



City of  
**Ipswich**

**IPSWICH  
CITY  
COUNCIL**

**AGENDA**

*of the*

**GROWTH AND INFRASTRUCTURE COMMITTEE**

**Held in the Council Chambers  
2<sup>nd</sup> floor – Council Administration Building  
45 Roderick Street  
IPSWICH QLD 4305**

On Tuesday, 22 October 2019  
At 9.30 am or within any period of time up to a maximum of 10 minutes after the  
conclusion of the Economic Development Committee.

<b><u>MEMBERS OF THE GROWTH AND INFRASTRUCTURE COMMITTEE</u></b>	
Interim Administrator Greg Chemello <b>Chairperson)</b>	



## **GROWTH AND INFRASTRUCTURE COMMITTEE AGENDA**

*9.30 am or within any period of time up to a maximum of 10 minutes  
after the conclusion of the Economic Development Committee, on*

**Tuesday, 22 October 2019**

**Council Chambers**

<b>Item No.</b>	<b>Item Title</b>	<b>Page No.</b>
1	Update to Standard Street Name Sign	10
2	5 year review of the Water Netserv Plan	16
3	91 and 93 Raceview Street, Raceview - Material Change of Use – Shopping Centre- 2269/2019/MCU	41
4	4502/2018/MCU Cleanaway Landfill Refusal	79
5	Proposed Amendment to Amenity and Aesthetics Referral Provisions	168
6	197 and 213 Taylors Road, Walloon - Material Change of Use for Preliminary Approval including a variation request to vary the effect of the Ipswich Planning Scheme, and Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road	188
7	Court Action Status Report	239
8	Exercise Of Delegation	244

\*\* Item includes confidential papers

**GROWTH AND INFRASTRUCTURE COMMITTEE NO. 10**

**22 OCTOBER 2019**

AGENDA

1. **UPDATE TO STANDARD STREET NAME SIGN**

This is a report concerning a revision to council's standard street name sign drawing following the adoption and resolution to implement the update to council logo application at the July Ordinary Council Meeting.

**RECOMMENDATION**

That the Interim Administrator of Ipswich City Council resolve:

- A. That the revisions to the standard street name sign drawing, as specified in Attachment 2 (Drawing H), be adopted and implemented on all new and replacement street name signs.
- B. That the revisions to standard street name sign be integrated into relevant council guidelines and manuals.

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2. **5 YEAR REVIEW OF THE WATER NETSERV PLAN**

This is a report concerning the statutory 5 year review of the Water Netserv Plan and request for endorsement of the planning assumptions for the Ipswich local government area as proposed by Queensland Urban Utilities (QUU) in the proposed Water Netserv Plan (Part A) 2019.

QUU formally requested Council's endorsement by letter dated 27 August 2019. Discussions were held between Council and QUU officers to facilitate the review of the proposed planning assumptions. This review resulted in a revised Water Netserv Plan (Part A) 2019 being provided which includes planning assumptions that are consistent with Council's Local Government Infrastructure Plan, and endorsement is therefore being recommended.

**RECOMMENDATION**

That the Interim Administrator of Ipswich City Council resolve:

- A. That Council (Interim Administrator of Ipswich City Council) endorse the planning assumptions for the Ipswich local government area only proposed by Queensland Urban Utilities as detailed in Attachment 1 pursuant to s99BR of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, as being

consistent with the planning assumptions included in the Ipswich Local Government Infrastructure Plan.

- B. That the Manager, City Design be requested to advise Queensland Urban Utilities of Council endorsement by letter.
- C. That the Manager, City Design be authorised to continue to liaise with Queensland Urban Utilities to ensure consistency between their Water Netserv Plan and Council's Local Government Infrastructure Plan for development both inside and outside of the Priority Infrastructure Area.

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3. 91 AND 93 RACEVIEW STREET, RACEVIEW - MATERIAL CHANGE OF USE – SHOPPING CENTRE- 2269/2019/MCU

This is a report concerning an application seeking approval for a Material Change of Use – Shopping Centre at 91 and 93 Raceview Street, Raceview QLD 4305.

The subject application requires review by Committee and determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as more than 20 properly made submissions objecting to the proposed development were received.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed Shopping Centre cannot be supported in accordance with section 5 and section 60 of the *Planning Act 2016*, as the proposal does not advance the purpose of the Act and the development conflicts with the applicable codes of the Planning Scheme with no sufficient grounds to justify the decision despite the conflict.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

- A. That Council (Interim Administrator of Ipswich City Council) resolve to refuse development application no. 2269/2019/MCU as outlined in the report by the Acting General Manager – Planning and Regulatory Services dated 26 September 2019 in accordance with section 5 and 60 of the *Planning Act 2016*.
- B. That the General Manager – Planning and Regulatory Services be authorised to give a decision notice for the application in accordance with section 63 of the *Planning Act 2016*.

4. 4502/2018/MCU CLEANAWAY LANDFILL REFUSAL

This is a report concerning a development application that seeks a development permit for a Material Change of Use over 100 Chum Street and 20 Rhondda Road, New Chum for the following:

- Waste Activity Use involving Landfill in the Swanbank/New Chum Buffer Area (formally referred to as Waste Activity Use other than involving Rehabilitating a Mining Void in the Swanbank/New Chum Buffer Area);
- Waste Activity Use involving Landfill in the Swanbank/New Chum Waste Activity Area;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50 tonnes or more a year;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
- Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year.
- ERA 33 (Crushing, milling, grinding or screening: Crushing, grinding, milling or screening more than 5,000t of material in a year);
- ERA 60 (Waste Disposal: 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection 1(b) – (h) more than 200,000t);
- ERA 62 (Waste Transfer Station operation: operating on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day.

The subject application requires review by Committee and determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as more than 20 properly made submissions objecting to the proposed development were received.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed use cannot be supported in accordance with section 5 and section 60 of the *Planning Act 2016*, as it does not advance the purpose of the *Planning Act 2016* and is in conflict with the applicable codes of the

Planning Scheme and TLPI No. 1 of 2018 (Waste Activity Regulation) with no sufficient grounds to justify the decision despite the conflict.

#### RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

- A. That Council (Interim Administrator of Ipswich City Council) resolve to refuse development application no. 4502/2018/MCU as outlined in the report by the Acting General Manager – Planning and Regulatory Services dated 8 October 2019 in accordance with section 5 and 60 of the *Planning Act 2016*.
- B. That the General Manager – Planning and Regulatory Services be authorised to give a decision notice for the application in accordance with section 63 of the *Planning Act 2016*.

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#### 5. PROPOSED AMENDMENT TO AMENITY AND AESTHETICS REFERRAL PROVISIONS

This is a report concerning the adoption of the proposed Amenity and Aesthetics Referral Provisions and Implementation Guidelines to replace the current Amenity and Aesthetics Referral Provisions and Shipping Container Implementation Guideline as adopted by Council on 29 July 2014 and 17 September 2014 respectively.

#### RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

- A. That Council (Interim Administrator of Ipswich City Council) rescind the current Amenity and Aesthetics Provisions (Attachment 1) dated 29 July 2014 and adopt the proposed Amenity and Aesthetics Referral Provisions 2019 (Attachment 2) effective of 1 December 2019.
- B. That Council (Interim Administrator of Ipswich City Council) rescind the current Implementation Guideline - Shipping Containers (Attachment 3) dated 17 September 2014 and adopt the proposed Implementation Guidelines as listed below effective of 1 December 2019:
  - No. 1, Transportable Buildings – Attachment 4
  - No. 2, Oversized Class 10 Buildings – Attachment 5
  - No. 3, Demolition, Removal or Relocation of a Building – Attachment 6.
- C. That the General Manager, Planning and Regulatory Services be authorised to approve administrative amendments, additions and retractions to the Implementation Guidelines where required.

- D. That the Manager, Building and Plumbing be requested to attend to all relevant matters associated with giving effect to the Amenity and Aesthetics Referral Provisions, including uploading the provisions and associated Implementation Guidelines on the Council website.
  - E. That the Building Manager distribute the adopted Amenity and Aesthetics Referral Provisions and Implementation Guidelines to the relevant industry organisations.
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6. 197 AND 213 TAYLORS ROAD, WALLOON - MATERIAL CHANGE OF USE FOR PRELIMINARY APPROVAL INCLUDING A VARIATION REQUEST TO VARY THE EFFECT OF THE IPSWICH PLANNING SCHEME, AND RECONFIGURING A LOT - ONE (1) LOT INTO TWELVE (12) LOTS AND NEW ROAD

This report relates to a development application that seeks a combined approval for a Material Change of Use for Preliminary Approval including a variation request to vary the effect of the Ipswich Planning Scheme, and Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road, over land located at 197 Taylors Road and 213 Taylors Road (in part), Walloon.

The subject application requires review by Committee and determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as the application includes a Variation Request.

The proposed development has been assessed with regard to the applicant assessment benchmarks. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply as outlined in the attached Statement of Reasons.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

- A. That Council (Interim Administrator of Ipswich City Council) resolve to approve development application no. 4739/2019/CA subject to conditions in accordance with section 60 of the *Planning Act 2016*.
  - B. That the Manager, Development Planning be authorised to prepare conditions in accordance with section 65 of the *Planning Act 2016*.
  - C. That the Manager, Development Planning be authorised to give a decision notice for the application in accordance with section 63 of the *Planning Act 2016*.
  - D. That the Manager, Development Planning be authorised to give an infrastructure charges notice for the application in accordance with section 119 of the *Planning Act 2016*.
-

7. COURT ACTION STATUS REPORT

This is a report concerning a status update with respect to current court actions associated with development planning related matters including one other significant matter of dispute that the Planning and Regulatory Services Department is currently involved with.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

That the report be received and the contents noted.

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8. EXERCISE OF DELEGATION

This is a report concerning applications that have been determined by delegated authority for the period 30 August 2019 to 11 October 2019.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

That the report be received and the contents noted.

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\*\* Item includes confidential papers

and any other items as considered necessary.

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Doc ID No: A5813307

ITEM: 1

SUBJECT: UPDATE TO STANDARD STREET NAME SIGN

AUTHOR: GENERAL MANAGER - COMMUNITY, CULTURAL AND ECONOMIC  
DEVELOPMENT

DATE: 26 SEPTEMBER 2019

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### **EXECUTIVE SUMMARY**

This is a report concerning a revision to council's standard street name sign drawing following the adoption and resolution to implement the update to council logo application at the July Ordinary Council Meeting.

### **RECOMMENDATION/S**

**That the Interim Administrator of Ipswich City Council resolve:**

- A. That the revisions to the standard street name sign drawing, as specified in Attachment 2 (Drawing H), be adopted and implemented on all new and replacement street name signs.**
- B. That the revisions to standard street name sign be integrated into relevant council guidelines and manuals.**

### **RELATED PARTIES**

There are no related party matters associated with this report.

### **ADVANCE IPSWICH THEME**

Managing growth and delivering key infrastructure

### **PURPOSE OF REPORT/BACKGROUND**

At the 16 July 2019 Council meeting the Update to Council Logo Application report was adopted and resolved to be implemented.

Council's Marketing Services section continues to develop a comprehensive Style Guide with practical examples, designs and specifications for a range of council applications.

One item with significant exposure is the design of council street name signs.



The current application consists of a full colour council logo with City of Ipswich wording and the name of the suburb fitted into a white square for contrast and legibility.

Examples of current street name signs:



There is an immediate need to update the City of Ipswich logo application to conform it to the adopted standard.

Furthermore, there are some practical issues with the current design which can be addressed as part of this revision:

- The amount of content within square white area (logo, city name and suburb name) reduces legibility of all elements
- Inclusion of suburb name is unusual, unnecessary and often illegible
- Use of additional colour requires separate material and reduces the life of the sign

The current Standard Street Name Sign specification manual also allows for a series of slogans to be applied to street name signs in Grandchester, Rosewood, Marburg and Walloon – they are:

- Grandchester – Home of steam
- Rosewood – Village Charm
- Marburg – Home of pacing and dancing
- Walloon – Home of Henry Lawson Park

Examples of current street name signs with slogans:



The inclusion of these slogans for these four suburbs is an irregularity and something council would find problematic to adopt and manage equally across the city's more than 80 suburbs.

### **LEGAL/POLICY BASIS**

*Transport Operations (Road Use Management) Act 1995*

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The revision to council's standard street name sign will be applied as a standard production for all future street name signs, therefore there are no additional financial or resource implications.

### **COMMUNITY AND OTHER CONSULTATION**

Council's Technical Services Manager (Infrastructure and Environment) has been consulted and supports the revision.

Council's Engineering, Health and Environment Manager (Planning and Regulatory Services) has been consulted and supports the revision.





Council's Executive Management Team has been consulted and supports the revision.

### **CONCLUSION**

The revision to council's standard street name sign conforms with the adopted logo application and improves street name sign aesthetics and lifespan.

Additional amendments to suburb names and slogans simplifies the standard street name sign specifications and reduces current inconsistencies.

### **ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

1.	Original (G) Street Name Sign Drawing  
2.	Revised (H) Street Name Sign Drawing  

Ben Pole

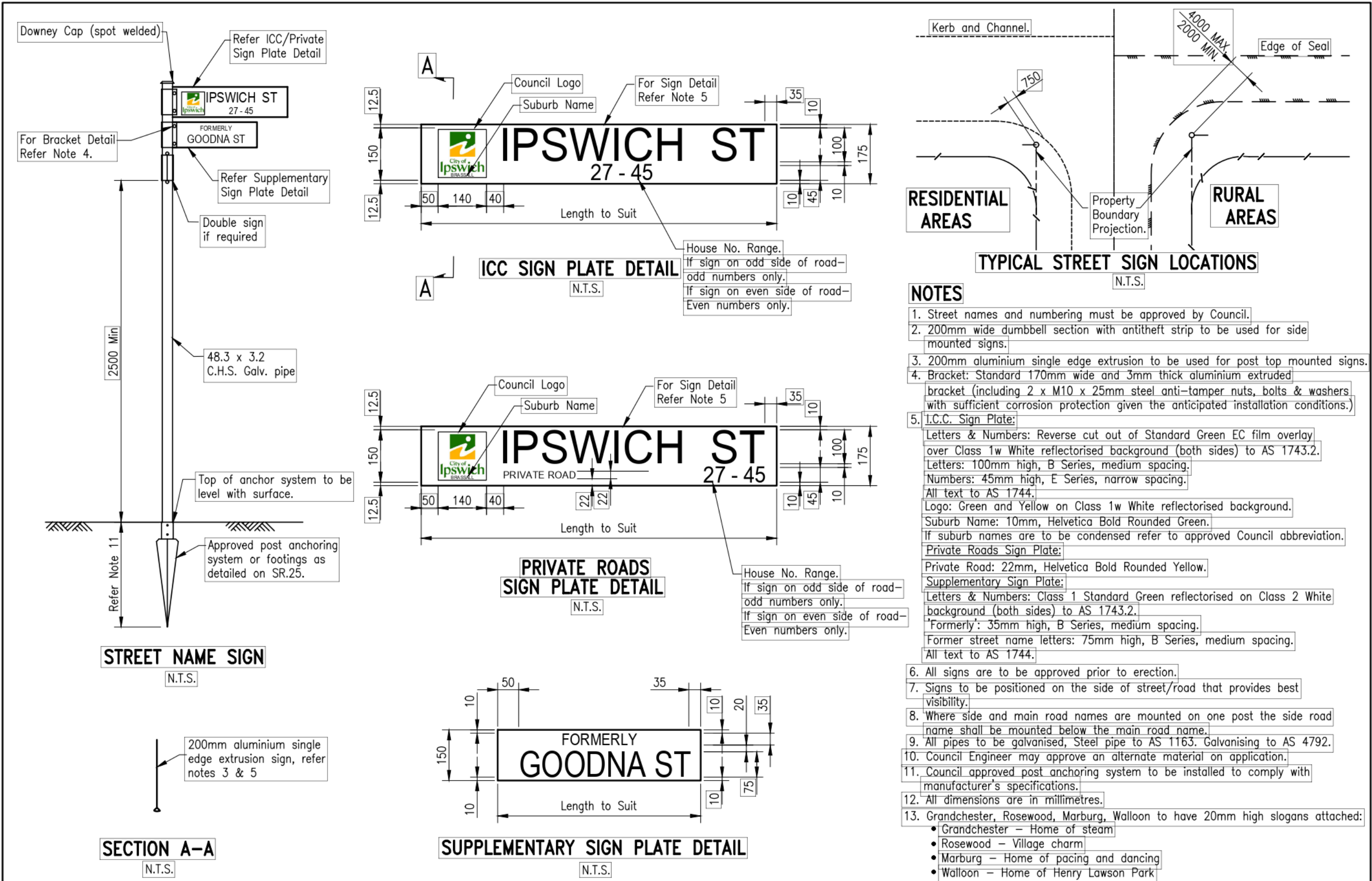
**GENERAL MANAGER - COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT**

I concur with the recommendations contained in this report.

Charlie Dill

**GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT**

***“Together, we proudly enhance the quality of life for our community”***



**IPSWICH CITY COUNCIL**  
P.O. Box 191 Ipswich QLD 4305 Australia  
Telephone: (07) 3810 6666  
Website: www.ipswichplanning.com.au

**STANDARD DRAWING**

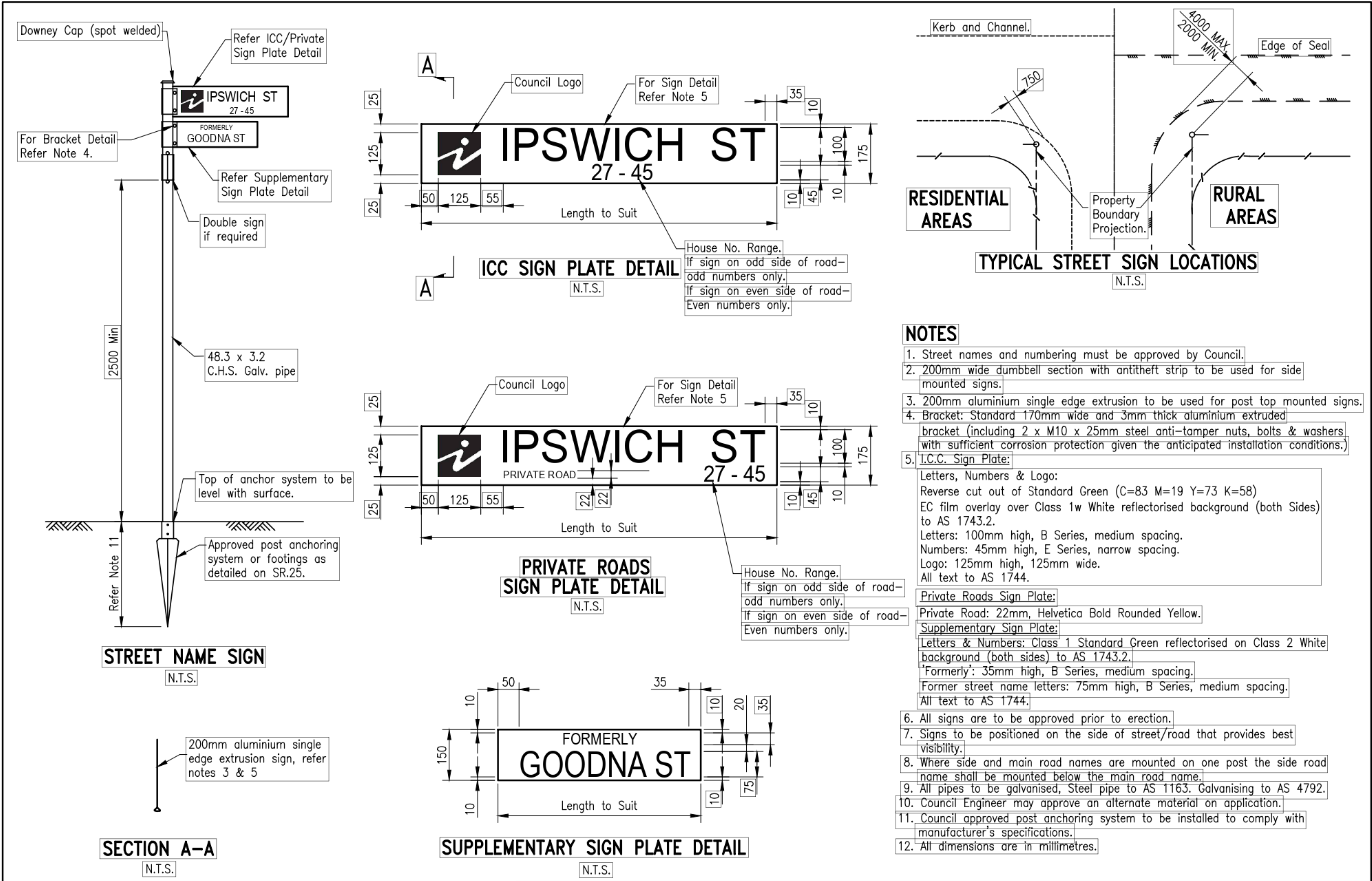
STANDARD  
STREET NAME SIGN

ROADWORKS

**SR.26**

REV: G DRAWER: 100





- NOTES**
1. Street names and numbering must be approved by Council.
  2. 200mm wide dumbbell section with antitheft strip to be used for side mounted signs.
  3. 200mm aluminium single edge extrusion to be used for post top mounted signs.
  4. Bracket: Standard 170mm wide and 3mm thick aluminium extruded bracket (including 2 x M10 x 25mm steel anti-tamper nuts, bolts & washers with sufficient corrosion protection given the anticipated installation conditions.)
  5. **I.C.C. Sign Plate:**  
Letters, Numbers & Logo:  
Reverse cut out of Standard Green (C=83 M=19 Y=73 K=58)  
EC film overlay over Class 1w White reflectorised background (both Sides) to AS 1743.2.  
Letters: 100mm high, B Series, medium spacing.  
Numbers: 45mm high, E Series, narrow spacing.  
Logo: 125mm high, 125mm wide.  
All text to AS 1744.  
**Private Roads Sign Plate:**  
Private Road: 22mm, Helvetica Bold Rounded Yellow.  
**Supplementary Sign Plate:**  
Letters & Numbers: Class 1 Standard Green reflectorised on Class 2 White background (both sides) to AS 1743.2.  
Formerly: 35mm high, B Series, medium spacing.  
Former street name letters: 75mm high, B Series, medium spacing.  
All text to AS 1744.
  6. All signs are to be approved prior to erection.
  7. Signs to be positioned on the side of street/road that provides best visibility.
  8. Where side and main road names are mounted on one post the side road name shall be mounted below the main road name.
  9. All pipes to be galvanised, Steel pipe to AS 1163. Galvanising to AS 4792.
  10. Council Engineer may approve an alternate material on application.
  11. Council approved post anchoring system to be installed to comply with manufacturer's specifications.
  12. All dimensions are in millimetres.

REVISIONS				AMENDMENT			
NO.	DATE	INITIALS	REVISIONS	NO.	DATE	INITIALS	AMENDMENT
F			Notes and references amended.				
E			Notes 2 & 4 altered				
D			Private Road & Formerly Sign Plate added, Min. Height amended				
C			Notes altered, Note 12 added, Aust Std updated, Posts updated				
B			Footings details changed to include post anchor system.				
A			ORIGINAL ISSUE				

	<b>IPSWICH CITY COUNCIL</b> P.O. Box 191 Ipswich QLD 4305 Australia Telephone: (07) 3810 6666 Website: www.ipswichplanning.com.au
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<b>STANDARD DRAWING</b>	
STANDARD STREET NAME SIGN	

ROADWORKS	
SR.26	
REV: H	DRAWER: 100

Doc ID No: A5810783

ITEM: 2  
SUBJECT: 5 YEAR REVIEW OF THE WATER NETSERV PLAN  
AUTHOR: MANAGER, CITY DESIGN  
DATE: 25 SEPTEMBER 2019

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## EXECUTIVE SUMMARY

This is a report concerning the statutory 5 year review of the Water Netserv Plan and request for endorsement of the planning assumptions for the Ipswich local government area as proposed by Queensland Urban Utilities (QUU) in the proposed Water Netserv Plan (Part A) 2019.

QUU formally requested Council's endorsement by letter dated 27 August 2019. Discussions were held between Council and QUU officers to facilitate the review of the proposed planning assumptions. This review resulted in a revised Water Netserv Plan (Part A) 2019 being provided which includes planning assumptions that are consistent with Council's Local Government Infrastructure Plan, and endorsement is therefore being recommended.

## RECOMMENDATION/S

**That the Interim Administrator of Ipswich City Council resolve:**

- A. That Council (Interim Administrator of Ipswich City Council) endorse the planning assumptions for the Ipswich local government area only proposed by Queensland Urban Utilities as detailed in Attachment 1 pursuant to s99BR of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, as being consistent with the planning assumptions included in the Ipswich Local Government Infrastructure Plan.**
- B. That the Manager, City Design be requested to advise Queensland Urban Utilities of Council endorsement by letter.**
- C. That the Manager, City Design be authorised to continue to liaise with Queensland Urban Utilities to ensure consistency between their Water Netserv Plan and Council's Local Government Infrastructure Plan for development both inside and outside of the Priority Infrastructure Area.**

## RELATED PARTIES

The statutory 5 year review of the Water Netserv Plan is specifically relevant to Queensland Urban Utilities and Ipswich City Council. The Water Netserv Plan is also relevant to the

development industry for the purposes of water and sewer infrastructure connections and network provision.

### **ADVANCE IPSWICH THEME**

Managing growth and delivering key infrastructure

Listening, leading and financial management

### **PURPOSE OF REPORT/BACKGROUND**

The *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* (SEQ Water Act) requires that the Water Netserv Plan state the relevant planning assumptions on which the plan is based, including assumptions about the type, scale, location and timing of development.

The planning assumptions in the Water Netserv Plan are required to be consistent with the planning assumptions stated in the Local Government Infrastructure Plans of Queensland Urban Utilities (QUU) participating local governments.

QUU must seek endorsement from each of its participating local governments that the proposed planning assumptions in the Water Netserv Plan are consistent with the planning assumptions for that local government area.

The SEQ Water Act states that participating local governments must review and endorse the proposed Water Netserv Plan (Part A) 2019 as being consistent with the planning assumptions for its local government area.

Review of the planning assumptions contained in the proposed Water Netserv Plan (Part A) 2019 was undertaken having regard to the Ipswich Local Government Infrastructure Plan and Ipswich Planning Scheme.

Following discussion and subsequent amendment of the proposed Water Netserv Plan (Part A) 2019, the planning assumptions for the Ipswich local government area only (included as an extract - refer to Attachment 1) are considered to be generally consistent with the Ipswich Local Government Infrastructure Plan.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:

*Planning Act 2016*

*South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*

### **RISK MANAGEMENT IMPLICATIONS**

There is risk that the development industry will not support the proposed Water Netserv Plan (Part A) 2019 as facilitating growth and development in the Ipswich local government area. These risks may be mitigated by:

- ensuring alignment of the planning assumptions in the proposed Water Netserv Plan (Part A) 2019 with the planning assumptions in the Ipswich Local Government Infrastructure Plan to ensure a consistent basis for infrastructure planning and delivery by Council and QUU;
- consulting with the community, representative development industry organisations and major developers by Queensland Urban Utilities; and
- aligning the connection area and future connection areas in the proposed Water Netserv Plan (Part A) 2019 with various land use planning instruments, including the zoning in the Ipswich Planning Scheme and timings in the Ipswich Local Government Infrastructure Plan.

These risks will be managed by Queensland Urban Utilities in accordance with the relevant provisions of State government legislation, policies, plans and statutory guidance, including on-going updating of the planning assumptions as changes are made.

### FINANCIAL/RESOURCE IMPLICATIONS

There are no specific financial or resource implications to Council relating to the endorsement of the planning assumptions included in the proposed Water Netserv Plan (Part A) 2019 other than sending the endorsement response.





### COMMUNITY AND OTHER CONSULTATION

QUU are required to consult with Council, and specifically meet Council's endorsement of the planning assumptions in the Water Netserv Plan. Endorsement was requested by letter dated 27 August 2019 (refer to Attachment 2). Public consultation is required to be undertaken by Queensland Urban Utilities pursuant to the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* following endorsement by participating local governments.

### CONCLUSION

It is proposed that the planning assumptions in the proposed Water Netserv Plan (Part A) 2019 as prepared by Queensland Urban Utilities be endorsed as being consistent with planning assumptions contained in the Ipswich Local Government Infrastructure Plan.

### ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Proposed Water Netserv Plan (Part A Extract) 2019  
2.	Letter of Request for Endorsement  

Dannielle Owen

**MANAGER, CITY DESIGN**

I concur with the recommendations contained in this report.

Brett Davey



**ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

***“Together, we proudly enhance the quality of life for our community”***

**Attachment 1**



# **WATER NETSERV PLAN (Part A)**

## **DRAFT – September 2019**

Draft Water Netserv Plan 2019 (Part A) – Urban Utilities | September 2019

## TABLE OF CONTENTS

1. Water Netserv Plan (Part A).....	7
1.1 Preliminary .....	7
1.2 Interpretation.....	8
2. Planning assumptions .....	9
2.1 Population and employment growth.....	14
2.2 Developable area .....	14
2.3 Infrastructure demand.....	16
3. Connection area and future connection area.....	17
4. Desired standards of service .....	18
5. Plans for trunk infrastructure .....	19
5.1 Plans for trunk infrastructure maps.....	19
5.2 Schedule of works.....	19
6. Demand management .....	20
7. Schedules .....	22
Schedule 1 Definitions and Abbreviations.....	22
Schedule 2 Connections Policy .....	27
Schedule 3 Charges schedule .....	52
Schedule 4 Infrastructure charges schedule .....	61
Schedule 5 Types of Trunk Infrastructure .....	98
Schedule 6 Extrinsic Material .....	99
Schedule 7 Mapping .....	101
Schedule 8 Schedule of Works .....	106
Schedule 9 Planning Density Assumptions.....	183
Schedule 10 Water Netserv Policy .....	205

## LIST OF TABLES

TABLE 1 RELATIONSHIP BETWEEN WATER NETSERV PLAN DEVELOPMENT CATEGORY AND TYPE AND LGIP USES .....	10
TABLE 2 POPULATION AND EMPLOYMENT ASSUMPTIONS .....	14
TABLE 3 DEVELOPABLE AREA CONSTRAINTS.....	14
TABLE 4 RESIDENTIAL DWELLINGS AND NON-RESIDENTIAL FLOOR SPACE ASSUMPTIONS SUMMARY.....	15
TABLE SC1.1 DEFINITION .....	22
TABLE SC1.2 ABBREVIATIONS .....	25
TABLE SC2.1.1 STANDARD CONNECTION ONLY.....	29
TABLE SC2.1.2 DISCONNECTION CRITERIA.....	31
TABLE SC2.1.3 STAGED CONNECTION CRITERIA .....	32
TABLE SC2.3.1 STANDARD CONDITIONS FOR STANDARD CONNECTIONS .....	41
TABLE SC2.8.1 DELEGATED CATEGORIES OF CONNECTIONS .....	51
TABLE SC3.3.1 SERVICE USE CHARGES IN EACH SHAREHOLDER COUNCIL .....	54
TABLE SC3.4.1 SERVICES ADVICE NOTICE, APPLICATION AND WORKS CHARGES .....	55
TABLE SC3.5.1 RESIDENTIAL ADOPTED INFRASTRUCTURE CHARGES FOR WATER AND WASTEWATER SERVICES FOR THE COUNCILS ..	61
TABLE SC3.5.2 NON-RESIDENTIAL ADOPTED INFRASTRUCTURE CHARGES FOR WATER AND WASTEWATER SERVICES FOR THE COUNCILS .....	67
TABLE SC3.5.3 RESIDENTIAL USE – WATER SUPPLY TRUNK INFRASTRUCTURE NETWORK FOR WATER SERVICE FOR IPSWICH CITY COUNCIL.....	75
TABLE SC3.5.4 RESIDENTIAL USE – WASTEWATER TRUNK INFRASTRUCTURE NETWORK FOR WASTEWATER SERVICE FOR IPSWICH CITY COUNCIL .....	77
TABLE SC3.5.5 NON-RESIDENTIAL USE – WATER SUPPLY TRUNK INFRASTRUCTURE NETWORK FOR WATER SERVICE FOR IPSWICH CITY COUNCIL .....	79
TABLE SC3.5.6 NON-RESIDENTIAL USE – WASTEWATER TRUNK INFRASTRUCTURE NETWORK FOR WASTEWATER SERVICE FOR IPSWICH CITY COUNCIL .....	81
TABLE SC4. 1 TYPES OF TRUNK INFRASTRUCTURE.....	98
TABLE SC5. 1 EXTRINSIC MATERIAL .....	99
TABLE SC7.1.1 WATER SUPPLY NETWORK SCHEDULE OF WORKS (ACACIA RIDGE, LOWER OXLEY CREEK).....	106
TABLE SC7.1.2 WATER SUPPLY NETWORK SCHEDULE OF WORKS (BARTLEY HILLS WSA) .....	107
TABLE SC7.1.3 WATER SUPPLY NETWORK SCHEDULE OF WORKS (MT CROSBY SOUTH) .....	108
TABLE SC7.1.4 WATER SUPPLY NETWORK SCHEDULE OF WORKS (EILDON HILL).....	109
TABLE SC7.1.5 WATER SUPPLY NETWORK SCHEDULE OF WORKS (FERNY GROVE).....	110
TABLE SC7.1.6 WATER SUPPLY NETWORK SCHEDULE OF WORKS (GREEN HILL) .....	111
TABLE SC7.1.7 WATER SUPPLY NETWORK SCHEDULE OF WORKS (KURABY AND KARAWATHA) .....	112
TABLE SC7.1.8 WATER SUPPLY NETWORK SCHEDULE OF WORKS (MT GRAVATT AND HOLLAND PARK) .....	115

TABLE SC7.1.9 WATER SUPPLY NETWORK SCHEDULE OF WORKS (NORTH PINE ASPLEY) .....	116
TABLE SC7.1.10 WATER SUPPLY NETWORK SCHEDULE OF WORKS (SPARKS HILL).....	117
TABLE SC7.1.11 WATER SUPPLY NETWORK SCHEDULE OF WORKS (TARRAGINDI) .....	118
TABLE SC7.1.12 WATER SUPPLY NETWORK SCHEDULE OF WORKS (INALA, RICHLANDS, AND FOREST LAKE) .....	119
TABLE SC7.1.13 WATER SUPPLY NETWORK SCHEDULE OF WORKS (IPSWICH) .....	120
TABLE SC7.1.14 WATER SUPPLY NETWORK SCHEDULE OF WORKS (LOCKYER VALLEY, FERNVALE AND LOWOOD WSS) .....	123
TABLE SC7.1.15 WATER SUPPLY NETWORK SCHEDULE OF WORKS (BEAUDESERT) .....	126
TABLE SC7.1.16 WATER SUPPLY NETWORK SCHEDULE OF WORKS (SOMERSET) .....	128
TABLE SC7.1.17 WATER SUPPLY NETWORK SCHEDULE OF WORKS (GRANTHAM) .....	130
TABLE SC7.2.1 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (BRISBANE CBD).....	132
TABLE SC7.2.2 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (BULIMBA CREEK).....	137
TABLE SC7.2.3 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (LUGGAGE POINT).....	138
TABLE SC7.2.4 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (SANDGATE) .....	144
TABLE SC7.2.5 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (LOWER OXLEY CREEK) .....	145
TABLE SC7.2.6 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (RIPLEY VALLEY PDA).....	149
TABLE SC7.2.7 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (BUNDAMBA AND TIVOLI) .....	152
TABLE SC7.2.8 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (GOODNA).....	155
TABLE SC7.2.9 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (WESTERN IPSWICH) .....	158
TABLE SC7.2.10 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (LOCKYER VALLEY) .....	159
TABLE SC7.2.11 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (BEAUDESERT) .....	161
TABLE SC7.2.12 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (SCENIC RIM).....	163
TABLE SC7.2.13 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (SOMERSET) .....	165
TABLE SC7.2.14 WASTEWATER SUPPLY NETWORK SCHEDULE OF WORKS (TOOGOO LAH) .....	166
TABLE SC7.3.1 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (BEAUDESERT) .....	167
TABLE SC7.3.2 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (CANUNGRA).....	168
TABLE SC7.3.3 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (CAROLE PARK) .....	169
TABLE SC7.3.4 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (FERNVALE AND LOWOOD) .....	170
TABLE SC7.3.5 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (GATTON) .....	171
TABLE SC7.3.6 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (GIBSON ISLAND).....	172
TABLE SC7.3.7 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (GOODNA) .....	173
TABLE SC7.3.8 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (KALBAR).....	174
TABLE SC7.3.9 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (KARANA DOWNS).....	175
TABLE SC7.3.10 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (KILCOY).....	176
TABLE SC7.3.11 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (LAIDLEY) .....	177

TABLE SC7.3.12 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (LUGGAGE POINT).....	178
TABLE SC7.3.13 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (OXLEY).....	179
TABLE SC7.3.14 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (PLAINLAND DIVERSION TO LAIDLEY).....	180
TABLE SC7.3.15 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (ROSEWOOD AND WALLOON) .....	181
TABLE SC7.3.16 TREATMENT SUPPLY NETWORK SCHEDULE OF WORKS (TOOGOO LAH).....	182
TABLE SC8.1 BRISBANE PLANNING DENSITY.....	183
TABLE SC8.2 IPSWICH PLANNING DENSITY.....	196
TABLE SC8.3 LOCKYER VALLEY PLANNING DENSITY .....	202
TABLE SC8.4 SCENIC RIM PLANNING DENSITY .....	203
TABLE SC8.5 SOMERSET PLANNING DENSITY.....	204

## 2. Planning assumptions

- (1) The planning assumptions state the assumptions about:
  - (a) population and employment growth;
  - (b) the type, scale, location and timing of future development and future growth including the demand for each trunk infrastructure network.
- (2) The planning assumptions together with the desired standards of service form a basis for the planning of the trunk infrastructure networks and the determination of the connection area and future connection area.
- (3) The planning assumptions have been prepared for:
  - (a) the base date of 2016 and the following projection years to accord with future Australian Bureau of Statistics census years:
    - (i) mid 2016;
    - (ii) mid 2021;
    - (iii) mid 2026;
    - (iv) mid 2031;
    - (v) ultimate; and
  - (b) the development types in column 2 that include the uses in column 3 to column 8 of Table 1.
- (4) Details of the methodology used to prepare the planning assumptions are stated in the extrinsic material.

Item 2 / Attachment 1.

Table 1 Relationship between Water Netserv Plan development category and type and LGIP uses

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
Development category	Development type	Brisbane Uses	Ipswich City Council Uses		Lockyer Valley Uses		Scenic Rim Uses	Somerset Uses
			Ipswich Planning Scheme	Springfield Structure Plan	Gatton	Laidley		
Residential development	Dwelling house	Detached dwelling Residential	Caretaker residential Single residential	Caretakers' residence Detached house Relatives' flat	Caretaker's residence Small lot house	Caretaker's residence Secondary rural dwelling	Sales office	Caretaker's accommodation Dwelling house
	Multiple dwelling	Attached dwelling Residential	Dual occupancy Institutional residential Multiple dwelling	Apartment building Attached house Dual Occupancy	Accommodation units Annexed unit	Accommodation units Apartment	Caretaker's accommodation Community residence	Hostel Retirement facility Short-term accommodation
	Other dwelling	Short term accommodation Long term accommodation Residential hotel Community residence		Student accommodation Caravan park Tenement building Institutional residence Retirement community	Bed and breakfast accommodation Caravan park Eco tourism facility Farm worker's accommodation Motel	Caravan park Motel Removal house Tourist accommodation	Home based business Nature-based tourism Non-resident workforce accommodation Relocatable home park Resort complex Retirement facility Rooming accommodation Rural workers' accommodation Short-term accommodation Tourist park	Community residence Home based business Non-resident workforce accommodation Relocatable home park Residential care facility Rural workers accommodation Tourist park
Non-residential development	Retail	Retail Shop Food services Arts & recreation Showroom Retail warehouse & bulky goods	Business use (where predominately for retail – e.g. shop) Catering shop Entertainment use General store Shopping centre	Auction depot Catering business Club Commercial premises (where predominately retail – e.g. commercial purpose) Community building (kiosk centre) Fast food premises Garden centre General store	Arts, crafts and antiques Catering shop Hotel Indoor Entertainment Outdoor Entertainment Service Station Shop Showroom	Bulk retail Catering room General store Hotel Indoor entertainment Refreshment service Service station Shop Sport and recreation	Adult store Bar Car wash Child care centre Educational establishment Food and drink outlet Function facility Health care services Hotel Indoor sport and recreation	Adult store Agricultural supplies store Car park Food and drink outlet Garden centre Hardware and trade supplies Market Outdoor sales Sales office Service station



Item 2 / Attachment 1.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
Development category	Development type	Brisbane Uses	Ipswich City Council Uses		Lockyer Valley Uses		Scenic Rim Uses	Somerset Uses
			Ipswich Planning Scheme	Springfield Structure Plan	Gatton	Laidley		
				Hotel Indoor entertainment Landscape supply outlet Licensed club Local shops Major shopping centre Motor showroom Neighbourhood shopping centre Neighbourhood centre Night club Produce store Produce /craft market Reception and function rooms Restaurant Retail warehouse Sale of automotive parts and accessories Service station Tavern			Major sport, recreation and entertainment facility Market Motor sport facility Nightclub entertainment facility Office Outdoor sport and recreation Parking station Service industry, Service station Shop Shopping centre Theatre Tourist attraction Veterinary services	Shop Shopping Centre Showroom
	Commercial	Non-residential commercial (office) - office	Business use (where predominately for commercial – e.g. office) Broadcasting station Display housing Temporary sales office	Child care centre Commercial premises (business office) Professional office Public building Radio station Real estate display/sales office Television station	Commercial premises Health care premises	Commercial premises Estate sales Office Medical/paramedical centre Veterinary hospital	Garden centre Hardware and trade supplies Outdoor sales Showroom	Club Function facility Hotel Indoor sport & recreation Nightclub entertainment facility Office Tourist attraction Veterinary services
	Industry	Non-Residential Industry Medium impact industry	General industry Nuclear industry Service/Trades use Special industry	Automatic car wash Bulk store Car repair station Concrete batching	Animal Product Processing Industry Extractive industry Industry	Car repair station Extractive industry Industry Light industry	Brothel Bulk landscape supplies Extractive industry Low impact industry	Extractive industry High impact industry Low impact industry Medium impact

Item 2 / Attachment 1.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
Development category	Development type	Brisbane Uses	Ipswich City Council Uses		Lockyer Valley Uses		Scenic Rim Uses	Somerset Uses
			Ipswich Planning Scheme	Springfield Structure Plan	Gatton	Laidley		
		Low impact industry Warehouse (bulk stores & logistics)		plant Dangerous goods store Freight depot Fuel depot General industry Junk yard Light industry Milk depot Mini storage complex Plant sales and hire yard Research and associated technology activities Service industry Special industry Storage yard Transport depot Transport terminal Truck depot Vehicle wrecking yard Warehouse	Rural Service Industry Service Trade Transport Depot Warehouse	Liquid fuel depot Medium industry Noxious, offensive and hazardous industry Road freight depot Rural processing Transport depot	High impact industry Medium impact industry Research and technology industry Special industry Transport depot Warehouse	industry Service industry Transport depot Warehouse
	Community purposes	Education facility except an educational establishment for the Flying Start for Queensland Children program Educational establishment for the Flying Start for Queensland Children program Health care services Community use	Community building Funeral parlour Emergency services depot Hospital Place of public worship Educational establishment Reformation institution	Community building Place of public worship Funeral parlour Educational establishment Reformation institution Emergency services depot Hospital	Education establishment Special purpose	Child care facility Education establishment Emergency services depot Funeral parlour Hospital Place of assembly Place of worship Warehouse	Cemetery Club Community care centre Community use Crematorium Detention facility Emergency services Funeral parlour Hospital Outstation Place of worship Residential care facility	Cemetery Childcare centre Community care centre Crematorium Community use Educational establishment Emergency services Funeral parlour Hospital Health care services Hospital Motor sport facility Outdoor sport and

Item 2 / Attachment 1.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
Development category	Development type	Brisbane Uses	Ipswich City Council Uses		Lockyer Valley Uses		Scenic Rim Uses	Somerset Uses
			Ipswich Planning Scheme	Springfield Structure Plan	Gatton	Laidley		
								recreation Park Place of Worship
	Rural and other uses	Non-residential low impact rural-animal husbandry Non-residential stormwater Stormwater impervious area	Veterinary clinic Veterinary hospital	Veterinary clinic Veterinary hospital	Agriculture Animal husbandry Home based business Intensive agriculture Intensive animal industries Local utility Off-street carpark Park Roadside stall Telecommunication facility Transport terminal	Agriculture Animal husbandry Aviation Feedlot Forestry Home based business Home occupation Intensive animal industries Junk yard Kennels Passenger terminal Public facility Public infrastructure Roadside stall	Agricultural supplies store Animal husbandry Animal keeping Aquaculture Cropping Intensive animal industry Intensive horticulture Permanent plantation Roadside stall Rural industry Wholesale nursery Winery Air services Environment facility Landing Major electricity infrastructure Park Renewable energy facility Substation Telecommunication facility Utility installation	Air services, Animal husbandry, Animal keeping; Aquaculture, Cropping, Intensive animal industry, Intensive horticulture, Major electrical infrastructure, Permanent plantation Renewable energy facility Roadside stall Rural industry Substation Telecommunications facility Utility installation Winery

## 2.1 Population and employment growth

A summary of the assumptions about population and employment growth for this plan's area is stated in Table 2.

**Table 2 Population and employment assumptions**

Column 1	Column 2				
Description	Assumptions				
	2016 (Base date)	2021	2026	2031	Ultimate
<b>Population</b>					
<b>Brisbane</b>	1,164,862	1,224,585	1,279,119	1,342,550	1,529,197
<b>Ipswich</b>	202,215	270,820	354,216	435,897	518,668
<b>Lockyer Valley</b>	39,811	43,835	48,218	52,732	90,068
<b>Scenic Rim</b>	40,348	45,265	51,918	58,318	79,820
<b>Somerset</b>	25,616	28,726	31,616	34,416	46,883
<b>Total</b>	1,472,852	1,613,231	1,765,087	1,923,913	2,264,636
<b>Employment</b>					
<b>Brisbane</b>	848,682	928,708	1,003,392	1,083,306	1,610,196
<b>Ipswich</b>	68,593	93,051	118,088	153,333	291,405
<b>Lockyer Valley</b>	11,481	12,555	13,698	14,903	19,922
<b>Scenic Rim</b>	14,152	15,381	16,828	18,491	21,745
<b>Somerset</b>	5,541	6,073	6,566	9,174	5,029
<b>Total</b>	948,449	1,055,768	1,158,572	1,279,207	1,948,297

## 2.2 Developable area

- (1) The developable area is land zoned for residential (not including rural residential for wastewater), industrial, retail or commercial purposes and not affected by developable area constraint stated in Table 3.

**Table 3 Developable area constraints**

Developable area constraint		
Agricultural land classification - class A and B	Key resource area - resource / processing area	Key resource area - separation area
Key resource area - transport route	Key resource area - transport route	MSES - Protected areas (estate)
MSES - Protected areas (nature refuge)	separation area	MSES - Declared fish habitat area
MSES - Wildlife habitat	MSES - Marine park	MSES - Regulated vegetation (category C)
MSES - Regulated vegetation (category R)	MSES - Regulated vegetation (category B)	MSES - Regulated vegetation (wetland)
MSES - Regulated vegetation (intersecting a watercourse)	MSES - Regulated vegetation (essential habitat)	MSES - High ecological significance wetlands
MSES - High ecological value waters (wetland)	MSES - Strategic environmental areas (designated precinct)	MSES - Legally secured offset area (offset register)
MSES - Legally secured offset area (regulated vegetation offsets)	MSES - High ecological value waters (watercourse)	High pressure gas pipeline
Bushfire prone area	High ecological value water areas	High potential bushfire intensity
		Medium storm tide inundation area
		Water treatment plants and water quality

## Item 2 / Attachment 1.

Developable area constraint		
Medium potential bushfire intensity	Very high potential bushfire intensity	facilities (Seqwater)
High storm tide inundation area	Erosion prone area	Facilities for extracting ground water (Seqwater)
Pipelines and channels (Seqwater)	Pump station facilities and reservoir facilities (Seqwater)	Major electricity infrastructure (Energex)
Major electricity infrastructure (Powerlink)	Bulk water storage infrastructure (Seqwater)	Future State-controlled road
Electricity substation (Energex)	Electricity substation (Powerlink)	Busway corridor
Railway corridor	State-controlled road	Future light rail corridor
Future busway corridor	Future railway corridor	Flood Hazard Area
	Light rail corridor	

(2) The planned density for future development is stated in Tables SC8.1 to SC8.5 in Schedule 8.

(3) A summary of the assumptions about future residential and non-residential development for this plan's area is stated in Table 4.

**Table 4 Residential dwellings and non-residential floor space assumptions summary**

Column 1	Column 2				
Description	Assumptions				
	2016 (Base date)	2021	2026	2031	Ultimate
<b>Residential dwellings</b>					
<b>Brisbane</b>	454,019	486,941	513,915	545,262	629,938
<b>Ipswich</b>	74,787	106,450	146,617	186,882	230,870
<b>Lockyer Valley</b>	14,891	16,456	18,165	19,935	34,175
<b>Scenic Rim</b>	16,928	18,898	21,568	24,166	33,438
<b>Somerset</b>	10,133	11,496	12,857	14,219	19,830
<b>Total</b>	570,758	640,241	713,122	790,464	948,251
<b>Non-residential floor space (m<sup>2</sup> GFA)</b>					
<b>Brisbane</b>	34,805,370	37,517,792	40,498,863	43,539,118	58,762,090
<b>Ipswich</b>	3,299,956	4,315,634	5,726,167	7,434,376	17,498,830
<b>Lockyer Valley</b>	562,732	623,519	688,274	756,449	1,322,712
<b>Scenic Rim</b>	614,387	662,464	725,686	805,066	956,118
<b>Somerset</b>	393,182	430,212	464,623	646,409	357,462
<b>Total</b>	39,675,627	43,549,621	48,103,613	53,181,418	78,897,212

## SCHEDULES

SC9.3 Ipswich planning density

Table SC9.4 Ipswich planning density

Column 1 Planning Scheme Zones	Column 2 Planning Scheme Precincts	Column 3 LGIP Development Type	Column 4 Planned Density		Column 5 Demand Generation Rate for a Trunk Infrastructure Network	
			Non-residential m2 GFA/ha	Residential density (dwellings/ha)	Water Supply	Wastewater
Urban Areas Locality						
Large Lot Residential	-	Detached dwelling	-	2.5	6.9	6.9
Residential Low Density	-	Detached dwelling (RL1)	-	5.0	13.7	13.7
	-	Detached dwelling (RL2)	-	12.0	32.9	32.9
Residential Medium Density	-	Attached dwelling (RM2, RM3)	-	50.0	79.0	79.0
	-	Attached dwelling (RM1)	-	75.0	118.5	118.5
Character Areas - Housing	-	Detached dwelling (CHL)	-	10.0	27.4	27.4
	-	Attached dwelling (CHM)	-	50.0	79.0	79.0
Future Urban	-	Detached dwelling (FU3)	-	2.5	6.9	6.9
	-	Detached dwelling (FU-RL5)	-	8.0	21.9	21.9
	-	Detached dwelling (FU2, FU2-RL4, FU4-RL2, FU5)	-	10.0	27.4	27.4
	-	Detached dwelling (FU2-RL3)	-	12.0	32.9	32.9
	-	Detached dwelling (FU2-RL1,FU2- RL2)	-	13.0	35.6	35.6
	-	Attached dwelling (FU2-RM2,FU4- RM2)	-	50.0	79.0	79.0
	-	Attached dwelling (FU2-RM1, FU2- SA3, FU4-RM1)	-	75.0	118.5	118.5
	-	Retail (FU2-LN, FU2-MN)	2,500	-	12.5	12.5
	-	Retail (FU4-PBA, FU4-SCA)	4,000	-	20.0	20.0
	-	Commercial (FU4-PBA, FU4-SCA)	1,000	-	8.0	8.0
	-	Commercial (FU2-LN, FU2-MN)	2,500	-	20.0	20.0
	-	Industrial (FU4-RBIL, FU4-SOA3)	5,000	-	10.0	10.0
Major Centres	-	Retail	4,000	-	20.0	20.0
	-	Commercial	1,000	-	8.0	8.0
Local Retail and Commercial	-	Retail	2,500	-	12.5	12.5
	-	Commercial	2,500	-	20.0	20.0

196

Item 2 / Attachment 1.

Column 1 Planning Scheme Zones	Column 2 Planning Scheme Precincts	Column 3 LGIP Development Type	Column 4 Planned Density		Column 5 Demand Generation Rate for a Trunk Infrastructure Network	
			Non-residential m2 GFA/ha	Residential density (dwellings/ha)	Water Supply	Wastewater
Urban Areas Locality						
Local Business and Industry	-	Industrial	5,000	-	10.0	10.0
Local Business and Industry Investigation	-	Industrial	2,000	-	4.0	4.0
Local Business and Industry Buffer	-	Industrial	667	-	1.3	1.3
Character Areas - Mixed Use	-	Detached dwelling	-	10.0	27.4	27.4
	-	Commercial	3,000	-	24.0	24.0
Business Incubator	-	Industrial	5,000	-	10.0	10.0
Bundamba Racecourse Stables Area	-	Detached Dwelling	-	10	27.4	27.4
Recreation	-	-	-	-	-	-
Conservation	-	-	-	-	-	-
Limited Development (Constrained)	-	Detached dwelling	-	1 / lot		
Special Uses	-	Detached dwelling (SU55)	-	1.0	2.7	2.7
	-	Detached dwelling (SU14,SU26)	-	10.0	27.4	27.4
	-	Detached dwelling (FU2-SA2)	-	8.0	21.9	21.9
	-	Detached dwelling (FU2-SA1,FU2-SA4)	-	13.0	35.6	35.6
	-	Attached dwelling (SU41, SU42, SU43, SU44, SU45)	-	40.0	63.2	63.2
	-	Attached dwelling (SU12, SU13)	-	50.0	79.0	79.0
	-	Retail (SU68, SU76)	2,500	-	12.5	12.5
	-	Retail (SU35, SU36, SU37, SU38, SU40, SU47)	5,000	-	25.0	25.0
	-	Commercial (SU53)	2,400	-	19.2	19.2
	-	Commercial (SU68, SU76)	2,500	-	20.0	20.0
	-	Commercial (SU30, SU31, SU46, SU49, SU50, SU58, SU80)	5,000	-	40.0	40.0
	-	Industrial (SU74, SU75)	133	-	0.3	0.3
	-	Industrial (SU54)	3,000	-	6.0	6.0
	-	Industrial (SU67)	4,000	-	8.0	8.0

197



Item 2 / Attachment 1.

Column 1 Planning Scheme Zones	Column 2 Planning Scheme Precincts	Column 3 LGIP Development Type	Column 4 Planned Density		Column 5 Demand Generation Rate for a Trunk Infrastructure Network	
			Non-residential m2 GFA/ha	Residential density (dwellings/ha)	Water Supply	Wastewater
Urban Areas Locality						
	-	Industrial (SU25, SU72, SU73)	5,000	-	10.0	10.0
Special Opportunity Areas	-	Detached dwelling (SA45)	-	1 / lot	2.7	2.7
	-	Detached dwelling (SA40)	-	1.0	2.7	2.7
	-	Detached dwelling (SA7, SA26, SA39, SA41, SA42, FU4-SOA1, FU4-SOA5)	-	2.5	6.9	6.9
	-	Detached dwelling (SA30)	-	3.0	8.2	8.2
	-	Detached dwelling (SA2, SA15, SA16, SA21, SA33, SA34, SA35, SA36, SA37, FU4-SOA2, FU4-SOA4)	-	10.0	27.4	27.4
	-	Detached dwelling (SA31)	-	13.0	35.6	35.6
	-	Attached dwelling (SA8, SA10)	-	30.0	47.4	47.4
	-	Attached dwelling (SA4, SA22, SA23, SA24)	-	50.0	79.0	79.0
	-	Attached dwelling (SA6)	-	75.0	118.5	118.5
	-	Retail (SA19)	1,200	-	6.0	6.0
	-	Retail (SA13, SA14, SA43, SA45)	2,500	-	12.5	12.5
	-	Commercial (SA28)	400	-	3.2	3.2
	-	Commercial (SA45)	1,000	-	8.0	8.0
	-	Commercial (SA19)	1,200	-	9.6	9.6
	-	Commercial (SA2)	1,600	-	12.8	12.8
	-	Commercial (SA13, SA14, SA43)	2,500	-	20.0	20.0
	-	Industrial (SA28)	667	-	1.3	1.3
	-	Industrial (SA32)	1,333	-	2.7	2.7
	-	Industrial (SA5, SA9, SA25, SA29)	5,000	-	10.0	10.0
City Centre Locality						
CBD Primary Retail	-	Attached dwelling	-	75.0	118.5	118.5
	-	Retail	32,000	-	160.0	160.0
	-	Commercial	8,000	-	64.0	64.0
CBD North – Secondary Business	-	Retail	10,000	-	50.0	50.0
CBD Primary Commercial	-	Attached dwelling	-	75.0	118.5	118.5
	-	Retail	8,000	-	40.0	40.0

198

Item 2 / Attachment 1.

Column 1 Planning Scheme Zones	Column 2 Planning Scheme Precincts	Column 3 LGIP Development Type	Column 4 Planned Density		Column 5 Demand Generation Rate for a Trunk Infrastructure Network	
			Non-residential m2 GFA/ha	Residential density (dwellings/ha)	Water Supply	Wastewater
Urban Areas Locality						
CBD Top of Town	-	Commercial	32,000	-	256.0	256.0
	-	Attached dwelling	-	20.0	31.6	31.6
	-	Retail	6,000	-	30.0	30.0
	-	Commercial	4,000	-	32.0	32.0
CBD Medical Services	-	Attached dwelling	-	15.0	23.7	23.7
	-	Commercial	10,000	-	80.0	80.0
CBD Residential High Density	-	Attached dwelling (RHD1)	-	100.0	158.0	158.0
	-	Attached dwelling (RHD)	-	150.0	237.0	237.0
Regionally Significant Business Enterprise and Industry Areas Locality						
Regional Business and Industry	-	Industrial (RB2L, RB2M)	4,000	-	8.0	8.0
	-	Industrial (RB1L, RB1M, RB3L, RB3M, RB4L, RB4M)	5,000	-	10.0	10.0
Regional Business and Industry Investigation	-	Industrial (RBIA1.3)	1,750	-	3.5	3.5
	-	Industrial (RBIA2, RBIA2.1, RBIA3,RBIA3.1)	2,600	-	5.2	5.2
	-	Industrial (RBIA1, RBIA1.4, RBIA4, CSE)	5,000	-	10.0	10.0
Regional Business and Industry Buffer	-	-	-	-	-	-
Special Uses	-	-	-	-	-	-
Business Park	-	-	-	-	-	-
Recreation	-	-	-	-	-	-
Amberley Locality						
Amberley Air Base and Aviation Zone	-	Attached dwelling	-	250.0	395	395
Rosewood Locality						
Town Centre	-	Retail (TCS)	2,500	-	12.5	12.5
	-	Retail (TCP)	4,000	-	20.0	20.0
	-	Commercial (TCP)	500	-	4.0	4.0
	-	Commercial (TCS)	2,500	-	20.0	20.0
Service Trades and Showgrounds	-	Industrial	4,000	-	8.0	8.0
Character Areas – Housing	-	(CHL)	-	-	-	-
	-	(CHM)	-	-	-	-

199

Item 2 / Attachment 1.

Column 1 Planning Scheme Zones	Column 2 Planning Scheme Precincts	Column 3 LGIP Development Type	Column 4 Planned Density		Column 5 Demand Generation Rate for a Trunk Infrastructure Network	
			Non-residential m2 GFA/ha	Residential density (dwellings/ha)	Water Supply	Wastewater
Urban Areas Locality						
Residential Low Density	-	Detached dwelling	-	12.0	32.9	32.9
Residential Medium Density	-	-	-	-	-	-
Urban Investigation Areas	-	Detached dwelling	-	10.0	27.4	27.4
Recreation	-		-	-	-	-
Special Uses	-		-	-	-	-
Townships Locality						
Township Residential	-	Detached dwelling (TR1)	-	2.0	5.5	5.5
	-	Detached dwelling (TR)	-	2.5	6.9	6.9
Township Character Housing	-	Detached dwelling (TCH1)	-	2.0	5.5	5.5
	-	Detached dwelling (TCH)	-	2.5	6.9	6.9
Township Character Mixed	-	Detached dwelling	-	10.0	27.4	27.4
	-	Commercial	800	-	6.4	6.4
Township Business	-	Retail	2,500	-	12.5	12.5
	-	Commercial	2,500	-	20.0	20.0
Showgrounds, Sport, Recreation, Service Trades and Trotting	-	-	-	-	-	-
Special Use	-	-	-	-	-	-
Rural Areas Locality						
Rural A (Agricultural)	-	Detached dwelling	-	1 / lot		
Rural B (Pastoral)	-	Detached dwelling	-	1 / lot		
Rural C (Rural Living)	-	Detached dwelling	-	1 / lot		
Rural D (Conservation)	-	Detached dwelling	-	1 / lot		
Rural E (Special Land Management)	-	Detached dwelling	-	1 / lot		
Special Uses	-	-	-	-	-	-
Springfield Locality						
Springfield Community Residential	-	Detached dwelling	-	12.0	32.9	32.9
Brookwater Activity Centre	-	Attached dwelling	-	150.0	237.0	237.0
	-	Retail	300	-	1.5	1.5
	-	Commercial	700	-	5.6	5.6
Neighbourhood Centres	-	Retail	2,500	-	12.5	12.5
	-	Commercial	2,500	-	20.0	20.0
Springfield Town Centre 1	-	Attached dwelling	-	2415.0	0.0	0.0

200

Item 2 / Attachment 1.

Column 1 Planning Scheme Zones	Column 2 Planning Scheme Precincts	Column 3 LGIP Development Type	Column 4 Planned Density		Column 5 Demand Generation Rate for a Trunk Infrastructure Network	
			Non-residential m2 GFA/ha	Residential density (dwellings/ha)	Water Supply	Wastewater
Urban Areas Locality						
Springfield Town Centre 3/9	-	Retail	3,658	-	18.3	18.3
	-	Commercial	537	-	4.3	4.3
	-	Attached dwelling	-	1,900.0	0.0	0.0
	-	Commercial	2,516	-	20.1	20.1
Springfield Town Centre 4	-	Attached dwelling	-	2,700.0	4266.0	4266.0
	-	Retail	85	-	0.4	0.4
	-	Commercial	85	-	0.7	0.7
Springfield Town Centre 5	-	Attached dwelling	-	6,500.0	10,270.0	10,270.0
	-	Commercial	1,500	-	12.0	12.0
Springfield Town Centre 6	-	Commercial	1,405	-	11.2	11.2
	-	Industrial	5,150	-	10.3	10.3
Springfield Town Centre 7	-	Attached dwelling	-	300.0	0.0	0.0
	-	Commercial	4,722	-	37.8	37.8
Springfield Town Centre 10	-	Attached dwelling	-	600.0	0.0	0.0
Springfield Town Centre 12	-	Attached dwelling	-	2,500.0	0.0	0.0
	-	Commercial	2,937	-	23.5	23.5
Springfield Town Centre 13	-	Attached dwelling	-	800.0	0.0	0.0
	-	Commercial	1,333	-	10.7	10.7
Springfield Town Centre 14	-	Attached dwelling	-	300.0	0.0	0.0
	-	Commercial	357	-	2.9	2.9
Springfield Town Centre 15	-	Attached dwelling	-	1,000.0	0.0	0.0
Springfield Town Centre 18	-	Attached dwelling	-	640.0	0.0	0.0
	-	Retail	2,000	-	10.0	10.0
	-	Commercial	2,000	-	16.0	16.0
Springfield Town Centre 19	-	Attached dwelling	-	1,500.0	0.0	0.0
	-	Commercial	576	-	4.6	4.6
Springfield Town Centre 20	-	Attached dwelling	-	1,400.0	0.0	0.0
Springfield Town Centre 21	-	Attached dwelling	-	300.0	0.0	0.0

**Attachment 2**

27 August 2019



General Enquiries 13 26 57  
Faults & Emergencies 13 23 64  
[www.urbanutilities.com.au](http://www.urbanutilities.com.au)

Brett Davey, Acting General Manager Planning & Regulatory Services  
Ipswich City Council  
PO Box 191  
Ipswich QLD 4305  
Australia

By email: [Brett.Davey@ipswich.qld.gov.au](mailto:Brett.Davey@ipswich.qld.gov.au)

Dear Brett

**WATER NETSERV PLAN – PART A**

**Request for endorsement**

In accordance with section 99BL of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, Queensland Urban Utilities is required to review its Water Netserv Plan to ensure the plan is consistent with the SEQ regional plan and the relevant planning assumptions of our participating Councils as defined in their respective local government infrastructure plan and achieves the purposes of the plan.

As part of the review process, Queensland Urban Utilities must ensure that part A of the proposed plan is endorsed by each participating Council as being consistent with the planning assumptions for its local government area. To that end, in June of this year, Queensland Urban Utilities provided the Council with a draft copy of the planning assumptions proposed to be used in our Water Netserv Plan.

We have since progressed the development of the plan and attach a copy of the draft Water Netserv Plan for your information. Queensland Urban Utilities formally requests the Council's endorsement of the Water Netserv Plan – Part A as being consistent with the Council's planning assumptions.

**Ongoing review of Water Netserv Plan**

Queensland Urban Utilities recognises that this endorsement is for a point in time. There is a need to develop an agreed process by which Queensland Urban Utilities and the Council can work together to ensure when the Council amends its planning scheme that any relevant amendments are reflected in the planning assumptions of the Water Netserv Plan.

I appreciate the Council's ongoing support for Queensland Urban Utilities and I look forward to continuing to work cooperatively to ensure a strategic and sound basis for the delivery of water and sewerage services in the Council's local government area now and into the future.

If you require further information or clarification, please contact Chris Adam, Water Netserv Plan Project Manager, on 0428 461 893.

Yours sincerely



**Paul Belz**  
Executive Leader Planning  
Queensland Urban Utilities

Doc ID No: A5812599

ITEM: 3

SUBJECT: 91 AND 93 RACEVIEW STREET, RACEVIEW - MATERIAL CHANGE OF USE – SHOPPING CENTRE- 2269/2019/MCU

AUTHOR: SENIOR PLANNER (DEVELOPMENT)

DATE: 9 OCTOBER 2019

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### EXECUTIVE SUMMARY

This is a report concerning an application seeking approval for a Material Change of Use – Shopping Centre at 91 and 93 Raceview Street, Raceview QLD 4305.

The subject application requires review by Committee and determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as more than 20 properly made submissions objecting to the proposed development were received.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed Shopping Centre cannot be supported in accordance with section 5 and section 60 of the *Planning Act 2016*, as the proposal does not advance the purpose of the Act and the development conflicts with the applicable codes of the Planning Scheme with no sufficient grounds to justify the decision despite the conflict.

### RECOMMENDATION/S

**That the Interim Administrator of Ipswich City Council resolve:**

- A. That Council (Interim Administrator of Ipswich City Council) resolve to refuse development application no. 2269/2019/MCU as outlined in the report by the Acting General Manager – Planning and Regulatory Services dated 26 September 2019 in accordance with section 5 and 60 of the *Planning Act 2016*.**
- B. That the General Manager – Planning and Regulatory Services be authorised to give a decision notice for the application in accordance with section 63 of the *Planning Act 2016*.**

### RELATED PARTIES

The related parties to this application are:

- K&W (Distributers) Pty Ltd (landowner of 91 Raceview Street) – The current company directors as extracted from the ASIC database on 30 September 2019 are Jeffrey Charles Wallace and Le-Ann Joy Wallace.
- Kingwall Manufacturing Co Pty Ltd (landowner of 93 Raceview Street) – The current company directors as extracted from the ASIC database on 30 September 2019 are Jeffrey Charles Wallace and Wayne Jon Wallace.
- Fabcot Pty Ltd (developer) – The current company directors as extracted from the ASIC database on 30 September 2019 are Marcin Firek and Stephen John Leigh Harrison.
- Urban Planning Services Pty Ltd (planning consultant) – The current company directors as extracted from the ASIC database on 30 September 2019 are Jason Lawrence McGrath, Michael Brian Nash and Michael Benjamin Falk.
- Location IQ (retail needs assessment) – The primary contact has been Gavin Duane (Director).
- Dunn Moran Landscape Architects Pty Ltd (landscape design) – The primary contact has been David Moran (Director).
- Acoustic Works (acoustic assessment) – The primary contacts have been Greg Pearce and Mark Enersen.
- Pekol Traffic and Transport (traffic and transport assessment) – The primary contact has been Adam Pekol (Director).
- Farr Engineers Associates Pty Ltd (stormwater management and civil engineering) – The primary contact has been Truong Nguyen (Senior Civil Engineer).
- Geo-Logix Pty Ltd (environmental assessment – geotechnical and contamination) – The primary contacts have been Tim Gunns (Senior Project Manager) and Ben Pearce (Principal).
- CCN Architects (architect) – No contact details have been provided.
- Bennett and Francis Pty Ltd (detail survey) – No contact details have been provided.

## **ADVANCE IPSWICH THEME**

Managing growth and delivering key infrastructure

## **PURPOSE OF REPORT/BACKGROUND**

<b>SITE ADDRESS:</b>	91 Raceview Street, RACEVIEW QLD 4305, 93 Raceview Street, RACEVIEW QLD 4305
<b>APPLICATION TYPE:</b>	Material Change of Use
<b>PROPOSAL:</b>	Material Change of Use - Shopping Centre



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<b>ZONE:</b>	RM02 – Residential Medium Density (Residential Medium Density: 2 Storeys)
<b>OVERLAYS:</b>	OV7A – Building Height Restriction Area 45m OV7A – Transitional Surface OV7B 8km Existing Committed Urban Townships Buffer
<b>APPLICANT:</b>	Fabcot Pty Ltd
<b>OWNER:</b>	K & W (Distributors) Pty Ltd
<b>EXISTING OR PROPOSED TRADING NAMES:</b>	Woolworths
<b>APPLICATION NO:</b>	2269/2019/MCU
<b>AREA:</b>	91 Raceview Street – 974m <sup>2</sup> 93 Raceview Street – 1.111ha TOTAL – 1.208ha
<b>REFERRAL AGENCIES:</b>	Not Applicable
<b>EXISTING USE:</b>	Disused industrial building (formally furniture manufacturing and distribution)
<b>PREVIOUS RELATED APPROVALS:</b>	Not Applicable
<b>DATE RECEIVED:</b>	27 March 2019
<b>DECISION PERIOD START DATE:</b>	3 September 2019
<b>EXPECTED DETERMINATION DATE:</b>	14 October 2019
<b>SITE LOCATION:</b>	

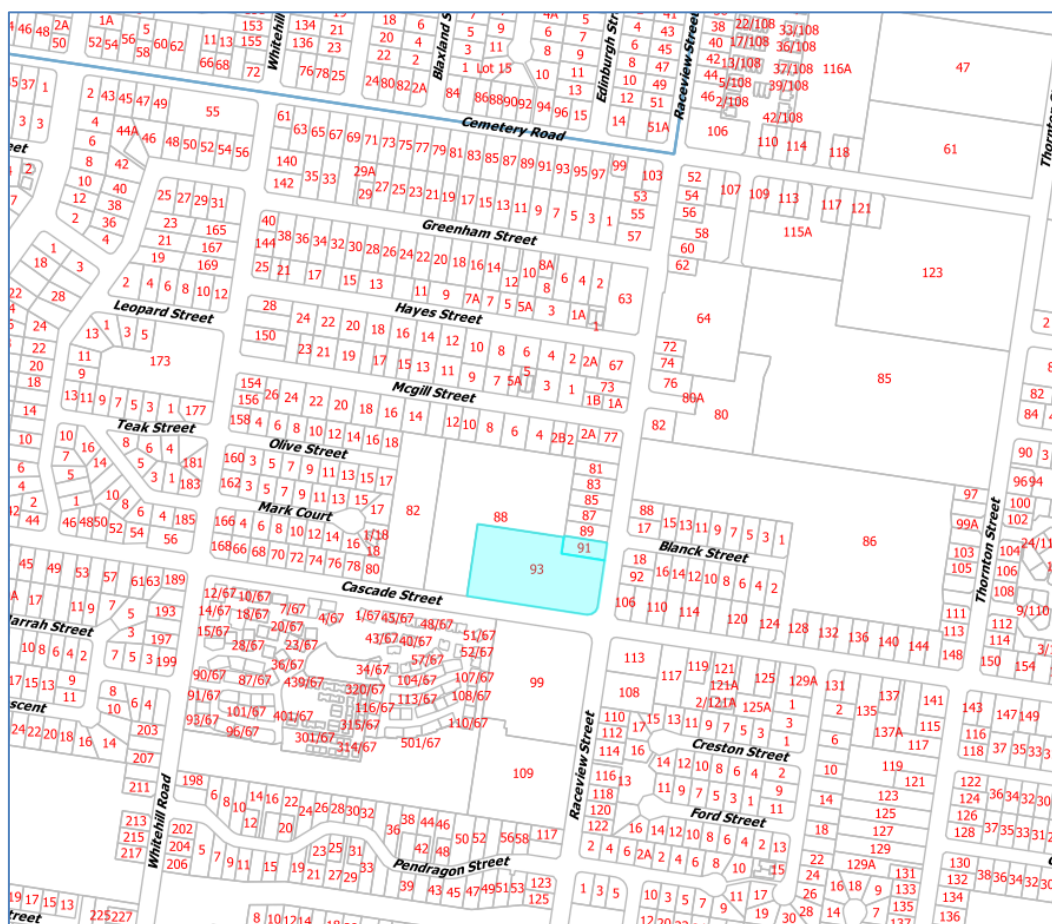


Figure 1 – Locality Map

## PROPOSAL:

The applicant proposes to construct a Shopping Centre at 91 and 93 Raceview Street, Raceview. The proposal includes a supermarket tenancy having a gross floor area of 3,251m<sup>2</sup> and five (5) smaller tenancies ranging in area from 20m<sup>2</sup> to 123m<sup>2</sup>. One of the smaller tenancies (Shop 3), includes an option for outdoor dining.

The built form has a height of approximately nine (9) metres, noting that the development is primarily single story with a mezzanine office.

One hundred and eighty two (182) car spaces and five (5) motorcycle spaces are provided. The proposal seeks access from both Cascade Street and Raceview Street, with service vehicles entry/exit from Cascade Street.

The centre is proposed to operate 6am to 10pm.

Assessment of the proposed development against the relevant assessment benchmarks has been undertaken. The key issues identified are summarised as follows:

### Planning Act 2016

The proposal has not demonstrated that it advances the purpose of the Act. Specifically, the proposal does not address Section 5(2)(f),(g) and (h) as outlined below:

- The subject site is located within the Residential Medium Density Zone, however the proposed Shopping Centre development does not contribute to housing choice, diversity or affordability;
- The proposed development will have a detrimental economic impact to surrounding centres and therefore does not encourage investment, economic resilience or economic diversity; and
- The proposed development does not allow for the coordinated and efficient supply of infrastructure, particularly in relation to road infrastructure.

### Zone

The subject site is located in the Residential Medium Density Zone. While it is acknowledged that the site current contains industrial buildings (formally used for furniture manufacturing and distribution), the proposed development is inconsistent with the zone intent and is not in keeping with the communities expectations of how the subject site should develop in the future. It is noted that the planning scheme identifies Shopping Centre uses in this zone as being inconsistent and an 'undesirable development which is unlikely to be approved'.

### Centres Hierarchy

In addition and supplementary to the Local Retail and Commercial Zone, the planning scheme has identified a network of neighbourhood centres and local retail and commercial areas within Schedule 7 – Map 3 which guides centre development across the ICC area. It is noted that the subject site is not included within this map. There are several properties located nearby (north and south of the subject site), which are located within the appropriate zoning.

It is considered that the proposed development has the ability to undermine the existing and future planned centres within the surrounding area. This is supported by a review of the retail needs assessment provided by the applicant as outlined below.

### Economic Need

The applicant submitted a retail needs assessment to support their argument that the proposed Shopping Centre is warranted.

A peer review of the report was undertaken which raised concerns, identifying (amongst other items), that the report was not sufficiently robust for Council to rely upon to make an informed decision. Accordingly, further information was requested from the applicant, which was subsequently received in the applicant's Information Request Response.

In addition, a number of submissions were received which also raised concerns in relation to economic need, with two (2) submissions providing economic reviews from qualified professionals to support their findings.

Accordingly, a further peer review of the Information Request Response to the economic need items and the submissions which raised economic need concerns was undertaken. The peer review identified that the applicant's report significantly underestimated the potential impacts of the proposed development and that the impacts are likely to be of an unacceptable scale that could adversely affect the viability, vitality and function of affected centres. The further peer review noted the following key points:

- Trade area spending – the analysis undertaken by the applicant depends on increase in real spending rather than population growth (2,100 additional people over the projected period to 2021) to support the centre.
- Competitive environment – use of the trade area (and its population) to “imply a shortage of supermarket floor space within the defined trade area is not appropriate and fundamentally flawed when applied at the micro-level in a well-developed urban area to justify need or demand for additional supermarket floor space within the defined area”.
- It is generally preferable to expand an existing local centre then to create another one, especially if the separation distance is only 300m. An expanded Raceview Local Centre could easily accommodate a larger modular supermarket. It was also noted that it is fair to assume that, should the proposed development proceed, that there would be no opportunity to incorporate a larger supermarket in the future.
- The cumulative impacts upon Winston Glades with the introduction of the proposal would be much greater than implied in the applicant's analysis.
- Impacts upon the Raceview centre are a significant concern. The benefits to the centre identified by the applicant are very limited, “with an unfavourable outcome resulting in a degradation of that centre's retail function and possible loss of its main tenant (Foodstore) the more likely outcome”.
- The report states that there will be an extra 1 million visits per year within the Raceview precinct, however this also implies that competing centres could be deprived of a million visits per year and is “unlikely to be a realistic benefit to the community”.
- The impacts within the applicant's report and response “are likely to be understated to the extent that they could jeopardise the vitality and viability of the Raceview and Winston Glades centres, with limited growth in the defined trade area available to ameliorate those impacts”.

The submissions which included reviews prepared by qualified professionals generally raised the same issues as the peer review with respect to need and impacts.

Accordingly, based on the information available, it is considered that the proposed development will have an unacceptable impact on surrounding centres. The applicant has not sufficiently argued that there is a need for the proposed development in the proposed location.

### Traffic

The applicant was requested to demonstrate how the proposed development would not adversely impact on Council's network planning and intent. However insufficient information has been provided to satisfactory address the concerns raised. In particular, the following is of concern:

- Additional land is required in order to facilitate the upgrade of the Cascade Street and Raceview Street intersection as well as to facilitate a left turn lane to the site. Whilst this was requested by Council, it has not been suitably provided by the applicant. This would have an impact on the upgrade of the Cascade Street and Raceview Street intersection in the future.

The applicant is proposing to use the land required for future road upgrades for car parking. This will result in a long term short fall of parking spaces. Further, no ultimate plan has been provided, therefore the full extent of the ultimate development along this frontage is unknown (i.e. car parking layout, manoeuvring, stormwater, landscape treatment).

- The proposed all movement access is located very close to the intersection of Raceview Street and Cascade Street. This will impact on the signalised intersection and the traffic movement efficiency. This is not supported by Council given the strategic nature of Raceview Street (being a strategic connection between the Ipswich City Centre and the Ripley Valley).

Accordingly, the proposed development compromises the ability for the delivery of road infrastructure to be delivered in accordance with the Local Government Infrastructure Plan.

- The changing nature of the Raceview Street access point (to left-in, left-out) will have implications on the overall trip distribution. There will be potential queuing demand of the northern and western approaches (Raceview Street/Cascade Street intersection) caused by such change. This will impact on traffic movement efficiency in the future with population growth.
- Due to the left-in, left-out access point onto Raceview Street, vehicles making U turns at Blanck Street (to head back south on Raceview Street) is a significant safety concern owing to nature of the traffic at the intersection.
- The swept path analysis provided by the applicant is not supported. Council is of the opinion that the proposed access arrangement was not adequate to facilitate AV vehicles.

It should be noted that Council's current network planning for this area has not pre-empted the site to be developed for a Shopping Centre given the underlying zoning is Residential Medium Density.

#### Stormwater

The applicant has submitted a Site Based Stormwater Management Plan, however, a network analysis has not been undertaken to demonstrate there is adequate pipe capacity to take any additional concentrated flows from the development site.

#### Built Form

It is noted that the proposed built form is inconsistent with the expectations of the Residential Medium Density Zone. However, in the event that the use was considered appropriate for the site, assessment against the Local Retail and Commercial Zone would be applicable. It is noted that the planning scheme recognises the importance of corner sites for commercial uses due to their visual prominence within the grid pattern streets. As a result, commercial buildings on corner sites are required to be built to both street frontages with a high level of articulation. It is noted that the proposed development is largely inconsistent with the code requirement with respect to built form, primarily due to the buildings being set back from the primary frontages. The proposal provided for limited activation along both Cascade and Raceview Street frontages, noting that the service area will be adjacent to Cascade Street.

In addition, the siting of the building provided for minimal transition between the surrounding residential land/use and the proposed commercial activities.

#### Draft Strategic Framework

While not a statutory document which assessment can be relied on, it is noted that the draft Strategic Framework, which was recently released for consultation, identifies the subject site as being within a Medium Density designation (MD1) which is in keeping with the current zoning.

Further, it is noted that the draft Strategic Framework has identified an expansion of the existing Local Retail and Commercial Zone located north of the subject site, which would result in an extension of the existing Raceview centre.

Based on the above, the proposed development is considered to conflict with a number of assessment benchmarks, including the planning schemes Desired Environmental Outcomes. The applicant has not demonstrated that there is sufficient grounds to justify the decision despite the conflict.

#### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:

*Planning Act 2016*

*Planning Regulation 2017*

## RISK MANAGEMENT IMPLICATIONS

- A risk to Council exists should the proposal not be determined in accordance with legislative requirements. The assessment and subsequent recommendations have been prepared to minimise the risk.
- Pursuant to DA Rules the due date to make decision on this application is 14 October 2019 and the due date to issue the decision notice to the applicant is 21 October 2019. The applicant could lodge a deemed refusal appeal in the Planning and Environment Court if the decision notice is not issued to the applicant by 21 October 2019.
- Notwithstanding, upon Council issuing the decision notice the applicant may choose to appeal Council's refusal decision in the Planning and Environment Court.

## FINANCIAL/RESOURCE IMPLICATIONS

There are no resource implications associated with this report.

## COMMUNITY AND OTHER CONSULTATION

### Public Notification

Public notification of this application was undertaken pursuant to the *Planning Act 2016*. The applicant undertook public notification from 26 July 2019 to 16 August 2019 for a period of 15 business days. Council received 46 properly made submissions and 13 not properly made submissions. 26 properly made and two (2) not properly made submissions were received in objection to the proposal, while 20 properly made and 11 not properly made submissions were received in support of the proposal. Matters raised in the submissions are summarised below:

Matter raised – Objection	How matters were dealt with in reaching a decision
<p><b>Proposed development does not comply with the Ipswich City Planning Scheme.</b></p> <ul style="list-style-type: none"> <li>• Proposed development does not comply with the Strategic Framework, particularly in relation to planned centre development for urban areas.</li> <li>• Proposal does not comply with the Planning Scheme including DEO's.</li> <li>• Proposed use does not meet the intent for the Residential Medium Density Zone as it does not provide for residential development to meet the housing needs for the community.</li> <li>• Proposed development is identified as being inconsistent with the outcomes</li> </ul>	<p>The submissions received are common material for the application and have been considered as part of the application assessment.</p> <p>The submissions received generally reflect Council's concerns with the proposal, particularly in relation to non-compliance with the Ipswich Planning Scheme. Concerns raised relating to economic need are also generally reflective of Council's concerns.</p> <p>In conclusion the proposed development cannot be appropriately conditioned to address all matters raised and there are</p>

<p>sought within the Residential Medium Density Zone and constitutes undesirable development.</p> <ul style="list-style-type: none"> <li>• Town plans were created to enable clear vision for all parties, especially business owners for future planning on home/business, investment levels.</li> <li>• Proposed development results in disorderly development which is detrimental to the orderly development and planning of the adopted framework of centres.</li> <li>• Proposed development is not considered to represent an appropriate expansion of the Local Retail and Commercial Zone, in accordance with the zone intent, as it represents a significant increase in GFA of retail and commercial areas and adequate need has not been demonstrated.</li> </ul>	<p>insufficient grounds to justify the decision to approve the development. Accordingly, the application has been refused for the reasons outlined in Item 1 – Reasons for the Decision.</p>
<p><b>The proposed development is in conflict with the Draft Strategic Framework Intent.</b></p> <ul style="list-style-type: none"> <li>• Proposed development is inconsistent with draft Strategic Framework and represents out of centre development.</li> <li>• Proposed development is misaligned with likely future planning.</li> </ul>	
<p>The proposed development conflicts with the strategic framework of the South East Queensland Regional Plan due to traffic issues.</p>	
<p><b>The applicant has not demonstrated that the proposed development fulfils a local community need.</b></p> <ul style="list-style-type: none"> <li>• The local retail needs will be met by the existing and appropriately zoned Local Retail and Commercial zoned land within the near vicinity of the site.</li> </ul>	
<p><b>Need for the proposed development has not been demonstrated.</b></p> <ul style="list-style-type: none"> <li>• Proposed development represents out of centre development and has not adequately established a need for the proposed use to be located outside of the existing Local Retail and Commercial zoned land within close proximity of the subject site.</li> <li>• There is sufficient land zoned for Local</li> </ul>	



<p>Retail and Commercial purposes within the surrounding area, which are capable of meeting the retail and grocery needs of the local community.</p> <ul style="list-style-type: none"> <li>• Applicant has failed to demonstrate overwhelming community need.</li> <li>• Any grounds for the proposal are based on private interests only.</li> <li>• There are enough supermarkets in catchment to cater for population.</li> <li>• It has not been demonstrated that the proposed development would improve the wellbeing of the community to the extent that its existence would overcome the considerable conflicts with the planning scheme.</li> <li>• There is no benefit to the wider community in promoting a larger scale of non-residential uses at this location.</li> <li>• Based on existing and planned centres network and hierarchy, the population of the Silkstone and Winston Glades catchments and the low growth outlook for those catchments there is no need for a third supermarket anchored centre.</li> <li>• The addition of a third full line supermarket anchored centre within the Silkstone and Winston Glades catchments would result in severe impacts on the existing centres (as high as 30% and would most likely precipitate the closure of the Drakes Supermarket at Winston Glades and ultimately result in the need for Winston Glades to identify an alternative role and function).</li> <li>• The Raceview/Flinders View area is already serviced by supermarket anchored centres and nearby higher order centres.</li> <li>• The applicant has provided a flawed assessment of need (economic reviews provided to demonstrate this).</li> <li>• Smaller tenancies which rely on foot traffic will be impacted.</li> <li>• Loss of trade at drakes Winston glades</li> </ul>	
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<p>will have impact on smaller businesses/tenancies resulting in loss of jobs.</p> <ul style="list-style-type: none"> <li>• Yamanto and surrounding suburbs need more people not shops to survive.</li> <li>• Insufficient population with the existing catchments to bring about planning need for the Woolworths based centre.</li> <li>• There is no need for another centre given Silkstone Coles and Ripley Town Centre.</li> </ul>	
<p><b>The proposed development will have unacceptable impacts on other centres.</b></p> <ul style="list-style-type: none"> <li>• The proposal will result in adverse outcomes for the community in relation to existing centres.</li> <li>• Results in reduced retail turnover at centres including Silkstone Village and Winston glades and therefore reduce the vitality and activity of these centres</li> <li>• Loss of approximately 20-25% of Booval Woolworths. While this proposal is also for Woolworths, the applicant has ignored the flow on effects for the Booval centre as a whole.</li> <li>• Proposed development has the ability to erode the viability of the existing Raceview Street Local Centre as well as other surrounding centres.</li> </ul>	
<p><b>The proposed development is not in keeping with the community expectation.</b></p> <ul style="list-style-type: none"> <li>• Proposal could not be reasonably anticipated in the Residential Medium Density Zone and is not within the realm of expectation for the community</li> </ul>	
<p><b>The proposed development will result in unacceptable traffic impacts.</b></p> <ul style="list-style-type: none"> <li>• Proposed development will increase congestion in the area.</li> <li>• Dangerous entry/exit points are proposed.</li> <li>• Current traffic issues will only worsen as a result of the development.</li> <li>• Increased traffic will pose a threat to students, families and staff attending</li> </ul>	

<p>the nearby church and school.</p> <ul style="list-style-type: none"> <li>• There is a need for traffic lights at Blanck Street.</li> <li>• Proposed access location of Raceview Street is unsafe.</li> <li>• Proposed access location on Cascade Street is not considered to be safe.</li> <li>• Potential for traffic to block Blanck Street - emergency services need to be able to enter and exit Blanck Street. There is no alternative location to enter/exit this street other than Raceview Street.</li> <li>• Development will prejudice Council's intended future road widening for the upgrade of the intersection.</li> <li>• Future reduction in car parking numbers to allow for upgrade is not acceptable.</li> <li>• Reduced car parking numbers and removal of on street parking of Cascade Street will impact on surrounding sites.</li> <li>• Proposed all turns movement will impact on surrounding development.</li> <li>• Loss of all turns movement at commercial land at 99 Raceview Street a result of the proposed development results in an unfair advantage for the proposed development over land which is appropriately zoned for commercial uses.</li> </ul>	
<p><b>The proposed development will have amenity impacts.</b></p> <ul style="list-style-type: none"> <li>• Proposed development will have a significant detrimental impact of the amenity of nearby residents, particularly as a result of traffic impacts.</li> <li>• Vacant carpark at night will attract antisocial behaviour.</li> <li>• Increase in rubbish and litter likely (as experienced with the opening of other uses nearby).</li> <li>• Noise associated with delivery vehicles and late night trading creates additional unnecessary noise.</li> </ul>	

<ul style="list-style-type: none"> <li>Proposed development is an eye-sore.</li> <li>Proposed development is out of character for the streetscape.</li> </ul>	
<b>The proposed development is poorly designed.</b> <ul style="list-style-type: none"> <li>Minimal landscaping provided compared to the rest of the site.</li> <li>Trolley bay is located in a fire egress.</li> </ul>	
<b>The proposed development will have a detrimental impact on existing businesses.</b> <ul style="list-style-type: none"> <li>Council should support existing local businesses.</li> <li>Supermarket giants are taking away from smaller businesses.</li> <li>Local existing job losses likely to occur as businesses suffer as a result of proposal.</li> </ul>	
The proposed development will result in a reduction in property values for surrounding residential uses.	
The legal opinion provided by the applicant in relation to decision made in <i>Wilhelm V Ipswich City Council and another</i> [2010] QPEC 46 is of little relevance.	





Matter raised - Support	How matters were dealt with in reaching a decision
The proposed development will benefit the elderly that live in the neighbourhood	The submissions received are common material for the application and have been considered as part of the application assessment.
The proposed development will create additional job opportunities.	
The proposed development provides for convenient access to shops.	While the proposed development may be conveniently located for a localised number of residence, an assessment of the proposed development indicates that it will have a negative impact on surrounding centres, creates an unsafe road environment and is inconsistent with the planning scheme.
The proposed development adds a new variety of retail.	
The proposed development is well located with public transport, with plans to provide safe pedestrian and vehicle access.	
	In conclusion the proposed development cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development. Accordingly, the application has been refused for the reasons

	outlined in Item 1 – Reasons for the Decision.
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## CONCLUSION

The proposed Shopping Centre cannot be supported in accordance with section 5 and section 60 of *Planning Act 2016*, as the development conflicts with the applicable codes of the Planning Scheme with no sufficient grounds to justify the decision despite the conflict. Specifically, the proposal does not comply with the Desired Environmental Outcomes and Performance Indicators, the Overall and Specific Outcomes for the Urban Areas as a whole and the Overall and Specific Outcomes for the Residential Medium Density Zone Code of Ipswich Planning Scheme 2006.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

- |    |  |
|----|--|
| 1. | Statement of Reasons <a href="#"></a> <a href="#"></a> |
| 2. | Proposal Plans <a href="#"></a> <a href="#"></a>       |

Nikki Morrison

**SENIOR PLANNER (DEVELOPMENT)**

I concur with the recommendations contained in this report.

Michael Simmons

**TEAM COORDINATOR (WEST)**

I concur with the recommendations contained in this report.

Anthony Bowles

**ACTING DEVELOPMENT PLANNING MANAGER**

I concur with the recommendations contained in this report.

Brett Davey

**ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

***“Together, we proudly enhance the quality of life for our community”***

Our Reference 2269/2019/MCU: NM  
Contact Officer Nikki Morrison  
Telephone 3810 6635



### STATEMENT OF REASONS

(Notice about the decision given under section 63(4) of the *Planning Act 2016*)

#### APPLICANT DETAILS

Applicant name: Fabcot Pty Ltd

#### APPLICATION DETAILS

Application number: 2269/2019/MCU  
Application type: Material Change of Use  
Approval sought: Development Permit  
Description of proposed development: Material Change of Use - Shopping Centre  
Level of Assessment: Impact

#### SITE DETAILS

Street address: 91 and 93 Raceview Street, RACEVIEW QLD 4305, 93 Raceview Street, RACEVIEW QLD 4305  
Real property description: Lot 1 RP 85420 and Lot 1 RP 193006

#### DECISION

Date of decision: [TBC]  
Decision: Refused  
Decision Authority: Full Council

#### 1. Reasons for the Decision:

The reasons for this decision are:

**The proposed development does not advance the purpose of the *Planning Act 2016*, specifically Section 5(1) and (2)(f),(g) and (h) as outlined below:**

- The subject site is located within the Residential Medium Density Zone, however the proposed Shopping Centre development does not contribute to housing choice, diversity or affordability.
- The proposed development will have a detrimental economic impact to surrounding centres.
- The proposed development does not allow for the coordinated and efficient supply of infrastructure, particularly in relation to road infrastructure.

**The proposed development conflicts with the applicable codes of the Planning Scheme with no sufficient grounds to justify the decision despite the conflict.**

**The proposed development does not comply with Part 3 – Desired Environmental Outcomes and Performance Indicators of the Ipswich Planning Scheme as the following desired environmental outcomes and performance indicators have not been met:**

- Section 3.1(3)(f) – the built form is not reflective of the communities expectation, particularly when taking into consideration the zoning of the subject site (Residential Medium Density).
- Section 3.1(3)(h) – the proposed development will result in inefficient and unsafe operations of road infrastructure.
- Section 3.1(3)(j) – the proposed development compromises peoples safety in relation to traffic.
- Section 3.2(1)(c) – the proposed development is not considered to be an appropriate location.
- Section 3.2(1)(f) – the proposed development does not meet the established standards for the built environment.
- Section 3.2(1)(g) – it has not been sufficiently demonstrated that the proposed development reflects the community need.
- Section 3.2(1)(h) – the proposed development creates adverse impacts on the road which has not been adequately resolved.
- Section 3.2(1)(j) – the proposed development does not minimum impacts on adjoining residence, particularly in relation to traffic.

**The proposed development does not comply with Part 4 – Division 3 ‘Overall and Specific Outcomes for the Urban Areas as a Whole’ of the Ipswich Planning Scheme as the following overall outcomes have not been met:**

- Section 4.3.1 – the proposed development is not consistent with Section 4.3.3 and the specific outcomes for the relevant zone (Residential Medium Density) as outlined below.
- Section 4.3.2(2)(a) – the proposed development des not result in effective growth management, sustained economic growth or good urban design.
- Section 4.3.2(2)(b) – the proposed development undermines the ability for a strong sense of community identity, particularly given the proposed development fragments the neighbourhood centre for the local area.
- Section 4.3.2(2)(d) – the proposed development reduces the supply of available residential land within the locality.
- Section 4.3.2(2)(i) – the proposed development would result in a reduced standard of amenity for residential areas, particularly in relation to visual amenity and traffic.
- Section 4.3.2(2)(o) – the proposed development does not result in an efficient, safe and attractive transport network.
- Section 4.3.2(2)(q) – the proposed development results in a conflict between traffic and pedestrians and cyclists.
- Section 4.3.2(2)(y)(iii) – the proposed development does not comply with the Overall Outcomes of the Residential Medium Density Zone.

**The proposed development does not comply with Part 4 – Division 3 ‘Specific Outcomes for the Urban Areas, as a Whole’ of the Ipswich Planning Scheme as the following overall outcomes have not been met:**

- Section 4.3.3(1)(a)(ii) – the proposed development does not support the major centres at Booval or Yamanto.
- Section 4.3.3(1)(a)(iii) – the proposed development does not support or provide for the distribution of neighbourhood centres and local shopping areas in accordance with Map 3 in Schedule 7.
- Section 4.3.3(1)(b) – the proposed development compromises the viability of higher order centres and other existing or planned neighbourhood centres.
- Section 4.3.3(2)(d) – the proposed development does not provide car parking in the long term, that supports the proposed use.
- Section 4.3.3(2)(e)(iii) – the proposed development has not been located and designed to minimise pedestrian and vehicle conflicts.
- Section 4.3.3(2)(f)(i)(iii)(iv) – the proposed development does not provide safe and efficient access to the site, does not minimise disruptions to the local traffic and does not reduce pedestrian/vehicle conflicts.

**The proposed development does not comply with Part 4 – Division 6 ‘Overall Outcomes for the Residential Medium Density Zone’ of the Ipswich Planning Scheme as the following overall outcomes have not been met:**

- Section 4.6.2 – the proposed development does not achieve the overall outcomes sought by the Residential Medium Density Zone and therefore does not comply with the purpose of the Residential Medium Density Zone.

**The proposed development does not comply with Part 4 – Division 6 ‘Effects of Development – General’ of the Ipswich Planning Scheme as the following specific outcomes have not been met:**

- Section 4.6.3(1) – the proposed development conflicts with the Specific Outcomes in relation to density and character.
- Section 4.6.3(3) – the proposed development conflicts with the Specific Outcomes in relation to building setback and design.
- Section 4.6.3(4) – the proposed development conflicts with the Specific Outcomes in relation to vegetation retention and landscaping.
- Section 4.6.3(5) – the proposed development conflicts with the Specific Outcomes in relation to non-residential uses, as the proposed development does not fulfil a local community need, has a detrimental impact in relation to traffic and does not maintain a scale and appearance in keeping with the residential amenity and character of the locality.
- Section 4.6.3(6) – the proposed development conflicts with the Specific Outcomes in relation to the operation of the road network and access as the proposed development does not ensure the safe and efficient operation of the road network.
- Section 4.6.4(2) – the proposed development conflicts with the Specific Outcomes in relation to Sub Area – Residential Medium Density (RM2) as the proposal does not provide for medium density housing.
- Section 4.6.5(3) – the proposed development is identified as being inconsistent with the outcomes sought and are not to be located within the Residential Medium Density Zone.



**The proposed development does not comply with Part 4 – Division 10 ‘Overall Outcomes for the Local Retail and Commercial Zone’ of the Ipswich Planning Scheme as the following overall outcomes have not been met:**

- Section 4.10.2(2)(a)(iii) – the proposed development is not in accordance with the network of neighbourhood centres and local retail and commercial areas as depicted in Map 3 in Schedule 7.
- Section 4.10.2(2)(d) – the proposed development will have a negative economic impact on surrounding centres.
- Section 4.10.2(2)(e)&(g) – the proposed development compromises the ability for a safe and efficient transport network to be provided. The proposal does not minimum conflict between local and through traffic or between pedestrians, cyclists and vehicles.

**The proposed development does not comply with Part 4 – Division 10 ‘Effects of Development – General’ of the Ipswich Planning Scheme as the following specific outcomes have not been met:**

- Section 4.10.3(2)(a) – the proposed development does not provide for a transition between residential and commercial activities.
- Section 4.10.3(7)(a) – the proposed development does not contribute to the clear definition of the street intersection, is not built to both street frontages and does not provide a focal point.
- Section 4.10.3(13)(a) – the proposed development does not provide for safe and efficient access to the site for service vehicles.
- Section 4.10.3(16) – the proposed development does not ensure the safe and efficient operation of the road, does not avoid multiple access points and does not enhance the integration of traffic movements within the zone.

**The proposed development compromises the effective delivery of infrastructure as outlined in the Local Government Infrastructure Plan.**

**The proposed development does not comply with the principles of Part E – ‘Planning for Liveable Communities and Housing’ of the State Planning Policy (July 2017) due to the following:**

- The proposed development removes available residential medium density land and does not ensure a sufficient supply of residential land;
- The proposed development is for redevelopment of land in an inappropriate location;
- The proposed development does not result in good centre design for the community.

## 2. Assessment Benchmarks

The following are the assessment benchmarks applying for this development:

Categorising Instrument	Assessment Benchmarks
State Planning Policy July 2017, Part E	Planning for liveable communities and housing Planning for economic growth Planning for environment and heritage Planning for safety and resilience to hazards Planning for infrastructure

**Item 3 / Attachment 1.**

Ipswich City Council

Page 5

Ipswich Planning Scheme 2006	Desired Environmental Outcomes and Performance Indicators (Part 3) Urban Areas Code (Part 4) Development Constraints Overlays Code (Part 11, division 4) Commercial and Industrial Code (Part 12, division 7) Parking Code (Part 12, division 9) Local Government Infrastructure Plan (Part 13) Planning Scheme Policy 3 General Works Planning Scheme Policy 5 Infrastructure
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**3. Compliance with Benchmarks**

An assessment of the application has been carried out in accordance with section 45 of the *Planning Act 2016*. The application does not comply with the relevant assessment benchmarks and the application has been refused for the reasons outlined in Item 1 – Reasons for the Decision.

**4. Relevant matters for development subject to impact assessment**

The application was assessed against, or having regard to, the following matters:

Relevant matter	Assessed against or had regard to
Economic Need	<p>Regard was given to the retail needs assessment provided by the applicant to support their argument that the proposed Shopping Centre is warranted</p> <p>In addition, a number of submissions also raised concerns in relation to economic need and provided reports to support their findings.</p> <p>It is noted that a peer review of the report and supporting material provided by the applicant and the submissions which raised economic need concerns was undertaken.</p> <p>Based on the information available, it is considered that the proposed development is likely to have unacceptable impacts on surrounding centres that could adversely impact there viability, vitality and function.</p>

**5. Matters raised in submissions for development subject to impact assessment**

Matter raised – Objection	How matters were dealt with in reaching a decision
<p><b>Proposed development does not comply with the Ipswich City Planning Scheme.</b></p> <ul style="list-style-type: none"> <li>Proposed development does not comply with the Strategic Framework,</li> </ul>	<p>The submissions received are common material for the application and have been considered as part of the application assessment.</p>

Item 3 / Attachment 1.

Ipswich City Council

Page 6

<p>particularly in relation to planned centre development for urban areas.</p> <ul style="list-style-type: none"> <li>• Proposal does not comply with the Planning Scheme including DEO's.</li> <li>• Proposed use does not meet the intent for the Residential Medium Density Zone as it does not provide for residential development to meet the housing needs for the community.</li> <li>• Proposed development is identified as being inconsistent with the outcomes sought within the Residential Medium Density Zone and constitutes undesirable development.</li> <li>• Town plans were created to enable clear vision for all parties, especially business owners for future planning on home/business, investment levels.</li> <li>• Proposed development results in disorderly development which is detrimental to the orderly development and planning of the adopted framework of centres.</li> <li>• Proposed development is not considered to represent an appropriate expansion of the Local Retail and Commercial Zone, in accordance with the zone intent, as it represents a significant increase in GFA of retail and commercial areas and adequate need has not been demonstrated.</li> </ul>	<p>The submissions received generally reflect Council's concerns with the proposal, particularly in relation to non-compliance with the Ipswich Planning Scheme. Concerns raised relating to economic need also generally reflective of Council's concerns.</p> <p>In conclusion the proposed development cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development. Accordingly, the application has been refused for the reasons outlined in Item 1 – Reasons for the Decision.</p>
<p><b>The proposed development is in conflict with the Draft Strategic Framework Intent.</b></p> <ul style="list-style-type: none"> <li>• Proposed development is inconsistent with draft Strategic Framework and represents out of centre development.</li> <li>• Proposed development is misaligned with likely future planning.</li> </ul>	
<p>The proposed development conflicts with the strategic framework of the South East Queensland Regional Plan due to traffic issues.</p>	
<p><b>The applicant has not demonstrated that the proposed development fulfils a local community need.</b></p> <ul style="list-style-type: none"> <li>• The local retail needs will be met by the existing and appropriately zoned Local Retail and Commercial zoned land within the near vicinity of the site</li> </ul>	
<p><b>Need for the proposed development has not been demonstrated.</b></p>	

- Proposed development represents out of centre development and has not adequately established a need for the proposed use to be located outside of the existing Local Retail and Commercial zoned land within close proximity of the subject site.
- There is sufficient land zoned for Local Retail and Commercial purposes within the surrounding area, which are capable of meeting the retail and grocery needs of the local community.
- Applicant has failed to demonstrate overwhelming community need.
- Any grounds for the proposal are based on private interests only.
- There are enough supermarkets in catchment to cater for population.
- It has not been demonstrated that the proposed development would improve the wellbeing of the community to the extent that its existence would overcome the considerable conflicts with the planning scheme.
- There is no benefit to the wider community in promoting a larger scale of non-residential uses at this location.
- Based on existing and planned centres network and hierarchy, the population of the Silkstone and Winston Glades catchments and the low growth outlook for those catchments there is no need for a third supermarket anchored centre.
- The addition of a third full line supermarket anchored centre within the Silkstone and Winston Glades catchments would result on severe impacts on the existing centres (as high as 30% and would most likely precipitate the closure of the Drakes Supermarket at Winston Glades and ultimately result in the need for Winston Glades to identify an alternative role and function).
- The Raceview/Flinders View area is already serviced by supermarket anchored centres and nearby higher order centres.
- The applicant has provided a flawed

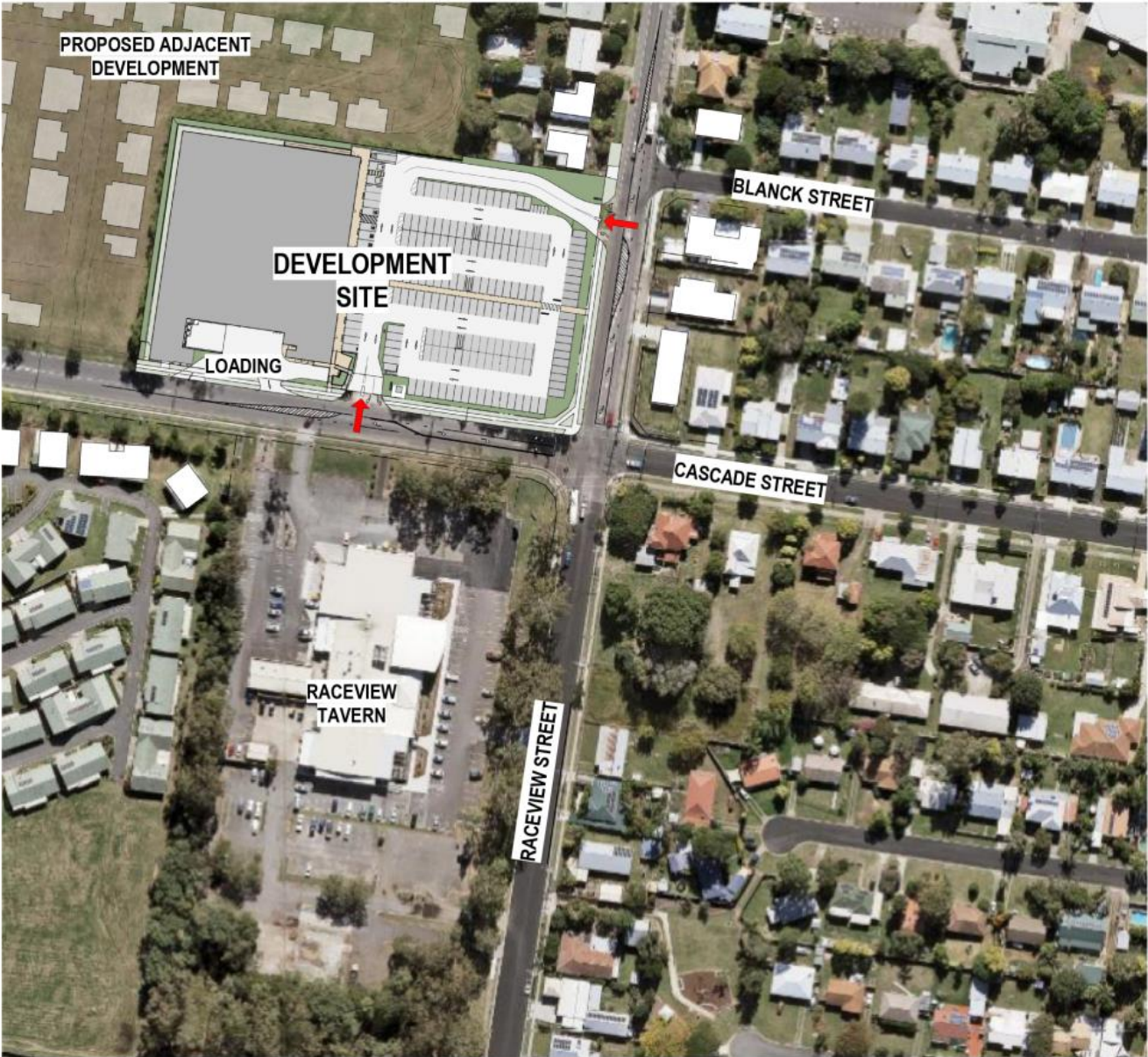
<p>assessment of need (economic reviews provided to demonstrate this).</p> <ul style="list-style-type: none"> <li>• Smaller tenancies which rely on foot traffic will be impacted.</li> <li>• Loss of trade at drakes Winston glades will have impact on smaller businesses/tenancies resulting in loss of jobs.</li> <li>• Yamanto and surrounding suburbs need more people not shops to survive.</li> <li>• Insufficient population with the existing catchments to bring about planning need for the Woolworths based centre.</li> <li>• There is no need for another centre given Silkstone Coles and Ripley Town Centre.</li> </ul>	
<p><b>The proposed development will have unacceptable impacts on other centres.</b></p> <ul style="list-style-type: none"> <li>• The proposal will result in adverse outcomes for the community in relation to existing centres.</li> <li>• Results in reduced retail turnover at centres including Silkstone Village and Winston glades and therefore reduce the vitality and activity of these centres</li> <li>• Loss of approximately 20-25% of Booval Woolworths. While this proposal is also for Woolworths, the applicant has ignored the flow on effects for the Booval centre as a whole.</li> <li>• Proposed development has the ability to erode the viability of the existing Raceview Street Local Centre as well as other surrounding centres.</li> </ul>	
<p><b>The proposed development is not in keeping with the community expectation.</b></p> <ul style="list-style-type: none"> <li>• Proposal could not be reasonably anticipated in the Residential Medium Density Zone and is not within the realm of expectation for the community</li> </ul>	
<p><b>The proposed development will result in unacceptable traffic impacts.</b></p> <ul style="list-style-type: none"> <li>• Proposed development will increase congestion in the area.</li> <li>• Dangerous entry/exit points are proposed.</li> <li>• Current traffic issues will only worsen as a result of the development.</li> <li>• Increased traffic will pose a threat to</li> </ul>	

<p>students, families and staff attending the nearby church and school.</p> <ul style="list-style-type: none"> <li>• There is a need for traffic lights at Blanck Street.</li> <li>• Proposed access location of Raceview Street is unsafe.</li> <li>• Proposed access location on Cascade Street is not considered to be safe.</li> <li>• Potential for traffic to block Blanck Street - emergency services need to be able to enter and exit Blanck Street. There is no alternative location to enter/exit this street other than Raceview Street.</li> <li>• Development will prejudice Council's intended future road widening for the upgrade of the intersection.</li> <li>• Future reduction in car parking numbers to allow for upgrade is not acceptable.</li> <li>• Reduced car parking numbers and removal of on street parking of Cascade Street will impact on surrounding sites.</li> <li>• Proposed all turns movement will impact on surrounding development.</li> <li>• Loss of all turns movement at commercial land at 99 Raceview Street a result of the proposed development results in an unfair advantage for the proposed development over land which is appropriately zoned for commercial uses.</li> </ul>	
<p><b>The proposed development will have amenity impacts.</b></p> <ul style="list-style-type: none"> <li>• Proposed development will have a significant detrimental impact of the amenity of nearby residents, particularly as a result of traffic impacts.</li> <li>• Vacant carpark at night will attract antisocial behaviour.</li> <li>• Increase in rubbish and litter likely (as experienced with the opening of other uses nearby).</li> <li>• Noise associated with delivery vehicles and late night trading creates additional unnecessary noise.</li> <li>• Proposed development is an eye-sore.</li> <li>• Proposed development is out of character for the streetscape.</li> </ul>	

<p><b>The proposed development is poorly designed.</b></p> <ul style="list-style-type: none"> <li>Minimal landscaping provided compared to the rest of the site.</li> <li>Trolley bay is located in a fire egress.</li> </ul>	
<p><b>The proposed development will have a detrimental impact on existing businesses.</b></p> <ul style="list-style-type: none"> <li>Council should support existing local businesses.</li> <li>Supermarket giants are taking away from smaller businesses.</li> <li>Local existing job losses likely to occur as businesses suffer as a result of proposal.</li> </ul>	
<p>The proposed development will result in a reduction in property values for surrounding residential uses.</p>	
<p>The legal opinion provided by the applicant in relation to decision made in <i>Wilhelm V Ipswich City Council and another</i> [2010] QPEC 46 is of little relevance.</p>	

Matter raised - Support	How matters were dealt with in reaching a decision
<p>The proposed development will benefit the elderly that live in the neighbourhood</p> <p>The proposed development will create additional job opportunities.</p> <p>The proposed development provides for convenient access to shops.</p> <p>The proposed development adds a new variety of retail.</p> <p>The proposed development is well located with public transport, with plans to provide safe pedestrian and vehicle access.</p>	<p>The submissions received are common material for the application and have been considered as part of the application assessment.</p> <p>While the proposed development may be conveniently located for a localised number of residence, an assessment of the proposed development indicates that it will have a negative impact on surrounding centres, creates an unsafe road environment and is inconsistent with the planning scheme.</p> <p>In conclusion the proposed development cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development. Accordingly, the application has been refused for the reasons outlined in Item 1 – Reasons for the Decision.</p>





CONTEXT PLAN



LOCATION PLAN



**WOOLWORTHS RACEVIEW**

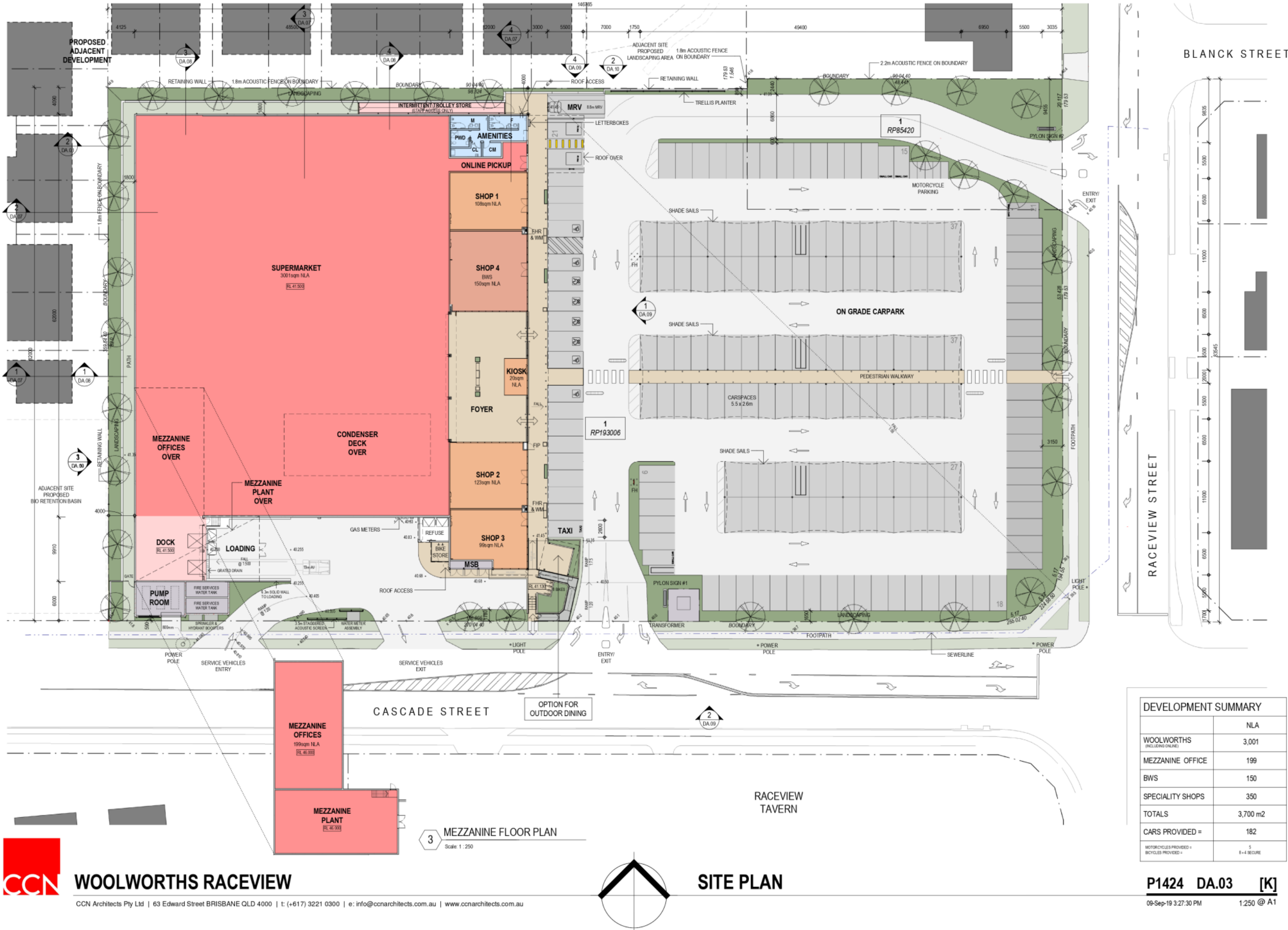
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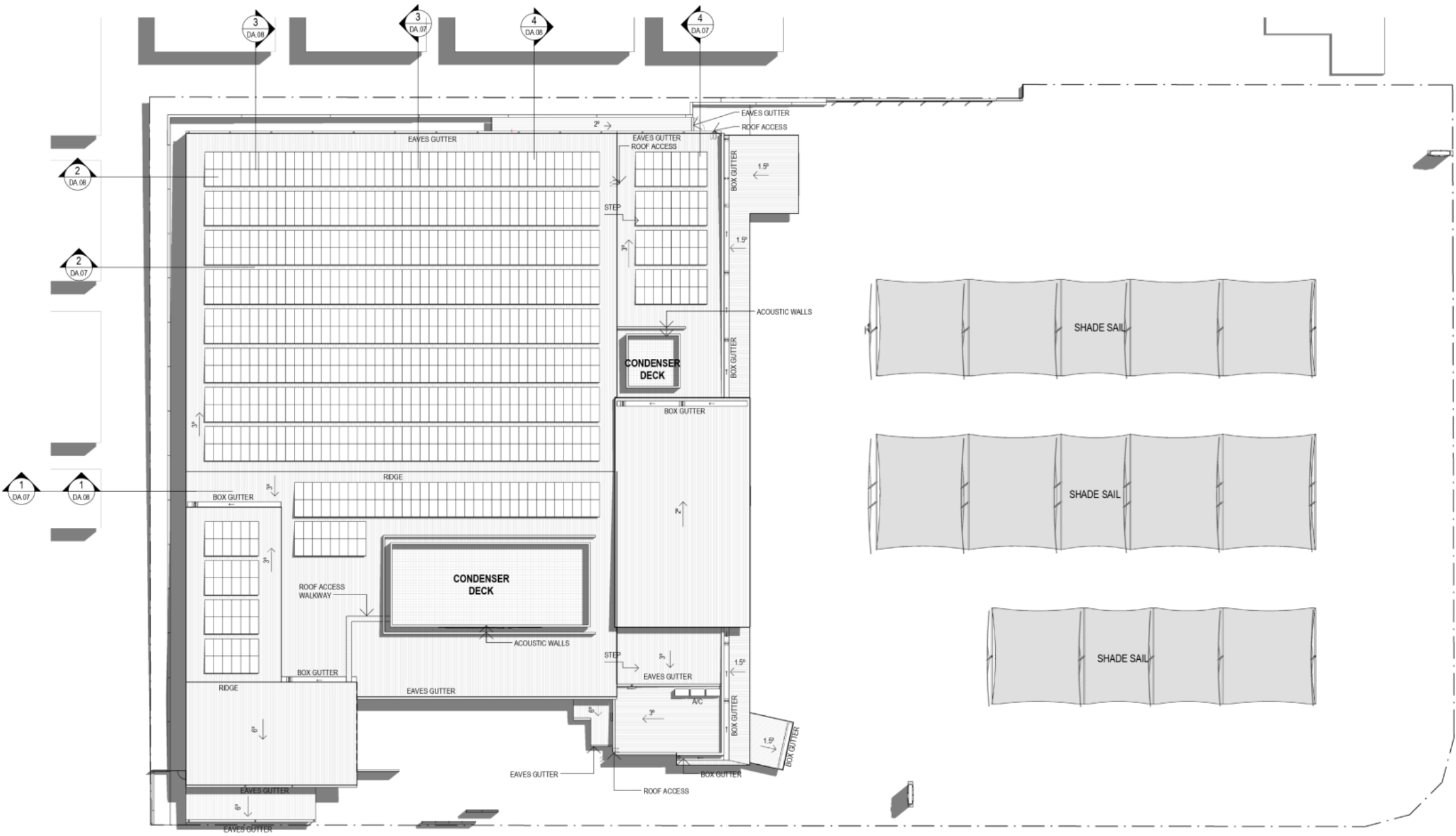


**CONTEXT & LOCATION PLAN**

**P1424 DA.02 [C]**  
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WOOLWORTHS RACEVIEW

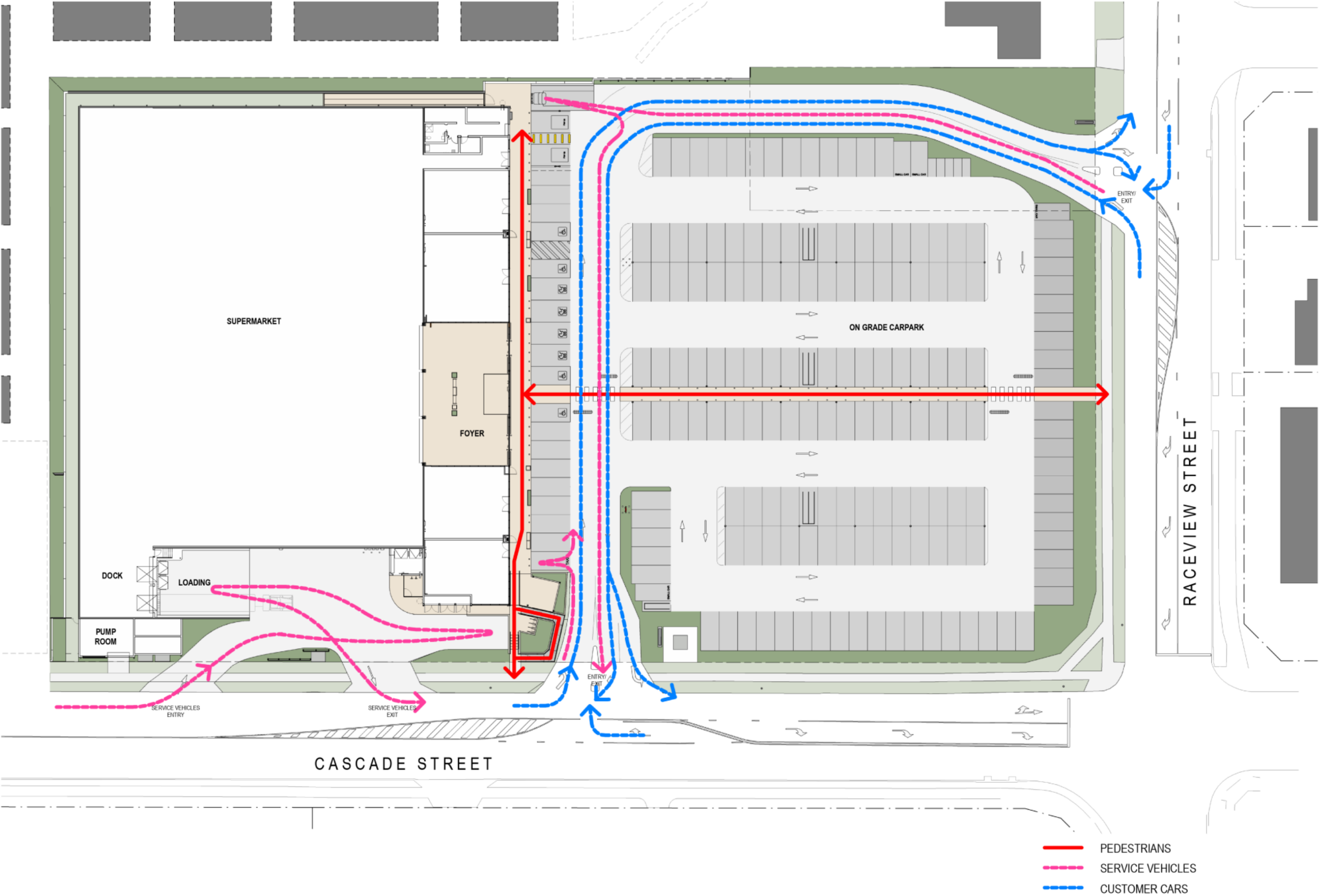
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ROOF PLAN

P1424 DA.04 [G]

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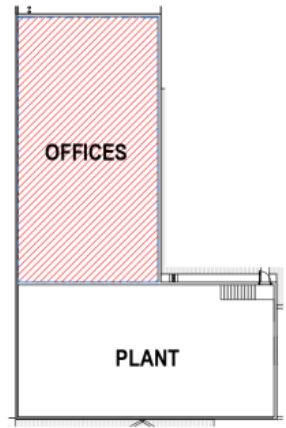
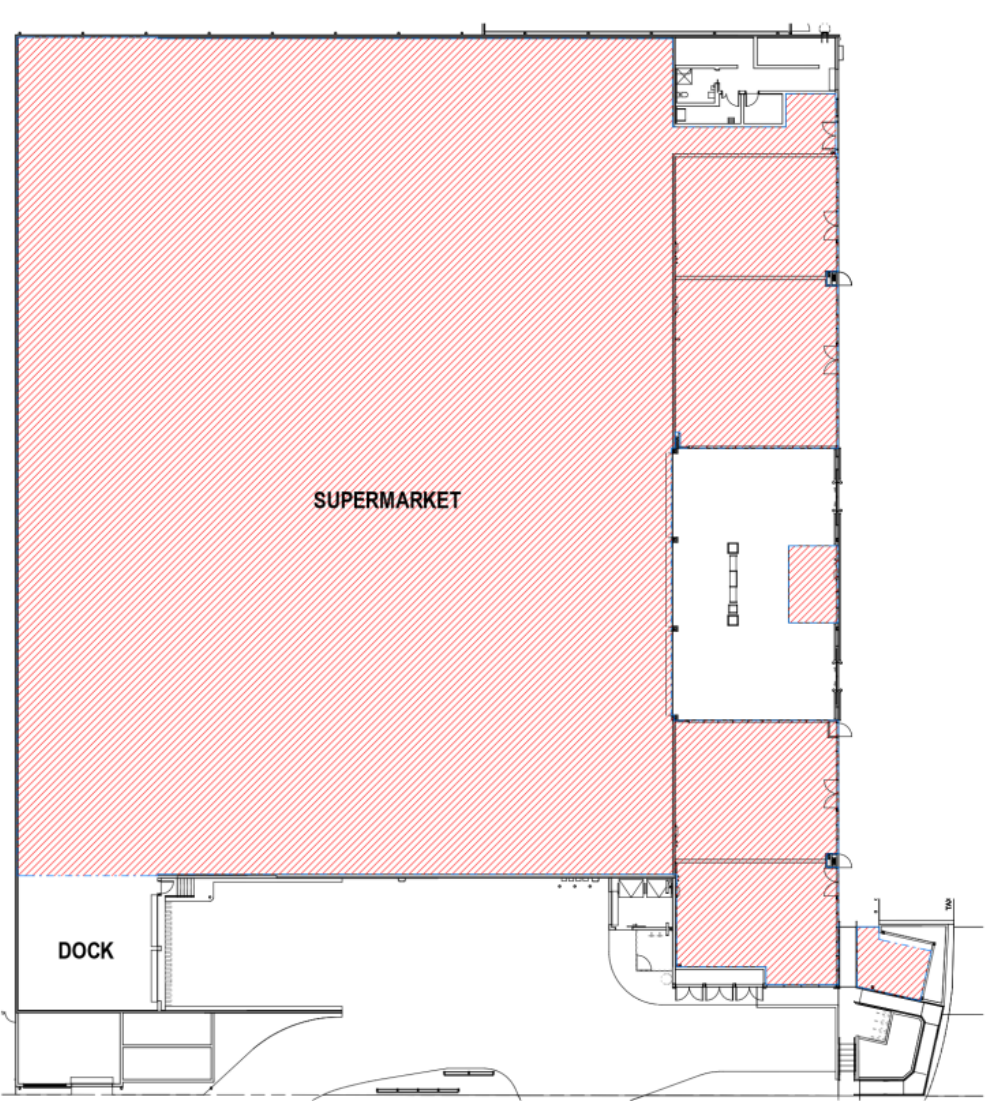


**CIRCULATION PLAN**

**P1424 DA.05 [D]**

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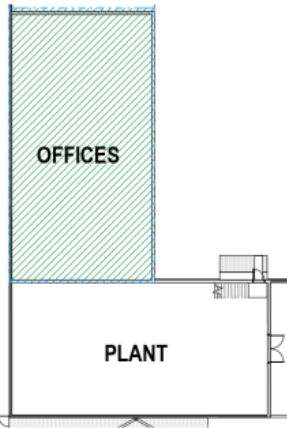
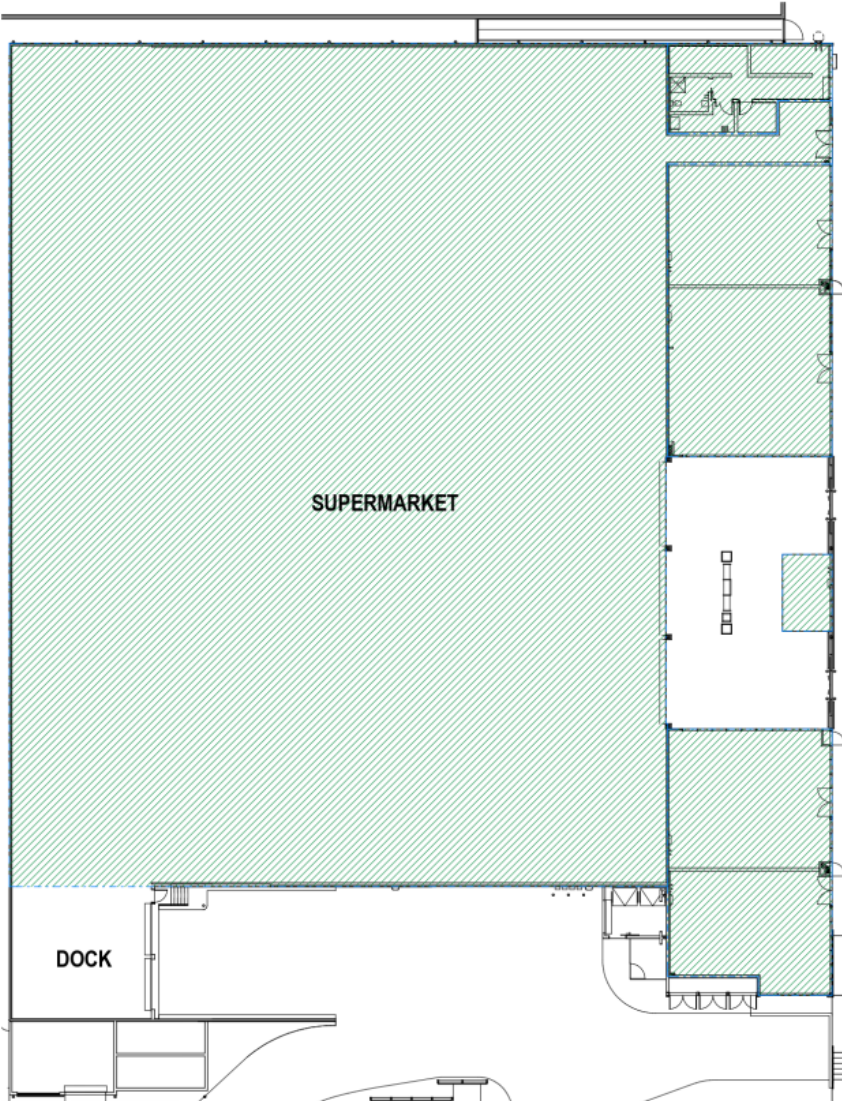


2 MEZZANNINE LEVEL  
Scale: 1 : 250

**NET LETTABLE AREA**

GROUND FLOOR	3521 m2
MEZZANNINE OFFICES	199 m2
TOTAL	3720 m2

NOTE:  
NLA MEASURED TO INSIDE FACE  
OF EXTERNAL WALLS

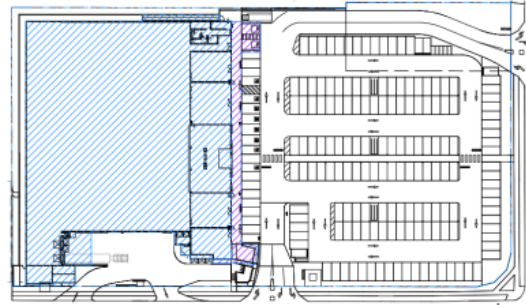


4 MEZZANNINE LEVEL  
Scale: 1 : 250

**GROSS FLOOR AREA**

GROUND FLOOR	3616 m2
SUPERMARKET	3036 m2
SPECIALITIES	509 m2
AMENITIES	71 m2
MEZZANNINE OFFICES	215 m2
TOTAL	3831 m2

NOTE:  
GFA MEASURED TO OUTSIDE FACE  
OF EXTERNAL WALLS OR THE  
CENTRE OF A COMMON WALL



**SITE COVER**

INCLUDING WALKWAYS & OUTDOOR DINING:

SITE AREA	12,087 m2
SITE COVER	4,477 m2
SITE COVER PERCENTAGE	37.0%

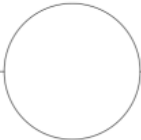
EXCLUDING WALKWAYS & OUTDOOR DINING:

SITE AREA	12,087 m2
SITE COVER	4,183 m2
SITE COVER PERCENTAGE	34.6%



**WOOLWORTHS RACEVIEW**

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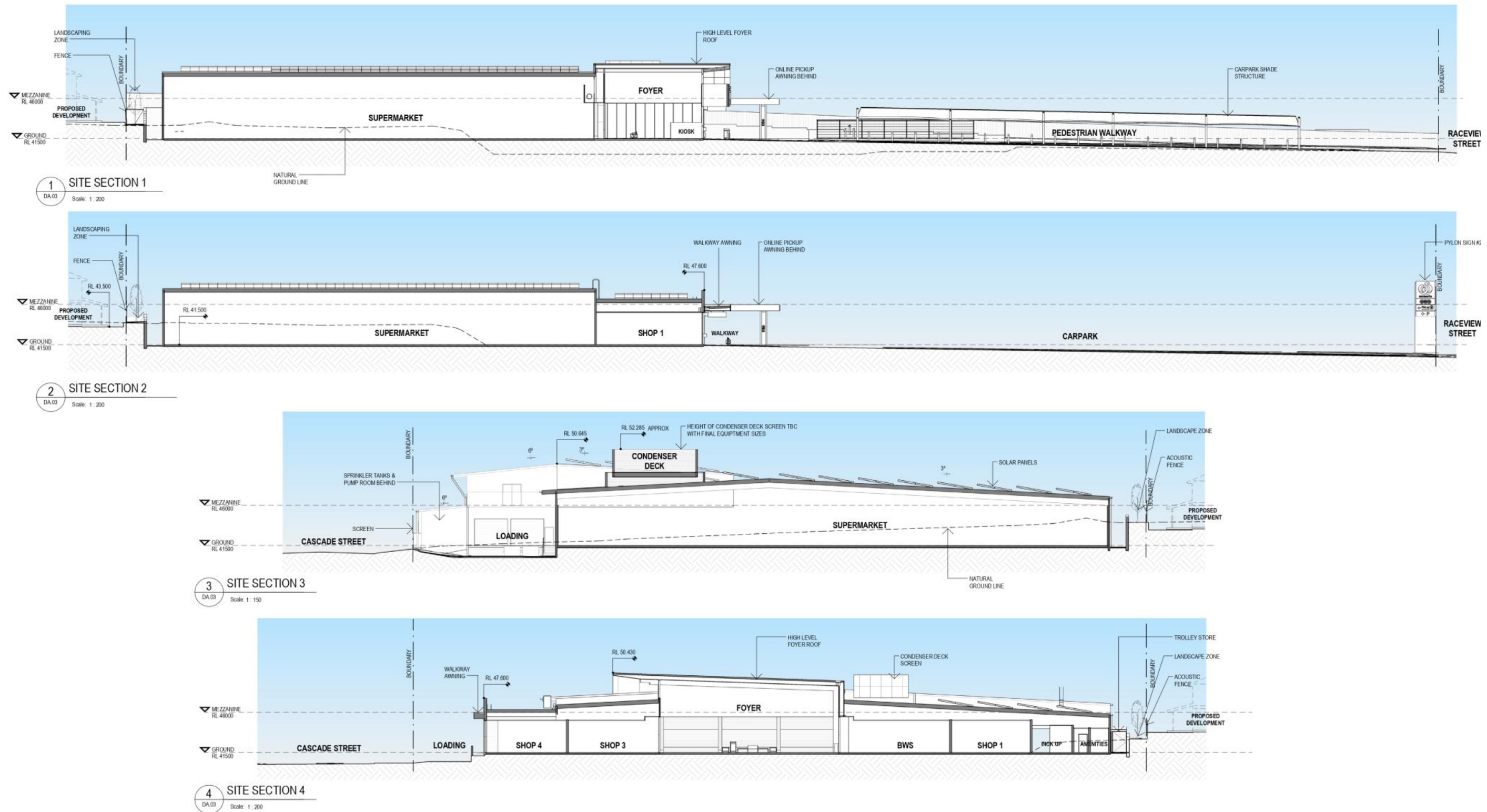


**NLA & GFA CALCULATIONS**

**P1424 DA.06 [E]**

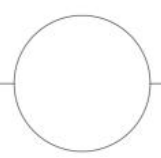
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**WOOLWORTHS RACEVIEW**

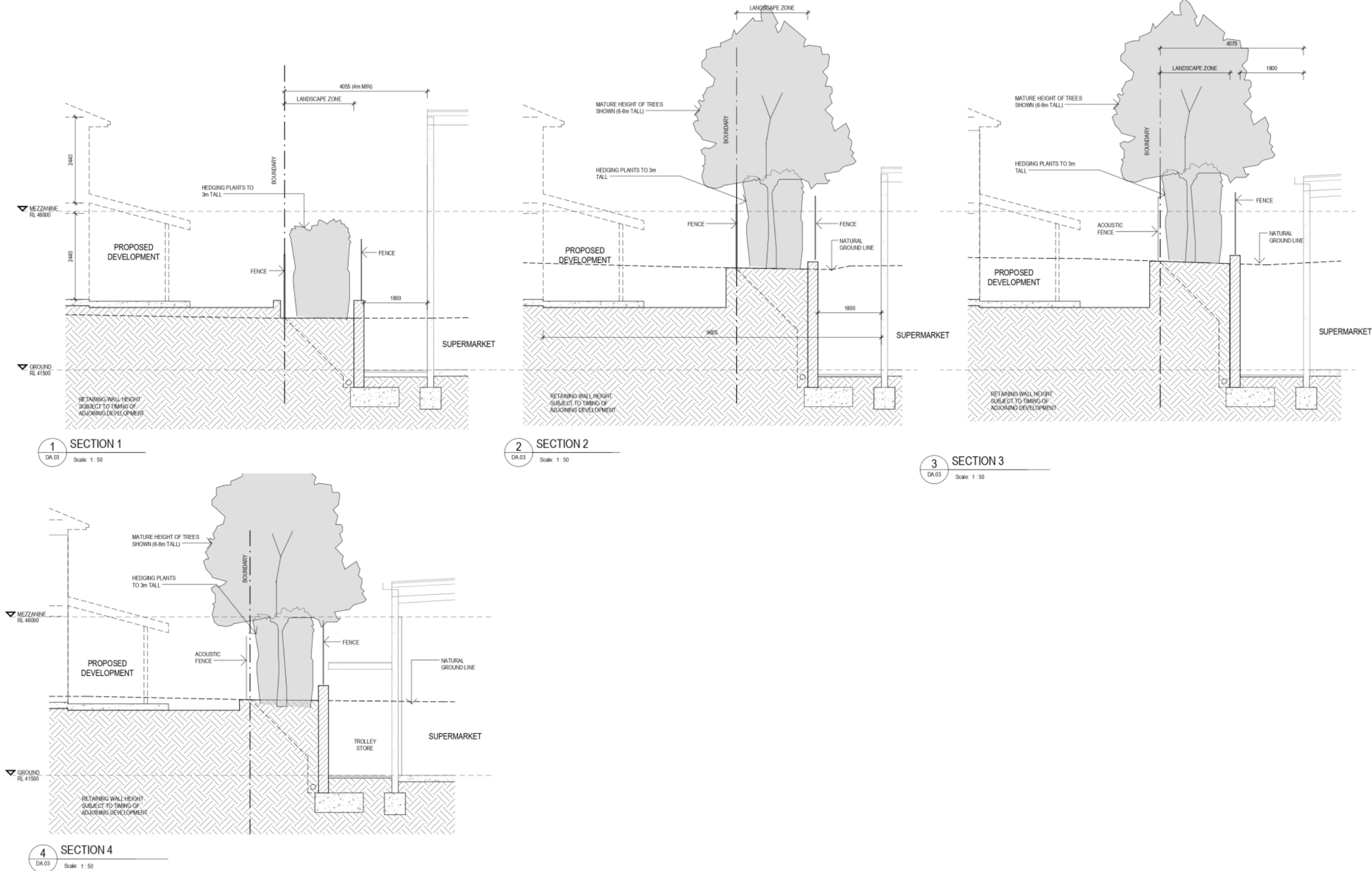
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**SITE SECTIONS**

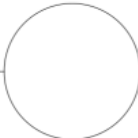
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**SECTIONS**

**P1424 DA.08 [E]**

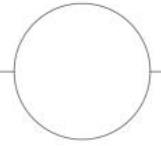
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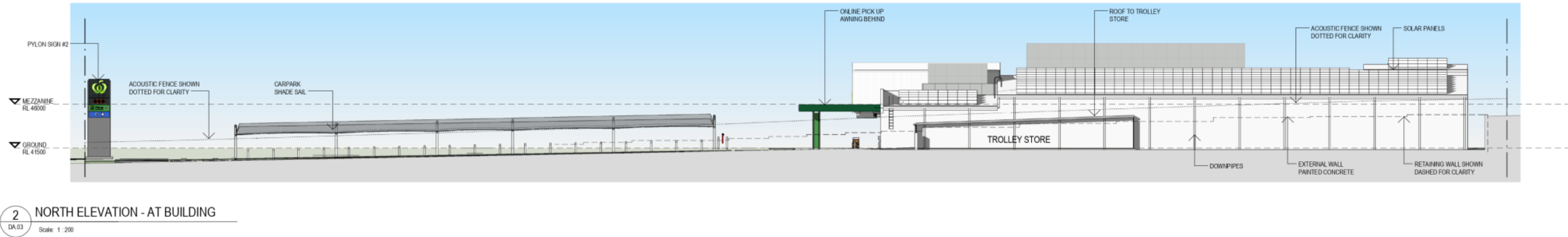
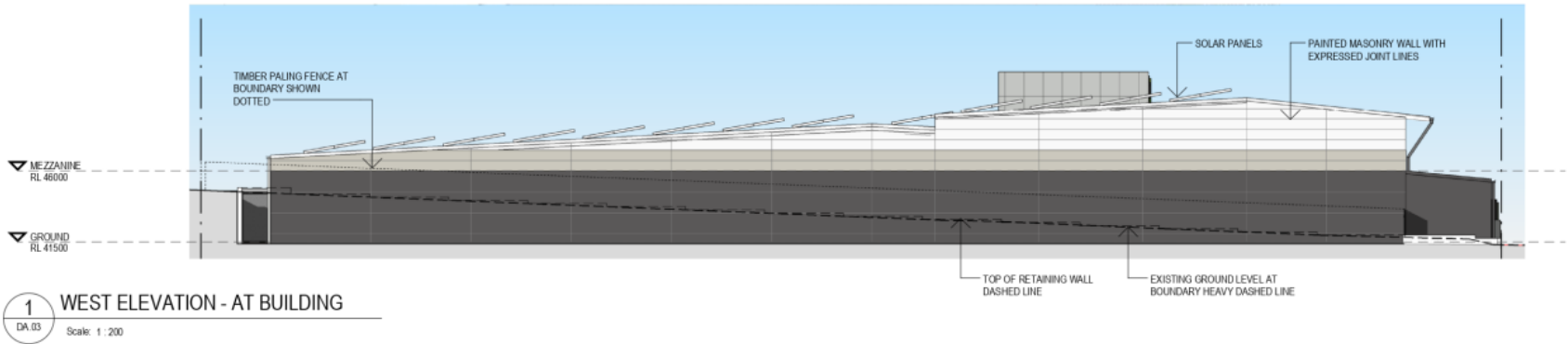
**WOOLWORTHS RACEVIEW**

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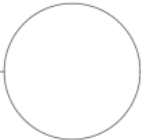
**ELEVATIONS**

**P1424 DA.09 [G]**  
18-Mar-19 12:13:40 PM 1:200 @ A1



WOOLWORTHS RACEVIEW

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ELEVATIONS

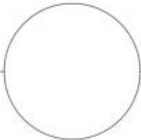
P1424 DA.10 [C]  
18-Mar-19 12:14:34 PM 1:200 @ A1





**WOOLWORTHS RACEVIEW**

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**3D VIEWS**

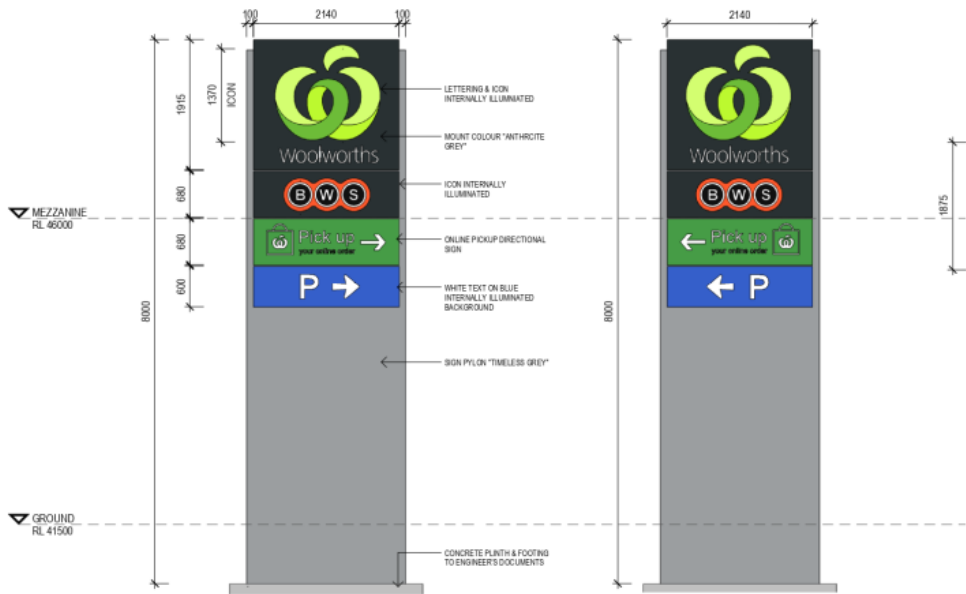
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Scale: 1 : 50



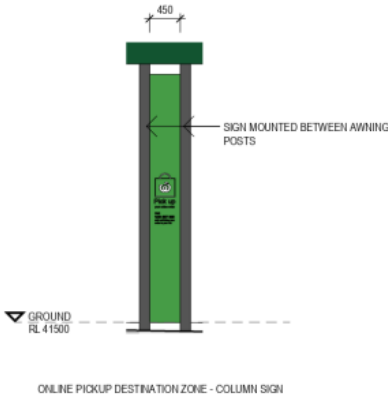
4 ONLINE PICK UP SIGNAGE  
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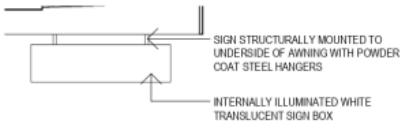
2 PYLON SIGN #1 (PYLON SIGN #2 IDENTICAL)  
Scale: 1 : 50



3 CONDENSER DECK SIGN  
Scale: 1 : 50



5 ONLINE PICKUP SIGNAGE  
Scale: 1 : 50



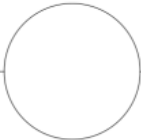
6 SPECIALITY TENANT SIGNS  
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**SIGNAGE NOTES**  
READ DRAWING IN CONJUNCTION WITH "WOOLWORTHS SUPERMARKET EXTERNAL SIGNAGE GUIDELINES"  
READ DRAWING IN CONJUNCTION WITH "F&B/COT STYLEGUIDE"



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**SIGNAGE**

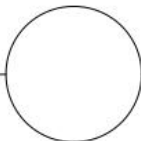
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18-Mar-19 12:27:08 PM 1:50 @ A1





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**VIEW FROM INTERSECTION**

**P1424 DA.14 [A]**

26-Feb-19 4:44:35 PM

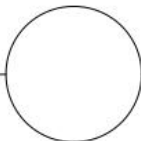
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**CASCADE STREET VIEW**

**P1424 DA.15 [A]**

26-Feb-19 4:45:51 PM

@ A1

Doc ID No: A5818286

ITEM: 4  
SUBJECT: 4502/2018/MCU CLEANAWAY LANDFILL REFUSAL  
AUTHOR: PLANNER (DEVELOPMENT)  
DATE: 8 OCTOBER 2019

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### EXECUTIVE SUMMARY

This is a report concerning a development application that seeks a development permit for a Material Change of Use over 100 Chum Street and 20 Rhondda Road, New Chum for the following:

- Waste Activity Use involving Landfill in the Swanbank/New Chum Buffer Area (formally referred to as Waste Activity Use other than involving Rehabilitating a Mining Void in the Swanbank/New Chum Buffer Area);
- Waste Activity Use involving Landfill in the Swanbank/New Chum Waste Activity Area;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50 tonnes or more a year;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
- Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year.
- ERA 33 (Crushing, milling, grinding or screening: Crushing, grinding, milling or screening more than 5,000t of material in a year);
- ERA 60 (Waste Disposal: 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection 1(b) – (h) more than 200,000t);

- ERA 62 (Waste Transfer Station operation: operating on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day.

The subject application requires review by Committee and determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as more than 20 properly made submissions objecting to the proposed development were received.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed use cannot be supported in accordance with section 5 and section 60 of the *Planning Act 2016*, as it does not advance the purpose of the *Planning Act 2016* and is in conflict with the applicable codes of the Planning Scheme and TLPI No. 1 of 2018 (Waste Activity Regulation) with no sufficient grounds to justify the decision despite the conflict.

### RECOMMENDATION/S

**That the Interim Administrator of Ipswich City Council resolve:**

- A. That Council (Interim Administrator of Ipswich City Council) resolve to refuse development application no. 4502/2018/MCU as outlined in the report by the Acting General Manager – Planning and Regulatory Services dated 8 October 2019 in accordance with section 5 and 60 of the *Planning Act 2016*.**
- B. That the General Manager – Planning and Regulatory Services be authorised to give a decision notice for the application in accordance with section 63 of the *Planning Act 2016*.**

### RELATED PARTIES

The related parties to this application are:

- Transpacific Waste Management Pty Ltd (Landowner) – Transpacific Waste Management Pty Ltd is an historic entity name for Cleanaway Solid Waste Pty Ltd that ceased on 2 February 2016.
- Cleanaway Solid Waste Pty Ltd (Developer) – The current company directors as extracted from the ASIC database on 30 September 2019 are Brendan John Gill, and Vikas Bansal.
- Wolter Consulting Group (Planning Consultant) – The current company directors as extracted from the ASIC database on 30 September 2019 are Andrew Robert Crawford, Natalie June Rayment and Michael David Wolter.
- Mitigation Strategy Summary report – The primary contact has been J. Briant
- GHD Pty Ltd:
  - Concept Design report – The primary contact has been E. Bordeleau
  - Site Based Management Plan – The primary contacts have been E. Cornelius and A. Hestehauge
  - Needs Analysis report – The primary contacts have been K. Kerr and S. Wilson

- Ecological Assessment report – The primary contacts have been L. O’Brien, S. Hodgkison and S. Chadwick
- Air Quality Assessment report – The primary contact has been S. Materia
- Acoustic Assessment report – The primary contact has been E. Potoczny
- Traffic Impact Assessment report – The primary contact has been P. Zlatkovic
- Community Engagement report – The primary contact has been Melanie Layton
- Visual Impact Mitigation – The primary contact has been Celine El-Khoury
- Stormwater Management Plan – The primary contact has been Omar Issadeen and R. Towner
- Groundwater Quality Assessment report – The primary contacts have been E. Love and A. Hughes
- Golder Associates Pty Ltd:
  - Photomontage Report - The primary contacts have been Brad Kanther and Nigel Ruxton
  - Geotechnical and Hydrogeological Review – The primary contacts have been Rob Morphet and Nigel Ruxton
  - Spontaneous Combustion Management Plan – The primary contacts have been Sven Waurich, Rob Morphet and Nigel Ruxton
  - Leachate Management and Water Balance Assessment – The primary contacts have been Sven Waurich and Nigel Ruxton
- Bushfire Risk Reducers (Bushfire Management Plan) – The primary contact has been Alistair Hill
- Deep End Services Pty Ltd (Needs Analysis report)– The primary contact has been Matthew Lee.
- Cardno (Qld) Pty Ltd (Visual Impact Assessment) – The primary contact has been Nerida Thomas.
- PhytoLink & Associates (Cleanaway Pty, Ltd, New Chum Landfill Visual Screening Memo) – The primary contact has been Richard Yeates
- HDR Inc. (Visual Screening) – The primary contacts have been Eric Mead, Pete Dumbrill and Zach Priester
- Katestone Environmental Pty Ltd (Dust Monitoring Report and Dust Monitoring program) – The primary contacts have been Frank Quintarelli, Sarah-Jane Donnelly and Natalie Shaw
- Epic Environmental (Environmental Monitoring; Qualitative PFAS Risk Assessment; Groundwater, Surface Water and Leachate Monitoring Plan) – The primary contacts have been Luke Amies.

## **ADVANCE IPSWICH THEME**

Managing growth and delivering key infrastructure

## **PURPOSE OF REPORT/BACKGROUND**

### **SITE ADDRESS:**

20 Rhondda Road and 100 Chum Street, New Chum

**APPLICATION TYPE:**

Material Change of Use

**PROPOSAL:**

- Waste Activity Use involving Landfill in the Swanbank/New Chum Buffer Area (formally referred to as Waste Activity Use other than involving Rehabilitating a Mining Void in the Swanbank/New Chum Buffer Area);
- Waste Activity Use involving Landfill in the Swanbank/New Chum Waste Activity Area;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50 tonnes or more a year;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
- Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year.
- Environmentally Relevant Activity (ERA) 33 (Crushing, milling, grinding or screening: Crushing, grinding, milling or screening more than 5,000t of material in a year);
- Environmentally Relevant Activity (ERA) 60 (Waste Disposal: 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection 1(b) - (h) more than 200,000t); and
- Environmentally Relevant Activity (ERA) 62 (Waste Transfer Station operation: operating on a commercial basis or in the



course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day.

**ZONE:**

**20 Rhondda Road**

Part Regional Business and Industry Investigation Zone (Sub Area RBIA02 – New Chum);

**100 Chum Street**

Part Regional Business and Industry Investigation Zone (Sub Area RBIA02 – New Chum);

Part Regional Business and Industry (Sub Area RB5M – Medium Impact Sub Are).

**OVERLAYS:**

**20 Rhondda Road**

- OV2 – Key Resource Area
- OV2 – Known Resource
- OV2 – Mining Leases
- OV3 – Area Affected by Underground Mining Shaft
- OV3 – Area Affected by Underground Mining Tunnel
- OV3 – Area Affected by Underground Mining
- OV3 - Mining Constrained Area
- OV3 Surface disturbance – including open cut Mining
- OV4 – Slope 15% to 20%
- OV4 – Slope 20% to 25%
- OV5 – Adopted Flood Regulation Line
- OV5 – 1:20 Development Line
- OV13 – High Voltage Electricity Transmission Lines

**100 Chum Street**

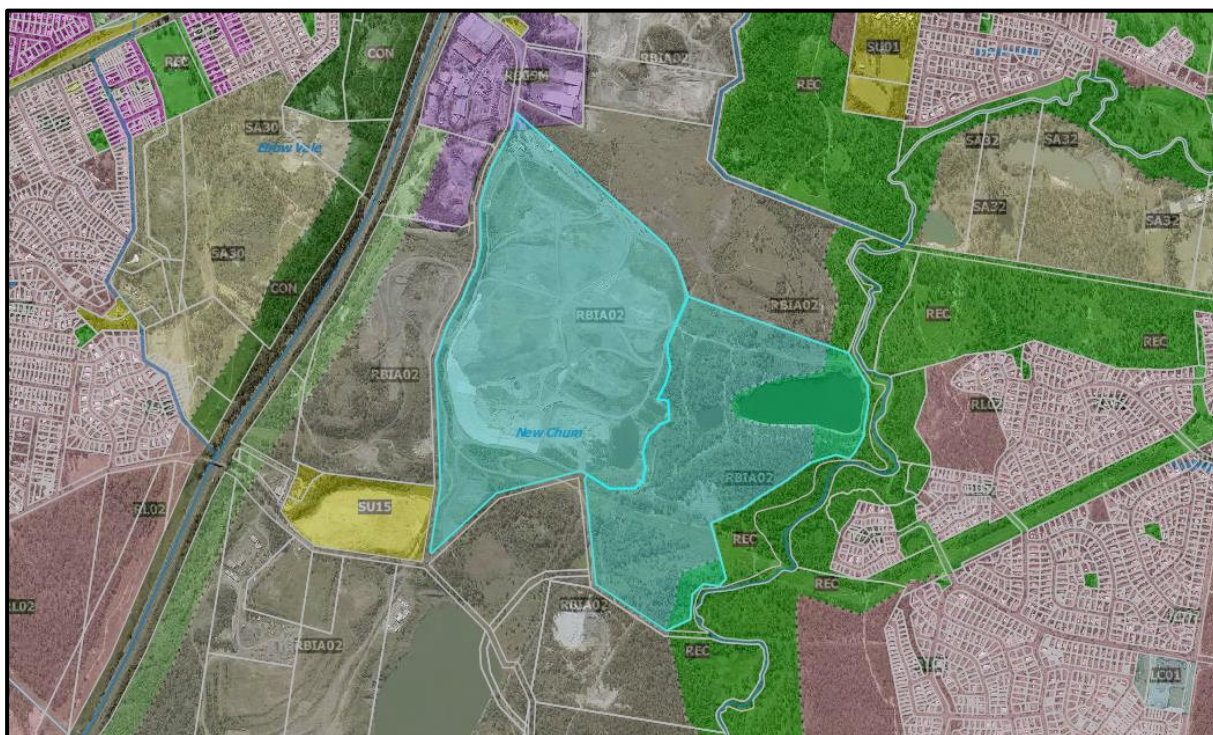
- OV2 – Haul Route Buffer
- OV2 – Key Resource Area
- OV2 – Known Resource
- OV2 – Mining Leases
- OV3 – Area Affected by Underground Mining Shaft
- OV3 – Area Affected by Underground Mining Tunnel
- OV3 – Area Affected by Underground Mining
- OV3 - Mining Constrained Area

	<ul style="list-style-type: none"><li>▪ OV3 Surface disturbance – including open cut Mining</li><li>▪ OV4 – Slope 15% to 20%</li><li>▪ OV7A – Building Height Restriction Area 90m</li><li>▪ OV7A Outer Horizontal Surface 176.5</li></ul>
<b>APPLICANT:</b>	Cleanaway Solid Waste Pty Ltd
<b>OWNER:</b>	C/- Wolter Consulting Group
<b>EXISTING OR PROPOSED TRADING NAMES:</b>	Transpacific Waste Management Pty Ltd
<b>APPLICATION NO:</b>	Cleanaway
<b>AREA:</b>	4502/2018/MCU
	<b>20 Rhondda Road</b>
	55.43ha
	<b>100 Chum Street</b>
	79.28ha
<b>REFERRAL AGENCIES:</b>	<ul style="list-style-type: none"><li>▪ Department of State Development, Manufacturing, Infrastructure and Planning – Concurrence</li><li>▪ Powerlink - Third Party Advice</li></ul>
<b>EXISTING USE:</b>	<ul style="list-style-type: none"><li>▪ Landfill – General Waste Disposal with Limited Regulated Waste.</li><li>▪ Special Industry (Waste Transfer Station, Crushing, Screening Milling and Grinding and Screening associated with the exiting landfill) and Service Trades Use (Motor Vehicle Repair) ERA - 8(3)(a), 21, 33 &amp; 62).</li></ul>
<b>PREVIOUS RELATED APPROVALS:</b>	<ul style="list-style-type: none"><li>▪ 192/98 (Town Planning Consent for a landfill)</li><li>▪ 140/98 (Town Planning Consent the weighbridge and ancillary facilities to the landfill)</li><li>▪ 4250/2011, 4250/2011/MA/A, 4250/2011/MA/B, 4250/2011/MA/C, 4250/2011/MA/D - Material Change Of Use for Special Industry (Waste Transfer Station, Crushing, Screening Milling and Grinding and Screening associated with the exiting landfill) and Service Trades Use (Motor Vehicle Repair) ERA - 33 &amp; 62)</li><li>▪ 4631/2013/MA, 4631/2013/MA/A, 4631/2013/MA/B, 4631/2013/MA/C - Weighbridge, entrance works and ancillary activities</li><li>▪ 4629/2013/MA, 4629/2013/MA/A, 4629/2013/MA/B, 4629/2013/MA/C -</li></ul>

Landfill (General Waste Disposal with  
Limited Regulated Waste)

**DATE RECEIVED:** 8 June 2018  
**DECISION PERIOD START DATE:** 10 September 2019  
**EXPECTED DETERMINATION DATE:** 21 October 2019

**SITE LOCATION:**



**PROPOSAL DESCRIPTION AND ASSESSMENT AGAINST KEY PLANNING PROVISIONS:**

The development site currently operates as a landfill and associated crushing, screening, milling and grinding operations, waste transfer station and Service Trades Use (Motor Vehicle Repair). The development site was historically used for open cut mining activities. The proposal seeks to increase the capacity of the existing landfill by way of an increase in the height of the finished landform from the currently approved RL71 to a revised height of RL85 (post settlement), changes to external batter slopes, surface water runoff and capping requirements, the establishment of a new resource recovery area for the sorting, removal and stockpiling of receiving materials that are not intended to be taken to landfill and the introduction of an additional landfill cell (Cell 6). The proposed increase in height results in the peak of the landfill being approximately 25m higher than the western edge of the former mining void.

The proposed landfill footprint is approximately 640,000m<sup>2</sup> with an additional 7,479,000m<sup>3</sup> of landfill capacity proposed. No changes to the current waste stream acceptance criteria or increase in the intensity of operations in terms of vehicle movements are proposed as part of this application. Furthermore, no changes have been sought to the end of life

rehabilitation, and as such Cleanaway will be required to undertake progressive rehabilitation in accordance with existing approval conditions inclusive of the Department of Environment and Science (formerly known as Department of Environment and Heritage Protection) Environmental Authority conditions regardless of the outcome of this development application. The final landform is proposed to be vegetated with grasses, shrubs and some trees upon completion.

The key planning provisions that relate to this development application include the *Planning Act 2016*, South East Queensland Regional Plan 2017-2041 (ShapingSEQ), State Planning Policy 2017, Ipswich planning Scheme 2006 and Temporary Planning Instrument No. 1 of 2018 (Waste Activity Regulation). Upon undertaking an assessment of the common material submitted in support of the application, it is evident that the proposal does not comply with the key planning provisions as follows:

### **Planning Act 2016**

Council performs the function of assessment manager pursuant to section 48 of the *Planning Act 2016* and section 21 of the *Planning Regulation 2017* in relation to the current Material Change of Use proposal. As such it is Council's responsibility as part of the assessment to advance the purpose of the Act in accordance with section 5(1) of the *Planning Act 2016*.

An assessment of section 5(2) of the *Planning Act 2016* was undertaken and it was shown that the proposal has not demonstrated that it advances the purpose of the Act in that it has not taken into account the environmental impacts of the proposal both now and in the future and does not encourage a transition to sustainable waste management from both an environmental and economic perspective.

In summary, the proposal has **not** demonstrated that it:

- Takes into account short and long-term environmental effects at local, regional, State and wider levels.
- Applies the precautionary principle in taking measures to prevent degradation of the environment.
- Provides equity between present and future generations.
- Encourages investment, economic resilience and economic diversity, particularly with respect to sustainable waste management practices.
- Applies amenity, conservation, energy use, health and safety in the built environment in ways that are cost-effective and of public benefit.

### **South East Queensland Regional Plan 2009 – 2031 (2009 Regional Plan)**

The 2009 Regional Plan provided 12 Regional policies that set out the desired regional outcomes, principles, policies and programs to address growth and management of the

region. Whilst the 2009 Regional Plan is now a superseded document, it is suggested that this document informed the preparation of the current ShapingSEQ document.

An assessment was therefore undertaken against the policies, specifically Desired Regional Policies 1 – Sustainability and climate change and 2 - Natural environment as follows:

Desired Regional Outcome 1 – Sustainability and climate change

The proposal does not provide for ecological sustainability or avoid or minimise impacts on areas with significant biodiversity values including managing offsite impacts. Of particular concern to Council is that the proposal does not represent sustainable change as there is limited demonstration that additional recycling will be achieved nor any strategies to transition away from landfill as the predominant waste management solution for the SEQ region. Further, it was noted that the proposal would significantly contribute to the loss of local character and scenic amenity through the vertical increase in the height of the finished landform from the currently approved RL71 to a revised peak height of RL85 (post settlement).

Desired Regional Outcome 2 - Natural environment

The proposal does not demonstrate that it will avoid or minimise impacts on areas with significant biodiversity values including managing offsite impacts including impacts on the Six Mile Creek corridor. Of particular concern is the discharge from overflowing leachate ponds in rain events (currently designed to only hold peak wet season rainfall events (90<sup>th</sup> percentile)). In addition, the proposal has not shown that the capacity of the leachate ponds are such that they are able to respond to the projected effects of climate change. Further, there is concern that the proposal will cause additional worsening in the receiving environments owing to potential liner and capping failure both during operation as well as post closure.

The supporting material also stated that a koala was observed during the field studies as well as faecal pellets within the impacted locations of the site. Further some of the dominant tree species mentioned in the report as being impacted are known to be koala feed trees. The supplied ecological report has not provided an assessment of the likely impact of koala and other threatened species and the relative importance and level of utilisation of this area by the local population and as such has not demonstrated that the proposal will not detrimentally impact this conservation significant species.

In summary, the proposal has **not** demonstrated that it:

- Is designed, operated and maintained such that it improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.
- Is designed, operated and maintained such that it provides for high levels of recycling and minimises the use of resources.
- Is designed, operated and maintained to provide high levels of environmental protection.

- Is designed, operated and maintained to maximise the re-use and recycling of waste to reduce the proportion going to landfill.
- Will promote the protection, maintenance and restoration of a healthy and resilient natural environment to sustainably support the region's rich biodiversity and ecosystem services including clean air and water, outdoor lifestyles and other community needs.
- Will manage water in the region on a sustainable and total water cycle basis to provide sufficient quantity and quality of water for human uses and to protect ecosystem health.

### **South East Queensland Regional Plan 2017**

An assessment of the proposal against the relevant provisions of the Shaping SEQ South East Queensland Regional Plan 2017-2031 (the Regional Plan) was undertaken. Following a review of the relevant sections it was determined that the proposed development is not consistent with Theme 4 – Sustain, Theme 5 – Live and Goal 4 – Sustain, Element 5 – Water sensitive communities of the Regional Plan as follows:

#### Theme 4 – Sustain

The proposed increased capacity of the landfill does not advance towards the intent for South East Queensland to be carbon neutral and have zero net waste in 50 years.

#### Theme 5 – Live

The proposal results in the potential adverse amenity (dust, odour, noise, visual) impacts that nearby residents may experience from the increased capacity and landform size of the proposed landfill. It is considered that the vertical increase in the height of the finished landform from the currently approved RL71 to a revised peak height of RL85 (post settlement) and increased capacity of the landfill will not *support improved health and wellbeing and increased quality of life*.

#### Goal 4 – Sustain, Element 5 – Water sensitive communities

The proposal has not demonstrated that it will protect and sustainably manage the region's catchments to ensure the quality of water in our waterways meets the needs of the environment and community. Of particular concern is the discharge from overflowing leachate ponds in rain events (currently designed to only hold peak wet season rainfall events (90<sup>th</sup> percentile)). Further, there is concern that the proposal may cause additional worsening in the receiving environments owing to potential liner and capping failure both during operation as well as post closure.

In summary, the proposal has **not** demonstrated that it:

- Is designed, operated and maintained to promote ecological and social sustainability through the protection of our natural assets including waterways at a local, regional and State level.

- Promotes movement towards a carbon neutral and zero net waste South East Queensland.
- Supports improved health, wellbeing and increased quality of life at a local, regional and State level.
- Protects and sustainably manages the region's catchments to ensure the quality of water in our waterways, aquifers, wetlands, estuaries, Moreton Bay and oceans meets the needs of the environment, industry and community.
- Plans for a water sensitive region by managing impacts on waterways.

### **State Planning Policy – July 2017**

The State Planning Policy (SPP) expresses the state's interests in land use planning and development. The policy states that the promotion and consideration of these state interests through the development decisions made by Council will help to secure a liveable, sustainable and prosperous Queensland. The SPP provides five themes that reflect the State Interests which a local government appropriately integrates into development outcomes. Following a review of the relevant sections it was determined that the proposed development is not consistent with the SPP as follows:

#### State interest – liveable communities

The 'liveable communities' state interest seeks to ensure that liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life. Through the assessment of the state interest it was identified that the proposed vertical increase in the height of the finished landform from the currently approved RL71 to a revised peak height of RL85 (post settlement) and increase to the capacity of the landfill does not value and nurture community identity, local landscape character and the natural environment owing to the fact that the increased land form is visible from existing and proposed residential and recreation areas as well as major roads.

#### State Interest – water quality

The water quality state interest seeks to protect the environmental values and quality of Queensland waters through the facilitated development outcomes. Through the assessment it was identified that the proposal has not adequately demonstrated that it is located, designed, constructed and could be operated to avoid or minimise adverse impacts on receiving waters through altered stormwater quality through the release and mobilisation of nutrients and sediments. Of particular concern is the discharge from overflowing leachate ponds in rain events (currently designed to only hold peak wet season rainfall events (90<sup>th</sup> percentile)). Further, there is concern that the proposal may cause additional worsening in the receiving environments owing to potential liner and capping failure both during operation as well as post closure.

In summary, the proposal has **not** demonstrated that it:

- Promotes high quality urban design and place making outcomes that facilitate and promote community identity through considering local features, character, needs and aspirations.
- Values and nurtures local landscape character and the natural environment.
- Facilitate the protection or enhancement of environmental values and the achievement of water quality objectives for Queensland waters.
- Is located, designed and will be constructed and operated to avoid or minimise adverse impacts on environmental values of receiving waters arising from altered stormwater quality and hydrology.
- Is located, designed and will be constructed and operated to avoid or minimise adverse impacts on the environmental values of receiving waters arising from the release and mobilisation of nutrients and sediments.
- Will achieve the applicable stormwater management design objectives on-site post-construction phase or an alternative local appropriate solution.

#### **Temporary Local Planning Instrument (TLPI) No. 1 of 2018 (Waste Activity Regulation)**

The purpose of the TLPI is to regulate applications for expanded waste activities within the Swanbank / New Chum industrial area to ensure this regionally significant economic area is appropriately regulated to protect existing, approved or planned residential and other sensitive receiving uses, from adverse impacts associated with waste activities. To achieve this purpose the TLPI includes Strategic Outcomes as well as assessment benchmarks within the Swanbank/New Chum Waste Activity Code.

An assessment against the TLPI was undertaken which identified that the proposed development is not consistent with the overall and specific outcomes sought as follows:

##### Location

The proposal seeks to establish a portion of a Waste Activity Use (Landfill) (specifically proposed Cell 6, a leachate pond, sediment basins and site entry, office, workshop, staff amenities, weighbridge and landfill gas flare in the norther corner of the site) outside of the Swanbank / New Chum Waste Activity Area.

The Swanbank/New Chum Waste Activity Code clearly states in section (3)(2)(a) that Waste Activity Uses that are inconsistent with the outcomes sought by the Swanbank/New Chum Waste Activity Code and constitute undesirable development and are unlikely to be approved.

##### Rehabilitation of former Mining Void

The overall height of the proposed landfill exceeds the top of the former mining void. The applicant has stated in their response to the TLPI: *“that the highest point of the former mining void was approximately RL60m, occurring towards the Western property boundary;*



*with a low point of approximately RL36m toward the eastern boundary of Lot 268 on SP103913."*

The proposed landform has a peak height of RL85m which is significantly higher than the former mining void and the previously approved peak height of RL71m. The proposal to raise the vertical height of the approved landform above the mining void height is not considered to be minor contouring.

In addition, the TLPI seeks to ensure that Waste Activities Uses achieve appropriate rehabilitation outcomes for land affected by former mining activities. These rehabilitation outcomes should include additional recreation, green space and environmental corridors where appropriate and consistent with Council's land use planning as well as ensuring that any permitted uses does not prejudice or compromise the future rehabilitation, use, repair or maintenance of the land.

#### Visual Amenity

The Concept Design Report Version 2 prepared by GHD (June 2019) states that the waste will be covered progressively and as needed for site environmental management (litter, odour and vermin control) noting that Intermediate cover will be placed in areas where waste areas will be inactive for periods of generally 90 days or longer. The method of landform covering/screening outlined in the Concept Design Report Version 2 suggests that no waste will be visible due to the creation of the screening bund located in the southern section of the landform.

While it is noted that the proposed screening bund may restrict views to the waste landform from the southern aspect, the waste areas and progressive landfilling may be visible from other aspects. It is also noted in the Visual Impact Assessment prepared by Cardno (June 2019) that views to the landform will be visible primarily from residential receptors to the east and south-east of the subject land in Collingwood Park, the adjacent industrial land (Claypave site) and the Swanbank industrial area to the south. In addition, the Visual Impact Assessment prepared by Cardno (June 2019) specifically addresses the proposed landform and states: *"Compared to the approved landfill (to RL71), the proposed development (to RL85m) will have greater visibility from some sensitive residential receptor groups in Collingwood Park, Redbank Plains and Redbank (Receptor Groups D-H, J, K), a commercial receptor group in Redbank Plains (Receptor Group I), Swanbank (Receptor Group L) and New Chum (Receptor Group M) and from a small section of the Ipswich Motorway in Redbank (Receptor Group B)."* It is therefore likely that the proposed landform and waste progressively filled on-site as a result of the proposed development application will be visible from residential and other sensitive areas and could lack the ability to adequately screen the on-site works, particularly to the east and south-east. It has therefore not been demonstrated that the proposal will not impact on visual amenity from residential and other sensitive areas.

In summary, the proposal has **not** demonstrated that it:

- Will not have a detrimental impact on the amenity of surrounding area, particularly on existing, approved or planned residential areas or other sensitive receiving uses.

- Will not have a significant impact on visual amenity from residential and other sensitive receiving uses.
- Does not have a detrimental impact on the environment.
- Achieves appropriate rehabilitation outcomes for land affected by former mining activities.
- Will achieve appropriate rehabilitation outcomes for land affected by former mining activities that:
  - add to a network of green spaces, environmental corridors and active and passive recreation areas;
  - do not prejudice or compromise the future rehabilitation, use, repair or maintenance of the land; and
  - includes appropriate landscaping and revegetation strategies appropriate for the long term use of the rehabilitated land.
- Includes filling and earthworks that do not extend beyond the top of former mining voids.
- Is designed, operated and maintained so that exposed waste is not visible from surrounding residential and other sensitive receiving uses at any time.

### **Ipswich Planning Scheme 2016**

The *Ipswich Planning Scheme 2006* (the Scheme) provides a number of benchmarks against which development subject to Impact Assessment must be assessed. These include Desired Environmental Outcomes and Performance Indicators, Overall and Specific Outcomes in the respective Area and Zone Codes, Use and Overlay Codes as well as any applicable Planning Scheme Policies.

The basis of these measures is to provide for ecological sustainability across the local government area and determine if the desired outcomes are being achieved through the development outcomes achieved.

An assessment against the Scheme was undertaken which identified that the proposed development is not consistent with the relevant Desired Environmental Outcomes, Performance Indicators and Overall and Specific Outcomes as follows:

#### **Natural Environment**

The increased capacity of the proposed landform as well as the relocation of related functional aspects of the use such as the leachate pond and sediment basins will result in the loss of natural vegetation and associated habitat particularly within areas designated for buffer purposes.

The supporting material also stated that a koala was observed during the field studies as well as faecal pellets within the impacted locations of the site. Further some of the dominant tree species mentioned in the report as being impacted are known to be koala feed trees. The supplied ecological report has not provided an assessment of the likely impact of koala and other threatened species and the relative importance and level of utilisation of this area by the local population and as such has not demonstrated that the proposal will not detrimentally impact this conservation significant species.

In addition, the proposal does not demonstrate that it will avoid or minimise impacts on areas with significant biodiversity values including managing offsite impacts. Of particular concern is the discharge from overflowing leachate ponds in rain events (currently designed to only hold peak wet season rainfall events (90<sup>th</sup> percentile)) In addition, the proposal has not shown that the capacity of the leachate ponds are such that they are able to respond to the projected effects of climate change. Further, there is concern that the proposal may cause additional worsening in the receiving environments owing to potential liner and capping failure both during operation as well as post closure.

#### Amenity Impacts

Significant amenity impacts are identified to both residential and other sensitive areas within visual range of the proposal. These impacts are twofold. During operation the progressive filling of waste is unlikely to be screened to the east and south-east and as such will likely be visible from existing, approved and future residential, recreation and open space areas. In addition, post closure the vertical increase in the height of the finished landform from the currently approved RL71 to a revised peak height of RL85 (post settlement) is shown to be visible from a number of residential and other sensitive areas both within and adjoining the Swanbank/New Chum locality.

Further as outlined above the proposed changes seek to establish an expanded landform and related functional aspects which will result in the removal of mature vegetation that will further degrade the buffering function required to manage the amenity impacts on sensitive uses within visual range of the proposal.

#### Site Rehabilitation

The proposal does not demonstrate that it will rehabilitate or use in an appropriate manner a degraded or contaminated site (including former mining sites and overburden stockpiles) to establish a regionally significant business enterprise and industry nodes and uses that have and promote a high standard of amenity.

In summary, the proposal has **not** demonstrated that it:

- Will minimise or prevent adverse effects on the natural environment with respect to soil degradation, air pollution and water pollution owing to erosion, chemical contamination, acidification, salinity, management and effluent disposal and the like.
- Will maximise the health and safety of people, and the amenity they enjoy, particularly in the urban areas where different types of uses are located close together.

- Is designed and located to minimise impacts, nuisance and risks to adjoining residential uses, people and property.
- Will result in the creation and maintenance of regionally significant business enterprise and industry nodes which enjoy sustained economic growth, good design and ecological sustainability.
- Will rehabilitate or use in an appropriate manner a degraded or contaminated site (including former mining sites and overburden stockpiles) to establish a regionally significant business enterprise and industry nodes and uses that have and promote a high standard of amenity.
- Provides appropriate visual treatment, landscaping, buffering and separation between incompatible uses to ensure that there are no discernible amenity or environmental impacts which affect adjacent sensitive land uses both existing and planned including residences and major external road corridors.
- Will ensure stormwater runoff from a use or site is similar to or better than the established water quality standards for the receiving waters or lawful point of discharge.
- Resolves the applicable constraints such as the potential amenity impacts on nearby residential areas.
- Will not have a significant detrimental amenity impact on nearby existing or proposed residential areas including recreation uses.
- Provides landscaping that is designed, constructed and maintained to provide buffers to improve amenity or environmental impacts particularly where industrial uses adjoin residential areas or riparian corridors or are 'overlooked' by residential areas.
- Has no discernible amenity or environmental impacts outside of the Swanbank New Chum Sub Area.
- Will be screened with appropriate landscaping such that outdoor areas used for plant, equipment and storage are not visible when viewed from the Cunningham Highway, Old Ipswich Road, the Centenary Highway, and the Ipswich to Springfield Public Transport Corridor and nearby existing or planned residential areas. Is of a scale appropriate for the prevailing nature of the area and the particular circumstances of the site and its surrounds.
- Will be developed and managed in accordance with acceptable environmental standards.
- Is compatible with the character of the local area.

- Can screen unsightly elements.
- Can maintain a scale and height of development commensurate with the intent of the zone, Sub Area or precinct in which the development is located and which is generally compatible with surrounding development.
- Can be undertaken in a manner which does not cause a nuisance or disturbance to the occupiers or users of other nearby land, particularly nearby residents and other sensitive receptors.
- Will have no significant detrimental effect on the amenity and general well-being of the area.
- Will maintain the amenity of nearby residential areas and protect and enhance important townscape and landscape elements, having regard to vegetation protection within buffer areas and appropriate landscape treatment of buffer areas.

### Waste Management

It is noted that the Queensland Government has recently made a range of legislative and policy reforms and released a number of directions/discussions papers, strategies and development programs with respect to the management of the waste industry, which is aimed at significantly changing the way in which waste is dealt with in Queensland. These include the Transforming Queensland's Recycling and Waste Industry - Directions Paper, the Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of Waste into Queensland, the Waste Management and Resource Recovery Strategy, the Resource recovery industry development program, the Energy from Waste Policy – Discussion Paper, the Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan; and the Queensland Climate Transition Strategy; all of which recognise that there has been little substantive progress in the preceding ten years on waste recovery rates, the current resource recovery targets are not being met, and a new way forward is needed to promote and support genuine resource recovery, recycling and residual waste management and there is a real need to reduce the reliance on landfills. As Council has recently received an influx of development applications for new and expanded landfills, significant concerns are held that the proposed development may undermine the objectives being sought by the Queensland Government.

In order to alleviate these concerns and to give the applicant an opportunity to demonstrate to both the Council and the Queensland Government that there is an overarching need for the proposed landfill expansion, the applicant was requested to prepare and submit a Waste Industry Management Expert Report. In doing so, the applicant was requested to demonstrate that the proposed development will not undermine the vision, strategies, objectives and outcomes sought by the Queensland Government in the following documents:

- State Planning Policy;
- State Infrastructure Plan;

- Transforming Queensland's Recycling and Waste Industry Directions Paper;
- The Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of waste into Queensland;
- Waste Management and Resource Recovery Strategy;
- Resource recovery industry development program;
- Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan;
- Energy from Waste Policy Discussion Paper;
- Queensland Climate Transition Strategy;
- South East Queensland Regional Plan 2009 – 2031 (2009 Regional Plan); and
- ShapingSEQ South East Queensland Regional Plan 2017 (2017 Regional Plan).

Furthermore, it was requested that the Waste Industry Management Expert Report demonstrates how the proposed development promotes ecological sustainability; promotes improvements in waste avoidance; promotes and supports genuine resource recovery, recycling and residual waste management therefore reducing the reliance on landfills, assists in reducing the reliance on landfills; will reduce or limit the unnecessary transport of waste within Australia; supports a liveable, sustainable and prosperous Queensland; minimises greenhouse emissions; supports local jobs and job creation, noting that landfills generally support few jobs then uses where waste is reused or recycled; and will not result in an outcome whereby landfilling of waste becomes cheaper (economies of scale/supply and demand), which would continue to make the transport of waste in Queensland (including cross border) the most appealing option therefore stifling innovation, waste avoidance, resource recovery and recycling.

Notwithstanding Council's request, the applicant refused to provide a Waste Industry Management Expert Report. In their response to Council, the applicant advised that a specific Waste Industry Management Expert Report has not been prepared as part of the development application and will not be provided in response to Council's further advice as the development application, when read as a whole, contains sufficient information for the Council to assess and decide the development application.

In summary, the applicant failed to demonstrate that there is an overarching need for the proposed landfill expansion and that the proposal will not undermine the vision, strategies, objectives and outcomes sought by the Queensland Government particularly in the context of the current resource recovery, recycling and residual waste management initiatives introduced by the Queensland Government.

### **SUMMARY OF ASSESSMENT**

An assessment of the proposal has been undertaken against the key planning provisions that relate to this development application including the *Planning Act 2016*, South East Queensland Regional Plan 2017-2041, State Planning Policy 2017, Ipswich planning Scheme 2006 and Temporary Planning Instrument No. 1 of 2018 (Waste Activity Regulation). Taking into account all relevant information, it is concluded that the proposal has not demonstrated sufficient grounds to justify approval having regard to the common material and key planning provisions.

Upon formulating a recommendation on this development application, Council engaged the services of an external Town Planning expert to undertake an independent third-party peer review of the development application. The independent third-party peer review provided a high-level summary assessment of the application against the applicable legislation and statutory provisions, including the relevant provisions of the South East Queensland Regional Plan 2017-2041, State Planning Policy 2017, Ipswich Planning Scheme 2006 and Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation).

In summary, the independent third-party peer review agreed with the recommendation to refuse the development application on the basis of the application material submitted and the specific nature of the proposal as it currently stands, primarily because it is inconsistent with the intent of the Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) which applies to the subject site. The peer review also agreed that there are aspects of the *Ipswich Planning Scheme 2006* which the proposed development does not comply with.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:

*Planning Act 2016*

*Planning Regulation 2017*

### **RISK MANAGEMENT IMPLICATIONS**

- A risk to Council exists should the proposal not be determined in accordance with legislative requirements. The assessment and subsequent recommendations have been prepared to minimise the risk.
- Pursuant to DA Rules the due date to make decision on this application is 21 October 2019 and the due date to issue the decision notice to the applicant is 28 October 2019. The applicant could lodge a deemed refusal appeal in the Planning and Environment Court if the decision notice is not issued to the applicant by 28 October 2019.
- Notwithstanding, upon Council issuing the decision notice the applicant may choose to appeal Council's refusal decision in the Planning and Environment Court.

### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no resource implications associated with this report.

### **COMMUNITY AND OTHER CONSULTATION**

#### Referral Agencies

The application required referral to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) as a concurrence agency. The development application referral (ref: 1807-6501 SRA) was assessed by the State Assessment and Referral Agency (SARA). Following an assessment against the State Development Assessment Provisions, SARA determined that the application complied with the State's assessment

benchmarks for state transport infrastructure and environmentally relevant activities, under the *Planning Act 2016* and the *Environmental Protection Act 1994*. Aspects associated with the site's operations, such as site management and risks were considered as part of the State's assessment. SARA's response dated 10 September 2019 advised that they did not object to the development subject to the inclusion of SARA conditions.

In the Statement of Reasons provided by SARA, Council was advised that:

- The development complies with the purpose and applicable performance outcomes of State code 6: Protection of state transport networks and State code 22: Environmentally relevant activities of the State Development Assessment Provisions.
- The development application material demonstrates the proposal, with conditions, will not adversely impact upon existing and future state-controlled roads
- The development application material demonstrates the proposal, with conditions, protects state transport infrastructure from adverse impacts and maintains the operational performance of the state transport network.
- The development application material demonstrates that risks associated with the proposal have been identified and can be managed appropriately to protect human health and safety, proportionate to the sensitive nature of the surrounding land uses.

The application was also referred to Powerlink owing to the presence of a Powerlink easement over the subject site. On 16 July 2019 Powerlink provided an amended response following notification of the changed application. The amended response advised Council that they do not object to the development provided it is undertaken in accordance with the terms and conditions of the easement.

### Public Notification

Public notification of this application was undertaken pursuant to the *Planning Act 2016*. The applicant undertook public notification twice for a period of 15 business days, once for the original proposal and the second time following the change. The first period was undertaken from 3 November 2018 to 14 December 2018 and the second from 8 July 2019 to 29 July 2019. Council received 320 properly made submissions and 24 not properly made submissions. Of the 320 properly made submissions 19 were supportive of the proposal. Matters raised in the submissions include:

Matters raised - Objections	How matters were dealt with in reaching a decision
<b>Traffic/Transport</b> <ul style="list-style-type: none"> <li>▪ Issues with increase in traffic movements (including heavy vehicles) on local roads and highways.</li> </ul>	<p>The submissions received are common material for the application and have been considered as part of the application assessment.</p> <p>While a number of matters raised could be resolved through reasonable and relevant conditions, there are</p>
<b>Air Pollution and Odours</b> <ul style="list-style-type: none"> <li>▪ Landfill operations generate unacceptable levels of dust (including asbestos), toxic smoke (from fires) and odour with limited or non-existent management strategies.</li> <li>▪ Insufficient air pollution and odour monitoring and reporting.</li> <li>▪ Concern with landfill gas impacts post closure and up to 30 years post closure (including risk of explosion and/or</li> </ul>	



<p>asphyxiation).</p> <ul style="list-style-type: none"> <li>Concerns with veracity of submitted reporting.</li> <li>Increases health risks for nearby residents.</li> </ul>	<p>certainly matters for which Council agrees with the submitters concerns. In conclusion the development cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development.</p>
<p><b>Noise pollution</b></p> <ul style="list-style-type: none"> <li>Proposal generates noise pollution from traffic and heavy machinery on site.</li> </ul>	
<p><b>Water/Soil Pollution</b></p> <ul style="list-style-type: none"> <li>Release of contaminants from the landfill pollutes underground water and soil.</li> <li>Water pollution from leachate and stormwater runoff from the landfill facility.</li> <li>Water pollution through increased erosion.</li> <li>Insufficient water/soil pollution monitoring and reporting including post closure.</li> <li>Concern with long-term leaking of toxic leachate post closure owing to failure of landfill liners.</li> <li>No clear contamination event remediation plan/policy.</li> <li>Proposed leachate water management provides insufficient detail to demonstrate efficacy.</li> </ul>	
<p><b>Health Impacts</b></p> <ul style="list-style-type: none"> <li>Increased health hazards to the community.</li> <li>Waste streams accepted on site include asbestos and other toxic materials resulting in release of airborne harmful asbestos particles.</li> </ul>	
<p><b>Site Rehabilitation Outcomes</b></p> <ul style="list-style-type: none"> <li>Landfill consisting of waste is not appropriate as rehabilitation material for mining voids.</li> <li>Application does not demonstrate the project's ecological sustainability.</li> </ul>	
<p><b>Increased landform height and loss of amenity</b></p> <ul style="list-style-type: none"> <li>The proposal will be a visual eyesore during and post operation.</li> <li>Proposal creates an unappealing engineered mountain.</li> <li>Loss of existing visual beauty of the area.</li> <li>Loss of views to D'Aguilar Range and Great Dividing Range.</li> <li>Increased lifespan of facility extends impact on residents.</li> </ul>	
<p><b>Impact on Wildlife</b></p> <ul style="list-style-type: none"> <li>Increased noise and pollution affects the wildlife in the vicinity.</li> <li>Proposed expansion will disrupt populations of protected fauna including koalas, echidnas, grey-headed flying foxes, greater gliders, platypii and Powerful Owl.</li> <li>Proposed expansion will disrupt populations of Red Goshawks and Rufous Fantails.</li> </ul>	
<p><b>Impact on Protected Vegetation</b></p> <ul style="list-style-type: none"> <li>Proposed expansion will disrupt populations of protected flora including the Cooneana Olive, Lloyd's Olive and Slender</li> </ul>	

Milk Vine.	
<b>Create Stormwater and Flooding Issues</b> <ul style="list-style-type: none"> <li>▪ Increase in stormwater flows to Void 10 causing changes to the hydrology of the area and impacts on current environmental values.</li> <li>▪ Increased turbidity within Six Mile Creek owing to erosion and stormwater runoff.</li> <li>▪ Increased stormwater flows could exacerbate existing flooding within Riverview.</li> </ul>	
<b>Ground/Underground Stability</b> <ul style="list-style-type: none"> <li>▪ Increase in height coupled with unreliable mine mapping, uncertain stability and poor understanding of the location of mine workings (including underground heating and subsidence) increases risk of future environmental damage should a geotechnical failure occur.</li> </ul>	
<b>Economic Need</b> <ul style="list-style-type: none"> <li>▪ Concerns with veracity of economic needs reporting.</li> </ul>	
<b>Incompatible with the locality</b> <ul style="list-style-type: none"> <li>▪ The general locality has been and is intended for the purposes of regionally significant commercial and industrial uses and the proposal sterilises the subject land from these uses.</li> </ul>	
<b>Cost implications to the community</b> <ul style="list-style-type: none"> <li>▪ The proposal does not bring any positive benefit to the area rather bring undesirable consequences to the area.</li> <li>▪ Shall have adverse social and economic impacts on the community.</li> </ul>	
<b>Proximity to residential areas</b> <ul style="list-style-type: none"> <li>▪ The proposal represents an incompatible use with the growing residential areas surrounding New Chum.</li> <li>▪ Proposal within 2km to schools and homes</li> </ul>	
<b>Poor community consultation</b> <ul style="list-style-type: none"> <li>▪ Application material does not include adequate and appropriate information for public to fully understand the project.</li> <li>▪ Misleading information circulated about the rehabilitation of Void 10 as Community Open Space.</li> <li>▪ Insufficient time to review complex application prior to deadline to make submission.</li> </ul>	
<b>Lack of trust in waste operators</b> <ul style="list-style-type: none"> <li>▪ General concern with waste operators' history of non-compliance.</li> <li>▪ Concern with Cleanaway's track record of non-compliance with permit conditions including overfilling and unsorted waste allowing escape of pollutants including asbestos, reclassification of interstate waste as local waste.</li> </ul>	

<b>Property Values</b> <ul style="list-style-type: none"> <li>Leads to decrease in property values of nearby residential properties.</li> </ul>	
<b>Ipswich becoming waste capital</b> <ul style="list-style-type: none"> <li>The proposal predominantly caters for waste generated outside of Ipswich LGA including other States of Australia.</li> <li>No justified benefit to the residents of Ipswich.</li> </ul>	
<b>Social impact and stigma</b> <ul style="list-style-type: none"> <li>Concentrated large scale waste dumps will impact on the reputation of the area.</li> <li>The locality shall be dis-reputed as the 'dumping capital' of South East Queensland and Australia.</li> </ul>	
<b>Non-compliance with relevant policies</b> <ul style="list-style-type: none"> <li>Non-compliant with the Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation).</li> <li>Non-compliance with State Government Guidelines on siting landfill (500m from noise, dust or odour sensitive place or less than 100m from an unstable area).</li> <li>Non-compliance with the purpose of the <i>Planning Act 2016</i>.</li> <li>Non-compliance with the <i>Planning Regulation 2017</i>.</li> <li>Non-compliance with the <i>Ipswich Planning Scheme 2006</i>.</li> </ul>	

Matters raised - Support	How matters were dealt with in reaching a decision
<b>Essential Service</b> <ul style="list-style-type: none"> <li>Landfill provides essential waste disposal services for local businesses;</li> <li>Limited landfill capacity available in Ipswich/greater Brisbane area is problematic for long-term waste disposal needs.</li> </ul>	<p>The submissions received are common material for the application and have been considered as part of the application assessment. The application has been refused for the reasons outlined in Purpose of Report/ Background above.</p>
<b>Increased operational expenses</b> <ul style="list-style-type: none"> <li>Alternative disposal arrangements are likely to incur increased transport costs and transport kilometres and as a result increased carbon emissions.</li> </ul>	
<b>Convenient location</b> <ul style="list-style-type: none"> <li>The subject facility is conveniently located to the industries it services with good heavy vehicle access.</li> <li>Limited local roads travel is required to access the facility.</li> </ul>	
<b>Trustworthy Operator</b> <ul style="list-style-type: none"> <li>The subject facility has a proven track record of being quality, efficient and compliant waste disposal service.</li> <li>The subject facility operates with well-established quality systems and processes.</li> <li>The subject facility operates in accordance with the license obligations set by the Department of Environment and Science.</li> <li>Continued operational improvement witnessed on subsequent public open days.</li> </ul>	

<b>Environmental responsibility</b> <ul style="list-style-type: none"> <li>▪ The subject facility employs a cell system that utilises layers of liner and drainage systems to protect the waste from negatively interacting with the environment.</li> </ul>	
<b>Employment generator</b> <ul style="list-style-type: none"> <li>▪ The subject facility employs more than 25 personnel and supports a number of contractors.</li> </ul>	
<b>Economic contributor</b> <ul style="list-style-type: none"> <li>▪ The subject facility is a large contributor of rates and taxes to the State and local Ipswich economy.</li> </ul>	
<b>Increased landform height</b> <ul style="list-style-type: none"> <li>▪ The proposed landform height is less than the surrounding topography.</li> </ul>	
<b>Rehabilitation outcomes</b> <ul style="list-style-type: none"> <li>▪ The operator plans to progressively rehabilitate the landfill and its buffer areas which is beneficial to improve this former open cut coal mining area.</li> </ul>	
<b>Corporate citizen</b> <ul style="list-style-type: none"> <li>▪ The operator supports a number of sporting and cultural organisations through the Cleanaway New Chum Community Benefit Scheme in the greater New Chum area including Blackstone, Bundamba, Ebbw Vale, Dinmore, Riverview, Redbank, Collingwood Park and Woodlinks.</li> <li>▪ Approximately \$200,000 of financial support over 4 years.</li> </ul>	

## CONCLUSION

The proposal cannot be supported in accordance with sections 5 and 60 of *Planning Act 2016*. The development does not advance the purpose of the *Planning Act 2016* and conflicts with the South East Queensland Regional Plan 2017-2041, State Planning Policy 2017 and the applicable codes of the Planning Scheme and TLPI No. 1 of 2018 (Waste Activity Regulation) with no sufficient grounds to justify the decision despite the conflict. Furthermore, the proposed development is inconsistent with expressed planning principles that promote ecological sustainability and seek to reduce the need for landfill and maximise recycling and is likely to undermine the vision, strategies, objectives and outcomes sought by the Queensland Government in the following documents:

- State Infrastructure Plan;
- Transforming Queensland's Recycling and Waste Industry Directions Paper;
- The Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of waste into Queensland;
- Waste Management and Resource Recovery Strategy;
- Resource recovery industry development program;
- Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan;
- Energy from Waste Policy Discussion Paper; and
- Queensland Climate Transition Strategy

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Statement of Reasons <a href="#">↓</a> 
2.	Proposal Plans <a href="#">↓</a> 
3.	Referral Agency Responses <a href="#">↓</a> 
4.	Third Party Review Report <a href="#">↓</a> 

Matthew Buchanan

### **PLANNER (DEVELOPMENT)**

I concur with the recommendations contained in this report.

Michael Simmons

### **TEAM COORDINATOR (WEST)**

I concur with the recommendations contained in this report.

Anthony Bowles

### **ACTING DEVELOPMENT PLANNING MANAGER**

I concur with the recommendations contained in this report.

Brett Davey

### **ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

***“Together, we proudly enhance the quality of life for our community”***

Our Reference 4502/2018/MCU:AB  
Contact Officer Anthony Bowles  
Telephone (07) 3810 6254



## STATEMENT OF REASONS

(Notice about the decision given under section 63(4) of the *Planning Act 2016*)

### APPLICANT DETAILS

Applicant name: Cleanaway Solid Waste Pty Ltd  
C/- Wolter Consulting Group Pty Ltd

### APPLICATION DETAILS

Application number: 4502/2018/MCU  
Application type: Material Change of Use  
Approval sought: Development Permit

Description of proposed development:

- Waste Activity Use involving Landfill in the Swanbank/New Chum Buffer Area (formally referred to as Waste Activity Use other than involving Rehabilitating a Mining Void in the Swanbank/New Chum Buffer Area);
- Waste Activity Use involving Landfill in the Swanbank/New Chum Waste Activity Area;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50 tonnes or more a year;
- Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;
- Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year.
- Environmentally Relevant Activity (ERA) 33 (Crushing, milling, grinding or screening: Crushing, grinding, milling or screening more than 5,000t of material in a year);
- Environmentally Relevant Activity (ERA) 60 (Waste Disposal: 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection 1(b) - (h) more than 200,000t); and
- Environmentally Relevant Activity (ERA) 62 (Waste Transfer

Station operation: operating on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day.

Level of Assessment: Impact

#### SITE DETAILS

Street address: 20 Rhondda Road and 100 Chum Street, NEW CHUM 4303

Real property description: Lot 268 SP 103913 and Lot 227 SP 103913

#### DECISION

Date of decision: 28 October 2019

Decision: Refused

Decision Authority: Full Council

#### 1. Reasons for the Decision:

The reasons for this decision are:

(a) Approval of the development application will not advance the purpose of the Planning Act 2016, in particular:

- (i) *Planning Act 2016*, section 5(2)(a)(i) – It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that the proposal takes into account short and long-term environmental effects at local, regional, State and wider levels; and
- (ii) *Planning Act 2016*, section 5(2)(a)(ii) – It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that the proposal applies the precautionary principle in taking measures to prevent degradation of the environment; and
- (iii) *Planning Act 2016*, section 5(2)(a)(iii) – It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that the proposal provides equity between present and future generations; and
- (iv) *Planning Act 2016*, section 5(2)(g) - It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that the proposal encourages investment, economic resilience and economic diversity, particularly with respect to sustainable waste management practices; and
- (v) *Planning Act 2016*, section 5(2)(i) - It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that the proposal applies amenity, conservation, energy use, health and safety in the built environment in ways that are cost-effective and of public benefit.

(b) Approval of the development application is inconsistent with expressed planning principles that promote ecological sustainability and seek to reduce the need for landfill and maximise recycling, and in particular:

- (i) the *South East Queensland Regional Plan 2009 – 2031* (2009 Regional Plan): Desired Regional Outcomes 1 and 2 and 10.7; and
- (ii) the *South East Queensland Regional Plan 2017* (2017 Regional Plan): Theme 4 – Sustain.

- (c) Approval of the development application would thwart the expressed planning intention that the land be rehabilitated so that, at some time in the future, the land can be used for purposes anticipated and promoted by the *Ipswich Planning Scheme 2006 (Planning Scheme)*:
- (i) the *Planning Scheme*, sections 6.6(2)(a), 6.6(2)(g), 6.14(2)(j) and 6.15(15)(d); and
  - (ii) the *Ipswich Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) (TLPI): Swanbank / New Chum Waste Activity Code* – Overall Outcomes 3(2)(b)(v) and Specific Outcomes 4(2), 4(4)(a), 4(4)(b), 4(4)(c).
- (d) It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that approval of the development application will result in an acceptable visual outcome:
- (i) the *State Planning Policy – July 2017 (2017 SPP): State interest – liveable communities Policy* (1)(e) and (3)(a);
  - (ii) the *Planning Scheme*: sections 6.15(1)(e), 6.15(15)(i)(i)-(iii), 6.16(2)(a)(iv)(F), 6.16(2)(b)(ii), 12.7.3(2)(a)(ii), 12.7.3(2)(a)(iv), 12.7.3(2)(a)(vii) and 12.7.7(2)(b); and
  - (iii) the *TLPI No. 1 of 2018: Part 2.3 and Swanbank / New Chum Waste Activity Code* – Overall Outcomes 3(2)(b)(i), 3(2)(b)(ii), 3(2)(b)(iv), 3(2)(b)(v) and Specific Outcomes 4(4)(a), 4(4)(b), 4(4)(c), and 4(5)(a), 4(5)(b).
- (e) It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that approval of the development application will result in an acceptable general amenity outcome:
- (i) the 2017 SPP: State interest – liveable communities Policy (1)(e);
  - (ii) the 2009 Regional Plan: Desired Regional Outcomes 1 and 10.7;
  - (iii) the 2017 Regional Plan: Theme 4 – Sustain and Theme 5 – Live;
  - (iv) the *Planning Scheme*: Desired Environmental Outcomes 3.1(3)(j) and 3.2(1)(j), sections 6.6(2)(c), 6.6(2)(h), 6.6(2)(i), 6.14(2)(a), 6.14(2)(f)(ii), 6.14(2)(j), 6.14(2)(k), 6.15(2)(c)(iv), 6.16(2)(a)(iv)(F), 6.17(2)(t) because of the scale proposed, 12.7.3(2)(a)(i), 12.7.3(2)(a)(vii), 12.7.4(1), 12.7.7(1)(e) and 12.7.7(1)(f); and
  - (v) the *TLPI No. 1 of 2018: Parts 2.3 and 3.1, Swanbank / New Chum Waste Activity Code* - Overall Outcomes 3(2)(a), 3(2)(b)(i) and 3(2)(b)(iv) and Specific Outcomes 4(5)(a), 4(6)(a) and 4(7)(a).
- (f) It has not been sufficiently demonstrated (and may not be able to be sufficiently demonstrated) that approval of the development application will result in an acceptable environmental outcome having regard to matters of environmental management in relation to stormwater, groundwater and the proposed landscaping treatment:
- (i) the 2017 SPP: State interest – liveable communities Policy (3)(a), State interest – water quality Policy (1), (3)(a), (3)(d), (5)(a) and (5)(b);
  - (ii) the 2009 Regional Plan: Desired Regional Outcomes 2 and 11;



- (iii) the 2017 Regional Plan: Goal 4 – Sustain, Element 5 – Water sensitive communities;
- (iv) the Planning Scheme: Desired Environmental Outcomes 3.1(3)(b) and 3.2(1)(b) and sections 6.7(2)(a), 6.15(2)(c)(iv), 12.7.3(2)(b); and
- (v) the TLPI No. 1 of 2018: *Swanbank / New Chum Waste Activity Code* – Overall Outcome 3(2)(b)(iii), Specific Outcomes 4(6)(a), 4(6)(c) and 4(6)(d).
- (g) To the extent relevant and in light of the matters set out above at 1(a) – 1(e), there are no relevant matters, including but not limited to need, that are sufficient to warrant approval of the development application for the proposal.
- (h) The development application cannot be appropriately conditioned to address the above matters.

## 2. Assessment Benchmarks

The following are the assessment benchmarks applying for this development:

Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10	Part 3, division 3 – Clearing native vegetation Part 5, division 3 – Environmentally Relevant Activities Part 7, division 2 – Hazardous chemical facilities
State Planning Policy July 2017, Part E	Planning for liveable communities and housing Planning for economic growth Planning for environment and heritage Planning for safety and resilience to hazards Planning for infrastructure
Ipswich Planning Scheme 2006	Desired Environmental Outcomes and Performance Indicators (Part 3) Urban Areas Code (Part 4) City Centre Code (Part 5) Regionally Significant Business and Industry Areas Code (Part 6) Development Constraints Overlays Code (Part 11, division 4) Vegetation Management Code (Part 12, division 4) Commercial and Industrial Code (Part 12, division 7) Parking Code (Part 12, division 9) Earthworks Code (Part 12, division 15) Local Government Infrastructure Plan (Part 13) Planning Scheme Policy 3 General Works Planning Scheme Policy 5 Infrastructure Implementation Guideline No. 24 Stormwater Management Implementation Guideline No. 25 New Chum Enterprise Area Planning Study Implementation Guideline No. 28 Dispersive Soil Management.
Temporary Local Planning Instrument	Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation)

**3. Compliance with Benchmarks**

An assessment of the application has been carried out in accordance with section 45 of the *Planning Act 2016*. The application does not comply with the relevant assessment benchmarks and the application has been refused for the reasons outlined in Item 1 – Reasons for the Decision.

**4. Relevant matters for development subject to impact assessment**

Not applicable.

**5. Matters raised in submissions for development subject to impact assessment**

The following is a description of the matters raised in any submissions and how they were dealt with:

Matters raised - Objections	How matters were dealt with in reaching a decision
<b>Traffic/Transport</b> <ul style="list-style-type: none"> <li>▪ Increase in traffic movements (including heavy vehicles) on local roads and highways.</li> </ul>	<p>The submissions received are common material for the application and have been considered as part of the application assessment.</p> <p>While a number of matters raised could be resolved through reasonable and relevant conditions, there are certainly matters for which Council agrees with the submitters concerns. In conclusion the development cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development.</p> <p>The application has been refused for the reasons outlined in Item 1 – Reasons for the Decision.</p>
<b>Air Pollution and Odours</b> <ul style="list-style-type: none"> <li>▪ Landfill operations generate unacceptable levels of dust (including asbestos), toxic smoke (from fires) and odour with limited or non-existent management strategies.</li> <li>▪ Insufficient air pollution and odour monitoring and reporting.</li> <li>▪ Concern with landfill gas impacts post closure and up to 30 years post closure (including risk of explosion and/or asphyxiation).</li> <li>▪ Concerns with veracity of submitted reporting.</li> <li>▪ Increases health risks for nearby residents.</li> </ul>	
<b>Noise pollution</b> <ul style="list-style-type: none"> <li>▪ Proposal generates noise pollution from traffic and heavy machinery on site.</li> </ul>	
<b>Water/Soil Pollution</b> <ul style="list-style-type: none"> <li>▪ Release of contaminants from the landfill pollutes underground water and soil.</li> <li>▪ Water pollution from leachate and stormwater runoff from the landfill facility.</li> <li>▪ Water pollution through increased erosion.</li> <li>▪ Insufficient water/soil pollution monitoring and reporting including post closure.</li> <li>▪ Concern with long-term leaking of toxic leachate post closure owing to failure of landfill liners.</li> <li>▪ No clear contamination event remediation plan/policy.</li> <li>▪ Proposed leachate water management provides insufficient detail to demonstrate efficacy.</li> </ul>	
<b>Health Impacts</b> <ul style="list-style-type: none"> <li>▪ Increased health hazards to the community.</li> <li>▪ Waste streams accepted on site include asbestos and other toxic materials resulting in release of airborne harmful asbestos particles.</li> </ul>	

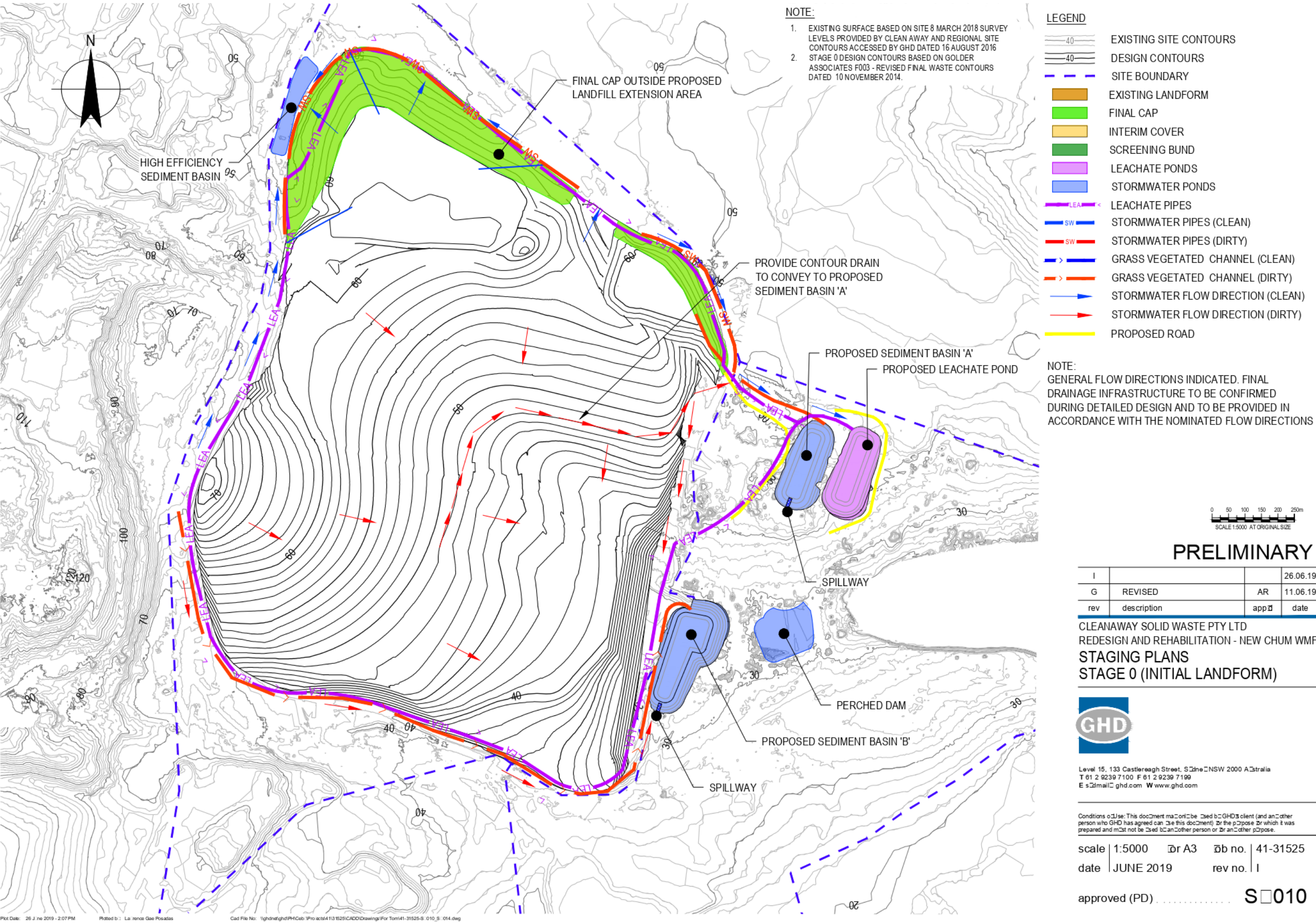
<p><b>Site Rehabilitation Outcomes</b></p> <ul style="list-style-type: none"> <li>▪ Landfill consisting of waste is not appropriate as rehabilitation material for mining voids.</li> <li>▪ Application does not demonstrate the project's ecological sustainability.</li> </ul>	
<p><b>Increased landform height and loss of amenity</b></p> <ul style="list-style-type: none"> <li>▪ The proposal will be a visual eyesore during and post operation.</li> <li>▪ Proposal creates an unappealing engineered mountain.</li> <li>▪ Loss of existing visual beauty of the area.</li> <li>▪ Loss of views to D'Aguilar Range and Great Dividing Range.</li> <li>▪ Increased lifespan of facility extends impact on residents.</li> </ul>	
<p><b>Impact on Wildlife</b></p> <ul style="list-style-type: none"> <li>▪ Increased noise and pollution affects the wildlife in the vicinity.</li> <li>▪ Proposed expansion will disrupt populations of protected fauna including koalas, echidnas, grey-headed flying foxes, greater gliders, platypii and Powerful Owl.</li> <li>▪ Proposed expansion will disrupt populations of Red Goshawks and Rufous Fantails.</li> </ul>	
<p><b>Impact on Protected Vegetation</b></p> <ul style="list-style-type: none"> <li>▪ Proposed expansion will disrupt populations of protected flora including the Cooneana Olive, Lloyd's Olive and Slender Milk Vine.</li> </ul>	
<p><b>Create Stormwater and Flooding Issues</b></p> <ul style="list-style-type: none"> <li>▪ Increase in stormwater flows to Void 10 causing changes to the hydrology of the area and impacts on current environmental values.</li> <li>▪ Increased turbidity within Six Mile Creek owing to erosion and stormwater runoff.</li> <li>▪ Increased stormwater flows could exacerbate existing flooding within Riverview.</li> </ul>	
<p><b>Ground/Underground Stability</b></p> <ul style="list-style-type: none"> <li>▪ Increase in height coupled with unreliable mine mapping, uncertain stability and poor understanding of the location of mine workings (including underground heating and subsidence) increases risk of future environmental damage should a geotechnical failure occur.</li> </ul>	
<p><b>Economic Need</b></p> <ul style="list-style-type: none"> <li>▪ Concerns with veracity of economic needs reporting.</li> </ul>	
<p><b>Incompatible with the locality</b></p> <ul style="list-style-type: none"> <li>▪ The general locality has been and is intended for the purposes of regionally significant commercial and industrial uses and the proposal sterilises the subject land from these uses.</li> </ul>	
<p><b>Cost implications to the community</b></p> <ul style="list-style-type: none"> <li>▪ The proposal does not bring any positive benefit to the area rather bring undesirable consequences to the area.</li> <li>▪ Shall have adverse social and economic impacts on the community.</li> </ul>	

<p><b>Proximity to residential areas</b></p> <ul style="list-style-type: none"> <li>▪ The proposal represents an incompatible use with the growing residential areas surrounding New Chum.</li> <li>▪ Proposal within 2km to schools and homes</li> </ul>	
<p><b>Poor community consultation</b></p> <ul style="list-style-type: none"> <li>▪ Application material does not include adequate and appropriate information for public to fully understand the project.</li> <li>▪ Misleading information circulated about the rehabilitation of Void 10 as Community Open Space.</li> <li>▪ Insufficient time to review complex application prior to deadline to make submission.</li> </ul>	
<p><b>Lack of trust in waste operators</b></p> <ul style="list-style-type: none"> <li>▪ General concern with waste operators' history of non-compliance.</li> <li>▪ Concern with CleanAway's track record of non-compliance with permit conditions including overfilling and unsorted waste allowing escape of pollutants including asbestos, reclassification of interstate waste as local waste.</li> </ul>	
<p><b>Property Values</b></p> <ul style="list-style-type: none"> <li>▪ Leads to decrease in property values of nearby residential properties.</li> </ul>	
<p><b>Ipswich becoming waste capital</b></p> <ul style="list-style-type: none"> <li>▪ The proposal predominantly caters for waste generated outside of Ipswich LGA including other States of Australia.</li> <li>▪ No justified benefit to the residents of Ipswich.</li> </ul>	
<p><b>Social impact and stigma</b></p> <ul style="list-style-type: none"> <li>▪ Concentrated large scale waste dumps will impact on the reputation of the area.</li> <li>▪ The locality shall be dis-reputed as the 'dumping capital' of South East Queensland and Australia.</li> </ul>	
<p><b>Non-compliance with relevant policies</b></p> <ul style="list-style-type: none"> <li>▪ Non-compliant with the Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation).</li> <li>▪ Non-compliance with State Government Guidelines on siting landfill (500m from noise, dust or odour sensitive place or less than 100m from an unstable area).</li> <li>▪ Non-compliance with the purpose of the <i>Planning Act 2016</i>.</li> <li>▪ Non-compliance with the <i>Planning Regulation 2017</i>.</li> <li>▪ Non-compliance with the <i>Ipswich Planning Scheme 2006</i>.</li> </ul>	

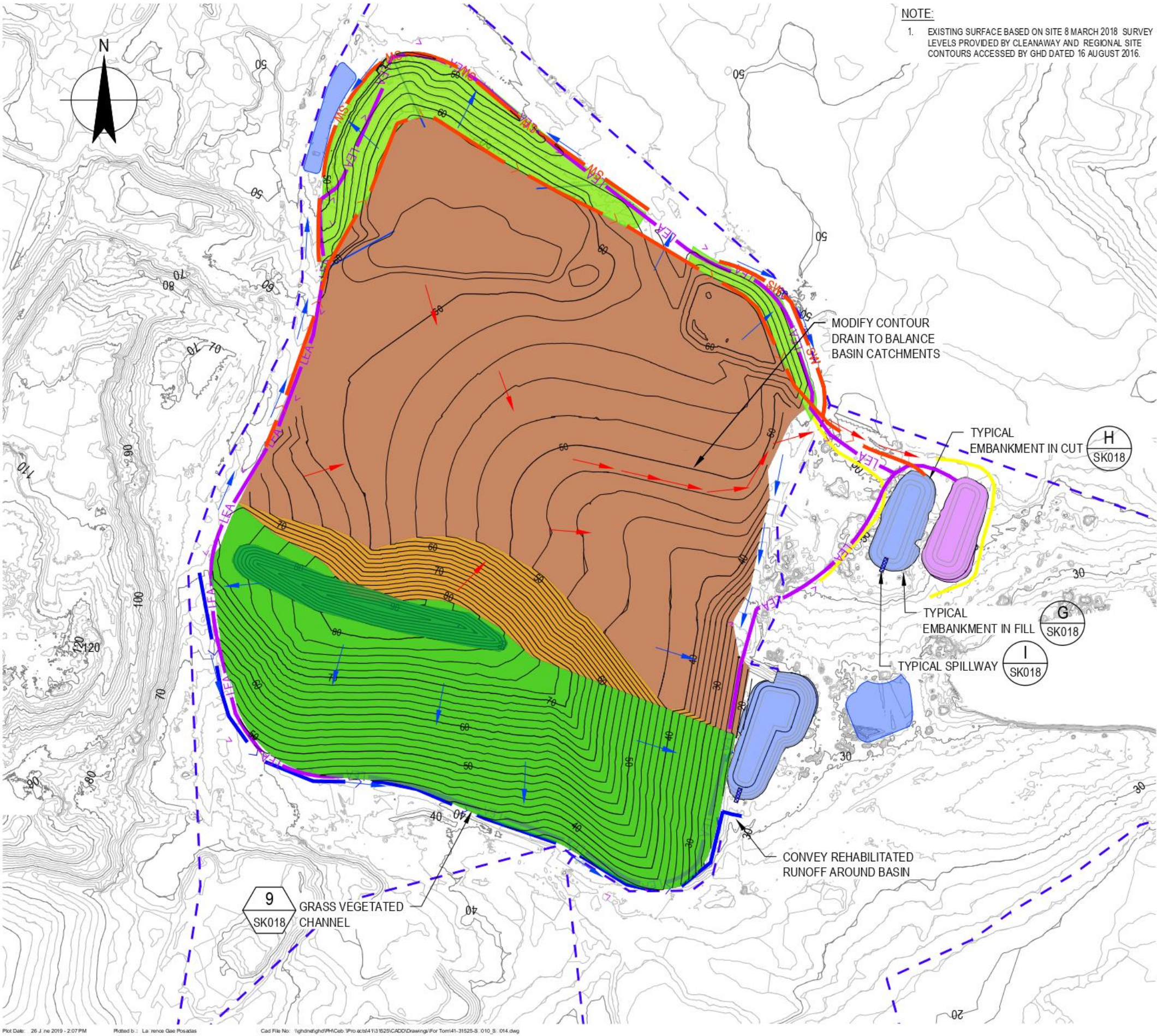
Matters raised - Support	How matters were dealt with in reaching a decision
<p><b>Essential Service</b></p> <ul style="list-style-type: none"> <li>▪ Landfill provides essential waste disposal services for local businesses;</li> <li>▪ Limited landfill capacity available in Ipswich/greater Brisbane area is problematic for long-term waste disposal needs.</li> </ul>	The submissions received are common material for the application and have been considered as part of the application assessment.
<p><b>Increased operational expenses</b></p> <ul style="list-style-type: none"> <li>▪ Alternative disposal arrangements are likely to incur</li> </ul>	

increased transport costs and transport kilometres and as a result increased carbon emissions.	matters raised in support of the application Council still has significant concerns that the proposal cannot be appropriately conditioned to address all matters raised and there are insufficient grounds to justify the decision to approve the development. As such the proposal has been refused for the reasons outlined in Item 1 – Reasons for the Decision.
<b>Convenient location</b> <ul style="list-style-type: none"> <li>▪ The subject facility is conveniently located to the industries it services with good heavy vehicle access.</li> <li>▪ Limited local roads travel is required to access the facility.</li> </ul>	
<b>Trustworthy Operator</b> <ul style="list-style-type: none"> <li>▪ The subject facility has a proven track record of being quality, efficient and compliant waste disposal service.</li> <li>▪ The subject facility operates with well-established quality systems and processes.</li> <li>▪ The subject facility operates in accordance with the license obligations set by the Department of Environment and Science.</li> <li>▪ Continued operational improvement witnessed on subsequent public open days.</li> </ul>	
<b>Environmental responsibility</b> <ul style="list-style-type: none"> <li>▪ The subject facility employs a cell system that utilises layers of liner and drainage systems to protect the waste from negatively interacting with the environment.</li> </ul>	
<b>Employment generator</b> <ul style="list-style-type: none"> <li>▪ The subject facility employs more than 25 personnel and supports a number of contractors.</li> </ul>	
<b>Economic contributor</b> <ul style="list-style-type: none"> <li>▪ The subject facility is a large contributor of rates and taxes to the State and local Ipswich economy.</li> </ul>	
<b>Increased landform height</b> <ul style="list-style-type: none"> <li>▪ The proposed landform height is less than the surrounding topography.</li> </ul>	
<b>Rehabilitation outcomes</b> <ul style="list-style-type: none"> <li>▪ The operator plans to progressively rehabilitate the landfill and its buffer areas which is beneficial to improve this former open cut coal mining area.</li> </ul>	
<b>Corporate citizen</b> <ul style="list-style-type: none"> <li>▪ The operator supports a number of sporting and cultural organisations through the Cleanaway New Chum Community Benefit Scheme in the greater New Chum area including Blackstone, Bundamba, Ebbw Vale, Dinmore, Riverview, Redbank, Collingwood Park and Woodlinks.</li> <li>▪ Approximately \$200,000 of financial support over 4 years.</li> </ul>	









PRELIMINARY

H	REVISED	AR	21.06.19
I			26.06.19
rev	description	app'd	date

CLEANAWAY SOLID WASTE PTY LTD  
REDESIGN AND REHABILITATION - NEW CHUM WMF  
STAGING PLANS  
STAGE 1



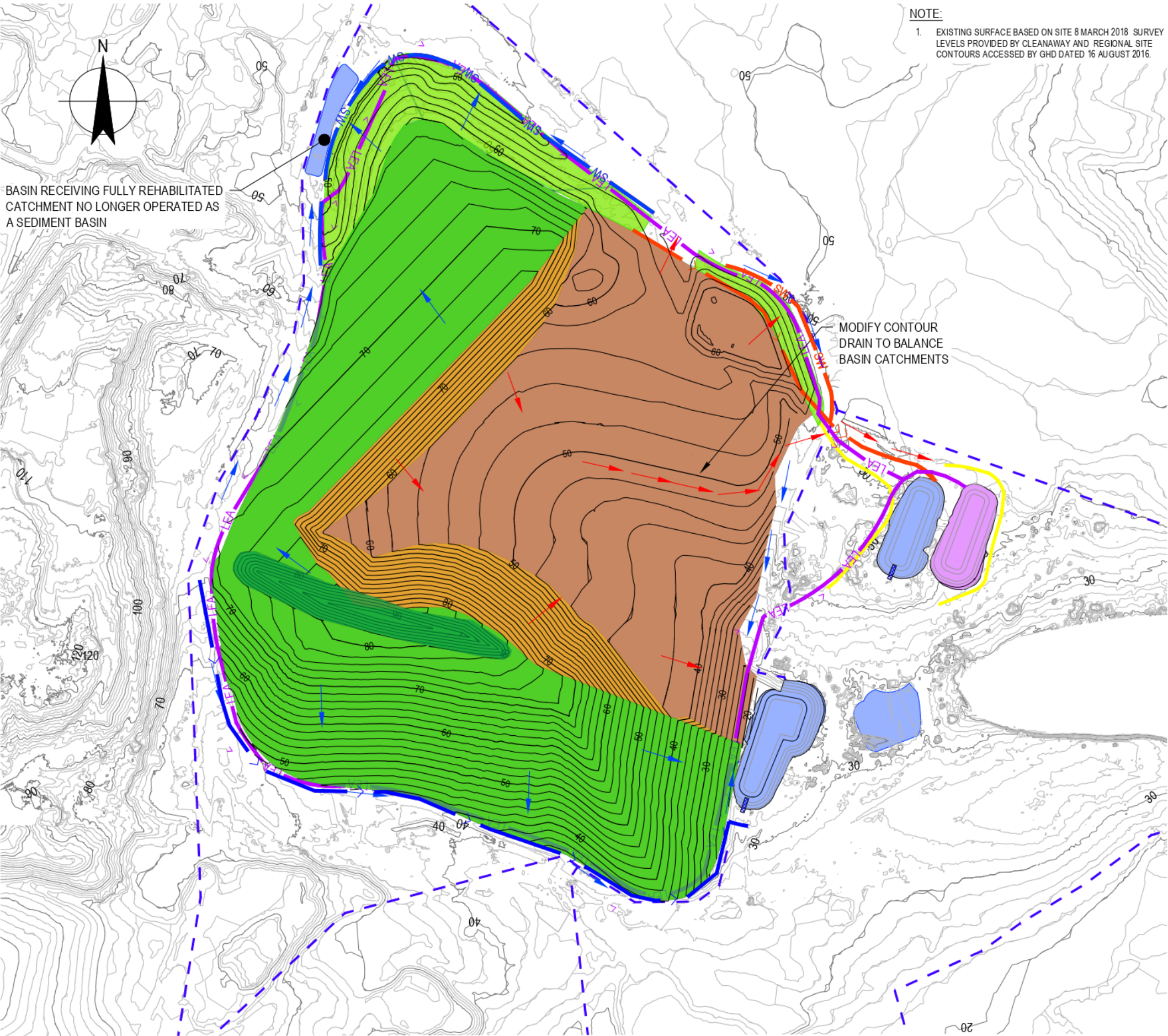
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scale 1:5000 Dr A3 Db no. 41-31525  
date JUNE 2019 rev no. 1

approved (PD) S011





- LEGEND**
- EXISTING SITE CONTOURS
  - DESIGN CONTOURS
  - SITE BOUNDARY
  - EXISTING LANDFORM
  - FINAL CAP
  - INTERIM COVER
  - SCREENING BUND
  - LEACHATE PONDS
  - STORMWATER PONDS
  - LEACHATE PIPES
  - STORMWATER PIPES (CLEAN)
  - STORMWATER PIPES (DIRTY)
  - GRASS VEGETATED CHANNEL (CLEAN)
  - GRASS VEGETATED CHANNEL (DIRTY)
  - STORMWATER FLOW DIRECTION (CLEAN)
  - STORMWATER FLOW DIRECTION (DIRTY)
  - PROPOSED ROAD

**NOTE:**  
GENERAL FLOW DIRECTIONS INDICATED. FINAL DRAINAGE INFRASTRUCTURE TO BE CONFIRMED DURING DETAILED DESIGN AND TO BE PROVIDED IN ACCORDANCE WITH THE NOMINATED FLOW DIRECTIONS



**PRELIMINARY**

H	REVISED	AR	21.06.19
I	REVISED		26.06.19
rev	description	app'd	date

CLEANAWAY SOLID WASTE PTY LTD  
REDESIGN AND REHABILITATION - NEW CHUM WMF  
**STAGING PLANS**  
**STAGE 2**



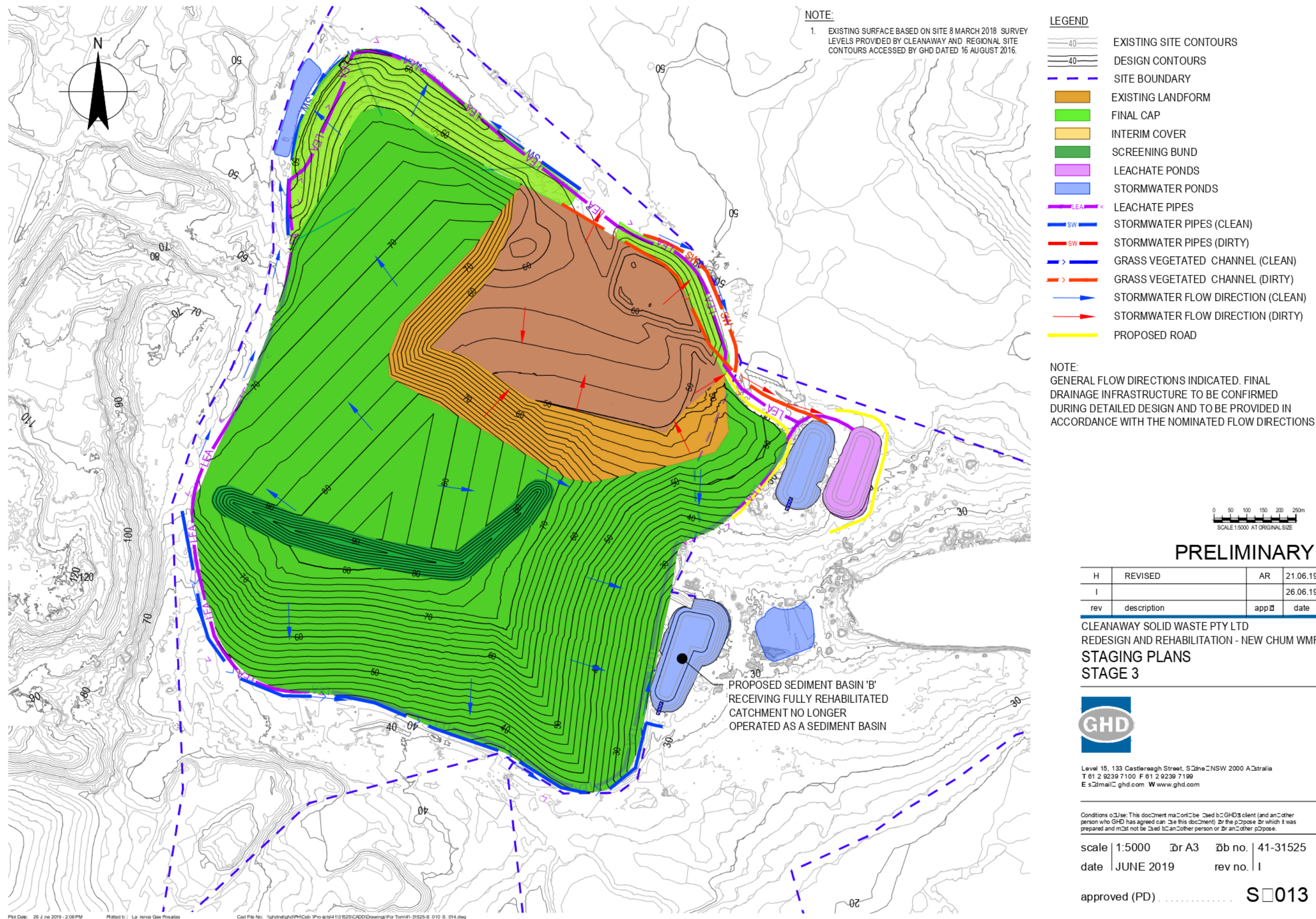
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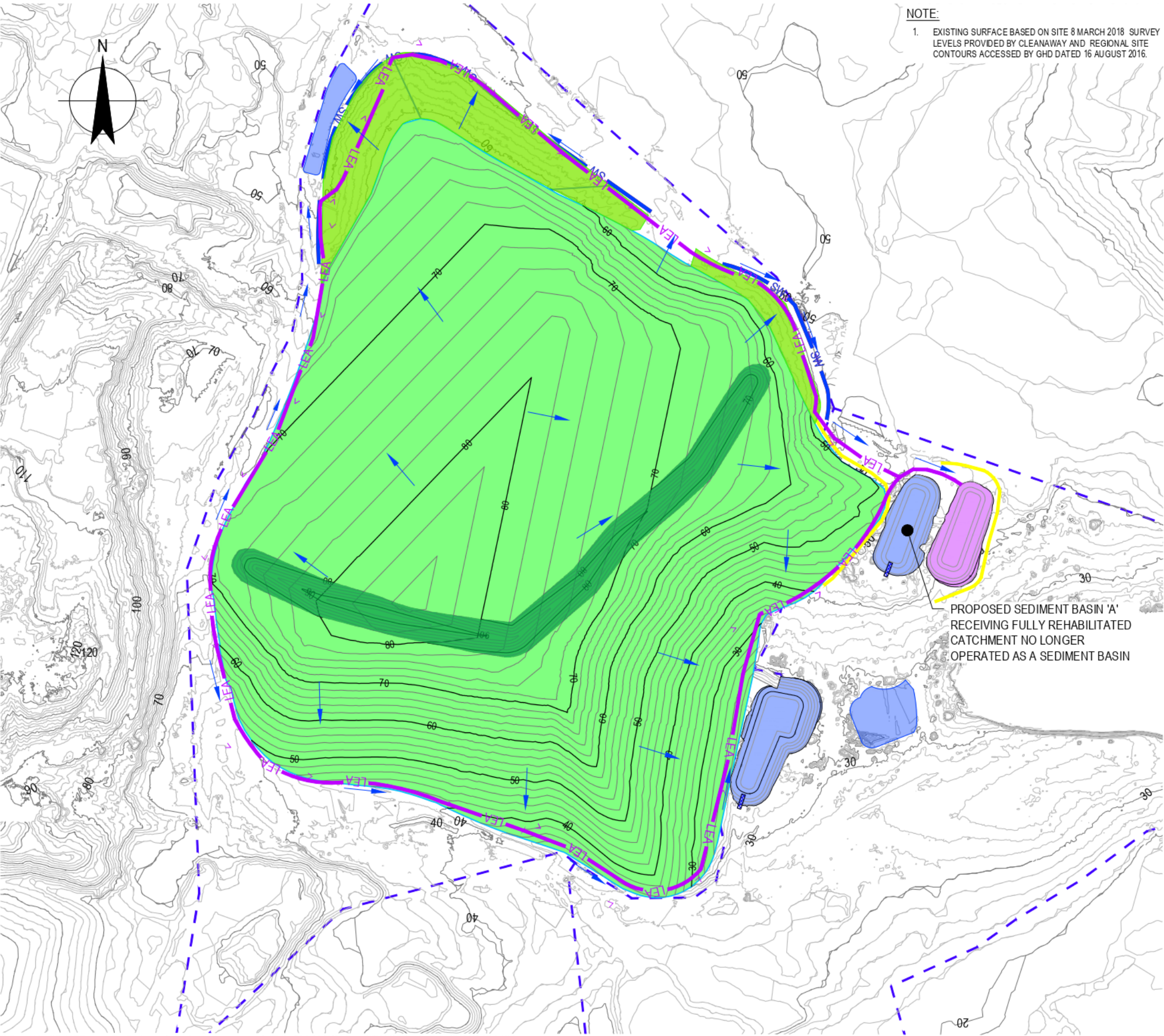
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date JUNE 2019 rev no. 1

approved (PD) S012









PRELIMINARY

H	REVISED	AR	21.06.19
I			26.06.19
rev	description	app'd	date

CLEANAWAY SOLID WASTE PTY LTD  
REDESIGN AND REHABILITATION - NEW CHUM WMF  
STAGING PLANS  
STAGE 4 (FINAL LANDFORM)



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T 61 2 9239 7100 F 61 2 9239 7199  
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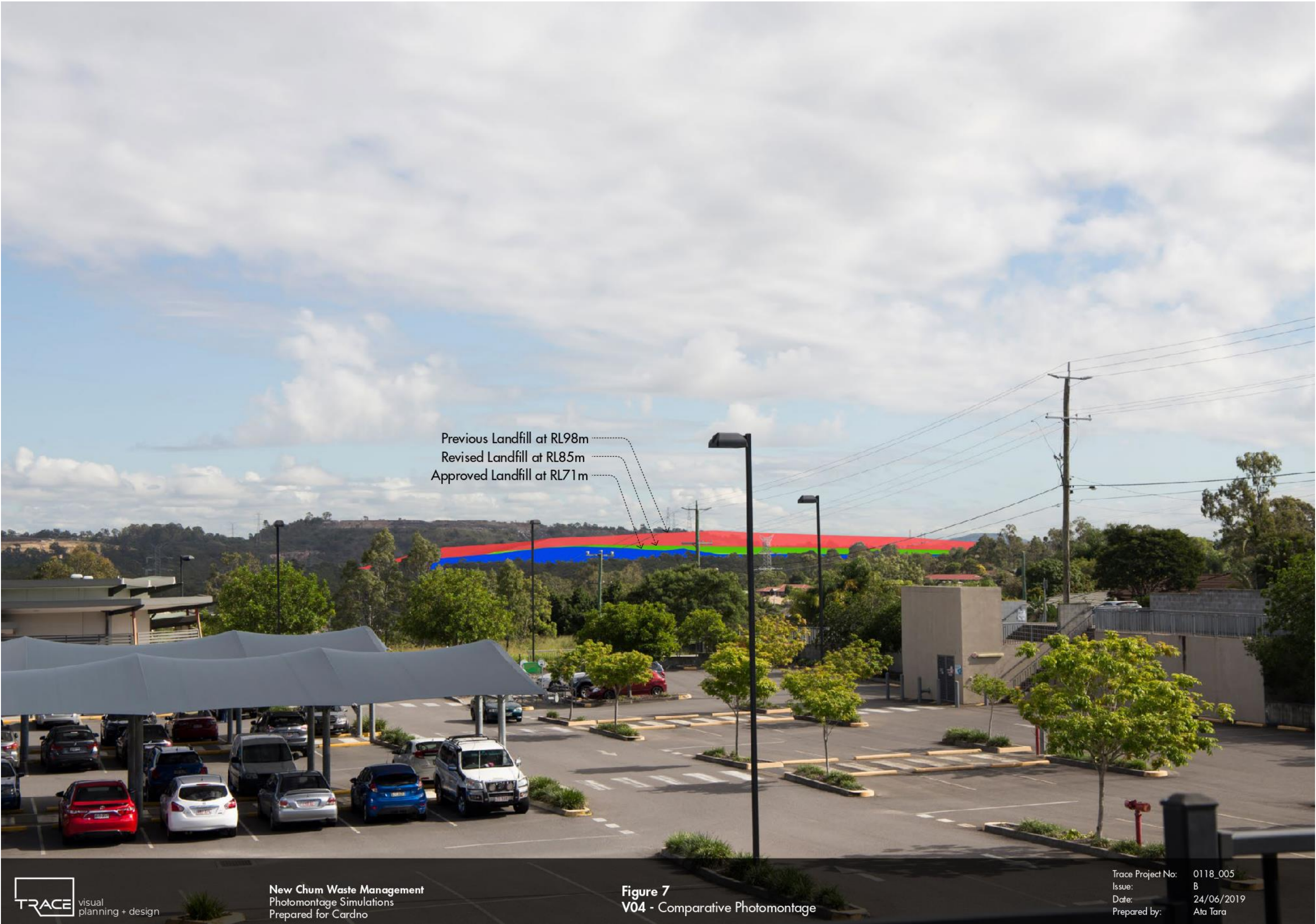
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date JUNE 2019 rev no. 1

approved (PD) S014















Item 4 / Attachment 3.

RA6-N



Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

SARA reference: 1807-6501 SRA  
Council reference: 4502/2018/MCU

10 September 2019

Chief Executive Officer  
Ipswich City Council  
PO Box 191  
IPSWICH QLD 4305  
council@ipswich.qld.gov.au

Attn: Anthony Bowles

Dear Mr Bowles

## SARA response—20 Rhondda Road and 100 Chum Street, New Chum

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

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning (the department) on 6 August 2018.

### Response

Outcome:	Referral agency response – with conditions.
Date of response:	10 September 2019
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

### Development details

Description:	Development permit	Waste Activity Use involving Landfill in the Swanbank/New Chum Buffer Area (formally referred to as Waste Activity Use other than involving Rehabilitating a Mining Void in the Swanbank/New Chum Buffer Area).  Waste Activity Use involving Landfill in the Swanbank/New Chum Waste Activity Area.  Waste Activity Use involving Waste
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South East Queensland (West) regional office  
Level 4, 117 Brisbane Street, Ipswich  
PO Box 129, Ipswich QLD 4305

**Item 4 / Attachment 3.**

1807-6501 SRA

recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50t or more per year.

Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000t or more per year.

Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000t or more per year.

Environmentally Relevant Activity (ERA) 54 (1) - Mechanical waste reprocessing, operating a facility for receiving and mechanically reprocessing, in a year, more than 5,000t of inert, non-putrescible waste or green waste only.  
ERA 60 2(h) - Waste disposal, operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(b) - more than 200,000t.  
ERA 62 1(b) - Resource recovery and transfer facility operation, operating a facility for receiving and sorting, dismantling, baling or temporarily storing - general waste.

SARA role:	Referral Agency
SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 - Non-devolved environmentally relevant activities
	Schedule 10, Part 9, Division 1, Table 1, Item 1 - Infrastructure – designated premises
	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Infrastructure – state transport infrastructure
SARA reference:	1807-6501 SRA
Assessment Manager:	Ipswich City Council
Street address:	20 Rhondda Road and 100 Chum Street, New Chum
Real property description:	Lots 227 and 268 on SP103913
Applicant name:	Cleanaway Solid Waste Pty Ltd c/- Wolter Consulting Group Pty Ltd

Item 4 / Attachment 3.

1807-6501 SRA

Applicant contact details: PO Box 436  
New Farm QLD 4005  
jisaac@wolterconsulting.com.au

### Additional details

Level of assessment	Impact assessable
Environmental authority:	<p>This development application was also taken to be an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"><li>• Approved</li><li>• Reference: EA0001935</li><li>• Effective date: 31 December 2021</li><li>• Prescribed environmentally relevant activity (ERA):<ul style="list-style-type: none"><li>o (ERA) 54 (1) - Mechanical waste reprocessing, operating a facility for receiving and mechanically reprocessing, in a year, more than 5,000t of inert, non-putrescible waste or green waste only.</li><li>o ERA 60 2(h) - Waste disposal, operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection (1)(b) - more than 200,000t.</li><li>o ERA 62 1(b) - Resource recovery and transfer facility operation, operating a facility for receiving and sorting, dismantling, baling or temporarily storing - general waste.</li></ul></li></ul>

A copy of the permit will be provided to the applicant separately. If you are seeking further information on the environmental authority, the Department of Environment and Science's website includes a register. This can be found at: [www.des.qld.gov.au](http://www.des.qld.gov.au)

### Representations

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

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



**Item 4 / Attachment 3.**

1807-6501 SRA

For further information please contact Isaac Harslett, Principal Planning Officer, on (07) 5644 3222 or via email [ipswichSARA@dsdmip.qld.gov.au](mailto:ipswichSARA@dsdmip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Nathan Rule  
**Director (Southern Region)**

cc      Cleanaway Solid Waste Pty Ltd c/- Wolter Consulting Group Pty Ltd, [jisaac@wolterconsulting.com.au](mailto:jisaac@wolterconsulting.com.au)

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

**Attachment 1—Referral agency conditions**

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

No.	Conditions	Condition timing
<b>Development Permit for Material Change of Use</b>		
Schedule 10, Part 5, Division 4, Table 2, Item 1—The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	The development must be carried out generally in accordance with the New Chum Rehabilitation – Infrastructure Integration Plan, prepared by Cleanaway, dated 26 August 2019, reference EX-01 and revision A, as amended in red by SARA on 10 September 2019 to identify areas not subject to this referral agency response.	At all times.
2.	“As Constructed” drawings, certified by a Registered Professional Engineer of Queensland (RPEQ), for each construction sequence identified on the New Chum Rehabilitation – Infrastructure Integration Plan, prepared by Cleanaway, dated 26 August 2019, reference EX-01 and revision A, as amended in red by SARA on 10 September 2019, must be provided to:  Waste and Contaminated Land Assessment Department of Environment and Science GPO Box 2454 BRISBANE QLD 4001 palm@des.qld.gov.au	Within two (2) weeks of the completion of each construction sequence.
3.	The use and any associated earth works must not commence for Cell 1, Cell 2, Cell 5, Cell 5A, Cell 5A1 and Cell 6 as identified on the New Chum Rehabilitation – Infrastructure Integration Plan, prepared by Cleanaway, dated 26 August 2019, reference EX-01 and revision A, as amended in red by SARA on 10 September 2019 until <b>31 December 2021</b> , unless written confirmation is received from the Department of Environment and Science prior to this date confirming that the new use and any associated earth works may occur within any of these areas.	Use may not start within identified areas until 31 December 2021, or otherwise agreed by the Department of Environment and Science.
4.	Clearing of non-juvenile koala habitat trees is not authorised under this referral agency response.	At all times.
5.	Fauna exclusion fencing must be installed around constructed water bodies associated with proposed Sediment Basin 2, Sediment Basin 4 and Future Leachate Pond as identified New Chum Rehabilitation - Infrastructure Integration Plan, prepared by Cleanaway, dated 26 August 2019, reference EX-01 and revision A, as amended in red by SARA on 10 September 2019.	Prior to the operation of the sediment basins and leachate ponds.

Item 4 / Attachment 3.

1807-6501 SRA

Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1— The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
6.	<p><b>Monetary contribution</b></p> <p>(a) Pay a monetary contribution of \$0.01 per tonne of material hauled to the Department of Transport and Main Roads' Regional Director (Metropolitan.IDAS@tmr.qld.gov.au), towards protecting or maintaining the safety or efficiency of the state-controlled road network with reference to section 146(2)(a) of the <i>Planning Act 2016</i>: The monetary payment:</p> <ul style="list-style-type: none"> <li>i. must be calculated at twelve monthly intervals commencing on the first day that material hauled under this approval is transported from the site by road; and</li> <li>ii. is to be indexed based on the Road and Bridge Construction Index, Queensland – Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427, Series ID A2333727L) to the date of payment.</li> </ul> <p>(b) Maintain records which document the quantity of material hauled on the state-controlled road network and submit these records to the Department of Transport and Main Roads' Regional Director, reference TMR 18-025217 (Metropolitan.IDAS@tmr.qld.gov.au) at the time of payment referenced in part (a) of this condition.</p>	<p>(a) Within 30 days of the end of June each year until the transportation of material hauled from the site by road under this approval ceases.</p> <p>(b) As indicated within the condition.</p>
7.	<p><b>Cunningham Highway Off-Ramp Right Turn Lane Extension</b></p> <p>(a) Road works comprising the extension of the existing right turn Cunningham Highway Off-Ramp lane at the Aberdare Street / Cunningham Highway Off-Ramp priority-controlled intersection must be completed. The Cunningham Highway Off-Ramp right turn lane must be extended so that the largest design vehicle associated with the proposed use (Truck with Trailer/Dog) can safely store, with appropriate clearances, within the extended right turn lane. Any extension works must ensure that the Cunningham Highway Off-Ramp through lane retains appropriate width for northbound vehicles to pass a stored vehicle;</p> <p>(b) Any works to the Cunningham Highway Off-Ramp Right Turn Lane required under part (a) must achieve appropriate NDD sight distances for the Aberdare Street's calculated 85th percentile speed;</p> <p>(c) Clearance of vegetation and the relocation of existing signage, if required, must be completed to ensure no additional ongoing maintained is required by the Department of Transport and Main Roads to ensure sight</p>	Prior to the commencement of use.

Item 4 / Attachment 3.

1807-6501 SRA

	<p>distance can be achieved for the calculated 85th percentile speed on Aberdare Street;</p> <p>(d) Provision of advance warning signage on Aberdare Street to alert west bound traffic of the priority-controlled intersection;</p> <p>(e) The road works must be designed and constructed in accordance with the <i>Manual of uniform traffic control devices, Road planning and design manual</i>, 2nd edition, Department of Transport and Main Roads, 2013; and RPEQ certification with supporting documentation must be provided to Metropolitan.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the intersection has been designed and constructed in accordance with parts (a) to (d) of this condition.</p>	
8.	All vehicles leaving the site must not deposit mud, dirt or debris onto the state-controlled road surface from the site.	At all times.
9.	Install and maintain a Rumble Pit and Vehicle Wheel Bath adjacent to 'Area A' as identified on Figure 2, prepared by GHD, dated 25 May 2018, reference 41-31525 and revision B, as amended in red by SARA on 10 September 2019.	Prior to the commencement of use and to be maintained at all times.
10.	All vehicles that travel through 'Area A' as identified on Figure 2, prepared by GHD, dated 25 May 2018, reference 41-31525 and revision B, as amended in red by SARA on 10 September 2019 when exiting the site must do so through the Rumble Pit and Vehicle Wheel Bath.	At all times.

## Attachment 2—Advice to the applicant

1.	<p><b>General advice</b></p> <p>Terms and phrases used in this document are defined in the <i>Planning Act 2016</i>, its regulation or the State Development Assessment Provisions (SDAP) v2.3. If a word remains undefined it has its ordinary meaning.</p>
2.	<p><b>Road works approval</b></p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works, install/relocate signage or perform vegetation clearing on a state-controlled road. Please contact the Metropolitan Compliance Team at the Department of Transport and Main Roads (Metropolitan Office) at Metropolitan.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p> <p>The applicant may be requested to provide compensatory planting.</p>
3.	<p><b>B-Double and oversized or over mass vehicles</b></p> <p>The applicant is advised that B-Double, oversized or overmass vehicular routes will most likely require approval from the Department of Transport and Main Roads or National Heavy Vehicle Regulator (NHVR). Information regarding the B-double and Oversize Overmass permits can be found at: <a href="https://www.nhvr.gov.au/road-access/access-management/applications">https://www.nhvr.gov.au/road-access/access-management/applications</a>.</p>
4.	<p><b>Records</b></p> <p>The site may be visited by Department of Transport and Main Roads officers and requested by the Department of Transport and Main Roads to make records of the materials and weight (mass) of material hauled on state-controlled roads available for inspection – on reasonable notice.</p>
5.	<p><b>Existing Environmental Authority</b></p> <p>It is noted in the New Chum Rehabilitation – Infrastructure Integration Plan prepared by Cleanaway dated 26/08/2019, referenced EX-01, Revision A and in the response to advice prepared by Wolter Consulting Group dated 28/08/2019 that the construction of Cell 3B1 and 3B2, and Sediment Basin 1 and 3 is part of the “current approved situation”.</p> <p>Landfill cell 3B1 and 3B2, and Sediment Basin 1 and 3 is not approved under the current Environmental Authority (EA) EPPR00445713.</p> <p>If the applicant proposes to operate Cell 3B1 and 3B2 and Sediment Basin 1 and 3 as part of the “current approved situation”, an amendment to the existing Environmental Authority (EA) EPPR00445713 is required.</p> <p>Prior to any amendment of the existing EA, the applicant will need to provide evidence that Cell 3B1 and Cell 3B2, and Sediment Basin 1 and 3 is in accordance with an existing development permit under the <i>Planning Act 2016</i>.</p>

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

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

**The reasons for the department's decision are:**

- The development complies with the purpose and applicable performance outcomes of State code 6: Protection of state transport networks and State code 22: Environmentally relevant activities of the State Development Assessment Provisions.
- The development application material demonstrates the proposal, with conditions, will not adversely impact upon existing and future state-controlled roads
- The development application material demonstrates the proposal, with conditions, protects state transport infrastructure from adverse impacts and maintains the operational performance of the state transport network.
- The development application material demonstrates that risks associated with the proposal have been identified and can be managed appropriately to protect human health and safety, proportionate to the sensitive nature of the surrounding land uses.

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

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The Development Assessment Rules
- SARA DA Mapping system
- State Development Assessment Provisions, version 2.3

1807-6501 SRA

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

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1807-6501 SRA

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

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## Development Assessment Rules—Representations about a referral agency response

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

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

---

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

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

---

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

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

## **Part 7: Miscellaneous**

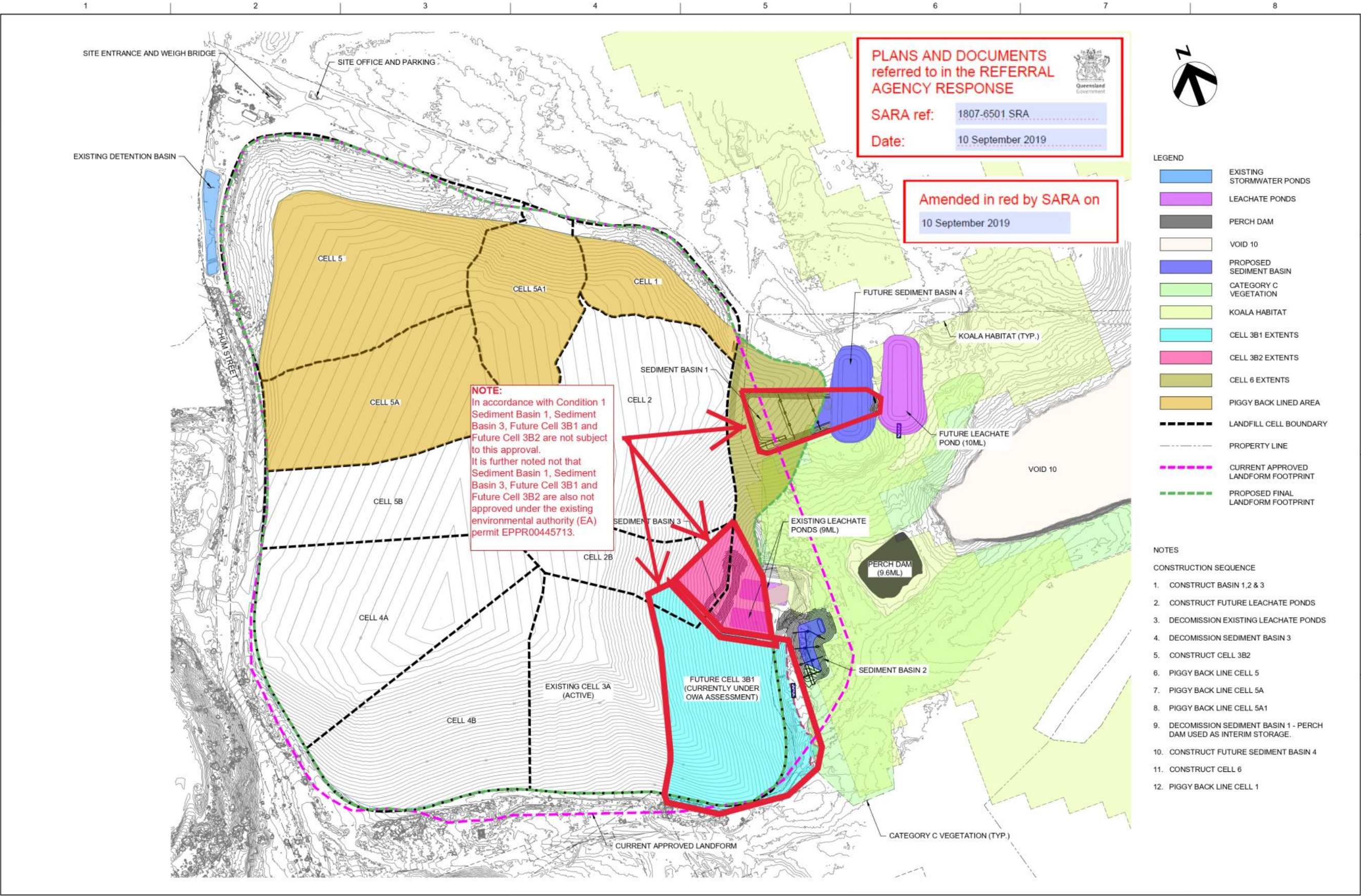
### **30 Representations about a referral agency response**

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

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



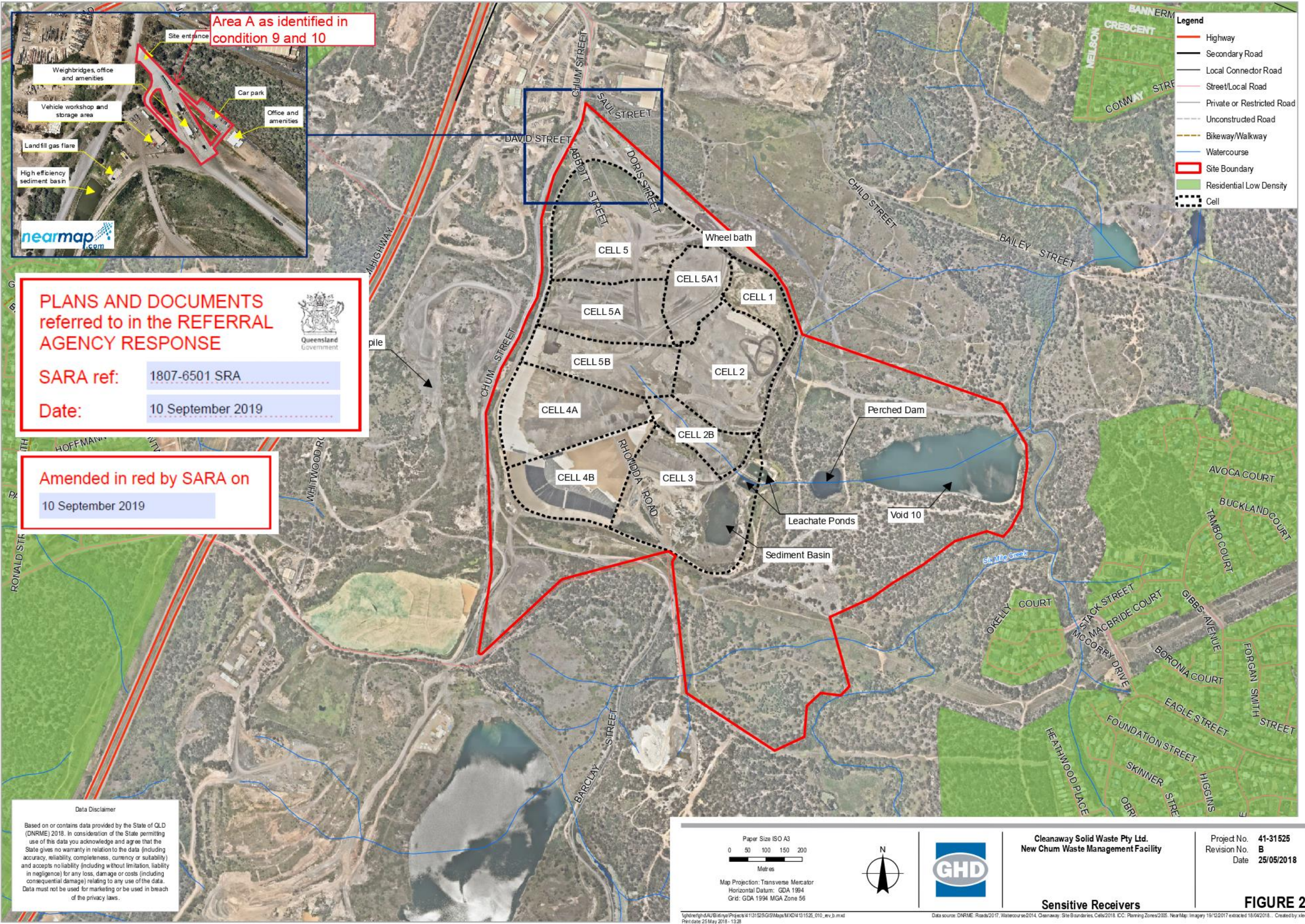


PROJECT MANAGER PETER NEL		
DESIGN ENGINEER C. TYNES		
CIVIL Q.C.		
HYDROLOGY Q.C.		
DRAWING Q.C.		
DRAWN BY C. TYNES		
PROJECT NUMBER 10171135		
A	26-8-2019	FOR INFORMATION ONLY
ISSUE	DATE	DESCRIPTION



NEW CHUM REHABILITATION - INFRASTRUCTURE INTEGRATION PLAN		
FILENAME	Sketch 01.dwg	SHEET
SCALE	1:2500 @ A1	EX-01







GE78-N

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16 July 2019

Our Ref: DA3364

Cleanaway Solid Waste Pty Ltd  
c/- Wolter Consulting Group Pty Ltd  
PO Box 436  
NEW FARM QLD 4005

Chief Executive Officer  
Ipswich City Council  
PO Box 191  
IPSWICH QLD 4305

Via Email: [kwhite@wolterconsulting.com.au](mailto:kwhite@wolterconsulting.com.au)  
Your Ref: 18-0167P  
Attention: Kimberley White

Via Email: [council@icc.qld.gov.au](mailto:council@icc.qld.gov.au)  
Your Ref: MCUC 4502/2018  
Attention: Anthony Bowles

Dear Kimberley

**Changed Application - Affected Entity Response**

(Given under section 80(5)(a) of the *Planning Act 2016*)

Transmission Infrastructure Impacted	
Transmission Corridor	Swanbank – Belmont 275kV Transmission Line Corridor
Easement ID	Easements B & C on RP126793 Dealing No. 601143346 Easement B on RP126945 Dealing No. 602211776
Location Details	
Street address	100 Chum Street, 20 Rhondra Road, New Chum QLD 4303
Real property description	Lot 268 on SP103913 and Lot 227 on SP103913
Local government area	Ipswich City Council
Existing Approval Details	
Approved Development	Material Change of Use – Waste Activity Uses + ERA 33, 60, 62
Approval Type	Development Permit
Change Application Details	
Details of change/s sought	Redesign of the proposed land to reduce maximum height, overall height, overall bulk, address best practice landfill design outcomes
Council Reference	MCUC 4502/2018

We refer to the above changed application which has been referred to Powerlink Queensland as an affected entity in accordance with section 80(1) of the *Planning Act 2016*.

Powerlink Queensland has reviewed the changes to the development application outlined in the change application and advise that we have no objection to the change application, subject to adherence of the conditions outlined in our previous response and Attachment 1 of this response.

Any further works should be in accordance with Powerlink Queensland's general conditions and guidelines when considering works either on a Powerlink Queensland easement or in the vicinity of Powerlink Queensland assets.

For further information please contact Kerrie Guyatt Property Services Advisor, on (07) 3866 1313 or via email [property@powerlink.com.au](mailto:property@powerlink.com.au) who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read "Brandon Kingwill".

Brandon Kingwill  
**MANAGER PROPERTY**

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

Powerlink Queensland is the registered business name of the  
Queensland Electricity Transmission Corporation Limited

DA3364

# 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	Compliance with the terms and conditions of the easement dealing no's. shown in the heading of this letter.	At all times.	To ensure that the existing rights contained in the registered easement dealings are maintained.
2	Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure as detailed in the enclosed Annexure "A".	At all times.	To ensure that the purpose of the <i>Electrical Safety Act 2002</i> is achieved and electrical safety requirements are met.  To ensure the integrity of the easement is maintained.
3	The development must be carried out generally in accordance with the reviewed change application and plans submitted.	At all times.	To ensure that the development is carried out generally in accordance with the change application and plans of development submitted with the application.
4	The statutory clearance set 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.

## Advice to Council and the Applicant

1. We draw your attention to the obligations & requirements of the *Electrical Safety Act 2002* and the safety exclusion zones prescribed by the *Electrical Safety Regulations 2013* based on the voltage of the transmission line.

In respect to this application the exclusion zone for untrained persons and for operating plant operated by untrained persons is **6 metres from the 275,000-volt** wires and exposed electrical parts.

Should any doubt exist in maintaining the prescribed clearance to the conductors and electrical infrastructure, then the applicant is obliged under this Act to seek advice from Powerlink Queensland.

DA3364

## **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.

DA3364

## **ANNEXURE A**

### **7. EASEMENTS**

All terms and conditions of the easement are to be observed. Note that the easement takes precedence over all subsequent registered easement documents. Copies of the easement together with the plan of the Easement can be purchased from the Department of Environment & Resource Management.

### **8. EXPENDITURE AND COST RECOVERY**

Should Powerlink incur costs as a result of the applicant's proposal, all costs shall be recovered from the applicant.

Where Powerlink expects such costs to be in excess of \$10 000.00, advanced payments may be requested.

### **9. EXPLOSIVES**

Blasting within the vicinity (500 metres) of Powerlink infrastructure must comply with AS 2187. Proposed blasting within 100 metres of Powerlink infrastructure must be referred to Powerlink for a detailed assessment.

### **10. BURNING OFF OR THE LIGHTING OF FIRES**

We strongly recommend that fires not be lit or permitted to burn within the transmission line corridor and in the vicinity of any electrical infrastructure placed on the land. Due to safety risks Powerlink's written approval should be sought.

### **11. GROUND LEVEL VARIATIONS**

#### **Overhead Conductors**

Changes in ground level must not reduce statutory ground to conductor clearance distances as prescribed by the Electrical Safety Act 2002 and the Electrical Safety Regulation 2013.

#### **Underground Cables**

Any change to the ground level above installed underground cable is not permitted without express written agreement of Powerlink.

### **12. VEGETATION**

Vegetation planted within an easement must not exceed 3.5 metres in height when fully matured. Powerlink reserves the right to remove vegetation to ensure the safe operation of the transmission line and, where necessary, to maintain access to infrastructure.

### **13. INDEMNITY**

Any use of the Easement by the applicant in a way which is not permitted under the easement and which is not strictly in accordance with Powerlink's prior written approval is an unauthorised use. Powerlink is not liable for personal injury or death or for property loss or damage resulting from unauthorized use. If other parties make damage claims against Powerlink as a result of unauthorized use then Powerlink reserves the right to recover those damages from the applicant.



DA3364

## ANNEXURE A

### 14. INTERFERENCE

The applicant's attention is drawn to s.230 of the Electricity Act 1994 (the "Act"), which provides that a person must not wilfully, and unlawfully interfere with an electricity entity's works. "Works" are defined in s.12 (1) of the Act. The maximum penalty for breach of s.230 of the Act is a fine equal to 40 penalty units or up to 6 months imprisonment.

### 15. REMEDIAL ACTION

Should remedial action be necessary by Powerlink as a result of the proposal, the applicant will be liable for all costs incurred.

### 16. OWNERS USE OF LAND

The owner may use the easement land for any lawful purpose consistent with the terms of the registered easement; the conditions contained herein, the Electrical Safety Act 2002 and the Electrical Safety Regulation 2013.

### 17. ELECTRIC AND MAGNETIC FIELDS

Electric and Magnetic Fields (EMF) occur everywhere electricity is used (e.g. in homes and offices) as well as where electricity is transported (electricity networks).

Powerlink recognises that there is community interest about Electric and Magnetic Fields. We rely on expert advice on this matter from recognised health authorities in Australia and around the world. In Australia, the Federal Government agency charged with responsibility for regulation of EMFs is the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA's *Fact Sheet – Magnetic and Electric Fields from Power Lines*, concludes:

*"On balance, the scientific evidence does not indicate that exposure to 50Hz EMF's found around the home, the office or near powerlines is a hazard to human health."*

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

The level of EMF decreases rapidly with distance from the source. EMF readings at the edge of a typical Powerlink easement are generally similar to those encountered by people in their daily activities at home or at work. And in the case of most Powerlink lines, at about 100 metres from the line, the EMF level is so small that it cannot be measured.

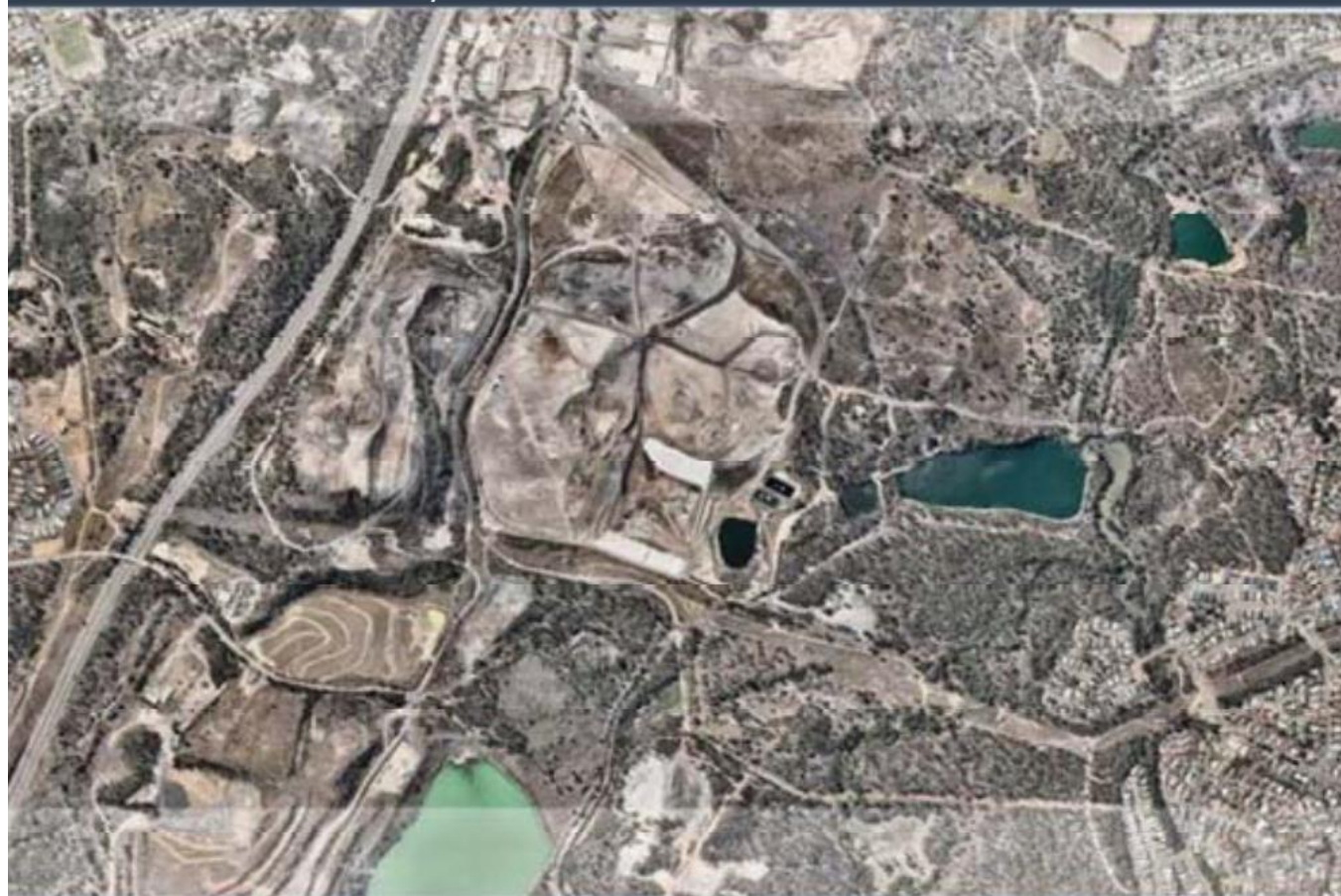
Powerlink is a member of the ENA's EMF Committee that monitors and compiles up-to-date information about EMF on behalf of all electricity network businesses in Australia. This includes subscribing to an international monitoring service that keeps the industry informed about any new developments regarding EMF such as new research studies, literature and research reviews, publications, and conferences.

We encourage community members with an interest in EMF to visit ARPANSA's website: [www.arpansa.gov.au](http://www.arpansa.gov.au) Information on EMF is also available on the ENA's website: [www.ena.asn.au](http://www.ena.asn.au)



# Third Party Peer Review of Development Application

Cleanaway Development Application - 100 Chum Street and  
20 Rhondda Road, New Chum (Lot 268 on SP103913 & Lot  
227 on SP103913)



14 October 2019



*Third Party Peer Review of Development Application  
Cleanaway Development Application*



## Document Control

**Document:** Project Name: Third Party Peer Review of Development Application  
PSA Job Number: 0982  
Report Name: Cleanaway Development Application

**This document has been prepared for:**




**Contact:** Allison Ferres-MacDonald  
Deputy General Counsel  
Ipswich City Council  
PO Box 191, Ipswich Qld 4305  
3810 6666  
<https://www.ipswich.qld.gov.au/>

**This document has been prepared by:**



**Contact:** Kate Burke  
PSA Consulting (Australia) Pty Ltd  
PO Box 10824, Adelaide Street, Brisbane QLD 4000  
Telephone +61 7 3220 0288  
[kate@psaconsult.com.au](mailto:kate@psaconsult.com.au)  
[www.psaconsult.com.au](http://www.psaconsult.com.au)

## Revision History

VERSION	DATE	DETAILS	AUTHOR	AUTHORISATION
V3	14 October 2019	FINAL	PAUL HANLY	KATE BURKE 

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*Third Party Peer Review of Development Application  
Cleanaway Development Application*



## EXECUTIVE SUMMARY

The purpose of this report is to provide an independent third-party peer review of the development application (Council Ref: 4502/2018/MCU) seeking a Development Approval for a Material Change of Use (MCU) and Environmentally Relevant Activities (ERA)(refer to Section 2.3 for further details), on land at 100 Chum Street and 20 Rhondda Road, New Chum, being Lot 268 on SP103913 & Lot 227 on SP103913. This independent third-party peer review is being undertaken at the request of Ipswich City Council.

This report provides a high-level summary assessment of the application against the applicable legislation and statutory provisions, including the relevant provisions of the *South East Queensland Regional Plan 2017-2041*, *State Planning Policy 2017*, *Ipswich Planning Scheme 2006* and *Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation)*. It also addresses the specific instructions set by Council, who requested that the following questions be considered:

1. Whether you agree with the officer recommendation?
2. What are the key planning provisions?
3. What are the key issues (whether that be assessment against planning provisions or other relevant matters etc.) that you think the decision turns on?
4. Has the developer provided adequate information in relation to those key issues? (i.e. do you need any more information to undertake the peer review, or reach a concluded opinion on any matter?)
5. What are the issues/planning provisions that are relevant to and support the decision, but are not necessarily decisive? Do these matters result in cumulative issues/impacts that also support the decision?
6. Are there any reasons for the decision that you do not agree with? If so, why?
7. Are there any additional reasons for decision that you think should be included in the decision notice? If so, what are they and why?

The following documents prepared by Ipswich City Council were provided to PSA Consulting, which have been relied upon in preparing this third-party peer review:

- Statement of Reasons (Ref:4502/2018/MCU;AB)
- Agenda Planning Report (Doc ID No:A5818286)

The initiation of all enquiries and discussions has been made directly through Council's Deputy General Counsel. A telephone discussion was also held with Ipswich City Council's Team Coordinator (West) to confirm the nature of the Council documents initially provided for review.

It should be noted that this report provides an independent, high-level assessment of planning matters only. A detailed review of technical engineering or other specialist expert issues has not been undertaken, as this falls outside the scope of PSA Consulting's engagement.

In summary, PSA Consulting agrees with the Council officer's recommendations to refuse this development application on the basis of the application material submitted and the specific nature of the proposal as it currently stands, primarily because it is inconsistent with the intent of Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) which applies to the subject site. There are also aspects of the Ipswich Planning Scheme 2006 which the proposed development does not comply with. The main body of the report addresses these matters in further detail.

Third Party Peer Review of Development Application  
Cleanaway Development Application



## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b>	<b>3</b>
<b>1 FINDINGS IN RESPONSE TO COUNCIL'S INSTRUCTIONS</b>	<b>5</b>
<b>2 INTRODUCTION</b>	<b>8</b>
2.1 SUBJECT PROPERTY & PLANNING SCHEME DETAILS	8
2.2 BACKGROUND / SITE HISTORY	9
2.3 PROPOSAL	9
2.4 ZONING AND LAND USE IN THE LOCALITY	11
2.5 REFERRAL AGENCY	12
2.6 PUBLIC NOTIFICATION	12
<b>3 LEGISLATIVE CONSIDERATIONS</b>	<b>13</b>
3.1 ASSESSMENT CONSIDERATIONS	13
3.1.1 SOUTH EAST QUEENSLAND REGIONAL PLAN 2009-2031	13
3.1.2 SHAPING SEQ - SOUTH EAST QUEENSLAND REGIONAL PLAN 2017	13
3.1.3 STATE PLANNING POLICY – JULY 2017 (2017 SPP)	13
3.1.4 TEMPORARY LOCAL PLANNING INSTRUMENT NO.1 2018 (WASTE ACTIVITY REGULATION)	14
3.1.5 IPSWICH PLANNING SCHEME AND PLANNING SCHEME POLICIES	20
3.1.6 LOCAL GOVERNMENT INFRASTRUCTURE PLAN	26
3.1.7 REFERRAL AGENCY RESPONSES	26
<b>4 CONCLUSION</b>	<b>27</b>

## LIST OF FIGURES

Figure 1: Subject Site & Surrounds Zone Mapping (Ipswich City Council)	11
Figure 2: General Arrangement Final Landform Plan	15
Figure 3: Distribution of vegetation communities and broad habitat types	19

## LIST OF TABLES

Table 1: Subject Property & Planning Scheme Details	8
Table 2: Application Components	9
Table 3: Referral Entities	12

## LIST OF ACRONYMS

EFWA	Example Four Word Acronym
MCU	Material change of Use
ERA	Environmentally relevant activity
EA	Environmental authority
DES	Queensland Department of Environment and Science
DSDMIP	Department of State Development, Manufacturing, Infrastructure and Planning
TLPI	Temporary Local Planning Instrument No.1 2018 (Waste Activity)



*Third Party Peer Review of Development Application  
Cleanaway Development Application*



## 1 FINDINGS IN RESPONSE TO COUNCIL'S INSTRUCTIONS

Council is seeking an independent third-party peer review of the development application seeking Development Approval for a Material Change of Use (MCU) and Environmentally Relevant Activities (ERA) (refer to Section 2.3 for further details) on land at 100 Chum Street and 20 Rhondda Road, New Chum, being Lot 268 on SP103913 & Lot 227 on SP103913 and provision of independent advice in accordance with Council's instructions as follows:

### 1. Whether you agree with the officer recommendation?

PSA Consulting agrees with the Council officer's recommendations to refuse this development application on the basis of the application material submitted and the specific nature of the proposal as it currently stands, primarily because it is inconsistent with the intent of Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) which applies to the subject site. There are also aspects of the Ipswich Planning Scheme 2006 which the proposed development does not comply with.

### 2. What are the key planning provisions?

The key planning provisions that relate to this development application include the *South East Queensland Regional Plan 2017-2041*, *State Planning Policy 2017*, *Ipswich Planning Scheme 2006* and *Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation)*. In particular, the key planning provisions that the proposed development does not comply with, includes the following:

- a) Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) – Swanbank/New Chum Waste Activity Code - Overall Outcomes - 3(2)(a) & 4(2)

The Temporary Local Planning Instrument (TLPI) appears to have been created and implemented for the specific purpose of regulating and locating waste activity uses and landfill only within the Swanbank/New Chum Waste Activity Area, which is spatially defined within the TLPI. The proposed development will result in the following waste activity uses and landfill activities being located outside of the defined Swanbank/New Chum Waste Activity Area:

- A leachate pond;
- Sediment basins A & B;
- The vertical extension of the current approved landform footprint in the south eastern corner of landform;
- The current approved landform footprint in the northern corner of the landform. No changes to the footprint are proposed in this location;
- The site entry, site office, site workshop, staff amenities, weighbridge and landfill gas flare in the northern corner of the site; and
- The proposed resource recovery centre.

The above activities are proposed within the Swanbank/New Chum Waste Buffer Area (also spatially defined within the TLPI) and are identified as an Inconsistent Use as per Table 1 of the TLPI. While there are limited changes to the existing footprint of the landform within the Swanbank/New Chum Waste Buffer Area, the TLPI does not differentiate between the actual landform and the related functional aspects of the use such as leachate ponds, sediment basins, site workshop and site office as being appropriate in the Buffer Area. As such, these activities are considered to be inconsistent as they are directly associated with the development being applied for as part of the subject application.

Section 3.2(a) of the Swanbank/New Chum Waste Activity Code within the TLPI specifically states:

***Applications involving new or expanded waste activities that are inconsistent with the outcomes sought by the Swanbank / New Chum Waste Activity Code, constitute undesirable development and are unlikely to be approved.***

Given that the expanded capacity of the proposed landfill results in a Waste Activity Use in the Swanbank/New Chum Buffer Area, *Table 1 – Table of Assessment and Relevant Assessment Criteria* identifies this development as being an Inconsistent Use, and the TLPI makes it clear that development which is inconsistent with the outcomes sought by the Swanbank/New Chum Waste Activity Code is unlikely to be approved.

Third Party Peer Review of Development Application  
Cleanaway Development Application



- b) TLPI – Part 2.3 and Swanbank/New Chum Waste Activity Code - Overall Outcomes - 3(2)(b)(ii) & Swanbank/New Chum Waste Activity Code – Specific Outcomes – 5(a) & 5(b)

The development application material provided indicates that the overall height of the proposed landfill exceeds the top of the former mining void. The applicant has stated in their response to the Temporary Local Planning Instrument: “that the highest point of the former mining void was approximately RL60m, occurring towards the western property boundary; with a low point of approximately RL36m toward the eastern boundary of Lot 268 on SP103913.”

The proposed landform has a peak height of RL85m which is significantly higher than the former mining void and the previously approved peak height of RL72m. It is not considered that raising the height of the landform above the mining void height can be considered minor contouring, nor will it be likely to result in improved stormwater and drainage outcomes.

While it is noted that the proposed screening bund will restrict views to the waste landform from the southern aspect, the waste areas and progressive landfilling may be visible from other aspects. It is noted in the Visual Impact Assessment prepared by Cardno (June 2019) that views to the landform will be visible primarily from residential receptors to the east and south-east of the subject land in Collingwood Park, the adjacent industrial land (Claypave site) and Swanbank industrial area to the south.

It is likely that the proposed landform and waste progressively filled on-site as a result of the proposed development application will be visible from residential and other sensitive areas and could lack the ability to adequately screen the on-site works, particularly to the east and south-east. It is considered that it has not been demonstrated that the proposal will not impact on visual amenity from residential and other sensitive areas.

- c) TLPI – Swanbank/New Chum Waste Activity Code – Specific Outcomes – 6(a) & 6(b)

The Ecological Assessment Report Version N prepared by GHD (June 2019) indicates that vegetation clearing may result in a loss of native vegetation buffer that may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

**3. What are the key issues (whether that be assessment against planning provisions or other relevant matters etc.) that you think the decision turns on?**

The non-compliance with the TLPI in terms of Waste Activity Uses occurring outside of the defined Swanbank/New Chum Waste Activity Area results in the proposal being an Inconsistent Use. Section 3.2(a) of the Swanbank/New Chum Waste Activity Code within the TLPI specifically states:

***Applications involving new or expanded waste activities that are inconsistent with the outcomes sought by the Swanbank / New Chum Waste Activity Code, constitute undesirable development and are unlikely to be approved.***

Given that the expanded capacity of the proposed landfill results in a Waste Activity Use in the Swanbank/New Chum Buffer Area, Table 1 – Table of Assessment and Relevant Assessment Criteria identifies this development as being an Inconsistent Use, and the TLPI makes it clear that development which is inconsistent with the outcomes sought by the Swanbank/New Chum Waste Activity Code is unlikely to be approved.

While the majority of components located outside of the Swanbank/New Chum Waste Activity Area are somewhat ancillary to the main function of landfill/landform, i.e. sediment basins, leachate ponds and site facilities, there is no differentiation within the TLPI regarding these functions and the main function of the landfill/landform. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on nearby residential and sensitive receiving uses beyond what is anticipated by the TLPI.

The location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

Should the entire proposal be capable of being wholly located within the extent of the defined Swanbank/New Chum Waste Activity Area, then these arguments may not be as relevant (subject to meeting all other applicable aspects of the TLPI). It has not been demonstrated that the height of the proposed landform exceeding the top of the former mining void and the previously approved peak landform heights will not result in visual amenity impacts for residential and other

Item 4 / Attachment 4.

*Third Party Peer Review of Development Application  
Cleanaway Development Application*



sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east. In this regard, the proposal is considered to be of a scale and intensity which is not contemplated by the TLPI.

**4. Has the developer provided adequate information in relation to those key issues? (i.e. do you need any more information to undertake the peer review, or reach a concluded opinion on any matter?)**

PSA Consulting believes the developer has generally provided sufficient information to make an informed assessment of the proposal, with respect to planning matters.

**5. What are the issues/planning provisions that are relevant to and support the decision, but are not necessarily decisive? Do these matters result in cumulative issues/impacts that also support the decision?**

There are a number of Ipswich Planning Scheme 2006 (Planning Scheme) provisions which the proposed development does not comply with, particularly in relation to visual amenity and buffer requirements. This includes the following:

- The proposed development application is not considered to be consistent with the following Desired Environmental Outcomes or Performance Indicators: 3.1(3)(b), 3.1(3)(d), 3.1(3)(j), 3.2(1)(b) & 3.2(3)(j);
- The proposed development application is not considered to be consistent with the following overall outcomes sought for the Regionally Significant Business and Industry Areas: 6.6(2)(a), 6.6(2)(c), 6.6(2)(g), 6.6(2)(h), 6.6(2)(i) & 6.7(2)(a);
- The proposed development application is not considered to be consistent with the following overall outcomes and specific outcomes sought for the Regionally Business and Industry Investigation Zone: 6.14(2)(a), 6.14(2)(f)(iii), 6.14(2)(j), 6.14(2)(k), 6.15(1)(e), 6.15(2)(c)(iv), 6.15(14)(b)(iv), 6.15(15)(d), 6.15(15)(i)(i)-(iii), 6.16(2)(a)(iv)(F), 6.16(2)(b)(i), 6.16(2)(b)(ii) & 6.17(2)(t);
- The proposed development application is not considered to be consistent with the following overall outcomes and specific outcomes sought of the Commercial and Industrial Code: 12.7.3(2)(a)(i), 12.7.3(2)(a)(ii), 12.7.3(2)(a)(iv), 12.7.3(2)(a)(v), 12.7.3(2)(a)(vii), 12.7.3(2)(b), 12.7.4(1), 12.7.7(1)(e), 12.7.7(2)(b)(ii) & 12.7.7(2)(b)(iv);

Despite the number of Planning Scheme outcomes not complied with and their potential cumulative effect, these may not necessarily be decisive in and of themselves in terms of determining the development application. However, it is the overall scale and nature of the proposal in terms of primarily not meeting the policy intent of the TLPI – i.e. through location of activities outside the defined Waste Activity Area which is an Inconsistent Use, height of the proposed waste landform etc., that is the fundamental planning issue which warrants refusal of the development application, based on the current proposal.

**6. Are there any reasons for the decision that you do not agree with? If so, why?**

It is unclear why Council has relied upon the provisions of the *South East Queensland Regional Plan 2009-2031* in its assessment of the development application, as this was superseded by the current *South East Queensland Regional Plan 2017-2041*. Nevertheless, it is considered that the proposed development application is not expressly inconsistent with Desired Regional Outcomes 1 and 10.7 of the *South East Queensland Regional Plan 2009-2031*, given that the subject site is currently used for approved Waste Activity Uses on land largely located within the Swanbank/New Chum Waste Activity Area, as defined by the TLPI. The TLPI clearly seeks to regulate the types of uses proposed by the development application where waste activity uses and landfill activities are intended to be undertaken. As such, the site being located within the Swanbank/New Chum Waste Activity Area has been identified as an appropriate location for waste and landfill infrastructure. There is an identified need for this type of land use and a general expectation that waste activity uses and landfill activities can be undertaken on land with the appropriate zoning/designations at an appropriate scale and intensity for that locality. However, the nature and scale of the proposed development in its current form, in terms of not being fully contained within the defined Swanbank/New Chum Waste Activity Area, as well as the overall proposed height of the waste landform, is inconsistent with the outcomes sought by the TLPI.

While not related to the reasons for the decision, it is noted that the assessment benchmarks for the Planning Regulation, schedule 10 as shown within the Assessment Benchmarks table look to be different to the referral triggers identified by SARA.

**7. Are there any additional reasons for decision that you think should be included in the decision notice? If so, what are they and why?**

There are no other reasons that should be included in the decision notice.

Third Party Peer Review of Development Application  
Cleanaway Development Application



## 2 INTRODUCTION

The purpose of this report is to provide an independent third-party peer review of the Development Application seeking a Development Approval for a Material Change of Use (MCU) and Environmentally Relevant Activities (ERA) (refer to Section 2.3 for further details), on land at 100 Chum Street and 20 Rhondda Road, New Chum being Lot 268 on SP103913 & Lot 227 on SP103913.

This Report will provide an independent assessment of the Development Application against the relevant provisions as outlined below, to inform our response to the instructions set by Council:

1. *South East Queensland Regional Plan 2009-2031*;
2. *Shaping SEQ South East Queensland Regional Plan 2017*;
3. *State Planning Policy – July 2017 (2017 SPP)*;
4. *Ipswich City Council Planning Scheme 2006*; and
5. *Ipswich Temporary Local Planning Instrument No.1 of 2018 (Waste Activity Regulation)*.

The initiation of all enquiries and discussions has been made directly through Council's Deputy General Counsel. A telephone discussion was also held with Ipswich City Council's Michael Simmons to confirm the nature of the Council documents provided.

It should be noted that this report provides an independent high-level assessment of planning matters only. A detailed review of technical engineering or other specialist expert issues has not been undertaken, as this falls outside the scope of PSA Consulting's engagement.

### 2.1 SUBJECT PROPERTY & PLANNING SCHEME DETAILS

Table 1: Subject Property & Planning Scheme Details

ADDRESS:	100 Chum Street and 20 Rhondda Road, New Chum Qld 4303
PROPERTY DESCRIPTION:	Lot 268 on SP103913 & Lot 227 on SP103913
OWNER:	Cleanaway Solid Waste Pty Ltd (ACN 120 175 635) (formerly named Transpacific Waste Management Pty Ltd)
APPLICANT:	Cleanaway Solid Waste Pty Ltd C/- Wolter Consulting Group
LOCAL AUTHORITY:	Ipswich City Council
SITE AREA:	134.71 hectares
PLANNING SCHEME:	Ipswich Planning Scheme 2006
EXISTING ZONE:	<ul style="list-style-type: none"><li>• Regional Business and Industry Investigation Zone (Swanbank and New Chum Sub-Area)</li><li>• Regional Business and Industry Zone (Swanbank/New Chum- Medium Impact Business and Industry Sub Area)</li><li>• Recreation Zone</li></ul>
OVERLAYS:	<ul style="list-style-type: none"><li>• Key Resource Areas, Buffers and Haul Routes (OV02)</li><li>• Mining Influence Areas (OV03)</li><li>• Difficult Topography (OV04)</li><li>• Flooding and Urban Catchment Flow Paths (OV05)</li><li>• Defence (Area Control) Regulations and Obstruction Clearance (OV07(a))</li><li>• Operational Airspace, Wildlife Attraction and Lighting Issues (OV07(b))</li><li>• High Voltage Electricity Transmission Lines (OV13)</li></ul>
REGIONAL PLAN:	South East Queensland Regional Plan - Urban Footprint



*Third Party Peer Review of Development Application  
Cleanaway Development Application*



## 2.2 BACKGROUND / SITE HISTORY

The subject site contains an existing landfill and waste transfer station which incorporates crushing, milling, grinding and screening activities, service trades use (motor vehicles) and ancillary land uses. It is understood the existing uses operate under current and relevant Local and State Government approvals. Previous Council approvals that relate to this site include the following:

- 192/98 (Town Planning Consent for a landfill);
- 140/98 (Town Planning Consent the weighbridge and ancillary facilities to the landfill);
- 4250/2011, 4250/2011/MA/A, 4250/2011/MA/B, 4250/2011/MA/C, 4250/2011/MA/D - Material Change of Use for Special Industry (Waste Transfer Station, Crushing, Screening Milling and Grinding and Screening associated with the exiting landfill) and Service Trades Use (Motor Vehicle Repair) ERA - 33 & 62);
- 4631/2013/MA, 4631/2013/MA/A, 4631/2013/MA/B, 4631/2013/MA/C - Weighbridge, entrance works and ancillary activities;
- 4629/2013/MA, 4629/2013/MA/A, 4629/2013/MA/B, 4629/2013/MA/C - Landfill (General Waste Disposal with Limited Regulated Waste).

## 2.3 PROPOSAL

The Development Application seeks Development Approval for a Material Change of Use being generally described as Waste Activity Use and Environmentally Relevant Activities. It is understood that the development application intends to facilitate the following:

- The continued operation and expansion of the New Chum waste management facility as a landfill and transfer station including crushing, milling, grinding or screening activities;
- A lateral extension of the existing landform along a small area extending from the south-eastern boundary onto Lot 227 on SP103913;
- A vertical increase in the height of the landform to RL85m post-settlement of landfilled waste;
- Related changes to external batter slopes, surface water runoff and capping requirements;
- The establishment of a resource recovery area for the sorting, removal and stockpiling of received materials that are not intended to be taken to the landfill; and
- Rehabilitation of southern and eastern sections of the site.

The applicant has noted that there is no change to waste stream acceptance criteria, and no increase in the intensity of operations (waste volume accepted) and no increase in traffic volumes resulting from the redesign of the landform. The applicant has also noted that the facility will continue to operate under a Site-Based Management Plan which is a requirement of the EA EPPR00445713 approved for the site.

More specifically the development application seeks approval for the following:

**Table 2: Application Components**

<b>MATERIAL CHANGE OF USE:</b>	<ul style="list-style-type: none"> <li>• Waste Activity Use involving Landfill in the Swanbank/New Chum Buffer Area (formally referred to as Waste Activity Use other than involving Rehabilitating a Mining Void in the Swanbank/New Chum Buffer Area) – <b>Development Permit;</b></li> <li>• Waste Activity Use involving Landfill in the Swanbank/New Chum Waste Activity Area – <b>Development Permit;</b></li> <li>• Waste Activity Use involving Waste recycling, reprocessing and disposal (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50 tonnes or more a year – <b>Development Permit;</b></li> <li>• Waste Activity Use involving Waste recycling, reprocessing and disposal</li> </ul>
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*Third Party Peer Review of Development Application  
Cleanaway Development Application*



	<p>(Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year – <b>Development Permit;</b></p> <ul style="list-style-type: none"> <li>Waste Activity Use involving Crushing, milling or grinding (Special Industry) in the Swanbank/New Chum Waste Activity Area and the Swanbank/New Chum Buffer Area including screening, washing, crushing, grinding, milling, sizing or separating in works producing 5,000 tonnes or more per year– <b>Development Permit;</b></li> <li>Material Change of Use – <b>Development Permit</b> <ul style="list-style-type: none"> <li>ERA 33 (Crushing, milling, grinding or screening: Crushing, grinding, milling or screening more than 5,000t of material in a year);</li> <li>ERA 60 (Waste Disposal: 2: Operating a facility for disposing of, in a year, the following quantity of waste mentioned in subsection 1(b) – (h) more than 200,000t); and</li> <li>ERA 62 (Waste Transfer Station operation: operating on a commercial basis or in the course of carrying on a commercial enterprise, a waste transfer station that receives a total quantity of at least 30t or 30 cubic metres of waste on any day;</li> </ul> </li> </ul>
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The application material used for this assessment generally relates to the material that was lodged with Ipswich City Council and referral agencies as part of the Notice to Change to Application. This application material includes the following:

1. Leachate Water Balance Assessment - Dated 26 June 2019 (Ref: 1893805-025-L-Rev0) prepared by Golder;
2. Site Based Management Plan – June 2019 prepared by GHD;
3. Landfill Gas Management Plan – Part 1, Version 003, October 2018 (Ref: EPPR00445713) prepared by Cleanaway;
4. Geotechnical & Hydrogeological Review – Dated 26 June 2019 (Ref: 1893805-001-TM-Rev.8) prepared by Golder;
5. Air Quality Assessment Report - Version 2 (June 2019) prepared by GHD;
6. Acoustic Assessment Report - Version 2 (June 2019) prepared by GHD;
7. Ecological Assessment Report - Version 2 (June 2019) prepared by GHD;
8. Concept Design Report - Version 2 (June 2019) prepared by GHD;
9. Visual Impact Assessment – June 2019 (Ref: LA193012) prepared by Cardno;
10. Addendum to Stormwater Management Plan – June 2019 prepared by GHD;
11. Planning Report – June 2019 prepared by Wolter Consulting;
12. Code Compliance Statements prepared by Wolter Consulting;
13. Temporary Local Planning Instrument Response prepared by Wolter Consulting;

The following documents prepared by Ipswich City Council were also provided to PSA Consulting, which have been relied upon in the review, to assist in addressing the specific questions that Council have requested be addressed in this third-party review:

- Statement of Reasons (Ref:4502/2018/MCU; AB)
- Agenda Planning Report (Doc ID No: A5818286)

It is also noted that Council has also relied on the following documents in its assessment and that these documents have no statutory weight:

- Transforming Queensland's Recycling and Waste Industry Directions Paper;

*Third Party Peer Review of Development Application  
Cleanaway Development Application*



- The Queensland Government response to the Honourable Peter Lyons, QC Investigation into the Transport of waste into Queensland;
- Waste Management and Resource Recovery Strategy;
- Resource recovery industry development program;
- Queensland Resource Recovery Industries 10 Year Roadmap and Action Plan;
- Energy from Waste Policy Discussion Paper;
- Queensland Climate Transition Strategy;

Please note that due to time considerations and these not forming statutory considerations, that a comprehensive assessment of the above documents has not been undertaken.

#### 2.4 ZONING AND LAND USE IN THE LOCALITY

The subject site is located within the Regional Business and Industry Investigation Zone (Swanbank and New Chum Sub-Area), Regional Business and Industry Zone (Swanbank/New Chum- Medium Impact Business and Industry Sub Area) and Recreation Zone. It should be noted that limited development is proposed to be undertaken within the Regional Business and Industry Zone (Swanbank/New Chum- Medium Impact Business and Industry Sub Area) and no development is proposed within the Recreation Zone.

The directly surrounding uses comprise of industrial activities being consistent with industrial zonings of the land. Further to the east the site is bordered by land within the Recreation Zone with residential uses being located further to the east and north east.

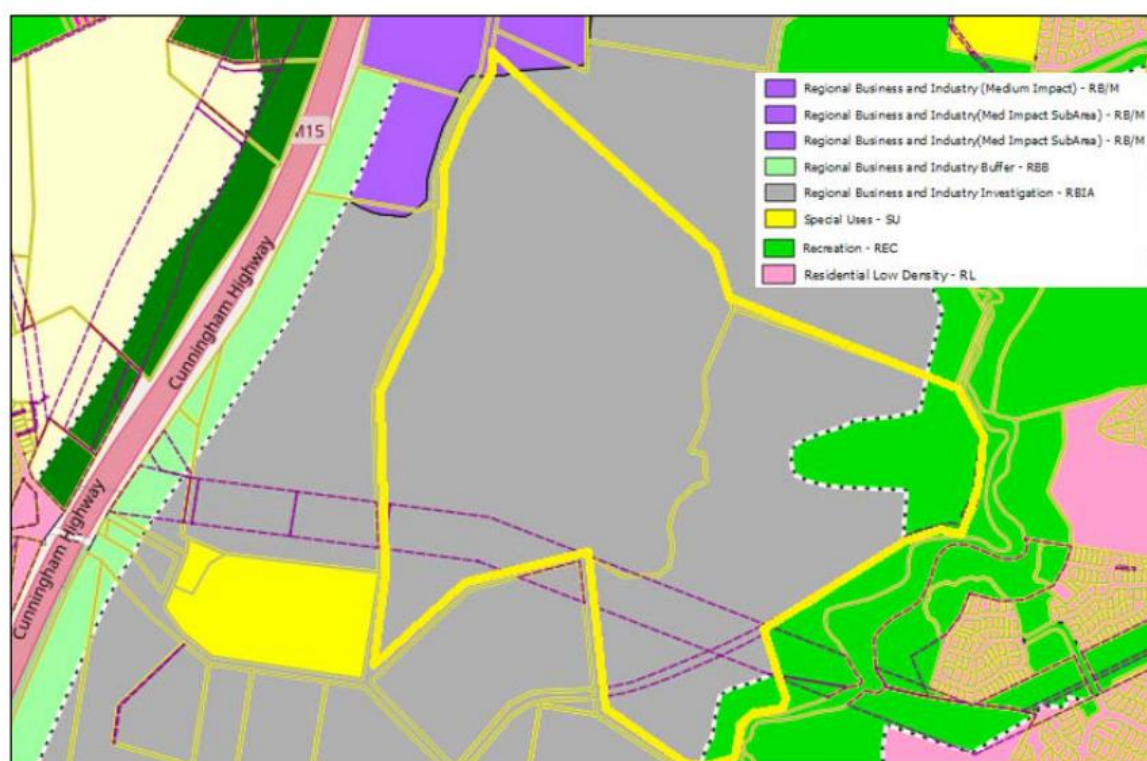


Figure 1: Subject Site & Surrounds Zone Mapping (Ipswich City Council)

*Third Party Peer Review of Development Application  
Cleanaway Development Application*



## 2.5 REFERRAL AGENCY

Based on the material provided by Council, it is understood that the following referral agencies are applicable to the development application:

**Table 3: Referral Entities**

REFERRALS:	<p><b>Department of State Development, Manufacturing, Infrastructure and Planning</b> SEQ West (Ipswich) Post: PO Box 129, IPSWICH QLD 4305 Email: <a href="mailto:ipswichSARA@dsdmip.qld.gov.au">ipswichSARA@dsdmip.qld.gov.au</a> Ph: (07) 3432 2413</p> <p>Referral role: Concurrence</p> <p>Referral Triggers:</p> <ul style="list-style-type: none"> <li>• Schedule 10, Part 5, Division 4, Table 2, Item 1 – Environmentally relevant activities</li> <li>• Schedule 10, Part 9, Division 1, Table 1, Item 1 – Infrastructure Designation</li> <li>• Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 - State transport infrastructure</li> </ul>
	<p>Powerlink Post: <b>PO Box 1193, VIRGINIA QLD 4014</b> Email: <a href="mailto:property@powerlink.com.au">property@powerlink.com.au</a></p> <p><b>Referral role: Advice</b></p> <p>Referral Trigger: Part 9, Division 2, Table 2 - Electricity infrastructure</p>

## 2.6 PUBLIC NOTIFICATION

The development application required Public Notification to be undertaken in accordance with section 53 of the *Planning Act 2016* and Part 4 of the Development Assessment Rules.

Public Notification for the development application was carried out from 3<sup>rd</sup> November 2018 to 14 December 2018.

Further Public Notification following lodgement of Notice to Change Application was carried out from 8<sup>th</sup> July 2019 to 29 July 2019.

Council's Agenda Planning Report states that the Council received 320 properly made submissions and 24 not properly made submissions. Of the 320 properly made submissions 19 were supportive of the proposal. The review of submitter issues was outside the scope of PSA Consulting's brief, however, there is general agreement with Council's response to *How matters were dealt with in reaching a decision*.

Third Party Peer Review of Development Application  
Cleanaway Development Application



### 3 LEGISLATIVE CONSIDERATIONS

#### 3.1 ASSESSMENT CONSIDERATIONS

##### 3.1.1 SOUTH EAST QUEENSLAND REGIONAL PLAN 2009-2031

It is noted that Council has undertaken an assessment of the Development Application against the *South East Queensland Regional Plan 2009-2031*. It is unclear why this has been relied upon, given that it has been superseded by *Shaping SEQ South East Queensland Regional Plan 2017-2041*. Nevertheless, PSA Consulting has also undertaken a preliminary assessment against the *South East Queensland Regional Plan 2009-2031*, with the relevant components relating to Desired Regional Outcomes 1 and 10.7.

It is considered that the proposed development application is not expressly inconsistent with Desired Regional Outcomes 1 and 10.7 given that the subject site is currently used for Waste Activity Uses on land partly located within the Swanbank/New Chum Waste Activity Area as described by the TLPI, where Waste Activity Uses and Landfill activities are intended to be undertaken. As such, the site being located within the Swanbank/New Chum Waste Activity Area has been identified as an appropriate location for waste and landfill infrastructure. There is an identified need for this type of land use and a general expectation that waste activity uses and landfill activities can be undertaken on land with the appropriate zoning/designations at an appropriate scale and intensity for that locality.

##### 3.1.2 SHAPING SEQ - SOUTH EAST QUEENSLAND REGIONAL PLAN 2017

An assessment of the proposal against the relevant provisions of the *Shaping SEQ South East Queensland Regional Plan 2017-2031* (the Regional Plan), was also undertaken. The proposed development is not consistent with *Theme 4 – Sustain* of the Regional Plan, in that the proposed increased capacity of the landfill does not advance towards the intent for SEQ to be carbon neutral and have zero net waste in 50 years.

*Theme 5 – Live* of the Regional Plan 2017 is also not achieved given the potential adverse amenity (dust, odour, noise, visual) impacts that nearby residents may experience from the increased capacity and landform size of the proposed landfill. It is considered that the increased capacity of the landfill will not *support improved health and wellbeing and increased quality of life*.

*Goal 4 – Sustain, Element 5 – Water sensitive communities* relates to the protection of the quality and quantity of water in waterways, aquifers, wetlands, estuaries, Moreton Bay and oceans. An assessment by a qualified expert in this field would be required to advise on the likelihood of adverse water quality and quantity impacts arising from the proposed development.

Despite the above, it is also recognised that there is a currently approved waste facility operating on the site and that the proposed development application seeks to expand the operations and capacity of an existing facility.

##### 3.1.3 STATE PLANNING POLICY – JULY 2017 (2017 SPP)

A preliminary assessment has been undertaken against the relevant State Planning Policy 2017 (SPP) requirements and the proposal potentially does not achieve the following outcomes:

- State Interest – liveable communities (3)(a) - value and nurture local landscape character and the natural environment.
- State Interest – liveable communities (1)(e) - community identity through considering local features, character, needs and aspirations.
- State Interest – development and construction (7)(b) - supported by compatible and complementary land uses and services on surrounding land.
- State interest – water quality (1) - facilitates the protection or enhancement of environmental values and the achievement of water quality objectives for Queensland waters.
- State interest – water quality (3) - Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values of receiving waters arising from altered stormwater quality and hydrology.



Third Party Peer Review of Development Application  
Cleanaway Development Application



- State interest – water quality (3) - Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values of receiving waters arising from the release and mobilisation of nutrients and sediments.
- State interest – water quality (5) - At the post-construction phase, development achieves the applicable stormwater management design objectives on-site.

### 3.1.4 TEMPORARY LOCAL PLANNING INSTRUMENT NO.1 2018 (WASTE ACTIVITY REGULATION)

An assessment of the relevant provisions of Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) is provided below.

#### 3.1.4.1 DEFINITION OF USE UNDER TLPI

Under the Temporary Local Planning Instrument No.1 2018 (Waste Activity) (TLPI) the proposed uses can be defined as per the following:

*“Landfill” means–*

*(a) the use of land for the disposal of material such as domestic waste, putrescible waste, organic waste, regulated waste, building waste, commercial and industrial waste or the like, to raise the level of the site, or to fill or partly fill a void on a site.*

*(b) The term includes the reprocessing of material from landfill on or off site.*

*“Waste Activity Use” means–*

*the use of premises for waste industry purposes, including but not limited to:*

*(a) “Compost Manufacturing Enclosed”;*

*(b) “Compost Manufacturing Unenclosed”; and*

*(c) “Landfill”;*

*(d) “Rehabilitating a mining void”.*

#### 3.1.4.2 PURPOSE OF THE TLPI

***3.1 The purpose of the TLPI is to regulate applications for new or expanded waste activities within the Swanbank / New Chum industrial area (located within the Ipswich local government area) to ensure this regionally significant economic area is appropriately regulated to protect existing, approved or planned residential and other sensitive receiving uses, from adverse impacts associated with waste activities.***

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on existing, approved or planned residential and other sensitive receiving uses.

#### 3.1.4.3 TLPI STRATEGIC OUTCOMES

***(i) Waste Activity Uses involving “Rehabilitating a mining void” occur only in the Swanbank / New Chum Buffer Area or the Swanbank / New Chum Waste Activity Area; and***

Comment: The development application does not propose “Rehabilitating a mining void”.

***(ii) Waste Activity Uses involving “Landfill” or “Compost Manufacturing Enclosed” occur only in the Swanbank / New Chum Waste Activity Area; and***

Comment: Compliance with this requirement is not achieved as the following works associated with the new use are proposed outside of the defined Swanbank/New Chum Waste Activity Area:

- A leachate pond;
- Sediment basins A & B;
- The vertical extension of the current approved landform footprint in the south eastern corner of landform;
- The current approved landform footprint in the northern corner of the landform. No changes to the footprint are proposed in this location;
- The site entry, site office, site workshop, staff amenities, weighbridge and landfill gas flare in the northern corner of the site; and



Third Party Peer Review of Development Application  
Cleanaway Development Application



- The proposed resource recovery centre.

The works proposed within the Swanbank/New Chum Waste Buffer Area are identified as an Inconsistent Use as per Table 1 of the TLPI. While there are limited changes to the existing footprint of the landform within the Swanbank/New Chum Waste Buffer Area, the TLPI does not differentiate between the actual landform and the related functional aspects of the use such as leachate ponds, sediment basins, site workshop and site office as being suitable to be located in the Buffer Area. As such, these activities are considered to be inconsistent as they are directly associated with the development being applied for as part of the subject application.

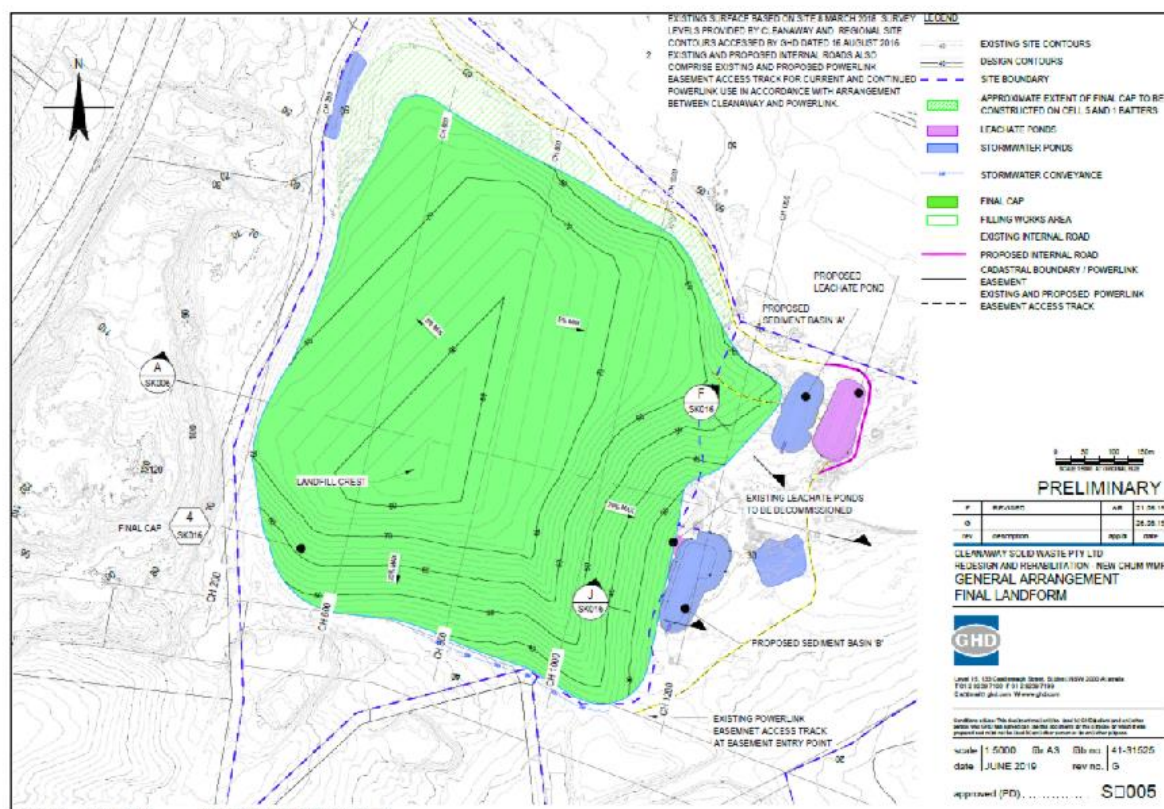


Figure 2: General Arrangement Final Landform Plan

**(iii) Waste Activity Uses involving “Compost Manufacturing Unenclosed” do not occur in the Swanbank / New Chum Buffer Area or Swanbank / New Chum Waste Activity Area.**

Comment: The development application does not propose “Compost Manufacturing Unenclosed”.

#### 3.1.4.4 TLPI OVERALL OUTCOMES

Section 3.2(a) of the Swanbank/New Chum Waste Activity Code states:

**Applications involving new or expanded waste activities that are inconsistent with the outcomes sought by the Swanbank / New Chum Waste Activity Code, constitute undesirable development and are unlikely to be approved.**

Comment: Given that the expanded capacity of the proposed landfill results in a Waste Activity Use in the Swanbank/New Chum Buffer Area, Table 1 – Table of Assessment and Relevant Assessment Criteria identifies this development as being an Inconsistent Use. The TLPI makes it clear that development which is inconsistent with the outcomes sought by the Swanbank/New Chum Waste Activity Code are unlikely to be approved.

The Overall outcomes intended by the Swanbank/New Chum Waste Activity Code are identified as 3(2)(b) of the code are as follows:

Third Party Peer Review of Development Application  
Cleanaway Development Application



**Waste Activity Uses:**

- (i) do not have a detrimental impact on the amenity of surrounding area, particularly on existing, approved or planned residential areas or other sensitive receiving uses; and**

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on existing, approved or planned residential and other sensitive receiving uses. The applicant has provided a number of specialist reports to support their development application including a Leachate Water Balance Assessment, Site Based Stormwater Management Plan, Landfill Gas Management Plan, Geotechnical & Hydrogeological Review, Air Quality Assessment Report and Acoustic Assessment Report. Given that PSA Consulting are not experts in matters related to amenity and it is unknown if an independent peer review of these assessments has been undertaken, no definitive expert advice can be provided as to the extent the development will have a detrimental impact on the amenity of the surrounding area, particularly on existing, approved or planned residential areas or other sensitive receiving uses.

- (ii) do not have a significant impact on visual amenity from residential and other sensitive receiving uses; and**

Comment: The Concept Design Report Version 2 prepared by GHD (June 2019) states that the waste will be covered progressively and as needed for site environmental management (litter, odour and vermin control) noting that intermediate cover will be placed in areas where waste areas will be inactive for periods of generally 90 days or longer.

The method of landform covering/screening outlined in the Concept Design Report Version 2 suggests that no waste will be visible due to the creation of the screening bund located in the southern section of the landform. It is noted that the proposed screening bund will restrict views to the waste from the southern aspect the waste areas and progressive landfilling will potentially be visible from other aspects. However, it is noted in the Visual Impact Assessment provided that views to the landform will be visible primarily from residential receptors to the east and south-east of the subject land in Collingwood Park, the adjacent industrial land (Claypave site) and Swanbank industrial area to the south. The Visual Impact Assessment prepared by Cardno (June 2019) the proposed landform states:

*"Compared to the approved landfill (to RL 71), the proposed development (to RL 85m) will have greater visibility from some sensitive residential receptor groups in Collingwood Park, Redbank Plains and Redbank (Receptor Groups D- H, J, K), a commercial receptor group in Redbank Plains (Receptor Group I), Swanbank (Receptor Group L) and New Chum (Receptor Group M) and from a small section of the Ipswich Motorway in Redbank (Receptor Group B)."*

In light of the above comments, it is considered highly likely that the proposed landform and waste progressively filled on-site will be visible from residential and other sensitive areas and may lack the ability to adequately screen the on-site works, particularly to the east and south-east. It is considered that it has not been demonstrated that the proposal will not impact from visual amenity from residential and other sensitive areas.

- (iii) do not have a detrimental impact on the environment; and**

Comment: The applicant has provided a number of specialist reports to support their development application including a Leachate Water Balance Assessment, Site Based Stormwater Management Plan, Landfill Gas Management Plan, Geotechnical & Hydrogeological Review and Air Quality Assessment Report. Given that PSA Consulting are not experts in these specialist matters and it is unknown if an independent peer review of these assessments has been undertaken, PSA Consulting cannot advise if the development will or will not have a detrimental impact on the environment.

- (iv) are designed, operated and maintained to avoid actual or potential nuisance impacts on existing, approved or planned residential and other sensitive receiving uses; and**

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on existing, approved or planned residential and other sensitive receiving uses.

- (v) achieve appropriate rehabilitation outcomes for land affected by former mining activities.**

Comment: It is understood that limited rehabilitation of former mining activities is proposed as part of the application. It is further understood from the Geotechnical and Hydrological Review prepared by Golders (26<sup>th</sup> June 2019) that the area of landfill has an extensive history of underground and open cut mining, stating: "the New Chum landfill area has



Third Party Peer Review of Development Application  
Cleanaway Development Application



previously experienced a complex history of underground and open cut mining activities, and subsequent partial backfilling of open cut voids with a wide range of material types, including overburden spoil, chitters, coal stone and wet coal fines (tailings). This review further states that the extent (area, depth, thickness) and geotechnical characteristics of the coal stone and tailings deposits are not well understood. MGS in their 2010 and 2012 report recommends that a separate study be undertaken in these materials 'to assist other in the assessment of heating and fill settlements as well as earthworks issues associated with the construction of the landfill floor. Although Golder has used conservative assumptions for the material properties in the analysis carried out in this Technical Memorandum, for completeness it is recommended that geotechnical investigations and testing be undertaken to validate the assumptions used in these analyses. Cleanaway has advised that such investigations and testing would be undertaken prior to any construction works associated with the proposed landform.' As such, it is not known from the information provided, what the extent of rehabilitation works are required or proposed for the site's former mining activities.

### 3.1.4.5 TLPI SPECIFIC OUTCOMES

**(c) The use of a premises for a Waste Activity Use involving "Rehabilitating a mining void" occurs only in the Swanbank / New Chum Buffer Area or the Swanbank / New Chum Waste Activity Area as shown on the Swanbank / New Chum Waste Activity Area Map; and**

Comment: The development application does not propose "Rehabilitating a mining void".

**(2) The use of a premises for a Waste Activity Use involving "Landfill" or "Compost Manufacturing Enclosed" occurs only in the Swanbank / New Chum Waste Activity Area as shown on the Swanbank / New Chum Waste Activity Area Map; and**

Comment: Compliance with this requirement is not achieved as the following works associated with the new use are proposed outside of the Swanbank/New Chum Waste Activity Area:

- A leachate pond;
- Sediment basins A & B;
- The vertical extension of the current approved landform footprint in the south eastern corner of landform;
- The current approved landform footprint in the northern corner of the landform. No changes to the footprint are proposed in this location;
- The site entry, site office, site workshop, staff amenities, weighbridge and landfill gas flare in the northern corner of the site; and
- The proposed resource recovery centre.

**(3) The use of a premises for a Waste Activity Use involving "Compost Manufacturing Unenclosed" does not occur in the Swanbank / New Chum Buffer Area or the Swanbank / New Chum Waste Activity Area as shown on the Swanbank / New Chum Waste Activity Area Map**

Comment: The development application does not propose "Compost Manufacturing Unenclosed".

**(4) Waste Activity Uses achieve appropriate rehabilitation outcomes for land affected by former mining activities that:**

- (a) add to a network of green spaces, environmental corridors and active and passive recreation areas; and**
- (b) do not prejudice or compromise the future rehabilitation, use, repair or maintenance of the land; and**
- (c) includes appropriate landscaping and revegetation strategies appropriate for the long-term use of the rehabilitated land.**

Comment: Limited rehabilitation of former mining activities on-site is demonstrated as part of the application. A Rehabilitation Plan outlining Current Rehabilitation Obligations, Proposed Rehabilitation Strategy, Proposed Conceptual Landscape Outcome and Potential Outcome has been provided, however, the plans provide very limited detail in terms of actual rehabilitation outcomes and the timing of the outcomes for the land. It has not been demonstrated that the proposal will add to a network of green spaces, environmental corridors and active passive recreation areas.

**(5) Filling and earthworks associated with Waste Activity Uses:**

- (a) do not extend beyond the top of former mining voids, except for approved minor contouring, that improves stormwater management and drainage outcomes; and**

Third Party Peer Review of Development Application  
Cleanaway Development Application



***(b) are designed, operated and maintained so that exposed waste is not visible from surrounding residential and other sensitive receiving uses at any time***

Comment: The development application material provided indicates that the overall height of the proposed landfill exceeds the top of the former mining void. The applicant has stated in their Response to the Temporary Local Planning Instrument: *"that the highest point of the former mining void was approximately RL60m, occurring towards the western property boundary; with a low point of approximately RL36m toward the eastern boundary of Lot 268 on SP103913."*

The proposed landform has a peak height of RL85m which is significantly higher than the former mining void and the previously approved peak height of RL72m. It is considered that raising the height of landform above the mining void height as part of this application cannot be considered minor contouring, nor has it been demonstrated that it will result in improved stormwater and drainage outcomes.

It is noted that the proposed screening bund will restrict views to the waste from the southern aspect the waste areas and progressive landfilling will potentially be visible from other aspects. It is also noted in the Visual Impact Assessment provided by the applicant that views to the landform will be visible primarily from residential receptors to the east and south-east of the subject land in Collingwood Park, the adjacent industrial land (Claypave site) and Swanbank industrial area to the south. The Visual Impact Assessment prepared by Cardno (June 2019) the proposed landform states:

*"Compared to the approved landfill (to RL 71), the proposed development (to RL 85m) will have greater visibility from some sensitive residential receptor groups in Collingwood Park, Redbank Plains and Redbank (Receptor Groups D- H, J, K), a commercial receptor group in Redbank Plains (Receptor Group I), Swanbank (Receptor Group L) and New Chum (Receptor Group M) and from a small section of the Ipswich Motorway in Redbank (Receptor Group B)."*

As such, it is considered highly likely that the proposed landform and waste progressively filled on-site will be visible from residential and other sensitive areas and may lack the ability to adequately screen the on-site works, particularly to the east and south-east - which is likely to result in adverse impacts on visual amenity.

***(6) Waste Activity Uses are developed in a manner that:***

***(a) establishes and maintains native vegetation buffers to improve amenity or environmental impacts particularly where situated close to residential areas or riparian corridors; and***

***(b) retains and maintains significant existing vegetation, particularly remnant native vegetation and areas of environmental significance; and***

***(c) does not adversely affect surface or ground water quality, including through storm water runoff or the dewatering of former mines, and where possible, improves the quality of nearby surface and ground water; and***

***(d) does not adversely affect stormwater management and where possible, improves the management of the catchment.***

Comment: The proposed activities result in vegetation clearing along the eastern edge of the project footprint. The Ecological Assessment Report Version N prepared by GHD (June 2019) identifies:

*"Vegetation clearing for the project footprint including the two sediments and leachate pond, excluding the approved current landform will result in the direct loss of: the following vegetation clearing for proposed development:*

- *3.06 ha of 'highly modified' vegetation and 0.08 ha of 'regrowth eucalypt woodland and weedy understorey' vegetation.*
- *0.08 ha of suitable foraging habitat for the koala, grey-headed flying-fox, greater glider and echidna.*
- *1.07 ha of high value bushland habitat and 1.6 ha of medium value rehabilitation habitat.*
- *Direct loss of 0.08 ha of suitable habitat for Eucalyptus curtisii (plunket mallee), Notelaea lloydii (Lloyds olive), Notelaea ipsviciensis (cooneana olive) and Marsdenia coronate (slender milkvine) within the project footprint.*
- *Loss of 0.13 ha of Category C vegetation (high value regrowth) comprising of highly modified and regrowth eucalypt woodland."*

The proposed vegetation clearing may result in a loss of native vegetation buffer that may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors. A number of mitigation measures to minimise the loss of vegetation have been identified, however, the specific detail on how the measures would be implemented have not been provided with advice from the applicant that the detailed plans will be provided at the operational works stage.





***(7) Waste Activity Uses are designed, operated and maintained so that:***

- (a) no nuisance or disturbance is caused to the amenity of surrounding and nearby residential and other sensitive receiving uses; and*
- (b) airborne emissions, including odours, dust or substances harmful to public health, do not cause nuisance or harm to surrounding and nearby residential and other sensitive receiving uses; and*
- (c) the generation of noise or light overspill does not cause nuisance or disturbance to surrounding and nearby residential and other sensitive receiving uses.*

Comment: The applicant has provided a number of specialist reports to support their development application including a Leachate Water Balance Assessment, Site Based Stormwater Management Plan, Landfill Gas Management Plan, Geotechnical & Hydrogeological Review, Air Quality Assessment Report and Acoustic Assessment Report. Given that PSA Consulting are not experts in these specialist matters and it is unknown if an independent peer review of these assessments has been undertaken, PSA Consulting cannot advise if the development will or will not have a detrimental impact on the overall amenity of the surrounding area with respect to these matters, particularly on existing, approved or planned residential areas or other sensitive receiving uses.



Third Party Peer Review of Development Application  
Cleanaway Development Application



### 3.1.5 IPSWICH PLANNING SCHEME AND PLANNING SCHEME POLICIES

An assessment of the proposed development against the relevant Ipswich City Planning Scheme 2006 and associated Planning Scheme Policies has been conducted, with the relevant findings provided below.

#### 3.1.5.1 DEFINITIONS OF PROPOSED USES

The Ipswich Planning Scheme 2006 defines the proposed uses as:

**Special Industry** means the use of premises for—

**Waste recycling, reprocessing and disposal, including—**

- (i) *drum reconditioning: operating a facility for receiving and commercially reconditioning metal or plastic drums;*
- (ii) *chemical or oil recycling: operating a facility for receiving and commercially recycling or reprocessing used chemicals, oils or solvents to produce saleable products;*
- (iii) *incineration facility: operating a facility for incinerating pet or animal remains, general waste (excluding pit burning), biomedical or quarantine waste or regulated waste;*
- (iv) ***operating a facility for disposing of only general waste or limited regulated waste if the facility receives waste at the rate of 50 tonnes or more a year;***
- (v) ***waste transfer station: operating a waste transfer station which receives waste at the rate of 20,000 tonnes or more per year;***
- (vi) *regulated waste recycling, reprocessing, storage and treatment or disposal: operating a facility for recycling, reprocessing, storing, treating or disposing of regulated waste or receiving and storing more than 500 tyres in whole or equivalent parts;*
- (vii) *compost manufacture: commercially storing, processing, drying or composting organic material or wastes e.g. animal manures, sludges and domestic waste, for manufacturing soil conditioners or fertilisers, in works processing 1000 tonnes or more a year; or*
- (viii) *commercially manufacturing substrate for mushroom growing*

**Miscellaneous industrial activities, including—**

- (iii) ***crushing, milling or grinding: screening, washing, crushing, grinding, milling, sizing or separating (including, for example, material extracted from the earth, uncured rubber and chemicals) in works producing 5000 tonnes or more per year;***

The following Ipswich Planning Scheme 2006 codes were identified as assessment benchmarks for the application:

- Desired Environmental Outcomes and Performance Indicators (Part 3)
- Urban Areas Code (Part 4)
- City Centre Code (Part 5)
- Regionally Significant Business and Industry Areas Code (Part 6)
- Development Constraints Overlays Code (Part 11, division 4)
- Vegetation Management Code (Part 12, division 4)
- Commercial and Industrial Code (Part 12, division 7)
- Parking Code (Part 12, division 9)
- Earthworks Code (Part 12, division 15)
- Local Government Infrastructure Plan (Part 13)
- Planning Scheme Policy 3 General Works
- Planning Scheme Policy 5 Infrastructure
- Implementation Guideline No. 24 Stormwater Management

Third Party Peer Review of Development Application  
Cleanaway Development Application



- Implementation Guideline No. 25 New Chum Enterprise Area Planning Study
- Implementation Guideline No. 28 Dispersive Soil Management

### 3.1.5.2 PART 3 – DESIRED ENVIRONMENTAL OUTCOMES AND PERFORMANCE INDICATORS

The proposed development application is not considered to be consistent with the following Desired Environmental Outcomes or Performance Indicators:

***3.1(3)(b) adverse effects on the natural environment are minimised or prevented with respect to the loss of natural vegetation and associated habitat, soil degradation, air pollution and water pollution owing to erosion, chemical contamination, acidification, salinity, sewage and wastewater treatment, management and effluent disposal and the like;***

Comment: It has not been demonstrated that the proposed development will not result in a loss of natural vegetation and associated habitat due to the increased capacity of the landform requiring Waste Activity Uses within the Swanbank/New Chum Buffer Area.

***3.1(3)(d) the availability of resources, including significant extractive and mineral resources, water resources and good quality agricultural lands are protected for ongoing use;***

Comment: It is noted that Council has raised non-compliance with this Desired Environmental Outcome due to the insufficient demonstration that the approval of the development application will not result in an acceptable environmental outcome having regard to matters of environmental management in relation to stormwater, groundwater and the proposed landscape treatment. It is acknowledged that the applicant has provided specialist reports relating to the assessment of stormwater, groundwater and landscape treatments. However, given that PSA Consulting are not experts in these specialist matters and it is unknown if an independent peer review of these assessments has been undertaken, PSA Consulting cannot advise if the development will or will not have a detrimental impact on water resources.

***3.1(3)(j) the health and safety of people, and the amenity they enjoy, are maximised, particularly in the urban and township areas where different types of uses are located close together;***

Comment: The height of the proposed landform exceeding the top of the former mining void and the previously approved peak landform heights is likely to result in visual amenity impacts for residential and other sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east.

***3.2(1)(b) resulted in soil degradation, water pollution, air pollution or inappropriate clearing of natural vegetation;***

Comment: It is noted that Council has raised non-compliance with this Desired Environmental Outcome due to the insufficient demonstration that the approval of the development application will not result in an acceptable environmental outcome having regard to matters of environmental management in relation to stormwater, groundwater and the proposed landscape treatment. It is acknowledged that the applicant has provided specialist reports relating to the assessment of stormwater, groundwater and landscape treatments. However, given that PSA Consulting are not experts in these specialist matters and it is unknown if an independent peer review of these assessments has been undertaken, PSA Consulting cannot advise if the development will or will not have a detrimental impact on water resources.

***3.2(3)(j) been designed and located to minimise impacts on adjoining residential uses;***

Comment: The height of the proposed landform exceeding the top of the former mining void and the previously approved peak landform heights is likely to result in visual amenity impacts for residential and other sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east.

### 3.1.5.3 REGIONALLY SIGNIFICANT BUSINESS ENTERPRISE AND INDUSTRY AREAS

The proposed development application is not considered to be consistent with the following overall outcomes sought for the Regionally Significant Business and Industry Areas:

***6.6(2)(a) Regionally significant business enterprise and industry nodes are created and maintained, which enjoy sustained economic growth, good design and ecological sustainability;***

Comment: It could be considered that the location of parts of the proposed Waste Activity Use outside of the Swanbank/New Chum Waste Activity Area and the overall height of the proposed landform does not achieve a good

Item 4 / Attachment 4.

Third Party Peer Review of Development Application  
Cleanaway Development Application



design outcome given the potential for visual amenity and buffer impacts on nearby residential areas and sensitive receiving uses.

**6.6(2)(c) *There is a high standard of amenity in regionally significant business and industry areas and uses in these areas are generally compatible;***

Comment: It is likely that the proposed landform and waste progressively filled on-site as a result of the proposed development application will be visible from residential and other sensitive areas and could lack the ability to adequately screen the on-site works, particularly to the east and south-east. As such, it has not been demonstrated that the proposal will not result in adverse impacts on visual amenity. While it is noted that a proposed screening bund will restrict views to the waste landform from the southern aspect, the waste areas and progressive landfilling may be visible from other aspects. It is noted in the Visual Impact Assessment prepared by Cardno (June 2019) that views to the landform will be visible primarily from residential receptors to the east and south-east of the subject land in Collingwood Park, the adjacent industrial land (Claypave site) and Swanbank industrial area to the south.

**6.6(2)(g) *Degraded or contaminated sites (including former mining sites and overburden stock piles) are rehabilitated and used in an appropriate manner;***

Comment: PSA Consulting understands from a review of the application material that limited rehabilitation of former mining activities is proposed as part of the application. The Geotechnical and Hydrological Review prepared by Golders (26<sup>th</sup> June 2019) on behalf of the applicant suggests that further geotechnical assessments are required to fully understand the impacts the proposed landform may have on the historical mining activities.

**6.6(2)(h) *Uses and works are located and designed to minimise risks and nuisance to people and property.***

Comment: The proposal encroaches within the Swanbank/New Chum Buffer Area as defined by the TLPI, creating the potential for nuisance on nearby people or property.

**6.6(2)(i) *Buffers are created between incompatible uses to ensure that there are no discernible amenity or environmental impacts which affect adjacent sensitive land uses;***

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on nearby residential and sensitive receiving uses. In addition, the location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas.

**6.7(2)(a) *The quality of stormwater runoff from a use or site is similar to or better than the established water quality standards for the receiving waters or lawful point of discharge;***

Comment: It is noted that Council has raised non-compliance with this overall outcome due to the insufficient demonstration that the approval of the development application will not result in an acceptable environmental outcome having regard to matters of environmental management in relation to stormwater, groundwater and the proposed landscape treatment. It is acknowledged that the applicant has provided specialist reports relating to the assessment of stormwater, groundwater and landscape treatments. However, given that PSA Consulting are not experts in these specialist matters and it is unknown if an independent peer review of these assessments has been undertaken, PSA Consulting cannot advise if the development will or will not have a detrimental impact on water quality standards.

The proposed development application is not considered to be consistent with the following overall outcomes and specific outcomes sought for the Regional Business and Industry Investigation Zone:

**6.14(2)(a) *Uses and works within the Regional Business and Industry Investigation Zone provide regional business enterprise and industry employment opportunities subject to resolution of applicable constraints such as potential amenity impacts on nearby residential areas, mining, flooding and availability of services.***

Comment: The proposal encroaches within the Swanbank/New Chum Buffer Area as defined by the TLPI, creating the potential for nuisance on nearby people or property.

**6.14(2)(f)(ii) *Such activities should not have a significant detrimental amenity impact on nearby existing or proposed residential areas;***

Comment: The proposal encroaches within the Swanbank/New Chum Buffer Area as defined by the TLPI, creating the potential for amenity impacts on nearby residential areas. It has not been demonstrated that the height of the proposed



*Third Party Peer Review of Development Application  
Cleanaway Development Application*



landform exceeding the top of the former mining void and the previously approved peak landform height will not result in visual amenity impacts for residential and other sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east.

***6.14(2)(j) - Degraded or contaminated sites (including former mining sites and overburden stockpiles) are rehabilitated and used in an appropriate manner;***

Comment: PSA Consulting understands from a review of the application material that limited rehabilitation of former mining activities is proposed as part of the application. The Geotechnical and Hydrological Review prepared by Golders (26<sup>th</sup> June 2019) on behalf of the applicant suggests that further geotechnical assessments are required to fully understand the impacts the proposed landform may have on the historical mining activities.

***6.14(2)(k) Buffers are created between incompatible uses to ensure that there are no discernible amenity or environmental impacts which affect adjacent sensitive land uses;***

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on adjacent sensitive receiving uses. In addition, the location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***6.15(1)(e) retention of existing vegetation and supplementary planting, where necessary, particularly within buffer areas and in situations where business and industry activities may be 'overlooked' by residential areas;***

Comment: Proposed Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area as defined by the TLPI may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***6.15(2)(c)(iv) provide buffers to improve amenity or environmental impacts particularly where industrial uses adjoin residential areas or riparian corridors***

Comment: The location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area and within the Swanbank/New Chum Buffer Area as defined by the TLPI, may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***6.15(14)(b)(iv) provision of adequate physical separation and appropriate landscaped treatment including establishing planted buffer areas and acoustic mounds or fencing.***

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area, creating the potential for detrimental impacts, nuisance or disturbance on adjacent sensitive receiving uses. In addition, the location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***6.15(15)(d) provides for the rehabilitation, repair and reuse of former mining lands;***

Comment: PSA Consulting understands from a review of the application material that limited rehabilitation of former mining activities is proposed as part of the application. The Geotechnical and Hydrological Review prepared by Golders (26<sup>th</sup> June 2019) on behalf of the application suggests that further geotechnical assessments are required to fully understand the impacts the proposed landform may have on the historical mining activities.

***6.15(15)(i)(i)-(iii) - existing residences; planned future residential areas; major external road corridors (in terms of visual amenity);***

Comment: The height of the proposed landform exceeding the top of the former mining void and the previously approved peak landform height is likely to result in visual amenity impacts for residential and other sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east.

***6.16(2)(a)(iv)(F) provide more capital intensive, business, industry, recreation and community uses, including some 'difficult to locate' activities, where the use has no discernible amenity or environmental impacts outside of the Sub Area, including— special industries;***

Third Party Peer Review of Development Application  
Cleanaway Development Application



Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on adjacent sensitive receiving uses.

**6.16(2)(b)(i) - New uses and works present buildings of a high visual quality when viewed from the Cunningham Highway, Old Ipswich Road, Redbank Plains Road, the Centenary Highway, the Ipswich to Springfield Public Transport Corridor and nearby existing or planned residential areas.**

Comment: It has not been demonstrated that the proposed buildings and height of the proposed landform will not result in visual amenity impacts when viewed from the Cunningham Highway.

**6.16(2)(b)(ii) - Buildings and any outdoor areas used for plant, equipment and storage are screened with appropriate landscaping particularly when viewed from the Cunningham Highway, Old Ipswich Road, Redbank Plains Road, the Centenary Highway, the Ipswich to Springfield Public Transport Corridor and nearby existing or planned residential areas.**

It has not been demonstrated that the proposed buildings and height of the proposed landform will not result in visual amenity impacts when viewed from the Cunningham Highway.  
**6.17(2)(t) - The following uses, use classes and other development categories are consistent with the outcomes sought for the Regional Business and Industry Investigation Zone if of a type and scale appropriate for the prevailing nature of the area and the particular circumstances of the site and its surrounds— special industry;**

Comment: The proposed development results in a use that is generally consistent with the intent of the Regional Business and Industry Investigation Zone. However, Waste Activity Uses are proposed to occur outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area and is an Inconsistent use under the TLPI, creating the potential for detrimental impacts, nuisance or disturbance on adjacent sensitive receiving uses. This is inconsistent with the intent of the TLPI, suggesting that the scale of development is not consistent with the particular circumstances of the site and its surrounds.

The proposed development application is not considered to be consistent with the following overall outcomes and specific outcomes sought of the Commercial and Industrial Code:

**12.7.3(2)(a)(i) commercial and industrial uses and works— are undertaken in a manner which does not cause a nuisance or disturbance to the occupiers or users of other nearby land, particularly nearby residents and other sensitive receptors;**

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on adjacent sensitive receiving uses.

**12.7.3(2)(a)(ii) commercial and industrial uses and works— are compatible with the physical characteristics of the site where they are located and the character of the local area;**

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on nearby residential and sensitive receiving uses beyond what was anticipated by the TLPI. In addition, the location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors. Further, the proposed landform has a peak height of RL85m which is significantly higher than the former mining void and the previously approved peak height of RL72m. This could result in a proposed development that is arguably incompatible with the physical characteristics of the site and the character of the local area.

**12.7.3(2)(a)(iv) - commercial and industrial uses and works—screen unsightly elements;**

Comment: The proposed landform has a peak height of RL85m which is significantly higher than the former mining void and the previously approved peak height of RL72m. While it is noted that the proposed screening bund will restrict views to the waste landform from the southern aspect, the waste areas and progressive landfilling may be visible from other aspects. It is noted in the Visual Impact Assessment prepared by Cardno (June 2019) that views to the landform will be visible primarily from residential receptors to the east and south-east of the subject land in Collingwood Park, the adjacent industrial land (Claypave site) and Swanbank industrial area to the south.



*Third Party Peer Review of Development Application  
Cleanaway Development Application*



***12.7.3(2)(a)(v); commercial and industrial uses and works—provide reasonable buffers between incompatible uses and zones, Sub Areas or precincts;***

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area which is intended to act as a buffer between the Waste Activity Area and other surrounding uses. In addition, the location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area may also result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***12.7.3(2)(a)(vii) - maintain a scale and height of development commensurate with the intent of the zone, Sub Area or precinct in which the development is located and which is generally compatible with surrounding development and operational airspace for RAAF Base Amberley and Archerfield Aerodrome;***

Comment: The height of the proposed landform exceeding the top of the former mining void and the previously approved peak landform heights is likely to result in visual amenity impacts for residential and other sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east.

***12.7.3(2)(b) Commercial and Industrial uses and works are developed and managed in accordance with acceptable environmental standards.***

Comment: It is noted that Council has raised non-compliance with this overall outcome due to the insufficient demonstration that the approval of the development application will not result in an acceptable environmental outcome having regard to matters of environmental management in relation to stormwater, groundwater and the proposed landscape treatment. It is acknowledged that the applicant has provided specialist reports relating to the assessment of stormwater, groundwater and landscape treatments. However, given that PSA Consulting are not experts in these specialist matters and it is unknown if an independent peer review of these assessments has been undertaken, PSA Consulting cannot advise if the development will or can be development and managed in accordance with acceptable environmental standards.

***12.7.4(1) The establishment of a commercial or industrial use has no significant detrimental effect on the amenity and general well-being of the area and does not impose a load on any public utility beyond its capability to service the use or works.***

Comment: The proposed development results in Waste Activity Uses occurring outside of the Swanbank/New Chum Waste Activity Area as defined by the TLPI. As such, the proposal encroaches within the Swanbank/New Chum Buffer Area creating the potential for detrimental impacts, nuisance or disturbance on the amenity of nearby residential and sensitive receiving uses.

***12.7.7(1)(e) Uses and works maintain the amenity of nearby residential areas and adjoining business premises and protect and enhance important townscape and landscape elements, having regard to— vegetation protection within buffer areas;***

Comment: The location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area and within the Swanbank/New Chum Buffer Area as defined by the TLPI, may result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***12.7.7(1)(f) Uses and works maintain the amenity of nearby residential areas and adjoining business premises and protect and enhance important townscape and landscape elements, having regard to— appropriate landscape treatment of buffer areas and street frontage areas; and***

Comment: The location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area and within the Swanbank/New Chum Buffer Area as defined by the TLPI, may result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

***12.7.7(2)(b)(ii) New uses and works— soften or screen the view into unsightly storage or work areas***

Comment: The height of the proposed landform exceeding the top of the former mining void and the previously approved peak landform heights is likely to result in visual amenity impacts for residential and other sensitive areas, particularly as the progressive filling of waste is unlikely to be screened to the east and south-east.

*Third Party Peer Review of Development Application  
Cleanaway Development Application*



**12.7.7(2)(b)(iv) provide buffers to improve amenity or environmental impacts particularly where industrial uses adjoin residential areas or riparian corridors.**

Comment: The location of Waste Activity Uses occurring outside the Swanbank/New Chum Waste Activity Area and within the Swanbank/New Chum Buffer Area as defined by the TLPI, may result in a loss of native vegetation buffer that otherwise may have assisted in improving the amenity or lessening environmental impacts where situated close to residential areas or riparian corridors.

### **3.1.6 LOCAL GOVERNMENT INFRASTRUCTURE PLAN**

There are no requirements for trunk infrastructure identified in the plan relevant to the application.

### **3.1.7 REFERRAL AGENCY RESPONSES**

#### **3.1.7.1 POWERLINK RESPONSE**

Powerlink provided an amended response following the changed application advising Council on the 16 July 2019 that they do not object to the development provided it is undertaken in accordance with the terms and conditions of the Powerlink easement that traverses the site.

#### **3.1.7.2 SARA RESPONSE**

On the 10 September 2019 SARA provided their Referral agency response. This response confirmed the application had been properly referred on the 6 August 2018 and that they do not object to the development subject to the inclusion of various SARA conditions.

*Third Party Peer Review of Development Application  
Cleanaway Development Application*



## 4 CONCLUSION

The purpose of this report was to provide an independent third-party peer review of the development application (Council Ref: 4502/2018/MCU) seeking a Development Approval for a Material Change of Use (MCU) and Environmentally Relevant Activities (ERA) (refer to Section 2.3 for further details), on land at 100 Chum Street and 20 Rhondda Road, New Chum, being Lot 268 on SP103913 & Lot 227 on SP103913. This independent third-party review has been undertaken at the request of Ipswich City Council.

This report provides a high-level summary assessment of the application against the applicable legislation and statutory provisions, including the relevant provisions of the *South East Queensland Regional Plan 2017-2041 (ShapingSEQ)*, *State Planning Policy 2017*, *Ipswich Planning Scheme 2006* and *Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation)*. It also addresses the specific instructions set by Council, who requested that the following questions be considered:

1. Whether you agree with the officer recommendation?
2. What are the key planning provisions?
3. What are the key issues (whether that be assessment against planning provisions or other relevant matters etc.) that you think the decision turns on?
4. Has the developer provided adequate information in relation to those key issues? (i.e. do you need any more information to undertake the peer review, or reach a concluded opinion on any matter?)
5. What are the issues/planning provisions that are relevant to and support the decision, but are not necessarily decisive? Do these matters result in cumulative issues/impacts that also support the decision?
6. Are there any reasons for the decision that you do not agree with? If so, why?
7. Are there any additional reasons for decision that you think should be included in the decision notice? If so, what are they and why?

It should be noted that this report provides an independent, high level assessment of planning matters only. A detailed review of technical engineering or other specialist expert issues has not been undertaken, as this falls outside the scope of PSA Consulting's engagement.

In summary, PSA Consulting agrees with the Council officer's recommendations to refuse this development application on the basis of the application material submitted and the specific nature of the proposal as it currently stands, primarily because it is inconsistent with the intent of Temporary Local Planning Instrument No. 1 of 2018 (Waste Activity Regulation) which applies to the subject site. There are also aspects of the Ipswich Planning Scheme 2006 which the proposed development does not comply with.

Doc ID No: A5819052

ITEM: 5

SUBJECT: PROPOSED AMENDMENT TO AMENITY AND AESTHETICS REFERRAL PROVISIONS

AUTHOR: BUILDING AND PLUMBING MANAGER

DATE: 30 SEPTEMBER 2019

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### **EXECUTIVE SUMMARY**

This is a report concerning the adoption of the proposed Amenity and Aesthetics Referral Provisions and Implementation Guidelines to replace the current Amenity and Aesthetics Referral Provisions and Shipping Container Implementation Guideline as adopted by Council on 29 July 2014 and 17 September 2014 respectively.

### **RECOMMENDATION/S**

**That the Interim Administrator of Ipswich City Council resolve:**

- A. That Council (Interim Administrator of Ipswich City Council) rescind the current Amenity and Aesthetics Provisions (Attachment 1) dated 29 July 2014 and adopt the proposed Amenity and Aesthetics Referral Provisions 2019 (Attachment 2) effective of 1 December 2019.**
- B. That Council (Interim Administrator of Ipswich City Council) rescind the current Implementation Guideline - Shipping Containers (Attachment 3) dated 17 September 2014 and adopt the proposed Implementation Guidelines as listed below effective of 1 December 2019:**
  - No. 1, Transportable Buildings – Attachment 4**
  - No. 2, Oversized Class 10 Buildings – Attachment 5**
  - No. 3, Demolition, Removal or Relocation of a Building – Attachment 6.**
- C. That the General Manager, Planning and Regulatory Services be authorised to approve administrative amendments, additions and retractions to the Implementation Guidelines where required.**
- D. That the Manager, Building and Plumbing be requested to attend to all relevant matters associated with giving effect to the Amenity and Aesthetics Referral Provisions, including uploading the provisions and associated Implementation Guidelines on the Council website.**
- E. That the Building Manager distribute the adopted Amenity and Aesthetics Referral Provisions and Implementation Guidelines to the relevant industry organisations.**

## RELATED PARTIES

- Strategic Planning/ Development Assessment Branch leaders – no issues were raised
- There are no other related party matters associated with this report.
- There was no declaration of conflicts of interest.

## ADVANCE IPSWICH THEME

Caring for the community  
Listening, leading and financial management

## PURPOSE OF REPORT/BACKGROUND

The current Amenity and Aesthetics (A&A) Referral Provisions were adopted by Council on 29 July 2014. Council maintains these provisions pursuant to the *Planning Regulation 2017* – Schedule 9, Division 2, Table 1 – *Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts*.

Since the commencement of these provisions the residential landscape has changed with the increase in small lot developments and large lot residential lifestyle properties. With the new planning scheme framework being undertaken, these lot size categories will continue to be developed in Ipswich which has made it necessary to review the provisions to ensure they are adequately representing the desired residential amenity and aesthetics for the various localities in Ipswich. In developing the new referral agency provisions, historic referral applications lodged on the differing lot sizes were evaluated in addition to feedback from neighbourhood consultation forms.

Additionally, there are situations where an application is generally not required, such as where the works relate to an existing development approval (e.g. building works within a character/heritage area) or where referral is already required for a variation to siting requirements. These matters are not adequately reflected in the current provisions.

In support of the Amenity and Aesthetics Referral Provisions, an Amenity and Aesthetics Implementation Guideline for Shipping Containers was also adopted by Council on 17 September 2014 (**Attachment 3**). This guideline was created to provide clarity and consistency around the approval of shipping containers on residential properties. This review has assessed the current relevance and need for this guideline.

Taking the above factors into consideration, the new Amenity and Aesthetics Referral Provisions 2019 (Attachment 2) and Implementation Guidelines (Attachments 4-6) have been developed as detailed below:



## ***Changes to Referral Provisions***

### ***1. Oversized Class 10 Buildings and structures (Proposed A&A Provision 3)***

The Amenity and Aesthetics Referral Provisions include a restriction on the allowable dimensions of a Class 10 building/structure relative to the lot size. Any Class 10 building/structure in excess of the stipulated dimension requires a referral agency response. The current referral categories for Class 10 buildings are shown in Table 1.

***Table 1: Current A&A Provisions for Class 10 building dimensions***

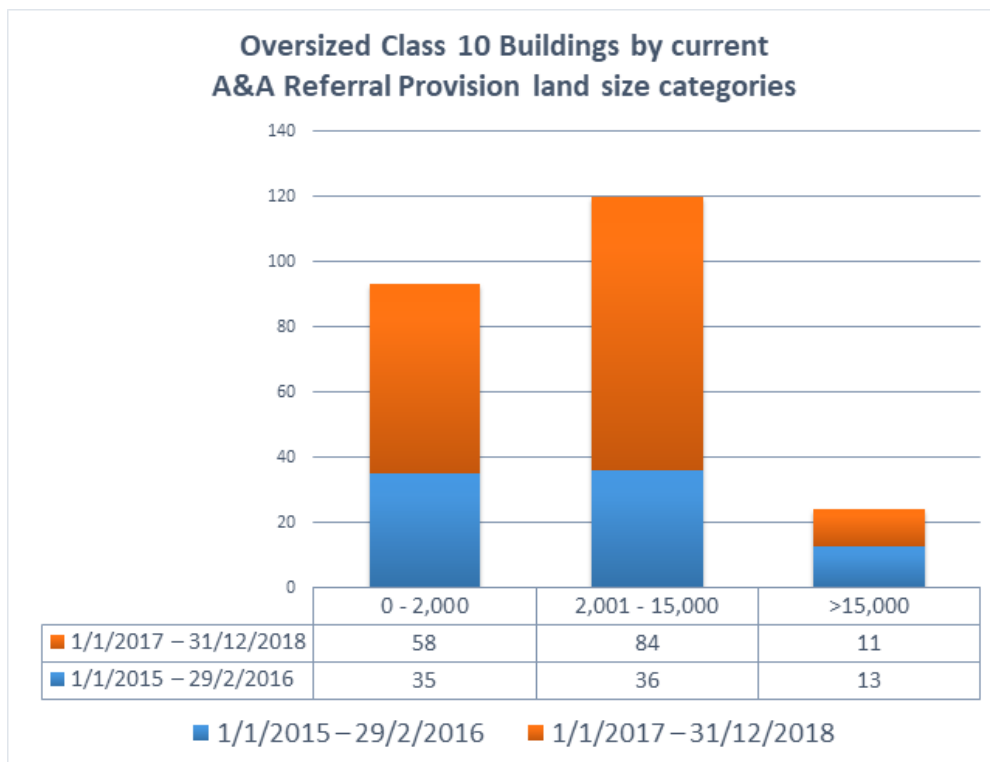
Land Area (m <sup>2</sup> )	Roof Area (m <sup>2</sup> )	Wall Height
0 – 2,000	80m <sup>2</sup>	3.6m
2,000 – 15,000	100m <sup>2</sup>	3.6m
Over 15,000	N/A	3.6m

Due to the changes to lot sizes, it is proposed to expand the land classification categories from the current 3 (Table 1 above) to 5 (Table 2 below). Where the values are different to the current provision this is shown in brackets [ ].

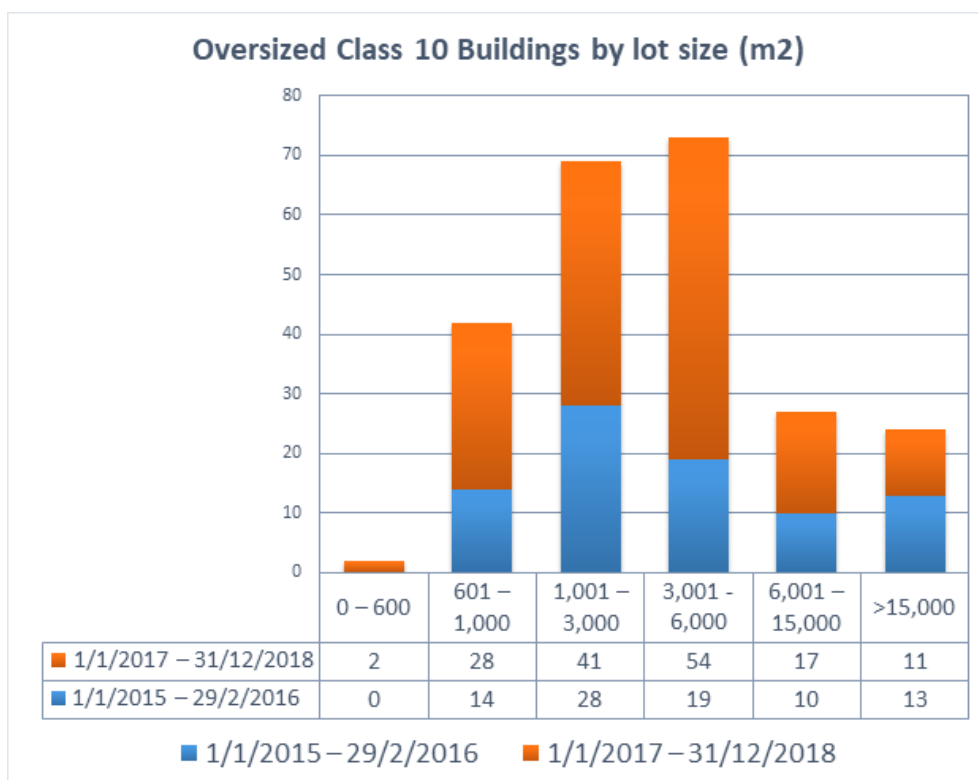
***Table 2: Proposed A&A Provisions for Class 10 building/structure dimensions***

Land Area (m <sup>2</sup> )	Roof Area (m <sup>2</sup> )	Wall Height	Apex Height
0 - 600	60 [-20]	3.2m [-0.4]	4.2m [new]
601 – 1,000	80	3.6m	4.5m [new]
1,001 – 3,000	100 [+20]	3.6m	4.7m [new]
3,001 – 15,000	120 [+20]	3.6m	5.2m [new]
Over 15,000	300 [new]	4.2m [+0.6]	6.0m [new]

In determining the revised provisions, an audit of applications relating to Class 10 buildings/structures was carried out. Data from the period 1 January 2015 to 29 February 2016 and 1 January 2017 to 31 December 2018 was collated and analysed. Over the combined audit periods, 237 applications for Class 10 buildings/structures were assessed. A breakdown of applications by current and proposed lot size is provided in Figures 1 and 2.



**Figure 1 – Based on current Referral Provisions**



**Figure 2 – Based on proposed Referral Provisions**

The audit revealed that approximately 60% of the applications received related to lots with a size between 1,000m<sup>2</sup> to 6,000m<sup>2</sup>. The presence of larger Class 10 buildings/structures has increasingly become part of the expected built form for these areas and as such it is considered appropriate to increase the allowable building size. Based on the 2017-2018 data sample, 31 of the 153 applications would no longer require referral if the proposed amended provisions were in place, 20 of which relate to lots greater than 3,000m<sup>2</sup> (refer to Table 3).

**Table 3: Effect of amended provisions across data period 1/1/2017-31/12/2018**

Land Area	Applications as received	% of total	Applications if amended	Applications not required
1001-3000	41	26.80%	32	9
3001-15000	71	46.41%	51	20
over 15000	11	7.19%	9	2
TOTAL	153	100.00%	122	31

There is likely to be an increase in applications for the 0-600 and 601-1000 house lots which is unknown at this time. This is not expected to be significant.

The effect of oversized Class 10 buildings/structures on residential amenity has the greatest impact in areas containing smaller lot sizes, i.e. less than 600m<sup>2</sup>. Increased site coverage and proximity to boundaries greatly impacts the availability and quality of private recreation space and also impacts the habitable and recreational areas of adjoining properties.

Additionally, the cost of supply and construction of larger sheds has become more affordable allowing more owners to upsize their sheds and carports. The introduction of a new category which specifically addresses small lot housing areas seeks to ensure the residential amenity is not unduly effected by the proliferation of large Class 10 buildings/structures. An allowance of 60m<sup>2</sup> for a Class 10 building/structure provides a reasonable parking and storage area (e.g. 6m x 10m or 7.5m x 8m etc). A reduced wall height will assist reducing the bulk of the building and prevent excessive overshadowing to adjoining properties.

For lots greater than 15,000m<sup>2</sup> current referral provisions only capture wall heights in excess of 3.6m, which is the same limitation placed on all lot sizes. These properties are predominantly semi-rural in nature with significant lot widths allowing greater separation between habitable uses on adjoining lots. Allowing increased wall heights is unlikely to negatively impact the amenity of these areas and would allow increased design flexibility for owners to store equipment and machinery often associated with larger properties. Further, a provision to limit the overall heights (apex height) and roof/plan area will assist in ensuring proposed buildings are consistent with the definition of a Class 10 building and ancillary to the predominant use of the land, and not used for commercial or other regulated activities where approval under the Planning Scheme may be required.

It is considered that the lot size categories under the current Amenity and Aesthetics provisions don't accurately capture the differing aesthetic characteristics of medium-high density areas, large lot residential areas and semi-rural areas. It is therefore recommended that the Amenity and Aesthetics (A&A) provisions in so much as they apply to Class 10 building sizes be revised as show in Table 2.

Application data from the 2017-2018 audit period also revealed that 41.2% of applications for oversized Class 10 buildings and structures required an Information Request. Commonly requested information included the intended use of the building, justification for the proposed building size/scale, justification of building location relative to boundaries, impact on adjoining residents or requiring further approvals such as a siting variation, a driveway permit or building over/near infrastructure.

To reduce the amount of Information Requests and negotiated outcomes it is proposed to support the Amenity and Aesthetics Provisions with an Implementation Guideline to provide applicants with quantitative and qualitative criteria that can be considered prior to committing to a building design and submitting an application. Proposed **Implementation Guideline No. 2 – Oversized Class 10a Buildings and Structures (Attachment 5)**.

## **2. Demolition, Removal or Relocation of a Building or Structure (Proposed A&A Provisions 1&2)**

It is proposed to separate the demolition or removal of a building/structure from a property and the relocation (reinstatement) of a building/structure onto a property.

Additionally, the proposal formalises circumstances where regardless of whether a referral agency application for amenity and aesthetics is required, an assessment for the determination of performance security for building work pursuant to the Schedule 9, Part 3, Division 2, Table 7 – *Building work for removal or rebuilding* is also required.

To support these proposed referral provisions **Implementation Guideline No. 3 – Demolition, Removal or Relocation of a Building or Structure (Attachment 6)** has been developed.

## **3. Carports within the prescribed road boundary (Proposed A&A Provision 4)**

Since February 2017 the Ipswich Planning Scheme has referred to the Queensland Development Code (QDC) Mandatory Parts 1.1 and 1.2 for design and siting for detached housing lots. Under the QDC there is no width dimension provided for carports within a road boundary setback.

It is therefore proposed to include a width provision for carports within the road boundary setback. A width of seven (7) metres has been chosen to allow for a double carport with eaves and pedestrian access. It is also proposed to include a referral exception if the building/structure is of a size or in a location that would already require referral for a siting variation or where a valid development approval has already been obtained.

#### **4. *Certain Class 1 and 10 buildings on vacant land (Proposed A&A Provision 5)***

A minor change is proposed to bring together provisions regarding the construction of Class 10 buildings and Class 1 buildings that have the appearance of a Class 10 (e.g. steel kit garages or prefabricated construction) on a site not already containing a dwelling.

A referral exception is to be included for the construction of a Class 10 building where a valid building permit for the associated Class 1 dwelling has already been issued, or is being issued concurrently, by a licensed building certifier. Additionally, referral will not be required where a separate or concurrent application for development approval under the Planning Scheme has been approved.

#### **5. *Transportable buildings and structures (Proposed A&A Provision 6)***

A minor change is proposed to clarify that all transportable buildings and structures require referral agency assessment, including but not limited to shipping containers, railway carriages, demountable buildings and site sheds.

It is also proposed to repeal the existing Implementation Guideline for Shipping Containers (Attachment 3) and adopt **Implementation Guideline No. 1 – Transportable Buildings (Attachment 4)** to cater for this clarification.

#### **6. *Fences and/or retaining walls (Proposed A&A Provision 7)***

A minor change is proposed to clarify that fences with an overall height greater than two (2) metres, whether combined or separate to a retaining wall, require referral under the Amenity and Aesthetics provisions, unless a referral agency response for siting is already required.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:

*Planning Act 2016*

*Planning Regulation 2017*

*Building Act 1975*

*Building Regulation 2006*

### **RISK MANAGEMENT IMPLICATIONS**

The changes to the lower end of the shed sizes will result in an increase of applications however this is considered necessary to protect against the proliferation of large Class 10 buildings/structures on lots less than 600m<sup>2</sup>.



Formally documenting referral exceptions, assessment considerations and applicant expectations in the Amenity and Aesthetics Referral Provisions and the associated Implementation Guidelines will reduce the risk, or perceived risk, of inconsistent or biased decisions.

## FINANCIAL/RESOURCE IMPLICATIONS

The review considered costings of previous building applications received relevant to the new categories. Whilst there will be a reduction of referral applications on the larger lots due to the increased shed size/height allowable before referral, there will be a marginal increase for the new smaller lot category where a shed size and reduced height has been created.







## COMMUNITY AND OTHER CONSULTATION

- Both the Development Assessment and Strategic Planning leaders were consulted during the review of the proposed Amenity and Aesthetics Referral Provisions. Support was provided for the proposed changes as set out in this report and no conflicts relative to the new planning scheme framework were raised.
- No community consultation was carried out, however a review of application and approval data (including neighbourhood consultation forms) for the periods 1/1/2015 – 29/8/2016 and 1/1/2017 – 31/12/2018 was conducted.

## CONCLUSION

It is proposed that the new Amenity and Aesthetics Referral Provisions 2019, as detailed in Attachment 2, and the associated Implementation Guidelines, as detailed in Attachments 4-6, be adopted with the proposed changes to come into effect on and from 1 December 2019.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Current Amenity and Aesthetics Referral Provisions 
2.	Proposed Amenity and Aesthetics Referral Provision 2019 
3.	Current Implementation Guideline Shipping Container 
4.	Proposed Implementation Guideline No. 1 - Transportable Buildings 
5.	Proposed Implementation Guideline No. 2 - Oversized Class 10 Buildings 
6.	Proposed Implementation Guideline No. 3 - Demo, Remove, Relocate 

Michael Bond

**BUILDING AND PLUMBING MANAGER**

I concur with the recommendations contained in this report.

Brett Davey

**ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

***“Together, we proudly enhance the quality of life for our community”***



**IPSWICH CITY COUNCIL**  
**AMENITY AND AESTHETICS REFERRAL PROVISIONS**

B0023 V4

These provisions apply to a single detached Class 1 building or a Class 10 building or structure that the Council considers may have an adverse effect on the amenity, or likely amenity, of a locality or which may be in extreme conflict with the character of a locality and requires a decision by Council under Schedule 9, Division 2, Table 1\* of the *Planning Regulation 2017* prior to the approval of a Building Application.

These provisions do not apply to items 2 to 6 in the table below where a separate or concurrent application for development approval under Councils Planning Scheme has been approved.

\* Amenity and aesthetic impact of particular building work.

1.	Removal, relocation or demolition, involving: <ul style="list-style-type: none"> <li>• The relocation of any building from one site to another within the Ipswich Local Government Area; or</li> <li>• The relocation of any building from outside the Ipswich Local Government Area to a site within the Ipswich Local Government Area; or</li> <li>• The demolition of any building within the Ipswich Local Government Area; or</li> <li>• The removal of any building from within the Ipswich Local Government Area.</li> </ul>
2.	Shipping containers, railway carriages and the like.
3.	More than one carport located within the prescribed road boundary setback where a variation to the property boundary setback is not required.
4.	Any Class 10 building which: <ul style="list-style-type: none"> <li>• Is more than 1 storey in height; or</li> <li>• Has any wall height of more than 3.6m (measured along the pitching line); or</li> <li>• Has a roof/plan area exceeding 80m<sup>2</sup> on a parcel of land less than 2,000m<sup>2</sup> in area; or</li> <li>• Has a roof/plan area exceeding 100m<sup>2</sup> on a parcel of land between 2,000m<sup>2</sup> and 1.5ha in area; or</li> <li>• Is erected on vacant land (not containing a dwelling).</li> </ul>
5.	Any building of a 'steel kit garage' or prefabricated kit construction of a similar nature and transportable 'site' sheds or the like proposed to be used as a class 1 building erected on vacant land (not containing a dwelling).
6.	Retaining walls exceeding 2.0m in height or any combination of a fence and retaining wall exceeding 2.0m in height on or abutting residential land.



## Amenity and Aesthetics Referral Provisions 2019

### Planning Regulation 2017 – Schedule 9, Part 3, Division 2, Table 1

These provisions apply to a Class 1 building or a Class 10 building or structure that the Council considers may have an adverse effect on the amenity, or likely amenity, of a locality or which may be in extreme conflict with the character of a locality and requires a decision by Council under the *Planning Regulation 2017* prior to the approval of a Building Application.

These provisions do not apply where the proposed work complies with the 'referral exceptions' listed for the relevant referral item.

NOTE 1: Regardless of whether a referral application for Amenity and Aesthetics is required for building work involving the demolition, removal or relocation of a building or structure, a referral agency assessment is required for determination of performance security for all building classifications pursuant to the *Planning Regulation 2017*, Schedule 9, Part 3, Division 2, Table 7 – *Building work for removal or rebuilding*.

	Referral Item	Referral Provision	Referral Exceptions																								
1	Demolition or removal of a building or structure  (See Note 1 above)	The demolition or removal of a Class 1 building and/or a Class 10 building or structure on a property within the Ipswich Local Government area, whether or not for rebuilding on another site.	(a) Emergency works carried out under the <i>Planning Act 2016</i> (s166) – <i>Exemptions if emergency causing safety concern</i> ; or  (b) Demolition or removal of a building which would NOT be considered prescribed work under the <i>Building Act 1975</i> if being constructed at the present time.																								
2	Relocation of a building or structure (See Note 1 above)	The relocation of a Class 1 building or a Class 10 building or structure to a site within the Ipswich Local Government area.	(a) N/A																								
3	Class 10 buildings or structures exceeding certain dimensions	<p>The construction, placement or extension of a Class 10 building or structure on a parcel of land of a particular size with a roof/plan area, wall height or apex height exceeding the below:</p> <table border="1"> <thead> <tr> <th>Land Area (m<sup>2</sup>)</th><th>Roof/Plan Area (m<sup>2</sup>)</th><th>Wall Height</th><th>Apex Height</th></tr> </thead> <tbody> <tr> <td>0 - 600</td><td>60</td><td>3.2m</td><td>4.2m</td></tr> <tr> <td>601 - 1,000</td><td>80</td><td>3.6m</td><td>4.5m</td></tr> <tr> <td>1,001 - 3,000</td><td>100</td><td>3.6m</td><td>4.7m</td></tr> <tr> <td>3,001 - 15,000</td><td>120</td><td>3.6m</td><td>5.2m</td></tr> <tr> <td>Over 15,000</td><td>300</td><td>4.2m</td><td>6.0m</td></tr> </tbody> </table>	Land Area (m <sup>2</sup> )	Roof/Plan Area (m <sup>2</sup> )	Wall Height	Apex Height	0 - 600	60	3.2m	4.2m	601 - 1,000	80	3.6m	4.5m	1,001 - 3,000	100	3.6m	4.7m	3,001 - 15,000	120	3.6m	5.2m	Over 15,000	300	4.2m	6.0m	(a) A separate or concurrent application for development approval under Council's Planning Scheme which incorporates the proposal has been approved and is still valid.
Land Area (m <sup>2</sup> )	Roof/Plan Area (m <sup>2</sup> )	Wall Height	Apex Height																								
0 - 600	60	3.2m	4.2m																								
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3,001 - 15,000	120	3.6m	5.2m																								
Over 15,000	300	4.2m	6.0m																								
4	Carports within the prescribed road boundary setback	<p>More than one carport located within the prescribed road boundary setback; or</p> <p>Any carport or part of a carport located within the prescribed road boundary setback having a width dimension greater than 7.0m.</p>	<p>(a) A separate or concurrent application for development approval under Council's Planning Scheme which incorporates the proposal has been approved and is still valid; or</p> <p>(b) A referral agency response for a variation to the property boundary setback is required.</p>																								

Item 5 / Attachment 2.

	Referral Item	Referral Provision	Referral Exceptions
5	Certain Class 1 and 10 buildings on vacant land	The construction or placement of a 'steel kit garage' or prefabricated kit construction of a similar nature proposed to be used as a Class 1 building on vacant land (not containing a dwelling); or  The construction or placement of a Class 10 building on vacant land (not containing a dwelling).	(a) A separate or concurrent application for development approval under Council's Planning Scheme which incorporates the proposal has been approved and is still valid; or  (b) A valid building permit for a Class 1 dwelling has been issued by a licenced building certifier and lodged with Council for archiving.
6	Transportable buildings and structures	The construction or placement of a shipping container, railway carriage, transportable 'site' shed or the like on or abutting residential land.	(a) The construction/placement of a new prefabricated kit building designed for use as a Class 1.
7	Fences and retaining walls	Fences and retaining walls, or a combination thereof, exceeding 2.0m in height on or abutting residential land.	(a) A separate or concurrent application for development approval under Council's Planning Scheme which incorporates the proposal has been approved and is still valid; or  (b) A referral agency response for a variation to the property boundary setback is required.



## AMENITY AND AESTHETICS IMPLEMENTATION GUIDELINE

### Shipping Containers

#### Date of Council Resolution

This guideline was adopted by Council on 17 September 2014.

#### Purpose of the Guideline

This guideline is intended to assist with the implementation of the Amenity and Aesthetics referral provisions, as adopted by Council in accordance with the Sustainable Planning Act 2009, by providing guidance for the installation of Shipping Containers.

Council's Implementation Guidelines are intended to apply a standard approach to the interpretation and implementation of the relevant aspects of the Amenity and Aesthetics provisions. They offer a degree of certainty to applicants, Council and the community. Where an applicant is proposing a solution that is different from the guidelines the onus is on the applicant to demonstrate the facts and circumstances to support the solution.

#### Discretion may be Applied

Notwithstanding the actual provisions contained in this guideline, care must be exercised in its application in order to consider:

- (i) the specific impacts on individual cases, including nearby land; and
- (ii) whether non-compliance, by a marginal amount, (including a specific numerical standard) would affect the overall intent of this guideline.

#### Background

Improper installation of shipping containers generally results in unsightly and unacceptable impacts on both neighbourhood amenity and nearby properties.

Shipping containers that have not been installed appropriately and maintained may become dangerous and a harbourage for vermin.

#### Guidelines

##### 1 The Size of the Property

Shipping containers are generally not considered suitable for medium or small residential properties where they would be in conflict with the amenity or character of the neighbourhood (eg lots less than 850 sq metres). In exceptional circumstances approval may be given to install a shipping container on a lot less than 850 sq metres, where all other criteria in these guidelines can be met. Conversely, approval may not be granted to install a shipping container on a lot greater than 850 sq metres where other relevant criteria contained in these guidelines cannot be met.

##### 2 The land use designation of the property.

The suitability of locating a shipping container on land designated as:

- (i) urban; or
- (ii) rural; or
- (iii) industrial/commercial; or
- (iv) has heritage attributes (shipping containers are undesirable and unlikely to be approved in heritage character areas).

##### 3 Number of Shipping Containers

Council will normally grant approval for no more than one shipping container on a parcel of land.

##### 4 Attributes of the Shipping Container

The suitability of locating a shipping container on a property based on the containers:

- (i) footprint;
- (ii) height;
- (iii) condition.

Shipping containers that are damaged, rusted or considered oversized for the property are unlikely to be approved.

##### 5 Location of the Shipping Container on the Property

Shipping containers are unlikely to be approved where they are located:

- (i) between the front building alignment and the street; or
- (ii) at the side of a building and readily capable of being seen from the street; or;
- (iii) in close proximity to habitable rooms on an adjoining property.

The most appropriate location for shipping containers is generally behind the alignment of the principal building or other outbuildings where they are not visible from the street and concealed as far as practicable from nearby properties.

##### 6 Proposed use of the Shipping Container

Unless otherwise specifically designed, the use of shipping containers for habitable or business uses is not considered in keeping with the general purpose of a shipping container and is unlikely to be approved.

##### 7 Treatments

Treatments that may be applied to reduce the visual impact of the shipping container include:

- (i) painting;
- (ii) screening by way of vegetation, fencing or application of cladding direct to the shipping container;
- (iii) incorporating as part of other class 10 structures.

##### 8 Maintenance

Council may condition that the approval for the shipping container require the owner to maintain any treatments applied to the shipping container in an acceptable manner.

##### 9 Time Limitation

Council may condition the approval for the shipping container be limited to a certain period of time (for example 2-4 years). Where applicants require the use of a shipping container for only a limited time this information should form part of the application.



## AMENITY AND AESTHETICS IMPLEMENTATION GUIDELINE

### Shipping Containers

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#### 10 Building Approval

The installation of a shipping container constitutes assessable building work in accordance with the Building Act 1975 and as such requires a building approval, additional to an amenity and aesthetics approval, prior to installation. The building approval will consider matters such as:

- (i) the structural integrity of the shipping container; and
- (ii) site wind conditions and method of anchorage; and
- (iii) associated earthworks; and
- (iv) stormwater discharge and runoff.





## Implementation Guideline

### *No. 1 – Transportable Buildings (Shipping Containers, Train Carriages, Demountable Buildings and the like)*

#### Date of Council Resolution

This guideline was adopted by Council on [DATE].

#### Purpose of the Guideline

The purpose of this guideline is to assist with the implementation of the Amenity and Aesthetics Referral Provisions, as adopted by Council in accordance with the *Planning Act 2016* and local government as referral agency provisions under the *Planning Regulation 2017*. In particular, this guideline relates to the installation of transportable buildings for Class 1 or Class 10 purposes.

Council's Implementation Guidelines assist to apply a standard approach to the interpretation and implementation of the relevant aspects of the Amenity and Aesthetics provisions. They offer a degree of certainty to applicants, Council and the community. Where an applicant is proposing a solution that is different from the guidelines, the onus is on the applicant to demonstrate the facts and circumstances to support the solution.

#### Discretion may be Applied

Notwithstanding the actual provisions contained in this guideline, care must be exercised in its application in order to consider:

- (i) the specific impacts on individual cases, including nearby land; and
- (ii) whether non-compliance, by a marginal amount, (including a specific numerical standard) would affect the overall intent of this guideline.

#### Background

Improper installation of transportable buildings generally results in unsightly and unacceptable impacts on both neighbourhood amenity and nearby properties.

Transportable buildings that have not been installed appropriately and maintained may become dangerous and a harbourage for vermin.

The term transportable building includes, but is not limited to the following:

- Shipping containers
- Train carriages
- Demountable buildings
- Work huts/site sheds
- Converted vehicles (e.g. caravans, trailers etc.)

#### Application of this Guideline

##### 1. The Size of the Property

Transportable buildings are generally not considered suitable for medium or small residential properties where they would be in conflict with the amenity or character of the neighbourhood (e.g. lots less than 850m<sup>2</sup>). In exceptional circumstances approval may be given to install a transportable building on a lot less than 850m<sup>2</sup>, where all other criteria in these guidelines can be met. Conversely, approval may not be granted to install a transportable building on a lot greater than 850m<sup>2</sup> where other relevant criteria contained in these guidelines cannot be met.

##### 2. The land use designation of the property.

The suitability of locating a transportable building on land designated as:

- (i) urban; or
- (ii) rural; or
- (iii) industrial/commercial; or
- (iv) has heritage attributes (transportable buildings are undesirable and unlikely to be approved in heritage character areas).

##### 3. Number of Transportable Buildings

Council will normally grant approval for no more than one transportable building on a parcel of land.

##### 4. Attributes of the Transportable Building

The suitability of locating a transportable building on a property based on the containers:

- (i) footprint;
- (ii) height;
- (iii) appearance;
- (iv) condition.

Transportable buildings that are damaged, rusted or considered oversized for the property are unlikely to be approved.

## 5. Location of the Transportable Building on the Property

Transportable buildings are unlikely to be approved where they are located:

- (i) between the front building alignment and the street; or
- (ii) at the side of a building and readily viewable from the street; or;
- (iii) in close proximity to habitable rooms on an adjoining property.

The most appropriate location for a transportable building is generally behind the alignment of the principal building or other outbuildings where they are not visible from the street and concealed as far as practicable from nearby properties.

## 6. Proposed use of the Transportable Building

Unless otherwise specifically designed, the use of transportable buildings for habitable or business uses is not considered in keeping with the general purpose of a transportable building and is unlikely to be approved.

## 7. Treatments

Treatments that may be applied to reduce the visual impact of the transportable building include:

- (i) painting;
- (ii) recladding/reroofing
- (iii) screening by way of landscaping with mature trees/shrubs or installing fencing;
- (iv) incorporating as part of other class 10 buildings/structures.

## 8. Maintenance

Council may condition that the approval for the transportable building require the owner to maintain any treatments applied to the shipping container in an acceptable manner at all times.

## 9. Time Limitation

Council may condition the approval for the transportable building to be limited to a certain period of time (for example 2-4 years). Where applicants require the use of a transportable building for only a limited time this information should form part of the application.

## Building Approval

The installation of a transportable building constitutes assessable building work in accordance with the *Building Act 1975* and as such requires a building approval, additional to an amenity and aesthetics approval, prior to installation. The building approval will consider matters such as:

- (i) the structural integrity of the transportable building;
- (ii) site wind conditions and method of anchorage, verified by a Registered Professional Engineer of Queensland (RPEQ);
- (iii) associated treatments and attachments;
- (iv) associated earthworks; and
- (iv) stormwater discharge and runoff.

## Other Approvals

- (1) A referral agency response for a siting variation may also be required, pursuant to Schedule 9, Part 3, Division 2, Table 3 of the *Planning Regulation 2017*, if the wall lengths, boundary clearances or site cover of the proposed and any existing buildings exceed the limits contained within the Queensland Development Code.
- (2) If the proposed building will be located over or near a service providers infrastructure, additional approvals may be required from Queensland Urban Utilities (sewer or water) or Council (stormwater) BEFORE an amenity and aesthetics approval.
- (3) If the proposed building relies on access other than the primary residential access, a Driveway Permit will be required BEFORE an amenity and aesthetics approval. For further information, please refer to Council's website, [www.ipswich.qld.gov.au/residents](http://www.ipswich.qld.gov.au/residents).



## Implementation Guideline

### No. 2 – Oversized Class 10 Buildings and Structures

#### Date of Resolution

This guideline was adopted by Council on **DATE**.

#### Purpose of the Guideline

The purpose of this guideline is to assist with the implementation of the Amenity and Aesthetics Referral Provisions, as adopted by Council in accordance with the *Planning Act 2016* and local government as referral agency provisions under the *Planning Regulation 2017*. In particular, this guideline relates to Oversized Class 10 Buildings and Structures.

Council's Implementation Guidelines assist to apply a standard approach to the interpretation and implementation of the relevant aspects of the Amenity and Aesthetics provisions. They offer a degree of certainty to applicants, Council and the community. Where an applicant is proposing a solution that is different from the guidelines, the onus is on the applicant to demonstrate the facts and circumstances to support the solution.

#### Discretion may be Applied

Notwithstanding the actual provisions contained in the guideline, care must be exercised in its application in order to consider:

- (i) the specific impacts on individual cases, including nearby land; and
- (ii) whether non-compliance, by a marginal amount (including a specific numerical standard) would affect the overall intent of this guideline.

#### Background

A Class 10 building is defined by the Building Codes Australia to be a non-habitable building or structure being a private garage, carport, shed or the like. The use of the building is generally ancillary to and associated with the primary use of the property (i.e. supporting the residential use of the site).

Examples of Class 10 buildings and structures include, but are not limited to: garage; shed; barn; carport; garaport; patio; gazebo; and shade sails.

Council considers that to maintain built form and impacts on neighbouring properties within a locality; oversized Class 10 Buildings and Structures not otherwise caught by other regulatory measures (i.e. Planning Scheme, Queensland Development Codes) must be considered with regard to the

amenity or the future amenity, community expectation and the neighbourhood in which the proposed building is to be erected. Oversized sheds may potentially present unreasonable bulk and scale, inconsistency with character and built form, overshadowing, and privacy issues.

Heights and roof/plan areas of Class 10 buildings and structures respective to land area categories are nominated as an accepted measure for the purpose of maintaining expected Amenity and Aesthetics within a locality. All proposals outside of the accepted measures must be considered by Council through a referral agency application.

#### Application of this Guideline

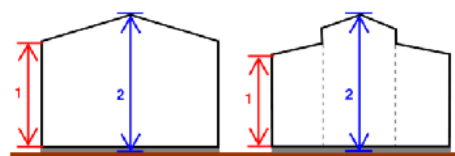
When considering the design and location of the Class 10 buildings and structures, the intended use of the building or structure should be carefully considered so as to avoid any unacceptable impacts on both the neighbourhood amenity and nearby properties.

The following aspects will be considered when assessing an amenity and aesthetics referral application for an oversized Class 10 building or structure.

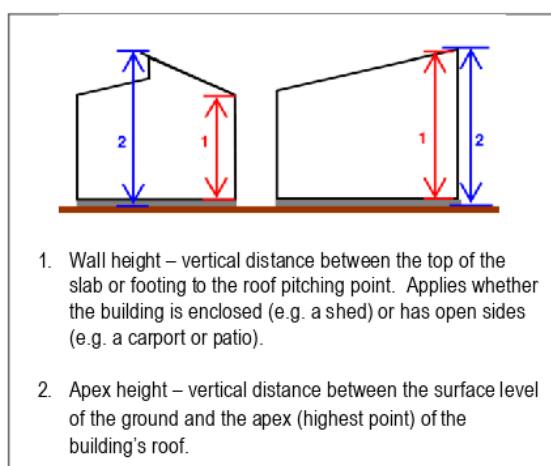
#### 1. Plan area and height

- (i) The proposed bulk and scale of the building is compatible with the physical characteristics of the site and the prevailing built form within the locality.
- (ii) The proposed wall height and apex height of the building is appropriate for the intended use.
- (iii) Roof pitch angle, roof line and building orientation to lessen building height and potential impact.
- (iv) Wall and apex heights are determined as shown in Figure 1 below.

Figure 1: Wall and Apex Height Diagram for Class 10a Buildings and Structures







## 2. Siting

- (i) The proposed building must not dominate the street view of the property. The building should be located behind the line of any existing or proposed dwelling or be obscured by other means (refer 4 – Treatments below).
- (ii) The visual impact of the building plan area and height on adjoining properties is to be minimised through appropriate boundary setbacks. A minimum side and rear setback of 1.5m or half the overall building height is desirable.
- (iii) The proposed building should not significantly inhibit natural light to habitable or recreational areas on adjoining properties.
- (iv) Where it is considered that the proposed building may substantially impact an adjoining property, consultation with the adjoining land owner may be requested.

## 3. Proposed use of the building

- (i) The proposed building **MUST** only be used for general storage or recreation ancillary to the primary/private use of the land.
- (ii) The onus is on the applicant to identify their storage requirements to provide a justification for the proposed size of the building. Evidence may include a floor plan of proposed storage arrangements, an itemised list, photographs or vehicle/craft dimensions and access requirements.

## 4. Treatments

- (i) Appropriate building materials, finishes and colour treatments complementary to locality should be utilised to reduce the visual impact of the building.

- (ii) Varying roof heights/pitches and the use of windows or open bays/awnings are encouraged such that the proposed building complements the locality.
- (iii) Screening by way of mature vegetation or fencing considered to minimise visual impacts on adjoining properties or the street view.

## 5. Access

- (i) Details must be provided in the applications and plans of the proposed access to the building/structure. Any secondary access requests will require an additional approval – refer 'Other Approvals'.

## Building Approval

The construction of a Class 10 building or structure constitutes assessable building work in accordance with the *Building Act 1975* and as such requires a building approval, in addition to an amenity and aesthetics response, prior to the commencement of building work. The building approval will consider matters such as:

- (i) the footing, foundation and structural integrity of the proposed building;
- (ii) site wind and soil conditions;
- (iii) associated earthworks, varied cut/fill, retaining or batters; and
- (iv) stormwater discharge and runoff.

## Other Approvals

- (1) A referral agency response for design and siting may also be required, pursuant to Schedule 9, Part 3, Division 2, Table 3 of the *Planning Regulation 2017*, if the roof area, wall lengths or boundary clearances of the proposed and existing buildings exceed the limits contained within the Queensland Development Code.
- (2) If the proposed building will be located over or near a service providers infrastructure, additional approvals may be required from Queensland Urban Utilities (sewer or water) or Council (stormwater) **BEFORE** an amenity and aesthetics approval.
- (3) If the proposed building relies on access other than the primary residential access, a Driveway Permit will be required **BEFORE** an amenity and aesthetics approval. For further information, please refer to Council's website, [www.ipswich.qld.gov.au/residents](http://www.ipswich.qld.gov.au/residents).

## Referral Exceptions

An exception may exist where identified within the Amenity and Aesthetics Referral Provisions.



## Implementation Guideline

### No. 3 – Demolition, Removal or Relocation of a Building

#### Date of Resolution

This guideline was adopted by Council on **DATE**.

#### Purpose of the Guideline

The purpose of this guideline is to assist with the implementation of the Amenity and Aesthetics Referral Provisions, as adopted by Council in accordance with the *Planning Act 2016*. In particular, this guideline relates to the demolition, removal and/or relocation of a building.

Council's Implementation Guidelines assist to apply a standard approach to the interpretation and implementation of the relevant aspects of the Amenity and Aesthetics provisions. They offer a degree of certainty to applicants, Council and the community. Where an applicant is proposing a solution that is different from the guidelines, the onus is on the applicant to demonstrate the facts and circumstances to support the solution.

#### Discretion may be Applied

Notwithstanding the actual provisions contained in the guideline, care must be exercised in its application in order to consider:

- (i) the specific impacts on individual cases, including nearby land; and
- (ii) whether non-compliance, by a marginal amount (including a specific numerical standard) would affect the overall intent of this guideline.

#### Background

Uncontrolled demolition, removal and relocated buildings may result in unacceptable outcomes to the amenity and aesthetics and/or be in extreme conflict with the character of the locality in which the works are proposed.

Measures are necessary to enable Council to set reasonable and relevant controls regarding the suitability of any demolitions, removal or relocation as well as the built form and standard of construction within a proposed locality.

Council also considers that a performance security bond may be required for such development to ensure that works are completed to meet construction standards, legislative timeframes and development outcomes.

#### Application of this Guideline

Referral agency assessment considerations and exceptions for building work involving demolition, removal and/or relocation are listed below:

##### 1. Demolition or Removal

- (i) Appropriate plans and/or photographs must be supplied accurately identifying the building proposed to be demolished/removed.
- (ii) If the building has local heritage or cultural significance, consideration should be given to relocation within the Ipswich local government area.
- (iii) The demolition or removal of a Class 1 or 10a building/structure requires referral, except where:
  - (a) emergency works are carried out under the *Planning Act 2016*, s166 – Exemptions if emergency causing safety concern; or
  - (b) under the *Building Act 1975* the building/structure being demolished or removed would NOT be considered prescribed work (assessable building work) if being constructed at the present time (e.g. a garden shed not exceeding 10m<sup>2</sup> in area with a height less than 2.4m and appropriate boundary setbacks).
- (iv) **Security Bond** – demolition or removal of any prescribed building or Class 10 structure will require referral agency assessment for the determination of performance security pursuant to the Planning Regulation 2017, Schedule 9, Part 3, Division 2, Table 7, regardless of whether the work is subject to amenity and aesthetics referral (e.g. commercial building storage shed).
- (v) A condition of approval may require the completion of certain works, such as disconnection of services or removal of all building materials and debris before a final building inspection certificate can be issued. The payment of a security bond for site works in accordance with Council's Register of Fees and Charges may also be required.
- (vi) Where a security bond is required, the applicant can request the bond be released once the building has been removed and a final certificate has been given by a building certifier. An inspection will be carried out to confirm the site is in a clean and tidy state.

## 2. Relocation

- (i) The term relocation refers to the process of permanently reinstating a building or structure from one location onto another.
- (ii) To demonstrate the suitability of a building for relocation the applicant must submit evidence of the buildings current structural and aesthetic condition and any proposed works, including but not limited to:
  - (a) Current floor and elevation plans (photographs may be acceptable where original elevation plans are not available due to the age of the building);
  - (b) Proposed site and floor plans detailing any additional works, repairs or extensions; and
  - (c) Elevation plans showing proposed external building finishes (materials and colours).
- (iii) All asbestos containing material MUST be removed from the building at the current site BEFORE relocation occurs. Evidence from a suitably qualified person may be requested where this has occurred.
- (iv) **Security Bond** – The referral agency assessment will include a determination of performance security pursuant to the Planning Regulations 2017, Schedule 9, Part 3, Division 2, Table 7, regardless of whether the work is subject to amenity and aesthetics referral (e.g. commercial building storage shed). A condition of approval will require the payment of a bond (cash bond or bank guarantee) in accordance with Council's Register of Fees and Charges.
- (v) A reduced bond amount may be applicable where the applicant can demonstrate, through the provision of written quotes from appropriately licensed companies or trade persons, that the cost of completing all works to the standard required by the Referral Agency Response and all associated approvals is less than the prescribed bond.

Aspects to be considered include, but are not limited to:

- Painting Interior
- Painting Exterior
- Restumping
- Plumbing
- Electrical
- Cladding
- Renovate Kitchen/Bathroom
- Re-roofing
- Tie Down
- Insulation
- Stairs
- Earthworks/retaining

- (vi) Where a reduced bond is accepted, a contingency amount of up to an additional 15% of the quoted works may be applied to cover any incidental costs should the applicant fail to complete the necessary work.

- (vii) During the reinstatement process a request can be made for incremental returns of the cash security bond after completion of certain aspects/stages. Any such return will be subject to a satisfactory inspection by Council's Building staff, however the bond will not be reduced below the value of any remaining works required to be completed. Inspection fees may apply to bond reductions.
- (viii) Full return of the security bond will only occur once the building has a final building certificate, a plumbing final inspection certificate (if applicable) and a satisfactory inspection.

## Building Approval

The construction of a Class 1 or Class 10 building constitutes assessable building work in accordance with the *Building Act 1975* and as such requires a building approval, in addition to an amenity and aesthetics approval, prior to the commencement of building work. The building approval will consider matters such as:

- (i) the footing, foundation and structural integrity of the proposed building;
- (ii) site wind and soil conditions verified by a Registered Professional Engineer of Queensland (RPEQ);
- (iii) associated earthworks, varied cut/fill, retaining or batters; and
- (iv) stormwater discharge and runoff.

## Other Approvals

- (1) A referral agency response for a siting variation may also be required, pursuant to Schedule 9, Part 3, Division 2, Table 3 of the *Planning Regulation 2017*, if the wall lengths, boundary clearances or site coverage of the proposed and any existing buildings exceed the limits contained within the Queensland Development Code.
- (2) If the proposed building relies on access other than the primary residential access, a Driveway Permit will be required BEFORE an amenity and aesthetics approval. For further information, please refer to Council's website, [www.ipswich.qld.gov.au/residents](http://www.ipswich.qld.gov.au/residents).
- (3) If the proposed building will be located over or near a service providers infrastructure, additional approvals may be required from Queensland Urban Utilities (sewer or water) or Council (stormwater) BEFORE an amenity and aesthetics approval.

Doc ID No: A5822746

ITEM: 6

SUBJECT: 197 AND 213 TAYLORS ROAD, WALLOON - MATERIAL CHANGE OF USE FOR PRELIMINARY APPROVAL INCLUDING A VARIATION REQUEST TO VARY THE EFFECT OF THE IPSWICH PLANNING SCHEME, AND RECONFIGURING A LOT - ONE (1) LOT INTO TWELVE (12) LOTS AND NEW ROAD

AUTHOR: SENIOR PLANNER (DEVELOPMENT)

DATE: 9 OCTOBER 2019

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### EXECUTIVE SUMMARY

This report relates to a development application that seeks a combined approval for a Material Change of Use for Preliminary Approval including a variation request to vary the effect of the Ipswich Planning Scheme, and Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road, over land located at 197 Taylors Road and 213 Taylors Road (in part), Walloon.

The subject application requires review by Committee and determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as the application includes a Variation Request.

The proposed development has been assessed with regard to the applicant assessment benchmarks. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply as outlined in the attached Statement of Reasons.

### RECOMMENDATION/S

**That the Interim Administrator of Ipswich City Council resolve:**

- A. That Council (Interim Administrator of Ipswich City Council) resolve to approve development application no. 4739/2019/CA subject to conditions in accordance with section 60 of the *Planning Act 2016*.**
- B. That the Manager, Development Planning be authorised to prepare conditions in accordance with section 65 of the *Planning Act 2016*.**
- C. That the Manager, Development Planning be authorised to give a decision notice for the application in accordance with section 63 of the *Planning Act 2016*.**

- D. That the Manager, Development Planning be authorised to give an infrastructure charges notice for the application in accordance with section 119 of the *Planning Act 2016*.**

## **RELATED PARTIES**

The related parties to this application are:

- Resiprop Pty Ltd (Landowner and developer) – The current company directors as extracted from the ASIC database on 2 October 2019 are Nicholas Ernest Lennon and Anthony James Lennon.
- LandPartners Pty Ltd (Planning Consultant) – The current company directors as extracted from the ASIC database 2 October 2019 are Michael Lewis Milestone, Ross Stephen John McDowall, Gregory Keith Oxley, Leonard Roy Brock, John Henry Davidson, Peter James Barbaro, Raymond Mervyn Keable, Roland Edmund Mollison and Royston William Lowe. The primary contact has been Shane Smith (Town Planner).
- Smec Australia Pty Ltd (engineering services consultants) - The primary contact has been Matthew Figg (RPEQ 19245).
- Holland Traffic Consulting Pty Ltd (traffic consultants) - The primary contact has been S A Holland (RPEQ 05611).

## **ADVANCE IPSWICH THEME LINKAGE**

Managing growth and delivering key infrastructure

## **PURPOSE OF REPORT/BACKGROUND**

### **SITE ADDRESS:**

197 Taylors Road, WALLOON QLD 4306  
213 Taylors Road, WALLOON QLD 4306 (in part)

### **APPLICATION TYPE:**

- Material Change of Use - Preliminary Approval including a variation request to vary the effect of the Ipswich Planning Scheme
- Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road

### **PROPOSAL:**

- Preliminary Approval including a Variation Request to vary the effect of the Ipswich Planning Scheme in accordance with section 50(3) of the Planning Act 2016 {in accordance with the Concept Plan (Future Urban Zone to Residential Low Density (RL2) Zone) and Site Plan (Changes to Building Setbacks)} over Lot 555 M33493
- Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road

### **ZONE:**

- Part Future Urban,
- Part Rural Living (Rural C)



	<ul style="list-style-type: none"><li>▪ Part Special Uses</li></ul>
<b>OVERLAYS:</b>	<ul style="list-style-type: none"><li>▪ OV2 – Haul Route Buffer;</li><li>▪ OV5 – Drainage Assessment Area;</li><li>▪ OV7A – Building Height Restriction Area 45m, Outer Horizontal Surface RL176.5 and Transitional Surface;</li><li>▪ OV7B – 8km Existing committed Urban Townships Buffer and 8km Operational Airspace Buffer – Wildlife Attraction Restriction Area</li></ul>
<b>APPLICANT:</b>	Resiprop Pty Ltd
	C/- Landpartners
<b>OWNER:</b>	Resiprop Pty Ltd
<b>EXISTING OR PROPOSED TRADING NAMES:</b>	Highland Walloon
<b>APPLICATION NO:</b>	4739/2019/CA
<b>AREA:</b>	197 Taylors Road, Walloon – 57.06ha 213 Taylors Road, Walloon – 0.8ha
<b>REFERRAL AGENCIES:</b>	Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) – Concurrence Agency
<b>EXISTING USE:</b>	197 Taylors Road, Walloon – single residential dwelling 213 Taylors Road, Walloon – Vacant farming land
<b>PREVIOUS RELATED APPROVALS:</b>	<ul style="list-style-type: none"><li>▪ 2570/2006 – Combined Approval comprising of MCU (Preliminary Approval to Override the Planning Scheme), Reconfigure a Lot (5 lots into 1,050 lots) and ERA15(h) – Special Sewage Treatment Works</li><li>▪ 2570/2006/MAEXT/A – Extension to Currency Period</li><li>▪ 3633/2015/RAL - Reconfiguring a Lot (One (1) Lot up to a maximum of One Hundred (100) Lots and Four (4) Balance Lots</li></ul>
<b>DATE RECEIVED:</b>	12 June 2019
<b>DECISION PERIOD START DATE:</b>	25 September 2019
<b>EXPECTED DETERMINATION DATE:</b>	12 November 2019

The Variation Request component of the application only applies to 197 Taylors Road, Walloon (Lot 555 M33493) and seeks to:

- Change Future Urban zoned land to Residential Low Density (RL2) Zone) zoned land; and
- Modify the Acceptable/Probable Solutions for 'Design and Siting of Buildings and Structures' for Single Residential Uses over Lot 555 M33493, for the minimum road setback to be 4.0m to a building and 5.5m to a garage/carport.

197 Taylors Road, Walloon, is located within the Urban Footprint of the ShapingSEQ Regional Plan and the proposed development is generally consistent with the regulatory provisions of

the Regional Plan. Further, the site is currently within the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. The FU4 Sub Area includes a Land Use Concept Master Plan, which identifies the subject lot to be developed for Residential Low Density purposes. The proposed Variation Request is consistent with the Land Use Concept Master Plan.

Further, the Variation Request to modify the Acceptable/Probable Solutions for 'Design and Siting of Buildings and Structures' for Single Residential uses, to allow a reduced minimum road setback of 4.0m to a building and 5.0m to a garage/carport is acceptable given the premises is a greenfield site and the varied setbacks will provide a consistent front boundary setback within the development.

The Reconfiguring a Lot (RAL) component of the application to create twelve (12) residential Lots represents a net dwelling density of 10dw/ha which is consistent with the Residential Low Density (RL2) Zone sought for the property under the Variation Request, and the Walloon/Thagoona Land Use Concept Master Plan. Further, the proposed RAL generally complies with the Ipswich Planning Scheme requirements including the Reconfiguring a Lot Code and the Development Constraints Overlay Code.

#### Infrastructure Charges:

Pursuant to section 119 of the *Planning Act 2016*, an infrastructure charges notice has been given for roadworks, open space and land for community facilities totalling \$149,259.00 relating to the Reconfiguring a Lot component of the application. These infrastructure charges are calculated based on the lesser of the charge rates stipulated in Schedule 2 (trunk infrastructure network charges) of Council's Adopted Infrastructure Charges Resolution or the maximum adopted charge calculated under the *Planning Act 2016* and the *Planning Regulation 2017*. In this particular instance, infrastructure charges have been calculated based on Schedule 2 (trunk infrastructure network charges).

#### **RESOURCE IMPLICATIONS**

There are no resource implications associated with this report.

#### **RISK MANAGEMENT IMPLICATIONS**

A risk to Council exists should the proposal not be determined in accordance with legislative requirements. The assessment and subsequent recommendations have been prepared to minimise the risk.

#### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Planning Act 2016*  
*Planning Regulation 2017*

#### **COMMUNITY AND OTHER CONSULTATION**

Referral Agency: The application required referral to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP). The development application referral (ref: 1907-11972 SRA) was assessed by the State Assessment and Referral Agency (SARA). Following an assessment against the State Development Assessment Provisions, SARA determined that the application complied with the state's assessment benchmarks for state transport infrastructure under the *Planning Regulation 2017*. SARA's response dated 2 August 2019 advised that they did not object to the development.

In the Statement of Reasons provided by SARA, Council was advised that:

- The proposed development complies with State code 1: Development in a state-controlled road environment, of the State Development Assessment Provisions.

#### Public Notification

The applicant undertook public notification from 30 July 2019 to 10 September 2019. During the public notification period one (1) properly made submission was received. Matters raised in the submissions area discussed below. It is considered that the concerns raised can be appropriately addressed via the inclusion of reasonable and relevant conditions.

Concerns raised	Mitigation strategy and/or response
Loss of food production land and bio-diversity.	<ul style="list-style-type: none"> <li>▪ The development site is located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the site is within the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. The FU4 Sub Area includes Walloon/Thagoona Land Use Concept Master Plan which identifies the subject site for Residential Low Density purposes.</li> <li>▪ The development (reconfiguration of a lot) is predominantly over 197 Taylors Road, Walloon, which is approximately 8,000m<sup>2</sup> in area and currently has very limited ecological values. The larger parcel being 213 Taylors Road, Walloon, with an area of approximately 57ha holds ecological values which have been dealt with as part of the preliminary approval (Preliminary Approval No. 2570/2006/CA) over this site. The subject proposal is generally consistent with the Preliminary Approval and/or has been conditioned where necessary to achieve compliance.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Increase of impermeable surfaces leading to flooding.</li> <li>▪ Cumulative effect of further development in the area shall worsen flooding in the Walloon area.</li> </ul>	<p>The submitted Engineering Services Report indicates that the proposed lots are flood free for pre/post development scenarios and shall have no or negligible adverse flooding impacts upstream/downstream. Further, conditions have been included which require the development to comply with Implementation Guideline 24: Stormwater Management, QUDM, and</p>

	Planning Scheme Policy 3, relating to stormwater and flood management.
Destruction of rural road verge vegetation.	Vegetation located on gazetted roads are not controlled under the Planning Scheme. Further, the road/s that provide access to the development site are already constructed, and given the scale of the proposed development these roads shall not require major upgrade works.
Suitability of proposed street trees and landscaping plants	The development has been conditioned to provide landscaping in accordance with the Ipswich Planning Scheme requirements and utilising only native, non-invasive, plant species.
Protect existing vegetation particularly along creeks, gullies and waterways.	The development (reconfiguration of a lot) is predominantly over 197 Taylors Road, Walloon which does not contain creeks, gullies or waterways. The larger parcel being 213 Taylors Road, Walloon, contains a waterway which have been dealt with as part of preliminary approval application (Preliminary Approval No. 2570/2006/CA) over this site. The subject proposal is generally consistent with the Preliminary Approval and/or has been conditioned where necessary to achieve compliance.
Increased traffic on the rural roads will increase the number of wildlife deaths on the roads.	The development site and its immediate surroundings including gazetted road/s that provide access to the development site are located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the development site and its immediate surroundings are within Ipswich Planning Scheme Walloon/Thagoona Land Use Concept Master Plan which identifies the subject site and its immediate surroundings for residential development purposes.
<ul style="list-style-type: none"> <li>▪ Lack of water.</li> <li>▪ Lack of infrastructure like schools, hospitals etc to support the increase in the number of people that developments bring.</li> </ul>	The development site is the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. The FU4 Sub Area includes Walloon/Thagoona Land Use Concept Master Plan which identifies infrastructure like road networks, water and sewer networks, schools etc that are to be provided by government agencies and/or developers as development progress in the area.
Lack of suitable waste water disposal system.	The development has been conditioned to connect to necessary sewer infrastructure.
Adverse impacts of dust from Mt Marrow.	The development site is outside the OV2 Key Resource Area Development Constraints Overlay area (which includes the Mt Marrow quarry) of the Ipswich Planning Scheme.
Lack of proper community engagement.	The applicant's ' <i>Public Notification Notice of Compliance</i> ' indicates that public notification has been











	carried out in accordance with <i>Planning Act 2016</i> requirements.
Additional housing developments in Walloon area has no benefit to local residents.	The development site is located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the site is within the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. As developments progress it is expected that additional services and infrastructure will be delivered as necessary which also benefits the general locality surrounding the development site.
Leads to adverse social impacts upon residents	Social behaviours/impacts are not regulated by the Planning Scheme.
Adverse impacts of noise from activities from Amberley RAAF Base	The development site is outside the current OV7C 2006 Australian Noise Exposure Forecast (ANEF) Contours Development Constraints Overlay area of the Ipswich Planning Scheme.

## CONCLUSION

An assessment of the proposed Material Change of Use for - Preliminary Approval including a Variation Request to vary the effect of the Ipswich Planning Scheme in accordance with section 50(3) of the *Planning Act 2016* {in accordance with the Concept Plan (Future Urban Zone to Residential Low Density (RL2) Zone) and Site Plan (Changes to Building Setbacks)} over Lot 555 M33493, and Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road, has been undertaken and it has been determined that the proposed development generally complies with the assessment benchmarks or can be conditioned to comply as outlined in the attached Statement of Reasons. It is therefore recommended that this development application be decided in accordance with the recommendations and attachments of this report.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Statement of Reasons <a href="#"></a> 
2.	Proposal Plans <a href="#"></a> 
3.	Decision Details and Conditions <a href="#"></a> 
4.	Referral Response <a href="#"></a> 

Sandeep Nanjappa  
**SENIOR PLANNER (DEVELOPMENT)**

I concur with the recommendations contained in this report.

Michael Simmons  
**TEAM COORDINATOR (WEST)**

I concur with the recommendations contained in this report.

Anthony Bowles

**ACTING DEVELOPMENT PLANNING MANAGER**

I concur with the recommendations contained in this report.

Brett Davey

**ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

*“Together, we proudly enhance the quality of life for our community”*

Our Reference 4739/2019/CA  
Contact Officer Sandeep Nanjappa  
Telephone (07) 3810 7267



## STATEMENT OF REASONS

(Notice about the decision given under section 63(4) of the *Planning Act 2016*)

### APPLICANT DETAILS

Applicant name: Resiprop Pty Ltd

### APPLICATION DETAILS

Application number: 4739/2019/CA

Application type: Material Change of Use and Reconfiguring a Lot

Approval sought: Combined Approval (Material Change of Use - Preliminary Approval, and Reconfiguring a Lot - Development Permit)

Description of proposed development:

- Preliminary Approval including a Variation Request to vary the effect of the Ipswich Planning Scheme in accordance with section 50(3) of the Planning Act 2016 {in accordance with the Concept Plan (Future Urban Zone to Residential Low Density (RL2) Zone) and Site Plan (Changes to Building Setbacks)} over Lot 555 M33493
- Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road

Level of Assessment: Impact

### SITE DETAILS

Street address: 197 Taylors Road, WALLOON QLD 4306  
213 Taylors Road, WALLOON QLD 4306 (in part)

Real property description: Lot 555 M 33493,  
Lot 329 CH 31264 (in part)

### DECISION

Date of decision: [TBC]

Decision: Approved in full with conditions

Decision Authority: Full Council

#### 1. Reasons for the Decision:

The reasons for this decision are:

- The application was properly made and followed the Development Assessment Rules in effect.
- The application was assessed against the applicable Assessment Benchmarks.
- The assessment manager, after carrying out the assessment, found that the development complied with the relevant Assessment Benchmarks applicable to the development.

- The development was not prohibited development under a categorising instrument or local categorising instrument.

## 2. Assessment Benchmarks

The following are the assessment benchmarks applying for this development:

Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10	Part 3, division 3 – Clearing native vegetation Part 18 – Urban Design
State Planning Policy July 2017, Part E	Planning for liveable communities and housing Planning for economic growth Planning for environment and heritage Planning for safety and resilience to hazards Planning for infrastructure
Ipswich Planning Scheme 2006	Desired Environmental Outcomes and Performance Indicators (Part 3) Urban Areas Code (Part 4) Development Constraints Overlays Code (Part 11, division 4) Vegetation Management Code (Part 12, division 4) Reconfiguring a Lot Code (Part 12, division 5) Residential Code (Part 12, division 6) Earthworks Code (Part 12, division 15) Planning Scheme Building Matters Code (Part 12, division 16) Local Government Infrastructure Plan (Part 13) Planning Scheme Policy 3 General Works Planning Scheme Policy 5 Infrastructure Implementation Guideline No. 2 Applications for the Development of a Dwelling or other Residential Uses on Land Affected by the Development Constraints Overlays Code of the Planning Scheme Implementation Guideline No. 13 Provision of Electricity, Driveways and Crossovers, Footpaths, Kerb and Channel Implementation Guideline No. 14 Sewer Extensions/Connections to Service New Developments Implementation Guideline No. 24 Stormwater Management Area Implementation Guideline

## 3. Compliance with Benchmarks

The application was found to comply with the assessment benchmarks applying to the development.

## 4. Relevant matters for development subject to impact assessment

Not applicable.

## 5. Matters raised in submissions for development subject to impact assessment

The following is a description of the matters raised in any submissions and how they were dealt with:

Item 6 / Attachment 1.

Matter raised	How matters were dealt with in reaching a decision
<p>Loss of food production land and bio-diversity.</p> <ul style="list-style-type: none"> <li>▪ Increase of impermeable surfaces leading to flooding.</li> <li>▪ Cumulative effect of further development in the area shall worsen flooding in the Walloon area.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The development site is located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the site is within the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. The FU4 Sub Area includes Walloon/Thagoona Land Use Concept Master Plan which identifies the subject site for Residential Low Density purposes.</li> <li>▪ The development (reconfiguration of a lot) is predominantly over 197 Taylors Road, Walloon, which is about 8,000m<sup>2</sup> in area and currently has very limited ecological values. The larger parcel being 213 Taylors Road, Walloon, with an area of about 57ha holds ecological values which have been dealt with as part of the preliminary approval (Preliminary Approval No. 2570/2006/CA) over this site. The subject proposal is generally consistent with the Preliminary Approval and/or has been conditioned where necessary to achieve compliance.</li> </ul> <p>The submitted Engineering Services Report indicates that the proposed lots are flood free for pre/post development scenarios and shall have no or negligible adverse flooding impacts upstream/downstream. Further, conditions have been included which require the development to comply with Implementation Guideline 24: Stormwater Management, QUDM, and Planning Scheme Policy 3, relating to stormwater and flood management.</p>
<p>Destruction of rural road verge vegetation.</p>	<p>Vegetation located on gazetted roads are not controlled under the Planning Scheme. Further, the road/s that provide access to the development site are already constructed, and the given the scale of the proposed development these roads shall not require major upgrade works.</p>
<p>Suitability of proposed street trees and landscaping plants</p>	<p>The development has been conditioned to provide landscaping in accordance with the Ipswich Planning Scheme requirements and utilising only native, non-invasive, plant species.</p>
<p>Protect existing vegetation particularly along creeks, gullies and waterways.</p>	<p>The development (reconfiguration of a lot) is predominantly over 197 Taylors Road, Walloon which does not contain creeks, gullies or waterways. The larger parcel being 213 Taylors Road, Walloon, contains a waterway which have been dealt with as part of preliminary approval application (Preliminary Approval No. 2570/2006/CA) over this site. The subject proposal is generally consistent with the Preliminary Approval and/or has been conditioned</p>



Item 6 / Attachment 1.

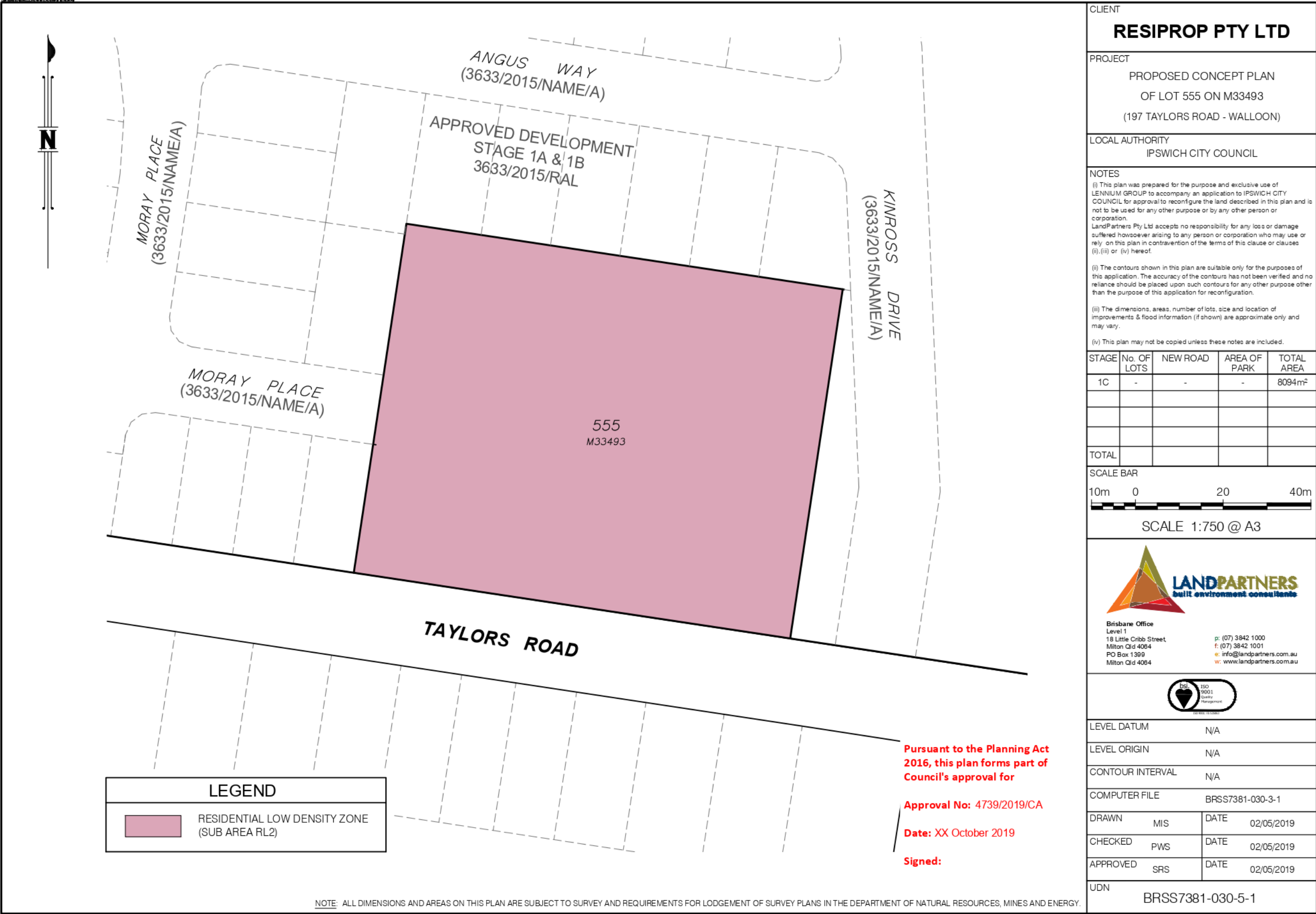
Ipswich City Council

Page 4

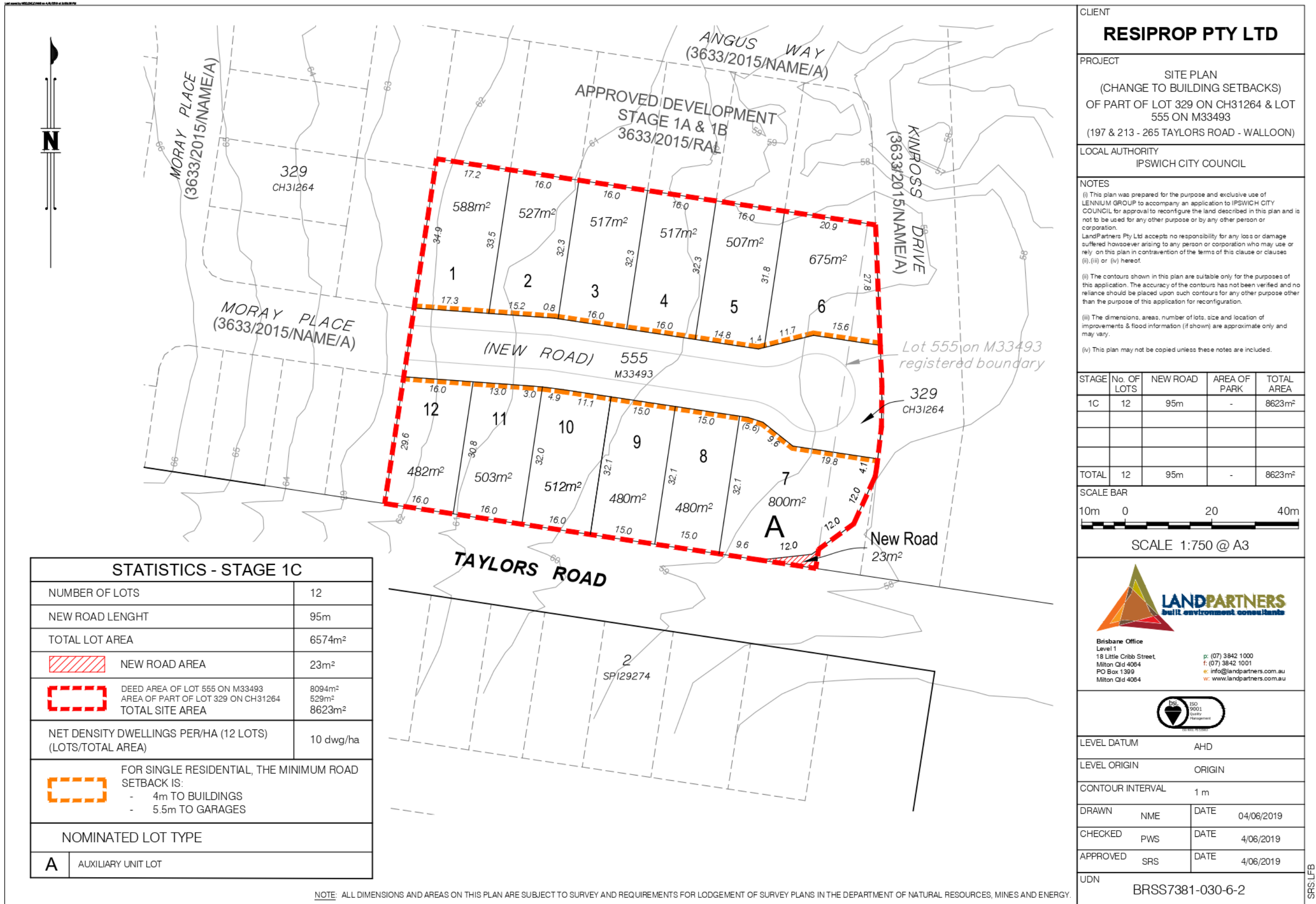
	where necessary to achieve compliance.
Increased traffic on the rural roads will increase the number of wildlife deaths on the roads.	The development site and its immediate surroundings including gazetted road/s that provide access to the development site are located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the development site and its immediate surroundings are within Ipswich Planning Scheme Walloon/Thagoona Land Use Concept Master Plan which identifies the subject site and its immediate surroundings for residential development purposes.
<ul style="list-style-type: none"> <li>▪ Lack of water.</li> <li>▪ Lack of infrastructure like schools, hospitals etc to support the increase in the number of people that developments bring.</li> </ul>	The development site is the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. The FU4 Sub Area includes Walloon/Thagoona Land Use Concept Master Plan which identifies infrastructure like road networks, water and sewer networks, schools etc that are to be provided by government agencies and/or developers as development progress in the area.
Lack of suitable waste water disposal system.	The development has been conditioned to connect to necessary sewer infrastructure.
Adverse impacts of dust from Mt Marrow.	The development site is outside the OV2 Key Resource Area Development Constraints Overlay area (which includes the Mt Marrow quarry) of the Ipswich Planning Scheme.
Lack of proper community engagement.	The applicant's 'Public Notification Notice of Compliance' indicates that public notification has been carried out in accordance with <i>Planning Act 2016</i> requirements.
Additional housing developments in Walloon area has no benefit to local residents.	The development site is located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the site is within the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. As developments progress it is expected that additional services and infrastructure will be delivered as necessary which also benefits the general locality surrounding the development site.
Leads to adverse social impacts upon residents	Social behaviours/impacts are not regulated by the Planning Scheme.
Adverse impacts of noise from activities from Amberley RAAF Base	The development site is outside the current OV7C 2006 Australian Noise Exposure Forecast (ANEF) Contours Development Constraints Overlay area of the Ipswich Planning Scheme.
Loss of food production land and bio-diversity.	<ul style="list-style-type: none"> <li>▪ The development site is located within the Urban Footprint of the ShapingSEQ Regional Plan. Further, the site is within the Future Urban Zone (Sub Area FU4: Walloon/Thagoona) of Ipswich Planning Scheme. The FU4 Sub Area includes Walloon/Thagoona Land Use Concept Master Plan which identifies the subject site for Residential Low Density purposes.</li> </ul>

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>▪ The development (reconfiguration of a lot) is predominantly over 197 Taylors Road, Walloon, which is about 8,000m<sup>2</sup> in area and currently has very limited ecological values. The larger parcel being 213 Taylors Road, Walloon, with an area of about 57ha holds ecological values which have been dealt with as part of the preliminary approval (Preliminary Approval No. 2570/2006/CA) over this site. The subject proposal is generally consistent with the Preliminary Approval and/or has been conditioned where necessary to achieve compliance.</li></ul> |
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**Material Change of Use - Preliminary Approval including a variation  
request to vary the effect of the Ipswich Planning Scheme**

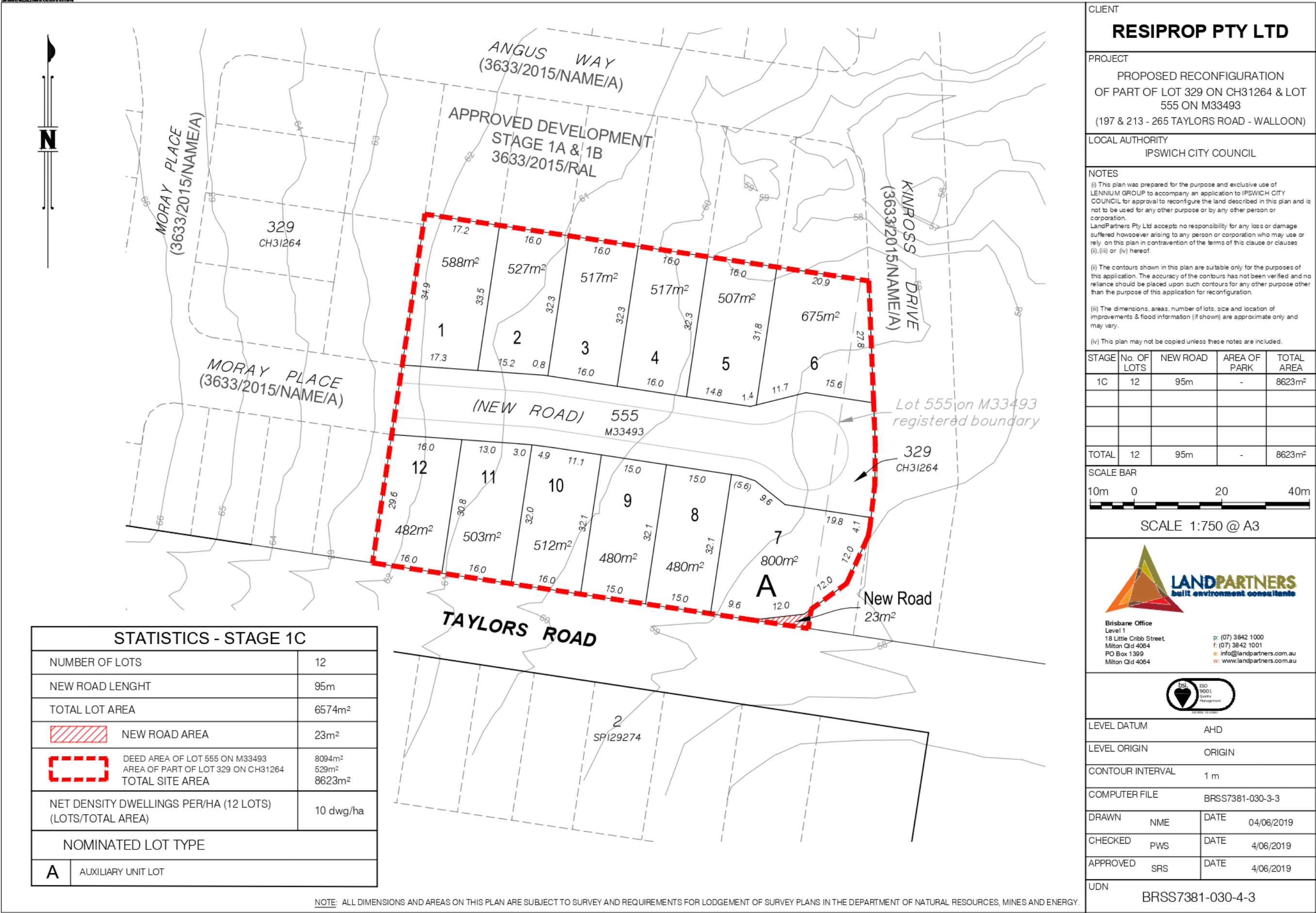


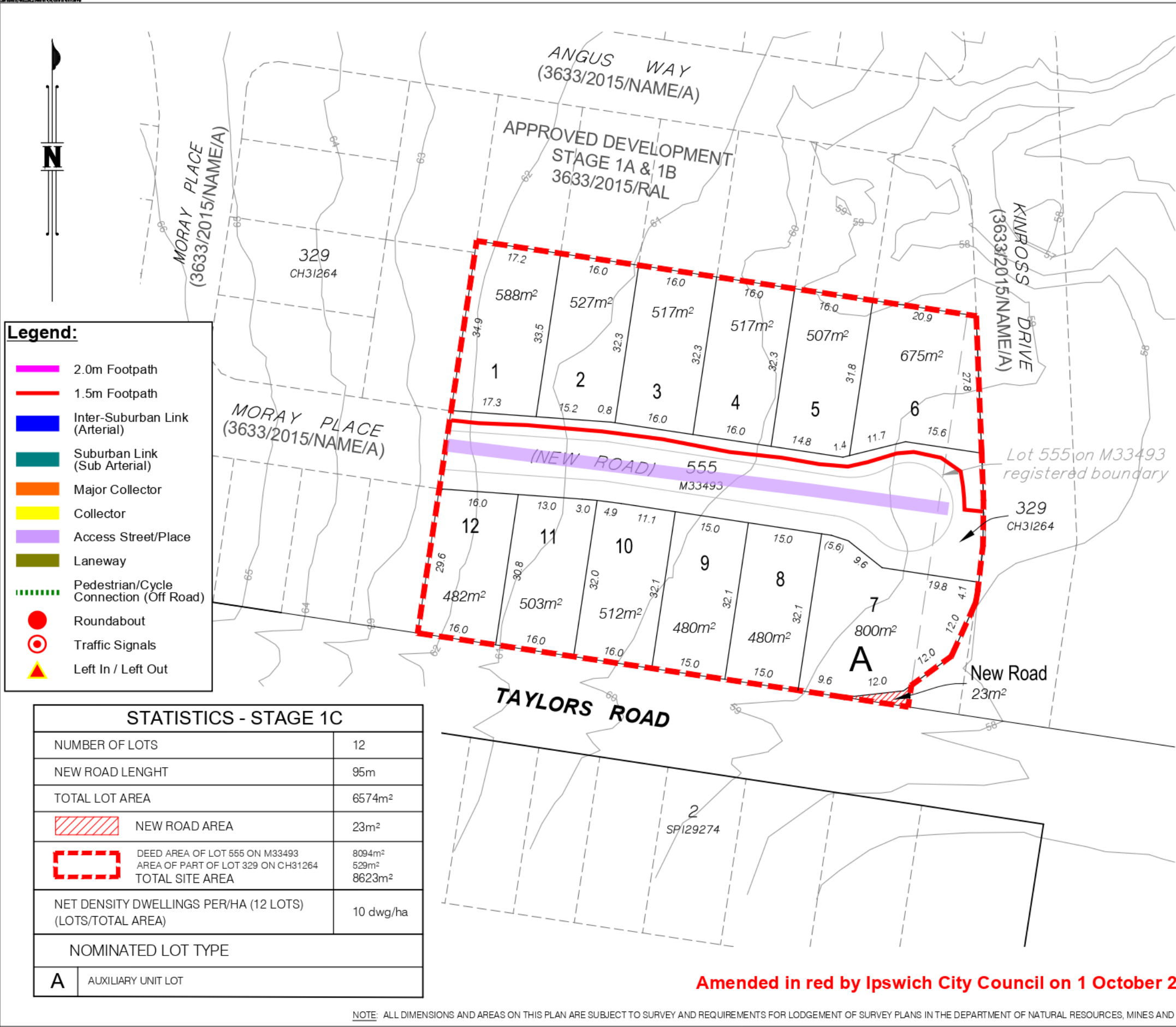
SRS/LFB





## **Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road**





CLIENT

RESIPROP PTY LTD

PROJECT

Road and Footpath Hierarchy Plan

LOCAL AUTHORITY

IPSWICH CITY COUNCIL

NOTES

(i) This plan was prepared for the purpose and exclusive use of LENNIUM GROUP to accompany an application to IPSWICH CITY COUNCIL for approval to reconfigure the land described in this plan and is not to be used for any other purpose or by any other person or corporation.

LandPartners Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this clause or clauses (ii), (iii) or (iv) hereof.

(ii) The contours shown in this plan are suitable only for the purposes of this application. The accuracy of the contours has not been verified and no reliance should be placed upon such contours for any other purpose other than the purpose of this application for reconfiguration.

(iii) The dimensions, areas, number of lots, size and location of improvements & flood information (if shown) are approximate only and may vary.

(iv) This plan may not be copied unless these notes are included.

STAGE	No. OF LOTS	NEW ROAD	AREA OF PARK	TOTAL AREA
1C	12	95m	-	8623m <sup>2</sup>
TOTAL	12	95m	-	8623m <sup>2</sup>

SCALE BAR

10m

0

20

40m

SCALE 1:750 @ A3

LANDPARTNERS

built environment consultants

Brisbane Office

Level 1

18 Little Cribb Street,

Milton Qld 4064

PO Box 1399

Milton Qld 4064

p: (07) 3842 1000

f: (07) 3842 1001

e: info@landpartners.com.au

w: www.landpartners.com.au

LEVEL DATUM

AHD

LEVEL ORIGIN

ORIGIN

CONTOUR INTERVAL

1 m

COMPUTER FILE

BRSS7381-030-3-3

DRAWN

NME

DATE

04/06/2019

CHECKED

PWS

DATE

4/06/2019

APPROVED

SRS

DATE

4/06/2019

UDN

BRSS7381-030-4-3

SRS/LFB

**Specifications/Drawings**



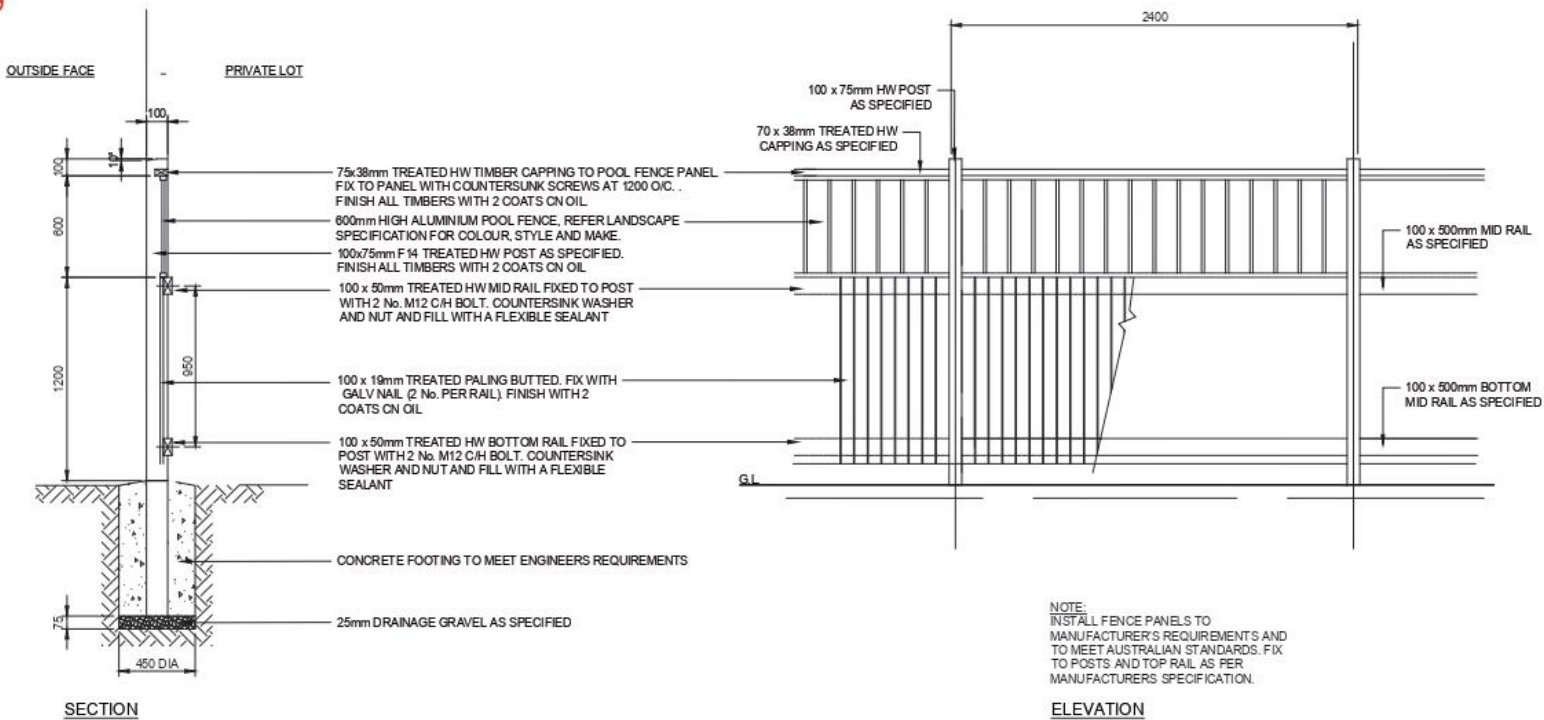
4.2 Taylors Road Frontage

prepared by: Aecom  
submitted by: Landpartners  
date: 25 July 2019

The road verge along Taylors Rd will function as a pedestrian footpath thoroughfare. In order to provide good amenity to the development frontage while also providing an effective and safe pedestrian pathway, visual surveillance shall be maintained between the houses and pedestrians.

Through installing a semi-transparent fence to the frontage, residents and pedestrians will be able to see through the fence while maintaining a degree of privacy and security.

Small shrubs and groundcovers less than 1500mm high are to be selected and installed as a soft buffer to the front of the fenceline to comply with sightline requirements and CPTED principles. Due to service conflicts in the Taylors Rd verge street tree planting opportunities may not be possible but will be proposed if opportunities arise in the detailed design.



Timber Finish

Dark Stained Timber Features prevent fading and discolouration while extending the life of the fence.



Fence Construction

Hardwood Post, Rail and capping, Treated Pine Palings and an aluminium transparent fence panel.



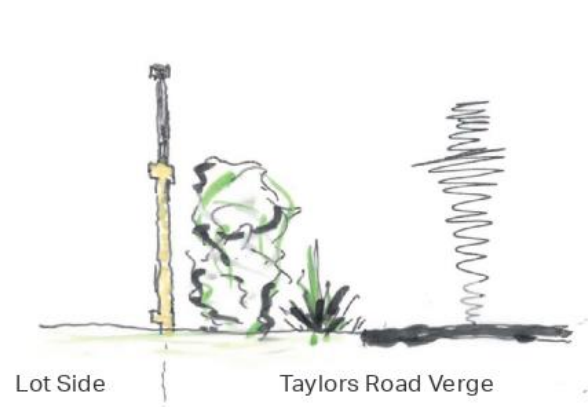
Buffer Planting

Mixed species of grasses and small shrubs to a maximum height of 1.5m to maintain visibility.



Typical Section

Visibility Maintained through transparent fence panel.





**1. Decision Details:**

Development	Approval Type	Decision	Currency Period
Material Change of Use - Preliminary Approval including a variation request to vary the effect of the Ipswich Planning Scheme in accordance with section 50(3) of the Planning Act 2016 {in accordance with the Concept Plan (Future Urban Zone to Residential Low Density (RL2) Zone) and Site Plan (Changes to Building Setbacks)} over Lot 555 M33493	Preliminary Approval	Approved in full subject to the conditions set out in Attachment A	Ten (10) years
Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road	Development Permit	Approved in full subject to the conditions set out in Attachment B	Six (6) years

**2. Conditions of Assessment Manager (Ipswich City Council)**

Refer to Attachment A for Assessment Manager conditions.

**3. Approved Plans Specifications and Drawings**

The approved plans, specifications and drawings for this development approval are:

- (a) The plans and documents referred to in the table below (including the amendments that are required to be made to those plans and documents); and
- (b) Where the amended version of the plans and documents referred to in the table below have been approved by the Assessment Manager, the amended version of those plans and documents.

The plans referenced below are included as Attachment C of this decision notice.

APPROVED PLANS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
<b>Aspect of development: Material Change of Use - Preliminary Approval including a Variation Request to vary the effect of Ipswich Planning Scheme over Lot 555 M33493</b>				
BRSS7381-030-5-1	Proposed Concept Plan of Lot 555 on M33493	Landpartners	2 May 2019	Not Applicable
BRSS7381-030-6-1	Site Plan (Change to Building Setbacks) of part of Lot 329 on CH31264 & Lot 555 on M33493	Landpartners	4 June 2019	Not Applicable
<b>Aspect of development: Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road</b>				
BRSS7381-	Proposed Reconfiguration	Landpartners	4 June 2019	Not

## Item 6 / Attachment 3.

030-4-3	of part of Lot 329 on CH31264 & Lot 555 on M3349			Applicable
BRSS7381-030-4-3	Road and Footpath Hierarchy Plan	Landpartners	4 June 2019 and amended in red by Ipswich City Council on 1 October 2019	Not Applicable
SPECIFICATIONS/DRAWINGS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
<b>Aspect of development: Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road</b>				
4.2	Taylor's Road Frontage	prepared by Aecom and submitted by Landpartners	24 July 2019	Not Applicable
30032066-02-SK-001	Ultimate roundabout layout and Turn Paths-Sheet 1, Revision 3	Smec	05 August 2019	Not Applicable
30032066-02-SK-002	Ultimate roundabout layout and Turn Paths-Sheet 2, Revision 2	Smec	05 August 2019	Not Applicable
30032066-02-SK-003	Ultimate roundabout layout and Turn Paths-Sheet 3, Revision 2	Smec	05 August 2019	Not Applicable
30032066-02-SK-004	Ultimate roundabout layout and Turn Paths-Sheet 4, Revision 2	Smec	05 August 2019	Not Applicable
30032066-02-SK-005	Ultimate roundabout layout and Turn Paths-Sheet 5, Revision 1	Smec	05 August 2019	Not Applicable
30032066-02-SK-006	Ultimate roundabout layout and Turn Paths-Sheet 6, Revision 1	Smec	05 August 2019	Not Applicable
18S59.5.SAH	Walloon: Traffic advices in relation to Taylor Road access roundabout for the site at 213 Taylor Road and 116 – 162 Grieves Road	Holland Traffic Consulting	02 August 2019	Not Applicable

**4. Referral Agencies**

The referral agencies for this application are:

Referral Agency	Referral Role	Aspect of Development Requiring Referral	Address
Department of State Development,	Concurrence	<ul style="list-style-type: none"> <li>Schedule 10, Part 9, Division 4, Subdivision 2, Table 2,</li> </ul>	Ipswich SARA Office Post: PO BOX 129,

Manufacturing, Infrastructure and Planning		<p>Item 1 (Planning Regulation 2017)</p> <ul style="list-style-type: none"> <li>Development application for reconfiguring a lot on premises that is a future state transport corridor Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)</li> </ul>	<p>IPSWICH QLD 4305</p> <p>Email: <a href="mailto:ipswichSARA@dsdm.ip.qld.gov.au">ipswichSARA@dsdm.ip.qld.gov.au</a></p> <p>Ph: 07 3432 2413</p>
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Refer to Attachment D for Referral Agency conditions.

#### 5. Variation Approval

A preliminary approval which includes a Variation Approval is given and the Assessment Manager has approved a variation to the local planning instruments namely *Ipswich Planning Scheme 2006*.

The variation to the local planning instrument approved permits the following:

- Change Future Urban zoned land over Lot 555 M33493 to Residential Low Density (RL2) Zone) zoned land; and
- Modify the Acceptable/Probable Solutions for 'Design and Siting of Buildings and Structures' for a Single Residential Uses over Lot 555 M33493, for the minimum road setback to be 4.0m to a building and 5.5m to a garage/carport.

#### 6. Further Development Permits

Further development permits, as required by the *Planning Act 2016*, must be obtained before the development can be carried out in respect of any material change of use, reconfiguring a lot, operational works, building works and plumbing works in relation to this approval prior to the *commencement of works/use and/or signing of the plan of subdivision* pursuant to the *Planning Act 2016*.

#### 7. Environmental Authority

Not applicable to this decision.

#### 8. Properly Made Submissions

There was one (1) properly made submission about the application received from the following submitters.

Name of principal submitter	Residential or business address	Electronic address (if provided)
Rosemaree Thomasson	26 Daisy Blair Lane WALLOON QUEENSALND 4306	<a href="mailto:rosemareethomasson@bigpond.com">rosemareethomasson@bigpond.com</a>

**9. Currency period for the approval (section 85 of the *Planning Act 2016*)**

The currency period for this approval is as outlined in part 1 – ‘decision details’ of this decision notice, starting the day the approval takes effect. Unless the currency period is extended by the Assessment Manager pursuant to section 87 of the *Planning Act 2016*, this development approval lapses in accordance with section 85 of the *Planning Act 2016*.

**10. When approval lapses if development started but not completed— variation approval**

In accordance with section 88(2) of the *Planning Act 2016*, the variation approval for development lapses to the extent the development is not completed within Ten (10) years.

**11. Other requirements under section 43 of the *Planning Regulation 2017***

Not applicable to this decision.

**12. Trunk Infrastructure**

Not applicable to this decision.

**13. Infrastructure Charges**

- (a) Council will give an infrastructure charges notice for this development (Reconfiguration of a lot component) pursuant to section 119 of the *Planning Act 2016*.
- (b) From 1 July 2014, the Central SEQ Distributor-Retailer Authority (QUU) will issue all Infrastructure Charges Notices for charges relating to water and wastewater. For further information, it is recommended that you contact QUU’s developer customer service team on (07) 3432 2200.

**14. Submitting Change Representations to Request a Negotiated Decision Notice**

In accordance with section 75 of the *Planning Act 2016*, the applicant may submit change representations to request a negotiated decision notice, during the applicant’s appeal period, about changing a matter in the development approval (other than a matter stated because of a referral agency response or a development condition imposed under a direction by the Minister).

The applicant’s appeal period is 20 business days, and any change representations must be submitted and assessed during this time, unless the applicant suspends the appeal period. To ensure both the applicant and the assessment manager have sufficient time to consider the change representations, it is recommended that the applicant suspend the appeal period (refer to section 75(2) of the *Planning Act 2016*) prior to submitting their change representations. This will allow an additional 20 business days for the applicant to submit their change representations, if required, and up to 20 business days for the assessment manager to consider the representations from the date the change representations are received.

Ipswich City Council does not charge an application fee for the submission of change representations.

For more information, please refer to the State Government's fact sheet on Change Representations: <https://dilgpprd.blob.core.windows.net/general/factsheet-change-representations.pdf>.

**15. Appeal Rights**

**Applicant's appeal rights**

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- the refusal of part of the development application; or
- a provision of the development approval; or
- if a development permit was applied for, the decision to give a preliminary approval.

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

**Submitter's appeal rights**

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- the decision to give a development approval; or
- the decision to give an approval for a change application; or
- a provision of a development approval; or
- a failure to include a provision in the development approval.

An appeal may be made to the extent that the decision or matter relates to, as applicable:

- any part of the development application or change application that required impact assessment; or
- a variation request.

An appeal must be started within 20 business days after this notice is given to you.



An appeal may be made to the Planning and Environment Court. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 2 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

An extract from the *Planning Act 2016* about appeal rights is attached to this decision notice.

## **Attachment A**

### **Assessment Manager's Conditions**

**File No: 4739/2019/CA**

**Location: 197 Taylors Road, WALLOON QLD 4306 (Lot 555 M33493)**

#### **Proposal:**

**Preliminary Approval including a Variation Request to vary the effect of the Ipswich Planning Scheme in accordance with section 50(3) of the Planning Act 2016 {in accordance with the Concept Plan (Future Urban Zone to Residential Low Density (RL2) Zone) and Site Plan (Changes to Building Setbacks)} over Lot 555 M33493**

<b>Assessment Manager (Ipswich City Council) Conditions</b>		
<b>Conditions applicable to this approval under the Planning Act 2016</b>		
<b>No.</b>	<b>Condition</b>	<b>The time by which the condition must be met, implemented or complied with</b>
<b>1.</b>	<b>Basis of Preliminary Approval</b>	
	<p>This approval incorporates as a condition, the applicant's common material (as defined in <i>Schedule 24 – Dictionary of the Planning Regulation 2017</i>) for the application and adherence to all relevant Council Local Laws and/or the <i>Ipswich Planning Scheme</i> (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval.</p> <p>Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the <i>Planning Act 2016</i>.</p>	From the commencement of the construction of the development and at all times thereafter.
<b>2.</b>	<b>Minor Alterations</b>	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.	At all times after the approval is granted.
<b>3.</b>	<b>Effect of the Variation Approval</b>	
	In accordance with <b>section 43(7) of the Planning Act 2016</b> , this Variation Approval applies only to land contained within Lot 555 M33493.	
	In accordance with <b>section 43(7) of the Planning Act 2016</b> the Variation Approval does not change the Level of Assessment, the Assessment Process, or the Planning Scheme designation of land not included in this Variation Approval area or land not included within this approval.	
<b>4.</b>	<b>Development Pursuant to Variation Approval</b>	
(a)	All development pursuant to this Variation Approval	At all times after the approval is

Item 6 / Attachment 3.

	must be undertaken generally in accordance with the zoning shown on the approved Concept Plan outlined in part 3 of the Decision Notice unless varied by a development permit.	granted.
(b)	All development within the area identified as ' <i>Residential Low Density Zone (Sub Area RI2)</i> ' on the approved Concept Plan outlined in Part 3 of the Decision Notice is subject to the level of assessment in Part 4 – Urban Areas, Division 5 – Residential Low Density Zone, Table 4.5.1 of the <i>Ipswich Planning Scheme 2006</i> (as applicable at the date of this decision notice).	At all times after the approval is granted.
(c)	Any application for development determined pursuant to this Variation Approval must demonstrate compliance with the conditions of this approval, and the Development Codes, the Development Constraint Overlays Codes and Planning Scheme Policies contained within <i>Ipswich Planning Scheme 2006</i> , other than the proposed variation to the Single Residential Use setbacks as detailed on the approved Site Plan (Change to Building Setbacks) outlined in Part 3 of the Decision Notice.  Where there is an inconsistency between the Ipswich Planning Scheme and the terms and conditions of this Development Approval, the terms and conditions of the Development Approval prevail.	At all times after the approval is granted.

<b>5.</b>	<b>Infrastructure Contributions Applicable to Future Development Pursuant to Variation Approval</b>	
	The applicant must pay infrastructure contributions in accordance with the relevant legislation, regulation, adopted resolution, or policies in force at the date when development permits for the development pursuant to this Variation Approval are granted.	

<b>6.</b>	<b>Locality References</b>	
(a)	The applicant must ensure any place name, estate name or development name used in respect of this development in any form of advertising or communication (excluding a reference to a building, structure or the like and excluding minor, subsidiary signage within a development to Council's satisfaction) must specify the relevant, approved place name under the <i>Place Names Act 1994</i> and must comply with the following:  (i) be in the same colour, background colour, typeface, font, font characteristics and character	At all times after the approval is granted.

	spacing as the place/estate/development name	
	(ii) be in lettering at least 50% of the size of the place/estate/development name	
	(iii) be in the same orientation as the place/estate/development name	
	(iv) be in either title case or all in upper case.	
(b)	The applicant must not at any time refer to the location of the site or the development, including the place or estate, as being located in Brisbane or a Brisbane suburb or in the metropolitan area or in the western suburbs (excluding the western suburbs of Ipswich as determined by Council in writing from time to time).	At all times after the approval is granted.

**Assessment Manager (Ipswich City Council) Advice**

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

<b>1.</b>	<b>Flooding</b>
	The subject site is partially inundated by the 1 in 20 development line and the Adopted Flood Regulation Line. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the applicant and in reliance of information submitted by the applicant in support thereof.
<b>2.</b>	<b>Section 73 of the Planning Act 2016</b>
	Pursuant to <i>Section 73 of the Planning Act 2016</i> , a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.
<b>3.</b>	<b>Indigenous Cultural Heritage</b>
	<p>The Applicant is advised to ensure that any development obligations pursuant to the provisions of the Aboriginal Cultural Heritage Act 2003, the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i> are complied with in respect to the proposed development. Applicants, developers and landowners have a duty of care under the legislation where items of cultural heritage significance are located, even if those items have not been previously recorded in a database.</p> <p>For more information, the applicant may seek information from the Registered Aboriginal Cultural Heritage Body for the Ipswich Region (Jagera Daran Pty Ltd), the cultural heritage database, or seek the advice of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs.</p>

**Attachment B**  
**Assessment Manager's Conditions**  
**File No: 4739/2019/CA**  
**Location:**  
**197 Taylors Road, WALLOON QLD 4306**  
**213 Taylors Road, WALLOON QLD 4306 (in part)**  
**Proposal:**  
**Reconfiguring a Lot - One (1) Lot into Twelve (12) Lots and New Road**

<b>Assessment Manager (Ipswich City Council) Conditions</b>		
<b>Conditions applicable to this approval under the Planning Act 2016</b>		
<b>No.</b>	<b>Condition</b>	<b>The time by which the condition must be met, implemented or complied with</b>

<b>1.</b>	<b>Basis of Approval</b>	
	<p>This approval incorporates as a condition, the applicant's common material (as defined in <i>Schedule 24 – Dictionary of the Planning Regulation 2017</i>) for the application and adherence to all relevant Council Local Laws and/or the <i>Ipswich Planning Scheme</i> (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval.</p> <p>Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the <i>Planning Act 2016</i>.</p>	From the commencement of the construction of the development and at all times thereafter.
<b>2.</b>	<b>Minor Alterations</b>	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.	At all times after the approval is granted.
<b>3.</b>	<b>Rates in Arrears</b>	
	The applicant must pay any outstanding rates and other expenses as a charge against the land in accordance with the provisions of the <i>Planning Act 2016</i> .	Prior to the assessment manager signing the subdivision plan.
<b>4.</b>	<b>Subdivision Plan</b>	
(a)	The applicant must submit to the assessment manager a subdivision plan (and any associated easement documents) generally in accordance with the approved plans outlined in part 3 of the development permit that includes the requirements in Conditions 4(b) and (c) 'Subdivision Plan' below:	In conjunction with the lodgement of the application to sign the subdivision plan.
(b)	The applicant must grant, free of cost or compensation payable by Council, land for future road widening along	Prior to the assessment manager signing the relevant subdivision



Item 6 / Attachment 3.

	the Taylors Road site frontage in accordance with drawing BRSS7381-030-4-3 prepared by Landpartners and dated 04 June 2019.	plan.
(c)	<p>The applicant must grant, free of cost to or compensation payable by Council, minimum 4.0m wide easements located centrally over proposed stormwater drains (375mm diameter or greater) and overland flow paths, where located within private property.</p> <p>Easements over the alignment of stormwater paths must be of sufficient width to encompass the overland flow from a storm event with an AEP of 1 %.</p> <p><i>Note: In the instance where Council is party to an easement, the documentation associated with that easement may be prepared by Council at the applicant's expense.</i></p>	Prior to the assessment manager signing the relevant subdivision plan.

<b>5.</b>	<b>Requirements before the lots are created under 4739/2019/CA</b>	
	The applicant must complete Stage 1B of the development approved pursuant to Development Approval 3633/2015/RAL dated 3 October 2017.	Prior to the assessment manager signing the subdivision plan.

<b>6.</b>	<b>Locality References</b>	
(a)	<p>The applicant must ensure any place name, estate name or development name used in respect of this development in any form of advertising or communication (excluding a reference to a building, structure or the like and excluding minor, subsidiary signage within a development to Council's satisfaction) must specify the relevant, approved place name under the <i>Place Names Act 1994</i> and must comply with the following:</p> <ul style="list-style-type: none"> <li>(i) be in the same colour, background colour, typeface, font, font characteristics and character spacing as the place/estate/development name</li> <li>(ii) be in lettering at least 50% of the size of the place/estate/development name</li> <li>(iii) be in the same orientation as the place/estate/development name</li> <li>(iv) be in either title case or all in upper case.</li> </ul>	At all times after the approval is granted.
(b)	The applicant must not at any time refer to the location of the site or the development, including the place or estate, as being located in Brisbane or a Brisbane suburb or in the metropolitan area or in the	At all times after the approval is granted.

Item 6 / Attachment 3.

	western suburbs (excluding the western suburbs of Ipswich as determined by Council in writing from time to time).	
<b>7.</b>	<b>Hours of Construction</b>	
	Unless otherwise approved in writing by the assessment manager, construction works must only occur within the hours as defined in <i>Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3.</i>	At all times during construction of the development.
<b>8.</b>	<b>Entry Walls or Features</b>	
(a)	The applicant must not construct entry walls or features on dedicated roads, parks or drainage land.	From the commencement of the construction of the development and at all times thereafter.
(b)	The applicant must ensure that entry walls or features are: <ul style="list-style-type: none"> <li>(i) fully contained on private property</li> <li>(ii) designed in accordance with Implementation Guideline No. 18 – Estate and Directional Signage of the <i>Ipswich Planning Scheme</i>.</li> </ul>	From the commencement of the construction of the development and at all times thereafter.
<b>9.</b>	<b>Fencing</b>	
(a)	A Fencing and Landscape Plan detailing fencing and landscape treatment along Taylors Road and Kinross Drive (to be constructed as part of Development Approval 3633/2015/RAL) must be submitted for the written approval of Council. The plan must be generally in accordance with drawing titled '4.2 Taylors Road Frontage' identified in Part 3 of the development permit and must achieve the following: <ul style="list-style-type: none"> <li>(i) Limited to 1.8m height with a minimum 75% transparency for the top 0.6m to facilitate natural surveillance.</li> <li>(ii) Incorporate low-maintenance landscaping on the road verges adjoining the fence to improve visual presentation.</li> <li>(iii) Incorporate treatment/finish to timber surfaces to prevent fading and discolouration.</li> <li>(iv) Provide details of proposed planting including common and botanical names and height and spread at maturity.</li> </ul>	In conjunction with the lodgement of a development application for operational works.

**Item 6 / Attachment 3.**

(b)	The applicant must provide fencing and landscaping along the southern boundary of proposed Lots 7 - 12, and eastern boundary of proposed Lots 6 – 7 in accordance with the approved Fencing and Landscape Plan required by Condition 9(a) 'Fencing' above.	Prior to the assessment manager signing the subdivision plan.
<b>10.</b>	<b>Access</b>	
	Vehicle access to or from all proposed lots is prohibited from Taylors Road and Kinross Drive (to be constructed as part of Development Approval 3633/2015/RAL).	Prior to the assessment manager signing the relevant subdivision plan and at all times thereafter.
<b>11.</b>	<b>Road and Footpath Hierarchy Plan</b>	
	The applicant must construct road and footpath priorities in accordance with the approved Road and Footpath Hierarchy Plan.	Prior to the assessment manager signing the subdivision plan.
<b>12.</b>	<b>Road Naming</b>	
	The applicant must submit to Council a list of three (3) proposed road names and the corresponding name meanings for any new roads to be opened. If a theme is considered appropriate, an explanation of the theme is to be submitted at the same time. Council reserves the right to accept any or none of the proposed names.	In conjunction with the lodgement of a development application for operational works that creates the related road.
<b>13.</b>	<b>Streetscape Landscaping</b>	
	The applicant must undertake streetscape landscaping in accordance with Council's Ipswich Streetscape Design Guideline 2013.	Prior to the assessment manager signing the subdivision plan.
(b)	A Streetscape Plan must be submitted for the written approval of Council. The plan must be in accordance with Council's Ipswich Streetscape Design Guideline 2013 and must achieve the following: <ul style="list-style-type: none"> <li>(i) Identify the location/ proximity of services within the road reserve.</li> <li>(ii) Provide details of proposed planting including common and botanical names and height and spread at maturity.</li> </ul>	In conjunction with the lodgement of the application for operational works.
<b>14.</b>	<b>Utility Services</b>	
(a)	The applicant must connect the development to reticulated water supply, sewer infrastructure, and underground electricity supply and telecommunication utilities.  Where proposed allotments front existing overhead electricity or telecommunication service, these allotments may connect direct to such service subject	Prior to the assessment manager signing the relevant subdivision plan.

Item 6 / Attachment 3.

	to the approval and requirements of the service provider.	
(b)	The applicant must provide written evidence (e.g. connection certificates) from each particular service provider stating either that the development has been connected to applicable utility service or has a current supply agreement.	Prior to the assessment manager signing the relevant subdivision plan.
(c)	The telecommunication infrastructure must provide two separate lead-in conduits for each allotment that has a land area of 800m <sup>2</sup> or greater.	Prior to the assessment manager signing the relevant subdivision plan.

<b>15.</b>	<b>Roadworks</b>	
(a)	The applicant must construct all internal roads and footpaths to service all proposed allotments.	Prior to the assessment manager signing the relevant subdivision plan.
(b)	The applicant must provide frontage street roadworks for Taylors Road in accordance with Condition 17(c) of Development Approval 3633/2015/RAL dated 30 October 2017.	Prior to the assessment manager signing the subdivision plan.
(c)	The applicant must construct a 1.5m wide footpath extending from the footpath proposed along the northern side of Moray Place required as part of Development Approval 3633/2015/RAL and connecting to the footpath proposed along Kinross Drive. The footpath should be in accordance with Ipswich Planning Scheme, Part 12, Division 5 – Reconfiguring a Lot Code.	Prior to the assessment manager signing the subdivision plan.

<b>16.</b>	<b>Street-lighting</b>	
(a)	The applicant must provide street lighting for all roads, cycleways and pathways for the proposed development.	Prior to the assessment manager signing the relevant subdivision plan.
(b)	Street lighting must be provided on the same side of the street as footpaths, unless otherwise approved by the assessment manager.	Prior to the assessment manager signing the relevant subdivision plan.

<b>17.</b>	<b>Stormwater Management</b>	
	<b>Quantity</b>	
(a)	<p>The applicant must provide all necessary internal and external stormwater drainage to service the development. Such drainage works (except for building gutters and downpipes) must be designed such that the overall drainage system caters for a storm event with an AEP of 1%.</p> <p>In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for that flow which is represented by the difference between the predicted flow from the storm event with an AEP of 1% and the capacity of the pipe</p>	Prior to the assessment manager signing the relevant subdivision plan.

Item 6 / Attachment 3.

	system.	
(b)	<p>The applicant must submit an amended Flood and Stormwater Management Plan (Quantity) taking account of the subject development along with other requirements as outlined in Condition 21 'Stormwater Quantity Management' of the Development Approval 3633/2015/RAL dated 3 October 2017.</p> <p>The Stormwater Management Plan (SMP) must be prepared by a suitably qualified RPEQ experienced in hydrologic and hydraulic engineering. The report must be in accordance with Implementation Guideline 24: Stormwater Management, QUDM, and Planning Scheme Policy 3.</p> <p><u>Note:</u> <i>Ipswich City Council reserves the right to have the SMP independently reviewed at the applicant's expense if warranted.</i></p>	In conjunction with the lodgement of the first operational works application associated with this approval.
(c)	The applicant must undertake all stormwater quantity management works in accordance with the approved SMP as required by Condition 17(b) 'Stormwater Management' above.	Prior to the assessment manager signing the subdivision plan.
(d)	The applicant must provide an allotment drainage system which is designed in accordance with QUDM.	Prior to the assessment manager signing the subdivision plan.
(e)	The applicant must discharge stormwater runoff from all impervious areas to lawful point of discharge in accordance with QUDM.	Prior to the assessment manager signing the subdivision plan.
	<b>Quality</b>	
(f)	The applicant must achieve the water quality objectives outlined in Table 2.3.1 of Planning Scheme Policy 3 General Works of the <i>Ipswich Planning Scheme</i> prior to stormwater runoff discharging from the site.	Prior to the assessment manager signing the subdivision plan and at all times thereafter.

<b>18.</b>	<b>Earthworks</b>	
	The applicant must design and construct all earthworks (including earth retaining structures) in accordance with Planning Scheme Policy 3 – General Works, Part 4 of the <i>Ipswich Planning Scheme</i> .	In conjunction with the lodgement of the application for operational works and during construction.
<b>19.</b>	<b>Municipal Works (Public) Design Standards</b>	
(a)	The applicant must design all municipal works in accordance with Planning Scheme Policy 3 – General Works and Implementation Guidelines 24 and 28 of the <i>Ipswich Planning Scheme</i> .	In conjunction with the lodgement of the application for operational works.
(b)	The applicant must submit to the assessment manager a Dispersive Soil Management Plan (DSMP), prepared by a suitably qualified person in accordance with Council's Implementation Guideline 28 – Dispersive Soil	In conjunction with the lodgement of the application for operational works.



Item 6 / Attachment 3.

	Management of the <i>Ipswich Planning Scheme</i> .	
<b>20.</b>	<b>Design Certifications</b>	
	The applicant must submit to the assessment manager RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.	In conjunction with the lodgement of the application for operational works.
<b>21.</b>	<b>Erosion Control</b>	
	The applicant must provide sufficient grass (or equivalent) cover to prevent both rill and sheet erosion for all unpaved and disturbed areas.	Prior to the assessment manager signing the relevant subdivision plan.
<b>22.</b>	<b>Further Works</b>	
(a)	The applicant must take due regard of all existing services when undertaking works associated with this development.	During the construction of the development and prior to the assessment manager signing the subdivision plan.
(b)	The applicant must alter any services when the relevant authority or assessment manager determines that works associated with this development has an impact upon any existing services.	During the construction of the development and prior to the assessment manager signing the subdivision plan.
(c)	The applicant must reinstate all disturbed verge and open space areas with turf (including provision of topsoil to minimum depth of 50mm).	During the construction of the development and prior to the assessment manager signing the subdivision plan.

**Assessment Manager (Ipswich City Council) Advice**

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

<b>1.</b>	<b>Advertising Signage</b>	
	Unless any advertising devices associated with the proposed use meets the exempt criteria set out in Schedule 9 of the <i>Ipswich Planning Scheme 2006</i> , such signage would require submission to Council of a code assessable development application for operational works – placing an advertising device on premises. For further information please contact the Planning and Development Department on (07) 3810 6888.	
<b>2.</b>	<b>Fire Ants</b>	
(a)	In accordance with the <i>Biosecurity Act 2014</i> and the <i>Biosecurity Regulation 2016</i> , the State of Queensland has implemented movement controls in areas (Fire Ant Biosecurity Zones) of Queensland where the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i> ) has been detected.	
(b)	It is a legal obligation to report any sighting or suspicion of Fire Ants within 24 hours to Biosecurity Queensland on 13 25 23 (24hrs). It should be noted that works involving movements of all materials associated with earthworks (import and export) within a fire ant biosecurity zone is subject to movement controls and failure to comply with the regulatory	

**Item 6 / Attachment 3.**

	provisions is an offence under the Biosecurity Act 2014. The Fire Ant Biosecurity Zones, as well as general information can be viewed on the Department of Agriculture and Fisheries website <a href="http://www.daf.qld.gov.au/fireants">www.daf.qld.gov.au/fireants</a> .
(c)	The land over which you have made a development application is within a Fire Ant Biosecurity Zone. The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact Biosecurity Queensland to investigate the site and for you to implement any necessary matters required prior to the commencement of any works.
<b>3.</b>	<b>Local Government Regulation 2012</b>
	This property may be subject to the provision of Section 116 of the <i>Local Government Regulation 2012</i> . This section of the regulation limits any increase in rates to a predetermined percentage. In accordance with Council's budget and rating resolutions, if the property is sold or reconfigured in any way (eg subdivision, dedication or partial dedication, amalgamation) this benefit will no longer apply. For further information please contact the Ipswich City Council Customer Contact Centre on (07) 3810 6666.
<b>4.</b>	<b>Section 73 of the Planning Act 2016</b>
	Pursuant to <i>section 73 of the Planning Act 2016</i> , a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.
<b>5.</b>	<b>Indigenous Cultural Heritage</b>
	<p>The Applicant is advised to ensure that any development obligations pursuant to the provisions of the Aboriginal Cultural Heritage Act 2003, the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i> are complied with in respect to the proposed development. Applicants, developers and landowners have a duty of care under the legislation where items of cultural heritage significance are located, even if those items have not been previously recorded in a database.</p> <p>For more information, the applicant may seek information from the relevant Registered Aboriginal Cultural Heritage Body for the Ipswich Region the cultural heritage database, or seek the advice of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs.</p>
<b>6.</b>	<b>Flooding</b>
	The subject site is partially inundated by the 1 in 20 development line and the Adopted Flood Regulation Line. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the applicant and in reliance of information submitted by the applicant in support thereof.
<b>7</b>	<b>Section 43(3)(c) Variation Approval that varies the effect of the Planning Scheme</b>
	The proposed lots subject of this approval are subject a Section 43(3)(c) Variation Approval that varies the effect of the Planning Scheme. For further details see Parts 1 - 15 and Attachment A of this approval.

<b>8.</b>	<b>Acronyms and Terms</b>
	Acronyms and terms used in this notice have the following meanings:
(a)	RPEQ - A Registered Professional Engineer of Queensland suitably qualified and experienced in the particular area of expertise required.
(b)	QUDM – The <i>Queensland Urban Drainage Manual (2016 Edition)</i> , produced by the Queensland Department of Environment and Natural Resources
(c)	MUTCD - <i>The Manual of Uniform Traffic Control Devices</i> , published by DTMR
(d)	QUU – Queensland Urban Utilities – trading name of the Central SEQ Distributor-Retailer Authority, providing water and wastewater services to Ipswich City under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>
(e)	DTMR - Department of Transport and Main Roads
(f)	DES – Department of Environment and Science
(g)	DNRME – Department of Natural Resources, Mines and Energy
(h)	DSDIP – Department of State Development, Infrastructure and Planning
(i)	AEP – Annual Exceedance Probability - used to define flood frequency and severity
(j)	AHD - Australian Height Datum (m)
(k)	Internal works - works performed within private property and includes but is not limited to, earthworks, driveways and stormwater management systems.
(l)	External municipal works - works external to the development and located in dedicated public areas, for example existing road or drainage reserve, or private property not owned by the applicant.

<b>9.</b>	<b>Bonds</b>
	Any bonding sought to be approved in relation to development will be considered in accordance with Planning Scheme Policy 3 of the <i>Ipswich Planning Scheme</i> .
	The Bond, Licence Deed and conditions of security payment can be found online at <a href="http://www.ipswichplanning.com.au/development-planning/development-planning-information">http://www.ipswichplanning.com.au/development-planning/development-planning-information</a> . Council's preference is for bonds to be submitted by way of a Bank Guarantee.

<b>10.</b>	<b>Operational Works Submission</b>
	The applicant must submit to the assessment manager all engineering drawings in accordance with the requirements of <i>Ipswich Planning Scheme Policy 2 – Information Local Government May Request</i> . For clarification, where any inconsistency or conflict exists between design standards and other relevant technical publications, Council standards and specifications must take precedence.

<b>11.</b>	<b>Proximity of Earthworks to Adjoining Property</b>
	Where earthworks, including retaining structures, are proposed within 3.0m of the property boundary or are likely to affect adjoining property owners, the applicant must notify the affected property owners in writing, and obtain written comments from them, as detailed in Part 12, Division 15 - Specific Outcome 19 and Note 12.15.4K of the <i>Ipswich Planning Scheme</i> . Written comments from the affected owners (or at least the supporting documentation of notification and consultation with the adjoining property owners to the Council's satisfaction) must be submitted to Council for consideration, in conjunction with any operational works application.

<b>12.</b>	<b>Portable Long Service Leave</b>
	<p>Where the proposed works (civil and landscaping) are valued at \$150,000 or more and match the definition of Building and Construction Industry, the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i> requires that evidence of payment of the Portable Long Service Leave (QLeave) Levy be received by Council as a condition of issuing a development permit for building works, operational works and plumbing and drainage works applications, as defined under the Planning Act 2016.</p> <p>If you require clarification in regard to the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i>, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.</p>
<b>13.</b>	<b>Easement Documentation</b>
	<p>The documentation associated with easements may be prepared by the applicant in a form satisfactory to Council's city solicitor, or the applicant may submit easement plans, only where Council is party to the easements, to Council for the preparation of easement documents at the applicant's expense.</p>
<b>14.</b>	<b>Telecommunication Conduit Infrastructure</b>
	<p>The installation of telecommunication conduit and infrastructure is to be in accordance with the Communications Alliance publication titled <i>Fibre Ready Pit and Pipe Specifications for Real Estate Development Projects (Reference G645:2011)</i> or the Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers where it is triggered by the Australian Government policy on 'Fibre in new developments'.</p>
<b>15.</b>	<b>Road Permit Application</b>
	<p>The applicant is advised to seek a Road Permit approval from Ipswich City Council pursuant to Sections 69 and 75 of the <i>Local Government Act 2009</i> prior to undertaking any physical works within or adjacent to the boundary of the Council-controlled road. These approvals are issued under the <i>Local Government Act 2009</i> and constitute a separate process to seeking a Development Permit issued under the <i>Planning Act 2016</i>.</p> <p>Please contact the Ipswich City Council office for further information via email: <a href="mailto:council@ipswich.qld.gov.au">council@ipswich.qld.gov.au</a> or telephone (07) 3810 6666.</p>
<b>16.</b>	<b>Engineering Analysis</b>
	<p>A detailed engineering analysis of the calculations and drawings, submitted as part of the approval process, has not been undertaken by Council. Neither Council nor council engineers have professionally reviewed or accredited the engineering design and are relying on the expertise and certification of the applicant's RPEQ engineer.</p>

DA No. 4739/2019/CA

## ATTACHMENT B - ANNEXURE A

### INFRASTRUCTURE CHARGES NOTICE

This Infrastructure Charges Notice is issued by Council and relates to charges for the purposes of local government trunk infrastructure networks (transport, public parks and community facilities).



Ipswich City Council

45 Roderick St  
PO Box 191  
Ipswich QLD 4305  
Australia

Tel (07) 3810 6666  
Fax (07) 3810 6731  
Email council@ipswich.qld.gov.au  
Web www.ipswich.qld.gov.au

**Application No:** 4739/2019/CA

**Real Property Description:** Lot 555 M33493  
Lot 329 CH31264 (in part)

**Property Location:** 197 Taylors Road, WALLOON QLD 4306  
213 Taylors Road, WALLOON QLD 4306 (in part)

**Development Approval Details:** In accordance with Section 1 of Development Decision Notice 4739/2019/CA

**Relevant Infrastructure Charges Resolution:** Ipswich City Council Adopted Infrastructure Charges Resolution (No. 1) 2019

**Levied Charge:** \$149,259.00

**Does the maximum adopted charge apply:** No

**Does an Offset or Refund apply:** No

#### Levied Charge Calculation:

Charge Category and Use	Applied Adopted Charge (see Table 1)	Demand	Levied Charge Relief	Levied Charge
Dwelling house (3 or more bedroom dwelling)/lots > 450m <sup>2</sup>	\$3,236.00 Transport	Lots >450m <sup>2</sup> = 12 Lots ≤ 450m <sup>2</sup> = 0  <u>Development Demand</u> <u>12 Lots &gt;450m<sup>2</sup></u> 12 x \$3,236.00 = \$38,832.00 Transport	0%	<b>\$35,596.00</b> Transport  <b>\$108,658.00</b> Public Parks  <b>\$5,005.00</b> Community Facilities
Dwelling house (3 or more	\$9,878.00 Public Parks	12 x \$9,878.00 = \$118,536.00		<b>\$149,259.00</b>



## Item 6 / Attachment 3.

bedroom dwelling)/lots $\leq 450m^2$	\$455.00 Community Facilities	Public Parks  $12 \times \$455.00 = \$5,460.00$ Community Facilities		Total Charge
	Dwelling house (3 or more bedroom dwelling)/lots < $450m^2$	<u>0 Lots &lt; <math>450m^2</math></u>  <u>Demand Credit</u> <u>1 Lot &gt; <math>450m^2</math></u> $1 \times \$3,236.00 = \$3,236.00$ Transport  $1 \times \$9,878.00 = \$9,878.00$ Public Parks  $1 \times \$455.00 = \$455.00$ Community Facilities  <u>Additional Demand</u> $(\$38,832.00 + \$0.00) -$ $\$3,236.00 = \$35,596.00$ Transport  $(\$118,536.00 + \$0.00) -$ $\$9,878.00 = \$108,658.00$ Public Parks  $(\$5,460.00 + \$0.00) -$ $\$455.00 = \$5,005.00$ Community Facilities		
	\$3,236.00 Transport			
	\$9,878.00 Public Parks			
	\$455.00 Community Facilities			

<b>Applied Adopted Charge</b>	See Attachment 1 for an example calculation of the Applied Adopted Charge.
<b><u>Details of Payment</u></b>	
<b>Payment Details:</b>	<p>Payment of the infrastructure charges must be made to Ipswich City Council.</p> <p>It is advised that credit cards, personal and/or company cheques cannot be accepted as payment for the above infrastructure charges. The only acceptable forms of payments are cash (EFT payments included) or bank cheques.</p> <p>The payee must quote the development application reference number when making payment.</p>
<b>Due date for payment</b>	Payment of the levied charges is required when Council approves a plan for the reconfiguration unless otherwise stated in an infrastructure agreement.
<b>Automatic increases of levied charge:</b>	<p>The levied charges outlined in this notice shall be applicable for a period of <b>twelve (12) months from the date of the development approval</b>, and thereafter the levied charges outlined in this notice will be automatically increased, from the date of the charges notice to the date of the payment, by the lesser of the following amounts—</p> <ul style="list-style-type: none"><li>(i) the difference between the levied charge and the maximum adopted charge Council could have levied for the development when the charge is paid;</li><li>(ii) the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the levied charge is levied and ending on the day it is paid.</li></ul> <p>‘3-yearly PPI average’ and ‘PPI’ have the meanings given in the <i>Planning Act 2016</i>.</p>
<b><u>General Information</u></b>	
<b>GST:</b>	GST does not apply to payments or contributions made by developers to Government which relate/s to an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the <i>Planning Act 2016</i> .
<b>Authority for the charge:</b>	The levied charges in this notice are payable in accordance with the <i>Planning Act 2016</i> .
<b>How the charge is calculated:</b>	<p>The levied charge for the development is to be worked out by Council as follows:</p> $LC = ((AC \times AD) - LCR) - D$ <p>Where:</p> <p>LC is the levied charge for the development, which cannot be less than zero.</p> <p>AC is the applied adopted charge for the development.</p> <p>AD is the additional demand for the development.</p> <p>LCR is the levied charge relief for the development.</p> <p>D is the discount for the prescribed financial contribution.</p>
<b>Offsets and refunds</b>	No offset or refund applies to this infrastructure charge notice unless otherwise specified in an infrastructure agreement.
<b>Appeals:</b>	Pursuant to chapter 6, part 1 and schedule 1 of the <i>Planning Act 2016</i> a person may appeal against an infrastructure charges notice.
<b>When this notice stops having effect:</b>	In accordance with section 119(11) of the <i>Planning Act 2016</i> , this notice stops having effect to the extent the development approval stops having effect.
<b>Water and Wastewater Charges</b>	This notice does not include water and wastewater charges. A charge notice for the distributor retailer networks charges will be provided separately by Queensland Urban Utilities.

**ATTACHMENT B - ANNEXURE B****ATTACHMENT 1 – INFRASTRUCTURE CHARGES CALCULATION METHODOLOGY**Table 1: Applied Adopted Charge Residential (RAL with Lots  $\leq 450\text{m}^2$  &  $> 450\text{m}^2$ )

	Walloon				
Network	Charge Area	Charge			
		Lots ≤ 450m <sup>2</sup>	(Proportion of MAC)	Lots > 450m <sup>2</sup>	(Proportion of MAC)
Transport	<i>RD50 – Walloon - Karrabin West</i>	<i>\$3,236.00</i>	<i>N/A</i>	<i>\$3,236.00</i>	<i>N/A</i>
Public Parks	<i>PKW1</i>	<i>\$9,878.00</i>	<i>N/A</i>	<i>\$9,878.00</i>	<i>N/A</i>
Community Facilities	<i>SIW1</i>	<i>\$455.00</i>	<i>N/A</i>	<i>\$455.00</i>	<i>N/A</i>
Local Network Charge	<i>N/A</i>	<b>\$13,569.00</b>	<i>N/A</i>	<b>\$13,569.00</b>	<i>N/A</i>
Water Supply	<i>WT32 - Walloon Zone</i>	<i>\$3,250.00</i>	<i>N/A</i>	<i>\$3,972.00</i>	<i>N/A</i>
Sewerage	<i>SW55 - Walloon/Thagoona</i>	<i>\$4,516.00</i>	<i>N/A</i>	<i>\$5,520.00</i>	<i>N/A</i>
Distributor Retailer Network Charge	<i>N/A</i>	<i>\$7,766.00</i>	<i>N/A</i>	<i>\$9,492.00</i>	<i>N/A</i>
Total Network Charge (NC)		<i>\$21,335.00</i>	<i>N/A</i>	<i>\$23,061.00</i>	<i>N/A</i>
Maximum Adopted Charge		<i>\$29,339.55</i>		<i>\$29,339.55</i>	
Adopted Charge (AC)		<b>\$13,569.00<sup>#</sup></b>		<b>\$13,569.00<sup>#</sup></b>	
Notes	<i>The Total NC is less than the Maximum Adopted Charge and therefore the charge is applied in accordance with the Ipswich Adopted Infrastructure Charges Resolution No. 1 2019</i>				

<sup>#</sup> The AC is LNC/Total NC x MAC

Item 6 / Attachment 4.

RA9-N



Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

SARA reference: 1907-11972 SRA  
Council reference: 4739/2019/CA

2 August 2019

Chief Executive Officer  
Ipswich City Council  
PO Box 1559  
IPWICH QLD 4305  
development@ipswich.qld.gov.au

Attention: Mr Sandeep Nanjappa

Dear Mr Nanjappa

## SARA response—197 and 213-265 Taylors Road, Walloon

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

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning (the department) on 3 July 2019.

### Response

Outcome:	Referral agency response - No requirements  Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application
Date of response:	2 August 2019
Reasons:	The reasons for the referral agency response are in <b>Attachment 1</b>

### Development details

Description:	Development permit	Reconfiguration a lot (one lot into 12 lots) and new road
	Preliminary approval that includes a variation request	Variation application for a material change of use to override the planning scheme
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 2, Item 1 (Planning Regulation 2017)	
	Development application for reconfiguring a lot on premises that is a future state transport corridor	
	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1	

Item 6 / Attachment 4.

1907-11972 SRA

(Planning Regulation 2017)

Preliminary approval for a material change of use on premises that is a future state transport corridor

SARA reference: 1907-11972 SRA  
Assessment Manager: Ipswich City Council  
Street address: 197 and 213-265 Taylors Road, Walloon  
Real property description: Lot 329 on CH31264 and Lot 555 on M33493  
Applicant name: RESIPROP PTY LTD  
Applicant contact details: c/- LandPartners  
PO Box 1399  
Milton QLD 4064  
peter.strain@landpartners.com.au

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 2**.

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

For further information please contact Alana Richardson, A/Planning Officer, on 3432 2408 or via email [IpswichSARA@dsdmip.qld.gov.au](mailto:IpswichSARA@dsdmip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Garth Nolan  
Manager (Planning)

cc RESIPROP PTY LTD, [peter.strain@landpartners.com.au](mailto:peter.strain@landpartners.com.au)

enc  
Attachment 1 - Reasons for referral agency response  
Attachment 2 - Representations provisions



1907-11972 SRA

## **Attachment 1—Reasons for referral agency response**

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

### **The reasons for the department's decision are:**

- The proposed development complies with State code 1: Development in a state-controlled road environment, of the *State Development Assessment Provisions*.

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

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.4), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system.

1907-11972 SRA

## **Attachment 2—Change representation provisions**

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## Development Assessment Rules—Representations about a referral agency response

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

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

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

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

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

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

## **Part 7: Miscellaneous**

### **30 Representations about a referral agency response**

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

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

Doc ID No: A5838310

ITEM: 7  
SUBJECT: COURT ACTION STATUS REPORT  
AUTHOR: ACTING DEVELOPMENT PLANNING MANAGER  
DATE: 11 OCTOBER 2019

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### **EXECUTIVE SUMMARY**

This is a report concerning a status update with respect to current court actions associated with development planning related matters including one other significant matter of dispute that the Planning and Regulatory Services Department is currently involved with.

### **RECOMMENDATION/S**

**That the Interim Administrator of Ipswich City Council resolve:**

**That the report be received and the contents noted.**

### **RELATED PARTIES**

- The related parties, being the appellants associated with any court actions, are detailed in the attachment to this report.

### **ADVANCE IPSWICH THEME**

- Strengthening our local economy and building prosperity
- Managing growth and delivering key infrastructure
- Caring for our community
- Caring for the environment
- Listening, leading and financial management

### **PURPOSE OF REPORT/BACKGROUND**

The following delegations (and associated sub-delegations) contain a requirement for the noting of applications determined by delegated authority:

- Approval of Plans for Springfield
- Determination of Development Applications, Precinct Plans, Area Development Plans and Related Matters
- Exercise the Powers of Council under the *Economic Development Act 2012*
- Implementation of the Planning and Development Program
- Exercise the Powers of Council under *Planning Act 2016*



## LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:

*Local Government Act 2009*

*Planning Act 2016*

*Economic Development Act 2012*

## RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

## FINANCIAL/RESOURCE IMPLICATIONS

There are no resourcing or budget implications associated with this report.



## COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation. In the event that the development applications listed in this report triggered 'impact assessment' pursuant to the Ipswich Planning Scheme, public notification was undertaken as part of the development application process in accordance with any legislative requirements and matters raised in any submissions were addressed in the respective development assessment reports.

## CONCLUSION

The Planning and Regulatory Services Department are currently involved with a number of current court related matters. Attachment 1 to this report provides a current status with respect to these matters.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Court Action Status Report  
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Anthony Bowles

**ACTING DEVELOPMENT PLANNING MANAGER**

I concur with the recommendations contained in this report.

Brett Davey

**ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

***"Together, we proudly enhance the quality of life for our community"***



**Planning and Development Department  
Court Action Status Report  
11 October 2019  
Total Number of Appeals - 7**

*Note: Data is current as at close of business on the previous working day.*

**Planning & Environment Court - 7 Appeal/s**

<b>Appeal No:</b> 473 of 2018	<b>Appeal Date:</b> 9/2/2018	<b>Case Name:</b> HPC Urban Design & Planning Pty Ltd and Bio-Recycle Australia Pty Ltd v/s Ipswich City Council
<b>Solicitor:</b> N/A at this time		<b>Appeal Type:</b> Applicant Appeal
<b>P&amp;D Register No:</b> 139	<b>Application No:</b> 4475/2017/MCU	<b>Applicant:</b> HPC Urban Design & Planning Pty Ltd
<b>Division:</b> 3		<b>Property:</b> 30 Memorial Drive, Swanbank
<b>Appeal Summary:</b> This is an applicant appeal against Council's decision to refuse an application. The MCU application for Special Industry (Extension to an existing Landfill for Non-Putrescible Waste) was refused on the basis of amenity impacts on to adjoining residential areas specifically Ripley Valley.		
<b>Status:</b> Matter heard in court (25 March - 4 April 2019). Awaiting Judgement.		
<b>Appeal No:</b> 945 of 2018	<b>Appeal Date:</b> 14/3/2018	<b>Case Name:</b> Black Ink Architecture Pty Ltd v Ipswich City Council
<b>Solicitor:</b> N/A		<b>Appeal Type:</b> Applicant Appeal
<b>P&amp;D Register No:</b> 140	<b>Application No:</b> 3859/2017/MCU	<b>Applicant:</b> Black Ink Architecture Pty Ltd
<b>Division:</b> 4		<b>Property:</b> 39 Barclay Street, Bundamba 41 Barclay Street, Bundamba 43 Barclay Street, Bundamba
<b>Appeal Summary:</b> This is an applicant appeal against Council's decision to refuse an application. The refusal related to a material change of use - child care centre which was recommended for refusal based on flooding, traffic, and amenity.		
<b>Status:</b> Experts engaged on 8 August 2019. Experts are meeting to discuss if issues can be resolved. JER's to complete report by 6 September 2019. Next court review 11 December 2019		
<b>Appeal No:</b> 1727 of 2018	<b>Appeal Date:</b> 11/5/2018	<b>Case Name:</b> C.B. Developments Australia Pty Ltd v ICC
<b>Solicitor:</b> N/A		<b>Appeal Type:</b> Applicant Appeal
<b>P&amp;D Register No:</b> 141	<b>Application No:</b> 4432/2017/RAL	<b>Applicant:</b> CB Developments Pty Ltd
<b>Division:</b> 2		<b>Property:</b> 12-26 Eugene Street, Bellbird Park Lot 902 Eugene Street, Bellbird Park
<b>Appeal Summary:</b> This is an applicant appeal against Council's decision to refuse an application to reconfigure land into 333 lots plus parkland.		
<b>Status:</b> Without prejudice meeting scheduled for 4 October and a further review is scheduled for 11 October 2019.		

Item 7 / Attachment 1.

**Planning & Environment Court - 7 Appeal/s**

**Appeal No:** 6410 of 2018 **Appeal Date:** 20/9/2018 **Case Name:** Mirvac Queensland Pty Ltd v Ipswich City Council and Home Investment Consortium Company Pty Ltd

**Solicitor:** N/A **Appeal Type:** Originating Application

**P&D Register No:** 144 **Application No:** 911/2018/ADP **Applicant:** Home Investment Consortium Company Pty Ltd

**Division:** 1 **Property:** 95 Southern Cross Circuit, Springfield Central

**Appeal Summary:** This is an originating application seeking a declaration that Council's approval of 11 April 2018 to approve an Area Development Plan is invalid and of no legal effect, or alternatively is to be set aside owing to the approval not being a minor amendment for the purposes of the Springfield Structure Plan.

Council granted an Area Development Plan approval to permit the establishment of a range of Supporting Uses in conjunction with the approved Retail Warehouse. The Supporting Uses were for the display and sale by retail of the goods as identified in the Master Area Development Plan – Toys, Fabrics, haberdashery and home décor, Craft and hobby supplies, Housewares, and Pet products.

**Status:** Matter is set down for a 4 day trial hearing commencing on 4 November 2019.

**Appeal No:** 4457 of 2018 **Appeal Date:** 12/12/2018 **Case Name:** Weyba3 Pty Ltd v Ipswich City Council

**Solicitor:** N/A at this time **Appeal Type:** Applicant Appeal

**P&D Register No:** 147 **Application No:** 7117/2017/CA **Applicant:** WEBYA3

**Division:** 2 **Property:** 45A Ascot Street, Goodna  
45 Ascot Street, Goodna  
16 Redbank Plains Road, Goodna

**Appeal Summary:** This is an applicant appeal against Council's decision to refuse an application. The refusal related to reconfiguring the subject land into 78 residential lots and a material change of use for 78 Single Residential dwellings that are non-compliant with the planning scheme provisions.

**Status:** Order given that experts are to prepare material in respect of a minor change with a further review by the court on 29 October 2019.

**Appeal No:** 939 of 2019 **Appeal Date:** 19/3/2019 **Case Name:** HPC Urban Design & Planning Pty Ltd and Bio-Recycle Australia Pty Ltd v Ipswich City Council

**Solicitor:** Allison Ferres-MacDonald **Appeal Type:** Applicant Appeal

**P&D Register No:** 152 **Application No:** 5601/2004/MAM C/A **Applicant:** Bio-Recycle Australia Pty Ltd

**Division:** 3 **Property:** 30 Memorial Drive, Swanbank

**Appeal Summary:** This is an applicant appeal against Council's decision to refuse a 'Minor Change' application for a combined approval for MCU for an Environmental Recycling Park (Soil Conditioner Manufacturing and Waste Disposal Facility).

The application was refused on the basis that:

- It failed to demonstrate that the proposed development is not in conflict with the Temporary Local Planning Instrument No.1 of 2018 (Waste Activity Regulation).
- It failed to demonstrate that there is a need to extend the life of the existing facility by increasing the landfill height from the approved RL75 to RL80. the proposed changes would result in a substantially different development to that which is currently permitted as they change the ability of the proposed development to operate as intended and introduce new impacts or increase the severity of known impacts including but not limited to visual and environmental nuisances.

**Status:** To be listed for review 14 days after the reasons for judgment are given by the court in appeal 473 of 2018.

**Planning & Environment Court - 7 Appeal/s**

<b>Appeal No:</b> 2473 of 2019	<b>Appeal Date:</b> 25/9/2019	<b>Case Name:</b> Lantrak Property Holdings (Qld) Pty Ltd v Ipswich City Council
<b>Solicitor:</b> N/A		<b>Appeal Type:</b> Applicant Appeal
<b>P&amp;D Register No:</b> 153	<b>Application No:</b> 3343/2018/MCU	<b>Applicant:</b> Lantrak Property Holdings (QLD) Pty Ltd
<b>Division:</b> 10		<b>Property:</b> 272-292 Ipswich-Rosewood Road, Amberley 312 Ipswich Rosewood Road, Amberley 37-89 Mt Elliot Mine Road, Amberley 131-155 Mt Elliot Mine Road, Amberley Lot 198 Unnamed Road, Jeebropilly 460-482 Ipswich Rosewood Road, Jeebropilly Lot 16 Ipswich Rosewood Road, Jeebropilly Lot 17 Ipswich Rosewood Road, Jeebropilly Lot 13 Ipswich Rosewood Road, Jeebropilly 358 Ipswich Rosewood Road, Jeebropilly 316-356 Ipswich-Rosewood Road, Amberley 91-109 Mt Elliot Mine Road, Amberley 111-129 Mt Elliot Mine Road, Amberley 372-406 Ipswich Rosewood Road, Jeebropilly 434-458 Ipswich Rosewood Road, Jeebropilly Lot 199 Unnamed Road, Jeebropilly 410-432 Ipswich Rosewood Road, Jeebropilly Lot 197 Unnamed Road, Jeebropilly Lot 187 Unnamed Road, Amberley Lot 10 Ipswich Rosewood Road, Jeebropilly Lot 12 Ipswich Rosewood Road, Jeebropilly 248 Ipswich-Rosewood Road, Amberley Lot 196 Unnamed Road, Jeebropilly Lot 14 Ipswich Rosewood Road, Jeebropilly Lot 15 Ipswich Rosewood Road, Jeebropilly Lot 11 Ipswich Rosewood Road, Jeebropilly 29-35 Mt Elliot Mine Road, Amberley 226-246 Ipswich Rosewood Road, Amberley
<b>Appeal Summary:</b> This is an applicant initiated deemed refusal appeal. The proposal is for a Material Change of Use for Special Industry (Landfill for on-putrescible Waste and Waste Transfer Station); Environmentally Relevant Activity (ERA) 60 - Waste Disposal; and Environmentally Relevant Activity (ERA) 33 - Crushing, Milling, Grinding or Screening. The due date for Council to make a decision was 13 September 2019 and the due date to issue the decision notice to the applicant was 20 September 2019. On 13 September 2019 the applicant refused Council's request for an extension of time for the decision period and subsequently lodged the deemed refusal appeal before Council was in a position to issue a decision.		
<b>Status:</b> Awaiting directions		

Doc ID No: A5838370

ITEM: 8  
SUBJECT: EXERCISE OF DELEGATION  
AUTHOR: ACTING DEVELOPMENT PLANNING MANAGER  
DATE: 11 OCTOBER 2019

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### **EXECUTIVE SUMMARY**

This is a report concerning applications that have been determined by delegated authority for the period 30 August 2019 to 11 October 2019.

### **RECOMMENDATION/S**

**That the Interim Administrator of Ipswich City Council resolve:**

**That the report be received and the contents noted.**

### **RELATED PARTIES**

There are no related parties associated with the recommendation as the development applications have already been determined.

### **ADVANCE IPSWICH THEME**

- Strengthening our local economy and building prosperity
- Managing growth and delivering key infrastructure
- Caring for our community
- Caring for the environment
- Listening, leading and financial management

### **PURPOSE OF REPORT/BACKGROUND**

The following delegations (and associated sub-delegations) contain a requirement for the noting of applications determined by delegated authority:

- Approval of Plans for Springfield
- Determination of Development Applications, Precinct Plans, Area Development Plans and Related Matters
- Exercise the Powers of Council under the *Economic Development Act 2012*
- Implementation of the Planning and Development Program
- Exercise the Powers of Council under the *Planning Act 2016*



## LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:

*Local Government Act 2009*

*Planning Act 2016*

*Economic Development Act 2012*

## RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

## FINANCIAL/RESOURCE IMPLICATIONS

There are no resourcing or budget implications associated with this report.



## COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation. In the event that the development applications listed in this report triggered 'impact assessment' pursuant to the Ipswich Planning Scheme, public notification was undertaken as part of the development application process in accordance with any legislative requirements and matters raised in any submissions were addressed in the respective development assessment reports.

## CONCLUSION

The Planning and Regulatory Services Department is responsible for the assessment and determination of development applications. Attachment 1 to this report provides a list of development applications that were determined by delegated authority for the period 30 August 2019 to 11 October 2019.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Exercise of Delegations  
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Anthony Bowles

**ACTING DEVELOPMENT PLANNING MANAGER**

I concur with the recommendations contained in this report.

Brett Davey

**ACTING GENERAL MANAGER - PLANNING AND REGULATORY SERVICES**

*"Together, we proudly enhance the quality of life for our community"*



**Development Applications Determined by Delegated Authority  
30 August 2019 to 11 October 2019**

Application No	Type	Application Details	Primary Property Location
<b>ADP Area Development Plan</b>			
10215/2018/ADP	ADP	Area Development Plan to: - Nominate land for Apartment Building, - Permit the Development of an Apartment Building (8 Units); and - Reconfigure 1 Lot into 2 Lots	39 Monterey Circuit, Brookwater
Decision Date - 6/09/2019		Decision - Approved	Authority - Team Co-ordinator East
5475/2019/ADP	ADP	Area Development Plan for an Extension to an Educational Establishment (Centre for Senior Learning and Covered Locker Shelter)	2 Steve Croft Circuit, Springfield
Decision Date - 30/08/2019		Decision - Approved	Authority - Team Co-ordinator East
<b>CA Combined Approval</b>			
3153/2019/CA	CA	Material Change of Use - Business Use (Bulky Goods Sale - 4x4 Equipment and Accessories) and Service/Trades Use (4x4 Accessory Fitting and Vehicle Servicing) Operational Works - Advertising Device (Pylon Sign)	448 Warwick Road, Yamanto
Decision Date - 25/09/2019		Decision - Approved	Authority - Acting Team Co-ordinator Central
4415/2019/CA	CA	Material Change of Use - Business Use (Medical Centre, Shop and Office) Advertising Device - One (1) Double-sided Illuminated Pylon Sign OD - Building Work Not Associated with a Material Change of Use - Other Building Work (Schedule 3 listed building)	11 Bell Street, Ipswich
Decision Date - 13/09/2019		Decision - Approved	Authority - Team Co-ordinator Central
5287/2019/CA	CA	Reconfiguring a Lot - Boundary Realignment [Three Lots (3) into Three (3) Lots Transferable Dwelling Entitlements); and Material Change of Use of Premises - Single Residential Dwelling over proposed Lot 21 (affected by Development Constraints Overlays - Difficult Topography and Bushfire Risk)	22 Lawrence Street, Marburg
Decision Date - 20/09/2019		Decision - Approved	Authority - Senior Planner (Development)
5925/2019/CA	CA	Reconfiguring a Lot - Two (2) Lots into Two (2) Lots Material Change of Use - Single Residential over proposed Lot 12 (affected by Development Constraints Overlays - Underground Mining and Key Resource Area Overlay)	336 Rosewood Laidley Road, Lanefield
Decision Date - 20/09/2019		Decision - Approved	Authority - Senior Planner (Development)
<b>IU Interim Uses</b>			
3068/2018/IU	IU	Earthworks and Clearing Vegetation	7002 Brookwater Drive, Springfield Central
Decision Date - 17/09/2019		Decision - Approved	Authority - Engineering and Environment Manager

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
<b>MCU Material Change of Use</b>			
2598/2019/MCU	MCU	Material Change of Use - General Industry (Truck Depot)	9-13 Jalrock Place, Carole Park
	Decision Date - 4/10/2019	Decision - Approved	Authority - Acting Team Co-ordinator Central
3343/2018/MCU	MCU	Material Change of Use for Special Industry (Landfill for Non-putrescible Waste and Waste Transfer Station), Environmentally Relevant Activity (ERA) 60 - Waste Disposal, and Environmentally Relevant Activity (ERA) 33 - Crushing, Milling, Grinding or Screening	460-482 Ipswich Rosewood Road, Jeebropilly
	Decision Date - 25/09/2019	Decision - Refused - Deemed Refusal	Authority - Team Co-ordinator West
3455/2019/MCU	MCU	Material Change of Use - Business Use - Vehicle Hire Premises	26 Brisbane Road, Bundamba
	Decision Date - 19/09/2019	Decision - Approved	Authority - Acting Team Co-ordinator Central
3642/2019/MCU	MCU	Material Change of Use - Extension to Business Use (Hotel)	22 Queen Street, Goodna
	Decision Date - 17/09/2019	Decision - Approved	Authority - Team Co-ordinator East
4231/2019/MCU	MCU	Material Change of Use - Dual Occupancy	30 Kertes Road, Camira
	Decision Date - 9/09/2019	Decision - Approved	Authority - Senior Planner (Development)
5176/2019/MCU	MCU	Material Change of Use - Business Use (Professional Office)	6 Roderick Street, Ipswich
	Decision Date - 5/09/2019	Decision - Approved	Authority - Senior Planner (Development)
5281/2019/MCU	MCU	Material Change of Use - Business Use - Extension to Hotel	406 Warwick Road And Part Of 35 Deebling Creek Road (Easement B On Sp162695), Yamanto
	Decision Date - 25/09/2019	Decision - Approved	Authority - Acting Team Co-ordinator West
5422/2019/MCU	MCU	Material Change of Use - Single Residential in a Character Area and affected by Development Constraints Overlay (Mining)	27 Macgregor Street, Woodend
	Decision Date - 9/10/2019	Decision - Approved	Authority - Senior Planner (Development)
5985/2019/MCU	MCU	Material Change of Use - Business Use – Hotel (preliminary approval for car parking rate)	7 Milford Street, Ipswich
	Decision Date - 13/09/2019	Decision - Approved	Authority - Team Co-ordinator Central
6470/2019/MCU	MCU	Material Change of Use - Single Residential in a Character Zone	23 Woodford Street, One Mile
	Decision Date - 4/10/2019	Decision - Approved	Authority - Senior Planner (Development)
6472/2019/MCU	MCU	Material Change of Use - Single Residential in a Character Zone	16 Shine Street, One Mile
	Decision Date - 4/10/2019	Decision - Approved	Authority - Senior Planner (Development)
6993/2019/MCU	MCU	Material Change of Use – Service/Trades Use (Extension to Warehouse/Storage Facility)	122 Eagle Street, Redbank Plains
	Decision Date - 26/09/2019	Decision - Approved	Authority - Senior Planner (Development)
7001/2019/MCU	MCU	Material Change of Use - Single Residential affected by a Development Constraints Overlay (Difficult Topography)	301 Tallegalla Two Tree Hill Road, Marburg
	Decision Date - 18/09/2019	Decision - Approved	Authority - Senior Planner (Development)
7161/2019/MCU	MCU	Material Change of Use - Single Residential affected by a Development Constraints Overlay (Mining)	8A Moores Pocket Road, Tivoli
	Decision Date - 20/09/2019	Decision - Approved	Authority - Senior Planner (Development)

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
7178/2019/MCU	MCU	Material Change of Use - Single Residential in a Character Zone and affected by a development constraint overlay (mining)	3A Alice Street, Blackstone
Decision Date - 12/09/2019		Decision - Approved	Authority - Senior Planner (Development)
7698/2019/MCU	MCU	Material Change of Use - Single Residential and Auxiliary Unit in a Character Zone	21A Thurso Street, North Booval
Decision Date - 9/10/2019		Decision - Approved	Authority - Senior Planner (Development)
93/2019/MCU	MCU	Material Change Of Use - General Industry (Truck depot, Landscape supply depot) and Service/Trades Use (Contractor's depot)	540-604 Warrego Highway, North Tivoli
Decision Date - 3/09/2019		Decision - Approved	Authority - Team Co-ordinator Central
<b>MAMC Modification-Change Application Minor</b>			
1721/2018/MAMC/A	MAMC	Change Application - Road Work, Stormwater, Drainage Work and Earthworks	2-10 Henry Street, Brassall
Decision Date - 11/09/2019		Decision - Approved	Authority - Team Co-ordinator Engineering
3105/2016/MAMC/D	MAMC	Minor Change - Reconfiguring a Lot - Five (5) Lots into Ninety-Seven (97) Residential Lots, Three (3) management lots, Five (5) balance lots, One (1) park lot and new roads.	673-675 Karrabin Rosewood Road, Walloon
Decision Date - 30/09/2019		Decision - Approved	Authority - Acting Team Co-ordinator West
4629/2018/MAMC/A	MAMC	Minor Change - Road Work, Drainage Work, Stormwater and Earthworks - Citiswich Stage 1	35-53 Bognuda Street, Bundamba
Decision Date - 12/09/2019		Decision - Approved	Authority - Team Co-ordinator Engineering
5302/2019/MAMC	MAMC	Minor Change - Noxious or Offensive Industry (Fertiliser Manufacturing Plant) Sand and Gravel Depot, Truck Depot & Caretaker's Residential	540-604 Warrego Highway, North Tivoli
Decision Date - 17/09/2019		Decision - Approved	Authority - Team Co-ordinator Central
5627/2016/MAMC/A	MAMC	Minor Change - Material Change of Use - Special Industry involving; Chemical, coal and petroleum products activities, including; - chemical manufacturing, processing or mixing, - fuel burning, - gas and petroleum production, refinement or processing  Waste recycling, reprocessing and disposal, including; - regulated waste recycling, reprocessing, storage and treatment or disposal of tyres, - chemical or oil recycling  Environmentally Relevant Activity (ERA) 7 - Chemical Manufacturing Environmentally Relevant Activity (ERA) 61 - Waste Incineration and Thermal Treatment	191 Whitwood Road, New Chum
Decision Date - 13/09/2019		Decision - Approved	Authority - Team Co-ordinator West
7919/2009/MAMC/A	MAMC	Minor Change - Two (2) Lots Into One Hundred & Fourteen (114) Lots + Balance Lot (Stages 5 & 6 of Six Mile Creek)	7003 Collingwood Drive, Collingwood Park
Decision Date - 27/09/2019		Decision - Approved	Authority - Acting Team Co-ordinator Central

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
<b>MAOC Modification-Change Application Other</b>			
6041/2015/MAOC/A	MAOC	Other Change - Shopping Centre	14 Old Toowoomba Road, One Mile
Decision Date - 16/09/2019		Decision - Approved	Authority - Team Co-ordinator West
<b>MAEXT Modification-Extension Application</b>			
1341/2017/MAEXT/A	MAEXT	Extension to Currency Period Application - Road Works, Stormwater & Earthworks	14 Hill Street, Blackstone
Decision Date - 4/10/2019		Decision - Approved	Authority - Team Co-ordinator Engineering
2455/2015/MAEXT/A	MAEXT	Extension to Currency Period Application - Reconfiguring a Lot - Realignment of boundary to create new road (Cul-de-sac)	10 Morshead Court, Redbank
Decision Date - 2/09/2019		Decision - Approved	Authority - Team Co-ordinator East
2560/2010/MAEXT/B	MAEXT	Extension to Currency Period Application - Citiswich - Stages 4A, 4B & 4C Open Space Sub-Area to Frame Sub-Area in accordance with s242 of the Sustainable Planning Act 2009 Three (3) Lots into Seventeen (16) Lots plus balance lot, drainage reserve and parkland	74 Bognuda Street, Bundamba
Decision Date - 10/09/2019		Decision - Approved	Authority - Team Co-ordinator Central
379/2015/MAEXT/A	MAEXT	Extension to Currency Period Application - Multiple Residential (9 Townhouses)	49 Omar Street, West Ipswich
Decision Date - 27/09/2019		Decision - Approved	Authority - Senior Planner (Development)
3993/2015/MAEXT/B	MAEXT	Extension to Currency Period Application - Road works, Stormwater, Drainage works and Earthworks	48 Monash Road, Redbank
Decision Date - 4/09/2019		Decision - Approved	Authority - Acting Team Co-ordinator Engineering
4137/2013/MAEXT/B	MAEXT	Extension to Currency Period Application - Road Works, Drainage Works & Street Lighting - Citiswich Stage 2	7001 Hoepner Road, Bundamba
Decision Date - 4/10/2019		Decision - Approved	Authority - Team Co-ordinator Engineering
4228/2004/MAEXT/B	MAEXT	Extension to Currency Period Application - One (1) lot into 15 lots	149 Workshops Street, Brassall
Decision Date - 1/10/2019		Decision - Approved	Authority - Senior Planner (Development)
4319/2009/MAEXT/A	MAEXT	Extension to Currency Period Application - Reconfiguring a Lot - Three (3) Lots into Eight (8) Lots + Balance Lot	7001 Hoepner Road, Bundamba
Decision Date - 23/09/2019		Decision - Approved	Authority - Senior Planner (Development)
5085/2016/MAEXT/B	MAEXT	Extension to Currency Period Application - One (1) lot into Two (2) lots	58 Kennedy Drive, Redbank Plains
Decision Date - 11/09/2019		Decision - Approved	Authority - Senior Planner (Development)
5191/2017/MAEXT/A	MAEXT	Extension to Currency Period Application - Carrying out building works not associated with a material change of use (demolition of 20% or less of a Schedule 2 listed building)	42B The Terrace, North Ipswich
Decision Date - 10/10/2019		Decision - Approved	Authority - Senior Planner (Development)
5435/2015/MAEXT/B	MAEXT	Extension to Currency Period Application - Reconfiguring a Lot - One (1) Lot into Two (2) Lots and Dual Occupancy	15 Beatty Street, Coalfalls
Decision Date - 26/09/2019		Decision - Approved	Authority - Senior Planner (Development)
7093/2016/MAEXT/A	MAEXT	Extension to Currency Period Application (One (1) lot into Twenty-Seven (27) lots, New Road & Drainage Reserve)	7001 Swallowtail Street, Rosewood



Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
Decision Date - 1/10/2019	Decision - Approved		Authority - Senior Planner (Development)
8866/2010/MAEXT/B MAEXT		Extension to Currency Period Application - RAL - Three (3) Lots into Seven (7) Lots Preliminary Approval to Override the Planning Scheme Citiswich Estate - Stage 2	7001 Hoepner Road, Bundamba
Decision Date - 5/09/2019	Decision - Approved		Authority - Team Co-ordinator Central
<b>OW Operational Works</b>			
4429/2019/OW	OW	Stormwater	39 Silica Street, Carole Park
Decision Date - 9/09/2019	Decision - Approved		Authority - Acting Team Co-ordinator Engineering
4646/2019/OW	OW	Road Work, Stormwater, Drainage Work, Earthworks, Signage, Clearing vegetation and Retaining walls	21-25 North High Street, Brassall
Decision Date - 3/10/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5005/2019/OW	OW	Road work, Stormwater, Drainage Work, Earthworks and Signage	18-20 Harris Street, Bellbird Park
Decision Date - 9/10/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5040/2019/OW	OW	Road Work, Stormwater Drainage Work and Earthworks	41 Queen Street, Goodna
Decision Date - 4/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5180/2019/OW	OW	Road Work, Stormwater, Drainage Work and Earthworks - Stage 2-1B	35-53 Bognuda Street, Bundamba
Decision Date - 11/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5246/2019/OW	OW	Streetscaping and Internal Landscaping	85 Thornton Street, Raceview
Decision Date - 12/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5453/2019/OW	OW	Earthworks and Clearing Vegetation	7001 Isabella Street, Collingwood Park
Decision Date - 11/09/2019	Decision - Approved		Authority - Acting Team Co-ordinator Engineering
5531/2019/OW	OW	Rate 3 Streetlighting - Cadence Stage 1A	145 Binnies Road, Ripley
Decision Date - 13/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5541/2019/OW	OW	Rate 3 Streetlighting - Kalina Stage 5	7008 Panorama Drive, Springfield
Decision Date - 9/09/2019	Decision - Approved		Authority - Acting Team Co-ordinator Engineering
5542/2019/OW	OW	Rate 3 Streetlighting - Kalina Stage 6	7008 Panorama Drive, Springfield
Decision Date - 11/09/2019	Decision - Approved		Authority - Acting Team Co-ordinator Engineering
5550/2019/OW	OW	Earthworks, Stormwater, Pavement Works & Landscaping Works	86 Raceview Street, Raceview
Decision Date - 10/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5564/2019/OW	OW	Road Work, Stormwater and Earthworks	70 Brisbane Road, East Ipswich
Decision Date - 13/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
5679/2019/OW	OW	Rate 3 Streetlighting - Eden's Crossing Stage 14	7003 Mount Juillerat Drive, Redbank Plains
Decision Date - 16/09/2019	Decision - Approved		Authority - Acting Team Co-ordinator Engineering
5952/2019/OW	OW	Operational Works - Bushland Management Plan	21-25 North High Street, Brassall
Decision Date - 16/09/2019	Decision - Approved		Authority - Team Co-ordinator Environment
6122/2019/OW	OW	Earthworks	143 Aspect Way, Karalee
Decision Date - 9/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering
6127/2019/OW	OW	Earthworks	25 Riversleigh Court, Karalee
Decision Date - 9/09/2019	Decision - Approved		Authority - Team Co-ordinator Engineering

Printed 11 October 2019

Page 5 of 10

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
6498/2019/OW	OW	Landscaping	90 Parkland Drive, Springfield Central
	Decision Date - 13/09/2019	Decision - Approved	Authority - Team Co-ordinator Engineering
6681/2019/OW	OW	Landscaping - Woodlinks Village Stage 16	7001 Collingwood Drive, Collingwood Park
	Decision Date - 16/09/2019	Decision - Approved	Authority - Acting Team Co-ordinator Engineering
6683/2019/OW	OW	Landscaping - Woodlinks Stage 16	7001 Collingwood Drive, Collingwood Park
	Decision Date - 23/09/2019	Decision - Approved	Authority - Team Co-ordinator Engineering
6809/2019/OW	OW	Landscaping	51 Springfield Parkway, Springfield
	Decision Date - 27/09/2019	Decision - Approved	Authority - Team Co-ordinator Engineering
7199/2019/OW	OW	Landscaping	200-204 Jones Road, Bellbird Park
	Decision Date - 3/10/2019	Decision - Approved	Authority - Team Co-ordinator Engineering
<b>OD Other Development</b>			
3004/2019/OD	OD	Advertising Device	51 Springfield Parkway, Springfield
	Decision Date - 13/09/2019	Decision - Approved - Negotiated Decision Approved	Authority - Team Co-ordinator East
4367/2019/OD	OD	Advertising Device - One (1) Pylon Sign	22 Queen Street, Goodna
	Decision Date - 24/09/2019	Decision - Approved	Authority - Team Co-ordinator East
4867/2019/OD	OD	Multiple Advertising Devices	11-13 Commercial Drive, Springfield
	Decision Date - 18/09/2019	Decision - Approved	Authority - Team Co-ordinator East
6777/2019/OD	OD	Carrying out building work not associated with a material change of use - Storage Shed	22 Old Toowoomba Road, One Mile
	Decision Date - 4/09/2019	Decision - Approved	Authority - Senior Planner (Development)
7141/2019/OD	OD	Advertising Device - One (1) LED Sign	86 Raceview Street, Raceview
	Decision Date - 16/09/2019	Decision - Approved	Authority - Senior Planner (Development)
7172/2019/OD	OD	Carrying out building work not associated with a Material change of use - Carport	35 Chubb Street, One Mile
	Decision Date - 6/09/2019	Decision - Approved	Authority - Senior Planner (Development)
7372/2019/OD	OD	Carrying out building work not associated with a material change of use (Shade Structure)	170-174 Cobalt Street, Carole Park
	Decision Date - 26/09/2019	Decision - Approved	Authority - Team Co-ordinator East
7490/2019/OD	OD	Carrying out building work not associated with a material change of use: Carport within an Urban Catchment Flow Path	8 Allan Street, Goodna
	Decision Date - 16/09/2019	Decision - Approved	Authority - Team Co-ordinator East
<b>MAPDA PDA Amendment Application</b>			
2834/2019/MAPDA/AMAPDA		Amendment Application - Priority Development Area Material Change of Use - Plan of Development (Houses and Multiple Residential) Reconfiguring a Lot - Two Hundred and Eighty-Two (282) Lots Operational Works - Bulk Earthworks and Vegetation Clearing	145 Binnies Road, Ripley
	Decision Date - 4/10/2019	Decision - Approved	Authority - Acting Team Co-ordinator West

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
7565/2017/MAPDA/CMAPDA		Amendment Application - PDA Development Permit for a Reconfiguration of a Lot with a Plan of Development in respect of land located at 7001 Rhea de Wit Drive, Ripley, described as part of Lot 901 SP300893	7001 Rhea De Wit Drive, Ripley
Decision Date - 1/10/2019		Decision - Approved	Authority - Acting Team Co-ordinator West
<b>PDA Priority Development Area</b>			
5977/2019/PDA	PDA	Reconfiguring a Lot - Three (3) Lots into Six (6) Lots	7003 Bayliss Road, South Ripley
Decision Date - 9/09/2019		Decision - Approved	Authority - Team Co-ordinator Central
6228/2019/PDA	PDA	Operational Works – Vegetation Clearing Cadence Ripley Trunk Sewer	136-158 Daleys Road, Ripley
Decision Date - 10/10/2019		Decision - Approved	Authority - Team Co-ordinator Environment
<b>RAL Reconfiguring a Lot</b>			
10233/2018/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Three (3) Lots	102-108 Meier Road, Camira
Decision Date - 16/09/2019		Decision - Approved	Authority - Team Co-ordinator East
1987/2019/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Four (4) Lots	66 Bertha Street, Goodna
Decision Date - 10/09/2019		Decision - Approved	Authority - Acting Development Planning Manager
3682/2019/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Two (2) Lots	22 Birdwood Street, North Ipswich
Decision Date - 13/09/2019		Decision - Approved - Negotiated Decision Approved	Authority - Senior Planner (Development)
4404/2019/RAL	RAL	Reconfiguring a Lot - Two (2) Lots into Three (3) Lots and Access Easement	25 Hayes Street, Brassall
Decision Date - 30/08/2019		Decision - Approved	Authority - Senior Planner (Development)
4429/2018/RAL	RAL	Reconfiguring One (1) Lot into Sixteen (16) Twenty-One (21) Lots, plus New Road and Drainage Reserve	228-230 Jones Road, Bellbird Park
Decision Date - 1/10/2019		Decision - Approved - Negotiated Decision Approved	Authority - Acting Team Co-ordinator Central
4717/2019/RAL	RAL	Reconfigure a Lot - One (1) Lot into Three (3) Lots	71 Cudjee Street, Redbank Plains
Decision Date - 19/09/2019		Decision - Approved	Authority - Senior Planner (Development)
4833/2019/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Five (5) Lots and access easement	34-36 Willow Road West, Redbank Plains
Decision Date - 9/10/2019		Decision - Approved	Authority - Team Co-ordinator Central
5257/2019/RAL	RAL	Reconfiguring a Lot - Boundary Realignment - Two (2) into Two (2) Lots	99 Raceview Street, Raceview
Decision Date - 27/09/2019		Decision - Approved	Authority - Senior Planner (Development)
6220/2019/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Two (2) Lots	20 Alice Street, Goodna
Decision Date - 9/10/2019		Decision - Approved	Authority - Senior Planner (Development)
6413/2019/RAL	RAL	Reconfiguring a Lot - One (1) Lot into Two (2) Lots	32-34 Stuart Street, Barellan Point
Decision Date - 9/10/2019		Decision - Approved	Authority - Senior Planner (Development)
7005/2018/RAL	RAL	Reconfiguring a lot - boundary realignment - two (2) lots into two (2) lots	3188 Cunningham Highway, Willowbank
Decision Date - 26/09/2019		Decision - Refused	Authority - Acting Team Co-ordinator West
7128/2019/RAL	RAL	Reconfiguring a Lot - Two (2) Lots into Three (3) Lots	3 Pilny Street, Camira
Decision Date - 6/09/2019		Decision - Approved	Authority - Senior Planner (Development)
<b>NAME Road/Place/Park/Bridge Naming</b>			
1385/2019/NAME/A	NAME	Naming of 1 new road	50 Weedman Street, Redbank

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
Decision Date - 3/10/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
5996/2017/NAME/A	NAME	1 Park Naming Continuation and 1 Road Naming Continuation	7002 Fernbrooke Boulevard, Redbank Plains
Decision Date - 25/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
8209/2016/NAME/A	NAME	Road Naming - Village 15, Springfield Rise	7001 Sinnathamby Boulevard, Springfield Mountain
Decision Date - 19/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
<b>SSP Signing of Subdivision Plan</b>			
1005/2017/SSP/A	SSP	Lot 151 on SP312111	209A Westphalen Drive, Riverview
Decision Date - 18/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
1448/2017/SSP/A	SSP	Lots 8, 600 and 700 on SP303717	7004 Sinnathamby Boulevard, Springfield Central
Decision Date - 11/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
1614/2016/SSP/D	SSP	Lots 101-108, 121-128, 139-146, 157-164 & 600 on SP307452	7001 Baird Circuit, Redbank Plains
Decision Date - 18/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
1837/2007/SSP/S	SSP	Plan of Easements on SP309812	130 Bognuda Street, Bundamba
Decision Date - 6/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
2075/2017/SSP/A	SSP	Lots 1 - 3 on SP311676	24-30 Meier Road, Camira
Decision Date - 4/10/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
2601/2019/SSP/A	SSP	Lots 1 and 2 on SP313451	23 Ishmael Road, Camira
Decision Date - 13/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
3081/2015/SSP/A	SSP	Lots 101 and 102 on SP286242	21 Glen Fairlie Avenue, Redbank Plains
Decision Date - 23/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
3105/2016/SSP/B	SSP	Lots 236-252, 259, 260, 270, 274, 275, 294-299, 808 & 2001 on SP303713 Waterlea - Stage 3B	7001 Rohl Road, Walloon
Decision Date - 10/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
4350/2007/SSP/A	SSP	Lot 3 on SP311797	1061-1099 Karrabin Rosewood Road, Rosewood
Decision Date - 4/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
5477/2019/SSP	SSP	Lots 38-47 & 902 on SP311972 Lots 20-37 on SP311973 Grace Street Estate - Stage 3 & 4	7001 Grace Street, Wulkuraka
Decision Date - 2/10/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
5572/2018/SSP/A	SSP	Lots 1 - 3 on SP268084	353 Brisbane Street, West Ipswich
Decision Date - 30/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
5815/2015/SSP/A	SSP	Lots 20-27 and 200 on SP300858	55-63 Holt Street, Brassall
Decision Date - 4/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
5825/2015/SSP/A	SSP	Standard - Lot 8 on SP309797 Building - Lots 24 & 25 on SP309798	1 Springfield Lakes Boulevard, Springfield Lakes
Decision Date - 9/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
5883/2013/SSP/C	SSP	Lots 42, 43, 45-51, Easements B-G in Lots 45-50 and Easements H and J in Lot 51 on SP291574	7001 Berrigan Street, Redbank Plains
Decision Date - 17/09/2019	Decision - Approved		Authority - Senior Development Planning Compliance Office
683/2016/SSP/B	SSP	Lots 1-4, 6, 7 & 101 on SP309337	7001 Robert Smith Street, Redbank

Printed 11 October 2019

Page 8 of 10

Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
6913/2017/SSP/A	SSP	Decision Date - 3/10/2019 Decision - Approved Lots 19 and 20 on SP303339	Authority - Senior Development Planning Compliance Office 20 River Road, Bundamba
6928/2017/SSP/A	SSP	Decision Date - 9/09/2019 Decision - Approved Lots 1 & 2 on SP310017	Authority - Senior Development Planning Compliance Office 28 Lusitania Street, Newtown
7237/2019/SSP	SSP	Decision Date - 12/09/2019 Decision - Approved Plan of New Road SP312646	Authority - Senior Development Planning Compliance Office 10-12 Boscawan Crescent, Bellbird Park
7348/2019/SSP	SSP	Decision Date - 9/09/2019 Decision - Approved Lot 8 on SP309797	Authority - Senior Development Planning Compliance Office 29/1 Springfield Lakes Boulevard, Springfield Lakes
7349/2019/SSP	SSP	Decision Date - 9/09/2019 Decision - Approved Lots 24 & 25 on SP309798	Authority - Senior Development Planning Compliance Office 29/1 Springfield Lakes Boulevard, Springfield Lakes
7924/2009/SSP/B	SSP	Decision Date - 9/09/2019 Decision - Approved Lots 337-412, 804, 805, 906 & 1000 on SP308450 Stage 7	Authority - Senior Development Planning Compliance Office 133 Mullins Street, Collingwood Park
8209/2016/SSP/F	SSP	Decision Date - 11/09/2019 Decision - Approved Lots 1550-1567, 4100, 9021 and 9022 on SP307625	Authority - Senior Development Planning Compliance Office 7002 Dublin Avenue, Spring Mountain
9599/2018/SSP/A	SSP	Decision Date - 13/09/2019 Decision - Approved Lots 20 & 21 on SP313102	Authority - Senior Development Planning Compliance Office 108 Dances Road, Mount Marrow
		Decision Date - 4/10/2019 Decision - Approved	Authority - Senior Development Planning Compliance Office
<b>SSPRV Signing of Subdivision Plan (Ripley)</b>			
40/2015/SSPRV/S	SSPRV	Lots of 1447-1454, 1464-1473, 1566-1572, 1575-1577, 7042 on SP304372	111-167 Barrams Road, South Ripley
		Decision Date - 5/09/2019 Decision - Approved	Authority - Senior Development Planning Compliance Office
7932/2019/SSPRV	SSPRV	Lots 4731 and 4732 on SP305235	116 Joy Chambers Circuit, Ripley
		Decision Date - 9/10/2019 Decision - Approved	Authority - Senior Development Planning Compliance Office
8317/2016/SSPRV/A	SSPRV	Lots 1 & 372 on SP313100	65 Mcguires Hut Road, South Ripley
		Decision Date - 24/09/2019 Decision - Approved	Authority - Team Co-ordinator Development Compliance
<b>SPSR Superseded Planning Scheme Request</b>			
6637/2019/SPSR	SPSR	Superseded Planning Scheme Request - Thirteen (13) Lots - Dwelling and Auxiliary Unit	1 Meiklejohn Circuit, Collingwood Park
		Decision Date - 3/09/2019 Decision - Approved	Authority - Senior Planner (Development)
7474/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential Dwelling with Auxiliary Unit	5 Jones Street, Bundamba
		Decision Date - 2/10/2019 Decision - Approved	Authority - Senior Planner (Development)
7636/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential Dwellings with Auxiliary Units	103-107 Willow Road, Redbank Plains
		Decision Date - 27/09/2019 Decision - Approved	Authority - Senior Planner (Development)
7637/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential Dwellings with Auxiliary Units	109-115 Willow Road, Redbank Plains
		Decision Date - 27/09/2019 Decision - Approved	Authority - Senior Planner (Development)
7693/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential with Auxiliary Unit	74 Mullins Street, Redbank Plains



Item 8 / Attachment 1.

Application No	Type	Application Details	Primary Property Location
Decision Date - 10/10/2019		Decision - Approved	Authority - Senior Planner (Development)
7890/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential with Auxiliary Unit x	24 Marginson Street, Leichhardt
Decision Date - 27/09/2019		Decision - Approved	Authority - Senior Planner (Development)
7912/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential with Auxiliary Unit	14-16 Samantha Street, Redbank Plains
Decision Date - 1/10/2019		Decision - Approved	Authority - Senior Planner (Development)
8027/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential with Auxiliary Unit	6 Weldon Street, North Ipswich
Decision Date - 9/10/2019		Decision - Approved	Authority - Senior Planner (Development)
8066/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential Dwelling with Auxiliary Unit	33 Conifer Avenue, Brassall
Decision Date - 9/10/2019		Decision - Approved	Authority - Senior Planner (Development)
8175/2019/SPSR	SPSR	Superseded Planning Scheme Request - Single Residential	7001 Rangeview Drive, Flinders View
Decision Date - 9/10/2019		Decision - Approved	Authority - Senior Planner (Development)