

**To:** The Assessment Manager for DA/42/2023

**From:** Catherine Hockings  
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**Date:** Monday 26/2/2024

**Subject:** Proposed material change of use of premises for a bulk landscape supplies  
2654 Round Hill Road, Agnes Water Q 4677 (Lot 5 RP612151)

I write regarding the late response by Agnes Coast Earthmoving (ACE) to Gladstone Regional Council's request for further information on the proposed material change of use of premises for a bulk landscape supplies.

I am not persuaded by the responses given by ACE.

In responding to **1. Acoustic report**

... the owner acknowledges that the surrounding community finds the existing operations too noisy – hence the “several actions” they have already had to take to reduce the noise. They give no reason to believe that their new business development would satisfy any new conditions once they were operational. They should be held to GRC’s original request for an acoustic report demonstrating that they have *planned* for compliance with noise pollution requirements.

The site is in a Rural Residential Zone, not a Low Impact Industry Zone, even if the owner thinks this would be a “logical extension”. The owner might consider the business to be a suitable land use but that’s not for the owner to decide.

In responding to **2. Air quality report**

... the owner suggests leaving the air quality issue too for consideration once the proposed development is operational. I hope Council will stand firm and require evidence that the business has worked out how to *avoid* the problems and *planned* to build in solutions *before* the surrounding community is adversely affected.

In responding to **19. Footpath**

... the owner notes that the proposed development is unlikely to generate pedestrian or cycle traffic. I agree, but I believe such infrastructure should be included in *all* developments as a future-proofing measure. I hope that there will one day be active transport options across, through and around all parts of town; each section might not be particularly useful on its own initially but eventually they should link up.

In responding to **20. Landscaping – street trees**

... the owner argues that the existing perimeter landscape buffers are sufficient. I disagree. A potentially noisy dusty site needs all the big trees it can grow. They should be included in plans now, not left for consideration some time in future if there’s enough of a problem to hassle with.

Any new development should aim to improve community amenities and the local economy, not just have a low impact. All local businesses benefit from public support by way of roads, power, labour supply etc – it’s fair enough for them to give something back.

Thank you for your consideration of my concerns,



Catherine Hockings

## **Assessment Report Refuting Material change of Use DA/42/2023**

### Proposal for Bulk Landscaping Supplies

Property Location 2654 Round Hill Road, Lot 5 RP 612151

Report Compiled by Sean Small, Licensed Builder QBCC 1179765  
42 Corfield Drive, Agnes Water.

## **Section 1** Assessing the true nature of the site and genuine operational use.

### **Builders Summary**

#### Overview.

The subject site was illegally cleared between 2021-23 by Agnes Coast Earthmoving, the forest was mulched and the top few meters mined, graded and processed into its constituent components. This was an illegal operation from its conception by the director of applicant business, he demolished this patch of environment without approval, to mulch it and mine the surface.

The Agnes Coast Earthmoving business model is to clear vegetation with no concern for zoning, and, to dig dams without permits. With all materials removed from rural properties and transferred to the illegitimate operations at said mentioned property, via Corfield Drive in B doubles, and Prime Movers, which exceed the roads rating. During the escalation of the takeover, and processing period, easy 200 truck passing's a day, often with uncovered or unsecured loads.

The guise of being a Bulk Landscape Supplier, must be refuted, because that is not what they do, rarely is a ute or trailer entering, it's not about that for them, it's a processing plant that stockpiles materials for grading into rock sizes or mulching of forests.

At the subject site the rocks are screened. Rock screening of granite puts a high concentration of silica particles in the air, the machine they're running is a "Precision Screen 604 Contractor" with a capability of screening 100 tons per hour, also running an "SM 450W" stockpiler in circuit.

Also at the site the forests are mulched in heavy machinery such as a Vermeer model HG6800TX horizontal grinder which exceeds acceptable levels with the 950 hp engine putting out 120 decibels, those decibels are just the engine, add on top of that the sound of shredding trees that they've cleared without concern, and noise of it spilling out the chute. This machine was used as recently as 9<sup>th</sup> August 23, and was typically used as soon as clearing has produced significant enough for a couple of mulching. They already have a huge stockpile to be shredded if council gives them the go.

The director of the earthmovers owns a property at 393 Creevey Drive, Captain Creek, where he has mined and cleared substantially in order to boost the volumes he processes, the majority of material transfer is via his fleet of b doubles and contracted prime movers. This report author urges Gladstone Regional Council to refer back to previous complaints laid against him for location 393 Creevey Drive, these are connected.

As such, this proposal is deemed to not be a bulk landscaping supplies and is a mining processing plant, considered heavy industry and is thereby unsuitable for a rural residential zoned property.

In Summary this report seeks to belie the operations legitimacy, and the Zone Planners reports which seek to circumvent the GRC planning scheme and the Queensland Development Code. This report seeks to quash this proposal.

## Site Location and Characteristics

The site is located in town and across the road from a Medical Centre less than 100m NE, a veterinarian clinic less than 100m NNW and surrounded by residential housing, traveller's accommodation cabins and camping to the East, and another 200m SW. Also just a couple of hundred meters from a proposed school soon to be constructed. The Low Impact precinct of Corfield Drive is impacted by airborne particulate matter and noise, and the safety hazard of speeding trucks on a large scale. The School Bus depot that services a large area is on Corfield Drive and children alight these buses throughout the morning and afternoon, all week. These properties suffer health, safety and amenity detriments from this illegal operation and it is perceived that this will increase significantly when full scale operations resume.

The site is virtually fully cleared, (Planners google image has incorrectly shaded areas, the green hatching is deceptive). Clearing has continued throughout the period of this investigation. Dam and Basin are Brown not blue. I've added some corrections in the bottom image.

It has no sealed roadways or drives, and no proper drains. Nothing has been done to suppress dust aside from waiting for the rain. When it's dry it's a dust pit, the trucks leaving and entering, drag rooster tails of dust with them, as well as dropping rocks and branches from uncovered loads. The onsite operations generate extreme dust and a light wind creates constant dust storms.

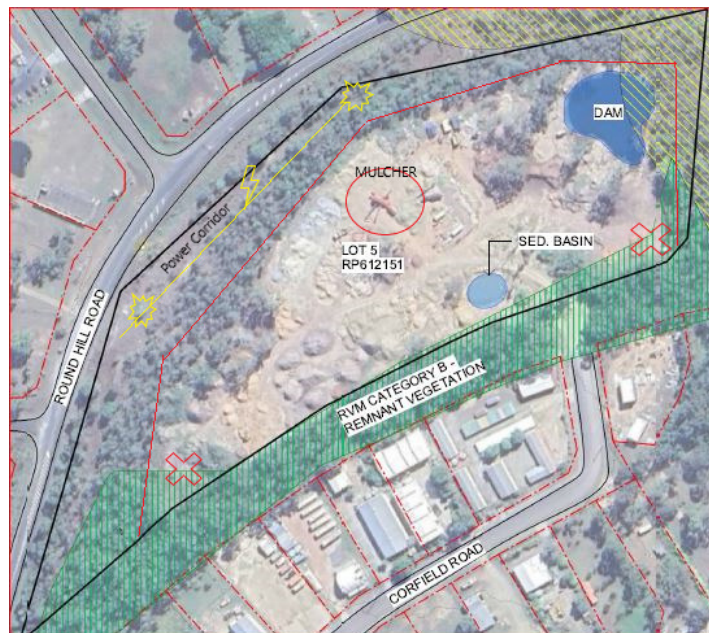
When it's wet, the runoff carries fine particulate matter to the wetlands, onwards via the strings of waterholes to Reedy Creek and thereby eventually to the reef.

The majority of the remnant vegetation buffering the surrounding properties is the council drainage easement; it does little to suppress the dust and the noise. The visual amenity fails to comply with the planning scheme, it fails to raise the look of the town, and it's an eyesore.

I question the usage area provided by Zone planners. I've inspected the site surveying; it has removed most of the pegs except the south east corner which is cleared. The power corridor is not owned by the landholder, the zone planners provide an outline that encompasses the power corridor, and their green overshading belies the extent of clearing by overlaying an illusion.

That image is below, with the power corridor added, crosses highlight the shading deception, and a more accurate line of usage area has been provided. A water tank and stockpiles are beneath trees at the western end and that's why it appears to be bushland, more clearing has been done since this image. The sparse landscaping barrier that remains having the best specimens removed, is a disappointing ugly transparent screen.

Note\* the mulcher in the middle dwarfs the Heavy Rigid Truck in size.



## Proposed Development

The development application is fraudulent in that it is not a Bulk Landscaping Supplies, the scale exceeds the usual volume of such purpose, and its usage is more about processing and sorting, mulching and wood chipping, and large scale transport to shift the constantly relayed materials.

Very few transactions are by the meter into trailers, its B doubles and prime movers carrying full tonnage, and a regular fuel tanker. Huge Mulchers transported on oversized low loaders, the list goes on.

The Plans are insufficient and have provided no details to imply any compliance to the NCC, the Former GRC staffer who authored the Planners report, required *this* author, to provide full plans to absolute detail, everything, even down to the cross falls of the disability parking, the ramps, and a bicycle stand. It is unequivocally provable that the system is favouring the illegitimate operations, over those who seek a lawful passage through the planning scheme, if this DA is approved.

The plan fails to demonstrate compliance to the National Construction Code 2022, QLD development code, GRC planning scheme, and the CMDG. That was per the demand of council to this Author for a true BLS under the same planning scheme on a low impact property next door, therefore, they must provide complete and accurate information. Compliance to AS2890 is incorrect regarding the parking and office, and there's nothing to offer any compliance to any of the construction codes.

### Inaccuracies include, but are not limited to.

The usable area drawn is inaccurate; the vegetation has been cleared to virtually every boundary. The only retained vegetation onsite is a small patch at the western end, the few standing trees within the demolished zone are mostly dead, or on that trajectory, with all the trucks over their roots. The council road side does not constitute retained vegetation.

The proposed driveway is incorrectly drawn, because the majority of the large trucks transit to the stockpile areas, including the prime mover, they don't go to the unapproved bays. The oversize mulcher goes into the stockpile areas. The plan fails to provide accurate transit paths around the site.

The Diesel tank has been omitted, most likely to avoid attention to that detail, as the development doesn't comply with fuel depot standards.

Also the proposed development does not demonstrate compliance with the NCC 2022 on so many levels it's too numerous to list, including the site, through to buildings in many relevant parts.

The cul-de-sac and entrance doesn't comply, it requires a continuation of the footpath all the way to the office. It will also increase water flows substantially through the catchment from the road, this has not been adequately considered in the SBSMP

All commercial premises require disability accessible facilities and staff amenities, of which none are proposed. What if someone breaks a leg, these details are unaddressed and non-existent in the important supplied documents. They have no existing facility, not even a portaloo, there are plenty of ramshackle containers where someone can crash for the night.

And of course there is the very real unlawfulness of them commencing without certified completed premises, a development approval is not enough, honest business is prohibited by GRC to commence until complete. And honest business is hindered because they have to defend their stake holdings from Illegal operators, this is a significant time sacrifice for free, and a mental nightmare to calibrate a legal response. Council has imposed this upon me and actively been hindering my business now and historically.

Unsealed driveway is not acceptable by council for any legitimate developments so it would be unacceptable for the proposers to be provided any leniency, such lack of action that is taking place is rewarding unlawful actors and penalising the law abiding.

Six proposed parking spaces is a joke, the contractors have more vehicles than that, the few visitor cars that enter are utes, or towing a trailer, and some light trucks that take a few cubic meters, but mostly,

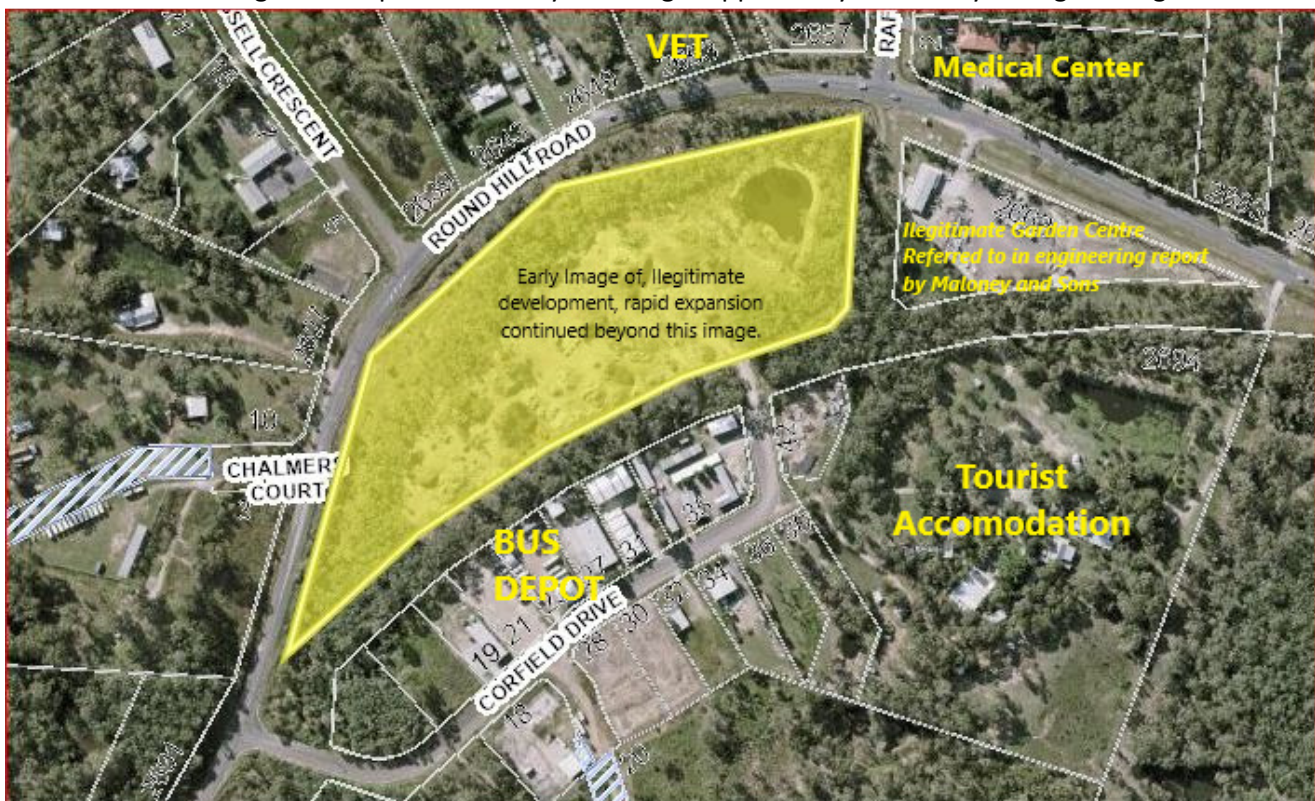
the transport is truck and dog, loaded by excavator, its loud and dusty. And it's not just a one off building site if you let it continue

The bike rack is required for end of trip parking, what if an employee wants some exercise. Where is the disability space, it's required by the NCC. This all brings into question the competency of the so called town planner compiling the reports: and by extension, should this gain approval it raises serious concerns about councils relationship with that business.

Council demands honest business the requirement for all roads, driveways, and parking to be sealed before commencement, that is cost prohibitive to the legal operations, bullies avoid this and feed the bottom line. Also there is substantial time required and stress impacts on business operators that are forced to defend themselves from lawbreakers such as Agnes Coast Earthmoving. The Author of the Town Planner proposal required absolute adherence to the rule when she worked for council, that expectation was imposed on the author of this document and was for the proposal of a genuine Bulk Landscape Supplies on the site next door, south of the subject site. This could become a significant legal issue.

The illegal development has Bullied its way in at significant impact to neighbours, It is unethical, unlawful, and a harassment offence, and all the while the proposed development is illegally profiting while legitimate enterprise is prohibited from commencement until achieving all the red tape requirements. If council allows this to precede it is a substantial leg up to dishonesty.

Below Image exposes close proximity to vulnerable locations, the rogue operations present significant hazard in too many ways to these important community services. There are four in notable proximity, being Medical Centre with multiple clinics, a Veterinarian clinic, and a Bus Depot, where children congregate for the twice daily commute. Don't forget the tourist accommodation, paying guests should have amenity. My own stake holding is 42 Corfield and I bear the full impacts of noise and dust from this rogue operator, its atrocious. And, I had to have the full gamut of council compliance to gain approval with time constraints. Illegitimate operators surely cannot get approval by constantly asking for forgiveness!



### Previous Approvals

The previous approval for subdivision into 17 Lots (DA/41854/2007) is irrelevant as it has long expired, by nearly two decades. However, this Author understands that the town planner has sought this as consideration. The town planner’s state the development permit was for an Industrial Subdivision, they omit the word “LOW” impact industry. The deception of the current proposal is that it is heavy industry.

Furthermore those 17 lots would have to seek individual approvals and prove compliance as the rest of us have to. The reality that the Agnes Earthmoving company want a place they can just do whatever they want. bullied their way in without approval is damning, it must be considered that this rogue business not only took over the land, and the road, but the air and water quality as well.

The owner is not the applicant, the owner is within its rights to apply for 17 lots to be approved through the planning scheme, but this current development proposal could never legitimately comply to the scheme. If it is allowed to continue in its illegal, polluting, and immoral form it will be a serious injustice. It will significantly reduce the town and the value of neighbouring properties, and be a legal matter for many perpetrators and there victims.

### Pre lodgement meeting

The town planners state in their assessment report that it was “identified that the applicant would be required to apply for the land use being a Bulk Landscape Supplies to gain lawful approval for the existing operations.” At the period of that meeting the applicant was using the site as a raw material processing plant and transfer of vast loads of dirt’s, aggregates, rocks, and the shredding of forests. It was never a Bulk Landscape Supplies it’s an ill-fitting label, its illegitimacy is not only that it’s unapproved, but it would never comply with such a use.

The application was flawed from the start, because the use that was discussed was never the use that it actually will be. The business model is more for processing materials, relay and transit of such volumes that put it in a different category.

Agnes Coast Earthmoving was still operating, *and*, expanding, *and* profiting. Developers and builders that follow legitimate paths suffer months, sometimes years delay, and are barred from operations till completion.

#### Pre, Pre-lodgement meeting

The managing director of the applicant has continued to expand, not attempted to provide compliance, and in many ways just outright disobeyed restrictions that were imposed. I’ve known him for years, I told him personally all the process required for such development from my experience with the GRC and specifically the Planners author of the proposal. The proposer had knowledge before he chose to take the illegitimate path. When he first arrived he said he just needed a place to store his excavator, it was a farce all along.

#### Post, pre lodgement meeting

The requirements have not been met, and its 16 months since council was informed, that’s a boost and a leg up to this applicant on anyone’s scale. Legitimate business suffers similar delays while seeking approval, but we are barred from operations, he’s already profited significantly more that he’s been penalised. Council policy is at risk of being interpreted as “Better to ask forgiveness than permission” that is the mantra of the illegal contractors in this town. You allow this to go ahead, and that’s a proven!

Minutes of Meeting	
<b>Proposed Details</b>	
Location:	2964 Edward Hwy (East, AGNES WATER) QLD 4677
SPC:	Lot 6 SP 15151
Area:	0.87 Ha
Current Use of Land:	Vacant
Zoning:	State Residential
Proposed:	MCU for Bulk Landscaping Supplies
Reference:	N/A
Public Notification:	Yes
Development Application Fees:	Bulk Landscape Supplies - Impact Assessment 2024-2025 - \$6,155 2025-2026 - \$6,155 Over 500sqm - \$10,750 Charge Area - \$10,750
ACN/Doc Category:	\$141.00 per m <sup>2</sup> site \$14 per m <sup>2</sup> road front

**Central Queensland Regional Plan 2013**

The subject site is located in the priority living area of the Central Queensland Regional plan. The proposal will remove land that should be made available for more worthy residential or light industry purposes. To use the previous approval DA/41854/2007 as an example, 17 individual small businesses that are legitimately approved would contribute to the community in a greater economic benefit.

The current illegal operations fail to contribute to the town very much, sure, the managing director benefits, a few people get a job. A site that size could be supporting the very real needs of hundreds of families, and it wouldn't have the negative environmental and amenity affects that it exceeding provides. This DA /42/2023 proposal supports the deterioration of the Agnes Water area.

**State Planning Policy**

The Proximity to medical facilities and residential buildings should mean the site should be considered an urban area.

*Table 5: State Interests*

		<b>COMMENT</b>
<b><i>Liveable Communities</i></b>	Applicable	Proximity to medical facilities and residential buildings mean the site should be considered an urban area.
<b><i>Mining &amp; Extractive Resources</i></b>	Applicable	The applicant conducts deforestation and large scale land modifications, and harvests the resources, of which he processes on the subject site. It requires a referral to the Department of Resources.
<b><i>Water Quality</i></b>	Applicable	The Development has increased the natural flows and transformed permeability into run off. Hard packed driveways prevent permeability but its dirt, so it has the surface that can become bulldust or storm runoff and high mounds increase the speed of run off and carry pollutant. The SBSMP fails to address all the elements described throughout this report.
<b><i>Natural Hazards</i></b>	Applicable	Thousands of tons of mulched forest is a significant fire risk exceeding that of the natural environment, it's a bomb. It has a large tyre Dump, and an aerial Diesel tank holding thousands of litres. None of this has been held to account. It is referable.

The land clearing conducted by the applicant should also be subject to investigation, as well as the dams and there compliance to permits. Also, the mining operations conducted at the landholding of the director must be investigated.

### Strategic Planning Framework

The development has been inaccurately defined as Bulk Landscape Supplies. While that is a part of the operations, it's supplementary to the greater purpose which is the processing of Raw materials such as rocks, aggregates, trees and soils, selling trailer loads of mulch is not its goal, It's a cover plan.

The Unlawful development is not suited to the specified site, Corfield Drive is an inappropriate service road, it's not rated for the weight of the traffic, and there are lots of children during bus travel times. Such a development is better located in the industrial investigation area, or better still, further afield at Uxbridge or Fingerboard Road.

#### **Refute of Planners suggestion of suitability for the development.**

Gateway to the World Strategic Outcomes	Fails to comply as it imposes adverse effects on sensitive uses, Medical centre, Veterinarian, and school bus depot
Gateway to the World A Gateway for industry	Fails to comply, The scale of the operations exceed the usual definition of Bulk Landscaping supplies. It's a transport relay location, and processing of materials for an earthmover. No one's ducking in there for a daily trailer of mulch.
Gateway to the World A Gateway for local business	Fails to comply, while it will make the earthmovers rich, it will reduce the viability of all other business that operate out of Corfield Drive or Round Hill road, including campgrounds and medical facilities
Community Living Strategic Outcomes	Fails to comply, Development of the residential land surrounding the subject site will become unviable, or unamenable. The Noise Dust and unsightliness of the site is deemed unacceptable.
Building it better Safe Communities	Fails to Comply, the excessive amount of heavy traffic promotes an excessive safety risk to the community, particularly to pedestrians on Corfield Drive, but also the wider community with unnecessary traffic bringing materials in from out of town, and taking it back out of town after processing.
Environment and heritage Sustainable management	Fails to Comply, This Earthmover fleet harvests forests and minerals from anywhere that a willing client will pay them for the service. They don't follow any sustainable management practices, or vegetation zones. While that may not be on the subject site, it is where the sales product comes from, and it's being processed onsite.
Coastal Townships Strategic Outcomes	As no further expansion rural residential land is to be made available, this parcel should remain as it is zoned to enable development to support the housing shortage. The appropriate location for such a development is in the furthest corner of the Future industry zone as per GRC's Agnes Water and 1770 structure plan, or the Sahara.



### Zone Code

The development significantly conflicts with the planning scheme. The illegitimate operations have been inappropriately labelled by Zone Planners as existing. The Managing Director of Agnes Coast Earthmovers lied to this neighbour and said he just wanted to store his excavator, and then he just cleared and cleared with multiple 20 ton excavators, it was a verified bully tactic, to take over the space, and embed itself on the lot with the excuse that it was existing.

Planners claim the development provides a high level of amenity. It fails on all levels of amenity, regardless of the road reserves; it is a health hazard on every level. The so called existing activities have already reduced the residential amenity, that's why I complained. If Planners think I should have complained prior to him bullying his way in, then clearly they need some lessons in the rule of law and the human psyche. No one can complain till someone commits a crime.

The natural features of the site were destroyed by the illegal developers, little vegetation has been retained aside from the council land and power corridor, neither of which is, the land they tenant, and cannot be counted as a landscaping strip. Stating it as mitigating any amenity impacts is a farce.

The site is only a logical extension of Corfield Drive for a compliant use; the so called Bulk Landscaping Supplies is a lie. He said to me personally when we talked, regarding the amount of clearing, that he "wasn't going to clear anymore so it doesn't get noticed." He carried on clearing. So, I made it noticed!

It fails to comply with the Zone Code.

### Overlay mapping and Codes

The site fails to comply with the bushfire hazard overlay. Despite the forest being cleared, there are condensed forests in those mulch piles. They are more seriously combustible in such form and extremely difficult to extinguish. The slip on tanker won't have a chance, and none of the machinery would be ideal. Such operations require a Drot and multiple firefighting appliances, refer the historic Agnes Water tip fire in the mid 2010's. This author speaks from direct experience as a former brigade officer attending that incident, I doused the Drot, right into the hot heart of that inferno, and that was just one mulch pile, These Perps, have bigger ones, and more of them. Intermittent rare use of a garden sprinkler on a single pile is insufficient and at best a detrimental ornament, essentially capping a heating pile of mulch is a bomb, and he has dozens of them side by side, a veritable fire hazard that will spit fire char extreme distances. His next mulch pile is stacked and ready to fill that giant mulcher as soon as he gets the pass. Refer evidential images throughout this report.

Strategic Framework, Strategic outcomes Planners comment is fully premised on the activities being Low Impact, its actually heavy impact. It's heavy impact on roads, infrastructure, noise exceeding safe levels, excessive dust, and so many trucks. Bulk Landscape Supplies don't usually have 6 Heavy Rigid trucks with at least 4 heavy trailers, 2x20 ton, 1x8 ton, and 2x5 ton excavators, loaders, bobcats, rock graders and mulchers, to be able to contract in such heavy equipment so regularly. That is what I see before my very eyes "The observation is based on usage, not "company vehicle registrations". It's an earthmoving, mining, processing business; it cannot comply on any level of government, "within every legislation, "it fails. The business is environmental sabotage on a serious scale, no checks or balances.

Zone planners continue on, to make the claim that the valuable land is underutilised. Allowing the Raw Materials processing plant to remain will deteriorate all properties valuations in the area. It's the onus of the land holder to assure the use will raise the town, they're letting a leaser dictate, and it's already a travesty.

## Section 2

This section seeks to address further concerns with the Town Planning report.

It expands upon the issues and inaccuracies listed in the previous section regarding planning and engineer.



The Engineers **pre-development scenario** is incorrect, has no knowledge of the predevelopment condition of the site, so the calculation is irrational as it has flawed values. The permeability is incorrect, where the ground has been significantly compacted by truck movements and the topsoil has been stripped and sold. The stockpiles are a significant erosion hazard that falls in the report, as it is not addressed. It renders the Rational Method, Irrational.



The **Stormwater Quality Management Plan, sediment erosion controls.** During the so called “pre-construction phase” none of the stated mitigations were performed. There was no dust suppression. They proceed to offer sediment fences as some kind of a solution, and then go onto propose that all areas of exposed soil allowing dust generation be covered. I find myself unable to believe that the proposer would fence what essentially needs to be the entire site, as well as covering what needs to be the entire proposed usable area, Applicants track records would imply he’ll just do a bit where it can be seen, and get away with the rest.

The rest of the SQMP is void because they are seeking to reach a reduction ratio from an inaccurate data point, none of that sediment was running like that until he came along, it was *clear* run off because the surface was held together by tree roots. The site was developed as a hostile takeover by an illegitimate operator that has done nothing to clean up the mess, not before they were discovered, not after they were discovered, that in itself has to be damning.

An analysis of the proposed “**management methodology**” provides the insights into what hasn’t been being done by the applicant throughout the illegitimate construction period. The reason why there are large volumes of sediments in the runoff is due to the inappropriateness of the development, and its rapid changes to the environment, as well as the loose piles of stockpiled aggregates. The Applicant is attempting to get away with doing as little as it can with its works, while it benefits from trading.

Functional installation is not complete and the proposed solution of just leaving the sediment basin as it is, fails to address the issue, and delays the need for the applicant to do anything to address the situation it created. The site should be closed until those items are complied with, as all legitimate business has to do.

Building Construction, there has been no licenced builder overseeing the project. Under the QBCC act all commercial construction projects must be performed by a licenced Builder. The licensed Builder that composed this report states that the site doesn’t comply on many levels of the NCC. These are too

numerous to list and a thorough site analysis has to be performed by a truthfully informed independent at the expense of the applicant.



Operational Establishment, the proposal to add Topsoil and turf is flawed; this perpetrator has mined all the soil from the site, sold it for a profit, and not followed appropriate procedure. The top soil he would be replacing it with, would be from a property that he will harvest indiscriminately, without any check or balance, it could easily be an endangered ecosystem, who would know?

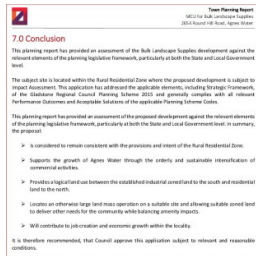
### Refute of 7.0 Conclusion

The conclusion is an ill-informed presentation from the planners, who are working in the interest of the applicant. The applicant is attempting to circumvent the real use of the land, by getting an easy pass for a BLS, then it can mine till their bank accounts flourish. Furthermore, the Planners are proposing to escape providing a significant amount of code requirement for that use, but it's not that use!

Their proposer agent assessment of the subject site having addressed the suitability of the compliance to the rural residential zone requirements as being "generally complies" is based on it being a Low Impact Use, the business model, and the historic actions of the applicant do not support that theory. The applicant moves and processes all manner of earth and landscaping resources on such a scale that it doesn't fit the BLS scope.

#### My response to address her bullet points in order

- It is inconsistent with the provisions and intent of the Rural Residential Code, she fails to address why it isn't inconsistent. Agnes Coast Earthmoving is a mining company that strips the land for all its resources and sells them for its profit.
- It fails to support the growth of Agnes Water because it's a disorderly unapproved illegal takeover, a valuable parcel of land that can provide better service to the community through better planning, and ethically conceived is of value. Better proposals would support more businesses and serve the local community better with small business growth.
- It's an illogical land use for the reasons described above,
- The otherwise large land mass comment speaks to balance amenity impacts, all day noise and dust is unamenable, as well as the visual deterioration of the town, there's acreage available short distance from town, following a legitimate approval process of course.
- She fails to provide the economical modelling. My model is thus, property valuations will drop, but more importantly the other options that the precinct can become, can never again be, better things can become of Corfield Drive if council was more considerate. The noise and the dust will diminish the tourist value of the town, when the mulching is on, you can hear it from main beach. And why should we have to *all* put up with it, it's completely inappropriate land use.



The planning report points to considerations of properties within close proximity, the residential zone properties a couple hundred meters away, it dismisses them as being sufficiently buffered. The Garden Centre they speak of to the East is known to them to also be an illegitimate operation. The Inappropriate suggestions by planners and the engineers, as if to promote the opinion that both illegal operations can lean on each other as a prop, has not gone unnoticed! Both must relocate as compliance is not possible for either. This is not the proposals most serious moral and integrity issue, it doesn't address the Medical Precinct, the Veterinary clinic, or the School Bus Depot, dismissed by being omitted or just mentioned as Low Impact Industry.

They may say that they didn't see below image on google, which at best is poorly in the realm of educating oneself about the proposal surroundings: or, they chose avoidance at the detriment to the greater community. It is clear the financial arrangement with the applicant is their priority and they will steer the focus onto whatever tool can get the applicants desired outcome, no matter how misinformed. The planning report is a disgrace, the author is attempting to use her personal association with the council as leverage, and I call it out! Furthermore I don't appreciate this time heist being a further attempt to harm my business.



The proposal fails to comply to the planning scheme in design also, the parking rates are proposing for 6 spaces, the actual site display is currently 2.7 hectare accurate measure and they have by my count at least 7 contractors and casual employees, it fails to support their needs, let alone utes stopping in for the daily mulch. Realistically though, it's virtually all truck relays, there are no truck hard stand requirements proposed. And what about the provision for hard standing for working repairs and maintenance, they spill the oil onto the dirt, the director claims to be a diesel mechanic, he does all his repairs, there's oil for engines, gear and diff, Hydraulic, brake the list goes on, there is no suggestion of this being addressed. Planning Author demanded 24 sealed spaces from me!

Table 4: Car Parking Provision			
Parking Rates	Demanded	No. Car Parks Required	No. Car Parks Proposed
<b>CAR PARKING</b>			
Bulk Landscaper Supplies 3 spaces per 100m <sup>2</sup> site area for display and sale purposes. (plus 1 space per employee (max. 6 spaces))	625m <sup>2</sup>	6	6
<b>BICYCLE PARKING</b>			
Bicycle Rates	Demanded	No. Bicycle Parks Required	No. Bicycle Parks Proposed
Bulk Landscaper Supplies Nil	Nil	Nil	Nil
Given the nature of the material purchased from a Bulk Landscaper Supplies, access to the site via bicycle is not anticipated. As a result, no bicycle parking has been provided.			

The site is required to provide an office facility which is a Class 5 construction as per the requirements of the National Construction Code 2022, it cannot be a shipping container. The proposal seeks permission for an office for which they provide no details. The council requires compliant business to complete before commencement, no building is possible in any short term fix. Short term fix for some requirements such as mains phone line and mains power is possible, however the operator states it is too far, in reality they are both less than 50m away. It is blatantly obvious that the applicant wants to circumvent all the rules and would have stayed with the status quo had I not drawn attention to their illegitimacy.

To abbreviate other non-compliance, the proposed development doesn't comply with parking design AS 2890 from truck turning to disability parking; amenities fail on disability compliance AS 1428, planning scheme non-compliance for emergency access to hardstand area within 6m of water source Queensland development code, vehicle entrance doesn't comply with the "Capricornia Municipality Code" and nothing complies with the Gladstone Regional Council "Our Places Our Plan" scheme.

This illegal operation has also avoided much government red tape fees such as head costs, q leave and insurance. Such things hinder most legal operators as well as delay on investment return, as honest operators cannot work until they have a compliance certification, and to get a DA, it's a contrast! We get fees and delays, on the other hand you're waiting for them while they just keep operating, that's how the system functions, they profit we pay! The system is flawed!

Regarding Town planners proposal comment to planning scheme "Effects Of Development" PO10.

She states "The operation has retained the existing vegetation along all three major boundaries", I say actually the site was forest until the operator devoured it in a gargantuan contract mulcher, and after she made that public statement he devoured such more of the forest into the next mulcher, the operation has negative sensitivity to anything other than the directors bank account. The council cannot include the drainage easement as any consideration. An Independent surveyor must be engaged to determine true values of land use. I dispute the area of land usage.

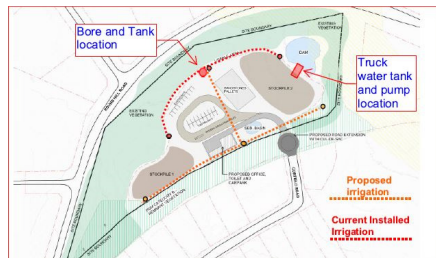
Effects of development			
<b>PO10</b> Development responds sensitively to on-site and surrounding topography, drainage patterns, foreshore areas, utility services, access, vegetation and adjoining land uses, such that:	No acceptable outcome is nominated.	Complies	The proposed new works are suitable located on site to avoid drainage areas. The operation has retained the existing vegetation along the all three boundaries with minor exclusion to the south of the site to facilitate the office

She waffles on in part (C) regarding being landlocked, that does not absolve one of being a responsible land holder and compliance to the rule of law. The true epitome of the proposal is that it is actually a mining company wanting to introduce a processing plant into the heart of the Agnes Water growing town and give itself leverage with a BS, Bulk Landscaping Supplies. The heavy industrial nature of the actual current use, is unamenable and inconsistent with the intent of Rural Residential Zone.

<b>c. Development provides a high level of residential amenity appropriate to the character of the particular rural residential zone.</b>	Complies – The site is land locked by unformed roads, which ultimately fragments the site from the broader rural residential and low impact industry areas. The surrounding land uses on adjacent properties and Corfield Drive also prevent the subject site from acting as a true Rural Residential property.  The development/existing activities are not expected to reduce the level of residential amenity below that which currently exists on site, or within the immediate surrounding area.
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<b>Acoustic</b> <ul style="list-style-type: none"> <li>Acceptable Outcome 16 requires development achieves the noise generation levels set out in the Environmental Protection (Noise) Policy 2008, as amended. As part of the lodgement material, demonstrate compliance with Acceptable Outcome 16. The Applicant may consider it necessary to obtain an Acoustics Report to demonstrate compliance with Acceptable Outcome 16.</li> </ul>
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There is no acoustic report provided, as per above council request for that of equipment. This is insufficient, an acoustic report should also entail an analysis of noise associated with the passage of so many trucks, done when it was fully operational. Because that is what they propose!



The site plan is also grossly incorrect, the site area shown was shrunken but similar to the 2 year old image that is on councils geocortex viewer, the latest google image roughly a year newer dated approximately 27/Feb/2023, after the show cause, identifies further clearing, as well as the oversized Mulcher. The site has been further cleared since then, and is an irrefutable timeline that unequivocally proves this perpetrator has no regard for your rules, and will do whatever it wants. The shocking thing is that the site plan was presented when more recent satellite images already belied it!

The illegal bore is saline and is not viable for irrigation. The poly pipe leads nowhere, the set up is incomplete and done by an amateur; the whole site is done by an illegitimate unqualified operator. It has no filtration system within that tangled ramshackle mess of pipe, and no dispersal capability. It's a joke that's laughable.

Table 8 Section C from planners report is inaccurate, firstly a suitable entrance is locatable through the Round Hill side, also the Low Impact Industry land holders have been, and will continue to be at significant risk impact, Dust, Noise, Stench, Hazards, and *Danger*. The Illegal operations currently being conducted on the site have significantly reduced the amenity, trying to excuse it as existing is obnoxious, it was not existing, and the operators have continued to step up the expansions, while not applying any mitigation.

<p>c. Development provides a high level of residential amenity appropriate to the character of the particular rural residential zone.</p>	<p>Complies – The site is land locked by unformed roads, which ultimately fragments the site from the broader rural residential and low impact industry area. The surrounding land uses on adjacent properties and Corfield Drive also prevent the subject site from acting as a true Rural Residential property.</p> <p>The development/existing activities are not expected to reduce the level of residential amenity below that which currently exists on site, or within the immediate surrounding area.</p>
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And the concept that it is not reducing amenity any more than it is currently, is Baloney, take a step back, they bullied their way in, what is existing, was not existing. When it was not existing, the public amenity was peaceful, a quiet industrial street, just people going about their business serving the community. Now its danger, noise, stench, and dust, don't be distracted by them slowing down a little while they're being watched, it's a farce.

The site would better serve as appropriate low impact industry, there are better purposes, if not that it could be accessed with an entrance from Round Hill Road for residential use, or something in-between. You have to see reason there.

The subject business is incorrectly labelled "Bulk landscaping" they grade rock and mulch up forests they've cleared from their clients land and their own personal held allotments, as well as transfer of all mined materials to subject centre of town site where it's processed for sale.

Processing includes the full size track mulcher that pumps out 120 decibels in the motor alone, add on that the noise of shredding trees and their chunks hitting the ground, and you've got a headful, plus noise of excavators dropping cubic meter buckets full into this machinery, as well as relays of trucks, and the dust it creates, it's a complete amenity catastrophe.

Table 8 Section E

<p>e. Non-residential uses maybe appropriate where such uses provide for the day-to-day needs of the area or have a direct relationship to the land.</p>	<p>Complies – The Bulk Landscape Supplies use requires a generous area of land for the storage of landscaping supplies and bulky goods, which the subject site has ample room to provide. The site reflects a logical extension of the established Corfield Drive industrial estate and will provide the Agnes Water community with additional services for civil works and general house/landscaping works.</p>
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The planner attempts to suggest the operations are deemed to comply because they get what *they* need, and then she proceeds to state that "us" Corfield landholders are of no consideration, that's what I get from her dictation in table 8 section E. I'm a long term landholder here and the planning author treated my proposals with a hard-line approach, all I dots and T cross, *BEFORE we can proceed*, and it was slow response and partial answers further hindering my business proceeding, that has been' and is' a significant hindrance to my business.

The greater purpose that this business provides is partially described on their website.

[agnescoastearthmoving.com.au](http://agnescoastearthmoving.com.au)

The above website presents the equipment from the contracting side of the operations" omitting much regular equipment that is utilised within, and deploying from the site. The Operational hours that don't comply, and a spiel about them offering "Hazard reduction burns" The guys not a firefighter, he's never *been* a firefighter, and the concept of him running an incident could easily lead to disaster. The proposing companies alter ego, the "Agnes Water Landscaping Supplies" damns them again, The cut below says it all, custom mixes, locally sourced and screened, read it for yourself.

From Agnes Water Landscape Supplies

"Landscape Supplies Store serving Agnes Water, 1770 and surrounding areas by delivery only, Soils, Sands, Gravels, Rocks, Mulches, locally sourced and screened products, custom blending to your needs, we also provide earthmoving equipment hire excavators, bobcat loaders trucks to prepare areas and spread landscaping materials."

The site exceeds the needs of the local community as it mostly serves the acreage out of town with clearing and bulk removal and truck bulk deliveries, as well as harvestings from the obscene amount of rapid clearing that is occurring locally. Hear this, what about when the town expands and that development boost has all been consumed, then it's a processing plant in the middle of town, the perpetrator isn't like a building site that's finished next year, no amount of patience will make it go away.

The previous owner of the Storage facility across the road sold up because of the mine site next door, he wouldn't have been able to navigate the system, the bully won. But I'm not putting up with being bullied by anyone, no matter how big its excavator, or its rule book, I stand up for the small guy! I'll be adapting too, you are hindering me from completing my projects, again and again, every time. I don't know how business can operate under that for any sustained period of time, but I'll fight till I sink.

Town's needs are well served by a legitimate supplier on Bicentennial Drive, and others a bit further out. The operations are not what they are proposed to be, is not truly serving the needs of the general community. The cherry picked manner of the planners' presentation is provided by them to portray some kind of justification to the illegitimate operator who pays them, her interest is by no means for the benefit of the community, it's a job that comes across her desk and she will say whatever he wants her to. She has his interests persecuted in her words throughout her report, she is uninformed, and worse, she was the one who judged me with 7 proposals that were genuine and legitimate, she's trying to get him a free pass on the impositions that as a council employee she demanded in full drawn form with all proposed works to be considered before construction. And it's not really a bulk landscape supply, the true nature of the business means it's a raw materials processing plant. The next Mulch pile is ready for the big contractor, and the vaster array of equipment is soon to be back.

*Figure 6: Residential Distances from the site*

To mitigate any potential issues with dust nuisance, the vegetation buffer will be retained with the new car parking area being sealed to ensure there are no adverse impacts on the adjoining properties to the north of the site.

Furthermore, proximity to Round Hill Road and other established commercial and industrial uses has compromised the rural residential amenity of the adjoining properties.

Authors take on figure 6, The proposed parking area isn't properly catering for domestic users who are minimal to this business, parking is inadequate because the majority have all sizes of trucks, or utes, often with trailers, they are proposing to get away with below minimum for it if it was genuine true, so they can get a free pass for the greater use. The priority dust threat is the unsealed roads for the stockpile areas, the business operates (Regardless of the registration) 4-6 heavy rigid trucks, heavy trailers as truck and dog, Prime movers B doubles, and make sometimes above 200 transits per day on a road that is not rated for that load, and has deteriorated with their use. They don't park in the proposed driveway area, they stir the dust out of the stockpile areas and they do regular passes one after the other, plus contractors trucks. Also they need a disable parking space, what if someone breaks a leg, even then there is a need for that.

DA/42/2023, 2564 Round Hill Road Agnes Water

Below is 2 year old outdated image from Zone planners report,



This is deceptive as they imply the land takeover is less than reality, however I realise they sit in an office and may have not even visited the site, if they did it would be rarely. I see what goes on every day, aside from when I broke a leg, and during that time he demolished expansively. So clearing and stockpiling was full pace in 2022 and suddenly what do you have, something they call existing. There is much more to this circumstance than council has knowledge of, till now!

EAST	The land immediately east of the site is road reserve which contains a mapped low order waterway. The property further to the east of the site is a produce and garden centre. Beyond that includes Bicentennial Drive connection and the Agnes Water township.
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The East description is misinformation, illegitimate garden centre to the East has no approval to perform those purposes, this DA/42/2023 proposal by Zone planners, is a collusion with DA/39/2023 by Zone Planners, to consolidate 2 illegal operations. DA/39/2023 will be addressed with a separate report for its existence in due course. There are deep seated failures in both of these proposals that will be exploited by this stake holder, nothing less than ceasing illegitimate operations on both these sites will be acceptable. The Maloney and sons are notably from far afield, unlikely very many visits from them. The full report is flawed on every paragraph.

Defending oneself in this circumstance is literally a tax that keeps on taxing, that's my direct experience, there is no profit in this and it harms my business. You people are punishing me to give a grand opportunity to a rogue operator that has no truth in the proposal it provides. Government departments are prohibited from harming a business in preference to an unlawful proposal. If you were to judge a proposal that slightly represented what they claim, you could easy wave it a pass, so you force me to speak out. If you were to judge a proposal that genuinely presented its true operational objectives it would fail on the first paragraph! It continues to operate causing significant profit, and harm! You should be addressing these harms, there must be a significant remediation upon site clearance and removal! Also, the town planners got paid, where should I send my invoice!



### Section 3, Addressing concerns within the specialist reports

The below summary from Engineer is flawed from the initial point of origin, in that it is based on not changing the land any more than it is, it was a bush environment when the applicant bullied its way in, it is not comparable, the forest was mulched, the surface was stripped, it was illegal from the outset and this report is deemed null and void. However, I will pick it to pieces in the next few paragraphs, because it is miss-informed.



To refute the MSE introduction, in the SBSWMP, there are no current measurements they could have to assert the difference between storm runoff of the current state of the site, and the previous state of the property when it was native vegetation a couple of years ago, prior to the rapid unapproved takeover that occurred. It was a systematic clearing of the site with multiple excavators, mulchers and mining from its surface that changed it fast, and a fat profit to the perpetrator.

Furthermore, the mathematics is flawed in that it fails to incorporate transient dump values to surface runoff.



MSE description goes onto say that there are only minor internal configurations proposed, in fact there have been massive land area changes, also high volume of airborne particulate matters have migrated from the site. The internal driveway is incorrectly proposed, the sealed area should follow the majority traffic, which is to the two vast stockpiles, many piles combustible, also potential contaminants, pollutants, seeds, weeds, or ants, the list goes on. There's no point having a sealed Prime mover radius around the storage bays when the prime mover will be driving to the stockpiles. No dust suppression has been utilised to mitigate the site other than rain, then mud and soon bull dust rooster tails are back again.

To refute this below statement from the proposals Bush Fire report, the site provides a significant fire threat. Regardless of the absence of onsite trees; there is the circumstance of at least 2 tyre dumps, and a fat aerial Diesel tank, then there is the significant situation of Many Mulch Piles, very large Piles, the below section of the report is damning in that it explains the true nature of the site not just with its graded rock, its damns it with its mulch and wood chip. This is a significant fire threat, I've spent more than a decade on the fire ground and I faced a mulch pile fire directly, allowing this is a bad idea, I cannot stress that enough!

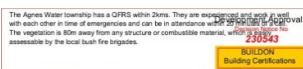
The subject property is located on Round Hill Road which is the main road leading to Agnes Water/ Seventeen Seventy. The property has a large dam to the Northeast of the site that was full at the time of inspection. The site has some vegetation around the perimeter of the site that has clear undergrowth and only taller trees remaining that provide a screening from the main road. The site is made up of stockpiles of aggregate, sands, woodchip and mulch. To the southwest there is a small area of assessable vegetation which is classified as Woodland B05. Considering the low fuel loads and the extremely short fire run this area is the only danger to the site. At the time of inspection, the area backing on to this vegetation was being used for stockpiling of non-combustible heavy rock and dirt for roughly 60 -70m which is considered Low Risk. To the north across Round Hill Road are more rural residential lots The vegetation is lower grasses to 500mm high a thick spindly mid layer and an upper level of scattered spindly iron bark and gum trees, wattle at 5 -10 metres apart 20m

The bushfire assessment fails to consider the large mulch piles as a fire threat, it mentions them, but it's not considered as the true threat it is, they are of significant size, a mulcher chewing up forest for 3 days makes a pile like 20 B doubles and there are many, some perhaps out of there smaller Vermeer mulcher, but I think he can't be bothered with that because the big ones on its way, oh yeah don't forget the stockpiled windrows of the next mulcher load.. The report notes that the dam is full, and attempts to capitalise on the illegal currency. The applicant excuses itself by lie fully adding dampening the roads, the irrigation is amateur and not complete; it's a bunch of dysfunctional pipe leading to nowhere. It's unapproved, untested and saline, it's a *fraud*. Reality is that its evidence that not once have they dampened the roads, the words are a lie, nought has been done since that council enforcement was imposed on them. Also there is no hard stand proposal for fire appliances, code requirement.

**Other factors for consideration in this report.**

The site has irrigation running the length of the work site down the northern side. There are plans to extend this irrigation down the southern boundary also which would be used for both dust suppression and fire fighting in a time of need. The irrigation is fed by a bore that uses a 20,000L water tank for storage. At the dam there are 2 firefighter pumps feeding the hoses for the use on the composting mulch. There is also a large 12,000L water tank for the use on the back of a Heavy Rigid truck that can also be used in a time of need.

The QFES station mentioned is an auxiliary and volunteer brigade; it's not a manned station. The mention of vegetation being 80m away from combustible materials is incorrect as the mulch piles and tyre dumps are at the bush face. It's misinformed. Also the diesel tank and mechanical repair area has chemical spillage possibility. There is also a significant sized tyre dump, amounting to hundreds, further east in the council easement between the illegitimate Garden Centre/Dog wash, and the traveller's accommodation. The perpetrator must remove its remnants.



The below image taken mid 2023 disqualifies the bush fire report. A stack of tyres beneath an old hollow bloodwood with 50 forests of eucalypt condensed into mounds left festering with heat within. Refer to QFES



Don't forget you have this within close proximity



Below image of garden sprinkler, this is an inadequate measure to mitigate the circumstance; at best if it was any more than an ornament, it would exacerbate the problem, capping the pile with a moisture layer prevents methane escape and turns it into a bomb, the science is clearly in agreement with this circumstance. Council need not look far for that evidence, in the mid 2010's a fire occurred at the Agnes Water Tip, this author was an officer on the front line that day, on that day we had luck when the monsoon hit 12 hours into 12 meter flame height, I wouldn't judge the weather to be so fortuitous to us next time.



Below is significant also, even if they remove them they will soon be making a new rubber dump. That's Round Hill Road just beyond that grass power corridor, and a sparse patch of combustible wattle between. That is what is left of the bush on the Round Hill Road side!



## Section 4

### Addressing concerns from Information Response.

#### ***Builders response to their*** Response to request for information.

The document provided by Planners provides minimal supplementary evidence to support the proposal, this minimal planing submission fails to address any more than previous submissions, and it doesn't really change anything. Throughout the report they keep harping on about the Corfield industrial estate, like using it as a cushion. The development has no facilities, no shitter, nothing, aside from a container to crash in(used by one of the truck drivers). And of course the mining stuff. As a response, it is weak and uninformed, with deceptions and disinformation.

Throughout the document they absolutely diminish the Planning scheme, the mentality of getting away with all the rules, it's an abuse if you allow that when all others have to comply, The existing is by no means existing, except as a farce unless councils gives them favour, that would be unfavourable. And would be unjust, therefore, a subject for legal action.

So let me begin with pointing out the obvious, the process has not been fulfilled, the bully business is still operating, and the site is a hazard on all levels, without compliance to any legislation, and they try to claim legitimacy without providing requested documentation. Also they request that they can still operate prior to site completion. Furthermore they drag there heels to delay decision. The only legal option to council is to enact an immediate shut down, and the perpetrators have to remediate the site. Future development must be considerate of those existing before the hostile takeover, and comply with the laws.

To abbreviate the significant failures of the application, there are no staff amenities so activities cannot commence, but while they do there is a financial advantage to the applicant. There are no formed roads, there is no mitigation when dust is wind borne. For the quarried mine and dam, to be retained in operational form is not acceptable. It's "bullying" to suit the purpose of an earthmoving business. It's a strategical takeover of the land, designed to be an embedment, and thereby secure prime position in a growing town, much to the detriment of the low impact industrial precinct. And the community as a **whole!**

In their response they come up with a lot of suggestions, suggestions that we may do this, or that. All legitimate operators have notions of doing this and that, but we are constrained by the legalities, we have to do the forms, provide the plans and all documentation to a completion notice, we have to pay the red tape and do the hours to get our approval, and that's with constraints and time limitations, and its only allowed to be done by a licensed builder, (QBCC act, all commercial works have to be performed by a licensed builder). None of us are allowed to commence use, *or are we*, the Agnes Coast Earthmover is proposing just that. The proposal actually proposes that we do what we want, and ignore the rules! Proposal success will see how that promotion plays out!

The engineer's response to the RFI waffles on with examples of what they want to do, but it doesn't currently exist, but they are operating. Council system favours the applicant, they prefer to keep the perpetrator in business, and impose a time stealing document and mental trail for the legitimate operations to follow for an aggressors defence. So defend us I must, because by allowing this, you will destroy us and we will join the graveyard of victims that the applicant has. It's abhorrent that you pursue that trail, I'm supposed to be pricing and designing right now, but you stole over a thousand hours from me, as well as my concentration when that should be elsewhere, so I can defend myself, you think I'm an ant! You, deny me family time, as council has done for years!

The Maloney report continues to repeat the baloney they provided, perhaps they changed a word to chew, but it's in the same misinformed vane they began with.

The Subject business model is not suitable for rural residential, nor low impact in industry. Heavy industry should be restricted to the Industrial Investigation Zone, or better still, further out, that would be considerate of future development and allow town to expand organically without unamenable embedment's.

The bullet points they go onto make are all void because the use is not correct, and the real conclusion is factually that the site is inappropriate and operations must stop immediately.

The acoustic report response is an excuse, excessive noise machinery has been used before day dot, the stockpile is ready for the next 120DB mulcher, it's probably already booked in, with anticipation of the big tick, what will council do then?

1. Provide an acoustic report demonstrating that the operational activities, including but not limited to, the operation of mechanical plant and equipment, must not cause an 'environmental nuisance' within the meaning of the Environmental Protection Act 1994 to any sensitive receptor as stated within Schedule 1 of the Environmental Protection (Noise) Policy 2019.

**RESPONSE**

Since commencing the operation of Bulk Landscape Supplies at 2654 Round Hill Road, the owner has undertaken several actions to reduce the noise generated from the machinery and equipment at the subject site. This has been in direct response to the received complaints from the surrounding community.

The Acoustic report has not been provided, the equipment would not comply. They are most likely hiding the rock grader at Uxbridge road but it would be temporary. The suggested mitigation tactics are not listed because they don't exist. The volume of truck relays alone would be enough to fail the requirements. The excavator noise and the sound of crashing rocks as dumped into truck and trailer is on top of the motors running, the grinders and the rock grader alone exceed allowable levels at any music festival, the applicants sound is *no fine music, it's a hell of a noise!*

2. Provide an air quality report demonstrating that the proposed development operates within the acceptable air quality standards specified in the Environmental Protection (Air) Policy 2019 with respect to air quality impacts on residences and other land uses.

Note: these reports may also be used to assist in demonstrating that the proposed development is not adversely impacting the amenity of the area and is compatible with nearby rural uses.

**RESPONSE**

The landscape supply business originally envisaged sales of rock, various soils, manure and other gardening products. Given the uncontrolled environment and slow sales, the business has matured over the years to remove the storage and sale of products such as manure. This scaled back operation will assist in reducing the air quality impacts previously experienced by the general public. The general operation of the subject site also includes ongoing dust suppression methods such as regular watering while this application progresses through the legislative assessment phase. Once decided, the appropriate civil works can occur to formalise the storage bays and seal the high traffic areas to ensure appropriate dust controls measures are adhered to during operational hours.

MSE's response to the request for an air quality report is as flawed, as it is an excuse not to provide one. It's an admission of guilt, to provide an approval would be rewarding unlawfulness. It claims to have ceased sales of manure, it is conceivable the manure would be back if they get the BLS approval, he uses it to make various dirt mixtures, and for worm castings production, he'll happily take the payment from anyone who wants s#it removed. The dust suppression method of regular watering has never been done by it, not once, I'm next door every day, and it has never been done. Failure to provide the reports is an indication that the site could not, or did not pass. Once decided, the operations should be shut down immediately, and remediation works should be performed by a professional, at the expense of the applicant.

## To respond to planners response to council request for information.

It is notable that they acknowledge failure to provide essential Documents. These documents have either not been sought or are not compliant, most likely both! This is a circumstance because the lay low face they put on now, is fraud. It is building stock piles of tree lumber right now, Give them the pass, and it's all on with the regular mulcher! and back will be the rock graders and dust, it is what they do!



The revised engineering plans are uninformed, how many site visits have engineers done, I'm here every day, the applicant fails to comply, since its hostile takeover, nor into the future. They haven't provided any survey levels, or accurate flow measure. The submission lacks credibility, as it's assumed by values said to be current as from now, not pre development which happened illegally and recently.

The applicant has failed to provide the required documents before due date for 1 real reason, *because he couldn't attain them*, because the proposal fails, on all levels, From the NCC all the way down to the planning scheme. It's a bad Idea.

Selfish in its origins this one, for him it's about an opportunity to embed itself for financial gain with disregard for others pain, I'd explained him the rules, face to face, when we used to be friends. For the director he chose a path of better ask forgiveness than permission. That's a mantra that's promoted around this town, and if council caves into bullying businesses, then that will be the known easy avenue. The legitimate path is complex, expensive, clunky, time consuming and difficult. Easy route seems put profit first and then deal with the consequences, council will appear weak if that's the outcome, that is the test, for you, it's a test given by me!

*Insufficient information has been provided to adequately assess this proposal*

Then they have **This below response**, it's just a bunch of excuses and suggestions of what they might do, well they haven't done any of that paragraph of text and the amateur quality drawing has nothing on detail compared to her requirement for the neighbours set of plans, if the planning author thinks this is a sufficient plan, then council must refer back in history to this neighbours experience of that same person requiring every detail in all its complexities. The building proposed is not existing so why are they operating, Council should not present itself as a two faced hypocrisy by approving this, or I'll pick up that ball and run with it, because it's a slam dunk.

3. Demonstrate a potable water supply can be provided for the proposed water demands in accordance with the CMDG.
4. Demonstrate appropriate on-site firefighting infrastructure in accordance with the Gladstone Planning Scheme and CMDG.

**RESPONSE**  
 The subject site and surrounding industrial estate currently do not have access to reticulated water network. This requires each site to store adequate water onsite for the intended operations and purchase potable water when required.

To support this, the subject site will retain an onsite dam in addition to water tanks. It is suggested that the necessary fire-fighting equipment such as hoses, nozzles, pumps, will be positioned on the outside of the toilets and have access to the non-potable water tank that is generally used for the toilets. In addition, Australian Standard fire-fighting devices will be positioned inside the office building.




Figure 1: Proposed Office and Toilet facilities

To dress down the above, to put it in perspective, site has no potable water and hasn't ever, it has no amenities; it's not a great distance to connect to reticulated water, but that must be completed prior to commencement. More importantly, it is not what it is said to be: its "true use" *That* would have stricter parameters, it is essential for that to be honest and portrayed to the wider community for this to enable an informed decision! Fraudulent proposals have a significant impact on legitimate operators. It's a time drain to defend oneself from a perpetrator, this is a circumstance!-

**RESPONSE**  
 Since commencing the operation of Bulk Landscape Supplies at 2054 Round Hill Road, the owner has undertaken several steps to reduce the noise generated from the machinery and equipment at the subject site. This has been in direct response to the received complaints from the surrounding community.

It is further reiterated that although the subject site is located in the Rural Residential Zone, the site is a logical extension of the Curfield Drive industrial estate by which a Bulk Landscape Supplies use is listed as Accepted Development Subject to Requirements in the Low Impact Industry Zone. As such, it is requested that Council assess this application against the entire planning scheme in relation to the subject sites proximity to the site low impact industry Zoned land in Agnes Water and implications the site would introduce if it was delivered in accordance with the current zoning.

They comment that the site has undertaken steps to reduce impact: Incorrect, the site disobeyed all the rules and it has done minimal to mitigate, and what they have done doesn't do enough to fit the proposed use, let alone the true business model. It's using leverage found on Bullying, to gain significant ingress on set up of its "Mined Materials Processing Plant."

5. Demonstrate the proposed onsite sewer infrastructure is appropriate for the anticipated sewer demands in accordance with the CMDG.
6. Demonstrate how the development wastewater is proposed to be treated in accordance with Council's Engineering Design Planning Scheme Policy and relevant Australian Standards (including AS1547) and State requirements as amended.

**RESPONSE**  
 As part of the subsequent Plumbing and Drainage application, the proposed office and amenities block will be connected to an onsite wastewater system. The installed system will require private ownership and ongoing maintenance as per the purchased system.

Waste water treatment must be provided prior to commencement for legitimate operators. Their author required this author to provide all information prior to getting the nod, but here she just says we'll cough it up when we want. So not only do they not have to provide it, they done they even have to draw it, that's an empty bucket, nothing to work with on my side, but on his side she grants him a ladder!

17. Demonstrate how the driveway meets the anticipated volume and type of traffic.

**RESPONSE**  
 Upon assessment and completion of the required Operational Works permit, access to the subject site will be via a formalised extension to Corfield Drive as illustrated in the supporting documents.

As per the Traffic Assessment submitted within the lodged common material, the landscape supplies operation has the following vehicle fleet accessing the site consisting of 1 LV, 1HV and 2 truck/dog. In addition, it is anticipated that one day every fortnight that a delivery of HV Tipper is conducted to replenish the larger stockpiles from the local quarry or onsite recycled material from jobs conducted in the area.

Response from engineers to demonstrate the driveways compliance, attempts to disqualify the rules by understating the fleet size. While that entity may only have a few registrations on its fleet books, perhaps, I'm not privy to the registrations of the fleet, it is not known if this is verified, or which holdings have possession of the larger fleet that is regular, it is obvious that the applicant has larger equipment that is not registered, and a band of contractors some of whom may be owners, this can only be determined by audit!

**RESPONSE**  
 Upon assessment and completion of the required Operational Works permit, access to the subject site will be via a formalised extension to Corfield Drive as illustrated in the supporting documents.

As per the Traffic Assessment submitted within the lodged common material, the landscape supplies operation has the following vehicle fleet accessing the site consisting of 1 LV, 1HV and 2 truck/dog. In addition, it is anticipated that one day every fortnight that a delivery of HV Tipper is conducted to replenish the larger stockpiles from the local quarry or onsite recycled material from jobs conducted in the area.

18. Provide vehicle turning path plans to demonstrate the access driveway allows simultaneous entry and exit to the site of the 8-double truck design vehicle to the site.

Engineers Response, my *response*: the vehicle turning path that's always been incorrectly proposed, has not been considered, the site assessment was flawed for not assessing its true nature.

It is illogical to assume that the evidence provided within the engineers' document is *NOT* flawed, the business model is fake, even if you disregard the giant mulchers and the applicants' rock grader and excavators, it would fail noise and amenity on the amount of trucks that are annealed to this site. One thing stands out, is that the majority of trucks working through this site are connected to the applicant, both his personal heavy duty equipment that is obviously working this site, and some contractors.

During its rapid expansion all manner of heavy equipment demolished the site,

He, the director has done similarly on another rural residential property mentioned previously at Captain Creek. This is a circumstance that has legal considerations, Council has some records.

Regarding MSE, It is remiss to concede that an engineer from far away has a good eye on an illegitimate proposal in Agnes Water. It may have tended the site, but its unlikely that much more than a passing glimpse has been sited by them regarding this proposal. The applicants words to it are deceptions, there premis is misinformed enough to be known as a lie.

18. Provide vehicle turning path plans to demonstrate the access driveway allows simultaneous entry and exit to the site of the 8-double truck design vehicle to the site.

**RESPONSE**  
 Attachment 3 includes revised plans to address the requested turning paths.

AVC3 - The applicant has stated that "No footpaths are proposed for this site due to no surrounding interests or need for the residential site to provide a connection to an adjacent road or an existing footpath". However, it is Council's view to provide an improved concrete path including the provision of pedestrian paths, please.

18. Provide a landscape plan for the full extent of the site, as designed in accordance with the Engineering Design Planning Scheme Policy Requirements and LMR.

**RESPONSE**  
 The adjoining residential estate and the subject site do not anticipate to generate access to the operations from pedestrians or cyclists given the nature of the activities. However, the client has addressed Council's concerns to submit an "Improved driveway" by incorporating a pedestrian network within the road easement.

**Landscaping Plan**  
 The Applicant is required to provide further information to demonstrate compliance with PDC. Please:

18. Provide a landscape plan after demonstrating compliance with the landscaping code including the following but not limited to the following items:  
 a. in the definition section, scope of work and estimated contract price of the landscaping work.

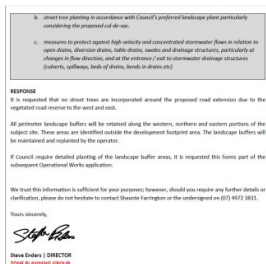
500 Town Creek, Springwood | 751601001, Springwood | 500 010

The engineer clearly doesn't understand the planning scheme; its words are escapism, council requires footpath continuation from all legal proposers. The applicant must complete the footpath around the cul-de-sac, as well as the Round Hill Road continuation to the illegitimate garden centre/rural residential next door, or to the shopping centre. This is what the council imposes upon legitimate operations; the planner's author should know that! The development has to have all abilities access, and staff amenities, there is nought, its unlawful it's commencing, it cannot continue!

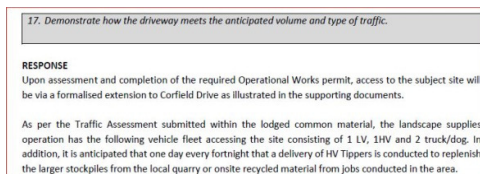
It is notable the tone of the engineers where they account the cul-de-sac treatment of footpaths, as making a visual amenity. A footpath offer is not enough, my evidence against this, is that council demanded I do high value facades on my development directly next door, your demand. Its obnoxious to me that you even consider the proposal. You are literally harming me, my business and my family, by putting me through this. But you are helping the illegal, at the detriment to law abiders.



The below response to street tree planting is a denial of responsibility that we all have to retain the street scape. Once again they are using council land as leverage to relinquish themselves of the responsibilities that we all have. They are a poor township citizen and undermine the amenity we all must comply to. A sparse scrap of Blackwattle retained following the demolition is weak, the last remaining blue gums within the demolition site should be saved as a memorial to the gravesite of forests that passed through here. Nevertheless a streetscape amenity for the Round Hill Road frontage must be provided even when they're gone, if they don't, council must, and no dilly dallying.



Above the request to provide a subsequent document after the fact, is another presentation of the avoidance of compliance that is wrought in this proposal, the directors representative of the town planners proposal is attempting to escape the impositions demanded of this refuting author. She is attempting to circumvent the rules that must be complied by legitimate operators. This is a legal matter that will affect many parties if this proposal gains approval.



The fleet size is a misrepresentation, while this Author has no access to the files to Annalise the fleet distribution, he realises there are a number of entities that could be holding ownership of various assets. It must be considered that the fleet size abovementioned is untruthful considering the amount of trucks stationed and transiting onsite. This is notwithstanding the fact that items such as rock graders carry no registration, nor the unregistered low loader that is regularly on the road, a forensic audit is required. Also many equipment items have gone into hiding for now. If a pass is given, that equipment will be back at this site and will do what I does best. *And*, the applicant has a massive stock pile of ready to mulch trees and logs, a build-up ready to fill that giant mulcher via grappling hook. He's not selling sticks and twigs.

## The maintenance and repair area

There's a Dam just down-hill there, so how about oils and toxic fluids draining into the flow, down to the sea. There's an HV getting a major engine repair, an excavator with its track off, and the smaller excavator is getting repairs to its Hydraulic arm. Where's the hard stand, and covered work area, This is not Bulk Landscape supplies; If the Applicant gets approval for this it may try to use that deception as a springboard to build a heavy maintenance machinery plant, deceptively labelled a workshop, or similar. This is also a circumstance that is evident in the Garden Centre mentioned by Planners and Engineers, on the close proximity of 2662 Round Hill Road.



Below photo onsite January 2024, refuse to stormwater quality, that windrow of logs to the left is the next mulch pile, ready for the big mulch guy, and you can see many mulched piles surrounding an unhappy Bloodwood, no one would get approval if they said they were going to do that, or will they?



Council allows continuation of operations to the illegitimate site while legal operators have to solve the problems before they begin, it's a two faced hypocrisy and I hereby call it out! My accusation is that Council supports illegal operators while they actively try to put licenced Builders out of business. Allowing continuation of illegal operations prior to completion is such a significant financial assistance, it pays to do it without consent; while the honest folk get shoved to the bottom of the inbox, it's abhorrent. Council's slack response times to legal operators is also conveniently conveyed to the illegal operators, they operate while we don't, for years even, as in this case, and honest folk have to wait years, as in my case, that is a significant financial advantage and a legal concern for council. The perpetrator must be financially audited, penalty must be proportionate, and if you choose to give that nod, council staff and former staff must be held to account.

## Section 5, Supporting evidence

Regarding DA 42/2023

The proposed development is incorrect in the prime mover access road. They propose it as a route into the so called "Existing" display bays. This doesn't facilitate the needs of the subject site, as the prime mover B-double train, actually deposits its vast loads from both trailers, each a shipping container volume, into the so called stockpile areas. These stockpile areas exceed their drawn green shaded areas, they have cut all bush the full extent of the south boundary.



Moonlight deliveries of illegal transport on oversize trucks, outside of hours.



Development fails to comply with Low Impact Industry as the noise levels from the likes of Vermeer model HG6800TX horizontal grinder exceed acceptable levels with the 950hp engine putting out 120 decibels, those decibels are just the engine, add on top of that the sound of shredding trees that they've cleared without concern, and noise of it spilling out the Shute. This machine was most recently used on 9<sup>th</sup> August 23, absolute evidence that this perpetrator will not accept council restrictions as he has been put on notice since November 2022 and restricted to only Bulk Landscape supply operations. These mulching operations occurred when stockpiles were ready; luckily I spoke out because if you let them go then this will become the norm.



Fuel Tanks containing thousands of Litres of diesel elevated on steel frames with no footings are not compliant to any level of legislation. Diesel is delivered by a full size petroleum tanker.



Rock screening of granite puts a high concentration of silica particles in the air, the machine he's running is a "Precision Screen 604 Contractor" with a capability of screening 100 tons per hour, also running an "SM 450W" stockpiler in circuit.



Unpaved roadways provide an airborne vector for particulate matter, these are mostly silica particulates. The Planners stated last year that they will dampen the roadways; well they haven't yet and clearly have no intention to do so, also, the trucks pass in at speed, uncovered. The landscape at the premises has been stripped of all vegetation and dirt and aggregate piles are dust blooms on any given day with only light winds. The road they enter from is Corfield Drive which is rated R5 and doesn't support B double, photo below entered outside of GRC allocated business hours of operation. Corfield Drive it is not structurally designed to support the weight rating of constant B Double transits. On this day machinery was operating beyond 6pm, however the truck driver detected me and became agitated, they don't follow the council hours of operation so that is also a non-compliance.

Below pictured Tanker that delivers the fuel, plus an entering HV with its dust trail in tow. They store thousands of litres of diesel in dangerous manner.



#### My Response to Comment by Planner in PO11

My observation; They do nothing to reduce dust, never have, nor noise, refer Iron Jack mulcher footage provided and filmed recently. See the dust plume following that tanker out, and the truck dust entering. It's a veritable airborne particulate raiser, and the proposed cul-de-sac treatment will do negligible mitigation, so to the driveways. Regardless, none of the inadequate proposed internal

treatments are provided, so why are they operating, not only do they mine indiscriminately, but they are undermining the rules based system, at the detriment and directly harming the honest operators.

<p><b>P011</b>                  All users:                  a. minimise noise, dust, odour or other nuisance from existing lawful users including rural and industrial users                  b. minimise nuisance caused by noise, vibration and dust emissions generated by the state-controlled road and car network in the vicinity of land in the rural residential zone.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies</p>	<p>The development will include additional control measures for trafficable areas to reduce dust. This will also assist in reducing spoil leaving the subject site into Corfield Drive.                   This will ensure the operation can minimise any perceived amenity issues.</p>
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Picture below, 393 Creevey Drive, Proposing directors landholding, a significant part of his quarrying operations, he's already cleared substantially throughout this property over the previous years, Neighbours complained, council did nought so they sold up and became a broken marriage, not the first victims of this perp and not the last. Others, also, that would testify. Check out the google mine site now guised as a dam further up this property. For him it's an excellent excuse to "Mine, he just claims he's making a dam", he's the Reaper, and it's grim! Below left top mine image, and right the extent of the bottom mine site. Bottom centre image from the road frontage



So we can't discount the environmental cost of the applicant; there is a broader circumstance to the business model than hasn't been accounted for. Agnes coast earthmoving will demolish any forest, mine any gully, and strip any piece of land for its materials. *That, Is What!* they do! It's an environmental sabotage!

## Regarding Site connections to urban services

Council demands legitimate applicants connect phone as well as the power, power is available along the power corridor, and phone at the end of Corfield, less than 50 meters, both must be connected under council policy. They have neither phone nor power, they run generators, and they ask to avoid power connection, then say they are connected, this again lacks honesty. The planner is inaccurate in that it says it is already connected, a dishonest statement that can't be backed up with evidence.

Also the footpath network must be connected to the newly established supermarket, this is a requirement imposed on legitimate proposals. This is not limited to the Cul-de-Sac on Corfield, it requires the road frontage along Round Hill Road, so the public have accessibility, as per the rules for all of the rest of us. The public must see this, if the council chooses to waive its usual imposition of providing footpaths, it chooses to leave this site unseen, unseen by those who would protest, and council would be assisting embedment of an atrocity.

PO3 Where not located in the Rural zone, electricity supply network and telecommunication service connections are provided to the site	A03.1 The development is connected to electricity and telecommunications infrastructure in accordance with the standards of the relevant regulatory authority prior to the	Complies	The site is already connected to the required urban services.
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PO3 above comment is untrue! The site is not connected to any services, the perpetrator will say what it knows will get it a pass. The town planners will amplify his dishonesty because he's the one who's paying them.

Below another lie, The planners State there is a toilet in the southern portion of the site, maybe they think the council easement, but no that's not appropriate, there are no toilets nor sewage system, nor disability toilet facility as Council demands of honest business, prior to commencement of services. Below comment regarding appropriate sewerage is a factual lie, there are not toilets located in the southern portion of the site, there isn't even a, *Portaloo!*

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	SOLUTIONS <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
appropriate sewerage disposal infrastructure which ensures: <ul style="list-style-type: none"> <li>a) no adverse ecological impacts on the receiving environment</li> <li>b) cumulative impacts of onsite waste water treatment is considered in assessing the likely environmental impacts</li> <li>c) public health is maintained</li> <li>d) the location, site area, soil type and topography is suitable for any on site waste water treatment, and</li> <li>e) the reuse of waste water does not contaminate any surface water or ground water.</li> </ul>	reticulated sewerage treatment system, in accordance with the <a href="#">Engineering Design Planning Scheme Policy</a> . OR A02.2 If connection to Council's reticulated sewerage treatment system is not possible, development waste water is treated in accordance with Council's <a href="#">Engineering Design Planning Scheme Policy</a> and relevant Australian Standards (including AS1547) and State requirements as amended.		Toilets located near the southern portion of the site.	

Site does not propose even a slight proportion of the parking that is required to satisfy acceptable outcomes. The planners comment speaks to them wanting to get away with that old thing of, we'll work it out as we go along. But that is not afforded to legitimate operators, we have to propose it and fine tune it before we get the go, and even then we can't operate until we complete. The Planners Author demanded 4 times that parking next door for a small bulk landscape supplier, 1% of the size of this Quarry site. And it took about 4 years, so she can't say she doesn't remember my case, or perhaps her memory is vague. But I believe it is more about the money than the outcome, that's the mentality that I was subjected to during the 4 years of council hindrance! We had so much tedious correspondence, and I spent thousands of hours redrawing perfectly excellent full detail plans. That was what I had to do, so how do you compare that to the bully method? What I, experienced was government hindering me, so here we go again, once again the same persons are actively being harmful towards my business. And the government say the country is short of builders and business should increase productivity, how so!

PO3	EOA	Complies	no development will be undertaken on the site in accordance with the Engineering Design Planning Scheme Policy
parking and access			

Council requires legitimate operator to provide all information in drawn form, even down to the cross falls, providing all details for DA, prior to building approval, the proposer skipped all checks and balances, licensing requirements and fee's, it is still operating and profiting. The plans fail to provide enough information to be deemed

to comply. The proposal also seeks to disqualify itself from the responsibility of being broadly amenable within a growing tourist township, it's a bad idea!

### Dust Plumes

Below is an average day during the dry season; that's a fat mulch pile beside the Diesel tank eh! And look how high that airborne particulate matter is, that's going some distance for sure, this is a common day in the dry times of the year. There's some heat in these days too, mid-thirties on the Celsius scale. Larger Mulch piles further down the slope, and bull dust driving paths are a significant issue.





As soon as the log stockpile is big enough, the director brings in the mulching contractor, this is not a bulk landscape supplier, it processes the raw materials of its quasi mining / contractor face, and mulches those irresponsibly and perhaps illegal clearing operations, and processes them in the township of Agnes Water. What is not to get about this situation?

The below image is the same mulcher as pictured in the aerial mapping image displayed in the Planner submission, it was the one that mulched the sites forest and a few others on the same harvest. This is not even low impact if they want to compare it to the Corfield precinct; it's the behemoth of all tree grinders!



A smaller one below, but nevertheless it pumps out 120 decibels and will chew up a mature eucalypt in seconds, fed by a 20 ton excavator with a grapple.



The proposer also takes mulchable donations by the truck load from contractors, obviously to boost the pile size so he can get that beast in sooner. He's not going to stop doing that; he can't sell the forest harvest till its mulch. He promotes the machine around town too, this same machine was at Tavern Drive Mid Feb. Perhaps it, or similar, will become permanently based here, the perpetrator would cream over that!

The airborne particulate matter will clearly fail the air quality test, hence they have failed to provide one.



The water tank below was positioned on the north boundary as one of the first items in the hostile takeover of this property; it was plonked on the ground, and is an example of the volume of surface stripping that has been ongoing. This is close to the boundary on the western side, the out of date aerial photography only looks green because the bloodwoods overhang from the easement, and the introduced weeds give a green Hue too. Maybe also some colour filtering by the planners.



The below example of site works emphasizes the degree of mining undertaken, those sloping banks fail to comply with the NCC gradient, they are a danger, an erosion hazard and the driveway is bulldust. This is not a part of the driveway that is proposed to be sealed.



The above embankments fail to comply with the NCC and the internal roads unsealed

Below is the only dust mitigation that has been attempted and it stirs the dust and exacerbates the hazards, it been done only twice to my observant knowledge



4 heavy rigids a loader and a rock grader.



The same unregistered Low Loader drives on the council owned formed road unlicensed for distances of many kilometres.



## How about the Crash Pad



One of the Drivers and his canine stay in this container, maybe he needs to or maybe he just likes it, unfortunately they don't propose any caretakers residence to assist this poor fellow, they are trying to get away with not providing the lawful requirements that are imposed on those who take the difficult lawful path.

Below' the management method has been non-existent, the construction phase is baloney, it presents itself as an accomplishment that it's going to clean up its own mess and do the good recycling thing. It's a farce!

### 3.2. SEDIMENT AND EROSION CONTROLS

Sediment and Erosion Control devices (SAEC) employed on the site shall be designed and constructed in accordance with the International Erosion Control Association (IECA) Best Practice ESC Document as shown on CE22068-SK500 (appendix A).

At the pre-construction stage, a stabilised site access/tie onto Corfield Road will be located in the south of the site, and sediment fences will be located around the perimeter of the site. During the construction stage, all areas of exposed soils allowing dust generation are to be suitably treated by covering and watering soil. In addition, roads are to be regularly cleaned to prevent the transmission of soil on vehicle wheels and eliminate any build-up of typical road dirt and tyre dust from delivery vehicles.

In addition, to prevent sediment enters the water course, 300mm height bunds are to be constructed around the north of the developed area and around the south of the proposed facilities. These bunds will also divert stormwater to the two sediment basins so that flows will not be discharged to the vegetation zone.

### 3.3. WATER QUALITY OBJECTIVES

The permanent water quality control measures must achieve a minimum reduction in the mean annual load generated by the development site, as outlined in the State Planning Policy (2016) for Central Queensland (south).

- 85% reduction in Total Suspended Sediment (TSS)
- 60% reduction in Total Phosphorus (TP)
- 45% reduction in Total Nitrogen (TN)
- 90% reduction in litter (sized 5 mm or greater)

Well how's this for sediment and erosion control, this was his doing, and the proposal seeks to reward him for cleaning up his own mess, a teeny bit, the director is the undertaker of this site, and this town if you let him!



Yes the template rational method is fine, if you're dealing with something rational, but when the calculation is misinformed and flawed at its base line then all rationality is lost. Also lost is councils legal ability to accept the planning report as correct. The report is bull dust!

**2.2. PRE-DEVELOPMENT SCENARIO**

**2.2.1. CATCHMENT DEFINITION**

The pre-development catchment has been analysed as two (2) catchments with total contributing areas of 3.974 hectares and 0.916 hectares for catchments A and B, respectively.

Any stormwater runoff from roof areas, road and ground surfaces are conveyed as sheet flow to the north, east and west site boundary. The Lawful Points of Discharge (LPD) are sections on the east and a point on the site's western boundary.

The catchment boundary and LPD for the pre-development plan will be shown in Moloney & Sons Engineering Drawing CC22068-SK00 in Appendix A.

**2.2.2. RATIONAL METHOD**

The pre-development coefficient of runoff (C<sub>y</sub> year) was determined on the fraction impervious method specified in QUDM. Based on the detailed survey information provided, the pre-development catchments have impervious areas of 0.580ha and 0.009ha respectively. These equate to fraction's impervious of 15% and 0%, respectively.

Using the Rational Method, C<sub>y</sub> values of 0.68 and 0.66 have been adopted for the catchment, and a corresponding ten-year rainfall intensity (i<sub>10</sub>) of 63.10mm/hr was calculated.

After reviewing Section 4.6.6 of QUDM – Overland Flow, Friend's Equation has been applied to determine time of concentration (TC) for the pre-development catchment as Table 2.

The above pre development scenario, and the Below Post development scenario, are virtually identical and equally as irrational because the so labelled pre development was a hostile takeover that was not conceivably viewed by the engineer, so the pre development scenario is a farce that is based on the bullies words, and the state of the site following aggressive mining, a fat profit no doubt, for all involved. The big question here and now, is will council let this become the norm? or have they already!

### 2.3. POST-DEVELOPMENT SCENARIO

#### 2.3.1. CATCHMENT DEFINITION

The post-development catchments are the same as pre-development catchments, having total contributing areas of 3.974 hectares for Catchment A and 0.916 hectares for Catchment B.

Any stormwater flows generated from impervious areas, internal roads and ground surfaces from catchment A will be captured by a stormwater drainage system within the site and discharged towards the site's eastern boundary, towards the current Lawful Point of Discharge (LPoD A), which is along site's eastern boundary.

Stormwater flows generated in catchment B will be discharged as sheetflow to Catchment B's LPoD; which is a located at the western corner of the site.

The catchment boundary and LPoDs for the post-development plan will be shown in CE22068-SK200 in Appendix A.

## 5. CONCLUSION

This Site Based Stormwater Management Plan has been prepared for Agnes Coast Earth Moving to assist with the development of 2654 Round Hill Road, Agnes Water.

A hydrological analysis demonstrated that the anticipated post-development peak flow rates discharging from the site are no greater than the pre-development flow rates. Therefore, no on-site detention measures are required to mitigate stormwater flow for the development of the site.

Further to reviewing previous Hydrological and Hydraulic Modelling results, MSE are of the opinion that no actionable damage would be created externally, from a direct result of this development being approved.

Further to our Pre-lodgement meeting and in an effort to achieve Water Quality Objectives outlined in the State Planning Policy (2017), it is proposed to use the existing sediment basin, which has an area of 240m<sup>2</sup> and the existing dam, which has an area of 1,550m<sup>2</sup>, to treat the stormwater runoff.

MSE believe that the existing dam, planted with macrophytes, can satisfactorily address the Water Quality objectives and the proposed development can be approved.

To conclude this builder neighbours summary of the information provided and the validity of the proposal, and in response to proposer agent conclusion. The operational works that transformed this site were illegal and a poor decision for this site. Perhaps the landowner thought the applicant could do his dirty work, and may be a good scapegoat, moreover the applicant made his own decision to significantly modify the site and suit his own ends even with the knowledge of the neighbourly legitimate applicant's free advice. The very real fact that the application is not just a Bulk Landscaping Supplies; means the material change of use must be denied, it is unamenable to the surrounding community.

As for the reports and conclusions of the Planner and Engineer, they aren't worth the paper they're written on because he lied, and Bullied. The use is not what the use is said by them to be, and I get that they don't care and will promote it as what he says and overlook the rest, but by being thus, they clearly lack a moral compass while I have a Moral Backbone.

Figure 4: Site Plan of Proposed Development

The proposed development includes retained vegetation along Round Hill Road reserve for the full length. This retained buffer assists in reducing visual amenity from the major entry road to Agnes Water township while further providing noise and dust mitigation methods to the further north residents.

To assist in the reduction of spoil onto Corfield Road reserve, the Applicant has included the cul-de-sac treatment from Corfield Drive, as noted from the prelodgement meeting without Council. This new road treatment will provide turn-around facility at the end of Corfield Drive and allow a commercial crossover into the subject site.

Internally, the circulation route will utilise compacted gravel with the proposed site office and car parking area being sealed. These internal road treatments will provide suitable access, assist in reducing dust and spoil into Corfield Drive road reserve.

The above statement is a contradiction to the council's requirements for all other proposers, Council demands of all legitimate operators to seal all driveways before commencement. She who pens the planner's paper knows this and demanded that of me which led to a redesign, 7 times over 4 years, decisions were made regarding the development stages due to demands from councils representative. Honesty doesn't get to operate and build as we go.

If this, and DA39, go through then its free for all, the rednecks are watching this and DA 39, the pack of illegal contractors. And then, my time as a licensed builder will be barely existent. The truth is, if you purvey it doesn't pay to be honest, but you can ask forgiveness, then that's what will be!

*Agnes Water centre*

The existing town centre at Round Hill Road and Captain Cook Drive is the focus for retail activities within Agnes Water. This town centre does not have the capacity to support the moderate population increases anticipated over the life of this planning scheme. An expansion of this centre east across Round Hill Road in the identified Emerging community zoned land provides opportunities to strengthen the retail offering with an additional supermarket and mixed-use development (including residential and community facilities) in a larger but still compact centre. This opportunity for centre expansion is to meet projected growth needs and enables future centre development and associated centre land use activities to be located centrally within Agnes Water. It removes any need for commercial zoned land on the fringe of the urban area that was included in previous planning schemes and has never been developed. In addition to the Agnes Water town centre, creative industries and local enterprises generally requiring larger sites are supported in a creative enterprise precinct in the Rural residential zone at the western end of Bicentennial Drive towards Round Hill Road. This is not a mixed use centre as it does not support shops or finer grain centre activities which are to be located in the town centre.

The above statement from planners implies that the proposer is creative, it is not creative it is destructive, they state the need for large land area, that's because they are miners, the proposal is not just flawed, its FRAUD! (*real* creativity gets hamstrung treated as worth only a lacklustre response.) Planner tries to use lack of development in the commercial land as a prop. My experience is get cut down, time and again, when you present something super. Her reference, insults me and implies I haven't done enough to bring things up. The lack of development is because honest developers suffer under the constrictions and competence of the senior planners that decide their fate. Consider this as leaving a review of my experience with that provider. It's now been 8 years since start and it tries again to hinder and harm me!

Below; High impact industry use is more befitting the purpose of this site., they are processing raw materials , there are significant impacts, there is a significant fire hazard, excessive traffic flows, significant demands on the road network and no controls for emissions or dangerous goods.

31

Gladstone Regional Council Planning Scheme Uses	Definition	State Adopted Infrastructure Charge Schedule	Council Charging Category
High impact industry	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> <li>• potential for significant impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise</li> <li>• potential for significant offsite impacts in the event of fire, explosion or toxic release</li> <li>• generates high traffic flows in the context of the locality or the road network</li> <li>• generates a significant demand on the local infrastructure network</li> <li>• the use may involve night time and outdoor activities</li> <li>• onsite controls are required for emissions and dangerous goods risks.</li> </ul>	High Impact Industry	Industry



No pristine riverine above, all sorts of mechanical repairs just up there. And the boats been for its flush out and wash down, following the weekly fishing trip off shore. The petrol headed head, doesn't concern itself with water quality.



And the dust from just loading the heavy rigid is not acceptable







Below: The cheap gates that swing around in the wind, But Really, The actual Façade that is most valuable to them in this proposal, is the fake face they present throughout the entirety of the proposal. Expectations of a tick and flick no doubt, then its happy days to get back in action. Across the easement I have to pay for Exotec Matrix, my proposals were never a Façade, why do I have to do that if you allow this next door? And what about the Round Hill Road frontage, it's an absolute let down for the town as an entirety.



**You can zoom into the back of that sign if you like, or I've got a good copy available by request**



Above, See the low level bull dust trail in a light breeze, and you can see tracks that show how soft and light the surface is, but that's no fairy Dust. In the Background the water tank beneath the bloodwood, that was at ground level prior to hostile takeover.

Below, panning left to right; the tail of a large mulch pile, the hollow bloodwood that's nested with the Tyre stack and the large mulch piles beside, with a stack of milled lumber just this side of the pile beside more tyres and a back-up "Roman Candle", as well as the stack of harvest logs at the end of the upstream mulch mound. Then a bull dust path across to the dead bloodwoods overhanging the previously mentioned crash pad, see that sofa in the shipping container beside the yellow chemical drum.

In the background, that rock grader, a few heavy rigids, and the cleared southern boundary against the council easement.

Last but not least, the foreground, to the left the main water pipe from the dam; at best, a temporary measure, then my favourite, this side of the foreground rubble pile, a domestic power cable junction with another, in what appears to be a very damp patch.



There it is below, the termination of that domestic power chord previously mentioned, crazy huh! Plugged into a domestic water pressure pump plonked on the ground. So those three connected domestic power chords are powered by the generator to feed the single domestic hose and sprinkler system that never gets used, the one pictured previously and highlighted by the proposer as being some kind of benefit.



In the background we've also got jet ski on water in the dam, and the boats also regularly used in that reservoir to flush the seawater after the regular coastal usage. Using it to flush the engines adds saline, significant amounts, and petrol. *And*, what about the wash off from the maintenance patch, we need soil samples, they'll be all sorts of nasties in that, as well as down-stream into the saline dam. The proposer doesn't have a mitigation plan for any of these outcomes. Don't kid yourself into thinking that tank and pump is going to save the day in a fire event, it's an ornament!

Below left image Just inside entrance looking north with bloodwood tyre stack, the foreground mulch pile is nested beside Giant Rats Tail grass, and a patch of flammable palms. Note that the Agnes Coast Earthmoving business is undoubtedly responsible for distributing invasive species and weeds that harm agriculture and environment.



Above right image, Cleared to the boundary on the southern side east corner, and the alternative crash pad/ caretakers residence there amongst the mulch piles.

Below:- Range images.

Zoom In, check it out I say, get informed, I've got fat loads of these sort of photos, so if you think we have a case, then you are right! Some are range photos but others give greater understanding of the site ops. Site photos presenting extent of cleared without approval land, amounting to 2.7 hectares,





The below ramshackle container image behind the work area, feature 7x20 litre drums of Hydraulic oil laying ramshackle, 8 drums of oil, with no environmental protections. This is Backside of the repair shop/ container workshop area. No environmental controls are visible anywhere within the site.



**Section 6, Addressing GRC planning scheme, Low Impact, Rural residential, Landscaping, and the Queensland Development Code. This report is composed to demonstrate compliance failures for DA/42/2023**

It addresses issues of compliance failure through Low Impact Industry code, rural residential code, landscaping code and development code.

**This report is composed to demonstrate compliance failures for DA/42/2023**

It addresses issues of compliance failure through Low Impact Industry code, rural residential code, landscaping code and development code.

## 6.2.12.3 Assessment benchmarks

**Table 6.2.12.3.1—Accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Comments
<b>Uses – Agricultural supplies store, Garden centre and Hardware and trade supplies</b>		
<p><b>PO1</b></p> <p>Development:</p> <ul style="list-style-type: none"> <li>a. does not impact on the viability of the region's centres</li> <li>b. does not compromise the low impact industry character of the locality, and</li> <li>c. does not include large format, land consumptive commercial uses.</li> </ul>	<p><b>AO1</b></p> <p>GFA does not exceed 250m2 for any Agricultural supplies store, Garden centre and Hardware and trade supplies.</p>	<p>Impacts on the viability of the regions centres, Dust and airborne particulate matter, as well as sound pollution, will profoundly affect the Medical Centre directly across Round Hill Road as well as those residential communities. Furthermore, the heavy industry reality of the business model puts a significant impact on the Low Impact Industry Corfield precinct with regular Heavy vehicle traffic, noise and poor air quality, it threatens the areas viability.</p>

Performance outcomes	Acceptable outcomes	Comments
<b>Use – Caretaker's accommodation</b>		
<p><b>PO2</b></p> <p>Development:</p> <ul style="list-style-type: none"> <li>a. is subordinate to non–residential uses on the same site, and</li> <li>b. provides adequate private open space for residents.</li> </ul>	<p><b>AO2.1</b></p> <p>No more than 1 caretaker's accommodation unit is established per non–residential land use.</p>	<p>Currently Provided as one in shipping container plus one in pop up camper trailer</p>
	<p><b>AO2.2</b></p> <p>Caretaker's accommodation is a maximum of 100m2 in GFA.</p>	
	<p><b>AO2.3</b></p> <p>Caretaker's accommodation is provided with a private open space area:</p> <ul style="list-style-type: none"> <li>a. that is directly accessible from a habitable room, and</li> </ul>	

Performance outcomes	Acceptable outcomes	Comments
	b. where a balcony, a verandah or a deck, has a minimum area of 15m <sup>2</sup> with a minimum horizontal dimension of 1.25m.	
<b>Use – Office</b>		
<b>PO3</b>  Offices are accommodated within the zone where they are ancillary to the primary use.	<b>A03</b>  The area used for an office use does not exceed 100m <sup>2</sup> GFA.	<b>The proposed office fails to demonstrate its compliance with the NCC 2022 as well as the GRC planning scheme.</b>
<b>Built form (if involving building work)</b>		
<b>PO5</b>  Buildings, outdoor storage and activity areas: <ul style="list-style-type: none"> <li>a. are appropriate to the height, scale, bulk and character of other buildings and activities in the surrounding industrial area, and</li> <li>b. do not result in a significant loss of visual amenity.</li> </ul>	<b>A05.1</b>  Building height does not exceed: <ul style="list-style-type: none"> <li>a. 11m, or</li> </ul> 8.5m where adjoining a residential premises or residential zone.	<b>Significant loss of visual amenity has already occurred during the unlawful procedure of clearing, remediation of the site is required.</b>
	<b>A05.2</b>  Site cover including any outdoor storage areas and sales yards do not exceed: <ul style="list-style-type: none"> <li>a. 70% of the site, or</li> </ul>	



Performance outcomes	Acceptable outcomes	Comments
	90% of the site where in the Hanson Road precinct.	
<p><b>PO6</b></p> <p>Buildings, structures and low impact industry activities are setback from the road frontage to mitigate the impact of activities on the streetscape.</p>	<p><b>AO6</b></p> <p>Buildings, structures and industrial activity areas are setback:</p> <ul style="list-style-type: none"> <li>a. 5m for land on a sub-arterial or arterial road, and</li> </ul> <p>3m for land on a road other than a sub-arterial or arterial road.</p>	<p><b>The proposed buildings fail to comply with the NCC</b></p>
<p><b>Building design (if involving building work)</b></p>	<ul style="list-style-type: none"> <li>b.</li> </ul>	
<p><b>PO8</b></p> <p>Buildings include features that contribute to an attractive streetscape.</p>	<p><b>AO8.1</b></p> <p>The unarticulated length of external walls along a road frontage does not exceed 15m.</p>	
<p><b>PO7</b></p> <p>Development has sufficient area and frontage to accommodate the following:</p> <ul style="list-style-type: none"> <li>a. all buildings and associated storage areas (e.g. stockpiles)</li> <li>b. car parking areas located in a safe and</li> </ul>	<p><b>AO8.2</b></p> <ul style="list-style-type: none"> <li>i. Buildings are designed and constructed with varying façade treatments and high quality finishes such as brick, painted concrete or masonry.</li> </ul>	<p><b>No information has been provided regarding the buildings.</b></p> <p><b>The stockpiles and shipping containers are vividly visible from both Round Hill Road and Corfield Drive.</b></p> <p><b>The proposed driveways are incorrect, they</b></p>

Performance outcomes	Acceptable outcomes	Comments
<p>accessible area</p> <p>c. on site movement of delivery and service vehicles</p> <p>d. vehicle access, and</p> <p>e. landscaping.</p>		<p><b>do not encompass the true path of majority of traffic.</b></p> <p><b>Landscaping has not been provided</b></p>
<p><b>PO10</b></p> <p>Building entrances are legible and safe.</p>	<p><b>AO10.1</b></p> <p>The main entry to the premises is:</p> <p>a. easily identifiable and directly accessible from the street with a clearly defined entrance point, and</p> <p>separate to vehicle access points.</p>	<p><b>Pedestrian and cycle access required to provide accessibility in a residential area, the cul-de-sac treatment must require continuation of Corfield Drive footpath on both sides to the office. The Round Hill road frontage also requires a footpath toward town at its current termination point.</b></p>
	<p><b>AO10.2</b></p> <p>Each building or tenancy is provided with a highly visible street and unit number.</p>	
<p><b>PO9</b></p> <p>Buildings do not incorporate glass or surfaces that are likely to reflect the sun that has the potential to cause nuisance, discomfort or hazard to any part of the city and adjoining urban areas.</p>	<p><b>AO10.3</b></p> <p>a. Premises are provided with external lighting sufficient to provide safe ingress and egress for site users.</p>	<p><b>Nothing fancy going on here</b></p>

Performance outcomes	Acceptable outcomes	Comments
<p><b>PO10</b></p> <p>Building entrances are legible and safe.</p> <p><b>Amenity</b></p> <p><b>PO11</b></p> <p>Utility elements (including refuse areas, outdoor storage, plant and equipment, loading and unloading areas) are screened from view from the street and any adjoining land in another zone.</p> <p><b>PO12</b></p> <p>Landscaping is provided to mitigate the visual impact of development and screen unsightly components.</p>	<p><b>AO10.4</b></p> <p>b. Office space is sited and orientated towards the principal road frontage of a site.</p>	<p>The road frontage on Round Hill Road is sparse scrub with Dirt piles behind. The Corfield entrance The office space is poorly oriented and fails to demonstrate its compliance; they propose no accessibility and only heavy machinery access on site, in a Rural residential zone!</p>
	<p><b>AO11</b></p> <p>Utility elements are:</p> <ul style="list-style-type: none"> <li>a. located within or behind the building, or</li> <li>b. screened by a 1.8m high solid wall or fence, or</li> <li>c. behind landscaping having the same screening effect as a 1.8m screen fence.</li> </ul> <p>Note—Screening can be provided by any combination of the above treatments to meet the acceptable outcome.</p>	<p>There is no screening proposed for the numerous utility elements such as loading and unloading areas, the tyre dump, outdoor working and repair areas.</p>
	<p><b>AO12</b></p> <p>A minimum 2m width of landscaping is provided along the entire principal road frontage excluding the driveway.</p>	<p>The property is cleared to the southern boundary and the remnant vegetation on the north side does not constitute the values of a landscaping strip, it's just what he didn't quite get to before I raised the alarm.</p>

Performance outcomes	Acceptable outcomes	Comments
<p><b>PO13</b></p> <p>Development minimises potential conflicts with, or impacts on, other uses having regard to vibration, odour, dust or other emissions.</p>	<p><b>AO13.1</b></p> <p>Development achieves the air quality design objectives set out in the <a href="#">Environmental Protection (Air) Policy 2008</a>, as amended.</p> <p>Note—To achieve compliance, development is planned, designed and managed to ensure emissions from activities to achieve the appropriate acoustic objectives (measured at the receptor dB(A)).</p>	<p>Dust off stockpiles, and dust off driveways is a hazard to local community, both with wind, and excessive heavy vehicle traffic. Manure and worm farms have been utilised at this processing plant and have unacceptable odour levels. Vermeer HG6800TX horizontal grinder, exceeds acceptable levels with the 950 hp engine putting out 120 decibels, those decibels are just the engine, add on top of that the sound of shredding trees, and the 20 ton excavator with a grapple hook.</p>
	<p><b>AO13.2</b></p> <p>Development that involves the storage of materials on site that are capable of generating air contaminants either by wind or when disturbed are managed by:</p> <ul style="list-style-type: none"> <li>a. being wholly enclosed in storage bins, or</li> </ul> <p>a watering program so material cannot become airborne.</p>	<p>Airborne contaminants constant with no suppression conducted or available, the truck fleet is used for transfer of all manner of quarried soil forest, aggregate and rock. The demountable tanker is never mounted and used as suppression. One single non-operating sprinkler on one mulch pile is insufficient to mitigate the dust issue. It's a veritable air hazard.</p>
<p><b>PO14</b></p> <p>Development prevents or minimises the</p>	<p><b>AO14</b></p> <p>Development achieves the noise generation levels set out in the <a href="#">Environmental Protection (Noise)</a></p>	<p>Machinery housed and constantly used within the site Exceed 4 Heavy rigids, multiple excavators ranging from 20 ton to 4, low loader, bobcat Vermeer mulcher, Rock</p>

Performance outcomes	Acceptable outcomes	Comments
<p>generation of any noise so that:</p> <p>a. nuisance is not caused to adjoining premises or other nearby sensitive land uses, and</p> <p>desired ambient noise levels in residential areas are not exceeded.</p>	<p><u>Policy 2008</u>, as amended.</p>	<p>screeener and high impactors contractor equipment.</p>
<p><b>PO16</b></p> <p>Development provides for the collection, treatment and disposal of liquid wastes or sources of contamination such that off-site releases of contaminants do not occur.</p> <p>b.</p>	<p><b>AO16.1</b></p> <p>Areas where potentially contaminating substances are stored or used, are:</p> <p>a. roofed and sealed with concrete, asphalt or similar impervious substance and bunded, and</p> <p>located in an area free of flooding from a Defined flood event, and free from medium or high storm tide inundation.</p>	<p><b>Elevated Diesel fuel tanks located central within the site upstream from the east dam alongside the shipping containers, has no safety procedure or hazardous chemical clean up equipment, Outdoor service area of trucks and heavy machinery has no retention method to contain oils, fluids or spilt chemicals.</b></p>
<p><b>Hours of operation</b></p> <p><b>PO17</b></p> <p>Hours of operation are limited to minimise nuisance to any surrounding sensitive land uses.</p>	<p>b.</p> <p><b>AO17.1</b></p> <p>Where within 150m of a sensitive land use or land in a residential zone, hours of operation are limited to:</p>	<p><b>Agnes Coast Earthmoving has trucks moving by 6am, they regularly work late on Saturdays and Sundays</b></p>

Performance outcomes	Acceptable outcomes	Comments
	<p>a. 7am to 6pm Monday to Friday, and 7am to 12pm Saturday.</p>	
<b>For all assessable development</b>		
<p><b>Land use PO18</b></p> <p>Development does not compromise the use of land for industry purposes.</p>	<p>b.</p>	<p><b>The land has been compromised and needs remediation until a more suitable proposal is provided.</b></p>
<p><b>PO19</b></p> <p>Development is of a low impact nature and is either:</p> <ul style="list-style-type: none"> <li>a. a low impact industrial activity</li> <li>b. trade related</li> <li>c. difficult to locate in other zones due to land area or operational requirements (such as indoor sport and recreation uses), or</li> </ul> <p>small in scale and ancillary to, or directly supports, the industrial functions of the area.</p>	<p>No acceptable outcome is nominated.</p>	<p><b>Development is of a high impact nature, noise and dust, processing the harvestings of the earthmovers such as mulching truckloads of forests, and grading other aggregates. More suitable options for appropriate location in the industrial investigation zone on the far side or in “Lot 19” by the sewage ponds.</b></p>

Performance outcomes	Acceptable outcomes	Comments
<p><b>Amenity</b></p>		
<p><b>PO22</b></p> <p>Where adjoining a residential zone or the Emerging community zones, development provides adequate buffering and screening so that adverse impacts on privacy and amenity on adjoining properties are minimised.</p>	<p><b>AO22.1</b></p> <p>New buildings, plant and equipment, active outdoor use areas, site access and car parking, servicing or outdoor storage areas are set back a minimum of 5m from any boundary adjoining a residential zone or the Emerging community zone.</p>	<p>Regardless of the easements and main road providing short distance, no amount of buffer or screening will suppress the noise or dust sufficiently when this processing plant is active.</p>
<p><b>PO23</b></p> <p>Development is designed to facilitate the safety and security of people and property having regard to:</p> <ul style="list-style-type: none"> <li>a. maximising casual surveillance and sight lines</li> <li>b. exterior building design that promotes safety</li> <li>c. adequate lighting</li> <li>d. appropriate signage and wayfinding</li> <li>e. minimisation of personal concealment and entrapment locations, and</li> <li>f. building entrances, parking, loading and storage areas that are well lit and have clearly defined access points.</li> </ul> <p>Note—Applicants should have regard to <a href="#">Crime Prevention through Environmental Design Guidelines for Queensland</a>.</p> <p><b>Effects of development</b></p> <p><b>PO24</b>Development responds sensitively to on–site and surrounding topography, coastal foreshores,</p>		<p><b>The development was not designed; he made it up as he went along, there has been no safety or security involved.</b></p> <p><b>It doesn't comply on any of the points.</b></p> <p><b>The development is closer resembling a hostile takeover than sensitive</b></p> <p><b>The site is dangerous. Earthworks exceed allowable volumes, Fails retention of natural drainage lines, Fails retention of existing vegetation. There is inadequate buffering.</b></p>

Performance outcomes	Acceptable outcomes	Comments
<p>waterways, drainage patterns, utility services, access, vegetation and adjoining land uses, such that:</p> <ul style="list-style-type: none"><li>a. any hazards to people or property are avoided</li><li>b. any earthworks are minimised</li><li>c. the retention of natural drainage lines is maximised</li><li>d. the retention of existing vegetation is maximised</li><li>e. damage or disruption to sewerage, stormwater and water infrastructure is avoided, and</li></ul> <p>there is adequate buffering, screening or separation to adjoining development.</p> <p><b>PO25</b></p> <p>Development is located, designed and operated so that adverse environmental impacts and environmental harm on nearby land is minimised.</p>		<p><b>The unlawful development produces unacceptable levels of noise dust and odour</b></p>



# 6.2.23 Rural residential

**Table 6.2.23.3.1—Accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes		Comments
<b>Use – Caretaker's accommodation</b>			
<b>PO1</b> Development is ancillary to the primary use.	<b>AO1.1</b> No more than 1 caretaker's accommodation unit is established on the site.		<b>2 Noncompliant housing arrangements</b>
	<b>AO1.2</b> Caretaker's accommodation is a maximum of 100m2 GFA.		<b>Beyond the footprint of the container of trailer it exceeds 2.7 hectares</b>
<b>Use – Roadside stall</b>			

Performance outcomes	Acceptable outcomes		Comments
<p><b>Built form (if involving building work)</b></p> <p><b>PO4</b></p> <p>Buildings are designed and located so as not to adversely impact on the rural residential character of the area.</p> <p><b>PO5</b></p> <p>Buildings and other structures are located on the site to:</p> <p>a. protect the amenity of residents and neighbours, and</p> <p>not impact on existing rural industries on neighbouring rural zoned land.</p> <p><b>Residential density</b></p>	<p><b>AO4</b></p> <p>Building height does not exceed 8.5m.</p>		<p><b>It's an excavator so short and thick does the trick</b></p>
	<p><b>AO5</b></p> <p>Buildings, other than a roadside stall, are setback a minimum of:</p> <p>a. 6m from the front boundary and 3m from the side boundaries for allotments greater than 2ha, or</p> <p>5m front boundary and 3m side boundaries for allotments less than 2ha.</p>		
	<p><b>AO6.1</b></p> <p>Residential density is limited to one dwelling house per allotment including a secondary dwelling.</p>		
<p><b>PO6</b></p> <p>Residential density reflects the very low intensity character of the locality.</p>	<p><b>AO6.2</b></p> <p>Where a dwelling house, any secondary</p>		

Performance outcomes	Acceptable outcomes		Comments
		dwelling is: <ul style="list-style-type: none"> <li>a. a maximum of 80m2 GFA</li> <li>b. located within 50m of the main building</li> </ul> linked to the main building by a defined footpath in the most direct route possible.	
<b>PO4</b> Buildings are designed and located so as not to adversely impact on the rural residential character of the area.			<b>The site has significantly impacted the residential character of area</b>
<b>b. For all assessable development</b>	<b>b.</b>		
<b>Land use</b>		No acceptable outcome is nominated.	
<b>PO7</b> Non-residential uses and are limited to those which: <ul style="list-style-type: none"> <li>a. are subordinate to the primary residential use (where not in the <a href="#">Bicentennial Drive Enterprise</a>)</li> </ul>	<b>AO8.1</b> <ul style="list-style-type: none"> <li>c. A minimum site area for a</li> </ul>		<b>The business proposing this is not subordinate to the day to day needs of</b>

Performance outcomes	Acceptable outcomes		Comments
<p><a href="#">precinct</a>) and support the day to day needs of residents.</p> <ul style="list-style-type: none"> <li>b. do not impact on residential amenity</li> <li>c. are compatible with neighbouring rural uses</li> <li>d. are complementary to local character and amenity; and</li> </ul> <p>are home businesses, small scale tourist uses, low impact creative enterprises or small scale horticulture.</p> <p><b>Community use</b></p>	<p>community use is 2ha.</p>		<p><b>residents.</b></p> <p><b>It impacts residential amenity with noise, dust and odour.</b></p> <p><b>Its compatible with properties in the industrial investigation zone or lot 19</b></p> <p><b>It's an eyesore from every direction including space.</b></p>
<p><b>PO8</b></p> <p>Development is located and designed on sites of sufficient size to minimise adverse impacts on:</p> <ul style="list-style-type: none"> <li>a. the amenity of the setting, in particular noise, odour and dust emissions</li> <li>b. the amenity of neighbours, and</li> </ul> <p>the safe and effective design capacity of the region's road system.</p>	<p><b>AO8.2</b></p> <p>Siting and layout of the community use includes:</p> <ul style="list-style-type: none"> <li>a. a total area of covered buildings and roof structures that is no greater than 10% of the site area, and</li> </ul> <p>no building or structure closer than 15m to any site boundary.</p>	<p><b>Occupier uses 4 heavy rigids, with trailer dogs, multiple 20 ton excavator, an 8 tonner, 2 x 5 tonners, front end loader light trucks bobcat. Frequently also, a fuel tanker and a Prime mover B double on an R5 road. For such an operation it is too smaller a site, such operations need larger open areas that are not surrounded by medical and residential.</b></p>	

Performance outcomes	Acceptable outcomes		Comments
<p><b>PO7</b></p> <p>Non-residential uses and are limited to those which:</p> <ul style="list-style-type: none"> <li>e. are subordinate to the primary residential use (where not in the <a href="#">Bicentennial Drive Enterprise precinct</a>) and support the day to day needs of residents.</li> <li>f. do not impact on residential amenity</li> <li>g. are compatible with neighbouring rural uses</li> <li>h. are complementary to local character and amenity; and</li> </ul> <p>are home businesses, small scale tourist uses, low impact creative enterprises or small scale horticulture.</p>		<p><b>AO8.4</b> Hours of operation are limited to between 7am and 10pm daily.</p>	<p><b>The non-residential land use impacts excessively on amenity as demonstrated throughout this report. It is not compatible with neighbouring uses or complementary to local character</b></p>
<ul style="list-style-type: none"> <li>i. <b>Community use</b></li> </ul>	<p>No acceptable outcome is nominated.</p>		
<p><b>PO9</b></p> <p>Development maintains a high level of amenity within the site and minimises impacts on surrounding areas, having regard to:</p> <ul style="list-style-type: none"> <li>a. traffic and parking</li> <li>b. visual impact</li> <li>c. signage</li> <li>d. access to sunlight</li> <li>e. privacy.</li> </ul> <p>c. Note—Applicants may be required to engage specialists to provide detailed investigations into the above matters in order to demonstrate compliance with this performance criterion.</p>			<p><b>Development has no amenity and significantly impacts on surrounds</b></p> <p><b>The traffic and parking is insufficient</b></p> <p><b>It is a visual eyesore.</b></p> <p><b>The applicant was required to engage specialists to provide reports of which it failed to comply with no specialist reports provided</b></p>

Performance outcomes	Acceptable outcomes		Comments
<p><b>d. Effects of development</b></p> <p><b>PO10</b></p> <p>Development responds sensitively to on-site and surrounding topography, drainage patterns, foreshore areas, utility services, access, vegetation and adjoining land uses, such that:</p> <ul style="list-style-type: none"> <li>a. any hazards to people or property are avoided</li> <li>b. any earthworks are minimised</li> <li>c. the retention of natural drainage lines is maximised</li> <li>d. the retention of existing vegetation is maximised</li> <li>e. damage or disruption to sewerage, stormwater and water infrastructure is avoided, and</li> <li>e. there is adequate buffering, screening or separation to adjoining development.</li> </ul> <p><b>PO11</b></p> <p>All uses:</p> <ul style="list-style-type: none"> <li>a. minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industrial uses</li> </ul> <p>minimise nuisance caused by noise, vibration and dust emissions generated by the state-controlled road and rail network in the vicinity of land in the rural residential zone.</p>			<p><b>The development is closer resembling a hostile takeover than sensitive</b></p> <p><b>The site is dangerous. Earthworks exceed allowable volumes, fails retention of natural drainage lines, fails retention of existing vegetation. There is inadequate buffering.</b></p> <p><b>The unlawful development produces unacceptable levels of noise dust and odour</b></p>
<p><b>PO12</b></p> <p>Development protects environmental values and is of a scale and intensity that does not compromise the low density and environmental character of the locality.</p>			<p><b>The development is environmental sabotage</b></p>

# 9.3.4 Landscaping

Performance outcomes	Acceptable outcomes	
<b>General landscape design and works</b>		
<p><b>PO1</b></p> <p>Landscape design of both public and private spaces:</p> <ul style="list-style-type: none"> <li>a. complements the intended character of the streetscape and zone, and</li> <li>b. is functional and designed to be visually appealing in the long-term.</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>The land clearing has resulted in a remnant scrub that has mostly small sparse wattle and provides little screening to the stockpiles. A few remnant mature trees remain within the quarry but many more were mulched. These trees have no understory and have trucks trampling there roots.</b></p>
<p><b>PO3</b></p> <p>Street trees are provided in appropriate locations to:</p> <ul style="list-style-type: none"> <li>a. provide shade for pedestrians along footpaths</li> <li>b. reinforce the legibility of the movement network</li> <li>c. avoid damage to public or private property or infrastructure</li> </ul>	<p><b>AO3.1</b></p> <p>Street trees are provided at the rate whichever is the lesser of:</p> <ul style="list-style-type: none"> <li>a. one street tree per lot frontage or one tree per 10 linear metres of road frontage or</li> <li>b. a minimum of 1 tree per 400m<sup>2</sup> of site area.</li> </ul>	<p><b>Landscaping must be provided to the site with street trees and footpath the full road frontage of both Round Hill road and the Corfield Cul-de-sac proposal.</b></p>

Performance outcomes	Acceptable outcomes	
<ul style="list-style-type: none"> <li>d. enhance the character of the streetscape, and</li> <li>e. ensure visibility is maintained from entrances and exits to properties and at intersections.</li> </ul>	<p><b>AO3.2</b></p> <p>Species of street trees are selected in accordance with the plant species list in Table 9.3.4.3.2</p>	
<p><b>PO4</b></p> <p>Street treatments including pavement, seating, lighting, rubbish bins are provided to:</p> <ul style="list-style-type: none"> <li>a. enhance the usability and amenity of streets and public spaces</li> <li>b. facilitate social interaction, and</li> <li>c. maintain clean streetscapes.</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>The cul-de-sac treatment requires continuation of the Existing Corfield Drive footpath and includes a continuation to the office with bike racks. The Round Hill Road side requires the footpath extension to be connected to the newly built market complex as would be required of any compliant body such as a school. Council does that</b></p>
<p><b>PO5</b></p> <p>Wherever possible, landscape design facilitates the retention and integration of mature existing vegetation, both within and external to the site.</p>	<p><b>AO5.1</b></p> <p>Existing mature trees and vegetation are retained and incorporated into the landscape design.</p>	<p><b>The trees were mulched by the applicant!</b></p>
	<p><b>AO5.2</b></p> <p>Removed or damaged mature vegetation is replaced with mature vegetation of a comparable quantity and species.</p>	<p><b>Dead trees are standing within the site, the site was illegally cleared. No landscape design has been provided. The applicant is an eater of trees, he don't care.</b></p>
<p><b>Landscaping along boundaries and edges</b></p>		



Performance outcomes	Acceptable outcomes	
<p><b>PO6</b></p> <p>Planting and landscape elements along boundaries and edges assist in:</p> <ul style="list-style-type: none"> <li>a. maintaining privacy between adjoining buildings</li> <li>b. protecting local views, vistas and sightlines</li> <li>c. enhancing the visual appearance of the built form</li> <li>d. screening service, utility and parking areas</li> <li>e. minimising noise impacts between noise sources and sensitive receiving environments, and</li> <li>f. reducing the visual impact of acoustic fences, retaining walls and long unbroken walls.</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>The proposed developments remnant wattle road frontage on Round Hill Road is insufficient Vegetation screening to perform the role of noise and dust suppression. The site fails to provide any compliance</b></p>
<p><b>Open air car parking</b></p>		
<p><b>PO7</b></p> <p>Open air car parking areas are provided with suitable levels of shade through the use of appropriate planting.</p>	<p><b>AO7.1</b></p> <p>Shade trees are located at the rate of 1 tree per 6 car spaces.</p>	<p><b>No trees have been provided with inadequate carpark rates in the proposal, it's abysmal.</b></p>
	<p><b>AO7.2</b></p> <p>Wheel stops are provided to protect vegetation.</p>	<p><b>No wheel stops onsite</b></p>
	<p><b>AO7.3</b></p> <p>Tree selection is in accordance with plant species list.</p>	<p><b>No trees have been planted, they were eaten by the consumer. I identify the Curlew as being displaced, plus many!</b></p>

Performance outcomes	Acceptable outcomes	
<b>Sustainability</b>		
<p><b>PO8</b></p> <p>Landscape design including irrigation methods optimise water and energy efficiency and responds appropriately to local conditions, by:</p> <ul style="list-style-type: none"> <li>a. maximising the exposure to the prevailing summer breezes and the north–east winter morning sun</li> <li>b. minimising exposure to the prevailing winter winds and western summer sun</li> <li>c. optimising shade to create useable and comfortable areas, and</li> <li>d. maintaining infiltration to subsurface soil.</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>The non-existent landscaping design</b>  <b>Has been a disaster with majority clearing rapid and without concern to all boundary lines, He’s exposed the site to all year round prevailing winds that generate bull dust (you can work that out yourself between A &amp; B). He deleted the shade to make uncomfortable areas to fail on (C), and he stripped the surface to fail on (D)</b></p>
<b>Safety</b>		
<p><b>PO9</b></p> <p>Landscape elements enhance the safety, legibility of places and do not undermine the surveillance of paths, walkways, parking areas, streets and public spaces by ensuring:</p> <ul style="list-style-type: none"> <li>a. landscape elements (including signage and other infrastructure) does not interfere with sightlines</li> <li>b. spaces are well lit, free from obstructions and clearly defined by landscape treatments, and</li> <li>c. public and private areas are clearly distinguishable</li> </ul>	<p><b>AO9.1</b></p> <p>Plant selection adjacent to pedestrian movement areas provides a clear trunk of at least 2m at maturity.</p>	<p><b>There is no safety provisions within the site</b></p>
	<p><b>AO9.2</b></p> <p>Understorey planting maintains a height of less than 600mm at maturity.</p>	<p><b>There is no understory planting</b></p>

Performance outcomes	Acceptable outcomes	
<p>and accessible.</p> <p>Note—Applicants should have regard to <a href="#">Crime Prevention through Environmental Design Guidelines for Queensland</a>.</p>		
<b>Maintenance</b>		
<p><b>PO10</b></p> <p>Landscape elements do not adversely affect stormwater quantity or quality by ensuring:</p> <ul style="list-style-type: none"> <li>a. the flow of water along overland flow paths is not restricted</li> <li>b. opportunities for water infiltration are maximised, and</li> <li>c. areas of pavement, turf and mulched garden beds are appropriately located and adequately drained.</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>The stormwater volume has been increased with the clearing of this land, and the runoff is of diminished quality.</b></p>

# 9.3.2 Development design

Performance outcomes	Acceptable outcomes	
<b>Utility infrastructure and services</b>		
<p><b>PO1</b></p> <p>Development is serviced by an adequate, safe and reliable supply of potable and general use water, connected to reticulated water supply where possible.</p> <p>Note—Council's documented Maximum Service Level (MSL) is to be considered.</p>	<p><b>AO1.1</b></p> <p>Development is connected to Council's reticulated water supply network, including the installation of easily accessed water meters, in accordance with the <a href="#">Engineering Design Planning Scheme Policy</a>.</p> <p>OR</p> <p><b>AO1.2</b></p> <p>If connection to Council's reticulated water supply network is not possible, a potable on-site water supply is provided in accordance with the <a href="#">Engineering Design Planning Scheme Policy</a>.</p>	<p><b>Has no clean water catchment, nor does the proposed roof catchment provide sufficient potable water.</b></p> <p><b>The Bore is salty and cannot be used for landscaping.</b></p> <p><b>Continuation of councils reticulated water is deemed feasible and an acceptable outcome.</b></p>
<p><b>PO2</b></p> <p>Development is serviced by appropriate sewerage disposal infrastructure which ensures:</p> <ul style="list-style-type: none"> <li>a. no adverse ecological impacts on the receiving environment</li> </ul>	<p><b>AO2.1</b></p> <p>Development is connected to Council's reticulated sewerage treatment system, in accordance with the <a href="#">Engineering Design Planning Scheme Policy</a>.</p>	<p><b>The development has no onsite treatment plant, nor any proposed design. A commercial onsite treatment plant must be provided prior to commencement.</b></p>

Performance outcomes	Acceptable outcomes	
<ul style="list-style-type: none"> <li>b. cumulative impacts of onsite waste water treatment is considered in assessing the likely environmental impacts</li> <li>c. public health is maintained</li> <li>d. the location, site area, soil type and topography is suitable for any on site waste water treatment, and</li> <li>e. the reuse of waste water does not contaminate any surface water or ground water.</li> </ul>	<p>OR</p> <p><b>AO2.2</b></p> <p>If connection to Council's reticulated sewerage treatment system is not possible, development waste water is treated in accordance with Council's <a href="#">Engineering Design Planning Scheme Policy</a> and relevant Australian Standards (including AS1547) and State requirements as amended.</p>	
<p><b>PO3</b></p> <p>Where not located in the Rural zone, electricity supply network and telecommunication service connections are provided to the site and are connected.</p>	<p><b>AO3.1</b></p> <p>The development is connected to electricity and telecommunications infrastructure in accordance with the standards of the relevant regulatory authority prior to the commencement of any use of the site.</p>	<p><b>Telecommunications and power through transmission lines are both at the next property on Corfield Drive, and on Round Hill Road. Connection to both deemed to necessary for compliance. Current power supply being a commercial size fossil fuel generator is not compliant.</b></p>
	<p><b>AO3.2</b></p> <p>Where not included in the development, provision is made for future telecommunications services (such as fibre optic cable) in accordance with the standards of the relevant regulatory authority.</p>	

Performance outcomes	Acceptable outcomes	
<p><b>PO4</b></p> <p>Development in areas serviced by a reticulated water supply where:</p> <ul style="list-style-type: none"> <li>a. areas of the development are accessed by common private title, or</li> <li>b. the council infrastructure is not sufficient to provide fire fighting service in terms of pressure, flow or proximity,</li> <li>c. is serviced with appropriate privately owned internal fire hydrant infrastructure and provides unimpeded emergency access.</li> </ul>	<p><b>AO4.1</b></p> <p>Development, including buildings, both attached and detached, and not covered in other legislation or planning provisions mandating fire hydrants, conform with <a href="#">SPP</a> Code: Fire services in developments accessed by common private title.</p>	
	<p><b>AO4.2</b></p> <p>Fire fighting infrastructure located within private property (excluding reticulated mains and hydrants on reticulated mains) is owned maintained by a party other than Council.</p>	<p><b>The demountable tanker needs to be permanently mounted maintained and functional unless it's an ornament. The dam requires concrete hardstand area within 6 meters of</b></p>
<p><b>Stormwater management</b></p>		
<p><b>PO5</b></p> <p>Stormwater management is designed and operated to:</p> <ul style="list-style-type: none"> <li>a. ensure that adjoining land and upstream and downstream areas are not adversely affected through any ponding or changes in flows, and</li> <li>b. direct stormwater to a lawful point of discharge through competently designed and constructed outlet works in a manner that reflects the predevelopment status.</li> </ul>	<p><b>AO5.1</b></p> <p>Development does not result in an increase in flood level flow velocity or flood duration on upstream, downstream or adjacent properties.</p>	<p><b>Transient loose stockpile areas have potential to contaminate downstream. Testing inbound soils required</b></p>
	<p><b>AO5.2</b></p> <p>Stormwater (including roof and surface water) is conveyed to the kerb and channel or other lawful point of discharge in accordance with the requirements of the <a href="#">Engineering Design</a></p>	

Performance outcomes	Acceptable outcomes	
	<a href="#"><i>Planning Scheme Policy.</i></a>	
<p><b>PO6</b></p> <p>Stormwater drainage network elements are designed and constructed with the capacity to control stormwater flows under normal and minor system blockage conditions for the applicable defined flood event ensuring there is no damage to property or hazards for motorists.</p>	<p><b>AO6</b></p> <p>Stormwater infrastructure is designed and constructed in accordance with the requirements of the <a href="#"><i>Engineering Design Planning Scheme Policy.</i></a></p>	
<b>Wastewater</b>		
<p><b>PO7</b></p> <p>Wastewater is managed to:</p> <ol style="list-style-type: none"> <li>1. avoid wastewater discharge to any waterway, and</li> <li>2. if wastewater discharge to waterways cannot be practically avoided, discharge is minimised by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.</li> </ol> <p>Note—Wastewater is defined in accordance with <a href="#"><i>Environmental Protection (Water) Policy 2009</i></a>, schedule 2).</p> <p>Note—A wastewater management plan (WWMP) is prepared by a suitably qualified person and addresses:</p> <ul style="list-style-type: none"> <li>• wastewater type, and</li> <li>• climatic conditions, and</li> </ul>	<p><b>AO7</b></p> <p>Development does not discharge wastewater into any waterways.</p>	<p><b>Wastewater treatment plant required with disability amenities</b></p>

Performance outcomes	Acceptable outcomes	
<ul style="list-style-type: none"> <li>• water quality objectives (WQOs), and</li> <li>• best-practice environmental management.</li> </ul>		
<b>Earthworks and retaining walls</b>		
<p><b>PO8</b></p> <p>Development is designed such that earthworks and any associated retaining structures:</p> <ol style="list-style-type: none"> <li>result in a landform that is stable,</li> <li>maintain as far as practical, and minimise alteration to, the existing landforms,</li> <li>minimise height of batter faces and retaining structures,</li> <li>do not unduly impact on the amenity or privacy for occupants of the site or on adjoining land,</li> <li>do not unduly impact on the amenity of the streetscape,</li> <li>achieves a high level of visual amenity,</li> <li>does not prevent or obstruct the function of adjacent sites including land in Council ownership; and</li> <li>are designed and constructed so that they do not cause unintentional ponding (i.e. ponding not associated with stormwater control) on the site or on nearby land.</li> </ol>	<p><b>AO8.1</b></p> <p>Earthworks and any retaining structures (including anchors, sheet piling, seepage drains, construction requirements and retained soil etc.) and their zone of influence must:</p> <ol style="list-style-type: none"> <li>be wholly contained within the development site;</li> <li>ensure the top and toe of any batter slope (excluding those associated with road works) is a minimum of 0.9m horizontally from the boundary of the development site;</li> <li>not be located on land in Council ownership (e.g. road reserves, parks and drainage reserves);</li> <li>not include any services within the retained soil (as determined by the internal friction angle of the soil being retained) or the zone of influence of the retaining structures' foundation; and</li> <li>allow for the installation and maintenance of services within any</li> </ol>	<p><b>Driveways, and all service trails are such that silica and dirt particles can transit either water or airborne. Erosive potential from stockpiles of harvested raw materials.</b></p>



Performance outcomes	Acceptable outcomes	
	<p>retaining structures.</p> <p>Excavating or filling is no greater than 1m.</p>	
	<p><b>AO8.2</b></p> <p>Development is designed such that the steepest formed batter slope is 1 vertical to 4 horizontal.</p>	<p><b>Fails to comply, Batter slopes have been excavated to gradients of 1-1, and the stockpiles are similar non-compliant gradients</b></p>
	<p><b>AO8.3</b></p> <p>Earthworks and any associated retaining structures are designed and constructed in accordance with the <a href="#">Engineering Design Planning Scheme Policy</a>.</p>	<p><b>No retaining structures have been provided however there are many instances of steep inclines within the site</b></p>
	<p><b>AO8.4</b></p> <p>For Reconfiguring a Lot applications:</p> <ul style="list-style-type: none"> <li>a. constructed embankment slopes are located along the rear and side boundaries of adjoining allotments and are designed and constructed:                             <ul style="list-style-type: none"> <li>i. within the development site,</li> <li>ii. on land which is not to enter Council ownership,</li> <li>iii. within the allotment located on the low side of the common</li> </ul> </li> </ul>	<p><b>The site has been reconfigured without approval.</b></p>

Performance outcomes	Acceptable outcomes	
	<p>boundary, and</p> <ul style="list-style-type: none"> <li>iv. with a top and toe at least 0.9m horizontally from the boundary.</li> </ul> <p>b. retaining walls are located along the rear and side boundaries of adjoining allotments and are designed and constructed either:</p> <ul style="list-style-type: none"> <li>i. on the low side of the common boundary with a top at least 0.9m horizontally from the boundary; or</li> <li>ii. on the high side of the common boundary with a toe at least 5m horizontally from the boundary.</li> </ul>	
<b>Parking and access</b>		
<p><b>PO9</b></p> <p>Development includes the provision of adequate and convenient car and bicycle parking on-site to satisfy the anticipated requirements of the activity.</p>	<p><b>AO9</b></p> <p>Car parking and bicycle parking is provided on site in accordance with the rates specified in the <a href="#">Parking Rates Planning Scheme Policy</a>.</p>	<p><b>The applicant is attempting to circumvent these requirements but it should be anticipated that all end of trip requirements will be needed by commuters</b></p>
<p><b>PO10</b></p> <p>Where in urban areas, development provides end of trip facilities to encourage people to engage in active transport</p>	<p><b>AO10</b></p> <p>Development provides cycling and pedestrian end of trip facilities, in accordance with the requirements of the <a href="#">Queensland Development</a></p>	<p><b>Fails to provide end of trip facilities, they don't want the community to see what they're doing, they prefer to be white noise</b></p>

Performance outcomes	Acceptable outcomes	
<p>(bicycles and pedestrians):</p> <ul style="list-style-type: none"> <li>a. to meet the needs of users and promote active modes of travel</li> <li>b. at convenient, easily identifiable, safe locations, and</li> <li>c. in locations that do not obstruct vehicular, bicycle or pedestrian movement paths.</li> </ul>	<p><u>Code.</u></p>	
<p><b>PO11</b></p> <p>Access driveways are designed and constructed to:</p> <ul style="list-style-type: none"> <li>a. provide convenient access to the site and maintain the safety and efficiency of the road</li> <li>b. minimise conflicts with traffic and pedestrians, and</li> <li>c. are constructed to a standard that is appropriate to the location and to meet the anticipated volume and type of traffic.</li> </ul>	<p><b>AO11.1</b></p> <p>Access driveways are:</p> <ul style="list-style-type: none"> <li>a. designed and constructed in accordance with the <u>Engineering Design Planning Scheme Policy</u>, and</li> <li>b. in accordance with AS2890 as amended, and</li> <li>c. certified by a Registered Professional Engineer of Queensland.</li> </ul>	<p><b>Access driveways are incorrect as explained throughout my report. The proposal attempts to provide the prime mover access to an illogical location, being the illegal display bays and not the stockpiles</b></p>
	<p><b>AO11.2</b></p> <p>Access driveways allow vehicles (with the exception of dwelling house and dual occupancy) to enter and exit the site in a forward gear.</p>	
<p><b>PO12</b></p>	<p><b>AO12</b></p>	<p><b>The parking design is not</b></p>

Performance outcomes	Acceptable outcomes	
<p>a. Vehicle movement areas (including internal driveways, access aisles, manoeuvring areas, parking areas (car and bicycle) and service bays) are designed to ensure:</p> <ul style="list-style-type: none"> <li>i. a gradient appropriate for the type of vehicles</li> <li>ii. a surface suitable for the proposed use</li> <li>iii. effective stormwater drainage</li> <li>iv. clearly marked and signed spaces</li> <li>v. convenience and safety for drivers and pedestrians, and</li> <li>vi. adequate dimensions to meet user requirements, including access and egress for emergency vehicles.</li> </ul>	<p>Manoeuvring, loading and unloading areas, and parking areas (car and bicycle) are:</p> <ul style="list-style-type: none"> <li>a. designed and constructed in accordance with the <a href="#">Engineering Design Planning Scheme Policy</a></li> <li>b. Imperviously sealed using concrete or asphalt bitumen</li> <li>c. In accordance with AS2890 as amended, and</li> <li>d. certified by a Registered Professional Engineer of Queensland.</li> </ul>	<p><b>appropriately designed and would fail to serve the site correctly</b></p>
<p><b>PO13</b></p> <p>Footpaths provide pedestrian and bicycle access to site, which is designed to:</p> <ul style="list-style-type: none"> <li>a. provide safe movement;</li> <li>b. avoid unnecessary conflict between pedestrians, bicycles and motor vehicles;</li> <li>c. include durable and stable materials; and</li> <li>d. match any adjacent footpath.</li> </ul>	<p><b>AO13</b></p> <p>Footpaths are:</p> <ul style="list-style-type: none"> <li>a. provided to the full road frontage and designed in accordance with the <i>Engineering Design Planning Scheme Policy</i>;</li> <li>b. connected to the existing footpath network; and</li> <li>c. certified by a Registered Professional Engineer of Queensland.</li> </ul>	<p><b>Footpaths should be provided with the proposed cul-de-sac treatment, it would connect to existing footpaths on the end of Corfield Dr both sides. Bicycle racks should be provided for end of trip journeys for cyclists, and a pedestrian access way.</b></p> <p><b>Also a footpath is required on the Round Hill Road front</b></p>
<p><b>PO14</b></p>	<p><b>AO14</b></p>	

Performance outcomes	Acceptable outcomes	
<p>Pedestrian access to buildings:</p> <ul style="list-style-type: none"> <li>a. does not obstruct pedestrian movement (or form physical clutter) on public footpaths</li> <li>b. are not visually overbearing (or form visual clutter) in the streetscape, and</li> <li>c. provide safe, efficient, equitable and convenient access including wheelchair access.</li> </ul>	<p>Pedestrian access steps, escalators, ramps and lifts are:</p> <ul style="list-style-type: none"> <li>a. located wholly within the site,</li> <li>b. setback a minimum of 1.5m from the front boundary, and</li> <li>c. compliant with the <a href="#">Disability Discrimination Act 1992</a>.</li> </ul>	<p><b>None Have been provided</b></p>
<p><b>Acoustic and air quality</b></p>		
<p><b>PO15</b></p> <p>Development minimises potential conflicts with, or impacts on, other uses having regard to odour, dust or other emissions.</p>	<p><b>AO15</b></p> <p>Development achieves the air quality design objectives set out in the <a href="#">Environmental Protection (Air) Policy 2008, as amended</a>.</p>	<p><b>Fails abysmally as it has not been mitigated. It is not possible to suppress the dust with such large scale stockpiles of loose material</b></p>
<p><b>PO16</b></p> <p>Development prevents or minimises the generation of any noise or vibration so that:</p> <ul style="list-style-type: none"> <li>1. nuisance is not caused to adjoining premises or other nearby sensitive land uses, and</li> <li>2. desired ambient noise levels in residential areas are not exceeded.</li> </ul>	<p><b>AO16</b></p> <p>Development achieves the noise generation levels set out in the <a href="#">Environmental Protection (Noise) Policy 2008, as amended</a>.</p> <p>Note—To achieve compliance, development is planned, designed and managed to ensure emissions from activities to achieve the appropriate acoustic objectives (measured at the receptor dB(A)).</p>	<p><b>The volume of trucks is sufficient to fail the noise test.</b></p> <p><b>If allowed to remain, the Mulcher will be back, so too the rock grader</b></p>

Performance outcomes	Acceptable outcomes	
<p><b>PO17</b></p> <p>Sensitive development adjacent to State controlled roads or Council controlled arterial and sub-arterial roads minimise through their own design the nuisance caused by noise, vibration and dust emissions.</p>	<p><b>AO17</b></p> <p>Sensitive development (other than Class 1, 2, 3 or 4 buildings) complies with the requirements of the Department Main Roads – <a href="#">Road Traffic Noise Management Code of Practice</a> and the <a href="#">Environmental Protection (Noise) Policy 2008</a>.</p>	<p><b>No mitigation has been provided</b></p>
<p><b>Waste management</b></p>		
<p><b>PO21</b></p> <p>Development:</p> <ul style="list-style-type: none"> <li>a. minimises waste generation (including construction, demolition and operational waste)</li> <li>b. provides adequate facilities on-site for the storage of waste and recyclables.</li> </ul>	<p><b>AO21</b></p> <p>Waste storage and management arrangements are sited, screened and designed in accordance with the <a href="#">Waste Management Planning Scheme Policy</a>.</p>	<p><b>No waste facility has been proposed. There is also concern of stored chemicals both waste and non-waste. Capture and containment of used engine oil has not been addressed, nor the diesel tank, or tyre dump</b></p>
<p><b>For all assessable development</b></p>		
<p><b>Stormwater management</b></p>		
<p><b>PO23</b></p> <p>Stormwater management systems:</p>	<p><b>AO23</b></p> <p>Stormwater management systems are designed and constructed in accordance with</p>	<p><b>The storm runoff volume and quality has been exacerbated by the development, the SBSMP fails to address the</b></p>

Performance outcomes	Acceptable outcomes	
<p>a. implement water sensitive urban design (WSUD) principles that:</p> <ul style="list-style-type: none"> <li>i. protect natural systems and waterways</li> <li>ii. allow for the detention of stormwater instead of rapid conveyance</li> <li>iii. minimise impervious areas</li> <li>iv. utilise stormwater to conserve potable water</li> <li>v. integrate stormwater treatment into the landscape</li> <li>vi. ensure water quality values are protected</li> </ul> <p>b. where privately owned must be maintained (including costs) for the life of the system,</p> <p>c. provide for safe access and maintenance,</p> <p>d. maintain natural drainage lines and adequate filtering and settlement of sediment for the protection of watercourses, coastal wetlands and beaches from point source and non-point source stormwater discharges, and</p> <p>e. are designed to minimise ongoing maintenance costs.</p>	<p>the <a href="#">Engineering Design Planning Scheme Policy</a>.</p> <p>Note—A site stormwater quality management plan (SQMP) is prepared in accordance with <a href="#">Engineering Design Planning Scheme Policy</a> and the <i>State Planning Policy</i> requirement for stormwater quality treatment measures.</p>	<p><b>changed value as it seeks to have the illegal development accepted as existing</b></p>
<p><b>PO24</b></p> <p>Development allows for sufficient site area to accommodate an effective stormwater management system.</p>	<p>No acceptable outcome specified.</p>	<p><b>The SBSWMP is flawed in its origin, it's an wet wipe to wash away the atrocity.</b></p>
<p><b>PO25</b></p> <p>Development provides for the orderly development of stormwater infrastructure within a catchment, having regard to:</p> <ul style="list-style-type: none"> <li>a. existing capacity of stormwater infrastructure and ultimate</li> </ul>	<p>No acceptable outcome specified.</p>	<p><b>There was nothing orderly about this development toward any such measure, it was as hostile takeover, the damage is multi-pronged</b></p>

Performance outcomes	Acceptable outcomes	
<p>catchment conditions</p> <p>b. discharge for existing and future upstream development.</p>		
<p><b>PO26</b></p> <p>Construction activities for the development avoid or minimise adverse impacts on stormwater quality.</p>	<p><b>AO26</b></p> <p>The release of sediment-laden stormwater is avoided for the nominated design storm, and minimised when the nominated design storm is exceeded, by addressing design objectives listed below in Table 9.3.2.3.2—Construction phase, or local equivalent for:</p> <ul style="list-style-type: none"> <li>a. drainage control</li> <li>b. erosion control</li> <li>c. sediment control, and</li> <li>d. water quality outcomes.</li> </ul> <p>Note—An Erosion and Sediment Control Plan (ESCP) is prepared by a suitably qualified person that demonstrates:</p> <ul style="list-style-type: none"> <li>• erosion and sediment control practices (including any proprietary erosion and sediment control products) are designed, installed, constructed, operated, monitored and maintained, and any other erosion and sediment control practices are carried out in accordance with local conditions, or</li> </ul>	<p><b>The construction activities are being done by an unskilled and unlicensed person. There has been no attempt to minimise adverse impacts on stormwater quality</b></p> <p><b>No Drainage control</b></p> <p><b>No erosion Control</b></p> <p><b>No dust control,</b></p> <p><b>This perpetrator seeks to get away with all, and carry on devouring, this must be of concern to them who read this, I can only hope.</b></p>



Performance outcomes	Acceptable outcomes	
	<ul style="list-style-type: none"> <li>• how stormwater quality will be managed in accordance with an acceptable regional or local guideline so that target contaminants are treated to a design objective at least equivalent to this Acceptable outcome.</li> </ul>	
<p><b>PO27</b></p> <p>Reconfiguration of lots includes stormwater management measures in the design of any road reserve, streetscape or drainage networks to:</p> <ol style="list-style-type: none"> <li>minimise impacts on the water cycle</li> <li>protect waterway health by improving stormwater quality and reducing site run-off, and</li> <li>avoid large impervious surfaces.</li> </ol>	<p><b>No acceptable outcome specified.</b></p>	<p><b>The illegal reconfiguration of the lot has been done without compliance and with no eyes on the compliance of mitigation practices</b></p>
<p><b>Wastewater management</b></p>		
<p><b>PO28</b></p> <p>Wastewater discharge maintains ecological processes, riparian vegetation, waterway integrity, and downstream ecosystem health including:</p> <ol style="list-style-type: none"> <li>protecting applicable water quality objectives for the receiving waters</li> </ol>	<p>No acceptable outcome specified.</p>	<p><b>Wastewater management has not been addressed aside from excuses that they will do it later</b></p>

Performance outcomes	Acceptable outcomes	
<p>b. managing soil disturbance or altering natural hydrology in coastal areas</p> <p>c. avoiding or minimising the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of coastal algal blooms, and</p> <p>d. avoiding lowering groundwater levels where potential or actual acid sulfate soils are present in coastal areas.</p> <p>Note—Compliance with part of this performance outcome may be demonstrated by following the management advice in the guideline: <a href="#">Implementing Policies and Plans for Managing Nutrients of Concern for Coastal Algal Blooms in Queensland</a> by the Department of Environment and Heritage Protection.</p>		
<p><b>PO29</b></p> <p>Where involving trade waste or contaminated wastewaters, they are managed so that:</p> <ol style="list-style-type: none"> <li>1. the pH of any wastewater discharged is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium, and metals</li> <li>2. holding times of neutralised wastewaters ensures the flocculation and removal of any dissolved iron prior to release</li> <li>3. visible iron floc is not present in any discharge</li> <li>4. precipitated iron floc is contained and disposed of, and</li> <li>5. wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of</li> </ol>	<p>No acceptable outcome specified.</p>	<p><b>The trade waste has not been addressed by any document or report. The likes of Oils, coolants, fuel spills, and any applicable contaminant contained within the site</b></p>

Performance outcomes	Acceptable outcomes	
through trade waste.		
<b>Road design</b>		
<p><b>PO31</b></p> <p>Roads providing access to the site are provided, constructed and maintained to a standard which is adequate for the traffic type and volume likely to be generated by the activities on site.</p>	<p><b>AO31</b></p> <p>External road works are provided in accordance with the requirements of the <a href="#">Engineering Design Planning Scheme Policy</a>.</p>	<p><b>Corfield Drive is not rated for the class of traffic that Agnes Coast Earthmoving typically utilizes</b></p>
<b>Land use and transport integration</b>		
<p><b>PO32</b></p> <p>Development:</p> <ul style="list-style-type: none"> <li>a. supports a road hierarchy which facilitates efficient movement of all transport modes including public transport, and</li> <li>b. appropriately integrates and connects with surrounding movement networks.</li> </ul> <p>Note—Where roads are required for buses refer to the design and construction requirements in the IDAS code in the <a href="#">Transport Planning and Coordination Regulation 2005</a>, schedule, part 2.</p>	<p>No acceptable outcome specified.</p>	<p><b>There is a significant issue with the site entrance on Corfield Drive as the School Buses depart and return to the Bus depot on that street</b></p>
<p><b>PO35</b></p>	<p>No acceptable outcome specified.</p>	<p><b>Is detrimental to transport infrastructure, both the road</b></p>

Performance outcomes	Acceptable outcomes	
Development is located and designed to maintain the operational and structural efficiency of public utility infrastructure.		<b>network and the School Bus operations</b>
<b>Acoustic and air quality</b>		
<p><b>PO37</b></p> <p>Utility services and service structures attached to buildings, do not adversely impact on the acoustic or visual amenity of the surrounding area and are:</p> <ul style="list-style-type: none"> <li>a. located as far from sensitive land uses, road frontage boundaries and public open spaces as practical, and</li> <li>b. acoustically shielded and visually screened so as not to be audible or visible from adjoining and nearby sites, public open spaces and roads.</li> </ul>	No acceptable outcome specified.	<b>The whole site adversely affects the surrounding area with acoustic pollution and air quality issues</b>
<b>Weed control</b>		
<p><b>PO38</b></p> <p>Weed control practices and plant and equipment cleaning and inspection protocols are:</p> <ul style="list-style-type: none"> <li>a. implemented to avoid the introduction and spread of weeds along transport routes and delivery points</li> <li>b. undertaken to control existing declared weeds and pest animals prior to the commencement of and during works.</li> </ul>	No acceptable outcome specified.	<b>No weed control has been adopted either onsite or with transient stockpiles</b>

Performance outcomes	Acceptable outcomes	
<p>Note—Refer also to the <i>Queensland Guideline for Limiting Weed Seed Spread</i> (DNR 2000).</p>		
<p><b>If a non-tidal artificial waterway</b></p>		
<p><b>PO39</b></p> <p>Development protects water environmental values in existing natural waterways by ensuring:</p> <ul style="list-style-type: none"> <li>a. environmental values in downstream waterways are protected</li> <li>b. any groundwater recharge areas are not affected</li> <li>c. the location of the non-tidal artificial waterway incorporates low lying areas of a catchment connected to an existing waterway, and</li> <li>d. existing areas of ponded water are included.</li> </ul>	<p>No acceptable outcome specified.</p>	

**Table 9.3.2.3.2—Construction phase: stormwater management design objectives**

Issue		Design objectives
<p>Drainage control</p>	<p>Temporary drainage works</p>	<ul style="list-style-type: none"> <li>a. Design life and design storm for temporary drainage works:                             <ul style="list-style-type: none"> <li>i. disturbed area open for &lt; 12 months—1 in 2-year ARI event</li> <li>ii. disturbed area open for 12–24</li> </ul> </li> </ul>

Issue		Design objectives
		<p>months—1 in 5-year ARI event</p> <p>iii. disturbed area open for &gt; 24 months—1 in 10-year ARI event</p> <p>b. design capacity excludes minimum 150 mm freeboard</p> <p>c. temporary culvert crossing—minimum 1 in 1-year ARI hydraulic capacity.</p>
Erosion control	Erosion control measures	<p>a. Minimise exposure of disturbed soils at any time</p> <p>b. divert water run-off from undisturbed areas around disturbed areas</p> <p>c. determine the erosion risk rating using local rainfall erosivity, rainfall depth, soil-loss rate or other acceptable methods</p> <p>d. implement erosion control methods corresponding to identified erosion risk rating.</p>
Sediment control	<p>Sediment control measures</p> <p>Design storm for sediment control basins</p> <p>Sediment basin dewatering</p>	<p>a. Determine appropriate sediment control measures using:</p> <ul style="list-style-type: none"> <li>i. potential soil loss rate, or</li> <li>ii. monthly erosivity, or</li> <li>iii. average monthly rainfall</li> </ul> <p>b. collect and drain stormwater from disturbed soils to sediment basin for design storm event:</p> <ul style="list-style-type: none"> <li>i. design storm for sediment basin sizing is 80th% five-day event or similar</li> </ul>

Issue		Design objectives
		<ul style="list-style-type: none"> <li>c. site discharge during sediment basin dewatering:                             <ul style="list-style-type: none"> <li>i. TSS &lt; 50 mg/L TSS, and</li> <li>ii. Turbidity not &gt;10% receiving waters turbidity, and</li> <li>iii. pH 6.5–8.5.</li> </ul> </li> </ul>
Water quality	Litter and other waste, hydrocarbons and other contaminants	<ul style="list-style-type: none"> <li>1. avoid wind-blown litter; remove gross pollutants</li> <li>2. ensure there is no visible oil or grease sheen on released waters</li> <li>3. dispose of waste containing contaminants at authorised facilities</li> </ul>
Waterway stability and flood flow management	Changes to the natural waterway hydraulics and hydrology	For peak flow for the 1-year and 100-year ARI event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

**From:** "Info (Mailbox)" <info@gladstone.qld.gov.au>  
**Sent:** Thu, 7 Mar 2024 14:14:17 +1000  
**To:** "chameleongreen72@hotmail.com" <chameleongreen72@hotmail.com>  
**Subject:** Att The Assessment Manager - Submission for DA/42/2023

Thank you for contacting Gladstone Regional Council.

This response is to let you know we have received your email and that it has been tasked to the relevant business unit for action.

If your enquiry is urgent you can call (07) 4970 0700 at any time.



**Shelley Edwards**

Records Management Officer  
Finance Governance and Risk

PO Box 29 Gladstone Qld 4680

P (07) 4970 0700 | W [www.gladstone.qld.gov.au](http://www.gladstone.qld.gov.au)



Gladstone Regional Council would like to acknowledge the traditional custodians of this land, the Bailai, the Gurang, the Gooreng Gooreng and the Taribelang Bunda people. We pay respect to their Elders past, present and emerging. Gladstone Regional Council is committed to cultivating a culture of inclusion and connectedness, acknowledging that our communities are richer when diversity is embraced.

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**From:** Jolita Burneikis <chameleongreen72@hotmail.com>  
**Sent:** Thursday, 7 March 2024 2:11 PM  
**To:** Info (Mailbox) <info@gladstone.qld.gov.au>  
**Subject:** Att The Assessment Manager - Submission for DA/42/2023

**CAUTION:** This email originated from outside of Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[The Assessment Manager 7th March 2024.docx](#)

Please find attached my submission against DA/42/2023.



Thank you

Jolita Burneikis

0488949151

42 Corfield Drive, Agnes Water

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Report compiled by Jolita Burneikis. 42 Corfield Drive, Agnes Water

7<sup>th</sup> March 2024

**To: The Assessment Manager, Gladstone Regional Council**

**Re:**

**DA/42/2023. Property Location 2654 Round Hill Road, Lot 5 RP 612151**

**2654 Round Hill Road, Agnes Water**

**Subject: Not in favour of Development Application for Agnes Coast Earthmoving on Corfield Drive for multiple reasons.**

I am writing this submission in regard to DA/42/2023 by Agnes Coast Earthmoving (ACE).

As I am part owner of the property at the end of Corfield Drive at 42 Corfield Drive, I am well placed to comment on activities at the site of the proposed development by ACE.



Image drawn using GRC Geocortex Mapping System above shows the proposed site and the zoning that surrounds it.

R=Rural      RR=Residential Rural      L.I.I.= Low Impact Industry

The other small divided properties on Corfield Drive are Low Impact Industry. Here you can see the disparity in size of the development with others on Corfield Drive other than Southern Cross Accomodation.

The site was used as a landscape and earthmoving business by Cameron (the owner of the business Agnes Coast Earthmoving and the applicant for the development, not the property owner) in approximately 2021. He informed my business partner that he was allowed to store some of his equipment on the land in exchange for carrying out some fire hazard management for the land owner. He cleared dense bushland to accommodate his business and built a dam without approval.

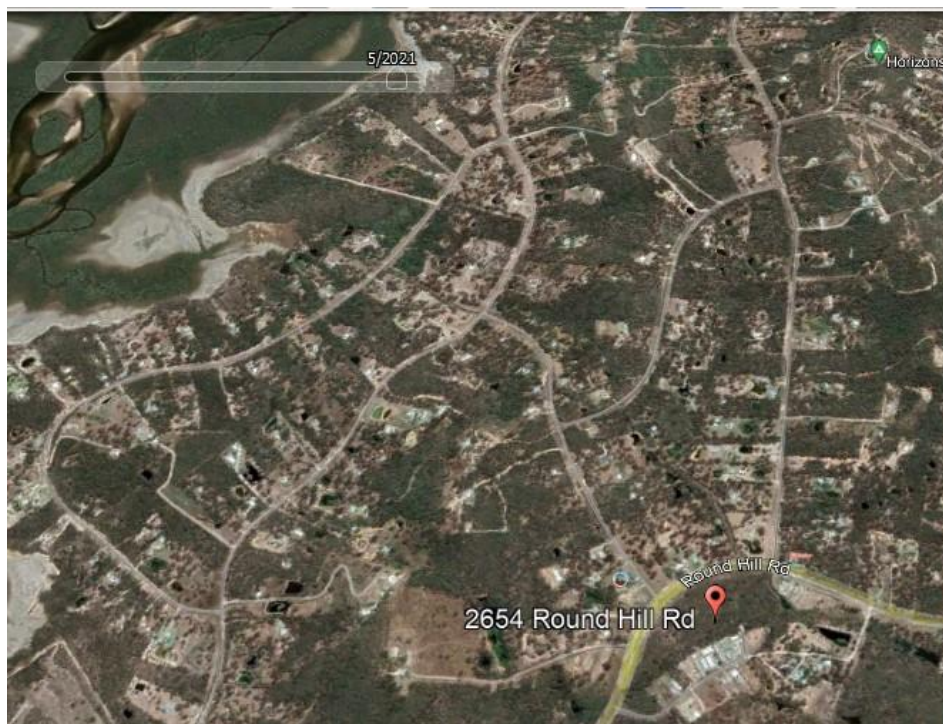


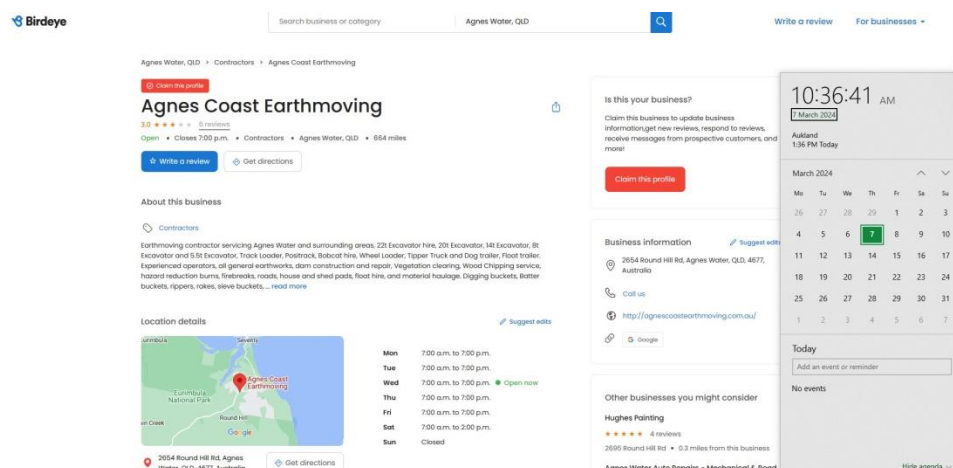
Image: Google Pro Earth, historical data, May 2021. Site visible lower right hand corner.

The image above clearly shows the client was not operating prior to this time

Over the years, Cameron has continued to expand the property and business operations without any concern for other businesses or consultation of his end business plans. It was only after complaints had been made to Gladstone Regional Council (GRC) that Cameron then applied for a development application as evidenced in the attachments associated with the development.

The description given by Zone Planning Group on 7<sup>th</sup> August 2023 (attachments to DA) states “for bulk landscape supplies” and states an application fee with impact of **250m2**.

This clearly does not describe the full intention of use of the site as can be seen be the following image from advertising on Birdeye:



Here is an enlarged description of activities as posted on Birdeye taken from the image above. As you can see it is current 7<sup>th</sup> March 2024.

Earthmoving contractor servicing Agnes Water and surrounding areas, 22t Excavator hire, 20t Excavator, 14t Excavator, 8t Excavator and 5.5t Excavator, Track Loader, Positrack, Bobcat hire, Wheel Loader, Tipper Truck and Dog trailer, Float trailer. Experienced operators, all general earthworks, dam construction and repair, Vegetation clearing, Wood Chipping service, hazard reduction burns, firebreaks, roads, house and shed pads, float hire, and material haulage. Digging buckets, Batter buckets, rippers, rakes, sieve buckets, rock breaker, Augers.

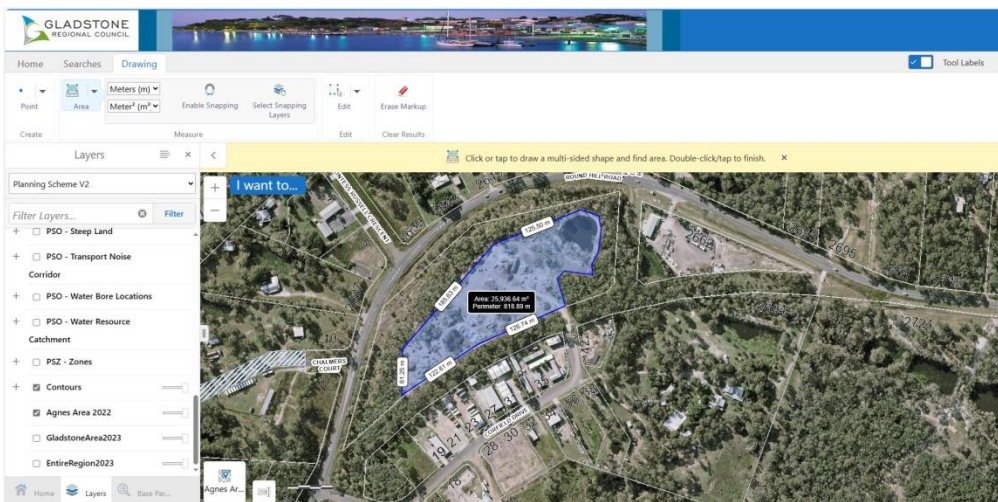
Suppliers of landscaping products and raw materials, quarry products, sands, topsoil, garden blends, compost, manures, aggregates, concrete blend, river rocks, suppliers of sandstone products [read less](#)

The description given by Zone Planning Group on 7<sup>th</sup> August 2023 (attachments to DA) states “for bulk landscape supplies” and states an application fee with impact of **250m<sup>2</sup>**.

Clearly someone is not telling the truth. The advertising clearly defines an earthmoving service with various large equipment, material haulage and quarry products. This far exceeds the description of “landscaping supplies” and far exceeds the impact area.

The area for use must have missed some numbers! The report on 7<sup>th</sup> August by Zone Planning that states “Application fee – Bulk Landscape Supplies (Impact – up to 250m<sup>2</sup>): \$6,460” is interesting.

Here is the true area:



Above image is taken using Gladstone Regional Council Geocortex Mapping system and marked up to show the true area.

The above image in greater detail:



That is approximately 104 times the size of the original said impact. Almost 26000 square meters compared to 250 square meters.

It must be to fit this criteria of Assessment benchmarks AO1:

### 6.2.12.3 Assessment benchmarks

Table 6.2.12.3.1—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Uses – Agricultural supplies store, Garden centre and Hardware and trade supplies	
<p><b>PO1</b></p> <p>Development:</p> <ul style="list-style-type: none"> <li>a. does not impact on the viability of the region's centres</li> <li>b. does not compromise the low impact industry character of the locality, and</li> <li>c. does not include large format, land consumptive commercial uses.</li> </ul>	<p><b>AO1</b></p> <p>GFA does not exceed 250m<sup>2</sup> for any Agricultural supplies store, Garden centre and Hardware and trade supplies.</p>

The Stormwater Management plan in the attachments by Zone Planning does not take into consideration the difference in flow prior and post clearing and needs to be resubmitted. The flow is directed to the dam. Sediment and weed seeds will be spread into the wetland system shown below:



Image above using Geogortex Mapping system, GRC

Another Image:

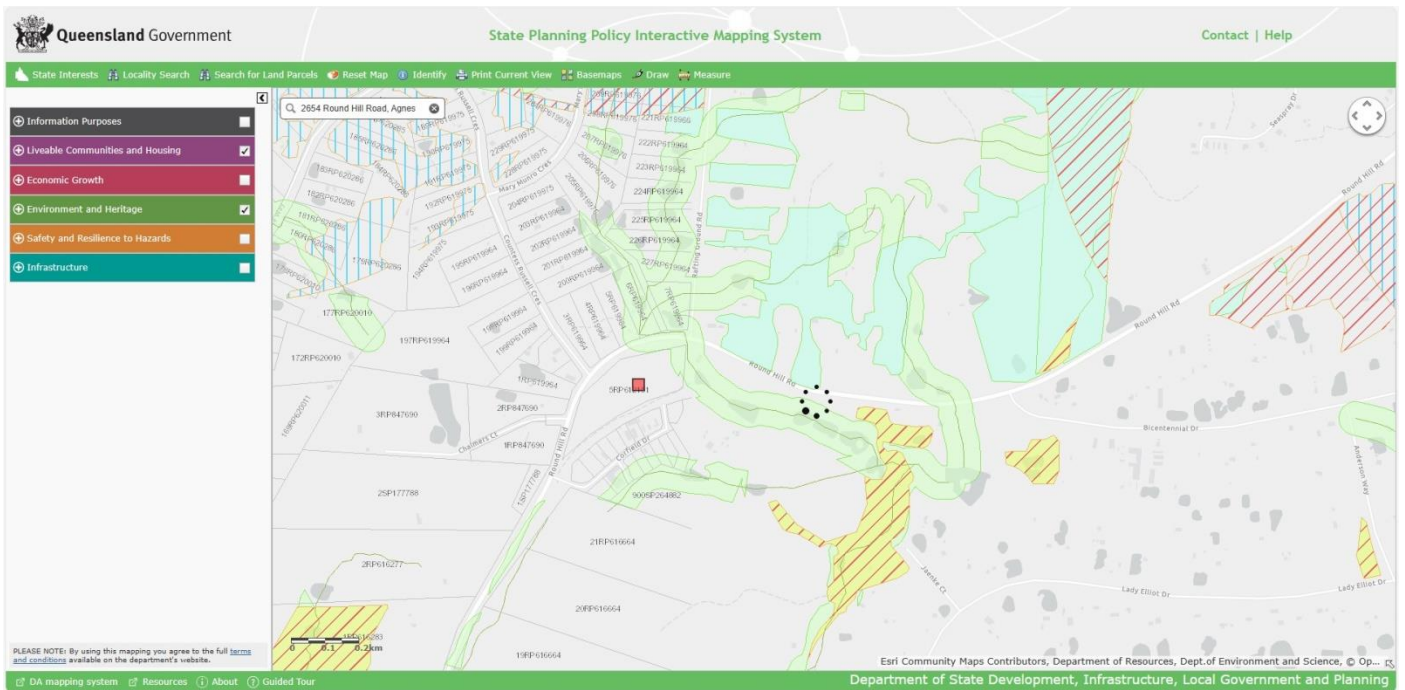


Image above from State Planning Policy Interactive Mapping System, Queensland Government

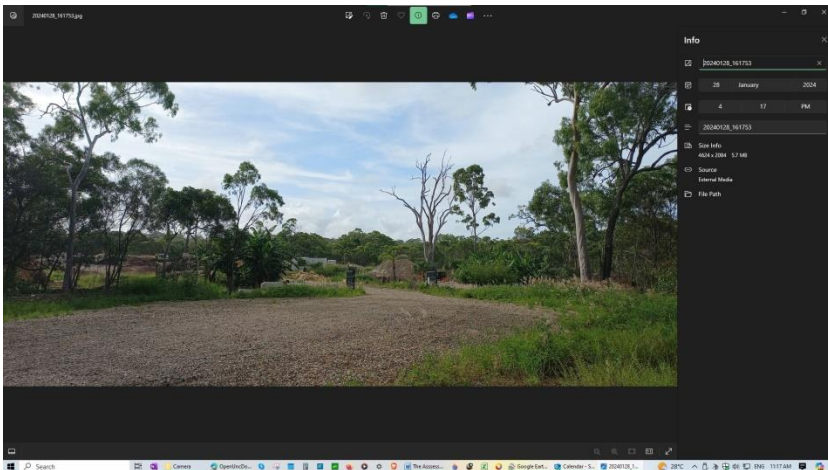
The last image shows the extensive wetland system downstream of the site which would be impacted by the development. That's a lot of properties downstream likely to get sediment and weed seed. Environmental factors have not been taken into consideration.

On 22 February, I took a snapshot of activity at the site regarding traffic movement. Between 8.20am and 2.50pm, there were around 50 movements in and out of the premises (video evidence available on request as it is too much to upload).

According to advertising by Agnes Coast Earthmoving easily found on an internet search, the opening times are 7am to 7pm Monday – Friday and Saturday 7am to 2pm.

Extrapolating from this snapshot, there would be somewhere around 92 movements per day on week days. **I must emphasise that it was a quiet day with reduced truck activity** when videos were taken.

Additionally – the gates to ACE are often open when I visit Corfield Drive on a Sunday.



Zoom in and you will see this is Sunday 28<sup>th</sup> January after 4pm.

Other days have seen far more frequent movements. Comparing this to other businesses on Corfield Drive, this is excessive for a low impact industry zone particularly with so much Rural Residential surrounding the area.

Other businesses in the area generally leave the premises early in the day and return in the afternoon with some other movement in between. It is of importance to note that when vehicles return, they are often parked part-way onto the curb presumably to avoid the excessive movement of vehicles from ACE and avoid damage to their vehicles. The movement of vehicles from ACE disturbs the general amenity of Corfield Drive.



There are, and also will be in future, persons on site in businesses throughout the day on Corfield Drive. Not all businesses are occupied or in full use yet.

ACE shows no concern for environmental factors or safety to public. I will further elaborate.

The vehicles travelling in and out of the property are often travelling at speed that is not safe to other road users or public. I have video evidence available on request.

The frequency of travel is incongruous with the rest of the businesses in the street and because they have to travel the length of the street to and from the ACE site, there is a **very real danger** now and into the future as Corfield reaches full occupancy, that there will be a **serious accident** due to weight and dimension and frequency of travel of



vehicles.

Extrapolating further, the frequency of vehicles indicates there is over 500 movements per week calculating in 7am to 7pm weekdays and 7am to 2pm Saturdays. On a general day, a large portion of these are trucks. There was limited travel the day I took video.

Please consider how this will impact the intersection pavement of Corfield Drive and Round Hill Road. There is already considerable wear and tear on the road at the points where gear changing occurs. Now and into the future, the road will need repair more frequently than other sections of road.



View of pavement at exit of Corfield Drive on the outgoing side to Agnes Water where trucks would gear up. It is similar on the other side where gearing down is carried out.

I have added the description of Low Impact Industry for the purposes of the public many of whom will not be familiar with the details.

### Here is the description from GRC on Low Impact Industry 6.2.12.2 Purpose

1. The purpose of the Low impact industry zone code is to provide for service and low impact industry uses that generally service local needs. Development may include non-industrial and business uses that support industrial activities where they do not compromise the long-term use of the land for industrial purposes. Development does not detract from the function and viability of the region's centres. Development facilitates the safe, efficient and attractive use of land for smaller scale industrial activities that generate low impacts. Land use activities must ensure they minimise impacts on surrounding land having regard to noise, vibration, odour, dust, light or other emissions. Adverse impacts on the health, safety or amenity of nearby residential zoned land or other sensitive land uses are minimised.
2. The purpose of the zone will be achieved through the following overall outcomes:
  - a. The zone primarily accommodates a range of generally smaller scale industrial uses which have low levels of potential impacts on surrounding areas.
  - b. The zone also accommodates limited activities of wholesale, trade supplies and indoor sport and recreation uses which are difficult to locate in other areas, where these have low levels of potential impacts on surrounding areas.
  - c. Other non-industrial uses that are ancillary to, and directly support, the industrial area are facilitated.
  - d. The zone does not accommodate uses which are primarily oriented to retail sales and which are more appropriately located in centres, such as shops, shopping centres and large format retail showrooms. Some showroom uses are well established in the Hanson Road precinct and may continue in this precinct but must not undermine the viability of specialised centre zone areas.
  - e. Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land.



- f. Development maximises the use of existing transport infrastructure and has access to the appropriate level of transport infrastructure (railways, freight routes and motorways) and facilities such as airports and seaports.
- g. Development is supported by transport infrastructure that is designed to provide and promote safe and efficient public transport use, walking and cycling.
- h. Development is designed to incorporate sustainable practices including maximising energy efficiency and water conservation.
- i. The scale, character and built form of development contributes to a high standard of amenity and makes a positive contribution to the public domain and streetscape particularly along major roads.
- j. The viability of both existing and future low impact industry uses are protected from the intrusion of incompatible uses.
- k. Development responds to land constraints, including but not limited to topography, bushfire and flooding.
- l. Adverse impacts on natural features and processes, both on-site and from adjoining areas, are minimised through location, design, operation and management of development.
- m. Development avoids significant adverse effects on water quality and the natural environment.
- n. Industrial uses are adequately separated from sensitive land uses to minimise the likelihood of environmental harm or environmental nuisance occurring.

Round Hill Road is the main thoroughfare into and out of Agnes Water. This will cause major delays. It is likely that 99% of traffic entering and exiting Agnes Water uses this road. Having heavy vehicles compromising this stretch of road is detrimental to the **current and future** use of Agnes Water by residents and visitors. The only detour is Rocky Crossing Road via back roads. **Agnes Water is growing** so this will become even more apparent.

In addition, the travel of vehicles from ACE changes the potential use of sites on Corfield Drive and makes them less attractive to the uses usually associated with Low Impact Industry in the Our Place Our Plan Planning Scheme Version 2 by GRC for example an Education Establishment as listed in 5.5.11 Low impact industry zone in the planning scheme.

There is constant noise pollution due to gearing up and down of trucks in front of my premises as well as at the intersection of Corfield Drive and Round Hill Road with travel in both directions. I can hear the trucks coming from Round Hill Road when I am located on my premises at the end of Corfield Drive. This will be impacting residents on Rural Residential properties and Rural properties located nearby.

There has been stench from chicken manure.

Recently, there has been an influx of trade vehicles from various businesses entering the premises with tree material, which is now on site presumably to be mulched by ACE - further noise pollution. This noise travels easily across Round Hill Road and on Corfield Drive.



The Vermeer chipper ready for use today 7<sup>th</sup> March 2024. Zoom in and note the seed heads of noxious Giant Rats Tail Grass in front of the chipper ready to be spread to lots of properties



The mulch pile ready to be processed seen behind the plethora of weeds that are carried in and out of site and carried in materials on site and downstream into wetland areas



Above image – trade vehicle using the site 7<sup>th</sup> March 2024

Vehicles using the site often have uncovered loads posing danger to road users.

There is noise from the loading and unloading of large rocks on site including boulder size.



Boulders centre of image

To date for some very strange reason, ACE has still not been required by GRC to undertake either an acoustic report or air quality report despite these being an initial requirement (and requested initially by GRC) in the development process associated with impact assessment. I cannot understand how such critical aspects of an impact assessment can be omitted with such a business. Zone Planning state that this will be carried out when development takes place suggesting that ACE has already been given the green light by GRC to go ahead.

The amount of dust that is generated by vehicle movement on site has serious potential health risks particularly for silicosis (deadly lung disease).

Clouds of dust are generated with **every movement on site** as well as by the movement of rock material and mulch. The health of workers on site, public using the site, and persons using premises on Corfield during the day are all at a potential risk.



Above image showing typical dust cloud taken from still on video of truck entry

The site contains a dead tree in the middle unsafe for public and persons on site.



The entrance to the property where there is a turn-around made by ACE is covered in weeds which are being transferred back and forth everywhere the vehicles travel all over Agnes Water and surrounds.

There is Giant Rat's Tail Grass (GRT) which has fully seeded in front of a mulch pile. ACE is responsible for the spread of this noxious weed in their materials. The seed will be transferred on loads of material as well as on vehicle tyres, footwear and clothing. Cameron is aware of this grass being a weed as is evident from a conversation he had with my business partner in 2021 where he commented on scraping the soil surface to remove GRT. GRT is very difficult to eradicate due to seed being viable for 10 years.

ACE also remove material from properties and remix soils to sell without any assessment of the soil for contaminants or acid sulphate testing which is critical for building structure.

There is no safety for public access nor amenities for public. It is difficult to understand how Gladstone Regional Council has allowed this business to continue access to public with no development application in place. Any other business that goes through the extremely lengthy and convoluted process through council is not allowed to start operating a business till all the boxes have been ticked.



One of the development application notification signs tucked away nicely in the long grass and not visible (shown above). I only found it today when I was taking photos.

ACE is very visible from Round Hill Road on both entry and exit of Agnes Water. Agnes Water is a beautiful coastal town with natural beauty. It is unsightly to see shipping containers, heavy machinery, large trucks, tanks, stock piles and more as one is driving past. Currently it is quite green and therefore denser than it is when dry, but still clearly visible on passing. This is not congruent with the improvement of streetscape to beautiful Agnes Water.



Whoever buys this property will have a prime view of the site when the vegetation is less dense in the dry season. 2639 Round Hill Road. For Sale. Also, they will put up with trucks moving on site and hear lots of noise.

The fire report notes that there is a medium fire risk due to the proximity to the bush without consideration of materials on site.

Fire could spread very rapidly on site due to the close proximity of mulch piles to bushland. Mulch piles are able to self-combust. This places a real fire risk to spread rapidly. The volume of mulch is not suited to this site. The site should be larger to accommodate the amount of mulch being stored with the need for a much larger clear perimeter. Stating that the fire department is 20 minutes away is irrelevant as they are often away in fire season fighting fires! The closest unit may be 1 hour or more away. In heightened fire season, the response to any fire or road accident close to bushland is multi-vehicle (I was in my local rural fire brigade for over 10 years) and it is quite possible that no units would be in town. Mulch piles are extremely difficult to extinguish. There are multiple large piles regularly on site next to bush.

The site regularly has a fuel tanker delivering to it. This is without any infrastructure in place for flammable and hazardous materials. Again, I emphasize the inherent fire risk.

**In summary: due to the large and intrusive nature of this business, it is not suitable to be operated in a Low Impact Industry area:**

- There is potential to cause serious damage or injury to road users and property
- It poses a serious fire hazard due to flammable materials on site that are difficult to extinguish
- The noise generated from the movement of trucks gearing up and down and other activities on site is excessive and does not fit in with the surrounding use of other Low Impact Industry businesses, Rural and Rural Residential properties on Round Hill Road and surrounding areas of Corfield Drive
- Dust on site which to date has not been addressed poses a public and workplace health risk
- The road intersection will be impacted heavily by movement and cause problems to road traffic in and out of Agnes Water now and into the future
- Weed movement into wetland areas will be difficult to eradicate

Rocky Crossing Road is a suitable area for this business to be located. There are already other medium and heavy industries located in and around Rocky Crossing Road.

There are many other photos and videos available with further proof of activity associated with this development included large scale truck operations, speed of vehicles, trade and other public vehicles using site, uncovered loads, etc.

Thank you for your consideration.

Yours Sincerely



Jolita Burneikis

**From:** "Info (Mailbox)" <info@gladstone.qld.gov.au>  
**Sent:** Fri, 8 Mar 2024 08:14:57 +1000  
**To:** "a1diggit@gmail.com" <a1diggit@gmail.com>  
**Subject:** Development Application submission

Thank you for contacting Gladstone Regional Council.

This response is to let you know we have received your email and that it has been tasked to the relevant business unit for action.

If your enquiry is urgent you can call (07) 4970 0700 at any time.



**Shelley Edwards**

Records Management Officer  
Finance Governance and Risk

PO Box 29 Gladstone Qld 4680

P (07) 4970 0700 | W [www.gladstone.qld.gov.au](http://www.gladstone.qld.gov.au)



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**From:** adam gasparovic <a1diggit@gmail.com>  
**Sent:** Thursday, 7 March 2024 6:50 PM  
**To:** Info (Mailbox) <info@gladstone.qld.gov.au>  
**Subject:** Development Application submission

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Assessment manager

I am writing in regards to da/42/2023 about a landscaping business I adam gasparovic find this business is a great opportunity for agnes water and its community as its local and helps out in the community I

don't believe there is issues with noise or dust it employs locals agnes water would greatly benefit from this business

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**From:** "Info (Mailbox)" <info@gladstone.qld.gov.au>  
**Sent:** Thu, 7 Mar 2024 16:23:10 +1000  
**To:** "ladybug24.cd@gmail.com" <ladybug24.cd@gmail.com>  
**Subject:** 2654 Round Hill Rd - DA/42/2023

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**Shelley Edwards**

Records Management Officer  
Finance Governance and Risk

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---

**From:** Christine Davis <ladybug24.cd@gmail.com>  
**Sent:** Thursday, 7 March 2024 4:22 PM  
**To:** Info (Mailbox) <info@gladstone.qld.gov.au>  
**Subject:** Fwd: 2654 Round Hill Rd - DA/42/2023

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----- Forwarded message -----

**From:** Christine Davis <ladybug24.cd@gmail.com>  
**Date:** Thu, 7 Mar 2024, 3:59 pm



Subject: 2654 Round Hill Rd - DA/42/2023

To: <[info@gladstone.qld.au](mailto:info@gladstone.qld.au)>

Submission made by  
Christine Lea Davis  
188 Rafting Ground Road  
Agnes Water  
QLD 4677

The bulk landscape supplies at 2654 is an amazing business to have in such a small town. Especially with a lot of people owning acreage properties and requiring bulk deliveries.

The service they supply is reasonably priced and all staff seem friendly and eager to help.

It can be very difficult to get assistance to fix driveways, dig dams and do light clearing and tidying of large blocks. Sometimes there is a very long wait and the price is ridiculous. Agnes Coast Earthmoving has been amazing and has helped out many locals.

They also supply materials for so many other machine operators and there would be a lot of small businesses that would suffer if this business was to close.

Where the business is situated is very industrial and also quite convenient for locals. Whenever I have visited the yard it always has been neat and tidy and their range of products is amazing.

We are very lucky to have such a business in Agnes Water.

Regards

Christine Davis.

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**From:** "Info (Mailbox)" <info@gladstone.qld.gov.au>  
**Sent:** Wed, 6 Mar 2024 08:50:39 +1000  
**To:** "jillcox2508@gmail.com" <jillcox2508@gmail.com>  
**Subject:** Development services DA/42/2023 2nd email

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This response is to let you know we have received your email and that it has been tasked to the relevant business unit for action.

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**Shelley Edwards**

Records Management Officer  
Finance Governance and Risk

PO Box 29 Gladstone Qld 4680

P (07) 4970 0700 | W [www.gladstone.qld.gov.au](http://www.gladstone.qld.gov.au)

A promotional poster for the 2024 Combined Schools Musical 'Disney THE LITTLE MERMAID'. The poster features a mermaid sitting on a rock against a large yellow sun. Text includes: 'CONNECT. INNOVATE. DIVERSIFY.', '2024 Combined Schools Musical 6 - 17 MARCH 2024', 'Music by ALAN MENKEN, Lyrics by HOWARD ASHMAN &amp; GLENN SLATER, Book by DOUG WRIGHT', 'Based on Hans Christian Andersen story and the Disney film produced by Howard Ashman &amp; John Musker and written &amp; directed by John Musker and Ron Clements', 'Originally Produced by Disney Theatrical Productions', 'Licensed exclusively by Music Theatre International (Australasia)', 'BOOK NOW 4972 2822', and 'WWW.GLADSTONEENTERTAINMENT.COM'. Logos for GECQ and Gladstone Regional Council are also present.

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-----Original Message-----

**From:** jillian cox <jillcox2508@gmail.com>  
**Sent:** Tuesday, 5 March 2024 5:07 PM  
**To:** Info (Mailbox) <info@gladstone.qld.gov.au>  
**Cc:** David cox <davidcox0612@gmail.com>  
**Subject:** Development services DA/42/2023 2nd email

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attention development services

Please note this email includes our address and phone number . Ist email sent our address was omitted.

In regards to Application number DA/42/2023 This property has put in an application for Bulk Landscape Supplies. Before we submit an objection application we need clarification( or is this email sufficient?) On the proposed changes to the business. Last year we and other surrounding properties made a formal complaint regarding the business operating a quarry in particular the crushing of large rocks.

The business subsequently stopped the quarry however this new application is causing concern. We are not objecting to the operation of land scape supplies just the crushing of rocks ect.

As the submission must be made by the 7th of March it would be much appreciated if further details regarding future possible work could be made available before then.

Yours sincerely

Jill and David Cox  
18 Rafting Ground Road  
AGNES WATER Qld 4677  
0416102691

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**From:** "Info (Mailbox)" <info@gladstone.qld.gov.au>  
**Sent:** Wed, 6 Mar 2024 08:51:52 +1000  
**To:** "hakowski@bigpond.com" <hakowski@bigpond.com>  
**Subject:** Submission DA/42/2023 2654 Round Hill Road Agnes Water

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This response is to let you know we have received your email and that it has been tasked to the relevant business unit for action.

If your enquiry is urgent you can call (07) 4970 0700 at any time.



**Shelley Edwards**

Records Management Officer  
Finance Governance and Risk

PO Box 29 Gladstone Qld 4680

P (07) 4970 0700 | W [www.gladstone.qld.gov.au](http://www.gladstone.qld.gov.au)



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**From:** hakowski@bigpond.com <hakowski@bigpond.com>  
**Sent:** Tuesday, 5 March 2024 8:07 PM  
**To:** Info (Mailbox) <info@gladstone.qld.gov.au>  
**Subject:** Submission DA/42/2023 2654 Round Hill Road Agnes Water

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To the Gladstone Regional Council,

RE :- DA/42/2023 2654 Round Hill Road Agnes Water

Ozscapes Landscaping is a regular customer of Agnes Coast Earthmoving at 2654 Round Hill Road Agnes Water.

- Agnes Coast Earthmoving is an exceptional supplier of bulk landscaping supplies for the Agnes Water area and positioned perfectly at the end of Corfield Drive, which appears with other industrial Agnes Water businesses. The site of Corfield Drive is an industrial estate with other businesses creating noise and dust, so the site is perfect for a bulk landscaping business. Agnes Cost Earthmoving is close to town and promotes competition for the Agnes Water area.
- The supply of bulk landscaping is limited in the Agnes Water area. As an Agnes Water landscaper the affordability and ease to obtaining bulk landscaping supplies is fundamental to my business. The savings are passed onto my clients. Lack of competition in the supply of bulk landscaping, drives up prices in Agnes Water. Therefore the Gladstone Regional Council should not shut down Agnes Coast Earthmoving.

regards,

Ozscapes Landscaping  
Stuart Hakowski  
24 Fitzroy Cres  
Agnes Water Qld 4677  
0409 748 293

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**From:** "Info (Mailbox)" <info@gladstone.qld.gov.au>  
**Sent:** Wed, 6 Mar 2024 09:01:54 +1000  
**To:** "Rodney.Kelly@cpl.org.au" <Rodney.Kelly@cpl.org.au>  
**Subject:** DA/42/2023

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If your enquiry is urgent you can call (07) 4970 0700 at any time.



**Shelley Edwards**

Records Management Officer  
Finance Governance and Risk

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**From:** Rodney Kelly <Rodney.Kelly@cpl.org.au>  
**Sent:** Wednesday, 6 March 2024 8:28 AM  
**To:** Info (Mailbox) <info@gladstone.qld.gov.au>  
**Subject:** DA/42/2023

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To whom it may concern,

I am writing this in regards to the application number above.

The application refers to the operation of a bulk landscape supply.

I need to outline that my objection is not to the sale of landscape supplies however my objection is to the production of landscape supplies. Previous to this objection the supplier operated large noisy equipment to crush rocks. The business has since stopped operating this equipment as he was operating outside his current council schedule. This piece of equipment is extremely noisy and the sound permeates across the residential area. This noise is not acceptable in such a region.

My phone number is 0402971682

Thanks  
Rod

## Rodney Kelly

Mylestones Support Worker  
CPL - Choice, Passion, Life

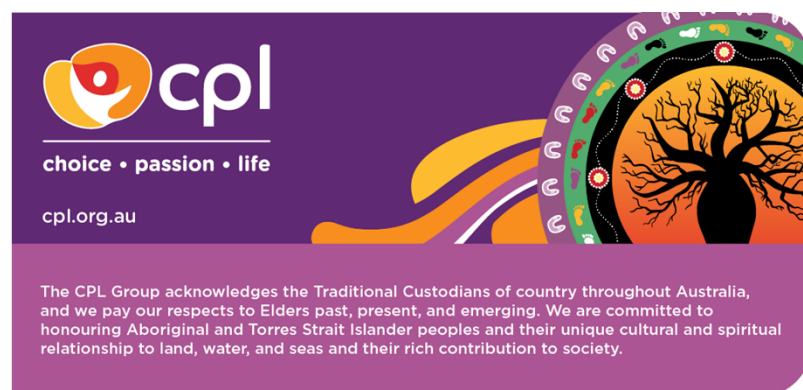
4 Adams Street  
Bundaberg West  
[www.cpl.org.au](http://www.cpl.org.au)

QLD 4670

P [07 4304 8200](tel:0743048200)

M [0402 971 682](tel:0402971682)

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**From:** "Planning (Mailbox)"  
**Subject:** FW: Public Submission for Application reference: DA/4212023

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**From:** Matt Armstrong <LushScapesCoAgnesWater@outlook.com>  
**Sent:** Monday, 4 March 2024 3:14 PM  
**To:** Planning (Mailbox) <planning@gladstone.qld.gov.au>  
**Subject:** Re: Public Submission for Application reference: DA/4212023

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Gladstone Regional Council  
P.O. Box 29, Gladstone, QLD, 4680

To Whom It May Concern,

My name is Matthew Armstrong and I own and operate a Landscaping business- Lushscapes Landscaping- in Agnes Water, QLD.

I want to make the following statement in regards to Application reference: DA/4212023, Approval sought: Development Permit for Material Change of Use for a Bulk Landscape Supplies.

My rapidly growing business solely relies on the materials being offered by Agnes Coast Earth Moving.

The location down the end of an industrial road, just outside of town, allows me to quickly and efficiently pick up materials for projects saving my business time and money and also the many locals who use my services money by keeping transport costs down.

I feel if Agnes Water Earth Moving are forced to move their location it will have detrimental effects to my business and also the clients who rely on my business. The time I spend collecting materials is passed onto clients, so to have a rise in cost due to having to travel farther will already stretch people's limited budget and will lead to less work for my business due to the high costs in time spent collecting materials. All of this has a negative knock on effect on the town as a whole due to increases in service costs.



I and many locals support and are supported by the Agnes Coast Earth Moving landscape material yard and don't want to see its location moved.

I appreciate your time

Matt Armstrong  
Lushscapes Landscaping  
153 Murphy Rd  
Captain Creek, QLD, 4677

Get [Outlook for iOS](#)

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**From:** Planning (Mailbox) <[planning@gladstone.qld.gov.au](mailto:planning@gladstone.qld.gov.au)>  
**Sent:** Monday, March 4, 2024 11:10:54 AM  
**To:** [LushScapesCoAgnesWater@outlook.com](mailto:LushScapesCoAgnesWater@outlook.com) <[LushScapesCoAgnesWater@outlook.com](mailto:LushScapesCoAgnesWater@outlook.com)>  
**Subject:** RE: Public Submission for Application reference: DA/4212023

Hi Matt

Thank you for your submission, can you just forward the email again with your full postal address at the bottom so it will be considered properly made.

Kind regards,



**Jodie Clow**  
Development Technical Officer  
Customer Experience

PO Box 29 Gladstone Qld 4680  
P (07) 4976 6952 | W [www.gladstone.qld.gov.au](http://www.gladstone.qld.gov.au)

A promotional poster for the 2024 Combined Schools Musical 'Disney THE LITTLE MERMAID'. The poster features a mermaid sitting on a rock against a large yellow sun. Text includes: 'CONNECT. INNOVATE. DIVERSIFY.', '2024 Combined Schools Musical 6 - 17 MARCH 2024', 'Music by ALAN MENKEN, Lyrics by HOWARD ASHMAN &amp; GLENN SLATER, Book by DOUG WRIGHT', 'Based on Hans Christian Andersen story and the Disney film produced by Howard Ashman's John Musker and written &amp; directed by John Musker and Ron Clements', 'Originally Produced by Disney Theatrical Productions', 'Licensed exclusively by Music Theatre International (Australasia)', 'BOOK NOW 4972 2822', and 'WWW.GLADSTONEENTERTAINMENT.COM'. Logos for GECQ and Gladstone Regional Council are also present.

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