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30/10/2026
TOOWOOMBA
REGIONAL COUNCIL

30 October 2026

Chief Executive Officer
Toowoomba Regional Council

Attention: Sophie Spencer
Via email: development@tr.qld.gov.au

cc F K Gardner and Sons Pty Ltd
c/- Property Projects Australia
Attention: Marcus McNee / James Juhasz
Via email: marcus@propertyprojectsaustralia.com.au / james@propertyprojectsaustralia.com.au

Dear Sir/Madam,

Ergon Advice Agency Response – Change (Other)
Our Ref: ECM 43330375-43330237
Council Ref: MCUI/2021/7376/A
Applicant Ref: J002627

This referral agency response is given under section 56 of the *Planning Act 2016.*

Response	
Outcome	Approved in full - subject to conditions
Referral assessment capacity	Advice
Matters referral assessment made against (S55(2))	The purpose of the *Electricity Act 1994* and *Electricity Safety Act* 2002
Reasons for decision (S56(7)(b))	The works do not conflict with: ▪ the objectives set out within Part 2, Section 3 of the Electricity Act 1994 ▪ the purpose of the Electricity Safety Act 2002 as set out within Part 1 Division 2 Section 4 & 5.

Have you seen our fact sheets?
See the 'considerations when developing around electricity infrastructure' section of our website
www.ergon.com.au/referralagency

The works do not adversely impact on the safe, efficient, and economically viable operation of the supply network.

Development Details	
Applicant	F K Gardner and Sons Pty Ltd
Assessment Manager	Toowoomba Regional Council
Council Application No.	MCUI/2021/7376/A
Street Address	53 and 54 Foundation Street and 28-36 Witmack Road, Wellcamp QLD 4350
RPD	Lot 19 SP329688, Emt B SP285241, Lot 5 SP329688, Lot 1 SP329688
Development Type	Preliminary Approval for Material Change of Use - Impact - Variation Request to Vary the Effect of the Planning Scheme
Referral Trigger	☐ Schedule 10, Part 9, Division 2, Table 2, Item 1 (10.9.2.2.1) – Material Change of use of premises within 100m of a substation site or subject to an easement for the benefit of a distribution entity under the Electricity Act and the easement is for a supply network
Impacted Electrical Infrastructure	Easement E on SP341493 – Padmount Transformer 750kVA

Ergon provides the following response to the application in accordance with Section 56(2) of the *Planning Act 2016:*

Component of Development	Advice Agency direction
Variation Request	☐ S56(2)(a) – Ergon has no requirements for the variation request

Ergon's response has been provided relevant to the following plans and supporting documents. Any alterations to the plans and or document(s) identified below within Table 1 and 2 below are to be resubmitted to Ergon for comment.

Table 1			
Plans forming part of this Approval			
Title	*Plan No.*	*Issue*	*Date*
Proposed Zoning Allocation	*DA02*	*-*	*28 September 2026*

General Advice:

- Ergon's referral response is limited to the management of impacts on electrical infrastructure within its referral jurisdiction and does not assess or confirm electricity supply, network capacity, or connection requirements; proponents must undertake a separate connection enquiry via Ergon's Customer Portal to initiate investigations and obtain formal advice and approvals relating to network connections.

- Compliance with the Electrical Safety Act 2002, including any Code of Practice under the Act and the Electrical safety Regulation 2013 including any safety exclusion zones defined in the Regulation is mandatory

  Should any doubt exist in maintaining the prescribed clearance to the overhead conductors and electrical infrastructure then the applicant is obliged under the Act to seek advice from Ergon.

- Any costs incurred by Ergon as a result of the works on the easement are to be met by the property Developer / owner.

- This response does not constitute an approval to commence any works within the easement. Consent to commence works relevant to the conditions of the easement is required. All works on easement (including but not limited to earthworks, drainage and detention basins, road construction, underground and overhead services installation) require detailed submissions, assessment, and consent (or otherwise) by Ergon.

- All works proposed to be undertaken in close proximity to overhead or underground electrical lines are to be undertaken in accordance with Ergon's Works Practice Manual WP1323. This document refers to various standards, guidelines, calculations, legal requirements, technical details, and other information relevant to working near high voltage infrastructure. A copy of WP1323 can be found online via Ergon's document library (Document library | Ergon).

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

Yours faithfully,

Harriet Veal

Harriet Veal
A/-Senior Town Planner