

CLAYTON UTZ

**Brisbane City Council**

BCC

**Queensland Floods Commission of Inquiry**

Inquiry

# Fifth Statement of Rory John Kelly - 19 September 2011

Clayton Utz  
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Our reference 14118/80117397

Legal\303901783.1

**QFCI**

Date:

27/09/11

JM

Exhibit Number:

637

## **Fifth Statement of Rory John Kelly**

I, Rory John Kelly, Regional Manager of Development Assessment South, Brisbane City Council, of 266 George Street, Brisbane, in the State of Queensland, state on oath as follows:

- A. Attachment **RJK-60** is a copy of a notice from the Commissioner of the Queensland Floods Commission of Inquiry (**Commission**) dated 8 September 2011 requiring me to provide certain information to the Commission with respect to the existing service station at 61 Ashover Road, Rocklea (**Subject Land**) in the form of a statement (**Notice**). This Statement is provided in response to the Notice.
- B. For the purposes of responding to the Notice and preparing this Statement I have, in my position as Regional Manager of Development Assessment South Branch of the Brisbane City Council (**Council**), had access to:
- (a) the business records of Council; and
  - (b) Council officers,
- to obtain information to provide a response to the Notice. Unless otherwise stated, the matters set out in this Statement are based on my own knowledge and the information derived from the above sources.
- C. The documents from the above sources and attached to this Statement have been collated by Council officers under my instruction.
- D. I set out below my responses to each of the questions set out in the Notice.

### **Qualifications and Background**

1. My qualifications and experience are set out in my First Statement dated 31 August 2011 (**First Statement**).

### **General observations**

2. I joined the Development Assessment South Team in February 1988, and was not involved in the assessment of the original development for the Subject Land, but was involved in the June 2004 development approval for Extensions to Industry (Storage of Flammable and Combustible Liquids) referred to in paragraph 13 below.

  
Rory John Kelly

  
Witness

3. As Regional Manager of Development Assessment South Branch, I currently have responsibility for the area including the Subject Land and have reviewed the relevant Council files.

#### Response to the Notice

**1. The defined flood level of the Subject Land prior to the January 2011 flood event;**

4. Based on Council's records, prior to the January 2011 flood event, the defined flood level (DFL) of the Subject Land was RL 8.0m AHD.

**2. Whether Council's records indicate that the Subject Land was subject to surface flooding impacts during the January 2011 flood event;**

5. Council's records indicate that the Subject Land was not subject to surface flooding impacts during the January 2011 flood event.

**3. The date on which the development approval which authorised use of the Subject Land for a service station (including any development approval for a material change of use for an environmentally relevant activity) was issued;**

**4. In assessing the development application:**

- a. what assessment process was followed specific to flood impacts;
- b. what consideration, if any, was given to:
  - i. the proximity of the Subject Land to the Brisbane River;
  - ii. the proximity of the Subject Land to Oxley Creek;
  - iii. flood risk or the potential impact of flooding on the Subject Land and measures to address such risk or impact, particularly with respect to the adequacy of the proposed means of storage of chemicals or other hazardous materials on the Subject Land having regard to its potential to adversely impact on waterways and/or sensitive receiving environments (as that term is defined in Brisbane City Plan 2000) if such chemicals or other hazardous materials are discharged during a flood event;

5. With respect to the development approval (if any), what conditions were included with respect to protection from impacts of flooding (regardless of its source).

6. It is convenient to answer requirements 3, 4 and 5 together.

Witness

7. I have been unable to find on Council's file a development approval to authorise use of the Subject Land for a "service station" or a like use.
8. Based on my review of Council files, it appears that the first approval for the Subject Land to erect and use buildings for the purpose of truck depot, storehouses and a hazardous industry was given on 12 June 1986. I understand that at this time the site included additional land having frontage to Ipswich Road which has been subsequently subdivided.
9. I have found on Council's file a decision of the Council Registration Board to grant consent to an application to erect and use buildings for the purpose of truck depot, storehouses and a hazardous industry dated 12 June 1986. The Council Registration Board's decision states as follows:

*"That the proposal be deemed to be not for a prohibited purpose but for a permissible purpose."*

10. The Council Registration Board decision provides that the consent is subject to the conditions listed in the decision and the Planning Ordinances of the Town Plan for the City of Brisbane. A copy of the Council Registration Board decision is Attachment **RJK-61**.
11. The file indicates that a letter dated 13 June 1986 was sent by Council to Prangley Crofts and Partners, the applicant for the application referred to in paragraph 9 of this Statement (**Applicant**) confirming the decision of the Council Registration Board to grant consent. A copy of the letter to Prangley Crofts and Partners is Attachment **RJK-62**.
12. In relation to the assessment of the application, a note from the Manager of Department of Works to The Manager of the Department of Development and Planning titled "Re: Drainage and Filling Requirements" dated 2 April 1986 relevantly provides the following:

"SITE CHARACTERISTICS

...

*Information on creek flooding is contained on the attached sheet.*

*The site is not affected by any Interim Regulation Line.*

...

RECOMMENDATION CONDITIONS AND REQUIREMENTS

*The applicant to be advised as follows:-*

*- relevant flooding information per the attached sheet.*

  
Rory John Kelly

  
Witness

...

*- Any stormwater plans required for approval of the Manager, Department of Works should be submitted directly to the Engineer for Design, Works on the 11th Floor of the Brisbane Administration Centre, quoting the Council file reference.*

...

*(1) Prior to building work commencing, the applicant/s to lodge adequate drainage plans, (generally in accordance with Standard Plan W6322/1B), showing the manner in which it is intended to deal with the roof and surface drainage and point of discharge of the site and obtain approval for such plans from The Manager, Department of Works.*

*(2) The applicant/s to preserve adjacent properties from ponding of stormwater or nuisance from discharge of stormwater off the site.*

*(3) The above stormwater drainage works are to be carried out to the satisfaction of The Manager, Department of Works prior to the commencement of use and thereafter maintained at all times to that officers satisfaction.."*

A copy of the note is Attachment **RJK-63**.

13. Based on my review of Council's files, I have identified a number of subsequent approvals which relate to extensions to the use originally approved and building works the most recent of which was approved on 4 June 2004.
14. I cannot find on Council's file a development approval for a material change of use for an environmentally relevant activity (**ERA**).
15. I understand, however cannot formally confirm, that the Department of Environment and Resource Management (**DERM**) has issued an approval for an ERA for the Subject Land.
16. Council's file contains a Flammable and Combustible Liquids Licence, which was issued to Caltex Petroleum Services Pty Ltd on 2 September 2011. A copy of the Licence is Attachment **RJK-64**.

  
Rory John Kelly

  
Witness

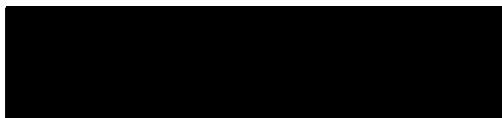
17. The proximity of a site to a waterway corridor is partially relevant as it informs the highest potential source of flooding. I do not know whether the original approval considered the source of flooding, however I note that the flood report at RJK-63 that was considered as part of the 1986 assessment showed that the Subject Land was above the Q100 River flood.

I make this statement conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867 (Qld).

**Dated 19 September 2011**

**Signed and declared** by Rory John Kelly at  
Brisbane in the State of Queensland  
this 19 day of September 2011

Before me:



Signature of person before whom the declaration is  
made



Signature of declarant

KATHLEEN KENNE PACEY

Full name and qualification of person before  
whom the declaration is made

## INDEX – Statement of Rory Kelly

Fourth Statement of Rory John Kelly dated 31 August 2011
Requirement to provide information 8.09.11
Council registration board decision
Letter to Prangley Crofts and Partners 13.06.86
Note from Manager of the Department of Development and Planning “ Re: Drainage and Filling Requirements” 02.04.86
Flammable and combustible Liquids Licence 02..09.11

Our ref: 1705848

8 September 2011

Rory Kelly  
Brisbane City Council  
c/- Clayton Utz

#### REQUIREMENT TO PROVIDE STATEMENT TO COMMISSION OF INQUIRY

I, Justice Catherine E Holmes, Commissioner of Inquiry, pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* (Qld), require Rory Kelly to provide a written statement, under oath or affirmation, to the Queensland Floods Commission of Inquiry, in which the said Rory Kelly gives an account of the following with respect to the existing service station at 61 Ashover Road, Rocklea (**Subject Land**):

1. the defined flood level of the Subject Land prior to the January 2011 flood event;
2. whether Council's records indicate that the Subject Land was subject to surface flooding impacts during the January 2011 flood event;
3. the date on which the development approval which authorised use of the Subject Land for a service station (including any development approval for a material change of use for an environmentally relevant activity) was issued;
4. in assessing the development application:
  - a) what assessment process was followed specific to flood impacts;
  - b) what consideration, if any, was given to:
    - i. the proximity of the Subject Land to the Brisbane River;
    - ii. the proximity of the Subject Land to Oxley Creek;
    - iii. flood risk or the potential impact of flooding on the Subject Land and measures to address such risk or impact, particularly with respect to the adequacy of the proposed means of storage of chemicals or other hazardous materials on the Subject Land having regard to its potential to adversely impact on waterways and/or sensitive receiving environments (as that term is defined in Brisbane City Plan 2000) if such chemicals or other hazardous materials are discharged during a flood event;
5. with respect to the development approval (if any), what conditions were included with respect to protection from impacts of flooding (regardless of its source).

In addressing these matters, Rory Kelly is to:

- provide all information in his possession and identify the source or sources of that information;



- make commentary and provide opinions he is qualified to give as to the appropriateness of particular actions or decisions and the basis of that commentary or opinion.

Rory Kelly may also address other topics relevant to the Terms of Reference of the Commission in the statement, if he wishes.

The statement is to be provided to the Queensland Floods Commission of Inquiry by Wednesday, 14 September 2011.

The statement can be provided by post, email or by arranging delivery to the Commission by emailing [info@floodcommission.qld.gov.au](mailto:info@floodcommission.qld.gov.au).



Commissioner  
Justice C E Holmes

COUNCIL REGISTRATION BOARDBefore Board: **12 JUN 1986**

**1920/86 PROPOSED TRUCK DEPOT, STOREHOUSES AND HAZARDOUS INDUSTRY - 61 ASHOVER ROAD, ROCKLEA. (4)420/10-NF060/61**

An application was submitted by Prangley Crofts and Partners, for permission to use the land at 61 Ashover Road, Rocklea, described as lot 17 on registered plan No. 200177, parish of Yeerongpilly, and to erect and use buildings thereon, for the purpose of truck depot, storehouses and a hazardous industry.

**DECISION:** (1) That the consent of the Registration Board be granted to use the abovedescribed land and to erect and use buildings thereon, for the purpose of truck depot, storehouses and a hazardous industry, generally in accordance with the plan/s of layout:-

no. 2016-2, received on 14th March, 1986;

and amended plan of layout

no. 2016-1A, received on 11th April, 1986 and further amended on 16th April, 1986;

which hereinafter shall be referred to as the approved plans of layout and subject to conditions listed hereunder and the Planning Ordinances of the Town Plan for the City of Brisbane:

**A. PRIOR TO THE BUILDING WORK COMMENCING:**

**1. Department of Development and Planning**

- (a) Any and all existing buildings and structures must be removed from the site before any building work is commenced in relation to the approved development.

**2. Department of Works.**

- (b) The applicant/s to lodge adequate drainage plans (generally in accordance with Standard Plan W6322/1B) showing the manner in which it is intended to deal with the roof and surface drainage and point of discharge of the site, and obtain approval for such plans from the Manager, Department of Works.

- (c) Subject to the requirements of Council Ordinances, the applicant is to take out appropriate permits prior to (any or all of the following):

- (i) crossing the kerb with heavy vehicles;
- (ii) working in the road reserve;
- (iii) connection to a Council drain;
- (iv) storing of material on the footpath or road;
- (v) the provision of hoardings and gantries.

**3. Department of Water Supply and Sewerage.**

- (d) Pay the Council the cost of relocating 25 metres of 150 millimetre diameter water main along the frontage of the site to Ashover Road and connecting to the existing reticulation. The order of the cost is \$4 300. An estimate will be compiled based on the working drawings when advice is received that the development is to proceed. Such estimate will be revised at the time the work is to be carried out.

- (e) The applicant/s to meet the cost of the connection of the development to Council's water supply system to the satisfaction of the Manager, Department of Water Supply and Sewerage.

- (f) The applicant/s to meet the cost of the connection to the Council's sewerage system to the satisfaction of the Manager, Department of Water Supply and Sewerage.

- (g) The applicant/s to pay to the Council any costs incurred by the Council in protecting, altering or diverting the existing service to meet the requirements of the Manager, Department of Water Supply and Sewerage.

**4. Department of Recreation and Health**

- (h) A landscaping plan is to be submitted satisfactory to and approved by the Manager, Department of Recreation and Health and to conform with the relevant provisions of the approved plan/s of layout. In particular the plan is to retain as many existing trees and shrubs as possible and include further planting of trees and shrubs.

12 JUN 1986

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B. PRIOR TO COMMENCEMENT OF USE

1. Department of Development and Planning

- (i) The applicant to dedicate as roadway, free of cost to the Council, a 2.195 metre road widening along the Ashover Road frontage of the site, and provide an access restriction strip along any boundaries of such new road which abuts adjoining land.
- (j) The Survey Plan necessitated by the conditions contained herein to be sealed by the Council and registered in the office of the Registrar of Titles.

2. Department of Works.

- (k) The construction of a one (1) metre wide concrete footpath to the satisfaction of the Manager, Department of Works, along the new Ashover Road frontage of the site.
- (l) The construction of concrete kerb and channel to the satisfaction of the Manager, Department of Works along the new Ashover Road frontage of the site, after the road widening necessitated by condition (i) hereof.
- (m) The construction of a sealed road pavement to the satisfaction of the Manager, Department of Works, along the new Ashover Road frontage of the site, between the existing pavement and the concrete kerb and channel required by condition (l) above.
- (n) Any existing vehicular crossings not shown on the plan of layout are to be closed and the footpath, footway, kerb and channel and road pavement are to be reinstated to the satisfaction of the Manager, Department of Works.
- (o) Bearing the cost of any alterations necessary to public utility mains, services or installations involved in the construction of the works referred to in previous conditions.

3. Department of Water Supply and Sewerage

Not applicable in this category.

4. Department of Recreation and Health

Not applicable in this category.

C. PRIOR TO COMMENCEMENT OF USE AND THEREAFTER MAINTAINED AT ALL TIMES THAT THE DEVELOPMENT REMAINS IN EXISTENCE

1. Department of Development and Planning

- 371002 \* (p) Provision to be made on the site for the parking of one hundred and twenty (120) cars and a semi-trailer and for the loading and unloading of vehicles within the site. Such provision is to be in accordance with the approved plans of layout and is to be and remain to the satisfaction of the Manager, Department of Development and Planning.
- (q) Provide adequate turning space within the site so that no motor vehicle shall be driven in reverse between any frontage of the site and the carriageway to the satisfaction of the Manager, Department of Development and Planning.
- (r) The grade of any driveway shall not exceed 1 in 12 for a distance of 3.5 metres from the road alignment nor 1 in 6 thereafter, nor 1 in 10 where the driveway provides access to adjacent parking space.
- (s) Provision is to be made on the site for the storage of refuse in a position which is accessible to service vehicles to the satisfaction of the Manager, Department of Development and Planning.
- (t) An effective vehicle barrier is to be provided along the boundary of access, parking and manoeuvring area/s when such areas abut a landscaping area or any frontage of the site, and adjacent to all end parking bays and ramps and to be and remain to the satisfaction of the Manager, Department of Development and Planning.
- (u) Any service area and particularly any area for storage, a garbage bin pad or an incinerator and the entrance to any space for parking a vehicle be located or screened so as to be unobtrusive to view from any road.

12 JUN 1966

61

- (v) The areas on which motor vehicles will be driven and/or parked being provided with a surfaced pavement, concrete, or lawn having a bearing surface made up of concrete projections. Such areas are to be constructed and maintained thereafter to the satisfaction of the Manager, Department of Development and Planning.
  - (w) Car and truck parking spaces shown on the approved plan/s of layout are to be and remain signed and delineated as such to the satisfaction of the Manager, Department of Development and Planning.
  - (x) Any office or display showroom is to be and remain strictly limited to that area shown on the approved plan/s of layout and is to be and remain at all times strictly ancillary to the use of the premises for the purpose of a truck depot, storehouses and a hazardous industry.
2. Department of Works
- (y) Vehicular crossings are to be constructed and maintained to the satisfaction of the Manager, Department of Works.
  - (z) The applicant/s to preserve adjacent properties from ponding of stormwater or nuisance from discharge of stormwater off the site.
  - (Aa) The carrying out of any required stormwater drainage works are to be to the satisfaction of the Manager, Department of Works.
3. Department of Water Supply and Sewerage.
- Not applicable in this category.
4. Department of Recreation and Health
- (Ab) The site is to be landscaped and maintained at all times thereafter in accordance with the approved landscaping plan, to the satisfaction of the Manager, Department of Recreation and Health.
  - (Ac) Consequent upon the completion of construction the approved development and surrounds to be kept in a clean and tidy condition at all times to the satisfaction of the Manager, Department of Recreation and Health, so as to in no way detract from the amenity of the area.
  - (Ad) The level of illumination at a distance of 1.5 metres outside the boundary of the site resulting from direct, reflected or other incidental light emanating from the site shall not exceed 8 lux measured at any level upwards from the ground level.

D. MISCELLANEOUS:

1. Department of Development and Planning
- (Ae) Compliance with all relevant Council Ordinances, the Building Act and the current Standard Building By-Laws.
  - (Af) No goods to be sold, displayed or offered for sale from the site to the general public.
2. Department of Works
- Not applicable in this category.
3. Department of Water Supply and Sewerage
- Not applicable in this category.
4. Department of Recreation and Health
- (Ag) Refuse collection arrangements to be to the satisfaction of the Manager, Department of Recreation and Health.
  - (Ah) This consent does not include the storage on site of noxious, offensive or hazardous goods which require a licence under the provisions of the Flammable and Combustible Liquids Regulations of 1976, unless such a license has been previously obtained.
  - (Ai) No Certificate of Classification pursuant to the Building Act and the Standard Building By-laws as amended from time to time will be issued or plans sealed pursuant to the Building Units and Group Titles Act as amended from time to time until all conditions listed under headings A, B and C of the conditions herein have been complied with in full.

DECISION: (2) That the applicant be advised of the relevant flood information.

DECISION: (3) That the applicant be advised that no specific filling requirements apply to this site for the proposed use.

BRISBANE CITY COUNCIL

COUNCIL REGISTRATION BOARD

Before Board: 12 JUN 1986

1919/86 APPLICATION FOR RELAXATION OF ORDINANCES - 61 ASHOVER ROAD, ROCKLEA.  
(4)420/10-NF060/61

An application was submitted by Prangley Crofts and Partners, for relaxation, dispensation, approval or permission under Ordinance 3 of Part 9 of Chapter 8 of the Ordinances for the development of the land at 61 Ashover Road, Rocklea, described as lot 17 on registered plan No. 200177, parish of Yeerongpilly, for the purpose of truck depot, storehouses and a hazardous industry.

The application submitted was for a relaxation to allow a reduction of the minimum site frontage from 40 metres to 20.117 metres.

**DECISION:** That a relaxation of Ordinance 6 of Division 4 of Part 3 of Chapter 8 of the Council's Ordinances, be granted to permit the proposal to proceed as proposed.

BRISBANE CITY COUNCIL

COUNCIL REGISTRATION BOARD

Before Board: 12 JUN 1986

1918/86 PROPOSED TRUCK DEPOT, STOREHOUSES AND HAZARDOUS INDUSTRY (UNDER CLAUSE 56) - 61 ASHOVER ROAD, ROCKLEA. (4)420/10-NF060/61

An application was submitted by Prangley Crofts and Partners, for approval under Clause 56 of the Schedule of the Town Plan for the City of Brisbane, in respect of the proposed buildings, to be erected on the land at 61 Ashover Road, Rocklea, described as lot 17 on registered plan No. 200177, parish of Yeerongpilly, for the purpose of truck depot, storehouses and a hazardous industry.

The Board carefully considered the reports submitted.

**DECISION:** That the proposal be deemed to be not for a prohibited purpose but for a permissible purpose.

Telephone  
225 4966  
When calling or phoning please ask for

G. Veal  
In reply please quote

(4)420/10-NF060/61

LCM:SS

The Director,  
Prangle Crofts and Partners,  
17 Henry Street,  
SPRING HILL. Q. 4000

Dear Sir,

I take pleasure in advising that, as the outcome of your application, the Council Registration Board has granted its consent to use the land at 61 Ashover Road, Rocklea, described as lot 17 on registered plan No. 200177, parish of Yeerongpilly, and to erect and use buildings thereon, for the purpose of truck depot, storehouses and a hazardous industry, generally in accordance with the plan/s of layout:-

no. 2016-2, received on 14th March, 1986;

and amended plan of layout

no. 2016-1A, received on 11th April, 1986 and further amended on 16th April, 1986;

which hereinafter shall be referred to as the approved plans of layout and subject to conditions listed hereunder and the Planning Ordinances of the Town Plan for the City of Brisbane:

A. PRIOR TO THE BUILDING WORK COMMENCING:

1. Department of Development and Planning

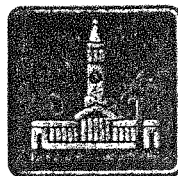
- (a) Any and all existing buildings and structures must be removed from the site before any building work is commenced in relation to the approved development.

2. Department of Works.

- (b) The applicant/s to lodge adequate drainage plans (generally in accordance with Standard Plan W6322/18) showing the manner in which it is intended to deal with the roof and surface drainage and point of discharge of the site, and obtain approval for such plans from the Manager, Department of Works.

- (c) Subject to the requirements of Council Ordinances, the applicant is to take out appropriate permits prior to (any or all of the following):

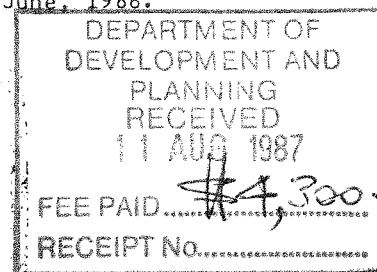
- (i) crossing the kerb with heavy vehicles;
- (ii) working in the road reserve;
- (iii) connection to a Council drain;
- (iv) storing of material on the footpath or road;
- (v) the provision of hoardings and gantries.



Brisbane City

Brisbane City Council  
69 Ann Street  
Brisbane  
Queensland  
GPO Box 1434  
Brisbane  
Australia 4001  
Telex CIVICS AA41910  
Facsimile 229 1168

13th June, 1986.



17 JUN 1986

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All correspondence to be addressed  
Town Clerk

BCC.116.0814

3. Department of Water Supply and Sewerage.

- (d) Pay the Council the cost of relocating 25 metres of 150 millimetre diameter water main along the frontage of the site to Ashover Road and connecting to the existing reticulation. The order of the cost is \$4 300. An estimate will be compiled based on the working drawings when advice is received that the development is to proceed. Such estimate will be revised at the time the work is to be carried out.
- (e) The applicant/s to meet the cost of the connection of the development to Council's water supply system to the satisfaction of the Manager, Department of Water Supply and Sewerage.
- (f) The applicant/s to meet the cost of the connection to the Council's sewerage system to the satisfaction of the Manager, Department of Water Supply and Sewerage.
- (g) The applicant/s to pay to the Council any costs incurred by the Council in protecting, altering or diverting the existing service to meet the requirements of the Manager, Department of Water Supply and Sewerage.

4. Department of Recreation and Health

- (h) A landscaping plan is to be submitted satisfactory to and approved by the Manager, Department of Recreation and Health and to conform with the relevant provisions of the approved plan/s of layout. In particular the plan is to retain as many existing trees and shrubs as possible and include further planting of trees and shrubs.

B. PRIOR TO COMMENCEMENT OF USE

1. Department of Development and Planning

- (i) The applicant to dedicate as roadway, free of cost to the Council, a 2.195 metre road widening along the Ashover Road frontage of the site, and provide an access restriction strip along any boundaries of such new road which abuts adjoining land.
- (j) The Survey Plan necessitated by the conditions contained herein to be sealed by the Council and registered in the office of the Registrar of Titles.

2. Department of Works.

- (k) The construction of a one (1) metre wide concrete footpath to the satisfaction of the Manager, Department of Works, along the new Ashover Road frontage of the site.
- (l) The construction of concrete kerb and channel to the satisfaction of the Manager, Department of Works along the new Ashover Road frontage of the site, after the road widening necessitated by condition (i) hereof.



DEPARTMENT OF WORKS

(4)420/10-NF060/61

PDS:BP

2 April 1986

TL2  
The Manager  
DEPARTMENT OF DEVELOPMENT AND PLANNING

RE: DRAINAGE AND FILLING REQUIREMENTS  
61 ASHOVER ROAD, ROCKLEA  
LOT 17 R.P. 200177 PARISH YEERONGPILLY  
(U.P.R.N. 001/0061-4 00526)

PURPOSE

Truck Depot Storehouse and Fuel Depot.

SITE CHARACTERISTICS

The site is outlined in orange on the attached 4 chain map and 1:2500 orthophoto plan.

Information on creek flooding is contained on the attached sheet.

The site is not affected by any Interim Regulation Line.

Records indicate no underground drainage structures as suitable disposal points for runoff from the site.

RECOMMENDED CONDITIONS AND REQUIREMENTS

The applicant to be advised as follows:-

✓relevant flooding information per the attached sheet.

✓no specific filling requirements apply to this site for the proposed use.

✓No Certificate of Classification pursuant to the Building Act and the standard Building By-Laws as amended from time to time will be issued or plans sealed pursuant to the Building Units and Group Titles Act as amended from time to time until all conditions listed hereunder have been complied with in full.

Any stormwater plans required for approval of the Manager, Department of Works should be submitted directly to the Engineer for Design, Works on the 11th Floor of the Brisbane Administration Centre, quoting the Council file reference.

- (1) Prior to building work commencing, the applicant/s to lodge adequate drainage plans, (generally in accordance with Standard Plan W6322/1B), showing the manner in which it is intended to deal with the roof and surface drainage and point of discharge of the site and obtain approval for such plans from The Manager, Department of Works.
- (2) The applicant/s to preserve adjacent properties from ponding of stormwater or nuisance from discharge of stormwater off the site.
- (3) The above stormwater drainage works are to be carried out to the satisfaction of The Manager, Department of Works prior to the commencement of use and thereafter maintained at all times to that officers satisfaction.

COPIES

JOB FOLDER  
DE S3

Manager

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BRISBANE CITY COUNCIL  
**FLOOD ENQUIRY**

Department of Works

PLEASE CROSS APPLICABLE BOX THUS: ☒

REFERENCE NO.  
295/06/00/

APPLICANTS  
NAME  
ADDRESS

LOCATION OF PROPERTY

61 ASHOVER Rd ROCKLEIGH

REAL PROPERTY  
DESCRIPTION  
OF LAND (NOT BUP)

107 17 ON RP 206 177

B.C.C. MAP No.

169

ORIGINAL PORTION

PARISH

41 PILLIT

AREA

2.436 ha

- ☐ VERBAL ADVICE ONLY - Extension 4864  
☐ TO BE COLLECTED  
☐ MAIL TO APPLICANT  
☐ RETURN TO S.C.O./H.C.S.



SIGNATURE OF APPLICANT

038224

REPORT FROM WORKS DESIGN OFFICE

~~Attached please find a copy of the~~ plan, showing the subje  
~~site outlined in red~~ According to the information available the elevation on this land varies from approximately

Elevation 8.9m to Elevation 10.6m

RIVER FLOODING

The estimated 1974 river flood level in this area is Elevation 10.9m

It is anticipated that when completed, the Wivenhoe Dam will reduce a Q.100 river flood to

Elevation 8m

Without the dam, this flood would be higher than the actual 1974 flood

CREEK FLOODING

It is estimated that the flood height in this area from \_\_\_\_\_ reaches

ELEVATION	YEAR

It is anticipated that the flood mitigation works for the above creek will reduce the creek flood similar to that of the  
flood to approximately Elevation \_\_\_\_\_

All levels given above are based on ☒ Australian Height Datum (metres) ☐ Brisbane City Council Datum (feet)

~~There are no records of river or creek flooding on this property available in the Office.~~

☐ ENCLOSURE

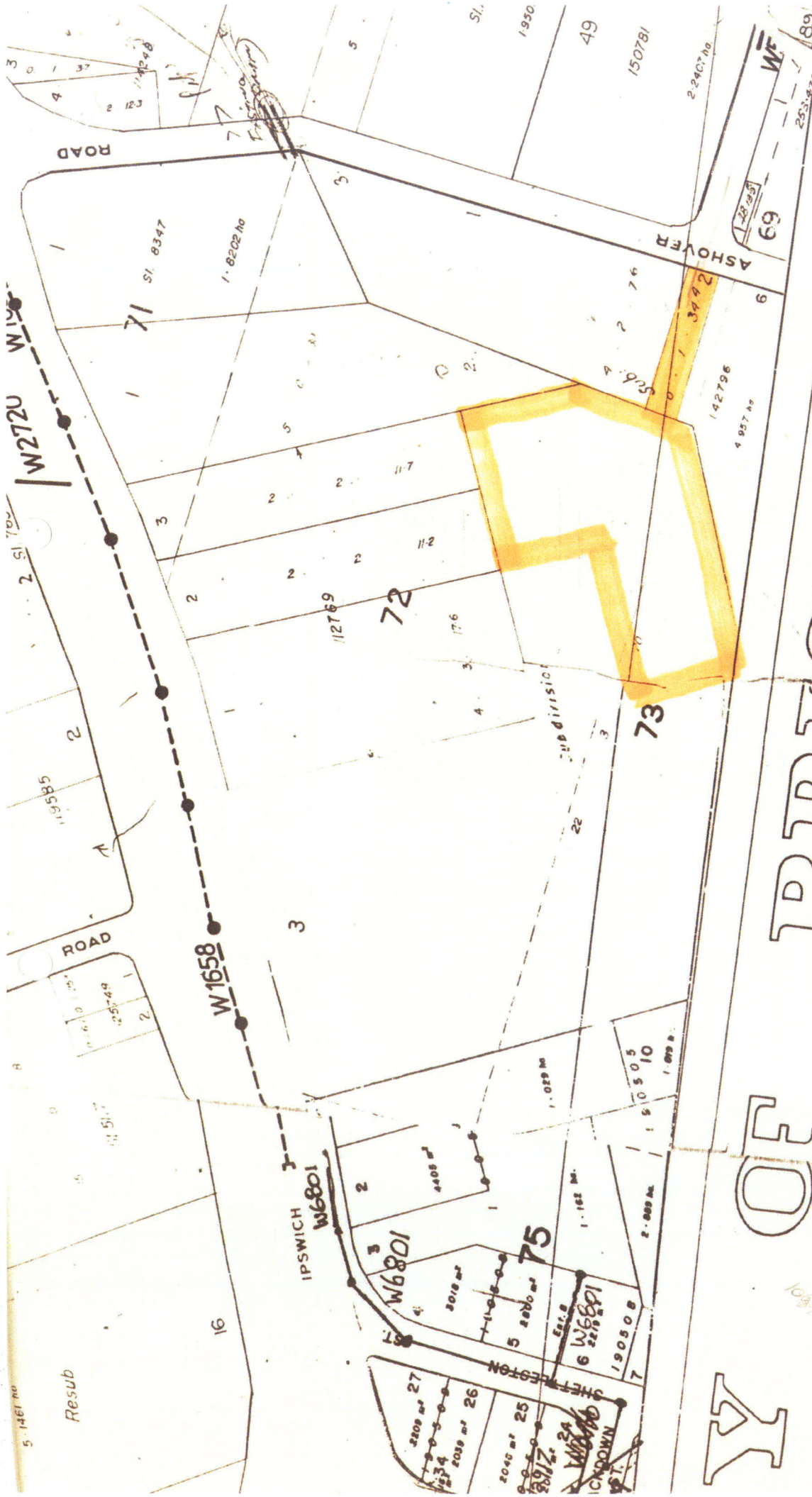
ENQUIRIES 225 4864

I. FAIRWEATHER  
CHIEF ENGINEER AND MANAGER

per

257 7 18

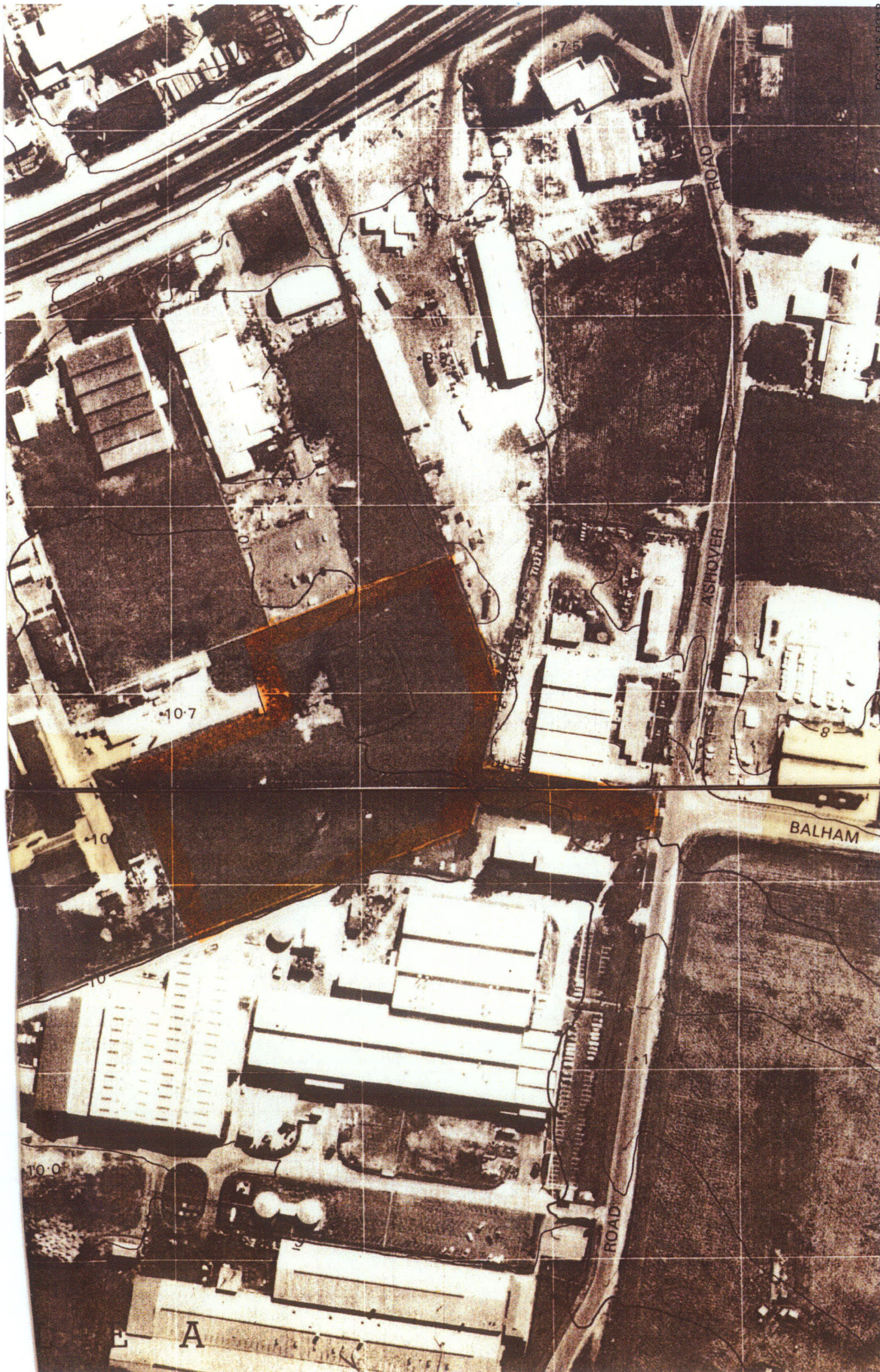
THE ABOVE INFORMATION IS OFFERED SUBJECT TO THE WARNING  
AND INFORMATION NOTES ON THE REVERSE SIDE OF THE FORM



Y OF BRISBANE HAINS MAP TO 1/64 AN INCH

W5763  
W1658







**Dangerous Goods Safety Management Regulation 2001  
- Section 97(3)**

**Information Notice - Licence Amendment Granted with  
Conditions**

**To:** Caltex Petroleum Services Pty Ltd  
**Address:** 61 Ashover Street  
ROCKLEA QLD 4106  
**In respect of:** Flammable and Combustible Liquids Licence  
**Located at:** 61 ASHOVER ROAD ROCKLEA  
**Ref:** A003075285

**DECISION**

On 2 September 2011 the delegate decided to amend your licence to store flammable or combustible liquids. Your existing licence has been cancelled and a new licence has been issued subject to conditions.

**REASON**

Council considers it appropriate to impose site specific conditions in order to achieve an acceptable level of risk associated with the storage of flammable or combustible liquids at your premises. Standard conditions are imposed on all licences in accordance with the Regulation.

**RIGHT TO REVIEW**

If you are dissatisfied with Council's decision you may apply to Council for a review of the decision within 28 days from the day on which you are given this notice. Applications for review must be in writing and state fully the grounds for review and should be addressed to the Environmental Health Team Leader Compliance and Regulatory Services South Region, South Regional Business Centre, Shop 301/661 Compton Road SUNNYBANK HILLS 4109.

You may purchase a copy of the Act at the Queensland Government Bookshop, or view it online at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au) and follow the prompts.

If you require further information or assistance please contact me on 3403 8888 during business hours.

**DATED AT BRISBANE THIS 2ND DAY OF SEPTEMBER, 2011.**

  
Louisa NOFFKE-SOUTH  
Environmental Health Officer  
Compliance and Regulatory Services South Region

*Need report  
start.*

BRISBANE CITY COUNCIL

*Dangerous Goods Safety Management Regulation 2001*  
**Flammable and Combustible Liquids  
Licence**

Facility Type: Large Dangerous Goods Location

Activity: Service station

*This licence has effect on the day stated below and remains in force for one year from that date unless surrendered, suspended or cancelled. Conditions of Approval are contained on the subsequent pages of this document.*

**Caltex Petroleum Services Pty Ltd**

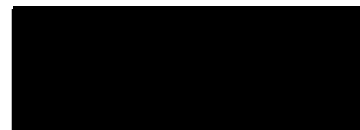
61 ASHOVER RD ROCKLEA QLD 4106

Licence No: A003075285

Effective Date: 02-SEP-2011

Expiry Date: 01-MAY-2012

*See Reverse for Approved Storage Details (quantities class and packing group)*



Manager, CARS

Caltex Petroleum Services Pty Ltd  
 PO Box 691  
 ARCHERFIELD QLD 4108

### Approved Tank Storage

Tank Identification	Storage Method	Package Group	Capacity
1	Underground	C1	56800
2	Underground	C1	56800
3	Underground	C1	56800
4	Underground	C1	56800
5	Underground	C1	56800
6 decommissioned	Underground	C1	56800
7	Underground	C1	56800
8	Underground	C1	56800
9	Underground	C1	56800
10	Underground	C1	56800
11	Underground	C1	56800
12	Underground	C1	56800
13	Underground	C1	56800
14	Underground	C1	56800
15	Underground	C1	56800
16	Underground	C1	56800
17	Underground	C1	56800
18	Underground	C1	56800

### Approved Package Storage

Package Storage Identification	Storage Method	Package Group	Capacity
19	Detached	PG II	49260
20	Detached	PG III	3200

### Approved Transfer / Dispenser Pumps

Transfer Pump/Dispenser Type	Number of Pumps/Dispensers
Single	3



## CONDITIONS OF APPROVAL

### Flammable and Combustible Liquids Licence - FC07186395407

1 PLAN APPROVAL/DESIGN REQUIREMENTS

Your facility shall be designed, constructed, maintained and operated in accordance any approved plan(s), design requirements and licence conditions.

Any approved plan(s), design requirements and licence conditions shall be kept on the premises for the life of the installation.

2 COMPLIANCE WITH DGSM

You are required to comply with all relevant provisions of the "Dangerous Goods Safety Management Act 2001", the "Dangerous Goods Safety Management Regulation 2001".

3 DECOMMISSIONED STORAGE OR HANDLING SYSTEMS

In the event the storage or handling system at your facility is to be disposed of or no longer used for the storage or handling of flammable or combustible liquids you must ensure that the storage or handling system is-

(i) Thoroughly cleaned so that the system is, as far as practicable, free from flammable or combustible liquids; or

(ii) Otherwise made safe.

(b) You must provide Council with certification from an appropriately qualified person that your facility has been cleaned or made safe in accordance with the above requirements in the event your facility is to be disposed of or no longer used for the storage or handling of flammable or combustible liquids.

Note: Additional requirements under the "Environmental Protection Act 1994" or "Integrated Planning Act 1997" may apply to your facility in the event flammable or combustible liquids are stored in underground tanks and your facility complies with the criteria for Environmentally Relevant Activity 11(a) - Crude oil or petroleum product storage, as defined in schedule 1 of the "Environmental Protection Regulation 1998".

4 COMPLIANCE

Should you fail to comply with any of the provisions of this approval, your licence may be cancelled or suspended, pursuant to the "Dangerous Goods Safety Management Regulations 2001".

5 CHANGE OF OCCUPIER

In the event you cease to be the occupier of the facility and there is a new occupier of the facility, you must, on ceasing to be occupier, give the new occupier-

(i) The register under section 41 of the "Dangerous Goods Safety Management Regulation 2001";

(ii) The written records under sections 18, 19, 25(d), 29(3) and 46(c) of the "Dangerous Goods Safety Management Regulation 2001" ; and

(iii) All applicable approved site plans, design requirement conditions and licence conditions.

6 NEW SYSTEMS/PROCEDURES

You must not use any new installation or system used to store or handle flammable or combustible liquids without ensuring the risk associated with the installation or system is at an acceptable level. An application for licence amendment together with appropriate site plans and specifications of the proposed alteration shall be submitted to Council for assessment prior to the construction and operation of any new installation or system if:

- a) Any new storage quantities of flammable or combustible liquids exceed the maximum prescribed in Table 2.1 of AS1940-2004; or
- b) The risk of any approved storage or handling system is increased.