

28 August 2026



positive energy

Gardner Rd Developments Pty Ltd
c/- Development Directive

Attention: Leah Hamel

Via email: leah@developmentdirective.com.au

cc Chief Executive Officer
Brisbane City Council

Attention: Kayal Chandrasekar

Via email: Kayal.Chandrasekar@brisbane.qld.gov.au /
dsplanningsupport@brisbane.qld.gov.au

Dear Leah,

Request for Further Information

Council Ref: A006940193

Our Ref: ECM 39477661-39877643

We refer to your correspondence regarding the below detailed proposal.

Development Details

Applicant	Gardner Rd Developments Pty Ltd
Assessment Manager	Brisbane City Council
Council Application No.	A006940193
Street Address	184 & 198 Gardner Rd and 56 Farley Rd Rochedale
Real Property Description	L102 SP.226721, L3,6 RP.114765
Development Type	Development Permit for Reconfiguration of a lot (3 into 14, drainage reserve and new road); and Preliminary Approval - Variation Request for Material Change of Use for Multiple Dwelling, Low Impact Industry and Warehouse
Referral Trigger	☐ Schedule 10, Part 9, Division 2, Table 1, Item 1 (10.9.2.1.1) – Reconfiguring a lot subject to an easement for the benefit of a distribution entity under the Electricity Act for a supply network; or part of the lot is within 100m of a substation site ☐ Schedule 10, Part 9, Division 2, Table 2, Item 1 (10.9.2.2.1) – Material Change of use of premises within 100m of a substation site or subject to an easement for the benefit of a distribution entity under the Electricity Act and the easement is for a supply network
Impacted Electrical Infrastructure	Easement A on SP226721

Energex Limited, acting as an assessing authority has undertaken an assessment of the proposal relevant the matters prescribed under Section 55 (2) of the *Planning Act 2016*. To accurately assess the proposal and its potential impact on its infrastructure, Energex requires further information.

In accordance with Part 3 of the Development Assessment Rules, the following information is requested.

Lots 17, 18 & 19	
1	<u>Issue:</u> The application continues to propose access to Proposed Lots 17–19 from Gardner Road via a private access road located within Easement A on SP226721. It is noted that Easement A on SP226721 is subject to the following registered dealings: • Dealing No. 714514630 – Easement in Gross burdening the land in favour of Energex for the purpose of Electrical Works. • Dealing No. 714514631 – Easement burdening the land in favour of Lot 103 on SP226721 (Energex's future substation site) for the purpose of Access and Services. While Energex acknowledges that Dealing No. 714514631 does not provide exclusive rights of access or service installation to the grantee, Dealing No. 714514630 requires the grantor to obtain Energex's consent for works within the easement area and preserves Energex's ability to fully exercise its rights under the easement. In particular: • Clause 4.2(c) prohibits the laying of services, pipes, cables, wires or similar infrastructure within the Easement Land without Energex's consent. • Clause 4.2(f) prohibits alterations to the Easement Land, or adjacent land, that may impede or obstruct Energex's exercise of its rights under the easement. • Clause 2.2(a) permits Energex to enter, remain upon and traverse the Easement Land and secure access to and from any adjacent or neighbouring dedicated road. As outlined in the original Information Request, Easement A on SP226721 was established to secure both: • Access to the future substation on Lot 103 SP226721; and • The installation, maintenance, repair and future augmentation of underground electrical infrastructure servicing the future substation. This function is critical to Energex, as Lot 103 SP226721 has no direct frontage to a dedicated road. Further, adjoining Lot 7 on RP114765 is Council-owned land and is not intended to be dedicated as road reserve. Accordingly, Easement A represents the only secure and lawful corridor for access and electrical infrastructure servicing the future substation.

In support of the application, the Response to Energex Traffic Matters prepared by SLR Consulting (14 August 2026) states that the combined development yield of Lots 17, 18 and 19 would generate up to approximately 21 vehicle movements per hour during peak periods and that this traffic generation would occur irrespective of whether one or three lots are ultimately developed. The report also concludes that the proposal is unlikely to cause operational issues for Energex due to the anticipated infrequency of Energex's access to the future substation.

However, Energex does not consider that the response adequately addresses the broader operational implications associated with Energex's existing and future use of the easement. In particular, the applicant has not demonstrated how lawful and practical access to Proposed Lots 18 and 19 would be maintained during periods when Energex is required to occupy, secure or fence the easement to:

- Construct future underground feeder infrastructure;
- Undertake maintenance, repair or augmentation of electrical infrastructure;
- Access and service the future substation; or
- Construct the future substation itself, which may require prolonged occupation of the easement corridor for periods exceeding two years.

While reducing the number of lots accessing the easement from three to one may not materially alter the ultimate development yield or traffic generation associated with the site, it would significantly reduce the planning and operational constraints on Energex's ability to exercise its rights under Dealing Nos. 714514630 and 714514631.

Under the current proposal, Proposed Lots 18 and 19 would have no lawful access to Gardner Road other than via the private access road located within Easement A. This creates an unacceptable reliance on easement land that must remain available to accommodate Energex's operational requirements for access, electrical works and service infrastructure.

Energex delivers a significant program of network infrastructure projects across its service area, with project timing and delivery requirements subject to ongoing operational priorities. Energex is not prepared to accept additional constraints on the delivery, maintenance, augmentation or operation of critical electricity infrastructure arising from:

- The need to coordinate access arrangements with multiple landowners and tenants whose sole access is dependent upon the easement corridor; and
- The potential installation and ongoing management of third-party services within the Easement Land.

Action:

Please submit amended proposal plans that:

- Reduce the number of lots relying on Easement A on SP226721 for access to one (1) lot only; or
- Amend the proposal to dedicate the proposed private access road as public road reserve, constructed to Council's applicable local road standard.

Stormwater Infrastructure

2 Issue:

Energex acknowledges the amended Engineering Plans and Civil Engineering Response Letter prepared by Arcadis in response to the Referral Information Request.

The Referral Information Request Response prepared by Development Directive advises that the works proposed within the easement have been reduced to a water main, water reticulation infrastructure, and a stormwater outlet swale and associated structure. The previously proposed sewer infrastructure has been removed from the easement. This revised servicing arrangement is illustrated in Figure 1 of Development Directive's response (below).

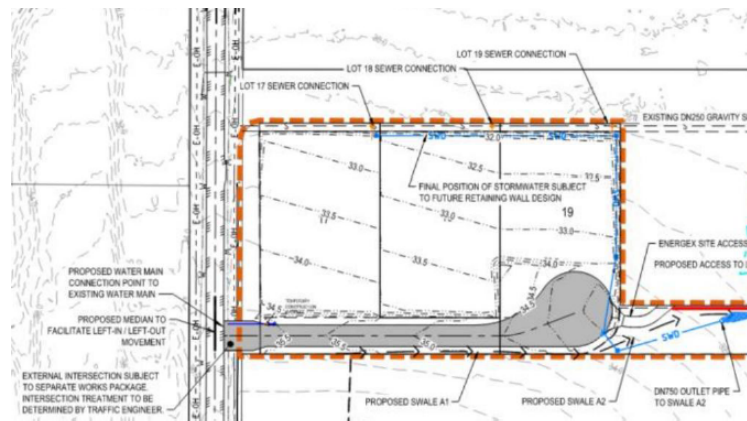
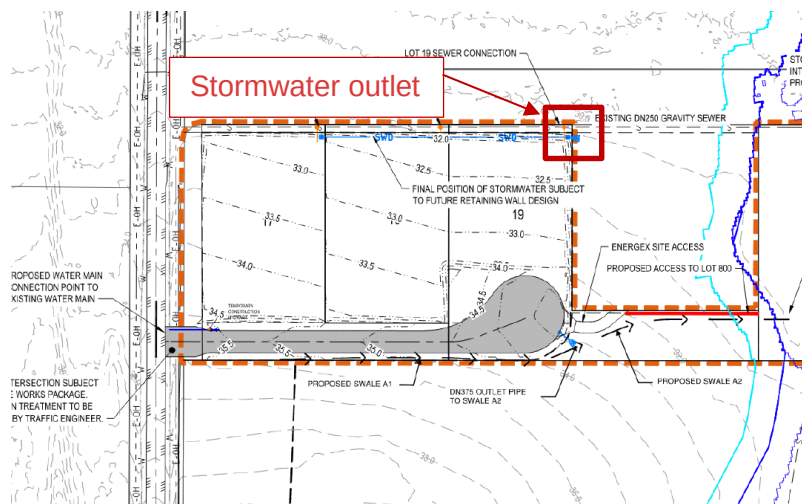


Figure 1 - Revised Servicing arrangement

Arcadis also addresses the revised servicing arrangement and states that the only remaining drainage infrastructure in this area is a short stormwater outlet pipe connecting the proposed swale to the downstream drainage system. However, Figure 1 (below) of Arcadis's response appears to depict a proposed stormwater outlet discharging onto Energex's Lot 103.



Energex does not support the discharge of stormwater infrastructure onto its land. Council's infrastructure design planning policy requires stormwater to discharge to Council stormwater infrastructure, kerb and channel, or another lawful point of

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<https://www.energex.com.au/home/our-services/connections/development-application-referrals>

discharge, rather than onto adjoining private land. The arrangement shown in Figure 1 does not demonstrate compliance with these requirements.

Action:

Please provide amended plans and supporting documentation that demonstrate:

- No new stormwater infrastructure is proposed to discharge directly onto Energex's Lot 103.
- All stormwater infrastructure associated with the development discharges to a lawful point of discharge.
- The proposed stormwater discharge arrangement complies with Council's infrastructure design planning policy

Please note, the issue of this Further Advice does not stop the referral agency assessment period, which will currently end on **14 September 2026**.

Should a response to this Further Advice not be received before the assessment period ends, Energex will proceed to issue its referral agency response based on the information available at that time. If additional time is required to respond to the requested information, please contact Energex as soon as practicable to discuss an extension.

Should you require any further information on the above matter, please contact Harriet Veal on 0427 293 604 or via email at townplanning@energex.com.au.

Yours faithfully,

Harriet Veal

Harriet Veal
A/-Senior Town Planner