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30/03/2026

**TOOWOOMBA
REGIONAL COUNCIL**






NOISE MANAGEMENT PLAN

**ROOMING ACCOMMODATION – 125 Kudo Silverleigh Rd, GOOMBUNGEE
Lot on Plan 2RP50559**

Prepared on behalf of
By Yarramine Environmental

DOCUMENT STATUS

PROJECT & REPORT DETAILS								
Report Title:	Noise Management Plan (Rooming Accommodation)- 125 Kudo Silverleigh Road, GOOMBUNGEE							
Project No:	YEP2026005	Report No:	YEP2026005_R1Fv1					
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Lead Author:	Flynn Bowden							
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1	25/02/2026	Issued for Endorsement	FLB		NPK		NPK	

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LIMITATION STATEMENT

The findings of this report are based on the Scope of Work described in this report and as provided by Schriek Building Group to Yarramine Consulting Pty Ltd (Yarramine Environmental). Yarramine Environmental performed the services in a manner consistent with the level of care and expertise exercised by members of the environmental profession.

In preparing this Report, Yarramine has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ('the data').

Except as otherwise stated in the Report, Yarramine has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in this report ('conclusions') are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. Yarramine will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented, or otherwise not fully disclosed to Yarramine.

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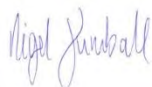
Other parties should not rely upon the report or the accuracy or completeness of any conclusions and should make their own inquiries and obtain independent advice in relation to such matters.

To the best of Yarramine's knowledge, the Report presented, and the facts and matters described in this Report as at the time of preparation, and provided by the Client, are current. Any changes to this information of which Yarramine is not aware, and has not had the opportunity to evaluate, therefore, cannot be considered in this Report.

Yarramine will not be liable to update or revise the Report to consider any events or emergent circumstances or facts occurring or becoming apparent after the date of the Report.

Yarramine will retain any documents or files in its possession relating to the Scope of Work for a period of 7 years from the date this Report.

YARRAMINE CONSULTING PTY LTD

A handwritten signature in blue ink that reads "Nigel Kimball".

Nigel Kimball
Managing Director &
Principal Environmental Scientist
25 February 2026

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1 Introduction

The purpose of this Noise Management Plan (NMP) is to describe how Hsiang Kuang Pure Land Buddhism Centre will manage noise arising from the operation of its rooming accommodation and associated facilities at 125 Kudo Silverleigh Road, GOOMBUNGEE.

The Facility comprises a series of rooming accommodation buildings, an activity/dining hall, a caretaker's residence, and a food and drink outlet. The site was recently subject to a Change Application approval, which included the establishment of an additional six (6) rooming accommodation buildings, among other amendments.

This updated plan has been prepared to replace the previously prepared document by Alpha Planning Applications and is intended to satisfy the conditions of approval contained within the updated Decision Notice. The revised Decision Notice requires submission of an amended Noise Management Plan for endorsement by Toowoomba Regional Council (TRC). A copy of the current Decision Notice is provided in Appendix A. Conditions 43 and 44 specifically relate to the requirement for this amended plan and its endorsement.

This Plan covers the following key components:

- Specific noise mitigation treatments, management methods and procedures that will be implemented to control noise during site activity and operation.
- Justifications of any proposed activities outside the approved operating hours
- Procedures for notifying neighbouring residents of activities that are likely to affect their amenity through noise or vibration.
- A complaints management procedure.

1.1 Noise Limits

Unchanged noise limits are included on current Decision Notice for the development which requires noise from activity associated with the subject land must not exceed the Acoustic Quality Objectives listed in the *Environment Protection (Noise) Policy 2019* at any sensitive receptor.

The Acoustic Quality Objectives prescribed in the 2019 Policy for relevant surrounding sensitive receptors (refer to Section 1.2) are presented in Table 1 below.

With respect to operating hours, the Decision Notice does not prescribe specific operating hours other than for the Food and Drink Outlet, which is limited to 7:00 am to 2:00 pm on weekdays. It does, however, specify that no outdoor activity associated with the approved uses may occur before 7:00 am or after 5:00 pm. Given the nature of the Facility - particularly its rooming accommodation component - it is understood that internal operations must function on a 24 hour basis to meet the needs of guests residing onsite.

Table 1: EPP (Noise) 2019 noise level limits

SENSITIVE RECEPTOR	PERIOD [^]	ACOUSTIC QUALITY OBJECTIVE*			ENVIRONMENTAL VALUE
		LAeq 1hr	LA10 1hr	LA01 1hr	
Dwelling (Outdoors)	Daytime Evening	50	55	65	Health and wellbeing
Dwelling (Indoors)	Daytime Evening	35	40	45	Health and wellbeing
	Night-time	30	35	40	Health and wellbeing, in relation to the ability to sleep

* Measured at receptor

[^] Time periods are defined as follows:

- Daytime - the 11-hour period between 0700 and 1800 hours.
- Evening - the 4-hour period between 1800 and 2200 hours.
- Night-time - the 9-hour period between 2200 hours and 0700 hours.

1.2 Surrounding Sensitive Receptors

Currently, eight (8) sensitive receptors are located within approximately 1500 meters of the storage facility. These comprise eight (8) residential dwellings, including single storey homes, all primarily constructed from brick and iron materials.

Particulars of each dwelling are summarised in Table 2 below and on Figure 1 overleaf.

Table 2: Summary of nearby Sensitive receptors

ID #	RECEPTOR ADDRESS	TYPE	LATITUDE	LONGITUDE	DISTANCE (M) FROM BOUNDARY
SR1	118 Kudo Silverleigh Road	Dwelling - Single Storey Timber & Iron Construction	-27.32285	151.83148	964
SR2	721 Kudo Silverleigh Road	Dwelling - Single Storey Brick & Iron Construction	-27.32740	151.83711	1137
SR3	15 Gordon Smiths Road	Dwelling - Single Storey Timber & Iron Construction	-27.34132	151.83533	1404
SR4	224 Gordon Smiths Road	Dwelling - Single Storey Brick & Iron Construction	-27.34129	151.83173	1192
SR5	90 Gordon Smiths Road	Dwelling - Single Storey Brick & Iron Construction	-27.34119	151.82723	1019
SR6	111 Gordon Smiths Road	Dwelling - Single Storey Brick & Iron Construction	-27.34330	151.82204	1193
SR7	186 Norgaards Road	Dwelling - Single Storey Brick & Iron Construction	-27.33944	151.80815	1706
SR8	280 Kudo Silverleigh Road	Dwelling - Single Storey Brick & Iron Construction	-27.32236	151.81514	1328

**Figure 1
Surrounding Sensitive Receptors**

Legend

- Sensitive Receptors
- Noise Logger
- ▲ Subject Site
- ▲ Cadastre

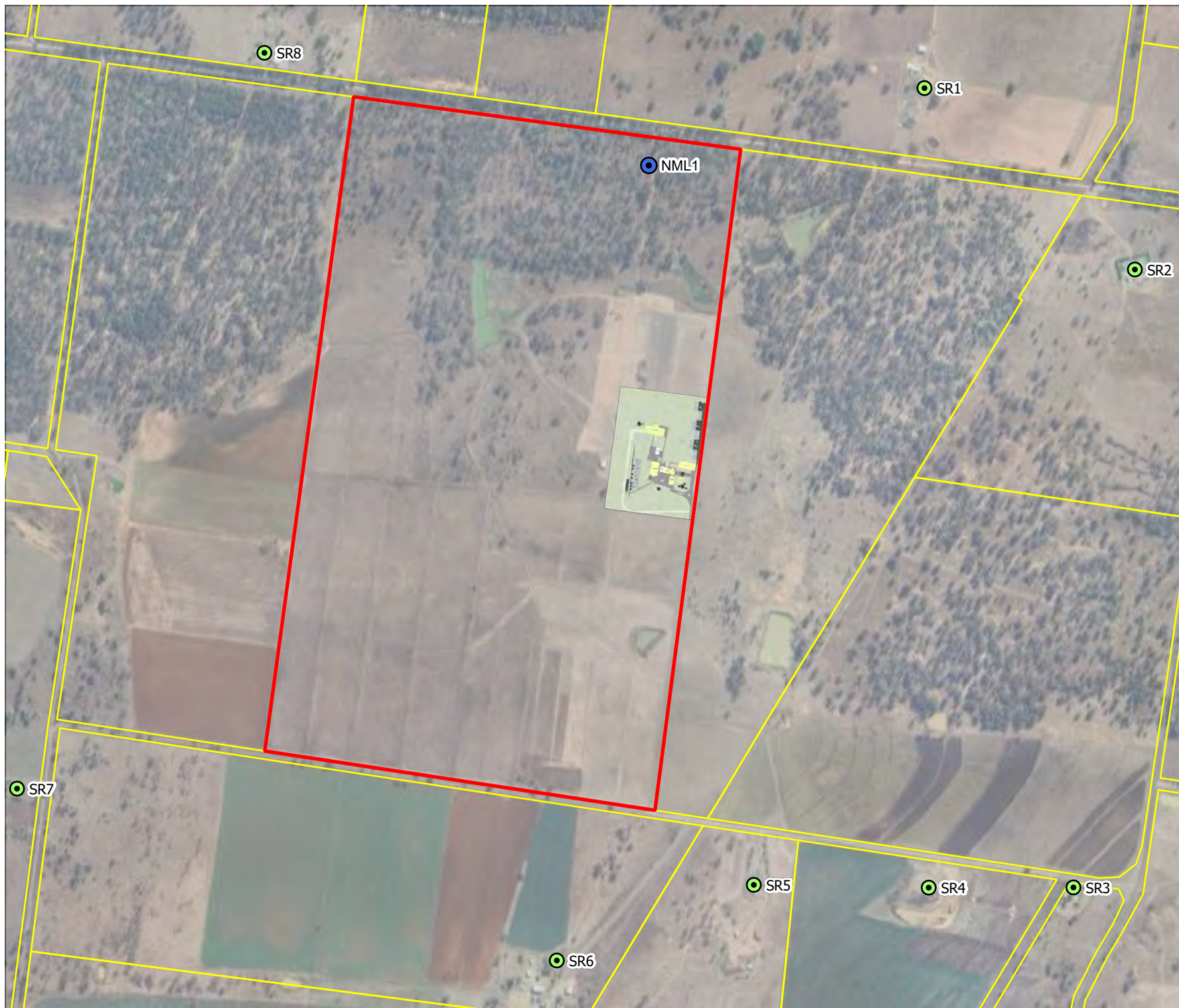
Layer Sources: Qld GIS Layers (Qld Gov Information Service 2024)
Aerial - Google Earth 2025

Client:	Shriek Building Group		
Project No:	YEP2026005		
Drawn:	FLB	Approved:	NPK
Revision:	A	Date:	23/02/2026



1: 12500 (A4)
GDA2020 MGA Z56

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2 Noise Management Plan

2.1 Rationale

Activity at the Hsiang Kuang Pure Land Buddhism Centre may generate various noise emissions which, if not adequately controlled, could cause nuisance to nearby sensitive receptors. The goal of the *Noise Impact Management Plan* is to establish a range of noise mitigation measures and management procedures to protect the acoustic amenity of the locality for neighbouring residents and workplaces.

2.2 Issues/Aspects/Impacts

Noise from the facility is primarily generated by patron vehicle movements from the carpark and including manoeuvring given the length of the driveway and quantity of onsite carparking proposed, patron conversational noise at various locations, meditation and chanting activities taken place in a collective and outdoor manner and noise from service vehicles such as delivery and refuse servicing.

2.3 Management Plan

Operational Policy Objective - Noise Management	
<i>Goal: To protect the acoustic amenity of the locality for neighbouring residences and workplaces.</i>	
Performance Criteria	<ul style="list-style-type: none"> The premises will comply with the <i>Environmental Protection (Noise) 2019</i> (EPP Noise) and the acoustic conditions of the Decision Notice. The premises, where warranted and practicable will, minimise noise emissions on the locality and minimise the likelihood of a complaint.
Mitigation Controls	<ul style="list-style-type: none"> Air conditioning condensers and other mechanical plant that are not already screened and have a direct line of sight to neighbouring residences must be enclosed with appropriate screening where necessary. Use low-noise pumps and machinery where possible. Regular servicing of pumps, fans, and heating systems to prevent excessive noise from wear or faults. Position noisy equipment away from property boundaries where possible.
Management Procedures & Practices	<ul style="list-style-type: none"> Staff and patrons are to park in their designated locations. Vehicles should not be left to run idle for excessive periods. Grounds maintenance is not to be performed any earlier than 7:00AM Monday to Fridays or 9:00AM on Saturdays, Sundays, and Public Holidays and no later than 6:00PM on all days (except in emergency situations).
Monitoring & Reporting	<ul style="list-style-type: none"> The Site Manager will initiate a noise investigation following a written request from TRC to investigate a noise complaint providing this complaint is reasonable and not frivolous or vexatious.
Responsibility	<ul style="list-style-type: none"> The Site Manager shall be responsible for communicating with customers as appropriate to convey the above procedures and practices (e.g., when undue noise issues arise).
Corrective Action	<ul style="list-style-type: none"> The Site Manager is to personally meet with any person making a complaint to resolve issues raised by the complainant. The Site Manager may request the services of a specialist consultant to investigate the noise issue(s) subject to the complaint if required. The Site Manager is to communicate with employees and undertake appropriate action to reduce noise (e.g., issue reminders/warnings) regarding noisy activities.
Auditing & Review	<ul style="list-style-type: none"> The Site Manager shall review the <i>Noise Management Plan</i> as required and at least once a year. The Site Manager (or their consultant) will retain the results and findings of any noise monitoring undertaken, compare the monitoring results against relevant legislative requirements, approval conditions and nominated performance criteria, and review and

	make changes to employed noise management procedures and implement mitigation controls as required.
Reference Document	<ul style="list-style-type: none"> • <i>Environmental Protection (Noise) Policy 2019</i> • <i>Environmental Protection Act (1994)</i> • Decision Notice presented in Error! Reference source not found. • Australian Standard AS1055:2018 - <i>Acoustics - Description and Measurement of Environmental Noise.</i>

3 Community Relations Management Plan

3.1 Rationale

As members of the local community, Hsiang Kuang Pure Land Buddhism Centre has an obligation to address any concerns raised by neighbouring residences and workplaces regarding site operations, staff conducts and day-to-day activities.

The objective of the *Community Relations Management Plan* is to foster good relationships and co-operation with neighbouring residences and workplaces.

3.2 Issues/Aspects/Impacts

Neighbouring residences and workplaces have an interest in ensuring that their acoustic amenity and environmental values are protected. Noise generating activities that may be of interest or concern to residences and workplaces include vehicle noise, conversational noise and meditation and chanting noise.

3.3 Management Plan

Operational Policy Objective - Community Relations Management	
<i>Goal: To foster good relationships and co-operation with neighbouring residences and workplaces.</i>	
Performance Criteria	<ul style="list-style-type: none"> There are no specific legislative requirements for achieving good community relations. The general goal is to prevent repeated complaints.
Management Procedures & Practice	<ul style="list-style-type: none"> The Site Manager shall implement an 'open door policy' with customers and neighbouring residences and workplaces.
Monitoring & Reporting	<ul style="list-style-type: none"> The Site Manager shall maintain a record of all formal meetings, site visits, notices, correspondence etc. (other than complaints - see following section) with neighbouring residences and workplaces.
Responsibility	<ul style="list-style-type: none"> The Site Manager will, if possible, personally meet with adjoining neighbours at least once a year to discuss operations.
Corrective Action	<ul style="list-style-type: none"> The Site Manager will ensure that actions to reduce any community angst, including investigating and responding to complaints if made, will be undertaken.
Auditing & Review	<ul style="list-style-type: none"> The Site Manager shall review the <i>Community Relations Management Plan</i> as required and at least once a year.
Reference Documents	<ul style="list-style-type: none"> None

4 Complaints Management Plan

4.1 Rationale

As members of the local community, Hsiang Kuang Pure Land Buddhism Centre has an obligation to manage its impact on the local community and surrounding area. The aim of the *Complaints Management Plan* is to ensure complaints received are accurately recorded, investigated, and addressed where appropriate in a prompt manner.

4.2 Issues/Aspects/Impacts

In the event that neighbouring residences and workplaces experience amenity impacts that they consider excessive, it is important that a complainant management procedure is in place so that complaints can be investigated and responded to.

4.3 Management Plan

Operational Policy Objective - Complaints Management	
<i>Goal: To ensure complaints are received, accurately recorded, investigated, and addressed</i>	
Performance Criteria	<ul style="list-style-type: none"> To resolve any complaints in a prompt fashion and prevent repeated complaints.
Management Procedures & Practice	<ul style="list-style-type: none"> A protocol for settling complaints has been prepared and sets out specific procedures and timeframes for dealing with complaints. This protocol is presented in Error! Reference source not found., which also includes a template that can be used to generate a Complaint Logbook to maintain a record of complaints and their investigations. The Complaints Logbook is to be made available for inspection by TRC or any authorised officer from a government department or agency responsible for administering the matters involved in the complaint.
Monitoring & Reporting	<ul style="list-style-type: none"> If monitoring is undertaken, the Site Manager, or the consultant commissioned to undertake any noise investigation, will provide an objective summary of the results of the survey to the complainant. Actions resulting from the findings of a study will also be provided to the complainant. The Site Manager shall maintain a register of all noise complaints received in accordance with the protocol for settling complaints. Upon assessing the complaint to the best practical extent, the Site Manager will record the actions taken to settle the complaint in the Complaints Logbook.
Responsibility	<ul style="list-style-type: none"> The Site Manager upon consideration of the complaint, will, if possible, personally investigate the issue raised by the Complainant. The Site Manager may commission an investigatory study to determine whether the complaint can be substantiated. Employees receiving a complaint must record the complaint and notify the Site Manager as relevant that the complaint has been received.
Corrective Action	<ul style="list-style-type: none"> The Site Manager will ensure that actions to reduce the likelihood of further complaints will be undertaken.
Auditing & Review	<ul style="list-style-type: none"> The Site Manager will keep records summarising any complaints received, and review changes to activities undertaken onsite. The Site Manager shall review the <i>Community Relations Management Plan</i> as required and at least once a year. In addition, the <i>Protocol for Settling Complaints</i> (included in in Error! Reference source not found.) will be reviewed and modified where necessary at this time.
Reference Documents	<ul style="list-style-type: none"> None

5 Roles & Responsibilities, Training & Awareness

5.1 Roles & Responsibilities

Responsibility for environmental management and continuous improvement in performance is the duty of all personnel managing or working at the site.

All site personnel associated shall comply with the requirements of all relevant environmental legislation, regulations, codes of practice, project standards, procedures, and work instructions.

Specific responsibilities of key personnel (with names and roles to be added once known) are outlined below.

Site Manager

- Normally be present onsite during day-to-day operations.
- Ensure that the NMP is effectively established, implemented, and maintained.
- Ensure that all personnel (staff and contractors/subcontractors) are trained and aware of their environmental obligations.
- Take corrective action to resolve non-conformances.
- Take steps necessary to avoid or minimise adverse environmental impacts, including recommending to personnel that activities cease or alter due to inadequate environmental performance.
- Arrange for or seek arrangement for environmental inspection and audit programs to be completed as required by internal procedures, approvals, licenses and permits.
- Complete any environmental inspection checklists and report to the Franchisee where necessary.
- Ensure environmental records are kept and files maintained.
- Ensure community complaints and non-conformances are recorded and appropriately considered and acted upon.
- Coordinate with TRC and other authorities as well as consultants as necessary regarding approvals.
- Communicate with the public and key stakeholders, as required and within limits of authority.

5.1.1 All Personnel (Staff/Contractors/Subcontractors)

- Observe Environmental Policies and Procedures.
- Comply with the relevant Standards, Codes of Practice, Acts, and Regulations.
- Promptly report any non-conformances and/or breaches to management.
- Take part in awareness training as directed by management.

5.2 Personnel Training

All personnel working onsite employees must not conduct tasks without holding requisite qualifications and/or experience to ensure they are aware of their responsibilities and are competent to conduct their work in an environmentally acceptable manner.

All employees are to attend a site induction or receive written site induction materials during which environmental requirements shall be explained. Ongoing instruction shall be provided via daily toolbox meetings.

All inductions, training/qualifications and ongoing instruction shall be recorded on a training register such as that presented in **Error! Reference source not found.** to demonstrate they are inducted and hold or have received the appropriate qualifications/training.

All employees shall receive instruction in the following areas:

- NMP and related plans/documents.
- Environmental policies.
- Understanding the regulatory requirements applying to the nature of activities they are undertaking and their consequential responsibilities.
- Environmental objectives and targets.
- Potential consequences of straying from procedures.
- Emergency procedures and responses.
- Understanding their legal obligations.

Personnel conducting tasks that have higher than usual environmental risks shall be provided with additional induction to further inform them of particular requirements, risks, and controls.

5.3 Emergency Contact Details

A list of emergency contact details is to be compiled and displayed in a prominent position that is accessible and frequently observed by all employees and visitors.

The emergency contact details will cover all potential emergency scenarios that have been identified by risk management processes.

The list will be revised as necessary to account for any changes in administrative arrangements or contact details.



Appendix A

COPY OF DEVELOPMENT APPROVAL



Our Reference: MCUI/2017/6050/H
CS Portal Reference: N/A
Contact Officer: Rumpa Sarkar
Contact: (07) 4695 5681
Email: development@tr.qld.gov.au

Decision Notice
CHANGE TO A DEVELOPMENT APPROVAL
Planning Act 2016 Section 83

Min-Chieh Wang
C/- Alpha Planning Applications
PO Box 764
TOOWOOMBA CITY QLD 4350

Email: andrew@alphaplanning.com.au

9 February 2026

Dear Sir/Madam

Development Approval: **Material Change of Use - Impact - Rooming Accommodation and Food and Drink Outlet**
Location: **125 Kudo-Silverleigh Road, GOOMBUNGEE QLD 4354**
Property Description: **Lot 2 RP50559**
Relevant Planning Scheme: **Toowoomba Regional Planning Scheme 2012**

I refer to your application received on 27 February 2025 for a change to the development approval approved on 2 March 2018.

The change application was assessed against the relevant assessment benchmarks as identified in the *Toowoomba Regional Planning Scheme 2012* for the development.

On the 3 February 2026, the change application was approved as per the attached Schedule.

All deletions are identified by **bolded** strikethrough of text and all additions are identified by **bolded** text.

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

Yours faithfully



Jayden Forbes-Mitchell
Lead Senior Planner, Planning Branch



TOOWOOMBA REGIONAL COUNCIL
A.B.N. 997 8830 5360

SCHEDULE 1

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - IMPACT

APPLICATION NUMBER:	MCUI/2017/6050/H
APPLICANT:	Min-Chieh Wang C/- Alpha Planning Applications
LOCATION:	125 Kudo-Silverleigh Road, GOOMBUNGEE QLD 4354
PROPERTY DESCRIPTION:	Lot 2 RP50559
APPROVED USE:	Rooming Accommodation and Food and Drink Outlet
ZONING / PRECINCT:	Rural Zone / 100-hectare minimum Precinct

A. ASSESSMENT MANAGER'S CONDITIONS:

PLANNING

APPROVED USE

1. This development Approval is for material change of use for:
 - 1.1 Rooming Accommodation for ~~eight (8)~~ **six (6) Thirty (30)** bedrooms;
 - 1.2 Maximum of ~~one two~~ guests per room, ~~eight (8)~~ **twelve (12) sixty (60) guests** in total; and
 - 1.3 Guest can stay for a maximum of 3 months at a time; and
 - 1.4 Food and Drink Outlet accommodating a maximum of 102 persons at any one time.

CARRY OUT & MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they are not varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
4. 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 Works approval.
5. 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.

APPROVED PLANS

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

Plan No.: 240205, AA05-074, Rev E-1
Description: Overall Site Plan, prepared by Aspect and dated 17 May 2024 ~~20 November 2024~~
21 August 2025.
Amendments: Nil

Plan No.: ~~14689-DA01, Revision 1 14689-A101 Amend 1 2 3 22-0617, Rev E 240205, AA05-08 2, Revision D H F.~~
Description: Enlarged Site Plan, Sheet 1 of 5, prepared by Leroy Palmer Consulting Engineers Pty Ltd Aspect and dated ~~15 October 2017 7 July 2020 2 December 2020 4 March 2021 9 November 2022 17 May 2024~~ **20 November 2024 21 August 2025.**
Amendments: ~~As notated in RED~~ Nil

Plan No.: 240205, AA05-095, Revision D G
Description: Enlarged Car Parking Plan, prepared by Aspect and dated ~~20 November 2024~~
20 August 2025.
Amendments: ~~As notated in RED~~ Nil

~~Plan No.:~~ ~~14689-DA02, Revision 2~~
~~Description:~~ ~~Floor Plan, Sheet 2 of 5, prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated 19 October 2017~~
~~Amendments:~~ Nil

Plan No.: 14689-A02, Amend G J K
Description: Floor Plan Accommodation Building, prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated ~~25 October 2019 4 June 2020 30 November 2020~~
Amendments: Nil

Plan No.: ~~14689-A102, Amend 3 8 9 22-0617, Rev D 240205, B10-01, Revision F~~
Description: ~~Floor Plan Concept – Dining Hall Fitout Proposed Floor Plan Kitchen/Dining, prepared by Leroy Palmer Consulting Engineers Pty Ltd Aspect and dated 7 July 2020 4 December 2020 4 March 2021 10 October 2022 17 May 2024~~
Amendments: Nil

Plan No.: ~~14689-DA03, Revision 2 14689-A03 Amend D E~~
Description: ~~Building Elevations Accommodation Building, Sheet 3 of 5, prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated 19 October 2017 4 June 2020 30 November 2020~~
Amendments: Nil

Plan No.: ~~14689-A103, Amend 3 5 7 22-0617 A40-01, Rev D K~~
Description: ~~Building Proposed Elevations – Outdoor Kitchen & Food and Drink Outlet Building and 3D Views Kitchen/Dining, prepared by Leroy Palmer Consulting Engineers Pty Ltd Aspect and dated 7 July 2020 30 November 2020 4 March 2021 10 October 2022-20 March 2023~~
Amendments: Nil

Plan No.: 14689-DA05, Revision 1
Description: Typical Section Accommodation Building ~~Floor Plan, Sheet 5 of 5, prepared by Leroy Palmer Consulting engineers Pty Ltd and dated 16 October 2017~~
Amendments: Nil

~~Plan No.:~~ ~~14689-A201, Amend 2~~

Description: ~~Carport Roof, Floor Plan, and Elevations prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated 4 March 2021~~

Amendments: ~~Nil~~

Plan No: 240205, C10-01, Revision ~~C~~ I

Description: Concept Plan – Ground Floor Plan – Proposed Enclosed Activities Building, prepared by Aspect and dated ~~15 November 2024~~ **22 May 2025**.

Amendments: ~~As notated in RED~~ Nil

Plan No: 240205, C10-04, Revision ~~C~~ I

Description: Concept Plan - Elevations – Proposed Enclosed Activities Building, prepared by Aspect and dated ~~15 November 2024~~ **22 May 2025**

Amendments: ~~As notated in RED~~ Nil

Plan No: 240205, C10-05, Revision ~~C~~ I

Description: Concept Plan - Elevations – Proposed Enclosed Activities Building, prepared by Aspect and dated ~~15 November 2024~~ **22 May 2025**.

Amendments: ~~As notated in RED~~ Nil

Plan No: PST1 – 1101, Revision B

Description: PVC Single Bay Car Park Type 1, prepared by MakMax Australia and dated 4 November 2021

Amendments: Nil

Plan No: **240205, A05-06, Revision C**

Description: **Proposed Accommodation Plan, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: **240205, A10-01A, Revision D**

Description: **Floor Plan – BLDG A, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: **240205, A10-01B, Revision D**

Description: **Floor Plan – BLDG B, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: **240205, A25-01A, Revision C**

Description: **Building Elevations BLDG A, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: **240205, A25-01B, Revision C**

Description: **Building Elevations BLDG B, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: **240205, D-A10-01, Revision E**

Description: **Floor Plan – Activities Room, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: **240205, D-A25-01, Revision E**

Description: **Elevations – Activities Room, prepared by Aspect and dated 13 February 2025.**

Amendments: Nil

Plan No: 240205, D-B10-01, Revision D
Description: Floor Plan – Activities Room Toilet 1, prepared by Aspect and dated 13 February 2025.

Amendments: Nil

Plan No: 240205, D-B25-01, Revision D
Description: Elevations – Activities Room Toilet 1, prepared by Aspect and dated 13 February 2025.

Amendments: Nil

Plan No: 240205, D-C10-01, Revision D
Description: Floor Plan – Activities Room Toilet 2, prepared by Aspect and dated 13 February 2025.

Amendments: Nil

Plan No: 240205, D-C25-01, Revision D
Description: Elevations – Activities Room Toilet 2, prepared by Aspect and dated 13 February 2025.

Amendments: Nil

APPROVED DOCUMENTS

- 6A. The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval:

Document: YEP2025052_R1Fv5
Description: Environmental Noise Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025

Amendments: Nil

Document: YEP2025052_R3Fv4
Description: Lighting Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025

Amendments: Nil

Document: Noise Management Plan
Description: Rooming Accommodation (Monastery) Noise Management Plan & Complaints Register - 125 Kudo Silverleigh Road, Goombungee, prepared by Alpha Planning Applications and dated 23 July 2018

Amendments: Document to be amended as outlined within Condition 43.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

7. 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

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORK)

- 7A. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:

7A.1 Roadwork

ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

8. Plans and specifications for all works associated with any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).
9. A RPEQ must submit to Council a copy of the:
 - 9.1 Design Certificate prior to commencement of the works; and
 - 9.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
10. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.
11. Where any condition refers to, or requires, an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

STORMWATER DRAINAGE

12. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

STORMWATER DISCHARGE

13. Stormwater from new roofed areas (including overflow pipes from rainwater tanks) is permitted to be discharged within the subject land, a minimum of 3 metres clear of any building foundations and any adjoining property boundary.
14. The act of on-site stormwater discharge must not cause erosion and scouring and must utilise appropriate control devices at outlets to prevent such erosion and scouring.
15. Stormwater must be dispersed as sheet flow.
16. Design and construction of all internal stormwater drainage works must comply with each applicable section of *Australian and New Zealand Standard AS/NZS 3500 - Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

EROSION & SEDIMENT CONTROL

17. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
18. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
19. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
20. All disturbed areas must be mulched or turfed as soon as possible during construction.

21. Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to minimize site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and, where applicable the ensuing 'on-maintenance' period.

DAMAGES TO SERVICES & ASSETS

22. Protect Council and public utility services and assets during construction of the development.
23. 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:
 - 23.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 23.2 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.
24. 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.
25. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with the *Planning Scheme Policy PSP No. 4 – Development Near Utility Services*.

SERVICES & UTILITIES

ON-SITE WASTE WATER TREATMENT & DISPOSAL

26. The development must be provided with an on-site waste water treatment and effluent disposal system having a capacity and land application area sufficient for the use. The area nominated on the Approved Plans for the waste water treatment and effluent disposal, including irrigation areas, are maintained for this purpose for the life of the approval.
27. The waste water treatment and effluent disposal system must comply with *Australian Standard AS3500.2 – National Plumbing and Drainage - Sanitary Plumbing and Drainage*; and *Australian Standard AS1547:2012 - On Site Domestic-Wastewater Management* where system size is not exceeded (ref. Part 1.2.1.2 of AS1547:2012).
28. All reasonable and practicable measures must be undertaken to prevent treated waste water and effluent from overflowing or seeping onto adjoining properties.

BUILDING WORKS & ARCHITECTURE

SCHEDULE OF EXTERNAL FINISHES

29. Prior to the issue of a Development Permit for Building Works or Operational Works, submit to Council for endorsement a detailed Schedule of External Finishes, demonstrating compliance with the following requirements:
 - 29.1 Provision of a high degree of visual articulation in the elevations of the building;
 - 29.2 Identification of each of the materials used in the elevations of the approved building;
 - 29.3 Identification of durability of materials giving consideration to vandal resistance and low maintenance regimes;

- 29.4 Identification of suitability of materials and configuration to minimise noise and air borne pollutant transmission; and
- 29.5 Identification of the colour of each of the materials used in the elevations of the approved building.

Note: Submit rendered and labelled elevations of the approved development with a list describing the following for each material employed in the facades:

- *The common name of each material (e.g. aluminium, frosted glass, painted concrete tilt-up panel);*
- *The manufacturer's name for each material (it may be useful to include internet addresses to the manufacturer's internet site that provides a pictorial representation of the nominated material);*
- *The common name for the proposed colour of the material;*
- *The manufacturers name for the proposed colour (whether paint or pre-finished material); and*
- *A description of surface texture, where relevant (smooth finish rendered face brick).*

The above information may be presented in a table format, including a legend to indicate the area of the elevation drawing of the building that will use that specific material and colour. In addition, it may be useful to provide a sample board to illustrate each of the materials used in the external finishes.

AMENITY & OPERATION OF USE

STREET IDENTIFICATION

30. The street number of all buildings must be clearly identifiable and located in a prominent position near the site entry, either on the kerb or a letterbox, or viewable from the site entry and located by signage on buildings or the subject land.
31. The room number of each room must be displayed on or adjacent to the entry to the room, in such a way that they are clearly legible.

SATELLITE DISHES

32. A maximum of one (1) satellite dish per building may be provided on the subject land. The diameter of any satellite dish must not exceed one (1) metre.

Note: The installation of a satellite dish with a diameter greater than 900mm is assessable development under the Building Regulation 2006 and requires an approval from a private building certifier.

ACCESS FOR PEOPLE WITH DISABILITIES

33. Access must be provided for people with disabilities in accordance with *Australian Standard AS1428.1: Design for Access and Mobility* by means of an unimpeded continuous path of travel from any adjacent roadway, adjoining public open space and from any disabled access car parking bay, to all parts of the development that are normally open to the public.

TRANSPORT AND VEHICULAR ACCESS

ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY

34. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

Note: Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.

35. Safe pedestrian access along Council's footpaths must be maintained at all times.

Note: Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.

ROADWORKS (EXTERNAL TO DEVELOPMENT)

- 35A. Existing roads must be upgraded for as follows:

Street: Gordon Smiths Road

Classification: Local Access Rural

Construction Standard: The road must be upgraded to 3.5m seal on 6.5m formation as per *IPWEA Low Order Road Design Guidelines*. The road must be upgraded from Kingsthorpe-Haden Road/Gordon Smiths Road intersection to the driveway crossover of the property.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

- 35B. The design and construction of the road must comply with *Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure* (PSP No.2) and must include in particular:

35B.1 Table drain works;

35B.2 Relocation of utility and Council services;

35B.3 Appropriate street signs

- 35C. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with PSP No. 2 to allow for the above.

- 35D. All street/road surfacing must be in accordance with the pavement construction standards in PSP No. 2.

- 35E. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.

- 35F. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the road works.

PROVISION OF VEHICULAR ACCESS

36. An all-weather driveway must be constructed from the existing road to the property boundary. The following requirements apply:
- 36.1 The vehicle access must be located as shown on the Approved Plans listed within the Development Approval;
 - 36.2 The vehicle access (crossing the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia Drawing RS-056 Rural Driveways, and in accordance with Australian Standard AS 2890 – Parking Facilities 9Part 1 and as relevant Part 2);
 - 36.3 The vehicle access (crossing the verge) must be located a minim of one (1) metre clear of power poles, streetlights or any signage;
 - 36.4 Undertake any necessary relocation of all existing services clear of the access that will serve the subject land and contact all relevant service authorities and comply with their requirement in relation to these works; and
 - 36.5 The driveway must be constructed so as to not concentrate stormwater runoff onto neighbouring properties.

ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING

- 36A. The premises must be provided with minimum of **forty-three (43) ~~thirty (30)~~** on-site car parking spaces inclusive of **~~One (1)~~ three (3)** PWD car parking space, together with standing and manoeuvring for SRV service vehicles. Car parking and manoeuvring areas at a minimum must be:
- 36A.1 Constructed generally as shown on the Approved Plans listed within this Development Approval;
 - 36A.2 Provided with a gravel hardstand surface and delineated to the minimum dimensions detailed in the *Toowoomba Regional Planning Scheme 2012 and Australian Standard AS2890 - Parking Facilities*;
 - 36A.3 Designed and constructed in accordance with the requirements of AS2890;
 - 36A.4 Designed to ensure disabled car parking spaces are located in close proximity to a primary building entrance and meet the requirements of AS2890.1 Clause 2.4.5 (1.3m high bollards), AS1428.1 and AS2890.6:2009;
 - 36A.5 Accessible and available to the general public and staff during approved hours of operation;
 - 36A.6 Provided with signage and pavement markings that indicate the location of parking areas and the proposed flow of traffic through the subject land;
 - 36A.7 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; and
 - 36A.8 Designed to enable all vehicles to enter and leave the subject land in a forward gear.

ENVIRONMENT & WASTE

ACOUSTIC AMENITY – GENERAL

37. Service vehicle movements (including loading and unloading) associated with the approved uses must not occur outside the hours of:
 - 37.1 7am to 7pm Monday to Saturday; and
 - 37.2 9am to 7pm Sunday or any Public Holiday.
38. No activity associated with the approved uses must occur outside prior to 7am or after 5pm
- 38A. Unless otherwise approved in writing by Council, the approved Food and Drink Outlet must not operate outside the hours of 7:00 am to 2:00 pm Monday to Friday.

ACOUSTIC AMENITY – NOISE LIMITS

39. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the *Environment Protection (Noise) Policy 2008* when measured at any sensitive receptor.
40. Where considered warranted by Council and when requested in writing to do so, a noise investigation must be undertaken to investigate a complaint of noise nuisance. In such instances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Noise Emission Limits listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request. Measurement of noise emissions (adjusted for tonality and impulse) must be generally in accordance with the most recent version of *Australian Standard AS1055.1 Acoustics - Description and measurement of environmental noise - General procedures*.

ACOUSTIC AMENITY – MECHANICAL PLANT

41. All “refrigeration equipment”, “pumps”, “regulated devices”, and “air conditioning equipment” as defined by *the Environmental Protection Act 1994* must be designed, installed, operated and maintained to comply with the noise standards as specified within the *Environmental Protection Act 1994*.
42. Any fixed mechanical plant that causes either tonal (L_{eq}) sound (e.g. from basement car-park or kitchen exhaust, air conditioning unit or pool filtration unit), or impulse (L_{max}) sound, must be enclosed, shielded or positioned to ensure that noise emissions do not exceed the following noise limits when measured at any sensitive place or commercial place:
 - 42.1 Before 7.00AM, if it makes a noise of more than 3dB(A) above the background noise level (L_{90}); or
 - 42.2 From 7.00AM to 10.00PM, if it makes a noise of more than 5dB(A) above the background noise level (L_{90}); or
 - 42.3 After 10.00PM, if it makes a noise of more than 3dB(A) above the background noise level (L_{90}).

ACOUSTIC AMENITY – NOISE MANAGEMENT PLAN

43. Prior to the issue of any Development Permit for Operational Works or Building Works, submit to Council for endorsement an **amended** Noise Management Plan prepared by a suitably qualified person that, at a minimum, includes the following:

- 43.1 Descriptions of specific mitigation treatments, management methods and procedures that will be implemented to control noise during site activity and operations;
 - 43.2 Justification of any proposed activities outside the approved operating hours listed within this Development Approval or relevant licenses issued within the jurisdiction of any other authority;
 - 43.3 Procedures for notifying neighbouring residents of activities that is likely to affect their amenity through noise or vibration;
 - 43.4 A complaints management procedure that must include the following:
 - i) a contact person with whom complaints can be lodged;
 - ii) a clearly defined procedure for responding to and investigating complaints; and
 - iii) a notification protocol to all complainants of the outcome of complaint investigations.
44. The endorsed **amended** Noise Management Plan must be implemented, maintained and modified where necessary to maintain compliance with the requirements of this Development Approval at all times.

AIR QUALITY & AMENITY – AIR RELEASE LIMITS

- 45. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2008* as measured at any sensitive receptor place must not be released to the atmosphere.

OUTDOOR LIGHTING IMPACT MITIGATION

- 46. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting*.
- 47. All flood lighting must be of a type that gives no upward component of light when mounted horizontally (i.e. a full cut off luminaire).
- 48. Where considered warranted by Council and when requested in writing to do so, a lighting impact investigation must be undertaken to investigate a complaint of light nuisance. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the lighting levels listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request.

Note: Before investigation by the operator is required, Council completes its own consultation and preliminary investigation to confirm if a complaint is valid.

- 48A. Driveway lighting must be switched off after 10:00 PM daily, except where required for emergency or essential safety purposes.
- 48B. Certification must be submitted to Council from a suitably qualified person who verifies that all outdoor lighting devices comply with the requirements of this Development Approval.
- 48C. Lighting impact mitigation measures must be incorporated into the development in accordance with Section 4 of the Light Impact Assessment listed within this Development Approval.

STORMWATER QUALITY

49. Contaminants or contaminated water must not be directly or indirectly released from the subject land or to the ground or groundwater at the subject land at any time except:
 - 49.1 Following treatment using an appropriate stormwater quality improvement device (SQID) as uncontaminated overland stormwater flow;
 - 49.2 Following treatment using an appropriate stormwater quality improvement device (SQID) as uncontaminated stormwater to the stormwater system; and
 - 49.3 Contaminants released to the wastewater system under and in accordance with a trade waste permit issued by Council under the *Water Supply (Safety and Reliability) Act 2008*.

WASTE MANAGEMENT (GENERAL)

- 50 All waste generated on the subject land must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

LANDSCAPE PLAN

51. **Prior to the commencement of any works on site or the issue of a Development Permit for Operational Work or Building Work (whichever occurs first), submit to Council for endorsement a Landscape Plan prepared by a suitably qualified person (Landscape Architect or Landscape Designer) prepared generally in accordance with *Toowoomba Regional Council's Landscape Work Information Sheet 006* and the conditions of this Development Approval, including the landscaping shown on all Approved Plans listed in this Development Approval, that details in particular:**
 - 51.1 **Location and species of existing site vegetation to be removed and/or retained in accordance with this Development Approval;**
 - 51.2 **A detailed Planting Plan and Schedule that include species which are characteristic of the local area and climate and provide seasonal variation, colour and texture, stock sizes and quantities and the location;**
 - 51.3 **The typical planting detail including soil preparation, backfill, staking, mulching, irrigation, drainage and maintenance;**
 - 51.4 **Dimensions of all planting areas, type and location, taking into account orientation, shading and wind direction;**
 - 51.5 **All landscape planting must be contained within the property boundary, unless otherwise agreed with Council;**
 - 51.6 **Construction details of proposed surfaces, surface level changes and structures, must be wholly contained within the property boundary;**
 - 51.7 **Provision of an irrigation or water source to all planted areas;**
 - 51.8 **Vegetated screening and/or landscape buffer planting must be provided in the areas identified as 'Landscape buffer' on the approved enlarged site plan listed within this development approval. This buffer is to be provided with a minimum 3 metres width with planting capable of providing a minimum 3m high landscape buffer at maturity;**
 - 51.9 **Provision of landscaping around the new accommodation Type A and B buildings and Activities Room buildings to enhance amenity and assist in screening from the adjoining properties; and**

51.10 All plan pages must include a legend or title block that includes: north point, scale, title and drawing number.

Note: Fees and charges are associated with lodging Landscape Plan(s) for endorsement and must be paid prior to Council undertaking assessment of the plans.

52. The Landscape Plan(s) must receive endorsement by Council prior to lodgement of any Development Application for a Development Permit for Operational Work OR commencement of any site works or earthworks AND/OR issue of any Development Permit for Building Work

LANDSCAPING WORKS

53. Carry out the landscape work in accordance with the endorsed Landscape Plan.

54. All landscape works must be installed and established by a suitably qualified person (Landscape Architect, Horticulturalist or equivalent) that ensures healthy, sustained and vigorous plant growth. Where required plant material should be replaced or enhanced to ensure growth to full form and coverage of all dedicated landscape areas. Landscape planting is to be retained and maintained for the life of the development in accordance with the conditions of this Development Approval.

55. Certification must be submitted to Council from a suitably qualified person (Landscape Architect or Landscape Designer) that certifies landscaping works comply with the requirements of this Development Approval.

B. ADVICES:

GENERAL ADVICES

INFRASTRUCTURE CHARGES

1) Infrastructure charges are now 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) Any works impacting outside the property boundary will require a permit under Subordinate Local Law 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011. Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at www.tr.qld.gov.au.

4) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

WHEN APPROVAL STARTS TO HAVE EFFECT

- 5) This development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

WHEN APPROVAL LAPSES

- 6) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

EXCAVATION & FILLING

- 7) The Toowoomba Regional Planning Scheme (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 Works approval from Council before commencing site works.

WASTE WATER TREATMENT & DISPOSAL SYSTEM

- 8) The establishment of a waste water treatment and disposal system for the site requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2002*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and the Australian & New Zealand Standard AS/NZS1547 On-site Domestic Wastewater Management.

Please contact Council's Plumbing and Drainage team via the Customer Service Centre for further information in respect of a Compliance Permit. Where a development exceeds the accommodation or use of 21 or more equivalent persons an Environmental Authority from the Department of Environment & Science will also be required.

EQUITABLE ACCESS & FACILITIES

- 9) The plans for the proposed building work have NOT been assessed for compliance with the requirements of the *National Construction Code - Building Code of Australia (Volume 1)* as they relate to people with disabilities.

In addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:

- 9.1 The *Disability Discrimination Act 1992* (Cth);
- 9.2 The *Anti-Discrimination Act 1991* (Qld); and
- 9.3 The *Disability (Access to Premises - Buildings) Standards*.

ENVIRONMENTAL HARM

- 10) 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, waste water, 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

- 11) 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.

ABORIGINAL CULTURAL HERITAGE ACT 2003

- 12) There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003* ("ACH Act").

The ACH Act establishes a cultural heritage duty of care which provides that: "*A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.*" It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.-11-

FIRE ANTS

- 13) 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 *Plant Protection Act 1989* apply, compliance with statutory provisions must be achieved.

MANDATORY RAINWATER TANKS

- 14) Toowoomba Regional Council requires mandatory rainwater tanks and water saving measures on new dwellings and commercial buildings. Queensland Development Code (QDC) 4.2 is now applicable to any new class 1 (a)(i) buildings (single detached dwellings) on blocks greater than 250m². Dwellings on lots less than 250m² are exempt. Queensland Development Code 4.3 is applicable for any new commercial buildings (class 5 to 9). Please note that Multiple Dwellings are exempt. Further information can be found at:

<http://www.tr.qld.gov.au/environment-water-waste/water-supply-dams/rainwater-tanks/8352-info-026-requirements-for-installation-of-rainwater-tanks>

C. ATTACHMENTS:

- Approved Development Plans
- Approved Documents
- Appeal provisions pursuant to the *Planning Act 2016*.

List of Submitters:-

Change Application - MCUI/2017/6050/H

Jessica Russell
15 Gordon Smiths Road
GOOMBUNGEE QLD

Stephen James Nicol & Sonya Maree Nicol
111 Gordon Smiths Road
GOOMBUNGEE QLD 4354

Kenneth Smith
93 Gordon Smiths Road
GOOMBUNGEE QLD 4354

Jared Lester Tonscheck
PO Box 31
GOOMBUNGEE QLD 4354

Change Application - MCUI/2017/6050/F

Stephen James Nicol & Sonya Maree Nicol
111 Gordon Smiths Road
GOOMBUNGEE QLD 4354

Jessica and Tyler Russell
15 Gordon Smiths Road
GOOMBUNGEE QLD 4354

Ian Donald Norgaard
186 Norgaards Road
GOOMBUNGEE QLD 4354

Courtney and Jack Passier
224 Gordon Smiths Road
GOOMBUNGEE QLD 4354

Kenneth and Robyn Smith
93 Gordon Smiths Road
GOOMBUNGEE QLD 4354

Original Application MCUI/2017/6050

Steve, Sonya and Hayden Nicol
111 Gordon Smiths Road
GOOMBUNGEE QLD 4354

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
 - (2) An appellant may start an appeal within the appeal period.
 - (3) The appeal period is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for an appeal relating to the Plumbing and Drainage Act 2018—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the Plumbing and Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the Plumbing and Drainage Act 2018—5 business days after the notice is given; or
 - (iii) otherwise—20 business days after the day the notice is given; or
 - (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.
- Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
 - (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
 - (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and

- (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The service period is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
 - (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
 - (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
 - (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
 - (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
 - (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
 - (4) In this section—
 - decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.
- non-appealable, for a decision or matter, means the decision or matter—
- (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.



Appendix B

PROTOCOL FOR SETTLING COMPLAINTS &
COMPLAINT LOGBOOK



Protocol for Settling Complaints

Objective

To ensure that there is response to all complaints, which reasonable complaints are investigated, and appropriate action is taken.

Complaint Recording

All complaints relating to the site must be recorded in a logbook with the following details:

- i. Time, date and nature of complaint including urgency and significance.
- ii. Type of communication (telephone, letter, personal etc.).
- iii. Name, contact address and contact telephone number of complainant (note: if the complainant does not wish to be identified then '*not identified*' is to be recorded).
- iv. Response and investigation undertaken because of the complaint.
- v. Names of persons responsible for receiving and/or investigating complaint.
- vi. Action taken because of the complaint investigation and signature of responsible person.

Investigating Complaints

All complaints should be investigated. The investigations should include:

- Determining what activities (and equipment) were being carried out or operated at the time of the complaint.
- Determining whether, at the time of the complaint, normal day to day activities were conducted or whether new activities were conducted (viz. operation of new plant and/or equipment, or operation of equipment in a new location on the site).
- Identifying whether equipment or activities onsite were the source of complaint (or whether other activities in the locality were the cause of the complaint).
- Determining what potential actions may be carried out to resolve complaint and/or minimise the likelihood of further complaint.

Resolving Complaints

Resolving complaints will be necessary to ensure that a good relationship with landholders in the locality is fostered.

Resolving complaints involves determining what actions are required to resolve the complaint and to reduce the likelihood of further complaints.

To ensure that a person making the complaint is satisfied with the actions taken (if actions are required) to resolve the complaint, contact should be made with the complainant following the carrying out of investigations/actions to ensure that the complaint has been satisfactorily resolved.

Complaint Logbook

A complaint logbook/register will be kept at in an office used for the administration of the restaurant.

Management Responsibility

The Site Manager will be responsible for ensuring all employees at the business are familiar with the procedure for complaint recording.

Employee Responsibility

Employees receiving a complaint are required to record the complaint and notify their supervisor that the complaint has been received.

Employees are to show respect and understanding to complainants.

PERFORMANCE TARGETS

Complaints are to be investigated within two working days of complaint being received.

Confirmation by the complainant within one month of completion of investigations of the complaint, that the issue has been satisfactorily resolved.

No repeated complaints.

Complaints Register

All community complaints received by the site must be recorded on this register and referred to the applicable administering authority within 24hrs

Date & Time of Complaint	Issue/Reason for Complaint	By Whom/Contact Details	Action Taken to Address Complaint	Date & Time Action Taken	Comments (referred to Administering Authority?)



Appendix C

PERSONNEL QUALIFICATIONS/ TRAINING
RECORDS REGISTER



Staff Training Records

Photocopies of training certificates, etc. should be kept as records

Name	Date of Training	Name of Training Provider	Type of Training	Length of Training	Training Satisfactorily Completed



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