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PPA
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**Date:** 24 July 2026
**Our Reference:** J002648
**Your Reference:** MCUI/2021/4232 & RAL/2021/4227/A

The Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350

RECEIVED
24/07/2026
TOOWOOMBA
REGIONAL COUNCIL

Dear Sir/Madam,

| Site Address: | 3/535, 5/535 and 535 South Street & South Street Glenvale QLD |
|---|---|
| **RPD:** | 0, 3 & 5/SP346114, 0-13/SP353231 |
| **Method of Distribution:** | Email [development@tr.qld.gov.au] |
| **Subject:** | Change Application (Minor Change) Under Section 78 of the *Planning Act 2016* |

We write on behalf of *Timon Pty Ltd A.C.N. 600 841 263* ("the Applicant"), regarding the above-mentioned development approval.

The current approval was issued by *Toowoomba Regional Council* as assessment manager, on 19 August 2022, for the following aspects of development:

- Preliminary Approval for Variation Approval;
- Development Permit for a Material Change of Use – Health Care Services and Shop; and
- Development Permit for Reconfiguring a Lot – One (1) into four (4) lots and Community Title

A copy of the Existing Approval is enclosed at **Attachment 2.**

This change application is made to *Toowoomba Regional Council*, as the responsible entity, and requests a Minor Change to the development approval, pursuant to s.78 of the *Planning Act 2016*.

The change application is to be considered in conjunction with the following detailed attachments:

- **Attachment 1** – Application Documentation
- **Attachment 2** – Existing Approval

- **Attachment 3** - Proposed Amended Variation Scheme Document

Further detail regarding the development approval history and the amendments proposed via this change application is provided below.

# 1. BACKGROUND

## 1.1. Application Background and Intent of Changes

The subject site benefits from a Development Approval (MCUI/2021/4232/A & RAL/2021/4227/A) which:

1. Included a Preliminary Approval to Vary the effect of the Planning Scheme, with a key impact being enabling Health Care Services to establish via a Code Assessable Development Approval (Per Schedule 1 of the Approval);
2. A Development Permit for a Material Change of Use for Health Care Services and a Shop (Per Schedule 2 of the Approval and relating only to approval lot 2a). Notably, this included:
    - Eight (8) Full-time Equivalent (FTE) General Practitioners; and
    - Six (6) Full-time Equivalent (FTE) other health practitioners
3. A Development Permit for Reconfiguring a Lot to create four (4) lots and common property under a community title (Per Schedule 3 of the Approval).

Separately, Council issued:

4. A Development Permit for a Material Change of Use for a Multiple Dwelling and Health Care Service (Council Reference: MCUC/2024/3625).

Currently, the subdivision (item 3 above) and the multiple dwellings (item 4 above) have been completed.

The area of land which was subject to the approval under Item 2 above (A Material Change of Use for Health Care Services and a Shop) is now intended to be developed for *Indoor Sport and Recreation (gym)* and a smaller allied health centre. An application seeking this has separately recently been submitted to Council (Council Ref: MCUI/2026/6658).

As such, the original development intent (for Health Care Services and a Shop under item 2 above) is no longer proposed (although a smaller allied health facility will replace it under MCUI/2026/6658). Therefore it is now sought to:

1. Remove the component of the Development Approval permitting a Material Change of Use for Health Care Services and a Shop (as outlined in Schedule 2 of the Development Approval);

2. Amend the Preliminary Approval (Schedule 1 of the Development Approval) Item 1 above, by transferring the approved GP's Health Practitioners so that they may establish within the Preliminary Approval Area. The remaining six (6) allied health practitioners will be permitted to establish onsite under MCUI/2026/6658.

# 2. PROPOSED CHANGES

## 2.1. Changes to Approved Drawings and Documents

The proposed changes require amendments to the list of approved drawings and documents, as identified in **Table 1** below.

The approved drawings and documents to be removed have been struck out and the amended drawings and documents to be included are shown in bold. Where not listed in **Table 1** below, the drawings or documents will remain as documented in the Existing Approval.

### Table 1 - Approved Drawings and Documents

| Document | Description | Amendments |
|---|---|---|
| ~~N/A~~ | ~~Greenwattle Street Glenvale Development Variation Scheme Document (VSD) prepared by Property Projects Australia Pty Ltd and dated 25 May 2022~~ | ~~Nil~~ |
| **N/A** | Greenwattle Street Glenvale Development Variation Scheme Document (VSD) prepared by Property Projects Australia Pty Ltd and dated 22 July 2026 | Nil |

## 2.2. Changes to Conditions

In addition to the amendments outlined above, the proposed changes will require alterations to the approved conditions. The amendments are listed in **Table 2**.

### Table 2 - Conditions

| Existing Condition | Proposed Condition |
|---|---|
| **All Conditions under Schedule 2** | N/A – It is requested that Schedule 2 of the Development Approval is removed in its entirety. |
| **Schedule 1, Conditions 1, 2, 4, 5, 6, 7, 8 and 10** | It is requested that the version of the Greenwattle Street Glenvale Development Variation Scheme Document referred to under this condition is removed and that it is replaced with the amended document provided at **Attachment 3.**<br><br>Where a reference is made to this document, associated conditions of approval will need to be updated to refer to the updated version of the document. |

# 3. LEGISLATIVE ASSESSMENT

## 3.1. Minor Change Criteria

The Applicant seeks to amend the Existing Approval to incorporate the proposed changes via a Minor Change, pursuant to s.78 of the *Planning Act 2016*.

**Table 3** and **Table 4** demonstrate that the change application for a Minor Change complies with the relevant provisions of the *Planning Act 2016*, *Planning Regulation 2017* and the *Development Assessment Rules (Version 3.0)*.

### Table 3 - Compliance with Definition for a Minor Change

| Relevant Provision | Assessment |
|---|---|
| The definition of a minor change to a development approval under Schedule 2, *Planning Act 2016*, is:<br><br>*"Minor change means a change that…*<br>*… (b) for a development approval –* | |
| *(i) would not result in substantially different development; and* | **Complies**<br>An assessment of the substantially different development requirements under Schedule 1 of the *Development Assessment Rules (Version 3.0)* has been undertaken as part of this correspondence. Please refer to **Table 4** below for further detail, which concludes that the amendments do not result in substantially different development. |
| *(ii) if a development application for the development, including the change, were made when the change application is made would not cause –* | |
| *(A) the inclusion of prohibited development in the application; or* | **Not Applicable**<br>The change application does not result in prohibited development as per the *Planning Regulation 2017*. |
| *(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or* | **Not Applicable**<br>There were referral agencies for the Development Application. |
| *(C) referral to extra referral agencies, other than to the chief executive; or* | **Not Applicable**<br>The change does not result in a requirement for referral to an extra referral agency. |
| *(D) a referral agency, in assessing the application under section 55(2), to assessment the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or have had regard to, when the application was made; or* | **Not Applicable**<br>The change will not result in a requirement for a referral agency to have regard to additional matters. |

| | |
|---|---|
| *(E) public notification if public notification was not required for the development application* | **Not Applicable**<br>Public notification was required for the Development Application. |

## Table 4 - Compliance with Substantially Different Development Test

| **In relation to part (b)(i) of the definition of Minor Change under the Planning Act 2016, the substantially different development requirements under Schedule 1 of the *Development Assessment Rules (Version 3.0)* provide instructive guidance as follows:-**<br><br>***"A change may be considered to result in a substantially different development if the proposed change:*** | |
|---|---|
| *involves a new use; or* | **Complies**<br>The proposed change does not introduce a new use. |
| *results in the application applying to a new parcel of land; or* | **Complies**<br>The proposed change does not result in the application applying to a new parcel of land. |
| *dramatically changes the built form in terms of scale, bulk and appearance; or* | **Complies**<br>The proposed change will not result in a significant change to built form. The change to the variation approval relates to the number of health practitioners involved and will not have any impact on built form. |
| *changes the ability of the proposed development to operate as intended; or* | **Complies**<br>The proposed change will not change the ability of the development to operate as intended. |
| *removes a component that is integral to the operation of the development; or* | **Complies**<br>Whilst the removal of schedule 2 may be considered to represent the removal of an integral component, it is noted that the change *may be considered to result in a substantially different development* where this criteria applies. It is therefore at Council's discretion to consider whether or not the removal of schedule 2 represents substantially different development.<br><br>It is the view of the author that the removal of schedule 2 does not result in substantially different development. |
| *significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or* | **Complies**<br>The proposed change to the variation approval will only relate to the number of health practitioners |

| | |
|---|---|
| | that may establish onsite, in accordance with a future development permit.<br><br>The removal of the Development Permit under Schedule 2 does not involve the removal or alteration of any essential components of the transport network. No significant impact on the transport network will be caused. |
| *introduces new impacts or increase the severity of known impacts; or* | **Complies**<br>The proposed change does not introduce any new impacts or increase the severity of known impacts. It is noted that the proposal does not result in an increase in the approved number of health practitioners that may operate over the subject site, rather, their location within the development is redistributed. |
| *For development prescribed by the Planning Regulation as requiring social impact assessment as identified under section 106T of the Act:*<br>■ *Introduces new social impact or increase the severity of known social impacts; or* | **Not Applicable**<br>The Planning Regulation does not identify the development as requiring social impact assessment. |
| *removes an incentive or offset component that would have balanced a negative impact of the development; or* | **Complies**<br>The proposal does not remove any incentive or offset component associated with the development. |
| *impacts on infrastructure provisions.* | **Complies**<br>The proposed change does not result in any impact on infrastructure provisions. |

## 3.2. Confirmation of Responsible Entity and Affected Entity

In accordance with s.78A(1)(b) of the *Planning Act 2016*, the responsible entity for this change application is *Toowoomba Regional Council*.

## 3.3. Matters to be considered by Responsible Entity

In accordance with s.81 of the *Planning Act 2016*, the responsible entity must consider a range of items in assessing this change application. Please refer to **Table 5** below which provides an assessment of the proposal's compliance with each of these considerations.

### Table 5 - Assessment against s.81 of the Planning Act 2016

| Relevant Provision | Assessment |
|---|---|
| *(2) In assessing the change application, the responsible entity must consider -* | |

| | |
|---|---|
| *a. The information the applicant included with the application;* | **Noted**<br>Relevant information has been provided within this letter and its associated attachments. |
| *b. if the responsible entity is the assessment manager–any properly made submissions about the development application or another change application that was approved;* | **Noted**<br>The original application was subject to Impact Assessment, however no properly made submissions were received. |
| *c. any pre-request response notice or response notice given in relation to the change application; and* | **Not Applicable**<br>No pre-request response notice or response notice has been given in this instance. |
| 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 | **Not Applicable**<br>The responsible entity for this change application is Toowoomba Regional Council. |
| **e. if** the responsible entity is, under section 78(4)(a), the chief executive – all matters the chief executive would or may assess against or have regard to, if the change application were a development application; and | **Not Applicable**<br>The responsible entity for this change application is Toowoomba Regional Council. |
| *f. another matter that the responsible entity considers relevant.* | It is not considered that there are any other relevant matters warranting consideration. |
| *(3) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d), (e)or (f), consider–*<br>*(a) a statutory instrument; or*<br>*(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.* | The statutory instrument in effect at the time the Development Application was properly made was the *Toowoomba Regional Planning Scheme (Version 26.0).* |
| *(5) However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to –*<br>*a) the statutory instrument or other document as in effect when the change application was made; or*<br>*b) if the statutory instrument or other document is amended or replaced after the change* | a) The current version of the planning scheme is version 28, and this does not include variations to the version under which the original approval was given that have any significant bearing with regards to the changes proposed. |

| | |
|---|---|
| *application is made but before it is decided—the amended or replacement instrument or document; or*<br>*c) another statutory instrument—*<br>*(i) that comes into effect after the change application is made but before it is decided; and*<br>*(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.* | b) If the planning scheme is updated before the change application is decided that instrument may be considered.<br>c) Any changes to statutory instruments made after the application is made may be considered. |

### 3.4. Infrastructure Charges

In accordance with s.119(6) of the *Planning Act 2016*, a local government may give an amended infrastructure charges notice to the applicant in approving a change application.

The proposed changes to the Existing Approval give rise to changes in demand that require reconsideration of the original infrastructure charges notice. In this regard, we note that the change removes the component of the approval relating to a Development Permit for a Material Change of Use, an amended infrastructure charges notice reflecting the removal of this component should be issued.

We request that the Local Government issue an amended infrastructure charges notice to the applicant, in line with the above.

### 3.5. Other Requirements for Change Applications

In accordance with s.79 of the *Planning Act 2016*, this change application for a Minor Change includes the applicable mandatory information, as follows:-

- The application is accompanied by the approved form;
- The written consent of the owner of the premises is provided at **Attachment 1**; and
- The applicant will make payment of the required fee to Council, once the applicable amount has been confirmed.

On this basis, we request that the responsible entity proceed to assess the Minor Change and issue and notice of the decision at the earliest opportunity.

## 4. SUMMARY

This change application is lodged with the responsible entity and identifies the amendments that are sought to the Existing Approval. As demonstrated above, the amendments are a Minor Change to the Existing Approval and, therefore, the responsible entity should proceed to make the requested changes and issue an amended development approval at the earliest opportunity.

Whilst we trust that this information is sufficient for your purposes, should you require any further information or clarification, please do not hesitate to call the undersigned on 07 4632 0516.

Yours sincerely,

**Property Projects Australia Pty Ltd**



**BLAKE BRINDLEY**
Senior Town Planner

Enc. As Above.

# ATTACHMENT 1

## Application Documentation

# ATTACHMENT 2

## Existing Approval

TOOWOOMBA REGION

Rich traditions. Bold ambitions.

Our Reference: MCUI/2021/4232/A & RAL/2021/4227/A
CS Portal Reference: N/A
Contact Officer: Jayden Forbes-Mitchell
Contact: (07) 4688 6662
Email: development@tr.qld.gov.au

**AMENDED Negotiated Decision Notice**
**APPROVAL**
*Planning Act 2016* Section 76

Weymouth Investments (QLD) Pty Ltd
C/- Property Projects Australia
PO Box 3686
TOOWOOMBA QLD 4350

Email: harriet@propertyprojectsaustralia.com.au
james@propertyprojectsaustralia.com.au

19 August 2022

Dear Sir/Madam

**Location:** **527-539 South Street, GLENVALE QLD 4350**
**Property Description:** **Lot 11 SP279226**
**Relevant Planning Scheme:** ***Toowoomba Regional Planning Scheme 2012***

Council received your change representations under section 75 of the *Planning Act 2016* on 7 June 2022. A decision was made on 16 August 2022 to issue a Negotiated Decision Notice. This Negotiated Decision Notice replaces the Decision Notice previously issued and dated 12 April 2022.

## Nature of Changes

All deletions are identified by **bolded ~~strikethrough~~** of text in the attached Schedule/s.

All additions are identified by **bolded** text in the attached Schedule/s.

## Details of Approval

Combined Material Change of Use and Reconfiguring a Lot (in stages): Development Permit for Material Change of Use – Impact – Health Care Services and Shop; Development Permit for Reconfiguring a Lot – Code – Reconfigure One (1) Lot into Four (4) Lots and Community Title Lot; and Material Change of Use – Impact – Preliminary Approval for a Variation Request

## Referral Agencies

| | |
|---|---|
| Concurrence Agencies Name & Address: | Department of State Development, Infrastructure, Local Government and Planning<br>PO Box 825<br>TOOWOOMBA QLD 4350 |
| Advice Agencies Name & Address: | N/A |

## Conditions, Advices and Notices

Assessment Manager's Conditions: As per attached Schedules 1, 2 and 3

Concurrence Agency Conditions: As per attached Schedule 4

## Further Development Permits Required

- Building Work
- Plumbing and Drainage Work
- Operational Work

## Further Plans/Documents for Endorsement

The following documents/plans require Endorsement:

- Landscape Plan (Park Trees)
- Plans detailing northern site interface with McDougall Street Utility Land (Lot 16 SP170583)
- Survey Plan

## Variation Approval

A variation approval under Section 61 of the *Planning Act 2016* has been granted and the assessment manager has approved a variation to the local planning instrument: *Toowoomba Regional Planning Scheme 2012*. Any development resulting from this approval will be assessed in accordance with the approved Variation Approval Document.

## Submissions

There were no properly made submissions for this application.

## Rights of Appeal

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

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via: https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025.

Yours faithfully



Matthew Coleman
Principal Planner, Development Services

# TOOWOOMBA REGIONAL COUNCIL

**A.B.N. 997 8830 5360**

**SCHEDULE 1**

**PRELIMINARY APPROVAL FOR A VARIATION APPROVAL**

| | |
|---|---|
| **APPLICATION NUMBER:** | MCUI/2021/4232/A |
| **APPLICANT:** | Weymouth Investments (QLD) Pty Ltd |
| **LOCATION:** | 527-539 South Street, GLENVALE QLD 4350 |
| **PROPERTY DESCRIPTION:** | Part Lot 11 SP279226 |
| **DECISION DATE:** | 16 August 2022 |
| **APPROVED USE:** | Material Change of Use – Impact – Preliminary Approval for a Variation Request |
| **ZONING / PRECINCT:** | Low Density Residential Zone / General Precinct and Open Space Zone |

## A. ASSESSMENT MANAGER'S CONDITIONS:

### PLANNING

### PARAMETERS OF APPROVAL

1. All future development within the Variation Approval Area must be undertaken in accordance with the provisions of the Variation Approval Document, *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 and the applicable Codes and Planning Scheme Policies contained in the *Toowoomba Regional Planning Scheme 2012* (Version 26).

2. Where the Variation Approval Document, *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 does not state the way in which the approval will vary the effect of the Planning Scheme, the provisions contained in the *Toowoomba Regional Planning Scheme 2012* (Version 26) will take effect.

3. Unless otherwise stated, all conditions must be complied with prior to Council's endorsement of the Plan of Subdivision.

### VARIATION APPROVAL AREA

4. The Variation Approval Area "*Preliminary Approval Area"* is the area described in Figure 1~~**.0 and**~~ of the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 and comprises Part Lot 11 SP279226.

### VARIATION APPROVAL DOCUMENT

5. Where the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 is "silent" on a particular issue, the provisions contained in *Toowoomba Regional Planning Scheme 2012* (Version 26) will take effect.

6. For the assessment of development under the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 by Council as Assessment Manager, where there is any question as to the applicability of the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 or an Applicable Planning Code or Policy, the applicability of the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022 or Applicable Planning Code or Policy must be as determined by Council.

7. The Codes and Policies applicable to development within the Variation Approval Area are the *Toowoomba Regional Planning Scheme 2012* (Version 26) Codes and Policies, unless otherwise specified in the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022.

8. The category of development and assessment applicable to development within the Variation Approval Area is in accordance with the *Toowoomba Regional Planning Scheme 2012* (Version 26) unless otherwise specified in the Variation Approval Document *Greenwattle Street Glenvale Development Variation Scheme Document (VSD)* dated ~~**6 April**~~ **25 May** 2022.

**CURRENCY PERIOD**

9. This Variation Approval has a currency period of ten (10) years from the date this Development Approval starts to have effect.

**APPROVED DOCUMENT**

10. The development must be carried out generally in accordance with the Approved Document listed below:

**Document:** N/A
**Description:** Greenwattle Street Glenvale Development Variation Scheme Document (VSD) prepared by Property Projects Australia Pty Ltd and dated ~~**6 April**~~ **25 May** 2022
**Amendments:** Nil

**REGISTRATION OF PLAN OF SUBDIVISION**

11. The Plan of Subdivision for Stage 2 of RAL/2021/4227***/A*** (i.e., Proposed Lots 2A, 2B & 2C) must be registered in the Land Titles Office and proof of registration provided to Council prior **to** any development being undertaken pursuant to this Preliminary Approval.

# TOOWOOMBA REGIONAL COUNCIL

**A.B.N. 997 8830 5360**

**SCHEDULE 2**

**DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – IMPACT**

| | |
|---|---|
| **APPLICATION NUMBER:** | MCUI/2021/4232/A |
| **APPLICANT:** | Weymouth Investments (QLD) Pty Ltd |
| **LOCATION:** | 527-539 South Street, GLENVALE QLD 4350 |
| **PROPERTY DESCRIPTION:** | Lot 11 SP279226 |
| **DECISION DATE:** | 16 August 2022 |
| **APPROVED USE:** | Material Change of Use – Impact – Health Care Services and Shop |
| **ZONING / PRECINCT:** | Low Density Residential Zone / General Precinct and Open Space Zone |

## A. ASSESSMENT MANAGER'S CONDITIONS:

### PLANNING

#### APPROVED USE

1. This Development Approval is for a Material Change of Use for Health Care Services (Medical Centre) and Shop (Chemist) with a total Gross Floor Area (GFA) of 1,185m$^2$ as follows:

   1.1 ~~**Tenancy 1 – Doctor Surgery (410m$^2$ GFA);**~~
   ~~**Tenancy 2 –**~~ Chemist (308m$^2$ GFA); **and**
   ~~**Tenancy 3 – Dentist (134m$^2$ GFA);**~~
   ~~**Tenancy 4 – Pathology (134m$^2$ GFA); and**~~
   ~~**Tenancy 5 – X-Ray (166m$^2$ GFA);**~~
   **Health Care Services – (844m$^2$ GFA)**

   1.2 The approved development relates only to the subject land (Part Lot 11 SP279226) being Proposed Lot 2A (as approved by RAL/2021/4227***/A***); and

   1.3 For the approved Health Care Services Use, a maximum of **eight (8)** ~~**four (4)**~~ Full-time Equivalent General Practitioners and ~~**10**~~ **six (6)** FTE other health practitioners (including dentists, nurses, radiographers, and other allied health professionals as defined in the *Health Practitioner Regulation National Law (Queensland)*.

#### CARRY OUT & MAINTAIN DEVELOPMENT

4. 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.

5. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.

6. 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.

7. 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.

8. The Plan of Subdivision for Stage 2 of RAL/2021/4227***/A*** (i.e., Proposed Lots 2A, 2B & 2C) must be registered in the Land Titles Office and proof of registration provided to Council prior to carrying out any building works on the subject land (Part Lot 11 SP279226 comprising Proposed Lot 2A (as approved by RAL/2021/4227***/A***).

**APPROVED PLANS**

9. 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:** 20225 DA03 Revision J
**Description:** Prop. Site Plan prepared by Verve Building Design Co and dated 25/02/2022.
**Amendments:** ~~**Nil**~~ **As notated in RED on the Approved Plan**

**Plan No:** 20225 DA04 Revision F
**Description:** Building Elevations & Perspectives prepared by Verve Building Design Co and dated 25/03/2022.
**Amendments:** ~~**Nil**~~ **As notated in RED on the Approved Plan**

**Plan No:** 20225 DA05 Revision E
**Description:** Building Elevations and Perspectives prepared by Verve Building Design Co and dated 7/03/2022.
**Amendments:** ~~**Nil**~~ **As notated in RED on the Approved Plan**

**Plan No:** 20225 DA09 Revision D
**Description:** Tenancy Plans – Building 1 prepared by Verve Building Design Co and dated 25/03/2022.
**Amendments:** Nil

**APPROVED DOCUMENTS**

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

**Document:** J000574, V 1
**Description:** Noise Impact Assessment, prepared by Range Environmental and dated 02/11/2021
**Amendments:** Nil

**Document:** J000697, V 1
**Description:** Waste Management Plan, prepared by Range Environmental and dated 03/11/2021
**Amendments:** Nil

**Document:** 2159 (01-06 Revision C)
**Description:** Landscape Plans, prepared by Jackie Amos Landscape Architect and dated March 2022
**Amendments:** **As notated in RED on the Approved Document**

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

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

    11.1 Bulk Earthworks (unless undertaken in conjunction with a building works approval); and

    11.2 Stormwater Infrastructure.

**AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS**

12. 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.

**COMMENCEMENT OF USE**

13. Submit to Council a Notice of Intention to Commence the Approved Use. The notice must:

    13.1 Be submitted to the Manager, Development Services within a minimum of ten (10) business days prior to commencement of the approved use;

    13.2 Nominate the day the approved use is intended to commence; and

    13.3 Include evidence (i.e., copies of decision notice(s), photographic proof, and statement(s) of compliance with the conditions of this approval from suitably qualified persons) which demonstrates that all conditions of this approval have been complied with.

**AIRPORT ENVIRONS**

14. No part of any building or structure may be constructed within the Obstacle Limitation Surface as shown on the Airport Environs Overlay Maps in the *Toowoomba Regional Planning Scheme 2012*. This restriction also applies to crane jibs, towers and any other temporary structures during or following the construction phase of the development unless otherwise approved by Council.

**WORKS**

**ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS**

15. Plans and specifications for all works associated with stormwater drainage, and earthworks or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).

16. A RPEQ must submit to Council a copy of the:

    16.1 Design Certificate prior to commencement of the works; and

    16.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.

17. 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.

18. 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**

19. All stormwater infrastructure necessary to convey run-off from roof and developed surface areas, and any run-off onto the subject land from adjacent areas, must be provided in accordance with a Development Application for a Development Permit for Operational Work.

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

20. 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 internal and any external stormwater infrastructure. The design and the construction of the works must be certified by a RPEQ – Civil.

21. As part of a Development Application for a Development Permit for Operational Work submit to Council for approval, a Detailed Stormwater Management Plan prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) and *State Planning Policy (July 2017)* demonstrating the following:

    21.1 Stormwater is conveyed to a lawful point of discharge in accordance with the stormwater discharge conditions of this Development Approval;

    21.2 Appropriate inspection and maintenance of stormwater quality control infrastructure in accordance with a program; and

    21.3 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and *State Planning Policy July 2017*.

    *Note: Council will consider entering into an Infrastructure Agreement for contribution in lieu of constructing the required stormwater quality works. This will require a separate request to be made to Council.*

**BULK EARTHWORKS**

22. Where earthworks are not assessed as part of a Development Application for a Development Permit for Building Work, prior to the commencement of any earthworks on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council.

**AIR QUALITY IMPACT MITIGATION**

23. 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 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during building work and throughout the life of this development.

24. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during building works do not exceed the following levels when measured at any sensitive place or commercial place:

    24.1 Dust deposition of 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method*.

**VIBRATION IMPACT**

25. Construction activities and equipment that produce vibrations must not impact upon the amenity of adjacent commercial and residential receptors or cause impacts to the structural integrity of the existing buildings/improvements, including foundations, on adjoining properties.

26. Where considered warranted by Council and when requested in writing to do so, a vibration impact investigation must be undertaken to determine what level of vibration impact is occurring. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters in order to determine whether or not vibration impacts are below those stated in Table 1. The results of the investigation must be provided to Council within 14 days of the request or a longer period if specified in any such request.

**Table 1 – Human comfort vibration limits to minimize nuisance**

<table>
<tr><th rowspan="2">Building</th><th rowspan="2">Work Period</th><th colspan="2">Resultant PPV (mm/s)</th></tr>
<tr><th>Lower Limit</th><th>Upper Limit</th></tr>
<tr><td rowspan="3">Dwellings</td><td>Standard Hours</td><td>1.0</td><td>2.0</td></tr>
<tr><td>Non-standard hours – evening (6pm to 10pm)</td><td rowspan="2">0.3</td><td rowspan="2">1.0</td></tr>
<tr><td>Non-standard hours – night (10pm to 7am)</td></tr>
<tr><td>Medical / health buildings (wards, surgeries, operating theatres, consulting rooms)</td><td>All</td><td rowspan="4">0.3</td><td rowspan="4">1.0</td></tr>
<tr><td>Educational facilities (rooms designed for teaching purposes)</td><td rowspan="3">While in use</td></tr>
<tr><td>Court of Law (Court Rooms)</td></tr>
<tr><td>Court of Law (Court reporting and transcription areas, Judges' chambers)</td></tr>
<tr><td>Community Buildings (libraries, places of worship)</td><td rowspan="2">While in use</td><td rowspan="2">1.0</td><td rowspan="2">2.0</td></tr>
<tr><td>Commercial (offices) and retail areas</td></tr>
</table>

*Source: Table 3.3.1.1(a) of TMR Transport Noise Management Code of Practice Volume 2 – Construction Noise and Vibration (Code of Practice – Construction*

**CONSTRUCTION WASTE MANAGEMENT & STORAGE**

27. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

28. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.

29. Fires are not to be lit to dispose of demolition or construction waste.

30. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:

    30.1 Elsewhere within this Development Approval;

    30.2 In accordance with an associated Development Permit for Operational Work;

30.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;

30.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or

30.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.

31. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

**CONSTRUCTION NOISE IMPACT MITIGATION**

32. 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.

**EROSION & SEDIMENT CONTROL**

33. 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.

34. 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.

35. 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.

36. All disturbed areas must be mulched or turfed as soon as possible during construction.

37. 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.

**DAMAGE TO SERVICES & ASSETS**

38. Protect Council and public utility services and assets during construction of the development.

39. 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:

39.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or

39.2 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.

40. 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.

41. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

*Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.*

**SERVICES & UTILITIES**

**WASTEWATER INFRASTRUCTURE (GENERAL)**

42. The development must be connected to **the** sewer connection ~~**of**~~ **provided to** proposed Lot 2**A** in accordance with Council**'s** *Wastewater Infrastructure Policy 2.04* at no cost to Council.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act ~~**20**~~2016.*

***Note: Council will only provide a single sewer connection for Stage 2 of RAL/2021/4227/A (comprising proposed Lots 2A, 2B and 2C)* in accordance with Council's *Wastewater Infrastructure Policy 2.04.***

43. Any compensation or costs associated with obtaining agreement from owners or trustees of properties affected by the construction of the works must be at no cost to Council.

44. Any connection to or modification of Council's live wastewater infrastructure must be undertaken by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

*Note: Please note any new connection or reconnection to a Council wastewater system requires a Form 1 Plumbing approval prior to house drainage being installed.*

*Note: To arrange for a private works quotation for the required works contact Council's Water & Wastewater Department on Ph 131 872.*

**WATER SUPPLY**

45. The development must be connected to **the** water service connection ~~**of**~~ **provided to** proposed Lot 2**A** in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.

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

***Note: Council will only provide a single water service connection for Stage 2 of RAL/2021/4227/A (comprising proposed Lots 2A, 2B and 2C)* in accordance with Council's *Water Infrastructure Policy 2.03.***

46. All water main fittings, services and meters must be located 1m clear of the proposed driveway footpath crossover. Any relocation of fittings clear of driveways must be undertaken by Council.

47. Any works on Council's 'live' water supply must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

48. Each individual tenancy or residence must be provided with a separate system for the metering of water consumption in accordance with Council's *Water Infrastructure Policy 2.03 Sub metering Guidelines and Specifications*.

49. The development's internal firefighting system must be designed and constructed in accordance with Council's *Water Infrastructure Policy 2.03* and relevant Australian Standards at no cost to Council. If the internal firefighting system is proposed to connect to Council's reticulation system, confirm the compliant performance in existing Council system prior to requesting any fire service connections. All pressure and flow tests within Council infrastructure must be undertaken by Council at no cost to Council.

50. Where the development requires higher fire flows than listed in Council's *Water Infrastructure Policy 2.03* for the relevant land zone, the Council water reticulation network must be upgraded or fire break tanks must be provided at no cost to Council.

**TELECOMMUNICATION**

51. Install telecommunications infrastructure to service the development which complies with the following:

    51.1 The requirements of the *Telecommunications Act 1997* (Cth);

    51.2 For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and

    51.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.

52. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

53. Provide to Council written evidence from all relevant service providers that the telecommunications infrastructure is installed in accordance with the conditions of this Development Approval and all applicable legislation at the time of construction.

    *Note: The Telecommunications Act 1997 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. For further information visit www.infrastructure.gov.au/tind.*

    *Note: For telecommunication services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra, or a "Notice of Practical Completion", "Confirmation of Payment" or "Post Execution of Development" Letter where such services are provided by NBN Co.*

**ELECTRICITY**

54. An electricity supply must be made available to service the development. This supply must be in accordance with the relevant standards of the electricity distributor.

**AMENITY & OPERATION OF USE**

**VISUAL AMENITY**

55. Any graffiti on buildings, structures or fences on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council.

56. Any graffiti deterrent building design elements and surface treatments are to be maintained at all times.

57. All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.

58. All fixed mechanical plant must be contained within the building or visually screened to all street frontages, public viewing locations and adjoining premises.

59. Open storage areas, loading areas, bin storage areas and other unsightly areas, must be screened from view from all street frontages and public places.

**FENCING & WALLS (GENERAL)**

60. Any existing fence or wall not meeting the requirements of this Development Approval must be removed and replaced with a fence or wall that meets the requirements of this Development Approval.

61. Unless otherwise approved in writing by Council, boundary fences or walls must not be erected in a parallel arrangement with any existing fence or wall erected along the same boundary. The existing fence or wall is to be completely removed and replaced.

62. Unless otherwise specified elsewhere within this Development Approval, the required height of a fence or wall is measured from the highest adjacent finished ground level.

63. Where there is a change in level between adjoining properties at the boundary that exceeds 1m, the overall total height of any combination of fence and wall must not exceed 3m from the lowest adjacent finished ground level.

64. Fences and walls must be maintained in a good state of repair to ensure that their intended function (i.e., privacy, safety, acoustic, etc.) is maintained.

65. All costs associated with meeting the fencing requirements listed within this Development Approval must be borne by the developer.

**FENCING & WALLS – INTERFACE TO PUBLIC REALM**

66. Fences and walls provided adjacent to public places (internal and external streets, public walkways and open space areas) must be constructed generally in accordance with the Approved Plans listed within this Development Approval and in particular must:

    66.1 Not exceed a maximum height of:

        i) 2m where at least 50% of the fence or wall is transparent; or

        ii) 1.2m otherwise.

    66.2 Not exceed a ten (10) m in length without articulation or detailing such as panel inserts, recessed planter beds, and changes in material, colours or textures to provide visual interest and visual breaks in the appearance of the fence or wall.

    66.3 Maintain Safe Intersection Sight Distance (SISD) in accordance with the requirements of Austroads most recent version of its *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections (AGRD04A-09).*

**STREET IDENTIFICATION**

67. 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.

68. The number of each tenancy must be clearly visible from the internal foyer on that particular level of the building.

**LETTERBOX**

69. Post boxes for each tenancy within the approved development are to be provided in accordance with the requirements of Australia Post.

**ACCESS FOR PEOPLE WITH DISABILITIES**

70. 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.

**SAFETY, SECURITY & PUBLICLY ACCESSIBLE FACILITIES**

71. The development must be designed and constructed to enhance community safety by ensuring:

    71.1 Vandal proof fittings, fixtures and materials which are hardy and **not** easily removable are used in the construction and finishing of the development; and

    71.2 Ground level windows use toughened glass, screens or other protective measures to deter unlawful entry to the development.

72. The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.

73. Safety and security lighting must be provided to the following areas of the subject land:

    73.1 All entries and exits of buildings;

    73.2 All pathways linking car parking areas to the entrances and exits of buildings; and

    73.3 Throughout car parking areas;

    73.4 Within all internal stairwells; and

    73.5 The access driveway to the basement car park, within stairwells and walkways connecting the basement car park levels to the street.

74. Safety and security lighting must be designed, sited, and installed in accordance with *Australian Standard AS 1158.3.1 – Road Lighting – Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements.*

    *Note: All lighting provided for safety and security purposes must also consider its impact on surrounding land uses and in accordance with the Outdoor Lighting Impact Mitigation Conditions must be designed, sited, installed and tested to comply with Australian Standard AS4282-2019 Control of the obtrusive effects of outdoor lighting*

75. Pedestrian routes between car parking areas and buildings must be clearly signed and marked.

76. The allocation of car parking spaces between employees, residents and visitors as applicable, must be physically separated, distinctly identified and adequately sign-posted to clearly direct vehicular traffic to these respective areas.

**PEDESTRIAN & CYCLIST FACILITIES**

77. Pedestrian and cyclist facilities must be provided for the development in accordance with the following:

77.1 Provide bicycle parking rails (security level C) for fifteen (15) bikes as shown on the Approved Plans and designed to meet *Australian and New Zealand Standard AS/NZ 2890.3:2015 – Parking Facilities – Bicycle Parking Facilities.*

## TRANSPORT, VEHICULAR ACCESS & PARKING

**ROADWORKS (INTERNAL TO DEVELOPMENT)**

78. The internal road within the common property must be constructed to a sealed standard, including kerb and channel and to the location and widths as shown on the Approved Plan.

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

**PEDESTRIAN PATHS**

79. Pedestrian paths must be constructed to a sealed standard and to the location and widths as shown on the Approved Plan.

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

**PROVISION OF VEHICULAR ACCESS**

80. The vehicle accesses from the Common Property to the subject land (Proposed Lot 2A) must be designed by a Registered Professional Engineer Queensland (RPEQ) – Civil and must include the provision of adequate access width and flares to suit the proposed entry and exit manoeuvres. Such works must be constructed as specifically required below:

80.1 The vehicle accesses must be located as shown on the Approved Plans (as amended) listed within this Development Approval and designed as access driveways rather than intersections.

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

81. The final design and layout of the vehicle accesses, or any modification of existing property accesses, must be in accordance with the accepted development assessment benchmarks in the Works and Services Code in the *Toowoomba Regional Planning Scheme 2012* prior to any construction works within the road reserve.

**ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING**

82. The premises must be provided with a total of fifty-seven (57) on-site car parking spaces including three (3) spaces for people with disabilities, together with standing and manoeuvring for an ambulance and refuse vehicle/service vehicles (at the delivery bay). Car parking and manoeuvring areas must be:

82.1 Designed to the minimum standard of user class 3 as per *AS2890.1 Parking facilities Part 1: Of-street car parking* and constructed generally as shown on the Approved Plans listed within this Development Approval;

82.2 Provided with a sealed surface and be line marked or otherwise delineated to the minimum dimensions detailed in *AS2890.1 – Parking Facilities*;

82.3 Designed to ensure disabled car parking spaces are located in close proximity to a primary building entrance and meet the requirements of AS2890.1, AS1428.1 and AS2890.6;

82.4 Accessible and available to the general public and staff during approved hours of operation;

82.5 Provided with signage and pavement markings that indicate the location of parking areas and the proposed flow of traffic through the subject land;

82.6 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; and

82.7 Designed to enable all vehicles to enter and leave the subject land in a forward gear.

## ENVIRONMENT & WASTE

### ACOUSTIC AMENITY – GENERAL

83. Unless otherwise approved in writing by Council, the approved use must not operate outside the hours of 6:00 AM to 9:00 PM Monday to Sunday.

83.1 The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject land.

84. Service vehicle movements associated with the approved use (including loading and unloading) must occur only between the hours of 7:00 AM to 9:00 PM Monday to Sunday, and:

84.1 The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject land;

84.2 The use must not operate on public holidays;

84.3 Drainage grating over trafficable areas must be well secured and maintained to prevent rattling; and

84.4 Driveway areas are to be finished with surface coatings which prevent tyre squeal. An uncoated surface is acceptable.

### ACOUSTIC AMENITY – NOISE LIMITS

85. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive receptor.

86. 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**

87. 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*.

88. 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:

    88.1 Before 7.00AM, if it makes a noise of more than 3dB(A) above the background noise level ($L_{90}$); or

    88.2 From 7.00AM to 10.00PM, if it makes a noise of more than 5dB(A) above the background noise level ($L_{90}$); or

    88.3 After 10.00PM, if it makes a noise of more than 3dB(A) above the background noise level ($L_{90}$).

**ACOUSTIC AMENITY – ACOUSTIC BARRIER(S)**

89. An acoustic barrier must be constructed in accordance with Section 5.5 and Figure 4 of the Approved Noise Impact Assessment listed within this Development Approval.

90. Where the combined height of the barrier and any retaining wall or mound is greater than 2m in height, a Building Works approval is to be sought prior to commencement of construction;

91. The barrier must be constructed using materials such as lapped timber fencing, FC sheet, masonry, plywood, glass, acrylic glass, or a combination of to achieve a minimum surface density of 12.5 kg/$m^2$; and

92. The barrier must have no gaps (i.e., is solid) including between partitions, between partitions and posts and between partitions and the finished ground level.

93. Certification must be submitted to Council from a suitably qualified person who certifies that the acoustic barriers have been constructed in accordance with the acoustic barrier conditions of this Development Approval.

**AIR QUALITY & AMENITY – AIR RELEASE LIMITS**

94. 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 2019* as measured at any sensitive receptor place must not be released to the atmosphere.

95. Where considered warranted by Council and when requested in writing to do so, an air quality investigation must be undertaken to investigate a complaint of air pollution, odour or dust nuisance. In such circumstances, a qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Air Release 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.

**OUTDOOR LIGHTING IMPACT MITIGATION**

96. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-2019 Control of the obtrusive effects of outdoor lighting.*

97. 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).

98. 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.

**WASTE MANAGEMENT (GENERAL)**

99. 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*.

100. Waste generated by the development must be managed, stored and removed from the subject land in accordance with Sections 4 and 5 of the approved Waste Management Plan listed within this Development Approval

**LANDSCAPING**

**LANDSCAPING WORKS**

101. The development site must be landscaped and maintained in accordance with works shown on the approved Landscape Plans 2159_01-06 Issue C dated March 2022 prepared by Jackie Amos Landscape Architect as listed within this Development Approval and the following:

101.1 All trees must be supplied in the following minimum container sizes:

(i) 25 litre (minimum size 1.2m) for trees in private land; and

ii) 45 litre (minimum size 1.5m) or larger containers for trees in public land, including street trees;

101.2 Root barrier devices must be installed where tree plantings are sited within two (2) metres of any services and or structures unless varied within the approved Landscape Plan. Barriers must be fit for purpose and installed in accordance with the manufacturer's specification;

101.3 All other plant material must be supplied in 140mm or larger containers;

101.4 Planting areas must be a friable, organic topsoil, cultivated to minimum 450mm depth and be clear of any rubbish, rocks or building rubble;

101.5 All planting areas and individual trees must be mulched with minimum 100mm depth organic mulch; and

101.6 An irrigation system or watering points must be provided to all planting areas.

102. All landscape works must be established by a suitably qualified person and maintained in accordance with the conditions of this Development Approval for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be replaced when its life expectancy is reached.

# TOOWOOMBA REGIONAL COUNCIL

**A.B.N. 997 8830 5360**

**SCHEDULE 3**

**DEVELOPMENT PERMIT FOR RECONFIGURING A LOT – CODE**

| | |
|---|---|
| **APPLICATION NUMBER:** | RAL/2021/4227/A |
| **APPLICANT:** | Weymouth Investments (QLD) Pty Ltd |
| **LOCATION:** | 527-539 South Street, GLENVALE QLD 4350 |
| **PROPERTY DESCRIPTION:** | Lot 11 SP279226 |
| **DECISION DATE:** | 16 August 2022 |
| **APPROVED USE:** | Reconfigure One (1) Lot into Four (4) Lots and Community Title Lot |
| **ZONING / PRECINCT:** | Low Density Residential Zone / General Precinct and Open Space Zone |

## A. ASSESSMENT MANAGER'S CONDITIONS:

### PLANNING

**APPROVED DEVELOPMENT**

1. This Development Approval is for Reconfiguring a Lot, being the subdivision of One (1) Lot into Four (4) Lots, plus Community Title Lot in Two (2) Stages as follows:

   Stage 1

   - Subdivision of One (1) Lot into Two (2) Lots including:
     - Proposed Lot 1; and
     - Proposed Lot 2 (balance lot).

   Stage 2

   - (One (1) Lot into Three (3) Lots) plus Common Property Lot including:
     - Common Property;
     - Proposed Lot 2A;
     - Proposed Lot 2B; and
     - Proposed Lot 2C.

**CARRY OUT AND 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 have not been varied by this Development Approval.

3. Unless otherwise stated, all conditions must be complied with prior to Council's approval of the Plan of Subdivision prior to registration with the Department of Resources.

4. 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**

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

**Plan No:** 20-225-DA01 - Revision B
**Description:** Exist. Site Plan & Proposed Subdivision 1 prepared by Verve Building Design Co. and dated 25/10/2021
**Amendments:** Nil

**Plan No:** 20-225-DA02 - Revision E
**Description:** Proposed Subdivision 2 prepared by Verve Building Design Co. and dated 15/02/2022
**Amendments:** Nil

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

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

6.1 Roadworks;

6.2 Stormwater Infrastructure;

6.3 Wastewater Infrastructure; ~~**and**~~

6.4 Water Infrastructure~~.~~**;and**

**6.5 Earthworks (if required).**

**COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (FOR ENDORSEMENT)**

7. Prepare and submit the following **plans and** documents in accordance with the conditions of this Development Approval and obtain Council's endorsement:

7.1 Landscape Plan (~~**Street**~~ **Park** trees)~~.~~**; and**

**7.2 Plans detailing northern site interface with McDougall Street Utility Land (Lot 16 SP170583) in accordance with Conditions 95-97.**

**COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS**

8. Prepare and submit for Council's approval a Plan of Subdivision in accordance with Schedule 18 of the *Planning Regulation 2017*.

**AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS**

9. 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 subdivision earthworks and construction.

**STAGED DEVELOPMENT**

10. Staging of the development is to occur in accordance with the staging indicated on the Approved Plans subject to and modified by any conditions of this Development Approval.

11. Stages must be completed in sequential order (i.e. Stage 1 must be completed before Stage 2) as identified on the Approved Plans or may be combined and constructed at one time, subject to all conditions applicable to the relevant stage/s being complied with.

12. The development must be carried out in accordance with those conditions applicable to one or more of the stages of development as follows:

12.1 Conditions Applicable to all Stages of Development:

~~**1-6, 8-12.1, 17-25, 29-46, 61-62, 70-73, 76-78, 87**~~

**1-6, 8-12.1, 14-25, 29-46, 50-51, 54-62, 70-73, 76-78, 87**

12.2 Conditions Applicable to Stage 1 of Development:

~~**7, 12.2, 13-16, 26-28, 47-60, 63-69, 79-86**~~

**12.2, 13, 47-49, 52-53, 63-69**

12.3 Conditions Applicable to Stage 2 of Development:

~~**74, 75, 89-93**~~

**7-12.3, 13.1, 26-28, 74-75, 79-86, 89-97**

## DEDICATIONS, AGREEMENT AND CONTRIBUTIONS

### DEDICATION OF LAND

13. The land area defined as future road resumption on the Approved Plans (as amended) must be dedicated as road reserve in accordance with the requirements of the Department of Resources and:

13.1 **The land area identified as '3.8m wide dedication for park purposes' on the Approved Plans must be dedicated to Council and amalgamated into Lot 16 SP170583.** The **area of** land ~~**dedication (as noted in red on the Approved 'amended plans')**~~ **to be dedicated** must generally be a minimum of 3.8 metres wide and by design to align with and contain the pedestrian footpath approved in a Development Permit for Operational Work.

*Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016*~~***. except for the dedication in relation to Condition 13.1, which is imposed pursuant to Section 145.***~~

14. The transfer of land dedicated to Council must be at no cost to Council. All transfer documentation is to be prepared and submitted to Council, at no cost to Council.

15. All land dedicated ~~**for road purposes**~~ must not be encumbered by permanent structures, services such as pump stations, services easements or similar operational uses, unless otherwise approved by the conditions of this Development Approval.

16. All land dedicated ~~**for road reserve**~~ must not be financially encumbered (e.g. mortgaged) unless otherwise approved by the conditions of this Development Approval.

**16A. Submit to Council a Solicitor's Undertaking to register the transfer of the land to be dedicated to Council under Condition 13.1 to Council at the same time as the registration of the Survey Plan.**

***Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.***

**16B. Obtain a valuation of the land to be dedicated to Council under Condition 13.1 from a registered land property valuer to determine payment of any applicable stamp duty payable upon registration of the transfer of the land to Council.**

**16C. The land to be dedicated to Council under Condition 13.1 must be identified as a lot on survey plan and must be submitted to Council with one original signed and 'stamped' *Queensland Land Registry Transfer of Ownership* and relevant forms for each lot dedicated, together with a copy of the land valuation. No other annotation of the purpose of the lot is to be made on the original survey plan submitted to Council for approval.**

**EASEMENTS**

17. ~~**An easement for stormwater drainage purposes must be registered in favour of Proposed Lot 1 against the title of Proposed Lot 2 (stage 1), and Proposed Lot 2B, Lot 2C and Common Property as relevant (stage 2). The easement must be by design and included on the Plan of Subdivision for Council's approval.**~~

18. ~~**Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms and documents or any other terms and conditions as deemed necessary to fulfil the purpose of the easement.**~~

19. ~~**Easement documentation must be prepared and submitted to Council, at no cost to Council, for endorsement where Council is the Grantee or review against conditions of approval otherwise.**~~

20. ~~**Unless consistent with the terms of the easement and authorised under this Development Approval, any permanent works or structures must be kept clear of any existing or proposed easements on the subject land.**~~

**FEES AND CHARGES**

21. All current and outstanding fees, rates, interest and other charges levied on the property, must be paid in accordance with the rate at the time of payment prior to Council's approval of the Plan of Subdivision.

**WORKS**

**ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS**

22. Plans and specifications for all works associated with roadworks, stormwater drainage, wastewater, water and earthworks, or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).

23. A RPEQ must submit to Council a copy of the:

    23.1 Design Certificate prior to commencement of the works; and

    23.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.

24. 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.

25. 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**

26. All stormwater infrastructure necessary to convey run-off from roof and developed surface areas, and any run-off onto the subject land from adjacent areas, must be provided in accordance with a Development Permit for Operational Work.

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

27. 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 internal and any external stormwater infrastructure. The design and the construction of the works must be certified by a RPEQ – Civil.

28. Submit to Council for approval, as part of the Development Application for a Development Permit for Operational Work, Detailed Stormwater Design Plans prepared by a Registered Professional Engineer Queensland - Civil (RPEQ) in accordance with the relevant standards in *Planning Scheme Policy No. 2 - Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) demonstrating the following:

28.1 Stormwater is conveyed to a single and lawful point of discharge (the waterway within Lot 16 SP170583) in accordance with the stormwater discharge conditions of this Development Approval; and

*Note: The location of the stormwater outlet within Lot 16 SP170583 must be agreed with Council's Parks Department.*

28.2 No actionable nuisance downstream from the subject land for storm events as nominated in PSP 6.2 Table SC6.2.7. Major events exceeding ARI of 100 years must be considered in accordance with the requirements of the Queensland Urban Drainage Manual.

**STORMWATER – CONVEYANCE OF STORMWATER VIA DRAINAGE EASEMENT**

29. ~~**Drainage easements must be registered over all drainage structures and concentrated flow paths on private land, including on adjoining land where required to connect to a lawful point of discharge, in accordance with the relevant requirements in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure*.**~~

**AIR QUALITY IMPACT MITIGATION**

30. 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 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during site works and throughout the life of this Development Approval.

31. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during site works do not exceed the following levels when measured at any sensitive place or commercial place:

32. Dust deposition of 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method.*

**CONSTRUCTION WASTE MANAGEMENT & STORAGE**

33. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

34. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.

35. Fires are not to be lit to dispose of demolition or construction waste.

36. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:

    36.1 Elsewhere within this Development Approval;

    36.2 In accordance with an associated Development Permit for Operational Work;

    36.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;

    36.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or

    36.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.

37. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

**EROSION & SEDIMENT CONTROL**

38. 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.

39. 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.

40. 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.

41. All disturbed areas must be mulched or turfed as soon as possible during construction.

42. 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 minimise site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and the ensuing ‘on-maintenance’ period where applicable.

**DAMAGE TO SERVICES & ASSETS**

43. Protect Council and public utility services and assets during construction of the development.

44. 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:

    44.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or

    44.2 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.

45. 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.

46. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

    *Note: Council must be notified of any damage to water and sewer immediately Ph: 131 872.*

**SERVICES & UTILITIES**

**WASTEWATER INFRASTRUCTURE (GENERAL)**

47. The existing wastewater connection to Proposed Lot 1 must fall entirely within the boundaries of the lot as proposed. Any adjustments to the wastewater connection/jump up including the provision of a new connection (if required) must be undertaken by Council at no cost to Council. Any existing connections between Proposed Lot 1 and Proposed Lot 2 must be disconnected.

    47.1 Certification must be provided to Council by a Licensed Plumber that the disconnection has been carried out.

48. Proposed Lot 2 must be provided with a connection to Council's existing wastewater reticulation system in accordance with Council *Wastewater Infrastructure Policy 2.04* at no cost to Council.

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

    *Note: Council will not provide separate connections for community titled lots.*

49. Prior to the commencement of any works on the subject land, an Operational Works application must be submitted to and be approved by Council for the wastewater reticulation works in accordance with the approved plans and documents of this Development Approval.

50. Any works on Council's 'live' wastewater must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

**WATER SUPPLY**

51. The subdivision must be provided with a water supply system capable of servicing each lot in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.

    *Note: Council will not provide separate connections for community titled lots.*

*Note: Council only provides a single water service connection to a single lot. If proposed Lot 1 has more than 1 existing water service connections, all additional connections must be disconnected, and meters recovered by Council at no cost to Council.*

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

52. Council's existing reticulation main must be extended in accordance with the following:

52.1 The existing dead-end water main in the South Street northern verge and in the frontage of proposed Lot 2 must be extended in DN150 and connected to the existing dead-end water main at the eastern property boundary of 541 South Street.

52.2 The section of water main which falls under the proposed South Street driveway must be constructed in DICL pipes and fittings with minimum 900mm cover.

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

53. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted and be approved by Council for water reticulation works and in accordance with the approved plans and documents of this Development Approval.

54. Unless able to be used as part of the development, any existing connection must be disconnected at no cost to Council.

55. Any existing water supply connection traversing more than one approved lot must be disconnected and removed.

56. Certification must be provided to Council by a Licensed Plumber that the disconnection has been carried out.

57. Where works have been carried out to disconnect or remove traversing pipes, certification must state that a separate water supply has been provided for all lots containing buildings which previously had a metered water supply, and that new water meters have been provided where necessary.

**TELECOMMUNICATION**

58. Install telecommunications infrastructure to service each approved lot which complies with the following:

58.1 The requirements of the *Telecommunications Act 1997* (Cth);

58.2 For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and

58.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.

59. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

60. Provide to Council written evidence from all relevant service providers that the telecommunications infrastructure is installed in accordance with the conditions of this Development Approval and all applicable legislation at the time of construction.

*Note: The Telecommunications Act 1997 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required. For further information visit www.infrastructure.gov.au/tind.*

*Note: For telecommunication services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra, or a "Notice of Practical Completion", "Confirmation of Payment" or "Post Execution of Development" Letter where such services are provided by NBN Co.*

**ELECTRICITY**

61. An electricity supply must be made available to service each approved lot within the subdivision. This supply must be in accordance with the relevant standards of the electricity distributor.

62. Written evidence must be submitted to Council from the electricity distributor advising that provision has been made for connection of reticulated electricity service for each approved lot in accordance with all applicable legislation at the time of construction.

*Note: In relation to reticulated electricity, written evidence must be in the form of a "Certificate of Supply" or "Supply is Available" supplied by the relevant service provider.*

**TRANSPORT & ACCESS**

**ROADWORKS (EXTERNAL TO SUBDIVISION)**

63. Existing roads must be widened as follows:

***Street:*** South Street - unkerbed development frontage.

***Classification:*** Distributor Road

***Construction Standard:*** Widening and kerb and channel along the development frontage to provide a 12m carriageway width.

*Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.*

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

64.1 Concrete kerbing and channelling;

64.2 Temporary asphalt kerbing to tapers;

64.3 Underground stormwater drainage;

64.4 Relocation of utility and Council services if required; and

64.5 Street lighting.

65. 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.

66. All street surfacing must be in accordance with the pavement construction standards in PSP No. 2.

67. 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 approved by Council for the road works external to the subject land and in accordance with the approved plans and documents of this Development Approval. All approved road works must be completed and accepted on-maintenance prior to the endorsement of any Plan of Subdivision.

    67.1 The design and construction of the works must be certified by a Registered Professional Engineer Queensland (RPEQ) – Civil.

**EXTERNAL PEDESTRIAN & CYCLE PATHS**

68. The following works must be constructed in accordance with *Planning Scheme Policy No. 2 - Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*:

    68.1 A 2.0m wide concrete path for the development frontage on Greenwattle Street starting at South Street and extending to the existing path at the culvert approximately 15m north of the development frontage.

    *Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.*

    68.2 A 2.5m wide concrete path for the development frontage on South Street starting at the eastern boundary of 541 South Street and extending to Greenwattle Street.

    *Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.*

    *Note: The path width may need to be reduced to 2m in constrained locations.*

    68.3 The existing section of pedestrian path and kerb ramps on the north-western side of the South Street/Greenwattle Street roundabout must be replaced;

    ***Note: This condition is imposed pursuant to Section 128 of the Planning Act 2016.***

    68.4 Provision must be made for wheelchair and pram access at all kerb crossings associated with pathways, in accordance with *IPWEA Standard Drawing RS-090 – Ramped Pedestrian Crossings*;

    68.5 The construction of the paths must be carried out following completion of all development works on the subject land, but prior to Council's approval of the Plan of Subdivision;

    68.6 The required work includes any surface earthworks, grinding or saw cutting to ensure the footpath finishes flush with all existing service covers and the like, or alternatively these services are raised or altered, so as not to create a pedestrian safety hazard; and

    68.7 Any concrete footpath or cycleway must comply with *IPWEA Standard Drawing RS-065 – Concrete Pathway*. Where necessary, reprofiling of the verge area must be undertaken to enable the construction of concrete pathways with a maximum cross fall of 2.5%.

69. 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 construction of the concrete footpaths in accordance with the approved plans and documents of this Development Approval. The design and the construction of the works must be certified by a RPEQ – Civil.

**ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY**

70. 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.*

71. 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.*

**REMOVAL OR MODIFICATION OF COUNCIL TRAFFIC SIGNS OR PARKING BAYS**

72. Obtain the written approval of Council's Coordinator Traffic Management for any works involving the removal or modification of existing Council traffic signs or parking bays prior to the works commencing. Where approved by Council such works are to be undertaken at no cost to Council.

73. The installation or modification of any street signs or line marking must be in accordance with the Manual of Uniform Traffic Control Device (MUTCD).

**PROVISION OF VEHICULAR ACCESS**

74. The vehicle accesses from the subject land to South Street and Greenwattle Street must be sealed from the kerb and channel to the property boundary. The accesses must be designed by a Registered Professional Engineer Queensland (RPEQ) – Civil and must include the provision of adequate access width and flares to suit the proposed entry and exit manoeuvres. Such works must be constructed as specifically required below:

74.1 The vehicle accesses must be located as shown on the Approved Plans (as amended) listed within this Development Approval and designed as access driveways rather than intersections;

74.2 The vehicle accesses must be constructed generally in accordance with the Institute of Public Works Engineering Australasia Drawing *RS-051 Heavy Duty Vehicle Crossing* and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;

74.3 The vehicle accesses (crossing of the verge) must align neatly on both sides with the pedestrian footpath and verge with a maximum cross fall of 2.5%.

74.4 The vehicle accesses (crossing of the verge) must be located a minimum of one (1) metre clear of existing power poles, streetlights or any signage

74.5 The vehicle accesses (crossing of the verge) must provide the minimum sight lines for pedestrian safety as per *AS2890.1 Parking facilities Part 1: Of-street car parking*;

74.6 The relocation of all existing services must be clear of the accesses that will serve the subject land;

74.7 The relevant service authorities must be contacted and their requirements complied with; and

74.8 The vehicle accesses must include suitable tapers and flares to accommodate the required turning paths of a Refuse Vehicle.

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

75. The final design and layout of the vehicle accesses, or any modification of existing property accesses, must be in accordance with the accepted development assessment benchmarks in the Works and Services Code in the *Toowoomba Regional Planning Scheme 2012* prior to any construction works within the road reserve.

## DEVELOPMENT CONSTRAINTS

### AIRPORT ENVIRONS

76. No part of any structure may be constructed within the Obstacle Limitation Surface as shown on the Airport Environs Overlay Maps in the *Toowoomba Regional Planning Scheme 2012*. This restriction also applies to crane jibs, towers and any other temporary structures during subdivision works unless otherwise approved by Council.

77. Any cleared vegetation must be mulched or removed from the subject land and not burnt on-site.

78.. Any outdoor lighting, including street lighting must comply with the requirements of Chapter 9 of the CASA *Manual of Standards Part 139 – Aerodromes*.

## LANDSCAPING – PARKLAND AND STREET TREES

### LANDSCAPING WORKS (PROVISION OF PARK TREES)

79. Plant and maintain for a period of 12 months, trees within McDougall Street Utility Land along the boundary of Lot 2C and 2B (with the exception of approximately 50 metres closest to Greenwattle Street**)**. The trees must be provided at a frequency of 1 tree per 15 metres of lot frontage and be capable of reaching 12 metres in height at maturity. An increase in the number and/or variation to the location of park trees may be varied in an approved landscape plan where accepted by Council.

80. The selection and planting of any park tree must be in accordance with the requirements of *Planning Scheme Policy No.8 - Street Trees, Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure*, the *Toowoomba Regional Council Street Tree Master Plan*, and the endorsed Landscape Plan.

81. All landscape works must be established by a suitably qualified person and maintained in accordance with the conditions of this Development Approval for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be replaced when its life expectancy is reached.

### LANDSCAPING WORKS (GENERAL)

82. Prior to the ~~**commencement of any works on site or the issue of a Building Works approval (whichever occurs first)**~~ **issue of a Development Permit for Operational Work,** submit to Council for endorsement, a Detailed Landscape Plan prepared by a qualified person and generally in accordance with the landscaping shown on the Approved Plans listed within this Development Approval that details the following in relation to park tree provision:

82.1 The species to be planted and their location;

82.2 A planting schedule indicating the number and container size of each species;

82.3 The typical planting detail including preparation, backfill, staking and mulching; ~~**and**~~

82.4 North point, scale and drawing number~~.~~**; and**

**82.5 Unless otherwise agreed in writing by Council, no shrub or groundcover planting within Council owned parkland (Lot 16 SP170583), including the land to be dedicated to Council under Condition 13.1.**

*Note: Trees required to be supplied as a condition if this Development Approval must be supplied in 45L containers or as otherwise specified.*

83. The Landscape Plan must receive endorsement by Council prior to commencement of any site works or earthworks.

**PEDESTRIAN WORKS (EXTERNAL TO DEVELOPMENT FRONTING OPEN SPACE/DRAINAGE RESERVE)**

84. A minimum 2 metre wide pedestrian footpath must be provided within **the** McDougall Street Utility Land **(including the land to be dedicated to Council under Condition 13.1)** connecting ~~**the north / south inner road (at the eastern corner of Lot 2B)**~~ **the footpath on Greenwattle Street** to the western property boundary of the park. The footpath must achieve compliance with the *Disability Discrimination Act 1992* and associated standards in particular achieving a maximum gradient of 1:20).

*Note: This condition is imposed pursuant to Section* ~~***145***~~ ***128*** *of the Planning Act 2016.*

85. 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 pedestrian works.

86. The pedestrian works are to be maintained in a satisfactory condition for a minimum period of twelve (12) months commencing at written acceptance of on-maintenance as outlined by the Toowoomba Regional Council Planning Scheme.

**PARK ACCESS**

87. The applicant must obtain written approval from Council (Parks and Recreation Services Branch) prior to accessing or undertaking any works within Council owned drainage reserve.

*Note: Should Parks and Recreation Services Branch be agreeable to park access there will be daily access fee and the requirement of a bond in accordance with Council's adopted fees and charges.*

**ROADWORKS (INTERNAL TO DEVELOPMENT WITHIN THE COMMON LOT)**

89. Internal roads must generally be constructed as shown on the Approved Plans (as Amended).

90. The internal roads must be constructed to a sealed standard, including kerb and channel on both sides of the new roads. The internal roads must be as follows:

90.1 The internal road must have an minimum 7m carriageway width measured between channel inverts;

90.2 The entrance from South Street and Greenwattle Street must generally be as detailed on the Approved Plans.

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

91. Signage, in accordance with the Manual of Uniform Traffic Control Devices, must be placed at the entrance to indicate the speed limit and shared zone - give way to pedestrians.

92. The design and the construction of the works must be certified by a RPEQ – Civil as follows:

92.1 A Design Certificate must be submitted prior to commencement of construction; and

93.2 A Construction Supervision Certificate must be submitted at the completion of the approved works on the site.

**FOOTPATH (INTERNAL TO DEVELOPMENT WITHIN THE COMMON LOT)**

93~~.1~~ A 2m wide concrete pedestrian path must be constructed as per the Approved Plans (as amended) in line with best engineering ~~**practise**~~ **practice**.

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

**94~~3.2~~** Any concrete footpath must comply with *IPWEA Standard Drawing RS-065 – Concrete Pathway*.

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

**INTERFACE WITH MCDOUGALL STREET UTILITY LAND**

**95. Submit to Council for endorsement, a plan detailing all works proposed within and adjoining the McDougall Street Utility Land (Lot 16 SP170583), including land to be dedicated to Council for Park purposes in accordance with Condition 13.1 of this Development Approval.**

***Note: Council requires the following be demonstrated on the plan submitted for endorsement:***

- ***Unless otherwise agreed in writing by Council, no shrub or groundcover planting must be proposed within the land to be dedicated;***
- ***The extent and height of retaining walls and fences is reduced as far as practically possible. Retaining walls, where necessary, are restricted to a maximum height of one (1) metre with the use of earth batters for any further changes in grade between the footpath and adjoining land;***
- ***Earth batters should be no steeper than 1:4 where practicable, but steeper may be supported where required; and***
- ***Stormwater flows are not to be adversely affected by retaining walls and earth batters.***

**96. The plan submitted for endorsement under Condition 95 must be submitted to Council prior to lodgement of any Development Application for a Development Permit for Operational Work and receive endorsement by Council prior to commencement of any site works or earthworks.**

**97. All works within and adjoining the McDougall Street Utility Land (Lot 16 SP170583), including land to be dedicated to Council for Park purposes in accordance with Condition 13.1 of this Development Approval must be undertaken in accordance with the endorsed plan.**

**B. ADVICES:**

**SUBMISSION OF DOCUMENTS FOR ENDORSEMENT**

1) The conditions of this Development Approval require submission of documents to Council for endorsement. Please address the documents for endorsement to Council's Development Services Branch with the Reference No. ~~**RAL/2020/5054**~~ **RAL/2021/4227/A** and send to development@tr.qld.gov.au.

**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 2012*. 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.

**CLEARING OF NATIVE VEGETATION**

7) The subject land supports regulated vegetation under the *Vegetation Management Act 1999* (VM Act). The clearing of regulated vegetation can only be undertaken where associated with exempt clearing activities established under the VM Act. For further information regarding exempt clearing activities please contact your local office of the Department of Resources.

**CLEARING OF PROTECTED PLANTS**

8) In accordance with *Nature Conservation (Animals) Regulation 2020* you must check the flora survey trigger map, prior to the clearing of any native plants found on the subject land to determine if a flora survey must be undertaken and if a clearing permit for clearing endangered, vulnerable and near threatened plants ('EVNT plants') and their supporting habitat is required.

Under the Regulation, if a flora survey identifies that EVNT plants are not present or can be avoided by 100m, the clearing activity may be exempt from a permit, however an exempt clearing notification form must be submitted to the Department of Environment and Science. In an area other than a high risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present, though a range of exemptions do apply. Clearing of least concern plants is generally exempt from requiring a clearing permit. For further information associated with the clearing of protected plants and to obtain flora survey trigger map for your site please refer to the Departmental website.

**EXCAVATION & FILLING**

9) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m$^3$ 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 50m$^3$ or more of fill is deposited on, or 50m$^3$ 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**

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.

**ENVIRONMENT PROTECTION & BIODIVERSITY CONSERVATION ACT 1999**

11) An additional approval from the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) may be required in relation to the approved development. The *EPBC Act* relates to actions that may have a significant impact on matters of national environmental significance (NES) or the environment generally if on Commonwealth land. These matters of NES include nationally listed threatened and migratory species, Ramsar wetlands, World Heritage, Commonwealth marine and nuclear actions.

The EPBC Act provides that a person must not take an action that has, will have or is likely to have a significant impact on matters of NES, without the approval of the Commonwealth Environment Minister. Such actions should be referred to the Minister for a decision on whether or not approval is required under the EPBC Act.

Contact the Australian Government Department of Agriculture, Water and the Environment to discuss any obligations under the EPBC Act.

**WATER POLLUTION**

12) 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**

13) 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.

**FIRE ANTS**

14) 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.

**BONDING INCOMPLETE WORKS ASSOCIATED WITH THE RECONFIGURING OF LAND**

**15) Council may, at its absolute discretion, approve plans of subdivision before accepting works 'on maintenance' through the bonding of incomplete works. Prerequisites must be met for Council to accept the bonding of incomplete works. These prerequisites are outlined in the *Toowoomba Regional Planning Scheme 2012*, *PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure*, *SC6.2.7.17.4*.**

**C. ATTACHED POLICIES AND/OR STANDARDS:**

- Concurrence Agency Conditions Schedule 4
- Approved Development Plans
- Approved Documents
- Appeal provisions pursuant to the *Planning Act 2016*.

## SCHEDULE 4

## CONCURRENCE AGENCY (CONDITIONS AND COMMENTS)

## DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING

Queensland Government

RECEIVED
14/09/2021
TOOWOOMBA
REGIONAL COUNCIL

SARA reference: 2108-24152 SRA
Council reference: MCUI/2021/4232
Applicant reference: J001078

14 September 2021

Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350
development@tr.qld.gov.au

Attention: Mr Rodney O'Brien

Dear Mr O'Brien

# SARA response—699-713 Greenwattle Street, Glenvale

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 17 August 2021.

## Response

| | |
|---|---|
| Outcome: | Referral agency response – no requirements<br>Under section 56(1)(a) of the *Planning Act 2016*, SARA advises it has no requirements relating to the application |
| Date of response: | 14 September 2021 |
| Advice: | Advice to the applicant is in **Attachment 1** |
| Reasons: | The reasons for the referral agency response are in **Attachment 2** |

## Development details

| | | |
|---|---|---|
| Description: | Development Permit | Material Change of Use – Health Care Services and Shop |
| | Development Permit | Reconfiguring a Lot – One (1) Lot into Four (4) Lots and Community Title |
| | Preliminary approval that includes a variation request | Material Change of Use – Preliminary Approval for a Variation Request |
| SARA role: | Referral agency | |
| SARA trigger: | Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (10.9.4.1.1.1) – Development impacting on state transport | |



Darling Downs South West regional office
128 Margaret Street, Toowoomba
PO Box 825, Toowoomba QLD 4350

| | |
|---|---|
| | infrastructure (Planning Regulation 2017) |
| SARA reference: | 2108-24152 SRA |
| Assessment Manager: | Toowoomba Regional Council |
| Street address: | 699-713 Greenwattle Street, Glenvale |
| Real property description: | Lot 11 on SP279226 |
| Applicant name: | Weymouth Investments QLD Pty Ltd C/- Property Projects Australia |
| Applicant contact details: | PO Box 3686<br>TOOWOOMBA QLD 4350<br>james@propertyprojectsaustralia.com.au /<br>harriet@propertyprojectsaustralia.com.au |

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 *Development Assessment Rules*). Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Jackie Larrarte, Senior Planning Officer, on 07 4122 0408 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Susan Kidd
Manager (Program Improvement)

cc Weymouth Investments QLD Pty Ltd C/- Property Projects Australia,
james@propertyprojectsaustralia.com.au / harriet@propertyprojectsaustralia.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations about a referral agency response provisions

# Attachment 1—Advice to the applicant

| | |
|---|---|
| **General advice** | |
| 1. | Terms and phrases used in this document are defined in the *Planning Act 2016*, its regulation or the *State Development Assessment Provisions* (SDAP), version 2.6. If a word remains undefined it has its ordinary meaning. |
| **Queensland waterways for waterway barrier works** | |
| 2. | According to the spatial data layer *Queensland waterways for waterway barrier works*, a mapped low impact (green) waterway is located within Lot 16 on SP170583, adjacent to the north-eastern corner of the development site. However, aerial imagery suggests that the on-ground features of the waterway may extend into the development site within proximity of the development.<br><br>Any future operational work within the waterway, as determined by its on-ground features, may constitute waterway barrier works. In accordance with the *Planning Act 2016*, operational work that is constructing or raising waterway barrier works needs to be undertaken either in accordance with the *Accepted development requirements for operational work that is constructing or raising waterway barrier works*, or under a development approval.<br><br>It is important to understand the location and full extent of the on-ground waterway so that the future development of the site can either avoid the waterway or comply with the relevant requirements under the *Planning Act 2016*.<br><br>The following factsheets provide more information on waterways and waterway barrier works:<br>• What is a waterway?<br>• What is a waterway barrier work?<br>• What is not a waterway barrier work?<br><br>Should the development extend into the waterway, it is recommended that advice be sought from SARA to determine whether future works would be assessable development for constructing or raising waterway barrier works and how this may impact on the wider development design. |

# Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

**The reasons for SARA's decision are:**

The proposed development complies with *State code 6: Protection of state transport networks* of the SDAP. Specifically, the development:

- does not create a safety hazard for users of state transport infrastructure or public passenger services by increasing the likelihood or frequency of a fatality or serious injury
- does not result in a worsening of the physical condition or operating performance of the state transport network
- does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure
- does not compromise existing safe and direct access to public passenger transport infrastructure, including access by cycling and walking.

**Material used in the assessment of the application:**

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 2.6), as published by SARA
- the *Development Assessment Rules*
- SARA DA Mapping system
- *Human Rights Act 2019*.

# Attachment 3—Representations about a referral agency response provisions

(page left intentionally blank)

# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules[1] regarding **representations about a referral agency response**

# Part 6: Changes to the application and referral agency responses

## 28 Concurrence agency changes its response or gives a late response

28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.

28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—

(a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or

(b) the Minister has given the concurrence agency a direction under section 99 of the Act; or

(c) the applicant has given written agreement to the change to the referral agency response.[2]

28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.

28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—

(a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and

(b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

---

1 Pursuant to Section 68 of the *Planning Act 2016*

2 In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

# Part 7: Miscellaneous

## 30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.[3]

[3] An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

**Chapter 6, Part 1 of the Planning Act 2016 Appeal rights**

**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) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018* – at anytime after the period within which the application or matter was required to be decided ends; or
  - (iv) 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.

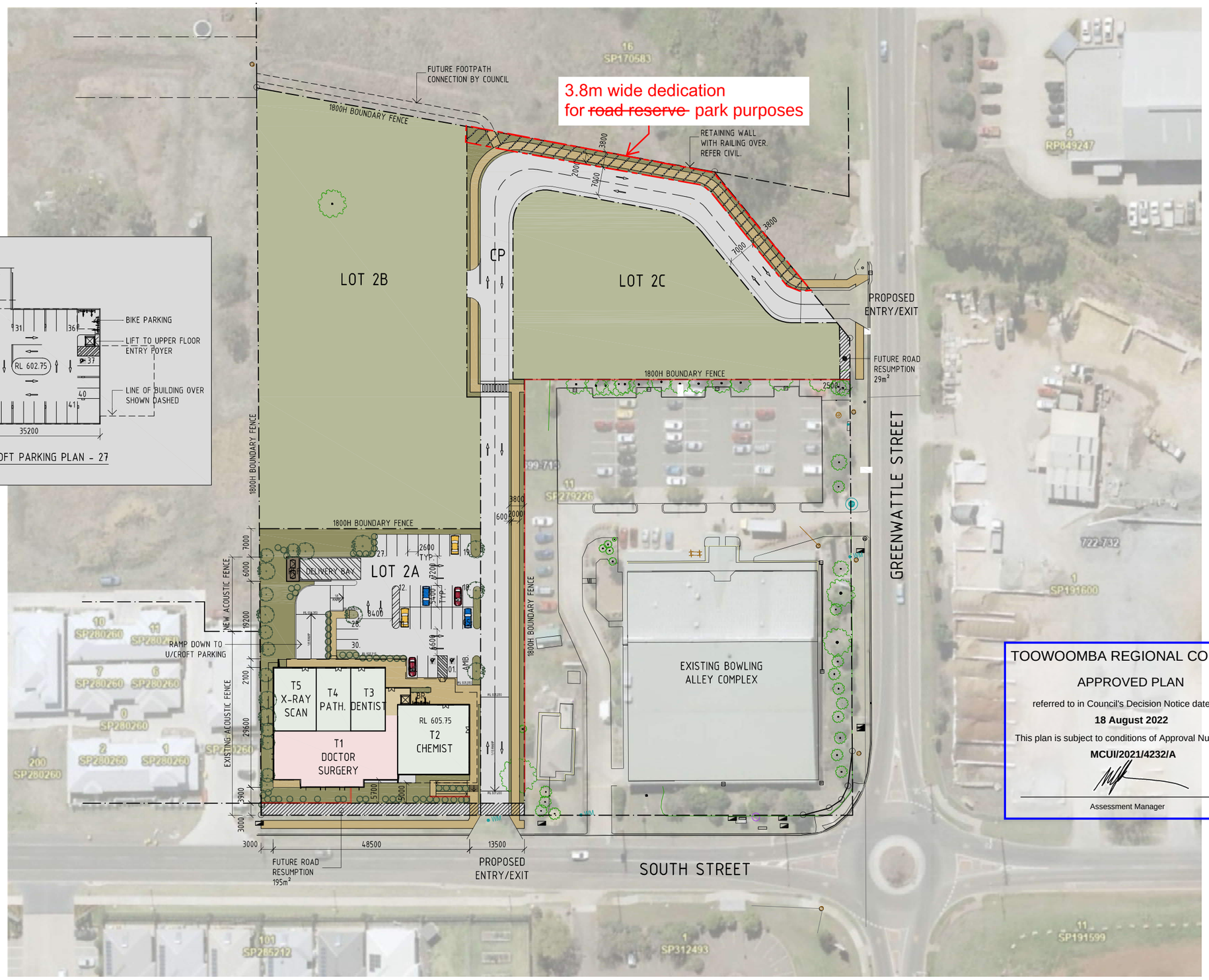
***non-appealable***, for a decision or matter, means the decision or matter—
- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme 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.

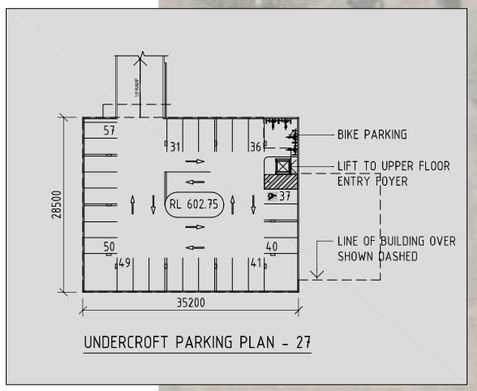
**232 Rules of the P&E Court**

(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.

INFORMATION




UNDERCROFT PARKING PLAN - 27

## PROPERTY DESCRIPTION

LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL

## DEVELOPMENT ASSESSMENT

TOTAL SITE AREA - 1.50ha

LOT 2A

DEVELOPMENT SITE AREA - 6,599m²
(INCLUDES INTERNAL ROAD EASEMENT = 2,941m²)
(EXCLUDES FUTURE ROAD RESUMPTION = 195m²)

LANDSCAPED AREA - 1,375m²

BUILDING SITE COVER - 21.9%
INCLUDES ALL ROOFED AREAS. DEVELOPMENT SITE ONLY.

### BUILDING 1 AREA - GFA

- T1 - G.P CONSULTING - 410m²
  35m² ACCESS CORRIDOR
- T2 - CHEMIST - 308m²
- T3 - DENTIST - 134m²
- T4 - PATHOLOGY - 134m²
- T5 - X-RAY - 166m²
- LIFT ENTRY FOYER - 33m²

TOTAL BUILDING 1 GFA - 1,185m²

### MISCELLANEOUS AREAS

- REFUSE ENCLOSURE - 20m²

### CAR PARKING

- PARKING PROVIDED - 57
  EXCLUDES LOT 2B & 2C FUTURE DEVELOPMENT
- BICYCLE PARKING - (BR) - 15 BIKES
  LOCATED AT GROUND LEVEL AND UNDERCROFT PARKING

TOOWOOMBA REGIONAL COUNCIL
APPROVED PLAN
referred to in Council's Decision Notice dated
**18 August 2022**
This plan is subject to conditions of Approval Number
**MCUI/2021/4232/A**
Assessment Manager

TOOWOOMBA REGIONAL COUNCIL
APPROVED PLAN
referred to in Council's Decision Notice dated
**12 April 2022**
This plan is subject to conditions of Approval Number
**MCUI/2021/4232**
Assessment Manager

Consulting Engineer

VERVE BUILDING DESIGN CO.
BUILDING DESIGNERS LICENCE No. 1002212 PH. 07 3857 0942
OFFICE 2, LEVEL 1, 488 LUTWYCHE ROAD, LUTWYCHE QLD 4030 E: info@vervebd.com.au
imagine □ create □ deliver

□ commercial / industrial / retail
□ fast food restaurant design
□ travel centre / service stations
□ project concept to completion

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Revision and approvals

| Code | Date | Drn | Description | Dwn |
|---|---|---|---|---|
| G | 15.02.2022 | TD | RESPONSE TO COUNCIL I.R. | |
| J | 25.03.2022 | TD | RESPONSE TO COUNCIL I.R. | |
| H | 07.03.2022 | TD | ISSUE IN REPONSE TO COUNCIL I.R | |

Project Description
PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE STREET, GLENVALE

Drawing Title
PROP. SITE PLAN

Scale 1:500 @ A1 / 1:1000 @A3
Approved
Drawn GN
Issued

Drawing Number 20225-DA03
Revision J

# DA ISSUE

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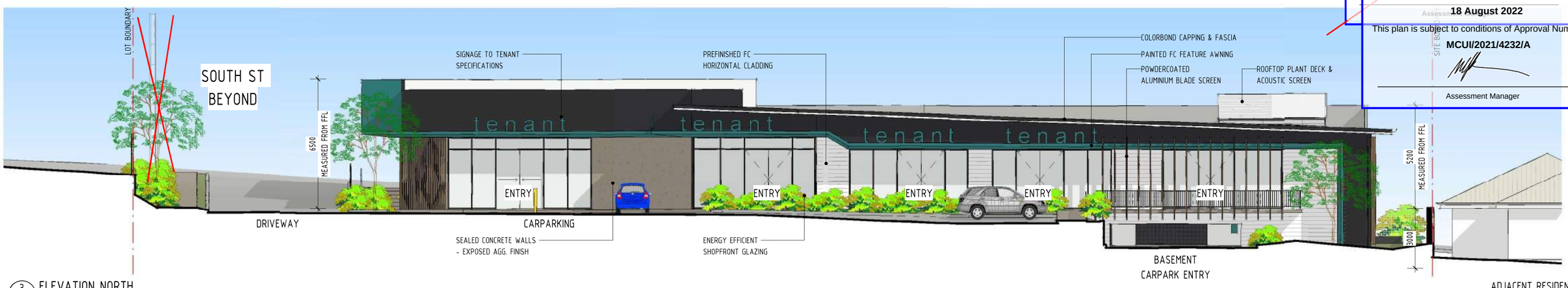



1 PERSPECTIVE - SOUTH STREET SITE ENTRY




2 ELEVATION SOUTH
1 : 100

ADVERTISING DEVICE NOT APPROVED




3 ELEVATION NORTH
1 : 100

TOOWOOMBA REGIONAL COUNCIL
APPROVED PLAN
referred to in Council's Decision Notice dated
12 April 2022

TOOWOOMBA REGIONAL COUNCIL
APPROVED PLAN
referred to in Council's Decision Notice dated
**18 August 2022**
This plan is subject to conditions of Approval Number
**MCUI/2021/4232/A**
Assessment Manager

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**CONSULTING ENGINEER**

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imagine □ create □ deliver

□ commercial / industrial / retail
□ fast food restaurant design
□ travel centre / service stations
□ project concept to completion

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**Revision and approvals**

| Rev | Date | Drn | Description | Appr |
|---|---|---|---|---|
| P2 | 27.05.2021 | TD | REVISED DRAFT DA ISSUE | |
| A | 14.06.2021 | TD | DA ISSUE | GN |
| B | 01.07.2021 | TD | REVISED DA ISSUE | |
| C | 25.10.2021 | TD | RESPONSE TO COUNCIL I.R. | |
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| E | 07.03.2022 | TD | RESPONSE TO COUNCIL I.R. | |
| F | 25.03.2022 | TD | RESPONSE TO COUNCIL I.R. | |

**Project Description**
PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE ST, GLENVALE

**Drawing Title**
BUILDING ELEVATIONS & PERSPECTIVES

Scale @A1: As indicated
Date: FEB 2021
Drawn: TD
Approved By: GN

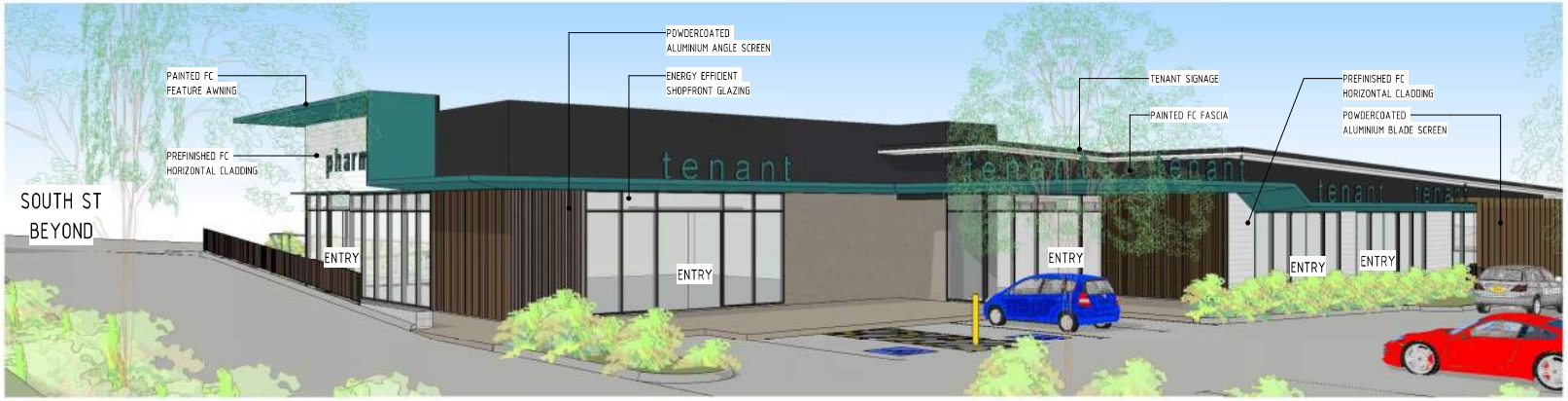
Job Number - Drawing Number: 20225 DA04
Revision: F

# DA ISSUE

**THIS DRAWING IS NOT FOR CONSTRUCTION**

**NOTE**

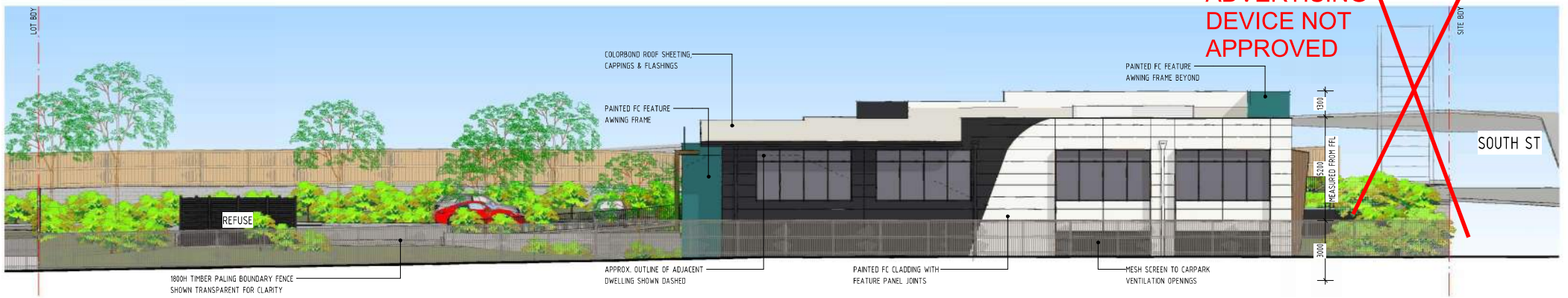
1. ALL EXTERNAL MATERIALS & FINISHES SHOWN INDICATIVE ONLY AND SUBJECT TO FINAL TENANT STANDARDS
2. ALL DIMENSIONS MEASURED FROM FINISHED GROUND FLOOR LEVEL UNLESS NOTED OTHERWISE
3. ALL SIGNAGE INCLUDING LOCATIONS AND HEIGHTS ARE SUBJECT TO A SEPARATE SIGNAGE APPLICATION AND APPROVAL BY LOCAL AUTHORITY
4. LANDSCAPING IS SHOWN FOR "ARTIST IMPRESSION" PURPOSES ONLY. REFERENCE SHOULD BE MADE TO THE LANDSCAPE DRAWINGS PREPARED BY THE RELEVANT CONSULTANT.




1 PERSPECTIVE - BUILDING 1 NORTH EAST




2 ELEVATION EAST
1 : 100




ADVERTISING DEVICE NOT APPROVED

3 ELEVATION WEST
1 : 100

TOOWOOMBA REGIONAL COUNCIL
APPROVED PLAN
Referred to in Council's Decision Notice dated
18 August 2022
This plan is subject to conditions of Approval Number
MCUI/2021/4232
Assessment Manager

TOOWOOMBA REGIONAL COUNCIL
APPROVED PLAN
referred to in Council's Decision Notice dated
**18 August 2022**
This plan is subject to conditions of Approval Number
**MCUI/2021/4232/A**
Assessment Manager

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**CONSULTING ENGINEER**

VERVE BUILDING DESIGN CO.
QBCC LICENCE No. 1139672
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commercial / industrial / retail
fast food restaurant design
travel centre / service stations
project concept to completion
imagine create deliver

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**Revision and approvals**

| Rev | Date | Drn | Description | Appr. |
|---|---|---|---|---|
| P1 | 07.05.2021 | TD | DRAFT DA ISSUE | |
| P2 | 27.05.2021 | TD | REVISED DRAFT DA ISSUE | |
| A | 14.06.2021 | TD | DA ISSUE | GN |
| B | 01.07.2021 | TD | REVISED DA ISSUE | |
| C | 25.10.2021 | TD | RESPONSE TO COUNCIL I.R. | |
| D | 25.02.2022 | TD | RESPONSE TO COUNCIL I.R. | |
| E | 07.03.2022 | TD | RESPONSE TO COUNCIL I.R. | |

**Project Description**
PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE ST, GLENVALE

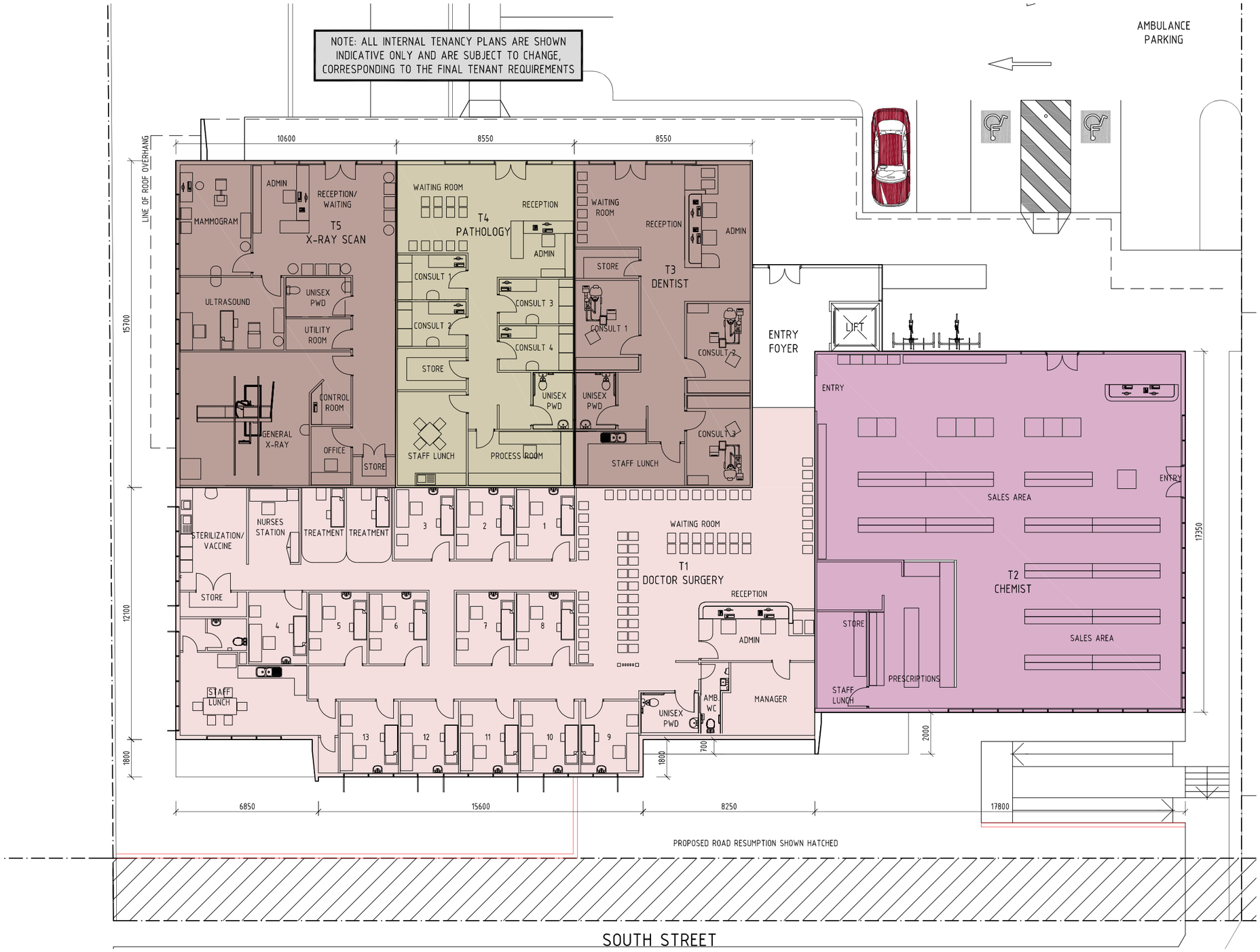
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Date: FEB 2021
Drawn: TD
Approved By: GN

**Drawing Title**
BUILDING ELEVATIONS & PERSPECTIVES

Job Number - Drawing Number: 20225 DA05
Revision: E

D.A ISSUE

NOTE: ALL INTERNAL TENANCY PLANS ARE SHOWN INDICATIVE ONLY AND ARE SUBJECT TO CHANGE, CORRESPONDING TO THE FINAL TENANT REQUIREMENTS




TOOWOOMBA REGIONAL COUNCIL

APPROVED PLAN

referred to in Council's Decision Notice dated

**18 August 2022**

This plan is subject to conditions of Approval Number

**MCUI/2021/4232/A**

Assessment Manager

TOOWOOMBA REGIONAL COUNCIL

APPROVED PLAN

referred to in Council's Decision Notice dated

**12 April 2022**

This plan is subject to conditions of Approval Number

**MCUI/2021/4232**

Assessment Manager

Consulting Engineer


VERVE BUILDING DESIGN CO.

BUILDING DESIGNERS LICENCE No. 1002212 PH. 07 3857 0942
OFFICE 2, LEVEL 1, 486 LUTWYCHE ROAD, LUTWYCHE QLD 4030 E: info@vervebd.com.au

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□ commercial / industrial / retail
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□ project concept to completion


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Revision and approvals

| Code | Date | Drn | Description | Dwn |
|---|---|---|---|---|
| C | 07.03.2022 | TD | ISSUE IN RESPONSE TO COUNCIL I.R | |
| B | 25.10.2021 | TD | RESPONSE TO COUNCIL I.R. | |
| D | 25.03.2022 | TD | ISSUE IN RESPONSE TO COUNCIL I.R | |

Project Description
PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE STREET, GLENVALE

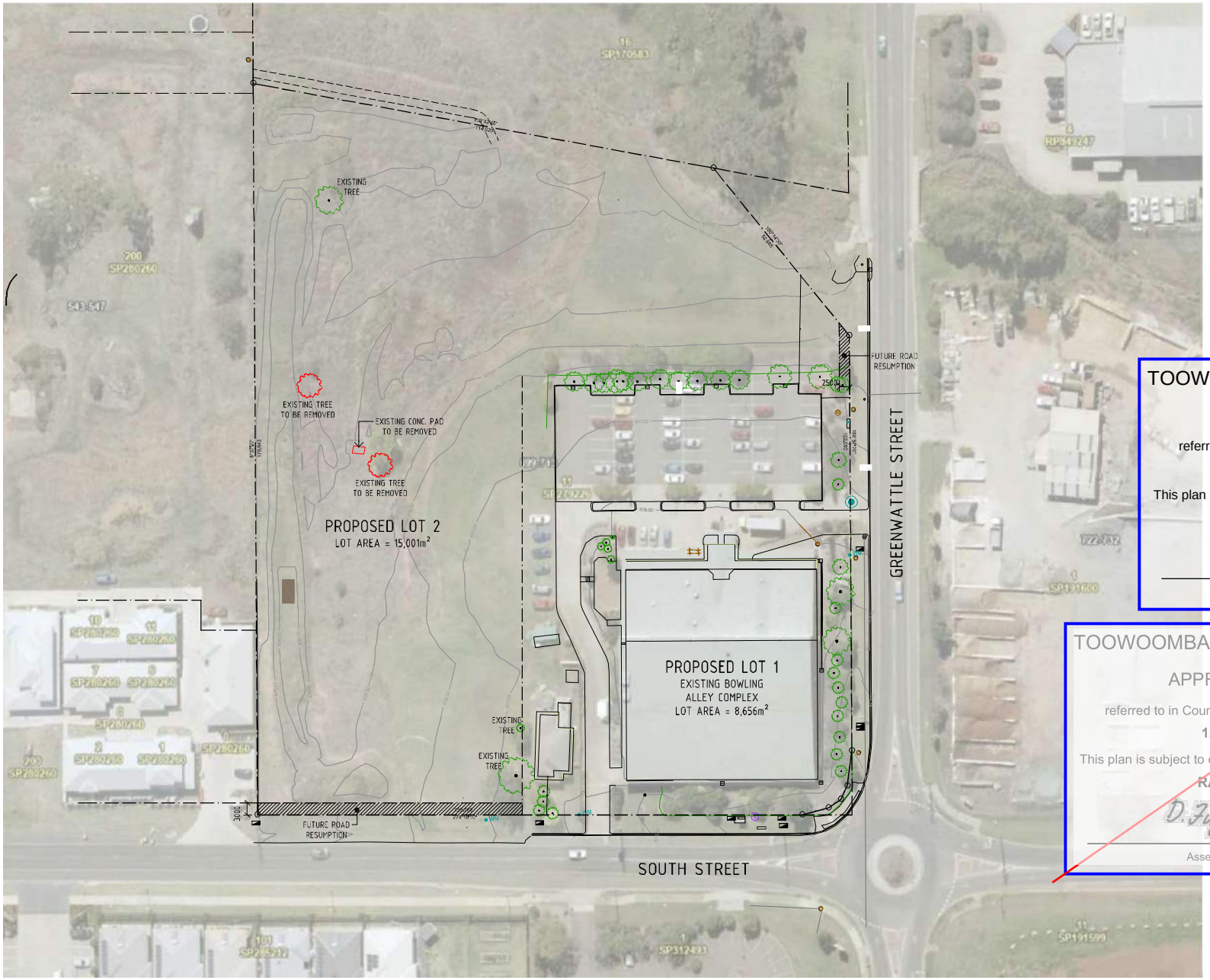
Drawing Title
TENANCY PLAN - BUILDING 1

Scale 1:100 @ A1 / 1:200 @A3
Drawn GN
Approved
Issued

Drawing Number 20225-DA09

Revision D

D.A ISSUE




PROPERTY DESCRIPTION
LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL

DEVELOPMENT ASSESSMENT

| | |
|---|---|
| TOTAL SITE AREA | - 23,657m² |
| • LOT 1 | - 8,656m² |
| • LOT 2 | - 15,001m² |

TOOWOOMBA REGIONAL COUNCIL

APPROVED PLAN

referred to in Council's Decision Notice dated

**18 August 2022**

This plan is subject to conditions of Approval Number

**RAL/2021/4227/A**

Assessment Manager

TOOWOOMBA REGIONAL COUNCIL

APPROVED PLAN

referred to in Council's Decision Notice dated

**12 April 2022**

This plan is subject to conditions of Approval Number

**RAL/2021/4227**

Assessment Manager

Consulting Engineer

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OFFICE 2, LEVEL 1, 436 LUTWYCHE ROAD, LUTWYCHE QLD 4030 PH 07 3857 0142 E INFO@VERVEBD.COM.AU

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| Revision and approvals | | | | |
|---|---|---|---|---|
| Code | Date | By | Description | Out |
| B | 25.10.2021 | TO | RESPONSE TO COUNCIL RFI. | |
| A | 14.06.2021 | TO | DA ISSUE | |
| P1 | 10.05.2021 | TO | DRAFT DA ISSUE | |

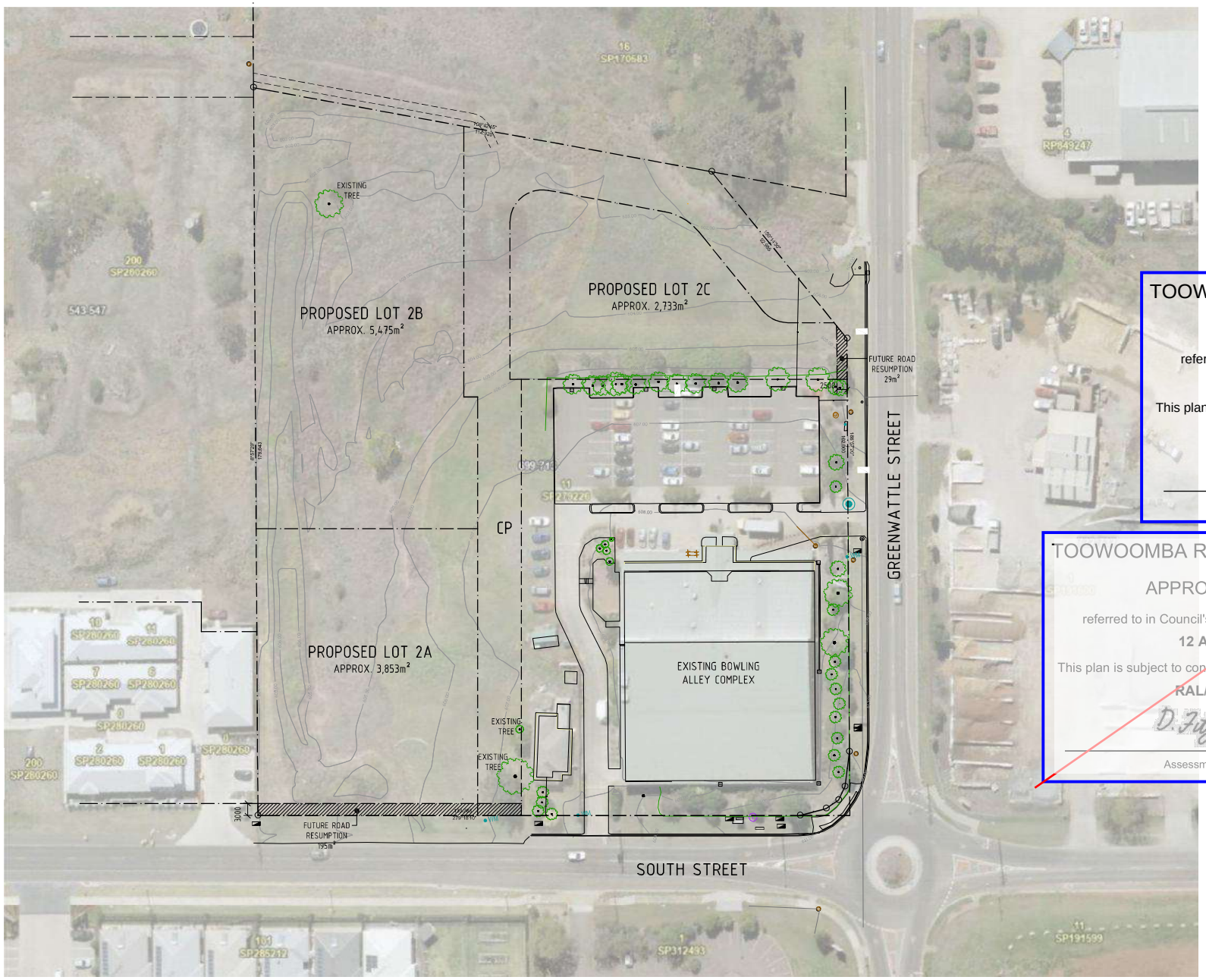
Project Description
PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE STREET, GLENVALE

Scale: 1:500 @ A1 / 1:1000 @A3
Drawn: GN
approved
issued

Drawing Title
EXIST. SITE PLAN & PROPOSED SUBDIVISION 1

Drawing Number: 20225-DA01
Revision: B

D.A ISSUE




PROPERTY DESCRIPTION
LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL

DEVELOPMENT ASSESSMENT

| | |
|---|---|
| TOTAL SITE AREA | - 15,001m² |
| • PROPOSED LOT 2A | - 3,853m² |
| • PROPOSED LOT 2B | - 5,475m² |
| • PROPOSED LOT 2C | - 2,733m² |
| • COMMON PROPERTY | - 2,941m² |

TOOWOOMBA REGIONAL COUNCIL

APPROVED PLAN

referred to in Council's Decision Notice dated

**18 August 2022**

This plan is subject to conditions of Approval Number

**RAL/2021/4227/A**

Assessment Manager

TOOWOOMBA REGIONAL COUNCIL

APPROVED PLAN

referred to in Council's Decision Notice dated

**12 April 2022**

This plan is subject to conditions of Approval Number

**RAL/2021/4227**

Assessment Manager

Consulting Engineer

VERVE

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OFFICE 2, LEVEL 1, 488 ELITYPHE ROAD, LUTWYCHE QLD 4030 PH. 07 3857 0942 E: info@verveqld.com.au

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| Revision and approval | | | | |
|---|---|---|---|---|
| Code | Date | Dn | Description | Dwn |
| E | 15.02.2022 | TD | RESPONSE TO COUNCIL I.R. | |
| D | 25.10.2021 | TD | RESPONSE TO COUNCIL I.R. | |
| C | 25.11.2021 | TD | RESPONSE TO COUNCIL I.R. | |

Project Description
PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE STREET, GLENVALE

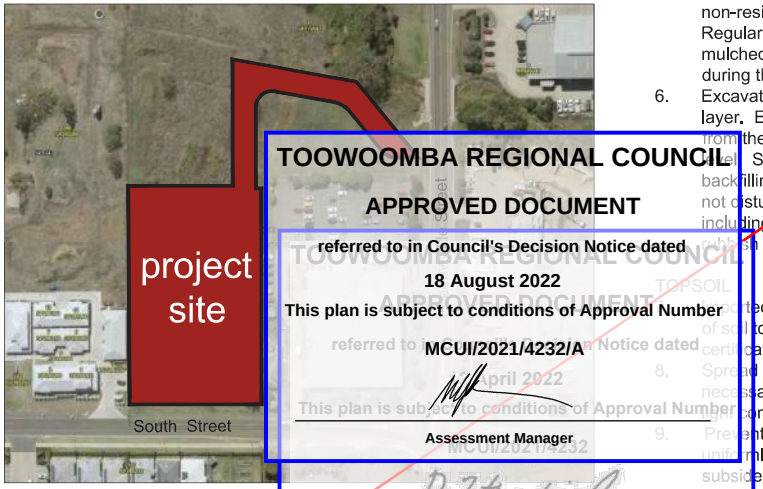
Drawing Title
PROPOSED SUBDIVISION 2

Scale: 1:500 @ A1 / 1:1000 @A3
Approved:
Drawn: GN
Issued:
Drawing Number: 20225-DA02
Revision: E

# Proposed Healthcare Development
# 699-713 Greenwattle Street, Glenvale
# (MCUI/2021/4232 & RAL/2021/4227)

## Landscape Plans

| | |
|---|---|
| 2159_01 Issue C | Cover Sheet & Notes |
| 2159_02 Issue C | Key Plan |
| 2159_03 Issue C | Landscape Plan |
| 2159_04 Issue C | Landscape Plan |
| 2159_05 Issue C | Plant Schedule |
| 2159_06 Issue C | Landscape Details |




Site Location

TOOWOOMBA REGIONAL COUNCIL
APPROVED DOCUMENT
referred to in Council's Decision Notice dated
18 August 2022
This plan is subject to conditions of Approval Number
MCUI/2021/4232/A
Assessment Manager
D. Fitzgerald
Assessment Manager

GENERAL NOTES

DESCRIPTION OF WORKS

1. This drawing package describes landscape works to the proposed Healthcare Development at 699-713 Greenwattle Street, Glenvale. These drawings have been prepared in response to a TRC Information Request (reference: MCUI/2021/4232 & RAL/2021/4227). The landscape works include:
   - earthworks to achieve profiles for the garden and turf areas;
   - suppy and installation of concrete garden edge to garden areas;
   - subgrade preparation to all garden areas;
   - supply and installation of 300mm imported topsoil to all gardens;
   - supply and installation of plant stock to gardens;
   - mulching of all gardens with 100mm depth of forest mulch;
   - subgrade preparation to areas to be turfed;
   - supply and installation of 100mm imported topsoil to areas to be turfed;
   - the supply and installation of Couch turf to areas to be turfed; and
   - maintenance of landscape works for a period of 12 weeks.

SERVICES

2. The Landscape Contractor is to liaise with the Builder to ensure an understanding of all services. Refer to the engineering & architectural plans to confirm the location of all services.

STANDARDS

3. The works are to meet industry best practice and the relevant Australian Standards including AS 4419 Soils for Landscaping and Garden Use, AS 4454 Composts, Soil Conditioners and Mulches and AS 2303:2018 Tree Stock for Landscape Use.

CONCRETE GARDEN EDGE

4. Supply & install full depth colour concrete garden edge at the locations shown on the landscape plan. Concrete edge to be as per Landscape Detail 04. Edge to be full depth colour CCS "Stallion".

SITE PREPARATION

5. Eradicate weeds using environmentally acceptable methods, such as a non-residual glyphosate herbicide, at the recommended maximum rate. Regularly remove, by hand, rubbish and weed growth throughout planted and mulched areas. Continue eradication throughout the course of the works and during the planting establishment.
6. Excavate garden areas to allow for 300mm imported topsoil + 100mm mulch layer. Excavate & remove subsoil, concrete debris & other deleterious material from the planting areas to a minimum depth of 400mm below the finished surface level. Shape subgrade to fall to subsoil drains where applicable. Prior to backfilling, break up the base of the planting area to at least 100mm depth. Do not disturb services. Cultivation is to include the removal of undesirable material including stones exceeding 25mm, clods of earth exceeding 50mm & any weeds, rubbish or other deleterious material brought to the surface during cultivation.

TOPSOIL

ted topsoil mix is to comply with AS 4419 Clause 4.6 'Soil Blend'. Deliveries of soil to site must be from an approved supplier and must be accompanied by certification of compliance with AS 4419.

8. Spread the topsoil on the prepared subsoil and grade evenly, making the necessary allowances to achieve the required finished levels and contours after compaction.
9. Prevent excess compaction by constructional plant. Compact lightly and uniformly in 150mm layers. Progressively tamp backfilling topsoil to avoid later subsidence, and thoroughly water to prevent voids. Rake over lightly to attain finished profiles. Avoid differential subsidence and produce a finished topsoil surface, which is smooth and free from stones or lumps of soil; graded to drain freely, without ponding, to catchment points;and graded evenly into adjoining ground surfaces.

FERTILISER

10. Provide Terracotem fertiliser, delivered to the site in sealed bags marked to show manufacturer, weight and fertiliser type. Terracotem fertiliser is to be mixed with the topsoil prior during installation at the rate specified by the manufacturer.

PLANTS

11. Supply plants which have large healthy root systems, with no evidence of root curl, restriction or damage; that are vigorous, well established, free from disease and pests, of good form consistent with species or variety; and that are hardened off, not soft or forced, and suitable for planting in the natural climate conditions prevailing in the location of planting.
    Use trees which have a single leading shoot. Make no substitutions unless approved in writing by the Superindent.
12. Deliver plant material to the site on a day to day basis, and plant immediately after delivery. If this is not possible, keep them in good condition on the site, adequately protected from frost, wind, sun, and vandalism by appropriate storage methods, with provision for watering the stock. All stock arriving on site should be identified and labelled.

PLANTING

13. Do not plant in unsuitable weather conditions such as extreme heat, cold, wind or rain. Thoroughly water the plants before planting, immediately after planting, and as required to maintain growth rates free of stress.
14. When the hole is of the correct size, remove the plant from the container with minimum disturbance to the root ball. Ensure that the root ball is moist. Prior to planting, tease out the roots gently. Place the plant is its final position, in the centre of the hole and plumb, and with the topsoil level of the plant root ball level with the finished surface of the surrounding topsoil.
15. Backfill with imported topsoil. Lightly tamp down the mixture and water to eliminate air pockets. Ensure the topsoil is not placed over the top of the root ball, so that the plant stem remains the same height above ground as it was in the container.
16. Apply a minium of 5 litres of water to each plant within 12 hours of planting.

TREE PLANTING

17. Plant trees in the garden areas at the locations indicated on the landscape plans. Install trees as per Landscape Detail 02. Plant trees in grassed areas as per Landscape Detail 01. Stake all trees with two 38 x 38mm hardwood square stakes. Site stakes either parallel with the closest building wall, path or fence. Ensure stakes finish level. Tie each tree to the stakes with hessian tie with the tie in a figure of 8. Fix to the stakes with staples. Ties should hold the tree in a stable position, particularly in windy conditions, but should not be so tight that they realign the tree from its natural position. Selection of tree stock is to comply with AS 2303:2018 Tree Stock for Landscape Use

MUCLHING

18. Gardens are to be mulched to a depth of 100mm with forest mulch. Keep mulch away from the stems of plants and the trunks of trees. Mulch should be free of deleterious and extraneous matter such as soil, weeds and sticks. Mulch should comply with AS 4454. Place mulch to the required depth, clear of plant stems, and rake to an even surface flush with the surrounding finished levels.

TURFING

19. Obtain turf from an approved specialist grower of cultivated turf. Provide turf of even thickness, free from weeds and other foreign matter. Deliver the turf from the supplier within 24 hours of being cut, and lay within 36 hours of cutting. Prevent it from drying out between cutting and laying. Furnish a warranty from the supplier that the turf is free from weeds and other foreigh matters.
20. Supply and install Couch turf to areas to be turfed using the following methods.
21. Break up the existing ground to a minimum depth of 100mm and rake smooth. Spread imported topsoil to a minimum depth of 100mm. Falls and levels of grassed areas to be accurately formed to facilitate drainage. Finished surface level of grass to be flush with adjacent grassed road reserve and back of kerb.
22. Before turfing, apply fertiliser of 14:15:10 N.P.K. or approved similar composition at the rate of 100g per sq m and rake into the prepared soil. In the last week of the Maintenance Period and after mowing, apply Ammonium Sulphate fertiliser (20:0:0) NPK at the rate of 12g per sq m or other approved fertiliser at an equivalent rate of nitrogen. Prepare as a solution not stronger than 25g of fertiliser per litre of water and apply evenly to the turfed area. Lightly water after application.
23. Turf shall be freshly cut Couch turf. Turf is to be free from nutgrass or other noxious weeds or any other material deleterious to plant growth. Close turf in straight lines with cross joints staggered. Lay turf line at right angles to direction of slope. Tamp down or roll lightly, ensuring any open joints are filled with a light top dressing to a depth of 10mm.

MAINTENANCE

24. The landscape works are to be maintained for 12 weeks. Maintenance is to include the watering, weeding, fertilising and pest and disease control for the planted and turfed areas. Planted and turfed areas shall be watered regularly as required to ensure continuous healthy growth. Carry out insecticide & fungicide spraying, if necessary, as per the manufacturer's instructions.

Use figured dimensions in preference to scales. Please notify the Landscape Architect before proceeding if any anomaly is found between this drawing and conditions on site. This drawing must not be relied upon for any purpose other than that for which it was prepared or by any person or corporation other than the referred client.

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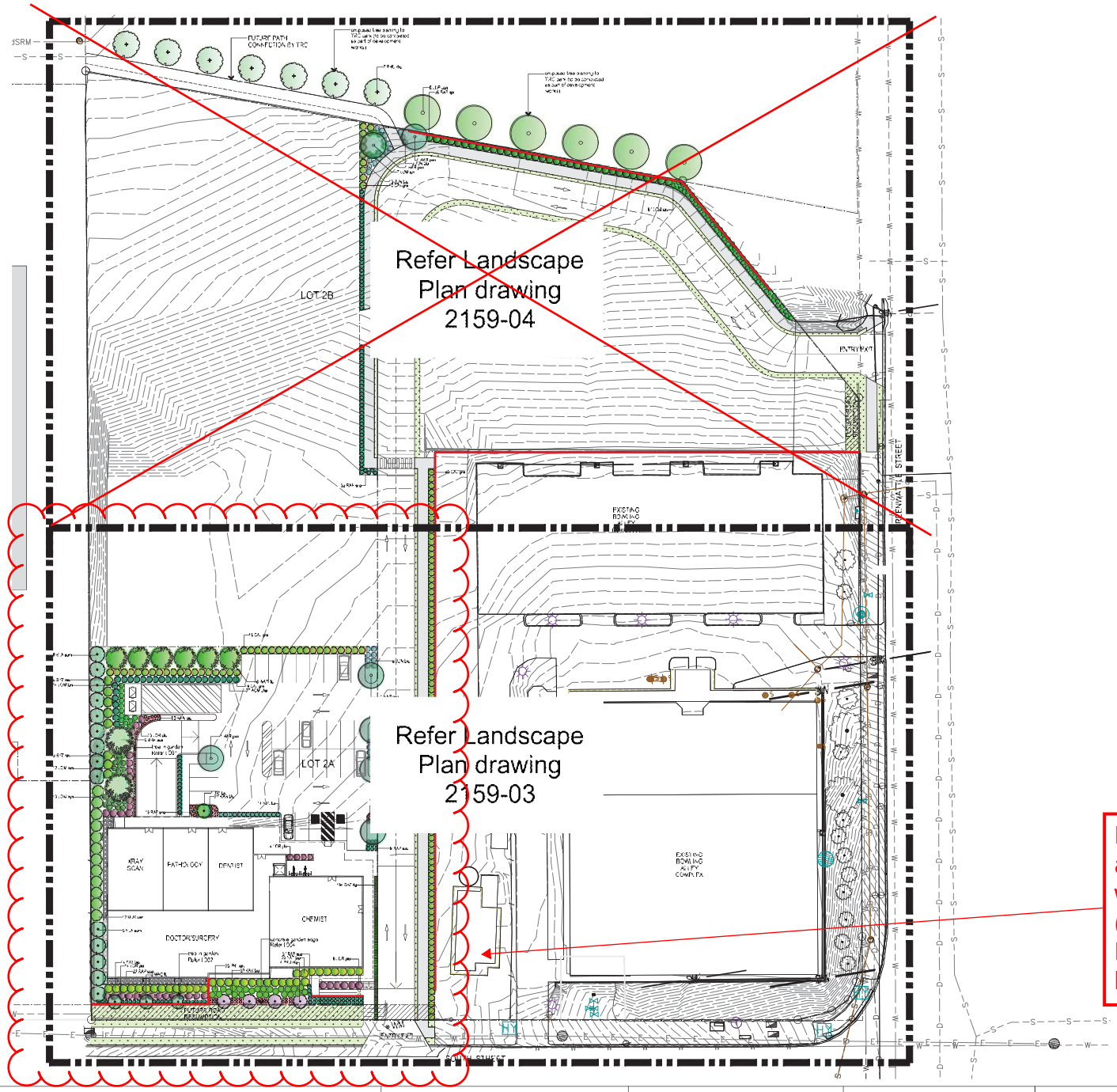
AMENDMENTS

| Issue | Date | Details | Initial |
|---|---|---|---|
| A | 2.11.21 | DA submission | JA |
| B | 8.3.22 | amended as per latest layout | JA |
| C | 9.3.22 | amended as per client feedback | JA |

| PROJECT | DRAWING | DRAWN | ISSUE |
|---|---|---|---|
| Proposed Healthcare Development<br>699 -713 Greenwattle Street, Glenvale | Development Application<br>Cover Sheet & Notes | JA | C |
| CLIENT | DRAWING NO. | DATE | |
| Weymouth Investments Qld Pty Ltd | 2159-01 | March 2022 | |

Scale not to scale
metres 0

Jackie Amos Landscape Architect
46 Skehan Street
Centenary Heights Q 4350
0427 667748
jackie.amos@jala.com.au




Landscape Plan approves landscaping within marked area only (proposed Lot 2A). Landscaping in northern half of site not approved.

Use figured dimensions in preference to scales. Please notify the Landscape Architect before proceeding if any anomaly is found between this drawing and conditions on site. This drawing must not be relied upon for any purpose other than that for which it was prepared or by any person or corporation other than the referred client.

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AMENDMENTS

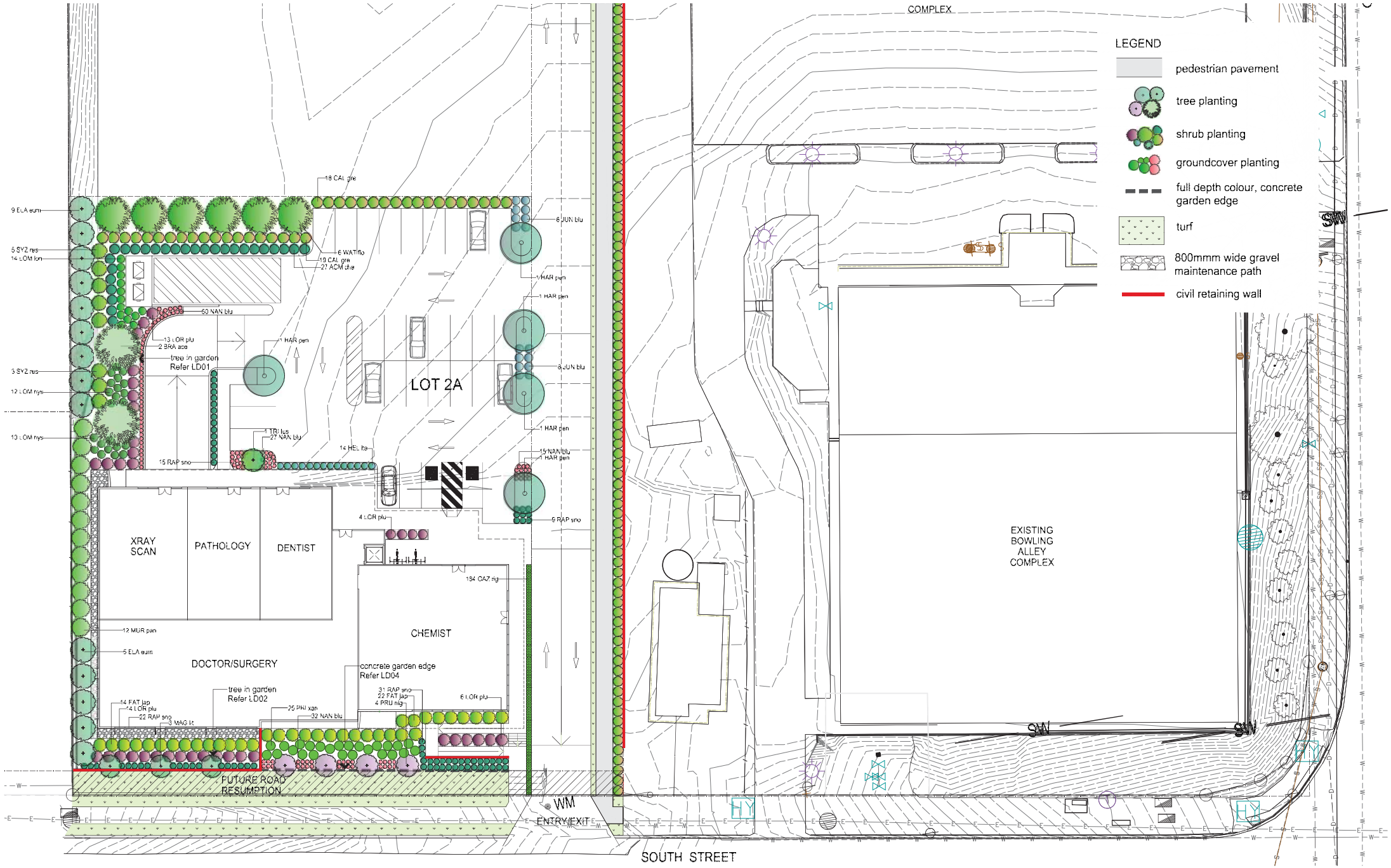
| Issue | Date | Details | Initial |
|---|---|---|---|
| A | 2.11.21 | DA submission | JA |
| H | 6.3.22 | amended as per latest layout | JA |
| C | 9.3.22 | amended as per client feedback | JA |

| PROJECT | DRAWING | DRAWN | ISSUE |
|---|---|---|---|
| Proposed Healthcare Development<br>699 -713 Greenwattle Street, Glenvale | Development Application<br>Key Plan | JA | C |
| CLIENT | DRAWING NO. | DATE | |
| Weymouth Investments Qld Pty Ltd | 2159-02 | March 2022 | |

Scale 1:800 @ A3 paper size

metres 0 4 8 12 16 20

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AMENDMENTS

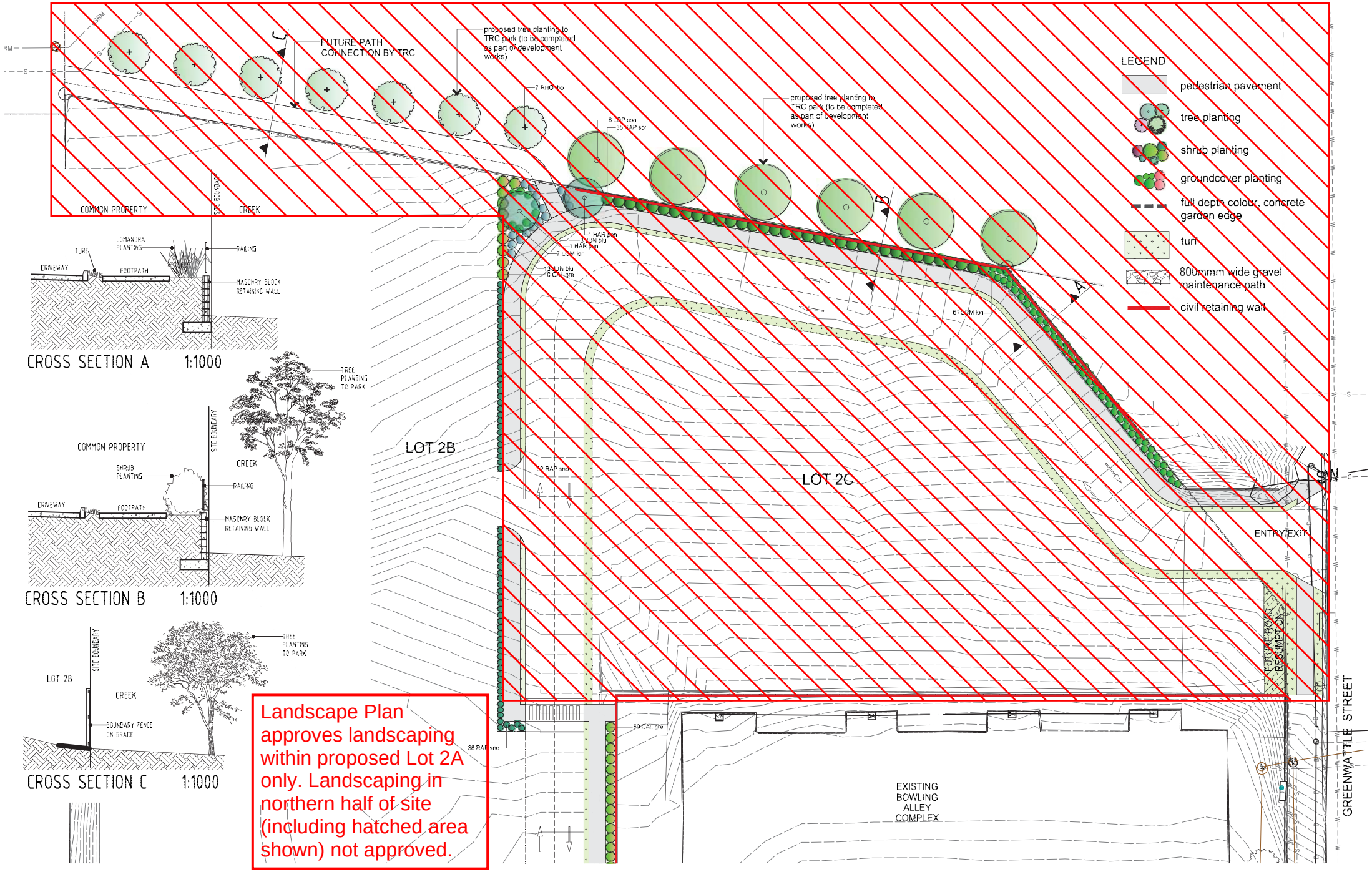
| Issue | Date | Details | Initial |
|---|---|---|---|
| A | 2.11.21 | DA submission | JA |
| B | 6.3.22 | amended as per latest layout | JA |
| C | 9.3.22 | amended as per client feedback | JA |

| PROJECT | DRAWING | DRAWN | ISSUE |
|---|---|---|---|
| Proposed Healthcare Development<br>699 -713 Greenwattle Street, Glenvale | Development Application<br>Landscape Plan | JA | C |
| CLIENT | DRAWING NO. | DATE | |
| Weymouth Investments Qld Pty Ltd | 2159-03 | March 2022 | |

Scale 1:400 @ A3 paper size

metres 0 2 4 6 8 10

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0427 667748
jackie.amos@jala.com.au




Landscape Plan approves landscaping within proposed Lot 2A only. Landscaping in northern half of site (including hatched area shown) not approved.

Use figured dimensions in preference to scales. Please notify the Landscape Architect before proceeding if any anomaly is found between this drawing and conditions on site. This drawing must not be relied upon for any purpose other than that for which it was prepared or by any person or corporation other than the referred client.

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AMENDMENTS

| Issue | Date | Details | Initial |
|---|---|---|---|
| A | 2.11.21 | DA submission | JA |
| B | 6.3.22 | amended as per latest layout | JA |
| C | 9.3.22 | amended as per client feedback | JA |

| PROJECT | DRAWING | DRAWN | ISSUE |
|---|---|---|---|
| Proposed Healthcare Development<br>699 -713 Greenwattle Street, Glenvale | Development Application<br>Landscape Plan | JA | C |
| CLIENT | DRAWING NO. | DATE | |
| Weymouth Investments Qld Pty Ltd | 2159-04 | March 2022 | |

Scale 1:400 @ A3 paper size

metres 0 2 4 6 8 10

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| PLANT SCHEDULE – Proposed Glenvale Medical Centre | | | | | |
|---|---|---|---|---|---|
| **Code** | **Botanical Name** | **Common Name** | **Ht x Width** | **Quantity** | **Pot Size** |
| **Trees** | | | | | |
| BRA ace | Brachychiton aceriflolius | Qld Flame Tree | 12m x 6m | 2 | 25 litre |
| ELA eum | Elaeocarpus eumundii | Smooth leaved quandong | 5m x 3m | 14 | 25 litre |
| HAR pen | Harpullia pendula | Tulipwood | 7m x 5m | 7 | 25 litre |
| LOP con | Lophostemon confertus | Brush box | 12m x 6m | 10 | 25 litre |
| MAG lit | Magnolia Little Gem | Magnolia | 5m x 4m | 3 | 25 litre |
| PRU nig | Prunus cerasifera Nigra | Flowering plum | 4m x 3m | 4 | 25 litre |
| RHO rho | Rhodosphaera rhodanthema | Deep Yellow Wood | 8m x 5m | 7 | 25 litre |
| TRI lus | Tristaniopsis Luscious | Water gum cultivar | 3m x 2m | 1 | 25 litre |
| WAT flo | Waterhousea floribunda | Weeping Lilly Pilly | 8m x 6m | 6 | 25 litre |
| | | | | | |
| **Shrubs** | | | | | |
| ACM che | Acmena Cherry Surprise | Narrow leaf lilly pilly | 1.2m x 1.2 | 27 | 200mm |
| CAL gre | Callistemon Great Balls of Fire | Bottlebrush | 1.5m x 1.5m | 136 | 200mm |
| FAT jap | Fatsia japonica | Fatsia | 1.5m x 1.5m | 36 | 200mm |
| HEL ita | Helichrysum italicum | Curry plant | .8m x .8m | 14 | 200mm |
| LOR plu | Lorapetalum Plum Gorgeous | Chinese fringe flower | 1m x 1.2m | 33 | 200mm |
| MUR pan | Murraya paniculata | Mock orange | 3m x 3m | 12 | 200mm |
| PHI xan | Philodendron xanadu | Philodendron | 1m x 1m | 25 | 200mm |
| RAP spr | Raphiolepsis Springtime | Indian Hawthorne cultivar | 1m x 1m | 35 | 200mm |
| RAP sno | Raphiolepsis Snow Maiden | Indian Hawthorne cultivar | .8m x .6m | 147 | 200mm |
| SYZ res | Syzygium Resilience | Lilly Pilly cultivar | 2m x 1.5m | 8 | 200mm |
| | | | | | |
| **Groundcovers** | | | | | |
| GAZ rig | Gazania rigens | Gazania | .3m x .3m | 184 | 140mm |
| NAN blu | Nandina Blush | Scared Bamboo dwarf | .6m x .6m | 124 | 140mm |
| JUN blu | Juniper Blue Rug | Juniper | .1m x 1m | 32 | 140mm |
| LOM lon | Lomandra longifolia | Mat rush | 1m x 1m | 82 | 140mm |
| LOM hys | Lomandra hystrix | Green mat rush | 1m x 1m | 22 | 140mm |

## PROPOSED TREES


*Brachychiton acerifolius*
Queensland flame tree


*Elaeocarpus eumundii*
Smooth leaved quandong


*Harpullia pendula*
Tulipwood


*Lophostemon confertus*
Brush box


*Magnolia Little Gem*
Magnolia


*Prunus cerasifolia nigra*
Flowering plum


*Rhodosphaera rhodanthema*
Deep yellowwood


*Tristaniopsis Luscious*
Water gum cultivar


*Waterhousea floribunda*
Weeping lilly pilly

## PROPOSED SHRUBS


*Acmena Cherry Surprise*
Narrow leaf lilly pilly


*Callistemon Great Balls of Fire*
Bottlebrush cultivar


*Fatsia japonica*
Fatsia


*Helichrysum italicum*
Curry plant


*Lorapetalum Plum Gorgeous*
Chinese fringe flower


*Philodendron xanadu*
Philodendron


*Murraya paniculata*
Mock orange


*Raphiolepsis Springtime*
Indian hawthorne cultivar


*Raphiolepsis Snow Maiden*
Indian hawthorne cultivar


*Syzygium Resilience*
Lilly pilly cultivar

## PROPOSED GROUNDCOVERS


*Gazania rigens*
Gazania


*Nandina Blush*
Dwarf sacred bamboo


*Juniperus Blue Rug*
Juniper cultivar


*Lomandra longifolia*
Mat rush


*Lomandra hystrix*
Green mat rush

Landscape Plan approves landscaping within proposed Lot 2A only.

Use figured dimensions in preference to scales. Please notify the Landscape Architect before proceeding if any anomaly is found between this drawing and conditions on site. This drawing must not be relied upon for any purpose other than that for which it was prepared or by any person or corporation other than the referred client.

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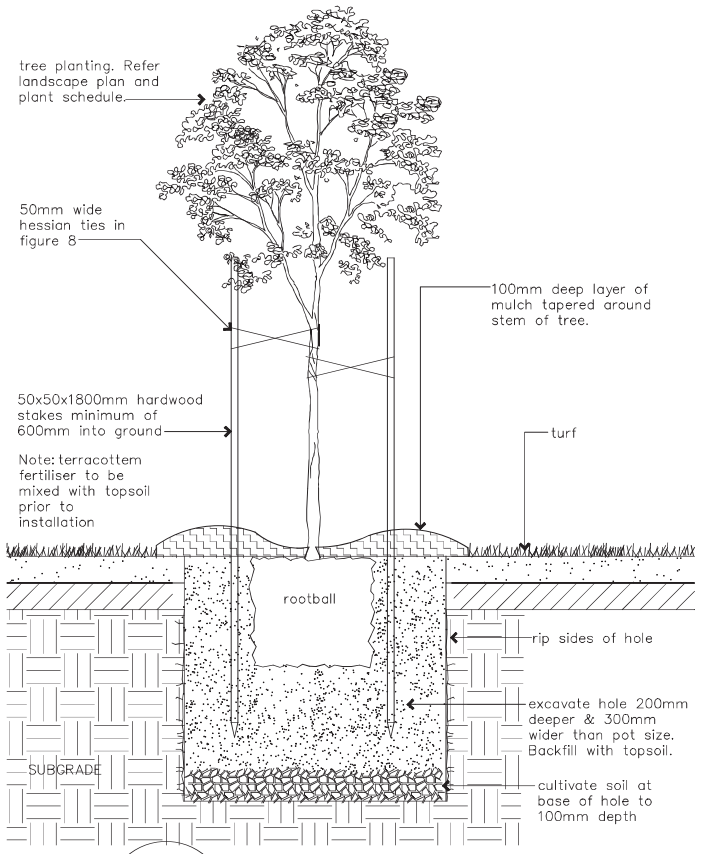
AMENDMENTS

| Issue | Date | Details | Initial |
|---|---|---|---|
| A | 2.11.21 | DA submission | JA |
| B | 6.3.22 | amended as per latest layout | JA |
| C | 9.3.22 | amended as per client feedback | JA |

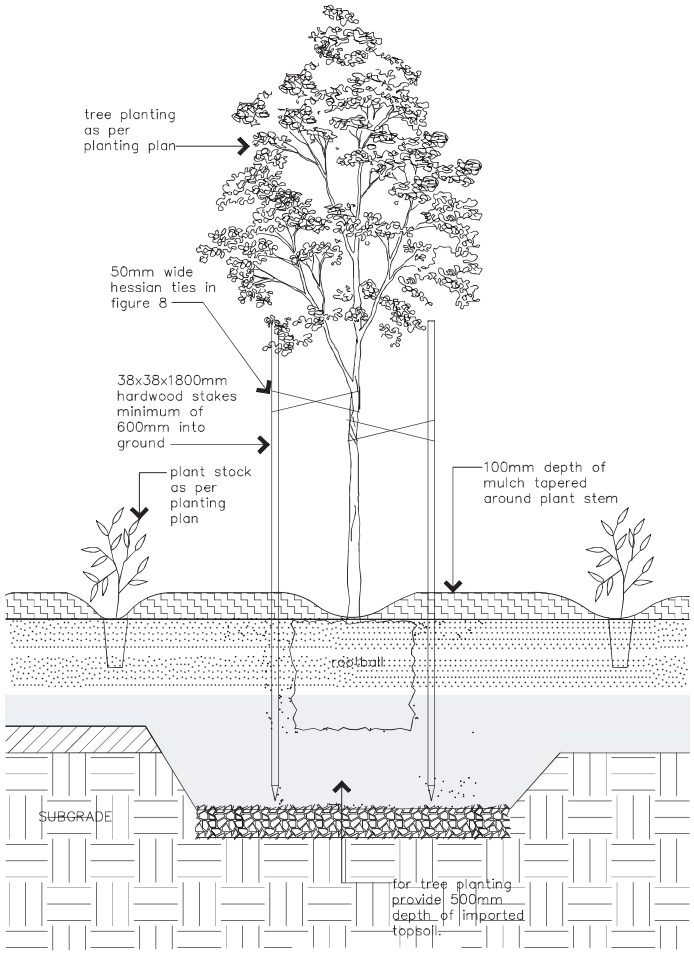
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|---|---|---|---|
| Proposed Healthcare Development<br>699 -713 Greenwattle Street, Glenvale | Development Application<br>Plant Schedule | JA | C |
| CLIENT | DRAWING NO. | DATE | |
| Weymouth Investments Qld Pty Ltd | 2159-05 | March 2022 | |

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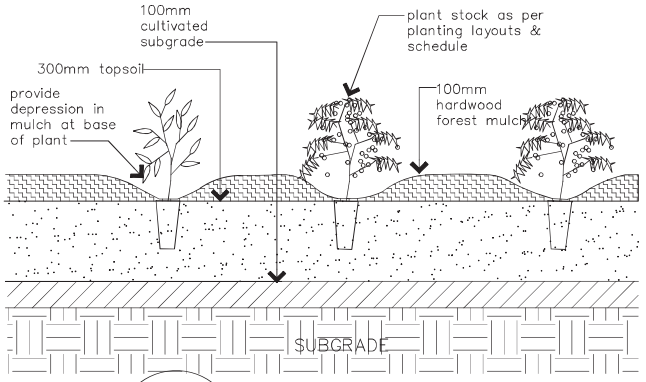
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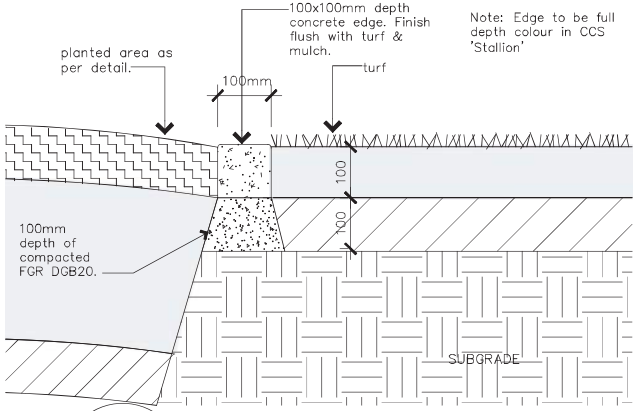

LD01 06 tree planting in grass DETAIL 1:20 @ A3



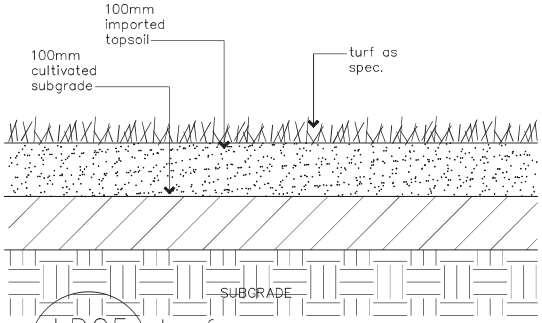

LD02 06 tree planting in garden DETAIL 1:20 @ A3




LD03 06 garden DETAIL 1:20 @ A3




LD04 06 concrete garden edge DETAIL 1:10 @ A3




LD05 06 turf DETAIL 1:10 @ A3

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| PROJECT | DRAWING | DRAWN | ISSUE |
|---|---|---|---|
| Proposed Healthcare Development<br>699 -713 Greenwattle Street, Glenvale | Development Application<br>Landscape Details | JA | C |
| CLIENT | DRAWING NO. | DATE | |
| Weymouth Investments Qld Pty Ltd | 2159-06 | March 2022 | |

Scale Refer individual details

metres 0

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# NOISE IMPACT ASSESSMENT

## 699 - 713 Greenwattle Street, Glenvale



**Client: Weymouth Investments (QLD) Pty Ltd**


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**Project Number: J000574**
**Status: Final**
**Date: 9/07/2021**


TOOWOOMBA REGIONAL COUNCIL
APPROVED DOCUMENT
TOOWOOMBA REGIONAL COUNCIL
APPROVED DOCUMENT
This plan is subject to conditions of Approval Number
referred to in Council's Decision Notice dated
18 August 2022
This plan is subject to conditions of Approval Number
MCUI/2021/4232/A
Assessment Manager

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| | | | | Approver | Date |
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# 1. Introduction

Range Environmental Consultants (Range Environmental) was engaged by Weymouth Investments (QLD) Pty Ltd (hereafter 'the Client') to conduct a noise impact assessment for a proposed integrated medical facility at 699 - 713 Greenwattle Street, Glenvale (hereafter 'the site') (Figure 1). The site is formally described as Lot 11 SP279226 and is located in the Toowoomba Regional Council (TRC) Local Government Area (LGA).

This noise impact assessment was undertaken to address Performance Outcome 8 (PO8) of the Environmental Standards Code of the Toowoomba Regional Planning Scheme (TRPS).




# Figure 1
# Site locality

Project: Noise Impact Assessment

Client: Weymouth Investments (QLD) Pty Ltd

Project No.: J000574

Compiled by: JH Date:06/07/2021
Approved by: RM Date: 06/07/2021

Metres
0 20 40

**Legend**

- Cadastre
- Site boundary
- Roads

The content of this document includes third party data. Range Environmental Consultants does not guarantee the accuracy of such data

Source: Cadastral data sourced from DNRME (2021) and aerial imagery sourced from Metromap (2021)

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# 2. Project Description

## 2.1 Site Description

The site is located at 699 - 713 Greenwattle Street, Glenvale. The site is zoned as Low Density Residential under the Toowoomba Regional Council Planning Scheme and the current land use in the south-eastern portion of the site is a ten-pin bowling business.

The surrounding zoning and land use included:

- North: Open Space (waterways corridor).
- East: Low Impact Industry.
- South: Low Density Residential.
- West: Low Density Residential.

The key existing noise sources in the local area included road traffic noise from South and Greenwattle Streets.

## 2.2 Proposed Development

The proposed integrated medical facility will consist of the following infrastructure (Figure 2 and Appendix A:):

- Doctor's surgery;
- Chemist;
- Dentist;
- Pathology;
- X-ray scan;
- Allied health centre;
- Ancillary health centre; and
- Carparking (including undercroft parking).

## 2.3 Hours of Operation

The proposed operating hours of the site will collectively be 6:00am to 9:00pm, 7 days. Service deliveries shall be restricted to the day and evening period times of 7:00am to 9:00pm.

## 2.4 Operational Noise Sources

Key noise sources from the proposed development considered in this assessment include:

- Break out noise emissions from tenancies;
- Roof and ground-mounted mechanical plant;
- Truck movements;
- Vehicle movements;
- Car door slams; and
- Raised voices in car park.

## 2.5 Noise Sensitive Receptors

The nearest and most potentially affected noise sensitive receptors are shown in Figure 2 and Table 1 below. It has been confirmed that the dwelling shown on Lot 11 SP279226 in Figure 2 between the proposed development and the existing Sunset Superbowl facility is unoccupied and will be demolished, therefore it was not considered to be a sensitive receptor.

**Table 1 Noise sensitive receptors**

| Identification | Level | Real Property Description | Street Address | Receptor Type |
|---|---|---|---|---|
| Receptor 1 | Ground | Lot 4 & 5 SP280260 | 541 South Street, Glenvale | Existing dwelling |
| Receptor 2 | Ground | Lot 1 & 2 SP280260 | 541 South Street, Glenvale | Existing dwelling |
| Receptor 2 | Level 1 | Lot 1 & 2 SP280260 | 541 South Street, Glenvale | Existing dwelling |
| Receptor 3 | Ground | Lot 101 SP321056 | 500-532 South Street, Glenvale | Existing dwelling |
| Receptor 4 | Ground | Lot 200 SP280260 | 543-547 South Street, Glenvale | Existing dwelling |




**Figure 2 Noise sensitive receptors & proposed development**

Project: Noise Impact Assessment

Client: Weymouth Investments (QLD) Pty Ltd

Project No.: J000574

Compiled by: JH Date:06/07/2021
Approved by: RM Date: 06/07/2021

Metres
0 10 20

**Legend**

- Sensitive receptors
- Roads
- Site boundary
- Cadastre
- Logger location

**Proposed development**

- Allied Health Centre
- Ancillary Health Centre
- Carparking
- Chemist
- Delivery area
- Dentist
- Doctor's Surgery
- Driveway
- Pathology
- Ramp
- X-Ray Scan

The content of this document includes third party data. Range Environmental Consultants does not guarantee the accuracy of such data

Source: Cadastral data sourced from DNRME (2021) and aerial imagery sourced from Metromap (2021)

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# 3. Ambient Noise Measurements

## 3.1 Noise Measurement Standard

The ambient noise survey was undertaken in accordance with Australian Standard AS1055.1:1997 - Acoustics - Description and measurement of environmental noise - Part 1: General procedures and the Department of Environment and Science's (DES) Noise Measurement Manual 2020. Ambient noise levels were recorded from 20 April 2021 to 27 April 2021. The noise measurement method recorded total ambient noise levels at the site from all noise sources.

## 3.2 Noise Logger

A BSWA 309 sound level meter was used for the ambient noise survey. The instrument was calibrated before and after the logging session and was found to match the reference signal. The instrument and the calibrator hold current calibration certificates from a NATA certified calibration laboratory.

## 3.3 Noise Logger Location and Siting

The microphone of the noise logger was situated 1.4 m above ground level and in a free field position (Photograph 1). The location of the noise logger in relation to the site boundary is shown in Figure 2. The noise logger was sited in this location to represent the ambient noise levels proximate to the nearest sensitive receptor at the site (Receptor 1).



**Photograph 1 View to the north of the noise logger in position**

## 3.4 Instrument Settings

The following instrument settings were used:

- 'A' frequency weighting;
- 'Fast' time weighting; and
- 15-minute sample integration time.

## 3.5 Weather Conditions

Weather data was taken from the Bureau of Meteorology's (BOM) Toowoomba Airport (weather station ID: 041529). Overall weather conditions during the unattended measurement period were suitable for noise monitoring. This was confirmed by field readings of wind speed and direction during the noise logging.

## 3.6 Ambient Noise Levels

Ambient noise survey data are presented graphically at Appendix B: and average values are summarised in Table 2.

**Table 2 Average ambient noise levels**

| Time of Day | $L_{A01,15\ min}$ | $L_{A10,15\ min}$ | $L_{A90,15\ min}$ | $L_{Aeq,15\ min}$ | $L_{Amax,15\ min}$ |
|---|---|---|---|---|---|
| Day (7am-6pm) | 65 | 59 | 42 | 55 | 71 |
| Evening (6pm-10pm) | 63 | 56 | 45 | 53 | 69 |
| Night (10pm-7am) | 58 | 47 | 34 | 47 | 66 |

The key existing noise sources in the local area included road traffic noise from South and Greenwattle Streets.

# 4. Noise Assessment Criteria

PO8 of the Environmental Standards Code is presented below.

| | |
|---|---|
| PO8 The generation of noise from the premises does not cause Environmental Harm or Nuisance to adjoining properties or other noise sensitive land uses.<br>(a) Development:<br>(i) is located in an appropriate zone;<br>(ii) proposes best practice design and construction materials (in relation to noise attenuation); and<br>(iii) proposes operational practices that will minimise noise nuisance for adjoining sensitive land uses. | AO8.1 The development will achieve the following noise levels (when measured at the nearest sensitive receiver):<br>(a) Background ($L_{90}$) + 5dB(A) for variable noise between the hours of 7:00 am to 10:00 pm (measured at the facade of the sensitive land use);<br>(b) Background ($L_{90}$) + 3dB(A) for variable noise between the hours of 10:00 pm and 7:00 am (measured within bedrooms assuming open windows);<br>(c) Background ($L_{90}$) for continuous noise sources (measured at the facade of the sensitive land use between 7:00 am and 10:00 pm and within bedrooms assuming open windows from 10:00 pm – 7:00 am); and<br>(d) maximum limit LAmax 45dB(A) inside dwellings; and<br>The development will achieve the Acoustic Quality Objectives listed within the ***Environmental Protection (Noise) Policy 2008***.<br>HOWEVER<br>AO8.2 Where a development is unable to meet noise levels specified in AO8.1 an acoustic assessment has been undertaken by a suitably qualified and skilled person which demonstrates that the development will not result in environmental nuisance at any existing or likely future residential premises (within a 10 year planning horizon). |

Noise assessment criteria to be achieved are described in the following sections.

## 4.1 Variable Noise

Noise assessment criteria for variable noise ($L_{Aeq}$) were based on Acceptable Outcome (AO) A08.1 (a) and (b) of the Environmental Standards Code of the TRPS and are presented in Table 3.

**Table 3 Variable noise assessment criteria**

| Time of Day | Ambient background ($L_{A90}$) (dBA) (from Table 2) | Allowable exceedance above ambient background (dBA) (at façade) | Variable noise assessment criteria ($L_{Aeq}$) (dBA) at the dwelling façade |
|---|---|---|---|
| Day (7am-6pm) | 42 | 5 | 47 |
| Evening (6pm-10pm) | 45 | 5 | 50 |
| Night (10pm-7am) | 34 | 3 | 37 |

## 4.2 Continuous Noise

Noise assessment criterion for continuous noise described at A08.1(c) of the Environmental Standards Code of the TRPS are provided in Table 4.

**Table 4 Continuous noise assessment criteria**

| Time of Day | Ambient background ($L_{A90}$) (dBA) (from Table 2) | Allowable exceedance above ambient background (dBA) (at façade) | Continuous noise assessment criteria ($L_{A90}$) (dBA) at the dwelling façade |
|---|---|---|---|
| Day (7am-6pm) | 42 | 0 | 42 |
| Evening (6pm-10pm) | 45 | 0 | 45 |
| Night (10pm-7am) | 34 | 0 | 34 |

## 4.3 Sleep Disturbance

The Environmental Standards Code does not specifically refer to criteria for sleep disturbance, however AO8.1(d) stipulates a noise limit of 45 dBA $L_{Amax}$ inside a dwelling. This is consistent with the night-time sleep disturbance criteria specified by the EPA (2004). The corresponding external level is 55 dBA $L_{Amax}$ at the façade of a dwelling for a normal, naturally ventilated building with partially closed windows.

## 4.4 Acoustic Quality Objectives (AQO)

AO8.1 requires developments to achieve the AQOs provided at Schedule 1 of the Environmental Protection (Noise) Policy 2019 (Noise EPP) (Table 5). $L_{Aeq}$ is the most relevant descriptor for the noise emissions from the proposed development.

**Table 5 Acoustic Quality Objectives from the Noise EPP**

| Sensitive Receptor | Time of Day | $L_{Aeq,adj,1hr}$ | $L_{A10,adj,1hr}$ | $L_{A01,adj,1hr}$ |
|---|---|---|---|---|
| Residence (for outdoors) | Day and evening | 50 | 55 | 65 |
| Residence (for indoors)[1] | Day and evening | 45 | 50 | 55 |
| | Night | 40 | 45 | 50 |

[1] Values have been corrected by 10 dBA to account for the façade attenuation provided by a normal, naturally ventilated building with partially closed windows

# 5. Noise Impact Assessment

## 5.1 Approach

Forecasts noise emissions from the proposed development's operations have been calculated with SoundPlan v8.0, using the prediction method ISO 9613-2: (1996) which, by default, presents noise levels at the receptor for meteorological conditions which are favourable for propagation from the sound source to the receptor. The predicted noise levels are considered to represent the average propagation under meteorological conditions including wind and temperature inversion.

All prediction models have limits to their accuracy of prediction. This is due to the inherent nature of the calculation algorithms that go into the design of the models, the assumptions made in the implementation of the model, and the availability of good source sound power data. ISO 9613-2 has an estimated accuracy for broadband noise of ±3 dB at 1000 metres. Atmospheric and meteorological factors are not considered significant at the distances involved.

## 5.2 Noise Source Levels

Noise source design sound power levels (SWL) and sound pressure levels (SPL) of activities considered representative of those at the development have been used (Table 6). The SWL SPL levels have been derived from SoundPlan v8.0.

**Table 6 Design noise source power levels**

| Name | Descriptor | Sound Power Levels and Sound Pressure Levels in dB(Z) | | | | | | | | Total in dB(A) |
|---|---|---|---|---|---|---|---|---|---|---|
| | | 63 Hz | 125 Hz | 250 Hz | 500 Hz | 1 kHz | 2 kHz | 4 kHz | 8 kHz | |
| Tenancy Break Out SPL | $L_{eq}$ | 74 | 69 | 66 | 61 | 59 | 56 | 54 | 52 | 65 |
| Roof and ground-mounted mechanical plant SWL | $L_{eq}$ | 87 | 82 | 79 | 74 | 72 | 69 | 67 | 65 | 78 |
| Truck Movement SWL | $L_{eq}$ | 102 | 96 | 92 | 90 | 90 | 86 | 82 | 79 | 94 |
| Vehicle Movement SWL | $L_{eq}$ | 78 | 85 | 79 | 76 | 79 | 80 | 76 | 73 | 85 |
| Car Door Slam SWL | $L_{max}$ | 70 | 80 | 69 | 68 | 75 | 76 | 76 | 72 | 94 |
| Raised Voice SWL | $L_{eq}$ | 44 | 38 | 38 | 40 | 71 | 67 | 51 | 42 | 73 |

## 5.3 Input Parameters

Key noise sources from the proposed development considered in this assessment include:

- Break out noise emissions from tenancies;
- Roof and ground-mounted mechanical plant;
- Truck movements;
- Vehicle movements;
- Car door slams; and
- Raised voices.

The cumulative noise emissions from the variable and continuous noise sources were modelled. Noise source locations are presented below in Figure 3.




**Figure 3 Noise source locations**

## 5.4 Model Assumptions

The noise sources considered in the noise impact assessment are outlined below and in Table 7.

Break out SPL from within the tenancies emanated through the entry doors which were opened for 50%, 20% and 10% of the time during the day, evening and night-time periods respectively. The remaining facades were assigned a nominal transmission loss of 40 Rw.

Car and truck movements ($L_{eq}$) at the site were represented by a moving point source that were nominated a speed and number of events per hour. Truck movements were modelled as four (4) vehicle movements per hour (vph) at a speed of 20km/hr for the day and evening periods. Car movements were modelled at a speed of 20km/hr and 176 vph, 88 vph and 44 vph for the day, evening and night-time periods respectively.

Assessment of car door noise emissions is problematic due to the high degree of uncertainty surrounding the frequency and intensity of 'slamming' events. It is practically unknowable precisely how often – and how hard – individuals may shut their car doors at the site. Slamming is not a necessary outcome of car park activity but is likely to occur at some point, although infrequently. As future car door noise is highly uncertain, assessment of noise impacts requires methodological assumptions regarding the indicative 'design' level of noise emissions. Noise from car door 'slams' can be characterized by the $L_{max}$ descriptor, representing a discrete, brief (and in this case, impulsive) worst-case event. Truck door slams and reverse beeper noise sources were not considered within the delivery service area as service deliveries will be restricted to the day and evening periods, therefore the $L_{max}$ descriptor does not apply to these activities.

Raised voices were represented by point sources ($L_{eq}$) at the facades of the tenancies and within the carparking areas.

**Table 7 Noise sources considered in the noise impact assessment**

| Source | Day | Evening | Night | Variable | Continuous | $L_{max}$ |
|---|---|---|---|---|---|---|
| Tenancy Break Out Noise | 100% | 100% | 100% | Yes | - | - |
| Roof and ground-mounted mechanical plant | 100% | 100% | 100% | Yes | - | - |
| Truck Movement | 4 vph at 20kph | 4 vph at 20kph | - | Yes | - | - |
| Vehicle Movement | 176 vph at 20kph | 88 vph at 20kph | 44 vph at 20kph | Yes | - | - |
| Car Door Slam | - | - | 100% | - | - | Yes |
| Raised Voice | 50% | 25% | 10% | Yes | - | - |

## 5.5 Noise Attenuation

The model included the existing 1.8 m high double-lapped timber paling acoustic fence along the south-western boundary of the site and a proposed 1.8 m high acoustic fence extension to the north, as shown at Figure 4 below. In the absence of site-specific data, the existing acoustic fence was assumed to have a typical mass of 12.5 kg/m$^2$.

The existing and proposed acoustic barriers can be constructed from any durable material with sufficient mass (min. 12.5kg/m² - dependent on the level of overall performance required of noise barrier) to prevent direct noise transmission e.g. masonry, steel, aluminium, fibrous-cement, timber, polycarbonate, or any combination of such materials, provided they withstand the weather elements. A natural barrier of trees or shrubs is not an effective noise screen.

The existing and proposed noise barriers must have no gaps between panels and no clearance gaps underneath them.




**Figure 4 Location of existing and proposed 1.8m acoustic barrier**

## 5.6 Weather Conditions

Noise modelling has been made using the prediction methodology ISO9613-2: 1996 which, by default, presents noise levels at the receptor for meteorological conditions which are favourable for propagation from the sound source to the receptor. The predicted noise levels are considered to represent the average propagation under meteorological conditions including wind and temperature inversion.

## 5.7 Predicted Noise Levels at Noise Sensitive Receptors

Predicted noise levels and a comparison with the relevant noise assessment criteria are provided below as follows:

- Table 8 - Comparison of predicted cumulative variable noise levels with assessment criteria (day);
- Table 9 - Comparison of predicted cumulative variable noise levels with assessment criteria (evening);
- Table 10 - Comparison of predicted cumulative variable noise levels with assessment criteria (night);
- Table 11 - Comparison of predicted cumulative continuous noise levels with assessment criteria (day, evening and night); and
- Table 12 - Comparison of predicted $L_{max}$ noise levels with assessment criteria (night).

Noise level contour diagrams are provided at Appendix C:.

As shown in the following tables, noise emissions at the proposed development are predicted to meet the relevant assessment criteria at receptors with the existing and proposed acoustic fence along the western boundary of the proposed development.

**Table 8 Comparison of predicted cumulative variable noise levels with assessment criteria (day)**

| Receptor | Level | Descriptor | Predicted noise level at the receptor ($L_{Aeq}$) | Variable noise assessment criteria ($L_{Aeq}$) |
|---|---|---|---|---|
| Receptor 1 | Ground | $L_{Aeq,1hr}$ | 35 | 47 (TRC Variable)<br>45 (AQOs) |
| Receptor 2 | Ground | $L_{Aeq,1hr}$ | 33 | |
| Receptor 2 | Level 1 | $L_{Aeq,1hr}$ | 36 | |
| Receptor 3 | Ground | $L_{Aeq,1hr}$ | 35 | |
| Receptor 4 | Ground | $L_{Aeq,1hr}$ | 30 | |

**Table 9 Comparison of predicted cumulative variable noise levels with assessment criteria (evening)**

| Receptor | Level | Descriptor | Predicted noise level at the receptor ($L_{Aeq}$) | Variable noise assessment criteria ($L_{Aeq}$) |
|---|---|---|---|---|
| Receptor 1 | Ground | $L_{Aeq,1hr}$ | 35 | 50 (TRC Variable)<br>45 (AQOs) |
| Receptor 2 | Ground | $L_{Aeq,1hr}$ | 32 | |
| Receptor 2 | Level 1 | $L_{Aeq,1hr}$ | 35 | |
| Receptor 3 | Ground | $L_{Aeq,1hr}$ | 33 | |
| Receptor 4 | Ground | $L_{Aeq,1hr}$ | 29 | |

**Table 10 Comparison of predicted cumulative variable noise levels with assessment criteria (night)**

| Receptor | Level | Descriptor | Predicted noise level at the receptor ($L_{Aeq}$) | Variable noise assessment criteria ($L_{Aeq}$) |
|---|---|---|---|---|
| Receptor 1 | Ground | $L_{Aeq,1hr}$ | 34 | 37 (TRC Variable)<br>40 (AQOs) |
| Receptor 2 | Ground | $L_{Aeq,1hr}$ | 31 | |
| Receptor 2 | Level 1 | $L_{Aeq,1hr}$ | 35 | |
| Receptor 3 | Ground | $L_{Aeq,1hr}$ | 32 | |
| Receptor 4 | Ground | $L_{Aeq,1hr}$ | 28 | |

**Table 11 Comparison of predicted cumulative continuous noise levels with assessment criteria (day, evening and night)**

| Receptor | Level | Descriptor | Predicted noise level at the receptor ($L_{A90}$) | Continuous noise assessment criteria ($L_{A90}$) |
|---|---|---|---|---|
| Receptor 1 | Ground | $L_{A90,1hr}$ | 34 | 42 (day)<br>45 (evening)<br>34 (night) |
| Receptor 2 | Ground | $L_{A90,1hr}$ | 30 | |
| Receptor 2 | Level 1 | $L_{A90,1hr}$ | 34 | |
| Receptor 3 | Ground | $L_{A90,1hr}$ | 31 | |
| Receptor 4 | Ground | $L_{A90,1hr}$ | 27 | |

**Table 12 Comparison of predicted $L_{max}$ noise levels with assessment criteria (night)**

| Receptor | Level | Descriptor | Predicted noise level at the receptor ($L_{Amax}$) | Sleep disturbance noise assessment criteria ($L_{Amax}$) |
|---|---|---|---|---|
| Receptor 1 | Ground | $L_{Amax}$ | 42 | 55 |
| Receptor 2 | Ground | $L_{Amax}$ | 43 | |
| Receptor 2 | Level 1 | $L_{Amax}$ | 46 | |
| Receptor 3 | Ground | $L_{Amax}$ | 36 | |
| Receptor 4 | Ground | $L_{Amax}$ | 40 | |

# 6. Summary

- A noise impact assessment was completed for a proposed integrated medical facility at 699-713 Greenwattle Street, Glenvale.
- Predicted noise emissions from the proposed development were assessed against the requirements of the Environmental Standards Code of the TRPS.
- Predicted noise emissions from the proposed development are predicted to meet the relevant noise assessment criteria at sensitive receptors with the existing and proposed acoustic fence along the western boundary of the proposed development.

# 7. References

Australian Standard AS1055.1:1997 - Acoustics - Description and measurement of environmental noise - Part 1: General procedures.

Department of Environmental and Science. 2020. Noise Measurement Manual.

Environmental Protection Agency. 2004. Planning for Noise Control Guideline. State of Queensland. Brisbane, Queensland.

# Appendix A: Site Plans

D.A ISSUE




## PROPERTY DESCRIPTION

LOT 11 on SP279226
LOCALITY: GLENVALE
COUNCIL: TOOWOOMBA REGIONAL

## DEVELOPMENT ASSESSMENT

DEVELOPMENT SITE AREA - 6,066m²
PROPOSED LOT 2A

LANDSCAPED AREA - 1,168m²

BUILDING SITE COVER - 38.4%
INCLUDES ALL ROOFED AREAS

### BUILDING 1 AREA - GFA

- T1 - X-RAY CONSULTING (WITH ACCESS SURROUND) - 403m²
- T2 - CHEMIST - 305m²
- T3 - DENTIST - 146.5m²
- T4 - PATHOLOGY - 148.5m²
- T5 - X-RAY - 130m²
- T6 - ALLIED HEALTH - 218m²

TOTAL BUILDING 1 GFA (EXCLUDES VERTICAL SHAFT) - 1,433m²

### BUILDING 2 AREA - GFA

- ANCILLARY HEALTH (to rear of tenancies) - 550m²

### MISCELLANEOUS AREAS

- REFUSE ENCLOSURE - 20m²
- LIFT LOBBY - 27m²

### CAR PARKING

- PARKING REQUIRED - 103
- PARKING PROVIDED - 109

Drawing Engineer

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- commercial / industrial / retail
- fast food restaurant design
- travel centre / service station
- project concept to completion

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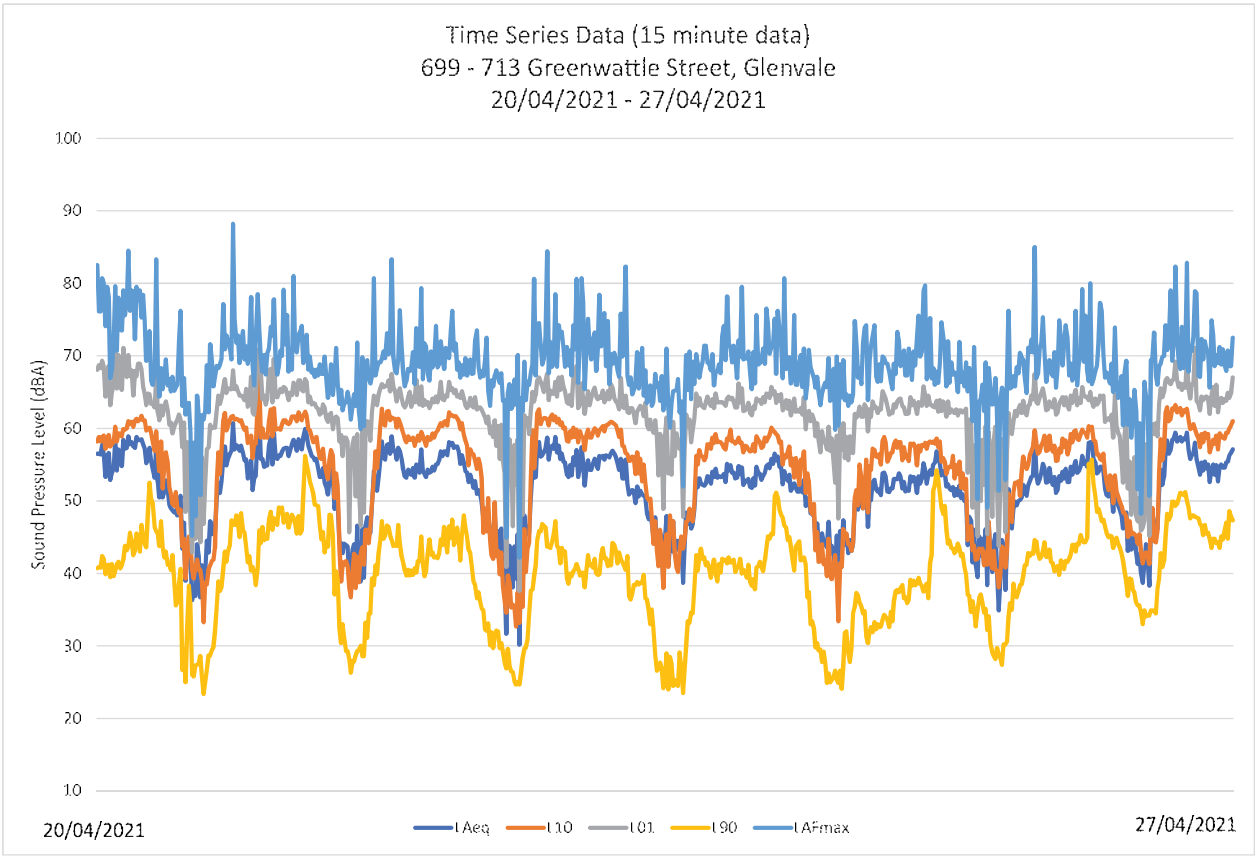
| Rev | Date | By | Revision | Det |
|---|---|---|---|---|
| B | 19.04.21 | TS | DA ISSUE | |
| A | 12.04.21 | TS | DA ISSUE | |
| 01 | 07.04.21 | TS | DRAFT DA ISSUE | |

Project Description: PROPOSED HEALTHCARE DEVELOPMENT
699-713 GREENWATTLE STREET, GLENVALE

Scale: 1:500 @ A1 / 1:1000 @A3
Drawn: SN
Approved:
Date:

Drawing Title: PROP. SITE PLAN
Drawing Number: 20225-DA03
Issue: B

# Appendix B: Ambient Noise Survey Data


Time Series Data (15 minute data)
699 - 713 Greenwattle Street, Glenvale
20/04/2021 - 27/04/2021
Sound Pressure Level (dBA)
100
90
80
70
60
50
40
30
20
10
20/04/2021
27/04/2021
LAeq
L10
L01
L90
LAFmax

# Appendix C: Noise Contour Diagrams




**Figure 5 Noise contours at 1.8m, day-time cumulative variable noise sources. Levels are in dB(A), $L_{eq,1hr}$**




**Figure 6 Noise contours at 4.6m, day-time cumulative variable noise sources. Levels are in dB(A), $L_{eq,1hr}$**




**Figure 7 Noise contours at 1.8m, evening-time cumulative variable noise sources. Levels are in dB(A), $L_{eq,1hr}$**


Medical Facility
Noise Contours at 1.8 m
Night
SoundPlan v8.0
Standard: ISO9613-2:1996
Noise level
Leq
in dB(A)
>= 37
>= 42
>= 47
>= 52
>= 57
>= 62
Scale
LOT 2
LOT 3
LOT 1
CP
T1 DOCTOR SURGERY
T2 CHEMIST
EXISTING BOWLING ALLEY COMPLEX
1
2
3
4




**Figure 8 Noise contours at 4.6m, evening-time cumulative variable noise sources. Levels are in dB(A), $L_{eq,1hr}$**




**Figure 9 Noise contours at 1.8m, night-time cumulative variable noise sources. Levels are in dB(A), $L_{eq,1hr}$**




**Figure 10 Noise contours at 4.6m, night-time cumulative variable noise sources. Levels are in dB(A), $L_{eq,1hr}$**




**Figure 11 Noise contours at 1.8m, day, evening and night-time cumulative continuous noise sources. Levels are in dB(A), $L_{90,1hr}$**




**Figure 12 Noise contours at 4.6m, day, evening and night-time cumulative continuous noise sources. Levels are in dB(A), $L_{90,1hr}$**




**Figure 13 Noise contours at 1.8m, night-time cumulative variable noise sources. Levels are in dB(A), $L_{max}$**




**Figure 14 Noise contours at 4.6m, night-time cumulative variable noise sources. Levels are in dB(A), $L_{max}$**

TRENTMARK PTY LTD ACN 068 147 106
527 South Street
Toowoomba Q 4350

21 July 2021

The Director
Weymouth Investments (Qld) Pty Ltd

Dear Sir,

Proposed Sale – Part of Lot 11 on SP 279226 – 699 to 713 Greenwattle Street

I refer to our previous telephone call regarding the old residence located on 699 – 713 Greenwattle Street and is intended to remain in the balance of Lot 11 on SP 279226 and retained by Trentmark Pty Ltd.

I confirm the house has not been occupied as a residence for at least 6 years and is not intended to be used as a residence at any time in the future. For the moment it is used for storage purposes only.

It is the intention of Trentmark Pty Ltd to demolish the house.

Yours faithfully

G Kath
Director
Trentmark Pty Ltd

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# 699-713 Greenwattle Street, Glenvale QLD 4350

## Variation Scheme Document

**TOOWOOMBA REGIONAL COUNCIL**

**APPROVED DOCUMENT**

**referred to in Council's Decision Notice dated**

**18 August 2022**

**This plan is subject to conditions of Approval Number**

**MCUI/2021/4232/A**

**Assessment Manager**

Property Projects Australia

# Greenwattle Street Glenvale Development

## Variation Scheme Document

Prepared by *Property Projects Australia Pty Ltd*
Prepared for *Weymouth Investments (QLD) Pty Ltd*

**25 May 2022**

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# About the Variation Scheme Document

## 1.1 Introduction

This Variation Scheme Document ("VSD") forms part of the Variation Request that seeks to vary the effect of the *Toowoomba Regional Planning Scheme 2012 (Version 26.0)* ("Planning Scheme") to facilitate the establishment of the 699-713 Greenwattle Street, Glenvale Proposed Development.

### *1.1.1* Purpose

1. The planning intent for the Greenwattle Street Glenvale Development ("GSGD") is to provide for residential uses and a limited range of Health Care Services for Lots 2B and 2C in line with the provisions of the Medium Density Residential Code.

2. The VSD establishes the framework for enabling and managing the planning intent for the GSGD.

### *1.1.2* Application

1. The VSD applies to land within the preliminary approval area ("PAA") currently described as part of Lot 11 on SP279226, as illustrated at **Figure 1**.

### *1.1.3* Components

1. The VSD comprises the following elements: -

   (a) About the Variation Scheme Document; and
   (b) Tables of Assessment.



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## 1.2 Interpretation

### *1.2.1* Relationship with Planning Scheme

1. In the event of any inconsistency between the provisions of the VSD and the *Toowoomba Regional Planning Scheme 2012 (Version 26.0),* the provisions of the VSD prevail.

2. In the absence of an equivalent provision within the VSD, the provisions of the *Toowoomba Regional Planning Scheme 2012 (Version 26.0)* apply.

### *1.2.2* Definitions

1. A term used in the VSD has its ordinary meaning unless that term is defined by one of the following:-

   (a) The VSD (Part 6.0);
   (b) The *Toowoomba Regional Planning Scheme 2012 (Version 26.0)*;
   (c) The *Planning Act 2016;*
   (d) The *Planning Regulation 2017*.

2. In the event a term has been assigned a meaning in more than one of the instruments listed in 1.2.2(1) above, the meaning contained in the instrument highest on the list will prevail.

### *1.2.3* Staging

1. The VSD does not preclude the assessment of a development application within the PAA in part or in stages.



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# Figure 1 – Preliminary Approval Area






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# 2.0 Tables of Assessment

## 2.1 Preliminary

1. The tables in this part identify the category of development, and the category of development and assessment and the assessment benchmarks for assessable development within the PAA.

## 2.2 Reading the Tables

Interpretation for the Tables included in this Variation Scheme Document should be taken from Part 5 – Table of Assessment of the *Toowoomba Regional Planning Scheme 2012 (Version 26.0).*

## 2.3 Other Matters

Interpretation for the Other Matters contained in this Variation Scheme Document should be taken from Part 1 – About the Planning Scheme and Part 5 – Table of Assessment of the *Toowoomba Regional Planning Scheme 2012 (Version 26.0).*



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### 2.4 Categories of Development and Assessment – Material Change of Use

The categories of development and assessment and assessment benchmarks that are applicable to Material Change of Use within the PAA is identified at Table 1.

Table 1 - Material Change of Use – PAA

| Use | Categories of development and assessment | Assessment benchmarks for assessable development and requirements for accepted development |
|---|---|---|
| Community Residence | Code Assessment | |
| | Where not Accepted development subject to requirements under Schedule 6 and 7 of the Planning Regulation 2017. | ■ Low-medium Density Residential Zone Code<br>■ Medium Density Residential Code<br>■ Environmental Standards Code<br>■ Integrated Water Cycle Management Code<br>■ Landscaping Code<br>■ Transport, Access and Parking Code<br>■ Works and Services Code<br>■ State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives<br>■ Glenvale Local Plan Code (where in the Glenvale local plan area) |
| Health Care Services | Code Assessment | |
| | If:<br>(i) no more than 15 FTE health practitioners including no General Practitioners, taking into account any other approved Health Care Services in the Preliminary Approval Area. | ■ Low-medium Density Residential Zone Code<br>■ Community and Recreation Uses Code<br>■ Environmental Standards Code<br>■ Integrated Water Cycle Management Code<br>■ Landscaping Code<br>■ Transport, Access and Parking Code |



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| | | |
|---|---|---|
| | | ■ Works and Services Code<br>■ State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives<br>■ Glenvale Local Plan Code (where in the Glenvale local plan area) |
| Multiple Dwelling | Code Assessment | |
| | If:<br>(i) the building height does not exceed 8.5m;<br>(ii) dwelling density does not exceed 1 dwelling/330m$^2$ of site area; and<br>(iii) not located on a hatchet lot. | ■ Low-Medium Density Residential<br>■ Medium Density Residential Code<br>■ Environmental Standards Code<br>■ Integrated Water Cycle Management Code<br>■ Landscaping Code<br>■ Transport, Access and Parking Code<br>■ Works and Services Code<br>■ State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives<br>■ Glenvale Local Plan Code (where in the Glenvale local plan area) |
| Shop | Code Assessment | |
| | If:<br>(i) A Chemist. | ■ Low-Medium Density Residential Code<br>■ Centre Activities Code<br>■ Environmental Standards Code<br>■ Integrated Water Cycle Management Code<br>■ Landscaping Code<br>■ Transport, Access and Parking Code<br>■ Works and Services Code<br>■ State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives |



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| | |
|---|---|
| | ■ Glenvale Local Plan Code (where in the Glenvale local plan area) |

Where a Use is not identified in sub-section 2.4 Table 1, the categories of development and assessment as per Part 5 – Table of Assessment in the *Toowoomba Regional Planning Scheme 2012 (Version 26)* applies.

### 2.5 Categories of Development and Assessment – Building Work

The categories of development and assessment as per Part 5 – Table of Assessment in the Toowoomba Regional Planning Scheme 2012 (Version 26) applies.

### 2.6 Categories of Development and Assessment – Operational Work

The categories of development and assessment as per Part 5 – Table of Assessment in the Toowoomba Regional Planning Scheme 2012 (Version 26) applies.



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# 3.0 Zone Code

## 3.1 Low-medium Density Residential Zone Code

1. This Code Applies to development: -

    (a) within the PAA as identified at **Figure 1**;

    Where the Low Medium Density Residential Zone Code is identified at Part 2, the Low Medium Density Residential Zone Code included in the *Toowoomba Regional Planning Scheme 2012 (Version 26)* applies.



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# 4.0 Local Plan Code

## 4.1 Glenvale Local Plan Code

1. This Code Applies to development: -

(a) within the PAA as identified at Figure 1;
(b) where identified as requiring assessment against the Glenvale Local Plan Code by the Tables of Assessment (Part 2).

Where the Glenvale Local Plan Code is identified at Part 2, the Local Plan Code included in the *Toowoomba* Regional *Planning Scheme 2012 (Version 26)* applies.



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# 5.0 Development Codes

## 5.1 Preliminary

1. Development Codes are the assessment benchmarks where identified as an applicable code in Part 2.

2. Where a Development Code is identified at Part 2, the Development Code included in the *Toowoomba Regional Planning Scheme 2012 (Version 26)* applies.



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# 6.0 Definitions

1. ***Health Practitioner*** means a person who uses the skills and knowledge of their profession, as defined and including those listed by the Australian Bureau of Statistics Stand Classification of Occupations, Sub-Major Group 23 – Health Professionals, to administer to or treat customers, clients or patients, whether remunerated or not.

   This includes, but is not limited to, the following professions: acupuncturists, audiologists, chiropractors, doctors, dentists, dental nurses, dietitians, masseuse, massage therapist, medical imaging professionals (e.g., radiographers, sonographers), naturopaths, nurses, optometrists, physiotherapists, psychologists, but excluding pharmacists, veterinarians, and veterinarian nurses.



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# Appendix A – Development Plans

Prepared by:

## Verve Building Design Co.



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# Appendix B – Overall Plan of Subdivision

Prepared by:

## Verve Building Design



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# WASTE MANAGEMENT PLAN

## 699-713 Greenwattle Street, Glenvale



**Client: Weymouth Investments (QLD) Pty Ltd**


Range Environmental Consultants
266 Margaret Street
Toowoomba Q 4350
**T** 07 4620 0148
**E** admin@rangeenviro.com.au


**Project Number: J000697**
**Status: Final**
**Date: 3/11/2021**

TOOWOOMBA REGIONAL COUNCIL
APPROVED DOCUMENT
referred to in Council's Decision Notice dated

TOOWOOMBA REGIONAL COUNCIL
This plan is subject to conditions of Approval Number
APPROVED DOCUMENT
MCUI/2021/4232
referred to in Council's Decision Notice dated
18 August 2022
This plan is subject to conditions of Approval Number
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Assessment Manager

# Important Note

We have prepared this report for the sole purposes of **Weymouth Investments (QLD) Pty Ltd** (the Client) for the specific purpose for which it is supplied (the Purpose). This report is strictly limited for use by the client for the purpose and the facts and matters stated in it and it shall not be used directly or indirectly for any other use.

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| | | | | | |

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# 1. Introduction

Range Environmental Consultants (Range Environmental) was engaged by Weymouth Investments (QLD) Pty Ltd (hereafter 'the Client') to develop a Waste Management Plan (WMP) for a proposed integrated medical facility at 699-713 Greenwattle Street, Glenvale (hereafter 'the site') (Figure 1). The site is formally described as Lots 11 on SP279226 and is located within the Toowoomba Regional Council (TRC) Local Government Area.

This WMP was developed with reference to the Toowoomba Regional Council's Technical Guideline for New Developments (2016) (hereafter 'TRC Guideline 2016').

## 1.1 Purpose

The purpose of this WMP is to provide a waste management framework for the proposed development to:

- Identify, characterise and properly manage wastes;
- Implement the waste management hierarchy;
- Minimise environmental harm by managing general, recyclable and clinical wastes correctly and minimising waste generation and disposal where practicable; and
- Develop site and activity specific waste management procedures as required during the operation of the site.

## 1.2 Scope

This WMP provides an overview of the strategy, methods, and controls that shall be implemented at the site to manage waste. Specifically, this WMP:

- Identifies the types of wastes generated by the site;
- Describes the waste management framework; and
- Describes the waste management hierarchy which shall be applied to the wastes generated.

This WMP is to be implemented by all personnel responsible for carrying out works that generate, transport, store, treat and/or dispose of wastes through the operation of the site.

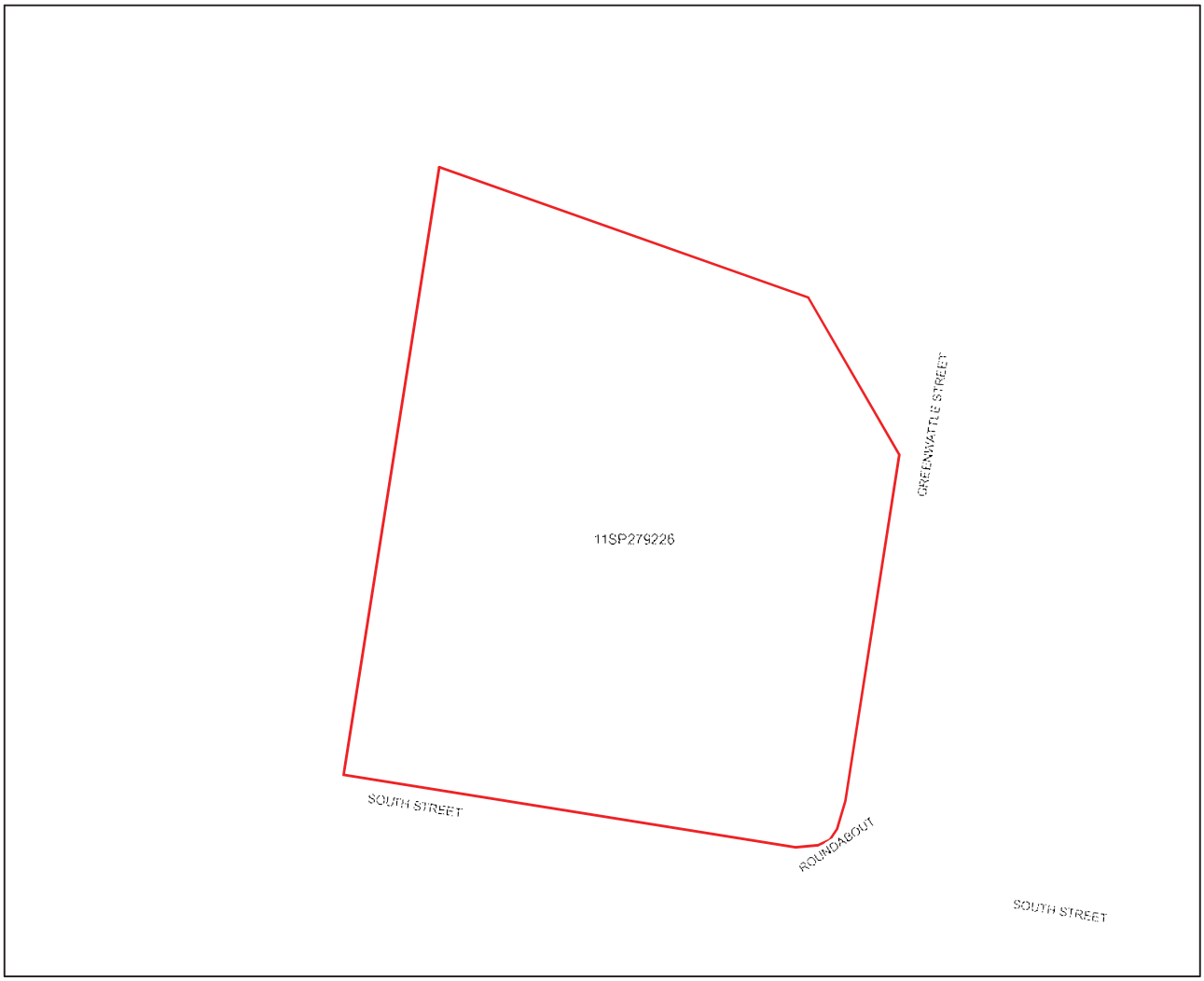



**Figure 1**
**Site Locality & Proposed Development Footprint**

Project: Waste Management Plan

Client: Weymouth Investments

Project No.: J000697

Compiled by: MW Date: 28/10/2021
Approved by: RM Date: 28/10/2021

Metres
0 10 20

**Legend**
- Site Boundary
- Cadastre
- Roads

**Proposed Development**
- Allied Health Centre
- Ancillary Health Centre
- Carparking
- Chemist
- Delivery area
- Dentist
- Doctor Surgery
- Driveway
- Pathology
- Ramp
- Refuse area
- X-Ray Scan

The content of this document includes third party data. Range Environmental Consultants does not guarantee the accuracy of such data

Source: Cadastral data sourced from DNRME (2021) and aerial imagery sources from MetroMap (2021)

N

# 2. Project Description

## 2.1 Site Description

The site is located at 699-713 Greenwattle Street, Glenvale and is formally described as Lot 11 SP279226. The total area of the site is 1.5 ha.

The site is zoned as Low Density Residential (General Precinct) under the Toowoomba Regional Council Planning Scheme 2012 (Version 26) and is currently unoccupied.

## 2.2 Proposed Development

The proposed development will be located on Lot 11 SP279226 and would be accessed via South Street and Greenwattle Street (Figure 1 and Appendix A:).

The proposed development of Lot 2A would include the following businesses:

- Building 1 Area:
  - General Practice Consulting (doctor surgery).
  - Chemist.
  - Dentist.
  - Pathology.
  - X-Ray.
  - Allied health.
- Building 2 Area:
  - Ancillary health.

Table 1 below outlines the gross floor areas (GFA) of the key components of the proposed development and their locations within the site.

**Table 1 Proposed development site use layout and gross floor areas**

| Building area | Site Use and GFA ($m^2$) | | | | | | |
|---|---|---|---|---|---|---|---|
| | General Practice Consulting | Chemist | Dentist | Pathology | X-Ray | Allied health | Ancillary health |
| 1 | 395 | 308 | 134 | 134 | 166 | 205 | - |
| 2 | - | - | - | - | - | - | 590 |
| **Total** | **395** | **308** | **134** | **134** | **166** | **205** | **590** |

# 3. Legal and Other Requirements

- *Environmental Protection Act 1994* and Environmental Protection Regulation 2019;
- *Waste Reduction and Recycling Act 2011* and Waste Reduction and Recycling Regulation 2011;
- Toowoomba Regional Council Waste Management Strategy 2021;
- Development Approval.

# 4. Waste Streams and Quantity Calculations

The following sections of the WMP below outline the waste streams, quantity calculations and design requirements of waste infrastructure at the site.

## 4.1 Clinical Waste (Regulated Waste)

Section 8.3 of the TRC Guideline 2016 states that clinical or related waste (clinical waste) must be appropriately considered during the design phase under the Environmental Protection Regulation 2019. Clinical waste is listed as Category 1 regulated waste (highest risk waste category) under Schedule 9 of the Environmental Protection Regulation 2019. Regulated waste must be managed separately to general and recyclable wastes.

The volume of clinical waste generated at the site is expected to be significantly less than general and recyclable waste for the following reasons as outlined in the Department of Environment and Science's (DES) Guideline: Clinical and Related Waste (2019, Version 4.01):

- Waste streams from medical practitioners (general practice and allied health professionals) and dentists such as cotton wool balls, tissues, bandages, bandaids, gloves, overalls and disposable sheets etc. are not classed as clinical waste. This waste may be disposed of as general waste.
- Pharmaceutical waste does not include empty capsules, empty bottles (containing no liquid) or uncontaminated wrapping (packaging boxes and empty blister packs) or pill cups that have been used to dispense patient medications. This waste may be disposed of as general waste.

Clinical wastes generated at the site (e.g., discarded sharps, pharmaceutical waste etc.) shall be segregated, stored, transported and disposed of in accordance with the following where applicable to the specific requirements of each tenant:

- DES's Guideline: Clinical and Related Waste (2019, Version 4.01);
- Relevant Australian Standards (e.g., *AS4031: 1992 Non-reusable containers for the collection of sharp medical items used in health care areas* or *AS/NZS 4261: 1994 Reusable containers for the collection of sharp items used in human and animal medical applications*); and
- Other relevant medical industry standards and legislative requirements.

## 4.2 General & Recyclable Waste Refuse Area

The 20m$^2$ fenced refuse area located along the southern façade of the Ancillary Health building (Figure 1 and Appendix A:) will provide bulk bins for the following waste streams at the site:

- General waste (1 x 1.5m$^3$ bulk bin).
- Recyclable waste (1 x 1.5m$^3$ bulk bin).

These bulk bins will be utilised by all tenants at the site for general and recyclable waste. Clinical waste shall be managed separately as outlined in Section 4.1.

These bulk bins will collectively occupy an area of approximately 8m$^2$ (includes 0.5m spacing requirements) and will therefore have sufficient space for the two (2) bulk bins.

It is recommended that the refuse area has the following features to ensure it is always kept in a clean and tidy state:

- A wash-down area for the bins and a hose cock nearby;
- Shall be bunded or graded to prevent stormwater entry and drained to sewer;
- Shall be covered; and
- Regularly inspected for visual amenity.

## 4.3 Building 1 & 2 Area Waste Calculations

Table 2 below shows the estimated general and recyclable waste generated from the proposed tenants of the site as calculated from the TRC Guideline 2016 for a commercial premises. All tenants of the site will utilise the bulk bins proposed for the refuse area (Section 4.2).

## 4.4 Waste Streams Summary and Waste Collection Schedule

Table 3 summarises the types of waste which would be transported offsite, the estimated quantities, frequency of collection and truck numbers.

Truck access swept paths shown in Figure 2 show that there is sufficient space at the designated bin areas to enable the waste collection trucks to pick up the bins while entering and leaving the premises in a forward gear.

**Table 2 Waste generation calculations and bin requirements**

| | Estimated General Waste Rate | Estimated Recyclable Waste Rate | Calculated General Waste Rate[1] | Calculated Recyclable Waste Rate[1] | General Waste Bin Requirements | Recyclable Waste Bin Requirements |
|---|---|---|---|---|---|---|
| GP Consulting (GFA 395m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 277L/week | 277L/week | 1 x 1.5m$^3$ bulk bin | 1 x 1.5m$^3$ bulk bin |
| Chemist (GFA 308m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 216L/week | 216L/week | | |
| Dentist (GFA 134m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 94L/week | 94L/week | | |
| Pathology GFA 134m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 94L/week | 94L/week | | |
| X-Ray (GFA 166m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 116L/week | 116L/week | | |
| Allied Health (GFA 205m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 144L/week | 144L/week | | |
| Ancillary Health (GFA 590m$^2$) | 10L/100m$^2$/day | 10L/100m$^2$/day | 413L/week | 413L/week | | |
| **TOTAL** | - | - | **1354L/week** | **1354L/week** | - | - |

[1] Waste calculation rates conservatively assume the site operates 7 days per week.

**Table 3 Waste collection schedule and strategy**

| Type of waste | Waste Classification under EP Regulation 2019 | Quantity | Frequency of collection | Estimated number of trucks |
|---|---|---|---|---|
| General waste | General waste | 1.5m$^3$/week | Weekly | 1 truck/week |
| Recyclable waste | General waste | 1.5m$^3$/week | Weekly | 1 truck/week |
| Clinical or related waste | Regulated waste (Category 1) | To be determined and managed by tenants (see Section 4.1). | As required | As required |



**Figure 2 Truck access swept paths**

# 5. Waste Management Strategy

## 5.1 Objective

To minimise environmental harm by managing all wastes correctly and minimising waste generation and disposal where practicable.

## 5.2 Waste Management Hierarchy

The waste and resource management hierarchy below is from the *Waste Reduction and Recycling Act 2011.* It lists the preferred order in which waste and resource management options should be considered:

a. AVOID unnecessary resource consumption;

b. REDUCE waste generation and disposal;

c. RE-USE waste resources without further manufacturing;

d. RECYCLE waste resources to make the same or different products;

e. RECOVER waste resources, including the recovery of energy;

f. TREAT waste before disposal, including reducing the hazardous nature of waste;

g. DISPOSE of waste only if there is no viable alternative.

Waste management for the site shall adhere to the waste management hierarchy.

## 5.3 Performance Targets

The performance targets for the site are as follows:

- Wastes correctly segregated and stored as per their designated storage areas (Appendix A:).
- All wastes transported by appropriately licensed waste transporters to waste facilities that are licensed to receive the wastes.
- All Regulated Waste tracking documents and receipts retained.

## 5.4 Management Actions, Monitoring and Reporting

The management actions, monitoring and reporting for the site are outlined in Table 4 below.

**Table 4 Management actions, monitoring and reporting**

| Management Actions | Responsibility | Timing |
|---|---|---|
| **Mitigation Measures** | | |
| The refuse storage area shall be kept in a clean and tidy state at all times. | Site Manager and Tenant Representatives | At all times |
| General and regulated wastes shall be segregated, stored, transported and disposed of correctly. | All personnel | At all times |
| Bins and other waste storage devices shall be clearly labelled and stored in the refuse storage area shown on the plans provided at Appendix A:. | Site Manager | At all times |
| Covered bins shall be provided to prevent windblown litter, access by birds/vermin and rainfall ingress. | Site Manager | At all times |
| Wastes of any kind shall not be burnt or disposed of on site. | All personnel | At all times |
| All waste materials removed from the refuse area shall be transported by appropriately licensed waste transporters and be taken to a waste management facility that can lawfully receive them. | Site Manager | At all times |
| **Monitoring** | **Responsibility** | **Timing** |
| Untidy conditions or damage to the refuse area shall be reported to the Site Manager. | Tenant Representatives | As required |
| Annual review of site waste management practices to identify opportunities to improve waste management practices in line with the waste management hierarchy. | Site Manager | Annually |
| **Reporting** | **Responsibility** | **Timing** |
| Near misses or non-compliances shall be reported to the Site Managers. | All personnel | As required |
| All waste tracking forms and waste disposal receipts shall be recorded and filed. | Site Manager and Tenant Representatives | At all times |
| **Corrective Action** | **Responsibility** | **Timing** |
| Incidents shall be investigated to identify the necessary corrective actions for implementation. | Site Manager | As required |

# 6. References

Department of Environment and Science's (DES) Guideline: Clinical and Related Waste (2019, Version 4.01).

Toowoomba Regional Council. 2016. Technical Guideline for New Developments.

# Appendix A: Site Plans

**DA ISSUE**
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# ARCHITECTURAL DA DRAWINGS

## PROPOSED HEALTHCARE DEVELOPMENT

## 699-713 GREENWATTLE STREET, GLENVALE




3D PERSPECTIVES FOR ILLUSTRATION ONLY




LOCALITY PLAN NTS

| ARCHITECTURAL DA DRAWINGS | |
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| DRG No. | DRAWING TITLE |
| DA00 | COVER PAGE |
| DA01 | EXIST. SITE PLAN |
| DA02 | PROP. SUBDIVISION PLAN |
| DA03 | PROP. SITE PLAN |
| DA04 | BUILDING ELEVATIONS & PERSPECTIVES |
| DA05 | BUILDING ELEVATIONS & PERSPECTIVES |

| ARCHITECTURAL DA DRAWINGS | |
|---|---|
| DRG No. | DRAWING TITLE |
| DA06 | SITE PERSPECTIVES |
| DA07 | STREETSCAPE PERSPECTIVES & SITE SECTIONS |
| DA08 | PROP. ROOF PLAN |
| DA09 | TENANCY PLAN - BUILDING 1 |
| DA10 | SITE SIGNAGE |

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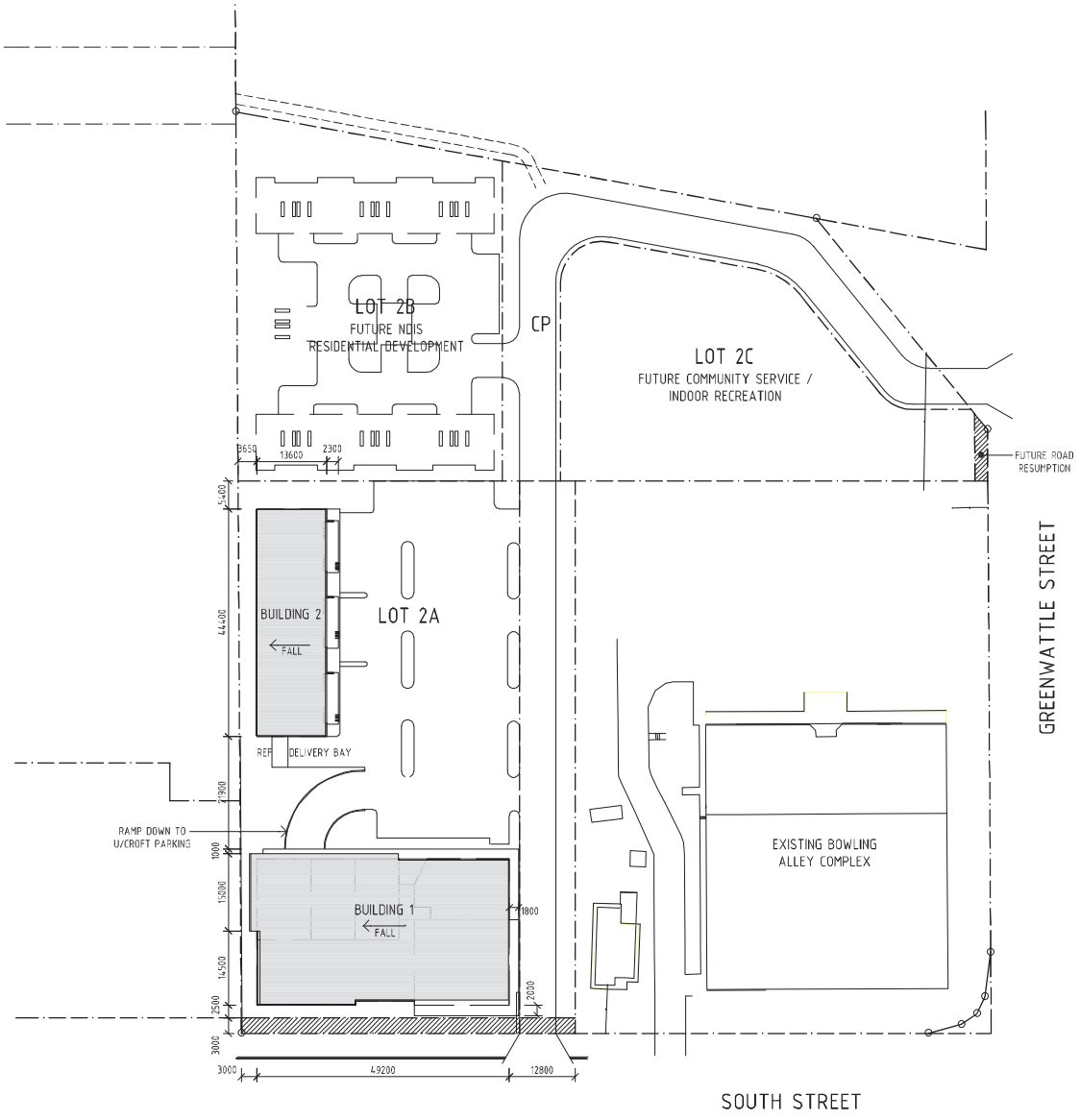
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| Rev | Date | Drn | Description | Appr |
| P1 | 21.05.2021 | TC | DRAFT DA ISSUE | |
| P2 | 27.05.2021 | TC | REVISED DRAFT DA ISSUE | |
| P3 | 4.06.2021 | TC | DA ISSUE | DN |
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| B | 24.12.2021 | TC | REVISED TO SUNCE HK | |
| C | 24.12.2021 | TC | REVISED TO SUNCE HK | |

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| Project Description | PROPOSED HEALTHCARE DEVELOPMENT |
| | 699-713 GREENWATTLE ST, GLENVALE |
| Scale @A1 | |
| Date | FEB 2021 |
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D.A ISSUE

PROPERTY DESCRIPTION
LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL




Consulting Engineer

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D.A ISSUE




## PROPERTY DESCRIPTION

LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL

## DEVELOPMENT ASSESSMENT

| | |
|---|---|
| TOTAL SITE AREA | - 23,657m² |
| • LOT 1 | - 8,656m² |
| • LOT 2 | - 15,001m² |

Consulting Engineer

VERVE BUILDING DESIGN CO.

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| A | 04.06.2021 | TD | DA ISSUE | |
| P1 | 05.05.2021 | TD | DRAFT DA ISSUE | |

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699-713 GREENWATTLE STREET, GLENVALE

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D.A ISSUE




## PROPERTY DESCRIPTION

LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL

## DEVELOPMENT ASSESSMENT

TOTAL SITE AREA - 15,001m²

- PROPOSED LOT 2A - 5,873m²
- PROPOSED LOT 2B - 3,470m²
- PROPOSED LOT 2C - 2,733m²
- COMMON PROPERTY - 2,926m²

Consulting Engineer

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| C | 25.10.2021 | TO | RESPONSE TO COUNCIL I.R. | |
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699-713 GREENWATTLE STREET, GLENVALE

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Issued:

Drawing Number: 20225-DA02

Revision: D

INFORMATION







## PROPERTY DESCRIPTION

LOT 11 on SP279226
LOCALITY: GLENVALE

COUNCIL: TOOWOOMBA REGIONAL

## DEVELOPMENT ASSESSMENT

TOTAL SITE AREA - 1.50ha

### LOT 2A

DEVELOPMENT SITE AREA - 6,873m²
(INCLUDES INTERNAL ROAD EASEMENT = 1,136m2)
(EXCLUDES ROAD RESUMPTION = 1,163m2)

LANDSCAPED AREA - 1,204m²

BUILDING SITE COVER - 33.3%
PROPOSED LOT 2A ONLY.

### BUILDING 1 AREA - GFA

- T1 - G.P CONSULTING - 395m²
  35m² ACCESS CORRIDOR
- T2 - CHEMIST - 308m²
- T3 - DENTIST - 134m²
- T4 - PATHOLOGY - 134m²
- T5 - X-RAY - 166m²
- T6 - ALLIED HEALTH - 205m²
- LIFT ENTRY FOYER - 28m²

TOTAL BUILDING 1 GFA - 1,370m²

### BUILDING 2 AREA - GFA

- ANCILLARY HEALTH - 590m²
  6x 98m² TENANCIES

### MISCELLANEOUS AREAS

- REFUSE ENCLOSURE - 20m²

### CAR PARKING

- PARKING PROVIDED - 100
  EXCLUDES LOT 2B & 2C FUTURE DEVELOPMENT
- BICYCLE PARKING - (BR) - 15 BIKES
  LOCATED AT GROUND LEVEL AND UNDERCROFT PARKING

Consulting Engineer

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| E | 25.10.2021 | GN | ISSUE IN REPONSE TO COUNCIL RFI | |

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699-713 GREENWATTLE STREET, GLENVALE

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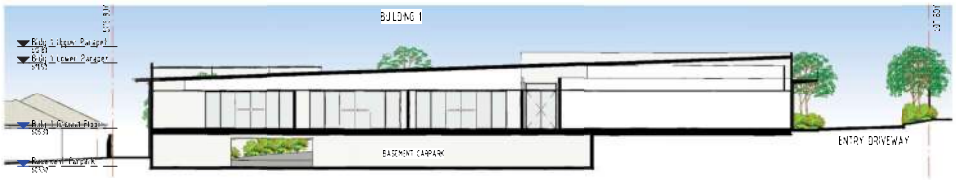
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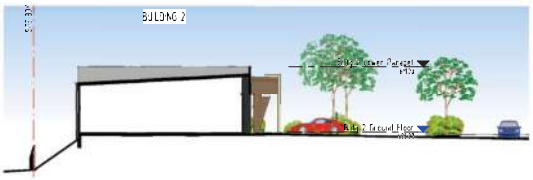
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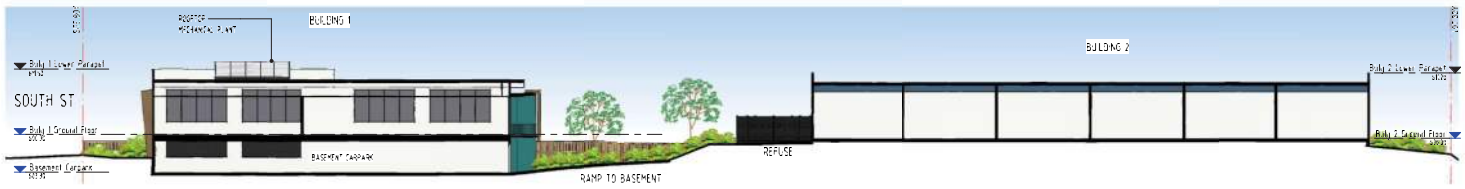
STREETSCAPE PERSPECTIVE 2
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2 SITE SECTION 2 (BUILDING 2)
1 : 150




3 SITE SECTION 3
1 : 150

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|---|---|---|---|---|
| A | 26.10.21 | TG | ISSUED TO COUNCIL | |
| B | 8.12.22 | TG | ISSUED TO COUNCIL | |

**Project Description**
PROPOSED HEALTHCARE DEVELOPMENT

699-713 GREENWATTLE ST, GLENVALE

Scale @A1: 1 : 150
Date: FEB 2023
Drawn: TG
Approved By: DR

**Drawing Title**
STREETSCAPE PERSPECTIVES & SITE SECTIONS

Job Number - Drawing Number: 20225 DA07
Revision: B

# ATTACHMENT 3

## Proposed Amended Variation Scheme Document