

REPORT TITLE	Assessment of Change Application for Material Change of Use – Impact – Hospice and Ancillary Offices located at 57B O'Quinn Street, HARRISTOWN QLD 4350
AUTHOR	Consultant Planner (Luke Farrelly)
Application No.	MCUI/1999/12/A

PURPOSE OF REPORT

To consider a change application regarding a development approval for Material Change of Use – Impact – Hospice and Ancillary Offices located at 57B O'Quinn Street, HARRISTOWN QLD 4350.

EXECUTIVE SUMMARY

The report considers a Change Application (Minor Change) regarding Development Approval C12/99 which relates to a constructed and completed Hospice at 57B O'Quinn Street, Harristown.

A summary of the proposed changes as below:

Approval/ Application	Decision Notice (C12/99)	Proposed Minor Change (subject application)
Approved Use	'Hospice' use: - Six (6) bedroom hospice and ancillary uses including offices, training room and staff amenities	Extension to 'Hospice' use: - Six (6) bedroom hospice and ancillary uses including offices, training room and staff amenities
Gross Floor Area	724m ² Gross Floor Area (GFA); 833.6m ² total FA (93.3m ² FA + 724m ² GFA)	789.2m ² GFA (48.9m ² new GFA); 830.4m ² Total FA (41.2m ² new FA)
Carparking	Minimum Four (4) Car Parking Spaces.	Proposed 13 Car Parking Spaces; and four (4) Staff Parking Spaces.

The application seeks to facilitate extensions to the approved hospice building and associated site works. The proposed changes comprise a 48.9m² extension to the existing building to provide a committee room, construction of a covered veranda/walkway, and an extension of the existing car parking area. The proposal will increase the approved Gross Floor Area from 724m² to 789.2m² and increase on-site parking to 17 spaces (13 visitor spaces and 4 staff spaces). No increase in the approved number of hospice beds or the intensity of the approved use is proposed.

The proposed change is considered to constitute a 'minor change' under Section 81 of the *Planning Act 2016*. The proposed changes are considered to generally comply with the existing approval, *Toowoomba Regional Planning Scheme 2012* (Version 28), the required tests for a minor change under the *Planning Act 2016* and all other relevant considerations. The application is recommended to be approved subject to amended conditions as outlined in this report.

RECOMMENDATION

APPROVED – Change Application regarding Development Approval MCUI/1999/12/A for Material Change of Use – Impact – Hospice and Ancillary Offices, pursuant to the provisions of Section 81 of the *Planning Act 2016* and subject to the amendments listed below.

ASSESSMENT MANAGER CONDITIONS

- This Development Approval is for a Material Change of Use for Hospice and Ancillary Offices.**
- 1A.** All works required pursuant to the following conditions shall be undertaken and completed in accordance with Council's standards.
- All conditions shall be complied with prior to the occupancy of the building for the approved use.

3. All other necessary Council approvals and permits are to be obtained prior to the commencement of any work on site.
4. The approved use is to comply with **Council's Local Laws**, all relevant Acts and Regulations etc. and provisions of the Town Planning Scheme applicable to the use **to the extent they are not varied by this Development Approval**.
- 4A. **Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.**
- 4B. **Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Work approval.**
- 4C. **The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.**
5. No on-site work associated with stormwater drainage or work within the road reserve shall commence until approval has been obtained from Council.
6. Plans and specifications for all work associated with car parking, stormwater drainage, vehicular access and external site work shall be prepared and certified by a Registered Professional Engineer. The execution of the works shall be supervised by a Registered Professional Engineer, all work detailed on a certificate of supervision, and a copy of the supervision certificate submitted to Council upon completion. Council approval is required for any works that are carried out within the road reserve.
7. All services both above and below the ground, which may be affected by the proposed development, shall be located for alignment and/or level prior to the commencement of any design work for the development and prior to any building works.
8. The provision of layback kerb and channelling and bitumen sealed pavement widening with any necessary reinstatement for the entire leased frontage of the subject land, where such kerbing doesn't currently exist. The alignment of the new kerb and channel shall be set to achieve an 8 metre road width, measured from the invert of the existing kerbing on the eastern side of Fifth Avenue, and shall match neatly to the existing kerbing in O'Quinn Street. The design of the kerb and channelling, and associated road widening, is to ensure that no problems with ponding or erosion will result from construction and is to join neatly to the existing pavement. Where necessary, the existing pavement is to be brought to a satisfactory standard to allow for the above.

Should the developer choose to have the required works carried out by someone other than Council, conditions 8.1 to 8.3 will apply:

- 8.1 All works shall be designed and constructed in accordance with Toowoomba City Council's requirements as set out in the 'EDROC Regional Standards Manual'. Certified engineering plans, prepared and certified by a Registered Professional Engineer, shall be submitted for approval by Council.
- 8.2 A security is to be lodged for the road widening works prior to the commencement of the 12 month 'defects liability period'. The amount of security required will be advised following submission of design drawings for approval. This security will be released upon Council acceptance for of the roadwork, at the end of the 12 month 'defects liability period'.
- 8.3 Checking and inspection fees will be payable prior to approval of the engineering plans. The required fees will be advised following submission of engineering plans for approval.

Alternatively, the developer may request Council to carry out the design and/or construction of the road widening works. In this instance the applicant can obtain a private works quotation for Council

to carry out the required work, in which case no security, checking and inspection fees, or defects liability period may apply. Should the developer decide on this option contact Council's Construction Branch, Ph: (07) 46 886561 to arrange a quotation. This quotation will be required to be paid in full, prior to the issue of a Development Permit for building work.

9. The provision of sealed footpath crossings from the kerb to the property boundary. The developer is responsible for the relocation of any existing services, street trees or traffic signage clear of the proposed footpath crossovers and invert crossings that will serve the property and shall contact all relevant authorities and comply with their requirements in relation to these works.
10. The construction of a 2.0m minimum width bicycle path for the frontage of the site for the extent of the leased area in both O'Quinn Street and Fifth Avenue. The final alignment is to be verified with Council prior to the submission of engineering plans for approval. Where concrete pathways connect to kerb and channel a ramped kerb crossing shall be provided in accordance with Council's Standard Drawing No. 18213B, to provide for wheelchair access.
11. Stormwater from roof and sealed areas shall be collected inside the subject land and discharged by way of sealed underground pipe to Council's existing underground stormwater drainage system in O'Quinn Street. Council may allow the discharge of a portion of the stormwater to the Fifth Avenue kerb and channel subject to the approval of an acceptable design.
12. Any construction carried out near existing Council services shall be in accordance with Council's Administration Policy A2/95 "Building Works Affecting Council Services (Water, Sewer, Stormwater)". Council will not require the existing sewer which passes through the site to be replaced, provided foundations for the proposed structures are kept a minimum of 750mm clear of the existing sewer and structural protection is provided in accordance with the policy.
13. The top of any existing or newly constructed sewer manhole shall be flush with the finished surface level of the proposed works. Should the manhole be located within a trafficable area then both the manhole and its cover shall be rendered capable of withstanding traffic loadings. All work required shall be undertaken to the satisfaction of Council at the developer's expense.
14. The area required for carparking, driveways and car manoeuvring areas shall be provided with a suitable sealed surface together with a minimum of 4 carparking spaces, each linemarked **or otherwise delineated detailed in the** to the minimum dimensions detailed in **the Town Planning Scheme-Toowoomba Regional Planning Scheme 2012 and Australian Standard AS2890 - Parking Facilities**.
 - 14.1 Where necessary, the sealed thoroughfares shall feature physical means of speed control.
 - 14.2 Provision shall be made for all vehicles to turn within the site so that they can drive in forward gear when entering or leaving the site.
 - 14.3 Provided with signage and pavement markings that indicate the Staff parking areas.**
15. An internal water reticulation system shall be constructed to effectively serve the proposal, including connection to Council's existing water reticulation system. Where applicable, the internal reticulation shall include the provision of fire hydrants, hose reels, etc. located to comply with fire fighting requirements for the development. The system shall be designed to account for the available working pressure and flow in the existing Council water mains. Should the development require the provision of a new metered water service, connection of this service and disconnection of any existing services will be at the expense of the developer.
16. ~~The payment of a cContribution towards water supply and sewerage headworks (and water supply and sewerage works external); shall be paid in accordance with Council's Statements of Policy for Water Supply and Sewerage Headworks and Works External. The contribution shall be payable prior to the issue of a Development Permit for building works. The contribution amounts for this development shall be:~~
 - (A) the contributions shall be made on the basis of an increase in loading of 3 ET's for water supply and 3 ET's for sewerage, and shall be calculated, using the contribution rate

applicable as at the date of payment. Based on current contribution rates, the required contributions are as follows:

Water Supply \$7,875.00 ~~40,950~~;
Sewerage \$4,200.

- (B) the contribution shall be payable within thirty (30) days following commencement of the use.
17. The subject land shall be amalgamated to form one allotment out of the separate parcels.
 18. The applicant shall comply with Council's requirements for trade waste disposal. To this end a separate Trade Waste permit and disposal system may be required to serve the development.
 19. All works necessary to control erosion and sedimentation and/or the loss of soil due to the action of wind and stormwater runoff, shall be provided during the course of development works. Such works shall include, but not be limited to, the construction of sediment fences, earth berms and temporary drainage designed to prevent sediment being transported to other properties, roads and/or drainage systems. In this regard, a suitable plan shall be prepared by a Registered Professional Engineer illustrating the extent of works intended to achieve compliance. These measures shall be put in place prior to commencement of any works associated with the development.
 20. Any damage which is incurred to footpaths, roadways and/or kerb and channelling abutting the subject land as a result of the proposed development shall be repaired immediately should hazards exist for pedestrian or vehicular safety. Otherwise all damage shall be repaired immediately upon completion of works.
 21. Air-conditioning units shall be located in a manner which prevents noise disturbance beyond the subject land.
 22. The provision of a 1.8 metre high suitably solid screen fence along the western property boundary of the subject site for the extent of the leased area, commencing from the front boundary of the subject property, where such fencing does not currently exist. Fencing may be reduced to one (1) metre from the front building line to the front property boundary. The total cost of this new fencing is to be met by the developer. Any variation to this requirement is to accord with the provisions of Council's adopted Local Planning Policy No. 22.0 "Measurement of Screen Fences".
 23. Landscaping is to be provided with a minimum average width of 2m to the O'Quinn Street and Fifth Avenue frontages of the subject site for the extent of the leased area and also along the northern leased boundary in accordance with Local Planning Policy No 13.0 to achieve compliance with the following objectives:-
 - Site Enhancement
 - Long Term Enhancement through Maintenance
 - Shade
 - Long Term Erosion Control
 - Natural Feature Protection

In this regard, the developer is to submit a "Statement of Intent to Comply" prior to the issue of any development permit for building works and a "Statement of Compliance" prior to commencement of the approved use.
 24. All privet and/or celtus shall be removed from the subject land and the site kept clear of such nuisance varieties at all times.
 25. Gross Floor Area of Buildings: ~~724m²~~ 790m².

PLANNING

26. ~~The development shall be carried out generally in accordance with the plans prepared by Downs Blueprints Drawing Nos. 98/029 Sheets 1 and 2 dated November 1998 Eco Blueprints Drawings No's 1-7 dated March 2025 subject to any changes required to comply with the foregoing conditions.~~

The development must be carried out generally in accordance with the Approved Plan listed below, subject to the conditions of this Development Approval:

Plan No: 2025-08 Drawing 1
Description: Site Plan prepared by Eco Blueprints dated 19 February 2026
Amendments: Nil.

Plan No: 2025-08 Drawing 3_Issue P7
Description: Proposed Site Details prepared by Eco Blueprints dated 19 February 2026
Amendments: Nil.

Plan No: 2025-08 Drawing 5_Issue P7
Description: Proposed Floor Plan prepared by Eco Blueprints dated 19 February 2026
Amendments: Nil.

Plan No: 2025-08 Drawing 6_Issue P7
Description: Elevations 1 & 2 prepared by Eco Blueprints dated 19 February 2026
Amendments: Nil.

COMPLETION PERIOD

27. In accordance with section 88(1) of the *Planning Act*, this Change to Development Approval lapses, to the extent the development is not completed, if all changes of use approved under this Change to the Development Approval have not happened within six (6) years from the date of the Change Application Decision Notice for MCUI/1999/12/A.

Note: A relevant Extension Notice under the Planning Act 2016 may offer additional time in which to undertake the development.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

28. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during earthworks and construction.

WORKS

CONSTRUCTION NOISE IMPACT MITIGATION

29. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30 am and 6:30 pm Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

DAMAGE TO SERVICES & ASSETS

30. Protect Council and public utility services and assets during construction of the development.
31. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
- 31.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
- 31.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
32. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.

GENERAL ADVICE

INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

OTHER LAWS & REQUIREMENTS

- 2) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 3) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at www.tr.qld.gov.au. For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.
- 4) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

EXCAVATION & FILLING

- 5) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m³ of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m³ or more of fill is deposited on, or 50m³ or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Work approval from Council before commencing site works.

ENVIRONMENTAL HARM

- 6) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

WATER POLLUTION

- 7) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

FIRE ANTS

- 8) **The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.**

BUILDING OVER, OR NEAR, COUNCIL INFRASTRUCTURE

- 9) **Any construction carried out near or over existing Council services should be in accordance with Council's adopted Policy (*Queensland Development Code NMP 1.4 – Excavation and Piling Near Sewers, Stormwater Drains and Water Mains*) and Council's Planning Scheme Policy SC6.3 PSP No. 3– *Water and Wastewater Infrastructure*. A Concurrence Agency referral of the Building Work Application to Council's Water and Wastewater Services Branch may be required.**

REASONS FOR RECOMMENDATION

The change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

The attached Statement of Reasons is not required to be amended.

DELEGATE'S DECISION:

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the request be Approved subject to the Conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Krys den Hertog
Principal Planner, Planning Branch

Decision Date: 4 August 2026

BACKGROUND

SITE DETAILS				
Site Address	57B O'Quinn Street, HARRISTOWN QLD 4350			
Real Property Description	Lot 104 SP138138			
Site Area	4,007m ²			
Owner	Toowoomba City Council			
SITE CHARACTERISTICS				
Current Land Use	Hospice (Toowoomba Hospice)			
Site Frontage/s	Fifth Avenue ~78m Quinn Street ~48m			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Fifth Avenue	Local Street	~14.5m	~8m	Asphalt
O'Quinn Street	Local Street	~20m	~10m	Asphalt
Easements	Nil			
Existing Structures	Hospice building and associated structures			
Infrastructure	The subject site has access to Council's reticulated water and sewer infrastructure from Sunset Drive.			
Topography	Small slope towards south-east (towards road frontages)			
Street Trees	Nil			
Other Features	Nil			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28 Nov 22
Zone	Community Facilities			
Precinct	General			
Overlays	Airport Environs			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: 19 Aug 2025
SURROUNDS:				
Direction	Land Use		Zone/Precinct	
North	Vacant		Community Facilities	
East	O'Quinn St North Park		Open Space	
South	O-Quinn St Park (Litte Athletics)		Open Space	
West	Single Detached Dwelling		Low-Medium Density Residential	
Other Features	Nothing to note			
APPLICATION HISTORY				
Application No.	Description		Decision Date	Decision
C12/99	MCU for Hospice		13 April 1999	Approved
B46/2571	Minor Change to MCU for Hospice		13 July 2000	Approved
APPROVED DEVELOPMENT				
Type of Approval	Material Change of Use			
Approved Development	Hospice - Six (6) bedroom hospice and ancillary uses including offices training room and staff amenities			
Variations Sought	Not Applicable			

Level of Assessment	Code Assessable
Gross Floor Area	724m ²
Car Parking Spaces	4 spaces
Service Vehicle Provision	No change proposed
Decision Notice Issued	C12/99 – 13 April 1999 Change application: B46/2571 – 13 July 2000

CHANGE APPLICATION	
Applicant Name	Toowoomba Hospice Association Incorporated C/- Alpha Planning Applications
Type of Application	Change Application
Type of Change	Minor Change
Public Notification	Not required for a Minor Change
Application Received	25 May 2026

CONSULTATION UNDERTAKEN

Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Reviewed the application and provided with draft conditions.
Infrastructure Charges Unit	Preparing an Infrastructure Charges Notice in accordance <i>with Charges Resolution No. 7</i> to accompany an approval of the development.

ISSUES, RISKS AND RESPONSES – ASSESSMENT

Assessment Framework

Section 81 of the *Planning Act 2016* establishes the following parameters in relation to the assessment of change applications for minor changes:

- (2) *In assessing the change application, the responsible entity must consider—*
 - (a) *the information the applicant included with the application; and*
 - (b) *if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*
 - (c) *any pre-request response notice or response notice given in relation to the change application; and*
 - (d) *if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*
 - (da) *if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and*
 - (e) *another matter that the responsible entity considers relevant.*
- (3) *Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da), consider—*
 - (a) *a statutory instrument; or*
 - (b) *another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*
- (4) *The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.*
- (5) *However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to—*

- (a) *the statutory instrument or other document as in effect when the change application was made; or*
- (b) *if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided—the amended or replacement instrument or document; or*
- (c) *another statutory instrument—*
 - (i) *that comes into effect after the change application is made but before it is decided; and*
 - (ii) *that the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made..*

Assessment of Proposed Changes – Change to Conditions of the Development Approval

Changes to the conditions of approval have been proposed by the applicant. The following table identifies the relevant condition of approval, the applicant's proposed changes, any relevant representations made by the applicant, the officer's assessment of the proposed amendments and any recommend amendments to the condition.

Assessment of Proposed Changes – Change to Conditions of the Development Approval

No.	Original Condition	Proposed Amended Condition	Relevant Representation	Officer's Assessment	Condition to be Recommended
1.	All works required pursuant to the following conditions shall be undertaken and completed in accordance with Council's standards.	-	<i>The proposed changes to the conditions are considered to be justified on the following basis:</i> 1) <i>The proposed change does not result in an increase in the scale and intensity of the approved use, with no additional beds or patients resulting from the proposed extensions. The proposed changes to the existing 'Hospice' use merely propose minor additional ancillary use areas including a new committee room and verandah walkway, as well as additional car parking spaces.</i> 2) <i>The approved use was comprised of 724m² of GFA and the proposed change only increases the GFA to 789.2m² for the proposed committee room, noting that the verandah walkway and car parking spaces do not constitute GFA as per the Planning Scheme's definition of GFA – which in its wording excludes 'open structures' and areas used for 'parking, loading and manoeuvring of vehicles'.</i> <i>The proposed 'minor changes' only involve extensions to the approved 'ancillary uses' and car parking areas, noting that the lot layout and design will be generally the same, density/lot yield will remain unchanged and the proposed change will improve overall outcomes by improving function, accessibility, weather protection and parking availability on site. The proposed changes will not impact upon the approved development's 'compliance' with relevant assessment criteria, and the development will maintain compliance with the existing conditions of approval of the approved development. Furthermore, the proposed change retains other design elements and infrastructure connections and</i>	The proposed change includes an extension to the existing hospice, increasing the total Gross Floor Area to 790m². Further, a covered footpath and additional carparking are proposed to be constructed. The proposed changes have been assessed in accordance with the planning scheme and the current approval. It is considered that the proposed changes are generally consistent with the planning scheme and the existing approval. It is noted that the existing Development Permit does not include a description of the approved use. To improve clarity and provide a definitive reference for the development authorised by the approval, it is recommended that Condition 1 be amended to clearly identify and describe the approved use. This will ensure the scope of the approval is clearly articulated and readily understood by the applicant, Council officers, and other stakeholders. The existing wording of the condition is considered to remain its relevance to the proposal, and it recommended to be maintained and renumbered as Condition 1A.	1. This Development Approval is for a Material Change of Use for Hospice and Ancillary Offices. 1A. All works required pursuant to the following conditions shall be undertaken and completed in accordance with Council's standards.

			<i>impacts in accordance with that of the existing approval.</i> <i>The proposed change will not result in changes in the lots included within the approval or the defined use; and will not impact upon the approved use and its ability to operate as proposed/approved.</i>		
4.	The approved use is to comply with all relevant Acts and Regulations etc. and provisions of the Town Planning Scheme applicable to the use.	-	-	As the proposed extension constitutes new building work, it is appropriate that conditions relating to the carrying out and ongoing maintenance of the development are included as part of the approval. Accordingly, Conditions 4 is recommended to be updated to include the current standards to ensure that the development is constructed, completed, and maintained in accordance with the approved plans, relevant standards, and the requirements of the Planning Scheme.	4. The approved use is to comply with Council's Local Laws, all relevant Acts and Regulations etc. and provisions of the Town Planning Scheme applicable to the use to the extent they are not varied by this Development Approval. 4A. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter. 4B. Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Work approval. 4C. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.
14.	The area required for carparking, driveways and car manoeuvring areas shall be provided with a suitable sealed surface together with a minimum of 4 carparking spaces, each linemarked to the minimum dimensions detailed in the Town Planning Scheme. 14.1 Where necessary, the sealed thoroughfares shall feature physical means of speed control. 14.2 Provision shall be made for all vehicles to turn within the site so that they can drive in forward gear when entering or leaving the site.	-	-	Additional carparking has been proposed as part of the change to support the existing use. However, the proposed of increase in GFA does not increase carparking requirement for the development under the Planning Scheme. As such, no additional carparking are recommended for amendment to the condition, however, any proposed carparking is required be provided in accordance with the standards outlined within the Planning Scheme. As such it is recommended that requirements be outlined within the conditions to ensure compliant carparking spaces are provided.	The area required for carparking, driveways and car manoeuvring areas shall be provided with a suitable sealed surface together with a minimum of 4 carparking spaces, each linemarked or otherwise delineated detailed in the to the minimum dimensions detailed in the Town Planning Scheme Toowoomba Regional Planning Scheme 2012 and Australian Standard AS2890 - Parking Facilities. 14.1 Where necessary, the sealed thoroughfares shall feature physical means of speed control. 14.2 Provision shall be made for all vehicles to turn within the site so that they can drive in forward gear when entering or leaving the site. 14.3 Provided with signage and pavement markings that indicate the Staff parking areas.
25.	Gross Floor Area of Buildings: 724m ²	Gross Floor Area of Buildings: 724m² 789.2m²	Amend Condition 25 - as per below, to accurately reflect the proposed changes to the development.	Refer to comments in condition 1 regarding proposed changes. It is therefore, recommended that the GFA be amended to reflect the total	Gross Floor Area of Buildings: 724m² 790m²

				GFA including the proposed extension.	
26.	The development shall be carried out generally in accordance with the plans prepared by Downs Blueprints Drawing Nos. 98/029 Sheets 1 and 2 dated November 1998 Eco Blueprints Drawings No's 1-7 dated March 2025 subject to any changes required to comply with the foregoing conditions.	The development should be carried out generally in accordance with the plans prepared by Eco Blueprints Drawing No's 1-7 dated March 2025 Downs Blueprints Drawing No's. 98/029 Sheets 1 & 2 dated November 1998 subject to any changes required to comply with the foregoing conditions.	Amend Condition 26 - as per below, to accurately reflect the proposed changes to the approved plans.	It is considered that the referenced plan in existing condition 26 is no longer relevant due to the proposed changes. It is recommended that the proposed plans be approved under the current format condition, as they accurately reflect the development subject to this change application. The inclusion of the updated plans will ensure the approved development is clearly documented and consistent with the proposed changes.	26. The development shall be carried out generally in accordance with the plans prepared by Downs Blueprints Drawing Nos. 98/029 Sheets 1 and 2 dated November 1998 Eco Blueprints Drawings No's 1-7 dated March 2025 subject to any changes required to comply with the foregoing conditions. The development must be carried out generally in accordance with the Approved Plan listed below, subject to the conditions of this Development Approval: Plan No: 2025-08 Drawing 1 Description: Site Plan prepared by Eco Blueprints dated 19 February 2026 Amendments: Nil. Plan No: 2025-08 Drawing 3_Issue P7 Description: Proposed Site Details prepared by Eco Blueprints dated 19 February 2026 Amendments: Nil. Plan No: 2025-08 Drawing 5_Issue P7 Description: Proposed Floor Plan prepared by Eco Blueprints dated 19 February 2026 Amendments: Nil. Plan No: 2025-08 Drawing 6_Issue P7 Description: Elevations 1 & 2 prepared by Eco Blueprints dated 19 February 2026 Amendments: Nil.
-	-	-	-	A condition relating to the completion period is recommended. While the existing approval has been substantially completed, the proposed change approval will need to commence a new currency period from the date this approval takes effect to complete the change. Accordingly, the condition is recommended to provide clarity regarding the timeframe within which the approved development works associated with this change application must be completed.	COMPLETION PERIOD 27. In accordance with section 88(1) of the <i>Planning Act</i>, this Change to Development Approval lapses, to the extent the development is not completed, if all changes of use approved under this Change to the Development Approval have not happened within six (6) years from the date of the Change Application Decision Notice for MCUI/1999/12/A. <i>Note: A relevant Extension Notice under the Planning Act 2016 may offer additional time in which to undertake the development.</i>
-	-	-	-	A standard condition is recommended requiring all approved documentation, including plans and supporting reports, to be	AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

				maintained on-site and made available for inspection during the carrying out of works associated with the development. This will help ensure the development is undertaken in accordance with the approved plans and conditions of approval.	28. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council’s approved stamp must be available on the subject land for inspection at all times during earthworks and construction.
-	-	-	-	As the proposed development involves carrying out works on-site, it is recommended that some of the standard conditions be imposed to ensure those works are undertaken in accordance with the requirements of the Planning Scheme. These conditions relate to matters including the construction noise impact mitigation, and damage to services and assets as Council Sewer transverses the subject site.	WORKS CONSTRUCTION NOISE IMPACT MITIGATION 29. Building work (as per the definition of the <i>Environmental Protection Act 1994</i>) that creates audible noise must be confined to the hours of 6:30 am and 6:30 pm Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan. DAMAGE TO SERVICES & ASSETS 30. Protect Council and public utility services and assets during construction of the development. 31. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing: 31.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or 31.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier. 32. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.

FINANCIAL / RESOURCE IMPLICATIONS

A revised infrastructure charges notice will be issued for the development in conjunction with a decision regarding the change application.

Human Rights Act 2019 CONSIDERATIONS

The *Human Rights Act 2019* provides that it is unlawful for a public agency to act or make a decision in a way that is not compatible with human rights, or to fail to give proper consideration to a human right. This necessitates understanding the human rights that are protected. When making decisions or taking actions, consideration needs to be given to how that may impact on a person's human rights. Where there is a restriction on a person's human rights the restriction must be no greater than is justifiable to protect the rights of others or the community at large.

In assessing this application consideration has been given to the following section/s of the Human Rights Act 2019:

It is the opinion of the decision maker that no human rights have been limited.

ATTACHMENT/S

Attachment	1	of	4	Aerial Image of Site
Attachment	2	of	4	Zoning Map
Attachment	3	of	4	Current Approved Plans
Attachment	4	of	4	Proposed Plans

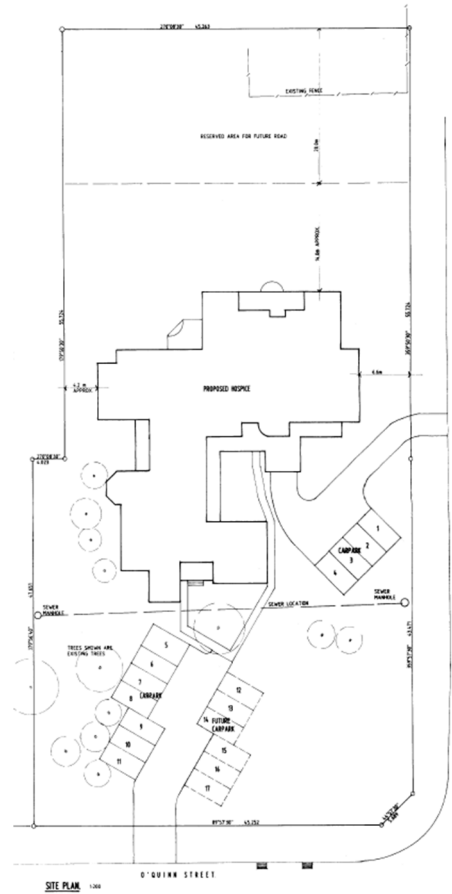
ATTACHMENTS

Attachment 1 Aerial Image of Site



Attachment 2 Zoning Map



[illegible]

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TOOWOOMBA
REGIONAL COUNCIL

existing shed

existing carpark

existing carpark

existing hospice

existing outdoor structure

proposed new carpark

proposed extension

proposed verandah/covered walkway

new path

new path to replace exist.

existing trees

landscaping to future detail by others

2300 approx

1540

25735 approx

17180 approx

O'Quinn Street

Fifth Avenue

approx. boundary location

approx. sewer location

R.P. Description
Lots 104 SP 333654
& Lot 3 RP 93634
Parish of Drayton
Area 3945 sq.m.

Site Plan 1:250

