

REPORT TITLE	Material Change of Use – Impact – High Impact Industry and Warehouse; Operational Works associated with Material Change of Use – Stormwater; and Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and ERA61(4) located at Lot 4 SP353522 Vision Street, WELLCAMP QLD 4350
AUTHOR	Lead Senior Planner (Emily Hinchliffe)
Application No.	MCUI/2025/5515 & OW/2025/5517

**PURPOSE OF REPORT**

To consider a Development Application for Material Change of Use – Impact – High Impact Industry and Warehouse; Operational Works associated with Material Change of Use – Stormwater; and Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and ERA61(4) located at Lot 4 SP353522 Vision Street, WELLCAMP QLD 4350.

**EXECUTIVE SUMMARY**

The report considers a Development Application seeking a Development Permit for Material Change of Use for High Impact Industry and Warehouse; Operational Works associated with Material Change of Use – Stormwater; and Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and ERA61(4) on Part of Lot 4 SP353522 Vision Street, WELLCAMP QLD 4350.

The proposed High Impact Industry is for an Industry Biotechnology Centre (IBC) which will be used for manufacturing fertiliser and organic chemical products with the following annual throughputs proposed:

- Up to 5,000t/year of fertiliser.
- Up to 1,000t/year of organic chemicals.
- Up to 40t/year of biosecurity waste.

The IBC is intended to allow different research and development tenants (such as Bio10) to manufacture fertiliser and organic chemical products. The volume of manufacturing may increase in the future once the proposed facility has produced commercially viable products. As the fertiliser product does not rely on ammonia, this development is defined as a High Impact industry.

The proposed Warehouse use seeks to establish four (4) warehouse buildings and one (1) ancillary office building which are intended to support the IBC. The Warehouses will provide for the packing, storage and dispatch of feedstocks and inputs of the IBC as well as completed product. The Warehouses are intended to operate in an automated manner with a maximum of 6 FTE to be employed.

The overall development is intended to be provided in four (4) stages with Stage 1 comprising the IBS building itself, one (1) warehouse and the ancillary office for the warehouse use along with all driveways, manoeuvring, car parking and landscaping areas. Each stage after this will provide an additional warehouse to the site, with the final stage also incorporating a storage building with a GFA of 38m<sup>2</sup>.

The site is located in the Charlton Wellcamp Enterprise Area Local Plan Area, within the Medium Impact Industry Zone under the *Toowoomba Regional Planning Scheme 2012* (Version 28). The proposed development will be located on part of Lot 4 SP353522, and specifically on proposed Lot 8 approved under RAL/2024/7202.

The site is located within the Airport Environs Overlay (8km Wildlife Hazard Buffer Zone) for the Toowoomba City Aerodrome as identified by the *Toowoomba Regional Planning Scheme 2012* (Version 28). The site is also in the Lighting area buffer 6km, Wildlife Hazard Buffer Zone (3km), Obstacle limitation surface area, and Obstacle limitation surface contours for Toowoomba Wellcamp Airport shown on the Strategic Airports and Aviation Facilities of the State Planning Policy Interactive Mapping System as accessed 20 November 2025.

Under the *Toowoomba Regional Planning Scheme 2012* (Version 28), the proposed development is subject to Impact Assessment. Public Notification was undertaken and no submissions were received.

To the extent the application is assessable by Council, the proposed development has been assessed against the applicable assessment benchmarks and having regard to all relevant matters as identified within this report and the attached Statement of Reasons (refer to Schedule 2). The proposal is considered to

comply with relevant assessment benchmarks or, to the extent of non-compliance, is considered capable of being conditioned to comply. The proposed development is considered to be acceptable having regard to all relevant matters. Therefore, the development application is recommended for approval subject to reasonable and relevant conditions.

The aspect of development for Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and ERA61(4) has been assessed by State Government through a concurrence referral and is recommended for approval by State Government by concurrence agency response to attach to Council's decision.

## RECOMMENDATION

**APPROVED** - Application No. MCUI/2025/5515 for a Development Permit for Material Change of Use – Impact – High Impact Industry and Warehouse; Operational Works associated with Material Change of Use – Stormwater; and Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and ERA61(4), pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

## ASSESSMENT MANAGER CONDITIONS

### PART A – DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE

#### PLANNING

#### APPROVED USE

1. This Development Approval is for a Material Change of Use in four (4) stages for:

1.1 High Impact Industry (Industry Biotechnology Centre); and

*Note: Toowoomba Regional Planning Scheme 2012 (Version 28) Schedule 1 defines High Impact Industry to include manufacturing soil conditioners by receiving, blending, storing, processing, drying or composting organic material or organic waste, including animal manures, sewage, septic sludges and domestic waste. Where the manufacture of fertiliser involves ammonia, the development is defined as Special Industry. Special Industry is not approved by this Development Permit.*

1.2 Warehouse with a maximum of six (6) Full-time Equivalent staff.

*Note: This maximum is imposed to ensure the development complies with assessment benchmarks for on-site car parking.*

*Note: Any intrusion into the operational airspace of Toowoomba Wellcamp Airport requires approval in accordance with the relevant federal legislation.*

2. The approved development must be staged in accordance with the approved plans and specifically as follows:

2.1 Stage 1 comprises:

- (a) Industry Biotechnology Centre (Maximum GFA of 3,270m<sup>2</sup>);
- (b) Warehouse Office (Maximum GFA of 161m<sup>2</sup>);
- (c) Warehouse (Maximum GFA of 2,116m<sup>2</sup>);
- (d) All driveways, vehicle manoeuvring areas and carparking areas; and
- (e) All landscaping areas.

2.2 Stage 2 comprises:

- (a) Warehouse and Loading Awning (Maximum GFA of 2,000m<sup>2</sup>);

2.2 Stage 3 comprises:

- (a) Warehouse and Loading Awning (Maximum GFA of 2,000m<sup>2</sup>); and

2.3 Stage 4 comprises:

- (a) Warehouse and Loading Awning (Maximum GFA of 2,000m<sup>2</sup>); and
- (b) Storage Shed (Maximum GFA of 38m<sup>2</sup>).

3. Any office and storage shed/s must be ancillary to the approved use of the premises for High Impact Industry and Warehouse.
4. This Development Approval does not imply or comprise an approval for any uses other than those listed in Condition 1.

#### CARRY OUT & MAINTAIN DEVELOPMENT

5. 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.
6. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
7. 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.
8. 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

9. 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:** 2481-001, Issue C

**Description:** Site Plan, prepared by FKG Group and dated 4 September 2025

**Amendments:** As amended by Council to identify extent of Stage 1 in accordance with Condition 2

**Plan No:** 2481-101, Issue B

**Description:** IBC Floor Plans, prepared by FKG Group and dated 4 August 2025

**Amendments:** Nil.

**Plan No:** 2481-201, Issue B

**Description:** IBC Elevations, prepared by FKG Group and dated 4 August 2025

**Amendments:** Nil.

**Plan No:** 2481-301, Issue B

**Description:** IBC Building Sections, prepared by FKG Group and dated 4 August 2025

**Amendments:** Nil.

**Plan No:** 2481.102, Issue B

**Description:** Warehouse Office Floor Plan & Perspective, prepared by FKG Group and dated 4 August 2025

**Amendments:** Nil.

**Plan No:** 2481.202, Issue B

**Description:** Warehouse Office Elevations, prepared by FKG Group and dated 4 August 2025

**Amendments:** Nil.

**Plan No:** 2481.103, Issue B

- Description:** Stage 1 – Warehouse Floor Plan, prepared by FKG Group and dated 4 August 2025  
**Amendments:** Nil.
- Plan No:** 2481-203, Issue B  
**Description:** Stage 1 – Warehouse Section & Elevations, prepared by FKG Group and dated 4 August 2025  
**Amendments:** Nil.
- Plan No:** 2481.104, Issue B  
**Description:** Stage 2 – Warehouse Floor Plan, prepared by FKG Group and dated 4 August 2025  
**Amendments:** Nil.
- Plan No:** 2481-204, Issue B  
**Description:** Stage 2 – Warehouse Section & Elevations, prepared by FKG Group and dated 4 August 2025  
**Amendments:** Nil.
- Plan No:** 2481.105, Issue B  
**Description:** Stage 3 & 4 – Warehouse Floor Plan, prepared by FKG Group and dated 4 August 2025  
**Amendments:** Nil.
- Plan No:** 2481-205, Issue B  
**Description:** Stage 3 & 4 – Warehouse Section & Elevations, prepared by FKG Group and dated 4 August 2025  
**Amendments:** Nil.
- Plan No:** 2481-601  
**Description:** Stage 4 – Store Building Details, prepared by FKG Group and dated 15 September 2025  
**Amendments:** Nil.
- Plan No:** 2564-02, Issue B  
**Description:** Development Application Landscape Notes, prepared by Jackie Amos Landscape Architect and dated 13 August 2025  
**Amendments:** Nil.
- Plan No:** 2564-03, Issue B  
**Description:** Development Application Site Plan, prepared by Jackie Amos Landscape Architect and dated 13 August 2025  
**Amendments:** As amended in red to identify areas to be landscaped in accordance with Plans 2564-09 and 2564-10.
- Plan No:** 2564-04, Issue B  
**Description:** Development Application Landscape Plan, prepared by Jackie Amos Landscape Architect and dated 13 August 2025  
**Amendments:** Nil.
- Plan No:** 2564-05, Issue B  
**Description:** Development Application Landscape Plan, prepared by Jackie Amos Landscape Architect and dated 13 August 2025  
**Amendments:** Nil.
- Plan No:** 2564-06, Issue B  
**Description:** Development Application Landscape Plan, prepared by Jackie Amos Landscape Architect and dated 13 August 2025  
**Amendments:** Nil.
- Plan No:** 2564-07, Issue B  
**Description:** Development Application Plant Schedule, prepared by Jackie Amos Landscape Architect and dated 13 August 2025

**Amendments:** As amended in Red to identify Plant Schedule associated with Plans 2564-04, 2564-05 and 2564-06.

**Plan No:** 2564-08, Issue B

**Description:** Development Application Landscape Details, prepared by Jackie Amos Landscape Architect and dated 13 August 2025

**Amendments:** Nil.

**Plan No:** 2564-09, Issue A

**Description:** Development Application Screen Planting to Highway, prepared by Jackie Amos Landscape Architect and dated 19 September 2025.

**Amendments:** Nil.

**Plan No:** 2564-10 Issue A

**Description:** Development Application Screen Planting to Highway, prepared by Jackie Amos Landscape Architect and dated 19 September 2025.

**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:** Stormwater Management Plan, Issue 4

**Description:** Stormwater Management Plan, Project No. C2425371, prepared by Kehoe Meyers Consulting Engineers and dated 22 October 2025

**Amendments:** Nil.

**Document:** Site Based Management Plan, Version 1.

**Description:** Site Based Management Plan, Project No. J002481, prepared by Range Environmental Consultants and dated 6 August 2025.

**Amendments:** Nil.

## STAGED DEVELOPMENT

11. 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.
12. 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 carried out at one time, subject to all conditions applicable to the relevant stages being complied with.

## AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

13. 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.

## DEDICATIONS, AGREEMENTS & CONTRIBUTIONS

### REGISTRATION OF PLAN OF SURVEY

14. Prior to the commencement of the use, Lot 8 of Development Permit RAL/2024/7202 must be sealed and registered in accordance with the requirements of Development Permit RAL/2024/7202. The Plan of Survey for subdivision must be registered with the Department of Resources and proof of registration provided to Council.

## DEVELOPMENT CONSTRAINTS

### AIRPORT ENVIRONS

15. Development and associated activities must not create a permanent or temporary physical or transient intrusion into a strategic airport's operational airspace unless the intrusion is approved in accordance with the relevant federal legislation.

16. All food and/or waste holding areas and receptacles must be contained and covered.
17. Roofs of buildings must be a non-reflective colour or material.
18. Any outdoor lighting, including street lighting must comply with the requirements of Chapter 9 of the *CASA Manual of Standards Part 139 – Aerodromes*.

## WORKS

### ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

19. Plans and specifications for all works associated with car parking, vehicular access, stormwater drainage, earthworks, or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).
20. A RPEQ must submit to Council a copy of the:
  - 20.1 Design Certificate prior to commencement of the works; and
  - 20.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
21. 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.
22. 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

23. All private stormwater quality devices installed within the subject land as part of the development must be maintained for the life of the development, in accordance with the manufacturer's guidelines and to best management practice, to ensure continuing level of performance for water quality for stormwater discharged from the subject land.
24. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.
25. All internal and external stormwater drainage works must be constructed generally in accordance with the stormwater management report listed within this Development Approval and in accordance with Development Approval OW/2025/5517.

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

### STORMWATER DISCHARGE

26. Stormwater from the new roofed and sealed areas must be picked up and discharged by way of sealed underground pipe to the lawful point of discharge, nominated as the 25m wide stormwater easement.

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

27. Design and construction of all internal stormwater drainage works must comply with applicable section of *Australian and New Zealand Standard AS/NZS 3500 - Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

### BULK EARTHWORKS

28. 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

29. 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 and operational work.
30. 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:
- 30.1 Dust deposition of 133 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

31. 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 surrounding properties.
32. Where considered warranted by Council and when requested in writing to do so, a vibration impact investigation must be undertaken to determine extent of any impacts. 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 minimise nuisance**

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

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

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 recycling (in accordance with the End of Waste Codes) 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.

#### **CONSTRUCTION NOISE IMPACT MITIGATION**

38. 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**

39. 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.
40. 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.
41. 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.
42. All disturbed areas must be mulched or turfed as soon as possible during construction.
43. 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, where applicable the ensuing 'on-maintenance' period.

#### **DAMAGE TO SERVICES & ASSETS**

44. Protect Council and public utility services and assets during construction of the development.
45. 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:

- 45.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
- 45.2 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.
46. 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.
47. 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)

48. The development must be connected to Council's existing wastewater reticulation system at no cost to Council.

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

49. 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: 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.*

50. All works requiring alteration or extension of infrastructure to be undertaken by Council must be completed under a private works agreement with Council and at no cost to 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 development must be connected to Council's reticulated water supply 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.*

52. 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.

53. Each individual tenancy 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*.

54. 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.

55. 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

56. Install telecommunications infrastructure to service the development which complies with the following:
- 56.1 The requirements of the *Telecommunications Act 1997* (Cth);
  - 56.2 For a fibre ready facility, the standard specifications current at the time of installation for a carrier under the *Telecommunications Act 1997*; and
  - 56.3 For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is located underground.
57. 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.
58. 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](http://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

59. 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

60. 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
61. Any graffiti deterrent building design elements and surface treatments are to be maintained at all times.
62. All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.
63. All fixed mechanical plant must be contained within the building or visually screened to all street frontages, public viewing locations and adjoining premises.
64. 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)

65. 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.
66. 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.

67. 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.
68. Fences and walls must be maintained in a good state of repair to ensure that their intended function (i.e. privacy, security, safety, acoustic, livestock, pest exclusion etc.) is maintained.
69. All costs associated with meeting the fencing requirements listed within this Development Approval must be borne by the developer.
70. Fences and walls provided adjacent to public places (streets, laneways, 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:
  - 70.1 Unless otherwise approved and erected for the purpose of acoustic attenuation, not exceed a maximum height of:
    - (a) 2m where at least 50% of the fence or wall is transparent; or
    - (b) 1.2m otherwise; and
  - 70.2 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 (AGRDO4A-09)*.

## **STREET IDENTIFICATION**

71. 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.

## **ACCESS FOR PEOPLE WITH DISABILITIES**

72. 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**

73. The development must be designed and constructed to enhance community safety by ensuring:
  - 73.1 Vandal proof fittings, fixtures and materials which are hardy and not easily removable are used in the construction and finishing of the development; and
  - 73.2 Ground level windows use toughened glass, screens or other protective measures to deter unlawful entry to the development.
74. The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.
75. Safety and security lighting must be provided to the following areas of the subject land:
  - 75.1 All entries and exits of buildings;
  - 75.2 All pathways linking car parking areas to the entrances and exits of buildings; and
  - 75.3 Throughout car parking areas.
76. 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 AS4282-2023 Control of the obtrusive effects of outdoor lighting*

- 77. Pedestrian routes between car parking areas and buildings must be clearly signed and marked.
- 78. Parking spaces must be available for use by employees and visitors during the approved hours of operation for the business.

## **TRANSPORT, VEHICULAR ACCESS & PARKING**

### **ROADWORKS (INTERNAL TO DEVELOPMENT)**

- 79. Internal roads/driveways must generally be constructed as shown on the approved plans.
- 80. The internal roads/driveways must be constructed to a sealed standard, including kerb and channel on both sides of the new roads as shown on the approved plans.

### **ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY**

- 81. 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.*

- 82. 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.*

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

- 83. The premises must be provided with a minimum of 60 on-site car parking spaces inclusive of one (1) PWD car parking spaces, together with standing and manoeuvring for B-Double service vehicles. Car parking and manoeuvring areas must be:

- 83.1 Constructed generally as shown on the Approved Plans listed within this Development Approval;
- 83.2 Provided with a sealed surface and be line marked or otherwise delineated to the minimum dimensions detailed in the *Toowoomba Regional Planning Scheme 2012 and Australian Standard AS2890 - Parking Facilities*;
- 83.3 Designed and constructed in accordance with the requirements of AS2890;
- 83.4 Designed to ensure disabled car parking spaces are located in close proximity to a primary building entrance and meet the requirements of AS2890.1 Clause 2.4.5 (1.3m high bollards), AS1428.1 and AS2890.6:2009;
- 83.5 Accessible and available to the general public and staff during approved hours of operation;
- 83.6 Provided with signage and pavement markings that indicate the location of parking areas and the proposed flow of traffic through the subject land;
- 83.7 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; and
- 83.8 Designed to enable all vehicles to enter and leave the subject land in a forward gear.

## **ENVIRONMENT & WASTE**

## SITE BASED ENVIRONMENTAL MANAGEMENT PLAN

84. The approved use must be carried out in accordance with the Management Actions included in the Site Based Management Plan listed within this Development Approval.
85. The endorsed Site Based Environmental Management Plan must be implemented, maintained and modified where necessary to maintain compliance with the requirements of this Development Approval at all times.

### ACOUSTIC AMENITY - GENERAL

86. Acoustic measures and treatments must be incorporated into the development in accordance Section ECP 1 of the Site Based Management Plan listed within this Development Approval.

### ACOUSTIC AMENITY - NOISE LIMITS

87. Noise from activity associated with the use of the subject land must not include substantial low frequency noise components and must not exceed the levels specified in **Table 2** when measured at any receptor.

**Table 2 – Noise Limits**

Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays		
	7am-6pm	6pm-10pm	10pm-7am	7am-6pm	6pm-10pm	10pm-7am
	Noise measured at a sensitive place					
L <sub>Aeq</sub> adj,1hr	42	42	37	42	42	37
L <sub>A1</sub> adj,1hr	52	52	47	52	52	47
	Noise measured at a commercial place					
L <sub>Aeq</sub> adj,1hr	55	55	55	55	55	55

88. 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

89. 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*.

### AIR QUALITY & AMENITY - GENERAL

90. Air pollution control measures must be incorporated into the development in accordance with Section ECP 1 of the Site Based Management Plan listed within this Development Approval.

### AIR QUALITY & AMENITY - AIR RELEASE LIMITS (DUST AND PARTICULATE MATTER)

91. All reasonable and feasible avoidance and mitigation measures are employed so that dust and particulate matter emissions generated from activity associated with the use of the subject land do not exceed the following levels when measured at any sensitive place or commercial place:

- 91.1 Dust deposition of 133 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*.

- 91.2 A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM<sub>10</sub>) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, for no more than 5 exceedances recorded each year, when monitored in accordance with the most recent version of either:
- (a) *Australian Standard AS3580.9.6: Methods for sampling and analysis of ambient air—Determination of suspended particulate matter - PM<sub>10</sub> high volume sampler with size-selective inlet – Gravimetric method*; or
  - (b) *Australian Standard AS3580.9.9: Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM<sub>10</sub> low volume sampler - Gravimetric method.*
- 91.3 A concentration of particulate matter with an aerodynamic diameter of less than 2.5 micrometres (PM<sub>2.5</sub>) suspended in the atmosphere of 25 micrograms per cubic metre over a 24-hour averaging time, when monitored in accordance with the most recent version of *Australian AS3580.9.10 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM<sub>2.5</sub> low volume sampler - Gravimetric method.*
- 91.4 A concentration of particulate matter suspended in the atmosphere of 90 micrograms per cubic metre over a 1 year averaging time, when monitored in accordance with the most recent version of *AS/NZS3580.9.3: Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - Total suspended particulate matter (TSP) - High volume sampler gravimetric method.*
92. 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**

93. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-2023 Control of the obtrusive effects of outdoor lighting.*
94. 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).
95. 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.

## **STORMWATER QUALITY**

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

## **STORAGE OF LIQUID CHEMICALS**

97. All liquid chemicals (including flammable liquids, agricultural and veterinary chemicals, waste oil, acid and lube oil) must be stored within dedicated impervious secondary containment stores, structures or devices and in a manner that complies with *Australian Standards AS1940 - The storage and handling of flammable and combustible liquids* and *AS 2507 - The storage and Handling of Agricultural and Veterinary Chemicals*.

#### **WASTE MANAGEMENT (GENERAL)**

98. 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*.

#### **WASTE MANAGEMENT (BIN PROVISION & STORAGE)**

99. Refuse storage facilities must be provided generally in accordance with the Approved Plans listed within this Development Approval and the following:

- 99.1 The size, mix and capacity of bins provided must be sufficient to accommodate the type and level of waste likely to be generated from the development having regard to the frequency of disposal or collection;
- 99.2 Provision of a constructed bulk bin store with an impervious hardstand base for the permanent storage location and service collection of all bulk bins, having minimum dimensions which exceed the combined size of bins by at least 300mm at the rear and both sides and 600mm at the front and no closer than 2m to any fresh air intake of a habitable room;
- 99.3 Refuse storage facilities must be screened from public vantage points with a minimum 1.5m high built structure, enclosure or solid screen fencing; and
- 99.4 Bins must be kept in a clean state and in good repair and fitted with tight-fitting lid assemblies designed to prevent ingress of pests and water.

#### **WASTE MANAGEMENT (REMOVAL)**

100. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:

- 100.1 Disposal of waste generated must be undertaken in accordance with the *Environmental Protection Regulation 2019*;
- 100.2 Collection by a refuse vehicle from within the site only, and not from the kerbside;
- 100.3 Bins must be located in a manner that allows the refuse vehicle to pick them up automatically without the driver or any other person having to relocate them;
- 100.4 General waste must be collected and removed at periods not exceeding seven days;
- 100.5 Bins must be stored at their place of permanent storage other than times ahead of or during waste removal; and
- 100.6 The waste collection method must ensure that waste is adequately managed to prevent escape of contamination.

### **LANDSCAPING**

#### **LANDSCAPE PLAN**

101. The development site must be landscaped and maintained in accordance with works shown on the approved Landscape Plans listed within this Development Approval and the following:
- 101.1 Planting areas must be friable, organic topsoil, cultivated to minimum 450mm depth and be clear of any rubbish, rocks or building rubble;

- 101.2 All planting areas and individual trees must be mulched with minimum 100mm depth organic mulch;
- 101.3 An irrigation system or watering points must be provided to all planting areas; and
- 101.4 Where required, root barrier devices must be installed where tree plantings are sited within 2 metres of any services and or structures. Barriers must be fit for purpose and installed in accordance with the manufacturer's specification;
102. All landscape works must be installed and established by a suitably qualified person (Landscape Architect, Horticulturalist or equivalent) that ensures healthy, sustained and vigorous plant growth. Where required plant material should be replaced or enhanced to ensure growth to full form and coverage of all dedicated landscape areas. Landscape planting is to be retained and maintained for the life of the development in accordance with the conditions of this Development Approval.
103. Certification must be submitted to Council from a suitably qualified person (Landscape Architect or Landscape Designer) that certifies landscaping works comply with the requirements of this Development Approval.

## ADVICES

### INFRASTRUCTURE CHARGES

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

### OTHER LAWS & REQUIREMENTS

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

### WHEN APPROVAL STARTS TO HAVE EFFECT

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

### WHEN APPROVAL LAPSES

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

### EXCAVATION & FILLING

- 7) The *Toowoomba Regional Planning Scheme 2012* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> 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<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> 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.

## EQUITABLE ACCESS & FACILITIES

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

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

- 8.1 The *Disability Discrimination Act 1992* (Cth);
- 8.2 The *Anti-Discrimination Act 1991* (Qld); and
- 8.3 The *Disability (Access to Premises - Buildings) Standards*.

## ENVIRONMENTAL HARM

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

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

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

## ENVIRONMENTALLY RELEVANT ACTIVITIES

- 10) Should the premises, or any part of the premises, be used for an "Environmentally Relevant Activity" as defined under Schedule 2 the *Environmental Protection Regulation 2019*, separate approval is required by the relevant Administering Authority in accordance with the *Environmental Protection Act 1994* and where applicable the *Planning Act 2016* before such use commences.

## FIXED MECHANICAL PLANT NOISE

- 11) Ensure that during the detailed building design and construction phase, including the design, selection and installation of fixed plant and equipment, A/C units and refrigeration plant, mechanical exhausts, acoustic enclosures/plant rooms and the like, that the ongoing advice and design input of a qualified acoustic consultant is sought and implemented to ensure that the operation of such plant and equipment complies with statutory and planning noise limits.

Mechanical plant and equipment should be provided with appropriate acoustic enclosures or screening and located away from adjacent noise sensitive premises.

## 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.

## FIRE ANTS

- 13) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the

provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

### **ADVERTISING SIGNS**

- 14) Placing an advertising device on premises is accepted development where complying with the assessment benchmarks that form the requirements for accepted development in the Advertising Devices Code in the *Toowoomba Regional Planning Scheme 2012*. A separate Operational Work approval will be required for any Advertising Devices not complying with the assessment benchmarks that form the requirements for accepted development in the Advertising Devices Code.

### **BUILDING OVER, OR NEAR, COUNCIL INFRASTRUCTURE**

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

### **TRADE WASTE APPROVAL**

- 16) This Development Approval does not imply or give approval to the owners or occupiers of the subject land to discharge trade waste to Council's sewers. Council administers trade waste regulation as defined in the *Water Supply (Safety & Reliability) Act 2008* through its *Trade Waste Policy* and *Trade Waste Environmental Management Plan*. A separate Trade Waste Permit is required where trade waste is expected to be discharged to Council's sewers.

Please note that a Trade Waste Approval may require the installation of a pre-treatment arrestor and a metering device. Please contact Council's Trade Waste Services from the Water Operations Branch via the Customer Service Centre (131 872) for further information in respect of trade waste.

## PART B – DEVELOPMENT PERMIT FOR OPERATIONAL WORKS

### GENERAL

#### APPROVED DEVELOPMENT

1. This Development Approval is for carrying out operational work for:
  - 1.1 Stormwater Works.

#### CARRY OUT AND MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Toowoomba Regional 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 commencement of the use, and thereafter.
4. All work associated with this Development Approval must be completed within two (2) years of this Development Approval starting to have effect.

#### APPROVED DRAWINGS

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

**Drawing No:** C2324371 GEN01, Issue P2

**Description:** Cover Sheet, prepared by Kehoe Myers Consulting Engineers, dated 14/08/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWD01, Issue P3

**Description:** Stormwater Layout Plan, prepared by Kehoe Myers Consulting Engineers, dated 22/09/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWD02, Issue P3

**Description:** Stormwater Drainage Layout, prepared by Kehoe Myers Consulting Engineers, dated 22/09/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWD03, Issue P2

**Description:** Stormwater Notes & Details, prepared by Kehoe Myers Consulting Engineers, dated 14/08/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWD04, Issue P2

**Description:** Stormwater Longitudinal Sections, prepared by Kehoe Myers Consulting Engineers, dated 14/08/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWD05, Issue P3

**Description:** Detailed Stormwater Drainage Layout, prepared by Kehoe Myers Consulting Engineers, dated 22/09/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWM01, Issue P3

**Description:** Post-Development Stormwater Catchment, prepared by Kehoe Myers Consulting Engineers, dated 22/09/2025

**Amendments:** Nil

**Drawing No:** C2425371 SWM02, Issue P2

**Description:** Stormwater Calculations Table, prepared by Kehoe Myers Consulting Engineers, dated 14/08/2025

**Amendments:** Nil

## COMPLETION PERIOD

6. In accordance with section 88(1) of the *Planning Act 2016* (Qld), this Development Approval lapses if the development is not completed within two (2) years of this Development Approval starting to have effect.

## CONSTRUCTION REQUIREMENTS

### HOURS OF CONSTRUCTION

7. Unless otherwise approved in writing by Council's Manager, Development Engineering and Plumbing Services, approved hours of construction are between the hours of 6.30 am to 6.30 pm Monday to Saturday.
8. Unless otherwise approved in writing by Council, no works are permitted on Public Holidays.
9. Any activities which cause noise nuisance must not be carried out on the subject land outside the approved hours of construction or on Sundays or Public Holidays.

### CONSTRUCTION WORKS

10. The construction works shall be in accordance with the requirements outlined in *Planning Scheme Policy No 2 SC6.2.7.7*.
11. During the course of construction works:
  - 11.1 Ensure that the works are carried out by a qualified contractor;
  - 11.2 Accept responsibility for all aspects of the works, including public safety; and
  - 11.3 Ensure adequate barricades, signage and other warning devices are in place at all times.
12. A minimum of \$10 million of Public Liability Insurance and Workers Compensation Insurance must be secured at all times throughout the construction and maintenance periods by the developer /contractor.

### VERGE WORKS

13. All work carried out in the road reserve must be carried out during daylight hours only unless approved otherwise by Council's Manager, Development Engineering and Plumbing Services. No excavations, stockpiles of material or other hazards or obstructions are to be left on the verge during hours of darkness.

*Note: Should access to footpaths, verge or road 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.*

### DAMAGE TO SERVICES & ASSETS

14. Protect Council and public utility services and assets during construction of the development.
15. 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:
  - 15.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
  - 15.2 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.

16. 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.
17. 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 131 872*

#### **PEDESTRIAN AND CYCLIST SAFETY**

- 18 Safe pedestrian and cyclist 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.*

#### **EROSION AND SEDIMENT CONTROL**

19. Erosion and sediment control measures in accordance with *Planning Scheme Policy PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure* must be implemented as necessary, and must be maintained at all times during the works period.
20. 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.
21. 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.
22. 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.

### **WORKS**

#### **STORMWATER DRAINAGE**

23. All stormwater drainage works carried out under this Development Approval must comply with *PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure*
24. Stormwater from the subject land must be collected and discharged by way of sealed underground pipe in accordance with the approved plans listed within this Development Approval.
25. Stormwater quality must be ensured by the use of stormwater quality best management practice .
26. The private stormwater quality devices installed within the subject land as part of the development must be maintained for the life of the development (in accordance with the manufacturer's guidelines/to best management practice) to ensure continuing level of performance for water quality for stormwater discharged from the subject land.
27. All land adjoining the development must be protected at all times from ponding or nuisance from stormwater resulting from the development.

#### **WASTEWATER INFRASTRUCTURE**

28. Where the location and levels of existing services are unknown, the contractor must pothole to establish the accurate location and level. The existing services must be included on amended detailed design drawings, which must be submitted to Council for approval a minimum of 5 days prior to the prestart meeting. Required clearances and cover to the existing wastewater infrastructure must be maintained unless otherwise approved by Council.

29. Any connection to or modification of Council's live wastewater infrastructure must be undertaken by Council.

*Note: For a private works quotation for the required works Council's Water & Wastewater Department can be contacted on ph 131 872. Subject to payment of the quotation, a suitable time for this work to be carried out must be agreed with Council.*

### **SIGNAGE AND LINEMARKING**

30. All works on or near roadways must be adequately signed in accordance with Toowoomba Regional Council Planning Scheme Policy *PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure* as well as the Manual of Uniform Traffic Control Devices (MUTCD) guidelines.

*Note: Any road or lane closures will require written application to Council, and all conditions of Council approval must be complied with throughout construction of the works.*

### **CERTIFICATION OF CONSTRUCTION WORKS**

31. A supervision certificate completed by a Registered Professional Engineer of Queensland – Civil must be provided upon completion of the works certifying that the works have been completed in accordance with the approved plans and specifications.
32. The Registered Professional Engineer of Queensland performing any task or function associated with the proposed works must hold professional indemnity insurance to the value of \$2 million.

### **B. ADVICES:**

#### **RELIANCE ON ENGINEER'S CERTIFICATION**

- 1) In approving plans and specifications for this project, Council has carried out an audit check of information submitted by Kehoe Myers Consulting Engineers. Accordingly, Council has placed reliance on the certificate of design signed by the Registered Professional Engineer Queensland (RPEQ) that the Approved Plans and specifications are correct and in accordance with required engineering standards. The RPEQ bears full responsibility for all aspects of the engineering design. Council reserves the right to require further amendments and/or additions at a later stage, should design errors become apparent.

#### **WHEN APPROVAL STARTS TO HAVE EFFECT**

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

#### **WHEN APPROVAL LAPSES**

- 3) 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..

#### **OTHER LAWS & REQUIREMENTS**

- 4) 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.
- 5) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). 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](http://www.tr.qld.gov.au).

- 6) 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*.

### ENVIRONMENTAL HARM

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

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

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

### ENVIRONMENT PROTECTION & BIODIVERSITY CONSERVATION ACT 1999

- 8) 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

- 9) 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

- 10) 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 Partnership (DATSIP) Cultural Heritage Unit to discuss any obligations under the ACH Act.

### FIRE ANTS

- 11) 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 *Nature Conservation (Plants) Regulation 2020* apply, compliance with statutory provisions must be achieved.

### REASONS FOR RECOMMENDATION

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 2). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance.

### DELEGATE'S DECISION

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



Krys den Hertog, Principal Planner  
Planning Branch

Decision Date: 21 November 2025

**BACKGROUND**

<b>SITE DETAILS</b>				
<b>Site Address</b>	Vision Street, WELLCAMP QLD 4350			
<b>Real Property Description</b>	Part of Lot 4 SP353522			
<b>Site Area</b>	27.59ha Part of Lot 4 SP353522 subject of this application – 11.83ha			
<b>Owner</b>	Witmack Industrial Pty Ltd			
<b>SITE CHARACTERISTICS</b>				
<b>Current Land Use</b>	Gravel Laydown Area in Northern part of Lot 4. Telecommunications Facility			
<b>Site Frontage/s</b>	Vision Street – 22m Pipe Street – 55.3m Gore Highway – 739m			
<b>Road/s</b>	<b>Order of Road</b>	<b>Width of Road Reserve</b>	<b>Width of Pavement</b>	<b>Road Material</b>
Vision Street	Local	22m	14m	Asphalt
Pipe Street	Local	22m 49.5m at cul-de-sac head	14m 42m at cul-de-sac head	Asphalt
Gore Highway	Highway	104 – 115m	13.5 – 22.5m	Asphalt
<b>Easements</b>	Easement A SP239973 – Access – Temporary Turnaround Easement N SP304213 – Access			
<b>Existing Structures</b>	Constructed Internal Road/Driveway within Easement N SP304213. Structures associated with Telecommunications facility. Igloos and dongas within northern part of Lot associated with gravel laydown area.			
<b>Infrastructure</b>	The subject site has access to all urban infrastructure. A stormwater table drain runs from the gore highway through the middle of the lot and then along the lots western boundary to the north toward Dry Creek.			
<b>Topography</b>	The subject generally site falls to the north/north-west by approximately 15m.			
<b>Street Trees</b>	Nil.			
<b>Other Features</b>	Nothing of note.			
<b>PLANNING SCHEME SITE DATA</b>				
<b>Current Planning Scheme</b>	<i>Toowoomba Regional Planning Scheme 2012</i> (Version 28)			Adopted: 28/11/22
<b>Zone</b>	Medium Impact Industry			
<b>Precinct</b>	Nil.			
<b>Local Plan</b>	Charlton Wellcamp Enterprise Area Local Plan			
<b>Overlays</b>	Airport Environs - 8km Wildlife Hazard Buffer Zone			
<b>Infrastructure Charges Resolution</b>	<i>Charges Resolution No. 7</i>			Adopted: 19/08/25
<b>SURROUNDS:</b>				
<b>Direction</b>	<b>Land Use</b>	<b>Zone/Precinct</b>		
<b>North</b>	Industrial Computer Server Facility and Data Centre	Medium Impact Industry		
<b>East</b>	Gore Highway Rural	Community Facilities/Government Facilities Rural/100ha Minimum		
<b>South</b>	Vacant land Gore Highway Waste Transfer Station Rural	Medium Impact Industry Community Facilities/Government Facilities Rural/100ha Minimum		

<b>West</b>	Rural	Rural/100ha Minimum
<b>Other Features</b>	Nothing of Note.	

<b>APPLICATION HISTORY</b>			
<b>Application No.</b>	<b>Description</b>	<b>Decision Date</b>	<b>Decision</b>
MCUC/2016/2385	Development Permit for Material Change of Use – Code – Research and Technology Industry (Computer Server Facility and Data Centre)	26 May 2016	Approved
MCUC/2016/2385/A	Request for Negotiated Decision Notice for Development Permit for Material Change of Use – Code – Research and Technology Industry (Computer Server Facility and Data Centre)	28 July 2016	Approved
MCUC/2016/2385/B	Request for Negotiated Infrastructure Chagres Notice for Development Permit for Material Change of Use – Code – Research and Technology Industry (Computer Server Facility and Data Centre)	17 June 2016	Refused
MCUC/2016/2385/C	Request to Change Development Permit for Material Change of Use – Code – Research and Technology Industry (Computer Server Facility and Data Centre)	19 August 2024	Approved
MCUC/2016/2385/D	Request to Change Development Permit for Material Change of Use – Code – Research and Technology Industry (Computer Server Facility and Data Centre)	1 April 2025	Approved.
OW/2017/478	Development Permit for Operational Works – Bulk Earthworks, Road works, Wastewater, Water Supply and Vehicular Access	4 April 2017	Approved
MCUI/2018/2882	Development Application for Preliminary Approval for a Variation Request to Vary the Effect of the Planning Scheme	Under Assessment	Under Assessment
RAL/2018/3075	Development Permit for Reconfiguring a Lot – Two (2) into Three (3) Lot Community Title Subdivision	20 August 2018	Approved
RAL/2024/7202	Development Permit for Reconfiguring a Lot – Reconfigure 3 into 10 Lots and Access Easement	1 April 2025	Approved
OW/2025/3520	Development Permit for Operational Works – Road Work, Stormwater, Water Infrastructure, Drainage Work, Earthworks, Sewage Infrastructure and Driveway Crossovers	11 July 2025	Approved
PREL/2025/3964	Meeting held 2 July 2025.		
<b>Other</b>	The proposed development is located on Lot 8 of the approved Development Permit for Reconfiguring a Lot (RAL/2024/7202) and will be accessed via an extension to Vision Street in accordance with the conditions of this Development approval. Operational Works for the construction of this road has also been approved (OW/2025/3520).		

<b>PROPOSED DEVELOPMENT</b>	
<b>Name of Applicant</b>	F K Gardner & Sons Pty Ltd
<b>Type of Application</b>	Material Change of Use Operational Works Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and

	ERA61(4)	
<b>Proposed Development</b>	High Impact Industry (Industry Biotechnology Centre) Warehouse Stormwater	
<b>Variations Sought</b>	Not Applicable	
<b>Level of Assessment</b>	Impact Assessable	
<b>Gross Floor Area</b>	Stage 1 – 5,547m <sup>2</sup> Stage 2 – 2,000m <sup>2</sup> Stage 3 – 2,000 m <sup>2</sup> Stage 4 – 2,038m <sup>2</sup> Total – 11,585m <sup>2</sup>	
<b>Impervious Area</b>	32,341m <sup>2</sup>	
<b>Car Parking Spaces</b>	60 spaces inclusive of one (1) PWD	
<b>Service Vehicle Provision</b>	B-double	
<b>Submissions Received</b>	Objection:	Nil
	Support:	Nil
<b>Decision Making Period Ends</b>	24 November 2025	

## CONSULTATION UNDERTAKEN

### Referral Agency/ies

Referral Agency (Technical Agency)	Referral Role	Aspect of Development Requiring Referral	Response
Department of State Development, Manufacturing, Infrastructure and Planning	Concurrence	<p><b><u>Environmentally Relevant Activities</u></b> Schedule 10, Part 5, Division 4, Table 2— Item 1</p> <p><b><u>State Transport Corridors</u></b> Schedule 10, Part 9, Division 4, Subdivision 1, Table 1— Item 1</p> <ul style="list-style-type: none"> <li>Development exceeds threshold for development in local government area 2</li> </ul> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4— Item 1</p> <ul style="list-style-type: none"> <li>Premises within 25m of a State transport corridor</li> </ul>	A referral agency response was provided to Council on 16 October 2025 providing conditions to accompany a future decision for the development

### Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Reviewed application and recommended conditions for approval.
Place – Environmental	Reviewed application and recommended conditions for approval.
Place – Landscape	Reviewed application and recommended conditions for approval.
Place –Design and Development	Reviewed application and recommended conditions for approval.
Infrastructure Charges Unit	Preparing an Infrastructure Charges Notice in accordance <i>with Charges Resolution No. 7</i> to accompany an approval of the development.

## Public Notification

The Notice of Compliance was received by Council on 20 October 2025. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 24 September 2025;
- Placing a notice on the land from 24 September 2025 until 17 October 2025; and
- Notifying owners of all land adjoining the site on 23 September 2025.

No submissions were received in relation to the proposed development.

## ISSUES, RISKS AND RESPONSES – ASSESSMENT

### Categorising Instrument – *Planning Regulation 2017*:

PLANNING REGULATION 2017	
<i>Prohibited Development</i>	The proposed development is not prohibited development in accordance with the <i>Planning Regulation 2017</i> .
<i>Infrastructure Charges</i>	The <i>Planning Regulation 2017</i> provides for the levying of infrastructure charges on development approvals.
<i>Schedules 9 and 10</i>	Schedules 9 and 10 categorises particular development and details the relevant assessment benchmarks for development as relevant. The development was referred to SARA in accordance with the requirements of Schedule 10

REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	<p>The subject site is mapped within the bounds of the <i>Shaping SEQ – South East Queensland Regional Plan 2023</i> (ShapingSEQ). ShapingSEQ identifies that the subject site is located within the SEQ Major Enterprise and Industrial Area (MEIA), which is intended to accommodate medium and high-impact industries and other employment uses associated with, or with access to, state transport infrastructure.</p> <p>The development application is consistent with the land use intent for the SEQ Major Enterprise and Industrial Area (MEIA) as it proposes a new High Impact Industry and Warehouse use within the MEIA.</p>
<i>Darling Downs Regional Plan October 2013</i>	The <i>Darling Downs Regional Plan 2013</i> (DDRP) is a statutory regional plan that is intended to provide planning policy to address planning matters that are of State interest and specific to the Darling Downs region. The subject site is located within the Restricted Area 384 of the DDRP as it is located within the SEQRP and accordingly the DDRP has no requirements.

STATE PLANNING POLICY (SPP) <i>July 2017</i>	
Interests	Assessment Comments
Housing Supply and Diversity	No applicable assessment benchmarks
Livable Communities	No applicable assessment benchmarks
Agriculture	No applicable assessment benchmarks
Development and Construction	No applicable assessment benchmarks
Mining and Extractive Resources	No applicable assessment benchmarks
Tourism	No applicable assessment benchmarks
Biodiversity	No applicable assessment benchmarks
Cultural Heritage	No applicable assessment benchmarks
Water Quality	No applicable assessment benchmarks

Emissions and Hazardous Activities	No applicable assessment benchmarks
Natural Hazards, Risk and Resilience	No applicable assessment benchmarks
Energy and Water Supply	No applicable assessment benchmarks
Infrastructure Integration	No applicable assessment benchmarks
Transport Infrastructure	No applicable assessment benchmarks
Strategic Airports and Aviation Facilities	<p>The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) interactive mapping which accompanies the SPP identifies that this interest is applicable to the subject property. Specifically, the subject site is located within the Lighting area buffer 6km, Obstacle Limitation Surface Area, Obstacle Limitation Surface Contours, and Wildlife Hazard Buffer Zone (8km).</p> <p>The following benchmarks are applicable to the proposed development:</p> <ol style="list-style-type: none"> <li>(1) <i>Development and associated activities do not create a permanent or temporary physical or transient intrusion into a strategic airport’s operational airspace, unless the intrusion is approved in accordance with the relevant federal legislation.</i></li> <li>(2) <i>Development and associated activities do not include light sources or reflective surfaces that could distract or confuse pilots within a light restriction zone or lighting area buffer.</i></li> <li>(3) <i>Emissions do not significantly increase air turbulence, reduce visibility or compromise the operation of aircraft engines in a strategic airport’s operational airspace.</i></li> <li>(4) <i>Development and associated activities do not attract wildlife or increase wildlife hazards within a wildlife hazard buffer zone.</i></li> </ol> <p>The applicant submits:</p> <p><i>“The proposed development does not involve the introduction of structure or activities that would impact the operation or safety of airport operations. As such, no further consideration against this aspect of the SPP is warranted in this instance.”</i></p> <p><b>Officer Comment:</b>                  The development will intrude into the Obstacle Limitation Surface of the airport noting that the current ground level of the subject site already intrudes. Conditions have been recommended to identify that the development must not intrude into a strategic airport’s operational airspace unless the intrusion is approved in accordance with relevant federal legislation.</p> <p>Conditions of approval have also been recommended requiring that all roofing for any building on the site must be a non-reflective colour or material and that any outdoor lighting must comply with the requirements of Chapter 9 of the <i>CASA Manual of Standards Part 139 – Aerodromes</i>.</p> <p>The proposed used is not anticipated to attract wildlife to the area or result in an air turbulence or plumes that would compromise the operation of air space or aircraft engines.</p> <p>It is considered that the proposed development can be conditioned to satisfy the requirements of the State Planning Policy subject to ensuring compliance with separate federal airport legislation.</p>

### Local Categorising Instrument – Toowoomba Regional Planning Scheme 2012:

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework;
- Airport Environs Overlay Code;
- Charlton Wellcamp Enterprise Area Local Plan Code;
- Medium Impact Industry Zone Code;
- Industry Uses Code;
- Environmental Standards Code;
- Integrated Water Cycle Management Code;
- Landscaping Code;
- Transport, Access and Parking Code; and
- Works and Services Code.

The development was assessed against all of the assessment benchmarks listed above and is considered to comply without exception as follows:

#### STRATEGIC FRAMEWORK:

Theme	Assessment Comments
Settlement Pattern	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.
Natural Environment	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.
Community Identity and Diversity	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.
Natural Resources and Landscaping	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.
Access and Mobility	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.
Infrastructure and Services	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.
Economic Development	The proposal is considered to comply with the applicable strategic and specific outcomes of this element.

#### CHARLTON WELLCAMP ENTERPRISE AREA LOCAL PLAN CODE:

Performance Outcome	Acceptable Outcome
<p><i>PO<sub>3</sub></i>  <i>Development has access to all infrastructure networks at the level capable of servicing the proposed development and which considers the needs of future development.</i></p>	<p><i>AO<sub>3.1</sub></i>  <i>Development occurs on land that adjoins land where transport, water, wastewater, drainage and telecommunications infrastructure is already in place.</i></p>
<p><b>Alternate Outcome</b></p> <p>The applicant submits:</p> <p><b>“Complies (AO3.1)</b>  <i>The proposed development is capable of being connected to all required services and infrastructure including, water, sewerage, stormwater, road network, electricity services and telecommunication network.</i></p> <p><i>Refer to Table 4 the Town Planning Report prepared by Property Projects Australia for further information.</i></p> <p><i>A standard condition can be imposed to ensure compliance with the relevant requirements.”</i></p>	
<p><b>Officer Comment</b></p> <p>The proposed development will be located on Lot 8 of the approved Development Permit for Reconfiguring a Lot over the subject site (RAL/2024/7202). 8 will be provided with all urban infrastructure in accordance with the conditions of approval imposed as part of the Reconfiguring a Lot application. It is noted that a Development Permit has recently been given for Operational Works for stormwater infrastructure, earthworks, the extension of Vision Street and the extension of Council’s water and sewer infrastructure (OW/2025/3520) associated with the Reconfiguring a Lot Development Permit, which will ultimately provide these connections to Lot 8. As such, conditions of approval have been recommended to ensure</p>	

that Lot 8 is registered prior to the commencement of the use. The proposed development is therefore considered to comply with Performance Outcome PO <sub>3</sub> .	
Performance Outcome	Acceptable Outcome
PO <sub>11</sub> <i>Where the site is not being fully developed at one time, the layout allows for later development to be carried out in an orderly and efficient manner.</i>	<i>No acceptable outcome is nominated.</i>
Alternate Outcome	
The applicant submits:  <b>“Complies (PO11)</b> <i>The proposed development will be established across four (4) stages. The staging will allow the development to be carried out in an orderly manner where not being fully developed.”</i>	
Officer Comment	
See officer comments to Performance Outcome PO <sub>3</sub> above.  Further, the proposed development seeks to develop the eastern side of Lot 8 approved by the Development Permit for Reconfiguring a Lot over the subject site (RAL/2024/7202). While the development does not propose to fully develop the whole site, an internal private roadway has been provided through the centre of Lot 8 which provides the remainder of the lot with access to Vision Street, ensuring it can be appropriately developed in the future. It is therefore considered that the proposed development complies with Performance Outcome PO <sub>11</sub> .	
Performance Outcome	Acceptable Outcome
PO <sub>12</sub> <i>Hard stand areas are sited at the rear of buildings to ensure that such ancillary uses do not dominate streetscapes.</i>	<i>No acceptable outcome is nominated.</i>
Alternate Outcome	
The applicant submits:  <b>“Complies (PO12)</b> <i>Landscaping is provided along the frontage to the internal driveway towards the western portion of the site whereas an earthworks buffer is provided on the eastern boundary to ensure the hard stand area does not visually dominate the streetscape.”</i>  Further in response to Council’s Information Request the applicant submits:  <i>“...the landscaping strategy has been refined. As illustrated within the Revised Proposal Plans (Attachment 2) and the Revised Landscape Concept Plan prepared by Jackie Amos Landscape Architecture (Attachment 8) the landscaping strategy now involves a 10.0m wide landscaping buffer along the south eastern boundary of the site. As illustrated within Extract 3, a range of landscaping will be provided along the Gore Highway frontage.”</i>	
Officer Comment	
While the development does propose gravel hardstand areas to the rear of buildings away from the Vision Street frontage of the site, these spaces are located between the buildings and the Gore Highway road frontage of the site. Notwithstanding, it is noted that the subject of is located below the ground level of the Gore Highway. Further, a 10m wide landscaping strip is provided across the full Gore Highway road frontage of the site. The combination of the topography of the site and the proposed landscaping ensure that the gravel hardstand areas are appropriately screened from the Gore Highway in a manner that ensures that do not dominate this. Accordingly, the development is considered to comply with Performance Outcome PO <sub>12</sub> .	
Performance Outcome	Acceptable Outcome
PO <sub>15</sub> <i>The building has a height and bulk that allows for the building to be set into the landscape/ streetscape without becoming visually intrusive.</i>	AO <sub>15.2</sub> <i>Building height is not greater than 12m where on land within 100m of the Warrego Highway, Toowoomba Bypass or Toowoomba Cecil Plains Road. A building may have a height greater than 12m where it can be demonstrated that it will not have a significant impact on the visual amenity of the precinct.</i>
Alternate Outcome	
The applicant submits:	

<p><b>“Complies (AO15.2)</b>  <i>The subject site is not located within 100m of the Warrego Highway.”</i></p>	
<p><b>Officer Comment</b></p> <p>The proposed IBC and warehouses have a building height of 12.64m and 14.1–14.74m respectively and accordingly, do not meet the initial requirement of AO<sub>15.2</sub>. Notwithstanding, it is noted that the Acceptable Outcome does allow building heights greater than 12m where the building height does not have a significant adverse impact on the visual amenity of the precinct. The proposed development is setback over 40m from the Toowoomba Bypass (Gore Highway) and provides landscaping of 10m wide across the full Gore Highway road frontage of the site. Further, it is noted that the Lot 8 the subject of this application is located below the ground level of the Gore Highway. Accordingly, it is considered that the proposed building height will not have a significant adverse impact on the visual amenity of the site, being appropriately set into the landscape and streetscape, complying with Performance Outcome PO<sub>15</sub>.</p> <p>Any intrusion into the operational airspace of Toowoomba Wellcamp Airport will require approval in accordance with relevant federal legislation.</p>	
<p><b>Performance Outcome</b></p> <p>PO<sub>16</sub>  <i>Building bulk and form responds to local character, climatic conditions and contributes to an attractive streetscape.</i></p>	<p><b>Acceptable Outcome</b></p> <p>AO<sub>16.1</sub>  <i>The unarticulated length of external walls does not exceed 15m where:</i>  <i>(a) facing a road frontage; or</i>  <i>(b) visible from a residential area or public open spaces.</i>  <i>Development achieves articulation through the use of variation in textures, colours, finishes and landscaping.</i></p>
<p><b>Alternate Outcome</b></p> <p>The applicant submits:</p> <p><b>“Complies (PO16)</b>  <i>The proposed development incorporates a high-quality appearance to increase visual amenity for visitors and from public view.”</i></p> <p>Further in response to Council’s Information Request the applicant submits:</p> <p><i>“...the landscaping strategy has been refined. As illustrated within the Revised Proposal Plans (<b>Attachment 2</b>) and the Revised Landscape Concept Plan prepared by Jackie Amos Landscape Architecture (<b>Attachment 8</b>) the landscaping strategy now involves a 10.0m wide landscaping buffer along the south eastern boundary of the site. As illustrated within <b>Extract 3</b>, a range of landscaping will be provided along the Gore Highway frontage.”</i></p>	
<p><b>Officer Comment</b></p> <p>The proposed warehouse components of the building facing the Gore Highway road frontage comprise unarticulated walls greater than 15m and accordingly does not comply with AO<sub>16.1</sub>. Notwithstanding, awnings and roller doors have been provided along these elevations with variations in colouring and materials have been incorporated into the design (concrete dado wall with trim deck cladding above) to assist with breaking up the building bulk. Further, these buildings are setback further than 40m from the Gore Highway road frontage and a 10m wide landscaping strip provided along the full frontage of the site. Accordingly, the proposed development is considered to provide and contribute to an attractive streetscape and therefore comply with PO<sub>16</sub>.</p>	
<p><b>Performance Outcome</b></p> <p>PO<sub>22</sub>  <i>Development:</i>  <i>(a) has a high quality appearance when viewed from the street, adjoining properties and public open space; and</i>  <i>(b) minimises air quality, noise and odour impacts on the amenity of adjoining land.</i></p>	<p><b>Acceptable Outcome</b></p> <p><i>No acceptable outcome is nominated</i></p>
<p><b>Alternate Outcome</b></p> <p>The applicant submits:</p> <p><b>“Complies (PO22)</b>  <i>The proposed development is surrounded by industrial uses and thus all potential noise impacts are anticipated for the area. The proposed development will not produce any air or odour impacts.</i></p>	

*Refer to the Environmental Assessment prepared by Range Environmental at **Appendix G.***

Further in response to Council’s Information Request the applicant submits:

*“The design associated with the three (3) warehouses (Stage 2, Stage 3 and Stage 4) is reflective of the anticipated operation which will be limited to the storage of goods. Each warehouse includes variation in colour, materials and finishes with several openings for access, ventilation and access to light. It is highlighted that the number of openings for natural light and ventilation in Stage 2, Stage 3 and Stage 4 is directly proportional to the amount of activity anticipated in each warehouse.*

*Given the significant difference in grade between the Gore Highway and the development site in conjunction with the screening landscaping proposed along the south western boundary, motorists travelling along the highway will have limited visibility of the industrial facility.*

*Despite the above, the ultimate development, including, the site layout and each individual building, has been designed, sited and landscaped to ensure that the development is attractive and consistent with other nearby developments when viewed from the street, adjoining properties and public spaces.*

*The specialist consultant reporting submitted with this information request response demonstrates that all potential off-site impacts, including, air quality, noise and odour impacts, have been considered and will be appropriately mitigated.*

*The proposed warehouses have been designed with high quality materials and finishes which are entirely consistent with other industrial and warehouse type developments within the Charlton Wellcamp Enterprise Area Local Plan. Each building has been designed to a modern standard that allows the ultimate development to seamlessly fit in within the immediate area.”*

**Officer Comment**

See officer comments to Performance Outcomes PO<sub>12</sub>, PO<sub>15</sub> and PO<sub>16</sub> above in relation to the development’s appearance when viewed from the Gore Highway.

Noting the limited frontage of approved Lot 8 to Vision Street, the development is unable to directly front this site frontage, with the majority of the frontage required to provide a driveway crossover to Vision Street. Notwithsatdning, the development proposes a private internal road which acts as a continuation of Vision Street into the subject site to which the main IBC building fronts. Landscaping is also provided along the full frontage of this internal road ensuring the development maintains a high-quality appearance.

Large setbacks are provided to adjoining land to the north-east (57.7m), south (over 68m) and west (over 190m) with landscaping provided around the perimeters of the developed area, ensuring the development also maintains a high quality appearance from adjoining land.

Air quality, noise and odour impacts associated with the proposed development have been assessed in the Site Based Management Plan submitted in support of the development application. This report has been assessed by Council’s Environmental Planner and is considered to demonstrate that the proposed development can achieve off-site air quality, noise and odour impacts that are within acceptable defined limits. As such, the Site Based Management Plan has been recommended to be approved along with conditions of approval defining these limits and requiring mitigation/management measures to be provided in accordance with the Plan.

Noting the above, it is therefore considered that the development complies with Performance Outcome PO<sub>22</sub>

**DEVELOPMENT CODES:**

<b>TRANSPORT, ACCESS AND PARKING CODE</b>	
<b>Table 9.4.6:1</b>	
<b>Performance Outcome</b>	<b>Acceptable Outcome</b>
PO <sub>2</sub> <i>Provision is made for on-site vehicle parking to meet the demand likely to be generated by the development and to avoid on-street parking where that would adversely impact</i>	AO <sub>2.2</sub> <i>Where not in the Principal Centre Zone or Mixed Use Zone Car parking is provided at the rates set out in Table 9.4.6:3 to this Code</i>

<p>on the safety or capacity of the road network or unduly impact on local amenity.</p>	<b>Table 9.4.6:3</b>		
	<b>Development</b>	<b>Parking Rates</b>	<b>Service Vehicle Provision Rate</b>
	High Impact Industry	Two (2) spaces per tenancy plus one (1) space per 100m <sup>2</sup> GFA.	2,000m <sup>2</sup> GFA: No specific rate
Warehouse	1.5 spaces per 100m <sup>2</sup> GFA	2,000m <sup>2</sup> GFA: No specific rate	
<b>Alternate Outcome</b>			
<p>The applicant submits in response to Council's Information Request:</p>			
<p><i>"The warehouse component of the development will only employ six (6) staff members because contemporary warehousing operations are progressively more automated with less reliance on human intervention. As such, the proposed development has been designed to ensure that all parking demand is accommodated onsite, eliminating the potential of overflow car parking onto nearby streets and preserving the amenity of the surrounding area. By aligning parking provision with genuine operational needs, the development avoids establishing unnecessary and avoidable impervious areas which supports sustainability objectives and maximises the efficient use of land for industrial activity.</i></p>			
<p><i>As required, Council can condition a requirement that regulates the staffing levels for the warehouse land use. This is a standard approach that is adopted for other land uses, such as a childcare centre, where Council seeks to align car parking supply with projected staff numbers. In this scenario, the applicant acknowledges that, if car parking demand was to increase once the facility is operational, a change application would be required to increase staffing requirements and therefore car parking supply. In this regard, the site layout features several areas which could accommodate additional car parking areas, if required.</i></p>			
<p><i>With respect to the High Impact Industry use, a total Gross Floor Area (GFA) of 3,270m<sup>2</sup> is proposed. This generates a requirement of thirty-five (35) car parking spaces under AO2.2 of the Transport, Access and Parking Code. The Site Plan demonstrates that fifty-two (52) car parking spaces are provided within the car park that is adjacent to the High Impact Industry use.</i></p>			
<p><i>As outlined above, the proposed High Impact Industry use provides car parking in accordance with AO2.2 of the Transport, Access and Parking Code. The Warehouse use provides car parking that aligns with future staffing requirements and is therefore in accordance with performance outcome PO2 of the Transport, Access and Parking Code, which requires "...provision is made for on-site vehicle parking to meet the demand likely generated by the development and to avoid on-street parking...". In this instance, the demand is known as the projected staffing numbers a known and the likelihood for visitors to the warehousing use is low but accounted for in the two (2) visitor spaces that are provided. In addition to this, the likelihood of overflow car parking impacting on-street parking is also low (i.e. Vision Street) because:</i></p>			
<ul style="list-style-type: none"> <li><i>• There are likely surplus car parking spaces within Stage 1;</i></li> <li><i>• Proposed Lot 8 is well-removed from the Vision Street road reserve and has large areas available on-site to accommodate car parking in a location that is proximate to the proposed buildings;</i></li> <li><i>• Proposed Lot 8 is located some 405 metre walk from Pipe Street and access is restricted at that frontage. As such, people will not park and walk a ~405 metre walk (best case) to Proposed Lot 8;</i></li> <li><i>• There is no direct access between the site and the Toowoomba Second Range Crossing and parking on a highway is not permitted."</i></li> </ul>			
<b>Officer Comment</b>			
<p>The applicable car parking rate for a High Impact Industry Use with a total GFA of 3,270m<sup>2</sup> requires a minimum of 35 car parking spaces to be provided. The proposed Warehouse use with a total GFA 8,315m<sup>2</sup> would require a total of 125 car parking spaces. As such, to be consistent with the requirements of Table 9.4.6:3 the site would require a total of 160 spaces, however the development proposes a total of 60 car parking spaces. Notwithstanding, the Warehouse component of the development is intended to operate in an automated manner, with a maximum six (6) Full-time Equivalent (FTE) staff intended to be employed as part of its operations. As such, Council's assessing Engineer has advised that the proposed car parking arrangements for the development are considered acceptable to meet the required demand. Conditions of approval have been recommended to ensure that all 60 car parking spaces are provided and that the maximum number of FTE staff for the Warehouse component is limited to 6 to ensure that the development complies with Performance Outcome PO<sub>2</sub>.</p>			

**Local Categorising Instrument – Variation Approval:**

Not Applicable.

**Local Categorising Instrument – Temporary Local Planning Instrument:**

Not Applicable.

**Local Categorising Instrument – Preliminary Approval:**

Not Applicable.

**Local Categorising Instrument – Local Government Infrastructure Plan:**

The site is located within Council's identified Priority Infrastructure Area.

**Other Relevant Matters**

No further relevant matters considered in the assessment of this application.

**FINANCIAL / RESOURCE IMPLICATIONS**

Infrastructure charges will be applied in accordance with Council's *Charges Resolution No 7*.

**Human Rights Act 2019 CONSIDERATIONS**

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

In assessing this application consideration has been given to the following sections of the *Human Rights Act 2019*:

Section 15 – Recognition and equality before the law  
Section 21 – Freedom of expression

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

**CONCLUSION**

The development has been assessed with regard to the applicable assessment benchmark as identified within this report and the attached Statement of Reasons (refer to Schedule 2). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance. It is therefore recommended that the development application be approved subject to the conditions identified above.

**ATTACHMENT/S**

Attachment	1	of	10	Aerial Image
Attachment	2	of	10	Zoning Map
Attachment	3	of	10	Terrain Mapping
Attachment	4	of	10	State Mapping – Strategic Airports and Aviation Facilities Obstacle Limitation Surface Contours
Attachment	5	of	10	Approved Lot 8 (Council reference: RAL/2024/7202)
Attachment	6	of	10	Proposed Site Plan (with proposed markups by Council)
Attachment	7	of	10	Proposed IBC Elevations
Attachment	8	of	10	Proposed Stage 1 Warehouse Elevations
Attachment	9	of	10	Proposed Stage 2 Warehouse Elevations
Attachment	10	of	10	Proposed Stage 3 & 4 Warehouse Elevations

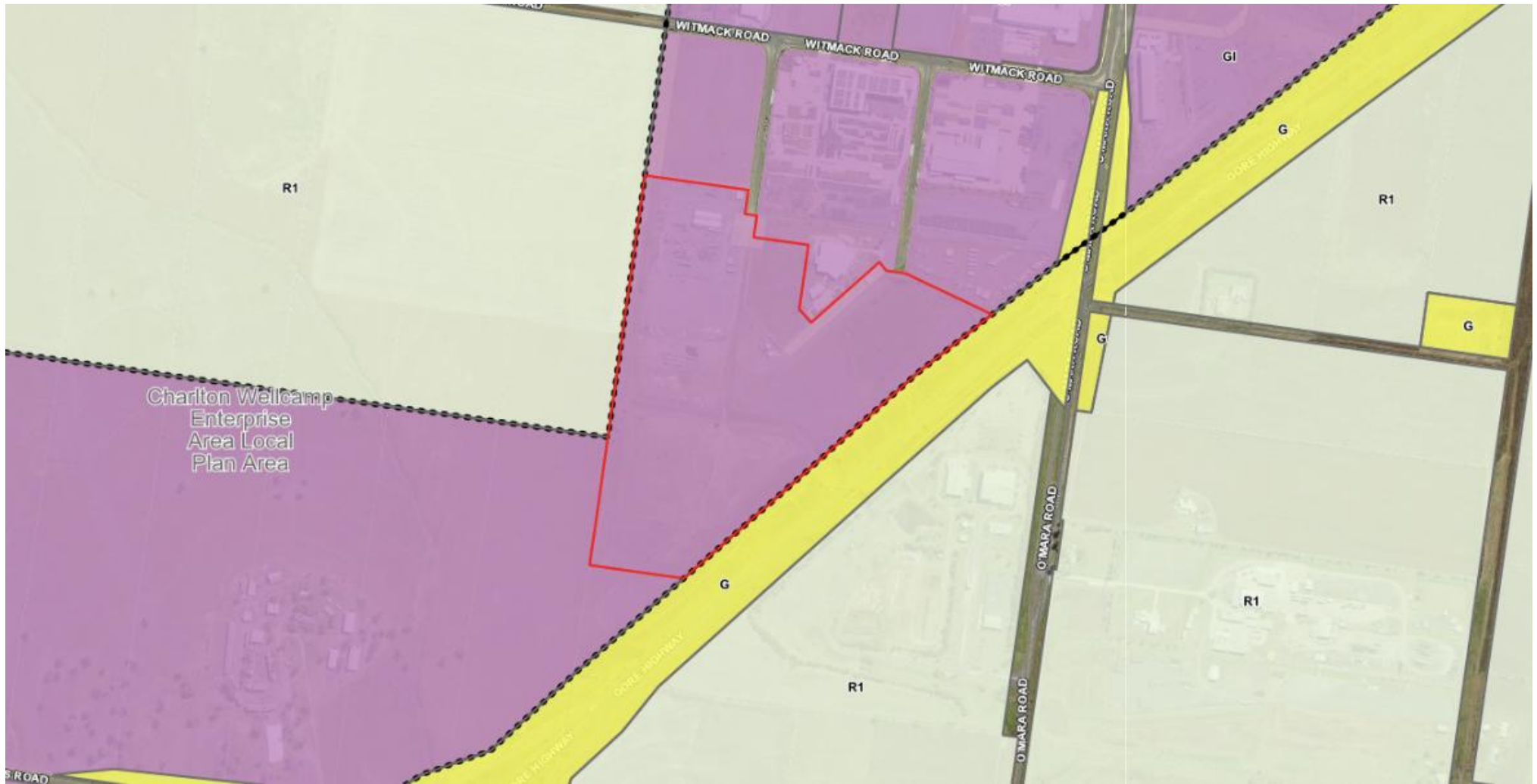
## **SCHEDULES**

- Schedule 1 Concurrence Agency Response
- Schedule 2 Statement of Reasons

**ATTACHMENTS**



**Attachment 1 – Aerial Image (Source: intraMaps 2025)**



Attachment 2 – Zoning Map (Source: intraMaps 2025)



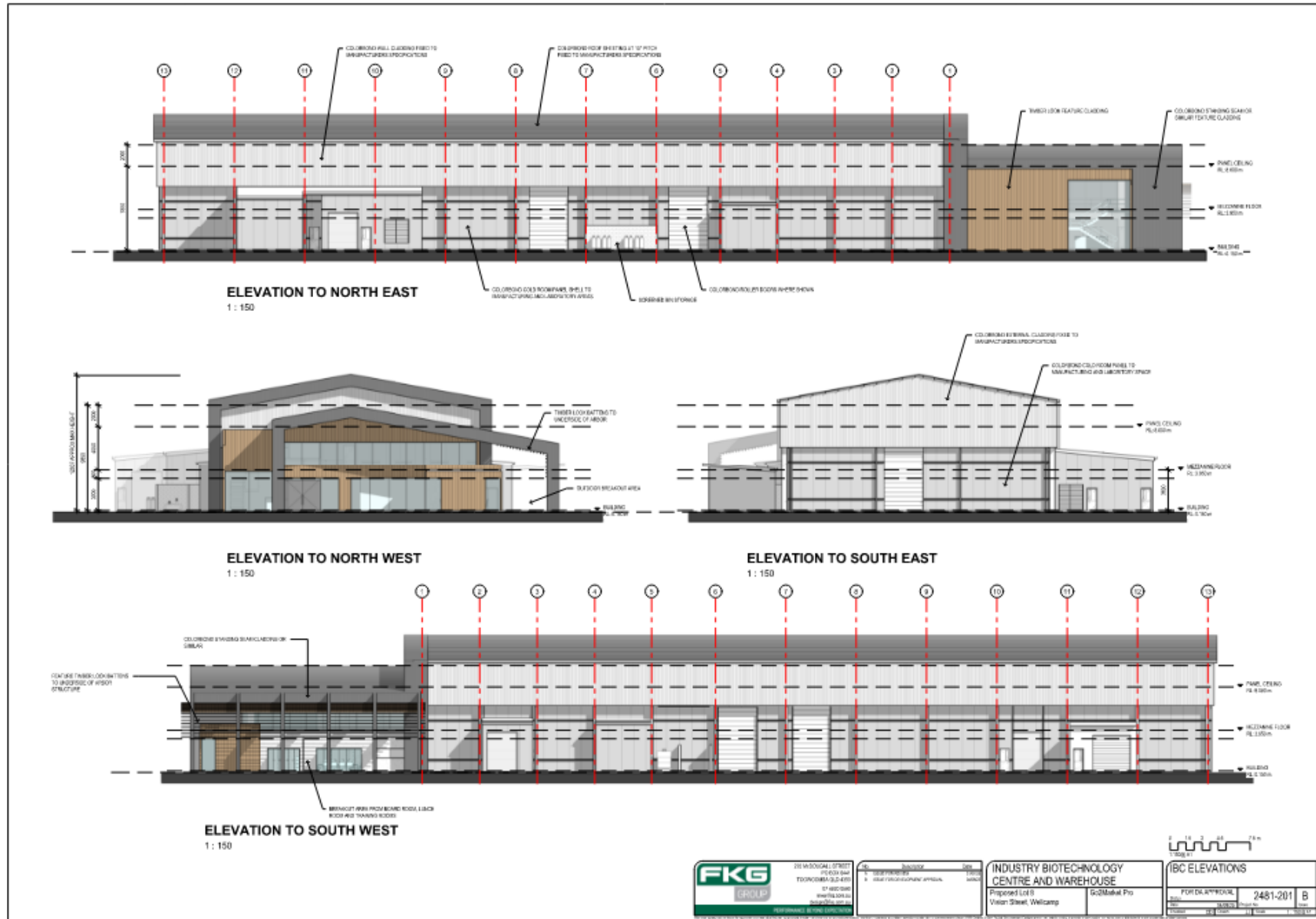
Attachment 3 – Terrain Mapping (Source: intraMaps 2025)



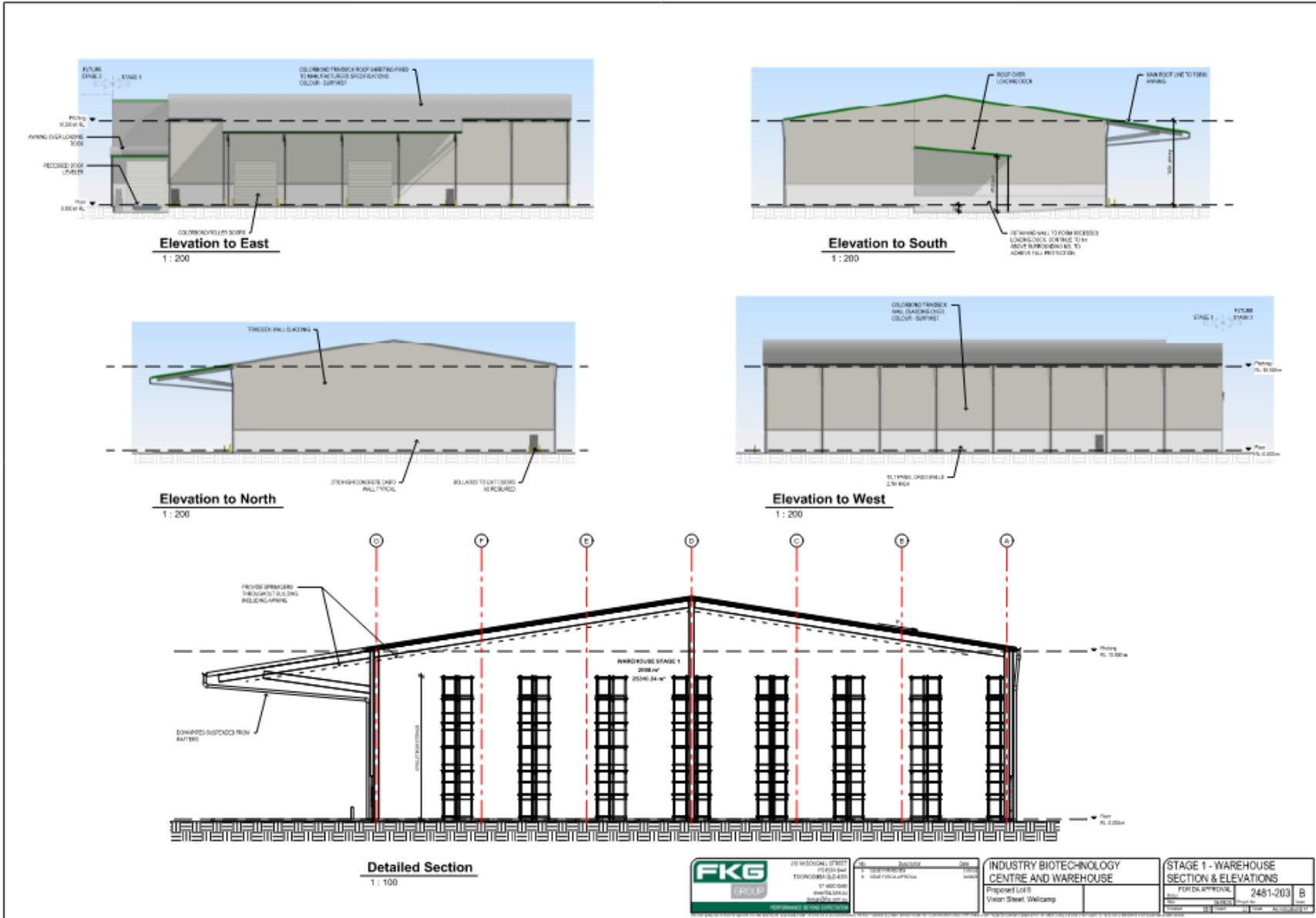
Attachment 4 – State Mapping – Strategic Airports and Aviation Facilities Obstacle Limitation Surface Contours (Source: State Planning Policy IMS)



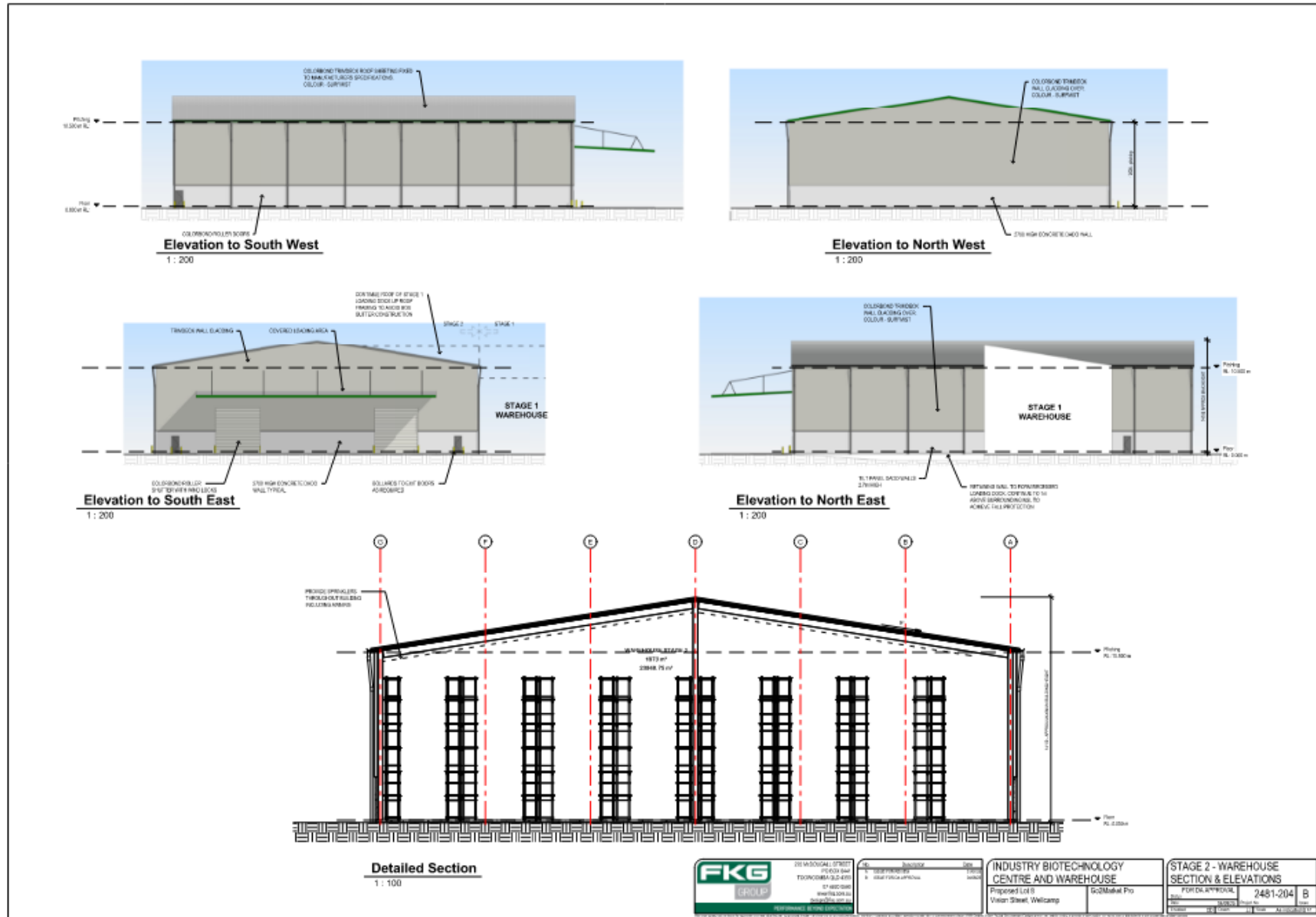




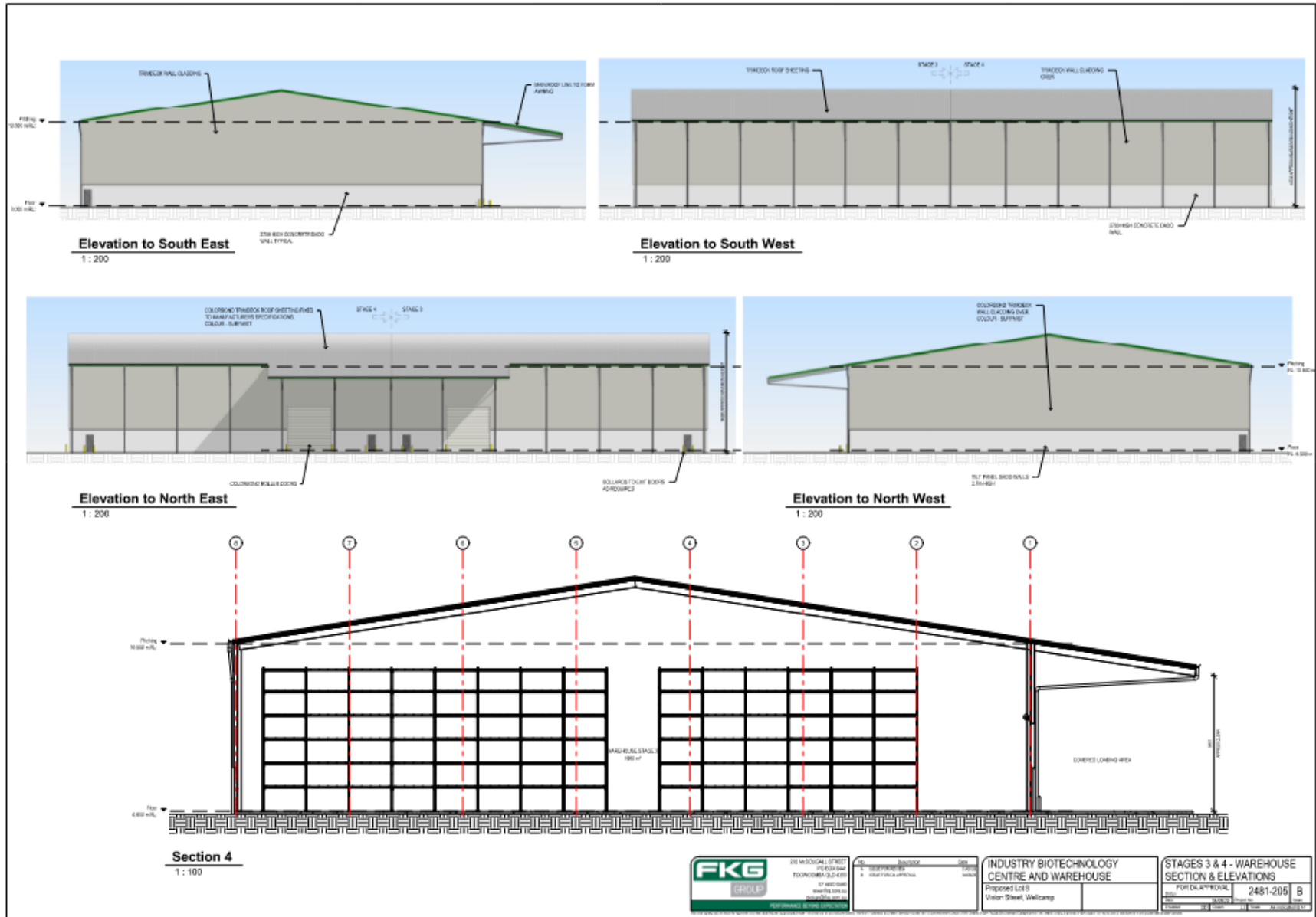
Attachment 7 – Proposed IBC Elevations (Source: Applicant)



Attachment 8 – Proposed Stage 1 Warehouse Elevations (Source: Applicant)



Attachment 9 – Proposed Stage 2 Warehouse Elevations (Source: Applicant)



Attachment 10 – Proposed Stage 3 & 4 Warehouse Elevations (Source: Applicant)

**SCHEDULE 1**

**Concurrence Agency Response**

SARA reference: 2508-47782 SRA  
Council reference: MCUI/2025/5515 & OW/2025/5517  
Applicant reference: J002378

**RECEIVED**  
16/10/2025  
**TOOWOOMBA**  
**REGIONAL COUNCIL**

16 October 2025

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

Attention: Emily Hinchliffe

Dear Ms Hinchliffe

## SARA referral agency response— Vision Street, Wellcamp

(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 27 August 2025.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	16 October 2025
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

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Description:	Development permit	Material Change of Use – High Impact Industry, Warehouse and Environmentally Relevant Activities ERA7(4)(a), ERA7(5)(a) & ERA61(4)  Operational Works associated with Material Change of Use – Stormwater
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SARA role:	Referral agency
SARA trigger:	Schedule 10, part 5 division 4, table 2, item 1 (Planning Regulation 2017)
	Environmentally relevant activity
	Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 (Planning Regulation 2017)
	Development impacting on state transport infrastructure
	Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017)
	Development near a state transport corridor
SARA reference:	2508-47782 SRA
Assessment manager:	Toowoomba Regional Council
Street address:	Vision Street, Wellcamp
Real property description:	Lot 4 on SP353522
Applicant name:	F K Gardner & Sons Pty Ltd
Applicant contact details:	C/- Property Projects Australia Level 1, 618 Brunswick Street NEW FARM QLD 4005 toby@propertyprojectsaustralia.com.au
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> <li>• Approved</li> <li>• Reference: P-EA-100940298</li> <li>• Effective date: Upon notification to the administering authority or on 1 January 2027, whichever occurs earlier.</li> <li>• Prescribed environmentally relevant activity (ERA): <ul style="list-style-type: none"> <li>o ERA 7 - Chemical manufacturing - 4(a) - Manufacturing, in a year, the following quantities of fertiliser - 200t to 5000t;</li> <li>o ERA 7 - Chemical manufacturing 5(a) - Manufacturing, in a year, the following quantities of organic chemicals, other than organic chemicals to which items 1 to 4 apply - 200t to 1000t</li> <li>o ERA 61 - Thermal waste reprocessing and treatment - 4 - Thermally reprocessing or treating clinical waste or biosecurity waste</li> </ul> </li> </ul> <p>If you are seeking further information on the environmental authority, the Department of Environment, Tourism, Science and Innovation's website includes a register. This can be found at: <a href="http://www.detsi.qld.gov.au">www.detsi.qld.gov.au</a></p>
<i>Human Rights Act 2019</i> considerations:	A consideration of the 23 fundamental human rights protected under the <i>Human Right Act 2019</i> has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

## Representations

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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 (section 30 of the Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Geoff Broadbent, Principal Planner, on (07) 4616 7302 or via email [ToowoombaSARA@dasilgp.qld.gov.au](mailto:ToowoombaSARA@dasilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Paul Gleeson  
A/Manager

enc     Attachment 1 - Referral agency conditions  
         Attachment 2 - Advice to the applicant  
         Attachment 3 - Reasons for referral agency response  
         Attachment 4 - Representations about a referral agency response provisions  
         Attachment 5 - Documents referenced in conditions

cc       F K Gardner & Sons Pty Ltd, [toby@propertyprojectsaustralia.com.au](mailto:toby@propertyprojectsaustralia.com.au)

## Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5).

No.	Conditions	Condition timing
<b>Material Change of Use – High Impact Industry &amp; Warehouse; and Operational Works associated with Material Change of Use – Stormwater</b>		
10.9.4.1.1.1 – Development impacting on state transport infrastructure & 10.9.4.2.4.1 – Development near a state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Any excavation, filling/backfilling/compaction, retaining structures, building foundation structures and other works involving ground disturbance must not encroach upon or de-stabilise or cause damage to the state-controlled road, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impact.	At all times.
2.	Stormwater from the development must be discharged to the stormwater easement generally in accordance with the location shown on the following plan: (a) Stormwater Layout Plan, prepared by Kehoe Myers Consulting Engineers, dated 15 August 2025, reference C2425371 Drawing No. SWD01, Issue P2.	At all times.

## Attachment 2—Advice to the applicant

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<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.3). If a word remains undefined it has its ordinary meaning.

## Attachment 3—Reasons for referral agency response

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

### The reasons for the SARA's decision are:

- The development complies with the assessment benchmarks of State code 1 of SDAP in that the development:
  - does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
  - does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
  - does not adversely impact the function and efficiency of state-controlled roads or future state-controlled roads
  - does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure
  - does not significantly increase the cost to the state to plan, construct, upgrade or maintain state-controlled roads, future state-controlled roads or road transport infrastructure.
  
- The development complies with the assessment benchmarks of State code 6 of SDAP in that the development:
  - increase the likelihood or frequency of accidents, fatalities, or serious injury for users of a state-controlled road
  - adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
  - adversely impact the function efficiency of state-controlled roads or future state-controlled roads
  - adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure
  - significantly increase the cost to plan, construct, upgrade or maintain state-controlled roads, future state-controlled roads or road transport infrastructure.
  
- The development complies with the assessment benchmarks of State code 22 of SDAP in that the development:
  - is located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
  - is designed and located to avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated
  - does not result in a significant residual impact on a matter of state environmental significance.

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

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.3), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

## **Attachment 4—Representations about a referral agency response provisions**

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# 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<sup>1</sup> regarding **representations about a referral agency response**

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

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### 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.<sup>2</sup>
- 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.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> 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.<sup>3</sup>

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<sup>3</sup> 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.

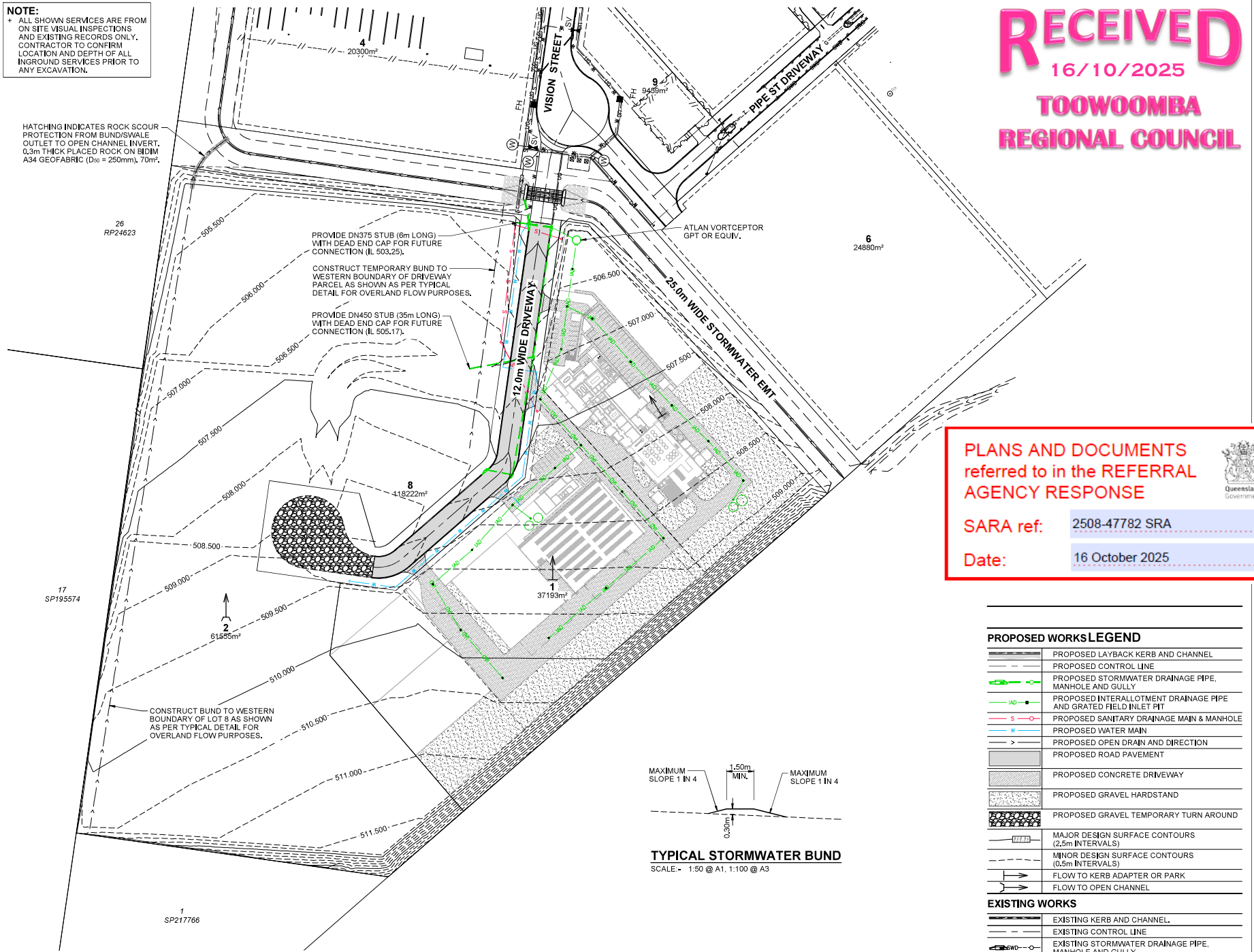
## **Attachment 5—Documents referenced in conditions**

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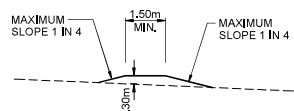
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**NOTE:**  
 + ALL SHOWN SERVICES ARE FROM ON SITE VISUAL INSPECTIONS AND EXISTING RECORDS ONLY. CONTRACTOR TO CONFIRM LOCATION AND DEPTH OF ALL INGROUND SERVICES PRIOR TO ANY EXCAVATION.

HATCHING INDICATES ROCK SCOUR PROTECTION FROM BUND/SWALE OUTLET TO OPEN CHANNEL INVERT. 0.3m THICK PLACED ROCK ON BIDIM A34 GEOFABRIC (D<sub>50</sub> = 250mm), 70m<sup>2</sup>.



PROVIDE DN375 STUB (6m LONG) WITH DEAD END CAP FOR FUTURE CONNECTION (IL 503.25).  
 CONSTRUCT TEMPORARY BUND TO WESTERN BOUNDARY OF DRIVEWAY PARCEL AS SHOWN AS PER TYPICAL DETAIL FOR OVERLAND FLOW PURPOSES.  
 PROVIDE DN450 STUB (35m LONG) WITH DEAD END CAP FOR FUTURE CONNECTION (IL 505.17).  
 ATLAN VORTCEPTOR GPT OR EQUIV.



**TYPICAL STORMWATER BUND**  
 SCALE:- 1:50 @ A1, 1:100 @ A3

**STORMWATER LAYOUT PLAN**  
 SCALE:- 1:1000 @ A1, 1:2000 @ A3  
 + REFER DRAWING SWD03 FOR NOTES & DETAILS.

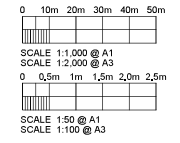
SITE AND BUILDING LAYOUT BASED ON FKG DESIGN FILE: IBC\_DA\_Site Plan A.dwg (RECEIVED 30/07/2025)

**RECEIVED**  
 16/10/2025  
**TOowoomba REGIONAL COUNCIL**

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DATUM  
 PSM 201297  
 MINISTAFF SURVEY DWG NO.  
 M5154 3000 001 REV. C  
 MGA 2020, AHD

DRAWING ISSUE			
ISSUE	DATE	DETAILS	INITIAL
P1	14.08.25	FOR INFORMATION	PJS
P2	15.08.25	FOR APPROVAL	PJS



**PLANS AND DOCUMENTS** referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2508-47782 SRA

Date: 16 October 2025

**PRELIMINARY**  
 NOT FOR CONSTRUCTION  
 DATE 15.08.25 11:02 AM



PRINT IN COLOUR

**PROPOSED WORKS LEGEND**

- PROPOSED LAYBACK KERB AND CHANNEL
- PROPOSED CONTROL LINE
- PROPOSED STORMWATER DRAINAGE PIPE, MANHOLE AND GULLY
- PROPOSED INTERALLOTMENT DRAINAGE PIPE AND GRATED FIELD INLET PIT
- PROPOSED SANITARY DRAINAGE MAIN & MANHOLE
- PROPOSED WATER MAIN
- PROPOSED OPEN DRAIN AND DIRECTION
- PROPOSED ROAD PAVEMENT
- PROPOSED CONCRETE DRIVEWAY
- PROPOSED GRAVEL HARDSTAND
- PROPOSED GRAVEL TEMPORARY TURN AROUND
- MAJOR DESIGN SURFACE CONTOURS (2.5m INTERVALS)
- MINOR DESIGN SURFACE CONTOURS (0.5m INTERVALS)
- FLOW TO KERB ADAPTER OR PARK
- FLOW TO OPEN CHANNEL

**EXISTING WORKS**

- EXISTING KERB AND CHANNEL
- EXISTING CONTROL LINE
- EXISTING STORMWATER DRAINAGE PIPE, MANHOLE AND GULLY
- EXISTING SEWER MAIN AND MANHOLE
- EXISTING WATER MAIN
- EXISTING OVERHEAD ELECTRICAL LINES AND POWER POLES
- EXISTING TELECOMMUNICATION LINES

**Kehoe Myers**  
 CONSULTING ENGINEERS KEHOEMYPERS.COM.AU  
 PH 4617 4632 9100

CIVIL | STRUCTURAL | HYDRAULIC

CLIENT  
**FK GARDNER & SONS PTY LTD**

PROJECT  
**INDUSTRY BIOTECHNOLOGY CENTRE**

DRAWING TITLE  
**STORMWATER LAYOUT PLAN**

DESIGN	KZE	ORIGINAL SIZE	A1
DRAWN	KZE	PROJECT NUMBER	C2425371
CHECKED	PJS	DRAWING NUMBER	SWD01
APPROVED	PJS	DATE	14.08.25
		ISSUE	P2

*This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.*

## **Environmental authority number: P-EA-100940298**

**Environmental authority takes effect upon notification to the administering authority or on 1 January 2027, whichever occurs earlier.** This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

## **Environmental authority holder(s)**

<b>Name(s)</b>	<b>Registered address</b>
WITMACK INDUSTRIAL PTY LTD	275 McDougall St TOOWOOMBA QLD 4350 AUSTRALIA

## **Environmentally relevant activity and location details**

<b>Environmentally relevant activity/activities</b>	<b>Location(s)</b>
ERA 07 - Chemical manufacturing - 4(a) - Manufacturing, in a year, the following quantities of fertiliser - 200t to 5000t	4/SP353522
ERA 07 - Chemical manufacturing 5(a) - Manufacturing, in a year, the following quantities of organic chemicals, other than organic chemicals to which items 1 to 4 apply - 200t to 1000t	4/SP353522
ERA 61 - Thermal waste reprocessing and treatment - 4 - Thermally reprocessing or treating clinical waste or biosecurity waste	4/SP353522

**Additional information for applicants**Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Mobile and temporary activities

If you operate a mobile and temporary environmentally relevant activity (ERA), other than regulated waste transport, you are required to maintain a work diary. You must:

- use the approved form for a work diary (ESR/2015/1696);
- keep the work diary records for 2 years after the last entry;
- inform the administering authority within 7 days of the work diary being lost or stolen;
- record the information required in the work diary for each location within 1 day of leaving the location.

Contaminated land

It is a requirement of the EP Act that an owner or occupier of land give written notice to the administering authority if they become aware of the following:

- the presence of, or happening of an event involving, a hazardous contaminant on the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- if the land is contaminated land – a change in the condition of the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the land (notice must be given within 20 business days).

For further information, including the form for giving written notice, refer to the Queensland Government website [www.qld.gov.au](http://www.qld.gov.au), using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority – on the nominated day; or
- b) if the authority states a day or an event for it to take effect – on the stated day or when the stated event happens; or
- c) otherwise – on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Signature

16 October 2025

Date

Helena Braye

Department of the Environment, Tourism, Science and Innovation

Delegate of the administering authority

*Environmental Protection Act 1994*

**Enquiries:**

Energy and Extractive Resources

GPO Box 2454, BRISBANE QLD 4001

Phone: (07) 3330 5715

Email: [EnergyandExtractive@detsi.qld.gov.au](mailto:EnergyandExtractive@detsi.qld.gov.au)

**Obligations under the *Environmental Protection Act 1994***

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443).

**Other permits required**

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department, and other State and Federal Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development (to clear vegetation), and the Department of Primary Industries (to clear marine plants or to obtain a quarry material allocation).

**Obligations under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)***

Matters of national environmental significance (MNES) are regulated under the Commonwealth EPBC Act rather than under state legislation. You may need to submit a referral if your project potentially impacts any matters protected under the EPBC Act. For more information on self-assessments, and referral and assessment processes please visit the Department of Climate Change, Energy, the Environment and Water webpage, <https://www.dcceew.gov.au/environment/epbc/advice>.

**Development Approval**

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of the Environment, Tourism, Science and Innovation to ensure that you have the most current version of the environmental authority relating to this site.

**Obligations under the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* (the Cultural Heritage Acts)**

The Cultural Heritage Acts require anyone who carries out a land-use activity to exercise a duty of care. This 'duty of care' means land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal or Torres Strait Islander cultural heritage, and applies to any activity where Aboriginal or Torres Strait Islander cultural heritage is located. For more information on your obligations under this legislation, please visit the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism webpage at, <https://www.dwatsipm.qld.gov.au/>.

## Conditions of environmental authority

Agency interest: General	
Condition number	Condition
<b>G1.0</b>	<p>Activities under this environmental authority must be conducted in accordance with the following limitations:</p> <ul style="list-style-type: none"> <li>a) The quantity of fertilisers permitted to be manufactured on site must not exceed 5,000 tonnes per year;</li> <li>b) The quantity of organic chemicals permitted to be manufactured on site must not exceed 1,000 tonnes per year;</li> <li>c) The quantity of biosecurity waste permitted to be treated on site must not exceed 40 tonnes per year;</li> <li>d) The site must be in accordance with the site plan included in <i>Appendix 1 – Site Plan</i>.</li> </ul>
<b>G2.0</b>	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
<b>G3.0</b>	<p>Unless specifically authorised by a condition of this environmental authority, this environmental authority does not authorise a relevant act which is:</p> <ul style="list-style-type: none"> <li>a) an act that causes serious or material environmental harm or an environmental nuisance; or</li> <li>b) an act that contravenes a noise standard; or</li> <li>c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG of the <i>Environmental Protection Act 1994</i>.</li> </ul>
<b>G4.0</b>	<p><b>Contravention of conditions</b></p> <p>Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must:</p> <ul style="list-style-type: none"> <li>a) be reported to the administering authority within 24 hours of becoming aware of the contravention; and</li> <li>b) include the nature and circumstances of the contravention and any immediate actions taken.</li> </ul>
<b>G4.1</b>	<p>As soon as reasonably practicable but no later than 20 business days of a report made under condition G4.0 (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:</p> <ul style="list-style-type: none"> <li>a) the potential circumstances and actions that may have contributed to the contravention; and</li> <li>b) reasonable and practicable measures that will be implemented to address the cause of the contravention to prevent future contraventions of this nature.</li> </ul>
<b>G4.2</b>	As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition G4.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.
<b>G4.3</b>	The outcome of the investigation carried out under condition G4.1 and the reasonable and practicable measures implemented under condition G4.2 must be recorded.

<b>G5.0</b>	<p><b>Complaints</b></p> <p>The following details must be recorded for all complaints received and provided to the administering authority upon request:</p> <ul style="list-style-type: none"> <li>a) date and time the complaint was received; and</li> <li>b) if authorised by the person making the complaint, their name and contact details; and</li> <li>c) nature and details of the complaint.</li> </ul>
<b>G5.1</b>	<p>As soon as reasonably practicable but no later than 5 business days of receiving a complaint (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:</p> <ul style="list-style-type: none"> <li>a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and</li> <li>b) reasonable and practicable measures that will be implemented to address the complaint.</li> </ul>
<b>G5.2</b>	<p>As soon as reasonably practicable but no later than 5 business days of investigating a complaint under condition G5.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.</p>
<b>G5.3</b>	<p>The outcome of the investigation carried out under condition G5.1 and the reasonable and practicable measures implemented under condition G5.2 must be recorded.</p>
<b>G6.0</b>	<p>When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority, to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.</p>
<b>G7.0</b>	<p><b>Environmental risk management procedures</b></p> <p>Prior to the commencement of the activity, written procedures must be developed and implemented by an appropriately qualified person that ensure:</p> <ul style="list-style-type: none"> <li>a) all potential risks to the environment from the carrying out of the activity are identified and assessed, including: <ul style="list-style-type: none"> <li>i. during routine operations; and</li> <li>ii. outside routine operations (e.g., maintenance, start up and shut down); and</li> <li>iii. during preparation, rehabilitation, and closure; and</li> <li>iv. in an emergency (e.g., fire, flood or other natural disaster); and</li> </ul> </li> <li>b) for each potential risk identified, any necessary measures to prevent or minimise the potential for environmental harm are implemented; and</li> <li>c) staff understand their obligations under this environmental authority and the <i>Environmental Protection Act 1994</i>; and</li> <li>d) environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach.</li> </ul>
<b>G7.1</b>	<p>Written procedures required by condition G6.0 must be:</p> <ul style="list-style-type: none"> <li>a) implemented;</li> <li>b) kept in a location readily accessible to personnel carrying out the activity; and</li> </ul>

	c) reviewed at least annually or following any amendments made to the environmental authority.						
<b>G8.0</b>	<p><b>Plant and equipment</b></p> <p>An appropriately qualified person must install, operate, calibrate, and maintain the plant and equipment required to carry out the activity (including monitoring devices) in a proper and effective manner.</p>						
<b>G9.0</b>	<p><b>Record keeping</b></p> <p>Unless otherwise specified by a condition of this environmental authority, records must be:</p> <ol style="list-style-type: none"> <li>kept for the period outlined in <i>Table G1– Record keeping requirements</i>; and</li> <li>provided to the administering authority upon request and in the format requested.</li> </ol> <p style="text-align: center;"><b>Table G1– Record keeping requirements</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Description of records</th> <th>Retention requirement</th> </tr> </thead> <tbody> <tr> <td>Monitoring results</td> <td>Retain for 15 years</td> </tr> <tr> <td>All other records</td> <td>Retain for 5 years</td> </tr> </tbody> </table>	Description of records	Retention requirement	Monitoring results	Retain for 15 years	All other records	Retain for 5 years
Description of records	Retention requirement						
Monitoring results	Retain for 15 years						
All other records	Retain for 5 years						
<b>G10.0</b>	<p><b>Chemical storage</b></p> <p>Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.</p>						
<b>G11.0</b>	<p><b>Monitoring and sampling</b></p> <p>All monitoring and sampling required by the conditions of this environmental authority must be carried out, interpreted, and recorded by an appropriately qualified person.</p>						
<b>G11.1</b>	<p>Unless otherwise authorised in writing by the administering authority, all laboratory analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) accreditation for such analyses.</p> <p>The only exception to this condition is for <i>in situ</i> monitoring of pH and electronic conductivity.</p>						
<b>G11.2</b>	<p>When requested by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate potential or actual environmental harm arising from the activity. The results of monitoring must be provided to the administering authority within the timeframe and in the format specified in the request.</p>						
<b>Agency interest: Air</b>							
<b>Condition number</b>	<b>Condition</b>						
<b>A1.0</b>	Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place						
<b>A2.0</b>	Contaminants must only be released to air from the point source specified in <i>Table A1 - Point source air release limits</i> , and as depicted in <i>Appendix 2: Contaminants release points to air</i> attached to this environmental authority and the associated requirements.						

Table A1 - Point source air release limits

Release point	Minimum release height above ground (metres)	Minimum velocity (m/sec)	Contaminant released	Maximum release limit	Monitoring frequency
LPG Boiler Exhaust Vent	15.6	3	Oxides of Nitrogen (as NO <sub>2</sub> )	350 mg/Nm <sup>3</sup> (dry) at 7% O <sub>2</sub>	All stacks must be monitored for the contaminants within three months of commissioning of new release points and six monthly thereafter.
			Total Volatile Organic Compounds (as n-propane equivalent)	40 mg/Nm <sup>3</sup> (dry) at 7% O <sub>2</sub>	
			Carbon monoxide (CO)	125 mg/Nm <sup>3</sup> (dry) at 7% O <sub>2</sub>	
Autoclave Condenser Vent	15.6	5	Total Volatile Organic Compounds (as n-propane equivalent)	40 mg/Nm <sup>3</sup> (dry)	
			Odour mass emission rate	400 ou.m <sup>3</sup> /sec	

**Associated requirements**

- 1) The release of contaminants from a point source must be directed vertically upwards without any impedence or hindrance.
- 2) Monitoring must be undertaken during a release and at the authorised release points, frequency and for the contaminants specified in Table A1.
- 3) Monitoring must be undertaken when emissions are expected to be representative of actual operating conditions for the sample period.
- 4) All monitoring devices must be effectively calibrated and maintained in accordance with the manufacturer's instructions and Australian and international standards.
- 5) Air Monitoring must be in accordance with the current edition of the administering authority's Air Quality Sampling Manual. If monitoring requirements are not described in the department's Air Quality Sampling Manual, monitoring protocols must be in accordance with a method as approved by New South Wales EPA, Victorian EPA or United States EPA.
- 6) Monitoring provision for the release points (stack) listed in Table A1 must comply with the *Australian Standard AS 4323.1 - 1995 "Stationary source emissions Method 1: Selection of sampling positions"*.
- 7) All air emission stack monitoring must be conducted by an experienced person or body which holds current National Association of Testing Authorities (NATA).
- 8) The following tests must be performed for each required determination specified in Table A1:
  - (i) gas velocity and volume flow rate;
  - (ii) temperature and oxygen content; and
  - (iii) water vapour concentration.
- 9) During the sampling period the following additional information must be gathered:
  - (i) plants throughput rate at the time of sampling;
  - (ii) any typical factors that may influence air pollutant emissions;
  - (iii) reference to the actual test methods and accuracy.

**A3.0**

The only type of fuel to be burnt in the boiler is Liquefied Petroleum Gas (i.e. industrial propane gas).

<b>A4.0</b>	<p>An Odour Management Plan must be developed prior to the activity commencing and implemented which includes:</p> <ul style="list-style-type: none"> <li>a) Identification of all potential odour emission sources including routine non-routine emission sources at the site;</li> <li>b) Description of the procedures to manage the odour from the sources identified;</li> <li>c) Contingency plans for minimisation of odour at the sources including management and control strategies;</li> <li>d) At a minimum, annual reviews of the effectiveness of the odour mitigation measures;</li> <li>e) A detailed complaints management procedure for nearby land users and residents affected by odour;</li> <li>f) Description of procedures to be undertaken if any non-compliance is detected; and</li> <li>g) At a minimum, annual reviews of the effectiveness of the odour mitigation measures.</li> </ul>
<b>A5.0</b>	<p>Dust and particulate matter emissions from the activity must not exceed the following concentrations at a sensitive place or a commercial place:</p> <ul style="list-style-type: none"> <li>a) dust deposition of 120 milligrams per square metre per day, averaged over 30 days, when monitored in accordance with the latest edition of Australian Standard AS/NZS 3580.10.1 <i>Methods for sampling and analysis of ambient air, Method 10.1: Determination of particulate matter – Deposited matter – Gravimetric method</i>; or</li> <li>b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (<math>\mu\text{m}</math>) (<math>\text{PM}_{10}</math>) suspended in the atmosphere of: <ul style="list-style-type: none"> <li>i. 50 micrograms per cubic metre over a 24-hour averaging time; and</li> <li>ii. 25 micrograms per cubic metre over one-year averaging time;</li> </ul> </li> </ul> <p>when monitored in accordance with the most current edition of the relevant Australian Standards.</p>
<b>A6.0</b>	<p>Air quality monitoring, including for dust and point source emissions from the activity, must be undertaken in accordance with the latest edition of:</p> <ul style="list-style-type: none"> <li>a) the relevant Australian Standards; or</li> <li>b) a method approved by any other Australian, European or North American jurisdiction/EPAs (if monitoring requirements are not described in the Australian Standards).</li> </ul>
<b>Agency interest: Land</b>	
<b>Condition number</b>	<b>Condition</b>
<b>L1.0</b>	Contaminants must not be released to land.
<b>L2.0</b>	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment to waters.
<b>L3.0</b>	Before applying to surrender this environmental authority, the site must be rehabilitated to achieve a safe, stable, non-polluting landform and be suitable for the intended land use.
<b>Agency interest: Noise</b>	

Condition number	Condition																																																
N1.0	Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.																																																
N2.0	<p>Noise from the activity must not include substantial low frequency noise components and must not exceed the levels identified in <i>Table N1 - Noise limits</i> at any sensitive place or commercial place.</p> <p style="text-align: center;"><b>Table N1 - Noise limits</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="3">Noise level measured in dB(A)</th> <th colspan="3">Monday to Saturday</th> <th colspan="3">Sundays and public holidays</th> </tr> <tr> <th>7am - 6pm</th> <th>6pm - 10pm</th> <th>10pm - 7am</th> <th>7am - 6pm</th> <th>6pm - 10pm</th> <th>10pm - 7am</th> </tr> </thead> <tbody> <tr> <td colspan="7" style="text-align: center;"><b>Noise measured at a sensitive place</b></td> </tr> <tr> <td>L<sub>Aeq, adj, 1hr</sub></td> <td>42</td> <td>42</td> <td>37</td> <td>42</td> <td>42</td> <td>37</td> </tr> <tr> <td>L<sub>A1, adj, 1hr</sub></td> <td>52</td> <td>52</td> <td>47</td> <td>52</td> <td>52</td> <td>47</td> </tr> <tr> <td colspan="7" style="text-align: center;"><b>Noise measured at a commercial place</b></td> </tr> <tr> <td>L<sub>Aeq, adj, T</sub></td> <td>55</td> <td>55</td> <td>55</td> <td>55</td> <td>55</td> <td>55</td> </tr> </tbody> </table>	Noise level measured in dB(A)	Monday to Saturday			Sundays and public holidays			7am - 6pm	6pm - 10pm	10pm - 7am	7am - 6pm	6pm - 10pm	10pm - 7am	<b>Noise measured at a sensitive place</b>							L <sub>Aeq, adj, 1hr</sub>	42	42	37	42	42	37	L <sub>A1, adj, 1hr</sub>	52	52	47	52	52	47	<b>Noise measured at a commercial place</b>							L <sub>Aeq, adj, T</sub>	55	55	55	55	55	55
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N3.0	<p><b>Noise monitoring</b></p> <p>When monitoring of noise emissions is required by conditions of this environmental authority or is requested by the administering authority, all monitoring of noise emissions from the activity must be undertaken when the activity is in operation.</p>																																																
N3.1	<p>The following must be recorded when undertaking monitoring of noise emissions from the activity:</p> <ol style="list-style-type: none"> <li>a) All equipment in operation at the time of the noise measurement; and</li> <li>b) The mode of operation at the time of the noise measurement.</li> </ol>																																																
N3.2	Noise measurements must be taken using a class 1 sound level meter as classified under AS IEC 61672.																																																
N3.3	All monitoring of noise emissions from the activity must be undertaken in accordance with the latest edition of the ' <i>Noise measurement manual</i> ' (available on the Queensland government website - ESR/2016/2195), the relevant Australian Standard and the <i>Environmental Protection Regulation 2019</i> (Chapter 5, Part 4).																																																
<b>Agency interest: Waste</b>																																																	
Condition number	Condition																																																
W1.0	All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.																																																

<b>W2.0</b>	Incompatible wastes must not be mixed in the same container or waste storage area.
<b>Agency interest: Water</b>	
<b>Condition number</b>	<b>Condition</b>
<b>WT1.0</b>	Contaminants must not be released to any waters.
<b>WT2.0</b>	Contaminants must not be released to groundwater or at a location where they are likely to release to groundwater.
<b>WT3.0</b>	<p><b>Stormwater</b></p> <p>Stormwater must be managed to:</p> <ul style="list-style-type: none"> <li>a) prevent stormwater from being contaminated by the activity; or</li> <li>b) direct stormwater that is contaminated by the activity to stormwater treatment and retention measures.</li> </ul>
<b>WT3.1</b>	Stormwater that is not contaminated by the activity must be diverted away from areas where it may become contaminated by the activity and must be discharged to the existing drainage channel and easement as shown on the site plan included in <i>Appendix 1 – Site Plan</i> .

## Definitions

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

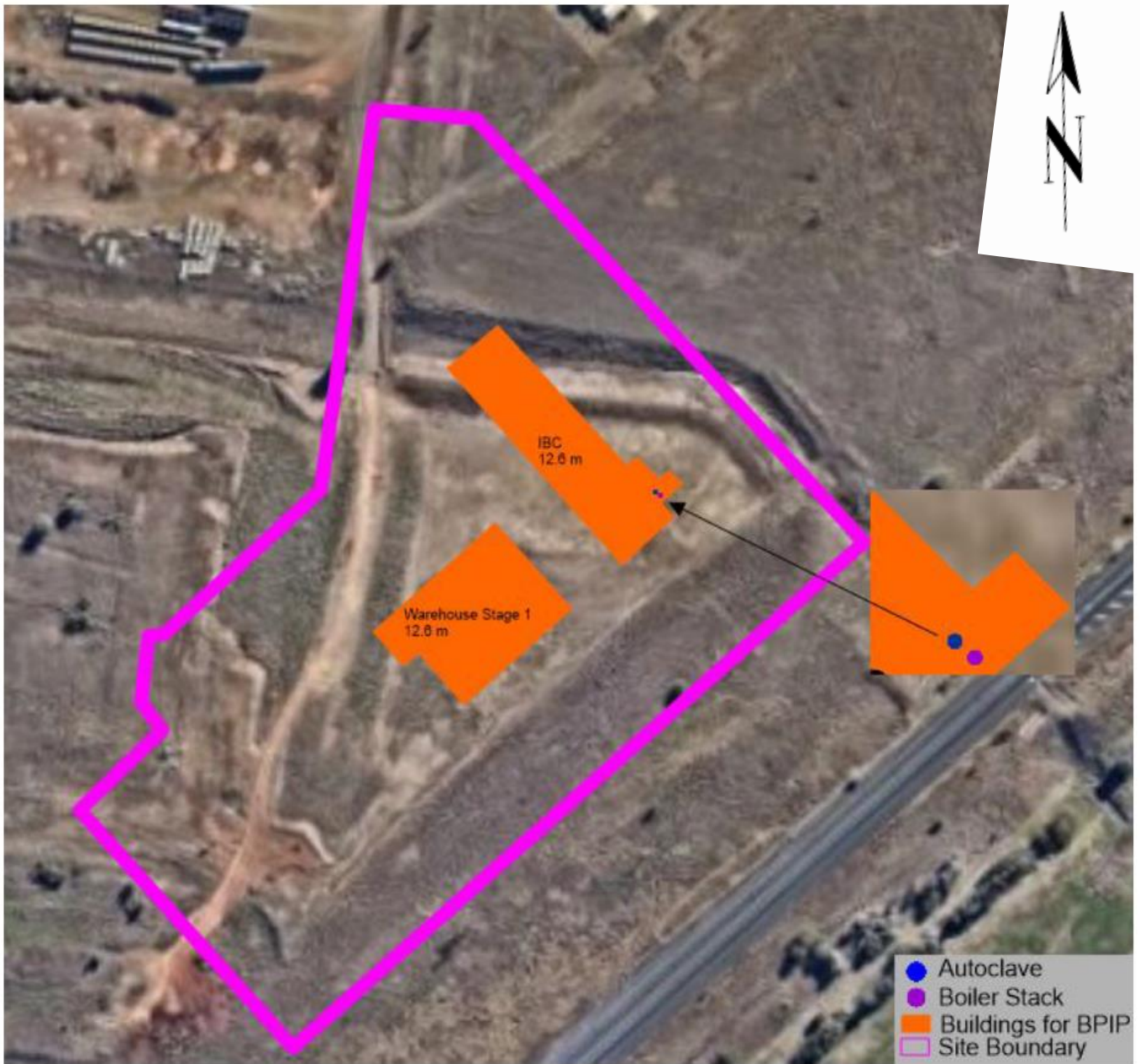
<p><b>Activity</b> means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.</p>
<p><b>Administering authority</b> means the Department of the Environment, Tourism, Science and Innovation or its successors or predecessors.</p>
<p><b>Appropriately qualified person(s)</b> means a person or persons who has professional qualifications, training, skills and experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirement using the relevant protocols, standards, methods or literature.</p>
<p><b>Background</b> means noise, measured in the absence of the noise under investigation, as <math>L_{A90,T}</math> being the A-weighted sound pressure level exceeded for 90% of the time period of not less than 15 minutes, using Fast response.</p>
<p><b>Biosecurity waste</b> as defined in the Environmental Protection Regulation 2019.</p>
<p><b>Commercial place</b> means a place, or part of a place, used as a workplace, an office or for business or commercial purposes.</p>
<p><b>Cubic metre (m<sup>3</sup>)</b> means the volume of the dry gaseous contaminant which occupies one (1) cubic metre at a temperature of zero (0) degrees Celsius and at an absolute pressure of 101.3 kilopascals.</p>
<p><b>Declared pest species</b> means species listed as:</p> <ul style="list-style-type: none"> <li>• 'prohibited matter' or 'restricted matter' species under the <i>Biosecurity Act 2014</i>; or</li> <li>• 'Weeds of National Significance' under the Australian Weeds Strategy 2017–2027.</li> </ul>
<p><b>Environmental nuisance</b> as defined in Chapter 1 of the <i>Environmental Protection Act 1994</i>.</p>
<p><b>Environmental value</b> as defined in Chapter 1 of the <i>Environmental Protection Act 1994</i>.</p>
<p><b>GDA</b> means Geocentric Datum of Australia.</p>
<p><b>Groundwater</b> means water that occurs naturally in, or is introduced artificially into, an aquifer.</p>
<p><b>Incompatible waste</b> means waste that may chemically react when:</p> <ol style="list-style-type: none"> <li>a) placed in proximity to other wastes; and/or</li> <li>b) mixed with other wastes.</li> </ol>
<p><b><math>L_{Aeq, 1\text{ hr}}</math></b> means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 1-hour period has the same mean square sound pressure of a sound that varies with time.</p>
<p><b><math>L_{Amax, 1\text{ hr}}</math></b> means the maximum A-weighted sound pressure level over the 1-hour measurement period.</p>
<p><b><math>L_{A1, 1\text{ hr}}</math></b> means the A-weighted sound pressure level that is exceeded for 1% of a 1-hour period when measured using time-weighting 'F'.</p>

<b>LA<sub>10, 1 hr</sub></b> means the A-weighted sound pressure level that is exceeded for 10% of a 1-hour period when measured using time-weighting 'F'.
<b>Land</b> has the meaning in the meaning in the Macquarie Dictionary and does not include air or waters.
<b>Measures</b> have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.
<b>NATA</b> means National Association of Testing Authorities.
<b>Normal cubic metre (Nm<sup>3</sup>)</b> means the volume of dry gaseous contaminant which occupies 1 cubic metre at a temperature of zero degrees Celsius and at an absolute pressure of 101.3 kilopascals.
<b>Noxious</b> means harmful or injurious to health or physical well-being.
<b>Offensive</b> means causing offence or displeasure, is unreasonably disagreeable to the sense, disgusting, nauseous or repulsive.
<b>Records</b> include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.
<b>Regulated waste</b> as defined in the Environmental Protection Regulation 2019.
<b>Secondary containment system</b> means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.
<b>Sensitive place</b> is any part of the following: <ul style="list-style-type: none"> <li>a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or</li> <li>b) a motel, hotel or hostel; or</li> <li>c) a kindergarten, school, university or other educational institution; or</li> <li>d) a medical centre or hospital; or</li> <li>e) a protected area under the <i>Nature Conservation Act 1992</i>, the <i>Marine Parks Act 2004</i> or a World Heritage Area; or</li> <li>f) a public park or garden; or</li> <li>g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.</li> </ul>
<b>Substantial low frequency noise</b> means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).
<b>Vibration</b> is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position.
<b>Volatile organic compounds (VOC)</b> means any chemical compound based on carbon chains or rings with a vapour pressure greater than 2mm of mercury (0.27 kPa) at 25°C), that participate in atmospheric photochemical reactions. The substances that are specifically excluded are: methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides and carbonate salts. This is according to the definition of VOC outlined in the Australian Government National's Pollutant Inventory.

**Waters** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.



Appendix 2: Contaminants release points to air



**END OF ENVIRONMENTAL AUTHORITY**

## **SCHEDULE 2**

### **Statement of Reasons**

**Statement of Reasons**  
Section 63(4) and (5) of the *Planning Act 2016*

SITE DETAILS	
Site Address	Vision Street, WELLCAMP QLD 4350
Real Property Description	Part of Lot 4 SP353522
Site Area	27.59ha Part of Lot 4 SP353522 subject of this application – 11.83ha
Owner	Witmack Industrial Pty Ltd

PROPOSED DEVELOPMENT	
Name of Applicant	F K Gardner & Sons Pty Ltd
Type of Application	Material Change of Use Operational Works Environmentally Relevant Activities ERA(7)(4)(a), ERA(7)(5)(a) and ERA61(4)
Proposed Development	High Impact Industry (Industry Biotechnology Centre) Warehouse Stormwater
Level of Assessment	Impact Assessable.
Gross Floor Area	Stage 1 – 5,547m <sup>2</sup> Stage 2 – 2,000m <sup>2</sup> Stage 3 – 2,000 m <sup>2</sup> Stage 4 – 2,038m <sup>2</sup> Total – 11,585m <sup>2</sup>
Impervious Area	32,341m <sup>2</sup>
Car Parking Spaces	60 spaces inclusive of one (1) PWD
Service Vehicle Provision	B-double
Submissions Received	Objection: Nil.
	Support: Nil.
Decision	Approval
Decision Date	21 November 2025

ASSESSMENT MATTERS	
Assessment benchmarks	The proposed development was assessed against the following assessment benchmarks: <ul style="list-style-type: none"> <li>• Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant);</li> <li>• <i>State Planning Policy July 2017</i> (as relevant);</li> <li>• South-east Queensland Regional Plan ShapingSEQ 2023;</li> <li>• The Local Government Infrastructure Plan; and</li> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) <ul style="list-style-type: none"> <li>○ Strategic Framework;</li> <li>○ Airport Environs Overlay Code;</li> <li>○ Charlton Wellcamp Enterprise Area Local Plan Code;</li> <li>○ Medium Impact Industry Zone Code;</li> <li>○ Industry Uses Code;</li> <li>○ Environmental Standards Code;</li> <li>○ Integrated Water Cycle Management Code;</li> <li>○ Landscaping Code;</li> <li>○ Transport, Access and Parking Code; and</li> <li>○ Works and Services Code.</li> </ul> </li> </ul>
Relevant matters	No further relevant matters considered in the assessment of this application.

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<b>Reasons for decision</b>	The development was assessed against all of the assessment benchmarks listed above and complies with, or can be conditioned to comply with, all of these without exception.
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For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <https://developmenti.tr.qld.gov.au/>. When accessing Council's website please use the following Application Number: MCUI/2025/5515 & OW/2025/5517