

## GROWTH INFRASTRUCTURE AND WASTE COMMITTEE LATE REPORTS

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\*\* Item includes confidential papers

**GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 1**

**9 FEBRUARY 2023**

LATE REPORTS

**MATTER TO BE RESOLVED UNDER DELEGATION**

**(in accordance with section 257(1)(c) of the *Local Government Act 2009*, the Growth, Infrastructure and Waste Committee has been delegated power to make decisions on behalf of Council for decisions made under the *Planning Act 2016* and *Economic Development Act 2012*)**

8. **DEVELOPMENT APPLICATION (17522/2021/PDA) RECOMMENDATION - PROPOSED COMMUNITY USE (CHILD CARE CENTRE) AT 7001 GRAMPIAN DRIVE, DEEBING HEIGHTS**

This is a report concerning a development application seeking a Material Change of Use approval for a Community Use (Child Care Centre) over land at 7001 Grampian Drive, Deebing Heights. Specifically, this report is a follow up to a report presented to the Growth Infrastructure and Waste Committee (GIWC) meeting held on 13 October 2022 (Attachment 1) and details the steps that have been taken since that meeting including the outcome of the Council recommendations to consult with the Minister for Economic Development Queensland (EDQ) and the Minister for Police and Corrective Services about the development application.

Having now undertaken further consultation with external parties including the Minister for Economic Development Queensland (EDQ) and the Minister for Police and Corrective Services, it is recommended that the proposed Community Use (Child Care Centre) be approved subject to conditions.

**RECOMMENDATION**

- A. That Council approve Development Application No. 17522/2021/PDA, being the Material Change of Use for Community Use (Child Care Centre), subject to conditions as contained in Attachment 2 of this report.

**Statement of Reasons**

Council has reached its position having regard to the confirmation that the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) are satisfied that cultural heritage matters have been addressed through the obligations under the Aboriginal Cultural Heritage Act 2003. The Queensland Police Service (QPS) Report has confirmed the results of the analysis of the bone fragments found near the subject site were of non-human origin and the advice from Economic Development Queensland (EDQ) that they have considered the assessment of cultural heritage matters and they are satisfied that matters relating to cultural heritage have been appropriately addressed. This has been reflected in the following correspondence.

- The Correspondence dated 18 November 2022 from the Assistant Commissioner, Queensland Police Service.
- The Correspondence dated 16 December 2022 from the Minister for Economic Development Queensland.
- The Correspondence dated 22 December 2022 from the Executive Director Planning Services of Economic Development Queensland.

Doc ID No: A8628322

*This matter has been determined to be of a significant nature and approval has been given to refer this report to the Growth Infrastructure and Waste Committee as a late item.*

ITEM: 8

SUBJECT: DEVELOPMENT APPLICATION (17522/2021/PDA) RECOMMENDATION -  
PROPOSED COMMUNITY USE (CHILD CARE CENTRE) AT 7001 GRAMPIAN DRIVE,  
DEEBING HEIGHTS

AUTHOR: SENIOR PLANNER (DEVELOPMENT)

DATE: 1 FEBRUARY 2023

### **EXECUTIVE SUMMARY**

This is a report concerning a development application seeking a Material Change of Use approval for a Community Use (Child Care Centre) over land at 7001 Grampian Drive, Deebing Heights. Specifically, this report is a follow up to a report presented to the Growth Infrastructure and Waste Committee (GIWC) meeting held on 13 October 2022 (Attachment 1) and details the steps that have been taken since that meeting including the outcome of the Council recommendations to consult with the Minister for Economic Development Queensland (EDQ) and the Minister for Police and Corrective Services about the development application.

Having now undertaken further consultation with external parties including the Minister for Economic Development Queensland (EDQ) and the Minister for Police and Corrective Services, it is recommended that the proposed Community Use (Child Care Centre) be approved subject to conditions.

### **RECOMMENDATION/S**

- A. That Council approve Development Application No. 17522/2021/PDA, being the Material Change of Use for Community Use (Child Care Centre), subject to conditions as contained in Attachment 2 of this report.**

#### **Statement of Reasons**

**Council has reached its position having regard to the confirmation that the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) are satisfied that cultural heritage matters have been addressed through the obligations under the Aboriginal Cultural Heritage Act 2003. The Queensland Police Service (QPS) Report has confirmed the results of the analysis of the bone fragments found near the subject site were of non-human origin and the advice from Economic Development Queensland (EDQ) that they have considered the assessment of cultural heritage matters and they are satisfied that matters relating to cultural heritage have been appropriately addressed. This has been reflected in the following correspondence.**

- **The Correspondence dated 18 November 2022 from the Assistant Commissioner, Queensland Police Service.**
- **The Correspondence dated 16 December 2022 from the Minister for Economic Development Queensland.**
- **The Correspondence dated 22 December 2022 from the Executive Director Planning Services of Economic Development Queensland.**

#### **RELATED PARTIES**

- Applicant - Otiosum Pty Ltd C/- LandPartners
- Owner – A V Jennings Properties Limited
- Relevant Consultants:
  - Planning Consultant – LandPartners
  - Engineering Services Consultant – Milanovic Neale Consulting Engineers
  - Architectural Design Consultants – Verve Building Design Co.
  - Traffic Consultant – Holland Traffic Consulting Pty Ltd
  - Acoustics – Decibell Consulting Pty Ltd.
  - Stormwater Consultant – Milanovic Neale Consulting Engineers
  - Landscape Consultant – Andrew Gold Landscape Architecture
  - Public Notification Consultant – Real Property Signs

#### **IFUTURE THEME**

Vibrant and Growing

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

<b>APPLICANT:</b>	Otiosum Pty Ltd C/- LandPartners
<b>OWNER:</b>	AV Jennings Properties Limited
<b>EXISTING OR PROPOSED TRADING NAMES:</b>	Unknown
<b>PDA APPLICATION NO:</b>	17522/2022/PDA
<b>AREA:</b>	<ul style="list-style-type: none"><li>▪ Parent lot being 7001 Grampian Drive, Deebing Heights – 28.35ha</li></ul>

**STATE INTERESTS/**

- Development lot being proposed Multiple Residential (24 units) Lot of Development Approval 7787/2008/MAMC/A – 0.59ha

Economic Development Queensland (EDQ) of  
Department of State Development, Infrastructure,  
Local Government and Planning

**EXISTING USE:**

Vacant land

**PREVIOUS RELATED APPROVALS  
AND ENDORSEMENTS:**

- 7787/2008/MAMC/A – Minor Change Application - Variation Approval (Material Change of Use for Variation Request to the Planning Scheme to allow for single residential, multiple residential and shopping centre uses on Lot 196 S3157); and Reconfiguration of a Lot - One (1) lot into 137 lots (including six (6) multiple residential project lots and one (1) shopping centre project lot), new roads, linear open space and drainage reserve
- 24/2013/PDA - Material Change of Use approval for Shopping Centre
- 10157/2018/PDA - Reconfiguring a Lot - One (1) Lot into Eighty-One (81) Lots, One (1) Drainage Reserve Lot, New Roads and Linear/Corridor Park, and Material Change of use - Plan of Development (POD) for a House on Eighty-One (81) lots

**DATE RECEIVED:**

27 October 2021

**DECISION PERIOD START DATE:**

26 August 2022

**EXPECTED DETERMINATION DATE:**

24 October 2022

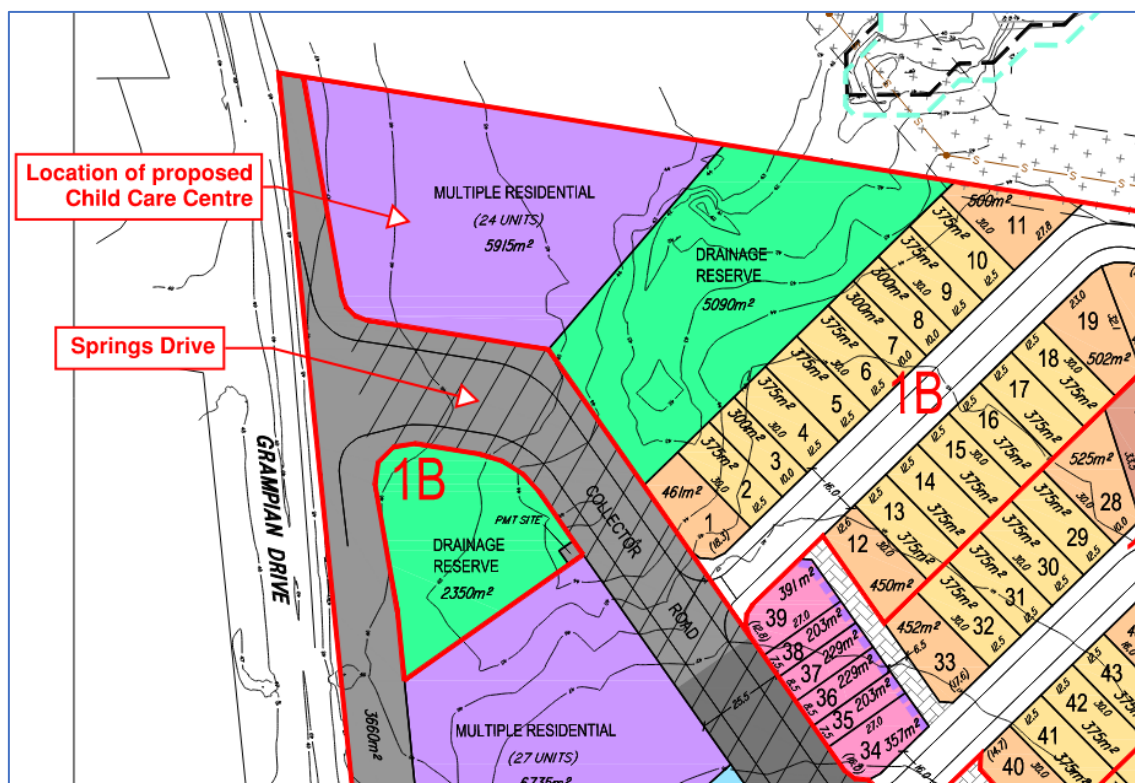
LOCALITY PLANS:



Location Plan



Location Plan



Extract of approved subdivision layout pursuant to Development Approval 7787/2008/MAMC/A illustrating proposed 'Multiple Residential (24 units) Lot'

## **ACTIONS ARISING FROM 13 OCTOBER 2022 GIWC MEETING**

At the GIWC meeting held on 13 October 2022, Council Planning Officers had originally recommended that the Council approve Development Application No. 17522/2021/PDA, however the Council made the following alternative recommendations as contained in Attachment 3:

- A.** That Council inform the Minister that Council is considering a refusal for Application No. 17522/2021/PDA and inform Economic Development Queensland (EDQ) and await direction on the matter.
- B.** That it be noted that Council is considering refusal of the application on the basis of cultural heritage issues.
- C.** That Ipswich City Council write to the Minister for Police and Corrective Services Hon Mark Ryan MP to request that the relevant Queensland Police Service (QPS) report in relation to the investigation of the property the subject of Application No. 17522/2021/PDA be made available for public viewing.

## **COMMUNITY AND OTHER CONSULTATION**

### Consultation with the Minister for Economic Development Queensland (EDQ)

As per the Council recommendations, the CEO issued correspondence to the Deputy Premier Steven Miles (also Minister for EDQ) (Attachment 4) to which a response was received on 16 December 2022 (Attachment 5).

The response included the following advice:

- The Deputy Premier notes that the committee report titled "Development Application (175822/2021/PDA) Recommendation" (Doc ID No. A8311240), concluded that the proposed Child Care Centre would not impact on aboriginal cultural heritage values, and further, that these matters are managed under the *Aboriginal Cultural Heritage Act 2003*;
- The Deputy Premier notes that the Queensland Police Service's report referred to in the Council's committee report concluded that the bones were not of human origin, and that the report is now publicly available and accessible through the Council's website;
- The Deputy Premier understands that the Council has taken steps to inform itself more fully in relation to above mentioned matters and intends to consider the application further having regard to this information;
- Council should advise the Department of State Development, Infrastructure, Local Government and Planning, when the date for reconsideration of the application is available; and
- In accordance with the Instrument of Delegation and Direction dated 17 October 2019 from the Minister for Economic Development Queensland (MEDQ) to the

Ipswich City Council, that Council advise the Minister prior to making its decision should the Council still intend to refuse the subject development application.

Upon receiving the Deputy Premiers Response, Council officers sought further clarification from EDQ, to which the Executive Director Planning Services of Economic Development Queensland provided further advice to the General Manager (Planning and Regulatory Services) via correspondence dated 22 December 2022 (Attachment 6). The response included the following further advice:

- EDQ consulted with the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) and reviewed the Queensland Police Service (QPS) Report relating to the investigation surrounding the bone fragments found in proximity to the subject site;
- DSDSATSIP reconfirmed their position to EDQ that cultural heritage matters are addressed through the obligations under the *Aboriginal Cultural Heritage Act 2003*; This advice was included in the previous approval over the site (ICC application reference 7787/2008/MAMC/A and 10157/2018/PDA);
- QPS Report confirmed the results of the analysis of the bone fragments found near the subject site were of non-human origin; and
- EDQ has considered the assessment of cultural heritage matters and is satisfied that matters relating to cultural heritage have been appropriately addressed.

#### Consultation with the Minister for Police and Corrective Services

As per the Council recommendations, the CEO issued correspondence to the Minister for Police and Corrective Services (Attachment 7), to which a formal response was received on 18 November 2022 (Attachment 8). As part of the response, Council was provided a copy of an Anthropological Case Report as dated 17 August 2022 relating to the skeletal remains that had been located on the development site.

The Anthropological Case Report that was provided to Council (and now placed on the public record) has been compiled by an officer of the Forensic Services Group, Queensland Police Service. This report was prepared following an examination of a series of photographic images including 42 images representing four (4) bones and 64 images representing approximately ten (10) larger fragments and multiple smaller fragments. The report reached the following conclusions:

- Two (2) of the skeletal remains were not human and are most likely pig bones;
- Unable to form an opinion on the species of origin of the other two (2) bony elements due to their fragmentary nature and lack of surface detail;
- Some of the images illustrated objects most of which couldn't be identified as osseous or bone material. Many of these appear to be consistent with stone or fossilized osseous material;
- Some of the images of the skeletal material is determined to be not human but consistent with wallaby bones; and
- No physical examination of the skeletal remains was undertaken.

It is noted that the Anthropological Case Report was peer reviewed by a Senior Lecturer in Human Anatomy (University of Sydney) and NSW State Forensic Anthropologist on 17 August 2022.

#### Consultation with Other Relevant Parties

Since the GIWC meeting held on 13 October 2022, Councillors and Officers have also engaged with a number of other external parties to help better understand the cultural heritage matters that exist in and around the development site. This has included consultation with developers and the Yuggera Ugarapul People (YUP). As a result, Council has been provided with a number of supporting documents including Fact Sheets and FAQ's to help guide the decision-making process (Attachment 9).

A number of Jarjumbah Protection Site Representatives were also invited to meet with the Mayor and Councillors along with Council Officers. At this meeting, the Jarjumbah Protection Site Representatives raised some concerns and issues in relation to the development on the site. These matters have subsequently been addressed (Attachment 10).

#### Cultural Heritage Management Plan (CHMP)

Any land user can develop and seek approval for a CHMP under the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* (the Cultural Heritage Acts).

A CHMP is an agreement between a land user (sponsor) and Traditional Owners (endorsed party) developed under Part 7 of the Cultural Heritage Acts. The CHMP explains how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander cultural heritage.

A CHMP must be developed and approved under Part 7 of the legislation when an environmental impact statement is required for a project. However, any land user can voluntarily develop and seek to have a CHMP approved, even when there is no legal requirement to do so. The advantage of developing a CHMP voluntarily is it allows the land user to address cultural heritage with certainty and within a statutory timeframe.

The current owners (AV Jennings Pty Ltd) of the parent lot have agreed on a CHMP with YUP and the CHMP has been endorsed and registered with Queensland Government's Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) in May 2019. Council has been advised that the subject CHMP is a confidential document and at the stage a copy has not been made available for review by Council Officers.

#### **LEGAL IMPLICATIONS**

This report and its recommendations are consistent with the following legislative provisions: *Economic Development Act 2016*.

## **POLICY IMPLICATIONS**

Not applicable

## **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.
- This Ripley Valley Priority Development Area (PDA) development application has been assessed pursuant to the *Economic Development Act 2012* under the current Instrument of Delegation and Direction from the Minister for Economic Development Queensland (MEDQ) to Ipswich City Council.

As per the current Instrument of Delegation and Direction, if Council is inclined to recommend refusal of this development application, it must notify MEDQ in writing before any final decision is made and then comply with any further direction from MEDQ. This has been reiterated by the Deputy Premier in his correspondence dated 16 December 2022.

This is an important aspect to be considered if Council recommends refusal of the proposal as MEDQ may still provide a direction that is contrary to such a recommendation upon reviewing the facts and circumstances.

## **FINANCIAL/RESOURCE IMPLICATIONS**

This report relates to Council acting in its capacity as MEDQ Delegate to assess Ripley Valley PDA development applications. The development application fee was paid to cover Council's costs in this regard and as such there are no financial or resource implications associated with this report.











## **HUMAN RIGHTS IMPLICATIONS**

Refer GIWC report (Doc ID No: A8311240) dated 19 September 2022 relating to Development Application No. 17522/2021/PDA.

## **CONCLUSION**

An assessment of the proposal as described above has been undertaken. Having considered the further advice received from the Minister for Economic Development Queensland (EDQ), the Executive Director Planning Services of Economic Development Queensland and the Assistant Commissioner, Queensland Police Service (QPS) it has been determined that the Material Change of Use for a Community Use (Child Care Centre) over 7001 Grampian Drive, Deebling Heights complies with the assessment benchmarks or can be conditioned to comply. It is therefore recommended that the development application be decided in accordance with the recommendation and attachments of this report.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	17522/2021/PDA - Original Officers Report presented to the Growth Infrastructure and Waste Committee (GIWC) Meeting held on 13 October 2022 <a href="#">↓</a> 
2.	17522/2021/PDA - PDA Decision Notice Approval (DRAFT) <a href="#">↓</a> 
3.	17522/2021/PDA - GIWC Meeting Minutes from 13 October 2022 - Including Alternative Council Recommendation <a href="#">↓</a> 
4.	17522/2021/PDA - CEO correspondence to the Deputy Premier (also Minister for EDQ) <a href="#">↓</a> 
5.	17522/2021/PDA - Deputy Premier (also Minister for EDQ) Response <a href="#">↓</a> 
6.	17522/2021/PDA - Executive Director Planning Services of EDQ Response <a href="#">↓</a> 
7.	17522/2021/PDA - CEO correspondence to Minister for Police and Corrective Services <a href="#">↓</a> 
8.	17522/2021/PDA - Queensland Police Services (QPS) Response <a href="#">↓</a> 
9.	17522/2021/PDA - AV Jennings Presentation (Deebling FAQ and Everick Heritage correspondence) <a href="#">↓</a> 
10.	17522/2021/PDA - Actions from meeting with Jarjumbah Protection Site Representatives <a href="#">↓</a> 

Sandeep Nanjappa  
**SENIOR PLANNER (DEVELOPMENT)**

I concur with the recommendations contained in this report.

Michael Simmons  
**DEVELOPMENT ASSESSMENT WEST MANAGER**

I concur with the recommendations contained in this report.

Anthony Bowles  
**MANAGER, DEVELOPMENT PLANNING**

I concur with the recommendations contained in this report.

Peter Tabulo  
**GENERAL MANAGER PLANNING AND REGULATORY SERVICES**

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

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE  
MEETING AGENDA

13 OCTOBER  
2022

Doc ID No: A8311240

ITEM: 2

SUBJECT: DEVELOPMENT APPLICATION (17522/2021/PDA) RECOMMENDATION -  
PROPOSED COMMUNITY USE (CHILD CARE CENTRE) AT 7001 GRAMPPIAN DRIVE,  
DEEBING HEIGHTS

AUTHOR: SENIOR PLANNER (DEVELOPMENT)

DATE: 19 SEPTEMBER 2022

EXECUTIVE SUMMARY

This is a report concerning a development application seeking a Material Change of Use approval for a Community Use (Child Care Centre) over land at 7001 Grampian Drive, Deebing Heights.

The application requires determination by Council in accordance with the *Framework for Development Applications and Related Activities Policy*, as more than 20 submissions objecting to the proposed development have been received.

The development application has been assessed pursuant to the *Economic Development Act 2012* under the current Instrument of Delegation from the Minister for Economic Development Queensland (MEDQ) to Ipswich City Council.

The subject site is within the declared Ripley Valley Priority Development Area (PDA) and is assessable against the Ripley Valley Development Scheme (RVDS) pursuant to the *Economic Development Act 2012*, instead of the Ipswich Planning Scheme. It should be noted that the RVDS may apply a provision of the Ipswich Planning Scheme, however the RVDS prevails to the extent of any inconsistency with the Ipswich Planning Scheme.

The proposed development has been assessed in relation to the applicable assessment benchmarks. The proposed Community Use (Child Care Centre) generally complies with the assessment benchmarks or can be conditioned to comply.

RECOMMENDATION/S

That Council approve Development Application No. 17522/2021/PDA, being the Material Change of Use for Community Use (Child Care Centre), subject to conditions as contained in Attachment 1 of this report.

RELATED PARTIES

The related parties to this application are:

- Applicant - Otiosum Pty Ltd C/- LandPartners
- Owner – A V Jennings Properties Limited

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE  
MEETING AGENDA

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- Relevant Consultants:
  - Planning Consultant – LandPartners
  - Engineering Services Consultant – Milanovic Neale Consulting Engineers
  - Architectural Design Consultants – Verve Building Design Co.
  - Traffic Consultant – Holland Traffic Consulting Pty Ltd
  - Acoustics – Decibell Consulting Pty Ltd.
  - Stormwater Consultant – Milanovic Neale Consulting Engineers
  - Landscape Consultant – Andrew Gold Landscape Architecture
  - Public Notification Consultant – Real Property Signs

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

SITE ADDRESS:	7001 Grampian Drive, Deebing Heights <i>{specifically, over proposed 'Multiple Residential (24 units)' Lot of Development Approval 7787/2008/MAMC/A}</i>
PDA APPLICATION TYPE:	Priority Development Area Material Change of Use
PROPOSAL:	Community Use (Child Care Centre)
PDA DEVELOPMENT SCHEME ZONE:	Urban Living Zone
PDA DEVELOPMENT OVERLAYS:	<ul style="list-style-type: none"><li>§ OV1 – Bushfire Risk Area and Transitional Bushfire Risk Area;</li><li>§ OV5 – Adopted Flood Regulation Line (AFRL)</li><li>§ OV7A – Building Height Restriction Area 45m and Transitional Surface;</li><li>§ OV7B – 8km Existing Committed Urban Townships Buffer</li></ul>
APPLICANT:	Otiosum Pty Ltd C/- LandPartners
OWNER:	AV Jennings Properties Limited
EXISTING OR PROPOSED TRADING NAMES:	Unknown
PDA APPLICATION NO:	17522/2022/PDA
AREA:	<ul style="list-style-type: none"><li>§ Parent lot being 7001 Grampian Drive, Deebing Heights – 28.35ha</li><li>§ Development lot being proposed Multiple Residential (24 units) Lot of Development Approval 7787/2008/MAMC/A – 0.59ha</li></ul>
STATE INTERESTS/	Economic Development Queensland (EDQ) of Department of State Development, Infrastructure, Local Government and Planning
EXISTING USE:	Vacant land

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE  
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- PREVIOUS RELATED APPROVALS AND ENDORSEMENTS:
- § 7787/2008/MAMC/A – Minor Change Application - Variation Approval (Material Change of Use for Variation Request to the Planning Scheme to allow for single residential, multiple residential and shopping centre uses on Lot 196 S3157); and Reconfiguration of a Lot - One (1) lot into 137 lots (including six (6) multiple residential project lots and one (1) shopping centre project lot), new roads, linear open space and drainage reserve
  - § 24/2013/PDA - Material Change of Use approval for Shopping Centre
  - § 10157/2018/PDA - Reconfiguring a Lot - One (1) Lot into Eighty-One (81) Lots, One (1) Drainage Reserve Lot, New Roads and Linear/Corridor Park, and Material Change of use - Plan of Development (POD) for a House on Eighty-One (81) lots
- DATE RECEIVED: 27 October 2021
- DECISION PERIOD START DATE: 26 August 2022
- EXPECTED DETERMINATION DATE: 24 October 2022

LOCALITY PLAN:

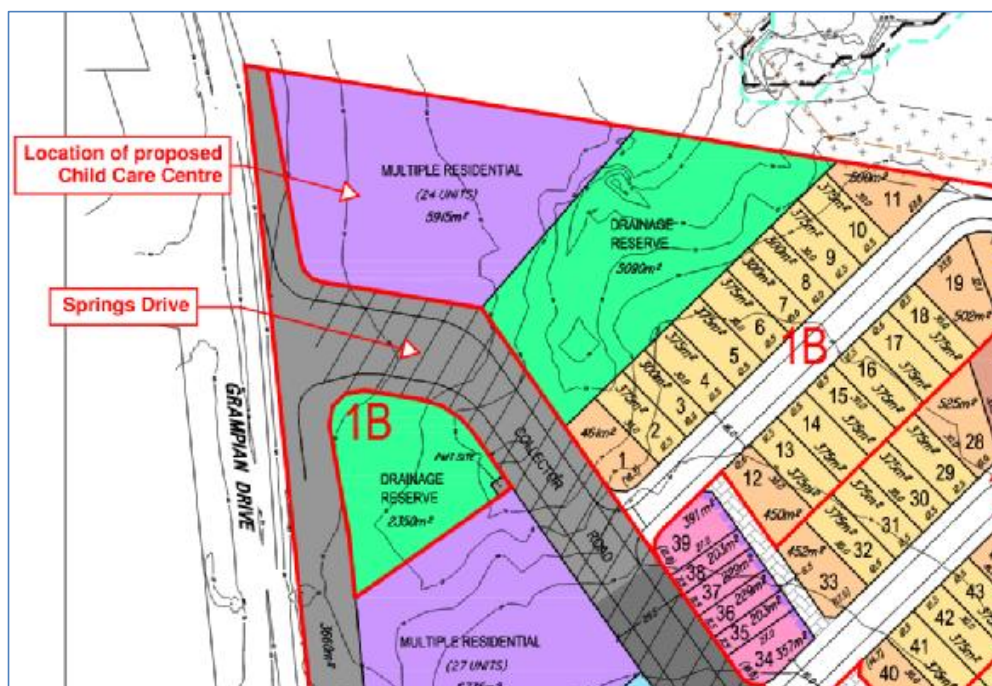


Location Plan

Item 8 / Attachment 1.



Location Plan



Extract of approved subdivision layout pursuant to Development Approval  
7787/2008/MAMC/A illustrating proposed 'Multiple Residential (24 units) Lot'

[illegible][illegible]

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Proposed Elevations and Perspective Views

#### SITE DETAILS AND SURROUNDING LAND USES:

While the development application is lodged over 7001 Grampian Drive, Deebling Heights (referred to as 'parent lot' for the purposes of this report), which has an overall site area of 28.35ha, the Child Care Centre is proposed to be located in the north western corner of the parent lot on a 5915m<sup>2</sup> parcel of land that was previously nominated as a proposed 'Multiple Residential (24 units) Lot' on the subdivision layout approved pursuant to Development Approval 7787/2008/MAMC/A (referred to as 'development lot/site' for the purposes of this report).

The 5915m<sup>2</sup> development site is yet to be created/sealed, and hence this Material Change of Use development application is required to be lodged over the parent lot. The parent lot is located approximately 7.0km south of the Ipswich CBD and is at the intersection of Grampian Drive and Centenary Highway. The Locality Plan above includes some key roads, locations and features to help locate the site, along with the area of the proposal.

Vehicular access is proposed to be via Springs Drive that will branch off from Grampian Drive and be constructed as part of Development Approval 7787/2008/MAMC/A. The development lot, once created, will have constructed road frontages to Grampian Drive and Springs Drive on the western and southern boundaries respectively, a drainage reserve along the eastern boundary and Recreation zoned land along the northern boundary. The

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development site is currently densely vegetated although the existing Development Approval 7787/2008/MAMC/A allows clearing of vegetation on this portion of the parent lot.

Three residential estates being Sovereign Pocket, Deebling Gardens and Torhaven are located on the western side of the development site. Bremer Hack Pony Club is located to the north and Deebling Creek adjoins the north-eastern and eastern boundary of the parent lot. Centenary Highway is located to the south and Deebling Creek Mission Cemetery is on the south-eastern boundary of the parent lot. It should be noted that the proposed Child Care Centre is located approximately 750m from the Deebling Creek Mission Cemetery site.

PROPOSAL:

The application seeks approval to construct a Child Care Centre on the development site. The Child Care Centre building shall be single storey with a gross floor area (GFA) of 1,180m<sup>2</sup> and 1,001m<sup>2</sup> of outdoor play area. The proposed building comprises three (3) activity rooms for 3-5 year old kids, two (2) activity rooms for 2-3 year old kids, two (2) nurseries with a sleep room for each Nursery, associated prep/store rooms for each of the activity/nursery rooms, a planning and staff room, a foyer/reception, kitchen, dining room, bathroom facilities, a laundry and store rooms. The Child Care Centre is proposed to accommodate up to 120 children {newborn to five (5) years of age} and up to 20 full time equivalent staff.

The building is proposed to be located 8.0m from the Springs Drive frontage and an average of 4.5m from the Grampian Drive frontage. The building shall have a height of 5.7m at its highest point and is proposed to be constructed from a combination of building materials including FC weatherboard cladding, feature cladding, colorbond metal roofing and aluminium doors and windows.

The Child Care Centre is orientated towards and is accessed from Springs Drive. The building incorporates windows, main entry door and awnings along the southern facade which assists to activate Springs Drive while also facilitating natural surveillance to the car park area located to the east of the development site. The façade facing Grampian Drive contains windows and feature walls which assists to activate Grampian Drive. Pedestrian pathway access is provided from both Springs Drive and Grampian Drive while all vehicular access shall be via Springs Drive.

The applicant is proposing to provide a total of 35 car parking spaces to service the development. The carpark will be accessed via a 5.0m wide separate entry and exit driveway crossover onto Springs Drive. The Child Care Centre is proposed to operate Monday to Friday between 6:00am and 6:00pm.

A 2.4m high acoustic barrier is proposed along parts of the western and northern frontages facing Grampian Drive and a 1.8 high acoustic barrier is proposed along parts of the eastern side adjoining the car park area. These are proposed in order to mitigate traffic noise to and from the development. The 2.4m high acoustic barrier along Grampian Drive is 10.0m long, is set back by 2.0 from the Grampian Road frontage and includes landscaping within the setback area to soften the visual impact of the acoustic barrier. Further, landscaping is

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE  
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provided along the entire length of Grampian Drive and Springs Drive frontages to enhance the visual amenity of the proposed development.

Key Issues:

Indigenous Cultural Values:

As detailed below, the application received 163 submissions objecting to the proposed development. Impact on indigenous cultural values associated with the Deebling Creek Mission Cemetery site has been raised as the primary concern in the submissions. It is noted that such issues have been raised and resolved as part of previous development approvals over the site. Below is a summary of how this matter has previously been addressed and resolved.

Cultural heritage investigations have been carried out as part of previous development applications 7787/2008/MAMC/A and 10157/2018/PDA over the parent lot. The most recent development application 10157/2018/PDA, which proposed the subdivision of land on the northern side of the Deebling Creek Mission Cemetery site, which is part of the Deebling Creek Mission (Former) and a nominated State Heritage Place under the *Queensland Heritage Act 1992*, was referred to Economic Development Queensland (EDQ) for a State Interests review. As part of this review, EDQ were afforded the opportunity to comment on any potential impacts on the State Heritage Place. Upon reviewing technical documents submitted by the applicant relating to cultural heritage, EDQ in consultation with the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) and the Department of Environment and Science (DES), did not raise issue with the proposed subdivision but instead requested that Council impose the following requirements on an approval to be complied with by the applicant in order to address impacts on the State Heritage Place:

- § Prepare and submit a protocol document describing the procedures for acquitting potential responsibilities under section 89 of the *Queensland Heritage Act 1992* to demonstrate that the cultural heritage values of the place are appropriately recognised and managed.
- § During development, take appropriate precautions to protect the existing building fabric and other significant elements or artefacts from incidental damage to ensure the cultural heritage values of the heritage place are appropriately recognised and managed.
- § During development, should damage occur to the existing building fabric and/or other significant elements or artefacts, report such incidents to Environmental Services and Regulation of DES.
- § Undertake a geophysical survey of Lot 196 S3157 (*parent lot for the purposes of this report*) in the area immediately north of the Cemetery located on Lot 228 CC2905 to:
  - determine the extent of the historical Cemetery;
  - analyse the results of the remote sensing; and
  - assess the likely impact of the development on any burials that may be associated with the Cemetery, in particular, but not limited to, works associated with the formation of proposed Lots and footpaths required in this area to service the development.

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- § Submit to EDQ, DSDTI for compliance assessment, an Archaeological Management Plan prepared by a suitably qualified and experienced archaeological consultant, and the Archaeological Management Plan is to:
- reflect the findings from the assessment of archaeological potential of the area to the north of Lot 228 CC2905 (Deebing Creek Mission Cemetery site); and
  - address and identify measures to manage any impacts on the archaeology appropriate to the level of archaeological potential.
- § Undertake the works generally in accordance with the endorsed Archaeological Management Plan submitted as per above requirement.

It should be noted that the proposed Child Care Centre is approximately 750m from the Deebing Creek Mission Cemetery site, and EDQ as part of State Interests review for the Child Care Centre Development application did not identify any State Interest matters relating to the Deebing Creek Mission Cemetery site which is a State Heritage Place. Notwithstanding, a condition has been included in the officers recommendation for this application requiring the applicant to comply with the above requirements unless already undertaken by others. This will ensure that the proposed Child Care Centre development will have no adverse impacts on the Deebing Creek Cemetery site.

In addition, an advice condition has been included in the recommendation requiring the applicant to ensure any development obligations pursuant to the provisions of the *Aboriginal Cultural Heritage Act 2003* are complied with in respect to the proposed Child Care Centre development. It should be noted that applicants, developers and landowners have a duty of care under the *Aboriginal Cultural Heritage Act 2003* legislation where items of cultural heritage significance are located, even if those items have not been previously recorded in a database.

Further, it should be noted that Yuggera Ugarapul People (YUP) are the registered Aboriginal Cultural Heritage Body for the subject site and its immediate surroundings. The current owners of the parent lot (AV Jennings Pty Ltd) have agreed on a Cultural Heritage Management Plan (CHMP) with the YUP and the CHMP was endorsed and registered with the Queensland Government's Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) in May 2019. Council has been advised that the subject CHMP is a confidential document and at this stage a copy has not been made available for review by Council Officers. Notwithstanding, it should be noted that CHMPs generally require the developer to identify, recognise, protect and conserve aboriginal cultural heritage as part of any development activities on the site.

Suspected human remains found on the site:

A number of the submissions indicate that human remains were found in close proximity to the Deebing Creek Mission Cemetery site, and that these human remains are those of aboriginal people potentially from an alleged massacre that took place at/around the Deebing Creek Mission site.

In response to this, Council Officers consulted Queensland Police Service (QPS) personnel at Yamanto Police Station via phone and were advised as follows:

- § QPS were made aware of bones/bone fragments found on the subject site through media articles.
- § Bones and bone fragments were allegedly located on the site (subject parent lot) by some people who had been camping on the site. The exact location of where the bones were found is not known to QPS.
- § The bones were allegedly handed over to a Professor from Griffith University and these were analysed as part of a research project on human anthropology.
- § The Griffith University Professor's preliminary analysis indicates the bones are unlikely to be from a human.
- § Upon becoming aware of the bones/bone fragments, QPS officers attended the Griffith University campus and took a large number of forensic photos of the bones and bone fragments.
- § QPS did not take custody of the bones/bone fragments as there was no evidence to indicate that they were human remains.
- § A QPS Forensics officer/expert has subsequently undertaken a comprehensive review of the forensic photos and has prepared a report that concluded that the bones/bone fragments are not human, but most likely to be pig bones.
- § The QPS Forensics officer/expert's report has been peer reviewed by a similarly qualified peer who concurs with the findings.
- § Based on the QPS Forensics officer/expert's analysis, QPS are of the firm view that the bones/bone fragments that were allegedly located on the site are not human bones and therefore they have now closed their investigation in relation to this matter.

Need Analysis:

The Economic Needs Assessment as prepared by CDM Smith and submitted in support of a proposed Child Care Centre on Ripley Road (development application 8301/2020/PDA) indicates that there is currently a shortfall of 489 child care places within the locality that needs to be met by 2026. The subject proposal adds 120 child care places to meet this demand. Further, it should also be noted that the application went through a public notification process and there were no submissions that raised any concerns with regards to economic impacts on other existing/future child care centres in the area.

Dwelling Density Analysis:

The application seeks approval for a Child Care Centre over the 5,915m<sup>2</sup> 'Multiple Residential' lot approved pursuant to Development Approval 7787/2008/MAMC/A. The 7787/2008/MAMC/A approval includes a Preliminary Approval to override the Planning Scheme to allow residential uses over Future Urban zoned land and envisages the parent lot to achieve an overall dwelling density of 15-20 dwelling per hectare. The Child Care Centre being proposed over the lot previously nominated for multiple residential purposes will result in a reduction of 24 dwelling units. Notwithstanding, this will not adversely impact on the ability to achieve the envisaged overall density (15-20 dwelling per hectare) as a dwelling density of 16.3 dwelling per hectare is still achieved via residential subdivision and multiple residential lots/units proposed pursuant to Development Approval 7787/2008/MAMC/A and Development Approval 10157/2018/PDA.

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COMMUNITY AND OTHER CONSULTATION

STATE INTERESTS

The application was referred to the Office of the Minister for Economic Development Queensland (Department of State Development, Infrastructure, Local Government and Planning) for State Interests determination. EDQ's State Interests Review Response dated 4 November 2021 did not identify any specific State Interests matter but included an advice relating to vegetation clearing and construction activities to ensure such activities are appropriately managed to avoid adverse impacts on koalas. EDQ's State Interests review response forms part of the decision notice.

INTERNAL CONSULTATION

The application and common material was presented to Council's Initial Development Assessment Panel (consisting of various representatives from across the organisation) for review upon lodgement. At this meeting, it was determined that internal referral was required to the Engineering, Health and Environment Branch (EHE) primarily owing to the below:

- § Potential traffic impacts on surrounding road network.
- § Potential for stormwater and noise impacts, servicing capabilities etc.

The following assessment reports were prepared and have been incorporated into the recommendation:

- Engineering and Environmental assessment report dated 22 July 2022 with recommended conditions relating to the Grampian Drive/Springs Drive intersection, stormwater management, noise management, waste storage and collection, hours of operation, utility services, earthworks, design standards and certifications, sediment and erosion management, certification agreement, pre-construction certification, construction management plan, completion requirements, and water supply and sewerage infrastructure.

Public Notification

Public notification of this application was undertaken pursuant to the *Economic Development Act 2012*. The applicant undertook public notification from 27 July 2022 to 26 August 2022 for a period of 22 business days. Council received 149 submissions during the public notification period, and 14 submissions after the public notification period ended. In total, 163 submissions have been received with all submissions objecting to the proposed development. Matters raised in the submissions include:

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Matter raised	How matters were dealt with in reaching a decision
<p>Indigenous Cultural Values:</p> <ul style="list-style-type: none"> <li>§ Impacts on indigenous cultural values, particularly Deebling Creek Mission Cemetery.</li> <li>§ Impacts on potential aboriginal human remains and graves found around the Deebling Creek Mission Cemetery.</li> <li>§ Disgraceful to propose development over cultural heritage land.</li> <li>§ Child Care centre adjoining a site that has infamous history does not work.</li> </ul>	<ul style="list-style-type: none"> <li>§ The proposed Child Care Centre is approximately 750m from the Deebling Creek Cemetery site.</li> <li>§ EDQ as part of their State Interests review for the Child Care Centre Development application did not identify any State Interest matters relating to the Deebling Creek Mission Cemetery which is a State Heritage Place.</li> <li>§ Queensland Police Service have advised that based on their Forensics officer/expert's analysis, the bones/bone fragments that were allegedly located on the site are not human bones.</li> <li>§ A condition has been included in the recommendation requiring the applicant to comply with EDQ requirements identified as part of development application 10157/2018/PDA. These requirements aim to mitigate/avoid adverse impacts on the Deebling Creek Cemetery site.</li> <li>§ An advice has been included in the recommendation requiring the applicant to ensure development obligations pursuant to the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i> are complied with in respect to the proposed development.</li> </ul>
<ul style="list-style-type: none"> <li>§ Should consult First Nations people who have been protecting that area for years.</li> <li>§ Site was never owned by government or developers and has always belonged to indigenous people.</li> <li>§ Government should buy back the land and hand it over to indigenous people and/or promote, support indigenous culture related activities on the site.</li> </ul>	<ul style="list-style-type: none"> <li>§ Yuggera Ugarapul People (YUP) are the registered Aboriginal Cultural Heritage Body for the subject site and its immediate surroundings. The current owners of the parent lot (AV Jennings Pty Ltd) have agreed on a Cultural Heritage Management Plan (CHMP) with YUP. The CHMP in consultation with the registered Aboriginal Cultural Heritage Body requires the developer to identify, recognise, protect and conserve aboriginal cultural heritage as part of any development activities on the site.</li> <li>§ Land ownership is not a planning matter Council can base its decision on.</li> </ul>
<p>Environment:</p> <ul style="list-style-type: none"> <li>§ Impacts on koalas, koala habitat and other endangered wildlife on site.</li> <li>§ Impacts critically endangered Swamp Tea Trees (<i>Melaleuca Irbiyana</i>) located in the area.</li> </ul>	<ul style="list-style-type: none"> <li>§ The development site is located within the Ripley Valley PDA area where in the koala conservation and vegetation clearing provisions under the Queensland Governments Planning Regulations are not applicable and hence cannot be enforced.</li> <li>§ Economic Development Queensland (EDQ) as part of their State Interests review has recommended advice relating to vegetation clearing and construction activities to ensure such activities are appropriately managed to avoid adverse impacts</li> </ul>

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	on koalas. EDQ's State Interests review response forms part of the decision notice. § While the development site is densely vegetated, the part of the site where the Child Care centre is proposed does not contain Swamp Tea trees ( <i>Melaleuca lrbiana</i> ). Further, existing Development Approval 7787/2008/MAMC/A originally issued in 2009 over the parent lot allows clearing of vegetation in the general location of the proposed Child Care Centre.
Others:	
§ Objection to Priority Development Areas (PDA) in general.	Declaration of the PDA sits under Queensland Government jurisdiction and not a planning matter Council can base its decision on.
§ Proposal is a fraud as corrupt Council members have been involved.	Fraud and corruption claims are not a planning matter Council can base its decision on.
§ Approval is incompatible with <i>Human Rights Act 2019 (Qld)</i> .	The development application has been assessed with regard to <i>Human Rights Act 2019</i> and the proposed decision is considered to be consistent with human rights – refer 'Human Rights Implications' below for more details on this.

INFRASTRUCTURE CHARGES AND INFRASTRUCTURE AGREEMENTS:

Infrastructure Charges for PDA developments are applicable as set out in the Ripley Valley PDA Development Charges and Offset Plan (DCOP), July 2022. Accordingly, the applicant is required to pay monetary contributions of \$243 per square metre of GFA for the Child Care Centre, at the date of this approval towards Municipal, State, Implementation and Sub-Regional Charges.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:  
*Economic Development Act 2016*

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.
- § This Ripley Valley Priority Development Area (PDA) development application has been assessed pursuant to the *Economic Development Act 2012* under the current Instrument of Delegation and Direction from the Minister for Economic Development Queensland (MEDQ) to Ipswich City Council.

As per the current Instrument of Delegation and Direction, if Council is inclined to recommend refusal of this development application, it must notify MEDQ in writing before any final decision is made and then comply with any further direction from MEDQ.

This is an important aspect to be considered if Council recommends refusal of the proposal as MEDQ may still provide a direction that is contrary to such a recommendation upon reviewing the facts and circumstances.

#### HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Decision to approve development application number 17522/2021/PDA.
(b) What human rights are affected?	<p>The applicant is a company and therefore does not have human rights under the <i>Human Rights Act 2019</i>.</p> <p><u>Privacy and reputation (s25 of the <i>Human Rights Act 2019</i>):</u> 163 submissions were received during the public notification period for the application and therefore Council has an obligation to consider human right in relation to the submitters. Submitters do not have appeal rights pursuant to the <i>Economic Development Act 2012</i>.</p> <p>The proposed decision does not have the potential to restrict or interfere with the right to privacy because before a person makes a submission regarding a development application they are provided advance notice (via Council's website) that contact details of submitters will be included on any decision notice and therefore they have the ability to consider whether to proceed with making a submission.</p> <p>Further, in acknowledging submission about a development application, Council provides a letter to submitters advising them of the abovementioned requirement.</p> <p>In the instance, the submitter's personal information is already published on Developmenti as the submitter did not advise Council that they did not want their personal information to be published (this opportunity is provided upon lodgement of submission), the submitter may request that the information be removed from Developmenti and may also choose to withdraw their submission should they not want their details to be included on the decision notice.</p>

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(c) How are the human rights limited?	
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

This report relates to Council acting in its capacity as MEDQ Delegate to assess Ripley Valley PDA development applications. The development application fee was paid to cover Council's costs in this regard and as such there are no financial or resource implications associated with this report.

CONCLUSION

An assessment of the proposal as described above has been undertaken and it has been determined that the Material Change of Use for a Community Use (Child Care Centre) over 7001 Grampian Drive, Deebling Heights generally complies with the assessment benchmarks or can be conditioned to comply. It is therefore recommended that the development application be decided in accordance with the recommendation and attachments of this report.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Attachment 1 - 17522/2021/PDA PDA Decision Notice Approval (DRAFT)
2.	Attachment 2 - 17522/2021/PDA Approval Plans (DRAFT)
3.	Attachment 3 - 17522/2021/PDA Economic Development Queensland (EDQ) State Interests Review Response
4.	Attachment 4 - 17522/2021/PDA Development Charges Advice Notice (DRAFT)

Sandeep Nanjappa  
SENIOR PLANNER (DEVELOPMENT)

I concur with the recommendations contained in this report.

Michael Simmons  
DEVELOPMENT ASSESSMENT WEST MANAGER

I concur with the recommendations contained in this report.

Anthony Bowles  
MANAGER, DEVELOPMENT PLANNING

I concur with the recommendations contained in this report.

Alisha Connaughton

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ACTING GENERAL MANAGER PLANNING AND REGULATORY SERVICES

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

17522/2021/PDA  
Sandeep Nanjappa  
(07) 3810 7267

Otiosum Pty Ltd  
C/- LandPartners

Attn: Michael Rush/Shane Smith  
[Michael.Rush@landpartners.com.au](mailto:Michael.Rush@landpartners.com.au)  
[Shane.Smith@landpartners.com.au](mailto:Shane.Smith@landpartners.com.au)

XX October 2022

Dear Michael/Shane

Re: Development Application - Approval  
Application No: 17522/2021/PDA  
Proposal: Material Change of Use - Community Use (Child Care Centre)  
Property Location: 7001 Grampian Drive, DEEBING HEIGHTS QLD 4306  
*{specifically, over proposed 'Multiple Residential (24 units)' Lot of  
Development Approval 7787/2008/MAMC/A}*

I refer to the above development application which was decided on XX October 2022.

Enclosed with this letter is the Decision Notice, including:

- § Attachment A – MEDQ Delegate's Conditions
- § Attachment B – Approved Plans
- § Attachment C – State Interest response
- § Attachment D –Development Charges Advice Notice
- § Appeal Rights

If you have any queries regarding this application, please contact Sandeep Nanjappa on the telephone number listed above.

Yours faithfully

Michael Simmons  
DEVELOPMENT ASSESSMENT WEST MANAGER

CC.

[MEDQdelegations@dsdmip.qld.gov.au](mailto:MEDQdelegations@dsdmip.qld.gov.au)

Urban Utilities

[development@urbanutilities.com.au](mailto:development@urbanutilities.com.au)

Our Reference 17522/2021/PDA  
Contact Officer Sandeep Nanjappa  
Telephone (07) 38107267



XX October 2022

DECISION NOTICE APPROVAL  
(Given under section 89(2) of the *Economic Development Act 2012*)

Applicant details

Applicant name: Otiosum Pty Ltd C/- LandPartners  
Applicant contact details: [Michael.Rush@landpartners.com.au](mailto:Michael.Rush@landpartners.com.au)  
[Shane.Smith@landpartners.com.au](mailto:Shane.Smith@landpartners.com.au)

Application details

Application number: 17522/2021/PDA  
Application type: Priority Development Area Material Change of Use  
Description of proposed development: Community Use (Child Care Centre)  
Date application received: 27 October 2021

Site details

Property location: 7001 Grampian Drive, DEEBING HEIGHTS QLD 4306  
{specifically, over proposed 'Multiple Residential (24 units)' Lot of Development Approval 7787/2008/MAMC/A}  
Real property description: Lot 600 SP 300901

Decision

Date of decision: XX October 2022  
Decision Authority: Growth Infrastructure and Waste Committee

1. Decision Details:

Development	Approval Type	Decision	Currency Period
Priority Development Area Material Change of Use - Community Use (Child Care Centre)	PDA Development Permit	Approved in full subject to the conditions set out in Attachment A	Six (6) years

2. Conditions of MEDQ Delegate (Ipswich City Council)

Refer to Attachment A for MEDQ Delegate's 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 MEDQ Delegate, the amended version of those plans and documents.

The plans referenced below are included as Attachment B of this decision notice.

APPROVED PLANS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
Aspect of development: Material Change of Use - Community Use (Child Care Centre)				
21008 - DA01	Proposed Site Plan, Revision G	Verve Building Design Co.	19 May 2022 and amended in red by Ipswich City Council on 19 September 2022	Provide acoustic barriers as per Condition 26 'Acoustic Design and Management'.
21008 - DA02	Proposed Floor Plan, Revision D	Verve Building Design Co.	17 May 2022 and amended in red by Ipswich City Council on 19 September 2022	Fence to 'external play area' must be as per Condition 12(a)(ix) 'Retaining Walls, Internal and Streetscape Landscaping'.
21008 - DA03	Building Elevations & Perspectives, Revision C	Verve Building Design Co.	17 May 2022 and amended in red by Ipswich City Council on 19 September 2022	Signage not approved as part of Development Approval 17522/2021/PDA.
21008 - DA04	Building Elevations & Perspectives, Revision C	Verve Building	17 May 2022 and amended in red	Signage not approved as part of

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		Design Co.	by Ipswich City Council on 19 September 2022	Development Approval 17522/2021/PDA.
21008 - DA05	Cross-sections, Revision A	Verve Building Design Co.	19 May 2022 and amended in red by Ipswich City Council on 19 September 2022	Signage not approved as part of Development Approval 17522/2021/PDA.
21008 - DA00	Cover Page, Revision B	Verve Building Design Co.	17 May 2022 and amended in red by Ipswich City Council on 19 September 2022	Signage not approved as part of Development Approval 17522/2021/PDA.
21.205, Sheet 1	Landscape Concept Plan, Revision E	agla - Andrew Gold Landscape Architecture	13 May 2022 and amended in red by Ipswich City Council on 19 September 2022	Fence to 'external play area' must be as per Condition 12(a)(ix) 'Retaining Walls, Internal and Streetscape Landscaping'.
SPECIFICATIONS/DRAWINGS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
Aspect of development: Material Change of Use - Community Use (Child Care Centre)				
2110174 - Version 3.0	Environmental Noise Impact Report	Decibell Consulting	12 May 2022	Not applicable
MNCE - C5211	Site Based Stormwater Management Plan - Revision 'C'	Milanovic Neale	6 June 2022	Not applicable
C5211	Correspondence letter titled "MEDQ Delegate Further Information Request (FIR) - 17522/2021/PDA"	Milanovic Neale	7 July 2022	Not applicable

## 4. State Interests

The State interests for this application were reviewed by:

State Interest O	Address
Economic Development Queensland, Department of State Development, Infrastructure, Local Government and Planning	Email: <a href="mailto:pdadevelopmentassessment@dsgmip.qld.gov.au">pdadevelopmentassessment@dsgmip.qld.gov.au</a> Ph: 07 3452 7437

Refer to Attachment C for State Interests review response.

5. Preliminary Approval

Not applicable to this decision.

6. Further Development Permits

Further development permits, as required by the *Economic Development Act 2012*, must be obtained before the development can be carried out in respect of any operational works, building works and plumbing works in relation to this approval prior to the *commencement of works/use* pursuant to the *Economic Development Act 2012*.

7. Environmental Authority

Not applicable to this decision.

8. Properly Made Submissions

There were 163 submissions about the application received from the following submitters:

	Name of principal submitter	Residential or business address	Electronic address (if provided)
1	Geoffrey Cubbon	<i>not provided</i>	<a href="mailto:gwcubbon@gmail.com">gwcubbon@gmail.com</a>
2	Patricia Laegel	15 Midland street Yamanto, QLD	<a href="mailto:jackethan@live.com.au">jackethan@live.com.au</a>
3	Tracey Jones	21 Winland Drive Deebing Heights, QLD	<a href="mailto:traceyharveygirl1969@gmail.com">traceyharveygirl1969@gmail.com</a>
4	Terri Field & David McMillan	Silkstone, Qld, 4304	<a href="mailto:terrikfield@gmail.com">terrikfield@gmail.com</a>
5	Nitschke Robert	80 Ben Varden Avenue, Kholo, QLD	<a href="mailto:bilbypg@outlook.com">bilbypg@outlook.com</a>
6	Rob Nitschke	<i>not provided</i>	<a href="mailto:bilbypg@outlook.com">bilbypg@outlook.com</a>
7	Pauline Bradbery	97a Winland Drive Deebing Heights, QLD	<a href="mailto:paulinebradbery@hotmail.com">paulinebradbery@hotmail.com</a>
8	Xanthe Wallace	<i>not provided</i>	<a href="mailto:Xanthe@wallace.me">Xanthe@wallace.me</a>
9	Linda Fullerton	3112 Moggill Road, Bellbowrie, QLD	<a href="mailto:linda.fullerton8@gmail.com">linda.fullerton8@gmail.com</a>
10	Rene Wooller	36 Fairy Street, Moorooka, QLD	<a href="mailto:renwooller@gmail.com">renwooller@gmail.com</a>
11	Narelle Nobel	33-35 Endeavour Street Barellan Point, QLD	<a href="mailto:nknobel@hotmail.com">nknobel@hotmail.com</a>
12	Erin Payne	59 Ambrose Drive, Augustine Heights, QLD 4300	<a href="mailto:erin.payne.92@gmail.com">erin.payne.92@gmail.com</a>
13	Laura Blain	121C Memorial Drive, Eumundi, QLD	<a href="mailto:itsme_3@hotmail.com">itsme_3@hotmail.com</a>
14	Lyn Grice	14 Parkland Street, Nundah, QLD 4012	<a href="mailto:gricey61@hotmail.com">gricey61@hotmail.com</a>

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15	Erin Field	55 Andy Way, Deebing heights, Qld, 4306	<a href="mailto:erinsfield@outlook.com">erinsfield@outlook.com</a>
16	Kendra Clark	<i>not provided</i>	<a href="mailto:kendra-nikolette-clark@hotmail.com">kendra-nikolette-clark@hotmail.com</a>
17	Henry Smale	48 Jane Street, West End, QLD	<a href="mailto:scrunger_18@hotmail.com">scrunger_18@hotmail.com</a>
18	Robyn Whale	197 Arthur Summerville Road, Karalee, QLD	<a href="mailto:robypn20@hotmail.com">robypn20@hotmail.com</a>
19	Tracey & Philip Jones	Winland Drive, Deebing Heights, QLD	<a href="mailto:traceyharveygirl1969@gmail.com">traceyharveygirl1969@gmail.com</a>
20	Jodie McMaster	<i>not provided</i>	<a href="mailto:jamcmaster08@gmail.com">jamcmaster08@gmail.com</a>
21	Laura Blain	<i>not provided</i>	<a href="mailto:itsme_3@hotmail.com">itsme_3@hotmail.com</a>
22	Nolzy/N Busiko	<i>not provided</i>	<a href="mailto:nbusiko@hotmail.com">nbusiko@hotmail.com</a>
23	Rachel - Wiradjuri	<i>not provided</i>	<a href="mailto:rachelcampbell1996@outlook.com">rachelcampbell1996@outlook.com</a>
24	Tracey & Philip Jones	<i>not provided</i>	<a href="mailto:traceyharveygirl1969@gmail.com">traceyharveygirl1969@gmail.com</a>
25	Billie Wolf	42 Boydaw Road, Ormeau, QLD	<a href="mailto:brwolfy@pm.me">brwolfy@pm.me</a>
26	Bill Wolf	<i>not provided</i>	<a href="mailto:brwolfy@pm.me">brwolfy@pm.me</a>
27	Meisha McAvoy	7 Basil Street, Springfield Lakes, QLD	<a href="mailto:mim-art@hotmail.com">mim-art@hotmail.com</a>
28	Megan Currie	<i>not provided</i>	<a href="mailto:megawhat09@gmail.com">megawhat09@gmail.com</a>
29	Lanti	28 Casuarina Way	<a href="mailto:atlanta.bolton@icloud.com">atlanta.bolton@icloud.com</a>
30	Vivien Nisted	6 Shearwater Place, Korora NSW 2450	<a href="mailto:viviennisted@gmail.com">viviennisted@gmail.com</a>
31	Khaja Ahmed	30 Marine Parade, Stuarts Point 2441 NSW	<a href="mailto:khajaahmed0123@gmail.com">khajaahmed0123@gmail.com</a>
32	Danielle Mutton, Spokesperson for the Ipswich Lockyer Greens	7 Lennon Lane, North Ipswich QLD 4305	<a href="mailto:muttondanielle@gmail.com">muttondanielle@gmail.com</a>
33	Terry Hamilton	Hilltop Court, Deebing Heights, QLD	<a href="mailto:tezzahamo@gmail.com">tezzahamo@gmail.com</a>
34	Mark Delaney	12-14 Craswell Court, Chuwar Ipswich, QLD 4306	<a href="mailto:mdelaney.email@gmail.com">mdelaney.email@gmail.com</a>
35	Rachel Grant	26 Moonyean Street, Bellbird Park, QLD 4300	<a href="mailto:rmgrant@live.com.au">rmgrant@live.com.au</a>
36	Daila	83 Hardy Street, Ashbury, QLD	<a href="mailto:daila.melkis@gmail.com">daila.melkis@gmail.com</a>
37	Robyn Whale	197 Arthur Summerville's Road, Karalee, QLD	<a href="mailto:robypn20@hotmail.com">robypn20@hotmail.com</a>
38	Mary Busteed	34 Roderick Street, Ipswich, QLD 4305	<a href="mailto:bmbusteed@yahoo.com.au">bmbusteed@yahoo.com.au</a>
39	Coen Russell	12 Nielsen Road, Rosewood, QLD	<a href="mailto:coenrussell06@gmail.com">coenrussell06@gmail.com</a>

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40	Karlee Potts	10 Cardew Street, East Ipswich, QLD	<a href="mailto:kars_87@yahoo.com.au">kars_87@yahoo.com.au</a>
41	Renai Delaney	12-14 Craswell Court, Chuwar, QLD	<a href="mailto:rdelaney.email@gmail.com">rdelaney.email@gmail.com</a>
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9. Currency period for the approval (section 100 of the *Economic Development Act 2012*)

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 MEDQ Delegate pursuant to section 101 of the *Economic Development Act 2012*, this development approval lapses in accordance with section 100 of the *Economic Development Act 2012*.

10. When approval lapses if development started but not completed— preliminary approval

Not applicable to this decision.

11. Infrastructure

Not applicable to this decision.

DRAFT

Attachment A

MEDQ Delegate's Conditions

File No: 17522/2021/PDA

Location: 7001 Grampian Drive, DEEBING HEIGHTS QLD 43069  
{specifically, over proposed 'Multiple Residential (24 units) Lot' of Development Approval  
7787/2008/MAMC/A}

Proposal: Material Change of Use - Community Use (Child Care Centre)

MEDQ Delegate's (Ipswich City Council) Conditions Conditions applicable to this approval under the Economic Development Act 2012		
No.	Condition	The time by which the condition must be met, implemented or complied with
1.	Basis of Approval	
	<p>This approval incorporates as a condition, the applicant's common material for the application and adherence to all relevant Council Local Laws and/or the <i>Ripley Valley Priority Development Area Development Scheme</i> 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>Economic Development Act 2012</i>.</p>	From the commencement of the construction of the development and at all times thereafter.
2.	Minor Alterations	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the MEDQ Delegate will suffice.	At all times after the approval is granted.
3.	Locality References	
(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 MEDQ Delegate's satisfaction) must specify the relevant, approved place name under the <i>Place Names Act 1994</i> and must comply with the following:</p> <p>(i) be in the same colour, background colour, typeface, font, font characteristics and character spacing as the place/estate/development name</p>	At all times after the approval is granted.

	<p>(ii) be in lettering at least 50% of the size of the place/estate/development name</p> <p>(iii) be in the same orientation as the place/estate/development name</p> <p>(iv) be in either title case or all in upper case.</p>	
(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 MEDQ Delegate in writing from time to time).	At all times after the approval is granted.

4.	Development Plans	
	The applicant must undertake the development generally in accordance with the approved plans outlined in Part 3 'Approved Plans Specifications and Drawings' of this development permit.	From the commencement of the construction of the development and at all times thereafter.

5.	Enrolment Numbers - Child Care Centre	
(a)	The applicant must ensure the student/kid enrolment numbers for the Child Care Centre do not exceed 120 unless otherwise approved in writing by the MEDQ delegate.	From the commencement of the use and at all times thereafter.
(b)	The applicant must submit to the MEDQ delegate a copy of the information sent to the Department of Education and Training for Commonwealth Recurrent Funding or the equivalent, detailing accurate enrolment numbers for the respective year.	Each year of operation within four (4) weeks of submission to the government.

6.	Infrastructure Charges	
	<p>Unless a relevant infrastructure agreement provides to the contrary, the applicant must pay the MEDQ Delegate all relevant Infrastructure Charges as set out in the Development Charges and Offset Plan (DCOP) or the equivalent legislative infrastructure charging framework, as applicable (and indexed if relevant) at the time of payment.</p> <p>A Development Charges Advice Notice has been provided for your information, outlining the charges payable at the time of issuing this approval.</p>	As required by the DCOP

7.	Hours of Construction					
	Unless otherwise approved in writing by the MEDQ Delegate, construction works must only occur within the hours as defined in <i>Ipswich Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3.</i>	At all times during construction of the development.				
8.	Hours of Operation					
(a)	The applicant must not conduct work or business from the premises outside of Monday to Friday 6:00 am to 6:00 pm.	From the commencement of the use and at all times thereafter.				
(b)	The applicant must ensure refuse collection vehicles or service vehicles do not access or operate on the site outside the hours listed in Table 1 below:  Table 1 <table><tr><td>Day</td><td>Time</td></tr><tr><td>Monday to Friday</td><td>7:00 am to 6:00 pm.</td></tr></table>	Day	Time	Monday to Friday	7:00 am to 6:00 pm.	From the commencement of the use and at all times thereafter.
Day	Time					
Monday to Friday	7:00 am to 6:00 pm.					
9.	Requirements before the Use Commences					
(a)	The applicant must ensure that all necessary infrastructure including water, sewer, road network and stormwater management devices as required by Development Approval 7787/2008/MAMC/A dated 22 November 2018 ( <i>or any subsequent changes approved</i> ) over the subject site are fully completed.	Prior to commencement of any works related to this development permit.				
(b)	The applicant must ensure that the subdivision plan to create proposed 'Multiple Residential (24 units)' Lot approved pursuant to Development Approval 7787/2008/MAMC/A dated 22 November 2018 ( <i>or any subsequent changes approved</i> ), is registered with the Department of Natural Resources, Mines and Energy, or equivalent.	Prior to the commencement of any works associated with the development.				
10.	Cultural Heritage					
	Unless already actioned by others, the applicant must submit to the MEDQ Delegate certification by a suitably qualified professional demonstrating compliance with the Conditions 2 - 6 (as relevant) of Economic Development Queensland (EDQ), Department of State Development, Tourism and Innovation (DSDTI)'s State Interests Review response dated 15 June 2020 relating to Development Approval 10157/2018/PDA (EDQ Reference F19/131) over the subject site.	Prior to the commencement of any civil construction works on site.				
11.	Separate Agreements (Sale Agreements, Tenancy Agreements, Lease Agreements, Developer Covenants etc.)					
(a)	The applicant must ensure any separate agreements (including but not limited to sale agreements, tenancy agreements; lease agreements; developer covenants	From the commencement of the use and at all times thereafter.				

	etc.) require the development to be conducted/operated in accordance with:	
	<ul style="list-style-type: none"> <li>(i) this development approval (and any subsequent amendments/changes to this approval); and</li> <li>(ii) any related or consequential approvals (e.g. material change of use, reconfiguring a lot, operational works or building works)</li> </ul>	
(b)	The applicant must ensure a copy of all approvals referred to in Condition 11(a) above are:	At the time an agreement is presented to the relevant parties.
	<ul style="list-style-type: none"> <li>(i) appropriately referenced in such agreements; and</li> <li>(ii) provided to all parties of such agreements</li> </ul>	

12.	Retaining Walls, Internal and Streetscape Landscaping	
(a)	<p>The applicant must submit to the MEDQ Delegate for compliance assessment, detailed plan/s certified by a registered Landscape Architect detailing that the proposed retaining walls, fencing, internal landscape and streetscape works incorporate the following:</p> <ul style="list-style-type: none"> <li>(i) Street tree locations and species, including common and botanical names, height and spread at maturity, ground preparation works and monthly maintenance plan.</li> <li>(ii) Identify road uses adjacent to the kerbing (e.g. public transport stops, parking bays, No Standing zones etc).</li> <li>(iii) Show the location of services within the road reserve.</li> <li>(iv) Streetscape works along Grampian Drive and Spring Drive are designed in accordance with Ipswich City Council's <i>Ipswich Streetscape Design Guideline 2013</i>.</li> <li>(v) Internal landscape works are generally in accordance with landscape concept plan listed at Part 3 'Approved Plans Specifications and Drawings' of this development permit.</li> <li>(vi) Retaining walls are located entirely within the relevant lot and not on road reserve/s or future drainage reserve lot/s.</li> </ul>	Prior to the commencement of any earthworks on the site.

	<p>(vii) Retaining walls adjoining/facing road reserve/other public spaces that are visible from public right of way are:</p> <ul style="list-style-type: none"> <li>A. maximum height of 3.0m, and generally in accordance with the elevational treatments illustrated on the approved plans outlined in Part 3 'Approved Plans Specifications and Drawings';</li> <li>B. incorporate minimum 1.0m wide low-maintenance landscaping (can be on road reserve if necessary) in front of retaining walls that are over 0.75m in height to assist in softening the dominance of retaining walls when viewed from visible from public right of way; and</li> <li>C. incorporate material/finish/painting and landscape treatment to add contrast, minimise repetition and to improve the overall visual appearance of the retaining wall.</li> </ul> <p>(viii) Fences that are adjoining/facing road reserve/other public spaces that are visible from public right of way are:</p> <ul style="list-style-type: none"> <li>A. limited to 1.2m height from finished ground/retaining wall level and contain minimum 75% transparency;</li> <li>B. incorporate material/finish/painting to improve the overall visual appearance of the fence.</li> </ul> <p>(ix) Fences for external playground area (except for acoustic barrier) are:</p> <ul style="list-style-type: none"> <li>A. limited to 1.8m height from finished ground level and contain minimum 75% transparency for any portion of the fence above 1.2m height from adjoining finished level; and</li> <li>B. incorporate material/finish/painting to improve the overall visual appearance of the fence.</li> </ul> <p><i>Note: Plant/tree species must be in accordance with the Ipswich City Council Street Tree Strategy or equivalent. Root intrusive trees must not be planted in the road reserve.</i></p>	
(b)	The applicant must construct retaining walls, fences and undertake internal and streetscape landscaping in	Prior to the commencement of the use.

	accordance with the approved plan/s required at Condition 12(a) above.	
(c)	The applicant must submit to the MEDQ Delegate a Certificate of Compliance for retaining walls, fencing, internal landscape and streetscape works, completed by a qualified landscape designer stating that the works have been completed in accordance with the approved plan/s required at Condition 12(a) above.	Prior to the commencement of the use.
(d)	The applicant must maintain all retaining walls, fences and internal landscaping to be in accordance with the approved plan/s required at Condition 12(a) above.	From the commencement of the use and at all times thereafter.
13.	<b>Building Finishes</b>	
	The external features of the building must be /finished in the materials/finishes as identified on the approved plans outlined in Part 3 'Approved Plans Specifications and Drawings'.	Prior to the commencement of the use and at all times thereafter.
14.	<b>Activation of Buildings</b>	
(a)	All pedestrian entry points required by the development must be clearly visible to passing traffic and remain accessible at all times when the Child Care Centre is open to the public.	Prior to the commencement of the use and at all times thereafter.
(b)	All windows and building entries fronting/facing Grampian Drive and Spring Drive must remain visually permeable at all times during the operation of the development. To this end, all windows and entry points are to remain transparent and must not be covered with advertising, screening or opaque tinting of any kind. Furthermore, the internal layout (shelving, storage etc) must not obscure the interface between the Child Care Centre interior and Grampian Drive and Spring Drive.	Prior to the commencement of the use and at all times thereafter.
15.	<b>Visual Treatment of Plant and Equipment</b>	
(a)	The applicant must ensure all plant and equipment (inclusive of tanks, air conditioning units, compressors, generators, ducting, ventilation and the like):  (i) Is not located between any building and the road reserve; or  (ii) Is appropriately screened (and ventilated) from view from the road reserve.	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must, where screening is required pursuant to Condition 15(a) above, submit for written approval by the MEDQ Delegate details of the screening method or device. All screening must be of	Prior to the lodgement of the application for building work.

	materials similar in appearance and specification to those used in the construction of buildings on the premises and adjacent premises.	
(c)	The applicant must construct and maintain all screening in accordance with the approval issued by the MEDQ Delegate.	Prior to the commencement of the use and at all times thereafter.
16.	<b>Lighting</b>	
	Lighting used to illuminate any areas of the premises (ie security or flood lighting) must be designed, constructed, located and maintained to the satisfaction of the MEDQ Delegate so as not to cause nuisance to the occupants of nearby properties or passing traffic. All lighting must be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways and does not cause extraneous light to be directed or reflected upwards.	Prior to the commencement of the use and at all times thereafter.
17.	<b>Access for People with a Disability</b>	
	The applicant must provide adequate access for people in wheelchairs by means of an unimpeded continuous path of travel from any adjacent roadway, other public lands and from any car parking bay allocated for use by people with a disability, to all parts of the development which are normally open to the public.	Prior to the commencement of the use and at all times thereafter.
18.	<b>Car Parking – Use and Maintenance</b>	
(a)	The applicant must provide a minimum of thirty-five (35) car parking spaces for the development generally in accordance with approved plans listed at Part 3 'Approved Plans Specifications and Drawings' of this development permit.	Prior to the commencement of the use and at all times thereafter.
(b)	<p>The applicant must ensure all parking areas are:</p> <ul style="list-style-type: none"> <li>(i) Kept exclusively for parking for the development;</li> <li>(ii) Used exclusively for parking for the development;</li> <li>(iii) Accessible to both staff and customers during any approved hours of operation (unless otherwise indicated on the approved plans);</li> <li>(iv) Appropriately signposted at the entry/entries to the car park (eg "Staff and Customer Parking") in accordance with AS1742; and</li> <li>(v) Maintained in perpetuity.</li> </ul>	Prior to the commencement of the use and at all times thereafter.

(c)	Provision must be made for parking spaces for persons with a disability in accordance with the Parking Code (Part 12, division 9) of the <i>Ipswich Planning Scheme</i> .	Prior to the commencement of the use and at all times thereafter.
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19.	Anti-Graffiti Strategy	
(a)	The applicant must submit, for written approval by the MEDQ Delegate, an anti-graffiti strategy. This strategy must incorporate, as a minimum, the use of anti-graffiti material, the identification of the method and timeframe of removal and the use of landscaping.	Prior to the commencement of the use.
(b)	The applicant must ensure that all structures (inclusive of all fencing and buildings) are graffiti free, particularly where visible from Grampian Drive and Spring Drive and adjoining premises in accordance with the approved anti-graffiti strategy required by Condition 19(a) above.	Prior to the commencement of the use and at all times thereafter.

20.	Utility Services	
(a)	The applicant must connect the development to reticulated water supply, sewer infrastructure, and underground electricity supply and telecommunication utilities.	Prior to the commencement of the use.
(b)	The applicant must provide to the MEDQ Delegate written evidence (e.g. connection certificate) from each service provider stating that the development has been connected to applicable utility service or has a current supply agreement.	Prior to the commencement of the use.
(c)	The applicant must provide telecommunications to subject building(s), lead-in conduits and equipment space in a suitable location within the building(s), to suit carrier of choice.	Prior to the commencement of the use.

21.	Access, Parking and Manoeuvring Areas	
(a)	The applicant must construct all parking, access and manoeuvring areas of concrete.	From the commencement of the use and at all times thereafter.
(b)	The applicant must line-mark all parking, access and manoeuvring areas in accordance with the relevant Australian Standard.	From the commencement of the use and at all times thereafter.
(c)	The applicant must make provision for all vehicles to enter and exit the site in forward gear.	From the commencement of the use and at all times thereafter.
(d)	The applicant must construct a concrete layback and driveway slab in accordance with the following: <ul style="list-style-type: none"> <li>(i) From the kerb alignment of the proposed new private road to the property boundary for access to the development;</li> <li>(i) Driveway design generally in accordance with drawing number C5211-CR03- revision 'C'</li> </ul>	From the commencement of the use and at all times thereafter.

	prepared by Milanovic Neale dated 1 July 2022;	
(ii)	The proposed access is restricted to "left-in/left-out and right -in" movements only; and	
(iv)	In accordance with Ipswich City Council Standard Drawing SR.13.	

22.	Site Access and road upgrade works	
(a)	The applicant must submit to the MEDQ Delegate a design for the left-in, left-out and right turn lane at the access point generally in accordance with drawing number C5211-CR01- revision 'D' prepared by Milanovic Neale dated 1 July 2022. The design must consider ultimate design for Springs Drive and Grampian Drive intersection constructed as part of 7787/200/MAMC/A dated 22 November 2018 ( <i>or any subsequent changes approved</i> ).	In conjunction with lodgement of the application for pre-construction certification documentation.
(b)	The applicant must provide a right turn lane for the ultimate configuration in accordance with the approved design required by Condition 22(a) above.	Prior to the commencement of the use.

23.	Stormwater Management (Quantity)	
(a)	The applicant must provide an allotment drainage system which is designed in accordance with QUDM.	Prior to the commencement of the use.
(b)	The applicant must discharge stormwater runoff from all impervious areas in accordance with Site Based Stormwater Management Plan (ref: C5211) -rev 'c' prepared by Milanovic Neale and dated 6 June 2022.	From the commencement of the use and at all times thereafter.
(c)	The applicant must design stormwater quantity management infrastructure and mitigation measures for the proposed development generally in accordance with Site Based Stormwater Management Plan (ref: C5211) -rev 'c' prepared by Milanovic Neale and dated 6 June 2022.	In conjunction with lodgement of the application for pre-construction certification documentation for the Use.
(d)	The applicant must construct the stormwater quantity management system for the proposed development, generally in accordance with approved design as required by Condition 23(c) above.	Prior to the commencement of the use.

24.	Stormwater Management (Quality)	
(a)	The applicant must achieve the water quality objectives outlined in Table 2.3.1 of Ipswich Planning Scheme Policy 3 General Works, prior to stormwater runoff discharging from the site.	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must submit for written approval by the MEDQ Delegate, a stormwater quality management plan (SQMP) in accordance with Implementation	In conjunction with the lodgement of pre-construction certification for this approval.

	<p>Guideline 24 Stormwater Management of the <i>Ipswich Planning Scheme</i>. The SQMP must include the following items:</p> <ul style="list-style-type: none"> <li>(i) Demonstrate stormwater runoff associated with the development achieves 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 discharge from the site;</li> <li>(ii) Where MUSIC modelling is undertaken an electronic copy of the MUSIC .sqz file must be submitted to the MEDQ Delegate for review; and</li> <li>(iii) Details of the ongoing maintenance activities required for the entire stormwater treatment system.</li> </ul>	
(c)	The applicant must submit operational works drawings showing the final locations and cross-sections of stormwater infrastructure in accordance with the approved SQMP and section 2.3.5 of Ipswich Planning Scheme Policy 3 General Works.	In conjunction with the lodgement of pre-construction certification for this approval.
(d)	<ul style="list-style-type: none"> <li>(i) The applicant must ensure that all stormwater discharging from sealed carpark and trafficable surfaces is treated through a gross pollutant trap capable of removing hydrocarbon in addition to other gross pollutants;</li> <li>(ii) The applicant must submit to the MEDQ Delegate for approval treatment flow rate details of the proposed gross pollutant traps to be installed that comply with Condition 23(d)(i) above and how these devices can cater conveyance of pipe design event; and</li> <li>(iii) The applicant must submit to the MEDQ Delegate for approval details of the location and type of gross pollutant traps to be installed.</li> </ul>	In conjunction with the lodgement of pre-construction certification for this approval.
25.	Stormwater Maintenance Plan	
(a)	The applicant must submit to the MEDQ Delegate, a stormwater maintenance plan for the entire stormwater system, prepared in accordance with Implementation Guideline No. 24 Stormwater Management of the Ipswich Planning Scheme.	Prior to the commencement of the use.
(b)	The applicant must implement the stormwater maintenance plan in perpetuity to the satisfaction of the MEDQ Delegate.	From the commencement of the use and at all times thereafter.

(c)	The applicant must maintain regular inspection records on site and make these records available to the MEDQ Delegate upon request for both the construction and operational phases. The inspection records must detail all actions undertaken as required by the approved stormwater maintenance plan.	From the commencement of the use and at all times thereafter.
(d)	The applicant must provide a copy of the signed supply agreement between the applicant and the stormwater filtration system supplier for the maintenance of the SPEL treatment device(s).	Prior to the commencement of the use.

26.	Acoustic Design and Management	
(a)	The applicant must implement acoustic barriers in accordance with the approved Environmental Noise Impact Assessment recommendations (2110174 -3, 12 May 2022) listed in Part 3 'Approved Plans Specifications and Drawings' of this development permit.	Prior to the commencement of use.
(b)	<p>The applicant must construct an acoustic barrier that is in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>(i) 2.4 metre high, gap free and constructed of materials with a minimum surface density of 12 kg/m<sup>2</sup> around the western external playground area as nominated on the approved plans;</li> <li>(ii) 1.8 metre high, gap free and constructed of materials with a minimum surface density of 12 kg/m<sup>2</sup> along the complete eastern side of the carpark area as nominated on the approved plans;</li> <li>(iii) Consist of timber, fibre cement, reinforced glass or brick, acrylic perspex or laminated glass and landscaped and incorporate material/finish/painting to improve the overall visual appearance of the acoustic barrier; and</li> <li>(iv) At any opening, i.e. pedestrian entrance, has some means of blocking line of sight from source to receiver such that the effectiveness of the barrier is not reduced.</li> </ul>	Prior to the commencement of the use.
(c)	<p>The applicant must ensure the following treatments are incorporated into the development:</p> <ul style="list-style-type: none"> <li>(i) The use of outdoor public address systems is restricted to emergency use only;</li> <li>(ii) Amplified music or live music is not played outdoors;</li> </ul>	From the commencement of the use and at all times thereafter.

	<ul style="list-style-type: none"> <li>(iii) All internal activity rooms are to be air-conditioned, with windows and doors to be closed at all times;</li> <li>(iv) No elevated play equipment is to be located adjacent or above the acoustic barrier;</li> <li>(v) Driveway and carpark areas are finished with surface coating to prevent tyre squeal (uncoated concrete or bitumen surface is acceptable);</li> <li>(vi) All metal grilles, metal plates or similar infrastructure that is subject to vehicular traffic is secured to prevent rattling and environmental nuisance; and</li> <li>(vii) Mechanical plant and equipment is installed in accordance with the Environmental Protection Act 1994.</li> </ul>	
(d)	The applicant must provide a certificate of compliance from an independent and suitably qualified acoustic consultant demonstrating that Conditions 26(a) and 26(b), and 26(c)(iv) – 26(c)(vii) above have been met.	Prior to the commencement of the use.

27.	Putrescible Waste	
(a)	The applicant must ensure suitable waste bins are provided for the storage and collection of soiled nappies, food scraps and other putrescible wastes.	From the commencement of the use and at all times thereafter.
(b)	<p>The applicant must ensure waste bins that are intended to store putrescible waste are:</p> <ul style="list-style-type: none"> <li>(i) Located in an area that is not accessible to children and away from the main entrance to the building;</li> <li>(ii) Provided with a level, concreted pad with no intervening ridge between it and the roadway;</li> <li>(iii) Appropriately shaded and screened to minimise odour;</li> <li>(iv) Emptied at least every forty-eight hours;</li> <li>(v) Maintained so as not to pose a health or environmental nuisance; and</li> <li>(vi) Always collected on site.</li> </ul>	From the commencement of the use and at all times thereafter.

(c)	The applicant must ensure all wash down waters from bin cleansing performed on the site is either:	From the commencement of the use and at all times thereafter.
	(i) Appropriately treated and discharged to sewer subject to a Trade Waste approval; or	
	(ii) The services of a refuse bin cleaning company are engaged.	

28.	Earthworks	
(a)	The applicant must design all earthworks (including earth retaining structures) in accordance with Planning Scheme Policy 3 – General Works, Part 4 of the <i>Ipswich Planning Scheme</i> . Necessary flood immunity must be achieved from the gully that traverses along the eastern boundary for the proposed Child Care Centre.	In conjunction with lodgement of the application for pre-certification documentation and during construction.
(b)	The applicant must implement all dispersive soil management devices generally in accordance with recommendations of the approved DSMP report as required by Condition 31(c) 'Design Standards'.	From the commencement of work until completion.

29.	Geotechnical/Slope Stability	
(a)	The applicant must submit a geotechnical/slope stability report prepared by a RPEQ demonstrating that all works for the proposed development have been adequately designed based on the existing geotechnical conditions of the site and that they achieve a long-term factor of safety greater than 1.5 against geotechnical instabilities.	In conjunction with lodgement of the application for pre-certification documentation and during construction.
(b)	The applicant must submit to the MEDQ Delegate a design for all works which complies with the recommendations of the geotechnical/slope stability report required by Condition 29(a) above.	In conjunction with lodgement of the application for pre-certification documentation and during construction.
(c)	The applicant must construct the development generally in accordance with the approved geotechnical/slope stability report as required by Conditions 29(a) and 29(b) above.	From the commencement of work and at all times thereafter.

30.	Sediment & Erosion Management	
	The applicant must engage a Registered Professional Engineer (RPEQ) or Certified Professional in Erosion and Sediment Control (CPESC) to prepare and certify for construction an ESC Program and Plan and supporting documentation in accordance with IECA Best Practice Guidelines.	Prior to the pre-start meeting.

31.	Design Standards	
(a)	The applicant must design all municipal works (Roadworks, stormwater) in accordance with <i>Planning Scheme Policy 3 - General Works and Implementation Guidelines 24 and 28 of the Ipswich Planning Scheme</i> .	Prior to the issue of pre-construction certification.
(b)	The applicant must design all internal works (stormwater drainage/car-parking/earthworks etc.) in accordance with <i>Planning Scheme Policy 3 - General Works and Implementation Guidelines 24 and 28 of the Ipswich Planning Scheme</i> .	Prior to the issue of pre-construction certification.
(c)	The applicant must submit to the MEDQ Delegate a Dispersive Soil Management Plan (DSMP), prepared by a suitably qualified person in accordance with Council's Implementation Guideline 28 – Dispersive Soil Management of the <i>Ipswich Planning Scheme</i> .	Prior to the issue of pre-construction certification.
32.	Design Certifications	
(a)	The applicant must submit to the MEDQ Delegate RPEQ (structural) certification stating that all cut/fill batters and retaining structures associated with proposed earthworks, access roads and building pads have been designed in accordance with the recommendations of the geotechnical/soil stability report required by Condition 29(a) 'Geotechnical/Slope Stability'.	Prior to the commencement of any works on the subject site.
(b)	The applicant must submit to the MEDQ Delegate 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.	Prior to the commencement of any works on the subject site.
(c)	The applicant must submit to the MEDQ Delegate RPEQ certification stating that all proposed works have been designed in accordance with the recommendations of Site Based Stormwater Management Plan (ref: C5211) - rev 'c' prepared by Milanovic Neale and dated 6 June 2022.	Prior to the commencement of any works on the subject site.
33.	Certification Agreement	
	<p>The applicant must ensure to comply with all requirements and fulfil all responsibilities outlined in the DSDIP Certification Procedures Manual.</p> <p><i>Note: No work is to commence until the certification documents submitted by the project coordinator is acknowledged in writing by MEDQ Delegate.</i></p>	Prior to the commencement of any works on the site.

34.	Pre-Construction Certification	
	The applicant must submit to the MEDQ Delegate, RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards, EDQ Guidelines and this approval.  No work must commence until the certification documents submitted by the project coordinator is acknowledged in writing by MEDQ Delegate.	Prior to the commencement of any works on the site.
35.	Completion Requirements	
	Post-Construction Certification  The applicant must submit to the MEDQ Delegate Post Construction (Practical Completion) Certification, approved forms and 'as constructed' plans including an asset register, certified by a RPEQ, that the plans are a true record of the works 'as constructed' are in accordance with the approved plans.	Prior to the commencement of the use.
36.	Further Works	
(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 commencement of use.
(b)	The applicant must alter any services when the relevant authority or MEDQ Delegate determines that works associated with this development has an impact upon any existing services.	During the construction of the development and prior to commencement of use.
(c)	The applicant must reinstate all disturbed verge areas with turf.	Prior to commencement of use.

***MEDQ Delegate (Ipswich City Council) Advice***

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

1.	Acronyms and Terms
	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)	UU –Urban Utilities – trading name of the Central SEQ Distributor-Retailer Authority, providing water services to Ipswich City under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> .
(c)	DSMP – Dispersive Soil Management Plan which is prepared in accordance with Council Implementation Guideline # 28 and certified by RPEQ.
(d)	E&SCP – Erosion & Sediment Control Management Plan which is prepared in accordance with Council Planning Scheme Policy 3 and certified by RPEQ.
(e)	PSP 3 – Council Planning Scheme Policy 3

(f)	QUDM – The <i>Queensland Urban Drainage Manual</i> , produced by the Queensland Department of Environment and Natural Resources
(g)	MUTCD - <i>The Manual of Uniform Traffic Control Devices</i> , published by DTMR
(h)	DTMR - Department of Transport and Main Roads
(i)	DES – Department of Environment and Science
(j)	DSDMIP – Department of State Development, Manufacturing, Infrastructure and Planning
(k)	AEP – Annual Exceedance Probability - used to define flood frequency and severity
(l)	AHD - Australian Height Datum (m)
(m)	Internal works - works performed within private property and includes but is not limited to, earthworks, driveways and stormwater management systems.
(n)	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.

2.	<b>Advertising Signage</b>
	Unless any advertising devices associated with the proposed use meets the exempt criteria set out in Schedule 1 of the <i>Ripley Valley urban Development Area Development Scheme</i> , such signage would require submission to MEDQ Delegate of an assessable development application for operational works – advertising device on premises. For further information please contact the Planning and Development Department on (07) 3810 6888.

3.	<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 (e.g. 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.

4.	<b>Section 96 of the <i>Economic Development Act 2012</i></b>
	Pursuant to section 96 of the <i>Economic Development Act 2012</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.

5.	<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.

6.	<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 MEDQ Delegate's satisfaction) must be submitted to MEDQ Delegate for consideration, in conjunction with any operational works application.
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7.	Portable Long Service Leave
	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 <i>Planning Act 2016</i> .

8.	Telecommunication Conduit Infrastructure
	The installation of telecommunication conduit and infrastructure is to be in accordance with the latest Communications Alliance publication 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'.

9.	Road Permit Application
	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> .  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.

10.	Engineering Analysis
	A detailed engineering analysis of the calculations and drawings, submitted as part of the approval process, has not been undertaken by MEDQ Delegate. Neither MEDQ Delegate nor MEDQ Delegate engineers have professionally reviewed or accredited the engineering design and are relying on the expertise and certification of the applicant's RPEQ engineer.

11.	Report Assessment
	The applicant is advised that should MEDQ Delegate require the submission of an amended report prior to the lodgement and/or in conjunction with any Operational Works development application, a fee will apply in accordance with the current MEDQ Delegate Fees and Charges.

12.	Food Licence
	Where food is sold, served and or produced on the site there may be a need to hold a licence to do so under the Food Act 2006. Please contact the Planning and Regulatory Services Department of Ipswich City Council for advice regarding this matter on telephone number 3810 6666.

13.	Trade Waste
	Wastewater (i.e. waste bin wash down water etc.) directed to sewer must only be carried out in compliance with an approved Trade Waste Permit for the site. All associated water treatment equipment (if any) must be covered by the permit, where released to sewer. Enquiries regarding Trade Waste requirements can be made by contacting Urban Utilities on telephone number 13 26 57.
14.	<i>Nature Conservation Act 1992</i>
	The applicant may be required to engage a spotter catcher licensed under the <i>Nature Conservation Act 1992</i> by the Department of Environment and Science to assess the site, supervise any vegetation removal and ensure that any native fauna (i.e. including native bees, Koalas, possums, glossy black cockatoos, bats etc.) has been identified, relocated and discouraged from returning prior to habitat disturbance. Further information can be located on the Department of Environment and Science website in relation to wildlife permits. <a href="http://www.qld.gov.au/environment/plants-animals/wildlife-permits/">http://www.qld.gov.au/environment/plants-animals/wildlife-permits/</a> .
15.	Koala Protection
	The Commonwealth has listed the Koala populations in Queensland, New South Wales and the Australian Capital Territory as 'vulnerable' under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act), accordingly Koalas in Queensland are protected under national environment law. Refer to the Australian Government – Department of the Environment and Energy (phone: 1800 803 772) for further information to determine whether current or future works associated with your development proposal may require environmental approval from the Commonwealth.
16.	Cultural Heritage
	<p>The applicant is advised to ensure that any development obligations pursuant to the provisions of the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Economic Development Act 2012</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 or equivalent.</p>

## Attachment B APPEAL RIGHTS

The following are relevant extracts from the *Economic Development Act 2012*

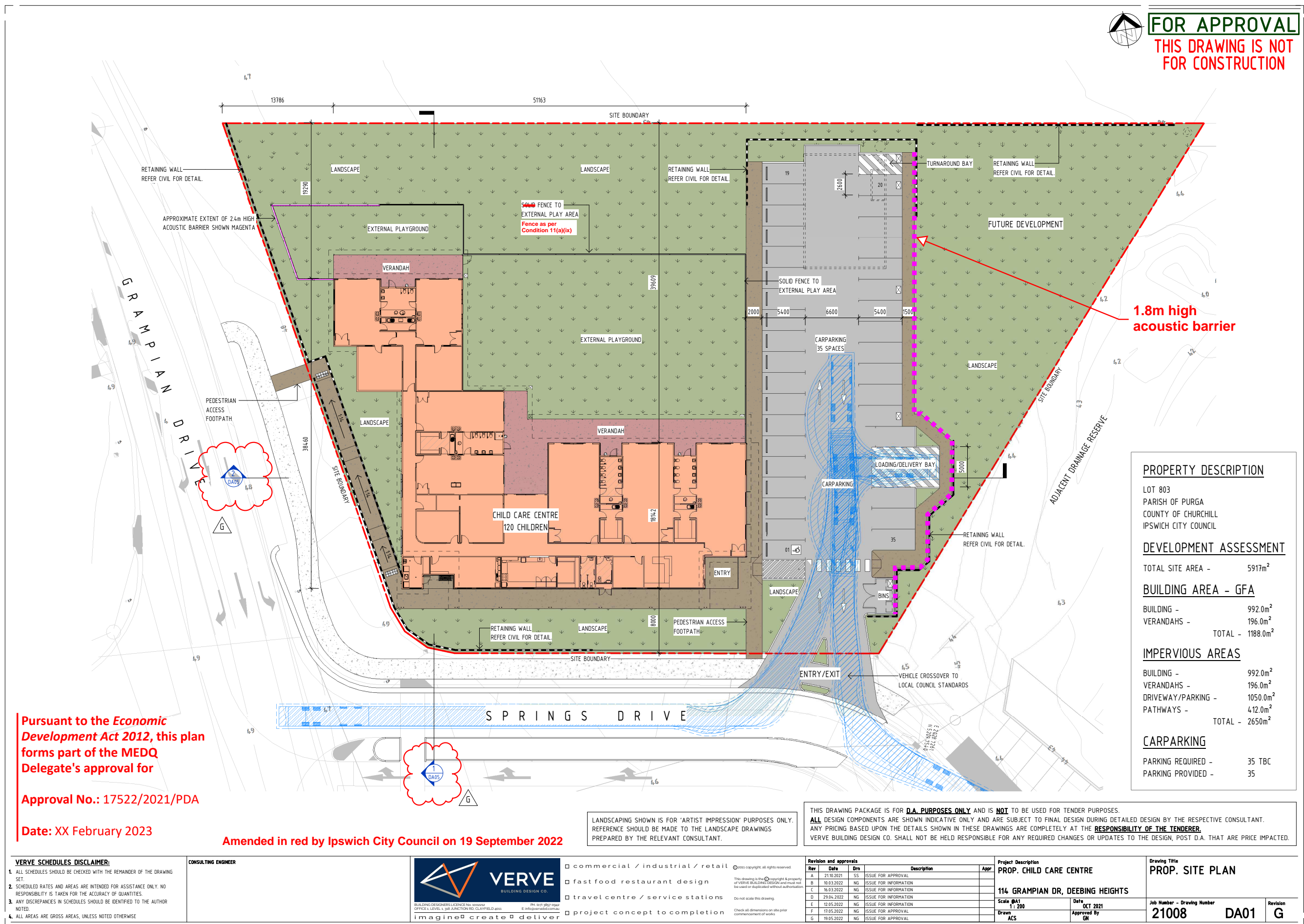
### Chapter 3, Part 4

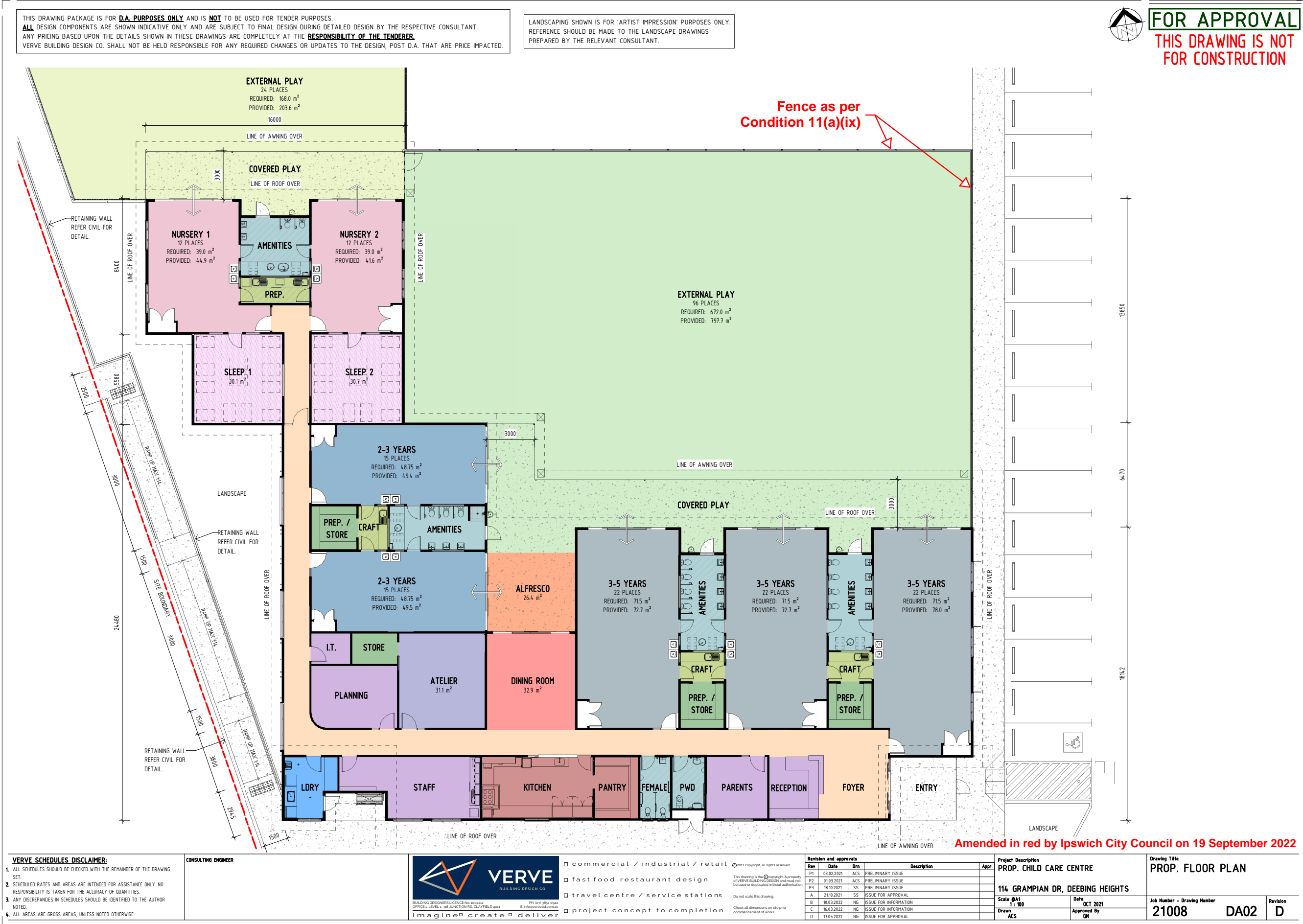
#### 90 Right of Appeal Against Particular Conditions

- (1) This section applies if a PDA development condition includes a nominated assessing authority (the *entity*).
- (2) The person who made the relevant PDA development application may appeal to the Planning and Environment Court against MEDQ's decision to impose the condition.
- (3) An appeal under subsection (2) must be started within 20 business days after the day the applicant is given notice of the decision.
- (4) An appellant starts an appeal by lodging, with the registrar of the Planning and Environment Court, a written notice of appeal that –
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (5) The *Planning and Environmental Court Act 2016*, part 5 applies, with necessary changes, to the appeal as if—
  - (a) the appeal were a Planning Act appeal under that Act; and
  - (b) the entity were the only other party to the appeal.
- (6) However—
  - (a) the appellant must, as soon as practicable after giving the entity the notice of the appeal, give MEDQ a copy of the notice; and
  - (b) MEDQ may, by lodging a notice of election with the registrar of the court, elect to become a party to the appeal.
- (7) MEDQ must give the other parties a copy of the notice of election as soon as practicable after it is lodged.

#### 99 Application to Change PDA Development Approval

- (1) A person may apply (the *amendment application*) to MEDQ to change a PDA development approval.
- (2) However, the amendment application may be made only if MEDQ is satisfied the change would not result in the relevant development being substantially different.
- (3) Division 3 applies for the amendment application as if—
  - (a) a reference in the division to a PDA development application were a reference to the amendment application; and
  - (b) a reference in the division to a PDA development approval were a reference to a changed PDA development approval; and
  - (c) a reference in the division to the granting of a PDA development approval were a reference to the making of the change.
- (4) Despite subsection (3), section 84(2) to (6) applies for the amendment only in a circumstance mention in section 84(1)(c).





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E: info@vervebd.com.au

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B	10.03.2022	NG	ISSUE FOR INFORMATION	
C	16.03.2022	NG	ISSUE FOR INFORMATION	
D	17.05.2022	NG	ISSUE FOR APPROVAL	

**Project Description**  
PROP. CHILD CARE CENTRE  
114 GRAMPIAN DR, DEEBING HEIGHTS

**Scale** @A1  
1:100  
Drawn ACS

**Date** OCT 2021  
Approved by GN

**Drawing Title**  
PROP. FLOOR PLAN

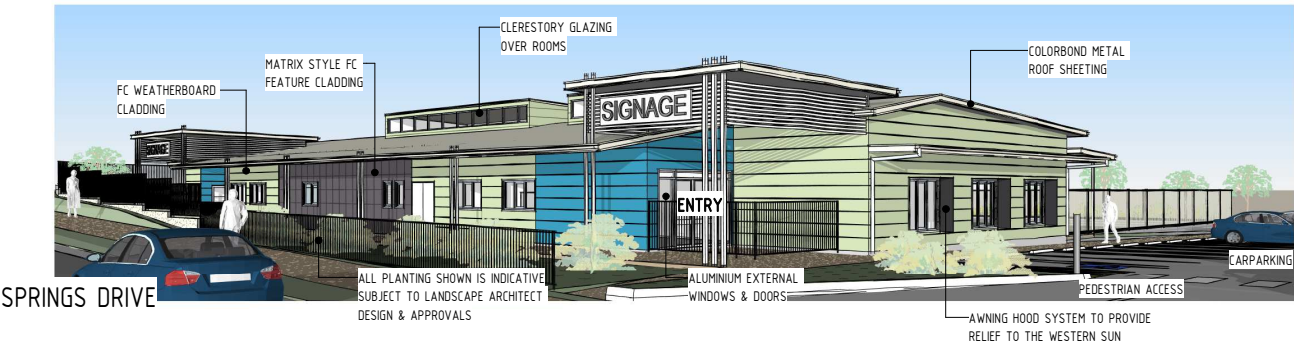
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**Revision**  
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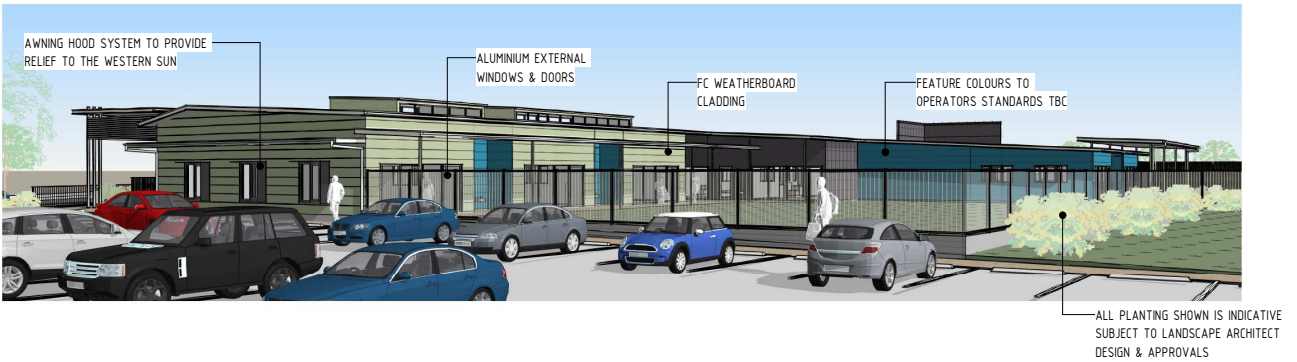
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1 DA ELEVATION SOUTH  
1 : 100



2 PERSPECTIVE



3 PERSPECTIVE



4 DA ELEVATION EAST  
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Project Description	
PROP. CHILD CARE CENTRE	
114 GRAMPIAN DR, DEEBING HEIGHTS	
Scale @A1 1 : 100	Date OCT 2021
Drawn ACS	Approved by GN

Drawing Title	
BUILDING ELEVATIONS & PERSPECTIVES	
Job Number - Drawing Number 21008 DA03	Revision C

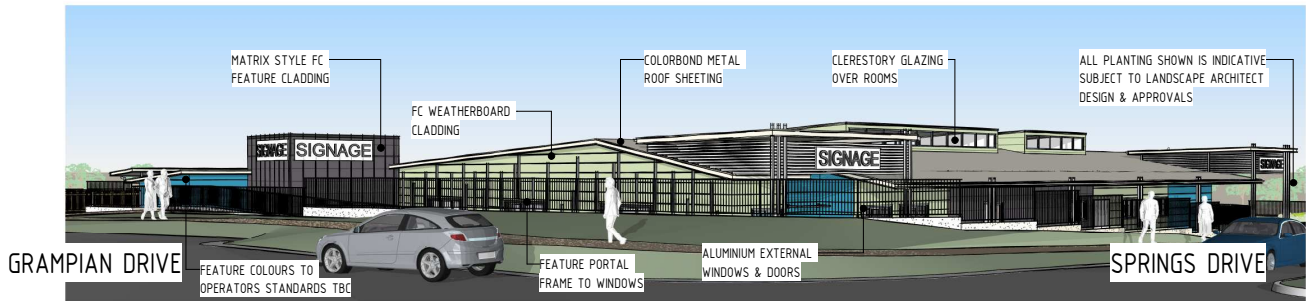
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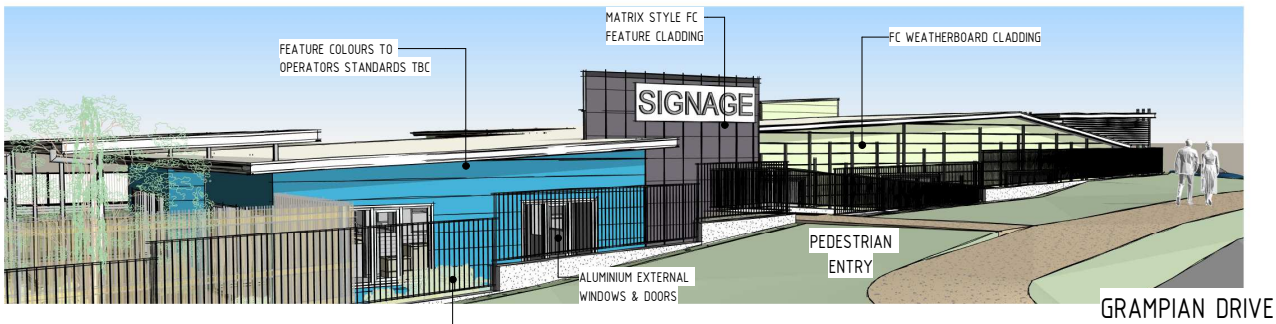
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1 : 100

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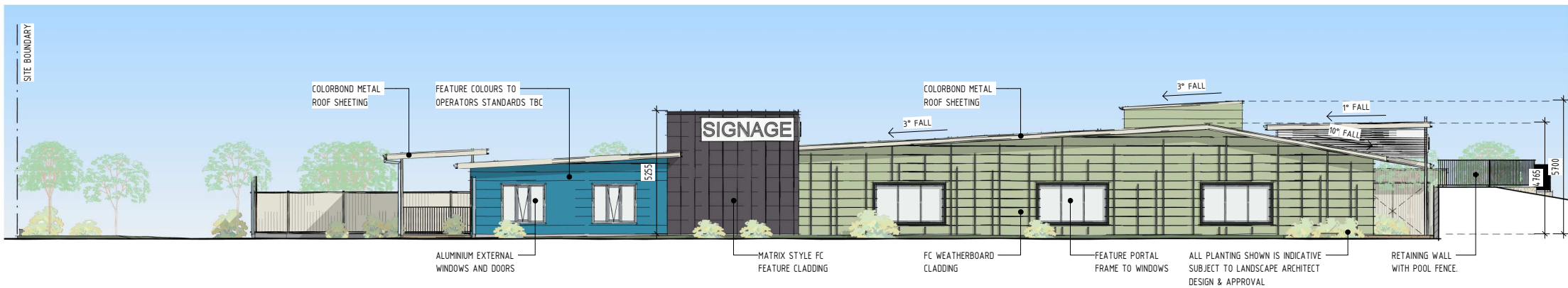


6 PERSPECTIVE  
1 : 100

NOTE: ACOUSTIC FENCE SHOWN  
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7 PERSPECTIVE  
1 : 100



8 DA ELEVATION WEST  
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Project Description

PROP. CHILD CARE CENTRE  
114 GRAMPIAN DR, DEEBING HEIGHTS

Scale: DA1  
1 : 100  
Drawn: ACS

Date: OCT 2021  
Approved by: GN

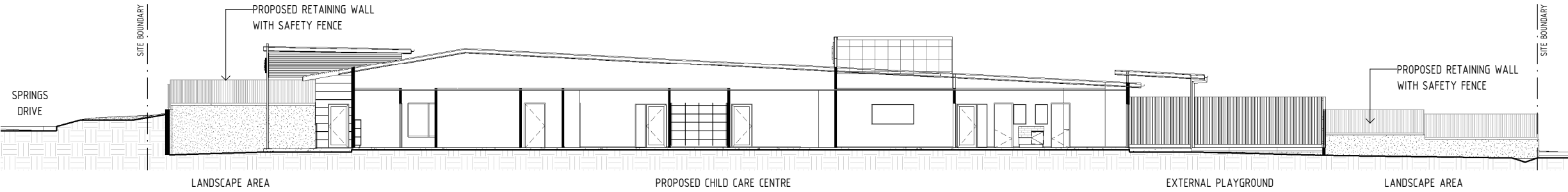
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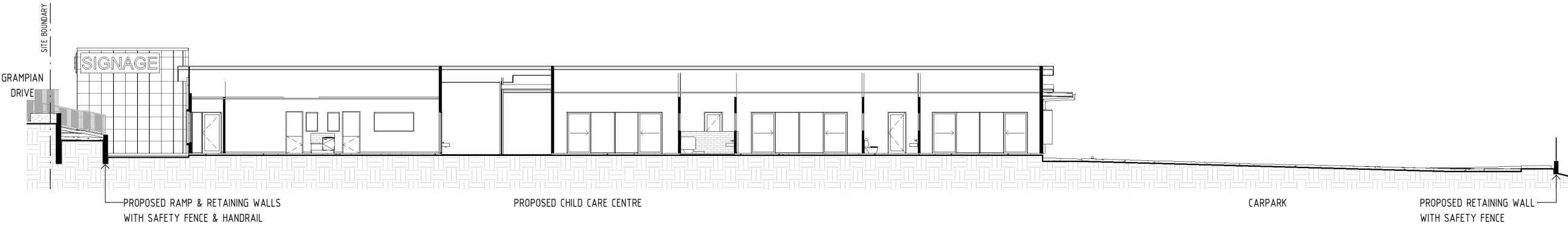
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1 CROSS-SECTION A  
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PROP. CHILD CARE CENTRE	
114 GRAMPIAN DR, DEEBING HEIGHTS	
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Drawn NG	Approved By GN

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21008 DA05	A

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# ARCHITECTURAL DA DRAWINGS

## PROPOSED CHILDCARE CENTRE

### 114 GRAMPIAN DR, DEEBING HEIGHTS



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PROP. CHILD CARE CENTRE	
114 GRAMPIAN DR, DEEBING HEIGHTS	
Scale @A1	Date OCT - 2021
Drawn ACS	Approved By SS

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21008 DA00	B



ANDREW GOLD LANDSCAPE ARCHITECTURE  
PO BOX 5220, MT GRAVATT EAST QLD 4122  
T 07 3420 0006 M 0405 389 243 E andrew@agla.com.au

PROPOSED CHILDCARE CENTRE  
144 GRAMPIAN DR, DEEBING HEIGHTS

LANDSCAPE CONCEPT PLAN

- 1** LARGE SUBTROPICAL SHADE/ SCREEN TREE  
Large canopied rounded tree species to provide shade over the carpark, provide visual amenity and privacy screening to the proposed building; Refer Proposed Planting Schedule (ie: *Cupaniopsis anacardioides*)
- 2** SMALL CANOPIED TREE  
Tree planting for visual and climatic amenity, to soften building's presentation, and to provide shade over the carpark; Refer Proposed Planting Schedule (ie: *Tristania laurina* 'Luscious')
- 3** SCREEN PLANTING  
Dense planting to boundaries so as to provide visual amenity and privacy screening to neighbouring properties; Refer Proposed Planting Schedule
- 4** SHRUBS AND GROUNDCOVERS  
Mass planting to large areas to assist in building presentation to the streetscape and to provide visual amenity; Refer Proposed Planting Schedule

LEGEND

- PROPOSED ~~SOLID~~ FENCE (Fence as per Condition 11(a)(ix))  
Refer Architectural drawings
- ACOUSTIC BARRIER  
Refer Acoustic report
- PROPOSED RETAINING WALL  
Refer Engineering drawings
- PROPOSED GARDEN EDGE  
To future detail
- PROPOSED/ EXISTING UTILITIES  
Refer Engineering drawings
- EXISTING CONTOURS  
As taken from Survey drawings
- EXTERNAL PLAY AREA

E	13/05/22	REVISIONS
D	19/04/22	REVISIONS
C	07/04/22	REVISIONS
B	22/10/21	REVISIONS
A	15/09/21	FOR SUBMISSION TO ICC

ISSUE	DATE	REASON
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JOB NUMBER	SHEET NO.	ISSUE	DRAWN BY
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Amended in red by Ipswich City Council on 19 September 2022

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

**GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)**

**13 OCTOBER 2022**

REPORT

COUNCILLORS' ATTENDANCE: Mayor Teresa Harding (Chairperson); Councillors Paul Tully (Deputy Chairperson), Sheila Ireland, Deputy Mayor Jacob Madsen, Marnie Doyle, Andrew Fechner, Kate Kunzelmann, Russell Milligan (via audio-link) and Nicole Jonic

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), General Manager Planning and Regulatory Services (Peter Tabulo), Manager, City Design (Brett Davey), Manager, Development Planning (Anthony Bowles), General Manager Infrastructure and Environment (Sean Madigan), General Manager Corporate Services (Matt Smith), General Manager Community, Cultural and Economic Development (Ben Pole), Chief Financial Officer (Jeff Keech), Senior Digital Media and Content Manager (Jodie Richter), Development Assessment Waste Manager (Michael Simmons), Senior Policy and Communications Officer (David Shaw), Safe City and Asset Protection Manager (Larry Waite), Manager Capital Program Delivery (Graeme Martin) and Theatre Technician (Harrison Cate)

**MEETING ATTENDANCE VIA AUDIO-LINK**

Councillor Russell Milligan has requested attendance at the Growth, Infrastructure and Waste Committee of 13 October 2022 via audio-link.

Councillor Nicole Jonic arrived at the meeting at 9.01 am.

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Kate Kunzelmann:

**That in accordance with section 254K of the *Local Government Regulation 2012* and 8.6.2 of Council's Meeting Procedures Policy (Attendance at committee meetings), Councillor Russell Milligan be permitted to participate in the meeting via audio link.**

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

**AFFIRMATIVE**

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Jonic

**NEGATIVE**

Councillors:

Nil

Councillor Milligan did not participate in the vote on this matter.

The motion was put and carried.

---

**WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY**

Mayor Teresa Harding delivered the Acknowledgement of Country.

---

**DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

Nil

---

**BUSINESS OUTSTANDING**

Nil

---

**CONFIRMATION OF MINUTES**

1. CONFIRMATION OF MINUTES OF THE GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(08) OF 15 SEPTEMBER 2022

**RECOMMENDATION**

That the Minutes of the Meeting held on 15 September 2022 be confirmed.

Mayor Teresa Harding proposed the following amendment to the previous minutes:

That in relation to the minutes from 15 September 2022, under the Business Outstanding section for 'Deferral of Consideration of Item 1 – Response to Petition – Leash Free Dog Area, Camira Recreation Park', Councillor Jonic's name

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)

be removed from the vote as the item was deferred because she was not present at the time this matter was to be considered.

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Marnie Doyle:

**That the Minutes of the Meeting held on 15 September 2022 be confirmed and that in relation to the minutes from 15 September 2022, under the Business Outstanding section for 'Deferral of Consideration of Item 1 – Response to Petition – Leash Free Dog Area, Camira Recreation Park', Councillor Jonic's name be removed from the vote as the item was deferred because she was not present at the time the matter was to be considered.**

**AFFIRMATIVE**

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

**NEGATIVE**

Councillors:

Nil

The motion was put and carried.

---

**OFFICERS' REPORTS**

2. DEVELOPMENT APPLICATION (17522/2021/PDA) RECOMMENDATION - PROPOSED COMMUNITY USE (CHILD CARE CENTRE) AT 7001 GRAMPIAN DRIVE, DEEBING HEIGHTS

This is a report concerning a development application seeking a Material Change of Use approval for a Community Use (Child Care Centre) over land at 7001 Grampian Drive, Deebing Heights.

The application requires determination by Council in accordance with the *Framework for Development Applications and Related Activities Policy*, as more than 20 submissions objecting to the proposed development have been received.

The development application has been assessed pursuant to the *Economic Development Act 2012* under the current Instrument of Delegation from the Minister for Economic Development Queensland (MEDQ) to Ipswich City Council.

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

The subject site is within the declared Ripley Valley Priority Development Area (PDA) and is assessable against the Ripley Valley Development Scheme (RVDS) pursuant to the *Economic Development Act 2012*, instead of the Ipswich Planning Scheme. It should be noted that the RVDS may apply a provision of the Ipswich Planning Scheme, however the RVDS prevails to the extent of any inconsistency with the Ipswich Planning Scheme.

The proposed development has been assessed in relation to the applicable assessment benchmarks. The proposed Community Use (Child Care Centre) generally complies with the assessment benchmarks or can be conditioned to comply.

RECOMMENDATION

Moved by Mayor Teresa Harding:  
Seconded by Councillor Marnie Doyle:

That Council approve Development Application No. 17522/2021/PDA, being the Material Change of Use for Community Use (Child Care Centre), subject to conditions as contained in Attachment 1 of this report.

AFFIRMATIVE

Councillors:

Nil

NEGATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

The motion was put and lost.

Councillor Paul Tully proposed the following recommendation:

That Council inform the Minister of EDQ that Council is considering a refusal for Application No. 17522/2021/PDA and await direction on the matter.

Deputy Mayor Jacob Madsen proposed the following further recommendation:

That Council request the relevant Minister to provide a copy of the QPS investigation report relating to the property.

Councillor Marnie Doyle proposed that Council also include the reason as to why it is considering refusal on the basis of cultural heritage issues.

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Marnie Doyle:

- A. That Council inform the Minister that Council is considering a refusal for Application No. 17522/2021/PDA and inform Economic Development Queensland (EDQ) and await direction on the matter.**
- B. That it be noted that Council is considering refusal of the application on the basis of cultural heritage issues.**
- C. That Ipswich City Council write to the Minister for Police and Corrective Services Hon Mark Ryan MP to request that the relevant Queensland Police Service (QPS) report in relation to the investigation of the property the subject of Application No. 17522/2021/PDA be made available for public viewing.**

**AFFIRMATIVE**

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

**NEGATIVE**

Councillors:

Nil

The motion was put and carried.

**3. WASTE AND CIRCULAR ECONOMY TRANSFORMATION DIRECTIVE - UPDATE 8**

This is a report concerning an update on the implementation of the Waste and Circular Economy Transformation Directive.

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Marnie Doyle:

**That the report be received and the contents noted.**

**AFFIRMATIVE**

Councillors:

Harding

Tully

**NEGATIVE**

Councillors:

Nil

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

Ireland  
Madsen  
Doyle  
Fechner  
Kunzelmann  
Milligan  
Jonic

The motion was put and carried.

---

4. EXERCISE OF DELEGATION REPORT

This is a report concerning applications that have been determined by delegated authority for the period 26 August 2022 to 26 September 2022.

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Andrew Fechner:

**That the report be received and the contents noted.**

AFFIRMATIVE  
Councillors:  
Harding  
Tully  
Ireland  
Madsen  
Doyle  
Fechner  
Kunzelmann  
Milligan  
Jonic

NEGATIVE  
Councillors:  
Nil

The motion was put and carried.

---

5. PLANNING AND ENVIRONMENT COURT ACTION STATUS REPORT

This is a report concerning a status update with respect to current court actions associated with development planning applications

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Paul Tully:

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

**That the report be received and the contents noted.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

6. INFRASTRUCTURE AND ENVIRONMENT DEPARTMENT CAPITAL DELIVERY REPORT  
AUGUST 2022

This is a report concerning the performance of the capital delivery by the  
Infrastructure and Environment Department for the month of August 2022.

**DECISION**

Moved by Mayor Teresa Harding:  
Seconded by Councillor Sheila Ireland:

**That the report be received and the contents noted.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

13 OCTOBER 2022

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(09)]

**NOTICES OF MOTION**

Nil

---

**MATTERS ARISING**

Nil

---

**PROCEDURAL MOTIONS AND FORMAL MATTERS**

The meeting commenced at 9.00 am.

The meeting closed at 9.54 am.

---

Your reference 17522/2021/PDA:AB  
Our reference Anthony Bowles  
Contact Officer (07) 3810 6254  
Telephone



**Ipswich City Council**

45 Roderick Street  
PO Box 191  
IPSWICH QLD 4305

Phone (07) 3810 6666  
Fax (07) 3810 6731  
Email [council@ipswich.qld.gov.au](mailto:council@ipswich.qld.gov.au)

[ipswich.qld.gov.au](http://ipswich.qld.gov.au)

Minister for Economic Development Queensland  
[pdadevelopmentassessment@dsdip.qld.gov.au](mailto:pdadevelopmentassessment@dsdip.qld.gov.au)  
CC: [MEDQdelegations@dsdmip.qld.gov.au](mailto:MEDQdelegations@dsdmip.qld.gov.au)

19 October 2022

Dear Minister

**Re: Notice that Council is Considering Refusal of a PDA Development Application (*Instrument of Delegation and Direction*)**  
**MEDQ Delegate Application No:** 17522/2021/PDA  
**EDQ Reference:** F21/13019  
**Proposal:** Community Use (Child Care Centre)  
**Applicant:** Otiosum Pty Ltd C/- LandPartners  
**Owner:** AV Jennings Properties Limited  
**Property Location:** 7001 Grampian Drive, Deebling Heights

I write to you pursuant to the Instrument of Delegation and Direction dated 17 October 2019 from the Minister for Economic Development Queensland (MEDQ) to the Ipswich City Council.

At a meeting of the Ipswich City Council Growth, Infrastructure and Waste Committee on 13 October 2022, Councillors considered the matter detailed above.

On behalf of the Councillors, please accept this communication as written notice that the Council intends to refuse the abovementioned development application based on cultural heritage issues.

Should EDQ have any comments or direction in relation to this matter, it is kindly requested that they be received by COB 24 October 2022.

If officers of your department wish to discuss any aspect of this matter further, I invite contact with Mr Anthony Bowles, Manager, Development Planning on 3810 6254 or at [anthony.bowles@ipswich.qld.gov.au](mailto:anthony.bowles@ipswich.qld.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sonia Cooper'.

Sonia Cooper  
CHIEF EXECUTIVE OFFICER

Your reference  
Our reference 17522/2021/PDA:AB  
Contact Officer Anthony Bowles  
Telephone (07) 3810 6254



**Ipswich City Council**

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Email [council@ipswich.qld.gov.au](mailto:council@ipswich.qld.gov.au)

[ipswich.qld.gov.au](http://ipswich.qld.gov.au)

Minister for Economic Development Queensland  
[pdadevelopmentassessment@dsdip.qld.gov.au](mailto:pdadevelopmentassessment@dsdip.qld.gov.au)  
CC: [MEDQdelegations@dsdmip.qld.gov.au](mailto:MEDQdelegations@dsdmip.qld.gov.au)

28 October 2022

Dear Minister

**Re: Reasons for Council's decision to intend to refuse-7522/2021/PDA - 7001 Grampian Drive, Deebling Heights - Child Care Centre**

Further to your letter dated 24 October 2022 the following are the reasons that the Councillors have provided to me as requested.

- *First Nations' people are strongly opposed to the proposed development.*
- *Planning schemes need to take into account social, community and cultural issues which have been raised in good faith by the community.*
- *There are concerns about the appropriateness of the development.*
- *Council wishes to stand by the First Nations' people in opposition to the development.*
- *The community has raised cultural heritage issues, that are of concern to Council and it seeks to have the State clarify the facts of the matter, with respect to the First Nations' issues around the origins of the bones discovered on the site.*
- *Council considers that it did not have sufficient information on which to form an opinion on the cultural heritage issues, in the absence of the QPS report and whether the bones were of human origins.*

Council looks forward to receiving your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sonia Cooper'.

Sonia Cooper  
**CHIEF EXECUTIVE OFFICER**



Hon Steven Miles MP  
Deputy Premier  
Minister for State Development, Infrastructure,  
Local Government and Planning  
Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure

Our ref: MBN22/1225

Your ref: 17522/2021/PDA:AB

16 DEC 2022

1 William Street  
Brisbane Queensland 4000  
PO Box 15009  
City East Queensland 4002  
**Telephone** + 61 3719 7100  
**Email** deputy.premier@ministerial.qld.gov.au  
**Website** www.statedevelopment.qld.gov.au

ABN 65 959 415 158

Ms Sonia Cooper  
Chief Executive Officer  
Ipswich City Council  
sonia.cooper@ipswich.qld.gov.au

Dear Ms Cooper

Thank you for your letter of 28 October 2022 about the Ipswich City Council's Growth Infrastructure and Waste Committee's reasons for its intention to refuse the Priority Development Area development application (the application) for a proposed child care centre at 7001 Grampian Drive, Deebling Heights.

The reasons included the following:

- The community has raised cultural heritage issues, that are of concern to the council and it seeks to have the State clarify the facts of the matter, with respect to the First Nations' issues around the origins of the bones discovered on the site.*
- Council considers that it did not have sufficient information on which to form an opinion on the cultural heritage issues, in the absence of the QPS report and whether the bones were of human origins.*

I note the committee report titled "Development Application (175822/2021/PDA) Recommendation" (Doc ID No. A8311240) considered by the council's Growth Infrastructure and Waste Committee concluded that the proposed child care centre would not impact on Aboriginal cultural heritage values. Further, that these matters are managed under the *Aboriginal Cultural Heritage Act 2003*.

I also note that the Queensland Police Service's report referred to in the council's reasons concluded that the bones were not of human origin, and that report is now publicly available and accessible through the council's website.

I understand the council has taken steps to inform itself more fully in relation to these matters and intends to consider the application further having regard to this information.

Would you please advise the Department of State Development, Infrastructure, Local Government and Planning (the department) when the date for reconsideration of the application is available. In accordance with the council's delegation for this matter, I require the council to advise me, prior to making its decision, should the council still intend to refuse the application.

I have asked for Ms Jeanine Stone, Project Director, Economic Development Queensland in the department, to assist you with any further queries and to inform the applicant of my decision. You may wish to contact Ms Stone on 0407 658 726 or by email at [jeanine.stone@dsdilgp.qld.gov.au](mailto:jeanine.stone@dsdilgp.qld.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Miles', with a stylized flourish at the end.

**STEVEN MILES MP**  
**DEPUTY PREMIER**  
**Minister for State Development, Infrastructure,**  
**Local Government and Planning**  
**Minister Assisting the Premier on**  
**Olympic and Paralympic Games Infrastructure**



Department of  
**State Development, Infrastructure,  
Local Government and Planning**

Our ref: OUT22/5215  
Your ref:

22 December 2022

Peter Tabulo  
General Manager (Planning and Regulatory Services)  
IPSWICH CITY COUNCIL

Email: [peter.tabulo@ipswich.qld.gov.au](mailto:peter.tabulo@ipswich.qld.gov.au)

Dear Peter

Further to our discussion on 20 December 2022 I am able to provide further information to assist council in line with the letter dated 16 December 2022 from the Minister for Economic Development.

Economic Development Queensland (EDQ) has considered council's reasons for intending to refuse the application; relating to cultural heritage matters. In considering the reasons provided by council, EDQ consulted with the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) and reviewed the Queensland Police Service (QPS) Report relating to the investigation surrounding the bone fragments found in proximity to the subject site.

DSDSATSIP reconfirmed their position to EDQ, that cultural heritage matters are addressed through the obligations under the Aboriginal Cultural Heritage Act 2003. This advice was included in the previous approval over the site (ICC ref 7787/2008/MAMC/A and 10157/2018/PDA) and in the draft Decision Notice prepared by council officers.

The QPS Report confirmed the results of the analysis of the bone fragments found near the subject site were of non-human origin.

EDQ has considered the assessment of cultural heritage matters and is satisfied that matters relating to cultural heritage have been appropriately addressed.

Economic Development Queensland  
GPO Box 2202  
Brisbane Queensland 4001 Australia  
**Website** [www.edq.qld.gov.au](http://www.edq.qld.gov.au)  
ABN 76 590 288 697

Should you have any queries please don't hesitate to contact myself or Jeanine Stone,  
Project Director on 0407658726

Yours sincerely

A handwritten signature in black ink, reading "Desiree Houston-Jones". The signature is written in a cursive, flowing style.

Desiree Houston-Jones  
**Executive Director**  
**Planning Services**  
**Economic Development Queensland**

Your reference  
Our reference  
Contact Officer  
Telephone

17522/2021/PDA:AB  
Anthony Bowles  
(07) 3810 6254



**Ipswich City Council**

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[ipswich.qld.gov.au](http://ipswich.qld.gov.au)

Honourable Mark Ryan MP  
Minister for Police and Corrective Services  
And Minister for Fire and Emergency Services  
Via email: [police@ministerial.qld.gov.au](mailto:police@ministerial.qld.gov.au)

24 October 2022

Dear Minister

**Re: Request for copy of police investigation report for 7001 Grampian Drive, Deebling Heights**

At its Growth, Waste and Infrastructure Committee meeting of 13 October 2022, Ipswich City Council considered the development application 17522/2021/PDA for a proposed Community Use (Child Care Centre) at 7001 Grampian Drive, Deebling Heights.

In consideration of the matter, concerns were raised regarding the Qld Police Services' investigation carried out on the site in relation to the origin of bones found, and whether they were human or otherwise in origin.

At the meeting, the Council made a resolution for a request to be made to you as the Minister to provide a copy of the QPS investigation report relating to this matter. Officers of the Council have previously been in contact with a senior officer of the Yamanto Police Station in relation to the investigation conducted by the QPS.

As the Chief Executive Officer of the Council I am writing on behalf of the Mayor and Councillors to request the QPS investigation report on the bones found at the site at 7001 Grampian Drive, Deebling Heights.

Should you have any queries in relation to this request, please do not hesitate to contact Anthony Bowles, Department Planning Manager on 3810 6254 or at [anthony.bowles@ipswich.qld.gov.au](mailto:anthony.bowles@ipswich.qld.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sonia Cooper'.

Sonia Cooper  
**CHIEF EXECUTIVE OFFICER**



OFFICIAL

## QUEENSLAND POLICE SERVICE

OFFICE OF THE ASSISTANT COMMISSIONER, SOUTHERN REGION  
52 Neil Street, Toowoomba, Qld, 4350  
P O Box 144, Toowoomba, Qld, 4350

TELEPHONE (07) 4631 6501



Our Ref: DOC 22/1938416  
Your Ref: 17522/2021/PDA:AB

18 November 2022

Sonia Cooper  
Chief Executive Officer  
Ipswich City Council  
45 Roderick Street  
Ipswich Qld 4305

cc via email: [anthony.bowles@ipswich.qld.gov.au](mailto:anthony.bowles@ipswich.qld.gov.au)

Dear Sonia,

I refer to your correspondence dated 24 October 2022 requesting the release of a police report pertaining to the investigation of skeletal remains located at a Deebling Heights development site.

I understand that you require this information pursuant to considering the development application for a proposed Community Use (Child Care Centre) at 7001 Grampian Drive, Deebling Heights and for that purpose, I am able to release the document under the provisions of Section 10.2 of the *Police Service Administration Act 1990*.

Accordingly, I attach the Anthropological Case Report prepared by Sergeant Donna MacGregor regarding the skeletal remains located at Deebling Heights development site.

I authorise this document and/or its content be disseminated to any third party for the proposed council development purposes. Further, this information/document is released under the provisions of 5.6.14 of the Management Support Manual.

Yours sincerely

CHARYSSE POND APM  
ASSISTANT COMMISSIONER  
SOUTHERN REGION

QUEENSLAND POLICE SERVICE

OFFICIAL

**Anthropological Case Report  
(FR2119530)**

**Matter of skeletal remains located at Deebing Heights Development Site**

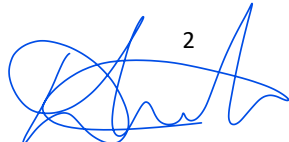
**Compiled by Donna MacGREGOR**

## STATEMENT OF QUALIFICATIONS

### I Donna Marie MacGREGOR state:

1. I am a Scientific Officer of the rank of Sergeant in the Queensland Police Service stationed at the Major crime Unit, Brisbane Scientific Section. I am a former Lecturer in forensic science and human anatomy at Griffith University and now am an Adjunct Research Fellow in forensic science. I am former Lecturer in human anatomy at the Queensland University of Technology, Brisbane and now an Adjunct Lecturer in human anatomy at the same university. I am also a commissioned officer in the Australian Army Reserve at the rank of Captain posted to the Unrecovered War Casualties Unit at Army Headquarters, as a Specialist Service Officer in the role of forensic anthropologist.
2. I am the holder of a Bachelor of Science degree with Honours in Forensic Anatomy from the University of Queensland. I am also a holder of a Master of Science degree in Forensic Science from Griffith University. I am also a holder of a Diploma in Forensic Human Identification from the Academy of Forensic Medical Sciences (London). I have also completed internships at specialised international forensic anthropology laboratories namely the C.A. Pound Human Identification Laboratory in Gainesville, Florida, and the Central Identification Laboratory Hawaii on the Hickham Air Force Base, Hawaii.
3. In my role as Scientific Officer, my duties include the examination of crime scenes and the collection and examination of physical evidence, and the examination of human skeletal remains. I have over nineteen (19) years' experience in this role. In my former roles as Lecturer in forensic science and anatomy, I am responsible for administration and delivery of resources and lectures in human anatomy and forensic related content to undergraduate students. I am also responsible for the coordination and supervision of postgraduate students undertaking research in forensic anthropology and other forensic related fields. I had over twelve (12) years combined experience in these academic roles. In my role as Specialist Service Officer (Forensic Anthropologist) my duties include membership in the field teams tasked with the location, recovery, and identification of missing Australian Servicemen from past conflicts (i.e., WWI and WWII) in foreign theatres. I have thirteen (13) years' experiences in this role.

2



**SUMMARY FOR DEEBING HEIGHTS SKELETAL REMAINS (FR2119530 refers)**

4. On 10 May 2022, I was requested by Acting Senior Sergeant Owen ESAIAS of the Major Crime Unit, Brisbane Scientific to examine a series of images containing possible skeletal remains for a human vs non-human determination.
5. I was advised that the skeletal remains subject to this examination request, had been removed from a site known as "Deebing Heights" some months earlier by Professor David LAMBERT of Griffith University.
6. I was further advised that the images provided to me had been taken by Senior Constable DALGEISH of Upper Mount Gravatt Scenes of Crime, and the images had been taken at Griffith University, Nathan Campus earlier on 10 May 2022.
7. On this date, I was sent two (2) emails by ESAIAS to my Griffith University email address. The first email contained 42 attached images representing four (4) bones in total. The second email contained 64 images representing approximately ten (10) larger fragments and multiple smaller fragments.
8. Attached to the first email were the following image numbers: 313, 315, 316, 318-323, 325-327, 329-334, 336-339, 341-344, 346-350, 352-357.
9. Attached to the second email were the following image numbers: 371-374, 376-379, 381-383, 385-388, 390-392, 394, 397-401, 403-4-4, 406, 408-410, 412, 414-415, 418-420, 423, 427-432, 434-435, 437-439, 442-446, 450-451.
10. I examined the images attached to both emails. The results were as follows:
  - (a) Email 1: I determined that two (2) of the skeletal remains attached to the first email were NOT human. They are most likely pig bones. In relation to the other two (2) bony elements I was unable to form an opinion as to the species of origin due to their fragmentary nature and lack of surface detail. The images of the undetermined bones are contained in image numbers 0338-0339 and 0344-0352.
  - (b) Email 2: The images attached to the second email illustrated objects most of which I could not identify as osseous or bone material. Many of these appeared to be consistent with stone or fossilized osseous material. However, some skeletal material was observed and determined to be NOT human but consistent with wallaby bones (images 418-423). Osseous material was also observed in image 439 and 442 however due to the fragmentary nature and lack of surface detail I could not form any opinion to species of origin.
11. No physical examination of the skeletal remains was completed in this matter.
12. I completed this report on 10 August 2022.

3  


13. This report was reviewed by Dr Denise DONLON, Senior Lecturer in Human Anatomy (University of Sydney) and NSW State Forensic Anthropologist, on 17 August 2022.



**Donna MacGREGOR**

B.Sc. (Hons). M.Sc., Dip.FHID, Dip. Policing.

Sergeant, Forensic Services Group, Queensland Police Service

Adjunct Research Fellow, Griffith University

Adjunct Lecturer in human anatomy, Queensland University of Technology

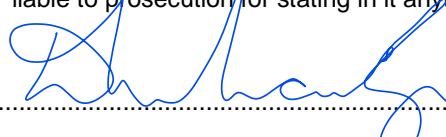
Captain, Forensic Anthropologist, Australian Army

Date 17 AUG 22

Justices Act 1886

I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- a. This written statement by Donna MacGregor dated 17 August 2022 and contained in the pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- b. I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.



.....Signature

Signed at Brisbane this 17th day of August 2022

---

From:  
Sent: Friday, 23 December 2022 4:53 PM  
To: Peter Tabulo  
Cc:  
Subject: RE: Presentation to Council  
Attachments: A. Everick Heritage Correspondence.pdf; Deebing FAQ V5 - Sep 2022.pdf

Hi Peter,

Thanks for your email.

Due to the relevant consultants being on leave at this time of year, I was unable to obtain the presentation that was delivered at the Council workshop on 7 November 2022. I'm sure that Tim Robins from Everick Heritage will be able to send this through as soon as he returns from leave in the New Year.

In the meantime, I have attached 2 documents. The first is a letter from Everick Heritage that was submitted by JFP to Council in April 2021 in response to an Information Request for DA Ref 7787/2008/MAEXT/A. This letter contains much of the information that was presented to the Councillors at the workshop. This letter was also submitted to Council by LandPartners on 6 September 2022 as part of the response to the submissions to the application for the proposed childcare centre use at 144 Grampian Drive (ICC Ref 17522/2021/PDA).

The second document is a Frequently Asked Questions (FAQ) that AVJennings have prepared to address many of the claims being made about the site at 144 Grampian Drive, Deebing Heights. This FAQ has had some iterations as more matters are raised and more information comes to hand and has been available for download on the Deebing Heights website since about May 2022.

Many thanks,

**AVJennings**



Level 4, 143 Coronation Drive  
Milton QLD 4064

**Best wishes for  
this festive season.**

Our corporate offices will close from  
**24th December 2022** and will re-open **3rd  
January 2023**. Please visit our website for  
Sales and Information Centre opening hours.

The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

---

From: Peter Tabulo <[peter.tabulo@ipswich.qld.gov.au](mailto:peter.tabulo@ipswich.qld.gov.au)>  
Sent: Monday, 19 December 2022 2:49 PM  
To:  
Subject: Presentation to Council

Hi, I was wondering if you could provide me with a copy of the presentation that was made to Council with the YUP last month?  
A few Councillors have asked for a copy.

Thanks  
Peter



Peter Tabulo | General Manager (Planning and Regulatory Services)  
Planning and Regulatory Services Department

IPSWICH CITY COUNCIL T | 07 3810 6255

Ipswich City Council respectfully acknowledges the Traditional Owners as custodians of the land and waters we share. We pay our respects to their Elders past, present and emerging, as the keepers of the traditions, customs, cultures and stories of proud peoples.



Confidential Communication | [Email Disclaimer](#)

## EVERICK HERITAGE

20 April 2021

EV.538

Development Manager  
AVJennings  
Level 4, 143 Coronation Drive  
Milton QLD 4064

*Sent via email transmission:*

Dear

**RE: CONTEXTUAL INFORMATION IN RELATION TO DEVELOPMENT APPLICATION  
SUBMISSIONS  
AVJENNINGS GRAMPIAN DRIVE RESIDENTIAL PROJECT**

We refer to your request to provide further contextual information in relation to submissions received by Ipswich City Council in response to its application to extend their Development Approval for Stage 1 of the Grampian Drive Project. We enclose:

- (a) a plan showing the approved Cultural Heritage Management Plan boundaries approved under Part 7 of the *Aboriginal Cultural Heritage Act 2003* (Qld)(ACHA);
- (b) a presentation prepared in February 2020 showing the historic tenure history of the nearby Deebing Creek Mission, and how it relates to the Subject Site; and
- (c) correspondence from DSDSATSIP confirming the approval of a registered CHMP under Part 7 of the ACHA.

**Contextual Information:** Everick Heritage has been assisting AVJennings in managing heritage related issues for Lot 600 SP300901, Lot 801 SP300901 and Lot 802 SP300901 (the Subject Site) since 2017. During this time, we have undertaken extensive historic research, archaeological research, and community consultation on the AVJennings site and surrounding properties. Having worked on many projects together since the formation of their Native Title Claim in 2017, we have a strong professional relationship with the Aboriginal Party of the region, the Yuggera Ugarapul People.

Level 9, Matisse Tower, 110 Mary Street, Brisbane QLD 4000  
(07) 3211 4478 | [info@everick.com.au](mailto:info@everick.com.au) | [everick.com.au](http://everick.com.au)

---

From: Peter Tabulo  
Sent: Friday, 18 November 2022 6:30 AM  
To: Teresa Harding; Councillors  
Cc: Melissa Fitzgerald; Sonia Cooper; Roxanne Dean; Michael Simmons  
Subject: Follow-up actions from Meeting with Jarjumbah Protection Site Representatives  
Attachments: A V Jennings Deebing FAQ newsletter 14 April 2022 V3.pdf

Good morning, following our meeting with the Jarjumbah Protection Site representatives on Tuesday afternoon, Michael has followed up on the matters that were raised.

Recent road maintenance leading up to the Deebing Creek Cemetery

- An ICC service request was created on 14/11 for Urgent Drainage Maintenance to remediate a sink hole on Grampian Drive, Deebing Heights.
- The matter was subsequently referred to TMR owing to the proximity of the works being within a State Controlled corridor.
- No works were undertaken by Council Roads and Drainage Maintenance teams.

Novation of CHMP from Frasers to Moremac

- Moremac has confirmed that the CHMP between Frasers and the YUP has been novated to Moremac.

This is the standard procedure when there is a change of ownership, the CHMP doesn't run with the land, automatically, like a development approval.

Clearing of Melaleuca irbyana within AVJennings Land

I haven't come across any recent communications or reports to suggest that Melaleuca irbyana is about to be cleared on the AVJennings site. I can only assume that the consultant out on site had been engaged by AVJ to prepare ecological reports that will be submitted with future OW / Compliance Assessment applications. Perhaps they made some comments in relation to potential clearing of Melaleuca irbyana that has been misconstrued by those who are currently camping on the site? I have attached a copy of a recent FAQ document that was published by AVJennings that touches upon the Melaleuca irbyana on the site. In that document AVJennings have stated that in accordance with the applicable Federal, State and Local legislation, multiple ecological surveys and reports have previously been prepared over the Deebing Springs site and the proposed development has been designed to respect the site's ground-truthed ecological constraints, including the retention, protection and re-habilitation of the Melaleuca Irbyana.

Regards  
Peter

April 2022



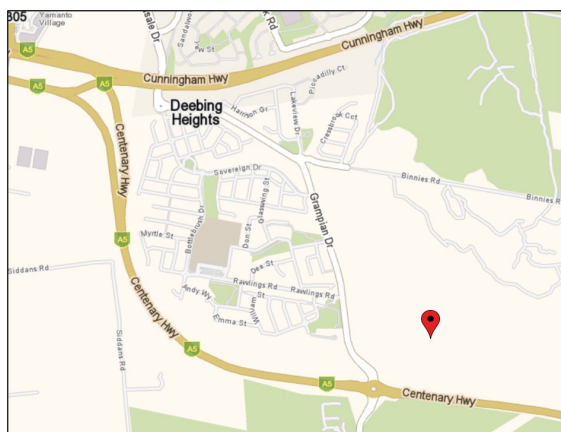
# FREQUENTLY ASKED QUESTIONS

## General

### Where is the AVJennings' Deebling Springs community?

The proposed Deebling Springs community is located at 144 Grampian Drive, Deebling Heights, Queensland, 4306. This is within the local authority of Ipswich City. The site is 9km south of Ipswich and 47 km south-west of Brisbane.

The site is located between the Centenary Highway to the south and Binnies Road to the north. It is located immediately to the south of the Ipswich Pony Club. See the red pin on the map below.



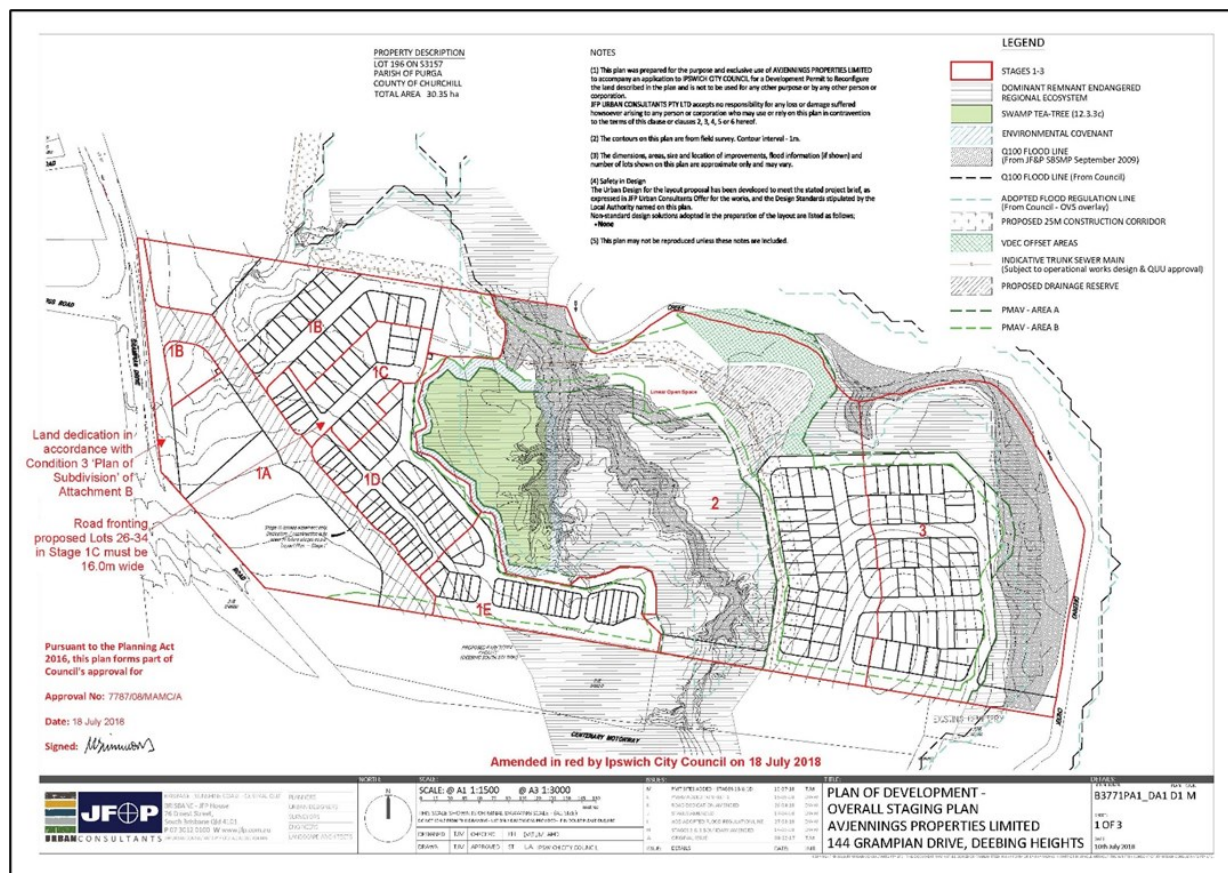
### Is Deebling Springs Council approved?

Yes. The Material Change of Use and Reconfiguration of a Lot for the proposed development was originally approved by Ipswich City Council in October 2008. There have been subsequent minor changes to this original approval over the years and the current approvals permit 181 residential allotments, 2 multiple residential sites, a shopping centre site, new roads, open space and drainage reserves.

The Operational Works approvals have also been obtained for Stages 1A to 1D of Deebling Springs.

More than 48% of the site will be dedicated as reserve or open space with large areas of vegetation protected. There are large areas of bushland that will be rehabilitated and revegetated in accordance with the approved Bushland Management Plan. This includes rehabilitating a buffer to Deebling Creek, retention and rehabilitation of the Melaleuca Irbyana (Swamp Tea Tree) community and restoration of a severely eroded gully through the centre of the site.

The development is wholly located within the Ripley Valley Priority Development Area (PDA) and is zoned for residential development. The overall Staging Plan is shown below.



## How will the wider community benefit from Deebing Springs?

The approved development will deliver affordable housing to the Ipswich Local Government area, while providing employment opportunities, both directly and indirectly to the surrounding community. The project will contribute almost \$6 million in physical trunk works and infrastructure charges, including 12.729ha of rehabilitated bushland and open space. The infrastructure charges will fund improvements to roads, water & sewer, Council services and schools. Deebing Springs represents a high-quality residential community, which will eventually be home to over 230 families.

## What impact will the development of Deebing Springs have on the local road network?

The Deebing Springs approvals require the widening of Grampian Drive and allows for the future provision of a signalised intersection with Rawlings Road. As detailed in the development applications, qualified Traffic Engineers have reviewed the proposal and confirmed that the development will not adversely impact on the surrounding road network. This assessment is supported by the relevant approval for the development issued by both the Ipswich City Council and the Department of Transport and Main Roads.

## Cultural Heritage

### Was the Deebling Springs site part of the former Deebling Creek Aboriginal Mission?

No. The Deebling Springs site was never part of the former Deebling Creek Aboriginal Mission that operated from 1892 to 1915.

The Deebling Creek Mission was directly to the south of Deebling Springs. That is, the southern boundary of Deebling Springs was the northern boundary of the former Mission. The plan below shows the relative locations.

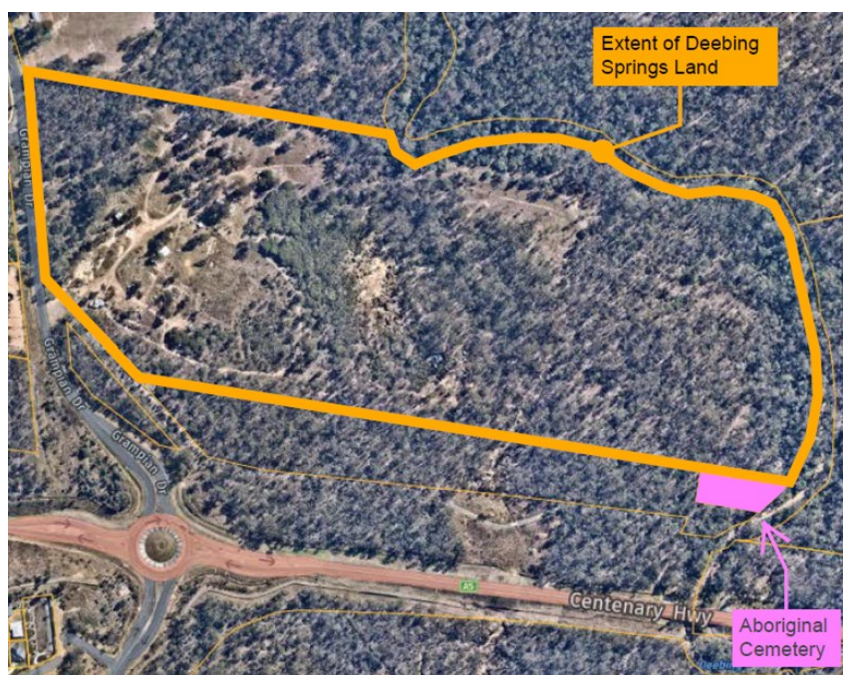
A historical title search shows that the Deebling Springs site has been freehold since 8 July 1867, when the property was purchased by Michael Macnamara.

The Deebling Springs site is also referred to by many of the Yuggera Ugarapul Elders as “Walsh’s Paddock”. This is reference to the fact that the land was owned by the Walsh Family from April 1901 to 1969. During a part of that period, it was held by Charles Cheyne, who was Mary Walsh’s second husband.



### Is the Aboriginal Cemetery on the Deebling Springs site?

No. The Aboriginal Cemetery directly abuts the south-eastern corner of the Deebling Springs site and is on a separate parcel of land, as shown on the plan to the right. The cemetery land is owned by the State Government and is held as a Reserve for an Aboriginal Cemetery.



### What is a CHMP?

A Cultural Heritage Management Plan (CHMP) is an agreement between a land user and the Aboriginal Party, developed under Part 7 of the *Aboriginal Cultural Heritage Act 2003* (ACHA) that explains how land use activities can be managed to avoid or minimise harm to Aboriginal or Torres Strait Islander Cultural Heritage.

While a CHMP must be developed and approved under Part 7 of the legislation when an environmental impact statement (EIS) is required for a project, any land user can voluntarily develop and seek to have a CHMP approved. This is regarded as best practise heritage management in Queensland. In the case of Deebling Springs, an EIS was not required, however a voluntary CHMP was developed and approved by the Queensland Government to minimise harm to Cultural Heritage.

### What is AVJennings doing to protect Aboriginal Cultural Heritage?

The Registered Aboriginal Party for this property is the Yuggera Ugarapul People (YUP) who have lodged a Native Title Claim which encompasses this site. AVJennings have been engaging with the Yuggera Ugarapul People (YUP) for over 4 years as the Native Title Applicant, to identify, recognise, protect and conserve Aboriginal Cultural Heritage on the Deebling Springs site at 144 Grampian Drive, Deebling Heights.

Under the provisions of the Queensland *Aboriginal Cultural Heritage Act 2003* (ACHA), the Native Title party are the Aboriginal Party that AVJennings are to enter into an agreement with and develop a Cultural Heritage Management Plan (CHMP). AVJennings and the YUP entered into a CHMP over this site in April 2019 and this was subsequently registered and approved by the Queensland Government in May 2019.

### Are the protesters on the Deebling Springs site, Traditional Owners?

The majority of the protesters that are occupying the Deebling Springs site are not Yuggera Traditional Owners.

### How has AVJennings ensured the voice of Traditional Owners have been heard?

AVJennings began consultation with the YUP in October 2017 when a meeting was held with Aboriginal Elders and YUP Applicants at the cemetery.

The formal process to establish a CHMP commenced in January 2018.

Following an extensive process of engagement and consultation, a CHMP was agreed in April 2019. The CHMP was registered and approved with the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) in May 2019.

The agreed CHMP area on the Deebling Springs site is shown in purple below. The yellow area is the area adjacent to the cemetery (shown in pink) and it was agreed with YUP in 2019, that this area required further investigation in the future.

The CHMP area was kept approximately 130m from the cemetery at the request of the YUP. This was done to enable a Cultural Heritage clearance to be given over the low-risk areas in the western part of the site and allow more time and research to be conducted on the area closer to the cemetery before works commenced in that area.



### What has been done on site to meet the Cultural Heritage obligations?

AVJennings staff members, the Traditional Owners and Elders of the YUP walked the site together in November 2018.

A Cultural Heritage survey of the entire site was undertaken in July 2019. The survey involved two weeks of on-site investigations by a team of four Traditional Owners from the YUP, their Technical Adviser (Archaeologist) and an AVJennings consulting Archaeologist. The cost of this survey was met by AVJennings.

In addition, AVJennings met the cost of a ground penetrating radar (GPR) survey of parts of the Deebling Springs site and the Mission Cemetery. This GPR survey was performed by the YUP's preferred consultant under the control of their preferred Archaeologist.

This survey work resulted in a Cultural Heritage Survey Report, which considered the significance of the stone artefacts found on the site and the interplay of the topography and the vegetation on the site. Following a review of the report, a Mitigation Plan was prepared for the Deebling Springs site. This plan was supported by the YUP Archaeologist and signed by the YUP coordinators as nominated representatives of the YUP under the CHMP.

The Mitigation Plan required a further week of Archaeological testing by the YUP in additional areas on the site – this time with an excavator and a mechanical sieve so that larger areas could be studied more efficiently.



As a result of the CH survey and the additional investigations performed for the Mitigation Plan, the YUP appointed coordinators and Technical Adviser have confirmed a satisfactory result with no further sub-surface monitoring required on the CHMP area. This means that AVJennings has consent from the registered Aboriginal Party to commence works on the CHMP area.

**Some people are saying there are historical human remains on the AVJennings Deebing Springs site. Is this correct?**

There is no evidence that would indicate that there are burials within lands proposed for development on the Deebing Springs site. The Queensland Police Service (QPS) has advised that there was a report in 2021 of potential human bones at the Deebing Springs site. These were analysed and found to be cattle bones by the QPS forensic scientists.

After extensive CH Surveys involving dozens of excavated test pits that yielded over 700 stone artefacts, there have been no human remains encountered on the Deebing Springs site. Below is a sample of the artefacts recovered during the CH survey.



AVJennings understand that in the 1980's or 1990's, there was illegal sand mining performed by persons unknown, along Deebing Creek within the Mission Cemetery. In the course of that mining, there were human remains unearthed in the creek bank within the cemetery. This was documented and the sand mining was stopped. A rock wall was then built along the creek frontage to the cemetery to minimise future erosion of the creek into the cemetery.

The CHMP clearly sets out a process to be followed if suspected human remains are uncovered during construction activities. This process is in keeping with the recommendations of the Department of Aboriginal and Torres Strait Islander Partnerships and their Guidelines for the discovery, handling and management of human remains. Under the provisions of the *Criminal Code Act 1899 (Qld)*, the *Coroners Act 2003*, the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003* (the Acts) any bones suspected of being human must be reported to the Queensland Police Service for investigation.

All contractors on site at Deebing Springs will be required to have a Cultural Heritage Awareness Induction to ensure they remain vigilant during site works for signs of any human remains or other Cultural Heritage.

### Has there ever been a massacre at Deebing Creek?

There are no records or historical reports of a massacre at Deebing Creek. AVJennings and our Archaeologists have also had extensive discussions with the Traditional Owners, the YUP Applicants and Elders since November 2018 and there is no oral or written history of a massacre at Deebing Creek.

There have been claims made on social media that there is an open pit containing bone fragments at Deebing Springs. This “pit” is actually a severely eroded gully that is 3 to 4m deep in some areas that runs north-south through the centre of the site. The soil in this region is highly dispersive, meaning that the soil particles are very easily picked up and taken away by rainfall. This often leads to underground tunnelling erosion and eventual collapse and subsidence of the ground. The image to the right shows this phenomenon, with tunnelling and ‘sink holes’ on the site. The image below shows the eroded gully and the orange line at the tree trunk, is the original ground level that is above the person’s head. Below the orange line, is the root structure of the tree.



### What is GPRS?

GPRS stands for **Ground Penetrating Radar Survey**. This is a high technology process whereby signals are transmitted below the surface and the reflections of those signals from features under the ground are recorded and analysed. These signals show differences in density and composition of materials under the ground. Only relatively large objects can be detected. The differences shown in the signals are called ‘anomalies.’ In most cases it is difficult to know what the anomaly is without excavation.

In 2019, at the request of the YUP, there were 2 sections surveyed with GPR under the supervision of YUP’s Archaeologist. These were within the cemetery and within the Deebing Springs site just

to the north of the cemetery. YUP’s Archaeologist and a Senior Archaeologist from Everick Heritage reviewed the results of the GPR survey. It showed evidence of burials potentially extending up to a metre into the Deebing Spring site. Other than that, there was no clear evidence of burials identified.

To clarify – AVJennings will not be excavating or performing any soil disturbance within the cemetery as this is not part of the Deebing Springs site. Any future development of the Deebing Springs site will ensure appropriate setbacks and landscaping, sympathetic to the significance of the Cemetery as an important place for the Aboriginal people of South East Queensland.

## Environment

### Will all of the Melaleuca Irbyana (Swamp Tea-tree) be cleared with the development of Deebling Springs?

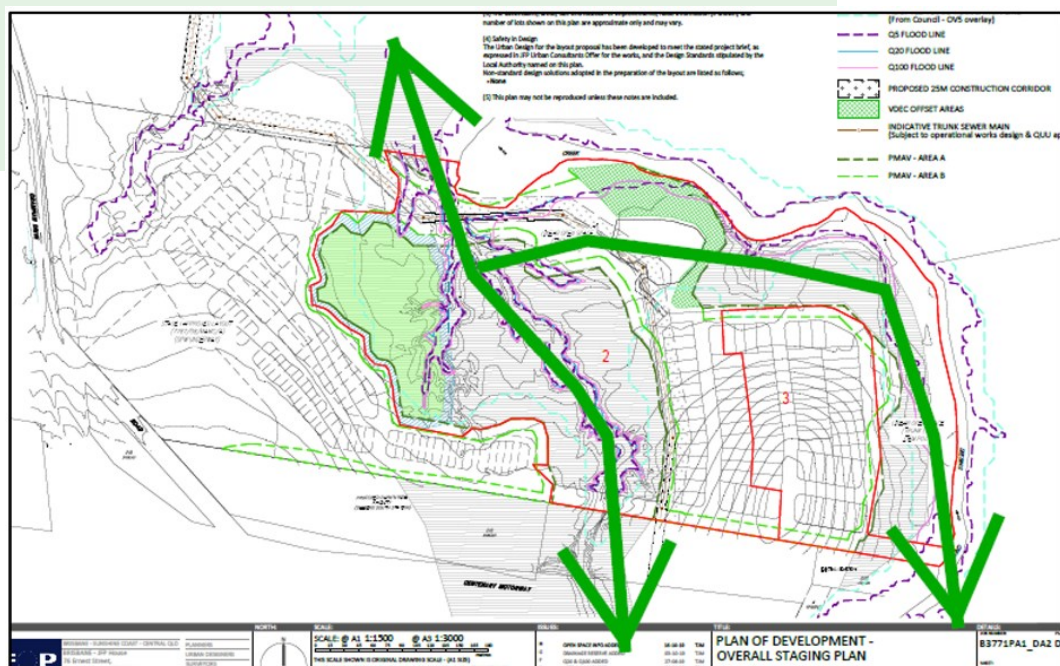
No.

In accordance with the applicable Federal, State and Local legislation, multiple ecological surveys and reports have previously been prepared over the Deebling Springs site. The proposed development has been designed to respect the site's ground-truthed ecological constraints, including the retention, protection and rehabilitation of the Melaleuca Irbyana. It was noted in these reports that the site was predominantly cleared of vegetation in 1948, with the majority of vegetation having regrown since that time.

The main contiguous thicket of M.Irbyana at Deebling Springs occupies more than 2.1 hectares and is shown below, shaded green shaded and located centrally to the site. This will be retained within an environmental covenant as required by the decision of the Department of the Environment, Water Heritage and the Arts under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

### What impact will the development of Deebling Springs have on ecological corridors and connections?

The proposed development has been designed in accordance with expert ecological advice and the applicable Federal, State and Local Government approvals. In this regard, it is noted that the approved Stage 2 & 3 development will facilitate the formal rehabilitation, dedication & ecological corridors as detailed in the Figure below. The dedication of these corridors to Council as part of these approvals will ensure the long-term conservation of the identified connections along with an overall enhancement of ecological values on the site, noting that large parts of the site are currently degraded.



## Enquiries

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