

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
APC2024/002 – 60 Zinc Road, Stuart

SDA approval – conditions

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

Table 1 – approved plans and documents

Title	Prepared By	Reference	Reference
Layout Plan SunHQ	Ark Energy Corporation	SunHQ Development Application Planning Report, dated June 2021	Figure 4
Revised SunHQ Project site location, access and utilities	Ark Energy Corporation	SunHQ Development Application Planning Report, dated June 2021, as amended September 2021	Attachment 2

Condition 2 - commencement of the development /use		Timing
2.1	Notify the Coordinator-General, in writing, of the date of commencement of construction.	<i>Within 10 days after commencement of construction.</i>
2.2	Notify the Coordinator-General, in writing, of the date of commencement of use.	<i>Within 10 days after the commencement of use.</i>

Condition 3 – ‘As constructed’ plans		Timing
3.1	<p>Prepare and submit to the Coordinator-General and Townsville City Council, ‘As constructed’ plans certified by a Registered Professional Engineer of Queensland (RPEQ) or other independent suitably qualified person.</p> <p>The plans must show all relevant elements of the hydrogen production and dispensing facility, including drainage structures and storage tanks.</p> <p>Plans must be submitted in electronic pdf and shape files.</p>	<i>Prior to commencement of use.</i>

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
 APC2024/002 – 60 Zinc Road, Stuart

Condition 4 – auditing		Timing
4.1	<p>Prepare and submit an audit report to the Coordinator-General. The audit report must be prepared by an independent suitably qualified person to determine whether the conditions of this approval have been complied with.</p> <p>Audit reports are required for both temporary and permanent infrastructure within 30 business days of the following:</p> <ul style="list-style-type: none"> (a) commencement of site works (b) commencement of the use (c) decommissioning. <p>An audit report will contain detail consistent with the information provided in Enclosure 1.</p>	<i>As indicated</i>

Condition 5 – inspection		Timing
5.1	Permit the Coordinator-General, or any person authorized by the Coordinator-General, to inspect any aspect of the development.	<i>At all times.</i>

Condition 6 – infrastructure contributions or infrastructure agreement		Timing
6.1	Pay to Townsville City Council any outstanding charges or expenses applied over the subject land, including infrastructure charges.	<i>Prior to commencement of use.</i>

Condition 7 – limitation of use		Timing
7.1	Hydrogen produced at the approved hydrogen production and dispensing facility is to be used exclusively for refueling hydrogen rated trucks that operate as part of Sun Metals Corporation Pty Ltd.'s logistics fleet or hydrogen-powered forklifts used on-site. Additionally, it is permitted to refuel no more than five third-party vehicles per day.	<i>At all times.</i>

Condition 8 – hazardous materials		Timing
8.1	All flammable and combustible liquids and/or gases (including hazardous waste materials) must be contained within an on-site containment system, controlled in a manner that prevents environmental harm and must be maintained in accordance with the current edition of AS1940— <i>Storage and Handling of Flammable and Combustible Liquids</i> .	<i>At all times.</i>

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
 APC2024/002 – 60 Zinc Road, Stuart

8.2	All containers must be secured to prevent movement during a flood event.	<i>At all times.</i>
8.3	Development involving the production of flammable and combustible liquids and/or gases must not adversely impact on the safety or operation of the zinc refinery.	<i>At all times.</i>

Condition 9 – disaster / emergency management		Timing
9.1	<p>Prepare a disaster management plan (DMP) by a suitably qualified expert to ensure the safety and well-being of all occupants of the facility. The DMP must be prepared in consultation with the Queensland Police Service, Queensland Rural Fire Service, State Emergency Service and Queensland Ambulance Service. The DMP must provide details on the following:</p> <ul style="list-style-type: none"> (a) potential natural and man-made hazards and emergency events (b) strategies for the protection of life and property (c) workforce numbers (including general breakdown of site access arrangements both construction and operational) (d) response procedures to incidents/events, including: injuries, medical evacuations, road accidents, spills, fire, floods, cyclones and earthquakes (e) evacuation procedures (f) demonstration of long-term resilience in distressed conditions in the event an evacuation cannot be achieved, including details of access to food, water and medical supplies (g) demonstration that resources required for the implementation of the DMP would be provided independent of resources allocated to Townsville or other towns in the Townsville Region. 	<i>As indicated.</i>
9.2	Plans and/or documents required by this approval are to be submitted as an electronic pdf and shape files.	<i>Prior to commencement of use.</i>
9.3	Implement and undertake the works, procedures and processes as required in the DMP.	<i>As indicated.</i>

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
 APC2024/002 – 60 Zinc Road, Stuart

Condition 10 – complaints and incidents		Timing
10.1	Record all complaints received relating to the development in a register that includes, as a minimum: (a) date and time when complaint was received (b) complainant’s details including name and contact information (c) reasons for the complaint (d) investigations undertaken and conclusions formed (e) actions taken to resolve this complaint, including the time taken to implement these actions include a notation in the register as to the satisfaction (or dissatisfaction) of the complainant with the outcome.	<i>At all times.</i>
10.2	Prepare and provide a response to the complainant within 48 hours of receipt of the complaint.	<i>As indicated.</i>
10.3	Provide an up-to-date copy of the register if requested by the Coordinator-General.	<i>Within 48 hours of the request being made.</i>
10.4	Keep an up-to-date incident register at the premises, including information about any fires at the premises, any release, spills or leakages, and the actions taken and timeframes to undertake those actions in response to the incident and any penalties incurred as a result of the incident.	<i>At all times.</i>
10.5	Provide an up-to-date copy of the incident register if requested by the Coordinator-General.	<i>Within 48 hours of the request being made.</i>

Condition 11 – services and utilities		Timing
11.1	The development must connect to Townsville City Council’s reticulated water system.	<i>Prior to commencement of use.</i>
11.2	The hydrogen production and dispensing facility’s water consumption must not exceed 7.7 megaliters per annum.	<i>At all times.</i>
11.3	Obtain the necessary approvals for all required services and utilities (power, potable water, sewer, gas, wastewater, communications etc.) for both construction and operation.	<i>Prior to commencement of use.</i>
11.4	Provide and maintain to the relevant standards all services and utilities (power, potable water, sewer, gas, wastewater, communications etc.) necessary to the development.	<i>At all times.</i>
11.5	Any required provision, relocation and/or alteration to any public service, utility or facility installation must be carried out at no cost to Townsville Council or the Coordinator-General.	<i>Prior to the commencement of use and to be maintained.</i>

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
 APC2024/002 – 60 Zinc Road, Stuart

Condition 12 – wastewater management		Timing
12.1	All electrolyser wastewater generated by the development must be collected by the site's stormwater collection and reuse system.	<i>Prior to the commencement of use and to be maintained.</i>

Condition 13 – stormwater drainage		Timing
13.1	Provide, to the Coordinator-General, certification from an appropriately qualified and experienced RPEQ confirming that stormwater drainage achieves the prescribed outcomes in accordance with the healthy waters code of the Townsville City Plan.	<i>Prior to commencement of use and to be maintained.</i>
13.2	Drainage from the development works/building shall not adversely impact upon adjacent properties. No ponding, concentration or redirection of stormwater shall occur on adjoining land.	<i>At all times.</i>
13.3	Provide the discharge of stormwater drainage flows to a legal point of discharge.	<i>At all times.</i>

Condition 14 – soil erosion minimization and sediment control		Timing
14.1	<p>Install and maintain erosion and sediment control management in accordance with the healthy waters code of the Townsville City Plan.</p> <p>The contingent design, implementation and maintenance of measures must be provided in accordance with SC6.4 Development manual planning scheme policy, specifically in accordance with SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.</p>	<i>At all times during the construction phase.</i>

Condition 15 – vehicle access		Timing
15.1	Vehicular ingress and egress to Lot 42 CP905700 must be maintained from Zinc Road.	<i>At all times.</i>
15.2	During the construction phase, any damage to the road reserve, inclusive of any footpath and kerb and channel, must be replaced in accordance with Townsville City Council's standards.	<i>Prior to commencement of use.</i>

Condition 16 – vehicle parking		Timing
16.1	All vehicle parking facilities, associated ramps and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code to the Townsville City Plan.	<i>Prior to commencement of use.</i>

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
 APC2024/002 – 60 Zinc Road, Stuart

16.2	All car parking facilities, associated ramps and driveways must be designed in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in current edition of Australian/New Zealand Standard (AS/NZS) 2890.	<i>Prior to commencement of use.</i>
16.3	All constructed car parking facilities must be maintained to a safe operating standard.	<i>At all times.</i>

Condition 17 – firefighting and emergency access		Timing
17.1	Provide adequate and safe access for firefighting/other emergency vehicles, and for safe evacuation.	<i>At all times.</i>
17.2	The development must be provided with an adequate and accessible supply of water for firefighting purposes in accordance with AS2419.1 (2005).	<i>Prior to commencement of use and to be maintained at all times.</i>
17.3	Prepare and keep in an accessible location at the premises, an evacuation plan detailing the evacuation procedure to ensure safe exit is provided in case of an emergency.	<i>Prior to commencement of use and to be maintained.</i>

Condition 18 – minimum lot levels		Timing
18.1	Floor levels must achieve immunity from flood hazards by ensuring: <ul style="list-style-type: none"> (a) floor levels of all non-habitable rooms are above the defined flood event level; and (b) documentation signed by a Registered Professional Engineer of Queensland (RPEQ) must be submitted to a building certified identifying the required minimum floor height of all habitable rooms to achieve storm tide/flood immunity. 	<i>Prior to the commencement of construction.</i>

Condition 19 – environmental nuisance		Timing
19.1	The construction and operation of the development must not environmental nuisance at a nuisance sensitive place unless specifically authorized by a condition of this approval or where alternative lawful arrangements are in place.	<i>At all times.</i>

Townsville SDA – SDA approval

Conditions: Change application for an SDA approval (AP2021/004) for a material change of use for high impact industry (hydrogen production and dispensing facility)
 APC2024/002 – 60 Zinc Road, Stuart

Condition 20 – demolition waste		Timing
20.1	All waste generated as a result of the demolition of existing structure, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental Protection (Waste Management) Regulation 2000.	<i>Prior to commencement of use.</i>

Condition 21 – protection of operational airspace		Timing
21.1	Development must not generate emissions which significantly affect air turbulence, viability or aircraft engine operation in the airport’s operational airspace.	<i>At all times.</i>

Condition 22 – decommissioning and rehabilitation		Timing
22.1	Prepare a decommissioning plan (by a suitably qualified person in accordance with current best practice) that includes the following: (a) plans showing full or partial decommissioning (b) plans showing “make safe” decommissioning to leave a structure/s in place for use by others (to be named) (c) timeframe required for decommissioning project including operating hours of work (d) management of noise and dust generated from the site during decommissioning work hours (e) site clearance and remediation plans detailing the proposed works and timing to restore the site (f) a monitoring program to identify issues of non-compliance, actions for correcting any non-compliance and who is responsible for undertaking those actions (g) a timetable and process for review of the decommissioning plan to assess its effectiveness and to implement amendments as required.	<i>Submit six (6) months prior to the commencement date of all decommissioning activities.</i>
22.2	Undertake all works generally in accordance with the decommissioning plan which must be current and available on site at all times during the decommissioning period.	<i>At all times.</i>
22.3	Provide notification and photographic evidence to the Coordinator-General that the construction site has been decommissioned and the site rehabilitated in accordance with the approved decommissioning plan.	<i>Within 30 business days of the completion of all decommissioning activities.</i>

Advice

Currency period

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

- substantially started the development; or
- made an application to the Coordinator-General to extend the currency period.

Cultural heritage – duty of care

Where items of archaeological importance are identified during construction of the project, the proponent must comply with its duty of care under the *Aboriginal Cultural Heritage Act 2003* and the Department of Environment and Heritage Protection 2014 guideline: archaeological investigations. All work must cease, and the relevant State agency must be notified. Work can resume only after State agency clearance is obtained.

Other approvals

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

If a development does not comply with the conditions of this material change of use approval, a new SDA application may be required to be lodged with the Coordinator-General in accordance with the Townsville SDA Development Scheme.

Office of Industrial Relations' Major Hazard Facility Unit

Ark Energy Corporation Pty Ltd is advised that, as Sun Metals Corporation (Sun Metals) will be operating the hydrogen facility under an operations and maintenance agreement, Sun Metals will be required to independently notify the Major Hazard Facilities Unit of this change in a material particular as part of their own requirements to comply with section 588 of the *Work Health and Safety Regulation 2011*.

Townsville City

Council Advice

Water restrictions

To manage Townsville's water resources, Townsville City Council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as

landscaping establishment and/or soil erosion and sediment control.

Proponents and developers remain responsible for compliance with any water restrictions as directed by Townsville City Council.

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

In circumstances where exemptions to water restrictions are no longer issued by Townsville City Council, bonding of soft landscaping works will be permitted to enable the release of compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of “bonded fibre matrix” type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions.

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

Earthworks

Earthworks are not approved as part of this SDA approval. It must be determined if the earthworks are deemed either:

- (a) Accepted development, or
- (b) Accepted development subject to requirements, or
- (c) a Code assessable Operational work development application to be lodged with council for assessment in accordance with relevant code/s and policy direction.

Plans of any earthworks to be associated with the use that is deemed to be assessable development in accordance with the Categories of development and assessment - Operational work of the Townsville City Plan must be submitted to council for assessment.

Earthworks must be designed in accordance with Works code of the Townsville City Plan.

Further Approvals

Plumbing and Drainage Works

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

Building Works

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

Roadworks

If the proponent is required to obtain from Townsville City Council a Roadworks Approval it must be in accordance with Townsville City Council's Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works.

The application is to include the following:

- (a) a completed Roadworks approval application form
- (b) prescribed fee, and
- (c) Traffic Management Plan prepared by a suitably qualified traffic professional detailing the traffic management measures put in place to manage all roadworks including pedestrians, cyclists and vehicle in accordance with Townsville City Council's Manual of Uniform Traffic Control Devices Part 3 - Works on Roads.

If the works required closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be close for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application is to be made to Townsville City Council for a letter of no objection prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan is to be included with the application to Townsville City Council.

As part of the application for a Roadworks Permit, the proponent is required to provide the following detailed plans showing new access driveways and crossovers in accordance with the Townsville City Plan.

Storage of Materials and Machinery

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

Building Work Noise

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

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

Enclosure 1 – audit report

The following information will be required in an audit report:

- (a) details of the development approval, including the SDA approval number, the date of approval and a summary of the audit reporting requirements. This should include a schedule of the dates by which audit reporting is to be provided to the Coordinator-General.
- (b) details of the independent, suitably qualified person(s) (the auditor) responsible for preparing the audit report, including the auditor(s):

- (i) name, position, company and contact details
- (ii) qualifications and experience
- (iii) proof that the auditor is an independent third party unaffiliated with the proponent.
- (c) details of any external suitably qualified person(s) used to supplement reports/plans outside of the auditor's expertise.
- (d) an audit evaluation matrix including but not limited to:
 - (i) each condition of the SDA approval, and the status of the condition at the end of the relevant audit period
 - (ii) where a condition is current or complete, (to be activated, activated, complete), whether compliance has been achieved (compliant, non-compliant or not applicable), how compliance has been achieved (description of works, tasks or actions undertaken) and how the evaluation of the audit has been undertaken
 - (iii) a full description of the relevant standards, practices etc. against which works have been assessed together with evidence (reports, site photographs, certification documentation) to support the evaluation of the works against the compliance standards
 - (iv) the title, date, location and holder of any documentation referred to in the compliance evaluation matrix but not provided with the audit to allow the Coordinator-General to call upon these documents as required
 - (v) details of any non-compliances identified by any party during the current audit period and a methodology specifying how compliance has been/will be achieved and by when it will be achieved, and
 - (vi) details of previous audit reports (if relevant) with an update on any non-compliance, corrective actions and revised practices (as relevant) undertaken and the current status of any corrective actions.
- (e) additional evidence to support the compliance evaluation, including the date and locations of any site inspection/s conducted during the preparation of the audit report and details of any employees of the proponent interviewed for the audit.
- (f) the auditor's declaration whereby the auditor:
 - (i) certifies the conditions contained in the SDA approval have been satisfactorily complied with, subject to any qualifications which the author has outlined in the audit report
 - (ii) certifies that to the best of the auditor's knowledge, all information provided in the audit report is true, correct and complete, and
 - (iii) acknowledges it is an offence under section 157O of the State Development and Public Works Organisation Act 1971, to give the Coordinator-General a document containing information the auditor knows is false or misleading in any material particular.
- (g) any further attachments the auditor considers relevant to the audit report.

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