

Enquiries to: Planning Department
Our Reference: MCU25/0003
Your Reference: Home Hill Depot ECM 13311070

PO Box 974, Ayr Qld 4807
T (07) 4783 9800 | **F** (07) 4783 9999
planning@burdekin.qld.gov.au
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5 August 2025

Ergon Limited
26 Reddacliff Street
Newstead QLD 4006
Via email: Tom.Sexton@energyq.com.au and Tamara.Scott@energyq.com.au

Attention: Tom Sexton and Tamarra Scott, Town Planners

Dear Tom and Tamarra,

Development Application No. MCU25/0003

Decision Notice – Development Permit for Material Change of Use – Warehouse and Low Impact Industry (Redevelopment and extension of existing Ergon Depot Facility) – Warehouse and Low Impact Industry (Redevelopment and extension of existing Ergon Depot Facility) on land located at 1-3 Third Avenue, 25-35 First Avenue, First Avenue, Home Hil (Lot 92 on SP352374, Lot 92 on SP116365 and Lot 369 on SB548).

I refer to your development application made on behalf of Ergon Limited, seeking a Development Permit for Material Change of Use – Warehouse and Low Impact Industry (Redevelopment and extension of existing Ergon Depot Facility), on land as described above.

Your development application was assessed by relevant officers and Council approved the proposed development on **28 July 2025**, subject to reasonable and relevant conditions. Council's Decision Notice is **enclosed**.

This notice outlines the aspects of the development's condition of approval, currency period, approved plans and includes extracts from the Planning Act 2016, with respect to the making of representations about conditions, suspension of the appeal period, negotiated decisions and lodgement of an appeal, should you wish to do so.

Yours sincerely,



Kellie Galletta

Manager Planning and Development

**Enc: Decision Notice
Appeal Rights**

Decision Notice

Planning Act 2016



**Address all communications to
The Chief Executive Officer**

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5 August 2025

This decision notice is given under Section 63 of the *Planning Act 2016*.

Application Details

This Decision Notice relates to the below Development Application:

Application Number:	MCU25/0003
Applicant Details:	Ergon Limited C/-Tom Sexton 26 Reddacliff Street Newstead QLD 4006
Owner Details:	Ergon Energy Corporation Limited & The State of Queensland
Street Address:	1-3 Third Avenue, 25-35 First Avenue, First Avenue, Home Hill QLD 4806
Real Property Description:	Lot 92 on SP352374, Lot 92 on SP116365 and Lot 369 on SB548
Proposal:	Material Change of Use Warehouse and Low Impact Industry (Redevelopment and expansion of existing Ergon Depot Facility)
Planning Scheme:	<i>Burdekin Shire Council Planning Scheme 2022</i>
Level of Assessment:	Code

Decision Details

The information below outlines the specifics of any approval or refusal issued by the Assessment Manager resulting from development assessment as per the provision of the *Planning Act 2016*.

Type of Decision:	Approval with conditions
Date of Decision:	28 July 2025
Decision Type:	Development Permit
Deemed Approval:	The Development Permit is not a deemed approval under Section 64 of the <i>Planning Act 2016</i>
Submissions:	Not applicable.

Conditions of Approval

The Conditions of Approval are set out in **Attachment A** of this Decision Notice. The conditions are identified to indicate whether the Assessment Manager or a Referral Agency imposed them.

Approved Plans and Documents

The approved development must be completed and maintained generally in accordance with the approved plans and documents, except as amended by the conditions of this permit. The approved plans are included in **Attachment B** of this Decision Notice.

Referral Agencies

The development application was referred in accordance with the following provisions of the *Planning Regulation 2017*:

Referral Status	Referral Agency and Address	Referral Trigger from Planning Regulation 2017
Concurrence	NQSARA, PO Box 5666, Townsville, Q 4810 Email: NQSARA@dsdilgp.qld.gov.au	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 Material change of use of premises near a State transport corridor or that is a future State transport corridor (railway)
Concurrence	NQSARA, PO Box 5666, Townsville, Q 4810 Email: NQSARA@dsdilgp.qld.gov.au	Schedule 10, Part 8, Division 2, Subdivision 3, Table 2 Material change of use of premises adjoining a Queensland Heritage Place

The Referral Agency Response is set out in **Attachment C** of this Decision Notice.

Further Approvals Required

Refer to **Attachment A** - Conditions of Approval.

Infrastructure Charges

The proposal is a development type that triggers infrastructure charges to be applied, as per Council's Charges Resolution. The full Infrastructure Charges Notice is **attached**.

Rights of Appeal

The rights of an applicant to appeal to the Planning and Environment Court against a decision about a Development Application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. There may also be the right to make an application for a declaration by Tribunal (refer Chapter 6, Part 2 of the Planning Act 2016).

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

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*. A copy of the relevant appeal provisions from the *Planning Act 2016* is **attached**.

Approval Currency Period

Pursuant to Section 85 of the *Planning Act 2016*, the Material Change of Use component of the Development Approval will lapse six (6) years after the approval starts to have effect, unless otherwise conditioned. The currency period can only be extended if the request is received before the approval lapses.

Notice About Decision – Statement of Reasons

This notice is prepared in accordance with s63(5) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a development application. The purpose of the notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the planning scheme and assessment benchmarks against which the application was assessed; and
- any other information, documents or other material council was either required to, or able to, consider in its assessment.

All terms used in this notice have the meanings given them in the *Planning Act 2016*.

Assessment Benchmarks

The following assessment benchmarks applied to the proposed development:

- Industry Zone Code
- Flood Hazard Overlay Code
- Heritage Overlay Code
- Development Works Code

Compliance with Assessment Benchmarks and Reasons for the Decision

The proposed development was assessed against all assessment benchmarks listed above and complies with the exception of the following listed. Reasons for approval despite non-compliance are listed below.

Assessment Benchmarks	Reason for approval despite non-compliance with Benchmark
Performance outcome	Officer comment
PO1 Development avoids or mitigates impacts on adjoining land and ensures sufficient space to accommodate landscaping, services and parking.	The development responds to the existing approved layout of buildings and operations on site. Given the existing layout of buildings and operations it is anticipated that the setbacks adopted will not adversely affect the ability for the use operate appropriately. This is a unique site and a partial redevelopment of an existing Ergon Depot.
PO2 Development adjoining land in a nonindustrial zone provides building setbacks which maintain the amenity and privacy of nearby sensitive land uses and incorporates suitable screening.	The adjoining site is the Showgrounds (or former showgrounds). A small, enclosed wash bay is not considered to impact amenity or privacy and the use is not considered a sensitive land use. The fencing proposed aligns with Ergons design manual for depot security standards. The compliance with the AO is a technicality in terms of the form of fencing but it achieves the purpose of the AO.
PO7 Premises have an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	The access road does not currently meet the requirements of AO7.3. The proposed access remains unchanged. This is a unique site and a partial redevelopment of an existing Ergon Depot.

Development Works Code	
Performance outcome	Officer comment
PO1 Excavation and filling on land maintains the amenity and utility of adjoining land.	These works are limited to driveway and access works and are minor in nature.

Properly Made Submissions

Not applicable.

Appeal Rights

Planning Act 2016 & The Planning Regulation 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the [Planning Act 2016](#) states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under [chapter 7, part 4](#), to register premises or to renew the registration of premises—20 business days after a notice is published under [section 269\(3\)\(a\) or \(4\)](#); or
 - (d) for an appeal against a decision of the Minister, under [chapter 7, part 4](#), to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under [section 269A\(2\)\(a\)](#); or
 - (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (f) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (g) for an appeal relating to the [Plumbing and Drainage Act 2018](#)—
 - a. for an appeal against an enforcement notice given because of a belief mentioned in the [Plumbing and Drainage Act 2018, section 143\(2\)\(a\)\(i\), \(b\) or \(c\)](#)—5 business days after the day the notice is given; or
 - b. for an appeal against a decision of a local government or an inspector to give an action notice under the [Plumbing and Drainage Act 2018](#)—5 business days after the notice is given; or
 - c. for an appeal against a failure to make a decision about an application or other matter under the [Plumbing and Drainage Act 2018](#)—at anytime after the period within which the application or matter was required to be decided ends; or
 - d. otherwise—20 business days after the day the notice is given; or
 - (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

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

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

230 Notice of appeal

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

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

231 Non-appealable decisions and matters

- (1) Subject to this chapter, [section 316\(2\)](#), [schedule 1](#) and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The [Judicial Review Act 1991, part 5](#) applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the [Judicial Review Act 1991](#) in relation to the decision or matter, may apply under [part 4](#) of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
 - decision* includes–
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.
 - non-appealable*, for a decision or matter, means the decision or matter–
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

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

Attachment A – Conditions of Approval

Condition	Reason	Timing
1. General and Administration		
<u>Compliance with Conditions</u>		At all times.
1.1 The applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) and all other relevant legislative requirements to Council's satisfaction, and best industry practice.		
1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail.		
1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.		
<u>Notice of Intention to Commence the Use</u>		
1.4 Prior to the commencement of the use on the land the subject of the application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.		
<u>Works – Applicant's Responsibility/Expense</u>		
1.5 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required, are met by the applicant at no cost to the Council.		
1.6 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.		

Attachment A – Conditions of Approval

Condition	Reason	Timing
<p>1.7 Any required relocation and/or alteration to a public service or facility installation must be carried out at no cost to Council.</p> <p><u>Infrastructure Conditions</u></p> <p>All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i>, should be read as being non-trunk.</p>		
2. Approved Plans and Documents		
<p><u>Approved Plans & Documents – Required Plans</u></p> <p>2.1 The proposed development must be completed, comply with and maintained, generally in accordance with the approved plans and drawings/documents identified in the table below, except as otherwise specified and/or amended by any condition of this approval.</p> <p>2.2 One full set of the most recent approved plans must be held on-site and available for inspection for the duration of the construction phase.</p> <p>2.3 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.</p> <p>2.4 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.</p>	<p>To ensure that the development contributes to a safe and attractive industrial environment.</p>	<p>i. Any amended plans are to be submitted to Council for approval prior to the approval of a Development Permit for Building Work.</p> <p>ii. Once approved, the use and associated works must be completed and maintained generally in accordance with the approved drawings and documents, at all times.</p>

Attachment A – Conditions of Approval

Condition	Reason	Timing
Approved Plans		
Drawing Title	Drawing/Revision	Date
COVER SHEET- LOCALITY PLAN	1624b-DD A-0.00.1	31/01/2025
SITE PLAN - EXISTING	1624b-DD A-0.01	October 2023 (for Approval 31/01/25)
SITE PLAN - PROPOSED	1624b-DD A-0.02 (PA-2)	18/06/2025
NEW SKILLION ADDITION - PLANS, ELEVATIONS, SECTION	1624a-CD A-B3-10	04/08/2024
NEW BUILDING - GROUND FLOOR PLAN	1624b-DD B4-10	24/04/2004
ELEVATIONS & SECTION	1624b-DD B4-20	31/01/2025
NEW HRV PARKING STRUCTURE - FLOOR & SLAB PLANS	1624b-DD B5-10	31/01/2025
HRV PARKING STRUCTURE - ELEVATIONS	1624b-DD B5-20	31/01/2025
WASHDOWN BAY - FLOOR PLAN	1624b-DD B6-01	October 2023 (for Approval 31/01/25)
ELEVATIONS & DETAILS	1624b-DD B6-03	October 2023 (for Approval 31/01/25)
NEW GEN AWNING - PLANS, ELEV, SECT.	1624b-DD B7-10	05/05/2025
EQL HOME HILL REDEVELOPMENT STORMWATER MANAGEMENT PLAN_REV D	1064/TM- MA0004	09/06/2025
Outstanding Charges		
3. All rates and charges (including infrastructure charges), in arrears in respect of the land subject of the application, are to be paid in full prior to the commencement of the proposed use.		
Notice of Intention to Commence the Use		
4. A minimum two (2) weeks prior to the commencement of the use on the land subject to this application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.		
5. Nature and Extent of Approved Use		
5.1 This approval provides for a development comprising: <i>'Low Impact Industry' is defined as:</i> <i>The use of premises for an industrial activity—</i>	The development must comply with all planning scheme requirements	At all times.

Attachment A – Conditions of Approval

Condition	Reason	Timing
<p>(a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and</p> <p>(b) that a local planning instrument applying to the premises states is a low impact industry; and</p> <p>(c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.</p> <p>and</p> <p>‘Warehouse’ is defined as:</p> <p>The use of premises for—</p> <p>(a) storing or distributing goods, whether or not carried out in a building; or</p> <p>(b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).</p> <p>5.2 Specifically, the approved use is to remain in accordance with the scale and intensity provided in the development application and as set out on the approved proposal plans listed in the table forming part of Condition 2 and Condition 5.</p> <p>5.3 The office area as shown on the approved plans and documents is to remain at all times ancillary and subordinate to the approved Warehouse and Low Impact industry.</p> <p>5.4 No other operations and/or activities are allowed other than that approved by this permit.</p>	<p>including definitions, nature and extent as approved and conditioned by this development permit.</p>	

Attachment A – Conditions of Approval

Condition	Reason	Timing
<p>5.5 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the applicant.</p> <p>5.6 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.</p>		
6. Roadworks, Access, Parking and Traffic		
<p>Roadworks, Access, Parking and Traffic</p> <p>6.1 Parking spaces, site access, and internal circulation must be designed and constructed in accordance with the approved plans.</p> <p>6.2 All off-street parking bays must be designed and constructed in accordance with the relevant standards.</p> <p>6.3 All car parking, access and manoeuvring areas must be imperviously sealed.</p> <p>6.4 Construct a driveway crossover at the frontage of the access Easement D in accordance with the relevant standards to accommodate the proposed egress from the site.</p>	To accommodate the anticipated demand safely and efficiently.	Prior to commencement of use and at all times.
7. Nuisance and off-site impacts		
<p>Environmental Management and Avoiding Nuisance</p> <p>7.1 The approved use must not cause environmental nuisance to any sensitive receptor in accordance with the <i>Environmental Protection Act 1994</i>.</p>	To ensure that the operation of the activity does not cause undue disturbance to any person or activity because of light emitted or noise,	At all times.

Attachment A – Conditions of Approval

Condition	Reason	Timing
<p>7.2 External lighting must be installed in accordance with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting. The installation of external lighting must be certified by a suitably qualified person in accordance with the Australian Standard.</p> <p>7.3 A fence must be provided in accordance with the approved plans and common material.</p>	vibration, odour, dust or other emissions.	
8. Infrastructure and Servicing		
<p>Water Supply</p> <p>8.1 The Development must connect to Council's reticulated water supply.</p> <p>8.2 Any alterations required to Council's water reticulation network are to be completed at the applicant's full cost with no cost to Council.</p> <p>Sewerage Supply</p> <p>8.3 The Development must connect to Council's reticulated sewerage.</p> <p>8.4 Any alterations required to Council's sewerage network are to be completed at the applicant's full cost with no cost to Council.</p> <p>Stormwater</p> <p>8.5 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.</p> <p>8.6 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.</p>	To ensure that development has an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	Prior to commencement of use and at all times.

Attachment A – Conditions of Approval

Condition	Reason	Timing
<p>8.7 The recommendations of the Stormwater Management Plan prepared by Langtree Consulting Engineers dated 09/06/25 must be implemented.</p> <p>Electricity and Communications</p> <p>8.8 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority.</p>		
9. Amenity and Safety		
<p>Landscaping</p> <p>9.1 All areas of the site that are not sealed for access and manoeuvring are to be turfed or landscaped.</p> <p>Visual Treatment of Plant and Equipment</p> <p>9.2 The applicant must ensure all plant and equipment (inclusive of air conditioning units, compressors, generators, ducting, ventilation and the like) is appropriately screened and ventilated from view from any dedicated road or adjoining residential premises.</p> <p>Refuse Facilities and Waste Management</p> <p>9.3 Refuse facilities and waste management must be provided to the satisfaction of Council, in accordance with Council's Waste Management Policy, <i>Local Law No. 8 (Waste Management) 2018</i> and the <i>Environmental Protection Regulation 2019</i> to ensure sufficient waste management storage capacity is provided on-site to adequately cater for the demand generated by the use of the premises.</p>	<p>To soften the visual impact of the development from the street and adjoining land and to ensure that the development does not cause undue disturbance to any person or activity because of noise, vibration, odour, dust or other emissions.</p>	<p>At all times.</p>

Attachment A – Conditions of Approval

Condition	Reason	Timing
9.4 Waste removal must only occur between the hours of 7am and 7pm to avoid the potential for noise impacts on neighbouring properties at night.		
10. Environmental		
<p>10.1 The applicant is to ensure that erosion and sedimentation control management is undertaken and maintained to prevent soil erosion and sedimentation runoff to watercourses and Council's stormwater drainage system. Erosion and sediment control is to be in accordance with Sediment Control – Engineering Guidelines for Queensland 1996 (Construction Sites) and the Queensland Urban Drainage Manual 2013.</p> <p>10.2 The applicant is to ensure that:</p> <ul style="list-style-type: none"> a Works occur so they do not cause unreasonable interference with the amenity of adjoining premises because of noise, air or other chemical pollutants; b The premises including the adjoining Council controlled road reserve are kept in a safe, clean and tidy state; and c All construction materials are contained wholly within the premises. <p>10.3 Where contaminated soils are evident, remedial works must be undertaken in accordance with <i>Environmental Protection Act 1994</i>. Where contaminated soils are identified, Council must be notified and provided with an appropriate Contaminated Soil Remedial Plan.</p>	To avoid environmental nuisance.	At all times.

Advice
1. Infrastructure Charges

Attachment A – Conditions of Approval

Advice
An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the development permit is attached for your information.
2. Compliance with Conditions Inspections will be required to be undertaken by Council to determine compliance with conditions that are not subject to a further approval.
3. Further Approvals Required a) Operational Works If required, a development permit for operational works to carry out civil works associated with the planning approval is required prior to any works commencing on-site. b) Plumbing and Drainage Works A compliance permit to carry out plumbing and drainage works must be obtained prior to the commencement of plumbing and drainage works. c) Building Works A development permit for building works to carry out building works is required, prior to works commencing on site.
4. Equitable Access and Facilities The plans for the proposed building work have NOT been assessed for compliance with the requirements of the <i>National Construction Code - Building Code of Australia (Volume 1)</i> as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work: <ul style="list-style-type: none"> (a) <i>the Disability Discrimination Act 1992 (Commonwealth)</i> (b) <i>the Anti-Discrimination Act 1991 (Queensland)</i> (c) <i>the Disability (Access to Premises – Buildings) Standards.</i>
5. Construction 5.1 <u>Commencement</u> Council must be notified in writing two (2) weeks prior to the proposed construction commencement date via planning@burdekin.qld.gov.au 5.2 <u>Environmental Nuisance</u>

Attachment A – Conditions of Approval

Advice

Ensure compliance with the Environmental Protection Act 1994. The Act states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance.

In this regard persons and entities, involved in the civil, earthworks, and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.

5.3 General Safety of Public During Construction

It is the project manager's responsibility to ensure compliance with the *Work Health and Safety Act 2011*. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the *Work Health and Safety Act 2011*. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the *Work Health and Safety Act 2011*. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

5.4 Building Work Noise

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

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

5.5 Storage of Materials and Machinery

All construction materials, waste, waste skips, machinery and contractor's vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractor's vehicles will be permitted outside the site, on road reserves or adjoining land unless written permission from the owner of that land and Council is provided.

6. **Aboriginal and Cultural Heritage**

6.1 If any item of cultural heritage is identified during site works, all work must cease, and the relevant state agency must be notified. Work can resume only after state agency clearance is obtained.

6.2 The applicant is reminded of their obligations under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au

Attachment A – Conditions of Approval

Advice	
7. Miscellaneous	
7.1	Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.
7.2	The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of Council.
7.3	It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

1. LOCALITY PLAN - PROPOSED



APPROVED
 REF: MCU25/0003 DATE: 28.7.25
[Signature]

1 SITE PLAN - EXISTING
 SCALE - 1 : 1000

PROPERTY INFORMATION:
 LOT NUMBER 92
 PLAN NUMBER 58879
 SITE AREA 17262m² (TBC)

APPREPROPRIATE
 PA-1 FOR APPROVAL

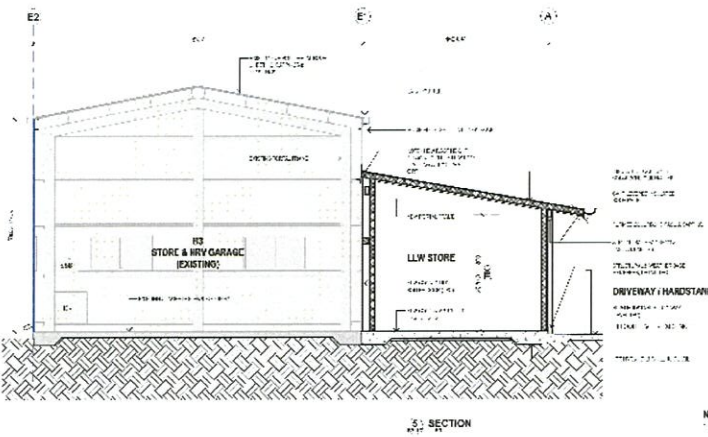
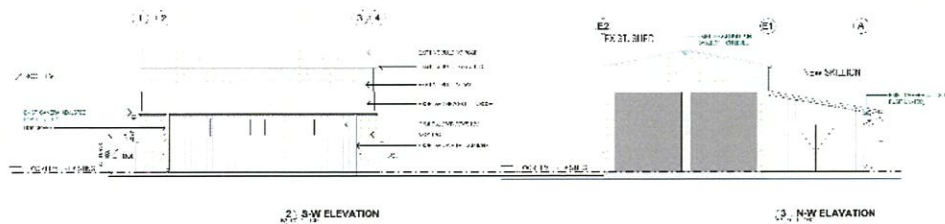
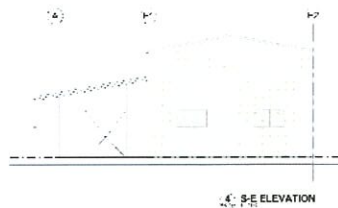
DO NOT SCALE DRAWINGS.
 USE DIMENSIONS ONLY.
 DIMENSIONS SHOWN ARE NOMINAL, ALLOWING
 FOR BE MADE TO FIT THE SITES. VERIFY ALL
 DIMENSIONS AND CONDITIONS PRIOR TO
 COMMENCING WORK. THIS DOCUMENT IS THE
 PROPERTY OF EQL HOME HILL DEPOT REDEVELOPMENT /
 EXPANSION. IT IS TO BE USED FOR THE PURPOSES
 OF THE PROJECT ONLY. IT IS NOT TO BE REPRODUCED
 OR COPIED IN ANY MANNER WITHOUT THE
 WRITTEN PERMISSION OF EQL HOME HILL DEPOT
 REDEVELOPMENT / EXPANSION.



3 South Street, Cairns QLD 4870
 p. 07 4051 4100 f. 07 4051 0060
 e. info@architects.com.au
 www.architects.com.au

ENGINEER
 APPROVED
 SCALE
 1 : 1000
 DATE
 OCT 2023
 CONSULTANTS
 STRUCTURAL
 ELECTRICAL
 BUILDING CERT
 EQL HOME HILL DEPOT REDEVELOPMENT / EXPANSION
 1-3 THIRD AVENUE, HOME HILL QLD 4806
 ERGON ENERGY CORPORATION LTD.

SITE PLAN - EXISTING
 1624b-DD-A-0.01
 FOR APPROVAL
 ISSUE PA-1



NOTES
 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2011.

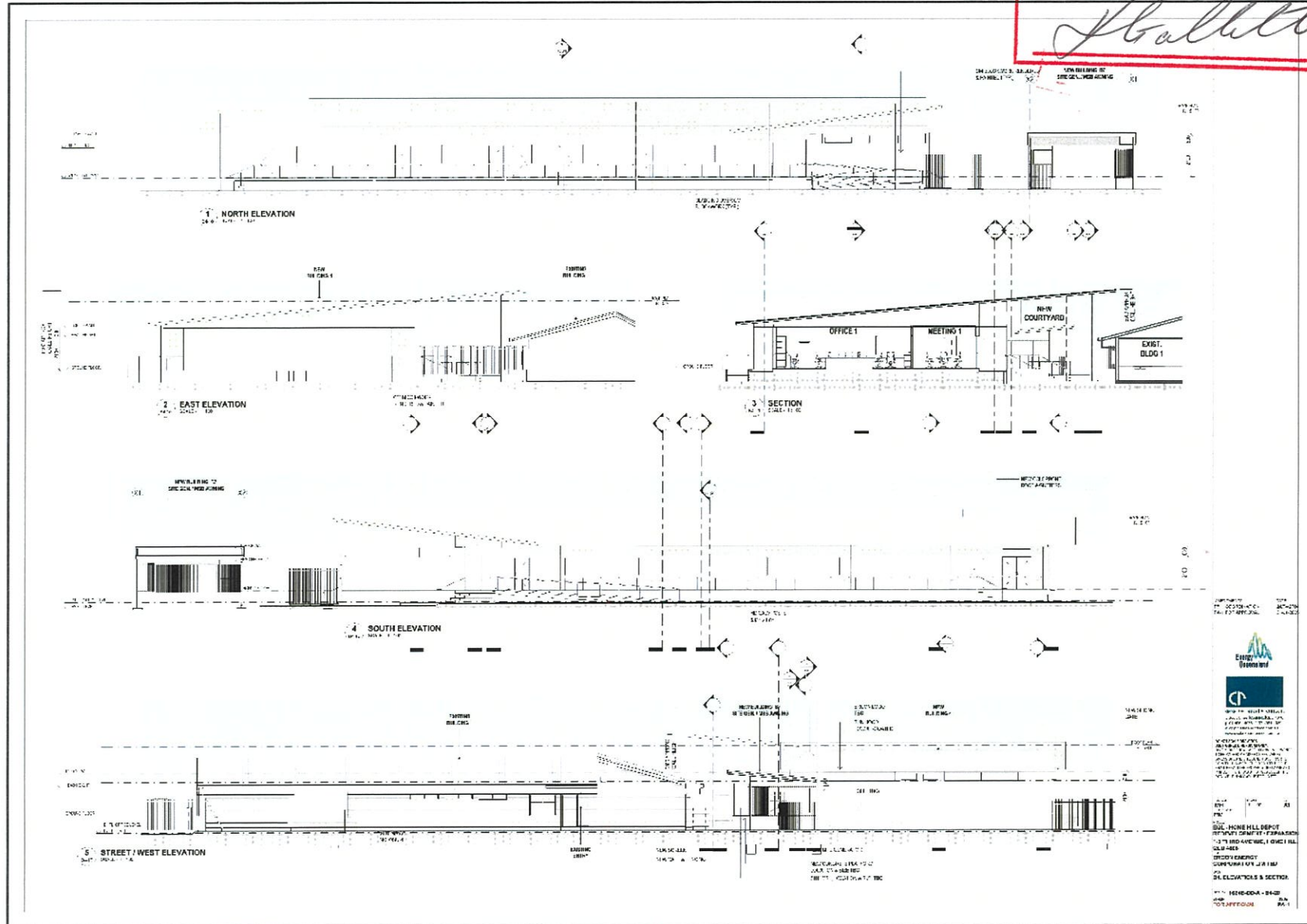
PROJECT NO: MCU25/0003
 DRAWING NO: 01/25
 DATE: 28.7.25
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 PROJECT LOCATION: [Address]
 CLIENT: [Name]
 PROJECT DESCRIPTION: [Description]
 SCALE: 1:50
 SHEET NO: 1 OF 1
 TOTAL SHEETS: 1

MCU25/0003

APPROVED

REF: MCU25/0003 DATE: 28-7-25

J. G. Galt

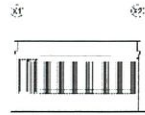




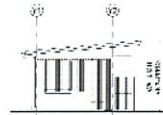
ISSUE RA 4

APPROVED
 REF: MCU 25/0003 DATE: 28.7.25
[Signature]

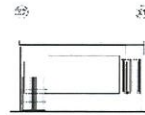
NOTE
 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE SOUTH AFRICAN NATIONAL STANDARD (SANS) 10400-1:2012.
 2. THE DESIGNER IS NOT RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THE BUILDING.
 3. THE DESIGNER IS NOT RESPONSIBLE FOR THE ELECTRICAL DESIGN OF THE BUILDING.
 4. THE DESIGNER IS NOT RESPONSIBLE FOR THE MECHANICAL DESIGN OF THE BUILDING.
 5. THE DESIGNER IS NOT RESPONSIBLE FOR THE PLUMBING DESIGN OF THE BUILDING.
 6. THE DESIGNER IS NOT RESPONSIBLE FOR THE FIRE PROTECTION DESIGN OF THE BUILDING.
 7. THE DESIGNER IS NOT RESPONSIBLE FOR THE LANDSCAPE DESIGN OF THE BUILDING.
 8. THE DESIGNER IS NOT RESPONSIBLE FOR THE SITEWORK DESIGN OF THE BUILDING.
 9. THE DESIGNER IS NOT RESPONSIBLE FOR THE UTILITY DESIGN OF THE BUILDING.
 10. THE DESIGNER IS NOT RESPONSIBLE FOR THE TRAFFIC DESIGN OF THE BUILDING.



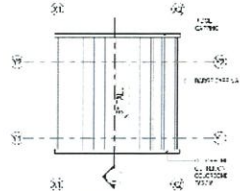
1. ELEVATION - S/E



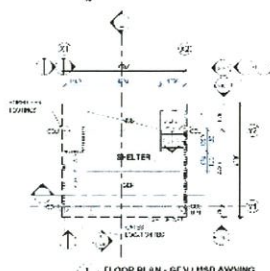
2. ELEVATION - N/E



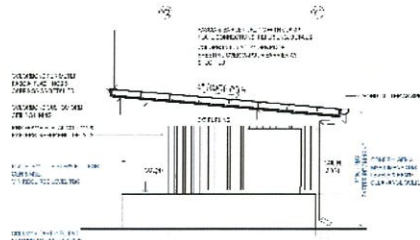
3. ELEVATION - NW



4. ROOF PLAN



5. FLOOR PLAN - GCV / MSD ANYING



6. SECTION

IN PROGRESS

PROJECT INFORMATION

PROJECT NAME: [REDACTED]
 PROJECT NUMBER: [REDACTED]
 PROJECT LOCATION: [REDACTED]
 PROJECT CLIENT: [REDACTED]
 PROJECT ARCHITECT: [REDACTED]
 PROJECT ENGINEER: [REDACTED]
 PROJECT DATE: [REDACTED]

REVISIONS

NO.	DATE	DESCRIPTION
1	28.7.25	APPROVED

DESIGNER'S DECLARATION

I, the undersigned, being a duly qualified and registered professional person, do hereby declare that I am the author of the design and that I am not aware of any falsification of the information provided to me by the client.

SIGNATURE
 [Signature]
 [Name]
 [Title]



SARA reference: 2502-44731 SRA
Council reference: MCU25/0003
Applicant reference: Home Hill Depot ECM 13311070

22 April 2025

Chief Executive Officer
Burdekin Shire Council
PO Box 974
AYR QLD 4807
planning@burdekin.qld.gov.au

Attention: Kellie Galletta

Dear Sir/Madam

SARA referral agency response—Expansion of Existing Ergon Depot at First and Third Avenue, Home Hill

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 18 February 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	22 April 2025
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material Change of Use for Warehouse and Low Impact Industry
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017) – Material change of use of premises near a state transport corridor (railway)	

Schedule 10, Part 8, Division 2, Subdivision 3, Table 2 (Planning Regulation 2017) – Material change of use of premises adjoining a Queensland heritage place

SARA reference: 2502-44731 SRA

Assessment manager: Burdekin Shire Council

Street address: 1-3 Third Avenue, 25-35 First Avenue, and First Avenue, Home Hill

Real property description: Lot 92 on SB670, Lot 369 on SB548, and Lot 92 on SP116365

Applicant name: Ergon Energy Limited

Applicant contact details: C/- Energex
GPO Box 1461
BRISBANE QLD 4001
townplanning@energex.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

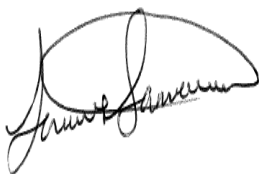
Representations

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

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

For further information please contact Anthony Westbury, A/Senior Planning Officer, on 4037 3215 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
A/ Manager (Planning)

cc Ergon Energy Limited, townplanning@energex.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response
Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 – Material change of use of premises near a railway corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:	
1.	Provide fencing along the site boundary with the railway corridor, in accordance with the following plans: <ul style="list-style-type: none"> • Site Plan – Proposed, prepared by Clarke and Prince Architects, dated 31/01/2025, DWG No. 1624b-DD - A-0.02, issue PA-1, and amended in red by SARA. • Standard – Fencing 1.8m High Chain Link Security Fence with Top & Bottom Rail, 3 Rows of Barbed Wire & Optional Tapping Rail General Arrangement, prepared by Queensland Rail, drawing number QR-C-S3228, issue B. 	Prior to the commencement of use and to be maintained at all times.
2.	Carry out the stormwater management of the development generally in accordance with Section 5 (pages 14 – 18) of the EQL Home Hill Redevelopment Stormwater Management Plan, Rev C, prepared by Langtree Consulting Engineers, dated 14 January 2025 and reference number TM-MA0004.	At all times.
3.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures and other works involving ground disturbance must not encroach upon or de-stabilise the railway corridor, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.2. If a word remains undefined it has its ordinary meaning.
2.	<p>Railway corridor</p> <p>Pursuant to section 255 of the <i>Transport Infrastructure Act 1994</i>, the railway manager's written approval is required to carry out works in or on a railway corridor or otherwise interfere with the railway or its operations.</p> <p>The applicant is responsible for obtaining a valid occupational crossing license or other crossing agreement from the railway manager for any changes to the use of the existing private crossing of Lot 92 on SP352374. This includes any changes to vehicular traffic associated with the use or development on the land or any changes to the volume or composition of the vehicular traffic using the crossing, including the maximum design vehicle.</p> <p>Please be advised that this referral agency response does not constitute an approval under section 255 of the <i>Transport Infrastructure Act 1994</i> and that such approvals need to be separately obtained from the railway manager.</p> <p>The applicant should contact the railway manager (Queensland Rail) at strategicprojects@qr.com.au in relation to obtaining the necessary approvals.</p>

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 2: Development in a railway environment and State code 14: Queensland heritage, as follows:

- the proposed development is unlikely to compromise the safety, function, and operating performance of North Coast Line, a state railway corridor
- the proposed development is sufficiently setback as to not create a safety hazard for users of the railway
- stormwater and drainage flow is appropriately managed to avoid adverse impacts to the railway corridor
- increased traffic generation from the development will not adversely impact on the operating performance and safety of the nearby railway crossings
- the proposed development will not adversely impact on the cultural heritage significance of the Home Hill Powerhouse, a Queensland heritage place (QHR 601718).

Material used in the assessment of the application:

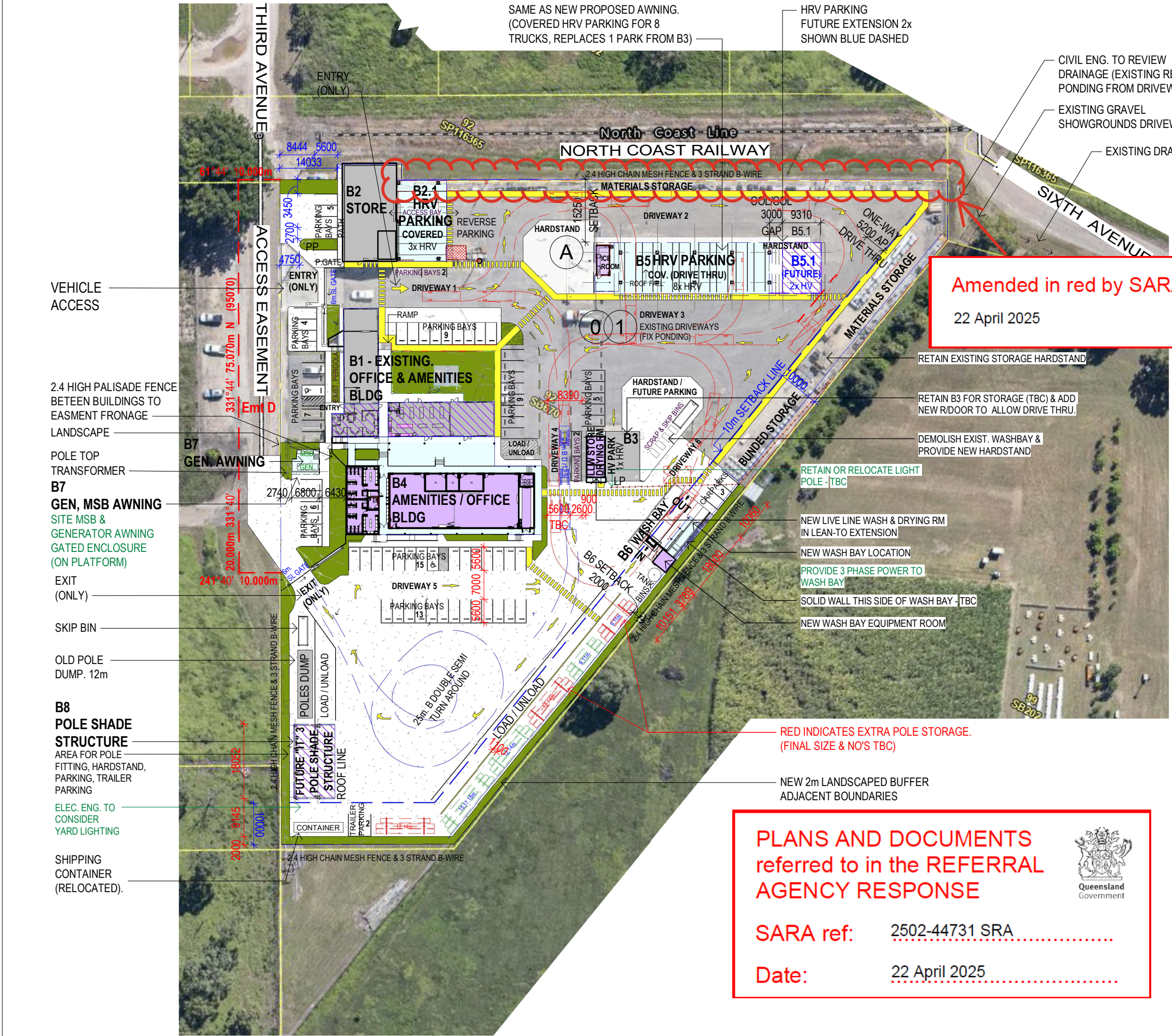
- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the State Development Assessment Provisions (version 3.2)
- the Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*.

Attachment 4—Representations about a referral agency response

(page left intentionally blank)

Attachment 5—Documents referenced in conditions

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LEGEND:

EXISTING

PROPOSED REFURBISHMENT

PROPOSED NEW (GFA)

PROPOSED NEW (COVERED)

FUTURE (COVERED)

PROPOSED PATH

LANDSCAPING

TOWNPLANNING SUMMARY:

SITE AREA	17,268m2		
BUILDING AREAS	BLDG No	GFA	COVERED
OFFICE / ADMIN (EXIST.)	B1	495m2	624m2
NEW - B4.1 OFFICE	B4.1	468m2	
NEW - B4.2 AMENITIES	B4.2	131m2	
NEW - B4 TOTAL AREA			975m2
STORE (EXIST.)	B2	310m2	310m2
NEW - HV PARKING	B2.1	-	234m2
WORKSHOP (EXIST.)	B3	100m2	100m2
NEW - LIVE LINE WASH	B3.1	46m2	53m2
NEW - HV PARKING & ICE RM	B5	25m2	476m2
FUTURE - HV PARKING	B5.1	-	108m2
NEW WASH BAY	B6	16m3	51m2
GEN / MSB AWNING	B7	-	44m2
FUTURE POLE SHADE STRUCTURE	B8	-	182m2
TOTAL	1591		3157m2
SITE COVERAGE		= 9%	= 19%
LANDSCAPING	1172m2	= 6.8%	
IMPERVIOUS	13128m2	= 75%	

PARKING	
CAR PARKING - EXTERNAL	22
CAR PARKING - INTERNAL	68
TOTAL	90
TRAILOR PARKING TOTAL	2
COVERED HV PARKING	
TOTAL	12
COVERED HV PARKING (FUTURE)	2
TOTAL	14

Amended in red by SARA on
22 April 2025

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2502-44731 SRA

Date: 22 April 2025

1 SITE PLAN - PROPOSED

SCALE - 1 : 1000

PROPERTY INFORMATION:

LOT NUMBER

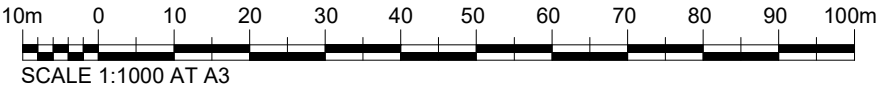
92

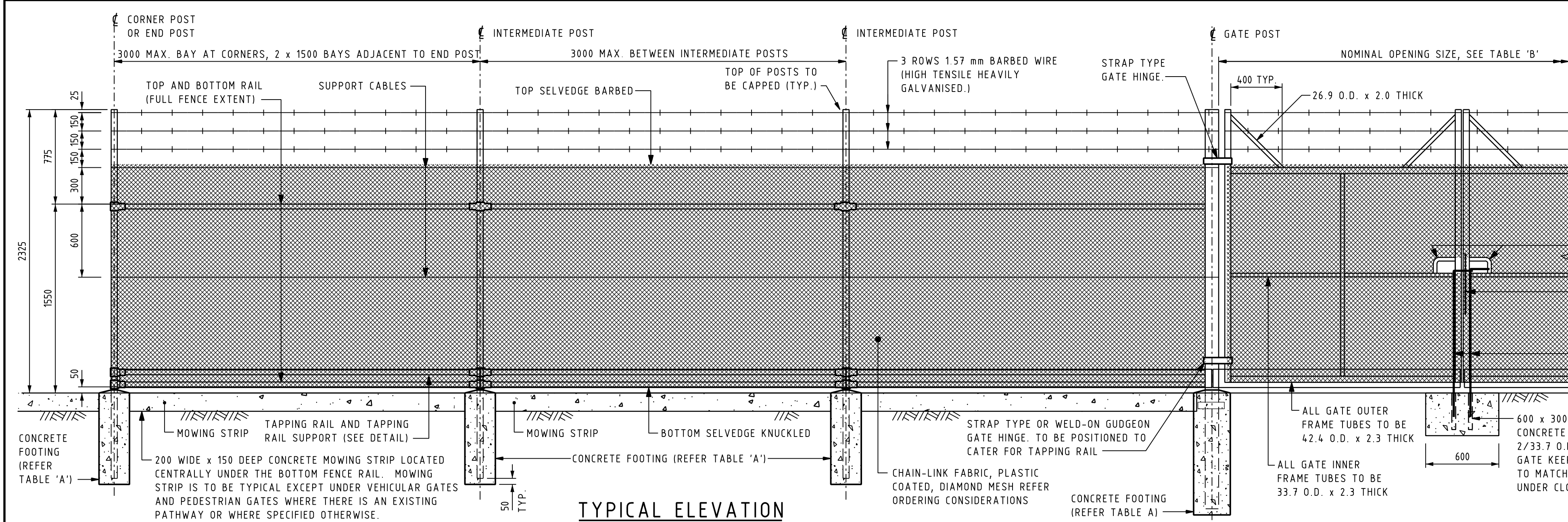
PLAN NUMBER

SB670

SITE AREA

17262m2 m² (TBC)





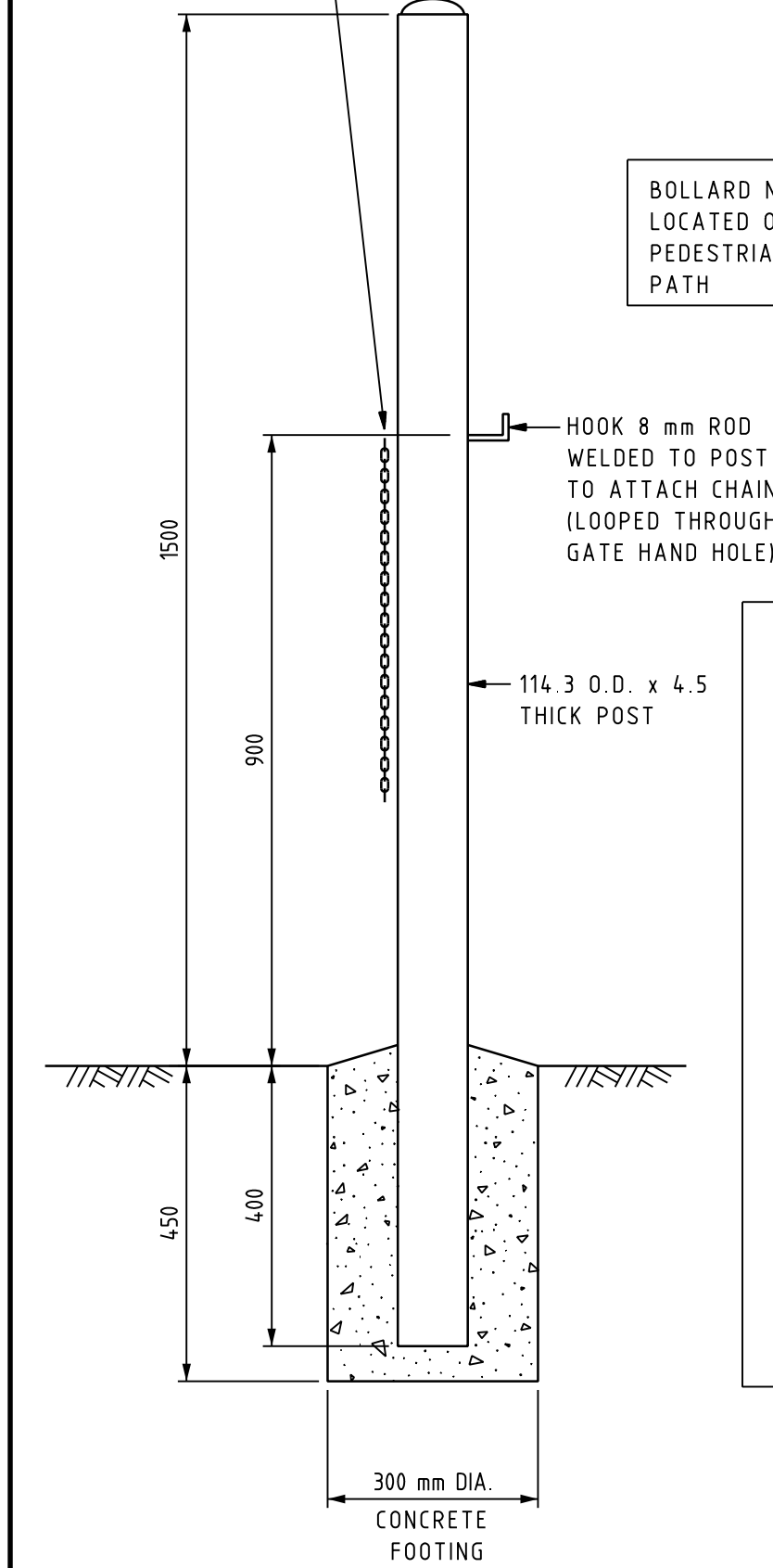
TYPICAL ELEVATION

SCALE 1 : 25

10mm REGULAR PROOF GALV. CHAIN 500mm LONG. END LINK WELDED TO SIDE OF BOLLARD.

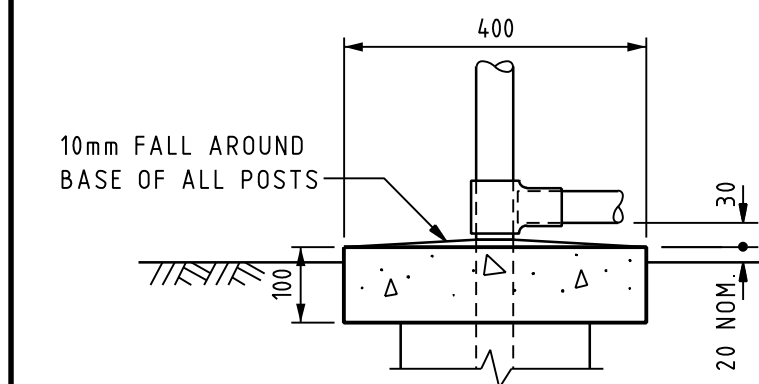
TOP OF BOLLARD TO BE CAPPED, OR POST TO BE FILLED WITH MASS CONCRETE AND TOP ROUNDED

BOLLARD NOT TO BE LOCATED ON A PEDESTRIAN ACCESS PATH



BOLLARD DETAIL

SCALE 1 : 10



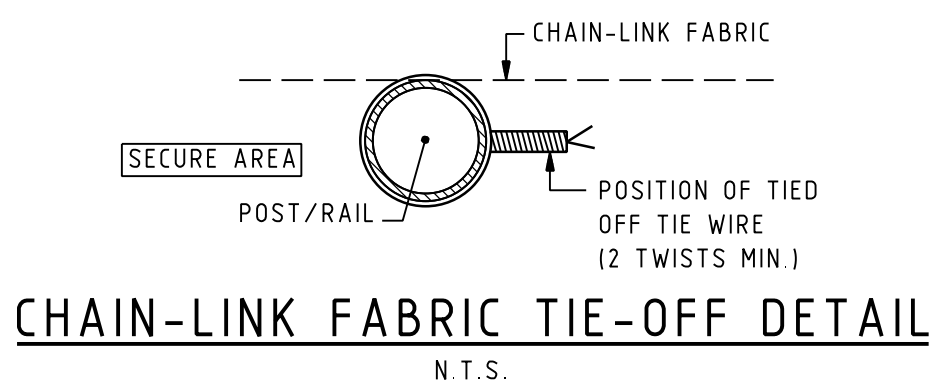
MOWING STRIP

SCALE 1 : 10

NOTE: ORDERING CONSIDERATIONS	
MOWING STRIP OR PAVED SURFACE	ALWAYS INSTALLED UNLESS SPECIFIED OTHERWISE.
TAPPING RAIL	ONLY INSTALLED WHERE SPECIFIED AND ONLY WHERE A PEDESTRIAN ACCESS PATH IS ADJACENT TO THE FENCE. POWDER COAT "GOLDEN YELLOW Y14" (AS 2700).
CHAINLINK FABRIC	25mm OR 50mm BLACK PVC COATING

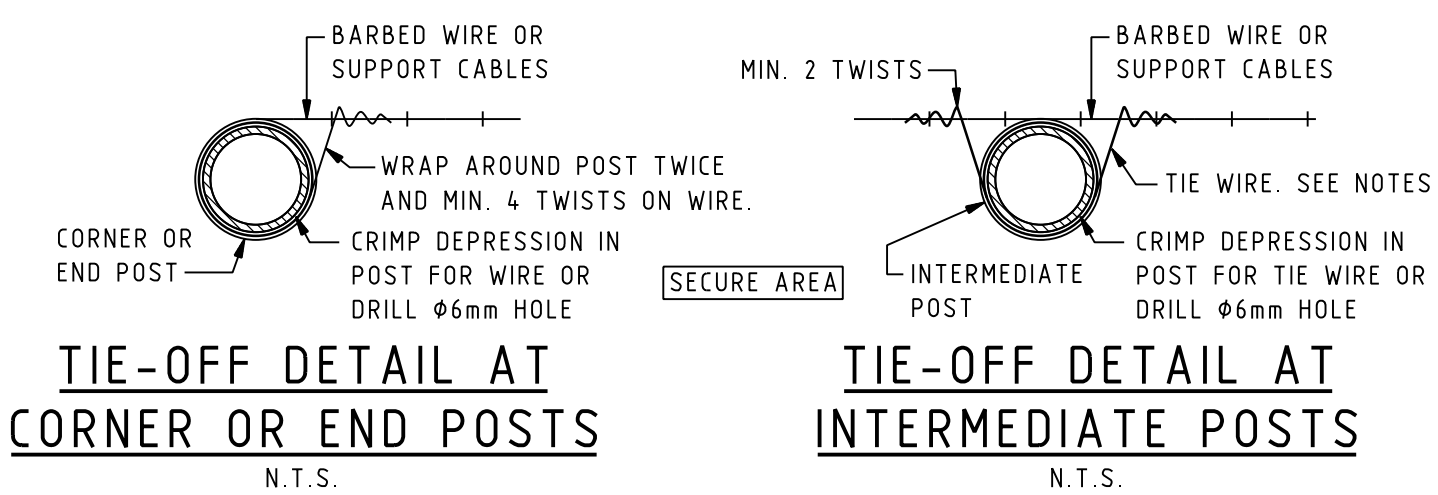
TABLE 'A'

FENCE MEMBERS AND FOOTINGS SIZES TABLE			
TYPE OF MEMBER	TUBE SIZE	CONCRETE FOOTING COHESIVE SOILS E.G. CLAY	CONCRETE FOOTING NON COHESIVE SOILS E.G. SAND
END AND CORNER POSTS	60.3 O.D. x 2.3 THICK	Φ300 x 750 DEEP	Φ300 x 900 DEEP
INTERMEDIATE POSTS	60.3 O.D. x 2.3 THICK	Φ300 x 750 DEEP	Φ300 x 900 DEEP
TOP AND BOTTOM RAILS	60.3 O.D. x 2.3 THICK	-	-
TAPPING RAIL SUPPORT	60.3 O.D. x 2.3 THICK	-	-
GATE POSTS FOR GATE LEAF WIDTH SHOWN:			
1800mm AND UNDER	88.9 O.D. x 4.0 THICK	Φ300 x 900 DEEP	Φ300 x 1000 DEEP
2000 UP TO AND INCLUDING 3000mm	88.9 O.D. x 4.0 THICK	Φ400 x 1000 DEEP	Φ400 x 1200 DEEP
3000 TO 4000mm	114.3 O.D. x 4.5 THICK	Φ400 x 1200 DEEP	Φ400 x 1400 DEEP
NOTE - ALL FOOTING DEPTHS BELOW UNDERSIDE OF TOP SOIL.			



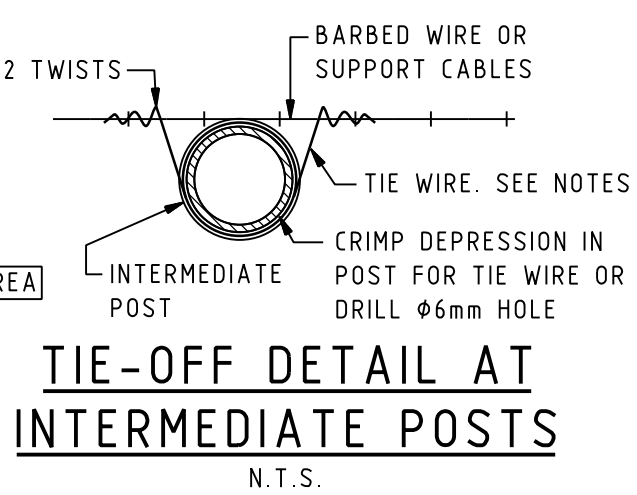
CHAIN-LINK FABRIC TIE-OFF DETAIL

N.T.S.



TIE-OFF DETAIL AT CORNER OR END POSTS

N.T.S.



TIE-OFF DETAIL AT INTERMEDIATE POSTS

N.T.S.

GENERAL NOTES:

- ALL DIMENSIONS ARE IN MILLIMETRES, UNLESS NOTED OTHERWISE.
- ALL STEEL PLATES SHALL BE GRADE 250 (MIN.) IN ACCORDANCE WITH AS/NZS 3678.
- ALL FILLET WELDS SHALL BE NOT LESS THAN 4 mm.
- ALL WELDING SHALL BE IN ACCORDANCE WITH AS/NZS 1554 PART 1 & 2.
- ALL BOLTS, NUTS AND WASHERS SHALL BE HOT DIP GALVANISED IN ACCORDANCE WITH AS/NZS 1214.
- AREAS WHERE PLASTIC COATING OR GALVANISING HAS BEEN REMOVED BY WELDING OR ABRASIONS SHALL BE CLEANED OF FOREIGN MATTER INCLUDING WELDING SLAG AND PAINTED WITH TWO COATS OF AN APPROVED ORGANIC ZINC-RICH PAINT TO PROVIDE A MIN. DRY FILM THICKNESS OF 0.10mm. COLOUR MATCHING SHALL BE ACHIEVED WHERE DIRECTED BY THE INSPECTOR.
- CONCRETE SHALL BE GRADE N25 (MIN.).

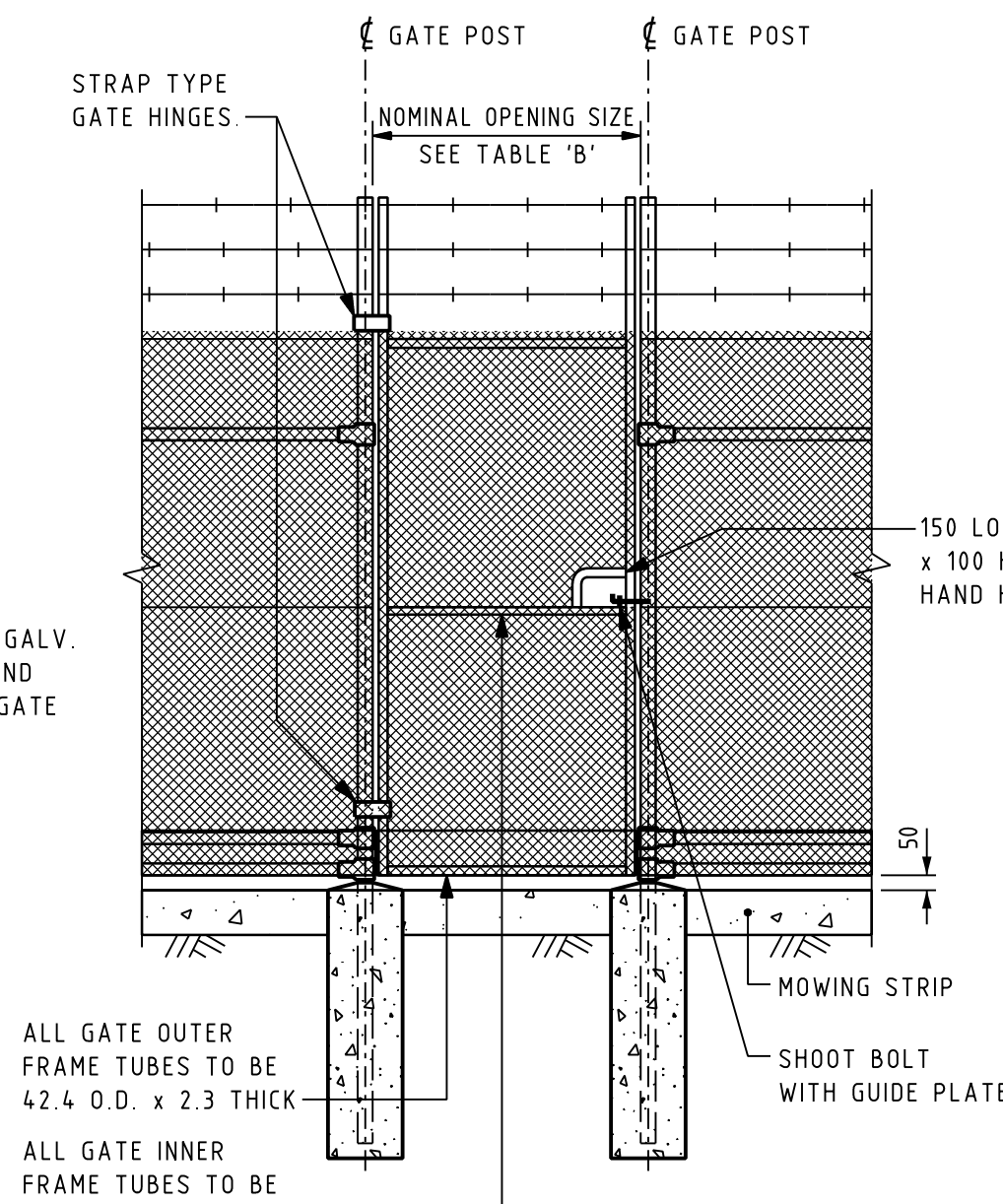
GATE NOTES:

- GATE FRAME CONFIGURATION, FABRICATION AND INSTALLATION SHALL BE IN ACCORDANCE WITH AS 1725.
- WHERE STRAP TYPE HINGES ARE USED AT BOTH TOP AND BOTTOM OF GATE, A COLLAR SHALL BE WELDED TO THE GATE FRAME TO PROVIDE A BEARING SURFACE FOR EITHER TOP OR BOTTOM HINGE. BOTH STRAP TYPE AND GUDGEON GATE HINGES SHALL BE WELDED TO GATE POSTS.
- SINGLE GATES SHALL BE FITTED WITH SHOOT BOLT, DOUBLE GATES SHALL BE FITTED WITH FLAG PIN TOWER DROP BOLT AS SHOWN ON THE DRAWING.
- ALL GATE FRAMES SHALL BE WELDED. FRAMES SHALL BE HOT DIP GALVANISED AFTER FABRICATION IN ACCORDANCE WITH AS/NZS 4680.

TABLE 'B'

GATE TABLE		
LOCATION	NOMINAL OPENING SIZE	LEAF TYPE (NOMINAL SIZE)
PEDESTRIAN - PUBLIC ACCESS	1800	SINGLE 1800 OR DOUBLE 900
PEDESTRIAN - QR STAFF ONLY	1200	SINGLE 1200
VEHICULAR	3000 MIN. 8000 MAX.	DOUBLE 1500 (MIN.) DOUBLE 4000 (MAX.)

THE PURPOSE OF THIS DRAWING IS TO PROVIDE TYPICAL STANDARD DETAILS. THE FITNESS FOR PURPOSE OF THIS DRAWING FOR A SPECIFIC PROJECT SHALL BE DETERMINED AND CERTIFIED BY A RPEQ ENGINEER.



DOUBLE LEAF GATE

SCALE 1 : 25

SINGLE LEAF GATE

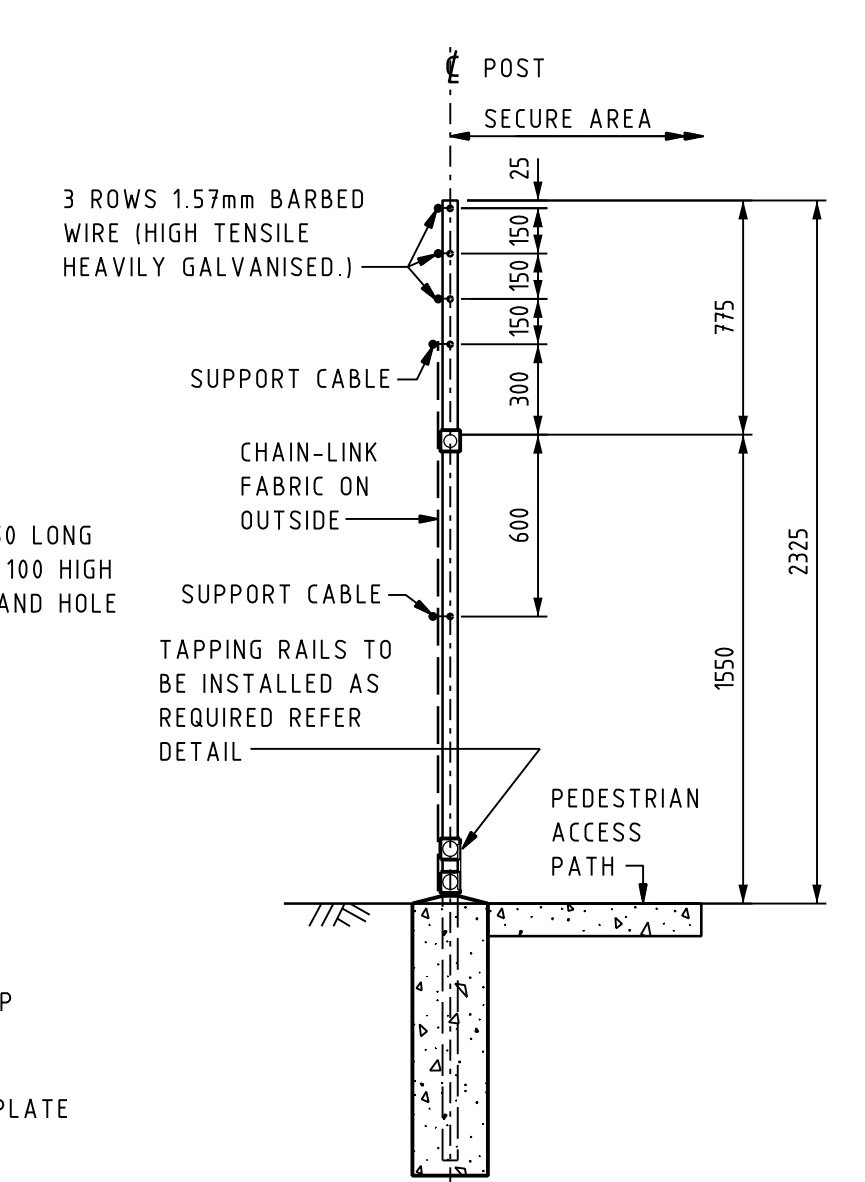
SCALE 1 : 25

FENCING NOTES:

- ALL POSTS AND RAILS SHALL BE STEEL CIRCULAR HOLLOW SECTION (CHS) GRADE C250 IN ACCORDANCE WITH AS/NZS 1163 "COLD FORMED STRUCTURAL STEEL HOLLOW SECTIONS".
- ALL PIPE CLAMP FITTINGS, GATE HINGES, GATE KEEPERS, etc SHALL BE "DOWNEE RMD" OR AN APPROVED EQUIVALENT.
- EACH RAIL BETWEEN POSTS SHALL BE A CONTINUOUS LENGTH.
- ALL TUBES, FITTINGS AND FASTENERS SHALL BE HOT DIP GALVANISED AFTER FABRICATION IN ACCORDANCE WITH AS/NZS 4680.
- FENCING MATERIALS INCLUDING WIRES, BARBED WIRE AND CHAIN-LINK FENCING FABRIC SHALL BE MANUFACTURED IN ACCORDANCE WITH AS 2423 "COATED STEEL WIRE FENCING PRODUCTS".
- ERECTION SHALL BE IN ACCORDANCE WITH AS 1725 "CHAIN-LINK FABRIC SECURITY FENCES AND GATES", UNLESS NOTED OTHERWISE.
- FENCING WIRE SHALL BE CONTINUOUS FROM GATE POST TO GATE POST AND BE CONSTRUCTED WITH 1800 mm HIGH CHAIN-LINK FABRIC. CHAIN-LINK FABRIC SHALL BE "HEAVY DUTY", MANUFACTURED FROM 3.15 mm DIA. GALV. CORE WIRE, BLACK PVC COATED, WITH UNIFORM 25mm OR 50mm DIAMOND MESH. THE TOP SELVEDGE SHALL BE BARBED AND THE BOTTOM SELVEDGE SHALL BE KNUCKLED.
- SUPPORT CABLES SHALL CONSIST OF 2 x 3.15mm DIA. GALV. CABLE WIRE, TWISTED TOGETHER BETWEEN POSTS, SUPPORT CABLES SHALL BE BLACK PVC COATED, AND INSTALLED IN ACCORDANCE WITH AS 1725.
- LACING WIRE SHALL BE 2mm DIA. GALV. WIRE, BLACK PVC COATED, AND INSTALLED IN ACCORDANCE WITH AS 1725.
- TIE WIRE TO SECURE CHAIN-LINK FABRIC OR BARBED WIRE TO POSTS, AND SECURE SUPPORT CABLES TO INTERMEDIATE POSTS, SHALL BE 2 x 1.57mm DIA. GALV. WIRES, OR 1 x 2mm DIA. GALV. WIRE. TIE WIRE TO SECURE CHAIN-LINK FABRIC TO CABLES SHALL BE 1 x 1.57mm DIA. GALV. WIRE TWISTED TWICE AND NEATLY CUT OFF, OR 2mm DIA. GALV. WIRE NETTING CLIPS. TIE WIRES SHALL BE BLACK PVC COATED, AND INSTALLED IN ACCORDANCE WITH AS 1725. (SEE ALSO TIE-OFF DETAIL)
- BOLLARDS SHALL BE INSTALLED AT GATES TO SECURE OPEN GATE LEAF ONLY WHERE DIRECTED. SEE DETAILS THIS DRAWING.
- ALL MATERIAL DIMENSIONS ARE MINIMUM VALUES UNLESS SPECIFICALLY APPROVED OTHERWISE.

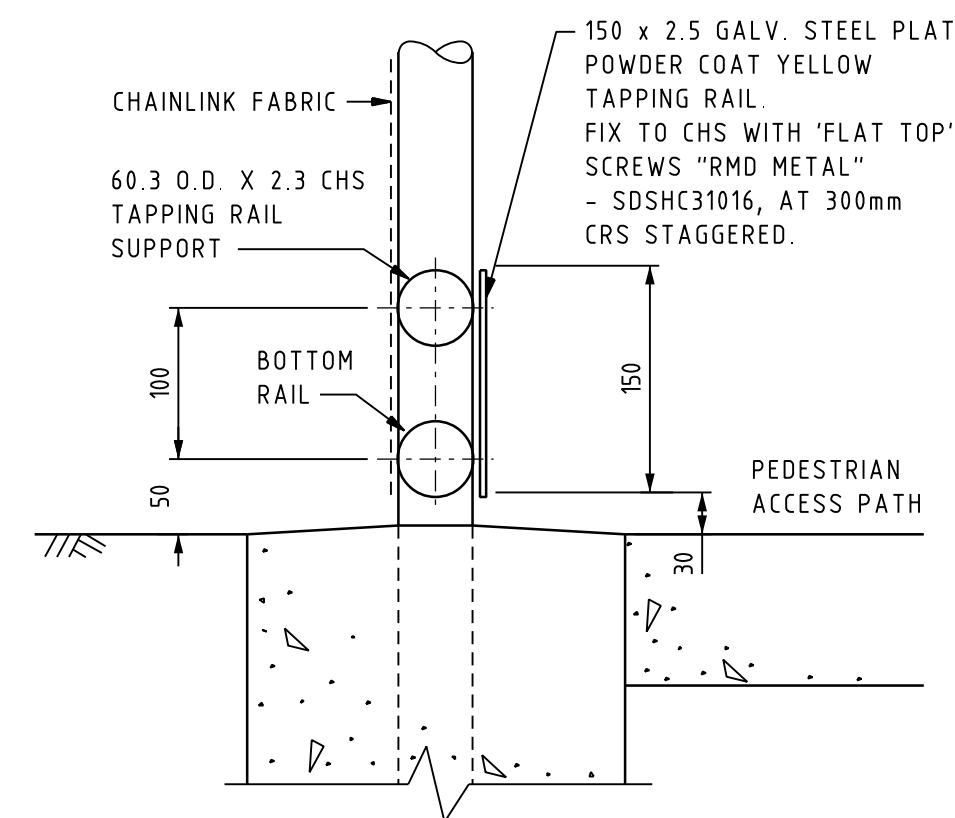
FENCING IN ELECTRIFIED AREAS:

- IN GENERAL THESE FENCES ARE SELF-EARTHING, HOWEVER, WHERE FENCING IS ERECTED CLOSER THAN 3000mm TO ELECTRIFICATION MASTS OR OTHER ELECTRICALLY BONDED STEELWORK, EARTHING OR INSULATED SECTIONS MAY BE REQUIRED. REFER TO MANAGER ELECTRICAL ENGINEERING FOR DETAILS.
- GATES AND BOLLARDS SHALL BE POSITIONED TO PREVENT AN OPEN GATE FROM COMING WITHIN 3.0m OF ELECTRIFICATION WIRING EQUIPMENT SUPPORTS OR ANY METALWORK CONNECTED TO THEM. CIRCUMSTANCES, USUALLY DUE TO PROXIMITY TO ELECTRIFICATION WIRING



TYPICAL SECTION

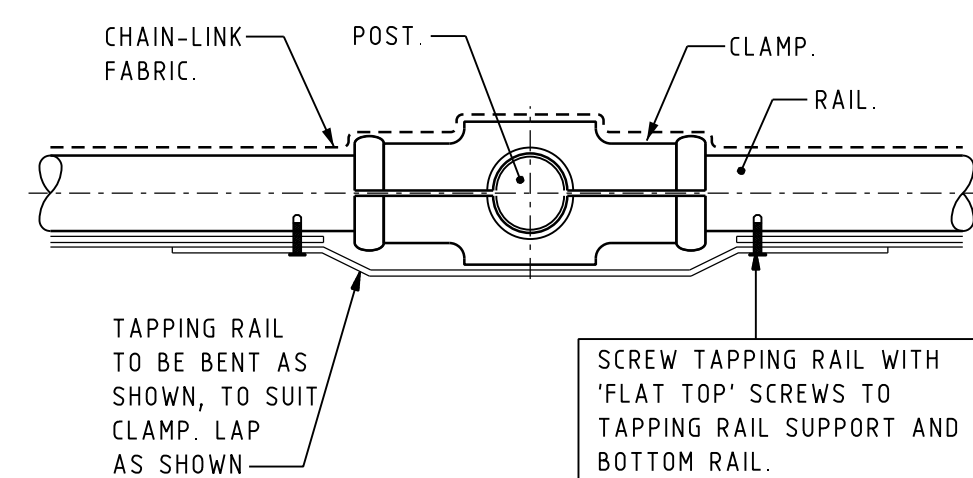
SCALE 1 : 25



NOTE: TAPPING RAIL TO BE INSTALLED AS REQUIRED. REFER ORDERING CONSIDERATIONS

TAPPING RAIL

SCALE 1 : 5



PLAN AT POST CLAMP LOCATION

SCALE 1 : 5

NOTE: TAPPING RAIL TO BE AN EVEN UNIFORM VERTICAL SURFACE FOR ITS FULL LENGTH.

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2502-44731 SRA

Date: 22 April 2025

FILE No	ALTERATIONS	DESIGN LOAD:-	DESIGNED	BASED ON STD	APPROVED	Network - Civil Engineering		DRAWING NUMBER	ISSUE
13/26948	ISSUE DESCRIPTION B AMENDMENTS TO NOTES	0.75 kN (REFER AS 1170.1)	DES CHK	DRG No. 2542	D. GIBB DESIGN ENGINEER RPEQ No. 13065 ISSUE AUTHORISED	STANDARD - FENCING		QR-C-S3228	B
SCALES SHOWN ARE FOR AN A1 SIZE ORIGINAL DRAWING			DRAWN A. POWER 20.08.15	DRG CHK D. GIBB 25.08.15	G. SMITH DISCIPLINE HEAD TRACK & STRUCTURES 26/08/15	1.8m HIGH CHAIN LINK SECURITY FENCE WITH TOP & BOTTOM RAIL, 3 ROWS OF BARBED WIRE & OPTIONAL TAPPING RAIL GENERAL ARRANGEMENT			

5.0 STORMWATER DRAINAGE

5.1 STORMWATER ASSESEMENT

5.1.1 Catchment Area for Concrete Drain

The stormwater catchment for the proposed concrete drain along the western boundary of the lot is shown Figure 12 below. This concrete drain will carry runoff from catchment area 1 and catchment area 4. The total catchment area for this drain is 7736 m², with 6816m² taken as impervious.

5.1.2 Flow Calculation

The stormwater assessment has been completed using the rational method in accordance with the Queensland Urban Drainage Manual (QUDM). The flow rate has been calculated based on a 39% AEP (annual exceedance probability).

The peak flow rate for the post-development of catchment area 1 and catchment area 4 for a 39% AEP events are shown in Table 4 below.

Table 4: Post Development Flow for Catchment Area 1 and Catchment Area 4

Catchment Area	Post-Development Flow (m ³ /s) (ARI 2)	Total flow for Concrete Drain(m ³ /s)
Catchment 1	0.045	0.16
Catchment 4	0.115	

5.1.3 Drain sizing

The proposed drain along the western boundary of the site is shown in **Figure 13**. Due to the very flat natural gradients, the drain should be concrete lined. The estimated design grade is 0.25%. The proposed drain dimensions are shown in **Figure 13** and comprise a 1.7 m span, 0.1 m base width and 0.2m depth. This drain has a total capacity of 0.180 m³/s. As such the concrete drain will be able to cater for the Q2 flows from catchment 1 and 4. Flows in excess of 39% AEP will need to be contained in the paved areas adjoining the drain which will be graded with crossfall towards the drain. The preferred outfall of the concrete drain is to the southwest away from the show grounds and into vacant state-controlled land. Refer **Figure 14**.

**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 2502-44731 SRA

Date: 22 April 2025

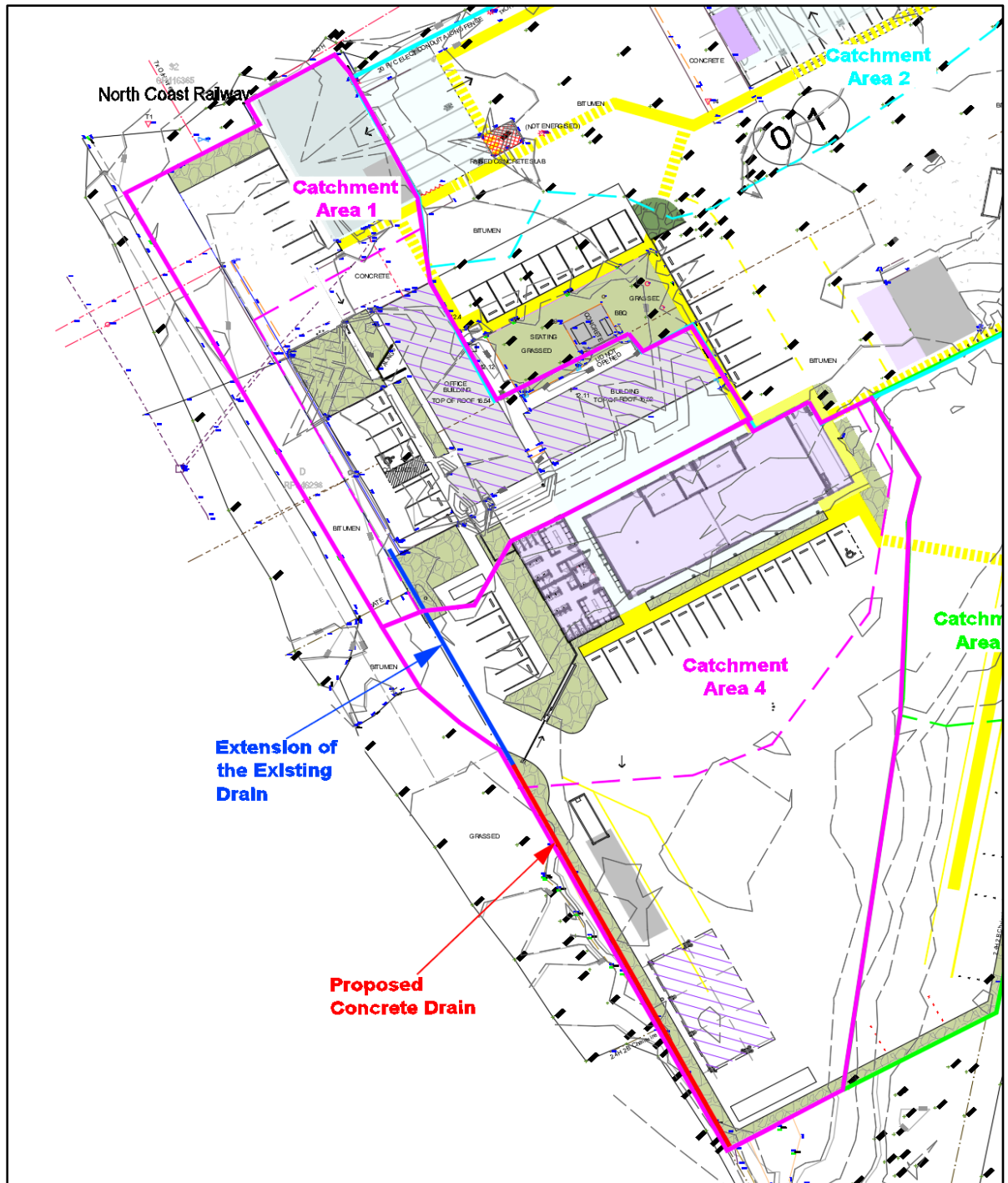


Figure 12: Proposed Drain Catchment Area

**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 2502-44731 SRA

Date: 22 April 2025

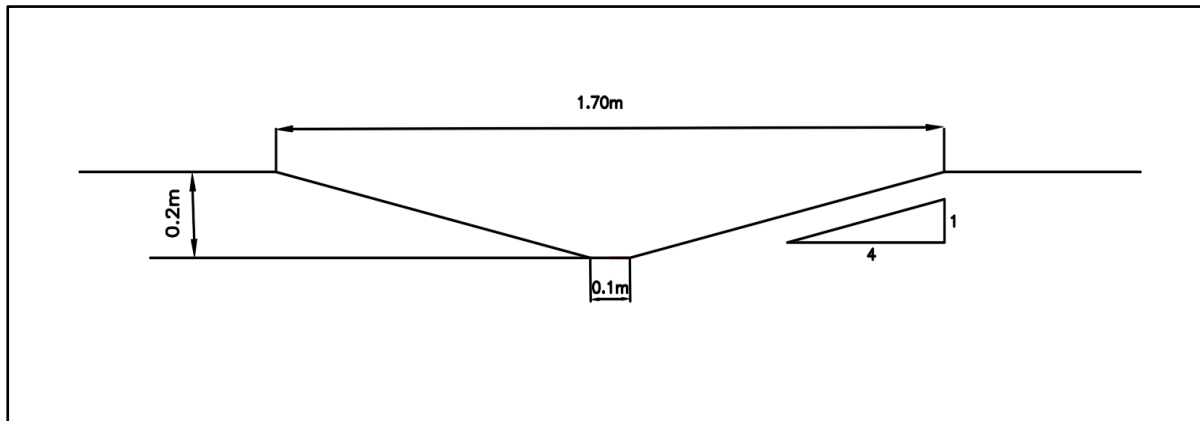


Figure 13: Proposed concrete drain profile.

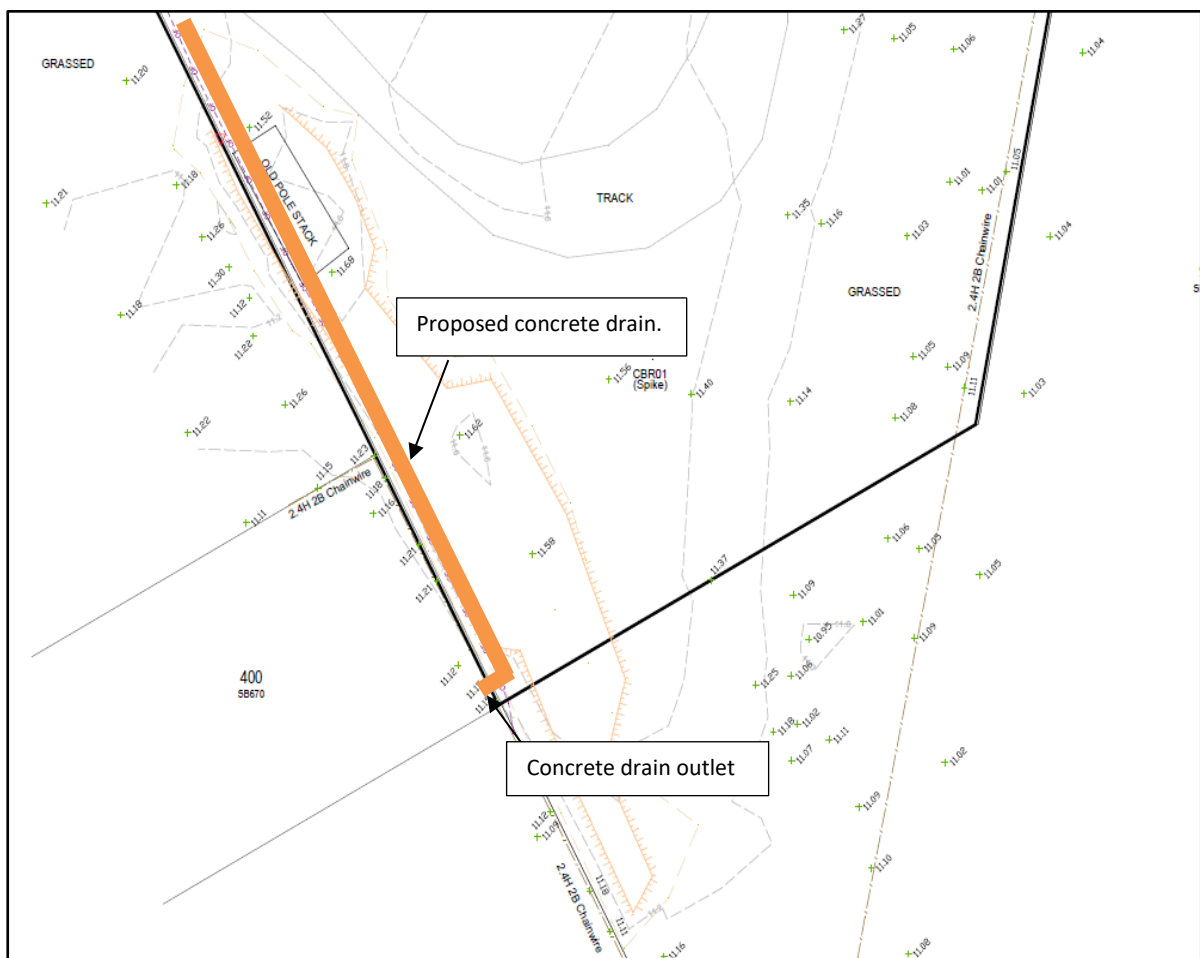


Figure 14: Outfall location of concrete drain

**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 2502-44731 SRA

Date: 22 April 2025

5.2 CULVERT SIZING

5.2.1 Catchment Area for culvert

As noted in Section 4.3.1, the existing driveway into the back of the Showgrounds off Sixth Avenue blocks the existing table drain and a culvert is required to ensure free draining conditions. The stormwater catchment for the proposed culvert is shown **Figure 15** below. The total catchment area 2 is 7992m² and the area is impervious.



Figure 15 : Proposed culvert catchment area

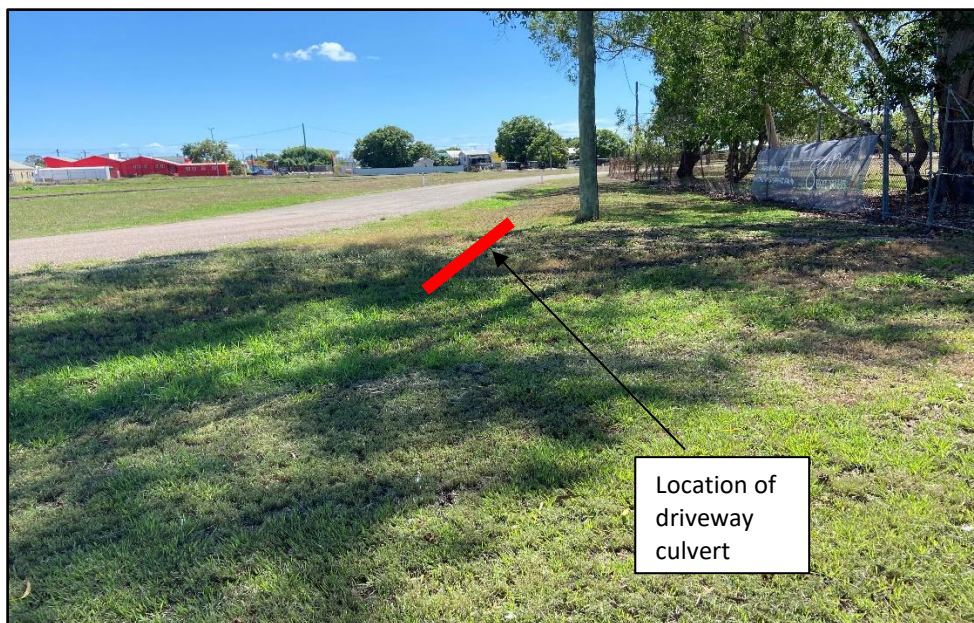


Figure 16: Location of proposed small RCBC culvert

5.2.2 Design flow rate

The stormwater assessment has been completed using the rational method in accordance with the Queensland Urban Drainage Manual (QUDM). The flow rate has been calculated based on a 39% AEP (annual exceedance probability). Using this the flow rate for the RCBC Culvert was calculated to be 0.193 m³/s.

The peak flow rate for the post development of catchment area 2 for 39% AEP events are shown in Table 5 below.

Table 5: Post Development Flow for Catchment Area 2

Catchment Area	Post-Development Flow (m ³ /s) (ARI 2)	Total flow for Concrete Drain(m ³ /s)
Catchment 2	0.193	0.193

5.2.3 Culvert sizing

The proposed RCBC will have size of 600*225mm. Some improvement will also be required in reshaping the table drain on the entry and exit of the culvert. The approximate capacity of the proposed culvert is 0.196m³/s. Flows in excess of this capacity should sheet over the driveway as indicated on standard drawing. Please note that the existing showgrounds access downstream of the proposed culvert will need to be accessed by Council as there is insufficient information.

**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 2502-44731 SRA

Date: 22 April 2025

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

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

¹ Pursuant to Section 68 of the *Planning Act 2016*

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

Part 7: Miscellaneous

30 Representations about a referral agency response

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

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

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT:	Ergon Limited										
APPLICATION:	Material Change of Use – Warehouse and Low Impact Industry (Redevelopment and extension of existing Ergon Depot Facility)										
NOTICE NUMBER:	ICN2025-010										
DATE:	4 August 2025										
FILE REFERENCE:	MCU25/0001										
AMOUNT OF THE LEVIED CHARGE: (Details of how these charges were calculated are shown overleaf)	<p>\$52,400.00 Total</p> <table><tr><td>\$7,956.00</td><td>Water Supply Network</td></tr><tr><td>\$7,956.00</td><td>Sewerage Network</td></tr><tr><td>\$7,488.00</td><td>Transport Network</td></tr><tr><td>\$0.00</td><td>Public Parks and Community Land Network</td></tr><tr><td>\$28,840.00</td><td>Stormwater Network</td></tr></table>	\$7,956.00	Water Supply Network	\$7,956.00	Sewerage Network	\$7,488.00	Transport Network	\$0.00	Public Parks and Community Land Network	\$28,840.00	Stormwater Network
\$7,956.00	Water Supply Network										
\$7,956.00	Sewerage Network										
\$7,488.00	Transport Network										
\$0.00	Public Parks and Community Land Network										
\$28,840.00	Stormwater Network										
AUTOMATIC INCREASE OF LEVIED CHARGE:	The amount of the levied charge is subject to an automatic increase. Refer to the General Information attached to this notice for more information on how the increase is worked out.										
LAND TO WHICH CHARGE APPLIES:	Lot 92 on SP352374, Lot 92 on SP116365 and Lot 369 on SB548										
SITE ADDRESS:	1-3 Third Avenue, 25-35 First Avenue, First Avenue, Home Hill QLD 4806										
PAYABLE TO:	Burdekin Shire Council										
WHEN PAYABLE: (In accordance with the timing stated in Section 122 of the Planning Act 2016)	Material Change of Use – Prior to the commencement of the use.										
OFFSETS OR REFUNDS:	Not applicable.										

This charge is made in accordance with Council's **Charges Resolution (No. 2) 2018**.

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	GFA	Units of Measure	Charge Rate	Reference	Amount
Other industry	468	\$ per m ² GFA	\$17.00	CR Table 2.2	\$7,956.00

Sewer Supply

Adopted Charges

Development Description	GFA	Units of Measure	Charge Rate	Reference	Amount
Other industry	468	\$ per m ² GFA	\$17.00	CR Table 2.2	\$7,956.00

Transport

Adopted Charges

Development Description	GFA	Units of Measure	Charge Rate	Reference	Amount
Other industry	468	\$ per m ² GFA	\$16.00	CR Table 2.2	\$7,488.00

Stormwater

Adopted Charges

Development Description	Impervious	Units of Measure	Charge Rate	Reference	Amount
Other industry	2,884m ²	\$ per m ² Impervious	\$10.00	CR Table 2.2	\$28,840.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Public Parks & Land for Community Facilities	Stormwater	Total
Other industry	\$7,956.00	\$7,956.00	\$7,488.00	\$0.00	\$28,840.00	\$52,240.00
Total	\$7,956.00	\$7,956.00	\$7,488.00	\$0.00	\$28,840.00	\$52,240.00

** In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at Council's discretion.*

Note: There is only one additional building proposed that meets the definition of GFA plus additional impervious area for stormwater that was not previously sealed. As such, for the sake of simplicity, this has been charged for the development rather than calculating the entirety of the charges and applying a credit for the existing operations.

Yours faithfully,



Kellie Galletta

MANAGER PLANNING AND DEVELOPMENT

INFORMATION NOTICE

Authority and Reasons for Charge	This Infrastructure Charges Notice has been given in accordance with section 119 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.
Appeals	Pursuant to section 229 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.
Automatic Increase Provision of charge rate (\$)	<p>An infrastructure charge levied by Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI Index applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI Index average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.</p> <p>However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Council could have levied for the development at the time the charge is paid.</p>
GST	The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2009</i> are GST exempt.
To whom the charge must be paid	<p>Payment of the Charge must be made payable to BURDEKIN SHIRE COUNCIL, PO Box 974, Ayr, Qld 4807.</p> <p>The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.</p>

¹ 3-yearly PPI index average is defined in section 114 of the *Planning Act 2016* and means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

It is requested that you contact Council's Town Planning Department to confirm that amount payable prior to making payment.

Payment

This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to BURDEKIN SHIRE COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

Overseas Payees

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

Method of Payment**PAYMENT BY MAIL**

Confirm the current Infrastructure Charge applicable and obtain an updated payment notice from Council's Town Planning Department.

Mail this updated payment notice immediately with your payment to: BURDEKIN SHIRE COUNCIL, PO Box 974, Ayr, Qld 4807.

NOTE: Cheques must be made payable to BURDEKIN SHIRE COUNCIL

PAYMENT AT COUNCIL OFFICES

Confirm the current Infrastructure Charge applicable.

Present written confirmation of charges with your payment to Burdekin Shire Council Chambers, 145 Young Street, Ayr.

NOTE: Cheques must be made payable to BURDEKIN SHIRE COUNCIL

PAYMENT MADE BY CREDIT CARD

Credit Cards accepted: Mastercard or Visa

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the BURDEKIN SHIRE COUNCIL, Town Planning Department, during office hours, Monday to Friday by phoning (07) 4783 9800 or email at planning@burdekin.qld.gov.au

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the Plumbing and Drainage Act; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
 - (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—
storey see the Building Code, part A1.1.

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal

<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds –</p> <ol style="list-style-type: none"> (a) The notice involved an error relating to – <ol style="list-style-type: none"> i) The application of the relevant adopted charge; or <p><i>Examples of errors in applying an adopted charge –</i></p> <ul style="list-style-type: none"> • The incorrect application of gross floor area for a non-residential development • Applying an incorrect ‘use category’, under a regulation, to the development <ol style="list-style-type: none"> ii) The working out of extra demand, for section 120; or iii) An offset or refund; or <ol style="list-style-type: none"> (b) There was no decision about an offset or refund; or (c) If the infrastructure charges notice states a refund will be given – the timing for giving the refund; or (d) For an appeal to the P&E Court – the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount. 			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-