

Our Reference: MCUI/2025/5156
CS Portal Reference: N/A
Officer: James Leader
Contact: (07) 4688 6664
Email: development@tr.qld.gov.au

Development Application Decision Notice
APPROVAL
Planning Act 2016 Section 63

GM Steel Pty Ltd
C/- Precinct Urban Planning
PO Box 3038
TOOWOOMBA QLD 4350

Email: paul@precinctplan.com.au

27 February 2026

Dear Sir/Madam

Location: Toowoomba Cecil Plains Road, WELLCAMP QLD 4350
Property Description: Lot 10 SP296105 and Emt A RP835801
Relevant Planning Scheme: *Toowoomba Regional Planning Scheme 2012*

The Development Application for Material Change of Use – Impact – High Impact Industry; and Environmentally Relevant Activities ERA19, ERA29(1)(d), and ERA62(1)(a) for the abovementioned property has been assessed and approved in full with Conditions. It is considered that the approved development generally complies with the relevant assessment benchmarks or can be conditioned to comply. The decision was made on 26 February 2026. The following provides all the relevant details:

Details of Approval

Development Permit – Material Change of Use – Impact – High Impact Industry; and Environmentally Relevant Activity (ERA) 19 – Metal Forming (forming a total of 10,000 tonnes or more of metal in a year); and Environmentally Relevant Activity (ERA) 29(1)(d) Metal Foundry Operation (producing more than 10,000 tonnes of ferrous metal castings in a year); and Environmentally Relevant Activity (ERA) 62(1)(a) Resource Recovery and Transfer Facility Operation (operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap steel, non putrescible waste or green waste only)

Referral Agencies

Concurrence Agencies Name & Address: Department of State Development, Infrastructure and Planning
PO Box 825
TOOWOOMBA QLD 4350

Advice Agencies Name & Address: N/A

Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1

Concurrence Agency Conditions: As per attached Schedule 2

Currency Period

In accordance with Section 85(1)(a)(ii) of the *Planning Act 2016* (Qld), this Development Approval lapses, to the extent the development is not completed, if the first material change of use under this Development Approval has not happened within six (6) years of this Development Approval starting to have effect.

Further Development Permits Required

- Building Work
- Plumbing and Drainage Work
- Operational Work

Further Plans/Documents for Endorsement

The following documents/plans require Endorsement:

- Construction Environmental Management Plan

Submissions

Number of properly made submissions: Seven (7) (see attached list of names and addresses)

Rights of Appeal

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

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via:

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>.

Yours faithfully



Richard Green
Lead Senior Planner, Planning Branch



TOOWOOMBA REGIONAL COUNCIL

A.B.N. 997 8830 5360

SCHEDULE 1

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – IMPACT

APPLICATION NUMBER:	MCUI/2025/5156
APPLICANT:	GM Steel Pty Ltd
LOCATION:	Toowoomba Cecil Plains Road, WELLCAMP QLD 4350
PROPERTY DESCRIPTION:	Lot 10 SP296105 and Emt A RP835801
APPROVED USE:	Material Change of Use – Impact – High Impact Industry; and Environmentally Relevant Activity (ERA) 19 – Metal Forming (forming a total of 10,000 tonnes or more of metal in a year); and Environmentally Relevant Activity (ERA) 29(1)(d) Metal Foundry Operation (producing more than 10,000 tonnes of ferrous metal castings in a year); and Environmentally Relevant Activity (ERA) 62(1)(a) Resource Recovery and Transfer Facility Operation (operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap steel, non putrescible waste or green waste only)
ZONING / PRECINCT:	High Impact Industry Zone, Medium Impact Industry Zone, Rural Zone / Quarry Precinct (High Impact Industry Zone), General Industry Precinct (Medium Impact Industry Zone), 100ha Minimum (Rural Zone)

A. ASSESSMENT MANAGER'S CONDITIONS:

PLANNING

APPROVED USE

1. This Development Approval is for a Material Change of Use for High Impact Industry.

CARRY OUT & MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they are not varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
4. Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Work approval.

5. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

APPROVED PLANS

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

Plan No: DA001, Revision 2

Description: Development Location Plan, prepared by Dezine ID and dated 22 October 2025.

Amendments: Nil

Plan No: DA01, Revision 4

Description: Development Floor Plan, prepared by Dezine ID and dated 23 December 2025.

Amendments: Nil

Plan No: DA004, Revision 2

Description: Development Setout Plan, prepared by Dezine ID and dated 22 October 2025.

Amendments: Nil

Plan No: DA03, Revision 2

Description: Development Elevations, prepared by Dezine ID and dated 24 August 2025.

Amendments: Nil

Plan No: DA07, Revision 1

Description: General Maintenance BLDG, prepared by Dezine ID and dated 3 July 2025.

Amendments: Nil

Plan No: DA08, Revision 1

Description: Admin BLDG Floor Plan, Sheet 1 of 2, prepared by Dezine ID and dated 3 July 2025.

Amendments: Nil

Plan No: DA09, Revision 1

Description: Admin BLDG Floor Plan, Sheet 2 of 2, prepared by Dezine ID and dated 3 July 2025.

Amendments: Nil

Plan No: DA10, Revision 1

Description: Sections, Sheet 1 of 3, prepared by Dezine ID and dated 3 July 2025.

Amendments: Nil

Plan No: DA11, Revision 1

Description: Sections, Sheet 2 of 3, prepared by Dezine ID and dated 3 July 2025.

Amendments: Nil

Plan No: DA12, Revision 1

Description: Sections, Sheet 3 of 3, prepared by Dezine ID and dated 3 July 2025.

Amendments: Nil

Plan No: DA13, Revision 3

Description: Car Parking Extract, prepared by Dezine ID and dated 22 October 2025.

Amendments: Nil

Plan No: DA14, Revision 1

Description: Elect Switch Room Plan, prepared by Dezine ID and dated 24 August 2025.

Amendments: Nil

Plan No: DA15, Revision 2
Description: Substation General Plan, prepared by Dezine ID and dated 22 October 2025.
Amendments: Nil

Plan No: DA16, Revision 1
Description: Fire Pump Plant Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA17, Revision 1
Description: Security Gatehouse Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA18, Revision 1
Description: Weigh Bridge Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA19, Revision 1
Description: Water Treatment Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA20, Revision 2
Description: Fume and Reverse Osmosis Plant Plans, prepared by Dezine ID and dated 22 October 2025.
Amendments: Nil

Plan No: DA21, Revision 2
Description: Indust Gas, LNP and Diesel Block Plans, prepared by Dezine ID and dated 22 October 2025.
Amendments: Nil

Plan No: DA22, Revision 1
Description: Storage and Steel Packing Area Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA23, Revision 1
Description: Rolling Mill Area Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA24, Revision 1
Description: Melt Shop Plant Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA25, Revision 2
Description: Slag, Scrap Storage and Lay Down Area Plan, prepared by Dezine ID and dated 12 February 2026.
Amendments: Nil.

Plan No: DA26, Revision 1
Description: Container Yard and Potable Water Tank Area Plans, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: DA27, Revision 1
Description: Development Intersection Extract Plan, prepared by Dezine ID and dated 24 August 2025.
Amendments: Nil

Plan No: 2586-02, Issue B
Description: Landscape Notes, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-03, Issue B
Description: Site Plan, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-04, Issue B
Description: Landscape Plan, Sheet 1 of 5, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-05, Issue B
Description: Landscape Plan, Sheet 2 of 5, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-06, Issue B
Description: Landscape Plan, Sheet 3 of 5, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-07, Issue B
Description: Landscape Plan, Sheet 4 of 5, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-08, Issue B
Description: Landscape Plan, Sheet 5 of 5, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-09, Issue B
Description: Plant Schedule, prepared by Jackie Amos Landscape Architect and dated October 2025.
Amendments: Nil

Plan No: 2586-10, Issue B
Description: Landscape Details prepared by Jackie Amos Landscape Architect and dated October 2025
Amendments: Nil

APPROVED DOCUMENTS

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

Document: J002248, Version 5
Description: Site Based Management Plan, prepared by Range Environmental and dated 21 January 2026.
Amendments: Nil

Document: J002643, Version 2

Description: Detailed Waste Management Plan, prepared by Range Environmental and dated 21 January 2026.

Amendments: Nil

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

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

8.1 Stormwater Infrastructure; and

8.2 Bulk Earthworks.

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

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

9.1 Construction Environmental Management Plan.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

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

COMMENCEMENT OF USE

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

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

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

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

DEDICATIONS, AGREEMENTS & CONTRIBUTIONS

EASEMENTS

12. An easement for stormwater, water, and sewerage reticulation purposes must be registered in favour of Lot 10 SP296105 against the title of Lot 8 SP329720 and Lot 7 SP296105 as required. The easement must be by design and must be registered with the Titles Office prior to the commencement of any works associated with this Development Approval.

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

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

Note: Council will not take or purchase land in accordance with Section 263 of the Planning Act 2016 in order to allow the construction of drainage infrastructure on adjoining land to facilitate the development.

Note: The owner of the relevant adjoining land will be required to consent to the works or easements required by this condition. This condition cannot be taken to compel the owner of adjoining land to consent to the works or easements.

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

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

24. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the internal and any external stormwater infrastructure. The design and the construction of the works must be certified by a RPEQ – Civil.

25. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.
26. As part of a Development Application for a Development Permit for Operational Work submit to Council for approval, a Detailed Stormwater Management Plan and Design Drawings prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) and State Planning Policy (July 2017) demonstrating the following:
 - 26.1 Stormwater is conveyed to a lawful point of discharge in accordance with the stormwater discharge conditions of this Development Approval;
 - 26.2 No increase in peak flow rates downstream from the subject land for storm events as nominated in PSP 6.2 Table SC6.2.7. Major events exceeding ARI of 100 years must be considered in accordance with the requirements of the *Queensland Urban Drainage Manual*;
 - 26.3 No increase in flood levels external to the subject land;
 - 26.4 No increase in duration of inundation external to the subject land that could cause loss or damage;
 - 26.5 Appropriate inspection and maintenance of stormwater quality control infrastructure in accordance with a program;
 - 26.6 The achievement of Water Sensitive Urban Design objectives listed in PSP No. 2 and State Planning Policy (July 2017). A treatment train modelled using *MUSIC* software must be presented, with the operational works application. The *MUSIC* model must clearly define the treatment train components including the length of swales, bio-retention basin size, and the type of gross pollutant trap. The treatment train within the *MUSIC* model must align with the design details shown on the operational works drawings; and
 - 26.7 Stormwater from the Scrap Storage Area in the southern catchment must be primarily directed to the Retention Pond and Reverse Osmosis Plant with overflow discharged at the proposed development boundary.

Note: The endorsed Kehoe Myers Whole of Site Stormwater Management Plan for Wellcamp Business Park (MCUC/2013/3965/C) is reliant on detention basins and swales being constructed to mitigate stormwater quantity and quality impacts. The southern end of the subject site drains to proposed Detention Basin 5 which has not been constructed. Detention Basin No.5 will only be required at the Operational Work stage of this development in the event the density of the catchment warrants its construction to achieve stormwater management.

BULK EARTHWORKS

27. 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

28. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during building work and throughout the life of this development.

29. 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:

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

VIBRATION IMPACT

30. 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.

31. 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

32. 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*.

33. 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*.

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

35. 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:
- 35.1 Elsewhere within this Development Approval;
 - 35.2 In accordance with an associated Development Permit for Operational Work;
 - 35.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 35.4 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
 - 35.5 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.
36. 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

37. 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

38. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
39. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
40. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
41. All disturbed areas must be mulched or turfed as soon as possible during construction. Where grass seeding is undertaken, appropriate measures must be in place until the establishment of suitable ground cover.
42. Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to minimise site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and, where applicable the ensuing 'on-maintenance' period.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

43. Prior to commencement of site works and any pre-start meeting for operational works, submit to Council for endorsement a Construction Environmental Management Plan prepared by a qualified person that at a minimum includes the following:
 - 43.1 Location of the site, including physical address, lot on plan and relevant scaled maps;
 - 43.2 Description of the site including infrastructure and features on or near the site and those areas requiring protection or avoidance;
 - 43.3 Contact details and responsibilities for site representatives;
 - 43.4 Description of construction activities to be conducted on site:
 - 43.4.1 Location of construction areas and adjacent operational / residential areas;
 - 43.4.2 Construction staff and vehicle numbers;
 - 43.4.3 Construction hours;
 - 43.4.4 Amenities; and
 - 43.4.5 When relevant, prohibited activities and prohibited areas where no work should be permitted.
 - 43.5 Site Plans clearly showing where proposed activities will occur, including sensitive receptors and areas where impacts on the environment may occur; and
 - 43.6 Strategies to manage the following environmental impacts:
 - 43.6.1 Air quality and dust management;
 - 43.6.2 Noise and vibration management;
 - 43.6.3 Stormwater quality management;
 - 43.6.4 Erosion and sediment control;
 - 43.6.5 Waste management, storage and collection; and
 - 43.6.6 Complaint management procedures.
44. The Construction Environmental Management Plan must receive endorsement by Council prior to commencement of site works and any pre-start meeting for operational works.
45. The Construction Environmental Management Plan must address both the internal works for the development and any associated external works.
46. The endorsed Construction Environmental Management Plan must be implemented and, maintained where necessary to maintain compliance with the requirements of this Development Approval.

DAMAGE TO SERVICES & ASSETS

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

48. 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:
- 48.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
- 48.2 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.
49. 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.
50. 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

SEWERAGE INFRASTRUCTURE (GENERAL)

51. The development must be connected to the sewerage reticulation, treatment, and disposal system provided by the service provider Wellcamp Business Park Pty Ltd at no cost to Council.

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

Note: The subject site is not serviced by Council's reticulated sewer network. A Sewerage Treatment Plant was approved under MCUC/2013/1584/B for a maximum capacity of 2,500EP and will be operated by Wellcamp Business Park Pty Ltd which is a registered service provider under the Water Supply (Safety and Reliability) Act 2008. Accordingly, the development is to be serviced by this company.

Note: Sewerage reticulation works will require a permit in accordance with the Plumbing and Drainage Act 2002.

WATER SUPPLY

52. The development must be connected to the reticulated water supply provided by the service provider Wellcamp Business Park Pty Ltd at no cost to Council.

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

Note: The subject site is not serviced by Council's reticulated water network. Council supplies bulk potable water to Wellcamp Business Park Pty Ltd at a supply point on Toowoomba Cecil Plains Road. Accordingly, the applicant is responsible for connecting the development to reticulated water.

Note: Water reticulation works will require a permit in accordance with the Plumbing and Drainage Act 2002.

ELECTRICITY

53. 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

54. Any graffiti deterrent building design elements and surface treatments are to be maintained at all times.
55. All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.
56. All fixed mechanical plant must be contained within the building or visually screened to all street frontages, public viewing locations and adjoining premises.
57. Open storage areas, loading areas, bin storage areas and other unsightly areas, must be screened from view from all street frontages and public places.

ACCESS FOR PEOPLE WITH DISABILITIES

58. 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

59. The development must be designed and constructed to enhance community safety by ensuring:
 - 59.1 Vandal proof fittings, fixtures and materials which are hardy and not easily removable are used in the construction and finishing of the development; and
 - 59.2 Ground level windows use toughened glass, screens or other protective measures to deter unlawful entry to the development.
60. The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.
61. Safety and security lighting must be provided to the following areas of the subject land:
 - 61.1 All entries and exits of buildings;
 - 61.2 All pathways linking car parking areas to the entrances and exits of buildings; and
 - 61.3 Throughout car parking areas.
62. Where constructing an awning or other overhead device over a footpath, a lighting system must be installed to light the covered footpath to a minimum of 20 lux, when measured at the footpath level and plane.
63. 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.

64. Pedestrian routes between car parking areas and buildings must be clearly signed and marked.
65. The allocation of car parking spaces between employees, and visitors as applicable, must be physically separated, distinctly identified and adequately sign-posted to clearly direct vehicular traffic to these respective areas.
66. Car parks must be monitored for security and community safety reasons. Measures such as the employment of closed circuit television (CCTV) or regular inspections by security personnel may be employed to satisfy this condition.

TRANSPORT, VEHICULAR ACCESS & PARKING

ROADWORKS (INTERNAL TO DEVELOPMENT)

67. Internal roads must generally be constructed as shown on the Approved Plans.
68. The internal roads must be constructed to a sealed standard to the widths as shown on the Approved Plans.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.
69. The internal roads must be designed to accommodate the turning paths of a B-Double service vehicle.
70. Signage and line marking must be provided to indicate the direction of traffic flow as shown on the Approved Plans.

ROADWORKS SIGNAGE

71. 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*.

ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING

72. The premises must be provided with a minimum of 129 on-site car parking spaces, including two (2) spaces for people with disabilities and five (5) spaces for visitors, together with standing and manoeuvring for B-Double service vehicles. Car parking and manoeuvring areas must be:
 - 72.1 Constructed generally as shown on the Approved Plans listed within this Development Approval;
 - 72.2 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*;
 - 72.3 Designed and constructed in accordance with the requirements of AS2890;
 - 72.4 Designed to ensure disabled car parking spaces are located in close proximity to a primary building entrance and meet the requirements of AS2890.6 (including a 1.3m high bollard) and AS1428.1;
 - 72.5 Accessible and available to visitors and staff during approved hours of operation;
 - 72.6 Provided with signage and pavement markings that indicate the location of parking areas and the proposed flow of traffic through the subject land;
 - 72.7 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; and

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

ENVIRONMENT & WASTE

ACOUSTIC AMENITY - GENERAL

- 73. Drainage grating over trafficable areas must be well secured and maintained to prevent rattling.
- 74. Driveway areas are to be finished with a surface which prevent tyre squeal. An uncoated surface is acceptable.
- 75. Acoustic measures and treatments must be incorporated into the development in accordance with Section 4 of the endorsed Site Based Management Plan listed within this Development Approval.

ACOUSTIC AMENITY - NOISE LIMITS

- 76. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive receptor.
- 77. 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

- 78. 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

- 79. Air pollution control measures must be incorporated into the development in accordance with Section 4 of the endorsed Site Based Management Plan within this Development Approval.

AIR QUALITY & AMENITY - AIR RELEASE LIMITS

- 80. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive receptor place must not be released to the atmosphere.
- 81. 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.

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

82. 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:
- 82.1 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*; and
- 82.2 A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, for no more than five (5) exceedances recorded each year, when monitored in accordance with the most recent version of either:
- i) *Australian Standard AS3580.9.6: Methods for sampling and analysis of ambient air—Determination of suspended particulate matter – PM₁₀ high volume sampler with size-selective inlet – Gravimetric method*; or
 - ii) *Australian Standard AS3580.9.9: Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – PM₁₀ low volume sampler - Gravimetric method*.
83. 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.

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

OUTDOOR LIGHTING IMPACT MITIGATION

84. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-2019 Control of the obtrusive effects of outdoor lighting*.
85. 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).
86. 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

87. 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:

- 87.1 Following treatment using an appropriate Stormwater Quality Improvement Device (SQID) as uncontaminated overland stormwater flow;
- 87.2 Following treatment using an appropriate Stormwater Quality Improvement Device (SQID) as uncontaminated stormwater to the stormwater system; and
- 87.3 Contaminants released to the wastewater system under and in accordance with a trade waste permit issued by Council under the *Water Supply (Safety and Reliability) Act 2008*.

WASTE MANAGEMENT (GENERAL)

- 88. 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*.
- 89. Waste generated by the development must be managed, stored and removed from the subject land in accordance with Section 7 of the endorsed Waste Management Plan listed within this Development Approval.

WASTE MANAGEMENT (BIN PROVISION & STORAGE)

- 90. Refuse storage facilities must be provided generally in accordance with the Approved Plans listed within this Development Approval and the following:
 - 90.1 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;
 - 90.2 Refuse storage facilities must be screened from public vantage points with a minimum 1.5m high built structure, enclosure or solid screen fencing;
 - 90.3 Provision of a grassed or landscaped area within the development site that is at least twice the size of the bin store and adjacent to a tap for the washing of bins; and
 - 90.4 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)

- 91. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:
 - 91.1 Disposal of waste generated must be undertaken in accordance with the *Environmental Protection Regulation 2019*;
 - 91.2 General waste must be collected and removed at periods not exceeding seven (7) days;
 - 91.3 Bins must be stored at their place of permanent storage other than times ahead of or during waste removal;
 - 91.4 Waste removal must not occur outside the hours of 6:00 AM to 6:00 PM; and
 - 91.5 The waste collection method must ensure that waste is adequately managed to prevent escape of contamination.

LANDSCAPING

LANDSCAPE PLAN

92. 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:
- 92.1 Planting areas must be friable, organic topsoil, cultivated to minimum 450mm depth and be clear of any rubbish, rocks, or building rubble;
 - 92.2 All planting areas and individual trees must be mulched with minimum 100mm depth organic mulch;
 - 92.3 An irrigation system or watering points must be provided to all planting areas; and
 - 92.4 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.

LANDSCAPING WORKS

93. Carry out the landscape work in accordance with the above endorsed Landscape Plans.
94. 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.
95. Landscape planting is to be retained and maintained for the life of the development in accordance with the conditions of this Development Approval.
96. Certification must be submitted to Council from a suitably qualified person (Landscape Architect or Landscape Designer) that certifies landscaping works comply with the requirements of this Development Approval.

B. ADVICES:

GENERAL ADVICES

RESUBMISSION OF PLANS REQUIRING AMENDMENT

- 1) The conditions of this Development Approval require resubmission of plans to Council with amendments. Please address the amended plans to Council's Planning Branch with the Reference No. MCUI/2025/5156 and send to development@tr.qld.gov.au.

SUBMISSION OF DOCUMENTS FOR ENDORSEMENT

- 2) The conditions of this Development Approval require submission of documents to Council for endorsement. Please address the documents for endorsement to Council's Planning Branch with the Reference No. MCUI/2025/5156 and send to development@tr.qld.gov.au.

INFRASTRUCTURE CHARGES

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

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) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at www.tr.qld.gov.au. For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.
- 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*.

WHEN APPROVAL STARTS TO HAVE EFFECT

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

WHEN APPROVAL LAPSES

- 8) 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

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

WATER SUPPLY

- 10) The subject site is not serviced by Council's reticulated sewer network and Wellcamp Business Park Pty Ltd is the registered service provider under the *Water Supply (Safety and Reliability) Act 2008*.

Note: Sewerage reticulation works will require a permit in accordance with the *Plumbing and Drainage Act 2018*.

EQUITABLE ACCESS & FACILITIES

- 11) 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:

11.1 The *Disability Discrimination Act 1992* (Cth);

11.2 The *Anti-Discrimination Act 1991* (Qld); and

11.3 The *Disability (Access to Premises - Buildings) Standards*.

CONTAMINATED LAND

- 12) It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware that a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land, or that the land is or has been affected by a hazardous contaminant, they must, within 22 business days after becoming so aware, give notice to the Department of Environment and Science's Waste and Contaminated Land Assessment Unit.

ENVIRONMENTAL HARM

- 13) 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.

DISPLACEMENT OF FAUNA SPECIES

- 14) The subject land may support native fauna species and other animals. Development activities must ensure negligent or wilful harm to fauna does not occur. A site walk through prior to ground disturbance and tree clearing is advised to check for resident fauna species. Liaison with officers from the Queensland Parks and Forest Service should be undertaken if native species are found on site. Consideration should also be given to the animal welfare provisions of the *Animal Care and Protection Act 2001*.

ENVIRONMENTALLY RELEVANT ACTIVITIES

- 15) 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.

WATER POLLUTION

- 16) 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

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

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

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

FIRE ANTS

- 18) 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

- 19) 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

- 20) 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.

SUITABLY QUALIFIED PERSON

- 21) For the purpose of certifying acoustic treatments or barriers for a development, a suitably qualified person is considered to be either:
- 21.1 An acoustic consultant with a minimum of five (5) years current experience in the field of acoustics.
 - 21.2 A Member or Fellow of the Australian Acoustical Society or the Association of Australian Acoustic Consultants; or
 - 21.3 A Registered Professional Engineer of Queensland (RPEQ) with a minimum 5 years' experience in acoustic modelling and design.
- 22) For the purpose of conducting vibration impact monitoring or modelling a suitably qualified person is considered to be a person who has a minimum five (5) years experience monitoring and modelling vibration impacts.

- 23) For the purposes of investigating contaminated land for the development, a suitably qualified person is considered to be a person who:
- 23.1 Is a current member of a professional organisation prescribed under Schedule 14 of the *Environmental Protection Regulation 2019*; or
 - 23.2 Has the qualifications and experience relevant to the specific characteristics of the site and the complexity of any potential or known contamination issues.
- 24) For the purpose of auditing and / or certifying contaminated land matters for the development, a suitably qualified person is considered to be a person who is a contaminated land auditor authorized by the Queensland Government (currently Department of Environment, Technology, Innovation and Science).
- 25) For the purpose of certifying outdoor lighting devices for the development, a suitably qualified person is considered to be either:
- 25.1 An environmental or electrical design consultant with a minimum of three (3) years current experience in the field of outdoor lighting; or
 - 25.2 A Registered Professional Engineer of Queensland (RPEQ) with a minimum of five (5) years experience in outdoor lighting design.
- 26) For the purpose of odour and air quality management, a suitably qualified person is considered to be someone who is a certified air quality professional through a nationally accredited program (e.g. CASANZ) and has a related degree in air quality science plus a minimum of five (5) years of related work experience.
- 27) For the purpose of auditing and inspections, a suitably qualified person is considered to be someone who is a certified environmental auditor through a nationally accredited program, inclusive of ISO 14001 training, and has a minimum of five (5) years experience in auditing of the related industry and activities operated on the site under review.
- 28) For the purpose of preparing an Erosion and Sediment Control Plan for the development, a suitably qualified person who has:
- 28.1 A Certified Professional in Erosion and Sediment Control; or
 - 28.2 An engineer or environmental professional with a minimum five (5) years experience in erosion and sediment control; or
 - 28.3 A Registered Professional Engineer of Queensland (RPEQ) with a minimum five (5) years experience in erosion and sediment.

C. ATTACHMENTS:

- Concurrence Agency Conditions Schedule 2
- Approved Development Plans
- Approved Documents
- Appeal provisions pursuant to the *Planning Act 2016*.

SCHEDULE 2

CONCURRENCE AGENCY (CONDITIONS AND COMMENTS)

DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE AND PLANNING

RECEIVED
22/01/2026
TOOWOOMBA
REGIONAL COUNCIL

Department of
**State Development,
Infrastructure and Planning**

SARA reference: 2509-48019 SRA
Council reference: MCUI/2025/5156
Applicant reference: 2025-601

21 January 2026

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

Attention: James Leader

Dear Mr Leader

Changed referral agency response—Toowoomba Cecil Plains Road, Wellcamp

(Given under section 28 of the Development Assessment Rules)

On 14 January 2026 the department received representations from the applicant requesting the department change its referral agency response. The State Assessment and Referral Agency (SARA) has considered the representations and now provides this changed referral agency response which replaces the response dated 14 January 2026.

Response

Outcome:	Referral agency response – with conditions
Date of response:	21 January 2026
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material Change of Use – High Impact Industry; and Environmentally Relevant Activity (ERA) 19 – Metal Forming (forming a total of 10,000 tonnes or more of metal in a year); and Environmentally Relevant
--------------	--------------------	---

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

Activity (ERA) 29(1)(d) Metal Foundry Operation (producing more than 10,000 tonnes of ferrous metal castings in a year); and Environmentally Relevant Activity (ERA) 62 (1) (a) Resource Recovery and Transfer Facility Operation (operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap steel, non-putrescible waste or green waste only)

SARA role:	Referral agency
SARA trigger:	<ul style="list-style-type: none"> • Schedule 10, part 5, division 4, table 2, item 1 - Environmentally relevant activities • Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 - Development impacting state transport infrastructure • Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 - Development near a state transport corridor and future state transport corridor <p>(Planning Regulation 2017)</p>
SARA reference:	2509-48019 SRA
Assessment manager:	Toowoomba Regional Council
Street address:	Toowoomba Cecil Plains Road, Wellcamp
Real property description:	Lot 10 on SP296105
Applicant name:	GM Steel Pty Ltd C/- Precinct Urban Planning
Applicant contact details:	<p>PO Box 3038 Toowoomba QLD 4350 paul@precinctplan.com.au</p>
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"> • Approved • Reference: P-EA-100943025 • Effective date: In accordance with Section 200 of the <i>Environmental Protection Act 1994</i> • Prescribed environmentally relevant activity (ERA): <ul style="list-style-type: none"> • ERA 19 - Metal forming - Hot forming a total of 10,000t or more of metal in a year • ERA 29 - Metal Foundry Operation - 1(d) - Producing, in a year, the following quantity of ferrous metal castings - more than 10,000t • ERA 62 - Resource recovery and transfer facility operation - 1(a) - Operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap metal, non-putrescible waste or green waste only.

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:

<https://www.detsi.qld.gov.au/>

State-controlled road access permit:

This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR25-047503
- Date: 2 December 2025

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at Downs.South.West.IDAS@tmr.qld.gov.au

Human Rights Act 2019 considerations:

A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Danica Clark, Senior Planner, on 4616 7305 or via email ToowoombaSARA@dssip.qld.gov.au who will be pleased to assist.

Yours sincerely



Rodney O'Brien
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 GM Steel Pty Ltd, C/- Precinct Urban Planning, paul@precinctplan.com.au

Attachment 1—Changed 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
<p>Material Change of Use – High Impact Industry; and Environmentally Relevant Activity (ERA) 19 – Metal Forming (forming a total of 10,000 tonnes or more of metal in a year); and Environmentally Relevant Activity (ERA) 29(1)(d) Metal Foundry Operation (producing more than 10,000 tonnes of ferrous metal castings in a year); and Environmentally Relevant Activity (ERA) 62 (1) (a) Resource Recovery and Transfer Facility Operation (operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap steel, non-putrescible waste or green waste only)</p>		
<p>Schedule 10, part 5, division 4, table 2, item 1 - Environmentally relevant activities—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment, Tourism, Science and Innovation 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 conditions:</p>		
1.	<p>Development authorised under this approval for ERA 19, and ERA 29 and ERA 62 must be generally in accordance with the GM Steel Wellcamp Development Floor Plan prepared by Dezine, dated 22/10/2025, referenced DA.01 version 3.</p>	At all times
2.	<p>Fire hydrant and emergency vehicle access must be implemented in accordance with the requirements of the Queensland Fire Department <i>Fire Hydrant and Vehicle Access Guidelines for Residential, Commercial and Industrial Lots</i>.</p>	Prior to the commencement of use
<p>Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 - Development impacting state transport infrastructure and Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 - Development near a state transport corridor and future 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 conditions:</p>		
3.	<p>(a) Road access is located generally in accordance with GM Steel Wellcamp Development Plan prepared by Dezine, dated 22/10/2025, referenced DA 002 and revision 3.</p> <p>(b) Provide road access works comprising a heavy vehicle crossover, (at the road access location(s) referred to in part (a) of this condition) generally in accordance with GM Steel Wellcamp Development Plan prepared by Dezine, dated, referenced DA 002 and revision 3. The proposed site access must be designed and constructed to safely accommodate the largest design vehicle permitted to access the site (ie. Specialised OSOM vehicles for transporting plant cranes).</p> <p>(c) Design and construct the road access works, referred to in part (b) of this condition, in accordance with:</p> <ul style="list-style-type: none"> (i) the Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition; (ii) the Department of Transport and Main Roads' Standard Drawings Roads. 	<p>(a) At all times</p> <p>(b) and (c): Prior to the commencement of use</p>

4.	<p>(a) Provide road works comprising of access intersection turn treatments generally in accordance with Overall Intersection Layout, prepared by Kehoe Myers Consulting Engineers, 07/07/2025, Drawing No. VEM09, Issue P1.</p> <p>(b) Signage must comply with the Manual of Uniform Traffic Control Devices (MUTCD). All works must be completed by the applicant and at the applicant's cost.</p> <p>(c) Design and construct the road works, required in part (a) of this condition in accordance with:</p> <ul style="list-style-type: none"> • the Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition. • the Department of Transport and Main Roads' Policies and Technical Specifications. • the Department of Transport and Main Roads' Standard Drawings Roads. 	Prior to the commencement of use
5.	<p>(a) Pay a monetary contribution of:</p> <ul style="list-style-type: none"> • \$0.08 per tonne of material hauled on the Toowoomba Second Range Crossing; and • \$0.011 per tonne of material hauled on Toowoomba Cecil Plains Road; <p>to the Department of Transport and Main Roads towards protecting or maintaining the safety or efficiency of:</p> <ul style="list-style-type: none"> • Toowoomba Cecil Plains Road (road section 324 – Between TSRC on-ramp and site access); and • Toowoomba Second Range Crossing (road section 319B - Start of 319B to off ramp of TSRC at Toowoomba Cecil Plains Road). <p>to offset road impacts on these road segments in accordance with the Department of Transport and Main Roads' Guide to Traffic Impact Assessment (GTIA) for each operational year of the proposed development. <i>(In accordance with section 146(2)(a) of the Planning Act 2016.</i></p> <p>The monetary payment:</p> <ul style="list-style-type: none"> (i) must be calculated at twelve monthly intervals commencing on the first day that material hauled from the site is transported by road; (ii) is to be indexed based on the Road and Bridge Construction Index, Queensland – Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427, Series ID A2333727L) to the date of payment; and (iii) is arranged by contacting the Department of Transport and Main Roads via Downs.South.West.IDAS@tmr.qld.gov.au <p>(b) Keep records of the quantity of material hauled on the state-controlled road network.</p> <p>(c) Submit a copy of the records required in part (b) of this condition</p>	<p>(a) Within 10 business days of the end of May each year until the transportation of material hauled from the site by road ceases</p> <p>(b) At all times until the transportation of material hauled from the site by road ceases</p> <p>(c) At the time of the payment referred to in part (a) of this condition</p>

	<p>to the Department of Transport and Main Roads via Downs.South.West.IDAS@tmr.qld.gov.au. The records must state the application's reference number: 2509-48019 SRA.</p>	
6.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the Toowoomba Cecil Plains Road; (ii) concentrate or increase the velocity of flows to Toowoomba Cecil Plains Road; (iii) interfere with and/or cause damage to the existing stormwater drainage on the Toowoomba Cecil Plains Road; (iv) surcharge any existing culvert or drain on the Toowoomba Cecil Plains Road; (v) reduce the quality of stormwater discharge onto the Toowoomba Cecil Plains Road; (vi) impede or interfere with any overland flow or hydraulic conveyance from the Toowoomba Cecil Plains Road; and (vii) reduce the floodplain immunity of the Toowoomba Cecil Plains Road. <p>(b) Submit RPEQ certification with supporting documentation to Downs.South.West.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been designed in accordance with part (a) of this condition.</p> <p>(c) Submit RPEQ certification with supporting documentation to Downs.South.West.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) At all times</p> <p>(b) Prior to obtaining development approval for operational work or building work, whichever occurs first</p> <p>(c) Within 20 business days of the completion of works.</p>

Attachment 2—Advice to the applicant

General advice	
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.
2.	<p>Road access works approval: Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads on 07 4639 0828 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p> <p>The applicant should note that reference to the approved plans imply conceptual approval only. Further modifications and inclusions are likely to be required in order for submitted detailed designs to comply with TMR standards at the roadworks application (s33 TIA) stage. In particular, detailed designs may require, but should not be limited to, necessary lane widening for provision of cycle lanes, lengthening of turn lanes, installation of lighting, signage and line marking, pavements, utilities and services, and roadsides and roadside furniture.</p>
3.	<p>Road works approval: Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road. Please contact the Department of Transport and Main Roads on 07 4639 0828 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>
4.	<p>Heavy Vehicle / OSOM Heavy Vehicle Routes: The applicant is advised that any oversized or over dimensioned vehicles accessing the site via an unapproved route (i.e. local roads that are not designated road train routes) will require separate approval through the National Heavy Vehicle Regulator (NHVR). Operators can request for assessment of roads that are not currently approved for road train access by applying to the NHVR. Vehicles must not operate on requested roads until they appear on the relevant maps and/or approved road lists. It is recommended that the applicant contact the NHVR for further information regarding this matter.</p>

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:

SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.3:

- State code 1: Development in a state-controlled road environment.
- State code 6: Protection of state transport networks
- State code 22: Environmentally relevant activity

With conditions, the development complies with the relevant assessment benchmarks of SDAP in that the development:

- does not adversely impact the structural integrity or physical condition of the state-controlled road
- does not adversely impact the function and efficiency of the state-controlled road
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- 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.

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

(page left intentionally blank)

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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

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

Part 7: Miscellaneous

30 Representations about a referral agency response

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

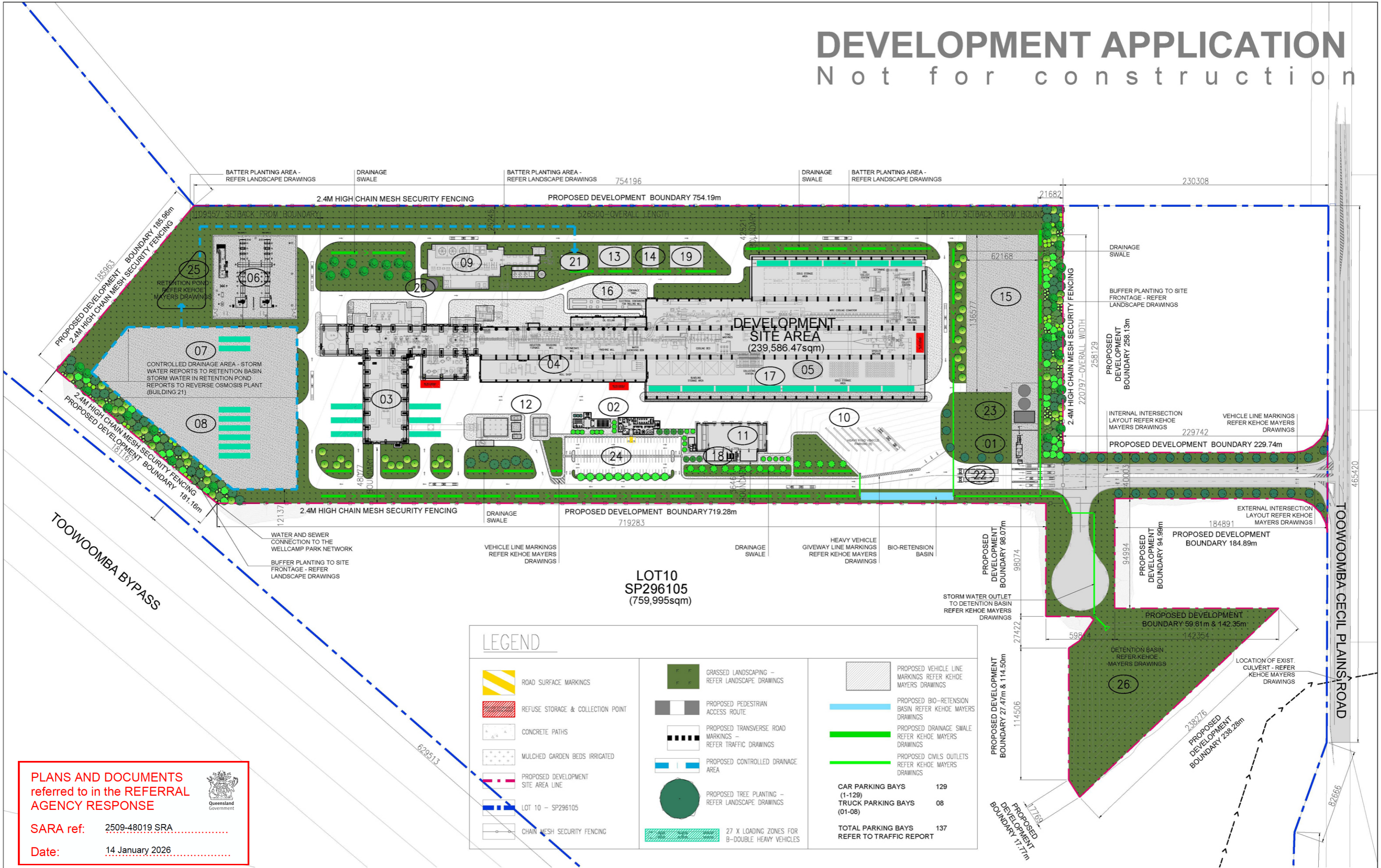
³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Attachment 5—Documents referenced in conditions

(page left intentionally blank)

DEVELOPMENT APPLICATION

Not for construction



LOT 10
SP296105
(759,995sqm)

LEGEND

	ROAD SURFACE MARKINGS		GRASSED LANDSCAPING - REFER LANDSCAPE DRAWINGS		PROPOSED VEHICLE LINE MARKINGS REFER KEHOE MAYERS DRAWINGS
	REFUSE STORAGE & COLLECTION POINT		PROPOSED PEDESTRIAN ACCESS ROUTE		PROPOSED BIO-RETENTION BASIN REFER KEHOE MAYERS DRAWINGS
	CONCRETE PATHS		PROPOSED TRANSVERSE ROAD MARKINGS - REFER TRAFFIC DRAWINGS		PROPOSED DRAINAGE SWALE REFER KEHOE MAYERS DRAWINGS
	MULCHED GARDEN BEDS IRRIGATED		PROPOSED CONTROLLED DRAINAGE AREA		PROPOSED CIVILS OUTLETS REFER KEHOE MAYERS DRAWINGS
	PROPOSED DEVELOPMENT SITE AREA LINE		PROPOSED TREE PLANTING - REFER LANDSCAPE DRAWINGS	CAR PARKING BAYS (1-129)	129
	LOT 10 - SP296105		27 X LOADING ZONES FOR B-DOUBLE HEAVY VEHICLES	TRUCK PARKING BAYS (01-08)	08
	CHAIN MESH SECURITY FENCING			TOTAL PARKING BAYS	REFER TO TRAFFIC REPORT

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2509-48019 SRA

Date: 14 January 2026



1:1500 @ A1 SIZE & 1:3000 @ A3

NOTES:
ALL DISCREPANCIES ARE TO BE REPORTED TO DESIGNER PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE.
THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR THE MAKING OF ANY SHOP DRAWINGS.
ALL SCALED DIMENSIONS MUST BE VERIFIED ON SITE.
THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF DEZINE ID.
DO NOT SCALE OR AMEND DRAWING MANUALLY.

NO	DATE	REV	DESCRIPTION	BY
22	10/25	3	ISSUE FOR DEVELOPMENT APPROVAL	IB
24	08/25	2	ISSUE FOR DEVELOPMENT APPROVAL	IB
03	07/25	1	ISSUE FOR DEVELOPMENT APPROVAL	IB
	DATE	REV	NOTE	BY



NOTE:
1. THIS DRAWING IS BASED ON CAD DRAWINGS PROVIDED TO DEZINEID @ 310625 BY KEHOE MYERS CONSULTING ENGINEERS PTY LTD.

GM STEEL WELLCAMP DEVELOPMENT PLAN
CECIL PLAINS RD, TOOWOOMBA, QLD, 4350.
DEVELOPMENT APPROVAL



GM STEEL WELLCAMP DEVELOPMENT PLAN

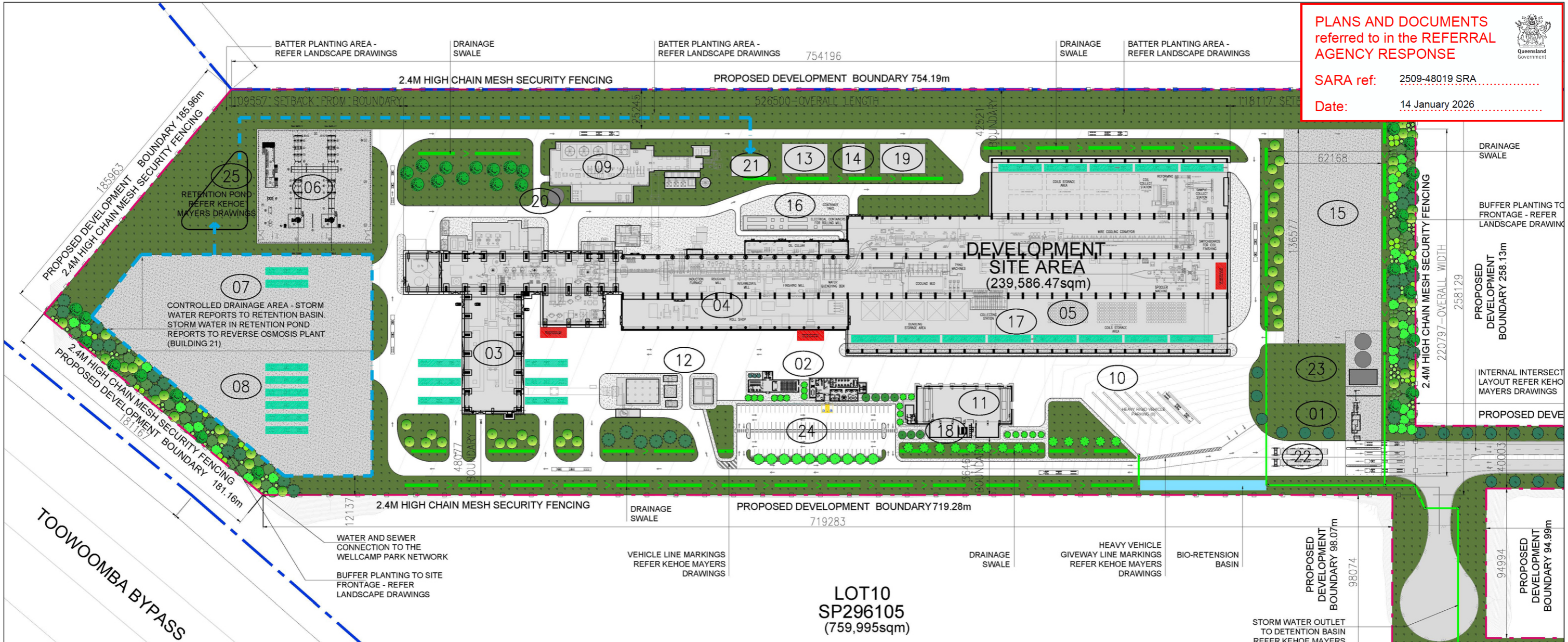
Job Number: 1123/25

DATE: 22/10/25
SCALE: 1:1500 @ A1
REV: 3
DRAWN BY: DA 002



SARA ref: 2509-48019 SRA

Date: 14 January 2026



LOT10 SP296105 (759,995sqm)

LEGEND

	ROAD SURFACE MARKINGS		GRASSED LANDSCAPING - REFER LANDSCAPE DRAWINGS		PROPOSED VEHICLE LINE MARKINGS - REFER KEHOE MAYERS DRAWINGS
	REFUSE STORAGE & COLLECTION POINT		PROPOSED PEDESTRIAN ACCESS ROUTE		PROPOSED BIO-RETENTION BASIN - REFER KEHOE MAYERS DRAWINGS
	CONCRETE PATHS		PROPOSED TRANSVERSE ROAD MARKINGS - REFER TRAFFIC DRAWINGS		PROPOSED DRAINAGE SWALE - REFER KEHOE MAYERS DRAWINGS
	MULCHED GARDEN BEDS IRRIGATED		PROPOSED CONTROLLED DRAINAGE AREA		PROPOSED CIVILS OUTLETS - REFER KEHOE MAYERS DRAWINGS
	PROPOSED DEVELOPMENT SITE AREA LINE		PROPOSED TREE PLANTING - REFER LANDSCAPE DRAWINGS	CAR PARKING BAYS (1-129)	129
	LOT 10 - SP296105		27 X LOADING ZONES FOR B-DOUBLE HEAVY VEHICLES	TRUCK PARKING BAYS (01-08)	08
	CHAIN MESH SECURITY FENCING			TOTAL PARKING BAYS	137
				REFER TO TRAFFIC REPORT	

PROG. Nr.	ITEM DESCRIPTION
01	ENTRY GATE
02	ADMINISTRATION BUILDING
03	MELT SHOP PLANT
04	ROLLING MILL
05	STORAGE AREA
06	MAINS RECEIVING SUBSTATIONS
07	SLAG DIPOSAL AREA
08	SCRAP STORAGE & PREPARATION AREA
09	WATER TREATMENT PLANT AREA
10	TRUCK PARKING
11	GENERAL WAREHOUSE AND MAINTENANCE SHOP
12	FUME TREATMENT PLANT
13	INDUSTRIAL GAS
14	LNG (LIQUID NATURAL GAS)
15	COMMON LAYDOWN AREA
16	CONTAINER YARD
17	STEEL PACKING
18	FERROALLOYS BUILDING AREA
19	DIESEL TANK
20	POTABLE WATER STORAGE TANK
21	REVERSE OSMOSIS PLANT
22	WEIGH BRIDGE
23	FIRE PUMP ROOM - FIRE TANK AND PUMPS
24	CAR PARKING AREA
25	RETENTION POND AREA
26	DETENTION BASIN AREA

DEVELOPMENT APPLICATION

Not for construction

SCALE IN METRES 1:1250 @ A1 SIZE & 1:2500@A3

NOTES:
ALL DISCREPANCIES ARE TO BE REPORTED TO DESIGNER PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE.
THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR THE MAKING OF ANY SHOP DRAWINGS.
ALL SCALED DIMENSIONS MUST BE VERIFIED ON SITE.
THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF DEZINE ID.
DO NOT SCALE OR AMEND DRAWING MANUALLY.



22/10/25	3	ISSUE FOR DEVELOPMENT APPROVAL	IB
24/08/25	2	ISSUE FOR DEVELOPMENT APPROVAL	IB
03/07/25	1	ISSUE FOR DEVELOPMENT APPROVAL	IB
DATE	REV	NOTE	BY

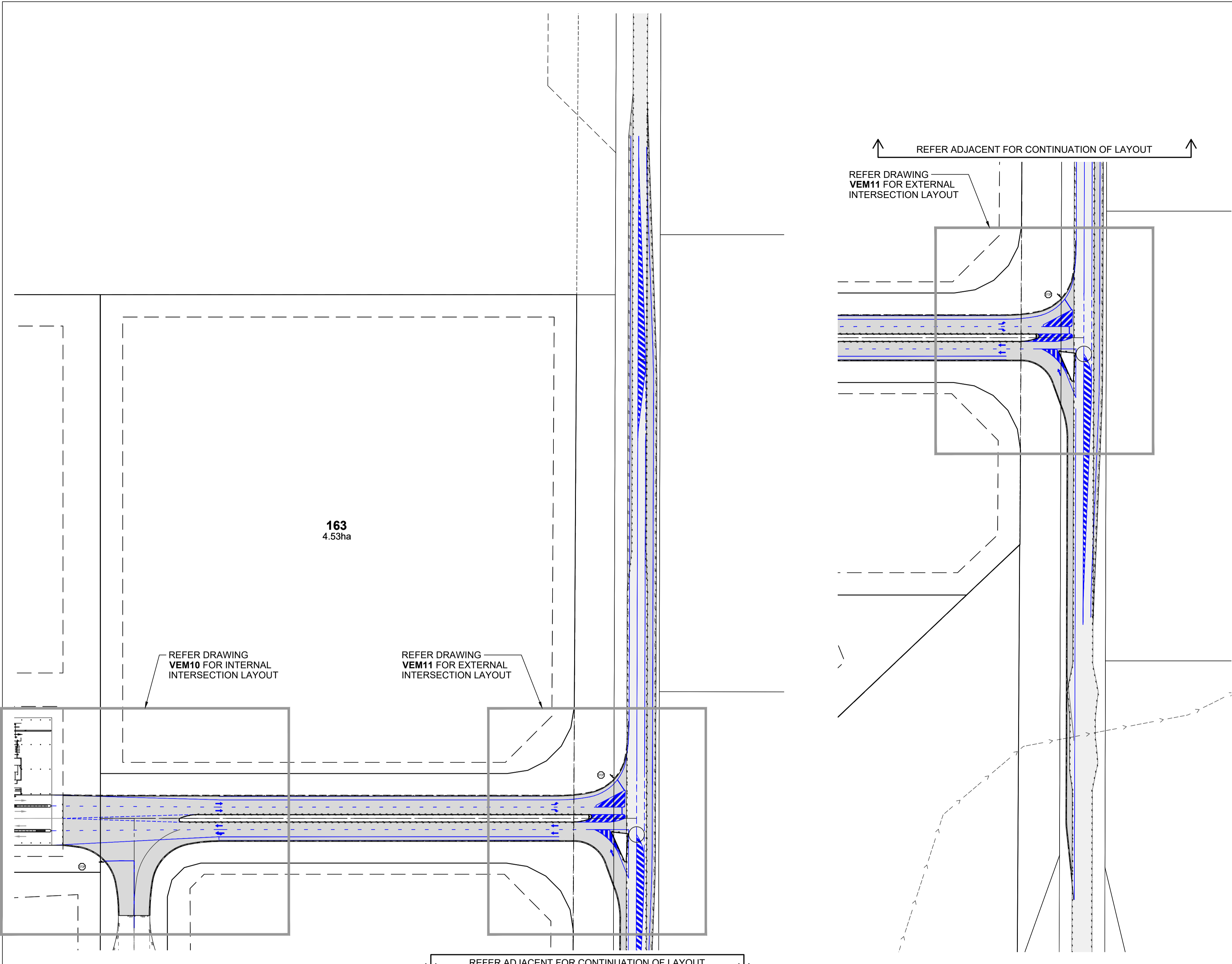


NOTE:
1. THIS DRAWING IS BASED ON CAD DRAWINGS PROVIDED TO DEZINEID @ 310625 BY KEHOE MYERS CONSULTING ENGINEERS PTY LTD.

GM STEEL WELLCAMP DEVELOPMENT FLOOR PLAN
CECIL PLAINS RD, TOOWOOMBA, QLD, 4350.
DEVELOPMENT APPROVAL



GM STEEL WELLCAMP Job Number: 1123/25
DEVELOPMENT FLOOR PLAN
DATE: 22/10/25 SCALE: 1:1250 @ A1
PAGE: 3 OF 3 DA 01

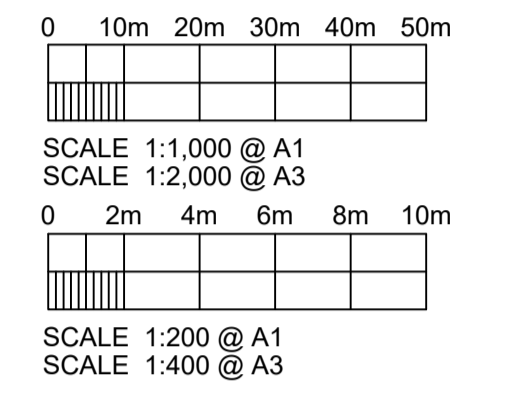


NOTE:
 + ALL SHOWN SERVICES ARE FROM ON SITE VISUAL INSPECTIONS AND EXISTING RECORDS ONLY. CONTRACTOR TO CONFIRM LOCATION AND DEPTH OF ALL INGROUND SERVICES PRIOR TO ANY EXCAVATION.

COPYRIGHT
 Kehoe Myers Consulting Engineers Pty. Ltd. Reserve the right to the design and documentation of the work contained on this drawing. This work is covered by Copyright and cannot be reproduced or copied in any form without the written permission of Kehoe Myers Consulting Engineers Pty. Ltd. Any license, expressed or implied, to the use of this document is restricted to the terms of agreement between the client and consulting engineer for professional services.

DATUM
PSM
 SURVEYOR_INFORMATION

DRAWING ISSUE			
ISSUE	DATE	DETAILS	INITIAL
P1	07.07.25	FOR INFORMATION	PJS



PRELIMINARY
 NOT FOR CONSTRUCTION
 DATE 07.07.25 03:41 PM

PRINT IN COLOUR

Kehoe Myers
 CONSULTING ENGINEERS KEHOEMYERS.COM.AU
 PH +617 4632 8100

CIVIL | STRUCTURAL | HYDRAULIC

CLIENT
GM STEEL PTY LTD

PROJECT
GM STEEL - WELLCAMP FACILITY

DRAWING TITLE
OVERALL INTERSECTION LAYOUT

DESIGN	<i>Dg</i>	ORIGINAL SIZE	A1
DRAWN	<i>MB</i>	PROJECT NUMBER	C2425187
CHECKED	<i>FJS</i>	DRAWING NUMBER	VEM09
APPROVED		ISSUE	P1

OVERALL INTERSECTION LAYOUT
 SCALE:- 1:1,000 @ A1, 1:2,000 @ A3

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2509-48019 SRA.....

Date: 14 January 2026.....



Permit

Environmental Protection Act 1994

Environmental authority P-EA-100943025

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

Environmental authority number: P-EA-100943025

Environmental authority takes effect on the date which is later: either 1 January 2028, or whenever development approval MCUI/2025/5156 takes effect. 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

Name	Registered address
GM STEEL PTY LTD	22 Newmarket Rd WINDSOR QLD 4030

Environmentally relevant activity and location details

Environmentally relevant activities	Location
ERA 19 - Metal forming - Hot forming a total of 10,000t or more of metal in a year	10/SP296105
ERA 29 - Metal Foundry Operation - 1(d) - Producing, in a year, the following quantity of ferrous metal castings - more than 10,000t	10/SP296105
ERA 62 - Resource recovery and transfer facility operation - 1(a) - Operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap metal, non-putrescible waste or green waste only	10/SP296105

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 contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (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 contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website 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:

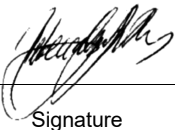
- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority - on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day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

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

08/01/2026

Date

Rebecca Griffiths
**Department of the Environment, Tourism,
Science and Innovation**
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Utilities and Government Organisations
Assessment
GPO Box 2454, Brisbane QLD 4001
Phone: 1300 130 372
Email: palm@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 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 *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.resources.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

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.

Conditions of environmental authority

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site-specific conditions of the approval.

Agency interest: General	
Condition number	Condition
G1.0	All reasonable and practicable measures must be taken to prevent or minimise the likelihood of environmental harm caused by the activity .
G2.0	Unless specifically authorised by a condition of this environmental authority, this environmental authority does not authorise a relevant act which is: <ul style="list-style-type: none"> a) an act that causes serious or material environmental harm or an environmental nuisance; or b) an act that contravenes a noise standard; or c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG of the <i>Environmental Protection Act 1994</i>.
G3.0	<u>Contravention of conditions</u> Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must: <ul style="list-style-type: none"> a) be reported to the administering authority within 24 hours of becoming aware of the contravention; and b) include the nature and circumstances of the contravention and any immediate actions taken.
G3.1	As soon as reasonably practicable but no later than 20 business days of a report made under condition G3.0 (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine: <ul style="list-style-type: none"> a) the potential circumstances and actions that may have contributed to the contravention; and b) reasonable and practicable measures that will be implemented to address the cause of the contravention to prevent future contraventions of this nature.
G3.2	As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition G3.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.
G3.3	The outcome of the investigation carried out under condition G3.1 and the reasonable and practicable measures implemented under condition G3.2 must be recorded.

G4.0	<p><u>Complaints</u></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"> a) date and time the complaint was received; and b) if authorised by the person making the complaint, their name and contact details; and c) nature and details of the complaint.
G4.1	<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"> a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and b) reasonable and practicable measures that will be implemented to address the complaint.
G4.2	<p>As soon as reasonably practicable but no later than 5 business days of investigating a complaint 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.</p>
G4.3	<p>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.</p>
G5.0	<p><u>Environmental risk management procedures</u></p> <p>Written procedures must be developed and implemented by an appropriately qualified person(s) that ensure:</p> <ul style="list-style-type: none"> 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"> i. during routine operations; and ii. outside routine operations (e.g., maintenance, start up and shut down); and iii. during preparation, rehabilitation, and closure; and iv. in an emergency (e.g., fire, flood or other natural disaster); and b) for each potential risk identified, any necessary measures to prevent or minimise the potential for environmental harm are implemented; and c) staff understand their obligations under this environmental authority and the <i>Environmental Protection Act 1994</i>; and d) environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach.

G6.0	<p><u>Plant and equipment</u></p> <p>An appropriately qualified person(s) 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>						
G6.1	<p>Records of installation, calibration and maintenance carried out under condition G7.0 must be kept.</p>						
G7.0	<p><u>Record keeping</u></p> <p>Unless otherwise specified by a condition of this environmental authority, records must be:</p> <ul style="list-style-type: none"> a) kept for the period outlined in <i>Table 1 – Record keeping requirements</i>; and b) provided to the administering authority upon request and in the format requested. <p>Table 1 – Record keeping requirements</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Description of records</th> <th style="text-align: left;">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						
G8.0	<p><u>Monitoring and sampling</u></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(s).</p>						
G8.1	<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>						
G9.0	<p><u>Chemical storage</u></p> <p>All Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.</p>						
G10.0	<p><u>Site access</u></p> <p>Safe, efficient and clear access to all areas of the site including all stockpiles, storage areas, buildings and structures for fire-fighting vehicles must be provided at all times.</p>						
G10.1	<p>Water supply (fire hydrants/boosters) and any fire safety systems or equipment must at all times be clearly marked and identifiable and remain unobstructed for attending fire crews.</p>						
G11.0	<p>Feedstock to the Electric Arc Furnace must only include Ferrous material in accordance with the Institute of Scrap Recycling Industries (ISRI) specification and must not contain feedstock impurities.</p>						

G12.0	Waste steel processing, including cutting or shredding, must not occur onsite except the sorting of waste steel to separate steel of different properties and to remove any residual feedstock impurities .																				
Agency interest: Air																					
Condition number	Condition																				
A1.0	Odours or airborne contaminants from the activity must not cause environmental nuisance to any sensitive place or commercial place .																				
A2.0	Contaminated air must be treated by a Fume Treatment Plant (FTP) generally in accordance with <i>Appendix B – Operations Flow Diagram</i> prior to the release.																				
A3.0	<p>Contaminants must only be released to air from the point source in accordance with:</p> <ul style="list-style-type: none"> a) the contaminants are released in accordance with <i>Table 2 – Point Source Parameters</i>; and b) the contaminants being released comply with the release limits for each quality characteristic specified in <i>Table 3 – Point Source Air Release Limits</i>; and c) the contaminants being released are monitored at their minimum monitoring frequency for each quality characteristic specified in <i>Table 3 – Point Source Air Release Limits</i>; and d) the associated requirements below <i>Table 3 – Point Source Air Release Limits</i>; and e) The notes below <i>Table 2 – Point Source Parameters</i> and <i>Table 3 – Point Source Air Release Limits</i> <p>Table 2 – Point Source Parameters</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;">Release point Location</th> <th style="width: 20%;">Minimum release height above ground (m)</th> <th style="width: 20%;">Minimum exit velocity (m/s)</th> <th style="width: 25%;">Description</th> </tr> </thead> <tbody> <tr> <td>FTP stack GDA2020 MGA2020 Zone 56 (383753E, 6951843N) (-27.552, 151.823)</td> <td style="text-align: center;">50</td> <td style="text-align: center;">12</td> <td>Fume treatment plant exhaust stack</td> </tr> </tbody> </table> <p>Note 1: As generally depicted in <i>Appendix A – Site Plan</i></p> <p>Table 3 – Point Source Air Release Limits</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Release point</th> <th style="width: 30%;">Contaminant</th> <th style="width: 20%;">Maximum concentration release limit (Note 1)</th> <th style="width: 30%;">Monitoring frequency</th> </tr> </thead> <tbody> <tr> <td rowspan="2">FTP stack</td> <td>Oxides of Nitrogen (as NO₂)</td> <td>40 mg/Nm³ (dry)</td> <td rowspan="2">The FTP stack must be monitored for the</td> </tr> <tr> <td>Sulphur dioxide (SO₂)</td> <td>50 mg/Nm³ (dry)</td> </tr> </tbody> </table>			Release point Location	Minimum release height above ground (m)	Minimum exit velocity (m/s)	Description	FTP stack GDA2020 MGA2020 Zone 56 (383753E, 6951843N) (-27.552, 151.823)	50	12	Fume treatment plant exhaust stack	Release point	Contaminant	Maximum concentration release limit (Note 1)	Monitoring frequency	FTP stack	Oxides of Nitrogen (as NO ₂)	40 mg/Nm ³ (dry)	The FTP stack must be monitored for the	Sulphur dioxide (SO ₂)	50 mg/Nm ³ (dry)
Release point Location	Minimum release height above ground (m)	Minimum exit velocity (m/s)	Description																		
FTP stack GDA2020 MGA2020 Zone 56 (383753E, 6951843N) (-27.552, 151.823)	50	12	Fume treatment plant exhaust stack																		
Release point	Contaminant	Maximum concentration release limit (Note 1)	Monitoring frequency																		
FTP stack	Oxides of Nitrogen (as NO ₂)	40 mg/Nm ³ (dry)	The FTP stack must be monitored for the																		
	Sulphur dioxide (SO ₂)	50 mg/Nm ³ (dry)																			

GDA2020 MGA2020 Zone 56 (383753E, 6951843N) (-27.552, 151.823)	Carbon Monoxide (CO)	125 mg/Nm ³ (dry)	contaminants within three months of commencement of the activity and six monthly thereafter.
	Total Solid Particulates (TSP)	20 mg/Nm ³ (dry)	
	Mercury and its compounds (expressed as Hg)	0.2 mg/Nm ³ (dry)	
	Lead and its compounds (expressed as Pb)	0.4 mg/Nm ³ (dry)	
	Cadmium and its compounds (expressed as Cd)	0.2 mg/Nm ³ (dry)	
	Total heavy metals (Note 2)	1 mg/Nm ³ (dry)	
	Hydrogen Fluoride (HF)	0.2 mg/Nm ³ (dry)	
	Hydrogen Chloride (HCl)	2.0 mg/Nm ³ (dry)	
	Volatile Organic Compounds (VOC) as n-propane equivalent	40 mg/Nm ³ (dry)	
	Polycyclic Aromatic Hydrocarbons (PAH) (as BaP equivalent) (Note 3)	0.005 mg/Nm ³ (dry)	
	Dioxins and furans (I-TEQ for PCDDs and PCDFs)	0.1 ng/Nm ³ (dry)	
<p>Note 1: All concentrations limits apply to a sampling period averaged over 30 minutes or period specified in the relevant test method, whichever is the greater.</p> <p>Note 2: Total heavy metals limit is Type 1 substances and Type 2 substances (in aggregate) where:</p> <ul style="list-style-type: none"> • Type 1 substance means the elements of antimony, arsenic, cadmium, lead or mercury, or a compound containing 1 or more of these elements; and • Type 2 substance means the elements of beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium, or a compound containing 1 or more of these elements. <p>Note 3: Polycyclic Aromatic Hydrocarbons (PAH) limit is for the total of the 16 priority pollutants, namely, Naphthalene, Acenaphthylene, Acenaphthene, Fluorene, Phenanthrene, Anthracene, Fluoranthene, Pyrene, Benz(α)anthracene, Chrysene, Benzo(b)fluoranthene, Benzo(k)fluoranthene, Benzo(α)pyrene, Indeno[1,2,3-cd]pyrene, Dibenz[ah]anthracene and Benzo[ghi]perylene, expressed as Benzo(α)pyrene equivalents using the potency equivalence factors specified by the World Health Organisation.</p> <p>Associated requirements:</p> <ol style="list-style-type: none"> a) The release of contaminants from a point source must be directed vertically upwards without any impedence or hindrance; and b) Monitoring must be undertaken during a release and at the authorised release points, frequency, and for the contaminants specified in <i>Table 3 – Point Source Parameters</i> and <i>Table 4 – Point Source Air Release Limits</i>; and c) Monitoring must be undertaken when emissions are expected to be representative of actual operating conditions for the sample period; and d) All monitoring devices must be effectively calibrated and maintained in accordance with the manufacturer's instructions and Australian and international standards; and e) 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 administering authority's Air Quality 			

	<p>Sampling Manual, monitoring protocols must be in accordance with a method as approved by New South Wales Environmental Protection Authority, US EPA, or European standards (EN); and</p> <p>f) Monitoring position for the release points (stacks) listed in <i>Table 2 – Point Source Parameters</i> and <i>Table 3 – Point Source Air Release Limits</i> must comply with the Australian Standard AS 4323.1 - 1995 "Stationary source emissions Method 1: Selection of sampling positions"; and</p> <p>g) All air emission stack monitoring must be conducted by an experienced person or body which holds current National Association of Testing Authorities (NATA); and</p> <p>h) The following tests must be performed for each required determination specified in <i>Table 3 – Point Source Air Release Limits</i>:</p> <ul style="list-style-type: none"> i. gas velocity and volume flow rate; and ii. temperature and oxygen content; and iii. water vapour concentration; and <p>i) During the sampling period, the following additional information must be gathered:</p> <ul style="list-style-type: none"> i. plant throughput rate at the time of sampling; and ii. any typical factors that may influence air pollutant emissions; and iii. reference to the actual test methods and accuracy. 																
<p>A4.0</p>	<p>The activities conducted at the premises must not cause any exceedance of the metals deposition trigger values specified in <i>Table 4 - Air Quality - Dust Deposition Quality Trigger Values</i> at the monitoring places used for dust deposition.</p> <p>Table 4 - Air Quality - Dust Deposition Quality Trigger Values</p> <table border="1" data-bbox="314 1072 1425 1684"> <thead> <tr> <th data-bbox="314 1072 549 1218">Monitoring locations</th> <th data-bbox="549 1072 815 1218">Contaminant</th> <th data-bbox="815 1072 1235 1218">Dust Deposition Quality Trigger value (µg/m²/day, calculated as an annual average)</th> <th data-bbox="1235 1072 1425 1218">Monitoring Frequency</th> </tr> </thead> <tbody> <tr> <td data-bbox="314 1218 549 1684" rowspan="5"> Dust deposition monitoring site (Note 1) GDA2020 MGA2020 Zone 56 (383815E, 6951843N) (-27.552, 151.823) </td> <td data-bbox="549 1218 815 1308">Arsenic and its compounds as arsenic</td> <td data-bbox="815 1218 1235 1308">4</td> <td data-bbox="1235 1218 1425 1684" rowspan="5"> All monitoring locations must be monitored for the contaminants within six months of commencement of the activity and annually thereafter. </td> </tr> <tr> <td data-bbox="549 1308 815 1397">Lead and its compounds as lead</td> <td data-bbox="815 1308 1235 1397">100</td> </tr> <tr> <td data-bbox="549 1397 815 1487">Cadmium and its compounds as cadmium</td> <td data-bbox="815 1397 1235 1487">2</td> </tr> <tr> <td data-bbox="549 1487 815 1576">Nickel and its compounds as nickel</td> <td data-bbox="815 1487 1235 1576">15</td> </tr> <tr> <td data-bbox="549 1576 815 1684">Mercury and its compounds as mercury</td> <td data-bbox="815 1576 1235 1684">1</td> </tr> </tbody> </table> <p>Note 1: The Dust deposition monitoring site must be located on the activity site directly due east of the FTP stack identified in <i>Table 3 – Point Source Air Release Limits</i>.</p> <p>Associated requirements:</p> <ul style="list-style-type: none"> a) Monitoring must be undertaken when emissions are expected to be representative of actual operating conditions for the sample period; and b) All monitoring devices must be effectively calibrated and maintained in accordance with the manufacturer's instructions and Australian and international standards; and c) Dust Deposition Monitoring locations must be located in accordance with AS/NZS 3580.1.1:2016 Methods for sampling and analysis of ambient air, Part 1.1: Guide to siting air monitoring equipment; and 	Monitoring locations	Contaminant	Dust Deposition Quality Trigger value (µg/m ² /day, calculated as an annual average)	Monitoring Frequency	Dust deposition monitoring site (Note 1) GDA2020 MGA2020 Zone 56 (383815E, 6951843N) (-27.552, 151.823)	Arsenic and its compounds as arsenic	4	All monitoring locations must be monitored for the contaminants within six months of commencement of the activity and annually thereafter.	Lead and its compounds as lead	100	Cadmium and its compounds as cadmium	2	Nickel and its compounds as nickel	15	Mercury and its compounds as mercury	1
Monitoring locations	Contaminant	Dust Deposition Quality Trigger value (µg/m ² /day, calculated as an annual average)	Monitoring Frequency														
Dust deposition monitoring site (Note 1) GDA2020 MGA2020 Zone 56 (383815E, 6951843N) (-27.552, 151.823)	Arsenic and its compounds as arsenic	4	All monitoring locations must be monitored for the contaminants within six months of commencement of the activity and annually thereafter.														
	Lead and its compounds as lead	100															
	Cadmium and its compounds as cadmium	2															
	Nickel and its compounds as nickel	15															
	Mercury and its compounds as mercury	1															

	<p>d) Analysis of dust deposition samples must be in accordance with AS/NZS 3580.10.1:2016 Methods for sampling and analysis of air, Method 10.1: Determination of particulate matter – Deposited matter – Gravimetric method; and</p> <p>e) During the sampling period, the following additional information must be gathered:</p> <ul style="list-style-type: none"> i. plant throughput rate during the period of sampling; and ii. any typical factors that may influence air pollutant emissions; and iii. reference to the actual test methods and accuracy.
<p>A4.1</p>	<p>If monitoring required by condition A4.0 identify an exceedance of any dust deposition quality trigger values specified in <i>Table 4 - Dust Deposition Quality Trigger Values</i>, the holder of this environmental authority must:</p> <ul style="list-style-type: none"> a) complete an investigation, conducted by an appropriately qualified person, to identify the cause or potential causes of the exceedance; and b) give consideration to the environmental management procedures required by condition G5.0, records required to be obtained by condition G7.0, relevant risk assessments and identified pollution controls measures; and c) provide a written report to the administering authority within four (4) months of the date of receipt of monitoring results, outlining: <ul style="list-style-type: none"> i. details of the investigation carried out; and ii. identification of the source of the exceedance, and if the exceedance has resulted from the authorised activity, iii. identification of the proposed control measures required to prevent further exceedances; and iv. actions taken or to be taken to minimise environmental harm.
<p>A5.0</p>	<p>This environmental authority does not authorise odours or airborne contaminants generated by the activity to cause a relevant act at a sensitive place or commercial place.</p>
<p>A6.0</p>	<p>Air emission control measures must be installed, operated and maintained by an appropriately qualified person(s) in accordance with the manufacturer's specifications and instructions.</p>
<p>A7.0</p>	<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"> a) the relevant Australian Standards; or b) a method approved by any other Australian, European or North American jurisdiction/EPAs (if monitoring requirements are not described in the Australian Standards).
<p>A8.0</p>	<p><u>Greenhouse Gas Abatement Plan</u></p> <p>A Greenhouse Gas Abatement Plan that meets the requirements of Appendix A of the latest version of the Queensland Greenhouse Gas Emissions Guideline (ESR/2024/6819) must be prepared within 6 months of the effective date of this permit.</p>

A8.1	The Greenhouse Gas Abatement Plan must be implemented and complied with whilst the environmental authority is in force and any activities are being carried out.
A8.2	The Greenhouse Gas Emission Reduction Program in the Greenhouse Gas Abatement Plan may be updated to incorporate opportunities to further reduce emissions and improve energy efficiency.
A8.3	Updates to the Greenhouse Gas Abatement Plan carried out under condition A8.1 must meet the requirements of Appendix A of the latest version of the Queensland Greenhouse Gas Emissions Guideline (ESR/2024/6819).
A8.4	An appropriately qualified person(s) must undertake an audit every 5-years following the effective date of this permit to determine whether the Greenhouse Gas Abatement Plan has been implemented and complied with during the previous 5-year period.
A8.5	<p>A statement of compliance must be prepared about the work undertaken to implement and comply with the Greenhouse Gas Abatement Plan. The statement of compliance must:</p> <ul style="list-style-type: none"> a) be prepared by an appropriately qualified person(s); and b) be submitted to the administering authority within 10 business days of the audit under condition A8.4 being completed; and c) consider the following compliance criteria: <ul style="list-style-type: none"> i. whether the emission reduction targets in the Greenhouse Gas Abatement Plan have been met; and ii. whether the emission reduction measures in the Greenhouse Gas Emission Reduction Program have been implemented; and iii. whether the Greenhouse Gas Abatement Plan has been reviewed in accordance with review provisions in the Greenhouse Gas Abatement Plan; and iv. whether greenhouse gas emissions have been monitored in accordance with the monitoring program in the Greenhouse Gas Abatement Plan; and v. whether public reporting on progress toward the emission reduction targets has been carried out in accordance with the reporting program in the Greenhouse Gas Abatement Plan. d) state whether the work complies with the above compliance criteria. e) be supported by the methodology, assumptions and input data used to determine greenhouse gas emissions.
A8.6	<p>Within 20 business days of the audit being completed under condition A8.4 the following information must be published on the environmental authority holder's website:</p> <ul style="list-style-type: none"> a) the statement of compliance required under condition A8.5; and b) the latest version of the Greenhouse Gas Abatement Plan.

A8.7	Any non-compliance with the Greenhouse Gas Abatement Plan must be reported to the administering authority in accordance with condition G3.0.
Agency interest: Water	
Condition number	Condition
WT1.0	<p>Contaminants must not be released to waters except stormwater releases:</p> <ul style="list-style-type: none"> a) that exceed the capacity of the controlled drainage area identified in <i>Appendix A</i>; and b) treated via the stormwater treatment and retention measures in accordance with condition WT3.0.
WT2.0	<p><u>Stormwater</u></p> <p>Stormwater must be managed to:</p> <ul style="list-style-type: none"> a) prevent stormwater from being contaminated by the activity; or b) direct stormwater that is contaminated by the activity to stormwater treatment and retention measures generally in accordance with <i>Appendix A – Site Plan</i>, or c) contain stormwater from the scrap steel storage area within controlled drainage area generally in accordance with <i>Appendix A – Site Plan</i>.
WT2.1	Stormwater treatment and retention measures and the controlled drainage area must have capacity to retain stormwater runoff generated by a storm event up to and including a 24-hour storm event with an Annual Exceedance Probability (AEP) of 10% .
WT2.2	Clean stormwater must be diverted away from the “development site area” as identified in <i>Appendix A – Site Plan</i> .
WT3.0	Stormwater within the stormwater catchment identified as “controlled drainage area” by <i>Appendix A – Site Plan</i> must be collected and contained and treated by the wastewater treatment plant.
WT4.0	The holder of this authority must hold a current trade waste agreement that accommodates the entire volume of effluent produced by the wastewater treatment plant with a facility that can lawfully accept the wastewater.
WT5.0	<p>Releases of treated stormwater from the northern stormwater catchment identified by <i>Appendix A – Site Plan</i> to waters must not:</p> <ul style="list-style-type: none"> a) produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other visually objectionable matter, and

	b) contain any properties at a concentration capable of causing environmental harm.						
Agency interest: Noise							
Condition number	Condition						
N1.0	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place .						
N2.0	Noise from the activity must not include substantial low frequency noise components and must not exceed the levels identified in <i>Table 5 – Noise limits</i> at any sensitive place or commercial place .						
	Table 5 – Noise limits						
	Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays		
		7am–6pm	6pm–10pm	10pm–7am	9am–6pm	6pm–10pm	10pm–9am
		Noise measured a sensitive place					
	L_{Aeq} adj, 1 hr	41 dB(A)	41 dB(A)	37 dB(A)	41 dB(A)	41 dB(A)	37 dB(A)
	L_{Amax}, 1 hr	-	-	49 dB(A)	-	-	49 dB(A)
		Noise measured at a commercial place					
	L_{Aeq} adj, 1 hr	62 dB(A)	62 dB(A)	62 dB(A)	62 dB(A)	62 dB(A)	62 dB(A)
N2.1	Notwithstanding condition N2.0, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place resulting from impulsive noise between 10pm and 7am on any day.						
N3.0	All monitoring of noise emissions from the activity must be undertaken when the activity is in operation.						
N4.0	The following must be recorded when undertaking monitoring of noise emissions from the activity : <ul style="list-style-type: none"> a) All equipment in operation at the time of the noise measurement; and b) The mode of operation at the time of the noise measurement. <p><i>Note: results and monitoring reports are records that must be kept in accordance with condition G7.0.</i></p>						
N5.0	Noise measurements must be taken using a class 1 sound level meter as classified under AS IEC 61672.						
N6.0	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), the relevant <i>Australian Standard and the Environmental Protection Regulation 2019 (Chapter 5, Part 4)</i> .
N7.0	Noise attenuation measures must be installed and maintained to achieve compliance with condition N2.0.
Agency interest: Land	
Condition number	Condition
L1.0	Contaminants must not be released to land .
Agency interest: Waste	
Condition number	Condition
WS1.0	All waste generated in carrying out the activity must be reused, recycled or removed to a facility that can lawfully accept the waste.
WS2.0	Incompatible wastes must not be mixed in the same container or waste storage area.
WS3.0	All spillages of combustible liquids or material must be cleaned up using the appropriate containment method immediately.
WS4.0	The slag stockpile must be covered to prevent ingress of rain and banded to prevent ingress of stormwater.

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.

24-hour rainfall event with an Annual Exceedance Probability of 10% means the maximum Design Rainfall Depth (mm) from a 24-hour duration precipitation event with an annual exceedance probability of 10%. The Design Rainfall Depth (mm) for an AEP probability of 10% over a 24-hour duration can be calculated for your location using the Intensity–Frequency–Duration (IFD) Design Rainfall Data System on the Bureau of Meteorology website.

Activity means the environmentally relevant activities, to which this environmental authority relates.

Administering authority means the Department of the Environment, Tourism, Science and Innovation or its successors or predecessors.

Annual exceedance probability (AEP) means the probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.

Appropriately qualified person(s) 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.

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Contaminant(s) means:

- a gas, liquid or solid; or
- an odour; or
- an organism (whether alive or dead), including a virus; or
- energy, including noise, heat, radioactivity and electromagnetic radiation; or
- a combination of contaminants.

Controlled drainage area means the designated, impermeable and bunded catchment where stormwater runoff from scrap steel storage is captured and directed to a retention pond, which reports to the reverse osmosis (RO) plant for reuse in the Electric Arc Furnace (EAF).

Environmental nuisance as defined under Chapter 1 of the *Environmental Protection Act 1994*.

Environmental harm as defined under Chapter 1 of the *Environmental Protection Act 1994*.

Feedstock impurities means non-ferrous materials, including but not limited to plastics, foams, upholstery, hydrocarbons, metals (excluding steel and iron).

Impulsive noise means short bursts of high-intensity sound that occur suddenly and typically last for a very brief duration, usually less than one second. These noises are characterised by rapid onset and decay, often with a high peak sound pressure level. Impulsive noise can be caused by events such as explosions, gunshots, hammering, or machinery impacts.

$L_{Aeq\ adj, 1\ hr}$ 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.

$L_{Amax, 1\ hr}$ means the maximum A-weighted sound pressure level over the 1-hour measurement period.

Land does not include waters.

Measures has the broadest interpretation and includes plant, equipment, physical objects, bunding, containment systems, monitoring, procedures, actions, directions and competency.

NATA means National Association of Testing Authorities.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, or surface waters.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- a public thoroughfare, park or garden; or
- for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Stormwater treatment and retention measures means the drainage swales and bioretention basin identified in *Appendix A – Site Plan*.

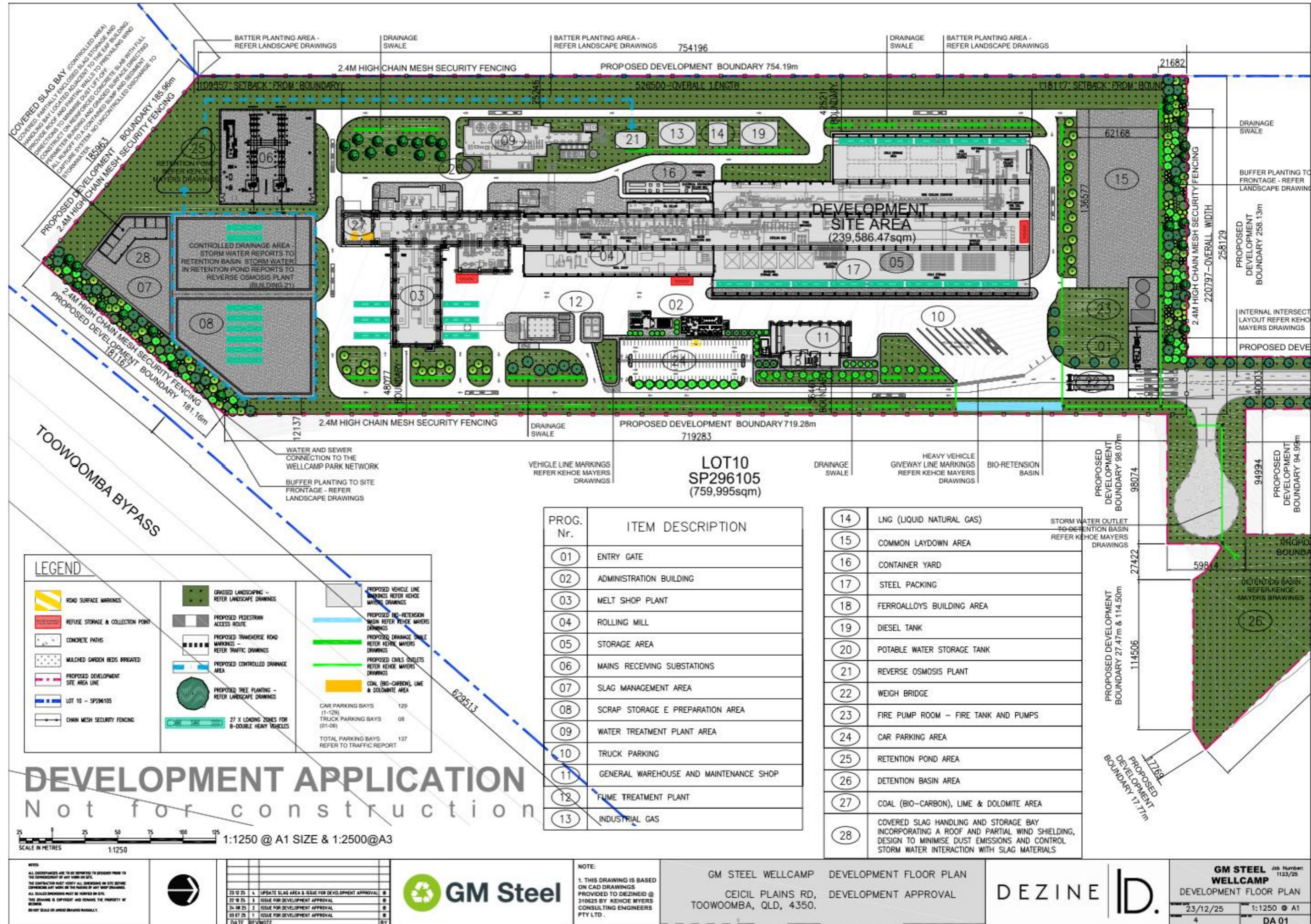
Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Water Quality Sampling Manual means the following document or more recent additions or supplements to that document as such become available:

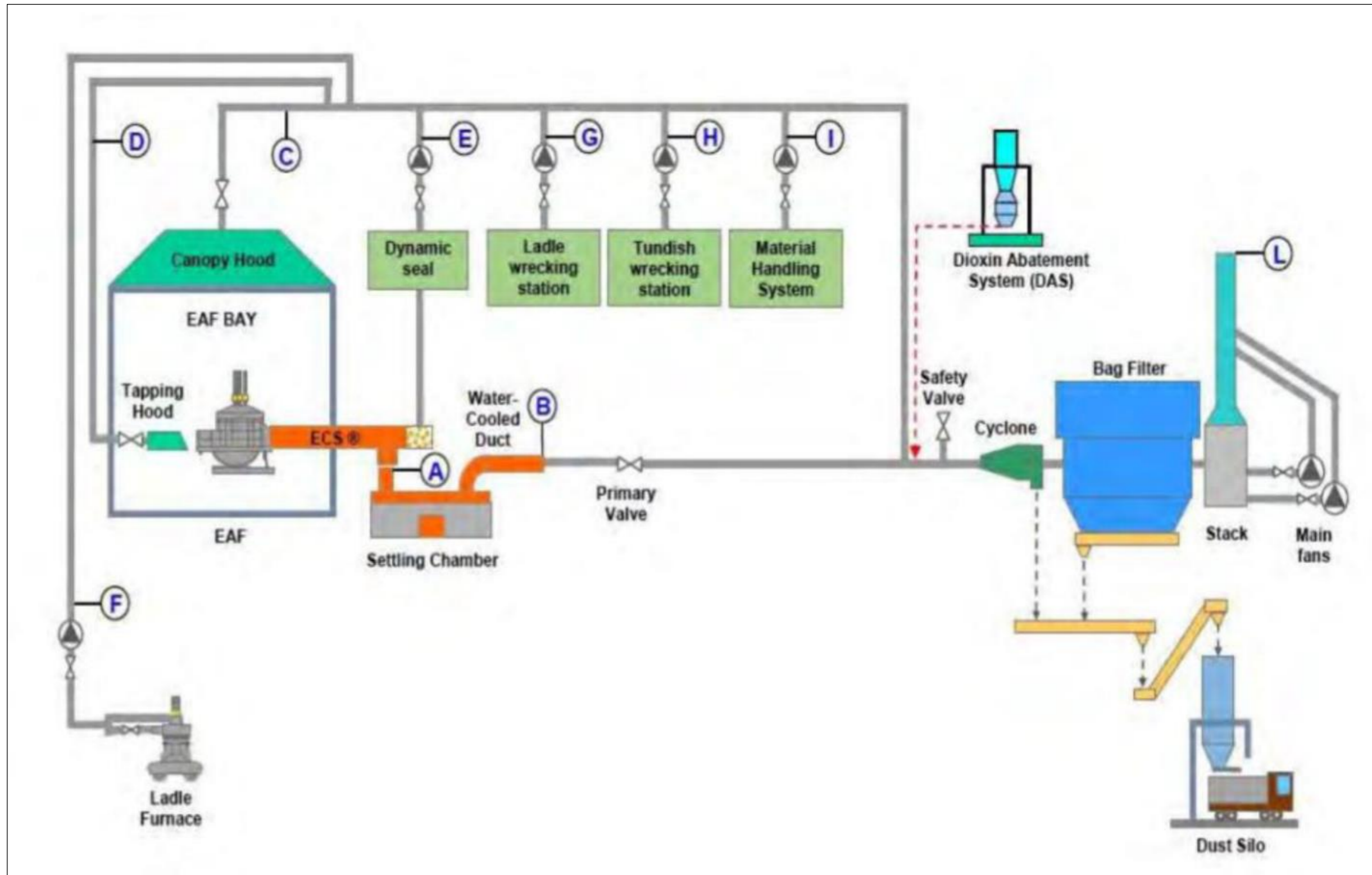
- *Monitoring and Sampling Manual, Environmental Protection (Water) Policy 2009 (2018) Water Quality and Investigation*, Department of Environment and Science (DES).

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 A - Site Plan



Appendix B – Operations Flow Diagram



END OF ENVIRONMENTAL AUTHORITY

Our ref TMR25-047503
Your ref 2509-48019 SRA
Enquiries Markus Dittmann



2 December 2025

Department of
Transport and Main Roads

Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number 2509-48019 SRA, lodged with Toowoomba Regional Council involves constructing or changing a vehicular access between Lot 10SP296105, the land the subject of the application, and Toowoomba Cecil Plains Road (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address GM Steel Pty Ltd
PO Box 3038
Toowoomba QLD 4350

Application Details

Address of Property Toowoomba Cecil Plains Road, Wellcamp QLD 4350
Real Property Description 10SP296105
Aspect/s of Development

Development Permit for Material Change of Use for Material Change of Use – Impact – High Impact Industry; and Environmentally Relevant Activity (ERA) 19 – Metal Forming (forming a total of 10,000 tonnes or more of metal in a year); and Environmentally Relevant Activity (ERA) 29(1)(d) Metal Foundry Operation (producing more than 10,000 tonnes of ferrous metal castings in a year); and Environmentally Relevant Activity (ERA) 62 (1) (a) Resource Recovery and Transfer Facility Operation (operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap steel, non putrescible waste or green waste only) Location: Toowoomba Cecil Plains Road, WELLCAMP QLD 4350 Property Description: Lot 10 SP296105 and Emt A RP835801

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

¹ Please refer to the further approvals required under the heading 'Further approvals'

No.	Conditions of Approval	Condition Timing
Road Access Location		
A. General		
1	The Permitted Road Access Location is in accordance with GM Steel Wellcamp Development Plan prepared by Dezine, dated 22/10/2025, referenced DA 002 and revision 3. The proposed site access must be designed and constructed to safely accommodate the largest design vehicle permitted to access the site (ie. Specialised OSOM vehicles for transporting plant cranes).	At all times.

Reasons for the decision

The reasons for this decision are as follows:

- a) To maintain the safety, efficiency and operational performance of the state-controlled road network.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - a) starts to have effect when the development approval has effect; and
 - b) stops having effect if the development approval lapses or is cancelled; and
 - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Mr Markus Dittmann, Town Planner should be contacted by email at markus.dittmann@tmr.qld.gov.au or on (07) 4639 0739.

Yours sincerely



Jason McGuire
Senior Town Planner

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions

Attachment A

Decision Evidence and Findings

Evidence or other material on which findings were based:

- Material submitted in support of Western Downs Regional Council development application MCUI/2025/5156.
- State Development Assessment Provisions – State Code 1 (Development in a Statecontrolled road environment)
- Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition
- Planning Act (2016)
- Planning Regulations (2017)
- Transport Infrastructure Act (1997).

Attachment B

Section 70 of TIA

Transport Infrastructure Act 1994

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
 - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

(b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

(5) The court may order—

(a) the appeals to be heard together or 1 immediately after the other; or

(b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

(a) if the reviewed decision may be reviewed by QCAT—QCAT; or

(b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

(a) if a decision notice is given to the person—28 days after the notice was given to the person; or

(b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

List of Submitters:-

Vicki Battaglia
595 Biddeston-Southbrook Road
BIDDESTON QLD 4401

Heather Pascoe
1344 Cecil Plains Road
TOOWOOMBA QLD 4350

David Roland Pascoe
PO Box 2
OAKEY QLD 4401

Graham Leslie Nass
1332 Toowoomba Cecil Plains Road
WELLCAMP QLD 4350

Stephen P Tregoe
1846 Toowoomba Cecil Plains Road
BIDDESTON QLD 4401

Patricia Anne Andersen
948 Cecil Plains Road
WELLCAMP QLD 4350

Celia Meryl Dodd
5 Hanrahan Road
WELLCAMP QLD 4350

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

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- either a tribunal or the P&E Court; or
 - only a tribunal; or
 - only the P&E Court; and
- (b) the person—
- who may appeal a matter (the **appellant**); and
 - who is a respondent in an appeal of the matter; and
 - who is a co-respondent in an appeal of the matter; and
 - who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
- for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note— See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund—
- the establishment cost of trunk infrastructure identified in a LGIP; or
 - the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

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

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

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
- decision** includes—
- conduct engaged in for the purpose of making a decision; and
 - other conduct that relates to the making of a decision; and
 - the making of a decision or the failure to make a decision; and
 - a purported decision; and
 - a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- is final and conclusive; and
- may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

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