

File: 22/34
Date: 15 November 2024

IOR Pty Ltd
C/- TFA Project Group
PO Box 2339
FORTITUDE VALLEY QLD 4006

Attention: Damien Mackay

Dear Damien

**Decision Notice – change application – minor change
(Given under section 83 of the *Planning Act 2016*)
Material Change of Use Approval
Lot 1 on RP167463, Leichhardt Highway, Goondiwindi**

Goondiwindi Regional Council received your change application made under section 78 of the *Planning Act 2016* on 4 October 2024 for the development approval dated 2 May 2023.

Decision for change application

Date of decision: 7 November 2024

Decision details: Make the changes and impose development conditions.

The changes agreed to are:

1. Condition 3 is amended;
2. Condition 5 is deleted;
3. A new Condition 6 is applied;
4. Condition 11 is amended;
5. Condition 12 is amended.

If you require any further information, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on (07) 4671 7400 or rmcmahon@grc.qld.gov.au, who will be pleased to assist.

Yours faithfully



Carl Manton
Chief Executive Officer
Goondiwindi Regional Council

Decision Notice approval

Planning Act 2016 section 63

Council File Reference: 22/34
Council Contact: Mrs Ronnie McMahon
Council Contact Phone: (07) 4671 7400

15 November 2024

Applicant Details: IOR Pty Ltd
C/- TFA Project Group
PO Box 2339
FORTITUDE VALLEY QLD 4006

Attention: Damien Mackay

The change application described below was properly made to Goondiwindi Regional Council on 4 October 2024.

Applicant details

Applicant name: IOR Pty Ltd C/- TFA Project Group
Applicant contact details: Attn: Mr Damien Mackay
PO Box 2339, Fortitude Valley QLD 4006
(07) 3854 2910
Damien.mackay@tfa.com.au

Application details

Application number: 22/34
Approval sought: Minor Change to Existing Development Permit
Details of proposed development: "Industry activities" – "Warehouse" (Fuel Depot, Warehouse and Ancillary Office)

Location details

Street address: Leichhardt Highway, Goondiwindi
Real property description: Lot 1 on RP167463

Decision

Date of decision: 7 November 2024
Decision details: Make the changes and impose development conditions. The conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

Details of the approval

Development permit Material Change of Use

Description of changes

Existing Condition 3

3. Except where changed by conditions of this approval, the development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:

Drawing Number	Title	Date
22256-DA01	Proposed Site Layout	26/08/2022
22256-DA02	Proposed Swept Paths	26/08/2022
22256-DA03	Proposed Elevations	26/08/2022
22256-DA04	Conceptual Stormwater Management Plan	26/08/2022
22256-DA05	Proposed Site Layout	26/08/2022
22256	Site Based Stormwater Management Plan	28/02/2023

Please note these plans are not approved Building Plans.

Proposed Changes – Condition 3

3. Except where changed by conditions of this approval, the development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:

Drawing Number	Title	Date
22256-DA01	Proposed Site Overall	01.10.24
22256-DA02	Proposed Swept Paths	05.06.2024
22256-DA03	Proposed Elevations	01.10.24
22256-DA04	Conceptual Stormwater Management Plan	01.10.24
22256-DA05	Proposed Building Floor Plan	01.10.24
22256-DA06	Proposed Site Layout Stage 1	01.10.24
22256-DA07	Proposed Site Stage 2	01.10.24
22256	Site Based Stormwater Management Plan	28/02/2023

Please note these plans are not approved Building Plans.

Recommendation: Make proposed change

Existing Condition 5

5. The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.

Recommendation: Condition deleted in accordance with Council changes.

Proposed Changes - Condition 5

5. **DELETED**

New Condition 6

6. The approval is over two (2) stages as follows:

- Stage 1: 190m² Warehouse, 55m² ancillary Office, landscaping, parking and manoeuvring areas east of existing refuelling facility
- Stage 2: 3 x 95kL diesel tanks, 1 x 30kL underground unleaded tank, tanker loading area, manoeuvring areas west of existing refuelling facility

Conditions within this approval apply to all stages unless otherwise specified.

Recommendation

New condition added to reflect proposed development staging.

Existing Condition 11

Proposed Changes - Condition 11

11. Design and construct roadworks along Glasser Street adjacent to the egress crossover for a suitable length to ensure swept paths remain on a sealed road surface. Widening of the existing carriageway must be provided with a two-coat bitumen seal in accordance with relevant engineering standards and to the satisfaction of and at no cost to Council:

The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works. A qualified Council Officer may inspect construction works at the request of the development to ensure compliance with this condition.

Recommendation

Make changes to reflect staging.

11. **Prior to commencement of Stage 1**, design and construct roadworks along Glasser Street adjacent to the egress crossover for a suitable length to ensure swept paths remain on a sealed road surface. Widening of the existing carriageway must be provided with a two-coat bitumen seal in accordance with relevant engineering standards and to the satisfaction of and at no cost to Council:

The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works. A qualified Council Officer may inspect construction works at the request of the development to ensure compliance with this condition.

Existing Condition 12

12. Nine (9) car parking spaces for the proposed Warehouse shall be supplied on site. This area shall be constructed to with a sealed surface in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the *Goondiwindi Region Planning Scheme 2018 (Version 2)*, to the satisfaction of and at no cost to Council.

Car parking areas shall be either constructed or bonded prior to the commencement of the use.

The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.

Recommendation: Make proposed change

Proposed Changes – Condition 12

12. **Three (3)** car parking spaces for the proposed Warehouse shall be supplied on site. This area shall be constructed to with a sealed surface in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the *Goondiwindi Region Planning Scheme 2018 (Version 2)*, to the satisfaction of and at no cost to Council.

Car parking areas shall be either constructed or bonded prior to the commencement of the use.

The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.

Conditions

This approval is subject to the conditions in Attachment 1. The changed conditions are highlighted for clarification in **Attachment 1**.

All conditions other than those approved to be changed from the original Decision Notice remain relevant and enforceable.

All other parts of the original Decision Notice not amended by this Notice remain relevant and enforceable.

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Development Permit – Building Works
2. Compliance Permit – Plumbing Works

Properly made submissions

Not applicable—No part of the application required public notification.

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are attached.

Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*:

- **Material Change of Use**

This approval lapses if the first change of use does not happen within **6 years** of this approval taking effect.

Approved plans and specifications

Copies of the following plans are enclosed.

Drawing Number	Title	Date
22256-DA01	Proposed Site Overall	01.10.24
22256-DA02	Proposed Swept Paths	05.06.2024
22256-DA03	Proposed Elevations	01.10.24
22256-DA04	Conceptual Stormwater Management Plan	01.10.24
22256-DA05	Proposed Building Floor Plan	01.10.24
22256-DA06	Proposed Site Layout Stage 1	01.10.24
22256-DA07	Proposed Site Stage 2	01.10.24
22256	Site Based Stormwater Management Plan	28/02/2023

Attachment 3 is a Notice about decision - Statement of reasons, in accordance with section 63 (5) of the *Planning Act 2016*.

Attachment 4 includes a Rights of Appeal waiver, which, if completed, will be used to process your request to waive your appeal rights to process your approval without unnecessary delay.

Attachment 5 is an extract from the *Planning Act 2016*, which details the applicant's appeal rights regarding this decision

If you wish to discuss this matter further, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on 07 4671 7400.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'CM', with a long horizontal stroke extending to the right.

Carl Manton
Chief Executive Officer
Goondiwindi Regional Council

enc Attachment 1—Amended Assessment manager conditions
 Attachment 2—Approved plans
 Attachment 3— Infrastructure Charges Notice
 Attachment 4 – Notice about decision – Statement of reasons
 Attachment 5—Rights of Appeal Waiver
 Attachment 6—Planning Act extracts



ATTACHMENTS

Attachment 1 – Amended Assessment Manager’s Conditions

Attachment 2 – Approved Plans

Attachment 3– Infrastructure Charges Notice

Attachment 4 – Notice about decision - Statement of reasons

Attachment 5 – Rights of Appeal waiver

Attachment 6 – *Planning Act 2016* Extracts

Planning Act 2016 appeal provisions

Planning Act 2016 lapse dates



**Attachment 1 – Amended Assessment Manager's
Conditions**



Assessment Manager's Conditions

Description:	<ul style="list-style-type: none"> "Industry activities" - "Warehouse" – Fuel Depot, Warehouse and Ancillary Office
Development:	Minor Change to an existing Development Permit for Material Change of Use
Applicant:	IOR Pty Ltd C/- TFA Project Group
Address:	Leichhardt Highway, Goondiwindi
Real Property Description:	Lot 1 on RP167463
Council File Reference:	22/34

The amended conditions are highlighted in yellow below.

GENERAL CONDITIONS																													
1.	<p>Approval is granted for the purpose of a Material Change of Use for:</p> <ul style="list-style-type: none"> "Industry activities" – "Warehouse" – Fuel Depot, Warehouse and Ancillary Office as defined in the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>. 																												
2.	<p>All conditions must be complied with or bonded prior to the commencement of the use, unless specified in an individual condition.</p>																												
3.	<p>Except where changed by conditions of this approval, the development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:</p> <table border="1"> <thead> <tr> <th>Drawing Number</th><th>Title</th><th>Date</th></tr> </thead> <tbody> <tr> <td>22256-DA01</td><td>Proposed Site Overall</td><td>01.10.24</td></tr> <tr> <td>22256-DA02</td><td>Proposed Swept Paths</td><td>05.06.2024</td></tr> <tr> <td>22256-DA03</td><td>Proposed Elevations</td><td>01.10.24</td></tr> <tr> <td>22256-DA04</td><td>Conceptual Stormwater Management Plan</td><td>01.10.24</td></tr> <tr> <td>22256-DA05</td><td>Proposed Building Floor Plan</td><td>01.10.24</td></tr> <tr> <td>22256-DA06</td><td>Proposed Site Layout Stage 1</td><td>01.10.24</td></tr> <tr> <td>22256-DA07</td><td>Proposed Site Stage 2</td><td>01.10.24</td></tr> <tr> <td>22256</td><td>Site Based Stormwater Management Plan</td><td>28/02/2023</td></tr> </tbody> </table> <p>Please note these plans are not approved Building Plans.</p>		Drawing Number	Title	Date	22256-DA01	Proposed Site Overall	01.10.24	22256-DA02	Proposed Swept Paths	05.06.2024	22256-DA03	Proposed Elevations	01.10.24	22256-DA04	Conceptual Stormwater Management Plan	01.10.24	22256-DA05	Proposed Building Floor Plan	01.10.24	22256-DA06	Proposed Site Layout Stage 1	01.10.24	22256-DA07	Proposed Site Stage 2	01.10.24	22256	Site Based Stormwater Management Plan	28/02/2023
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4.	<p>Complete and maintain the approved development as follows:</p> <ul style="list-style-type: none"> (i) Generally in accordance with development approval documents; and (ii) Strictly in accordance with those parts of the approved development which have been specified in detail by Council unless Council agrees in writing that those parts will be adequately complied with by amended specifications. <p>All development shall comply with any relevant provisions in the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, Council's standard designs for applicable work and any relevant Australian Standard that applies to that type of work.</p> <p>The development approval documents are the material contained in the development application, approved plans and supporting documentation including any written and electronic correspondence between applicant, Council or any relevant Agencies during all stages of the development application assessment processes.</p>
5.	<p>It is the developer's responsibility to obtain all other statutory approvals required prior to the commencement of the use.</p>
	<p>OPERATION OF THE USE</p>
6.	<p>The approval is over two (2) stages as follows:</p> <ul style="list-style-type: none"> • Stage 1: 190m² Warehouse, 55m² ancillary Office, landscaping, parking and manoeuvring areas east of existing refuelling facility • Stage 2: 3 x 95kL diesel tanks, 1 x 30kL underground unleaded tank, tanker loading area, manoeuvring areas west of existing refuelling facility <p>Conditions within this approval apply to all stages unless otherwise specified.</p>
	<p>ESSENTIAL SERVICES</p>
7.	<p>Connection to Council's reticulated water supply system shall be maintained to the subject site, in accordance with Schedule 6.2 Planning Scheme Policy 1 – Land Development Standards in the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, at no cost to Council.</p> <p>The site shall be provided with all necessary water infrastructure, including backflow prevention devices, to enable the development to be serviced to relevant engineering standards and to the satisfaction of Council.</p>

8.	<p>Prior to the commencement of the use, the development shall be connected to an appropriately designed and approved onsite sewerage effluent disposal system, suitable for the increased demand generated on site, in accordance with the Queensland Plumbing and Wastewater Code, to the satisfaction of and at no cost to Council.</p> <p>All sewer infrastructure (including effluent disposal areas) shall be fully located within site boundaries, to the satisfaction of and at no cost to Council.</p>
	<p>PUBLIC UTILITIES</p>
9.	<p>The development shall be connected to an adequate electricity and telecommunications supply system, at no cost to Council.</p>
	<p>ROADS AND VEHICLES</p>
10.	<p>The existing accesses, shall be maintained, from the edge of the existing bitumen to the property boundary to an industrial standard in accordance with Schedule 6.2.1 – Standard Drawing in Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>Crossovers shall be either constructed or bonded prior to the commencement of the use.</p> <p>The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite. A qualified Council Officer may inspect construction works at the request of the development to ensure compliance with this condition.</p>
11.	<p>Prior to commencement of Stage 1, design and construct roadworks along Glasser Street adjacent to the egress crossover for a suitable length to ensure swept paths remain on a sealed road surface. Widening of the existing carriageway must be provided with a two-coat bitumen seal in accordance with relevant engineering standards and to the satisfaction of and at no cost to Council:</p> <p>The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works. A qualified Council Officer may inspect construction works at the request of the development to ensure compliance with this condition.</p>

12.	<p>Three (3) car parking spaces for the proposed Warehouse shall be supplied on site. This area shall be constructed to with a sealed surface in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>Car parking areas shall be either constructed or bonded prior to the commencement of the use.</p> <p>The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p>
13.	<p>Traffic directional signage shall be upgraded or duplicated with a "No Left Turn" sign at the Glasser Street egress crossover in accordance with the Manual of Uniform Traffic Control Devices, Parts 1, 2, 4, 10 and 11.</p>
	<p>LANDSCAPING</p>
14.	<p>All existing landscaping areas shall be maintained for the full property frontages in accordance with Schedule 6.3 – Planning Scheme Policy 3 – Landscaping Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>.</p> <p>No equipment, goods, materials or vehicles are to be stored or placed within the landscaping areas.</p>
	<p>STORMWATER</p>
15.	<p>Prior to the commencement of the use, the site shall be adequately drained and all stormwater shall be disposed of to a legal point of discharge in accordance with the Approved Site Based Stormwater Management Plan and Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, to the satisfaction of and at no cost to Council.</p> <p>Any increase in volume, concentration or velocity of stormwater from the site shall be channelled to lawful points of discharge or to other storage or dispersal arrangements which all must be agreed to in writing by Council.</p> <p>There shall be no change in direction or increase in the volume, concentration or velocity in any overland flow from the site to any adjoining properties unless agreed in writing by Council and the owners of any adjoining properties affected by these changes.</p> <p>The stormwater disposal system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting or waterways.</p>

16.	<p>Stormwater shall not be allowed to pond on the site during the development process and after development has been completed unless the type and size of ponding has been agreed in writing by Council.</p> <p>No ponding, concentration or redirection of stormwater shall occur on adjoining properties unless specifically agreed to in writing by Council and the owners of any adjoining properties affected by these changes.</p>
	EARTHWORKS AND EROSION CONTROL
17.	<p>Any filling or excavation shall be undertaken in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region planning Scheme 2018 (Version 2)</i> or to other relevant engineering standards to the satisfaction of and at no cost to Council.</p> <p>Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p>
18.	<p>All works associated with the development must be carried out in a manner that minimises erosion and controls sediment. Best practice erosion and sediment control measures shall be in place at the location of all works prior to work commencing and remain until work is completed in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i> to the satisfaction of and at no cost to Council.</p> <p>Control procedures are to be established to ensure sediment from the site is not deposited off site. The developer shall ensure no increase in any silt loads or contaminants in overland flow from the site during the development process and after development has been completed.</p>
	AVOIDING NUISANCE
19.	<p>At all times while the use continues, the development shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> (the Act) and all relevant regulations and standards under that Act. All necessary licences under the Act shall be obtained and shall be maintained at all times while the use continues.</p>
20.	<p>At all times while the use continues it shall be operated in such a manner as to ensure that no nuisance shall arise to adjoining premises as a result of dust, noise, lighting, odour, vibration, rubbish, contaminants, stormwater discharge or siltation or any other potentially detrimental impact.</p>
21.	<p>All external lighting is to be compliant with AS/NZS 4282-2019 “<i>Control of obtrusive effects of outdoor lighting</i>”.</p>

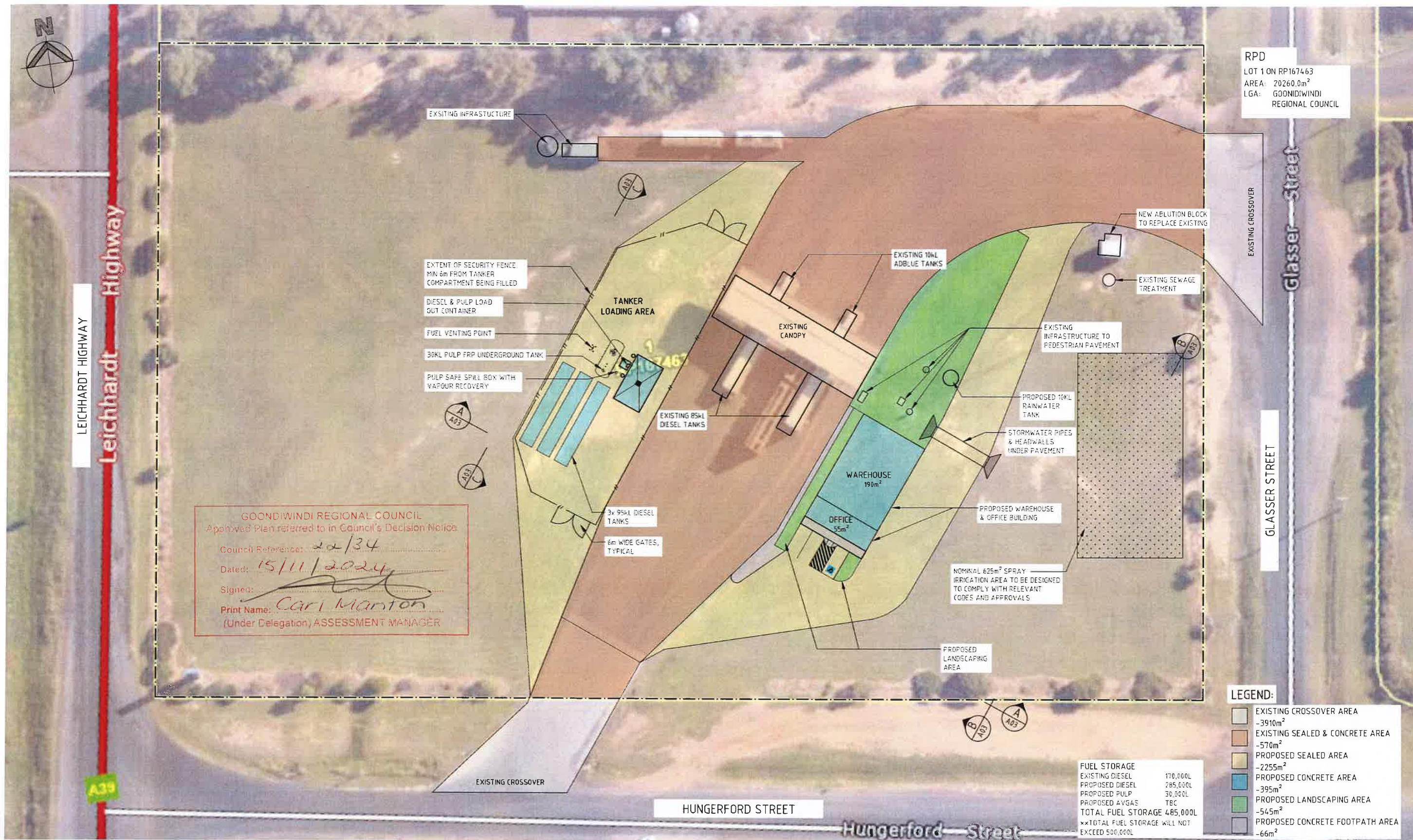
22.	<p>At all times while the use continues, provision must be made on site for the collection of general refuse in covered waste containers with a capacity sufficient for the use.</p> <p>Waste receptacles shall be placed in a screened area. The site must maintain a general tidy appearance.</p>
23.	<p>The operator shall be responsible for mitigating any complaints arising from on-site operations.</p>
24.	<p>Construction works must occur so they do not cause unreasonable interference with the amenity of adjoining premises.</p> <p>The site must be kept in a clean and tidy state at all times during construction.</p>
25.	<p>At all times while the use continues, any air conditioned equipment shall be acoustically screened to ensure noise levels do not exceed 5 dB(A) above the background noise level measured at the boundaries of the subject site.</p>
DEVELOPER'S RESPONSIBILITIES	
26.	<p>Any alteration or damage to roads and/or public infrastructure that is attributable to the progress of works or vehicles associated with the development of the site shall be repaired to Council's satisfaction or the cost of repairs paid to Council.</p>
27.	<p>All contractors and subcontractors shall hold current, relevant and appropriate qualifications and insurances to carry out the works.</p>
28.	<p>All costs reasonably associated with the approved development, unless there is specific agreement by other parties to meet these costs, shall be met by the developer.</p>
29.	<p>At all times while the use continues, all requirements of the conditions of the development approval must be maintained.</p>
COMMENCEMENT OF USE	
30.	<p>At its discretion, Council may accept bonds or other securities to ensure completion of specified development approval conditions or Council may accept cash payments for Council to undertake the necessary work to ensure completion of specified development approval conditions.</p> <p>It may be necessary for Council to use such bonds for the completion of outstanding works without a specific timeframe agreed.</p> <p>The decision to accept bonds or other securities to satisfy a condition will be that of Council, not the applicant.</p>

31.	<p>Council must be notified in writing of the date of the commencement of the use within 14 days of commencement.</p> <p>This approval will lapse if the use has not commenced within six years of the date the development approval takes effect, in accordance with the provisions contained in sections 85(i)(a) of the <i>Planning Act 2016</i>.</p> <p>Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.</p>
32.	<p>A letter outlining and demonstrating that conditions have been, or will be, complied with shall be submitted to Council and approved by a relevant Officer of Council prior to commencement of the use at each relevant stage. Council Officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.</p>
PLEASE READ CAREFULLY - NOTES AND ADVICE	
	<p><i>When approval takes effect</i></p> <p>This approval takes effect in accordance with section 85 of the <i>Planning Act 2016</i>.</p> <p><i>When approval lapses</i></p> <p>This approval will lapse if the change of use has not occurred within the following period, in accordance with the provisions contained in section 85(i)(a) of the <i>Planning Act 2016</i>.</p> <p>(a) If no period stated – 6 years after the approval starts to have effect.</p> <p>Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.</p>
	<p>Infrastructure charges as outlined in the Infrastructure Charges Notice included in Attachment 3 shall be paid prior to the commencement of the use.</p>
	<p>This approval in no way removes the duty of care responsibility of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i>. Pursuant to Section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i>, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).</p>
	<p>This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i>.</p>
	<p>The approved development does not authorise any deviation from the applicable Australian Standards nor from the application of any laws, including laws covering work place health and safety.</p>



Attachment 2 – Approved Plans





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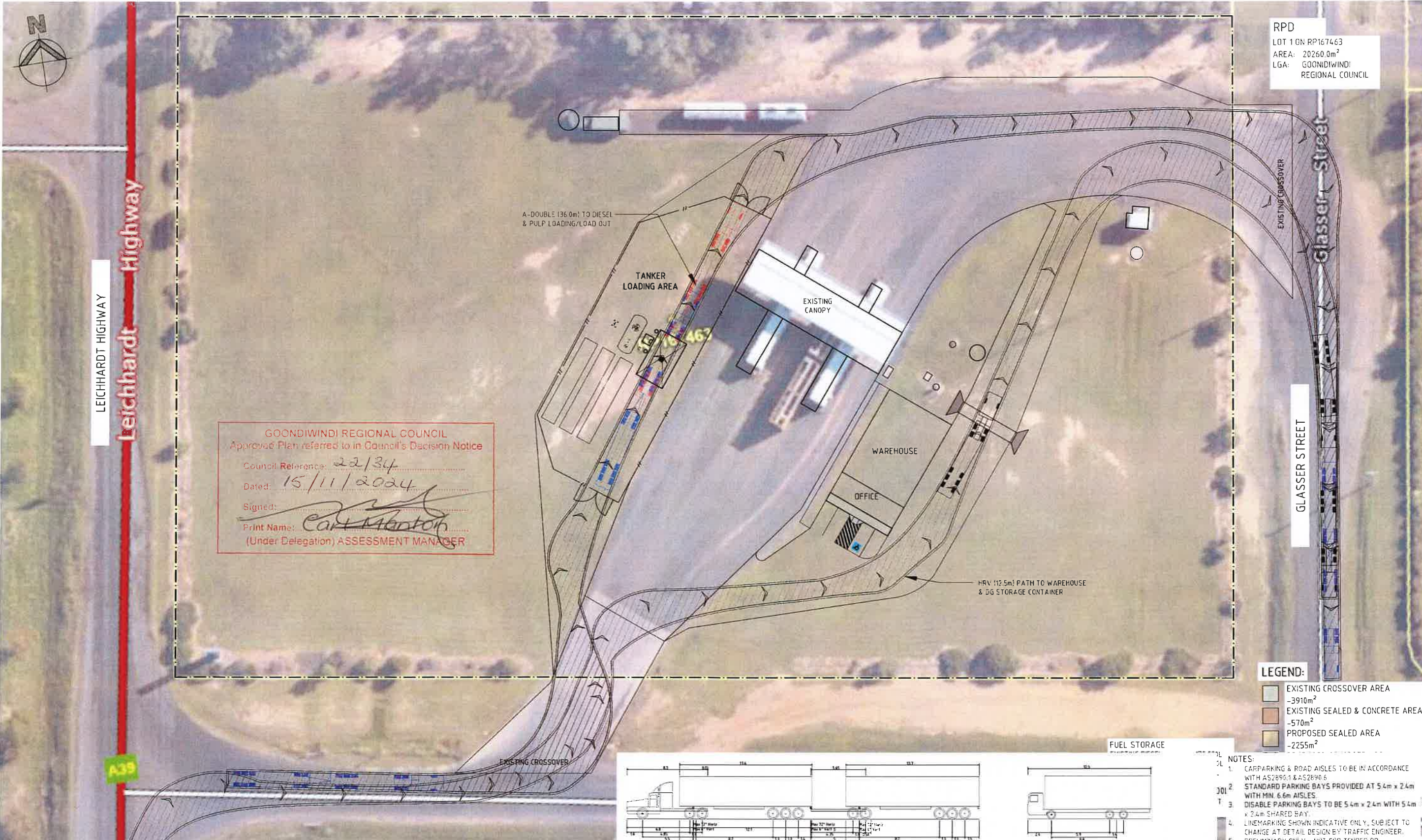
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NAME: DATE:
PROFESSIONAL QUALIFICATION:
SIGNATURE:
Head office - Brisbane Ph: 61 7 3654 2900
166 Knapp Street, Fortitude Valley QLD 4006 Australia
Email: enquiry@tfa.com.au Aust Wide: 1300 754 300

DRAWING ISSUE APPROVAL	REV	DATE	BY	DESCRIPTION	CHK	APP	PROJECT DETAILS
	A	20.09.22	DH	D.A. ISSUE			IOR PETROLEUM UNMANNED TRUCK STOP
	B	05.06.24	AD	D.A. ISSUE - AMENDMENTS			WAREHOUSE & LOAD OUT UPGRADE
	C	01.10.24	MAF	D.A. ISSUE - AMENDMENTS			CNR. GLASSER & HUNGERFORD ST.
							GOONDIWINDI,
							QUEENSLAND, 4390

DRAWING TITLE
PROPOSED SITE OVERALL

STATUS		
D.A. ISSUE		
DATE CREATED 15.08.22	ORIGINAL SCALE 1:300	SHEET A1
DO NOT SCALE THIS DRAWING. CONFIRM ALL DIMENSIONS ON SITE.		
DRAWING NO 22256-DA01	REV C	





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PROJECT MANAGERS | PLANNERS | DESIGNERS | ENGINEERS

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Head office - Brisbane Ph: 617 3654 2900
166 Knapp Street, Fortitude Valley QLD 4006 Australia
Email: enquiry@tfa.com.au Aust Wide: 1300 754 300

REV	DATE	BY	DESCRIPTION	CHK	APP	PROJECT DETAILS	DRAWING TITLE	STATUS
A	30.06.2022	MAP	D.A. ISSUE			IOR PETROLEUM UNMANNED TRUCK STOP WAREHOUSE & LOAD OUT UPGRADE CNR. GLASSER & HUNGERFORD ST. GOONDIWINDI, QUEENSLAND, 4390	PROPOSED SWEEP PATHS	D.A. ISSUE
B	05.06.2024	AD	D.A. ISSUE - AMENDMENTS					

DATE CREATED: 15.08.22

ORIGINAL SCALE: 1:300

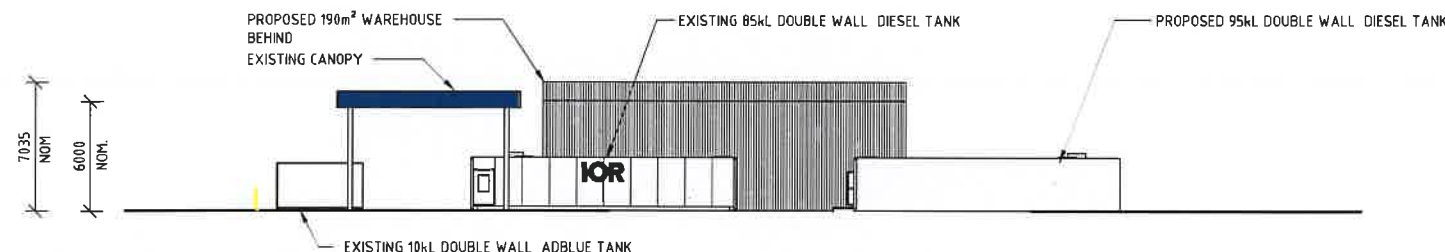
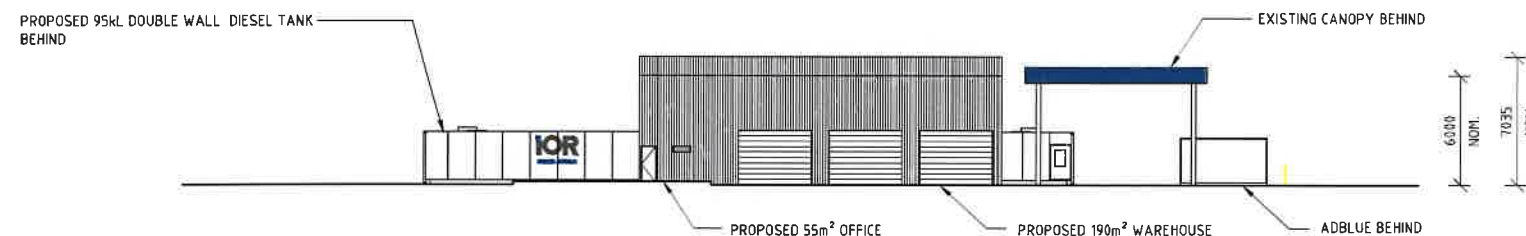
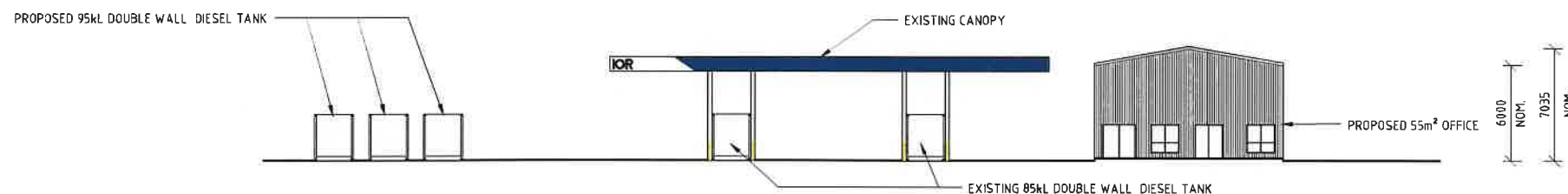
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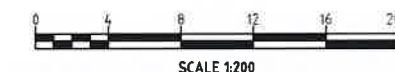
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RPD
LOT 1 ON RP167463
AREA: 20260.0m²
LGA: GOONDIWINDI
REGIONAL COUNCIL



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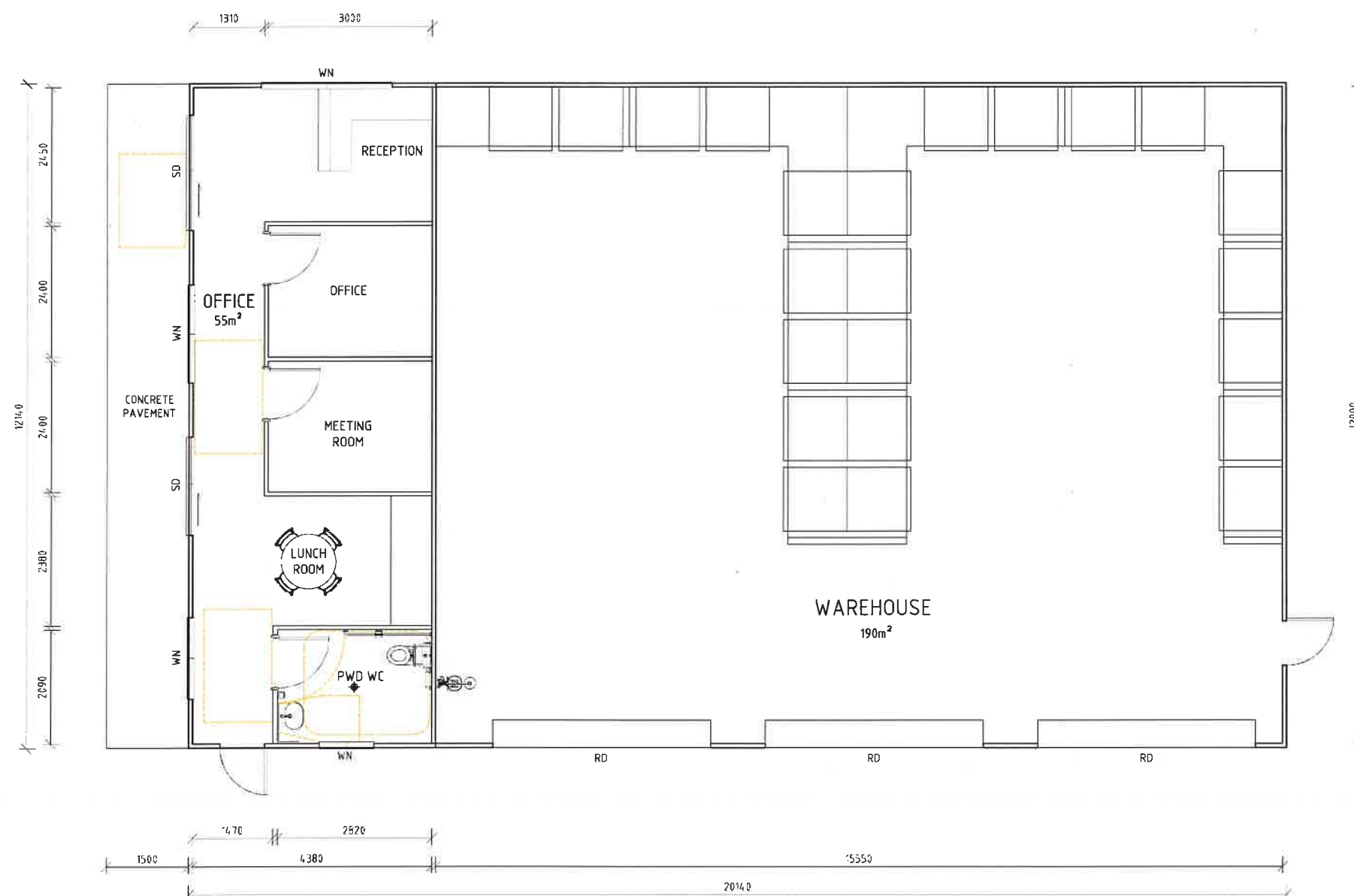
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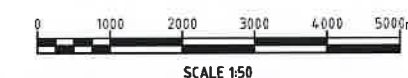
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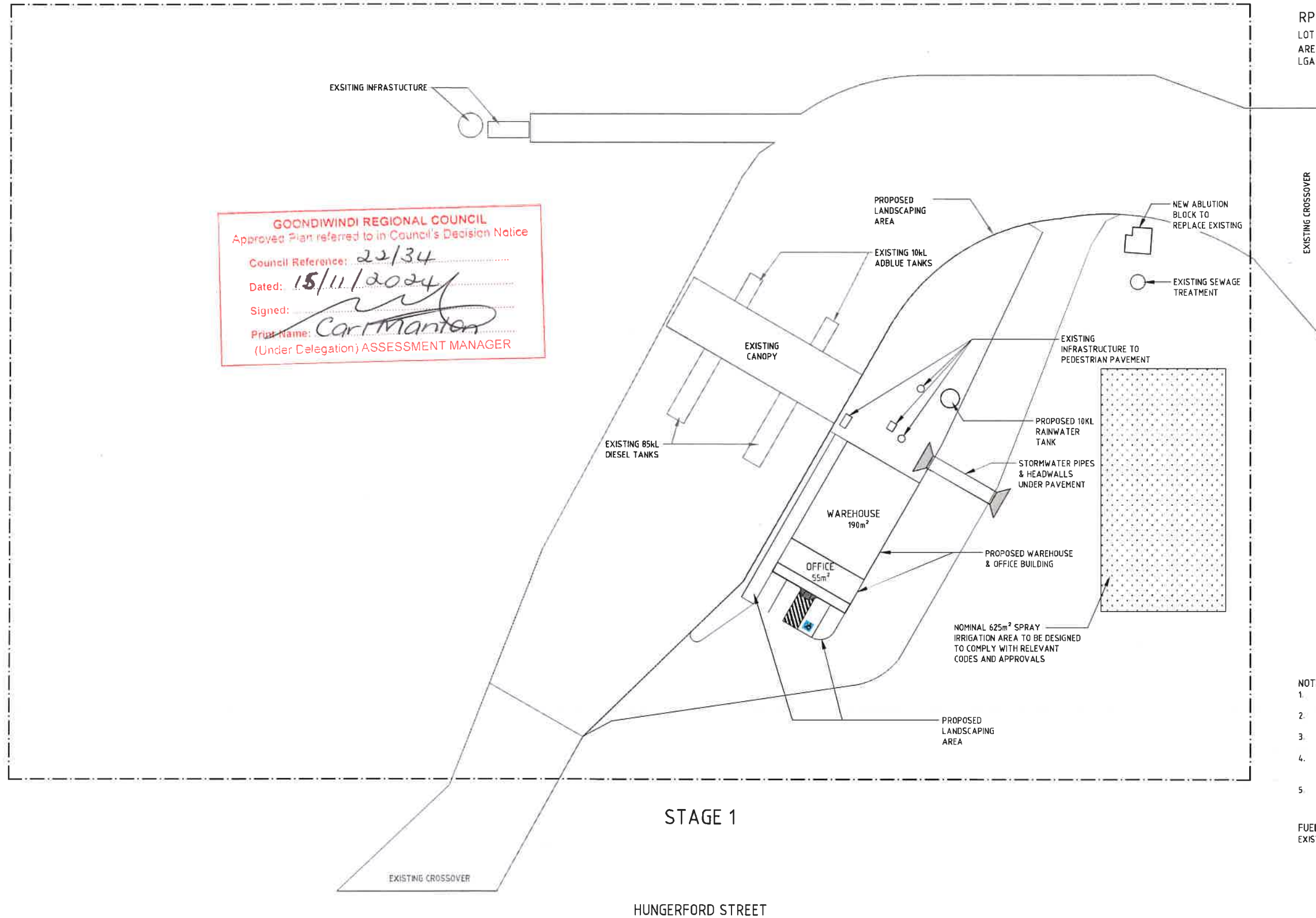
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1. CARPARKING & ROAD AISLES TO BE IN ACCORDANCE WITH AS2890.1 & AS2890.6.
 2. STANDARD PARKING BAYS PROVIDED AT 5.4m x 2.4m WITH MIN. 6.6m AISLES.
 3. DISABLE PARKING BAYS TO BE 5.4m x 2.4m WITH 5.4m x 2.4m SHARED BAY.
 4. LINEMARKING SHOWN INDICATIVE ONLY, SUBJECT TO CHANGE AT DETAIL DESIGN BY TRAFFIC ENGINEER.
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FUEL STORAGE
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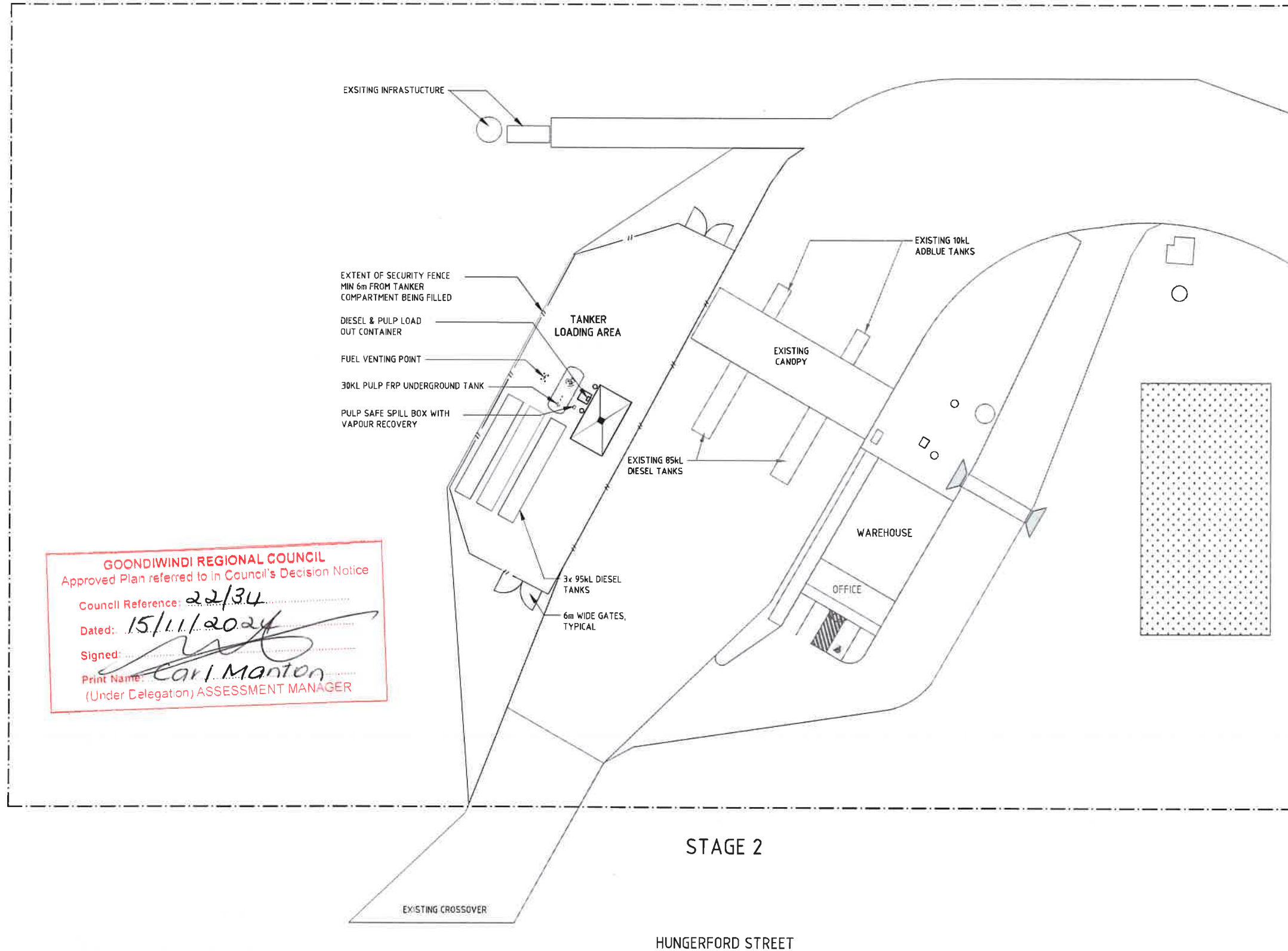


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GLASSER STREET

STAGE 2

HUNGERFORD STREET


FUEL STORAGE
EXISTING DIESEL 170,000L
PROPOSED DIESEL 285,000L
PROPOSED PULP 30,000L
PROPOSED AVGAS TBC
TOTAL FUEL STORAGE 485,000L
**TOTAL FUEL STORAGE WILL NOT EXCEED 500,000L



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SITE BASED STORMWATER MANAGEMENT PLAN

CNR GLASSER ST AND HUNGERFORD ST – LOT 1 RP167463

GOONDIWINDI REGIONAL COUNCIL	
Approved Plan referred to in Council's Decision Notice	
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SITE BASED STORMWATER MANAGEMENT PLAN**CNR Glasser St and Hungerford St – Lot 1 RP167463****CLIENT:** Goondiwindi Regional Council**ADDRESS:** LMB 7, Inglewood QLD 4387**TFA REFERENCE:** 22256**TFA CONTACT:** Juan Avella**Document Control**

REVISION	DATE	PREPARED BY	REVIEWED BY	COMMENTS
A	28 February 2023	P. Manickam	J. Avella	Approval

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1.0 INTRODUCTION

This Site Based Stormwater Management Plan (SBSMP) has been prepared by TFA Project Group on behalf of IOR (the applicant). The purpose of this document is to verify that stormwater quality and quantity have been considered as part of this development and do not have any adverse impact on the downstream environment as outlined in the State Planning Policy July 2017, the Goondiwindi Regional Planning Scheme 2016 and Queensland Urban Drainage Manual 2016.

The proposed development is a refurbishment of an existing truck service station, it will involve the construction of a tanker fuel depot, warehouse, ancillary office building, car parking areas with associated driveways, walkways and landscape areas.

The SBSMP is part of the Development Approval process and addresses both the construction and operational phases of the development. Table 1 below shows additional details of the proposed development. The proposed site layout plan is shown in **Appendix A**.

Table 1: Details of proposed development

Developer	IOR Group Pty Ltd
Address	CNR Glasser St and Hungerford St
Property Description	Lot 1 RP167463
Area of Development	TOTAL: 20,260 m ²
Stormwater Risk Classification	High Risk (due to the storage and transfer on site of petroleum products that have the potential to cause harm to the environment, if released)
Existing Land Use	Service Station

2.0 THE SITE

2.1 Site Description

The proposed development site is located at Cnr Glasser St and Hungerford St, Goondiwindi Qld 4390, within the Goondiwindi Regional Council area, formally described as lot 1 on RP167463. The subject site currently supports an IOR unmanned refuelling facility and ablutions block. It has frontages to Leichardt Highway to the north west, Glasser Street to the south east and Hungerford Street to the south. Vacant land zoned low impact industry sits to the west of the property while to the north locates a funeral home development within the mixed-use zone. The site is similarly surrounded by low impact industry zoned uses to the east and south.

The site forms a regular shape containing a total area of approximately 20,260 m².

A geotechnical investigation will be completed to determine soil type and any specific treatment or management requirements to mitigate erosion or pollution of the environment prior to the commencement of works. A location of the site is shown on Figure 1.



Figure 1: Location of the proposed development site (Source: Nearmap)

3.0 SITE TOPOGRAPHY AND EXISTING DRAINAGE

3.1 Description of the site current condition

Refer to **Appendix C** for the lot plan which show the condition of the site. Survey data was sourced from Elvis Elevation and Depth on 18 January 2023.

The overall site, formally referenced as Lot 1 on RP167463, comprises 2.026 hectares in area. The site has existing surface levels approximately between 214.7 and 215.6, and grades ranging from 0 to 1%. The majority of the site falls gently towards the southwest. Site surfaces are both sealed with concrete and grass.

There is a table drain located on the site's southern boundary, on the verge of Hungerford Street. Consequently, it is assumed that runoff generated from the site is captured and conveyed towards the table drain.

The overall existing catchment boundary has been maintained in the post development scenario. Refer to section 6.1 for the site's pre-development catchment analysis.

4.0 FLOODING

4.1 Flooding information

Flooding information obtained from Goondiwindi Regional Council, shows that the subject site is located wholly outside the flood hazard overlay map. As displayed in the relevant map extracts in Figure 2 below, the site is in a protected floodplain up to 0.5% AEP event. It is anticipated that the proposed development will not be impacted by flooding.

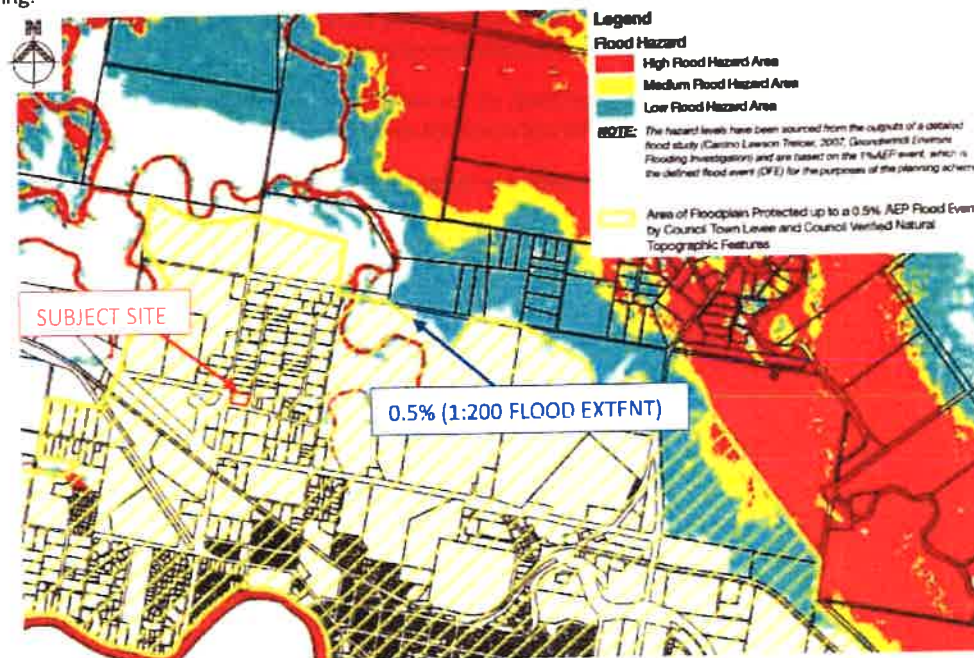


Figure 2: Area of Floodplain protected up to 0.5% AEP - Goondiwindi (Source: GRC)

5.0 PROPOSED DRAINAGE LAYOUT

5.1 Proposed Drainage

The post development stormwater drainage design generally maintains the overall catchments boundaries. The design separates the high risk (hydrocarbon generating e.g. under the canopy) area from the low risk areas (the rest of the site). Any spillage or minor spills from under the canopy will be captured by gully pits and then directed to a Enviro OE30.10 unit for hydrocarbon removal. Treated discharge from the OE30 unit will be connected to the stormwater network.

There will be one fuel delivery fill point (unloading area) that will be located outside the canopy within an isolated area and any spills that might occur during unloading of fuel in this area will be also directed to the proposed oily water separator (Enviro OE30.10). A tanker delivery stand catchment area (unloading area) will be graded to always drain any spill to the proposed Enviro OE30 device. A licensed contractor will remove the contents of the separator device when required.

Stormwater roof water runoff from the proposed warehouse and ancillary office will be captured by a 10kL rainwater tank that will be used for irrigation purposes. All the stormwater runoff generated from low-risk areas on the site (rest of the site including paved areas) will be directed to two oversized swales located on site to be utilised as a provision for an onsite detention system to ensure that post-development flows match the pre-development conditions. The oversized swales discharge stormwater runoff to the existing table drain located within the verge of Hungerford Street fronting the site's southern boundary. Refer to **Appendix C** for a concept plan of the stormwater drainage and site grading.

6.0 WATER QUANTITY ASSESSMENT

The purpose of this part of the assessment is to investigate whether there is a need to attenuate stormwater flows to negate any adverse impacts on upstream or downstream environments. Stormwater runoff from both pre- and post-development scenarios will be calculated and the results analysed, and possible solutions proposed.

6.1 Catchment Analysis

The total development site area is 20,260 m² (2.026 ha).

Details of the pre-development catchment are shown in Table 2 below, which show the surface types, areas, percentage imperviousness and fraction impervious.

Figure 3: Pre-development catchment details (Image Source: Queensland Globe)

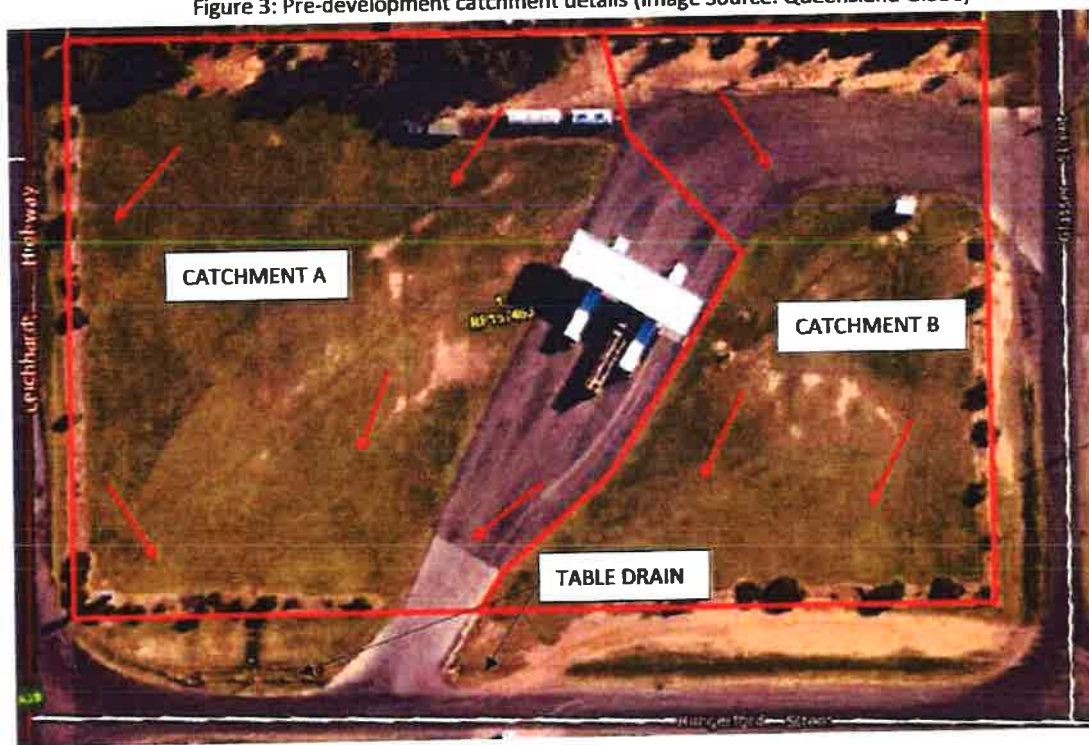


Table 2: Pre-development catchment characteristics

Catchment	Total Area (m ²)	Split Catchment Area (m ²)		% Imperviousness	Fraction impervious
Catchment A	12,168	222	Roof areas	100	0.21
		2,447	Paved areas	100	
		9,733	Landscaped areas	0	
Catchment B	8092	0	Roof areas	0	0.18
		1,462	Paved areas	100	
		6,537	Landscaped areas	0	
TOTAL	20,260.0	20,260.0		20	0.20

Details of the post-development catchment are shown in Figure 4 and Table 3 below, which show the surface types, areas, percentage imperviousness and fraction impervious.

Table 3: Post-development catchment characteristics

Catchment	Total Area (m ²)	Split Catchment Area (m ²)		% Imperviousness	Fraction impervious
Catchment A	12,168	222	Roof areas	100	0.30
		3,375	Paved areas	100	
		8,520	Landscaped areas	0	
Catchment B	8,092	250	Roof areas	100	0.38
		2,839	Paved areas	100	
		5,003	Landscaped areas	0	
TOTAL	20,260	20,260		33	0.33

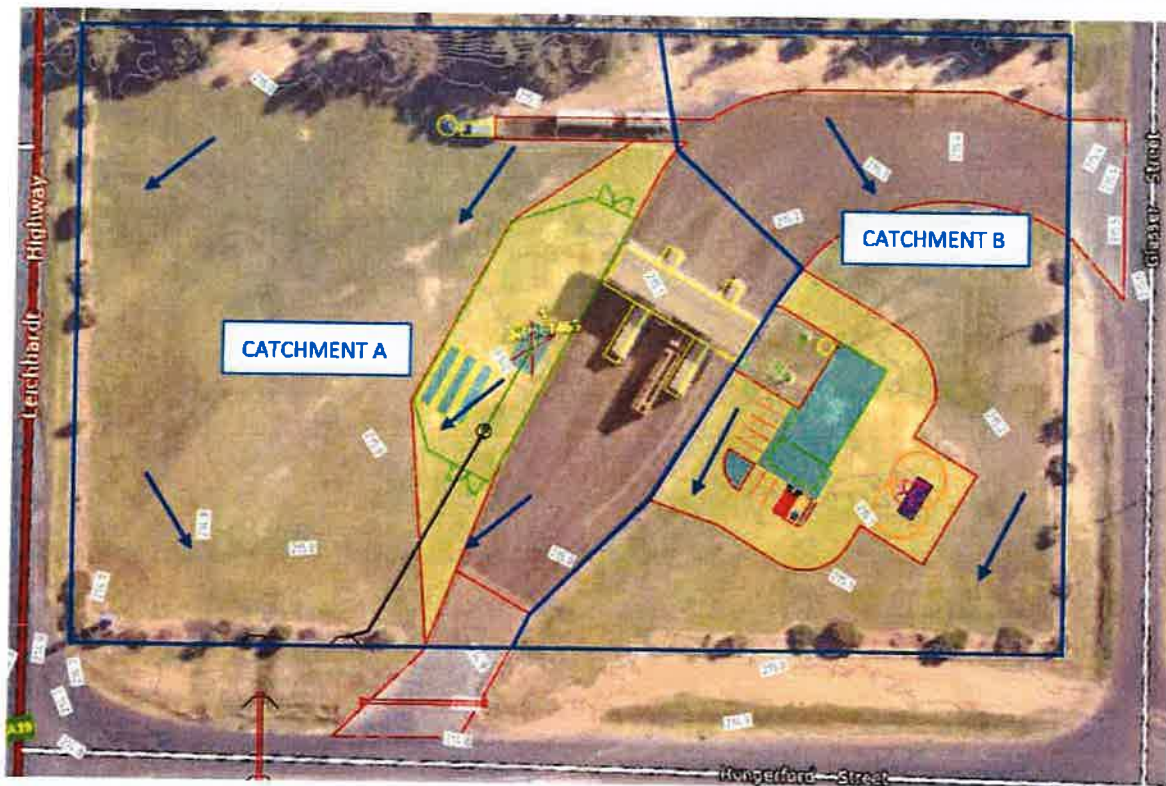


Figure 4: Post-development catchment details.

Table 2 and Table 3 above show that the fraction impervious for the post-development case is higher than the fraction impervious of the pre-development case, this will result in increased peak flows in the post-development case therefore onsite stormwater detention is required.

6.2 Stormwater Detention Sizing

6.2.1 Rational Method

The rational method was used to calculate the stormwater runoff flows from the site for the pre- and post-development scenarios. The formula is as follows:

$$Q_y = (C_y \times I_y \times A) / 360 \quad (\text{QUDM 2016 Equation 4.2})$$

Where:

Q_y = peak flow rate (m^3/s) for average recurrence interval (ARI) of 'y' years

C_y = coefficient of discharge (dimensionless) for ARI of 'y' years

A = area of catchment (ha)

I_y = average rainfall intensity (mm/h) for a design duration of 't' hours and an ARI of 'y' years.

t = the nominal design storm duration as defined by the time of concentration (t_c).

The value '360' is a conversion factor to suit the units used.

6.2.2 Catchments

The existing catchment boundary has been maintained in the post development scenario for the whole site. Pre and post-development catchment information is tabulated in Table 4 below.

Table 4: Catchment details

Catchment	Pre-development Area (Ha)	Pre-development fraction impervious	Post-development Area (Ha)	Post-development fraction impervious
A	1.21	0.21	1.21	0.30
B	0.81	0.18	0.81	0.38
TOTAL	2.02	0.20	2.02	0.33

6.2.3 Time of concentration

The time of concentration of the pre-development scenario was calculated using the Friend's equation for overland sheet flow. The equation is shown below:

$$t_c = (107 \cdot n \cdot L^{0.333}) / S^{0.2} \quad (\text{QUDM 2016: Equation 4.5})$$

Where:

t_c = overland sheet flow travel time (min)

L = overland sheet flow path length (m)

n = Horton's surface roughness factor

S = slope of surface (%)

The value '107' is a conversion factor to suit the units used.

Table 5: Pre-development time of concentration assumptions

Assumptions	Catchment – A	Catchment – B
Overland sheet flow length (m)	111	89
Overland sheet flow slope (%)	0.5	0.8
Horton's coefficient	0.045	0.045
Overland sheet flow travel time (min)	26.54	22.45

Table 6 below shows the times of concentration used in the water quantity assessment. The time of concentration for post-development scenarios was determined using clause 5.4.4 of AS3500.3:2018 Plumbing and Drainage: Stormwater Drainage.

Table 6: Time of concentration for the catchments

Catchment	Time of concentration (min)
Pre-development – Catchment A	26.54
Pre-development – Catchment B	22.45
Post-development – Catchment A	5.00
Post-development – Catchment B	5.00

6.2.4 Coefficient of discharge

From Table 4.5.3 and 4.5.4 of QUDM, a one-hour rainfall intensity for a 1 in 10-year ARI (i_{10}) of 47.4 mm/hr and fraction impervious f_i of 0.21 has a C10 value of 0.50 for the pre-developed catchment A, fraction impervious f_i of 0.18 has a C10 value 0.48 for the pre-developed catchment B. For post development catchments, the fraction impervious f_i of 0.30 has a C10 value of 0.55 for catchment A and , the fraction impervious f_i of 0.38 has a C10 value of 0.59 for the catchment B and Table 7 below shows the F_y factor used to calculate the C_y value for each ARI.

Table 7: F_y factors for the nominated ARI's

	1 year ARI (mm/hr)	2 year ARI (mm/hr)	5 year ARI (mm/hr)	10 year ARI (mm/hr)	20 year ARI (mm/hr)	50 year ARI (mm/hr)	100 year ARI (mm/hr)
F_y	0.80	0.85	0.95	1.00	1.05	1.15	1.20

The coefficient of discharge for both pre and post-development catchments is calculated based on equation 4.3 of QUDM and the results shown in Table 8.

Table 8: Coefficients of discharge for pre and post-development scenarios

Coefficient of Discharge	1 year ARI	2 year ARI	5 year ARI	10 year ARI	20 year ARI	50 year ARI	100 year ARI
Pre-development – A	0.40	0.43	0.48	0.50	0.53	0.58	0.60
Pre-development – B	0.38	0.41	0.46	0.48	0.50	0.55	0.58
Post-development – A	0.44	0.47	0.52	0.55	0.58	0.63	0.66
Post-development – B	0.47	0.50	0.56	0.59	0.62	0.68	0.71

6.2.5 Rainfall Intensities

The rainfall intensities for the site were read from an IFD table obtained from the BOM website for the project site on 24 January 2023. The rainfall intensities for a given time of concentration for the pre and post-development cases for the nominated ARI's are shown in Table 9.

Table 9: Rainfall intensities for the nominated ARI's

t_c (mins)	1 year ARI (mm/hr)	2 year ARI (mm/hr)	5 year ARI (mm/hr)	10 year ARI (mm/hr)	20 year ARI (mm/hr)	50 year ARI (mm/hr)	100 year ARI (mm/hr)
5.00	90	102	140	167	194	231	259
22.45	47.5	53.8	73.9	88.2	102.6	121.7	137.7
26.54	43.0	48.7	67.0	80.0	93.0	110.6	125.0

6.2.6 Stormwater Design Flows

Table 10 shows the stormwater runoff flows for the pre-development case calculated using the rational method.

Table 10: Stormwater flows generated by the pre-development catchment

Catchment	Q1 (l/s)	Q2 (l/s)	Q5 (l/s)	Q10 (l/s)	Q20 (l/s)	Q50 (l/s)	Q100 (l/s)
A	73.2	88.1	135.4	170.1	207.5	270.4	318.0
B	45.8	55.1	84.7	106.3	129.8	168.7	198.7
TOTAL	118.9	143.2	220.0	276.3	337.3	439.2	516.7

Table 11: Stormwater flows generated by the post-development catchment

Catchment	Q1 (l/s)	Q2 (l/s)	Q5 (l/s)	Q10 (l/s)	Q20 (l/s)	Q50 (l/s)	Q100 (l/s)
A	110.2	132.4	202.0	254.9	310.8	405.4	473.9
B	96.2	115.8	177.7	223.1	272.2	355.0	415.3
TOTAL	206.4	248.2	379.7	478.0	583.0	760.3	889.2

Table 11 shows the stormwater runoff flows for the post-development case calculated using the rational method. As can be seen from Table 12 below, the development will increase stormwater runoff for the catchment for the nominated ARI's, therefore onsite stormwater detention will be required to mitigate the peak discharge and achieve the "no worsening" of the stormwater drainage conditions external to the site.

Table 12: Stormwater flow differences between post and pre-development for standard ARI's

Catchment	Q1 (l/s)	Q2 (l/s)	Q5 (l/s)	Q10 (l/s)	Q20 (l/s)	Q50 (l/s)	Q100 (l/s)
A	87.4	105.0	159.7	201.7	245.6	321.2	372.5

6.2.7 Required Detention Volume

The onsite detention volume will restrict the post-development flows to pre-development conditions. The required detention volume and outlet arrangement was modelled, designed and sized using computer software (DRAINS V2020.041). Tables 13 below shows the required detention volume for a range of design storms for the development's catchment A. The table also compares the pre & post development flows to the designed output flows from DRAINS based on the detention storage volume. A snapshot of the DRAINS model is shown in Figure 6 below.

Figure 6: Print Screen of the Drains Stormwater drainage model

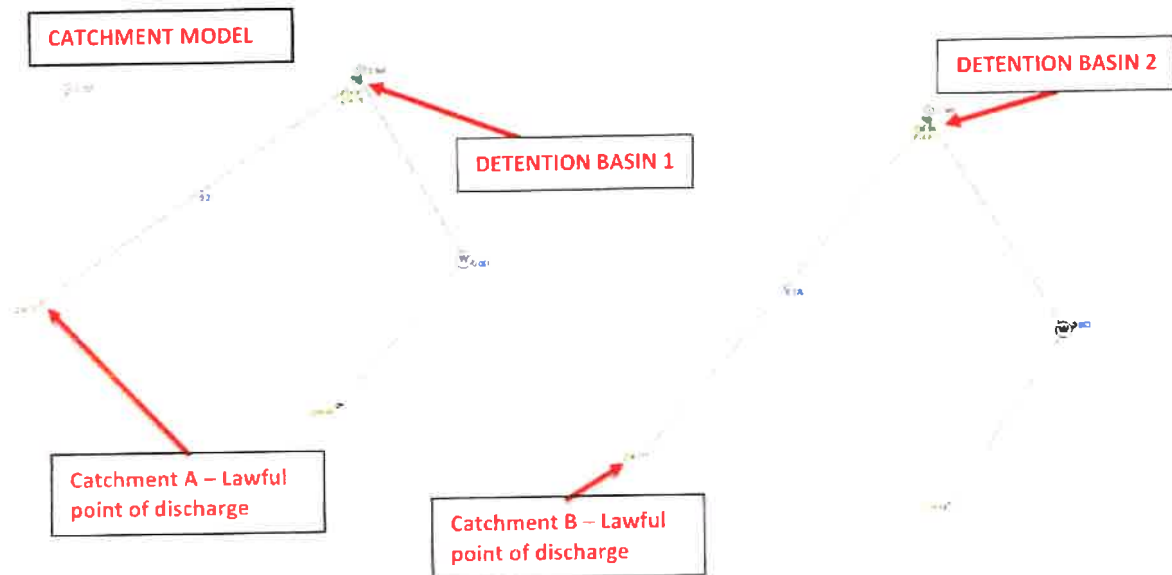


Table 13: Onsite Detention Volume requirement (DRAINS Outputs) Catchment A

Design Storm	Post Development	Allowable stormwater discharge from the Detention Tanks	Design Flow (Calculated by DRAINS)	Post Development mitigated	Required Detention volume
AEP (%)	Flow rate	Flow rate	Flow rate	Flow rate	Volume
	L/S	L/S	L/S	L/S	L
1	206.4	118.9	77	129.4	137,641.0
2	248.2	143.2	105	143.2	147,136.0
5	379.7	220.0	198	181.7	194,386.0
10	478.0	276.3	259	219.0	225,212.0
20	583.0	337.3	336	247.0	254,814.0
50	760.3	439.2	438	322.3	299,022.0
100	889.2	516.7	514	375.2	326,206.0

Based on Table 13 above, the minimum required detention volume for Catchment A is 326,206 (L) to mitigate post-development flows.

6.2.8 Proposed On-Site Detention System

It is proposed to provide two oversized swales that will act as detention basins in order to restrict post-development flows to pre-development conditions.

The detention basins were modelled with the following outlet arrangements described in Table 14:

Table 14: Characteristics of detention basins modelled in DRAINS

Description	Value	
	Basin 1	Basin 2
Basin Capacity	152,036.0 L	174,170.0 L
Pipe Outlet	2 x 300mm RCP at bottom of basin	2 x 300mm RCP at bottom of basin
Weir	1 x 1756mm L x 520mm	1 x 1756mm L x 520mm
Swale/basin section	1.8m base width, 0.625m depth and 1:4.0 batters	1.8m base width, 0.625m depth and 1:4.0 batters

7.0 WATER QUALITY ASSESSMENT

7.1 Construction Phase

Impacts on receiving waters and surrounding areas will be minimised during the construction phase with measures as outlined in this SBSMP and the Erosion and Sediment Control Plan to be developed for the Operational works.

7.1.1 Pollutants

Typical pollutants generated during the construction phase of the development are shown below in Table 15.

Table 15: Pollutant typically generated during the construction phase

Pollutant	Sources
Litter	Paper, construction packaging, food packaging, cement bags, off-cuts
Sediment	Unprotected exposed soils and stockpiles during earthworks and building
Hydrocarbons	Fuel and oil spills, leaks from construction equipment
Toxic materials	Cement slurry, asphalt prime, solvents, cleaning agents, wash-waters
pH altering substances	Acid sulphate soils, cement slurry and wash-waters

7.1.2 Performance objectives

The objectives are:

- Minimise the amount of sediment entering waterways and stormwater drains;
- Minimise or prevent environmental harm to waterways and associated ecosystems;
- Minimise localised flooding caused by sediment runoff;
- Minimise exposure of soils.

Table 16: Construction phase performance criteria

Indicator	Water Quality Objectives
pH	6.5 – 8.5
Suspended Solids	Annual Mean < 10mg/L
Oils and Grease	No visible films or odour
Litter/ Gross pollutants	No anthropogenic (man-made) materials greater than 5mm in any dimension
Dissolved oxygen	80-100% saturation or 6mg/L

7.1.3 Monitoring and maintenance

The general requirement of monitoring during the construction phase will be:

- Work activities are restricted to designated construction areas;
- Earthworks and site clearing are undertaken in accordance with an Erosion and Sediment Control Plan;
- Erosion and sediment control devices are to be constructed/installed in accordance with an Erosion and Sediment Control Plan;
- Inspection of sediment fences, erosion and sediment control structures/devices on a weekly basis as well as after any rain event exceeding 25mm in 24hrs (major storm event);

- Stormwater discharges from the site are not having any adverse effect on the downstream environment;
- Monitoring and recording of the performance of the drainage control devices including water quality testing where required;
- Any failure in the stormwater system shall be immediately rectified to prevent uncontrolled discharge from the site;
- Any failure to the stormwater system causing damage to surroundings should implement immediate remedial work to the damaged area.

7.1.4 Responsibility and reporting

- The contractor shall be responsible for monitoring the performance of all drainage control and erosion and sediment control devices;
- Records of any failures to devices should be kept and reported to the Construction Manager;
- Regular inspections of the devices shall be reported to the Construction Manager;
- Inspections of the devices after heavy rainfall shall be reported to the Construction Manager;

7.2 Operational Phase

7.2.1 Pollutants

The key pollutants typically generated during this phase for the entire catchment are shown in Table 16.

Table 17: Pollutant typically generated during the operational phase

Pollutant	Potential Source
Litter / Gross Pollutants	Waste materials, food, food packaging etc.
Hydrocarbons	Fuel and oil spills, dispensing areas, car park
Nutrients (N & P)	Nitrogen, Phosphorus
Sediments	Aggregates bins, wind deposits and car trails
Surfactants	Detergents, cleaning agents

7.2.2 Water Quality Objectives

Considering that the majority of the site will be vegetated and that the majority of the runoff generated from the impervious areas (paved and roofed) will be conveyed by the proposed oversized grassed swales, the stormwater quality objectives will be generally achieved as stormwater runoff generated from the proposed development will be slowed down reducing soil erosion, which in turns leads to less pollutants getting into the waterways.

7.3 Proposed Stormwater Treatment

7.3.1 Stormwater treatment philosophy

Waterways and other aquatic environments are valued by the community for their social, cultural, economic and environmental benefits. Urban runoff, contaminated with nutrients, sediment and other pollutants adversely impacts these valued resources. Water Sensitive Urban Design (WSUD) is a holistic approach to the planning and design of urban landscapes that minimises these negative impacts. This approach is used on this project to select the treatment options that considers the civil, landscape and ecological aspects of the site.

7.3.2 Source Controls

Rubbish bins can be an effective source control for litter and are appropriate for most developments. Bins will be placed in appropriate areas (such as buildings and staff amenity) to encourage thoughtful waste disposal.

7.4 Fuel Related Stormwater Treatment

The treatment train shown in Figure 7 uses the Best Management guidelines to treat stormwater runoff from the site.

7.4.1 Fuel Dispensing and Tanker Unloading Areas

The fuel dispensing areas will remain concrete surfaced and covered by a canopy. These areas are bunded to prevent stormwater runoff from outside the canopy flowing into the dispensing area and to ensure that any spills are contained within these areas. The perimeter of the canopy overhangs the dispensing containment area by 10 degrees to reduce windblown rain into the area. Any flows/spills in the containment area will drain to gully pits which will discharge to an Enviro OE30.10 full retention oily water separator device.

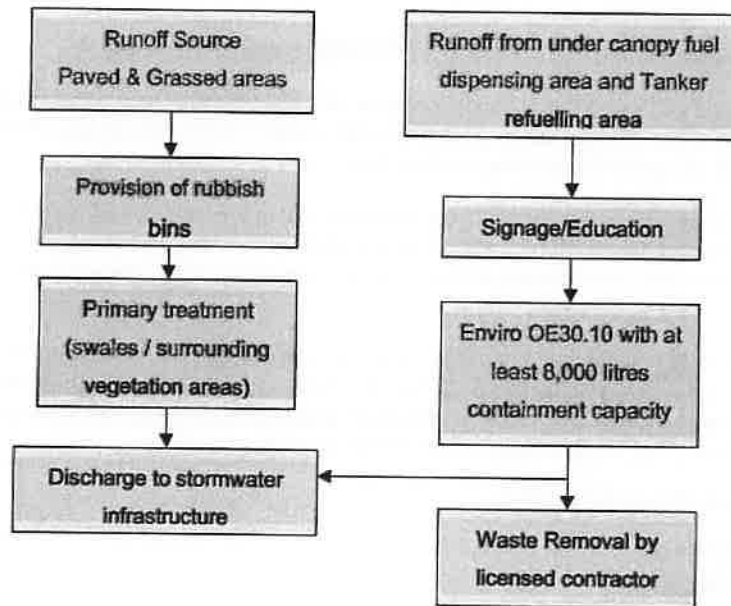
Bulk fuel transfers from a road tanker to underground tanks will take place in a remote Fill Point located outside the truck canopy within a bunded concrete area. A gully pit will be located within this area to capture and convey any possible spill to the Enviro OE30.10 device; also any runoff from the dispensing areas will be directed to the Enviro OE30 device at all times. A spill containment box at fill point will capture any minor fuel spills that may occur during unloading; the spilt fuel will then drain from the containment box into the fuel storage tanks.

7.4.1.1 Enviro OE30.10

The Enviro OE30.10 (Class 1) unit has a minimum containment volume of 11,200 litres, which allows for containment for spill from an 8,000 litre tanker compartment plus allowances for wind-blown rain. The oil/water separator unit will remove hydrocarbons, gross pollutants and total suspended solids. This unit is compliant with the requirements of EN-858-1 "Class 1" oil/water separators. Refer to **Appendix E** for details of the OE30.10 device.

- The Enviro OE30 unit claims a performance which can reach reductions of 95% for Gross Pollutants (GP), a 90% of Suspended Solids (TSS), a 97% of Total Phosphorous (TP), a 85% of total Nitrogen (TN), a 99.95% of total Hydrocarbons. Hydrocarbon retention occurs in a separate chamber which operates as a best practice oil and grease arrestor.
- The OE30.10 unit will be fitted with an oil probe for oil detection and maintenance monitoring which includes an alarm panel for remote mounting. The alarm is triggered when hydrocarbon build-up accumulates, allowing the removal by a licensed contractor when required.
- Under normal operation, the Enviro OE30.10 unit will discharge treated stormwater with a total petroleum hydrocarbons (TPH) content below 5 ppm (mg/L).

Figure 7: Stormwater and Fuel related stormwater treatment philosophy



7.4.2 Underground Fuel Storage Tanks

Underground fuel storage tanks, piping and fuel dispensers will be installed in accordance with the Australian Institute of Petroleum (AIP) standards.

8.0 SITE MAINTENANCE AND MANAGEMENT PROCEDURES

8.1 Petrol Station Maintenance and Management Procedure

The service station operator will have a Petrol Handling Manual that will set out all requirements for the safe handling of combustible and flammable materials. This manual will dictate weekly, monthly and annual checking procedures with checklists, which will be completed, and the records stored.

The manual will also set out dry cleaning methods to be employed within the fuel dispensing area in lieu of washing down to reduce possible contaminated runoff. Emergency procedures will be also clearly set out detailing actions to be taken by site personnel in the case of varying possible emergencies such as spills, fire or risk of fire, vehicle accidents, etc.

In addition, a regular cleaning, maintenance program/contract is to be established for emptying of rubbish bins located around the site, removal of general litter from the site, inspection of gully pits and removal of any sediment or captured litter from pit's grates. The Enviro OE30.10 unit will be inspected and maintained in accordance with the manufacturer's instructions. Refer to **Appendix F** for maintenance plans.

The maintenance plan will address the following:

- Inspection frequency;
- Maintenance frequency;
- Data collection/storage requirements;
- Detailed cleanout procedures.

The plan will include inspection procedures covering aspects such as equipment needs, maintenance techniques, occupational health and safety, public safety, environmental management considerations, disposal requirements of pollutants collected and access issues.

8.2 Maintenance Plans for Stormwater treatment devices

All stormwater quality improvement systems require regular maintenance in order to function adequately. Table 18 details the basic maintenance requirements for each type of stormwater quality improvements systems. A detailed maintenance schedule will be developed as part of the detailed design of the site.

Table 18: Maintenance Requirements

Control	Maintenance Requirement	Maintenance Period
Enviro OE30 unit	Generally, comprehensive maintenance is performed from the surface via vacuum truck. No personnel access required to enter the device for service and maintenance. All surfaces inside the units are visible from the service covers, negating the need for personnel to enter the device. If required, screens can be removed manually to wash them down if required without entering the device.	Design service intervals are 12 months. Service by evacuation trucks is typically completed in less than one hour.
Vegetated Swale	Clear inlet and outlet of accumulated sediment or debris. Eroded areas should be locally re-profiled or reinforced and re-planted if necessary. Refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets if the erosion is either recurring or severe.	3 months (inspect after major storms)
	Sediment should be removed from the base of the swale if it is impeding the free drainage of stormwater. The removal of accumulated sediment may involve removal and re-establishment of vegetation. Refer to Water by Design (2012) Rectifying Vegetated Stormwater Treatment Assets if excessive sediment deposition is a recurring issue.	Annually

For Enviro OE30 operational and maintenance guidelines refer to **Appendix F** and relevant manufacturer's documentation.

9.0 LIFECYCLE COSTS

A lifecycle cost analysis is not part of the scope of this report. All the recommended water quality treatment infrastructure lies within the development site and it shall be maintained and serviced by the owners of the development at no cost to Council.

10.0 CONCLUSION

A Site Based Stormwater Management Plan has been prepared with respect to the proposed development as detailed in section 0. The location of the site is shown on Figure 1 and the proposed development site layout is shown in Appendix A.

- **Stormwater Quantity**
To mitigate post development flows from the proposed development and to achieve a "no worsening" of stormwater conditions external to the site, an assessment of the water quantity has been undertaken for the development resulting in the requirement of 326 kL of detention basin volume. Refer to section 6.2.8 for the proposed outlet arrangements for the proposed detention basin and **Appendix D** for inflow-outflow hydrographs outputs from DRAINS software.
- **Stormwater Quality- Construction Phase**
An Erosion and Sediment Control Plan aimed at minimising unacceptable impacts during the construction phase will be developed at the Operational Works stage, in accordance with Council Guidelines and Standards aiming to minimise unacceptable impacts to occur during the construction phase.
- **Stormwater Quality- Operational Phase**
Considering the drainage reserve will be dedicated to Council and that the majority of the site will be vegetated, the stormwater quality objectives will be generally achieved as stormwater runoff generated from the proposed development will be slowed down reducing soil erosion, which in turns leads to less pollutants getting into the waterway.

This Site Based Stormwater Management Plan has demonstrated that adequate stormwater quantity and quality management principles and techniques will be employed during the construction and operational of this development to comply with the Queensland State Planning Policy 2017, the Goondiwindi Region Planning Scheme 2016 and Queensland Urban Drainage Manual 2016. The methods proposed are considered current best management practice for a development of this type, on this site.

Yours faithfully



Pradeep Manickam

Civil/Structural Undergraduate Engineer

For and on behalf of TFA Group

Reviewed by



Juan Avella (RPEQ 11899)

BEng, MIEAust, CPEng, RPEQ, NER
Director Civil/Structural Engineering

For and on behalf of TFA Group



Attachment 3 – Infrastructure Charges Notice





Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au

Infrastructure Charges Notice – Stage 1

Address	Leichhardt Highway, Goondiwindi
Owner	IOR Property Group Ltd
Applicant	IOR Pty Ltd C/- TFA Project Group
Application No.	22/34
Lot and Survey Plan	Lot 1 on RP167463
Date	14 November 2024
Approval	Minor Change to Development Permit – Material Change of Use

Development Application Details
"Industry activities" – "Warehouse" (Fuel Depot, Warehouse and Ancillary Office)

Proposed Use	Charge Area	Type of Charge	Charge Amount (\$)	Unit	Total Charge (\$)
Warehouse (Stage 1)	A	Water, transport and parks	5.60 per m ² of GFA	245m ²	1,372
		Stormwater	1.00 per m ² of IA	1,439m ² additional	1,439

Due Date	When the change happens	Total Charge (\$)	\$2,811
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	2 May 2029		

Authorised by:

Print Name: **Mr Carl Manton**
Chief Executive Officer

A discount has been applied to this notice, where the existing demand has not been charged.

In accordance the Planning Act 2016

Office Use – Receipt Number

Charges – 1250-1150-0000
Drainage – 1250-1151-0000





Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Email: mail@grc.qld.gov.au

Infrastructure Charges Notice – Stage 2

Address	Leichhardt Highway, Goondiwindi
Owner	IOR Property Group Ltd
Applicant	IOR Pty Ltd C/- TFA Project Group
Application No.	22/34
Lot and Survey Plan	Lot 1 on RP167463
Date	14 November 2024
Approval	Minor Change to Development Permit – Material Change of Use

Development Application Details
"Industry activities" – "Warehouse" (Fuel Depot, Warehouse and Ancillary Office)

Proposed Use	Charge Area	Type of Charge	Charge Amount (\$)	Unit	Total Charge (\$)
Warehouse (Stage 2)	A	Water, transport and parks	5.60 per m ² of GFA	0m ² additional	0
		Stormwater	1.00 per m ² of IA	1,276m ² additional	1,276

Due Date	When the change happens	Total Charge (\$)	\$1,276
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	2 May 2029		

Authorised by:

Print Name: **Mr Carl Manton**
Chief Executive Officer

A discount has been applied to this notice, where the existing demand has not been charged.

In accordance the Planning Act 2016

Office Use – Receipt Number

Charges – 1250-1150-0000





Attachment 4 – Notice about decision - Statement of reasons



Notice about decision - Statement of reasons

The following information is provided in accordance with section 63 (5) of the *Planning Act 2016* and must be published on the assessment managers website

The development application for "Industry activities" - "Warehouse" – Fuel Depot, Warehouse and Ancillary Office _____

22/34 _____

Leichhardt Highway, Goondiwindi _____

Lot 1 on RP167463 _____

On 7 November 2024, the above development application was:

- ☐ approved in full or
☐ approved in part for _____ or
☒ approved in full with conditions or
☐ approved in part for _____, with conditions or
☐ refused.

1. Reasons for the decision

The reasons for this decision are:

- *Having regard to the relevant criteria in the Goondiwindi Region Planning Scheme 2018, the proposed changes were approved.*

2. Assessment benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Schedule 2 of the <i>Planning Act 2016</i>	
Schedule 1 of the Development Assessment Rules	Items 4(a)-(i)
Low Impact Industry Zone Code	PO1-PO8
Transport & Infrastructure Code	PO1-PO15
Natural Resources Overlay Code	PO5-PO8
Flood Hazard Overlay Code	PO1-PO4

3. Compliance with benchmarks

The proposed development complied with all relevant assessment benchmarks. The proposed change did not create any areas of non-compliance.

4. Relevant matters for impact assessable development

5. Matters raised in submissions for impact assessable development

6. Matters prescribed by Regulation



Attachment 5 – Rights of Appeal Waiver





Attachment 6 – *Planning Act 2016* Extracts



**EXTRACT FROM PLANNING ACT 2016
RELATING TO APPEAL RIGHTS**

Chapter 6 Dispute Resolution, Part 1 Appeal Rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

(a) matters that may be appealed to—

- (i) either a tribunal or the P&E Court; or**
- (ii) only a tribunal; or**
- (iii) only the P&E Court; and**

(b) the person—

- (i) who may appeal a matter (the appellant); and**
- (ii) who is a respondent in an appeal of the matter; and**
- (iii) who is a co-respondent in an appeal of the matter; and**
- (iv) who may elect to be a co-respondent in an appeal of the matter.**

(2) An appellant may start an appeal within the appeal period.

(3) The appeal period is—

- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or**
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or**
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or**
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or**
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the**

deemed approval notice to the assessment manager; or

- (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.**

Note—

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.**

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.**

- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—**

(a) the adopted charge itself; or

(b) for a decision about an offset or refund—

(i) the establishment cost of trunk infrastructure identified in a LGIP; or

(ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—**

(a) is in the approved form; and

(b) succinctly states the grounds of the appeal.

- (2) The notice of appeal must be accompanied by the required fee.**

- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—**

(a) the respondent for the appeal; and

(b) each co-respondent for the appeal; and

(c) for an appeal about a development application under schedule 1, table 1, item 1—each

principal submitter for the development application; and

- (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
- (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The **service period** is—

- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

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

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

232 Rules of the P&E Court

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

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the appointer) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
 - (a) has the qualifications or experience prescribed by regulation; and
 - (b) has demonstrated an ability—
 - (i) to negotiate and mediate outcomes between parties to a proceeding; and

(ii) to apply the principles of natural justice; and

(iii) to analyse complex technical issues; and

(iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

(2) The appointer may—

(a) appoint a referee for the term, of not more than 3 years, stated in the appointment notice; and

(b) reappoint a referee, by notice, for further terms of not more than 3 years.

(3) If an appointer appoints a public service officer as a referee, the officer holds the appointment concurrently with any other appointment that the officer holds in the public service.

(4) A referee must not sit on a tribunal unless the referee has given a declaration, in the approved form and signed by the referee, to the chief executive.

(5) The appointer may cancel a referee's appointment at any time by giving a notice, signed by the appointer, to the referee.

(6) A referee may resign the referee's appointment at any time by giving a notice, signed by the referee, to the appointer.

(7) In this section—

appointment notice means—

(a) if the Minister gives the notice—a gazette notice; or

(b) if the chief executive gives the notice—a notice given to the person appointed as a referee.

234 Referee with conflict of interest

(1) This section applies if the chief executive informs a referee that the chief executive proposes to appoint the referee as a tribunal member, and either or both of the following apply—

(a) the tribunal is to hear a matter about premises—

(i) the referee owns; or

(ii) for which the referee was, is, or is to be, an architect, builder, drainer, engineer, planner, plumber, plumbing inspector, certifier, site evaluator or soil assessor; or

(iii) for which the referee has been, is, or will be, engaged by any party in the referee's capacity as an accountant, lawyer or other professional; or

(iv) situated or to be situated in the area of a local government of which the referee is an officer, employee or councillor;

(b) the referee has a direct or indirect personal interest in a matter to be considered by the tribunal, and the interest could conflict with the proper performance of the referee's functions for the tribunal's consideration of the matter.

(2) However, this section does not apply to a referee only because the referee previously acted in relation to the preparation of a relevant local planning instrument.

(3) The referee must notify the chief executive that this section applies to the referee, and on doing so, the chief executive must not appoint the referee to the tribunal.

(4) If a tribunal member is, or becomes, aware the member should not have been appointed to the tribunal, the member must not act, or continue to act, as a member of the tribunal.

235 Establishing development tribunal

(1) The chief executive may at any time establish a tribunal, consisting of up to 5 referees, for tribunal proceedings.

(2) The chief executive may appoint a referee for tribunal proceedings if the chief executive considers the referee has the qualifications or experience for the proceedings.

(3) The chief executive must appoint a referee as the chairperson for each tribunal.

(4) A regulation may specify the qualifications or experience required for particular proceedings.

(5) After a tribunal is established, the tribunal's membership must not be changed.

236 Remuneration

A tribunal member must be paid the remuneration the Governor in Council decides.

237 Tribunal proceedings

- (1) A tribunal must ensure all persons before the tribunal are afforded natural justice.*
- (2) A tribunal must make its decisions in a timely way.*
- (3) A tribunal may—*
 - (a) conduct its business as the tribunal considers appropriate, subject to a regulation made for this section; and*
 - (b) sit at the times and places the tribunal decides; and*
 - (c) hear an appeal and application for a declaration together; and*
 - (d) hear 2 or more appeals or applications for a declaration together.*
- (4) A regulation may provide for—*
 - (a) the way in which a tribunal is to operate, including the qualifications of the chairperson of the tribunal for particular proceedings; or*
 - (b) the required fee for tribunal proceedings.*

238 Registrar and other officers

- (1) The chief executive may, by gazette notice, appoint—*
 - (a) a registrar; and*
 - (b) other officers (including persons who are public service officers) as the chief executive considers appropriate to help a tribunal perform its functions.*
- (2) A person may hold the appointment or assist concurrently with any other public service appointment that the person holds.*

Division 2 Applications for declarations

239 Starting proceedings for declarations

- (1) A person may start proceedings for a declaration by a tribunal by filing an application, in the approved form, with the registrar.*
- (2) The application must be accompanied by the required fee.*

240 Application for declaration about making of development application

- (1) The following persons may start proceedings for a declaration about whether a development application is properly made—*
 - (a) the applicant;*
 - (b) the assessment manager.*
- (2) However, a person may not seek a declaration under this section about whether a development application is accompanied by the written consent of the owner of the premises to the application.*
- (3) The proceedings must be started by—*
 - (a) the applicant within 20 business days after receiving notice from the assessment manager, under the development assessment rules, that the development application is not properly made; or*
 - (b) the assessment manager within 10 business days after receiving the development application.*
- (4) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.*
- (5) In this section—*

respondent means—

- (a) if the applicant started the proceedings—the assessment manager; or*
- (b) if the assessment manager started the proceedings—the applicant.*

241 Application for declaration about change to development approval

- (1) This section applies to a change application for a development approval if—*
 - (a) the approval is for a material change of use of premises that involves the use of a classified building; and*
 - (b) the responsible entity for the change application is not the P&E Court.*
- (2) The applicant, or responsible entity, for the change application may start proceedings for a*

declaration about whether the proposed change to the approval is a minor change.

- (3) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.

(4) In this section—

respondent means—

- (a) if the applicant started the proceedings—the responsible entity; or
- (b) if the responsible entity started the proceedings—the applicant.

Division 3 Tribunal proceedings for appeals and declarations

242 Action when proceedings start

If a document starting tribunal proceedings is filed with the registrar within the period required under this Act, and is accompanied by the required fee, the chief executive must—

- (a) establish a tribunal for the proceedings; and
- (b) appoint 1 of the referees for the tribunal as the tribunal's chairperson, in the way required under a regulation; and
- (c) give notice of the establishment of the tribunal to each party to the proceedings.

243 Chief executive excusing noncompliance

(1) This section applies if—

- (a) the registrar receives a document purporting to start tribunal proceedings, accompanied by the required fee; and
- (b) the document does not comply with any requirement under this Act for validly starting the proceedings.

(2) The chief executive must consider the document and decide whether or not it is reasonable in the circumstances to excuse the noncompliance (because it would not cause substantial injustice in the proceedings, for example).

(3) If the chief executive decides not to excuse the noncompliance, the chief executive must give a notice stating that the document is of no effect,

because of the noncompliance, to the person who filed the document.

(4) The chief executive must give the notice within 10 business days after the document is given to the chief executive.

(5) If the chief executive does excuse the noncompliance, the chief executive may act under section 242 as if the noncompliance had not happened.

244 Ending tribunal proceedings or establishing new tribunal

(1) The chief executive may decide not to establish a tribunal when a document starting tribunal proceedings is filed, if the chief executive considers it is not reasonably practicable to establish a tribunal.

Examples of when it is not reasonably practicable to establish a tribunal—

- there are no qualified referees or insufficient qualified referees because of a conflict of interest
- the referees who are available will not be able to decide the proceedings in a timely way

(2) If the chief executive considers a tribunal established for tribunal proceedings—

(a) does not have the expertise to hear or decide the proceedings; or

(b) is not able to make a decision for proceedings (because of a tribunal member's conflict of interest, for example); the chief executive may decide to suspend the proceedings and establish another tribunal, complying with section 242(c), to hear or re-hear the proceedings.

(3) However, the chief executive may instead decide to end the proceedings if the chief executive considers it is not reasonably practicable to establish another tribunal to hear or re-hear the proceedings.

(4) If the chief executive makes a decision under subsection (1) or (3), the chief executive must give a decision notice about the decision to the parties to the proceedings.

(5) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the chief

executive gives the decision notice to the party who started the proceedings.

- (6) The decision notice must state the effect of subsection (5).

245 Refunding fees

The chief executive may, but need not, refund all or part of the fee paid to start proceedings if the chief executive decides under section 244—

- (a) not to establish a tribunal; or
- (b) to end the proceedings.

246 Further material for tribunal proceedings

- (1) The registrar may, at any time, ask a person to give the registrar any information that the registrar reasonably requires for the proceedings.

Examples of information that the registrar may require—

- material about the proceedings (plans, for example)
- information to help the chief executive decide whether to excuse noncompliance under section 243
- for a deemed refusal—a statement of the reasons why the entity responsible for deciding the application had not decided the application during the period for deciding the application.

- (2) The person must give the information to the registrar within 10 business days after the registrar asks for the information.

247 Representation of Minister if State interest involved

If, before tribunal proceedings are decided, the Minister decides the proceedings involve a State interest, the Minister may be represented in the proceedings.

248 Representation of parties at hearing

A party to tribunal proceedings may appear—

- (a) in person; or
- (b) by an agent who is not a lawyer.

249 Conduct of tribunal proceedings

- (1) Subject to section 237, the chairperson of a tribunal must decide how tribunal proceedings are to be conducted.

- (2) The tribunal may decide the proceedings on submissions if the parties agree.

- (3) If the proceedings are to be decided on submissions, the tribunal must give all parties a notice asking for the submissions to be made to the tribunal within a stated reasonable period.

- (4) Otherwise, the tribunal must give notice of the time and place of the hearing to all parties.

- (5) The tribunal may decide the proceedings without a party's submission (written or oral) if—

(a) for proceedings to be decided on submissions—the party's submission is not received within the time stated in the notice given under subsection (3); or

(b) for proceedings to be decided by hearing—the person, or the person's agent, does not appear at the hearing.

- (6) When hearing proceedings, the tribunal—

(a) need not proceed in a formal way; and

(b) is not bound by the rules of evidence; and

(c) may inform itself in the way it considers appropriate; and

(d) may seek the views of any person; and

(e) must ensure all persons appearing before the tribunal have a reasonable opportunity to be heard; and

(f) may prohibit or regulate questioning in the hearing.

- (7) If, because of the time available for the proceedings, a person does not have an opportunity to be heard, or fully heard, the person may make a submission to the tribunal.

250 Tribunal directions or orders

A tribunal may, at any time during tribunal proceedings, make any direction or order that the tribunal considers appropriate.

Examples of directions—

- a direction to an applicant about how to make their development application comply with this Act
- a direction to an assessment manager to assess a development application, even though the referral agency's response to the assessment manager was to refuse the application

251 Matters tribunal may consider

- (1) This section applies to tribunal proceedings about—
 - (a) a development application or change application; or
 - (b) an application or request (however called) under the Building Act or the Plumbing and Drainage Act.
- (2) The tribunal must decide the proceedings based on the laws in effect when—
 - (a) the application or request was properly made; or
 - (b) if the application or request was not required to be properly made—the application or request was made.
- (3) However, the tribunal may give the weight that the tribunal considers appropriate, in the circumstances, to any new laws.

252 Deciding no jurisdiction for tribunal proceedings

- (1) A tribunal may decide that the tribunal has no jurisdiction for tribunal proceedings, at any time before the proceedings are decided—
 - (a) on the tribunal's initiative; or
 - (b) on the application of a party.
- (2) If the tribunal decides that the tribunal has no jurisdiction, the tribunal must give a decision notice about the decision to all parties to the proceedings.
- (3) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the tribunal gives the decision notice to the party who started the proceedings.

- (4) The decision notice must state the effect of subsection (3).
- (5) If the tribunal decides to end the proceedings, the fee paid to start the proceedings is not refundable.

253 Conduct of appeals

- (1) This section applies to an appeal to a tribunal.
- (2) Generally, the appellant must establish the appeal should be upheld.
- (3) However, for an appeal by the recipient of an enforcement notice, the enforcement authority that gave the notice must establish the appeal should be dismissed.
- (4) The tribunal must hear and decide the appeal by way of a reconsideration of the evidence that was before the person who made the decision appealed against.
- (5) However, the tribunal may, but need not, consider—
 - (a) other evidence presented by a party to the appeal with leave of the tribunal; or
 - (b) any information provided under section 246.

254 Deciding appeals to tribunal

- (1) This section applies to an appeal to a tribunal against a decision.
- (2) The tribunal must decide the appeal by—
 - (a) confirming the decision; or
 - (b) changing the decision; or
 - (c) replacing the decision with another decision; or
 - (d) setting the decision aside, and ordering the person who made the decision to remake the decision by a stated time; or
 - (e) for a deemed refusal of an application—
 - (i) ordering the entity responsible for deciding the application to decide the application by a stated time and, if the entity does not comply with the order, deciding the application; or
 - (ii) deciding the application.

(3) However, the tribunal must not make a change, other than a minor change, to a development application.

(4) The tribunal's decision takes the place of the decision appealed against.

(5) The tribunal's decision starts to have effect—

(a) if a party does not appeal the decision—at the end of the appeal period for the decision; or

(b) if a party appeals against the decision to the P&E Court—subject to the decision of the court, when the appeal ends.

255 Notice of tribunal's decision

A tribunal must give a decision notice about the tribunal's decision for tribunal proceedings, other than for any directions or interim orders given by the tribunal, to all parties to proceedings.

256 No costs orders

A tribunal must not make any order as to costs.

257 Recipient's notice of compliance with direction or order

If a tribunal directs or orders a party to do something, the party must notify the registrar when the thing is done.

258 Tribunal may extend period to take action

(1) This section applies if, under this chapter, an action for tribunal proceedings must be taken within a stated period or before a stated time, even if the period has ended or the time has passed.

(2) The tribunal may allow a longer period or a different time to take the action if the tribunal considers there are sufficient grounds for the extension.

259 Publication of tribunal decisions

The registrar must publish tribunal decisions under the arrangements, and in the way, that the chief executive decides.

Schedule 1 Appeals

section 229

Appeal rights and parties to appeals

(1) Table 1 states the matters that may be appealed to—

(a) the P&E court; or

(b) a tribunal.

(2) However, table 1 applies to a tribunal only if the matter involves—

(a) the refusal, or deemed refusal of a development application, for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(b) a provision of a development approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(c) if a development permit was applied for—the decision to give a preliminary approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(d) a development condition if—

(i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

(ii) the building is, or is proposed to be, not more than 3 storeys; and

(iii) the proposed development is for not more than 60 sole-occupancy units; or

(e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or

(f) a decision for, or a deemed refusal of, a change

application for a development approval that is only for a material change of use of a classified building; or

(g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

(h) a decision to give an enforcement notice—

(i) in relation to a matter under paragraphs (a) to (g); or

(ii) under the Plumbing and Drainage Act; or

(i) an infrastructure charges notice; or

(j) the refusal, or deemed refusal, of a conversion application; or

(l) a matter prescribed by regulation.

(3) Also, table 1 does not apply to a tribunal if the matter involves—

(a) for a matter in subsection (2)(a) to (d)—

(i) a development approval for which the development application required impact assessment; and

(ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or

(b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

(4) Table 2 states the matters that may be appealed only to the P&E Court.

(5) Table 3 states the matters that may be appealed only to the tribunal.

(6) In each table—

(a) column 1 states the appellant in the appeal; and

(b) column 2 states the respondent in the appeal; and

(c) column 3 states the co-respondent (if any) in the appeal; and

(d) column 4 states the co-respondents by election (if any) in the appeal.

(7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

(8) In this section—

storey see the Building Code, part A1.1.

Table 1

Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

For a development application other than a development application called in by the

Minister, an appeal may be made against—

(a) the refusal of all or part of the development application; or

(b) the deemed refusal of the development application; or

(c) a provision of the development approval; or

(d) if a development permit was applied for—the decision to give a preliminary approval.

**EXTRACT FROM THE PLANNING ACT 2016
RELATING TO LAPSE DATES**

***Division 4 Lapsing of and extending
development approvals***

85 Lapsing of approval at end of current period

*(1) A part of a development approval lapses at the end of the following period (the **currency period**)—*

(a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—6 years after the approval starts to have effect;

(b) for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—4 years after the approval starts to have effect;

(c) for any other part of the development approval if the development does not substantially start within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—2 years after the approval starts to take effect.

(2) If part of a development approval lapses, any monetary security given for that part of the approval must be released.