

Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Jacinta Griffin
Telephone: 07 3225 1086
Your reference: MCUC/2005/743
Our reference: 6560 Part 1 File No.:900732

CC:
Arenkay Designs Pty Ltd
PO Box 257
DRAYTON NORTH 4350

Toowoomba City Council
PO Box 3021 Village Fair Post Office
TOOWOOMBA QLD 4350

Attention: Mr Paul Kelly

Re: Application (No. MCUC/2005/743) for development approval for assessable development to be carried out at 236 - 242 Ruthven Street, Toowoomba (Lot 8 on AG3596, Lots 6 and 7 on RP16630).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is a concurrence agency for the development application:

- ☐ Item 21 of Schedule 2 of the *Integrated Planning Regulation 1998*
- ☒ Item 22 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency (EPA), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided .

.....
Signed Date

Delegate of Administering Authority
Environmental Protection Act 1994.

Concurrence agency response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:	Arenkay Designs Pty Ltd
Council Application Number:	MCUC/2005/743
EPA Application Number:	6560 Part 1
Date application received by EPA:	17/03/2005
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Material Change of Use

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

236 - 242 Ruthven Street, Towoomba
(Lot 8 on AG3596, Lots 6 and 7 on RP16630)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☐ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused
- ☒ there is concurrence agency advice, but no conditions

Conditions of the development approval

Not applicable

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional comments or advice about the application

Soil Disposal

The removal of any contaminated soil from this site requires prior approval from the Environmental Protection Agency (EPA) (Contaminated Land Unit) under the Environmental Protection Act 1994 (EP Act).

No potentially contaminated soil may be removed from the site without adequate sampling and appraisal by a suitably qualified professional complying with Section 381 of the Environmental Protection Act 1994 (EP Act). Contaminated soil must not be removed from the site without a S424 permit issued by the Environmental Protection Agency under the EP Act.

If Notifiable Activity

It is a requirement of the EP Act that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined in Schedule 2 of the EP Act) is being carried out on this land they must, within 30 days after becoming aware the activity is being carried out, give notice to the EPA. A list of Notifiable Activities and a Notification of Land form is attached for your information.

Unexpected Contamination

If during any site earthworks or excavation, offensive or noxious odours and/or evidence of gross contamination not previously detected is observed, site works are to cease in that area and action taken to immediately abate the environmental harm. The administering authority is to be notified in writing within two (2) business days of detection and advised of appropriate remedial action.

Any remedial action is to be developed by an appropriately qualified and experienced person in accordance with Section 381 of the EP Act.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

IPA APPLICATION ASSESSMENT SHEET CLU Due Date: 4/4/05

EPA App'n No 6560 Part 1 File No: 900732

Referral Coordination (RCU) No.: ECOTRAK Project No.:

Council: Toowoomba City Council LA App'n No: MCUC/2005/743

Site Address: 236 - 242 Ruthven Street, Toowoomba

Property Description: Lot 8 on AG3596, Lots 6 and 7 on RP16630

Applicant Name: Arenkay Designs Pty Ltd

The following lots are in the EMR/CLR (AMA)

Lot/Plan	EMR/CLR (AMA) No.:	Notifiable Activity or Hazardous Contamination	On going activity Yes or No
8	6560	Service station	Y
6	RP16630	Service station	Y
7	RP16630	Service station	Y

Any new ERA's?: no

Existing ERA's?: no

ERA Jurisdiction:

Past Use: Fuel and convenience store

Current Use: Vacant retail

Proposal: Material Change of Use **Proposal Description:** Conversion of existing premises (now vacant) previously used as a fuel outlet and convenience store to premises for balloon design and party hire. It is proposed to use existing infrastructure with modifications to enhance existing facilities.

Recommendation: Issue concurrence response with no conditions, only concurrence agency advice.

Reasons: N.A is continuing and refit of existing building, no major excavation expected.

Assessor Name: Jacinta Griffin

Date: 22/3/05

Reviewer Name:

Revision Date:

Reviewer Recommendation:

Notification of Contaminated Site

The following information should be supplied by people providing notification to the CHEM Unit of contaminated land or land used for a prescribed purpose under the *Contaminated Land Act 1991* and the *Contaminated Land Regulation 1991*.

Essential Information

Local Authority Area:- THE CITY OF TOOWOOMBA

Information provided by:-

Name: GORDON S ADAMS Contact Telephone No: (076) 316 740

Organisation: TOOWOOMBA CITY COUNCIL

Address: 153 HERRIES STREET

TOOWOOMBA Postcode 4350

Name by which the property is known locally:-

ESSO RUTHVEN AND BRIDGE STREETS & VALE STREETS

Location:-

Street Address CNR RUTHVEN AND BRIDGE STREETS

City TOOWOOMBA Postcode 4350

Lot-on-Plan Description of each parcel of land (individual parcels of land which make up the property should be included. Please make a separate attachment if there is more than one parcel): (PPOR)

Lot 8/AG 3596 & LOTS 6 & 7 ON RP 16630

Land Titles Register Volume and Folio Number for each parcel (see also above remarks in brackets concerning multiple land parcels).

Name and Postal Address of Owner:-

Name sch4p4(6) Personal information
C/- MOBIL OIL AUSTRALIA LIMITED

Address P O BOX 173

BRISBANE QLD 4001

Postcode

Cont'd /2

Description of the source of the suspected contamination or the prescribed purpose for which the land is or has been used (a short description of the land use or cause of contamination will be sufficient. A separate attachment can be made if space is insufficient).

AN ESTABLISHMENT EXISTING DURING 1992 SUPPORTING A

SERVICE STATION AND GARAGE

Desirable and additional Information

Area of each parcel in square metres (this information is useful as a cross-check on the land description details):-

1220 M²

Current local authority zoning of the land:- COMMERCIAL INDUSTRY

The processing of this information would be greatly assisted by the inclusion of a map or locality plan.

If further information is required please contact:

The Clerk (Contaminated Land),
CHEM Unit,
A Division of the Bureau of Emergency Services
G.P.O. Box 1425
Brisbane, Qld 4001
Telephone (07) 227 4144
Facsimile (07) 227 4466

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Local Authority Area:- THE CITY OF TOOWOOMBA

Information provided by:-

Name: GORDON S ADAMS Contact Telephone No: (076) 316 740

Organisation: TOOWOOMBA CITY COUNCIL

Address: 153 HERRIES STREET

TOOWOOMBA

Postcode 4350

Name by which the property is known locally:-

sch4p4(6) Personal information

Location:-

Street Address 236 - 242 RUTHVEN STREET

City

~~Town/Suburb~~

TOOWOOMBA

Postcode 4350

Lot-on-Plan Description of each parcel of land (individual parcels of land which make up the property should be included. Please make a separate attachment if there is more than one parcel):

lot 8 AG 3596 & L6-7 ON RP 16630

Land Titles Register Volume and Folio Number for each parcel (see also above remarks in brackets concerning multiple land parcels).

Name and Postal Address of Owner:-

Name sch4p4(6) Personal information

Address C/- MOBIL OIL AUSTRALIA LIMITED
P O BOX 173

BRISBANE QLD 4001

Postcode _____

Cont'd /2

Description of the source of the suspected contamination or the prescribed purpose for which the land is or has been used (*a short description of the land use or cause of contamination will be sufficient. A separate attachment can be made if space is insufficient*).

AN ESTABLISHMENT SUPPORTING A SERVICE STATION AND GARAGES USE

Desirable and additional Information

Area of each parcel in square metres (*this information is useful as a cross-check on the land description details*):-

1220 M²

Current local authority zoning of the land:- COMMERCIAL INDUSTRY

The processing of this information would be greatly assisted by the inclusion of a map or locality plan.

If further information is required please contact:

The Clerk (Contaminated Land),
CHEM Unit
A Division of the Bureau of Emergency Services
G.P.O. Box 1425
Brisbane, Qld 4001
Telephone (07) 227 4144
Facsimile (07) 227 4466

TOOWOOMBA CITY COUNCIL

CONT SITES

Enquiries: Scott McDonald
Contact: 4688 6738
Our Reference: MCUC/2005/743

24 May 2005

Environmental Protection Agency
(Contaminated Land)
PO Box 155
BRISBANE ALBERT STREET QLD 4002

TOOWOOMBA
CITY COUNCIL



Dear Sir/Madam

Development Approval for: **Material Change of Use - Code**
Location: **236-242 Ruthven Street, TOOWOOMBA QLD 4350**
Property Description: **L8/AG3596 & L6-7/RP16630: PAR DRAYTON**

Please find attached a copy of the above Decision Notice for your records.

Yours faithfully

sch4-Signature

Paul Kelly
Principal Planner, Development Assessment



RTI DL RELEASE - EHP

ABN 69 653 021 471
Administration Building
153 Herries Street
Toowoomba Qld 4350

Address all communications to:
The Chief Executive Officer
P.O. Box 3021
Toowoomba Village Fair
Qld 4350

Telephone: (07) 4688 6611
Facsimile: (07) 4638 3830
DX 41103 Toowoomba

Enquiries: Scott McDonald
Contact: 4688 6738
Our Reference: MCUC/2005/743

Development Application Decision Notice
APPROVAL

Integrated Planning Act 1997 Section 3.5.15

24 May 2005

Arenkay Designs Pty Ltd
PO Box 257
DRAYTON NORTH QLD 4350

Dear Sir/Madam,

Location: 236-242 Ruthven Street, TOOWOOMBA QLD 4350
Property Description: L8/AG3596 & L6-7/RP16630:PAR DRAYTON

The Development Application for Material Change of Use - Code for the abovementioned property has been assessed and approved with Conditions. The decision was made by Council on 18 May 2005. The following provides all the relevant details:

1. Details of Approval

Development Permit – Material Change of Use - Code

2. Referral Agencies

Concurrence Agencies Name & Address: Department of Main Roads
PO Box 645,
TOOWOOMBA QLD 4350

Environmental Protection Agency
(Contaminated Land)
PO Box 155,
BRISBANE ALBERT STREET QLD 4002

Advice Agencies Name & Address: N/A

3. Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1
Concurrence Agency Conditions: As per attached Schedules 2 and 3

4. Further Development Permits Required

- Building Works
- Plumbing and Draining Works
- Operational Works

5. Rights of Appeal

Attached is an extract from the *Integrated Planning Act 1997* which details your appeal rights regarding this decision.

Yours faithfully

.....
Paul Kelly
Principal Planner, Development Assessment

COPY
RTI DL RELEASE - EHP



TOOWOOMBA CITY COUNCIL A.B.N. 69 653 021 471
DEVELOPMENT ASSESSMENT BRANCH

SCHEDULE

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE - CODE

APPLICATION NUMBER:	MCUC/2005/743
APPLICANT:	Arenkay Designs Pty Ltd
REAL PROPERTY DESCRIPTION:	L8/AG3596 & L6-7/RP16630:PAR DRAYTON
LOCATION:	236-242 Ruthven Street, TOOWOOMBA QLD 4350
APPROVED USE:	Shop
ZONING:	Regional Centre Commercial Frame Precinct

A. ASSESSMENT MANAGER'S CONDITIONS:

Approved Plans

1. The development shall be carried out generally in accordance with the proposal plan numbers 041218.01 (Site Plan), 041218.02 (Floor Plan) and 041218.03 (Elevations) prepared by Arenkay Designs Pty Ltd on a 16 February 2005 and in accordance with material contained on the development application subject to any amendments, where necessary, to comply with the conditions of this approval.

Compliance with Conditions

2. Unless otherwise stated all conditions shall be completed prior to commencement of the proposed change of use of the site, or as determined by the Manager, Development Assessment.

Carpark Lighting

3. All lighting shall be of a subdued nature and any light overspill that may occur must be no greater than the maximum levels specified in Australian Standard No. 4282-1997 "Control of Obtrusive Effects of Outdoor Lighting".

Landscaping

4. Landscaping is to be carried out in to achieve the following performance criteria:
 - To enhance the appearance of the development internally and externally;
 - To make a positive contribution to the streetscape;
 - To screen unsightly objects from public view;
 - To contribute to a comfortable living environment by providing shade to reduce glare, heat absorption and radiation;
 - To ensure private open space is useable;
 - To provide long term erosion protection;
 - To integrate with existing vegetation and other natural features of the site and adjoining lands; and
 - To provide adequate vehicle sightlines and road safety.

In this regard, the applicant is to submit for approval by the Assessment Manager, a Landscape Plan prepared by a qualified Landscape Architect, horticulturist, or other person experienced in landscape design and construction. The landscape plan is to address the above performance criteria, and should show the information outlined in Section 9.3.3 of the Landscaping Code of the Planning Scheme.

5. Landscaped areas shall be maintained, and the site shall remain in a clean and tidy state at all times.
6. All privet and/or celtus shall be removed from the subject land and the site kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period.
7. Any removal or modification of any existing Council street tree will require the separate written approval of Council's Parks and Recreation Branch.

Lighting

8. The provision of advertising, security and flood lighting shall be designed, constructed, located and maintained to the satisfaction of the Manager, Development Assessment so as not to cause disturbance to the occupants of nearby properties or passing traffic.

Amenity

9. The location of the refuse storage area is to be as approved by the Manager, Environment and Health having regard to the neighbouring residential properties. Refuse storage, removal and collection methods shall be generally in accordance with the "Environmental Protection (Interim Waste) Regulations 1996" and Council Policies.
10. All refrigeration plant, including motors, shall be situated within the building and shall be located to prevent noise nuisance as described under the *Environmental Protection Act 1994* and regulations and policies made thereunder.
11. Air-conditioning units shall be located in a manner which prevents noise nuisance as described under the *Environmental Protection Act 1994* and regulations and policies made thereunder.

Advertising

12. All advertising signs shall comply with the provisions of *Chapter 10 of the Toowoomba Planning Scheme 2003 – Advertising Signs*.

Hours of Construction

13. Unless otherwise approved in writing by the Manager, Development Assessment hours of construction shall be:

Monday to Saturday 6.30 a.m. to 6.30 p.m. – noise permitted

Work or business that causes audible noise shall not be conducted from or on the premises outside the above hours or on Sundays or Public Holidays.

Engineer's Certification/Supervision Of Works

14. Plans and specifications for all work associated with car parking and vehicular access, stormwater drainage, sewer protection, or any works required on Council infrastructure, shall be prepared and certified by a Registered Professional Engineer. A Registered Professional Engineer shall supervise the execution of the works, all work detailed on a certificate of supervision, and a copy of the supervision certificate submitted to Council upon completion.
15. Where any condition refers to or requires an Engineer to perform any task or function, the Engineer shall hold professional indemnity insurance and run-off cover to the satisfactions of the Chief Executive Officer.

Location/Damage To Services and Assets

16. All services/assets which may be affected by the proposed development, both above and below the ground, shall be located for alignment and/or level prior to the commencement of any design work for the development and prior to any building works. Any conflict with an existing service shall be referred to the relevant authority for determination.
17. Any costs to repair damage caused to any Council asset as a result of the proposed development shall be at the expense of the applicant. Any damage shall be repaired immediately should hazards exist for pedestrian or vehicular safety otherwise all damage shall be repaired immediately upon completion of works associated with the development.

Removal/Modification To "Blue-stone" Kerbing

18. Should the work involve the removal or modification of any existing "blue-stone" kerbing and/or channelling, the owner/contractor shall contact the Development Engineering Section (Phone 07 4688 6714) prior to commencement. Any blue-stone removed shall be stockpiled in a secure area for Council until retrieved by Council. In this instance, the owner/contractor shall contact Council's Construction and Maintenance Branch (Phone 07 4688 6552) to arrange for the stockpiled blue-stone to be taken away.

Removal/Modification To Traffic Signs and Parking Bays

19. Any removal or modification of any existing Council traffic signs and/or parking bays will require the separate written approval of Council's Traffic Officer (Phone 07 4688 6423).

Removal/Modification To Council Street Trees

20. Any removal or modification of any existing Council street tree, including any disturbance of the root system within the drip line, will require the separate written approval of Council's Parks and Recreation Branch (Phone 07 4688 6578).

Stormwater Discharge

21. Stormwater from roofed and sealed areas shall be picked up and discharged by way of sealed underground pipe to the street channel, via an approved galvanised metal kerb adaptor that suits the profile of the existing kerb. Outlets to the street channel shall be limited to a maximum discharge of 50 l/s at any one point of discharge and, where practical, spread across the street frontage/s so as not to concentrate the discharge to any one location. Design and construction of all internal stormwater drainage works shall comply with the relevant section/s of AS/NZS 3500.3.2:1998.
22. Where the stormwater outlet crosses a concrete/asphalt footpath, the full section of the concrete footpath or a minimum of one (1) metre of asphalt footpath shall be removed and reinstated to Council's satisfaction.
23. Stormwater from roofed and sealed areas shall be picked up and discharged by way of sealed underground pipe directly to Council's interallotment stormwater drainage system at the rear of the site. Design and construction of all internal stormwater drainage works shall comply with the relevant section/s of AS/NZS 3500.3.2:1998.

Provision Of Vehicular Access/Council Approvals

24. The proposed vehicular property access to Vale Street shall be sealed from the street kerb to the property boundary. The access shall be designed by a Registered Professional Engineer and shall include the provision of adequate access width and flares to suit the proposed entry and exit manoeuvres. The following will also apply:

- 24.1 The proposed access shall be constructed to a minimum width of 5.5 metres, extending a minimum of 5.5 metres into the property, with additional flaring at the kerb to suit expected traffic movements to the site.
 - 24.2 Both sides of the proposed property access shall join neatly in line and level to the pedestrian footpath/verge with a maximum of 5% crossfall for pedestrian movement across the access.
 - 24.3 The proposed access shall be located a minimum of 1 metre clear of existing power poles, streetlights, or other signage. In addition, the developer is responsible for any necessary relocation of other existing services clear of the accesses that will serve the property and is required to contact all relevant authorities and comply with their requirements in relation to these works.
 - 24.4 No access will be permitted to Bridge Street.
 - 24.5 Any proposed access to Ruthven Street shall be to the approval of the Department of Main Roads, including any necessary alterations to existing accesses.
 - 24.6 Any existing unnecessary property accesses in Bridge and Ruthven Streets shall be removed, the kerb reinstated to suit the existing kerb, and the footpath area reinstated to suit existing / with grass seeded topsoil or turf, or asphalt.
25. Separate Council approval is required prior to any modification to the existing property accesses, the construction of any new property access, or the commencement of any other works within the road reserve, (i.e. any work outside boundaries of the site).

Parking And Manoeuvring

26. The area required for carparking, driveways and manoeuvring areas shall be provided with a suitable sealed surface, together with a minimum of **three (3)** carparking spaces, and sufficient area to accommodate a Semi-Rigid Vehicle, each linemarked or otherwise delineated to the minimum dimensions detailed in the Town Planning Scheme and/or AS2890 – Parking Facilities, and shall include the following:
- 26.1 Any disabled carparking spaces shall be located in close proximity to an accessible primary entry to the building it is serving, and shall meet the minimum requirements outlined in AS2890.1 Clause 2.4.5 and AS1428.1.7.2.
 - 26.2 Provision of a sign and/or pavement markings that show the location of the carparking areas and access thereto, and that clearly indicate the proposed flow of traffic through the site.

Water Service

- 27. Each individual tenancy or residence is to be provided with a separate system for the metering of water consumption in accordance with Council's Policy A7/95 "Individual Water Metering of Units and Commercial Premises - New Development Policy".
- 28. Should the development require the provision of a new-metered water service, and/or upgrading or extension of Council's existing reticulation main, then the connection of this service, the disconnection of any existing services, and/or upgrading/extension of Council's existing reticulation mains will be at the expense of the developer.

Trade Waste

- 29. The applicant shall comply with Council's requirements for trade waste disposal (Phone 4688 6712).

Amalgamation Of Lots

30. The site shall be amalgamated to form one lot out of the separate parcels. In this regard the survey plan, (and where applicable any associated easement documentation), shall be registered with the Department Of Natural Resources prior to the commencement of the use.

Building Over/Near Council Services

31. Any construction carried out near existing Council services shall be in accordance with Council's Planning Scheme 2003 Development Works Code 9.1 *Development Near Underground Utility Services (Sewer, stormwater drain, water main or Associated Structure)*.

Erosion And Sedimentation Control

32. All works necessary to control erosion and sedimentation and/or the loss and movement of soil during the period of construction shall be provided. Such works shall include, but not be limited to, the construction of sediment fences, earth berms and temporary drainage designed to prevent sediment being transported to adjoining properties, roads and/or drainage systems. All disturbed areas shall be mulched or turfed/grassed as soon as possible during construction. The following issues will require attention: -
- 32.1 Erosion and sedimentation controls shall be implemented as necessary, and shall be maintained to at all times during the course of the project. Should the proposed controls prove to be ineffective then Council will require the developer to install additional measures.
- 32.2 Measures shall be put in place to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project.
- 32.3 Stockpiles of topsoil, sand, aggregate, spoil, or other material capable of being moved by the action of wind or running water shall be stored clear of drainage paths, with appropriate measures to prevent entry into either the road and/or drainage system.
- 32.4 Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works shall be at the developer's expense. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.

B. REASONS FOR DECISION:

The material change of use application for a Shop (for the purposes of balloon design and party hire) at 236-242 Ruthven Street generally complies with the relevant codes contained in the *Toowoomba Planning Scheme 2003*, subject to the inclusion of the conditions of approval recommended by this report.

C. ADVICES:

Fire Ants

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

Flammable & Combustible Liquids

- (ii) Should flammable or combustible liquids be stored on the premises in quantities exceeding those deemed as a Minor Storage under Section 2 of AS 1940-1993 "The Storage and Handling of Flammable and Combustible Liquids", then the premises is required to be licensed in accordance with the "Dangerous Goods Safety Management Regulation 2001".

Should you require any further clarification on licensable quantities of flammable and combustible liquid please contact Council's Environmental Officer on telephone (07) 4688 6637.

Environmentally Relevant Activities

- (iii) Should the premises, or any part of the premises, be used for an "Environmentally Relevant Activity" as defined under the provisions of the Environmental Protection Regulations 1998, separate approval is required by the relevant Administering Authority in accordance with the *Environmental Protection Act 1994* before such use commences.

Waste Disposal

- (iv) The Environmental Protection (Interim Waste) Regulation 1996 prohibits the deposition and disposal of construction and demolition waste in a place and manner not approved by the local government and imposes a maximum penalty of \$12,375 for each offence. Therefore, the disposal of construction and demolition waste on private property is prohibited and deemed to be an offence under the Environmental Protection (Interim Waste) Regulation 1996.

When Approval Takes Effect

- (v) This approval has effect in accordance with the provisions of Section 3.5.19 of the *Integrated Planning Act 1997* as follows:
 - (a) If there is no submitter and the applicant does not appeal the decision to the court - from the time the decision notice is given (or if a negotiated decision notice is given, from the time the negotiated decision notice is given); or
 - (b) If there is a submitter and the applicant does not appeal the decision to the court - when the submitter's appeal period ends; or
 - (c) If an appeal is made to the court - subject to the decision of the court, when the appeal is finally decided.

When Approval Lapses

- (vi) The currency period for this approval is 4 years starting the day the approval takes effect. If the use has not commenced before the end of the currency period, the approval will lapse.

Integrated Planning Act and Further Approvals

- (vii) Further Development Permits, as required by the *Integrated Planning Act 1997*, shall be obtained in respect of any Operational Works, Building Works and/or Plumbing Works in relation to this approval before any such works are commenced.

Access for People with a Disability

- (viii) The Developer shall provide adequate access for people in wheelchairs by means of an unimpeded continuous path of travel from any adjacent roadway, other public lands and from any car parking bay allocated for use by people with a disability, to all parts of the development which are normally open to the public.

Buildings

- (ix) The proposed building alterations have only been assessed in accordance with the provisions of the Planning Scheme. No assessment has been made in respect of the provisions of the Building Code of Australia 1996.

Safety, Security, Accessibility and Amenity

- (x) Public toilets and public telephones shall be well illuminated and under casual surveillance.
- (xi) Flood lighting shall be used to illuminate buildings and areas that may be susceptible to criminal activity, but should be designed to avoid 'light spill' which would detract from the amenity of nearby development or contribute to hazardous traffic conditions.

Aboriginal Cultural Heritage

- (xii) In carrying out your activity you must take all reasonable and practicable measures to ensure that it does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). You will comply with the cultural heritage duty of care if you are acting in accordance with gazetted cultural heritage duty of care guidelines. An assessment of your proposed activity against the duty of care guidelines will help to determine whether or to what extent Aboriginal cultural heritage may be harmed by your activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may also be obtained from www.nrme.qld.gov.au.

Contaminated Land

- (xiii) It is the owner's and occupants responsibility under the Environmental Protection Act 1994 to advise the Chief Executive of the Environmental Protection Agency, of any Notifiable Activity conducted on the site or contamination or suspected contamination which may cause a hazard to human health or the environment within 30 days of becoming aware of the operation of a Notifiable Activity on the site or of any contamination or suspected contamination. The Chief Executive, pursuant to the Act, is empowered to require that the development complies with the provisions of the Act, including the preparation of site investigation reports and if necessary the remediation of the site at the owners expense.

D. ATTACHED POLICIES AND/OR STANDARDS:

- Approved Development Plans.
- Appeal provisions pursuant to the Integrated Planning Act 1997.
- Administrative Policy A7/95 "Individual Water Metering of Units and Commercial Premises - New Development Policy".
- Stormwater Connection Specification (D51 6/98, D28 6/98)
- Building Near Service Connection Point (DWC 2003 sec 9.1 page 6)
- Standard Residential Driveway (Std Dwg 18389 6/98)

SCHEDULE 2

CONCURRENCE AGENCY CONDITIONS

DEPARTMENT OF MAIN ROADS

RTI DL RELEASE - EHP



18 March 2005

Department of Main Roads

Chief Executive Officer
Toowoomba City Council
PO Box 3021
Village Fair
Toowoomba Qld 4350

Dear Sir

REFERRAL AGENCY'S RESPONSE (*conditions apply*)
Toowoomba City
Proposed Material Change of Use- Retail Premises
Lot 8 AG3596, Lots 6 & 7 RP16630
Situated at 236 Ruthven Street, Toowoomba.

I refer to the above application dated 17 February 2005 requesting approval for development.

Pursuant to section 3.3.16 of the *Integrated Planning Act 1997*, the Queensland Department of Main Roads as a Concurrence Agency has assessed the impact of the proposed development on the state-controlled road network and requires that council include the conditions of development for the subject application as indicated on the attached Statement of Reasons.

This department would appreciate a copy of council's decision notice regarding the application.

A copy of this letter and list of conditions has been sent to the applicant.

Yours sincerely

sch4-Signature

✓ Gil Heaton
District Director (Southern)

RETENTION	MCUC
DOCUMENT NO	

RECEIVED 22 MAR 2005

FILE NO	P-518580
B / U	VIV

Southern District
District Office
1-5 Phillip Street
PO Box 645 Toowoomba Qld 4350 ABN 57 836 727 711
ABN 57 836 727 711

Our ref: E31251 830/248 P54557 Tr 2698
Your ref:
Enquiries: Jeff Lavey
Telephone +61 7 4639 0828
Facsimile +61 7 4639 0750
Website www.mainroads.qld.gov.au
Email: Jeffrey.j.lavey@mainroads.qld.gov.au

**Conditions of Approval &
STATEMENT OF REASONS**

Toowoomba City
Proposed Material Change of Use – Retail
Lot 8 AG3596, Lots 6 & 7 RP16630
Situated at 236 Ruthven Street, Toowoomba.

File Number: 830/248
Folio Number: P54557
Sheet Number: 1 of 1 sheet(s)
18 March 2005

Issue/Concern	Conditions of development for the subject application	The reasons used in the setting of conditions included:
1. Access	<p>Prior to commencement of retail operations, the applicant is required to:</p> <p>Close the Ruthven Street crossover which is closest to the departure side of the intersection (Ruthven Street southbound lanes). The access is to be replaced with kerb and channelling to the requirements and standards of Toowoomba City Council.</p>	<i>Transport Infrastructure Act 1994</i>



**Queensland
Government**

Department of Main Roads

SCHEDULE 3

CONCURRENCE AGENCY CONDITIONS

ENVIRONMENTAL PROTECTION AGENCY
(CONTAMINATED LAND)

RTI DL RELEASE - EHP

Southern Regional Office (Brisbane)
GPO Box 2771 BRISBANE QLD 4001
Phone: (07) 3225 1827 Fax: (07) 3247 3278
www.env.qld.gov.au ABN:87221158786



Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

TOOWOOMBA CITY COUNCIL



D000273379

Notice of concurrence agency response Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Jacinta Griffin
Telephone: 07 3225 1086
Your reference: MCUC/2005/743
Our reference: 6560 Part 1 File No.:900732

CC:

Arenkay Designs Pty Ltd
PO Box 257
DRAYTON NORTH 4350

RETENTION	MCUC
DOCUMENT NO	

Toowoomba City Council
PO Box 3021 Village Fair Post Office
TOOWOOMBA QLD 4350

RECEIVED - 5 APR 2005

Attention: Mr Paul Kelly

FILE NO	P-518580
BY	VIV

Re: Application (No. MCUC/2005/743) for development approval for assessable development to be carried out at 236 - 242 Ruthven Street, Toowoomba (Lot 8 on AG3596, Lots 6 and 7 on RP16630).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is a concurrence agency for the development application:

- ☐ Item 21 of Schedule 2 of the *Integrated Planning Regulation 1998*
- ☒ Item 22 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency (EPA), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided.

sch4-Signature

1/4/2005

Date

**Delegate of Administering Authority
*Environmental Protection Act 1994.***

Concurrence agency response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:	Arenkay Designs Pty Ltd
Council Application Number:	MCUC/2005/743
EPA Application Number:	6560 Part 1
Date application received by EPA:	17/03/2005
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Material Change of Use

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

236 - 242 Ruthven Street, Towoomba
(Lot 8 on AG3596, Lots 6 and 7 on RP16630)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☐ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused
- ☒ there is concurrence agency advice, but no conditions

Conditions of the development approval

Not applicable

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional comments or advice about the application

Soil Disposal

The removal of any contaminated soil from this site requires prior approval from the Environmental Protection Agency (EPA) (Contaminated Land Unit) under the Environmental Protection Act 1994 (EP Act).

No potentially contaminated soil may be removed from the site without adequate sampling and appraisal by a suitably qualified professional complying with Section 381 of the Environmental Protection Act 1994 (EP Act). Contaminated soil must not be removed from the site without a S424 permit issued by the Environmental Protection Agency under the EP Act.

If Notifiable Activity

It is a requirement of the EP Act that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined in Schedule 2 of the EP Act) is being carried out on this land they must, within 30 days after becoming aware the activity is being carried out, give notice to the EPA. A list of Notifiable Activities and a Notification of Land form is attached for your information.

Unexpected Contamination

If during any site earthworks or excavation, offensive or noxious odours and/or evidence of gross contamination not previously detected is observed, site works are to cease in that area and action taken to immediately abate the environmental harm. The administering authority is to be notified in writing within two (2) business days of detection and advised of appropriate remedial action.

Any remedial action is to be developed by an appropriately qualified and experienced person in accordance with Section 381 of the EP Act.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

Enquiries: Scott McDonald
Contact: 4688 6738
Our Reference: MCUC/2005/743

**Development Application Decision Notice
APPROVAL**

Integrated Planning Act 1997 Section 3.5.15

24 May 2005

Arenkay Designs Pty Ltd
PO Box 257
DRAYTON NORTH QLD 4350

original paperwork
on lot 8 AG3596

Dear Sir/Madam,

Location: 236-242 Ruthven Street, TOOWOOMBA QLD 4350
Property Description: L8/AG3596 & L6-7/RP16630: PAR DRAYTON

The Development Application for Material Change of Use - Code for the abovementioned property has been assessed and approved with Conditions. The decision was made by Council on 18 May 2005. The following provides all the relevant details:

1. Details of Approval

Development Permit – Material Change of Use - Code

2. Referral Agencies

Concurrence Agencies Name & Address: Department of Main Roads
PO Box 645,
TOOWOOMBA QLD 4350
Environmental Protection Agency
(Contaminated Land)
PO Box 155,
BRISBANE ALBERT STREET QLD 4002

Advice Agencies Name & Address: N/A

3. Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1
Concurrence Agency Conditions: As per attached Schedules 2 and 3

4. Further Development Permits Required

- Building Works
- Plumbing and Draining Works
- Operational Works

COPY

Notification of Contaminated Site

The following information should be supplied by people providing notification to the CHEM Unit of contaminated land or land used for a prescribed purpose under the *Contaminated Land Act 1991* and the *Contaminated Land Regulation 1991*.

Essential Information

Local Authority Area:- THE CITY OF TOOWOOMBA

Information provided by:-

Name: GORDON S ADAMS Contact Telephone No: (076) 316 740

Organisation: TOOWOOMBA CITY COUNCIL

Address: 153 HERRIES STREET

TOOWOOMBA

Postcode 4350

Name by which the property is known locally:-

CAMPBELL AJ

Location:-

Street Address 236 - 242 RUTHVEN STREET

City

Town/Suburb TOOWOOMBA

Postcode 4350

Lot-on-Plan Description of each parcel of land (*individual parcels of land which make up the property should be included. Please make a separate attachment if there is more than one parcel*):

lot 8 AG 3596 & L6-7 ON RP 16630 (*lot 6 not eny*)

Land Titles Register Volume and Folio Number for each parcel (*see also above remarks in brackets concerning multiple land parcels*).

Name and Postal Address of Owner:-

Name sch4p4(6) Personal information

C/- MOBIL OIL AUSTRALIA LIMITED
P O BOX 173

Address

BRISBANE QLD 4001

Postcode

Cont'd /2

Description of the source of the suspected contamination or the prescribed purpose for which the land is or has been used (a short description of the land use or cause of contamination will be sufficient. A separate attachment can be made if space is insufficient).

AN ESTABLISHMENT SUPPORTING A SERVICE STATION AND GARAGES USE

Desirable and additional Information

Area of each parcel in square metres (this information is useful as a cross-check on the land description details):-

1220 M²

Current local authority zoning of the land:- COMMERCIAL INDUSTRY

The processing of this information would be greatly assisted by the inclusion of a map or locality plan.

If further information is required please contact:

The Clerk (Contaminated Land),
CHEM Unit
A Division of the Bureau of Emergency Services
G.P.O. Box 1425
Brisbane, Qld 4001
Telephone (07) 227 4144
Facsimile (07) 227 4466

Notification of Contaminated Site

Site i.d. - 149-000016 PRO 2231

The following information should be supplied by people providing notification to the CHEM Unit of contaminated land or land used for a prescribed purpose under the *Contaminated Land Act 1991* and the *Contaminated Land Regulation 1991*.

Essential Information

Local Authority Area:- THE CITY OF TOOWOOMBA

Information provided by:-

Name: GORDON S ADAMS Contact Telephone No: (076) 316 740

Organisation: TOOWOOMBA CITY COUNCIL

Address: 153 HERRIES STREET

TOOWOOMBA Postcode 4350

Name by which the property is known locally:-

ESSO RUTHVEN AND BRIDGE STREETS & VALE STREETS

Location:-

Street Address CNR RUTHVEN AND BRIDGE STREETS

City TOOWOOMBA Postcode 4350

Lot-on-Plan Description of each parcel of land (*individual parcels of land which make up the property should be included. Please make a separate attachment if there is more than one parcel*):

Lot 8/AG 3596 & LOTS 6 & 7 ON RP 16630

Land Titles Register Volume and Folio Number for each parcel (*see also above remarks in brackets concerning multiple land parcels*).

Name and Postal Address of Owner:-

Name sch4p4(6) Personal information

C/- MOBIL OIL AUSTRALIA LIMITED

Address P O BOX 173

BRISBANE QLD 4001 Postcode

Cont'd /2

Description of the source of the suspected contamination or the prescribed purpose for which the land is or has been used (a short description of the land use or cause of contamination will be sufficient. A separate attachment can be made if space is insufficient).

AN ESTABLISHMENT EXISTING DURING 1992 SUPPORTING A

SERVICE STATION AND GARAGE

Desirable and additional Information:

Area of each parcel in square metres (this information is useful as a cross-check on the land description details):-

1220 M²

Current local authority zoning of the land:- COMMERCIAL INDUSTRY

The processing of this information would be greatly assisted by the inclusion of a map or locality plan.

If further information is required please contact:

The Clerk (Contaminated Land),
CHEM Unit,
A Division of the Bureau of Emergency Services
G.P.O. Box 1425
Brisbane, Qld 4001
Telephone (07) 227 4144
Facsimile (07) 227 4466



Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Jacinta Griffin
Telephone: 07 3225 1086
Your reference: MCUC/2005/743
Our reference: 6560 Part 1 File No.:900732

CC:

Arenkay Designs Pty Ltd
PO Box 257
DRAYTON NORTH 4350

Toowoomba City Council
PO Box 3021 Village Fair Post Office
TOOWOOMBA QLD 4350

Attention: Mr Paul Kelly

Re: Application (No. MCUC/2005/743) for development approval for assessable development to be carried out at 236 - 242 Ruthven Street, Towoomba (Lot 8 on AG3596, Lots 6 and 7 on RP16630).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is a concurrence agency for the development application:

- ☐ Item 21 of Schedule 2 of the *Integrated Planning Regulation 1998*
☒ Item 22 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency (EPA), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided .

sch4-Signature

1/4/2005

Date

Delegate of Administering Authority
Environmental Protection Act 1994.

Concurrence agency response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:	Arenkay Designs Pty Ltd
Council Application Number:	MCUC/2005/743
EPA Application Number:	6560 Part 1
Date application received by EPA:	17/03/2005
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Material Change of Use

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

236 - 242 Ruthven Street, Towoomba
(Lot 8 on AG3596, Lots 6 and 7 on RP16630)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☐ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused
- ☒ there is concurrence agency advice, but no conditions

Conditions of the development approval

Not applicable

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional comments or advice about the application

Soil Disposal

The removal of any contaminated soil from this site requires prior approval from the Environmental Protection Agency (EPA) (Contaminated Land Unit) under the Environmental Protection Act 1994 (EP Act).

No potentially contaminated soil may be removed from the site without adequate sampling and appraisal by a suitably qualified professional complying with Section 381 of the Environmental Protection Act 1994 (EP Act). Contaminated soil must not be removed from the site without a S424 permit issued by the Environmental Protection Agency under the EP Act.

If Notifiable Activity

It is a requirement of the EP Act that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined in Schedule 2 of the EP Act) is being carried out on this land they must, within 30 days after becoming aware the activity is being carried out, give notice to the EPA. A list of Notifiable Activities and a Notification of Land form is attached for your information.

Unexpected Contamination

If during any site earthworks or excavation, offensive or noxious odours and/or evidence of gross contamination not previously detected is observed, site works are to cease in that area and action taken to immediately abate the environmental harm. The administering authority is to be notified in writing within two (2) business days of detection and advised of appropriate remedial action.

Any remedial action is to be developed by an appropriately qualified and experienced person in accordance with Section 381 of the EP Act.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

IPA APPLICATION ASSESSMENT SHEET **CLU** **Due Date: 4/4/05**

sch4-Signature

EPA App'n No 6560 Part 1

File No: 900732

Referral Coordination (RCU) No.: **ECOTRAK Project No.:**

Council: Toowoomba City Council **LA App'n No: MCUC/2005/743**

Site Address: **236 - 242 Ruthven Street, Toowoomba**

Property Description: **Lot 8 on AG3596, Lots 6 and 7 on RP16630**

Applicant Name: Arenkay Designs Pty Ltd

The following lots are in the EMR/CLR (AMA)

Lot/Plan	EMR/CLR (AMA) No.:	Notifiable Activity or Hazardous Contamination	On going activity Yes or No
8	6560	Service station	Y
6	RP16630	Service station	Y
7	RP16630	Service station	Y

Any new ERA's?: no

Existing ERA's?: no

ERA Jurisdiction:

Past Use: Fuel and convenience store

Current Use: Vacant retail

Proposal: Material Change of Use **Proposal Description:** Conversion of existing premises (now vacant) previously used as a fuel outlet and convenience store to premises for balloon design and party hire. It is proposed to use existing infrastructure with modifications to enhance existing facilities.

Recommendation: Issue concurrence response with no conditions, only concurrence agency advice.

Reasons: N.A is continuing and refit of existing building, no major excavation expected.

Assessor Name: Jacinta Griffin

Date: 22/3/05

sch4-Signature

Reviewer Name:

Revision Date:

Reviewer Recommendation:

In accordance with the first sentence of the application & the first results of the JT Env. investigation the site is not longer a used for the Notifiable Activity. Furthermore the application doesn't fall into the exceptions state in item 5, Table 2, Part 1 Schedule 8 therefore, it needs to be assessed. Info request is required based on the info requested.

sch4-Signature

23-03-05

Now info sheet to be prepared indicating circumstances where a refit only occurs at a service

Following discussion with applicant, requested an amendment to requirements to no requirements off-site soil disposal.

CONTAMINATED
LAND SECTION
17 MAR 2005

arenkay designs pty ltd

fax

To:

Darryl Byers

Fax No: 007 3247 3278**Attention:****From:**

Arenkay Designs Pty Ltd

Date:

18 March 2005

Number of Pages Including Cover:

4

Remarks:

Darryl

Please find attached Acknowledgement Notice as requested in relation to 236-242
Ruthven Street, Toowoomba as requested.

Regards

ARENKAY DESIGNS PTY LTD

ET 8 A6 3596 - EMR 6560
6 RP 16630 EMR 7188
7 RP 16630 EMR 6561
6560

APPLICATION NUMBER: Toowoomba 03/05 (U) 1-6560**FILE NUMBER:** 900850 27 900732**REFERRAL DATE:** 17 March 05**DATE INFO REQUEST DUE:** 4 April 05 04/04/05 31/3/2005**RCU No.** N/A**OFFICER:** Ms. Javitasch4-Signature
21-03-05

ABN 37 081 084 102

Toowoomba Ph (07) 4638 4766 Fax (07) 4638 4966
Goondiwindi Office Ph/Fax (07) 4671 2263

PO Box 257 Drayton North Qld 4350
Shop 9 The Homemaker Centre

12 Prescott St Toowoomba Qld 4350

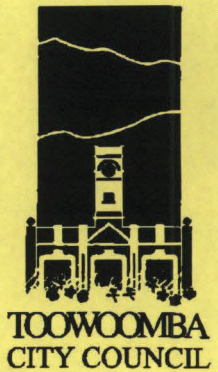
building designers

T O O W O O M B A C I T Y C O U N C I L

Inquiries: Scott McDonald
 Contact: 4688 6738
 Our Reference: MCUC/2005/743

ACKNOWLEDGEMENT NOTICE
Integrated Planning Act 1997

8 March 2005



Arenkay Designs Pty Ltd
 PO Box 257
 DRAYTON NORTH QLD 4350

Dear Sir/Madam,

Development Application for: Material Change of Use - Code - Shop
Location: 236-242 Ruthven Street, TOOWOOMBA QLD 4350
Property Description: L8/AG3596 & L6-7/RP16630:PAR DRAYTON

I acknowledge receipt of the above application and advise the following:-

1. Details of the Application

The application seeks development approval for –

- Material change of use of premises under the planning scheme

Development
PermitPreliminary
Approval**2. IDAS Referral Agencies**

The following referral agencies are applicable to this application -

Concurrence Agencies

Department of Main Roads
 PO Box 645
 TOOWOOMBA QLD 4350

Environmental Protection Agency
 (Contaminated Land)
 PO Box 155
 BRISBANE ALBERT STREET QLD 4002

Advice Agencies

N/A

You are required within three (3) months from the date of this notice, to give each referral agency a copy of:-

- The application (including application form and supporting material)
- This acknowledgement notice
- Any applicable concurrence agency application fee (refer to the *Integrated Planning Regulation 1998* to confirm the applicable referral agencies).

ABN 69 653 021 471
 Administration Building
 153 Herries Street
 Toowoomba Qld 4350

Address all communications to:
 The Chief Executive Officer
 P.O. Box 3021
 Toowoomba Village Fair
 Qld 4350

Telephone: (07) 4688 6611
 Facsimile: (07) 4638 3830
 DX 41103 Toowoomba

Visit our web site: www.toowoomba.qld.gov.au Email address: council@toowoomba.qld.gov.au

- 2 -

You must advise Council in writing of the date of the application and supporting material was given to the referral agency.

3. Referral Coordination

This application **does not** trigger referral coordination.

4. Level of Assessment

An aspect of the development applied for requires -

Code Assessment

The name of all codes that may be applicable are listed below -

- 6.6 Regional Centre Zone Code
- 7.1 General Development Code
- 9.1 Development Works Code
- 9.2 Parking, Transport and Servicing Code
- 9.3 Landscaping Code
- 9.4 Community Safety Code
- 9.8 Trade Waste and Refuse Code

5. Status of Information Request

Council requires further information which demonstrates compliance with the planning scheme. Please provide the following additional information:-

1. The letter accompanying the development application describes under 1.0 **Proposal** that the applicants propose to retain the existing site drainage and wash down sump. Please supply additional information to describe the intended use of the wash bay given that the business is primarily for balloon design and party hire."

Under the provisions of the Integrated Planning Act 1997, you have three (3) options available in response to this information request. You must give Council:-

1. all of the information requested; or
2. part of the information requested together with a notice asking Council to proceed with the assessment of the application; or
3. a notice -
 - (i) stating that you do not intend to supply any of the information requested; and
 - (ii) asking Council to proceed with the assessment of the application

Please provide three (3) copies of the response to the information request to Council, including any submitted plans and supporting information. **In your response, please advise which of the above three (3) options you are supplying.**

You must respond to this information request within a period of twelve (12) months or your application will lapse.

6. Show Cause/Enforcement Notice

The application **has not** been made in response to a show cause notice/enforcement notice.

- 3 -

You are further advised that the truth and accuracy of the information provided in the application form and accompanying information is relied on when assessing and deciding this application. If you find an inaccuracy in any of the information provided above or have a query or seek clarification about any of these details, please contact Scott McDonald on the above number.

Yours faithfully

sch4-Signature

.....
Paul Kelly
Principal Planner, Development Assessment

RTI DL RELEASE - EHP

CONT SITES



arenkay designs pty Ltd



Left message
for Bob Stizen
17/3/2005

With Compliments



building designers
association of
queensland inc.

14-429

ABN 37 081 084 102

Toowoomba Ph (07) 4638 4766 Fax (07) 4638 4966

Goondiwindi Office Ph/Fax (07) 4671 2263

File A - Edit

PO Box 257 Drayton North Qld 4350

Shop 9 The Homemaker Centre 12 Prescott St Toowoomba Qld 4350

39 of 55

building designers

17 February 2005

The Chief Executive Officer
Toowoomba City Council
PO Box 3021
Village Fair Post Office
TOOWOOMBA QLD 4350

**RE: DEVELOPMENT APPLICATION
MATERIAL CHANGE OF USE - RETAIL PREMISES
No 236 RUTHVEN STREET, TOOWOOMBA**

1.0 PROPOSAL

The site at No. 236 Ruthven Street previously used as a fuel outlet and convenience store is now vacant. It is proposed to refurbish the existing premises for use as a retail outlet for balloon design and party hire.

The existing underground fuel tanks have been filled and tested for leakage (Refer to attached report).

It is proposed to utilise existing parking areas and driveways with existing footpath crossovers to remain in tact. Additional undercover staff parking is proposed at the rear of the premises for three vehicles.

The existing driveway is to be enhanced with additional landscaping and designated car spaces for vehicles.

It is proposed to retain existing on site drainage and wash down sump at the rear of building.

2.0 DOCUMENTATION

The following supporting documentation is included for consideration.

- (i) Arenkay Designs Pty Ltd Plan No 041218
- (ii) Development Application Parts (A) and (D) and Referrals Checklist.
- (iii) UPSS Precision Test Report
- (iv) Proposal Report

CONTAMINATED
LAND SECTION

15 MAR 2005

3.0 PLANNING COMPLIANCE

The proposal is situated in a commercial frame precinct suitable for retail premises using an existing commercial building and surrounds with limited modifications. Car parking on site in the proposed modified form exceeds planning requirements. Enhanced landscaping to the Bridge Street Frontage will create a more aesthetically pleasing development.

Traffic volumes generated by the proposed retail outlet will be far less than those previously generated by the fuel outlet and convenience store.

3.0 SUMMARY

This proposal involves the conversion of existing premises (now vacant) previously used as a fuel outlet and convenience store to premises for balloon design and party hire. It is proposed to use existing infrastructure with modifications to enhance existing facilities. We ask council to give this proposal favourable consideration.

Yours faithfully

Bob Steger

sch4-Signature

ARENKAY DESIGNS PTY LTD

Form 1 Development Application

idas

Common details

The completion of **all applicable questions** on Part A is **mandatory** for all applications.

Part A must be accompanied by one (1) or more other completed parts of the Form.

Any information requested in the form may be provided in an attachment to the application.

For further information about completing the following details, refer to **Guide 1 Making an IDAS Application**.

Description of land

All land the subject of the application, must be identified.

A description of the land is not required in relation to a mobile or temporary environmentally relevant activity.

Advice for completing Q2

Q2 applies if development is proposed within a water body or watercourse.

Advice for completing Q3

Most land can be identified by a lot on plan description. These details can be obtained from title documents or through the local government.

However, if the land on which the development is proposed does **not** have a lot on plan description (i.e. the development is proposed in a water body or watercourse) provide –

- (i) the lot on plan description for the adjoining/adjacent land; or
- (ii) GPS coordinates where there is no adjoining/adjacent land (eg. in Moreton Bay).

Advice for completing Q7

Q7 does not apply if the development is proposed within a water body or watercourse.

Advice for completing Q8

Q8 applies if development is proposed within a local government area.

Note: Areas below high water mark are **not** within a local government's area unless provided for under the *Local Government Act 1993*.

Advice for completing Q9

Q9 applies if development is proposed on strategic port land or a strategic port land tidal area.

For more information refer to **Guide 11 Development on strategic port land**

Proposal details

1. Street address: (including house number, street name, suburb/locality name & postcode) (if applicable)
236 RUTHVEN STREET, TOowoomba
2. Name of water body or watercourse, within which the development is proposed: (if applicable)
N/A
3. Lot on plan description (eg. Lot 123 on RP 4567) / GPS coordinates:
Lot 8 on AG3526, Lots 6 + 7 on RP 16630
4. The above description is for: (tick applicable box)
 - ☒ (i) the land on which the development is proposed; or
 - ☐ (ii) the land adjoining the water body or watercourse, within which the development is proposed; or
 - ☐ (iii) the water body or watercourse.
5. Shop / tenancy number: (if applicable)
6. Storey / level: (if applicable)
7. Total area of land: (m² or ha) (if applicable)
1222 m²
8. Local government area in which the land is situated: (eg. Brisbane, Esk, Hervey Bay, Woocoo etc.) (if applicable)
Toowoomba
9. Port authority for the strategic port land or strategic port land tidal area on which the development is proposed (eg. Port of Brisbane, Port of Townsville) (if applicable)
10. Existing use of the land: (eg. vacant, single house, shop etc.)
VACANT RETAIL PREMISES - FUEL/CONVENIENCE
11. Proposed use of the land: (eg. 6 unit apartment building, 30 lot residential subdivision, ERA for aquaculture in ponds with a total area of 7 ha for which wastes are released into waters etc.)
RETAIL PREMISES - BALLOON - PARTY HIRE

Other applicable parts of Form 1

Part A of Form 1 must **always** be accompanied by other completed parts of Form 1.

For information about when a part of Form 1 may apply for an application refer to Guide 1 Making an IDAS development application.

12. Other parts of Form 1 completed as part of this application: (eg. Part D, Part I, etc)

Part D

Applicant details

Clearly identify who is making the application. The applicant need not be the owner of the land.

When signing and lodging this application

The applicant is responsible for ensuring the information provided is correct. The assessment manager, any referral agency and the Chief Executive (where applicable) will rely on this information when assessing and deciding the application.

If the applicant is a company

A contact person must be shown. All correspondence will be mailed to this address.

13. Name:

ARENKAY DESIGNS PTY LTD

14. Postal address:

P.O Box 257 DRAYTON NORTH Q 4350

15. Signature:

sch4-Signature

16. Date:

21/2/5

17. Contact person:

Bob Steger

18. Telephone number:

46 38 4766

19. Mobile phone number: (if applicable)

-

20. Facsimile number: (if applicable)

46 38 4966

21. Email address: (if applicable)

arenkay@bigpond.net.au

Land owner's consent (if applicable)

Section 3.2.1(10)(a) of the IPA prescribes that an application can **not** be taken to be properly made without the land owner's consent.

For more information about land owner's consent refer to Guide 1 Making an IDAS development application.

An application **must** be supported by the consent of the land owner if the application involves:

- (i) a material change of use;
- (ii) reconfiguration of a lot;
- (iii) work on land below high-water mark & not within a canal as defined under the *Coastal Protection and Management Act 1995*; or
- (iv) work on rail corridor land defined under the *Transport Infrastructure Act 1994*.

For a mobile or temporary ERA

Land owner's consent is **not** required.

If an owner has signed this form as applicant

Their signature is not required again in this section.

If there are multiple owners

The consent of **each** owner is required.

If the owner is a company

Refer to Guide 1.

22. Name/s:

ARCHIBALD JOHN CAMPBELL

23. Signature/s:

sch4-Signature

24. Date:

21-02-05

Resource entitlement (if applicable)

Section 3.2.1(10)(b) of the IPA prescribes that an application can **not** be taken to be properly made without evidence of the resource entitlement.

Advice for completing Q26

Refer to schedule 10 of the *Integrated Planning Regulation 1998* that prescribes the nature of evidence required by the State in support of the lodging of this development application.

25. Does this application involve taking or interfering with (other than interfering with quarry material on State coastal land under the *Coastal Protection and Management Act 1995*) a State resource?

☒ NO - go to Q28

☐ YES - go to Q26

26. This application is required by regulation to be accompanied by: (tick the applicable box)

☐ (i) evidence of the **allocation** of, or entitlement to, the resource - attach evidence

☐ (ii) evidence the chief executive of the department administering the resource is satisfied the development **is consistent with an allocation** of, or entitlement to, the resource - go to Q 27

☐ (iii) evidence the chief executive of the department administering the resource is satisfied the development application **may proceed in the absence of an allocation** of, or entitlement to, the resource - go to Q 27

<p>Other applicable parts of Form 1</p> <p>Part A of Form 1 must always be accompanied by other completed parts of Form 1.</p> <p>For information about when a part of Form 1 may apply for an application refer to <u>Guide 1 Making an IDAS development application</u>.</p>	<p>12. Other parts of Form 1 completed as part of this application: (eg. Part D, Part I, etc)</p> <p><u>Part D</u></p>
<p>Applicant details</p> <p>Clearly identify who is making the application. The applicant need not be the owner of the land.</p> <p>When signing and lodging this application</p> <p>The applicant is responsible for ensuring the information provided is correct. The assessment manager, any referral agency and the Chief Executive (where applicable) will rely on this information when assessing and deciding the application.</p> <p>If the applicant is a company</p> <p>A contact person must be shown. All correspondence will be mailed to this address.</p>	<p>13. Name:</p> <p>_____</p> <p>14. Postal address:</p> <p>_____</p> <p>15. Signature: _____ 16. Date: _____</p> <p>17. Contact person: _____</p> <p>18. Telephone number: _____ 19. Mobile phone number: (if applicable) _____</p> <p>20. Facsimile number: (if applicable) _____ 21. Email address: (if applicable) _____</p>
<p>Land owner's consent (if applicable)</p> <p>Section 3.2.1(10)(a) of the IPA prescribes that an application can not be taken to be properly made without the land owner's consent.</p> <p>For more information about land owner's consent refer to <u>Guide 1 Making an IDAS development application</u>.</p> <p>An application must be supported by the consent of the land owner if the application involves:</p> <ul style="list-style-type: none">(i) a material change of use;(ii) reconfiguration of a lot;(iii) work on land below high-water mark & not within a canal as defined under the <i>Coastal Protection and Management Act 1995</i>; or(iv) work on rail corridor land defined under the <i>Transport Infrastructure Act 1994</i>. <p>For a mobile or temporary ERA</p> <p>Land owner's consent is not required.</p> <p>If an owner has signed this form as applicant</p> <p>Their signature is not required again in this section.</p> <p>If there are multiple owners</p> <p>The consent of <u>each</u> owner is required.</p> <p>If the owner is a company</p> <p>Refer to Guide 1.</p>	<p>22. Name/s: _____</p> <p>23. Signature/s: _____ 24. Date: _____</p>
<p>Resource entitlement (if applicable)</p> <p>Section 3.2.1(10)(b) of the IPA prescribes that an application can not be taken to be properly made without evidence of the resource entitlement.</p> <p>Advice for completing Q26</p> <p>Refer to schedule 10 of the <i>Integrated Planning Regulation 1998</i> that prescribes the nature of evidence required by the State in support of the lodging of this development application.</p>	<p>25. Does this application involve taking or interfering with (other than interfering with quarry material on State coastal land under the <i>Coastal Protection and Management Act 1995</i>) a State resource?</p> <p>☒ NO - go to Q28 ☐ YES - go to Q26</p> <p>26. This application is required by regulation to be accompanied by: (tick the applicable box)</p> <p>☐ (i) evidence of the allocation of, or entitlement to, the resource – attach evidence</p> <p>☐ (ii) evidence the chief executive of the department administering the resource is satisfied the development is consistent with an allocation of, or entitlement to, the resource – go to Q 27</p> <p>☐ (iii) evidence the chief executive of the department administering the resource is satisfied the development application may proceed in the absence of an allocation of, or entitlement to, the resource – go to Q 27</p>

Advice for completing Q27

The information in (i) – (v) is mandatory if evidence is required under Q26 (ii) or (iii) above.

The official stamp of the Department of Natural Resources and Mines is mandatory where the application involves taking or interfering with water or riverine quarry material under the *Water Act 2000*.

27. Evidence of the resource entitlement:

(i) Resource entitlement / authority details

(ii) Name of delegated officer

(iii) Position of delegated officer

(iv) Signature of delegated officer

(v) Date

(iv) Official stamp of the department administering the resource (if applicable)

Referral triggers

The Referrals Checklist must be completed and lodged with all IDAS development applications, other than those requiring the completion of Parts A and B of the Form only.

28. Is the Referrals Checklist completed and attached to this application?☐ YES☐ NO – the assessment manager may refuse to accept this application on the grounds that the application has not been properly made**Plans / drawings / reports**

An application should be accompanied by details to support the proposal & enable the assessment manager, referral agencies and any person viewing the application during public scrutiny or public notification to understand the scope of the proposal and any potential impact.

29. Plans/drawings/reports accompanying this application:

Plan / Drawing / Report Number	Title	Date
(i) 041218.01	Site Plan	16/2/5
(ii) 041218.02	Floor Plan	11
(iii) 041218.03	Elevations	11
(iv)		
(v)		
(vi)		
(vii)		
(viii)		
(ix)		
(x)		

PLEASE NOTE

The assessment manager may refuse to accept an application that, at the time of lodgement, fails to provide all applicable information required by Part A and any other relevant part of Form 1.

OFFICE USE ONLY (applicable to assessment manager's)

FEE (\$)	DATE RECEIVED	RECEIVING OFFICER'S NAME/S	REFERENCE NUMBER/S
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Form 1 Development Application

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Material change of use

assessable against a local government's planning scheme

PART **D**

Completion of **all applicable questions** on Part D is **mandatory** for all applications involving assessment of a material change of use (MCU) assessable against a local government's planning scheme.

Nature of the application A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur.	1. This application is for: (tick 1 or both if applicable) ☐ Preliminary approval for a material change of use of premises including conceptual design for any associated works that require approval under the planning scheme (i.e. consideration of the proposal concept) AND / OR ☒ Development permit for a material change of use of premises including conceptual design for any associated works that require approval under the planning scheme.
The subject land For the definition of "gross floor area" go to the planning scheme against which the application will be assessed.	2. How the subject land is identified in the planning scheme (name the zone, precinct etc.) COMMERCIAL FRAME PRECINCT 3. Existing gross floor area: (if applicable) 4. Are there any existing easements on the land? ☒ NO ☐ YES - attach plans of the location and details of the purpose of the easement
Material change of use details	5. Details of the change to the use of the land: (eg. vacant land to shopping centre, house to apartment building, vacant land to industry (tyre manufacturing) etc.) VACANT RETAIL TO NEW RETAIL 6. Number of employees: 7. Operating days and hours:
Associated building works details (if applicable) For the definition of "site cover", "gross floor area" and "storey" go to the planning scheme against which the application will be assessed.	8. Site cover: 26% 9. Gross floor area: 118 m ² 10. Number of on-site car parking spaces: 23 11. Number of storeys / maximum height above natural ground: ONE - 5.8m 12. Number of employees 13. Hours and days the use will operate
Associated operational works details (if applicable)	14. Details of associated operational works (eg. landscaping, cut and fill, drainage, road works etc.) EXTENDED LANDSCAPING

PLEASE NOTE

This application **cannot** be accepted unless accompanied by Part A of Form 1.

The assessment manager may refuse to accept an application that, at the time of lodgement, fails to provide all applicable information requested by Part A and any other relevant part of Form 1.

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED		REFERENCE NUMBER/S	
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Form 1 Development Application

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Referrals checklist

Completion of **all questions** on the Referrals Checklist is **mandatory** for all applications, other than those requiring the completion of Parts A & B only.

It is the responsibility of the applicant to work with the assessment manager to correctly identify if an application involves referral to an IDAS referral agency for their assessment and determination, or comment and / or the coordination of any information request by the Chief Executive DLGP through the referral coordination process. The checklist contains a number of questions to aid in this determination. If your application does involve referral, the assessment manager will confirm in the acknowledgement notice the referral actions required. To assist you in answering the following questions a series of guides are available free from www.ipa.qld.gov.au.

REFERRALS THAT CAN APPLY TO DEVELOPMENT

- other than building work assessable against the Standard Building Regulation 1993

Environmentally relevant activity

For more information refer to [Guide 4](#), schedule 8A of the IPA & schedule 2 of the IP Regulation.

Unless you answered "none of the above" to Q1, the application requires assessment by the administering authority¹. If an agency other than the administering authority is the assessment manager for the application, the administering authority is a concurrence agency for the application in relation to this matter.

Note: An application involving ERA 19 and/or 20 will also require completion of Part K₁ of Form 1 for approval **where** an allocation under the Water Act 2000 is required.

1. The application involves (tick applicable box/es) -

- ☐ (i) an environmentally relevant activity (ERA) for which a code for environmental compliance has **not** been made - complete Part G of Form 1
- ☐ (ii) a mobile or temporary ERA for which a code of environmental compliance has **not** been made - complete Part G of Form 1
- ☒ (iii) none of the above

State-controlled road matters

For more information refer to [Guide 3](#), schedule 8A of the IPA & schedule 2 of the IP Regulation.

Unless you answered "none of the above" to Q2, the application triggers referral to Main Roads as referral agency.

In certain circumstances Main Roads will be an advice agency, while in other circumstances Main Roads will be a concurrence agency. Schedule 2 of the IP Regulation will assist you to determine where Main Roads is an advice or concurrence agency for the application.

2. The application involves development on land: (tick applicable box/es) -

(a) **contiguous**² to a State controlled road that is for -

- ☒ (i) a material change of use assessable against the planning scheme;
- ☐ (ii) reconfiguring a lot - unless the number of lots does not increase and the number of lots abutting the State-controlled road does not increase;
- ☐ (iii) operational work not associated with a material change of use assessable against the planning scheme or reconfiguring a lot that-
 - is associated with access to a State-controlled road;
 - is for filling or excavation;
- ☐ (iv) operational work or building work (for a non-residential purpose and not associated with an assessable reconfiguration or a material change of use assessable against a planning scheme) that involves the redirection or intensification of site stormwater from the site, through a pipe with a cross-sectional area greater than 250mm² that directs stormwater to a State-controlled road;

(b) **not contiguous** to a State-controlled road that is -

- ☐ (iv) proposed within a local government area that has a transitional planning scheme and is for development -
 - mentioned in schedule 5 of the IP Regulation and exceeds the thresholds set in that schedule
- ☐ (v) proposed within a local government area that has an IPA planning scheme and is for development -
 - mentioned in schedule 5 of the IP Regulation and exceeds the thresholds set in that schedule
 - inconsistent with plans for State-controlled road infrastructure

(c) ☐ none of the above

¹ The administering authority may be either the Environmental Protection Agency, the relevant local government (for a devolved ERA) or the Queensland Department of Primary Industries and Fisheries (for a delegated ERA).

² Land contiguous to a State-controlled road is defined in schedule 14 of the IP Regulation to mean land if part of the land is within 100m of the State-controlled road or land that is part of a future State-controlled road)

<p>Clearing vegetation</p> <p>For more information refer to <u>Guide 12</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation.</p> <p>Unless you answered "none of the above" to Q3, the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p>	<p>3. The application involves: (tick applicable box) -</p> <p>☐ (a) operational work for the clearing of native vegetation where the vegetation clearing is made assessable under Schedule 8 of the IPA - complete Part J of Form 1</p> <p>☐ (b) a material change of if -</p> <p>(i) the lot contains -</p> <ul style="list-style-type: none"> a category 1, 2 or 3 area shown on a property map of assessable vegetation; or if there is no property map of assessable vegetation for the lot - remnant vegetation; & <p>(ii) the existing use of the land is a rural or environmental use; and</p> <p>(iii) the size of the land is 2 hectares or larger - complete Part J of Form 1</p> <p>☐ (c) reconfiguration of a lot if -</p> <p>(i) the lot contains -</p> <ul style="list-style-type: none"> a category 1, 2 or 3 area shown on a property map of assessable vegetation; or there is no property map of assessable vegetation for the lot - remnant vegetation; & <p>(ii) the size of the lot before the reconfiguration is 2 hectares or larger; and</p> <p>(iii) 2 or more lots are created; and</p> <p>(iv) the size of any lot created is 25 hectares or smaller - complete Part J of Form 1</p> <p>☐ (d) none of the above</p>
<p>Strategic port land</p> <p>For more information refer to <u>Guide 11</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation.</p> <p>If you answered "YES" to Q4, the relevant Port Authority is the assessment manager and Queensland Transport is a concurrence agency for the application.</p>	<p>4. Does the application involve a material change of use on strategic port land that is inconsistent with the approved land use plan under the <i>Transport Infrastructure Act 1994</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part I of Form 1</p>
<p>Acid sulfate soils</p> <p>For more information refer to <u>Guide 10</u> & schedule 2 of the IP Regulation.</p> <p>Unless you answered "none of the above" to Q5, the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is an advice agency for the application in relation to this matter.</p>	<p>5. The application involves assessable development (other than building work only assessable against the <i>Standard Building Regulation</i>) on land situated in an identified⁴ local government area and where the surface of the land is: (tick applicable box) -</p> <p>☐ (i) below 20m AHD⁵ and the development involves the excavation of 1000m³ or more of soil or sediment at or below 5m AHD; or</p> <p>☐ (ii) at or below 5m AHD and the development involves filling the site with 1000m³ or more of material</p> <p>☒ (iii) none of the above</p>
<p>Major hazard facilities or possible major hazard facilities</p> <p>For more information refer to <u>Guide 17</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation.</p> <p>If you answered "YES" to Q6, the application requires assessment by DES⁶. If an agency other than DES is the assessment manager for the application, DES is a concurrence agency for the application in relation to this matter.</p>	<p>6. Does the application involve a material change of use for a major hazard facility or possible major hazard facility as defined under the <i>Dangerous Goods Safety Management Act 2000</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part L of Form 1</p>
<p>Water related development</p> <p>For more information about items (i) - (iv), refer to <u>Guide 15</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation.</p> <p>For more information about item (v), refer to <u>Guide 14</u> Does my application involve assessment of a referable dam?, schedule 8A of the IPA & schedule 2 of the IP Regulation.</p> <p>Unless you answered "none of the above", the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p>	<p>7. The application involves:</p> <p>☐ (a) operational work that is: (tick applicable box/es)</p> <p>☐ (i) in a watercourse (eg. a pump, gravity diversion, stream re-direction, weir or dam)</p> <p>☐ (ii) for an artesian bore anywhere in the State, no matter what the use</p> <p>☐ (iii) for a subartesian bore, in declared groundwater area⁷, for use for purposes other than stock and/or domestic use</p> <p>☐ (iv) for a subartesian bore, in certain declared groundwater area, for use for stock and/or domestic purposes</p> <p>☐ (v) for a referable dam⁸</p> <p>☐ (vi) for taking overland flow water;</p> <p>☒ (b) none of the above.</p>

³ Department of Natural Resources and Mines

⁴ The identified local government areas are: Aunukun, Bowen, Brisbane, Broadsound, Bundaberg, Burdekin, Burke, Burnett, Caboolture, Cairns, Calliope, Caloundra, Cardwell, Carpentaria, Cook, Cooolool, Douglas, Fitzroy, Gladstone, Gold Coast, Hervey Bay, Hinchinbrooke, Isis, Johnstone, Livingstone, Logan, Mackay, Maroochy, Maryborough, Mirium Vale, Mornington, Noosa, Pine Rivers, Redcliffe, Redland, Rockhampton, Sarina, Thuringowa, Tiaro, Torres, Townsville, Whitsunday.

⁵ Australian Height Datum (AHD)

⁶ Department of Emergency Services

⁷ The declared ground water areas are listed in Guide 13 Development in a declared catchment area

⁸ Referable dam is defined under the *Water Act 2000*

<p>Removal of quarry material from a watercourse</p> <p>For more information refer to <u>Guide 16</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q8, the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p> <p>Note: Part G of Form 1 is required to be completed as the activity of removing quarry material from a watercourse is also an Environmentally Relevant Activity (ERA).</p>	<p>8. Does the application involve development for the removal of quarry material from a watercourse⁹ under an allocation notice given under the <i>Water Act 2000</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part K₇ and G of Form 1</p>
<p>Operational works in a tidal area or coastal management district</p> <p>For more information refer to <u>Guide 18</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q9, the application requires assessment by EPA. If an agency other than EPA is the assessment manager for the application, EPA is a concurrence agency for the application in relation to this matter.</p>	<p>9. Does the application involve operational works in a tidal area or coastal management district as defined under the <i>Coastal Protection and Management Act 1995</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part M of Form 1</p>
<p>Tidal works and coastal management</p> <p>For more information refer to <u>Guide 18</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above", the application triggers referral to QT¹⁰ (Maritime Safety Qld) as concurrence agency.</p>	<p>10. The application involves operational work that is: (tick the applicable box/es)</p> <p>☐ (i) tidal work¹¹ - complete Part M of Form 1</p> <p>☐ (ii) disposing of dredge spoil or other solid material in tidal water - complete Part M of Form 1</p> <p>☐ (iii) reclaiming land under tidal water - complete Part M of Form 1</p> <p>☐ (iv) constructing a canal¹² if the canal is associated with reconfiguring a lot - complete Part M of Form 1</p> <p>☒ (v) none of the above.</p>
<p>Coastal management</p> <p>For more information refer to <u>Guide 18</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above", the application requires assessment by EPA. If an agency other than EPA is the assessment manager for the application, EPA is a concurrence agency for the application in relation to this matter.</p>	<p>11. The application involves: (tick the applicable box/es)</p> <p>☐ (i) a material change of use involving operational work carried out completely or partly in a coastal management district¹³ and assessable under a planning scheme</p> <p>☐ (ii) a material change of use involving building work carried out completely or partly in a coastal management district and assessable under a planning scheme that is -</p> <ul style="list-style-type: none"> the construction of a new premises with a GFA¹⁴ of at least 1000m² the enlargement of the GFA of an existing premises by more than 1000m² <p>☐ (iii) assessable reconfiguration of a lot where the land is situated completely or partly in a coastal management district - complete Part M of Form 1</p> <p>☐ (iv) assessable reconfiguration of a lot¹⁵ in connection with the construction of a canal - complete Part M of Form 1</p> <p>☒ (v) none of the above</p>
<p>Development below high water mark</p> <p>For more information refer to <u>Guide 18</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q12, the application triggers referral to the Port Authority. The Port Authority is concurrence agency if the development is -</p> <ul style="list-style-type: none"> within 200m of a shipping channel or an entry and exit shipping corridor for the port within 1000m of a swing basin, a commercial shipping wharf, a mooring, anchorage or spoil grounds; within 1000m of a planned port facility identified in a land use plan approved under the <i>Transport Infrastructure Act 1994</i>. <p>In all other situation the Port Authority is advice agency.</p>	<p>12. Does the application involve development below high water mark¹⁶ and within the limits of a port under the <i>Transport Infrastructure Act 1994</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part M of Form 1</p>
<p>Marinas</p> <p>For more information refer to <u>Guide 18</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q13, the application triggers referral to Queensland Fire and Rescue Service as an advice agency.</p>	<p>13. Does the application involve operational work that is tidal work for a marina¹⁷ with more than 6 vessel berths?</p> <p>☒ NO</p> <p>☐ YES - complete Part M of Form 1</p>

⁹ Watercourse is defined in sch 10 of the IPA

¹⁰ Queensland Transport

¹¹ Tidal work is defined in sch 10 of the IPA

¹² Canal means canal as defined under the *Coastal Protection and Management Act 1995*

¹³ Coastal management district is defined in sch 10 of the IPA and means a coastal management district under the *Coastal Protection and Management Act 1995*, other than an area declared as a coastal management district under section 47(2) of that Act

¹⁴ GFA is defined in sch 14 of the IPA to mean the gross floor area. For a definition of how to calculate GFA, go to the planning scheme against which the application is being assessed. Under s117 of the *Coastal Protection and Management Act 1995*, an application for reconfiguration, where the reconfiguration is associated with the construction of an artificial waterway, must be accompanied by the application for the operational works to construct the artificial waterway.

¹⁶ High water mark is defined in the *Coastal Protection and Management Act 1995* and means the ordinary high water mark at spring tide

¹⁷ Marina is defined in the *Transport Operations (Maritime Pollution) Regulation 1995*

Tidal works in strategic port land tidal areas

For more information refer to Guide 18, schedule 8A of the IPA & schedule 2 of the IP Regulation.
If you answered "YES" to Q14, the relevant port authority is the assessment manager for the application and EPA and Queensland Transport are concurrence agencies for the application.

14. Does the application involve tidal works within the limits of strategic port land tidal areas¹⁸?
- ☒ NO
☐ YES - complete Part M of Form 1

Heritage

For further information refer to Guide 19, schedule 8A of the IPA & schedule 2 of the IP Regulation.
If you answered "YES" to Q15, the application triggers referral to the Queensland Heritage Council as concurrence agency for the application.

15. Does the application involve development in a heritage registered place as defined under the *Queensland Heritage Act 1992*?
- ☒ NO
☐ YES - complete Part C of Form 1

Declared catchment areas

For more information, including a list of the declared catchment areas within Queensland, refer to Guide 13, schedule 8A of the IPA & schedule 2 of the IP Regulation.
Unless you answered "none of the above", the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.

16. The application involves development in an areas declared to be a catchment area under the *Water Act 2000* for: (tick the applicable box/es)
- ☐ (i) reconfiguration of a lot, if any lot resulting from the reconfiguration is less than 16 hectares;
☐ (ii) the establishment or expansion of a waste water disposal system, other than a disposal system for carrying out an environmentally relevant activity under the *Environmental Protection Act 1994*
☒ (iii) none of the above

Contaminated land

Applications involving material change of use and/or reconfiguring a lot may trigger this referral.
For more information refer to Guide 5, schedule 8A of the IPA & schedule 2 of the IP Regulation.
If you answered "YES" to Q17, the application requires assessment by EPA. If an agency other than EPA is the assessment manager for the application, EPA will be a concurrence agency for the application in relation to this matter.

17. This application involves: (tick the applicable box/es) -
- ☐ (a) **reconfiguring a lot** for which all of part of the premises are -
- (i) premises mentioned in the IPA, schedule 8, part 1, table 2 -
 - item 5, including the exemption otherwise provided for by paragraph (d);
 - item 6, including the exemption otherwise provided for by paragraph (e); or
 - item 7,
 - including the exemption otherwise provided for a mining activity or petroleum activity; or
 - (ii) in an area for which an area management advice has been given for unexploded ordnance - complete Part N of Form 1
- ☐ (b) a **material change of use** -
- (i) made assessable under the IPA, schedule 8, part 1, table 2, items 5 to 7; or
 - (ii) if all or part of the premises is in an area for which an area management advice has been given for unexploded ordnance - complete Part N of Form 1
- ☒ (c) none of the above

Electricity infrastructure

For more information refer to schedule 2 of the IP Regulation.
Unless you answered "none of the above", the application triggers referral to the agency to which the easement is granted in favour of as advice agency.

18. The application involves: (tick the applicable box/es)
- ☐ (i) reconfiguration of a lot where any part of the lot is -
- subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* and the easement is for a transmission grid or supply network under that Act; or
 - situated within 100m of a substation site;
- ☐ (ii) a material change of use, assessable against a planning scheme and not associated with reconfiguring a lot if -
- any part of the premises is subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* and the easement is for a transmission grid or supply network under that Act; and
 - any structure or work that is the natural and ordinary consequence of the use is, or will be, located wholly or partly in the easement;
- ☐ (iii) a material change of use, assessable against a planning scheme and not associated with reconfiguring a lot if any part of the premises is situated within 100m of a substation site
- ☐ (iv) operational work that is filling or excavation, not associated with reconfiguring a lot, if -
- any part of the premises is subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994*; and
 - the work is located wholly or partly in the easement
- ☒ (v) none of the above.

¹⁸ Strategic port land tidal areas are the areas generally 50 meters seaward of high water mark adjacent to strategic port land.

Land designated for community infrastructure

Applications involving development on land designated for community infrastructure may trigger this referral.

For more information refer to schedule 2 of the IP Regulation.

If you answered "YES" to Q19, the application requires assessment by the chief executive of the department administering the Act authorising the development for the designated purpose. If an agency other than the designator is the assessment manager for the application, the designating agency will be a concurrence agency for the application in relation to this matter.

19. Does the application involve development on land designated for community infrastructure –

- (i) intended to be supplied by a public sector entity; and
- (ii) on land not owned by or on behalf of the State; and
- (iii) other than development –
 - for the designated purpose; or
 - carried out by, or on behalf of, the designator

☒ NO

☐ YES

SEQ Regional Plan

For more information refer to schedule 2 of the IP Regulation.

If you answered "YES" to Q20, the application requires assessment by the chief executive of the department administering the IPA.

20. Does the application involve a material change of use for urban purposes¹⁹ in the SEQ Region²⁰, other than for a single dwelling on an existing lot, for which all or part of the premises, the subject of the development, is in the –

- (i) Regional Landscape and Rural Production Area;
- (ii) Rural Living Area;
- (iii) Investigation Area; or
- (iv) Mt Lindesay/North Beaudesert Investigation Area, unless the premises is designated or zoned for urban purposes in the relevant planning scheme.

☒ NO

☐ YES

Referral coordination

An Information request requires referral coordination if the application involves –

- (i) 3 or more concurrence agencies; or
- (ii) a facility or area assessable under a planning scheme and prescribed in schedule 7 or 8 of the IP Regulation; or
- (iii) development which is subject to an application for preliminary approval mentioned in section 3.1.6 of the IPA.

For more information go to Guide 2 & Guide 6.

21. Does the application trigger referral coordination?

☒ NO

☐ YES, as the application:

- ☐ (i) triggers 3 or more concurrence agencies;
- ☐ (ii) involves a facility made assessable under a planning scheme and prescribed in schedule 7 of the IP Regulation;
- ☐ (iii) involves development made assessable under a planning scheme and in an area prescribed in schedule 8 of the IP Regulation;
- ☐ (iv) is for a preliminary approval mentioned in section 3.1.6 of the IPA

Referral agency responses prior to lodgement

Under section 3.3.2 of IPA a referral agency may give a referral agency response on a matter within its jurisdiction about a proposal before an application for the proposal is made to the assessment manager.

This is commonly the case where an application requires referral to a building referral agency (eg. Old Fire and Rescue Service).

22. Did a referral agency give a referral agency response under s3.3.2 of the IPA before the application was made to the assessment manager?

☒ NO

☐ YES - attach a copy of the referral agency/s response/s

PLEASE NOTE:

The assessment manager may refuse to accept an application, which, at the time of lodgement, fails to provide the completed Referrals Checklist (if applicable).

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED	REFERENCE NUMBER/S
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¹⁹ Urban purposes is defined in schedule 10 of the IPA. To make it clear, urban purposes does not include rural residential purposes as defined in schedule 2 of the Draft South East Queensland Regional Plan

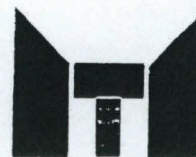
²⁰ Local Governments within the SEQ Region are identified in the Draft South East Queensland Regional Plan as Beaudesert Shire, Boonah Shire, Brisbane City, Caboolture Shire, Caloundra City, Esk Shire, Gatton Shire, Gold Coast City, Ipswich City, Kilcoy Shire, Laidley Shire, Logan City, Maroochy Shire, Noosa Shire, Pine Rivers Shire, Redcliffe City, Redland Shire and Toowoomba City.

BUILDING REFERRALS (advice only)

Below is a list of the referrals that can apply to an application involving building work assessable against the Standard Building Regulation. This information is provided for **advice purposes only** and this section of the referrals checklist if **not** required to be completed and lodged with an application.

Fire safety For more information go to schedule 2 of the IP Regulation	1. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system.
Fire safety for budget accommodation For more information go to schedule 2 of the IP Regulation	2. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system for a budget accommodation building.
Spray painting For more information go to schedule 2 of the IP Regulation	3. An application may trigger referral to the Chief Executive under the <i>Workplace Health and Safety Act 1995</i> as a concurrence agency in the application involves a workplace incorporating spray painting.
Retail meat premises For more information go to schedule 2 of the IP Regulation	4. An application may trigger referral to Safe Food Qld as a concurrence agency if the application involves a retail meat premises.
Private health facilities For more information go to schedule 2 of the IP Regulation	5. An application may trigger referral to the Chief Executive under the <i>Health Act 1937</i> as a concurrence agency is the application involves a private health facility.
Workplace area less than 2.3m² For more information go to schedule 2 of the IP Regulation	6. An application may trigger referral to the Chief Executive under the <i>Workplace Health and Safety Act 1995</i> as an advice agency if the application involves a work place area less than 2.3m ² .
Land contiguous to a State-controlled road For more information go to schedule 2 of the IP Regulation	7. An application may trigger referral to the Chief Executive under the <i>Transport Infrastructure Act 1994</i> as a concurrence agency or advice agency if the application involves land contiguous to a State-controlled road.
Pastoral workers accommodation For more information go to schedule 2 of the IP Regulation	8. An application may trigger referral to the Chief Executive under the <i>Pastoral Works' Accommodation Act 1980</i> as a concurrence agency is the application involves pastoral workers accommodation.
Child care centre For more information go to schedule 2 of the IP Regulation	9. An application may trigger referral to the Chief Executive under the <i>Child Care Act 2002</i> as a concurrence agency if the application involves a child care centre.
Coastal development For more information go to schedule 2 of the IP Regulation	10. An application may trigger referral to the Chief Executive under the <i>Coastal Protection and Management Act 1995</i> as a concurrence agency if the application involves land completely or partly seaward of a coastal building line ²¹ .
Heritage For more information go to schedule 2 of the IP Regulation	11. An application may trigger referral to the Heritage Council as a concurrence agency if the application involves a heritage registered place.

²¹ Coastal building lines are prescribed under the *Coastal Protection and Management Act 1995*.



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UPSS Precision Test Report

23rd July 2004

Mobil Toowoomba Nth QL3825
 Cnr Ruthven St & Bridge St
 Toowoomba Nth QLD 4350

Test Date: 19th, 20th & 21st July 2004
 Reason for Test: Due Diligence
 Customer Contact: ExxonMobil, Vaughan Griffiths

Executive Summary

After some work all tanks and lines have passed the tests.

There are no recommendations. It has been shown that the entire tank system meets the USEPA requirements for leak detection using precision testing methods.

RTI DL RELEASE - EHP

Release

**IT Environmental**

Phase 2 Environmental Site Assessment (August 2003)
Former Mobil Toowoomba Service Station, Toowoomba North, QLD (QL3825)

Executive Summary

IT Environmental (Australia) Pty Ltd (IT) were commissioned by Mobil Oil Australia Pty Ltd (Mobil) to undertake a Phase 2 Environmental Site Assessment (ESA) at the Former Mobil Toowoomba Service Station (QL3825), located at the corner of Bridge, Ruthven and Vale Streets, Toowoomba North, Queensland (the site).

The purpose of this Phase 2 ESA was to determine whether previous activities conducted at the site have impacted upon soil and/or groundwater underlying the site, and to evaluate any potential risk to human health and/or the environment.

Site activities were conducted between 26 August 2003 and 3 September 2003 and involved the completion of ten soil bores, and installation and sampling of five groundwater monitoring wells.

The results of the Phase 2 ESA indicated the following.

- The site is currently closed but was used for the purpose of storing and selling of petroleum products since 1959. Prior to this, the site was vacant.
- The general soil profile of the site consists of clays and clay overlying interbedded gravelly clay and highly weathered rock.
- Hydrocarbon impact was not reported above the nominated ILs in any of the soil bores.
- No other target analytes were reported above the nominated ILs in any of the soil bores.
- Low levels of TPH impact (260mg/kg) were reported in SB3 at a depth of 0.5 mbgs.
- Groundwater was encountered during drilling works at depths ranging between 7.5 to 8.4mbgs. Static water levels ranged between 6.251 to 7.344mbTOC. Based on the information collected during this investigation, groundwater is interpreted to flow to the south-west at a seepage velocity of between 0.10 and 10 m/year. Regional groundwater is expected to flow to the west towards Gowrie Creek.
- Hydrocarbon impact was not reported in groundwater in any of the monitoring wells sampled.
- Mercury was reported in concentrations equal to the ILs in the groundwater sample collected from MW4, which is situated in the south-western corner of the site.
- Water quality parameters measured at the site suggest that the groundwater is of a quality that could support microbes capable of hydrocarbon biodegradation.

A qualitative risk assessment of the complete potential exposure pathways identified concluded the following.

- The impact reported during this investigation is unlikely to result in adverse health effects or environmental consequences.

Risk management options include the following.

- Annual groundwater monitoring of all on-site wells to indicate if there are any future hydrocarbon impacts to the groundwater beneath the site.



IT Environmental

Phase 2 Environmental Site Assessment (August 2003)
Former Mobil Toowoomba Service Station, Toowoomba North, QLD (QL3825)

- Employing appropriate confined space entry and occupational and health safety procedures during any on-site excavations.

Based on the Tier 1 qualitative assessment, the site is considered suitable for ongoing use as a petroleum retail outlet and storage facility.

RTI DL RELEASE - EHP