



*Dedicated to a better Brisbane*

07 April 2026

Murphy Urquhart Investments Pty Ltd  
C/- Development Directive  
884 Logan Road  
HOLLAND PARK WEST QLD 4121

**ATTENTION: Lachlan Macgregor**

**Application Reference:** A006972129  
**Address of Site:** 262 BOWHILL RD WILLAWONG QLD 4110

Dear Lachlan,

**RE:** Information request in accordance with the Development Assessment Rules

The proposed development has been applied over part of the site and delineated by metes and bounds, primarily over the Industry (general industry B) zone area. It is understood there is a Court approval 722/2008 in effect over part of the site (nominated as Area A and Area B in the Court approval). Area C of the approval (the subject area of this application) was required to be rehabilitated, however this has not occurred. It is noted that the site has changed zoning under *City Plan 2014* and is dual zoned Industry (General industry B) zone and Environmental management zone. The proposed use for a Transport depot within the Industry (General industry B) zone is supported in principle, however the proposed use of Transport depot conflicts with the original Court conditions of approval and there are concerns that this conflict may not be resolved through section 66(2) of the *Planning Act 2016* as proposed in the submitted Planning Report.

An initial review of the above application has been carried out, and changes to the application details and further information is required to fully assess the proposal.

### **Application Pathway and Development Area**

- 1) The site benefits from an existing development approval (A001647647) issued by Consent order on 10 December 2009 (P&EA 722/2008) and subsequent change applications 1028/4/2012 and 844/2013. The approval imposed the 'Section C' area of the site to be rehabilitated. It is noted that this was never enacted and that this new application is proposing to increase the development footprint on the site within this area. In accordance with s66(2) of the *Planning Act 2016* the developments conditions must not be inconsistent with a development condition of an earlier development. As the conditions of the original approval were approved by the Court and the current application is being assessed by Council there is an inconsistency and conflict with the development condition of an earlier approval. to resolve this inconsistency an option may be to lodge a concurrent change application with the court. Alternative solutions or pathways to progress the application is also accepted.
- 2) The proposed development has applied over part of the site. It is unclear to the exact of the site the subject of the application as the planning report, plans, and specialist reporting provide conflicting information as to the proposed extent of works on site. It is understood to facilitate the Transport depot that earthworks will need to be carried out beyond the proposed Area C, including further maintenance of the Powerlink easement from a bushfire perspective is required. This aspect of development needs to be dealt with in the current application and

not in a future operational works application. Therefore, it is recommended that the application be amended to apply over the entire site as this will also resolve other issues identified relating to bushfire and ecology.

- a) Provide amended plans clearly showing the area of the new development, including access, and landscaping, and a revised DA Form removing the metes and bounds limitations

### **Ecological Values**

- 3) The proposed development encroaches into the mapped Biodiversity areas overlay (Koala Habitat Area) and will result in the removal of non-juvenile koala habitat trees. The removal of vegetation within the 'proposed industrial hardstand area' can be supported where the vegetated area south of the Powerlink Easement (mapped within the Biodiversity areas overlay, Waterway corridors overlay and Environmental management zoning) is to be retained and protected within an environmental covenant. To facilitate this outcome the development is to apply over the whole site (as detailed above) and not through metes and bounds.
  - a) Provide amended plans, DA Form 1 and proposal plans that apply over the whole site.
  - b) On the proposal plans demarcate the vegetated area south of the Powerlink easement as an environmental covenant. Include the location and specification of fauna exclusion fencing to restrict fauna movement in the industrial land north of the Powerlink easement.
- 4) The proposed stormwater plans 'Concept Finished Surface Levels and Stormwater Drainage Plan' (drawing no. 25-1095-DA200 Issue B') identifies an 'outlet to existing open channel' located on the Cleanaway Resource Recycling site (343 Bowhill Road, Willawong). The site is mapped under the Biodiversity area overlay and the Waterway corridors overlay and is vegetated. It is unclear if there are any impacts to ecological values located on the site.
  - a) Where works are located with the mapped Biodiversity areas overlay or Waterway corridors overlay provide an updated Vegetation Retention Plan that includes:
    - i) All trees 150mm DBH or greater.
    - ii) A description of vegetation communities and species compositions for ground, shrub and subcanopy layers. Any species or vegetation communities of State / National significance to be clearly identified.
    - iii) The proposed development plan (as an overlay) including all proposed services/infrastructure and earthworks (where applicable).
    - iv) A clear indication of which trees are to be retained and which trees are to be removed, including the following information:
      - (1) Scientific name;
      - (2) Height;
      - (3) Diameter of tree trunk at breast height (DBH);
      - (4) Crown diameter;
      - (5) Habitat features including hollows and scratch marks, nests etc.
      - (6) Tree Protection Zones (TPZs) (in accordance with AS4970); and
      - (7) General health assessment.
    - v) If works encroach into the TPZs of any trees identified to be retained, a report from a qualified arborist (AQF level 5 Arboriculture) is required to demonstrate no negative impacts on the long-term health of the trees.

## **Bushfire**

- 5) Section 5.4 of the Bushfire Assessment Report identifies that 'for bushfire management and incident response purposes, it is also recommended that provision be made for vehicular access from the hardstand area to the Powerlink easement and areas of bushfire prone vegetation to be retained in the southern-most part of the Site'. This access has not been provided on the proposed plans. It is unclear how this will be achieved, particularly as the 'proposed landscape strip' would impede vehicular access to the easement (PO4).
  - a) Provide amended Bushfire assessment report and proposed plans that clearly demonstrate how vehicular access from the hardstand area to the Powerlink easement and areas of bushfire prone vegetation are to be retained in the southern-most part of the site is achieved.
- 6) The outcome of the Bushfire assessment report recommends that vegetation within the Powerlink easement is to be maintained to reduce impacts to the proposed development, however this area of land does not currently form part of the application. As mentioned above it is suggested that the development applies over the entire site to ensure the ongoing management of vegetation within the Powerlink Easement is managed as a Bushfire Management Zone in accordance with PO1/PO2 of the Bushfire overlay code. If this is not included in the application, further setbacks within the proposed hardstand area and a reduction in the hardstand area would be required.
  - a) Provide an updated proposal plan that demarcates the entire Powerlink Easement as a Bushfire Management Zone. Or reduce the proposed hardstand area to accommodate the appropriate setbacks required for Bushfire protection.

## **Flooding**

- 7) Provide an amended Flood overlay code Assessment Report to address performance outcome 3 of the Flood overlay code to ensure the Transport depot will minimise property damage during a flood event and minimise disruption to the business and reduce recovery time following a flood event. The report must demonstrate the following:
  - a) Commentary on the suitability and resilience of building materials, including how materials selected for structures, pavements, sheds, and storage areas resist flood impacts.
  - b) Discussion on the management of earthmoving equipment during major flood events, including whether equipment will remain on site, be relocated to flood-free areas, or secured to minimise damage, movement, or loss.
  - c) Description of operational procedures the business will implement to minimise disruption and facilitate rapid recovery (e.g., flood action plans, equipment relocation protocols, elevated storage areas, resilient utilities).

## **Hazardous Goods**

- 8) Further to the above the development is to demonstrate that an adequate level of flood immunity for the protection of hazardous goods and processes can be provided. Submit further information demonstrating that the proposed use can comply with the storage and handling provisions as prescribed in AO16/PO16 of the Flood overlay code. This can be demonstrated by the submission of a Chemical Hazards Flood Risk Report in accordance with PO16 of the Flood overlay code and the Management of Hazardous Chemicals in Flood Prone Areas Planning Scheme Policy.

## **Risk from Sub-surface Landfill Emissions**

- 9) The development is located in the Lower Oxley Creek North Neighbourhood Plan and may expose people to risks from sub-surface landfill emissions. Demonstrate that the risks to health, safety and wellbeing from sub-surface landfill emissions can be achieved.

- a) Submit further information demonstrating that the proposed development can achieve PO1 of the Lower Oxley Creek north neighbourhood plan code. Submit a Landfill Emissions Risk Assessment prepared by a Suitably Qualified Person in accordance with the *Environmental Protection Act 1994*: [https://www.des.qld.gov.au/policies?a=272936:policy\\_registry/cl-gl-assessing-suitably-qualified-person.pdf](https://www.des.qld.gov.au/policies?a=272936:policy_registry/cl-gl-assessing-suitably-qualified-person.pdf)

The Australian Contaminated Land Consultants Association Queensland Division maintains a webpage of companies who are ACLA Qld members, companies that can demonstrate their primary business is contaminated land consulting, companies that have substantial practice in land contamination management with specialist environmental staff, and companies that have at least 1 staff member that is a Suitably Qualified Person in accordance with the *Environmental Protection Act 1994*: <https://aclca.com.au/qld/our-members-qld/>

The Landfill Gas Risk Assessment will be conducted in accordance with the adopted industry best practice guidance in Australia – i.e. *Assessment and management of hazardous ground gases – Contaminated Land Guidelines – NSW EPA – May 2020* (<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/19p2047-hazardous-ground-gases-guidelines.pdf?la=en&hash=877EF007BFDEAF5163431351EB3C5A73FCBF7EFE>)

### **Stormwater Quality**

- 10) Submit the electronic file used to prepare the treatment strategy in the Site Based Stormwater Management Plan.

### **Other Activities**

- 11) The proposed development includes the cleaning of vehicles. Demonstrate compliance against PO9/AO9 through providing a description of these activities in a report and through a drawing.
- 12) Indicate whether any refuelling is proposed or other uses which involve additional industrial uses (such as spray painting and/or motor vehicle workshop activities etc). A response to this item may require additional planning scheme policies to be met, or the application may be required to be amended.

### **Urban Utilities (UU)**

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

### **Responding to this request**

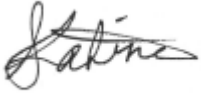
Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to [DSPlanningSupport@brisbane.qld.gov.au](mailto:DSPlanningSupport@brisbane.qld.gov.au) quoting the application reference number A006972129.

Please phone me on the telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Katrina', written in a cursive style.

Katrina Bogoevski  
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