

# Toowoomba Regional Council

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REPORT TITLE	Assessment of Change Representations for Material Change of Use - Impact - Rooming Accommodation and Food and Drink Outlet located at 125 Kudo-Silverleigh Road, GOOMBUNGEE QLD 4354
AUTHOR	Planning Officer (Rumpa Sarkar)
Application No.	MCUI/2017/6050/I

## PURPOSE OF REPORT

To consider change representations regarding a development approval for Material Change of Use – Impact - Rooming Accommodation and Food and Drink Outlet located at 125 Kudo-Silverleigh Road, GOOMBUNGEE QLD 4354.

## EXECUTIVE SUMMARY

The applicant seeks to negotiate conditions attached to a Development Permit for a Material Change of Use – Impact - Rooming Accommodation and Food and Drink Outlet on land located at 125 Kudo-Silverleigh Road described as Lot 2 RP50559.

Following suspension of the appeal period, the applicant submitted change representations on 2 April 2026 seeking the deletion of Conditions 7A, 35A, 35B, 35C, 35D, 35E and 35F. The intent is to remove conditioned roadworks.

Following the initial change representations, an updated Traffic Impact Statement (TIS) was submitted on 18 May 2026. Council Engineers reviewed this and confirmed that the development could provide and operate vans/minibuses for guest transport associated with the Rooming Accommodation. Based on these revised arrangements, the estimated traffic generation was reduced to approximately 60 vehicle movements per day, remaining well below the applicable threshold of 100 vehicle movements per day.

Council's Engineers support the findings of the amended TIS and recommend amendments to Condition 37A rather than its deletion. Conditions 7A and 35B–35F are recommended to be retained without change, as these conditions remain consequential to, and associated with, Condition 37A.

Condition 37A is recommended to be amended as outlined in the below recommendation and detailed within this report. To ensure the development will continue to comply with the assessment benchmarks, it is recommend to condition compliance with the proposed vehicle modes in the TIS. This results in consequential changes to conditions, notably an amendment to Condition 6A and new Condition 1A.

## RECOMMENDATION

**APPROVED IN PART** – Change Representations regarding Development Approval MCUI/2017/6050/I for Material Change of Use - Impact - Rooming Accommodation and Food and Drink Outlet, pursuant to the provisions of Section 76 of the *Planning Act 2016* and subject to the amendments listed below.

### Extent Approved

Condition 35A has been amended to reflect the updated Traffic Impact Statement (TIS). This results in consequential amendments being a change to Condition 6A and new Condition 1A.

### Extent Refused

Conditions 7A, 35B, 35C, 35D, 35E and 35F are retained without change.

An amended Infrastructure Charges Notice may be issued in relation to the changes to the development approval.

## ASSESSMENT MANAGER CONDITIONS

### PLANNING

#### APPROVED USE

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

- 1A. **Guests of the Rooming Accommodation must be transported to and from the development by Minibus/Van in accordance with the endorsed transport mode share in the approved Traffic Impact Statement listed within this Development Approval.**

**Note: This condition is imposed to support reduced road construction standards for Gordon Smith Road due to limited vehicle movements associated with a Monastery.**

**Note: A change application may be required where seeking to alter the endorsed transport mode split.**

#### CARRY OUT & MAINTAIN DEVELOPMENT

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

#### APPROVED PLANS

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

**Plan No.:** 240205, AA05-074, Rev E-1

**Description:** Overall Site Plan, prepared by Aspect and dated ~~17 May 2024 20 November 2024~~ 21 August 2025.

**Amendments:** Nil

**Plan No.:** ~~14689-DA01, Revision 1 14689-A101 Amend 1 2 3 22-0617, Rev E 240205, AA05-08~~ 2, Revision D-H F.

**Description:** Enlarged Site Plan, ~~Sheet 1 of 5, prepared by Leroy Palmer Consulting Engineers Pty Ltd Aspect and dated 15 October 2017 7 July 2020 2 December 2020 4 March 2021 9 November 2022 17 May 2024 20 November 2024~~ 21 August 2025.

**Amendments:** ~~As notated in RED~~ Nil

**Plan No.:** 240205, AA05-095, Revision D G

- Description:** Enlarged Car Parking Plan, prepared by Aspect and dated ~~20 November 2024~~ 20 August 2025.
- Amendments:** ~~As notated in RED~~ Nil
- Plan No.:** ~~14689-DA02, Revision 2~~
- Description:** ~~Floor Plan, Sheet 2 of 5, prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated 19 October 2017~~
- Amendments:** ~~Nil~~
- Plan No.:** 14689-A02, Amend G J K
- Description:** Floor Plan Accommodation Building, prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated ~~25 October 2019 4 June 2020 30 November 2020~~
- Amendments:** Nil
- Plan No.:** ~~14689-A102, Amend 3 8 9 22-0617, Rev D 240205, B10-01, Revision F~~
- Description:** ~~Floor Plan Concept – Dining Hall Fitout Proposed Floor Plan Kitchen/Dining, prepared by Leroy Palmer Consulting Engineers Pty Ltd Aspect and dated 7 July 2020 4 December 2020 4 March 2021 10 October 2022 17 May 2024~~
- Amendments:** ~~Nil~~
- Plan No.:** ~~14689-DA03, Revision 2 14689-A03 Amend D E~~
- Description:** ~~Building Elevations Accommodation Building, Sheet 3 of 5, prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated 19 October 2017 4 June 2020 30 November 2020~~
- Amendments:** ~~Nil~~
- Plan No.:** ~~14689-A103, Amend 3 5 7 22-0617 A40-01, Rev D K~~
- Description:** ~~Building Proposed Elevations – Outdoor Kitchen & Food and Drink Outlet Building and 3D Views Kitchen/Dining, prepared by Leroy Palmer Consulting Engineers Pty Ltd Aspect and dated 7 July 2020 30 November 2020 4 March 2021 10 October 2022 20 March 2023~~
- Amendments:** ~~Nil~~
- Plan No.:** 14689-DA05, Revision 1
- Description:** Typical Section Accommodation Building ~~Floor Plan, Sheet 5 of 5~~, prepared by Leroy Palmer Consulting engineers Pty Ltd and dated 16 October 2017
- Amendments:** Nil
- Plan No.:** ~~14689-A201, Amend 2~~
- Description:** ~~Carport Roof, Floor Plan, and Elevations prepared by Leroy Palmer Consulting Engineers Pty Ltd and dated 4 March 2021~~
- Amendments:** ~~Nil~~
- Plan No:** 240205, C10-01, Revision-~~C I~~
- Description:** Concept Plan – Ground Floor Plan – Proposed Enclosed Activities Building, prepared by Aspect and dated ~~15 November 2024~~ 22 May 2025.
- Amendments:** ~~As notated in RED~~ Nil
- Plan No:** 240205, C10-04, Revision-~~C I~~
- Description:** Concept Plan - Elevations – Proposed Enclosed Activities Building, prepared by Aspect and dated ~~15 November 2024~~ 22 May 2025.
- Amendments:** ~~As notated in RED~~ Nil
- Plan No:** 240205, C10-05, Revision-~~C I~~
- Description:** Concept Plan - Elevations – Proposed Enclosed Activities Building, prepared by Aspect and dated ~~15 November 2024~~ 22 May 2025.
- Amendments:** ~~As notated in RED~~ Nil
- Plan No:** PST1 – 1101, Revision B
- Description:** PVC Single Bay Car Park Type 1, prepared by MakMax Australia and dated 4 November 2021
- Amendments:** Nil
- Plan No:** 240205, A05-06, Revision C
- Description:** Proposed Accommodation Plan, prepared by Aspect and dated 13 February 2025.

**Amendments:** Nil

**Plan No:** 240205, A10-01A, Revision D  
**Description:** Floor Plan – BLDG A, prepared by Aspect and dated 13 February 2025.  
**Amendments:** Nil

**Plan No:** 240205, A10-01B, Revision D  
**Description:** Floor Plan – BLDG B, prepared by Aspect and dated 13 February 2025.  
**Amendments:** Nil

**Plan No:** 240205, A25-01A, Revision C  
**Description:** Building Elevations BLDG A, prepared by Aspect and dated 13 February 2025.  
**Amendments:** Nil

**Plan No:** 240205, A25-01B, Revision C  
**Description:** Building Elevations BLDG B, prepared by Aspect and dated 13 February 2025.  
**Amendments:** Nil

**Plan No:** 240205, D-A10-01, Revision E  
**Description:** Floor Plan – Activities Room, prepared by Aspect and dated 13 February 2025.  
**Amendments:** Nil

**Plan No:** 240205, D-A25-01, Revision E  
**Description:** Elevations – Activities Room, prepared by Aspect and dated 13 February 2025.  
**Amendments:** Nil

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

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

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

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

**APPROVED DOCUMENTS**

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

**Document:** YEP2025052\_R1Fv5  
**Description:** Environmental Noise Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025  
**Amendments:** Nil

**Document:** YEP2025052\_R3Fv4  
**Description:** Lighting Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025  
**Amendments:** Nil

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

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

**Document:** BE250269, Revision A

**Description:** Traffic Impact Statement prepared by Burchills Engineering Solutions dated 11 May 2026 and received by Council on 18 May 2026.

**Amendments:** Nil

**Note:** *This document is approved to the extent of the endorsed vehicle mode share only.*

## AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

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

## WORKS

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

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

7A.1 Roadwork

### ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

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

### STORMWATER DRAINAGE

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

### STORMWATER DISCHARGE

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

## **EROSION & SEDIMENT CONTROL**

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

## **DAMAGES TO SERVICES & ASSETS**

22. Protect Council and public utility services and assets during construction of the development.
23. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
  - 23.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
  - 23.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
24. Any repair work which includes alteration to the alignment, or the level of existing services and assets must first be referred to the relevant service authority for approval.
25. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with the *Planning Scheme Policy PSP No. 4 – Development Near Utility Services*.

## **SERVICES & UTILITIES**

### **ON-SITE WASTE WATER TREATMENT & DISPOSAL**

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

## BUILDING WORKS & ARCHITECTURE

### SCHEDULE OF EXTERNAL FINISHES

29. Prior to the issue of a Development Permit for Building Works or Operational Works, submit to Council for endorsement a detailed Schedule of External Finishes, demonstrating compliance with the following requirements:

- 29.1 Provision of a high degree of visual articulation in the elevations of the building;
- 29.2 Identification of each of the materials used in the elevations of the approved building;
- 29.3 Identification of durability of materials giving consideration to vandal resistance and low maintenance regimes;
- 29.4 Identification of suitability of materials and configuration to minimise noise and air borne pollutant transmission; and
- 29.5 Identification of the colour of each of the materials used in the elevations of the approved building.

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

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

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

## AMENITY & OPERATION OF USE

### STREET IDENTIFICATION

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

### SATELLITE DISHES

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

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

## ACCESS FOR PEOPLE WITH DISABILITIES

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

## TRANSPORT AND VEHICULAR ACCESS

### ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY

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

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

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

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

### ROADWORKS (EXTERNAL TO DEVELOPMENT)

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

*Street:* Gordon Smiths Road

*Classification:* Local Access Rural

*Construction Standard:* The road must be upgraded to 3.5m seal on 6.5m formation as per *IPWEA Low Order Road Design Guidelines*. The road must be upgraded from Kingsthorpe-Haden Road/Gordon Smiths Road intersection to the ~~driveway crossover of the property~~, **north-eastern corner of property boundary of Lot 2 RP156504 (approximately 200 metres)**. Appropriate intersection treatment must be provided, in accordance with Toowoomba Regional Councils PSP2.

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

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

35B.1 Table drain works;

35B.2 Relocation of utility and Council services;

35B.3 Appropriate street signs

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

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

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

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

## PROVISION OF VEHICULAR ACCESS

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

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

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

## ENVIRONMENT & WASTE

### ACOUSTIC AMENITY – GENERAL

37. Service vehicle movements (including loading and unloading) associated with the approved uses must not occur outside the hours of:
- 37.1 7am to 7pm Monday to Saturday; and
  - 37.2 9am to 7pm Sunday or any Public Holiday.
38. No activity associated with the approved uses must occur outside prior to 7am or after 5pm

- 38A. Unless otherwise approved in writing by Council, the approved Food and Drink Outlet must not operate outside the hours of 7:00 am to 2:00 pm Monday to Friday.

### ACOUSTIC AMENITY – NOISE LIMITS

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

### ACOUSTIC AMENITY – MECHANICAL PLANT

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

### ACOUSTIC AMENITY – NOISE MANAGEMENT PLAN

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

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

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

**OUTDOOR LIGHTING IMPACT MITIGATION**

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

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

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

**STORMWATER QUALITY**

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

**WASTE MANAGEMENT (GENERAL)**

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

**LANDSCAPE PLAN**

51. Prior to the commencement of any works on site or the issue of a Development Permit for Operational Work or Building Work (whichever occurs first), submit to Council for endorsement a Landscape Plan prepared by a suitably qualified person (Landscape Architect or Landscape Designer) prepared generally in accordance with *Toowoomba Regional Council's Landscape Work Information Sheet 006* and the conditions of this Development Approval, including the landscaping shown on all Approved Plans listed in this Development Approval, that details in particular:
- 51.1 Location and species of existing site vegetation to be removed and/or retained in accordance with this Development Approval;

- 51.2 A detailed Planting Plan and Schedule that include species which are characteristic of the local area and climate and provide seasonal variation, colour and texture, stock sizes and quantities and the location;
- 51.3 The typical planting detail including soil preparation, backfill, staking, mulching, irrigation, drainage and maintenance;
- 51.4 Dimensions of all planting areas, type and location, taking into account orientation, shading and wind direction;
- 51.5 All landscape planting must be contained within the property boundary, unless otherwise agreed with Council;
- 51.6 Construction details of proposed surfaces, surface level changes and structures, must be wholly contained within the property boundary;
- 51.7 Provision of an irrigation or water source to all planted areas;
- 51.8 Vegetated screening and/or landscape buffer planting must be provided in the areas identified as 'Landscape buffer' on the approved enlarged site plan listed within this development approval. This buffer is to be provided with a minimum 3 metres width with planting capable of providing a minimum 3m high landscape buffer at maturity;
- 51.9 Provision of landscaping around the new accommodation Type A and B buildings and Activities Room buildings to enhance amenity and assist in screening from the adjoining properties; and
- 51.10 All plan pages must include a legend or title block that includes: north point, scale, title and drawing number.

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

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

## **LANDSCAPING WORKS**

53. Carry out the landscape work in accordance with the endorsed Landscape Plan.
54. All landscape works must be installed and established by a suitably qualified person (Landscape Architect, Horticulturalist or equivalent) that ensures healthy, sustained and vigorous plant growth. Where required plant material should be replaced or enhanced to ensure growth to full form and coverage of all dedicated landscape areas. Landscape planting is to be retained and maintained for the life of the development in accordance with the conditions of this Development Approval.
55. Certification must be submitted to Council from a suitably qualified person (Landscape Architect or Landscape Designer) that certifies landscaping works comply with the requirements of this Development Approval.

## **GENERAL ADVICES**

### **INFRASTRUCTURE CHARGES**

- 1) Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

### **OTHER LAWS & REQUIREMENTS**

- 2) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found

on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.

- 3) Any works impacting outside the property boundary will require a permit under Subordinate Local Law 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011. Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au)<<http://www.tr.qld.gov.au>>.
- 4) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

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

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

#### **WHEN APPROVAL LAPSES**

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

#### **EXCAVATION & FILLING**

- 7) The Toowoomba Regional Planning Scheme (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Works approval from Council before commencing site works.

#### **WASTE WATER TREATMENT & DISPOSAL SYSTEM**

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

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

#### **EQUITABLE ACCESS & FACILITIES**

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

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

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

#### **ENVIRONMENTAL HARM**

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

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

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

## **WATER POLLUTION**

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

## **ABORIGINAL CULTURAL HERITAGE ACT 2003**

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

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

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

## **FIRE ANTS**

- 13) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Plant Protection Act 1989* apply, compliance with statutory provisions must be achieved.

## **MANDATORY RAINWATER TANKS**

- 14) Toowoomba Regional Council requires mandatory rainwater tanks and water saving measures on new dwellings and commercial buildings. Queensland Development Code (QDC) 4.2 is now applicable to any new class 1 (a)(i) buildings (single detached dwellings) on blocks greater than 250m<sup>2</sup>. Dwellings on lots less than 250m<sup>2</sup> are exempt. Queensland Development Code 4.3 is applicable for any new commercial buildings (class 5 to 9). Please note that Multiple Dwellings are exempt. Further information can be found at:

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

## **REASONS FOR RECOMMENDATION**

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

The attached Statement of Reasons (refer to Schedule 1) has been amended as required in relation to the approved changes.

## **DELEGATE'S DECISION:**

I have reviewed the report for this request in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible

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officer's recommendation that the request be Approved subject to the conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Krys den Hertog  
Acting Manager, Planning Branch

Decision Date: 1 June 2026

**BACKGROUND**

<b>SITE DETAILS</b>				
<b>Site Address</b>	125 Kudo-Silverleigh Road, GOOMBUNGEE QLD 4354			
<b>Real Property Description</b>	Lot 2 RP50559			
<b>Site Area</b>	161.9580 ha			
<b>Owner</b>	Min-Chieh Wang			
<b>SITE CHARACTERISTICS</b>				
<b>Current Land Use</b>	Host-Home Accommodation and ancillary buildings, Dwelling House, Rooming Accommodation, Food and Drink Outlet and Caretaker's Accommodation.			
<b>Site Frontage/s</b>	Gordon Smith Road (978m); and Kudo-Silverleigh Road (975m)			
<b>Road/s</b>	<b>Order of Road</b>	<b>Width of Road Reserve</b>	<b>Width of Pavement</b>	<b>Road Material</b>
Gordon Smiths Road	Local Road	20m	6m	Gravel
Kudo-Silverleigh Road	Local Road	40m	10m	Gravel
<b>Easements</b>	Nil			
<b>Existing Structures</b>	Host Home Accommodation and ancillary buildings, Dwelling House, Caretaker's Accommodation, Rooming Accommodation, Food and Drink Outlet Building, sealed driveway and manoeuvring area.			
<b>Infrastructure</b>	<p>The subject lot has connection to reticulated electricity and telecommunication network. The site is not serviced by Council's sewer, water or stormwater infrastructure. The site accommodates an existing on-site effluent disposal system for sewer drainage purposes. The site utilises an on-site rainwater tank for harvesting and water storage purposes.</p> <p>The subject site has a four (4) metre (to the east) wide gravel access driveway (access and egress) to/from Gordon Smiths Road.</p>			
<b>Topography</b>	Slopes gradually from east-west with a fall of ~20m.			
<b>Street Trees</b>	Existing mature trees along both Gordon Smiths Road and Kudo-Silverleigh Roads.			
<b>Other Features</b>	Regulated vegetation within the northern portion of the subject site.			
<b>PLANNING SCHEME SITE DATA</b>				
<b>Current Planning Scheme</b>	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28/11/2022
<b>Zone</b>	Rural Zone			
<b>Precinct</b>	100-hectare minimum Precinct			
<b>Overlays</b>	<p>Agricultural Land Overlay</p> <p>Airport Environs Overlay</p> <ul style="list-style-type: none"> <li>• 13 km Wildlife Hazard Buffer Zone</li> <li>• Obstacles Height Restriction Zone (Area D – 45)</li> <li>• Obstacles Height Restriction zone (Area E – 95)</li> </ul> <p>Bushfire Hazard Overlay</p> <ul style="list-style-type: none"> <li>• Medium Fire Risk</li> </ul> <p>Environmental Significance Overlay</p> <ul style="list-style-type: none"> <li>• Areas of Ecological Significance</li> <li>• Areas of Ecological significance Buffer</li> </ul> <p>Flood Hazard Overlay</p> <ul style="list-style-type: none"> <li>• Balance Mixed</li> </ul>			
<b>Infrastructure Charges Resolution</b>	Charges Resolution No. 7			Adopted: 19/08/2025
<b>SURROUNDS:</b>				
<b>Direction</b>	<b>Land Use</b>	<b>Zone/Precinct</b>		
<b>North</b>	Rural land uses and Dwelling House	Rural Zone / 100-hectare minimum Precinct		

<b>East</b>	Rural land uses and Dwelling House	Rural Zone / 100-hectare minimum Precinct	
<b>South</b>	Rural land uses and Dwelling House	Rural Zone / 100-hectare minimum Precinct	
<b>West</b>	Rural land uses and Dwelling House	Rural Zone / 100-hectare minimum Precinct	
<b>Other Features</b>	Nil to Note		
APPLICATION HISTORY			
<b>Application No.</b>	<b>Description</b>	<b>Decision Date</b>	<b>Decision</b>
MCUI/2017/6050/H	Other Change Approval – Rooming Accommodation and Food and Drink Outlet	9/02/2026	Approved
MCUI/2017/6050/G	Minor Change Approval – Rooming Accommodation and Food and Drink Outlet	7/1/2025	Approved
MCUI/2017/6050/F	Other Change Approval – Rooming Accommodation and Food and Drink Outlet	15/10/2024	Approved
MCUI/2017/6050/E	Minor Change Approval – Rooming Accommodation	24/02/2023	Approved
MCUI/2017/6050/D	Minor Change Approval – Rooming Accommodation	06/05/2021	Approved
MCUI/2017/6050/C	Minor Change Approval – Rooming Accommodation	21/01/2021	Approved
MCUI/2017/6050/B	Minor Change Approval – Rooming Accommodation	21/08/2020	Approved
MCUI/2017/6050/A	Minor Change Approval – Rooming Accommodation	09/03/2020	Approved
MCUI/2017/6050	Rooming Accommodation	02/03/2018	Approved
PREL/2017/4761	Rooming Accommodation	29/09/2017	Meeting Held
MCUC/2011/845	Extend existing house and Host Home Accommodation.	06/06/2017	Approved
MCUI/2010/450	Multiple Dwelling		Withdrawn

APPROVED DEVELOPMENT		
<b>Type of Approval</b>	Development Permit for a Material Change of Use	
<b>Approved Development</b>	Rooming Accommodation and Food and Drink Outlet	
<b>Variations Sought</b>	Not Applicable	
<b>Level of Assessment</b>	Impact Assessment	
<b>Gross Floor Area</b>	2,071 m <sup>2</sup>	
<b>Car Parking Spaces</b>	Forty-Three (43) Spaces	
<b>Service Vehicle Provision</b>	Nil	
<b>Submissions Received</b>	Objection	4
	Support	0
<b>Decision Notice Issued</b>	5 March 2018 (9 February 2026 - most recent change)	

CHANGE REPRESENTATIONS	
<b>Applicant Name</b>	Min-Chieh Wang c/- Alpha Planning Applications
<b>Type of Application</b>	Request for a Negotiated Decision Notice
<b>Appeal Period Suspended</b>	4 March 2026
<b>Representations Received</b>	2 April 2026

## CONSULTATION UNDERTAKEN

### Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Reviewed the change representations and have amended condition 35A
Infrastructure Charges Unit	May issue an amended Infrastructure Charges Notice as relevant under the appropriate charges resolution.

### Public Notification

#### **MCUI/2017/6050 – Original Application – Material change of Use – Impact – Rooming Accommodation**

Public notification was carried out for the original application. During the notification period, 1 submission was accepted by the assessment manager and considered during the assessment of the application.

Concerns were raised about increased noise, lighting, traffic, dust, internet capacity, and cumulative amenity impacts on neighbouring residents, which were addressed through separation distance, operational limits, and recommended conditions to manage noise, lighting, traffic, dust, and other potential impacts.

#### **MCUI/2017/6050/F: Change Application – Material change of Use - Rooming Accommodation; and Food and Drink Outlet**

Public notification was carried out for this change application (Other Change). During the notification period, 5 submissions were accepted by the assessment manager and considered during the assessment of the application.

Concerns were raised about increased traffic, road safety and condition, dust and noise, and the potential for expanded capacity or future growth of the Food and Drink outlet, which were addressed through conservative traffic modelling, confirmation of road adequacy, dust and noise assessment, strict limits on patron numbers and operating hours.

#### **MCUI/2017/6050/H: Change Application – Material change of Use - Rooming Accommodation; and Food and Drink Outlet**

Public notification was required for the change application in accordance with Section 82 of the *Planning Act 2016*. The Notice of Compliance was received by Council on 30 September 2025. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 05 September 2025;
- Placing a notice on the land from 05 September to 29 September 2025; and
- Notifying owners of all land adjoining the site on 3 September 2025.

4 properly made submissions were accepted by the assessment manager and considered during the assessment of the application. All the submissions had the same content and raised the same issues. These submissions have been considered to the extent relevant to the proposed changes as per the assessment within this report.

## ISSUES, RISKS AND RESPONSES – ASSESSMENT

### Assessment Framework

Section 76 (1) of the *Planning Act 2016* establishes the following parameters in relation to the assessment of change representations made during the appeal period:

#### **76 Deciding change representations**

- (1) *The assessment manager must assess the change representations against and having regard to the matters that must be considered when assessing a development application, to the extent those matters are relevant.*

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

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

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

No.	Original Condition	Proposed Amended Condition	Relevant Representation	Officer's Assessment	Condition to be Recommended
1A	Nil	Nil	Nil	<p>An amended TIS has been submitted to Council, indicating that the transport of guests associated with the Rooming Accommodation (Monastery) will be via van/minibus services. Based on this operating model, the TIS estimates that the combined traffic generated by the existing and proposed accommodation, along with the existing restaurant and associated buildings, will be approximately 60 trips per day.</p> <p>New notes have been included to clearly indicate that based on the endorsed vehicle mode share which indicates limited vehicle movements to be generated by the development, the reduced road construction standard is supported by Council.</p> <p>A new note has further been added to clearly indicate that any future alterations to the endorsed vehicle mode share would be subject to assessment via a change application.</p>	<p><b>1A. Guests of the Rooming Accommodation must be transported to and from the development by Minibus/Van in accordance with the endorsed transport mode share in the approved Traffic Impact Statement listed within this Development Approval.</b></p> <p><i>Note: This condition is imposed to support the reduced road construction standards for Gordon Smith Road based on the limited vehicle movements associated with a Monastery.</i></p> <p><i>Note: A change application may be required where seeking to alter the endorsed transport mode split.</i></p>
7A	<p><b>7A. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:</b></p> <p><b>7A.1 Roadwork</b></p>	Deletion of the Condition	<p><b>Applicant's Representation:</b></p> <p><i>"Delete Condition 7 &amp; Conditions 35A – 35F as they are neither relevant or reasonable impositions on the development approval as required under the Planning Act 2016. As has been demonstrated herein."</i></p>	<p>Council engineer has reviewed the change representations and disagree to delete this Condition.</p> <p>Gordon Smith road is required to be upgraded from Kingsthorpe-Haden Road/Gordon Smiths Road intersection to the north-eastern corner of property boundary of Lot 2 RP156504 for approximately 200 metres. Accordingly, an operational works approval must be obtained from Council for the required road upgrades, and the condition is therefore retained, as it directly relates to infrastructure required by the development to ensure compliance with the relevant provisions of the Planning Scheme.</p>	<p>7A. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:</p> <p>7A.1 Roadwork</p>
6A	<p>6A. The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval:</p> <p><b>Document:</b> YEP2025052_R1Fv5 <b>Description:</b> Environmental Noise Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025</p> <p><b>Amendments:</b> Nil</p> <p><b>Document:</b> YEP2025052_R3Fv4 <b>Description:</b> Lighting Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025</p> <p><b>Amendments:</b> Nil</p> <p><b>Document:</b> Noise Management Plan <b>Description:</b> Rooming Accommodation (Monastery) Noise</p>	Nil	Nil	<p>This condition has been amended to include the Amended TIS provided by the applicant.</p> <p>The Amended TIS identifies the endorsed transport mode split for both existing and proposed Rooming Accommodation (Monastery) guests, specifically relying on the use of van/minibus transport to limit overall vehicle trips.</p> <p>Accordingly, this condition is recommended to be imposed to ensure that the development operates in accordance with the endorsed transport mode share outlined in the Amended TIS.</p> <p>A note has also been included to clarify that Council's approval of this document applies only to the endorsed transport mode split outlined within the TIS, rather than the document in its entirety.</p>	<p>6A. The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval:</p> <p><b>Document:</b> YEP2025052_R1Fv5 <b>Description:</b> Environmental Noise Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025</p> <p><b>Amendments:</b> Nil</p> <p><b>Document:</b> YEP2025052_R3Fv4 <b>Description:</b> Lighting Impact Assessment, prepared by Yarramine Environmental and dated 26 August 2025</p> <p><b>Amendments:</b> Nil</p> <p><b>Document:</b> Noise Management Plan <b>Description:</b> Rooming Accommodation (Monastery) Noise Management Plan &amp; Complaints Register - 125 Kudo Silverleigh Road, Goombungee, prepared by Alpha Planning Applications and dated 23 July 2018</p> <p><b>Amendments:</b> Document to be amended as outlined within Condition 43.</p> <p><b>Document:</b> BE250269, Revision A <b>Description:</b> Traffic Impact Statement prepared by</p>

	<p>Management Plan &amp; Complaints Register - 125 Kudo Silverleigh Road, Goombungee, prepared by Alpha Planning Applications and dated 23 July 2018</p> <p><b>Amendments:</b> Document to be amended as outlined within Condition 43.</p>				<p><b>Burchills Engineering Solutions dated 11 May 2026 and received by Council on 18 May 2026.</b></p> <p><b>Amendments: Nil</b></p> <p><b>Note: This document is approved to the extent of the endorsed vehicle mode share only.</b></p>
<p><b>35A.</b></p>	<p><b>Existing roads must be upgraded for as follows:</b></p> <p><b>Street: Gordon Smiths Road</b></p> <p><b>Classification: Local Access Rural</b></p> <p><b>Construction Standard: The road must be upgraded to 3.5m seal on 6.5m formation as per IPWEA Low Order Road Design Guidelines. The road must be upgraded from Kingsthorpe-Haden Road/Gordon Smiths Road intersection to the driveway crossover of the property.</b></p> <p><b>Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.</b></p>	<p>Deletion of the Condition</p>	<p><b>Applicant's Representation:</b></p> <p><i>"Delete Condition 7 &amp; Conditions 35A – 35F as they are neither relevant or reasonable impositions on the development approval as required under the Planning Act 2016. As has been demonstrated herein."</i></p>	<p>Council Engineer does not agree to delete this condition.</p> <p>A meeting was held on 28<sup>th</sup> April 2026 with the applicant to discuss the change representations for the proposed Negotiated Decision Notice (NDN). During this meeting, Council confirmed that the traffic generation rate of 80 vehicle movements per day, as identified in the originally submitted Traffic Impact Statement (TIS), was accepted and remained unchanged.</p> <p>The applicant advised that transportation for monks would primarily be undertaken via vans and mini buses, particularly for trips to the airport and university for English language classes. On this basis, the applicant indicated that actual traffic volumes are likely to be lower than those predicted in the TIS. However, as this information was not included in the submitted TIS, Council recommended that an updated TIS be provided to formally incorporate and assess this change.</p> <p>An updated TIS was subsequently submitted on 18 May 2026. Council's Engineer has reviewed the updated TIS, which confirms that the development will include the provision and operation of vans/minibuses for transporting guests associated with the Rooming Accommodation. Based on this revised transport arrangement, the estimated traffic generation has been reduced to approximately 60 vehicle movements per day, which remains well below the relevant threshold of 100 vehicle movements per day.</p> <p>Council's Engineer is satisfied with the findings of the updated TIS. Accordingly, the condition has been amended to reflect that upgrades will be required for Gordon Smith road intersection to the north-eastern corner of the property boundary for Lot 2 RP156504 rather than until the driveway of the property boundary.</p> <p>This amended condition ensures to improve the safety and efficiency of the road network from the projected traffic volumes and will also mitigate the dust impacts from the traffic to the sensitive receptor located on Lot 2 RP156504.</p>	<p>35A. Existing roads must be upgraded for as follows:</p> <p><b>Street:</b> Gordon Smiths Road</p> <p><b>Classification:</b> Local Access Rural</p> <p><b>Construction Standard:</b> The road must be upgraded to 3.5m seal on 6.5m formation as per IPWEA Low Order Road Design Guidelines. The road must be upgraded from Kingsthorpe-Haden Road/Gordon Smiths Road intersection to the <del>driveway crossover of the property</del>, <b>north-eastern corner of property boundary of Lot 2 RP156504 (approximately 200 metres)</b>. Appropriate intersection treatment must be provided, in accordance with Toowoomba Regional Councils PSP2.</p> <p><b>Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.</b></p>
<p><b>35B.</b></p>	<p><b>The design and construction of the road must comply with Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure (PSP No.2) and must include in particular:</b></p> <p><b>35B.1 Table drain works;</b></p> <p><b>35B.2 Relocation of utility and</b></p>	<p>Deletion of the Condition</p>	<p><b>Applicant's Representation:</b></p> <p><i>Same as Condition 7A and 35A above.</i></p>	<p>Council Engineer disagree to delete this condition.</p> <p>Necessary road upgrades will be required, and the condition is considered both relevant and reasonable to ensure the required roadworks is provided as per Council's PSP 2 Policy. As such, the condition is retained.</p>	<p>35B. The design and construction of the road must comply with <i>Planning Scheme Policy No. 2 - Engineering Standards - Roads and Drainage Infrastructure</i> (PSP No.2) and must include in particular:</p> <p>35B.1 Table drain works;</p> <p>35B.2 Relocation of utility and Council services;</p> <p>35B.3 Appropriate street signs</p>

	Council services; 35B.3 Appropriate street signs				
	<b>35C. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with PSP No. 2 to allow for the above.</b>	Deletion of the Condition	<b>Applicant's Representation:</b>  <i>Same as Condition 7A and 35A above.</i>	Council Engineer disagree to delete this condition  Necessary road upgrades will be required, and therefore condition is considered both relevant and reasonable to ensure that required roadworks is provided as per Council's PSP 2 Policy. As such, the condition is retained.	35C. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with PSP No. 2 to allow for the above.
	<b>35D. All street/road surfacing must be in accordance with the pavement construction standards in PSP No. 2.</b>	Deletion of the Condition	<b>Applicant's Representation:</b>  <i>Same as Condition 7A and 35A above.</i>	Council Engineer disagree to delete this condition.  Necessary road upgrades will be required, and therefore condition is considered both relevant and reasonable to ensure the required street surface is provided as per Council's PSP 2 Policy. As such, the condition is retained.	35D. All street/road surfacing must be in accordance with the pavement construction standards in PSP No. 2.
	<b>35E. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.</b>	Deletion of the Condition	<b>Applicant's Representation:</b>  <i>Same as Condition 7A and 35A above.</i>	Council Engineer disagree to delete this condition.  Necessary road upgrades will be required, and therefore condition is considered both relevant and reasonable to ensure that the required roadworks is provided as per Council's PSP 2 Policy. As such, the condition is retained.	35E. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.
	<b>35F. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the road works.</b>	Deletion of the Condition	<b>Applicant's Representation:</b>  <i>Same as Condition 7A and 35A above.</i>	Council Engineer disagree to delete this condition  Development Permit must be obtained from Council for the required roadworks.  Therefore, the condition is considered both relevant and reasonable to ensure approval is obtained from Council for the necessary roadworks. As such, the condition is retained.	35F. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the road works.

## FINANCIAL / RESOURCE IMPLICATIONS

There is no financial or resource implication associated with this decision.

## Human Rights Act 2019 CONSIDERATIONS

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

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

Section 24 – Property rights  
Section 25 – Privacy and reputation

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

## CONCLUSION

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

The attached Statement of Reasons (refer to Schedule 1) has been amended as required in relation to the approved changes.

## ATTACHMENT/S

Attachment	1	of	9	Overall Site Plan
Attachment	2	of	9	Enlarged Site Plan
Attachment	3	of	9	Enlarged Carparking Plan
Attachment	4	of	9	Proposed Accommodation Buildings
Attachment	5	of	9	Proposed Activities Rooms – Floor Plan and Elevations
Attachment	6	of	9	Proposed Activities Room Toilet 1 – Floor Plan and Elevations
Attachment	7	of	9	Proposed Activities Room Toilet 2 – Floor Plan and Elevations
Attachment	8	of	9	Proposed Accommodation Building BLDG A – Floor Plan and Elevations
Attachment	9	of	9	Proposed Accommodation Building BLDG B – Floor Plan and Elevations

## SCHEDULES

Schedule 1 Statement of Reasons

# ATTACHMENT 1 – OVERALL SITE PLAN



## PROPERTY DESCRIPTION

LOT 2  
R.P. 50659  
PARISH OF KING  
COUNTY OF AUBIGNY  
AREA - 161.958 HA

## PROJECT SUMMARY

CLASSIFICATION	
SITE AREA	161.958 HA
BUILDING NUMBERS	6 PROPOSED ACCOMMODATION BUILDINGS 6 PROPOSED ACTIVITY ROOM BUILDINGS 2 PROPOSED TOILET BUILDINGS 1 EXISTING FARM 1 EXISTING GREAT HAYRES RESIDENCE 1 EXISTING ACCOMMODATION BUILDING 1 EXISTING RECREACTIVITY ROOM BUILDING 1 EXISTING ACORN BUILDING 1 EXISTING BUILDING
BUILDING CLASS	
NEW ACCOMMODATION BUILDINGS	BUILDING CLASS: CLASS 3 (TRC) TOTAL BUILDING FOOTPRINT: 8634M <sup>2</sup> CONSTRUCTION TYPE: TYPE C (TRC)
NEW ACTIVITY ROOM BUILDINGS	BUILDING CLASS: B (TRC) TOTAL BUILDING FOOTPRINT: 2934M <sup>2</sup> CONSTRUCTION TYPE: TYPE C (TRC)
2 PROPOSED TOILET BUILDINGS	BUILDING CLASS: B (TRC) TOTAL BUILDING FOOTPRINT: 404M <sup>2</sup> CONSTRUCTION TYPE: TYPE C

## SITE COVERAGE LEGEND

- EXISTING ANCILLARY STRUCTURES
- EXISTING BUILDINGS
- EXISTING HARDED SURFACES
- EXISTING LANDSCAPING
- PROPOSED ACCOMMODATION BUILDINGS
- PROPOSED ACTIVITY BUILDING
- PROPOSED COMMUNAL LIVING BUILDING
- PROPOSED GARDENS
- PROPOSED BETWEEN DRIVEWAY
- PROPOSED HARDED DRIVEWAY
- PROPOSED CONCRETE HARDED LAND PATH
- EXISTING TREES
- EXISTING TREES TO REMAIN

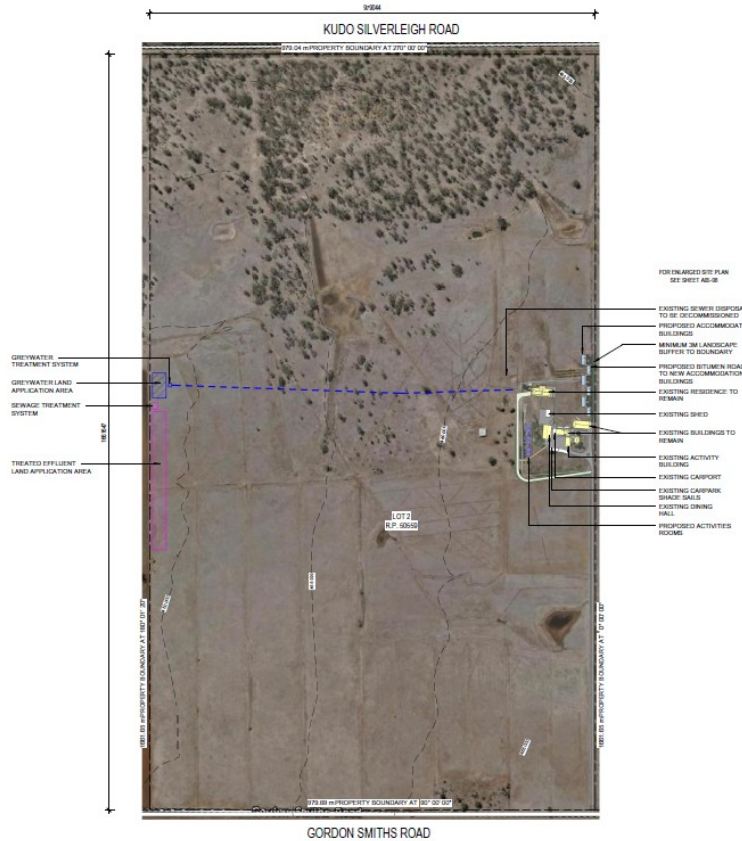
## FENCE TYPE LEGEND

- FN-01 EXISTING POST AND RAIL FENCE
- FN-02 EXISTING FENCE
- FN-03 NEW FENCE

## SITE NOTES

- DO NOT SCALE DRAWINGS
- SETTING OUT DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS. ANY SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE CHECKED BY THE CONTRACTOR BEFORE CONSTRUCTION.
- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE AUSTRALIAN STANDARDS NATIONAL CONSTRUCTION CODE, AUSTRALIAN STANDARDS CODES AND BY-LAWS OF THE LOCAL REGIONAL COUNCIL.

**NOTE:** DESIGNER TO PROVIDE DIMENSIONED FENCE TO COMPLY WITH LOCAL COUNCIL REQUIREMENTS EXACTLY PRIOR TO CONSTRUCTION. ADDITIONAL FENCE WANTS TO BE SUPPLIED ON SITE VIA AN EXISTING FENCE LINE LOCATED TO MINIMUM 3M FROM FOOTING AND PROPERTY BOUNDARY OR DISCHARGE TO RIVER AND CHANNEL AS PER COUNCIL REGULATIONS.



1 OVERALL SITE PLAN 2  
1 : 4000



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A.B.N. 9607 776648 | EQC42 4487

120 GORDON SMITHS RD, GOOMBUNGEE

OVERALL SITE PLAN

AA05-07

Project No. 240205

DA ISSUE

Stage DA Revision E | 21/08/25

Designer BBJR

View Scale As indicated @ A1  
Scale Bar 0m 5m 10m 15m 20m

# ATTACHMENT 2 – ENLARGED SITE PLAN



## PROPERTY DESCRIPTION

LOT 2  
R.P. 60669  
PARISH OF KING  
COUNTY OF AUBIGNY

AREA - 161.968 HA

### PROJECT SUMMARY

CLASSIFICATION	
SITE AREA	161.968 HA
BUILDING NUMBERS	6 PROPOSED ACCOMMODATION BUILDINGS 6 PROPOSED ACTIVITY ROOM BUILDINGS 2 PROPOSED TOILET BUILDINGS 1 EXISTING STABLE 1 EXISTING GUEST HOUSE RESIDENCE 1 EXISTING ACCOMMODATION BUILDING 1 EXISTING SUBSIDIARY ACTIVITY ROOM BUILDING 1 EXISTING ADMIN BUILDING 1 EXISTING BUILDING
BUILDING DETAILS	
NEW ACCOMMODATION BUILDINGS	BUILDING CLASS: CLASS 3 (TRC) TOTAL BUILDING FOOTPRINT: 8944m <sup>2</sup> CONSTRUCTION TYPE: TYPE C (TRC)
NEW ACTIVITY ROOM BUILDINGS	BUILDING CLASS: B (TRC) TOTAL BUILDING FOOTPRINT: 3504m <sup>2</sup> CONSTRUCTION TYPE: TYPE C
2 PROPOSED TOILET BUILDINGS	BUILDING CLASS: B (TRC) TOTAL BUILDING FOOTPRINT: 400m <sup>2</sup> CONSTRUCTION TYPE: TYPE C

### SITE COVERAGE LEGEND

Site Coverage		
Name	Area	Percentage
EXISTING ANCILLARY STRUCTURES	252 m <sup>2</sup>	0.16%
EXISTING BUILDINGS	2600 m <sup>2</sup>	1.59%
EXISTING HARD SURFACES	10755 m <sup>2</sup>	6.64%
EXISTING LANDSCAPING	185773 m <sup>2</sup>	115.36%
PROPOSED ACCOMMODATION BUILDINGS	8944 m <sup>2</sup>	5.52%
PROPOSED ACTIVITIES BUILDING	3504 m <sup>2</sup>	2.17%
PROPOSED COMMUNAL DINING BUILDING	400 m <sup>2</sup>	0.25%
PROPOSED GARDENS	153 m <sup>2</sup>	0.09%
PROPOSED CONCRETE HANDSTAND PATH	489 m <sup>2</sup>	0.30%
PROPOSED CARPARKING	812 m <sup>2</sup>	0.50%
PROPOSED HARD DRIVEWAY	557 m <sup>2</sup>	0.34%
Grand Total	137068 m <sup>2</sup>	100.00%

### ABBREVIATION LEGEND

PN-02 Existing  
WT Water Tank

### FENCE TYPE LEGEND

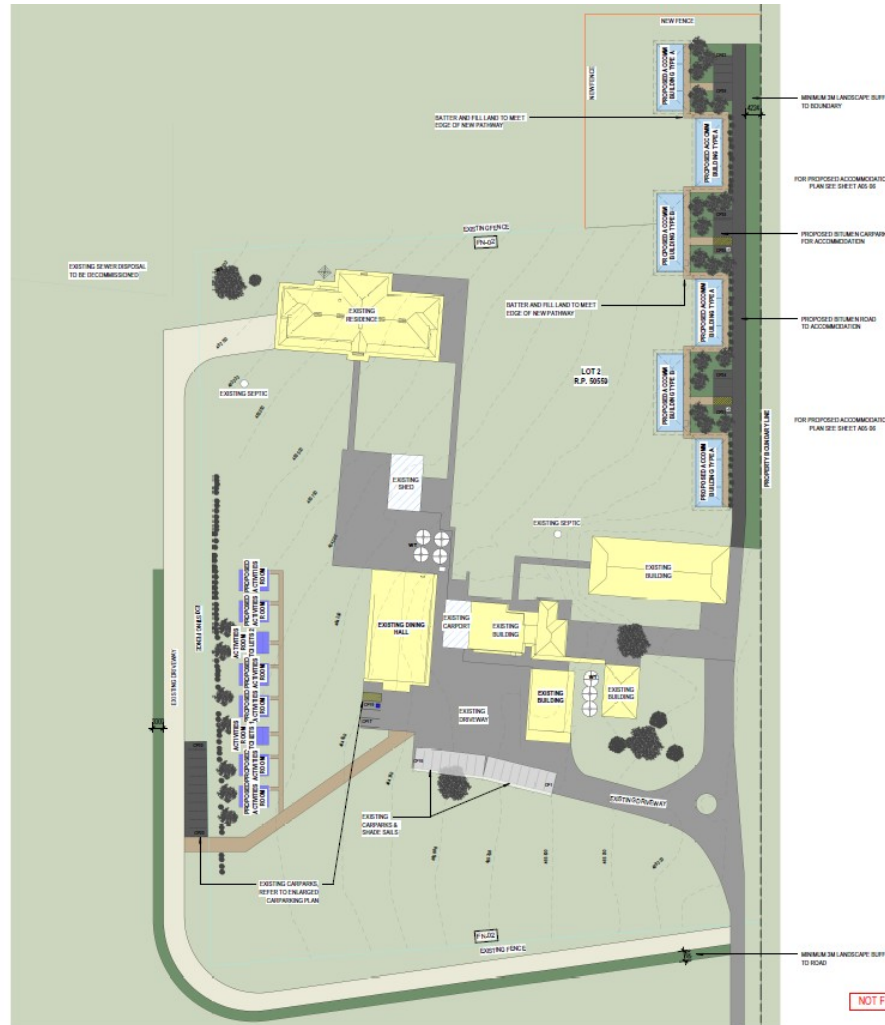
- PN-01 EXISTING POST AND RIRE FENCE
- PN-02 EXISTING FENCE
- PN-03 NEW FENCE

### SITE NOTES

- DO NOT SCALE DRAWINGS
- SETTING OUT DIMENSIONS SHALL NOT BE OBTAINED BY SIGHTING. THE DRAWINGS, ANY SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE CHECKED BY THE CONTRACTOR BEFORE CONSTRUCTION.
- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE AUSTRALIAN STANDARDS NATIONAL CONSTRUCTION CODE, GREEN AND BLUE COLOUR CODE AND BY-LAWS OF THE LOCAL REGIONAL COUNCIL.

**NOTE:** DESIGNER TO PROVIDE RAINWATER TANK TO COMPLY WITH LOCAL COUNCIL REQUIREMENTS EXACT POSITIONING TO BE CONFIRMED WITH CLIENT PRIOR TO CONSTRUCTION.  
ADDITIONAL RAIN WATER TO BE DISPERSED ON SITE VIA IN GROUND SUBSIDIARY PIPES LOCATED MINIMUM 3m FROM FOOTINGS AND PROPERTY BOUNDARY OR DISCHARGED TO RIVERS AND CHANNELS AS PER COUNCIL REGULATIONS.

1 ENLARGED SITE PLAN 2  
1: 650



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01/09/2025  
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A.B.N. 6607 176666 | (BOD) 4487

120 GORDON SMITHS RD, GOOMBUNGEE

ENLARGED SITE PLAN

AA05-08

Project No. 240205

DA ISSUE

Stage DA

Revision F | 21/08/25

Designer BBJR

View Scale As indicated @ A1  
Scale Bar 1:500 @ A1

### ATTACHMENT 3 – ENLARGED CARPARKING PLAN



**ATTACHMENT 4 – PROPOSED ACCOMODATION PLAN**



PROJECT SUMMARY	
<b>PLANNING DETAILS</b>	
SITE AREA	9578 SQM
BUILDING AREA	4 PROPOSED ACCOMMODATION BUILDINGS 4 PROPOSED ACTIVITY ROOM BUILDINGS 4 PROPOSED TOILET BUILDINGS 1 EXISTING TRAMPLE 1 EXISTING CARPORT AND GARAGE 1 EXISTING ACCOMMODATION BUILDING 1 EXISTING COMMERCIAL OFFICE BUILDING 1 EXISTING LAUNDRY BUILDING 1 EXISTING GARAGE
<b>BUILDING DETAILS</b>	
NEW ACCOMMODATION BUILDINGS	BUILDING CLASS: CLASS 1 TYPE C TOTAL BUILDING FOOTPRINT: 8647 SQM CONSTRUCTION TYPE: TYPE C (2ND)
NEW ACTIVITY ROOM BUILDINGS	BUILDING CLASS: CLASS 1 TYPE C TOTAL BUILDING FOOTPRINT: 2747 SQM CONSTRUCTION TYPE: TYPE C
PROPOSED TOILET BUILDINGS	BUILDING CLASS: CLASS 1 TYPE C TOTAL BUILDING FOOTPRINT: 8647 SQM CONSTRUCTION TYPE: TYPE C

**OBSERVATION LEGEND**

SCL: Solid

**FENCE TYPE LEGEND**

FL ID: EXISTING POST AND RAIL FENCE

FL ID: EXISTING FENCE

FL ID: NEW FENCE

**SITE COVERAGE LEGEND**

EXISTING ANCILLARY STRUCTURES

EXISTING BUILDINGS

EXISTING HARD SURFACES

EXISTING LANDSCAPING

PROPOSED ACCOMMODATION BUILDINGS

PROPOSED COMMON

PROPOSED GARAGE

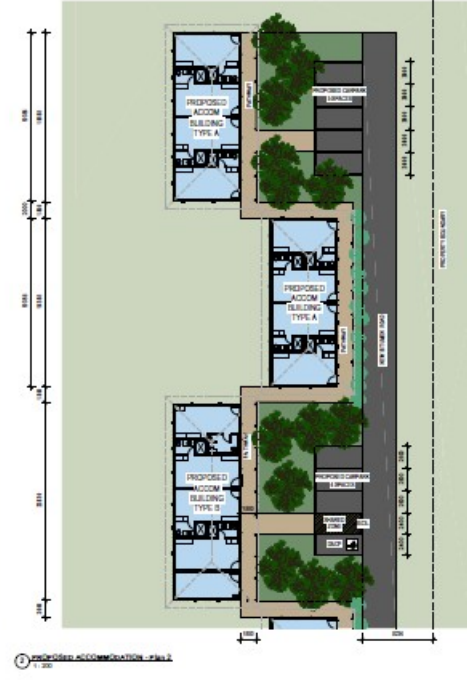
PROPOSED COMMERCIAL OFFICE

PROPOSED CHANGE IN LANDSCAPING

PROPOSED CONCRETE HARDSCAPING

PROPOSED TREES

EXISTING TREES TO REMAIN



NOT FOR CONSTRUCTION



**ATTACHMENT 5 – PROPOSED ACTIVITIES ROOM - FLOOR PLAN AND ELAVATIONS**

**ABBREVIATION LEGEND**

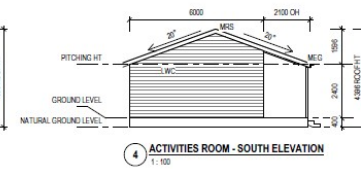
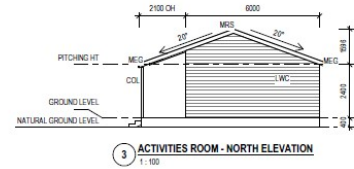
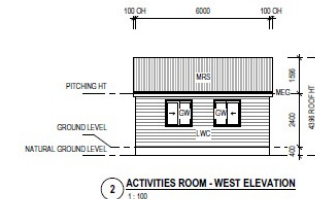
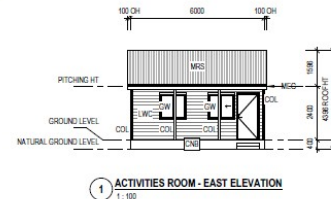
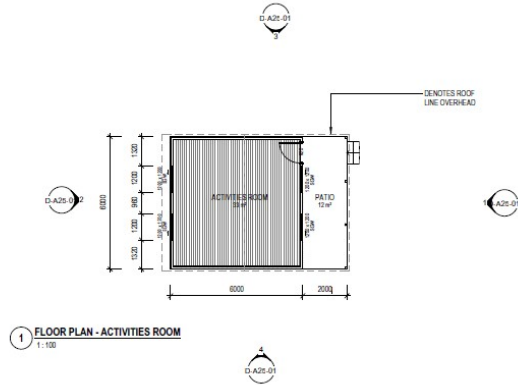
**AREA TABLE**

PROPOSED BUILDING - EXTERNAL GFA	12.00 m <sup>2</sup>
PROPOSED BUILDING - INTERNAL GFA	30.00 m <sup>2</sup>
Grand total	42.00 m <sup>2</sup>



**ABBREVIATION LEGEND**

CNB	Concrete, Broom Finish
COL	Column
GW	Glazed Window
LWC	Light Weight Cladding
MES	Metal Eaves Gutter
MRS	Metal Roof Sheet



PROPOSED ACTIVITIES ROOM

FLOOR PLAN - ACTIVITIES ROOM

NOT FOR CONSTRUCTION

D-A10-01 240205



PROPOSED ACTIVITIES ROOM

ELEVATIONS - ACTIVITIES ROOM

NOT FOR CONSTRUCTION

D-A25-01 240205

# ATTACHMENT 6 – PROPOSED ACTIVITIES ROOM TOILET 1 – FLOOR PLAN AND ELEVATIONS

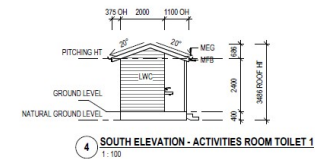
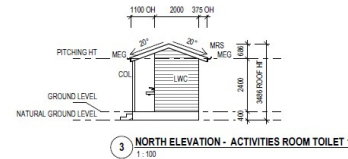
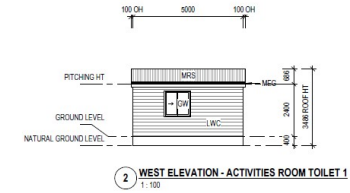
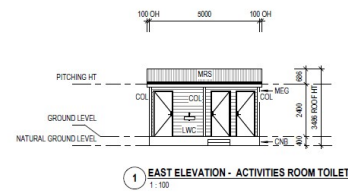
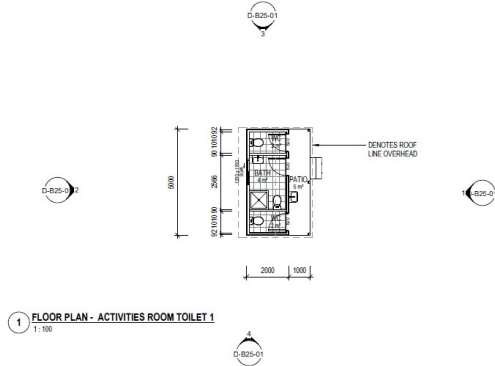
**ABBREVIATION LEGEND**

**AREA TABLE**

PROPOSED BUILDING - EXTERNAL GFA	9.00 m <sup>2</sup>
PROPOSED BUILDING - INTERNAL GFA	10.00 m <sup>2</sup>
Grand total	19.00 m <sup>2</sup>

**ABBREVIATION LEGEND**

CCL	Column
GW	Glazed Window
LWC	Light Weight Cladding
MEG	Metal Eaves Gutter
MRS	Metal Roof Sheet



ACTIVITIES ROOM TOILET 1  
DA ISSUE

FLOOR PLAN - ACTIVITIES ROOM TOILET 1  
D-B10-01  
13/02/2025  
1:100 @ A3

NOT FOR CONSTRUCTION



ACTIVITIES ROOM TOILET 1  
DA ISSUE

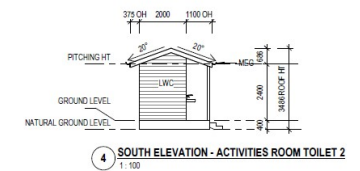
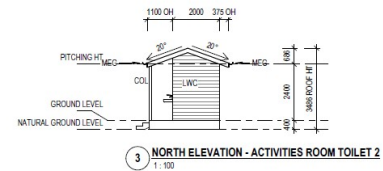
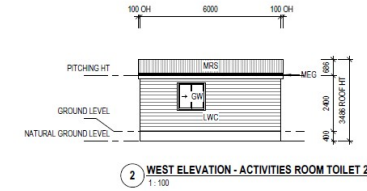
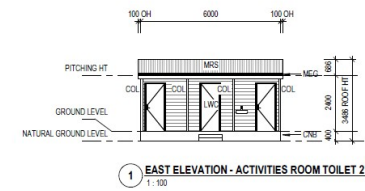
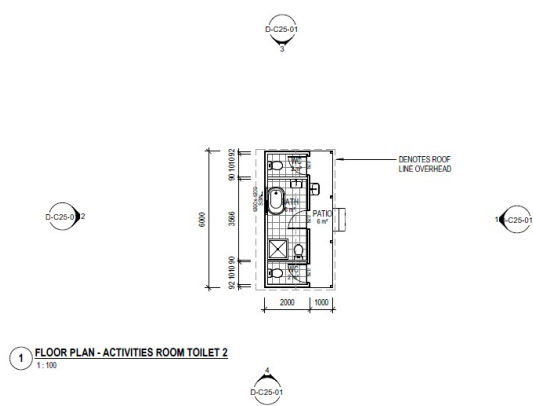
ELEVATIONS - ACTIVITIES ROOM TOILET 1  
D-B25-01  
13/02/2025  
1:100 @ A3

NOT FOR CONSTRUCTION

### ATTACHMENT 7 – PROPOSED ACTIVITIES ROOM TOILET 2 – FLOOR PLAN AND ELEVATIONS

**AREA TABLE**

PROPOSED BUILDING - EXTERNAL GFA	6.00 m <sup>2</sup>
PROPOSED BUILDING - INTERNAL GFA	18.00 m <sup>2</sup>
Grand total	24.00 m <sup>2</sup>



ACTIVITIES ROOM TOILET 2  
DA ISSUE

Step: DA  
Revision: D | 13/02/2025  
Sheet: EL  
Scale: 1:100 @ A3

NOT FOR CONSTRUCTION



ACTIVITIES ROOM TOILET 2  
DA ISSUE

Step: DA  
Revision: D | 13/02/2025  
Sheet: EL  
Scale: 1:100 @ A3

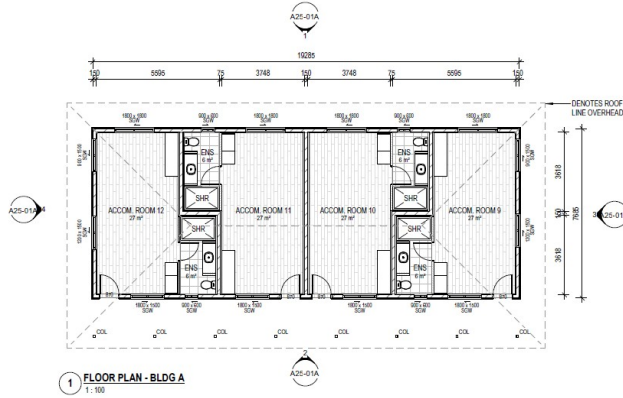
NOT FOR CONSTRUCTION

ELEVATIONS - ACTIVITIES ROOM TOILET 2  
D-C25-01  
Project No: 240205

### ATTACHMENT 8 – FLOOR PLAN AND ELEVATIONS – BLDG A

**WALL LEGEND:**  
 [Symbol] PROPOSED EXTERNAL BLOCKWORK WALL  
 [Symbol] LIGHT WEIGHT CLADDING, INTERNAL PLASTERBOARD FINISH  
 [Symbol] PROPOSED INTERNAL BLOCK PARTWALL, FIRE WALL FRL 60/60/60  
 [Symbol] PROPOSED STEEL STUD FRAMED WALL

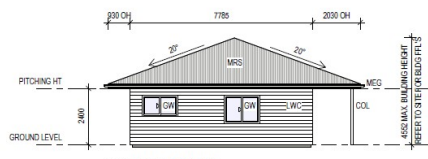
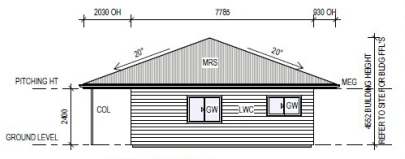
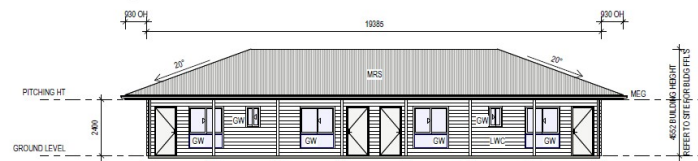
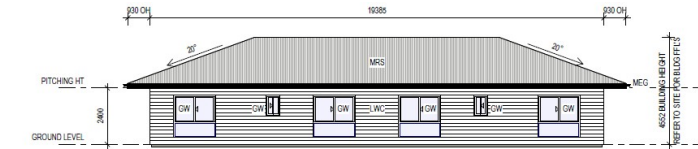
**ABBREVIATION LEGEND**  
 COL Column  
 SHR Shower



**AREA TABLE**

PROPOSED ACCOMM	147.13 m <sup>2</sup>
BLDG A - INTERNAL GFA	147.13 m <sup>2</sup>
Grand total	147.13 m <sup>2</sup>

**ABBREVIATION LEGEND**  
 COL Column  
 GW Glazed Window  
 LWC Light Weight Cladding  
 MEG Metal Eaves Gutter  
 MRS Metal Roof Sheet



**ASPECT** MASTER PLANNING ARCHITECTURE INTERIORS  
 BUDDHIST ACCOM & DINING FLOOR PLAN - BLDG A A10-01A 240205  
 D.A. ISSUE 13/02/25 BBUR 1:100 @ A3

**ASPECT** MASTER PLANNING ARCHITECTURE INTERIORS  
 BUDDHIST ACCOM & DINING BUILDING ELEVATIONS BLDG A A25-01A 240205  
 D.A. ISSUE 13/02/25 C 1:100 @ A3

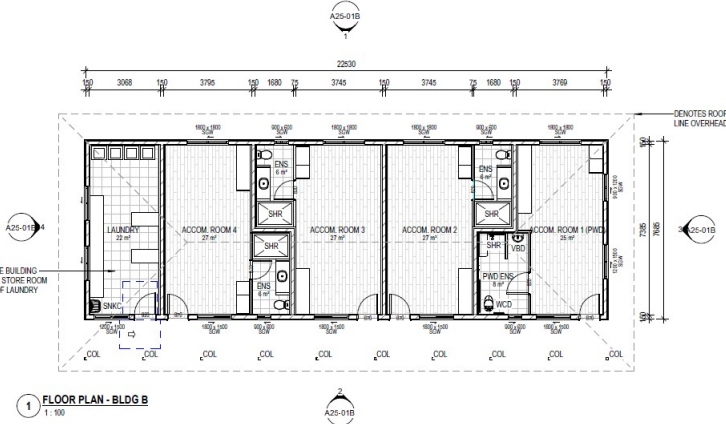
### ATTACHMENT 9 – FLOOR PLAN AND ELEVATIONS – BLDG B

**WALL LEGEND:**

- PROPOSED EXTERNAL BLOCKWORK WALL
- LIGHT WEIGHT CLADDING, INTERNAL PLASTERBOARD FINISH
- PROPOSED INTERNAL BLOCK PARTWALL, FIRE WALL FRL 60/60/60
- PROPOSED STEEL STUD FRAMED WALL

**ABBREVIATION LEGEND**

- COL Column
- SHR Shower
- SNKC Sink, Cleaner
- VBD Vanity Basin, Disabled
- WCD Water Closet, Disabled



**AREA TABLE**

PROPOSED ACCOM BLDG B - INTERNAL GFA	171.92 m <sup>2</sup>
Grand Total	171.92 m <sup>2</sup>



BUDDHIST ACCOM & DINING

FLOOR PLAN - BLDG B

NOT FOR CONSTRUCTION

A10-01B Project: 240205

Scale: 1:100 @ A3



BUDDHIST ACCOM & DINING

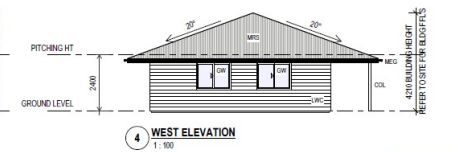
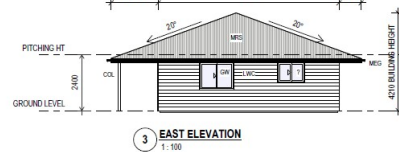
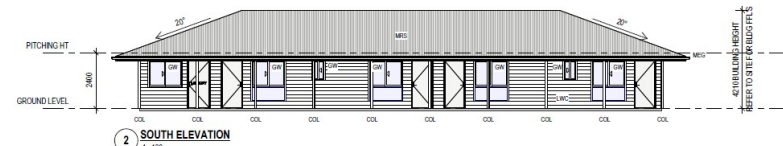
BUILDING ELEVATIONS BLDG B

NOT FOR CONSTRUCTION

A25-01B Project: 240205

Scale: 1:100 @ A3

- VC Light Weight Cladding
- EG Metal Eaves Gutter
- RS Metal Roof Sheet



SCHEDULE 1

Statement of Reasons

**Statement of Reasons**  
Section 83(8) and (9) of the *Planning Act 2016*

SITE DETAILS	
Site Address	125 Kudo-Silverleigh Road, GOOMBUNGEE QLD 4354
Real Property Description	Lot 2 RP50559
Site Area	161.958 ha
Owner	Min-Chieh Wang

PROPOSED DEVELOPMENT	
Name of Applicant	Min-Chieh Wang C/- Alpha Planning Applications
Type of Application	Change Application (Other change) for a Development Permit for a Material Change of Use
Proposed Development	Rooming Accommodation & Food & Drink Outlet
Level of Assessment	Impact Assessment
Gross Floor Area	1,200.13 m <sup>2</sup>
Impervious Area	1,420.13 m <sup>2</sup> (includes Rooming Accommodation, 'outdoor' kitchen and dining building, and carport)
Site Cover	1%
Car Parking Spaces	Forty-three (43) Car parking spaces
Service Vehicle Provision	One (1) SRV
Submissions Received	Objection: 4
	Support: 0
Decision	Approval
Original Decision Date	3 February 2026
Negotiated Decision Date	1 June 2026

ASSESSMENT MATTERS								
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant);</li> <li>• <i>State Planning Policy July 2017</i> (as relevant);</li> <li>• Darling Downs Regional Plan</li> <li>• The Local Government Infrastructure Plan (LGIP); and</li> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28) <ul style="list-style-type: none"> <li>▪ Strategic Framework,</li> <li>▪ Rural Zone Code</li> <li>▪ Centre Activities Code</li> <li>▪ Medium Density Residential Code</li> <li>▪ Environmental Standards Code</li> <li>▪ Integrated Water Cycle Management Code</li> <li>▪ Landscaping Code</li> <li>▪ Transport, Access and Parking Code</li> <li>▪ Works and Services Code</li> <li>▪ Airport Environs Overlay Code</li> <li>▪ Flood Hazard Overlay Code</li> <li>▪ Agricultural Land Overlay Code</li> </ul> </li> </ul>							
Relevant matters	The proposed development was assessed against the following relevant matters:							
Matters raised in submissions	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Issue</th> <th style="width: 50%;">How matter was dealt with</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="text-align: center;"><b>Change Application MCUI/2017/6050/H</b></td> </tr> <tr> <td><b><u>Issue 1 – Current activity and use</u></b></td> <td rowspan="2">The concern regarding incremental growth has been addressed through the detailed assessment of the proposed expansion and the imposition of reasonable and relevant</td> </tr> <tr> <td>Concerns were raised</td> </tr> </tbody> </table>	Issue	How matter was dealt with	<b>Change Application MCUI/2017/6050/H</b>		<b><u>Issue 1 – Current activity and use</u></b>	The concern regarding incremental growth has been addressed through the detailed assessment of the proposed expansion and the imposition of reasonable and relevant	Concerns were raised
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	<p>regarding the incremental growth of the facility over time.</p>	<p>conditions to manage its scale, intensity and visual impact.</p> <p>The proposed changes involve expansion of the rooming accommodation use. This includes 6 new accommodation buildings (24 rooms for 48 additional guests), along with 6 activity buildings and 2 shower/toilet buildings. In total, the development will comprise approximately 22 structures ranging from 12m<sup>2</sup> to 700m<sup>2</sup>. All buildings are setback more than 800m from adjacent public roads.</p> <p>The built form of the rooming accommodation use has been broken into smaller, low-scale structures to limit its bulk, size and scale. All buildings are one storey and below 4.552 in height. This dispersed layout will reduce the visual bulk and impact of the proposed extension and ensures the development remains consistent with the surrounding rural setting.</p> <p>In addition, 3-metre-wide densely planted landscape strip is proposed, along the southern, western and eastern boundaries combined with retention of existing vegetation. This landscaping will provide visual screening and ensure that views from neighbouring properties and public roads are appropriately mitigated, maintaining the rural landscape character.</p> <p>All proposed buildings are located outside the Agricultural Overlay Mapping, ensuring that no sensitive agricultural land is affected and that the ongoing agricultural and rural productivity of the land is not compromised.</p> <p>Having regard to the scale, siting, design, setbacks and landscaping of the proposed extension, Council is satisfied that the incremental growth of the facility will be appropriately managed and that the proposed built form will result in negligible visual impacts, without adversely affecting rural amenity or character.</p> <p>The incremental growth of the facility has been taken into consideration. Conditions of approval are recommended to be imposed:</p> <ul style="list-style-type: none"> <li>• limit the number of rooms and guest numbers for the rooming accommodation use;</li> <li>• approve buildings as shown on the plans to manage size, bulk, height and visual impact; and</li> <li>• require the submission of a detailed landscape plan, including the delivery of the 3-metre-wide landscape strip and the retention and enhancement of existing vegetation as shown on the submitted plans for approval.</li> </ul>
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		<p>These conditions will ensure the proposed change remains compatible with the rural context of the site and that the visual and amenity impacts of incremental development are appropriately managed and mitigated.</p>
	<p><b><u>Issue 2 – History of Non-compliance</u></b></p> <p>Concerns were raised regarding the history of non-compliance with TRC approvals and permits, including unauthorised roadworks, culvert and access installation, road markers, and exceeding approved accommodation limits.</p>	<p>While these compliance issues are noted, they cannot be considered in the assessment of this change application as valid planning grounds. Any non-compliance matters has to be raised with Council's compliance team for action/investigations.</p>
	<p><b><u>Issue – 3 Wastewater Management System Environment Risks</u></b></p> <p>Concerns were raised regarding the location, setback, and operational efficiency of the proposed on-site effluent disposal system/methods and its potential to cause environmental (odour and contamination of water) and health impacts.</p>	<p>Council's plumbing team has reviewed the plumbing application, which included decommissioning of the existing on-site facilities and associated works, and the installation of the proposed new greywater treatment facility to service the proposed development. The onsite effluent system has been designed and will be constructed in accordance with Council's relevant codes and standards. The proposed onsite treatment facility has been approved in 2025 by both Council (PDAF/2024/6529) and the State (ERA-Environmental Authority Number: P-EA-100696477).</p> <p>Furthermore, conditions of approval have been imposed previously for on-site wastewater treatment and disposal which will be retained for the proposed change.</p>
	<p><b><u>Issue 4 - Water Supply</u></b></p> <p>Concerns were raised regarding the water demand of the development is significantly higher than what can be supplied by existing bore (licensed for stock and domestic use) and rainwater storages. High extractions volumes may be non-compliant, insufficient to meet operational demands and could impact neighbouring bores and the local aquifer.</p>	<p>In Queensland, the <i>Department of Regional Development, Manufacturing and Water (DRDMW)</i> is the agency responsible for regulating water bores, groundwater take, bore licensing, and bore construction standards. DRDMW administers the requirements for taking groundwater, including the circumstances in which a water licence is required and the operational and construction standards for bores. DRDMW resources also outline compliance obligations for bore owners, including groundwater extraction volumes, monitoring, and responsibilities for stock and domestic bores.</p> <p>Given this, the assessment of groundwater extraction volumes, bore licensing requirements, and any potential impacts on the aquifer or neighbouring bores is primarily a matter regulated by DRDMW rather than Council. Any required licensing, management statements, or extraction limits fall within DRDMW jurisdiction, and the development</p>

		remains responsible for ensuring ongoing compliance with State groundwater regulations.
	<p><b><u>Issue 5 – Traffic Impact Assessments</u></b></p> <p>Concerns were raised that the Traffic Impact Assessment does not accurately reflect existing or potential traffic volumes and fails to consider the limited width, poor condition and wet-weather performance of Gordon Smiths Road. Increased traffic from the development may exceed the road's capacity, create safety risk and require upgrades that have not been assessed or addressed.</p>	<p>The submitted TIS originally submitted with the change application (MCUI/2017/6050/H) indicated that the traffic generation from the proposed development is 56 vpd in addition to 24 vpd from the existing development, which totals to 80 from the development. Based on these assumptions, relevant and reasonable conditions were imposed on the development approval.</p> <p>The applicant appealed the decision and provided change representations on Conditions 7A and 35A-35E.</p> <p>A meeting was held on 28<sup>th</sup> April 2026 with the applicant to discuss the change representations for the proposed Negotiated Decision Notice (NDN). During this meeting, Council confirmed that the traffic generation rate of 80 vehicle movements per day, as identified in the originally submitted Traffic Impact Statement (TIS), was accepted and remained unchanged.</p> <p>The applicant advised that transportation for monks would primarily be undertaken via buses, particularly for trips to the airport and university for English language classes. On this basis, the applicant indicated that actual traffic volumes are likely to be lower than those predicted in the TIS. However, as this information was not included in the submitted TIS, Council recommended that an updated TIS be provided to formally incorporate and assess this change.</p> <p>An updated TIS was subsequently submitted on 18 May 2026. Council's Engineer has reviewed the updated TIS, which confirms that the development will include the provision and operation of vans/minibuses for transporting guests associated with the Rooming Accommodation. Based on this revised transport arrangement, the estimated traffic generation has been reduced to approximately 60 vehicle movements per day, which remains well below the relevant threshold of 100 vehicle movements per day.</p> <p>Council's Engineer is satisfied with the findings of the updated TIS and accordingly, the condition 37A has been amended.</p>
	<p><b><u>Issue 6 – Dust and Noise due to Traffic</u></b></p> <p>Concerns were raised that the traffic generated by the proposed development creates significant dust, noise, and safety</p>	<p>Council's environmental officer has reviewed the issues raised.</p> <p><b>Noise Assessment:</b> A detailed noise assessment report was submitted and reviewed by Council. The report assessed noise impacts at the nearest sensitive receptor (964 m away) and found the following:</p> <ul style="list-style-type: none"> <li>• Background levels: Day 29 dB(A),</li> </ul>

	<p>impacts on nearby residents particularly those living very close to the Gordon Smith Road.</p>	<p>Evening 23 dB(A), Night 20 dB(A).</p> <ul style="list-style-type: none"> <li>• Adopted criteria: LAeq (15 min) ≤ 29/23/20 dB(A); LAmax ≤ 55 dB(A) outdoors.</li> <li>• Predicted noise at nearest receptor (964 m):</li> <li>• LAeq: 3–12 dB(A) (well below criteria).</li> <li>• LAmax: 29–42 dB(A) (below 55 dB(A) limit).</li> </ul> <p>The expanded development therefore complies with all adopted noise criteria without mitigation due to significant separation distances and rural context. To ensure ongoing compliance and address submitter's concerns:</p> <ul style="list-style-type: none"> <li>• A Noise Management Plan is recommended to be amended and endorsed, incorporating updated amendments including noise from Food and Drink Outlet activities.</li> <li>• Service vehicle movements remain restricted to: <ul style="list-style-type: none"> <li>○ 7:00 am–7:00 pm (Mon–Sat)</li> <li>○ 9:00 am–7:00 pm (Sundays/Public Holidays)</li> </ul> </li> <li>• Council may require noise investigations if complaints arises.</li> <li>• All mechanical plant (e.g., air conditioning) must be shielded or positioned to ensure no increase in background noise at sensitive receptors.</li> </ul> <p><b>Road Upgrade:</b> Gordon Smith Road is recommended to be upgraded to Council's <i>Local Access Rural Standard</i> from Kingsthorpe-Haden Road/Gordon Smiths Road intersection to the north-eastern corner of property boundary of Lot 2 RP156504 (approximately 200 metres). This upgrade will further reduce potential dust and noise impacts associated with traffic generated by the development on the nearby sensitive receptor located on 2 RP156504.</p> <p>Council's environmental officer is satisfied that the submitted Noise Assessment Report demonstrates the proposed change complies with all relevant acoustic criteria. Additional acoustic amenity conditions have been included and existing conditions amended to ensure ongoing compliance.</p> <p>Accordingly, the proposed change is not expected to create unacceptable noise or dust</p>
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		<p>impacts, and the risk of adverse impact from the proposed expansion is considered low.</p>
	<p><b><u>Issue 7 – Inadequate Lighting</u></b></p> <p>Concerns were raised that the artificial lighting from the proposed development is excessive, unshielded and cause residential amenity impacts on adjoining properties (sleep disturbance, glare, reduced usability of property windows) environmental impacts on local wildlife and ecological processes.</p> <p>The lighting intensity, duration, and placement do not comply with relevant environmental standards and are incompatible with the rural setting and surrounding biodiversity.</p>	<p>Council’s environmental officer has reviewed the issues raised.</p> <p>A Light Impact assessment report was submitted and reviewed by Council. The assessment concluded the following:</p> <ul style="list-style-type: none"> <li>• Lighting design complies with AS/NZS 4282:2023 and the Environmental Standards Code.</li> <li>• Modelled vertical illuminance at site boundaries ranges from 0.004–0.086 lux, which is well below the allowable 1 lux limit.</li> <li>• There is no measurable impact on ecologically significant areas, with the nearest mapped ecological overlay located approximately 220m away.</li> </ul> <p>A further response (Environmental Consultant’s response) prepared by Yarramine Environmental dated 20 October 2025 was submitted to Council addressing submitter concerns regarding lighting impacts. This response recommended additional measures to ensure ongoing compliance and mitigate perceived effects, including:</p> <ul style="list-style-type: none"> <li>• All luminaires be installed in accordance with AS/NZS 4282:2023, including driveway lighting.</li> <li>• Driveway lighting be switched off after 10:00 pm.</li> <li>• Certification of lighting installations be provided to Council upon completion.</li> </ul> <p>As such, the existing lighting conditions have been retained and amended where necessary, and new conditions outlined above are recommended to be imposed. Collectively, these measures will ensure lighting remains low-impact, appropriately shielded, and compatible with rural amenity and environmental protection objectives.</p>
	<p><b><u>Issue 8 – Built Form</u></b></p> <p>Concerns were raised that the proposed change to the development has significantly greater built form, bulk, scale, size and height.</p>	<p>This issue is similar to issue 1 raised above (refer to Issue 1).</p>
<p><b>Change Application - MCUI/2017/6050/F</b></p>		
	<p><b><u>Issue 1 - Road Trip Generation</u></b></p>	<p>Council Engineers have reviewed the submitted Traffic Generation Assumptions. The traffic</p>

	<p><u>Assumptions</u></p> <p>Concerns in relation to the adverse impacts from the estimated traffic movements that would be triggered from the proposed Food and Drink Outlet.</p>	<p>generation rates are based on Road Traffic Authority (RTA) NSW "Guide to Traffic Generating Developments" (Version 2.2, October 2002).</p> <p>A thorough assessment in relation to the "Estimated Highly conservative Trip rates for a 'restaurant' in rural Area" included the estimated trips per day based on different percentages (i.e. 80% of RTA Predicted Maximum Rates, 60% of Patrons/customers from off-site sources and 40% of Patrons from off-site sources). Council Engineer's assessment has determined that these rates are conservative and acceptable for modelling traffic impacts. Adopting these traffic generation rates; the proposed development will not result in significant additional traffic impacts or cause adverse traffic impacts on the existing road networks.</p>
	<p><u>Issue 2: Kitchen and Dining Area Provision and Potential Capacity/ Usage</u></p> <p>Concerns that the proposed Food and Drink / outlet has greater capacity to accommodate potentially large number of people than the current proposal numbers.</p>	<p>Although the proposed Food and Drink Outlet building has a greater capacity to accommodate potentially larger number of people, this can be appropriately addressed with relevant conditions.</p> <p>Condition of approval are recommended to be imposed to limit the number of people to have a maximum of 102 people at any one time between the hours of operation from 7am to 2pm, consistent with the application material which Council's assessment has been undertaken against.</p> <p>It is considered that the above condition will appropriately address the submitter's concerns.</p>
	<p><u>Issue 3 – Potential Facility Growth and Dining Hall Demand</u></p> <p>Concerns on the potential growth of the facility over time and demand of dining hall to increase the number of patronages from the proposed number of patronage.</p>	<p>The proposed development does not involve construction of any new/additional buildings on the subject site. The proposed Food and Drink Outlet use will be established within an existing ancillary 'outdoor' kitchen and dining building operating only during the daytime from 7am to 2pm, Monday to Friday and limited to a maximum of 102 persons at any one time.</p> <p>Any future increase in capacity, operating hours or size of the Food and Drink Outlet would require a change application or development application for a Development Permit for a Material Change of Use to be lodged with Council.</p>
	<p><u>Issue 4 – Trafficability of Gordon Smiths Road.</u></p> <p>Concerns on the width of the Gordon Smiths Road under wet weather conditions.</p>	<p>The pavement width of Gordon Smiths Road has been measured to be approximately 5.5 m, noting that there is a level of varying width along the existing road. Based on the assessment of the Traffic Generation Assumptions, it is determined that the traffic generated from the proposed use is 42 trips per day for 'Estimated Highly conservative Trip Rates' and 28 trips per day for Estimated Conservative Trip rates. These traffic generations rates will not result in</p>

	<p>Additionally, the road is an unsealed road which is deemed to be not of suitable standards to accommodate additional traffic.</p>	<p>the overall traffic volumes along Gordon Smiths Road to exceed from that of Council's expected traffic volumes for the hierarchy and constructed standard of the road. Furthermore, the additional traffic volumes would not result in a threshold that would mandate the requirement of a sealed pavement to be provided.</p> <p>In addition, the traffic volumes were considered against the requirements of the Austroads lower order road design guidelines which determines that the existing pavement width is suitable.</p> <p>As such, Council is satisfied with width and standards of the Road and deems that the additional traffic will not have an adverse impact on the existing Gordon Smiths Road.</p>
	<p><u>Issue 5: Dust and Noise Due to Traffic.</u></p>	<p>Council's environmental officer has reviewed the submitted materials and has assessed the concerns around dust and noise from the additional road traffic.</p> <p>Dust deposition modelling was undertaken based on 40 light vehicles and 4 heavy vehicle movements per day on Gordon Smiths Road, consistent with conservative estimates of additional traffic volumes provided by the applicant and deemed reasonable by Council's Engineers.</p> <p>The model included conservative factors such as moderate to high silt content of the road surface and low moisture. A background concentration of dust was also included based on the default model data; this was deemed sufficient to account for dust due to road traffic of vehicles associated with the current rural dwellings.</p> <p>The results showed that deposition was above the compliance limit within 50m of the road. It is noted that this is the minimum setback for dwellings within the Rural Zone and there is only one dwelling at 15 Gordon Smiths Road which is within this separation distance, having a setback of 20m. It is deemed that this dwelling is unlikely to achieve the dust deposition limit of 133mg/m<sup>2</sup>/day (averaged over one month) regardless of the change to the development approval, unless vegetated buffering is provided within or adjacent to the road reserve.</p> <p>Notwithstanding the above, the likely impacts on the road network are deemed to be minimal as a result of the proposed change. Existing conditions have been reviewed and retained in response to issues such as noise nuisance from the existing use, and additional conditions have been recommended to be included:</p> <ul style="list-style-type: none"> <li>To limit the total capacity of the Food and Drink Outlet to 102 persons at any one time which includes both onsite</li> </ul>

		<p>boarders and external customers.</p> <ul style="list-style-type: none"> <li>To limit the hours of operation of the proposed Food and Drink Outlet use from 7am to 2pm.</li> </ul> <p>It is also noted there is a significant amount of separation of more than 1 km from the nearby sensitive receptors in all directions and as the proposed use is to be operated only during the day hours, the risk of adverse impact from the proposed change is deemed to be low.</p>
<b>Original Application MCUI/2017/6050</b>		
	<p>Expected increase and frequency of noise impacts, particularly at night/early morning over and above the already unacceptable levels at and within neighbouring properties and residences.</p>	<p>It is noted that the closest sensitive receptor is located approximately 1 km to the south of the proposed development. Given the separation distance and residential nature of the use, noise impacts are expected to be minimal. However conditions have been recommended to ensure noise levels are managed, including conditioned requiring:</p> <ul style="list-style-type: none"> <li>Impacts must not exceed the Acoustic Quality Objectives listed in the <i>Environment Protection (Noise) Policy 2008</i> when measured at any sensitive receptor;</li> <li>A Noise Management Plan to be provided has been recommended to mitigate excessive noise levels, and outline a complaints management procedure. 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;</li> <li>Service vehicle movements to be limited to between the hours of 7am to 7pm (Monday to Saturday) and 9am to 7pm (Sunday or any Public Holiday); and</li> </ul> <p>No activity associated with the approved use must occur outdoors prior to 7am or after 5pm.</p>
	<p>Expected continued/increased use of excessive lighting levels which have an adverse off-property impact including on neighbouring properties and residences.</p>	<p>The lighting associated with the use will be similar to a residential dwelling. However, conditions have been recommended that will ensure outdoor lighting complies with the relevant parameters of <i>Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting</i>.</p> <p>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.</p>
	<p>Expected increase in vehicle movements (on a single lane</p>	<p>The road network is of a sufficient standard for the current and expected traffic volumes. The proposed development is also proposing the</p>

	<p>gravel road) associated with the proposed changes in use causing an increase in noise and dust levels and risks associated with vehicle interaction.</p>	<p>use of a small bus to collect guests, limiting the amount of vehicle trips along the road and therefore the uplift in dust.</p> <p>Given the above, it is considered that the anticipated number of traffic volumes impacts to surrounding sensitive receptors will be negligible.</p>
	<p>Expected further reduction of internet speeds due to the increased number of users generating an increased level of demand on the current ADSL2 system or future NBN system.</p>	<p>Council is not responsible for the provision of internet speeds.</p>
	<p>The individual and collective (negative) impact of the factors above will measurably and detrimentally affect the health and overall quality of life for neighbouring residents living in close proximity to the facility and its associated activities.</p>	<p>There is a significant amount of separation of at least 1km between the proposed development and the nearest sensitive receptor. Therefore it is anticipated that noise impacts to surrounding residents will be minimal. However, as previously mentioned, a number of conditions have been recommended to ensure that noise impacts are adequately addressed.</p> <p>As identified above, the road network is of a sufficient standard to handle the current and expected traffic volumes. In addition, it is noted that the development is proposing the use a small bus to collect guests, limiting the amount of vehicle trips along the road and therefore the uplift in dust.</p> <p>A condition has also been recommended to manage odours and airborne contaminants should materials, such as putrescible wastes, be stockpiled and cause odours emissions beyond the confines of the site.</p>
<p><b>Reasons for decision</b></p>	<p>The development was assessed against and having regard to the assessment framework for the application including the assessment benchmarks, submissions and approved development on the land. The development was considered to be acceptable having regard to all of these matters. Subject to reasonable and relevant conditions the development is able to comply with the applicable assessment framework.</p>	

For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <http://www.tr.qld.gov.au/payments-self-service-laws/web-apps/pdonline/8892-planning-and-development-online>. When accessing Council's website please use the following Application Number: MCUI/2017/6050/H.