer on ph.47278950.
- b) The minimum overhead clearance required for mobile garbage (wheelie) bin, Council refuse collection is 4200mm. Access for the collection of the bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- c) The minimum overhead clearance required for bulk bin Council refuse collection is 6500mm. Access for the collection of bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.

14. Further Approvals Required

- a) **Compliance Assessment**
All engineering and landscaping works associated with this development must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

All engineering and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experienced person.
- b) **Plumbing and Drainage Works**
The developer must obtain a Development Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

Advice Agency - Department of Environment and Resource Management

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, Department of Environment and Resource Management advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as attached.

ADVICE

1. Infrastructure Charges

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

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2. Commercial Premises

- a) The owner/occupier of the premises is required to provide an adequate number of waste containers to manage the waste generated by the activities being undertaken onsite.
- b) The proprietor is to arrange for the removal of waste from the premises by either a suitably commercial waste transport contractor or Townsville Waste Services.
- c) The collection of putrescibles waste arising from activities undertaken on this development must be collected and removed at periods not exceeding seven days.
- d) The collection of waste is to be undertaken so as to minimize, so far as reasonably practicable excessive noise to neighboring occupants. The collection method must ensure that waste is adequately managed to prevent escape or contamination.

3. Food Premises

Prior to any fit out of the intended food premise, a separate application to fit out must be submitted to Council's Environmental Health Services for a food business licence. No fit out or construction may take place before approval is granted. A food premise is anywhere unpackaged food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale.

4. Registration Certificate

Within 30 business days after the development permit takes effect, a separate application for a registration certificate submitted to Council's Environmental Health Services, issued under the Environmental Protection Regulation 1998 will be required for the chemical storage activity. The applicant is encouraged to apply for a registration certificate within the 30 days timeframe of the development approval taking effect in order to avoid a further \$500 fee being incurred for a registration certificate issued after the 30 day expiry period.

5. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

6. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council for connection to Council's sewer supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

7. Environmental Considerations

DERM Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

8. Dilapidation Report

It is advisable that the developer undertake a dilapidation report, prior to the commencement of any works on the site to mitigate against any possible future civil action. The report is designed to document evidence of the existing condition of adjoining properties internally and externally prior to any rock breaking or construction work commencing. Hence the report should document and provide photographs that clearly depict any existing damage to neighbouring properties.

9. Plumbing and Drainage Approval

A Compliance permit under the *Plumbing and Drainage Act 2002* to seal off disused sanitary drains and water lines must be obtained prior to the removal of the existing dwelling.

10. Building Over/Adjacent to Services

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with Council's Policy 324 – the applicant is to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

sch4p4(6) Personal information

FOR ASSESSMENT MANAGER

DATE >> 26 July 2012

SCHEDULE OF CONDITIONS

**MATERIAL CHANGE OF USE
ENVIRONMENTALLY RELEVANT ACTIVITY – 8 (CHEMICAL STORAGE)**

SCHEDULE A – GENERAL CONDITIONS

A1

A copy of this development permit must be kept in a location readily accessible to personnel carrying out the activity.

A2

In carrying out the environmentally relevant activity, the holder of this development permit must take all reasonable and practical measures to minimise releases and the likelihood of releases of contaminants to the environment, except as otherwise provided by the conditions of this development permit.

A3

The holder of this development permit must install and operate all works and control equipment, and take all measures, perform all acts and do all things, necessary to ensure compliance with the conditions of this development permit.

A4

No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development permit.

A5

All instruments and devices used for the measurement or monitoring of any parameter under any condition of this development permit must be calibrated, and appropriately operated and maintained.

A6

Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the subject site.

A7

All records required to be kept by a condition of this development permit must be kept at the place this development permit relates for a period of at least five (5) years and be available for examination by an authorised person when requested. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

A8

Copies of any record required to be kept by a condition of this development permit must be provided to any authorised person or the administering authority on request.

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A9

The activity is to be conducted in accordance with AS 1940-2004 The Storage and Handling of Flammable and Combustible Liquids.

A10

A Site Based Management Plan (SBMP) must be implemented from the commencement of an ERA to which this approval relates. The SBMP must identify all sources of an environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and continual improvement in the overall environmental performance of all ERAS that are being carried out.

The SBMP must address the following matters:

- (a) Organisational structure and responsibility
- (b) Operating procedures
- (c) Identification of environmental issues and potential impacts
- (d) Inventory control
- (e) Corrosion protection maintenance
- (f) Product transfer operations
- (g) Equipment integrity monitoring procedures
- (h) Leak detection maintenance
- (i) Reuse and abandonment of underground petroleum storage tanks
- (j) Notification to administering authority
- (k) Control measures for routine operations to minimise likelihood of environmental harm.
- (l) Contingency plans and emergency procedures for non routine situations.
- (m) Staff training
- (n) Record keeping
- (o) Periodic review of environmental performance and continual improvement.

A11

The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.

A12

The activity is to be conducted in accordance with the Australian Standard for The Design, Installation and Operation of Underground Petroleum Storage Systems (AS 4897-2008).

A13

The holder of this Development Approval must ensure that the petroleum product storage system is certified by a competent and experienced person as conforming to the Australian Standard The Storage and Handling of Flammable and Combustible Liquids (AS 1940-2004) and the Australian Standard for The Design, Installation and Operation of Underground Petroleum Storage Systems (AS 4897-2008).

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A14

This Approval is related only to the following storage tanks.

Namely: The two 110000 litre petrol and diesel underground tanks.

End of Schedule A

SCHEDULE B - AIR

B1

Notwithstanding any other condition of this development permit no release of contaminants from the place to which this development permit relates is to cause a noxious or offensive odour beyond the boundaries of the licensed place.

B2

The release of dust and/or particulate matter resulting from the activity must not cause environmental nuisance at any nuisance sensitive or commercial place.

End of Schedule B

SCHEDULE C - WATER

C1

Contaminants must not be directly or indirectly released from the place to which this development permit relates to any roadside gutter, stormwater drain or waters, except to a sewer as permitted by Townsville City Council.

C2

There must be no release of stormwater that has been in contact with any contaminants to any roadside gutter, stormwater drain or waters.

End of Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

D1

A contaminant must not be placed in a position where it could reasonably be expected to move or wash into a roadside gutter, stormwater drain or waters.

D2

Any spillage of waste or other contaminating matter must be cleaned up as soon as practicable. Spills must not be cleaned up by hosing, sweeping or otherwise releasing contaminating matter to any stormwater drainage system, roadside gutter or waters.

D3

The holder of the development permit must provide suitable and adequate equipment and or materials to be used in the event of controlling and cleaning up any spillage of oil, fuel or other contaminating matter.

PLANNING AND DEVELOPMENT

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D4

The equipment or materials as required by condition D3, as well as instructions and emergency procedure guides must be readily available for immediate access in the event of any spillage of a possible contaminant.

D5

Staff must be trained in the use of equipment or materials as required by condition D3 and have documented the details of any training provided.

D4

Prior to any operational works the holder of this development permit, must develop and implement a Stormwater Management Plan which details how the holder of this development permit will effectively and appropriately manage the carrying out of the environmentally relevant activity/activities so as to prevent, as far as is practicable, any contamination of stormwater and any release of contaminated stormwater.

D5

In developing the Stormwater Management Plan and periodically updating it to incorporate changing practices and future options, the holder of the development permit must have regard to the following hierarchy of preferred methods of dealing with stormwater. Where reasonable and practicable, the method of dealing with stormwater which is listed higher the hierarchy must be adopted over another method which is listed lower on the hierarchy.

- (a) Avoid contamination of stormwater in the first place, for example by roofing areas where contaminants and or wastes are stored or handled, diverting uncontaminated stormwater runoff away from areas where contaminants or wastes are stored or handled by preventing the contact of incident rainfall with contaminants or wastes and utilising alternate material and or processes.
- (b) Minimise the quantity and or hazardous nature of the contaminated stormwater generated, for example by minimising the size of areas where contaminants or wastes are stored or handled and by utilising alternate materials and or processes.
- (c) Recycling of contaminated stormwater produced, for example by incorporating reuse, reprocessing, and utilisation of the stormwater for a worthwhile purpose.
- (d) Treatment of any contaminated stormwater to render it less or non-hazardous.
- (e) Release of the contaminated stormwater as a last resort.

D6

The Stormwater Management Plan must provide detail on the works to be implemented and the timetable proposed to address at least the following issues:

- (a) prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants, and
- (b) diversion of upstream runoff away from areas containing wastes or contaminants, and
- (c) minimisation of the size of contaminated areas without water, and
- (d) cleaning of contaminated areas without water, and
- (e) installation of oil separators, silt and rubbish traps, and stormwater diversion systems, and

PLANNING AND DEVELOPMENT

DEVELOPMENT ASSESSMENT



- (f) paving and roofing of contaminated areas, and If soil is to be exposed or disturbed as a result of the activities conducted the Stormwater Management Plan must also address :
- (g) minimisation of the amount of soil to be exposed or disturbed by staging works, and
- (h) revegetation of exposed or disturbed areas, and
- (i) installation of sediment control measures such as settling basins, and
- (j) diversion of upstream runoff from exposed or disturbed areas.

D7

A copy of the Stormwater Management Plan must be kept at the place to which this development permit relates.

D8

A copy of the Stormwater Management Plan must be provided to the administering authority within 30 days of its completion.

D9

The holder of this development permit must not implement a Stormwater Management Plan or amend a Stormwater Management Plan where such implementation or amendment would result in a contravention of any condition of this development permit.

D10

The holder of this development permit must submit details of any amendment to the Stormwater Management Plan to the administering authority and have this approved by the Administering Authority prior to implementing the amendments to the Stormwater Management Plan.

End of Schedule D

SCHEDULE E - LAND APPLICATION

E1

There must be no release or likelihood of release of any contaminants to land.

End of Schedule E

SCHEDULE F - NOISE

F1

The emission of noise from the place to which this development permit relates must not cause, or be likely to cause, environmental nuisance at any nuisance sensitive or commercial place.

F2

The emission of noise from the place to which this development permit relates must not result in levels greater than those specified in Table 1 of the Noise Schedule.

PLANNING AND DEVELOPMENT

DEVELOPMENT ASSESSMENT



SCHEDULE F – NOISE (TABLE 1)

Noise level dB(A) measured as	Monday to Saturday			Sundays and Public Holidays		
	7am to 6pm	6pm to 10pm	10pm to 7am	9am to 6pm	6pm to 10pm	10pm to 9am
Noise measured at a “Nuisance Sensitive Place”						
L _A 10, adj, 10mins	b/g+5	b/g+3	b/g	b/g+5	b/g+3	b/g
L _A 1, adj, 10 mins	b/g+10	b/g+8	b/g+5	b/g+10	b/g+8	b/g+5
Noise measured at a “Commercial Place”						
L _A 10, adj, 10 mins	b/g+10	b/g+8	b/g+5	b/g+10	b/g+8	b/g+5
L _A 1, adj, 10 mins	b/g+15	b/g+13	b/g+10	b/g+15	b/g+13	b/g+10

End of Schedule F

SCHEDULE G - WASTE MANAGEMENT

G1

The holder of this development permit must not:

- (a) burn waste at or on the place to which this development permit relates; nor
- (b) allow waste to burn or be burned at or on the place to which this development permit relates; nor
- (c) remove waste from the place to which this development permit relates and burn such waste elsewhere.

G2

Where regulated waste is removed from the place to which this development permit relates (other than by a release as permitted under another schedule of this development permit), the holder of this development permit must monitor and keep records of the following:

- (a) the date, quantity and type of waste removed; and
- (b) name of the waste transporter and/or disposal operator that removed the waste; and
- (c) the intended treatment/disposal destination of the waste.

G3

Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this development permit.

G4

Records of trade waste agreements must be made available for inspection on request.

End of Schedule G

SCHEDULE H - MONITORING AND REPORTING

H1

All complaints received by the holder of this development permit relating to releases of contaminants from operations at the place to which this development permit relates must be recorded and kept in a log book with the following details:

- (a) time, date and nature of complaint;
- (b) type of communication (telephone, letter, personal etc.);
- (c) name, contact address and contact telephone number of complainant (note: if the complainant does not wish to be identified then "Not identified" is to be recorded);
- (d) response and investigation undertaken as a result of the complaint;
- (e) name of person responsible for the investigation;
- (f) actions taken as a result of the complaint investigation and the signature of the person responsible for the investigation.

H2

As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

H3

The notification of emergencies or incidents as required by condition H2 number must include but not be limited to the following details:

- (a) the holder of the development permit;
- (b) the location of the emergency or incident;
- (c) the number of the registration certificate;
- (d) the name and telephone number of the designated contact person;
- (e) the time of the release;
- (f) the quantity and substance released;
- (g) the time the holder of the approval to which this development permit relates became aware of the release;
- (h) the suspected cause of the release;
- (i) the person/s involved;
- (j) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release;
- (k) actions taken to prevent any further release and mitigate any environmental harm and or environmental nuisance caused by the release; and
- (l) proposed actions to prevent a recurrence of the release.

H4

Not more than 14 days following the initial notification of an emergency or incident, the holder of the development permit must provide written advice of the information supplied in accordance with condition number H3 in addition to:

- (a) proposed actions to prevent a recurrence of the emergency or incident;
- (b) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance; and
- (c) the results of any environmental monitoring performed.

PLANNING AND DEVELOPMENT

DEVELOPMENT ASSESSMENT



H5

The holder of the approval which relates to this development permit must notify the administering authority in writing of any monitoring result which indicates any limit has been exceeded, within 28 days of completion of analysis. The written notification must include:

- (a) the full analysis results; and
- (b) details of investigation or corrective actions taken; and
- (c) any subsequent analysis.

H6

An equipment integrity test shall be required on all Underground Petroleum Storage Systems (UPSS) on the following occasions:

- (a) after the completion of all initial site works;
- (b) when there is an upgrade to the site;
- (c) where a leak from the UPSS is suspected; or
- (d) when the product inventory reveals a discrepancy.

H7

Records of equipment integrity tests shall be retained by the operator of the activity for the life of the Underground Petroleum Storage System (UPSS). Records shall contain the following as a minimum:

- (a) equipment identification;
- (b) location of test;
- (c) date of test;
- (d) results of test; and
- (e) test method.

End of Schedule H

SCHEDULE I - DEFINITIONS

For the purposes of this development permit the following definitions apply:

- (a) " $L_{A10, adj, 10mins}$ " means the A- weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period using Fast response.
- (b) " $L_{A1, adj, 10 mins}$ " means the A- weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period using Fast response.
- (c) "b/g" means background noise level, $L_{A90, 15 mins}$. This is the A- weighted sound pressure level, exceeded for 90% of any 15 minute measurement period using Fast response.
- (d) "nuisance sensitive place" means -
 - (i) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
 - (ii) a motel, hotel or hostel; or
 - (iii) a kindergarten, school, university or other educational institution; or
 - (iv) a medical centre or hospital; or

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- (v) a protected area under the Nature Conservation Act 1992, the marine Parks Act 1992 or a world heritage Area
 - (vi) a public thorough fare , park or gardens or;
 - (vi) a place used as workplace , an office or for business or commercial purposes and includes a place within the cartilage of such a place reasonably used by persons at that place.
- (e) "commercial place" means a place used as an office or for business or commercial purposes.
- (f) For the purposes of this development permit any term not otherwise defined in the Sustainable Planning Act 2009 or the Environmental Protection Act 1994 and any subordinate legislation made pursuant to these Acts or in the Definitions Schedule of this Development permit has the meaning conferred to that term in its common usage.

sch4p4(6) Personal infor

FOR ASSESSMENT MANAGER

DATE >> 26 July 2012



Townsville City Council
103-141 Walker St

PO Box 1268
Townsville QLD 4810

ABN 44 741 992 072

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Issued by Townsville City Council

To: Evans Long Pty Ltd
C/- Brazier Motti
595 Flinders Street
TOWNSVILLE QLD 4810

Date of Issue: 24 July 2012
Charge Notice No: 10542392
Application No: MC12/0032
Decision Type: Decision Notice

LAND TO WHICH THE INFRASTRUCTURE CHARGE APPLIES:

Planning Scheme: Thuringowa Planning Scheme
Property Description: Lot 851 SP 240571
Property Address: 22-28 Market Street BURDELL QLD 4818

TRUNK INFRASTRUCTURE FOR WHICH THE INFRASTRUCTURE CHARGE NOTICE APPLIES

Infrastructure	Charge Payable (\$)	Receipt code
SEWER		
- Trunk sewers & pump systems	8456	CON65
- Treatment plants & outfalls	8593	CON70
WATER SUPPLY		
Source works	7002	CON90
Reservoirs	1619	CON95
Delivery mains	11176	CON100
Distribution mains	1000	CON100
PARK	0	P0100
TRANSPORT (PATHWAYS)	0	CON60
TRANSPORT (ROADS)		
- TCC Works	12406	CON1100a
- TCC Land	1448	CON1100a
Sub-total	49700	
STORMWATER	2209	CON25
Total Charge Amount	51909	

NOTE:

- At the time of payment these amounts may be adjusted for inflation in accordance with the annual financial year movements of the Australian Bureau of Statistics Queensland Road and Bridge Construction Index, as applied to the relevant State Planning Regulatory Provision (being a three year moving average basis).
- Please contact Townsville City Council, Planning and Development Division, prior to making payment.
- Compounded interest at 11% calculated daily will be applied on all overdue charges.
- Should a valid Infrastructure Agreement be in place for this development, the Infrastructure Agreement may prevail over the charges listed on this notice.
- These adopted Infrastructure charges may be offset or refunded depending on the approved extent and value of trunk infrastructure provided by the development

The Adopted Infrastructure Charge has been calculated in accordance with the relevant Adopted Infrastructure Charges resolutions.

TO WHOM THE CHARGE MUST BE PAID

Payment of the charge must be made payable to TOWNSVILLE CITY COUNCIL via the Planning Liaison Unit, Planning and Development, 2nd Floor at the City Administration Building, 103-141 Walker Street, Townsville, Telephone (07) 4727 9001 or PO Box 1268 Townsville Qld 4810

PAYMENT DUE BY:

The Adopted Infrastructure Charge is issued in accordance with the Sustainable Planning Act 2009.
The applicable development permit triggering the charges refers to: Material Change of Use (Code)
Payment is due by: Prior to the Issuing of a Building Permit

Notice is hereby given that the abovementioned adopted Infrastructure charges are levied by Townsville City Council in compliance with the Sustainable Planning Act 2009, on land described for the period prescribed, and such charges are DUE AND PAYABLE BY THE TIME STIPULATED IN THIS NOTICE. These charges plus any arrears and interest thereon may be recovered by legal process without further notice if unpaid after the time stipulated in this notice.

PD0101-003

ADOPTED INFRASTRUCTURE CHARGES NOTICE: IMPORTANT INFORMATION

1. PAYMENT:

This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to TOWNSVILLE CITY COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Payees will be liable for any dishonour fees. Payments via credit card transactions will attract a surcharge. Charges can be placed on account with prior approval from Council.

2. ADOPTED INFRASTRUCTURE CHARGES TAKEN TO BE A RATE:

An adopted Infrastructure charge fixed by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the Local Government Act 2009. This means:

- a) Charges may be recovered by court action for debt;
- b) Charges may be recovered from the person for the time being owning the relevant land, regardless of who was the owner or other person upon whom the charges was imposed;
- c) Interest is payable on overdue payments; and
- d) If charges are unpaid for 3 years, the land can be sold to recover the outstanding charges.

3. INTEREST:

Compound interest at the rate of 11% per annum is payable on all infrastructure charges outstanding after the due date shown on this charge notice.

4. OVERSEAS PAYEES:

Please forward your adopted Infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

5. GOODS AND SERVICES TAX:

The federal government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this Infrastructure charge notice.

6. ADOPTED INFRASTRUCTURE CHARGE IS SUBJECT TO PRICE VARIATION:

At the time of payment these amounts may be adjusted for inflation in accordance with the annual financial year movements of the Australian Bureau of Statistics Queensland Road and Bridge Construction Index, as applied to the relevant State Planning Regulatory Provision (being a three year moving average basis).

PLEASE CONTACT PLANNING AND DEVELOPMENT BEFORE MAKING PAYMENT.

7. INFRASTRUCTURE CHARGES ENQUIRIES:

Please direct any enquiries regarding this adopted infrastructure charge notice to council's Planning and Development Division, Level 2, 103-141 Walker Street, Townsville. Phone (07) 4727 9001, during office hours, 8:30am to 5:00pm, Monday to Friday.

8. RIGHTS OF APPEAL:

Appeals about particular charges for infrastructure

A person who has been given, and is dissatisfied with an Adopted Infrastructure Charges Notice or a Negotiated Adopted Infrastructure Charges Notice has, under s.478 (1) of the *Sustainable Planning Act 2009*, the right to lodge an appeal to the Planning and Environment Court.

The timeframes for starting an appeal in the Planning and Environment Court are set out in s.478 (3) of the *Sustainable Planning Act 2009*.

Sections 478 (4) and (5) of the *Sustainable Planning Act 2009* state the grounds for appealing an Adopted Infrastructure Charges Notice or a Negotiated Adopted Infrastructure Charges Notice.

METHOD OF PAYMENT

PAYMENT BY MAIL	PAYMENT AT COUNCIL OFFICES	PAYMENT MADE BY CREDIT CARD
<p>Confirm the current Adopted Infrastructure Charges applicable and obtain an updated payment advice from Council's Planning and Development Division.</p> <p>Mail this updated payment advice notice immediately with your payment to: PLANNING AND DEVELOPMENT, TOWNSVILLE CITY COUNCIL, PO Box 1268, Townsville Qld 4810. A receipt will be issued.</p> <p>NOTE: Cheques, money orders and postal notes must be made payable to TOWNSVILLE CITY COUNCIL</p>	<p>Confirm the current Adopted Infrastructure Charges applicable and obtain an updated payment advice from Council's Planning and Development Division.</p> <p>Present this updated payment advice notice with your payment to Townsville City Council at the Planning and Development Division Counter.</p> <p>NOTE: Cheques, money orders and postal notes must be made payable to TOWNSVILLE CITY COUNCIL</p>	<p>Payments via credit card transactions will attract a surcharge.</p>

Advice Agency Response – Acid Sulfate Soils SPAR04184612

This notice is issued by the Department of Environment and Resource Management pursuant to section 292 (advice agency response) of the Sustainable Planning Act 2009 ("the Act").

The Chief Executive Officer
Townsville City Council
PO Box 1268
TOWNSVILLE QLD 4810

Attn: Kristy Crowe
Email: enquiries@townsville.qld.gov.au

cc. Evans Long Pty Ltd
C/- Brazier Motti
595 Flinders Street
TOWNSVILLE QLD 4810

Attn: sch4p4(6) Personal
Email: sch4p4(6) Personal information

Our reference: IA0512TSV0002

1. Application Details

Assessment Manager Ref: MC12/0032 & ECA12/0002

Date application referred to DERM: 8 May 2012

Correspondence Management
Web Form Reference

Development approval applied for: Development permit

13947977

Development description: Material Change of Use – Service Station

Aspect(s) of development:

Various aspects of development – Acid sulfate soils	Sustainable Planning Regulation 2009 – Schedule 7, Table 3: Item 3	DERM Ref No – 389461 DERM Permit No – SPAR04184612
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Property/Location description:

Lot 851 SP240571 being 22-28 Market Street, Burdell, QLD

2. Advice Agency Response

The Chief Executive, Department of Environment and Resource Management (DERM), Advice Agency response for the application the subject of this Notice is as follows:

Recommendation

The State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulfate Soils (SPP 2/02) sets out the State's interests concerning development involving acid sulfate soils (ASS) in low-lying coastal areas. The SPP 2/02 is triggered where a development would involve either of the following activities:

- excavating or otherwise removing 100 m³ or more of soil or sediment from at or below 5 m AHD; or
- filling land below 5 m AHD with 500 m³ or more of material having an average depth of 0.5 of a metre or greater.

Review of the application material indicates that that proposed development includes an underground structure (fuel storage tank). This structure is likely to involve excavation of greater than 1000 m³ of soil or sediment which may intercept soil at or below 5 m AHD. The Department advises that the proposed underground works would be compliant with the SPP2/02 on the basis that the applicant meets the following recommended condition(s).

- 5.1. The applicant must provide the assessment manager with a competent ASS investigation for the proposed underground fuel storage tank and associated piping. Such investigations must meet specifications contained within the *State Planning Policy 2/02 Guideline*¹, *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland, 1998*² and the *Acid Sulfate Soil Laboratory Methods Guidelines 2004*³. The assessment manager must be satisfied that investigations are adequate before any operational works are permitted on the site
- 5.2. Should results of the investigation indicate that ASS will be disturbed; all acid sulfate soil excavated during installation of the underground fuel storage tank must be appropriately managed. Further, the applicant must provide a concise and site specific Acid Sulfate Soil Management Plan. The assessment manager must be satisfied that the management plan is consistent with the eight Management Principles documented in the *Queensland Acid Sulfate Soil Technical Manual - Soil Management Guidelines*⁴ before any operational works are permitted on the site.

¹ State Planning Policy 2/02 Guideline – Planning and Managing Development involving Acid Sulfate Soils, Department of Natural Resources and Mines and the Department of Local Government and Planning

² Ahern CR, Ahern MR and Powell B (1998). *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland*. Department of Natural Resources, Indooroopilly

³ Ahern CR, McElnea AE and Sullivan LA (2004). *Acid Sulfate Soils Laboratory Methods Guidelines*. In *Queensland Acid Sulfate Soils Technical Manual*. Department of Natural Resources and Mines, Indooroopilly

⁴ Dear SE, Moore NG, Dobos SK, Watling KM and Ahern CR (2002). *Soil Management Guidelines*. In *Queensland Acid Sulfate Soils Technical Manual*. Department of Natural Resources and Mines, Indooroopilly

3. **General advice to assessment manager**

The State's Native Title Work Procedures provide that responsibility for assessment of native title issues for an IDAS application rests with the assessment manager. Therefore, DERM as a referral agency for the relevant application has not provided notification to native title parties.

4. **Additional information for applicants**

Notifiable Activities under the *Environmental Protection Act 1994*

It is a requirement of Section 371 of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware that a Notifiable Activity (as defined under Schedule 3 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant they must, within thirty (30) days after becoming aware the activity is being carried out, give notice to the Department of Environment and Resource Management. A list of Notifiable Activities is provided within Schedule 3 of the *Environmental Protection Act 1994*. Failure to give the required notice, except where notice has already been given, may give rise to an offence.

Aboriginal Cultural Heritage

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$1,000,000 for a corporation and \$100,000 for an individual.

Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in accordance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants are also encouraged to undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM website www.derm.qld.gov.au/cultural_heritage.

Should you have any questions about the above, please contact Elizabeth Crombie on telephone 07 4222 5443 quoting the above reference number.

sch4p4(6) Personal i

Delegate
Elizabeth Crombie
Senior Natural Resource Officer
Regional Planning & Coordination
North Region

13 June 2012

Enquiries:
Elizabeth Crombie
5b Sheridan Street, Cairns Q 4870
PO Box 937, Cairns Q 4870
Phone: (07) 4222 5443
Fax: (07) 4222 5493
Email: elizabeth.crombie@derm.qld.gov.au



Townsville City Council
103-141 Walker St

PO Box 1268
Townsville QLD 4810

ABN 44 741 982 072

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Issued by Townsville City Council

To: Evans Long Pty Ltd
C/- Brazier Motti
595 Flinders Street
TOWNSVILLE QLD 4810

Date of Issue: 24 July 2012
Charge Notice No: 10542392
Application No: MC12/0032
Decision Type: Decision Notice

LAND TO WHICH THE INFRASTRUCTURE CHARGE APPLIES:

Planning Scheme: Thuringowa Planning Scheme
Property Description: Lot 851 SP 240571
Property Address: 22-28 Market Street BURDELL QLD 4818

TRUNK INFRASTRUCTURE FOR WHICH THE INFRASTRUCTURE CHARGE NOTICE APPLIES

Infrastructure	Charge Payable (\$)	Receipt code
SEWER		
- Trunk sewers & pump systems	6456	CON65
- Treatment plants & outfalls	8593	CON70
WATER SUPPLY		
Source works	7002	CON90
Reservoirs	1619	CON95
Delivery mains	11176	CON100
Distribution mains	1000	CON100
PARK	0	P0100
TRANSPORT (PATHWAYS)	0	CON60
TRANSPORT (ROADS)		
- TCC Works	12406	CON1100a
- TCC Land	1448	CON1100a
Sub-total	49700	
STORMWATER	2209	CON25
Total Charge Amount	51909	

NOTE:

- At the time of payment these amounts may be adjusted for inflation in accordance with the annual financial year movements of the Australian Bureau of Statistics Queensland Road and Bridge Construction Index, as applied to the relevant State Planning Regulatory Provision (being a three year moving average basis).
- Please contact Townsville City Council, Planning and Development Division, prior to making payment.
- Compounded interest at 11% calculated daily will be applied on all overdue charges.
- Should a valid Infrastructure Agreement be in place for this development, the Infrastructure Agreement may prevail over the charges listed on this notice.
- These adopted infrastructure charges may be offset or refunded depending on the approved extent and value of trunk Infrastructure provided by the development.

The Adopted Infrastructure Charge has been calculated in accordance with the relevant Adopted Infrastructure Charges resolutions.

TO WHOM THE CHARGE MUST BE PAID

Payment of the charge must be made payable to TOWNSVILLE CITY COUNCIL via the Planning Liaison Unit, Planning and Development, 2nd Floor at the City Administration Building, 103-141 Walker Street, Townsville, Telephone (07) 4727 9001 or PO Box 1268 Townsville Qld 4810

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PD0101-003

ADOPTED INFRASTRUCTURE CHARGES NOTICE: IMPORTANT INFORMATION

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- b) Charges may be recovered from the person for the time being owning the relevant land, regardless of who was the owner or other person upon whom the charges was imposed;
- c) Interest is payable on overdue payments; and
- d) If charges are unpaid for 3 years, the land can be sold to recover the outstanding charges.

3. INTEREST:

Compound interest at the rate of 11% per annum is payable on all Infrastructure charges outstanding after the due date shown on this charge notice.

4. OVERSEAS PAYEES:

Please forward your adopted infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

5. GOODS AND SERVICES TAX:

The federal government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this infrastructure charge notice.

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8. RIGHTS OF APPEAL:

Appeals about particular charges for infrastructure

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METHOD OF PAYMENT

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