

File: 25/18  
Date: 17 July 2025

Nambour Christian College Ltd  
C/- Alan Holliday Pty Ltd  
PO Box 6191  
**MAROOCHYDORE BC QLD 4558**

Attention: Alan Holliday

Dear Alan

**Decision Notice –approval (with conditions)  
Material Change of Use  
Lot 1 on SP348640, 7 Lamberth, Goondiwindi**

We wish to advise that on 10 July 2025 a decision was made to approve the material change of use development application for *“Community activities” – “Child care centre” (extension to existing use)* at Lot 1 on SP348640, 7 Lamberth, Goondiwindi. In accordance with the *Planning Act 2016*, please find attached Council’s Decision Notice for the application.

Please read the conditions carefully as these include actions which must be undertaken **prior to the commencement of the use** as well as requirements for the ongoing operation of the use.

All conditions are required to be either complied with or bonded prior to the commencement of the use. Please note **Condition 37**, which requires a letter to be submitted to Council prior to commencement of the use, outlining and demonstrating compliance with each condition.

The applicant is required to **notify Council in writing of the date of the commencement** of the use, within fourteen (14) business days of commencement.

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](mailto:rmcmahon@grc.qld.gov.au), who will be pleased to assist.

Yours faithfully



**Ronnie McMahon**  
Manager of Planning Services  
Goondiwindi Regional Council

## Decision Notice approval

### Planning Act 2016 section 63

Council File Reference: 25/18  
Council Contact: Mrs Ronnie McMahon: PD  
Council Contact Phone: (07) 4671 7400

17 July 2025

**Applicant Details:** Nambour Christian College Ltd  
C/- Alan Holliday Pty Ltd  
PO Box 6191  
MAROOCHYDORE BC QLD 4558

Attention: Alan Holliday

The development application described below was properly made to Goondiwindi Regional Council on 7 May 2025.

#### Applicant details

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Applicant name: Nambour Christian College Ltd  
Applicant contact details: C/- Alan Holliday Pty Ltd  
PO Box 6191, Maroochydore BC QLD 4558  
0413 625 071  
[aholliday@westnet.com.au](mailto:aholliday@westnet.com.au)

#### Application details

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Application number: 25/18  
Approval sought: Development Permit – Material Change of Use  
Details of proposed development: “Community activities” – “Child care centre” (extension to existing use)

#### Location details

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Street address: 7 Lamberth, Goondiwindi  
Real property description: Lot 1 on SP348640

#### Decision

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Date of decision: 10 July 2025  
Decision details: Approved in full with conditions. These 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

The application is not taken to be approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

The following approvals are given:

|  | Planning Regulation 2017 reference | Development Permit  | Preliminary Approval   |
|--|------------------------------------|---|--|
| Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval<br>- building work assessable under the planning scheme<br>- plumbing or drainage work<br>- material change of use<br>- reconfiguring a lot<br>- operational work | N/A                                | <input type="checkbox"/><br><br><input type="checkbox"/><br><input checked="" type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |

### Conditions

This approval is subject to the conditions in Attachment 1.

### 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 Work

### Properly made submissions

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

### Approved plans and specifications

Copies of the following plans are enclosed.

| Drawing Number   | Title                      | Date       |
|------------------|----------------------------|------------|
| TP02, Revision B | Site Plan                  | 26.03.2025 |
| TP04, Revision B | Floor Plan                 | 26.03.2025 |
| TP06, Revision B | Landscape Plan             | 26.03.2025 |
| TP07, Revision B | Building Elevations        | 26.03.2025 |
| OPW-C-00300      | Development Site Plan      | 22.04.25   |
| 250133-SWMP-001  | Stormwater Management Plan | 28/04/2025 |

### 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*.

## **Rights of appeal**

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain 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*).

### Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

**Attachment 5** is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit: <https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

**Attachment 4** is a Notice about decision - Statement of reasons, in accordance with section 63 (5) of the *Planning Act 2016*.

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



**Ronnie McMahon**  
Manager of Planning Services  
Goondiwindi Regional Council

enc     Attachment 1—Assessment manager conditions  
         Attachment 2—Approved Plans  
         Attachment 3—Infrastructure Charges Notice  
         Attachment 4—Notice about decision – Statement of reasons  
         Attachment 5—*Planning Act 2016* Extracts



## **ATTACHMENTS**

**Attachment 1 – Assessment Manager’s Conditions**

**Attachment 2 – Approved Plans**

**Attachment 3 – Infrastructure Charges Notice**

**Attachment 4 – Notice about decision - Statement of Reasons**

**Attachment 5 – *Planning Act 2016* Extracts**

*Planning Act 2016 appeal provisions*

*Planning Act 2016 lapse dates*



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



## **Assessment Manager's Conditions**

|                                   |   |
|-----------------------------------|---|
| <b>Description:</b>               | <i>"Community activities" – "Child care centre"</i> (Extension to Existing use) |
| <b>Development:</b>               | Material Change of Use – Development Permit                                     |
| <b>Applicant:</b>                 | Nambour Christian College Ltd C/- Alan Holliday Pty Ltd                         |
| <b>Address:</b>                   | 7 Lamberth Road, Goondiwindi  |
| <b>Real Property Description:</b> | Lot 1 on SP348640   |
| <b>Council File Reference:</b>    | 25/18   |

| GENERAL CONDITIONS                                       |   |            |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
|--|---|------------|----------------|-------|------|------------------|-----------|------------|------------------|------------|------------|------------------|----------------|------------|------------------|---------------------|------------|-------------|-----------------------|----------|-----------------|----------------------------|------------|
| 1.   | Approval is granted for the purpose of a Material Change of Use for: <ul style="list-style-type: none"><li>“Community activities” – “Child care centre” (Extension to Existing use)</li></ul> as defined in the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i> .  |            |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| 2.   | All conditions must be complied with or bonded prior to the commencement of the use, unless specified in an individual condition.   |            |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| 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: <table><tr><th>Drawing Number</th><th>Title</th><th>Date</th></tr><tr><td>TP02, Revision B</td><td>Site Plan</td><td>26.03.2025</td></tr><tr><td>TP04, Revision B</td><td>Floor Plan</td><td>26.03.2025</td></tr><tr><td>TP06, Revision B</td><td>Landscape Plan</td><td>26.03.2025</td></tr><tr><td>TP07, Revision B</td><td>Building Elevations</td><td>26.03.2025</td></tr><tr><td>OPW-C-00300</td><td>Development Site Plan</td><td>22.04.25</td></tr><tr><td>250133-SWMP-001</td><td>Stormwater Management Plan</td><td>28/04/2025</td></tr></table> |            | Drawing Number | Title | Date | TP02, Revision B | Site Plan | 26.03.2025 | TP04, Revision B | Floor Plan | 26.03.2025 | TP06, Revision B | Landscape Plan | 26.03.2025 | TP07, Revision B | Building Elevations | 26.03.2025 | OPW-C-00300 | Development Site Plan | 22.04.25 | 250133-SWMP-001 | Stormwater Management Plan | 28/04/2025 |
| Drawing Number   | Title   | Date       |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| TP02, Revision B   | Site Plan   | 26.03.2025 |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| TP04, Revision B   | Floor Plan  | 26.03.2025 |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| TP06, Revision B   | Landscape Plan  | 26.03.2025 |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| TP07, Revision B   | Building Elevations   | 26.03.2025 |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| OPW-C-00300  | Development Site Plan   | 22.04.25   |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| 250133-SWMP-001  | Stormwater Management Plan  | 28/04/2025 |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |
| Please note these plans are not approved Building Plans. |   |            |                |       |      |                  |           |            |                  |            |            |                  |                |            |                  |                     |            |             |                       |          |                 |                            |            |

|    |  |
|----|--|
| 4. | <p>Complete and maintain the approved development as follows:</p> <ul style="list-style-type: none"> <li>(i) Generally in accordance with development approval documents; and</li> <li>(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.</li> </ul> <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><b>OPERATION OF THE USE</b></p>   |
| 6. | <p>The proposed use shall be operated generally between the hours of 6:00am and 6:00pm.</p>  |
|    | <p><b>ESSENTIAL SERVICES</b></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>Connection to Council's reticulated sewerage system shall be retained 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><b>PUBLIC UTILITIES</b></p>   |
| 9. | <p>The development shall be connected to an adequate electricity supply system, at no cost to Council.</p>   |



|            | <b>ROADS AND VEHICLES</b>  |
|------------|--|
| <b>10.</b> | <p>The proposed accesses to Lamberth Road shall be constructed from the edge of the existing bitumen to the property boundary to a commercial 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>The levels of the vehicle accesses must align neatly on both sides with the pedestrian footpath and verge to avoid the introduction of trip hazards.</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> |
| <b>11.</b> | <p>Remove the redundant crossover and reinstate the kerb and channel, road pavement, services, verge and any footpath to Council's standard along the frontage of the site.</p>  |
| <b>12.</b> | <p>All areas where customer vehicles park and manoeuvre shall be constructed to a sealed standard 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 and manoeuvring 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.</p> <p>A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p>   |
| <b>13.</b> | <p>Eleven (11) sealed and delineated car parking spaces shall be constructed on site in accordance with the approved site plan.</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.</p> <p>A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p>   |
| <b>14.</b> | <p>Provide a parking plan demonstrating how the 4 car parking spaces not provided on site will be safely accommodation on the Lamberth Street frontage of the site in accordance with relevant standards.</p>  |

| 15.                                       | <p>In lieu of the provision of all required on-site car parking spaces, pay a contribution to Council for the 4 car parking spaces not provided on site. The contribution is valued at \$3,000 in Council's 2025/2026 Register of Cost Recovery Fees Commercial Charges and may be subject to change.</p> <p>The applicant should contact Council to confirm the value of the contribution at the time of payment.</p>  |   |          |                         |                                     |  |     |                                      |   |     |                                      |   |     |
|---|---|---|----------|-------------------------|-------------------------------------|--|-----|--------------------------------------|---|-----|--------------------------------------|---|-----|
| LANDSCAPING & FENCING                     |   |   |          |                         |                                     |  |     |                                      |   |     |                                      |   |     |
| 16.                                       | <p>Landscaping shall be provided in accordance with Schedule 6.3 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, generally in accordance with the Approved Site Plan, with a minimum of:</p> <ul style="list-style-type: none"><li>a) Street frontage landscaping along the site's Lambert Road frontage with a minimum width of 1.3m, generally in the location shown on the Approved Plan.</li><li>b) Street frontage landscaping along the site's Octagonal Court frontage with a minimum width of 4.6m, exclusive of outdoor play areas, generally in the location shown on the Approved Plan.</li></ul> <p>All landscaping and tree plantings are to be planted and maintained to the satisfaction of a qualified Council Officer. A bond for the amount of <b>\$2,307</b> is to be submitted prior to the issue of a building approval for the maintenance of landscaping.</p> <p>If the landscaping complies with Schedule 6.3 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018 (Version 2)</i>, the applicant will be advised in writing that the bond is accepted.</p> <p>The bond holding time starts from the acceptance of works. Council must be contacted by the applicant to request an inspection of the landscaping as soon as possible after completion of planting and payment of bond. The bond shall be returned in accordance with the following schedule if the landscaping meets the criteria:</p> <table><tr><th>Time from acceptance of landscaping works</th><th>Criteria</th><th>Bond Refund / Reduction</th></tr><tr><td>9 months – From acceptance of works</td><td>Landscaping conforms to requirements, is established and maintained.<br/>Adequate provision for on-going watering and growth.<br/>Any/all replacement plants are provided.</td><td>50%</td></tr><tr><td>18 months – From acceptance of works</td><td>Landscaping is well established (as a guide &gt;50% full growth depending on species).<br/>All replacement plants are established.<br/>The landscaping intent is being achieved.</td><td>25%</td></tr><tr><td>24 months – From acceptance of works</td><td>Landscaping is fully established, or within 80% depending on species.</td><td>25%</td></tr></table> | Time from acceptance of landscaping works | Criteria | Bond Refund / Reduction | 9 months – From acceptance of works | Landscaping conforms to requirements, is established and maintained.<br>Adequate provision for on-going watering and growth.<br>Any/all replacement plants are provided. | 50% | 18 months – From acceptance of works | Landscaping is well established (as a guide >50% full growth depending on species).<br>All replacement plants are established.<br>The landscaping intent is being achieved. | 25% | 24 months – From acceptance of works | Landscaping is fully established, or within 80% depending on species. | 25% |
| Time from acceptance of landscaping works | Criteria  | Bond Refund / Reduction                   |          |                         |                                     |  |     |                                      |   |     |                                      |   |     |
| 9 months – From acceptance of works       | Landscaping conforms to requirements, is established and maintained.<br>Adequate provision for on-going watering and growth.<br>Any/all replacement plants are provided.  | 50%                                       |          |                         |                                     |  |     |                                      |   |     |                                      |   |     |
| 18 months – From acceptance of works      | Landscaping is well established (as a guide >50% full growth depending on species).<br>All replacement plants are established.<br>The landscaping intent is being achieved.   | 25%                                       |          |                         |                                     |  |     |                                      |   |     |                                      |   |     |
| 24 months – From acceptance of works      | Landscaping is fully established, or within 80% depending on species.   | 25%                                       |          |                         |                                     |  |     |                                      |   |     |                                      |   |     |

|     |   |
|-----|---|
|     | <p>After the required bond holding time has passed, a refund of bond monies will only be considered upon a written request from the person who paid the bond once the required bond holding time has been completed.</p> <p>A qualified Council Officer may inspect landscaping plantings to ensure compliance with this condition and acceptance of the works.</p> <p>Council will hold the funds in trust for a maximum of three years, at which time should work not be carried out and maintained to Council's satisfaction, the bond will be used by Council to have the works performed unless an extension of time is requested by the land owner or applicant and approved by Council. To clarify, bonds can only be refunded upon a written request from the person who paid the bond upon the works being satisfactorily maintained for the required bond holding time.</p>   |
| 17. | Solid screen fencing, with a minimum height of 1.8m, must be installed along the western boundary of the site.  |
| 18. | Screen fencing installed adjacent to outdoor play areas is to be acoustically treated. Prior to commencement of the use, detailed of the acoustic treatments utilised must be provided to Council for endorsement.  |
| 19. | Site fencing along Octagonal Court shall be appropriately integrated with the proposed landscaping on site and present an attractive visual appearance to adjoining properties and the streetscape.   |
|     | <b>STORMWATER</b>   |
| 20. | <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 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> |

|                                       |  |
|---------------------------------------|--|
| 21.                                   | <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>  |
| <b>EARTHWORKS AND EROSION CONTROL</b> |  |
| 22.                                   | <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>  |
| 23.                                   | <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> |
| <b>AVOIDING NUISANCE</b>              |  |
| 24.                                   | <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>  |
| 25.                                   | <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 surrounding premises as a result of dust, noise, lighting, odour, vibration, rubbish, contaminants, stormwater discharge or siltation or any other potentially detrimental impact.</p>  |
| 26.                                   | <p>All external lighting is to be compliant with AS/NZS 4282-2019 “<i>Control of obtrusive effects of outdoor lighting</i>”.</p>   |

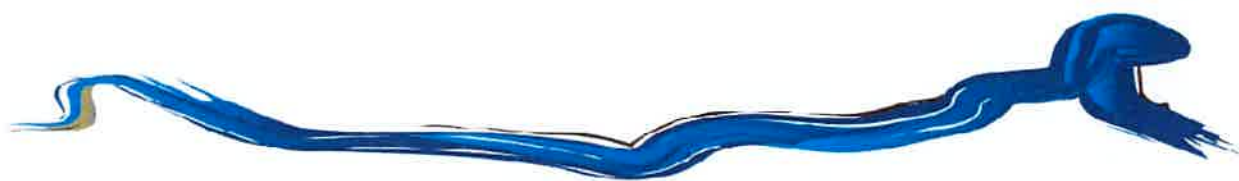
|                                     |  |
|-------------------------------------|--|
| 27.                                 | <p>At all times while the use continues, provision must be made on site for the collection of general refuse in covered waste containers with a capacity sufficient for the use.</p> <p>Waste receptacles shall be placed in a screened area. The site must maintain a general tidy appearance.</p>  |
| 28.                                 | <p>The operator shall be responsible for mitigating any complaints arising from on-site operations.</p>  |
| 29.                                 | <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>   |
| 30.                                 | <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>  |
| <b>DEVELOPER'S RESPONSIBILITIES</b> |  |
| 31.                                 | <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>  |
| 32.                                 | <p>All contractors and subcontractors shall hold current, relevant and appropriate qualifications and insurances to carry out the works.</p>   |
| 33.                                 | <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>  |
| 34.                                 | <p>At all times while the use continues, all requirements of the conditions of the development approval must be maintained.</p>  |
| <b>COMMENCEMENT OF USE</b>          |  |
| 35.                                 | <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> |

|   |   |
|---|---|
| 36.   | <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 <b>six years</b> 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> |
| 37.   | <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>  |
| <b>PLEASE READ CAREFULLY - NOTES AND ADVICE</b> |   |
|   | <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 <b>Attachment 3</b> 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>   |

|  |  |
|--|--|
|  | <p>The proposed operator of the on-site kitchen facilities must apply to Council's Health &amp; Regulatory Services section for a Food licence under the provisions of the <i>Food Act 2006</i>. The application must include detailed plans of the kitchen facilities and details and qualifications of the nominated Food Safety Supervisor.</p> |
|  | <p>The kitchen is a prescribed food business and will trigger the need for an approved food safety program under the provisions of section 99 of the <i>Food Act 2006</i>. The program will need to be submitted to Council's Health &amp; Regulatory Services section for approval.</p>   |



## **Attachment 2 – Approved Plans**





| LEGEND |             |
|--------|-------------|
| CODE   | DESCRIPTION |



CONWELL ARCHITECTS

PROJECT  
**Early Learners  
 Goondiwindi**  
 Nambour Christian College  
 ADDRESS  
 7 Lamberth Rd, QLD 4390  
 PROJECT NO  
**2409**

SCALE  
**1:200 @ A1**  
 DATE  
**MAR 2025**

DRAWING NAME  
**Site Plan**

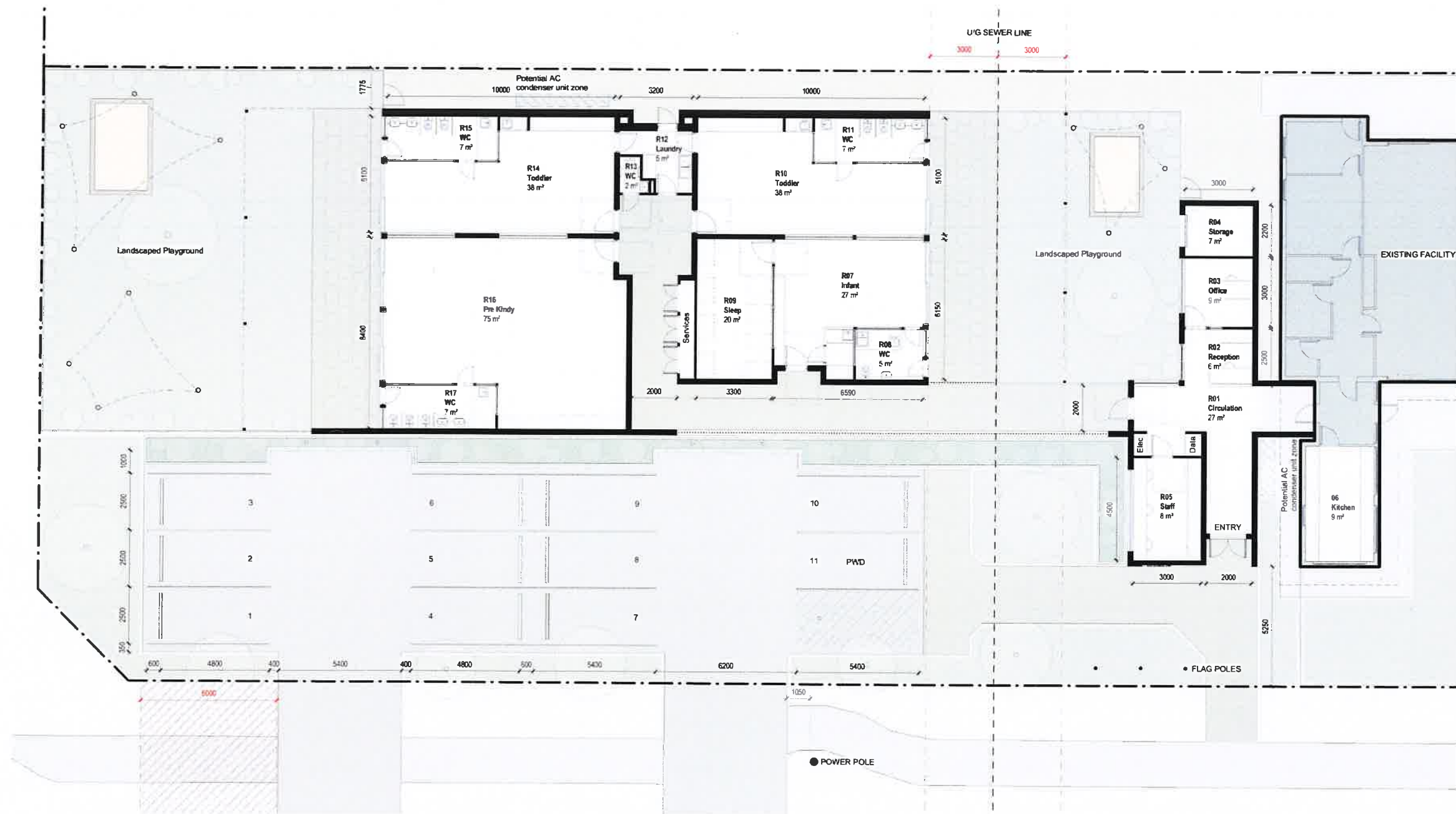
DRAWING NUMBER  
**TP02**

REVISION  
**B**

GOONDIWINDI REGIONAL COUNCIL  
 Approved Plan referred to in Council's Decision Notice  
 Council Reference: **25/18**  
 Dated: **17/7/2025**  
 Signed: *[Signature]*  
 Print Name: **Ronnie McMahon**  
 (Under Delegation) ASSESSMENT MANAGER

TOTAL SITE AREA: 2370m<sup>2</sup>  
 EXISTING FACILITY GFA: 342m<sup>2</sup>  
 PROPOSED FACILITY GFA: 333m<sup>2</sup>





CONWELL ARCHITECTS

PROJECT  
**Early Learners  
 Goondiwindi**  
 Nambour Christian College  
 ADDRESS  
 7 Lamberth Rd, QLD 4390  
 PROJECT NO  
**2409**

SCALE  
 1 : 100 @ A1  
 DATE  
 MAR 2025

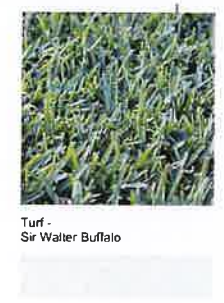
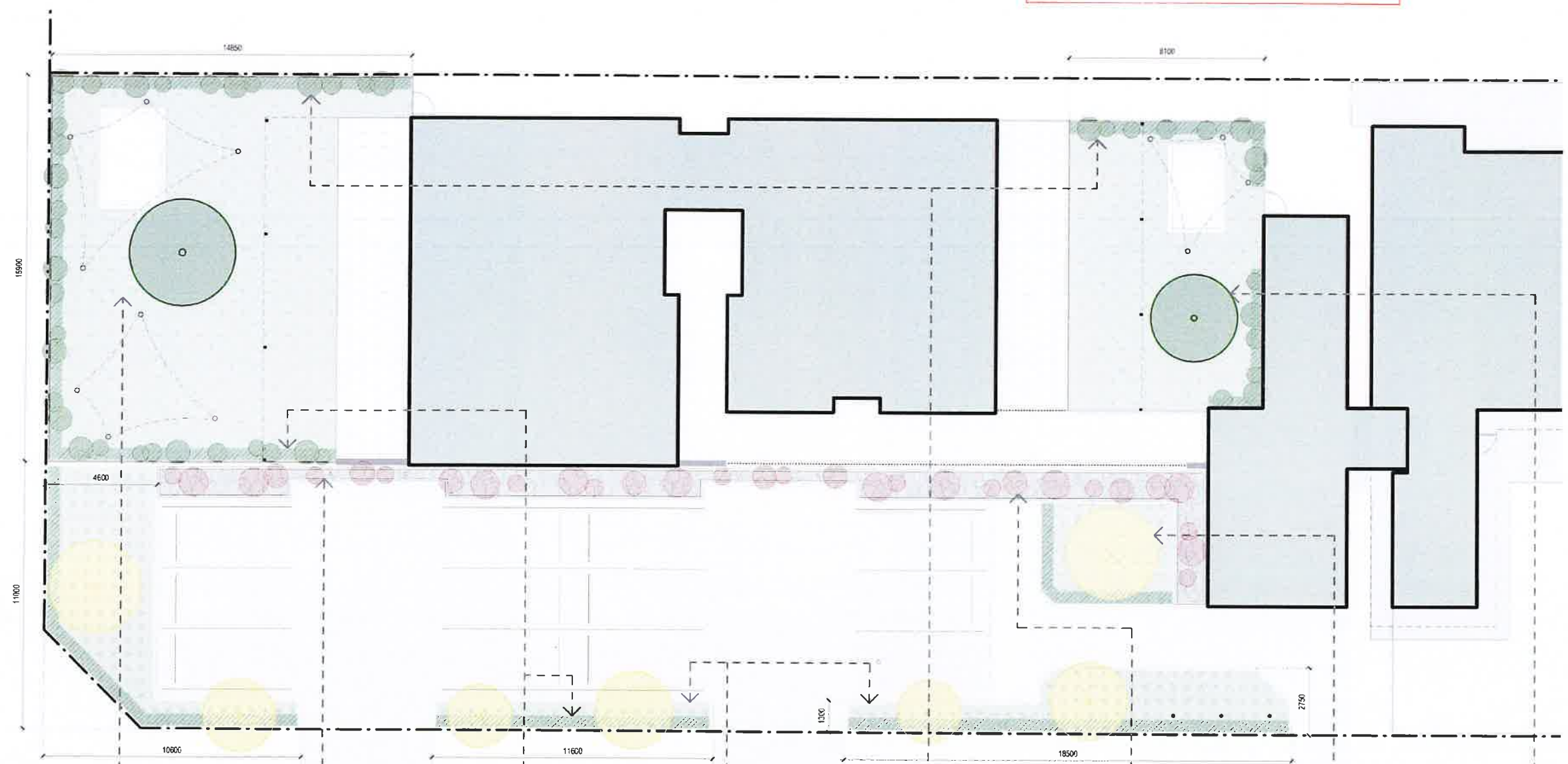
DRAWING NAME  
**Floor Plan**

DRAWING NUMBER  
**TP04**

REVISION  
**B**

GOONDIWINDI REGIONAL COUNCIL  
 Approved Plan referred to in Council's Decision Notice  
 Council Reference: **25/18**  
 Dated: **17/7/2025**  
 Signed: **R.M.M.**  
 Print Name: **Ronnie McMahon**  
 (Under Delegation) ASSESSMENT MANAGER

**GOONDIWINDI REGIONAL COUNCIL**  
 Approved Plan referred to in Council's Decision Notice  
 Council Reference: **25/18**  
 Dated: **17/07/2025**  
 Signed: *R.M. McMahon*  
 Print Name: **Ronnie McMahon**  
 (Under Delegation) ASSESSMENT MANAGER



CONWELL ARCHITECTS

PROJECT  
**Early Learners**  
**Goondiwindi**  
 Nambour Christian College  
 ADDRESS  
 7 Lamberth Rd, QLD 4390  
 PROJECT NO  
**2409**

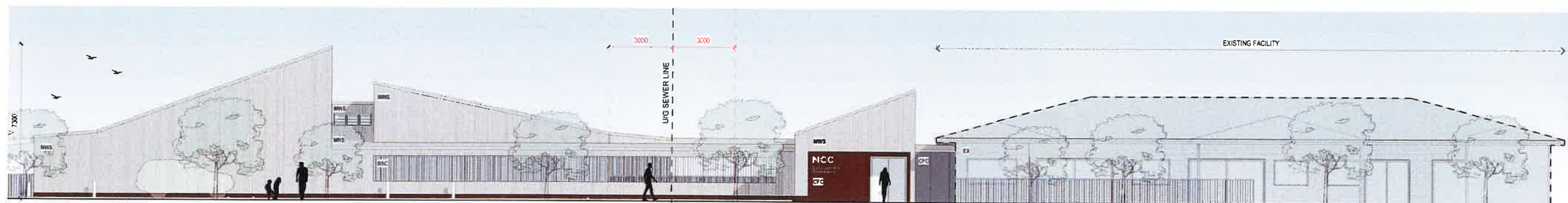
SCALE  
 1 : 100 @ A1  
 DATE  
**MAR 2025**

DRAWING NAME  
**Landscape Plan**

DRAWING NUMBER  
**TP06**

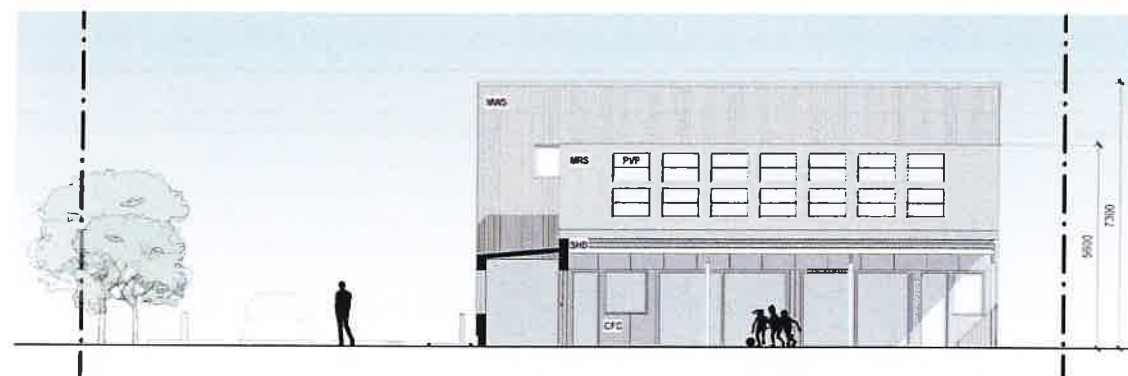
REVISION  
**B**



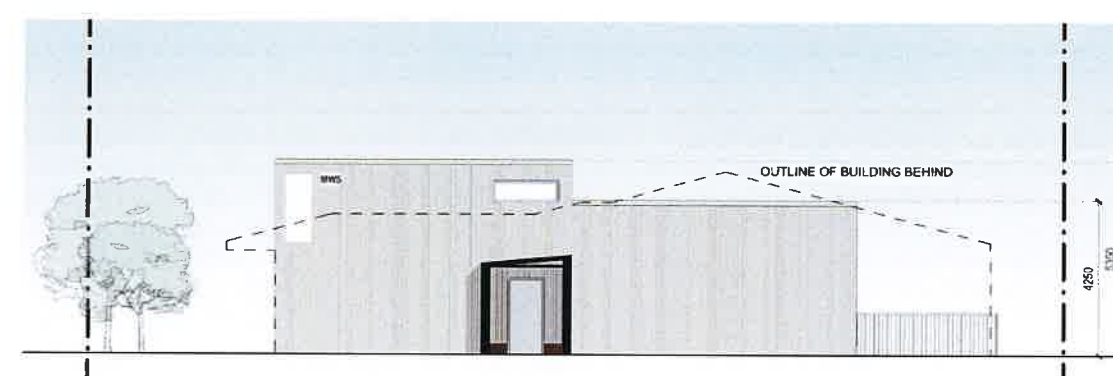


| CODE | DESCRIPTION             |
|------|-------------------------|
| BSC  | Batten Screen           |
| CFC  | Compressed Fibre Cement |
| EX   | Existing Condition      |
| MRS  | Metal Roof Sheet        |
| MWS  | Metal Wall Sheet        |
| PYP  | Photovoltaic Panel      |
| SHD  | Shade Structure         |

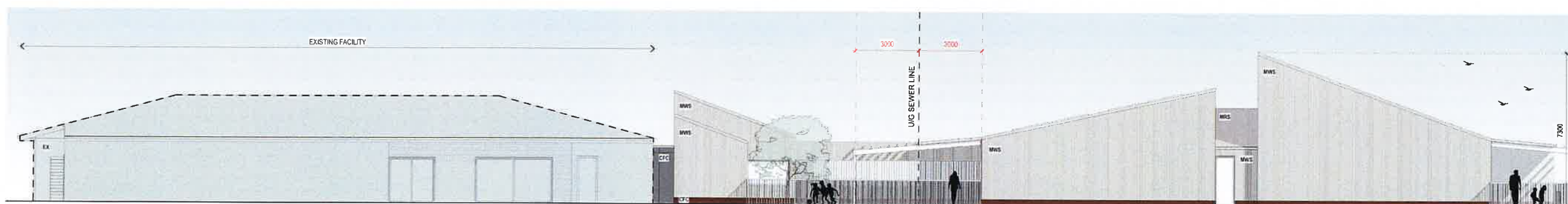
1 Building Elevation - East  
1:100



2 Building Elevation - North A  
1:100



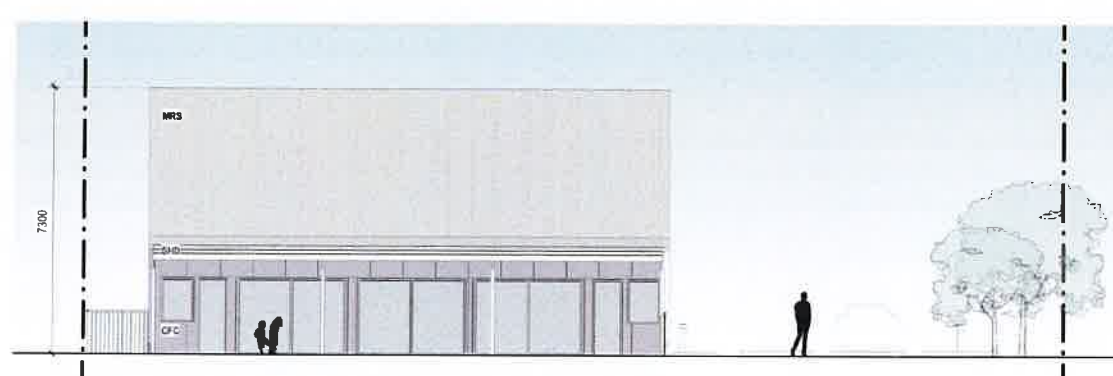
3 Building Elevation - North B  
1:100



4 Building Elevation - West  
1:100



5 Building Elevation - South B  
1:100



6 Building Elevation - South A  
1:100

GOONDIWINDI REGIONAL COUNCIL  
Approved Plan referred to in Council's Decision Notice  
Council Reference: 25/18  
Dated: 17/07/2025  
Signed: R.M. McMahon  
Print Name: Ronnie McMahon  
(Under Delegation) ASSESSMENT MANAGER

CONWELL ARCHITECTS

PROJECT  
Early Learners  
Goondiwindi  
Nambour Christian College  
ADDRESS  
7 Lamberth Rd, QLD 4390  
PROJECT NO  
2409

SCALE  
1:100 @ A1  
DATE  
MAR 2025

DRAWING NAME  
Building Elevations

DRAWING NUMBER  
TP07  
REVISION  
B



# INFINITY

CONSULTING ENGINEERS

|  |                |
|--|----------------|
| GOONDIWINDI REGIONAL COUNCIL                           |                |
| Approved Plan referred to in Council's Decision Notice |                |
| Council Reference:                                     | 25/18          |
| Dated:   | 17/07/2025     |
| Signed:  | <i>R.M.M.</i>  |
| Print Name:  | Ronnie McMahon |
| (Under Delegation) ASSESSMENT MANAGER                  |                |

## STORMWATER MANAGEMENT PLAN

7 Lamberth Rd, Goondiwindi 4390

NCC Early Learners

April 2025

## Document Details

|                         |  |
|-------------------------|--|
| <b>Report Title</b>     | Stormwater Management Plan             |
| <b>Document Number</b>  | 250133-SWMP-001                        |
| <b>Project Name</b>     | Early Learners Goondiwindi             |
| <b>Project Number</b>   | 250133                                 |
| <b>Project Location</b> | 7 Lamberth Rd, Goondiwindi             |
| <b>Client</b>           | NCC Early Learners                     |
| <b>Contact</b>          | c/ Cameron Conwell, Conwell Architects |
| <b>LGA</b>              | Goondiwindi Regional Council           |

## Distribution

| Version | Date       | Method    | Distribution       |
|---------|------------|-----------|--------------------|
| 0       | 28/04/2025 | PDF Email | Conwell Architects |

## Document Control

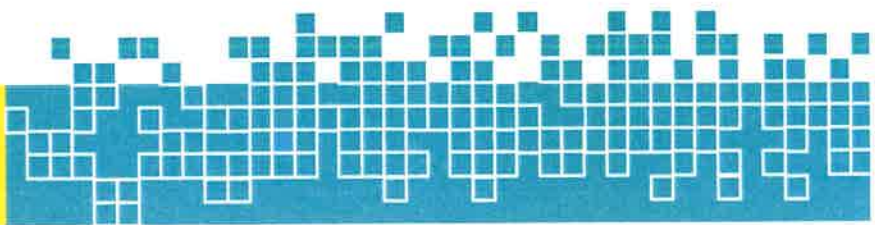
| Version | Date       | Details        | Prepared     | Checked     | Approved     |
|---------|------------|----------------|--------------|-------------|--------------|
| 0       | 28/04/2025 | Original Issue | Charles Cook | Matt Folker | Charles Cook |

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*In accordance with the requirements of the Queensland Professional Engineers Act 2002, this document was prepared under the supervision of, reviewed and approved by the following experienced Registered Professional Engineer of Queensland (RPEQ)*



**Charles Cook**  
 Civil Engineer, RPEQ





## Table of Contents

|     |                                |   |
|-----|--------------------------------|---|
| 1.  | INTRODUCTION .....             | 1 |
| 1.1 | REFERENCE INFORMATION .....    | 2 |
| 2.  | EXISTING SITE .....            | 2 |
| 2.1 | GENERAL.....                   | 2 |
| 2.2 | DRAINAGE AND CATCHMENTS.....   | 2 |
| 2.3 | FLOODING.....                  | 2 |
| 3.  | PROPOSED DEVELOPMENT.....      | 2 |
| 3.1 | GENERAL.....                   | 2 |
| 4.  | STORMWATER QUANTITY .....      | 3 |
| 5.  | STORMWATER QUALITY .....       | 3 |
| 6.  | CONSTRUCTION.....              | 4 |
| 6.1 | ENVIRONMENTAL MANAGEMENT ..... | 4 |
| 7.  | CONCLUSION .....               | 4 |

## Appendices

APPENDIX A – ENGINEERING DRAWINGS

APPENDIX B – ARCHITECT PLANS

## 1. Introduction

This Stormwater Management Plan (SWMP) has been commissioned by NCC Early Learners to support a Material Change of Use (MCU) application with Goondiwindi Regional Council (GRC) for a proposed extension to the existing childcare centre at 7 Lamberth Rd, Goondiwindi. The subject site is described as Lot 1 on SP348640 and has an area of 0.2372ha. The proposed site location is identified in Figure 1.

The proposed stormwater management identified in the report generally complies with the requirements of the Goondiwindi Regional Council Planning Scheme 2020, Queensland Urban Drainage Manual 2017 (QUDM), Qld State Planning Policy (SPP) and other relevant codes and guidelines.

The objective of the report is to demonstrate that the proposed development can be supported by the existing infrastructure, and the proposed development is compliant with local policies and planning schemes, Australian standards and other relevant guidelines.



Figure 1 - Site Location (QGlobe)



## 1.1 Reference Information

This SWMP should be read in conjunction with the reference information presented in Table 1.

Table 1 - Reference Information

| Document Name        | Source             | Comments                                   | Attached |
|----------------------|--------------------|--|----------|
| Architectural Plans  | Conwell Architects | Proposed building and carpark layout plans | Yes      |
| Engineering Drawings | Infinity CE        | Detailed Engineering Drawings              | Yes      |

## 2. Existing Site

### 2.1 General

The site contains an existing childcare centre and carpark as well as open space. It has road frontage on three sides (Tullouch Cr to the north, Lamberth Rd to the east and Octagonal Ct to the south). The site is generally flat grading towards the road on the north, south and east boundaries. The proposed development is within the General Residential Zone, as per the GRC planning Scheme 2020.

### 2.2 Drainage and Catchments

The existing building and carpark runoff discharges directly to the adjoining roads via kerb adapters and overland flow. The site is not affected by overland flow from external catchments.

The site is within the Council Town Levee projected area and as such is not affected by regional flooding.

### 2.3 Flooding

The site is within the Council Town Levee protected area and as such is not affected by regional flooding.

## 3. Proposed Development

### 3.1 General

The proposed development is to extend the existing childcare centre by constructing a new building with a roof area of 333m<sup>2</sup>. The existing carpark will be removed for the construction of the new building and a new carpark constructed to the south in the area which is presently vacant land.

The proposed new site plan is shown in Figure 2. Further details are included in the Architectural Plans.

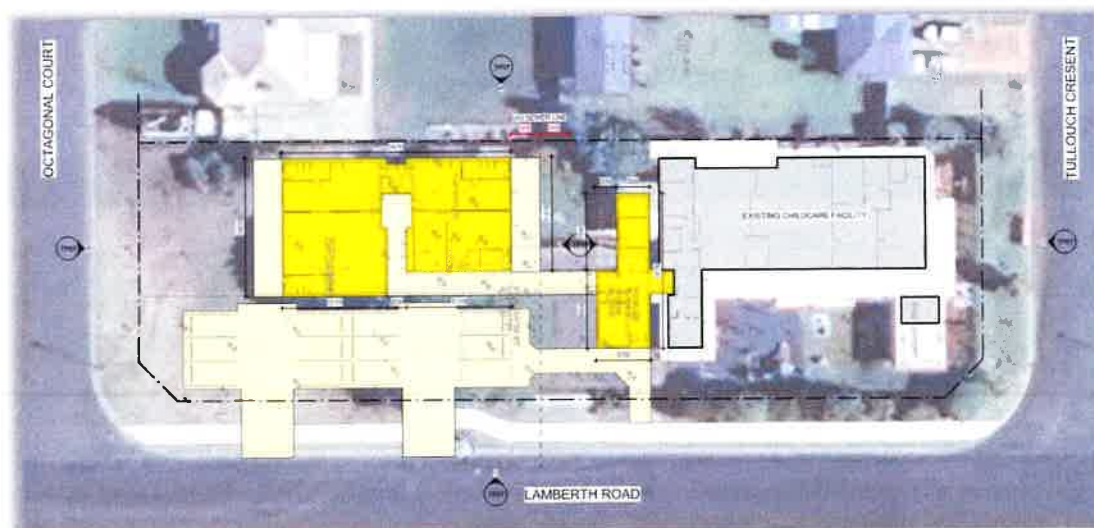


Figure 2 - Proposed Site Plan

## 4. Stormwater Quantity

The extension to the facility will not trigger a requirement for detention of runoff. It is proposed that roofwater will be collected and discharged directly to the road via kerb and channel adapters.

## 5. Stormwater Quality

An assessment has been determined whether the proposed development is subject to the State Planning Policy (SPP) and GRC Planning Scheme water quality objectives.

The below objectives have been applied and evaluated to the development to determine if compliance is required.

Table 2 - State Planning Policy Assessment

| SPP Criteria   | Compliance   |
|--|--|
| A material change of use for an urban purpose that involves premises 2500 m <sup>2</sup> or greater in size and; | Not required – site is less than 2,500m <sup>2</sup> |
| (a) will result in six or more dwellings; or   |  |
| (b) will result in an impervious area greater than 25 per cent of the net developable area                       |  |

The GRC planning scheme policy SC6.2.4 requires a Stormwater Management Plan demonstrating compliance with Table B of the State Planning Policy Appendix B and also provides a deemed to comply solution for sites less than 2,500m<sup>2</sup>.

As noted in Table 2 if the site is less than 2,500m<sup>2</sup> for urban purposes, then compliance with water quality objects (Table B) is not required under the State Planning Policy. The GRC Planning Scheme Policy contradicts this and requires treatment (either by modelled network, or deemed to comply).

The deemed-to-comply solution requires a bioretention basin which has a treatment area of 2.5% of the contributing catchment. This development adds an additional 603m<sup>2</sup> of impervious area (372m<sup>2</sup> roof, 231m<sup>2</sup> carpark) which would require a bioretention basin size of 15m<sup>2</sup>.

The surrounding road network does not have any underground stormwater infrastructure; therefore no opportunity exists to provide an outlet for a bioretention system. Given the lack of stormwater infrastructure and as the proposed development is an increase to an existing use and the overall development (including existing use) does not trigger the State Planning Policy for compliance with stormwater quality treatment objects, we propose to adopt the following:

- ✚ Rainwater tank sizes as 1kL per 25m<sup>2</sup> of landscaped area<sup>1</sup>
  - 200m<sup>2</sup> landscape, 8kL tank.
- ✚ Runoff directed to landscaped areas where possible
  - Edge beam proposed on low side of carpark so runoff is not concentrated through driveways
  - Tank overflow directed to landscaped area

## 6. Construction

### 6.1 Environmental Management

Environmental Management includes the management of sediment and erosion control and other nuisance resulting from the construction activities. The includes:

- ✚ Sediment and Erosion Control
- ✚ Dust Control
- ✚ Noise, Vibration and Odour Control
- ✚ Management of existing neighbouring allotments to minimise disruption.

Erosion and Sediment Control will consist of approved devices and proposed implementation in accordance with International Erosion Control Association Best Practices. This will be addressed through the contractor's construction management as appropriate.

## 7. Conclusion

We have reviewed the stormwater management for the proposed development. The assessment demonstrated that there is no impacts associated offsite and stormwater quality management can be controlled in accordance with Council's planning scheme policy.

Please don't hesitate to contact the undersigned should you have any queries.



**Charles Cook**  
**Senior Engineer, RPEQ**  
**0492 947 852**

<sup>1</sup> Proposed new landscape area, excluding playground area

## APPENDIX A – ENGINEERING DRAWINGS



# INFINITY

## CONSULTING ENGINEERS



IMAGE (GLOBE)

### DRAWING INDEX

| DRAWING No.        | REV | DRAWING TITLE                         |
|--------------------|-----|---------------------------------------|
| 250133-OPW-C-00001 | A   | COVER SHEET, LOCATION & DRAWING INDEX |
| 250133-OPW-C-00100 | A   | EXISTING SITE PLAN                    |
| 250133-OPW-C-00200 | A   | EARTHWORKS SITE PLAN                  |
| 250133-OPW-C-00220 | A   | EROSION & SEDIMENT CONTROL PLAN       |
| 250133-OPW-C-00225 | A   | DEVELOPMENT SITE PLAN                 |
| 250133-OPW-C-00250 | A   | PAVEMENT PLAN & DETAILS               |

**PROJECT**  
CHILDCARE EXTENSION

**CLIENT**  
NCC  
EARLY LEARNERS

**SITE ADDRESS**  
7 LAMBERTH ROAD  
GOONDIWINDI, QLD







EXISTING LEGEND

- COLLECT PROPERTY BOUNDARY
- MAJOR CONTOUR
- MINOR CONTOUR
- WATER MAIN
- WATER METER
- UG TELECOMMS
- OH TELECOMMS
- STORMWATER
- FENCE

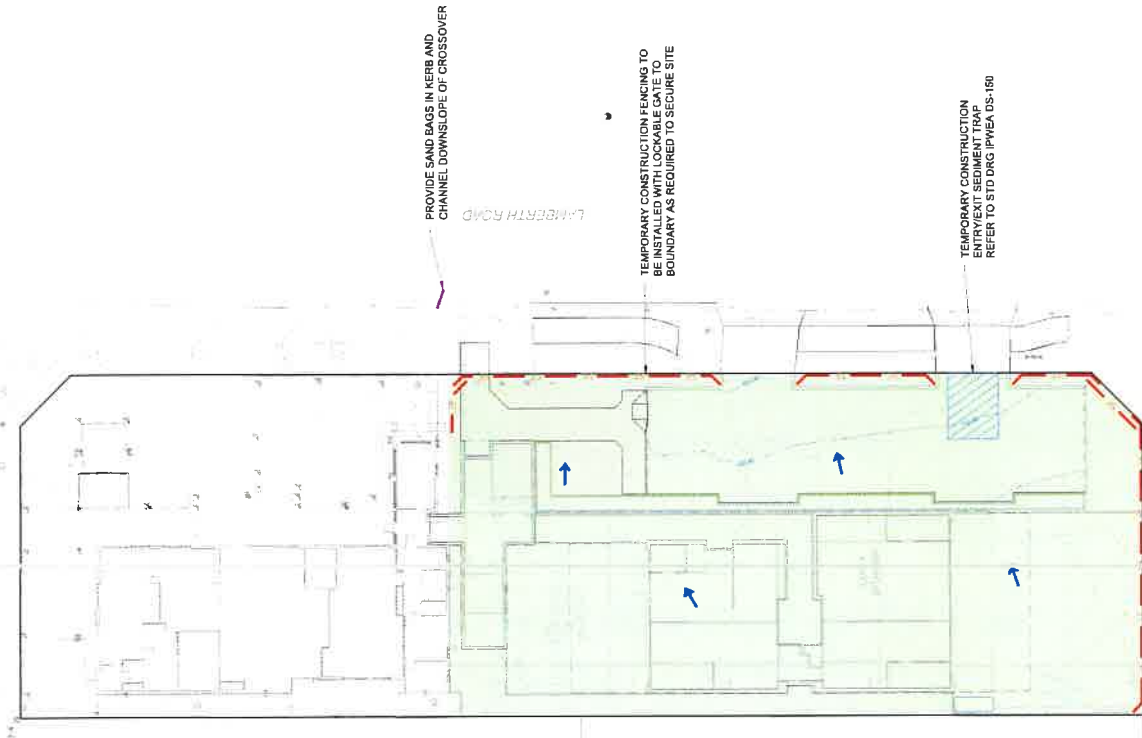
PROPOSED LEGEND

- AREA OF CLEANING/TOPOIL REMOVAL
- SAFETY PROTECTION
- FLOW DIRECTION
- SEDIMENT FENCE
- MAJOR CONTOUR 30m INTERVAL
- MINOR CONTOUR 10m INTERVAL

NOTE:  
ALL DISTURBED AREAS IN THE VERGE TO BE TOP SOILED  
AND TURFED ON COMPLETION.

EARTH DISTURBANCE NOTES:

- 1 DRAINAGE CONTROL MEASURES MUST BE IMPLEMENTED AND MAINTAINED TO MINIMISE WATER FLOW INTO AREAS OF EXPOSED EARTH.
- 2 SEDIMENT AND EROSION CONTROL MEASURES MUST BE IMPLEMENTED AND MAINTAINED TO PREVENT SOIL LOSS FROM EARTH DISTURBANCE AREAS AND TO PREVENT POLLUTANT RELEASES FROM EARTH DISTURBANCE AREAS.
- 3 NO RELEASE OF CONTAMINANTS TO LAND BEYOND ON-SITE AREA OF EARTH DISTURBANCE OTHER THAN RELEASES THAT ACHIEVE WATER POLLUTANT CONCENTRATION RELEASE LIMITS OF:
  - a) Single TSS (Total Suspended Solids):
    - i) 100mg/L (100mg/L) FOR DISCHARGES TO RECEIVING WATER
    - ii) 100mg/L (100mg/L) FOR DISCHARGES TO RECEIVING WATER
  - b) ON AS AGREED WRITING BY AN OFFICER FROM COUNCIL EROSION AND SEDIMENT CONTROL (ES&S) TEAM IN COMPLIANCE OR REGULATORY SERVICES;
  - c) PH BETWEEN 8.5 AND 8.5 AT ALL TIMES
- 4 MAINTAIN A WRITTEN RECORD TO DEMONSTRATE THAT WATER DISCHARGES FROM THE SITE ARE NOT EXCEEDING THE RELEASE LIMITS. THE RECORD MUST BE DETAILED IN FOR WATER DISCHARGES FROM THE SITE THAT OCCUR DURING OR IMMEDIATELY AFTER A RAINFALL EVENT, AND DURING NORMAL BUSINESS HOURS. THE WATER QUALITY OF THE DISCHARGE FLOWS MUST BE MEASURED AT EACH DISCHARGE POINT FROM THE SITE, INCLUDING BUT NOT LIMITED TO SEDIMENT BASIN OVERFLOW, SITE WATER DRAINAGE SYSTEM, AND RECORDED AGAINST THE RELEASE LIMITS AT LEAST ONCE EACH CALENDAR DAY UNTIL SUCH DISCHARGES STOPS.



THE EROSION & SEDIMENT CONTROL PLAN IS A CONCEPT PLAN DEMONSTRATING AN APPROACH TO EROSION & SEDIMENTATION CONTROL FOR THE SITE. IT IS THE CONTRACTORS RESPONSIBILITY TO PROVIDE AN EROSION & SEDIMENT CONTROL DESIGN AND A COMPLETED DESIGN CERTIFICATE PRIOR TO COMMENCEMENT OF WORK. CERTIFICATION MUST BE UNDERTAKEN BY A SUITABLY QUALIFIED, EXPERIENCED PROFESSIONAL.

| APPROVED FOR APPROVAL |       |          |          | FOR APPROVAL                    |             |        |  |
|-----------------------|-------|----------|----------|---------------------------------|-------------|--------|--|
| DESIGNED              | CHECK | APPROVED | DATE     | PROJECT NO                      | DRAWING NO  | REV NO |  |
| 22.04.25              | MF    | 23.04.25 | 23.04.25 | 250133                          | OPW-C-00220 | A      |  |
| INFINITY              |       |          |          | EROSION & SEDIMENT CONTROL PLAN |             |        |  |
| INFINITY              |       |          |          | DRAWING                         |             |        |  |
| INFINITY              |       |          |          | PROJECT                         |             |        |  |
| INFINITY              |       |          |          | NCC                             |             |        |  |
| INFINITY              |       |          |          | CHILD/RE EXTENSION              |             |        |  |
| INFINITY              |       |          |          | 7 LAMBERT ROAD                  |             |        |  |
| INFINITY              |       |          |          | GOOT DINWID, QLD                |             |        |  |
| INFINITY              |       |          |          | STATUS                          |             |        |  |
| INFINITY              |       |          |          | FOR APPROVAL                    |             |        |  |
| INFINITY              |       |          |          | PROJECT NO                      |             |        |  |
| INFINITY              |       |          |          | 250133                          |             |        |  |
| INFINITY              |       |          |          | DRAWING NO                      |             |        |  |
| INFINITY              |       |          |          | OPW-C-00220                     |             |        |  |
| INFINITY              |       |          |          | REV NO                          |             |        |  |
| INFINITY              |       |          |          | A                               |             |        |  |



- GENERAL**
1. TO BE READ IN CONJUNCTION WITH 'SEDIMENT CONTROL DEVICES' REFER STD DRG IPWEA DS-040 & IPWEA DS-041.
  2. TEMPORARY DRAINAGE CONTROL FLOW SHOULD BE DIVERTED AROUND THE WORK SITE WHERE POSSIBLE.
  3. ALL DRAINAGE, EROSION AND SEDIMENT CONTROLS TO BE INSTALLED AND BE OPERATIONAL BEFORE COMMENCING UP-SLOPE EARTHWORKS.
  4. CONTROL MEASURES TO BE INSPECTED AT LEAST WEEKLY AND AFTER SIGNIFICANT RUNOFF PRODUCE.
  5. IN AREAS WHERE RUNOFF TURBIDITY IS TO BE CONTROLLED, EXPOSED SURFACES TO BE EITHER MULCHED, COVERED WITH EROSION CONTROL BLANKETS OR TURFED IF EARTHWORKS ARE EXPECTED OF K4C TO BE DELAYED FOR MORE THAN 14 DAYS.
  6. CONTROL MEASURES MAY BE REMOVED WHEN ON-SITE EROSION IS CONTROLLED AND 70% SOIL COVERAGE IS OBTAINED OVER ALL UPSTREAM DISTURBED LAND.
  7. STRAIN BALE FILTERS ARE AVAILABLE AS A SECONDARY OPTION WHICH GENERALLY SHOULD NOT BE USED IF OTHER OPTIONS ARE AVAILABLE.
  8. ALL CAPTURED RUNOFF MUST BE TREATED TO <75NTU PRIOR TO DISCHARGE.
  9. SITE TO BE PROGRESSIVELY STABILISED, AIMING FOR 80% STABILISATION WITHIN 20 DAYS FROM START OF WORKS AND 70% OR GREATER WITHIN 2 MONTHS.
  10. EROSION AND SEDIMENT CONTROL MEASURES TO BE PROGRESSIVELY REMOVED AS SITE STABILISATION IS ACHIEVED.
  11. ALL SEDIMENT & EROSION CONTROL MEASURES TO BE IN ACCORDANCE WITH INTERNATIONAL EROSION CONTROL ASSOCIATION (IECA) AUSTRALIA GUIDELINES AND THE SPECIFICATIONS, THE BASIC PRINCIPLES ARE:

- SEDIMENT CONTROL**
1. ALL SEDIMENT & EROSION CONTROL MEASURES TO BE IN ACCORDANCE WITH INTERNATIONAL EROSION CONTROL ASSOCIATION (IECA) AUSTRALIA GUIDELINES AND THE SPECIFICATIONS, THE BASIC PRINCIPLES ARE:
    - a. MINIMISE THE AREA OF DISTURBANCE.
    - b. MINIMISE DRAINAGE PATHS UPSTREAM OF SITE AND AT OUTLETS FROM SITE.
    - c. MINIMISE EROSION.
    - d. PROGRESSIVELY REVEGETATE AND REHABILITATE THE SITE.
    - e. SEDIMENTATION MEASURES TO BE INSTALLED TO MEET MINIMUM REQUIREMENTS, IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSTALL ADDITIONAL CONTROL MEASURES AS DEEMED NECESSARY THROUGHOUT CONSTRUCTION.
  2. THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN ALL SEDIMENT CONTROL DEVICES IN A FUNCTIONAL ORDER AND REPLACE ALL BLOCKED SEDIMENT DEVICES AS REQUIRED UNTIL SUCCESSFUL OFF MAINTENANCE OF WORKS.
  3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL SEDIMENT CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT, SHALL BE COMPLETED AND EFFECTIVE PRIOR TO:
    - a. STRIPPING OF TOPSOIL AND GRASS.
    - b. BULK EARTHWORKS TO THE SITE.
    - c. SERVICES INSTALLATION.
    - d. SEDIMENTATION MEASURES.
  4. ALL SEDIMENT MANAGEMENT MEASURES ARE TO REMAIN IN PLACE UNTIL INSTRUCTION IS RECEIVED IN WRITING FROM THE SUPERINTENDENT TO REMOVE ALL OR PART OF THE SILT CONTROL APPLICATIONS.
  5. BOTH TEMPORARY AND PERMANENT SEDIMENT MANAGEMENT/EROSION CONTROL DEVICES SHALL BE MAINTAINED AT A SUITABLE LEVEL THROUGHOUT CONSTRUCTION TO THE SATISFACTION OF THE SUPERINTENDENT. SEDIMENT FENCES ARE TO BE CLEANED OUT WHEN CAPACITY IS REDUCED BY 30%.
  6. THE BULK EARTHWORKS AND SEDIMENT CONTROL LAYOUT PLAN SHALL BE READ IN CONJUNCTION WITH THE APPROVED DRAWINGS.
  7. PRIOR TO COMMENCEMENT OF CONSTRUCTION APPROVAL IS TO BE OBTAINED FROM THE SUPERINTENDENT TO CONSTRUCT AND MAINTAIN THE CONSTRUCTION POINT AND WASH DOWN AREA WHICH ARE TO BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
  8. IF EROSION AND SEDIMENT CONTROL DEVICES HAVE BEEN FOUND TO BE DIFFERENT OR FAILED IN SERVICE, CORRECTIVE ACTION IS TO BE UNDERTAKEN IMMEDIATELY WHICH MAY INCLUDE AMENDMENTS TO THE ORIGINAL APPROVED EROSION CONTROL PLANS. SUCH AMENDMENTS ARE TO BE APPROVED BY SUPERINTENDENT, IF DEEMED NECESSARY AND RELEVANT.
  9. SEDIMENTATION MEASURES ARE TO BE MAINTAINED IN A FUNCTIONAL ORDER UNTIL INSTRUCTION IS RECEIVED IN WRITING FROM THE SUPERINTENDENT TO REMOVE ALL OR PART OF THE SILT CONTROL APPLICATIONS.
  10. WATER QUALITY TESTING / MONITORING TO BE UNDERTAKEN BY CONTRACTOR.

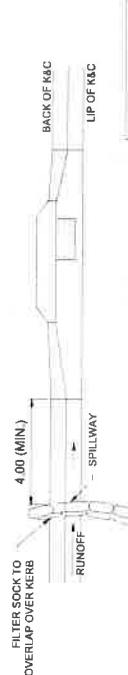
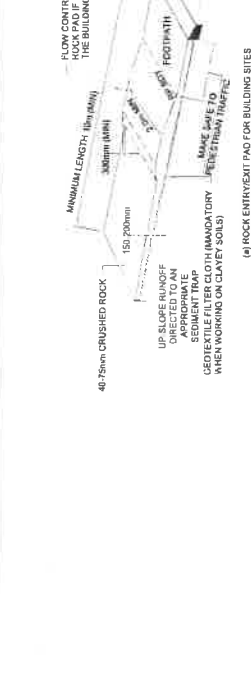
- SEDIMENT FENCE**
1. NOT TO BE LOCATED IN AREAS OF CONCENTRATED FLOW.
  2. NORMALLY LOCATED ALONG THE CONTOUR WITH A MAXIMUM CATCHMENT AREA 0.8ha PER 100m LENGTH OF FENCE.
  3. LONGER FENCES ARE PREFERRED. NON-WOVEN FABRICS MAY BE USED ON SMALL WORK SITES, I.E. OPERATIONAL PERIOD LESS THAN 6 MONTHS OR ON SITES WHERE SIGNIFICANT SEDIMENT RUNOFF IS NOT EXPECTED.
  4. WHERE FENCES NEED TO BE LOCATED ACROSS THE CONTOUR THE LAYOUT SHALL CONFORM TO 'TYPICAL LAYOUT ACROSS GRADE'.
  5. FENCES ARE REQUIRED 20 MIN FROM TOE OF CUT OR FILL BATTERS, WHERE NOT PRACTICAL ONE END OF FENCE MAY BE LOCATED TOE OF CUT OR FILL BATTERS. FENCES SHOULD NOT BE LOCATED PARALLEL WITH TOE IF CONCENTRATION OF FLOW WILL OCCUR BEHIND THE FENCE.

- TEMPORARY CONSTRUCTION ENTRY / EXIT**
1. ADJACENT STORMWATER RUNOFF TO BE DIVERTED AWAY FROM ENTRY/EXIT.
  2. WHEEL WASH OR SPRAY UNIT MAY BE REQUIRED DURING WET WEATHER.

**STANDARD SPECIFICATIONS**

- DRAWING TO BE READ IN CONJUNCTION WITH INTERNATIONAL EROSION CONTROL ASSOCIATION (IECA) AUSTRALIA GUIDELINES AND THE SPECIFICATIONS, THE BASIC PRINCIPLES ARE:
- EXH-01 - CONSTRUCTION EXIT - ROCK PAD
  - EXH-02 - CONSTRUCTION EXIT - ROCK PAD
  - EXH-03 - ROCK PADS FOR BUILDING SITES
  - CD-01 - CATCH DRAINS
  - CD-02 - CATCH DRAINS
  - CD-03 - CATCH DRAINS
  - CD-04 - CHECK DAMS
  - FF-01 - FILTER FENCE
  - SP-01 - SEDIMENT FENCE
  - SP-02 - SEDIMENT FENCE
  - SP-03 - SEDIMENT FENCE
  - ESC-01 - KERB INLET SEDIMENT TRAP
  - R-01 - RENEVIGATION - GENERAL

THE EROSION & SEDIMENT CONTROL PLAN IS A CONCEPT PLAN DEMONSTRATING AN APPROACH TO EROSION & SEDIMENTATION CONTROL FOR THE SITE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE AN EROSION & SEDIMENT CONTROL DESIGN AND A COMPLETED DESIGN CERTIFICATE TO THE SUPERINTENDENT OF WORK. CRITICIFICATION MUST BE UNDERTAKEN BY A SUITABLY QUALIFIED EXPERIENCED PROFESSIONAL NOT DIRECTLY EMPLOYED BY THE PRINCIPAL.



**GULLY PIT INLET PROTECTION**

NOTE: INLET OF GULLY PIT NOT TO BE OBSTRUCTED.

- CONSTRUCTION NOTES**
1. FILTER ROLLS ARE TO BE:
    - a. A SINGLE LAYER ROLL OF GEOFABRIC.
    - b. FILLED WITH COARSE GRAVEL (14-20mm) AND MAINTAINED WITH COARSE GRAVEL.
    - c. WRAPPED IN GEOTEXTILE TO PROVIDE STRENGTH AGAINST BUNTING.
    - d. MINIMUM OF 200mm dia.
  2. MAINTENANCE NOTES:
    - a. FILTER ROLLS REQUIRE:
      - i. REMOVAL OF SILT DEPOSITS WHEN NECESSARY UNTIL OFF MAINTENANCE.
      - ii. REMOVAL OF SILT DEPOSITS WHEN NECESSARY UNTIL OFF MAINTENANCE.
    - b. REMOVAL OF SILT DEPOSITS WHEN NECESSARY UNTIL OFF MAINTENANCE.

- CONSTRUCTION NOTES**
1. ROCK: WELL GRADED, HARD, ANGULAR, EROSION RESISTANT ROCK, NOMINAL DIAMETER OF 40 TO 75mm.
  2. FOOTPATH STABILISING AGGREGATE: 25 TO 50mm GRAVEL OR AGGREGATE (IF REQUIRED).
  3. GEOTEXTILE FABRIC: HEAVY-DUTY, NEEDLE-PUNCHED, NON-WOVEN FILTER CLOTH (810M A24 OR EQUIVALENT).
  4. INSPECT ALL SITE ENTRY AND EXIT POINTS PRIOR TO FORECAST RAIN, DAILY DURING EXTENDED PERIODS OF RAINFALL, AFTER RUNOFF-PRODUCING RAINFALL, OR OTHERWISE AT FORTNIGHTLY INTERVALS.
  5. IF SAND, SOIL, SEDIMENT OR MUD IS TRACKED OR WASHED ONTO THE ADJACENT SEALED ROADWAY, THEN SUCH MUST BE PHYSICALLY REMOVED, FIRST USING A SQUARE-EDGED SHOVEL, AND THEN A TYPE 1 ROAD GRADER OR EQUIVALENT, UNTIL ALL SAND, SOIL, SEDIMENT OR MUD IS CLEAN AFTER ALL REASONABLE EFFORTS HAVE BEEN TAKEN TO SHOVEL AND SWEEP THE MATERIAL FROM THE ROADWAY.
  6. WHEN THE VOIDS BETWEEN THE ROCK BECOMES FILLED WITH MATERIAL AND THE EFFECTIVENESS OF THE ROCK PAD IS REDUCED TO A POINT WHERE SEDIMENT IS BEING TRACKED OFF THE SITE, A NEW 100mm LAYER OF ROCK MUST BE EXTENDED TO THE FULL LENGTH OF THE PAD.
  7. ENSURE ANY ASSOCIATED DRAINAGE DEVICES (e.g. FLOW CONTROL BERM) ARE MAINTAINED IN ACCORDANCE WITH THEIR DESIRED OPERATIONAL CONDITION.
  8. DISPOSE OF SEDIMENT AND DEBRIS IN A MANNER THAT WILL NOT CREATE AN EROSION OR POLLUTION HAZARD.

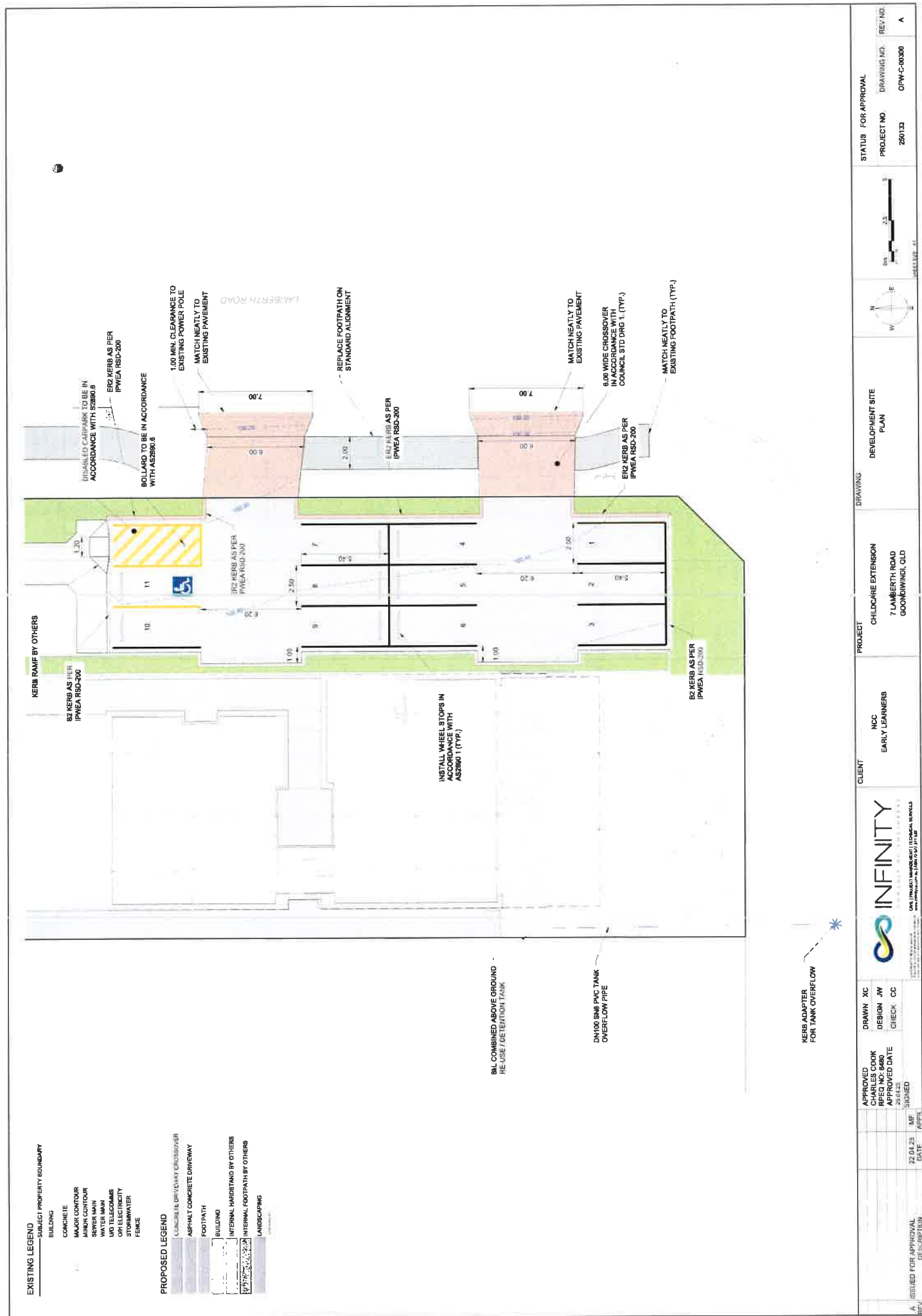


**INSTALLATION OF SEDIMENT FENCE**

**SEDIMENT FENCE CONSTRUCTION NOTES**

1. SEDIMENT FENCE TO BE INSTALLED ALONG A LINE OF CONSTANT GROUND.
2. FENCE FOR WHEEL WASHES TO BE INSTALLED AT LEAST 1m FROM TOE OF CUT OR FILL BATTERS.
3. BOTH ENDS OF THE SEDIMENT FENCE TO EXTEND UP THE SLOPE AT LEAST 1m.
4. SUPPORT POST TO BE SPACED MAXIMUM 3m UNLESS THE FENCE IS SUPPORTED BY ATOP WIRE OR WORE MESH BACKING, IN WHICH CASE 3m MAXIMUM SPACING.
5. FENCE RETURN SHALL BE INSTALLED AT MAXIMUM 20m SPACING IF FENCE IS INSTALLED ALONG THE CONTOUR, OTHERWISE 5 TO 10m MAXIMUM SPACING.
6. MINIMUM 4 STAPLES OR 16 WIRES PER STAKE.

|  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|
| <div><div><div>INFINITY</div><div>CONSTRUCTION MANAGEMENT</div></div><div><div>100</div></div></div> |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|



## —SUBJECT PROPERTY BOUNDARY

**PROPOSED LEGEND**

|   |                             |
|---|-----------------------------|
|  | CONCRETE DRIVEWAY           |
|  | ASPHALT CONCRETE DRIVEWAY   |
|  | FOOTPATH                    |
|  | B1 BARRIER KERB AND CHANNEL |
|  | EDGE PLANTMENT KERB         |
|  | LINE MARKING SYMBOLS        |
|  | LINE MARKING CONTINUOUS     |
|  | LINE MARKING NO PARKING     |

**LINEMARKING & SINGAGE NOTES:**

1. ALL SIGNAGE AND LINE MARKING TO BE IN ACCORDANCE WITH MANUAL FOR URBAN TRAFFIC CONTROL DEVICES (MUTCD CURRENT EDITION) AND IN ACCORDANCE WITH AS1742.2:2009
2. ALL CARPAK LINE MARKING TO BE IN ACCORDANCE WITH THE DIMENSIONAL REQUIREMENTS ASINZS
3. ALL CARPAK LINE MARKING SHALL BE TYPE 1 MARKING PAINT 60-100mm WIDE TO URS 11.45 SPECIFICATIONS.
4. ALL LINE MARKING, SIGNAGE AND R/R P'S SHALL BE IN ACCORDANCE WITH THE "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD)
5. ALL CARPAK LINE MARKING SHALL BE WHITE, TYPE 1 ROAD MARKING PAINT 60-100mm WIDE, REFER MRS 11.45 SPECIFICATIONS (U.N.O.)
6. ALL LINE MARKING ON CONCRETE PAVEMENTS SHALL BE GOLDEN YELLOW COLOUR NO. Y14 AS 2700 AND 80-100mm WIDE (U.O.U.)
7. DISABILITY CARPAK LINE MARKING TO AS2800 B
8. ALL CARPAK LINE MARKING SHALL BE IN ACCORDANCE WITH URS 11.45 UNLESS NOTED OTHERWISE. SIGNS ARE TO BE INSTALLED WITH THE FOLLOWING CLEARANCES TO EDGE SIGN:
  - NO KERB = 600mm BEHIND GUIDE POSTS
  - BARRIER KERB = 300mm FROM FACE OF KERB
  - A VULNERABLE KERB = 500mm FROM FACE OF KERB
9. ALL SIGNAGE SHALL BE PROVIDED IN CONJUNCTION WITH SIGNAGE WHITE CLEARANCE LESS THAN 2.3M OCCURS

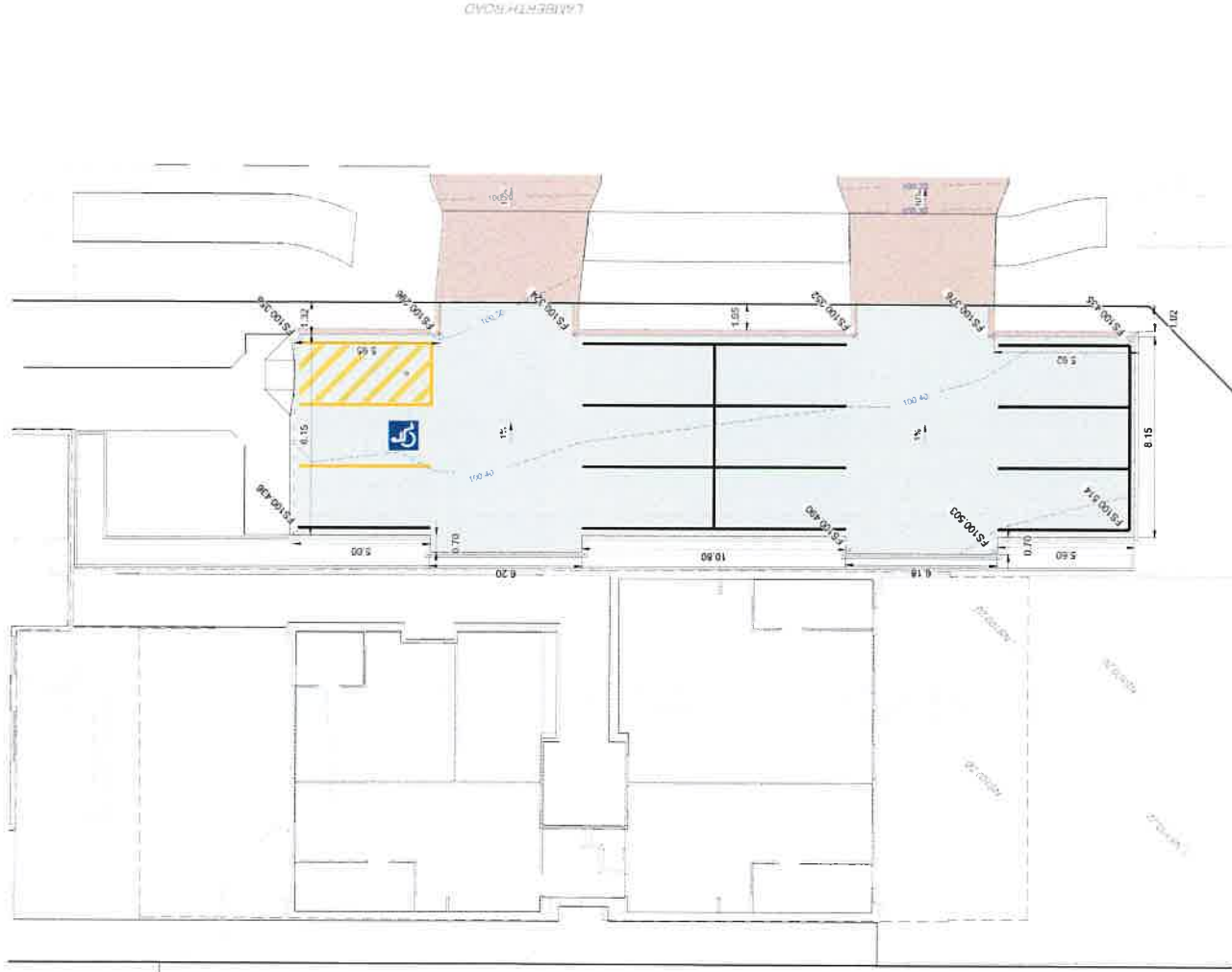
| CONCRETE DETAILS   |                   |                    |                     |                 |                  |
|--------------------|-------------------|--------------------|---------------------|-----------------|------------------|
| PAVEMENT THICKNESS | CONCRETE STRENGTH | REINFORCEMENT MESH | MESH COVER          |                 | DOWEL BAR        |
|                    |                   |                    | MESH                | MIN LENGTH (mm) |                  |
| 175mm              | 32MPa             | S&Z                | 50mm TOP, 50mm SIDE | 24              | 4X3              |
|                    |                   |                    |                     |                 | MAX SPACING (mm) |
|                    |                   |                    |                     |                 | #50              |

| PAVEMENT DETAILS |                              |           |                |
|------------------|------------------------------|-----------|----------------|
| PAVEMENT TYPE    | PAVEMENT DESCRIPTION         | THICKNESS | DESIGN TRAFFIC |
| TYPE 1           | 2 COAT SEAL                  | 25mm      | N/A            |
|                  | BASE COURSE TYPE 2 1 UNPAVEL | 150mm     |                |
|                  |                              |           |                |

NOTES

PAVEMENT DEPTHS TO BE CONFIRMED BY SUBGRADE TEST RESULTS (4 DAY SOAK CURS).  
 UNABLE TO ADVISE ON FINAL PAVEMENT THICKS (UPON RECEIPT OF THE RESULTS)

**NOTE:** PAVEMENT DEPTHS TO BE CONFIRMED BY SUBGRADE TEST RESULTS (4 DAY SOAK CBR'S)  
ENGINEER TO ADVISE ON FINAL PAVEMENT FINAL PAVEMENT DEPTHS UPON RECEIPT OF THE RESULTS



|                                      |          |    |        |  |                       |    |  |                                     |
|--------------------------------------|----------|----|--------|--|-----------------------|----|--|-------------------------------------|
| A ISSUED FOR APPROVAL<br>DESCRIPTION | 22 ON 25 | MF | SIGNED | APPROVED   | DRAWN                 | XC | <br>INFINITY<br>CONSULTING CORPORATION<br>604 (779) 421-1400 / 421-1411<br>1100 Lakeshore Blvd. West, Suite 1000<br>Oakville, Ontario L6L 1A5 | CLIENT<br><br>NCC<br>EARLY LEARNERS |
|                                      | DATE     |    |        | CHARLES COOK<br>RPEL NO: #480<br>APPROVED DATE<br>2014.02.25 | DESIGN JW<br>CHECK CC |    |  |                                     |

|         |         |  |   |                       |  |
|---------|---------|--|---|-----------------------|--|
| PROJECT | DRAWING | CHILD CARE EXTENSION<br>7 LAMBERTH ROAD<br>GOONDWINDY, QLD |   | STATUS FOR APPROVAL   |  |
|         |         |  |   | PROJECT NO.<br>250133 | DRAWING NO.<br>OPW-C-00370<br>REV NO.<br>A |

## APPENDIX B – ARCHITECT PLANS

---



| No. | Date       | Submitted/Revised | By |
|-----|------------|-------------------|----|
| 1   | 2023/04/04 | Submitted         | CC |

|              |                            |
|--------------|----------------------------|
| Project Name | Early Learners Goondiwindi |
| Project No.  | 2409                       |
| Client       | CC                         |
| Location     | 7 Lamberth Rd, QLD 4390    |
| Scale        | 1:200                      |
| Drawn By     | CC                         |
| Checked By   | CC                         |
| Approved By  | CC                         |
| Date         | APRIL 2023                 |

|              |                            |
|--------------|----------------------------|
| Project Name | Early Learners Goondiwindi |
| Project No.  | 2409                       |
| Client       | CC                         |
| Location     | 7 Lamberth Rd, QLD 4390    |
| Scale        | 1:200                      |
| Drawn By     | CC                         |
| Checked By   | CC                         |
| Approved By  | CC                         |
| Date         | APRIL 2023                 |

PRELIMINARY

SCHEMATIC DESIGN

CONWELL ARCHITECTS

22 South Street  
Goondiwindi NSW 4390  
02 6621 1111  
www.conwell-architects.com.au

NCC Early Learners

Early Learners Goondiwindi  
7 Lamberth Rd, QLD 4390  
PROJECT NO. 2409

Scale 1:200

APRIL 2023

CC

CC

CC

CC

CC

CC

CC

CC

CC

CC



Site Plan

A020 SD A

| No. | Date       | Author | Scale | Revision |
|-----|------------|--------|-------|----------|
| 1   | 10/01/2023 | CC     | 1:125 | 1        |
| 2   | 10/01/2023 | CC     | 1:125 | 2        |
| 3   | 10/01/2023 | CC     | 1:125 | 3        |
| 4   | 10/01/2023 | CC     | 1:125 | 4        |
| 5   | 10/01/2023 | CC     | 1:125 | 5        |
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| 7   | 10/01/2023 | CC     | 1:125 | 7        |
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| 99  | 10/01/2023 | CC     | 1:125 | 99       |
| 100 | 10/01/2023 | CC     | 1:125 | 100      |

PRELIMINARY

**S C H E M A T I C   D E S I G N**  
and visual communication

**CONWELL ARCHITECTS**  
27 Ross Street  
 Melbourne, VIC 3000  
 Australia  
 Phone: +61 (0)3 9412 1111  
 Email: info@conwell.com.au

**CA**  
Conwell Architects

**NCC Early Learners**  
4 Macquarie Road  
 Macquarie, NSW 2109  
 Australia  
 Phone: +61 (0)2 9412 1111  
 Email: info@ncc.edu.au

**PROJECT**  
 NCC Early Learners  
 7 Lambeth Rd, QLD 4300  
 PROJECT NO.  
 2409

**DATE**  
 APRIL 2023

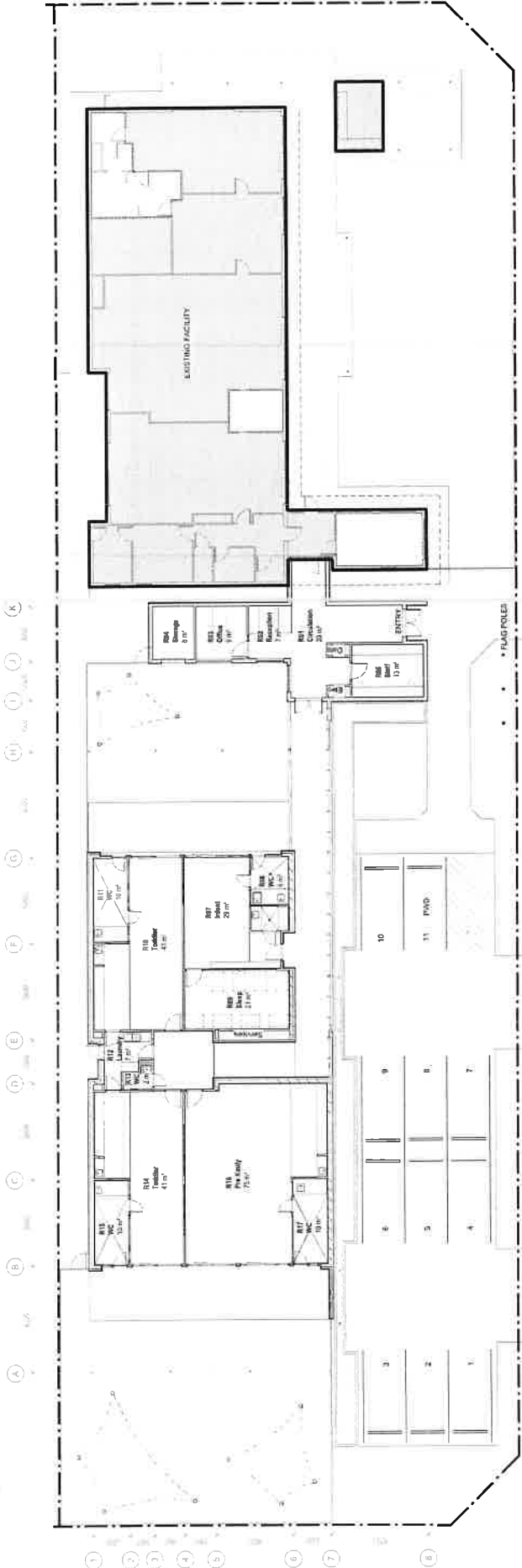
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 1:125

**DATE**  
 APRIL 2023

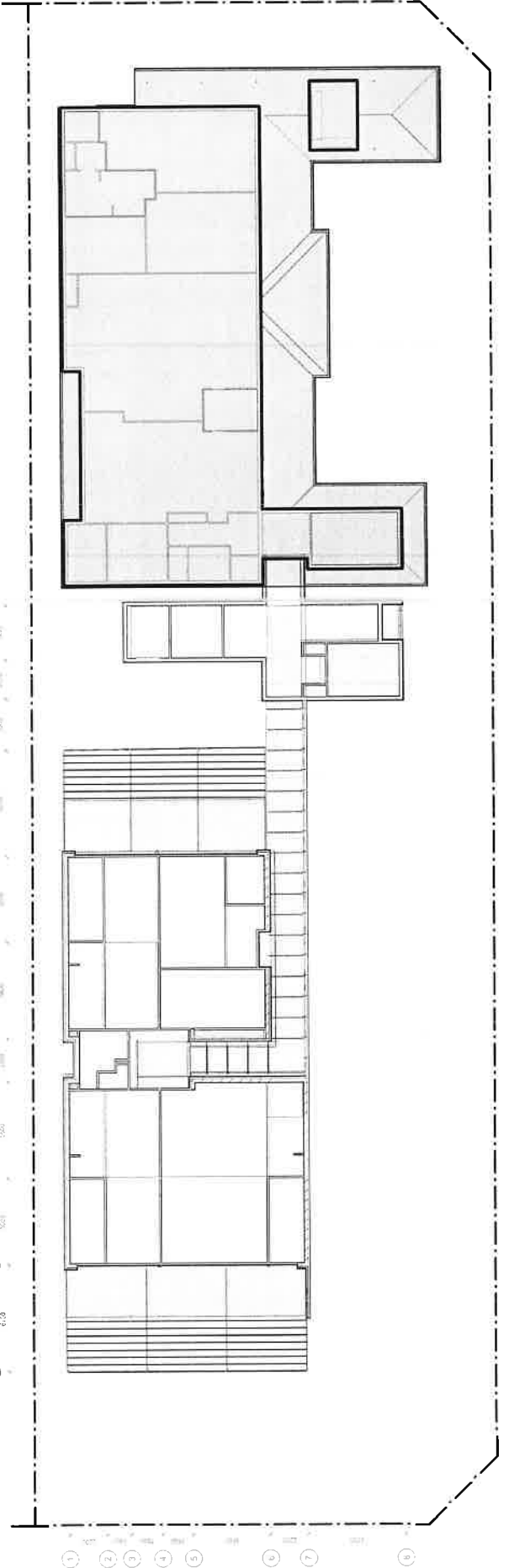
**DRAWING NAME**  
 General Arrangement

**STAGE**  
 SD A

**REVISION**  
 A100



1 | General Arrangement - Floor Plan  
 1:125



2 | General Arrangement - Reflected Ceiling Plan  
 1:125

| No. | Date       | Revised/Revision | By |
|-----|------------|------------------|----|
| 1   | 10/01/2023 | Initial Design   | CC |
| 2   | 10/01/2023 | Final Design     | CC |

|                 |                            |
|-----------------|----------------------------|
| Project Name    | Early Learners Goondiwindi |
| Project Address | 7 Lambeth Rd, QLD 4380     |
| Project No.     | 2409                       |
| Project Date    | APRIL 2023                 |

PRELIMINARY

SCHEMATIC DESIGN

CONWELL ARCHITECTS

27 River Street  
Goondiwindi, NSW 2815  
Phone: 08 9318 7177  
Email: info@conwell.com.au  
www.conwell.com.au

NCC Early Learners

3rd Floor  
1000-1001  
1000-1001  
1000-1001

PROJECT

Early Learners Goondiwindi

ADDRESS

7 Lambeth Rd, QLD 4380

PROJECT NO.

2409

DATE

APRIL 2023

GENERAL ARRANGEMENT

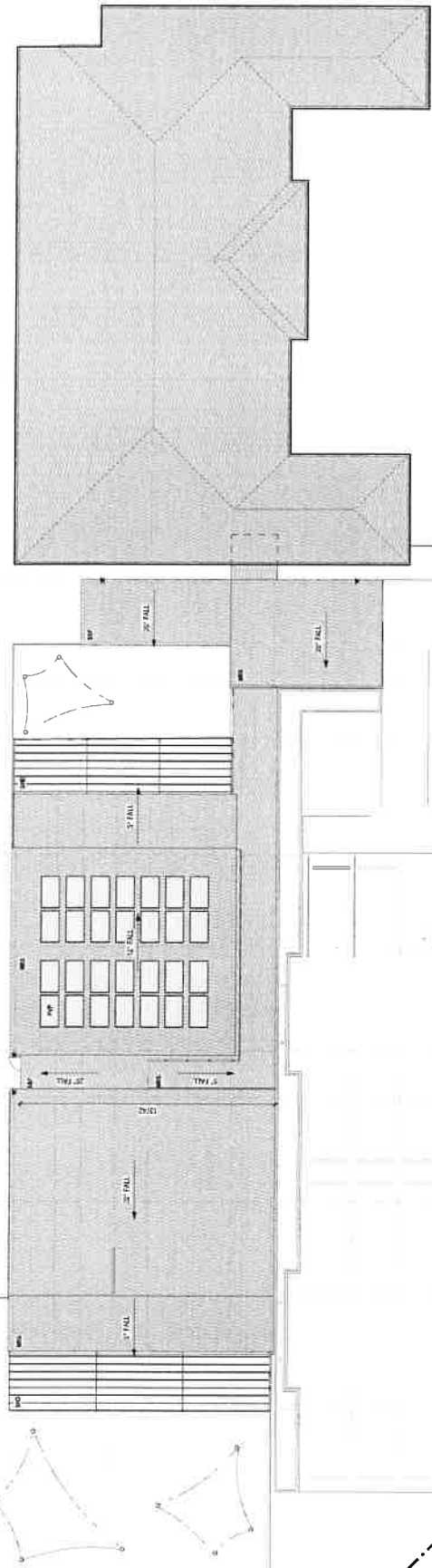
General Arrangement

DATE

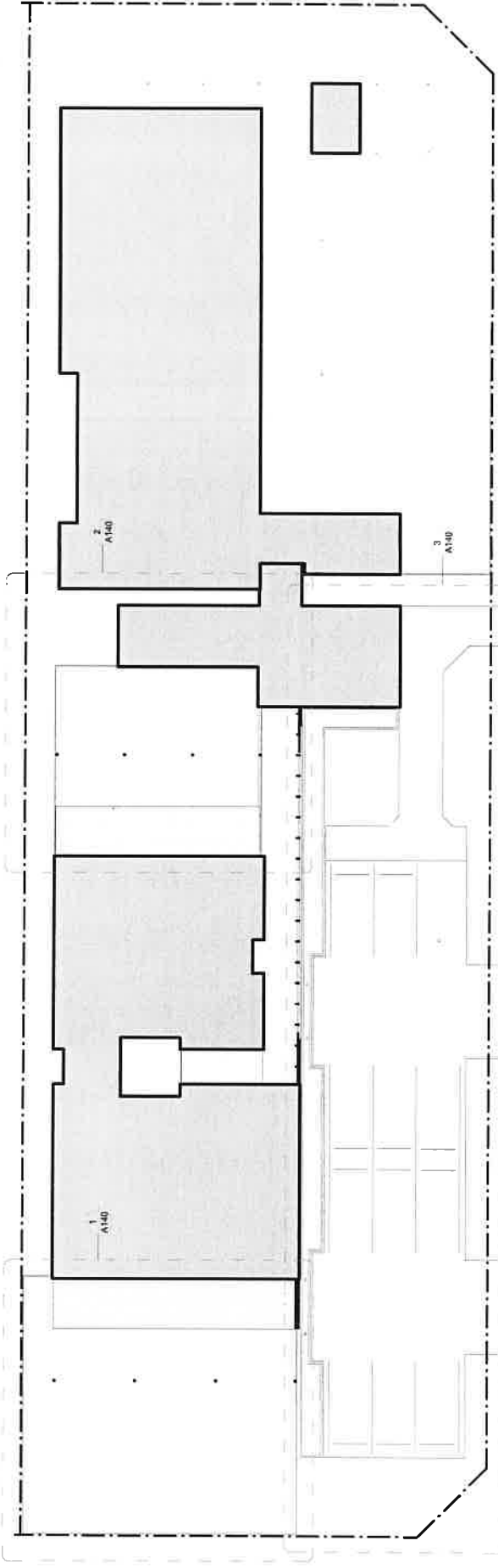
SD A

A B C D E F G H I J K

1 2 3 4 5 6 7 8 9 10 11 12



1 | General Arrangement - Roof Plan  
1:125



2 | General Arrangement - Exterior Area  
1:125



## **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  
Fax: 07 4671 7433

Email: [mail@grc.qld.gov.au](mailto:mail@grc.qld.gov.au)

## Infrastructure Charges Notice

|                            |   |
|----------------------------|---|
| <b>Address</b>             | 7 Lamberth Road, Goondiwindi                            |
| <b>Owner</b>               | Nambour Christian College Ltd                           |
| <b>Applicant</b>           | Nambour Christian College Ltd C/- Alan Holliday Pty Ltd |
| <b>Application No.</b>     | 25/18   |
| <b>Lot and Survey Plan</b> | Lot 1 on SP348640                                       |
| <b>Date</b>                | 17 July 2025  |
| <b>Approval</b>            | Development Permit – Material Change of Use             |

| Development Application Details  |
|--|
| "Community activities" – "Child care centre" (extension to existing use) |

| Proposed Use      | Charge Area | Type of Charge                    | Charge Amount (\$)                        | Demand           | Total Charge (\$) |
|-------------------|-------------|-----------------------------------|---|------------------|-------------------|
| Child care centre | A           | Water, sewer, transport and parks | \$8 per m <sup>2</sup> of GFA             | 301              | \$2,408           |
|                   |             | Stormwater                        | \$1 per m <sup>2</sup> of impervious area | 603 (additional) | \$603             |

|                             |                              |                          |                |
|-----------------------------|------------------------------|--------------------------|----------------|
| <b>Due Date</b>             | When the change happens      | <b>Total Charge (\$)</b> | <b>\$3,011</b> |
| <b>Charge to be paid to</b> | Goondiwindi Regional Council |                          |                |
| <b>Lapse Date</b>           | 17 July 2031                 |                          |                |

Authorised by:

Print Name: **Mrs Ronnie McMahon**  
**Manager of Planning Services**

*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 "Community activities" – "Child care centre" (extension to existing use)

25/18

7 Lamberth Road, Goondiwindi

Lot 1 on SP348640

On 10 July 2025, 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 (Version 2)*, the proposed development adequately satisfied relevant criteria, and was approved subject to appropriate, relevant and reasonable conditions.

### 2. Assessment benchmarks

The following are the benchmarks applying for this development:

| Benchmarks applying for the development | Benchmark reference |
|---|---------------------|
| General Residential Zone Code           | PO1-PO5             |
| Transport & Infrastructure Code         | PO1-PO15            |
| Natural Resources Overlay Code          | PO5-PO8             |
| Flood Hazard Overlay Code               | PO1-PO4             |

### 3. Compliance with benchmarks

| Benchmark reference  | Reasons for the approval despite non-compliance with benchmark   |
|--|--|
| <b>General Residential Zone Code</b>   |  |
| <b>PO4</b><br>Development does not detract from the amenity of the local area through unacceptable impacts relating to:<br>(a) noise;<br>(b) hours of operation;<br>(c) traffic;<br>(d) advertising devices<br>(e) lighting; | <b>Condition to Comply</b><br>The development has the potential to generate noise impacts that could detract from the amenity of the local area. Conditions will be applied for solid acoustic fencing to be constructed along the western boundary of the site. |

|  |  |
|--|--|
| <p>(f) visual amenity;<br/>(g) privacy;<br/>(h) odour; or<br/>(i) emissions.</p> <p>Editor's note: Any development involving a sensitive land use must take into account and mitigate any nuisance impacts from existing development in the locality.</p>  | <p>The proposed design of the building is not in keeping with surrounding architectural form. The proposed height complies with the requirements of the code and the design can be accepted.</p>   |
| <b>Transport &amp; Infrastructure Code</b>   |  |
| <p><b>AO2</b><br/>Parking is provided on the site in accordance with the requirements identified in <b>Table 9.4.4.2 - Car parking generation rates and service vehicle requirements</b>.</p> <p>Note—where for a <i>supermarket</i> or <i>shopping centre</i> including a <i>supermarket</i> in the Central business district precinct or Pratten Street precinct of the Centre Zone or the Callandoon Street precinct or Marshall Street precinct of the General residential zone, a Traffic and Car Parking Impact Assessment and Street Improvement Plan is undertaken in support of any development application seeking car parking concessions.</p> <p><b>OR</b></p> <p>Where development is for a material change of use involving no building work or <i>minor building work</i>, the existing number of car parking spaces on the premises is maintained.</p> | <p><b>Alternative Solution</b><br/>Table 9.4.4.2 requires 15 car parking spaces to be provided on site. The applicant proposes 11 parking spaces. In lieu of car parking, the applicant will be conditioned to pay a contribution in accordance with the Fees and Charges register.</p>  |
| <p><b>AO13</b><br/>Service vehicle spaces are provided on the site in accordance with the requirements identified in <b>Table 9.4.4.2—Minimum car parking rates and service vehicle requirements</b>.</p>  | <p><b>Alternative Solution</b><br/>Table 9.4.4.2 specifies manoeuvring must accommodate RCV manoeuvring.</p> <p>The applicant proposes that rubbish collection be undertaken kerbside in lieu of providing on-site service vehicle loading areas. The proposed alternative can be accepted given the nature and scale of the proposed use.</p> |
| <p><b>AO15.1</b><br/>Landscaping complies with the standards specified in <b>SC6.4 Planning Scheme Policy 1 – Landscaping Standards</b>.</p> <p><b>AO15.2</b><br/>Street frontage landscaping has a minimum width of 2 metres for the full length of the site frontage (excluding driveways).</p> <p><b>AO15.3</b><br/>Landscape screening to external use areas has a minimum width of 3 metres for the full length of all boundaries adjoining external use areas on the site.</p> <p><b>AO15.4</b><br/>For industrial activities adjoining premises not included in an industry zone and used for non-industrial activities, a solid screen fence with a minimum height of 1.8 metres is provided on the common boundary.</p>   | <p><b>Alternative Solution</b><br/>The submitted landscaping plans show street frontage landscaping with a minimum width of 1.3m. The proposed design is considered to contribute to a pleasant and functional built form.</p> <p>Conditions will be applied to ensure the frontage landscaping is appropriately planted and maintained.</p>   |

4. Relevant matters for impact assessable development
5. Matters raised in submissions for impact assessable development
6. Matters prescribed by Regulation



**Attachment 5 – *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.*