

Enquiries: Tanya Duggan
Contact: Toowoomba Office, 4688 6357
Our Reference: RAL/2008/7016



6 April 2010

Department of Environment and Resource Management
Administration Officer
Implementation and Support Unit
PO Box 15155
CITY EAST QLD 4002

CONTAMINATED
LAND SECTION

15 APR 2010

Dear Sir/Madam,

Development Approval for: Reconfiguring a Lot - 2 Lot Boundary Realignment
Location: 251-253 Bridge Street, NEWTOWN QLD 4350
Property Description: L16/RP62180:PAR DRAYTON, L17/RP62180:PAR DRAYTON

Toowoomba Regional Council
PO Box 3021
Toowoomba Village Fair QLD 4350
T 07 4688 6611 F 07 4631 9292
E info@toowoombaRC.qld.gov.au
W www.toowoombaRC.qld.gov.au

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

Yours faithfully

sch4p4(6) Personal
information

Nathan Bright
Acting Principal Planner, Development Assessment

SERVICE CENTRES

CLIFTON

95 King Street
Clifton Q 4361

T 07 4697 4222

CROWS NEST

25 Emu Creek Road
Crows Nest Q 4355

T 07 4698 1155

GOOMBUNGEE

89 Mocatta Street
Goombungee Q 4354

T 07 4696 7900

GREENMOUNT

54 Hodgson Street
Greenmount Q 4359

T 07 4697 0200

HIGHFIELDS

O'Brien Road
Highfields Q 4352

T 07 4630 8925

MILLMERRAN

2-16 Campbell Street
Millmerran Q 4357

T 07 4695 1399

OAKEY

64 Campbell Street
Oakey Q 4401

T 07 4691 1388

PITTSWORTH

85 Yandilla Street
Pittsworth Q 4356

T 07 4619 8000

TOOWOOMBA

153 Herries Street or
543 Ruthven Street
Toowoomba Q 4350

T 07 4688 6611

ABN 99 788 305 360

RECEIVED
08 APR 2010
ECSU

Enquiries: Tanya Duggan
Contact: Toowoomba Office, 4688 6357
Our Reference: RAL/2008/7016

**Development Application Decision Notice
APPROVAL**

Integrated Planning Act 1997 Section 3.5.15

6 April 2010

Byrne Surveyors
PO Box 861
TOOWOOMBA QLD 4350

Dear Sir/Madam,

Location: 251-253 Bridge Street, NEWTOWN QLD 4350
Property Description: L16/RP62180:PAR DRAYTON, L17/RP62180:PAR DRAYTON
Relevant Planning Scheme: Toowoomba Planning Scheme 2003

The Development Application for Reconfiguring a Lot for a 2 Lot Boundary Realignment for the abovementioned property has been assessed and approved with Conditions. The decision was made on 30 March 2010. The following provides all the relevant details:

Details of Approval

Development Permit – Reconfiguring a Lot- 2 Lot Boundary Realignment

Referral Agencies

Concurrence Agencies Name & Address: Administration Officer
Implementation and Support Unit
Department of Environment and
Resource Management
PO Box 15155
CITY EAST QLD 4002

Advice Agencies Name & Address: N/A

Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1

Concurrence Agency Conditions: As per attached Schedule 2

Further Development Permits Required

- Building Works
- Plumbing and Drainage Works

Rights of Appeal

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

Yours faithfully

COPY

.....
Nathan Bright
Acting Principal Planner, Development Assessment

EHP RTI DL Release

SCHEDULE 1

DEVELOPMENT PERMIT FOR RECONFIGURING A LOT

APPLICATION NUMBER:	RAL/2008/7016
APPLICANT:	Byrne Surveyors
LOCATION:	251-253 Bridge Street, NEWTOWN QLD 4350
PROPERTY DESCRIPTION:	L16/RP62180:PAR DRAYTON, L17/RP62180:PAR DRAYTON
APPROVED USE:	2 Lot Boundary Realignment
ZONING:	Mixed Housing

A. ASSESSMENT MANAGER'S CONDITIONS:

Approved Plan

- The development shall be carried out in accordance with Proposal Plan No. 08/278B, titled "Proposed Boundary Realignment, Lots 16 & 17, Cancelling Lot 16 & 17 on RP62180", prepared by Byrne Surveyors, dated 17 March 2009.

Compliance with Conditions

- Unless otherwise stated all conditions must be completed prior to occupation or commencement of use of the proposed development or as determined by the Manager, Development Assessment.

Landscaping

- Landscaping must be carried out 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, head 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;
 - To provide adequate vehicle sightlines and road safety; and
 - To break up any strong linear forms used in the house.
- Landscaped areas must be maintained, and the subject land must remain in a clean and tidy state at all times.

5. All declared weeds and pests must 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.
6. Any new landscaping provided must consist mainly of drought tolerant plants appropriate to the location on the subject land.

Fencing

7. Except where existing, 1.8m high solid screen fences must be provided along all boundaries of the subject land, forward of the building line.
8. Fencing forward of the building line must:
 - 8.1 Not exceed 1.2 metres in height if solid; or
 - 8.2 Not exceed a height of 1.5 metres where it achieves a minimum transparency of 50%.
9. Fences along the street frontages of the subject land are not to exceed a continuous length of 15m without articulation or detailing such as panel inserts, recessed planter beds, changes in materials, colours and or textures to provide visual interest to the street.
10. Fencing material must be compatible with that used in the locality. For the purposes of this condition, the locality includes all properties either side of the street within the residential block (ie that section of the street between two street entrances) that the subject land is located. In addition, existing fencing on the boundaries of the subject land must be replaced, where required, to match the materials and style of the fence provided for the development.
11. The total cost of new fencing to meet the requirements of this condition, must be met by the developer.
12. Boundary fences are not to be erected in a parallel arrangement with existing fences erected along the same boundary. That is, the existing fence must be completely removed.

Note: This requirement is applied to prevent the creation of an area unable to be maintained between two fences that may attract or harbour vermin, pests and rubbish.
13. Fences must be maintained in a good state of repair and to ensure that privacy is maintained between tenancies and adjoining properties.

Water Supply

14. A separate water supply must be provided for each of the proposed lot/s.
15. Water service connections (including water meters as necessary) must be provided for each lot prior to commencement of any building works on the relevant lot/s

Sewerage

16. A connection to the existing Council sewer must be maintained for each allotment. Each connection and house drainage pipework shall be located within the boundaries of the allotment it serves and shall be a minimum 1.0m clear of the new boundaries.
 - 16.1 Should the existing connection require relocation to comply with these requirements, the applicant must contact Council to arrange a quote for the works to be carried out;

- 16.2 Should the existing connection and house drainage comply with these requirements, certification of the boundary clearances by a licensed surveyor is required to demonstrate compliance with this condition; and
- 16.3 Any works on Council's existing 'live' sewers is to be carried out by Council at the developer's expense.
- 17. If Council is engaged to carry out any or all of the works required by Condition 3 above, payment of the quotation amount shall be made prior to Council sealing the Plan of Survey.

Stormwater Discharge

- 18. Stormwater from roofed and sealed areas (both existing and future) on proposed Lots 16 and 17 shall be picked up and discharged by way of sealed underground pipe to Council's 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.

Other Services

- 19. As the property is located in a residential zone, the applicant is to satisfy Council that electricity is available to serve the proposed parcels of land, or that an agreement exists between the applicant and the Electricity Authority, prior to the sealing of the Plan of Survey. Should the Electricity Authority require the provision of a pole to make a suitable connection, the cost of providing this pole will be met by the developer and be provided prior to the endorsing of the Plan of Survey.

Earthworks/Retaining Walls

- 20. Any future development on Lot 17 must be undertaken in accordance with the Development Works Code 9.1. *Excavation and/or Filling*, unless otherwise approved by Council.

Location/Damage To Services and Assets

- 21. All services/assets which may be affected by the proposed development, both above and below the ground, must 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.
- 22. Any costs to repair damage caused to any Council asset as a result of the proposed development must 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 Traffic Signs and Parking Bays

- 23. Any removal or modification of any existing Council traffic signs and/or parking bays must be undertaken at the developer's expense, and will require the separate written approval of Council's Traffic Officer (Phone 07 4688 6423), prior to the commencement of the works.

Pedestrian Footpaths

- 24. Safe pedestrian access along Council's footpath/s must be maintained at all times. Should access to the footpath/s need to be restricted, a separate Hoarding Permit shall be obtained from Council's Traffic Officer (Ph 07 4688 6423), prior to the commencement of the works.

Provision Of Vehicular Access and Parking

25. Two (2) sealed car parks, one (1) of which must be covered, shall be provided for Lots 16 and 17 prior to Council endorsing the Plan of Survey.
26. Vehicular property access to Bridge Street or Hillview Avenue must be sealed from the street kerb to the property boundary. The accesses shall be designed by a Registered Professional Engineer and shall include the provision of adequate access width, suitable tapers, flares, and/or radiused turnouts and any necessary signage, line marking or other devices to suit the proposed entry and exit manoeuvres. The following will also apply:
 - 26.1 Both sides of the proposed property accesses shall join neatly in line and level to the pedestrian footpath/verge with a maximum of 2.5% crossfall for pedestrian movement across the access;
 - 26.2 The proposed accesses must 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; and
 - 26.3 Any existing unnecessary property access is to be removed, the kerb reinstated to suit the existing kerb, and the footpath area reinstated to suit existing / with grass seeded topsoil or turf.
27. 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).

Note: Car parking for future development on Lots 16 and 17 must be in accordance with the requirements of 9.2 Parking, Transport & Servicing Code.

Building Over/Near Council Services

28. Any future construction carried out near existing Council services must 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)*. The following will apply:
 - 28.1 Any works on Council's existing 'live' sewers is to be carried out by Council at the developer's expense;
 - 28.2 The Council sewer/s are to be located accurately prior to the commencement of building works and all piers/foundations for all new structures positioned a minimum of 750mm clear of the Council sewer, (2500mm clear from the centre of the existing sewer manhole). Structural protection shall be provided for the Council sewer in accordance with the above Code;
 - 28.3 A minimum horizontal clearance of 750mm must be maintained to any part of the proposed structure/s less than 4.0m in height; and
 - 28.4 A minimum of 2500mm radius of clear level area must be maintained around any Council sewer manhole upon completion of the works. Council shall carry out any alterations required to the sewer manhole to suit finished levels for the development at the developer's expense.

Erosion And Sedimentation Control

29. All works necessary to control erosion and sedimentation and/or the loss and movement of soil during the period of construction must be provided. Such works must 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 must be mulched or turfed/grassed as soon as possible during construction. The following issues will require attention: -
- 29.1 Erosion and sedimentation controls must 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;
- 29.2 Measures must be put in place to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project;
- 29.3 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; and
- 29.4 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 must be at the developer's expense. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.

Miscellaneous

30. Upon confirmation of property boundaries, any trees, fences, signage or any other structure, which encroaches into the road reserve, must be removed or suitably relocated.
31. Privet and/or celtus must be removed, to Council's satisfaction, from the proposed lots and must be kept clear of such nuisance varieties at the time of Council endorsing the Plan of Survey.
32. All rates and charges levied on the subject land by Council are required to be paid prior to Council endorsing the Plan of Survey.

B. ADVICES

Advice Code	Advice Statement	Timing	Contact
A001	Advice	Prior commencement of use and following development.	
	Fire Ants 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 <i>Plant Protection Act 1989</i> apply. Developers must ensure compliance with statutory provisions.		

A002	Advice	During and following development.	
	Disposal of Construction & Demolition Material		
	Construction and demolition material must be lawfully disposed of with regard to the <i>Environmental Protection (Waste Management) Regulation 2000</i> .		
A003	Advice	Prior to commencement of use	
	When Approval Takes Effect		
	This approval takes effect in accordance with the provisions of section 3.5.19 of the Integrated Planning Act 1997		
A004	Advice	Prior to commencement of use	
	When Approval Lapses (Material Change of Use, Reconfiguration of Lot, Building Works and Operational Works)		
	This approval will lapse in 2 years in accordance with the provisions contained in Section 3.5.21 of the <i>Integrated Planning Act 1997</i> , unless otherwise stated in the conditions of Development Approval.		
A005	Advice	Prior to commencement of the use	
	Rainwater Tanks for Class 1 Buildings		
	The rainwater tank provisions for Class 1 Buildings are contained in the Queensland Development Code (QDC).		
A006	Advice	Prior to commencement of the use	
	Rainwater Tanks (Building Works and Operational Works)		
	Council has recognised the value of collecting rainwater as a supplementary water source. Therefore, while it is not a requirement for this development permit, it is highly recommended that an adequately sized rainwater tank/s is installed for the development.		
A007	Advice	Prior to the commencement of the use and following development	
	Rebates for Rainwater Tanks		
	Council currently offers a \$500 rebate for rainwater tanks that are not compulsory. To be eligible for the rebate, the tank must have a capacity of at least 5,000 litres and be connected to at least one toilet cistern and garden tap (of each dwelling unit).		
A008	Advice	Prior commencement of use and following development.	
	Water Reuse/Recycling Within the Development		
	Council recognises the value and importance of water. In this regard it is recommended that the development incorporate a waste water treatment system to capture and recycle water for reuse within the development, particularly for landscaping areas and wash down/cleaning of plant and equipment.		

A009	<p>Advice</p> <p>Building Approval Required for Certain Fences and Retaining Walls</p> <p>A fence or retaining wall more than 1.0 metres in height from natural ground level may require a Development Permit for Operational Work or Building Work. This includes the total height of a fence erected on top of a retaining wall.</p>	Prior to commencement of use	
A010	<p>Advice</p> <p>Construction Waste Management and Storage</p> <p>(A) Waste generated whilst undertaking works on the Site must be disposed of at an approved waste disposal facility either directly or via an approved waste receptacle and collection service. Under no circumstances are:</p> <ul style="list-style-type: none"> (i) fires to be lit to dispose of waste; or (ii) wastes to be used as fill or buried on-site, where waste materials include: (iii) 'regulated waste' (as defined for the purposes of the <i>Environmental Protection Act 1994</i>); <ul style="list-style-type: none"> ☐ construction/demolition waste; ☐ domestic clean-up waste; ☐ domestic waste; ☐ garden waste; ☐ concrete/builders rubble; and ☐ vegetation. <p>(B) Goods and materials must not be placed or stored within the road reserve at anytime.</p>	During construction phase of development	
A011	<p>Advice</p> <p>Aboriginal Cultural Heritage</p> <p>It is advised that under <i>Section 23 of the Aboriginal Cultural Heritage Act 2003</i>, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available from the Department of Environment and Resource Management.</p>	Prior to commencement of use	

A012	Advice	Prior to commencement of use	
	Contaminated Land		
	<p>Under section 371 of the <i>Environmental Protection Act 1994</i> there is an obligation on the owner or occupier of land to notify the administering authority if the owner or occupier of land becomes aware that (1) a notifiable activity is being carried out on the land; or (2) the land has been, or is being, contaminated by a contaminant the owner or occupier knows is a hazardous contaminant.</p> <p>The owner or occupier must, within 22 business days after becoming aware the activity is being carried out, give notice under the subsection to the administering authority in the approved form.</p> <p>Alternatively, the owner or occupier must, within 22 business days after becoming aware the land has been, or is being, contaminated, give notice under the subsection to the administering authority in the approved form.</p> <p>Penalties exist with respect to a person's non-compliance with these obligations.</p>		
A013	Advice	Prior to commencement of the use	
	Buildings		
	<p>The proposed development has only been assessed in accordance with the provisions of the Planning Scheme. No assessment has been made in respect of the provisions of the <i>Building Code of Australia</i> and/or <i>Queensland Development Code</i>.</p>		
A014	Advice	Prior to commencement of the use	
	Further Development Approvals - Integrated Planning Act 1997		
	<p>Further Development Permits, as required by the <i>Integrated Planning Act 1997</i> for work associated with this approval including Building Works, Plumbing and Drainage Works, must be obtained and associated works completed in accordance with those development permits prior to the commencement of the use or as otherwise stated. The further development permits required are also referenced in Section 4 - Further Development Permits Required, of this Decision Notice.</p>		

A015	<p>Advice</p> <p>Environmental Protection Act 1994 - Environmental Management of Use</p> <p>The use must be carried out in accordance with the provisions of the <i>Environmental Protection Act 1994, Environmental Protection Regulations 1998</i> and associated policies <i>Environmental Protection Policies for Air, Water, Noise and Waste Management</i>, to prevent the release of contaminants or environmental harm. The use must comply with the <i>Environmental Protection Act 1994</i>.</p>	Prior to commencement of the use and following development	
A016	<p>Advice</p> <p>Requirements for water-efficient devices in Class 1 and 2 buildings</p> <p>Changes to Part MP 4.1 of the Queensland Development Code (QDC) came into effect on 1 January 2008. These changes require the mandatory retrofit of water efficient devices and toilets in existing Class 1 buildings and sole occupancy units in Class 2 buildings as part of other renovations. Other renovations are any additions or alterations requiring both a building approval and a plumbing approval.</p> <ul style="list-style-type: none"> • Example 1 - An existing house is being lifted to build underneath. The new building includes additional bedrooms and an ensuite. In this instance, existing bathroom(s) and toilet(s) would need to be retrofitted with water efficient devices. • Example 2 - A house may have multiple bathrooms and a major renovation is being carried out on only one of the bathrooms. If the renovation requires a building approval and a plumbing approval - all bathrooms and toilets in the house will be required to be retro-fitted with water efficient devices. 	Prior to issue of Development Permit for Building Works, commencement of the use and following development	
A017	<p>Advice</p> <p>Street Trees</p> <p>Separate written approval from Council will be required for:</p> <ul style="list-style-type: none"> (i) Any removal or modification of any existing Council street tree; (i) Any disturbance of the root system within the drip line of the street tree; and/or (ii) The construction of an access driveway within the drip line of the street tree. 	Prior to commencement of the use and following development	

C. ATTACHED POLICIES AND/OR STANDARDS:

- Approved Development Plans.
- Appeal provisions pursuant to the Integrated Planning Act 1997.
- 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)

EHP RTI DL Release

SCHEDULE 2

CONCURRENCE AGENCY CONDITIONS

DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT

EHP RTI DL Release

**Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response**

This notice is issued by Department of Environment and Resource Management (DERM) Contaminated Land Unit (CLU) in pursuant of the Integrated Planning Act 1997 to advise of a decision or action.

Byrne Surveyors
P O Box 861
TOOWOOMBA QLD 4350
Attn: G Byrne

Cc: Toowoomba Regional Council
PO Box 3021
TOOWOOMBA VILLAGE FAIR QLD 4350
Attn: D Dugdell

Our reference: 332307
File reference: BNE39286

Re: Application (No. RAL/2008/7016) for development approval for assessable development to be carried out at 251-253 Bridge Street, Newtown (Lot 16 on RP62180 & Lot 17 on RP62180)

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, Department of Environment and Resource Management (DERM) – Contaminated Land Unit (CLU) is a concurrence agency for the development application:

- ☒ Item 21, Table 2 of Schedule 2 of the *Integrated Planning Regulation 1998*

DERM-CLU, 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 departments concurrence conditions). DERM-CLU 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 Allen Johns on 3224 5099.

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Personal
information

Signed

04/02/10
Date

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

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- 9 FEB 2010
TOOWOOMBA
REGIONAL COUNCIL

Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response

Concurrence agency response
Sections 3.3.16 and 3.3.18 Integrated Planning Act 1997

Applicant:	Byrne Surveyors
Application Number:	RAL/2008/7016
EPA Permit Numbers:	IPCL01325609
Date application received by EPA:	22 Dec 2009
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Reconfiguration of a Lot
where:

- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.

at the following place(s):

251-253 Bridge Street, Newtown
(Lot 16 on RP62180 & Lot 17 on RP62180)

Response to Development Application

Department of Environment and Resource Management (DERM) – Contaminated Land Unit (CLU), 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

Conditions of the development approval

The reconfiguration of the (Lot 16 on RP62180 & Lot 17 on RP62180) must be in accordance with the survey plan drawing number 08/278 B prepared by Byrne Surveyors, dated 17 March 2009.

Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response

It is a requirement that the applicant notify the Department of Environment Resource Management (DERM) (Contaminated Land Unit) in writing within **5 working days** of the survey plan being endorsed and provide a copy of the registered plan to the DERM (Contaminated Land Unit) to enable the removal of proposed lot 16 from the Environmental Management Register (EMR).

Additional comments or advice about the application

The approval of the reconfiguration of (Lot 16 on RP62180 & Lot 17 on RP62180) does not imply material change of use approval.

Reasons for inclusion of development conditions or refusal

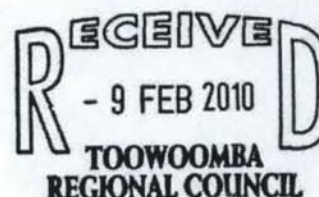
In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

Department of Environment and Resource Management is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. Department of Environment and Resource Management 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 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 ~



**Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response**

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information

Signed

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

Date

EMR/CLR updated 05/10/10

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Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response

Concurrence agency response

Sections 3.3.16 and 3.3.18 Integrated Planning Act 1997

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- ☒ conditions must attach to any development approval

Conditions of the development approval

The reconfiguration of the (Lot 16 on RP62180 & Lot 17 on RP62180) must be in accordance with the survey plan drawing number 08/278 B prepared by Byrne Surveyors, dated 17 March 2009.

Department of Environment and Resource Management (DERM) Contaminated Land Unit (CLU) Concurrence Agency Response

It is a requirement that the applicant notify the Department of Environment Resource Management (DERM) (Contaminated Land Unit) in writing within **5 working days** of the survey plan being endorsed and provide a copy of the registered plan to the DERM (Contaminated Land Unit) to enable the removal of proposed lot 16 from the Environmental Management Register (EMR).

Additional comments or advice about the application

The approval of the reconfiguration of (Lot 16 on RP62180 & Lot 17 on RP62180) does not imply material change of use approval.

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.

Department of Environment and Resource Management is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. Department of Environment and Resource Management 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 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 ~

File Note: DERM-CLU Project No: **332307** File No: **BNE39286**

Thursday, 4 February 2010

Proposal: RoL

Site Address: **251-253 Bridge Street, Newtown**

Property Description: (Lot 16 on RP62180 & Lot 17 on RP62180)

Notifiable Activity: NA 29

Records

The ROL is for boundary realignment. The plan shows that lot 16 will have the UST on it.

Standard conditions and remove lot 16.

Assessor Name: Allen Johns

Sign: sch4p4(6) Personal information

Date: 4/2/2010

Peer Reviewer: Kim Barry

Sign: sch4p4(6) Personal information

Date:

04/02/10

Information Request – EPA as Concurrence Agency

This notice is issued by the Environmental Protection Agency to advise of a requirement to provide additional information under Section 3.3.6 of the Integrated Planning Act 1997

Byrne Surveyors
P O Box 861
TOOWOOMBA QLD 4350
Attn: G Byrne

Cc: Toowoomba Regional Council
PO Box 3021
TOOWOOMBA VILLAGE FAIR QLD 4350
Attn: D Dugdell

Our reference: 332307
File reference: BNE39286

Dear Sir/Madam

EMV updated 16/1/09
Re: Your application for development approval from the Environmental Protection Agency (EPA).

Your application was received by this office on 22-DEC-2008 and has been given the Project Reference Number of 332307.

Permit Type: Concurrence Response for Reconfiguration involving contaminated land
Activity: All or part of the land forming part of the premises is on the environmental management register or contaminated land register
Location: Lot(s) 16 & 17 on Plan RP62180
251 BRIDGE ST

The EPA has now considered the information provided in support of your application, and determined that there is insufficient information to complete a proper assessment. The additional information required by the EPA to further consider your application is outlined in the attached Information Request.

Under the *Integrated Planning Act 1997* Section 3.3.8(1), an applicant receiving an information request from the assessment manager or concurrence agency (the "**requesting authority**") must respond by giving the requesting authority -

- (a) all of the information requested; or
- (b) part of the information requested together with a notice asking the requesting authority to proceed with the assessment of the application; or
- (c) a **notice** -
 - (i) stating that the applicant does not intend to supply any of the information requested; and
 - (ii) asking the requesting authority to proceed with the assessment of application.

Information Request – EPA as Concurrence Agency

Under Section 3.2.12(2)(b), the application lapses if the applicant does not respond to the information request within 12 months.

A response to the information request should be posted to Allen Johns, the Project Manager, at the address below. Please do not hesitate to contact Allen Johns, on the telephone number listed below if you wish to discuss any of these issues or if you require any further information.

Yours sincerely

sch4p4(6) Personal information

Environmental Protection Agency
12-JAN-2009

Enquiries:

Allen Johns – A/Principal Environmental Officer
Environmental Protection Agency
PO Box 15155
CITY EAST QLD 4002
(07) 3224 5099

Attachment – Information Request

EHP RTI DL Release

Information Request – EPA as Concurrence Agency

Information Request

EPA Project Reference Number: 332307

File Reference Number: BNE39286

Date of Request: 12-JAN-2009

Permit Type: Concurrence Response for Reconfiguration involving contaminated land

Act: Integrated Planning Act 1997

Activity: All or part of the land forming part of the premises is on the environmental management register or contaminated land register

Info Required:

1. Sufficient information provided in accordance with the *Environmental Protection Act 1994* and the *Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland* (DEH, 1998) specifying that the land (**Lot 16 on RP62180**) is suitable for the intended use or enabling a statement of suitability with a Site Management Plan (SMP).
2. The information requested under clause 1 above must be reviewed and consented to by the Third Party Reviewer (TPR) before submitting to the EPA.
3. **Third Party Reviewer.** A Third Party Reviewer (TPR) must be appointed under the EPA's *Terms of Reference - Use of a Third Party Reviewer for Assessment and Management of Site Contamination dated 15 Feb 2008* (TOR).
4. A TPR acceptable to the EPA must be engaged at all times until draft Site Management Plans, acceptable to the EPA are submitted or the subject land has been removed from the Environmental Management Register.

Additional comments or advice about the application

The EPA may recommend refusal or preliminary approval if all the information required is not provided.

The Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland may be obtained from the Environmental Protection Agency's internet site at www.epa.qld.gov.au, or by contacting the EPA's Contaminated Land Unit. Please ensure that the appropriate statutory fee [as of the 1 July 2008 \$1048.00 per lot listed on the Environmental Management Register] is included with this application for the assessment of the site investigation and / or validation reports.

sch4p4(6)
Personal
information

Environmental Protection Agency
12-JAN-2009

Enquiries:

Allen Johns – A/Principal Environmental Officer
Environmental Protection Agency
PO Box 15155
CITY EAST QLD 4002
(07) 3224 5099



Project Running Report

Project Ref	Project Name	Status	Project Director	Project Manager	Office Responsible
332307	Reconfiguration of a lot/251 Bridge Street NEWTOWN/Toowoomba Regional Council	Active	JOHNS, Allen	NOT, Allocated	ES - TO - Contaminated Land - Southern - Bne

Assessing Officers

Name

Applications: 1

Date	Status	Decision
22-DEC-2008	Assessment	Level 2

Primary Clients

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
Byrne Surveyors	P O Box 861		TOOWOOMBA	4350	QLD

Activities

Name

All or part of the land is on the EMR or CLR

EHP RTI DL Release



CB

3/1/09



Project Running Report

Date 22-DEC-2008 **Status** Assessment **Decision** Level 2

Notifiable activity or industrial activity

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
251 Bridge Street NEWTOWN	251 BRIDGE ST				
253 Bridge Street NEWTOWN	253 BRIDGE ST				

Agency Interests/Ratings

Category	Type	Rating
Land	Land - contaminated land	Unknown (default)

Permits: 1

Permit Ref	Permit Type	Status
IPCL01325609	Concurrence Response for Reconfiguration involving contaminated land	Assessment

☐ For Regional Information & Filing

☒ Regional Action Required

Admin. Office: Contaminated Land Unit, Southern Region

Project No:

33 2307

IPCL01325609.

Client No: 618110 EMR ID No: 7113

Permit No.

Ecoaccess Customer Service Unit

CROW No. 107130

Development Approval (Contaminated Land) Application

Validation Checklist

AGENCY ROLE		☐ Assessment manager
		☒ Concurrence agency
APPLICATION TYPE	☐ Material change of use	☒ All or Part of the Land is on the EMR or CLR
	☒ Reconfiguration of a Lot	☐ Natural Mineralisation or Industrial Activity
251 + 253 BRIDGE STREET NEWTOWN		☒ Notifiable Activity or Industrial Activity
		☐ Preliminary Approval under S1.3.6 of IPA
		☐ Unexploded Ordnance
ADVICE AGENCY TRIGGERS	☐ Wetlands – within 100m of a wetland	☐ MCU assessable under the planning scheme
	☐ Conservation Estate – within 100m	☐ Reconfig a lot – ≥10 lots or any lot <5ha
	☐ Heritage – shares a common boundary	☐ MCU for urban purposes
		☐ Reconfig a lot – ≥10 lots or any lot <5ha
		☐ MCU assessable under the planning scheme
		☐ Reconfig a lot
		☐ 3 rd Party Advice from Council
OTHER AGENCY INTERESTS	☐ Marine Parks	☐ World Heritage Area
	☐ Endangered remnant ecosystem	☐ Other
	☐ Ramsar	
	☐ Koala area (non-statutory)	

Individual/Company /Business Name: BYRNE SURVEYORS

Contact person: GLENN BYRNE Co-ordinator: KFRANCIS

Indicate by Yes ☒ or No ☐. Leave unmarked if not applicable
A ☒ in any of the checkboxes MAY indicate 'invalid' application

All Applications

Form 1 Part A/D/F/N Completed

Referrals Checklist Completed

Name & Contact Details Provided

Real Property Description Provided

Application Forms Signed and Dated

Owner's Consent



Acknowledgement Notice Attached



Date Issued 15/12/08

* Note: The referral is invalid if the AN issue date was > 3 months



Lot/s: 16 Plan: RP 62180



Lot/s: 17 Plan: RP 62180



Application Received: 22/12/2008

Acknowledgement Notice Due:/...../2008

Application Date: 22/12/2008

Info Request Due: 13/1/2008

Applicant name:

APPLICATION PROCESSING**Indicate Yes ☒ or No ☐****Is the Application Valid**if ☒, proceed with Notice of Invalid Application**Application entered on Ecotrack****CAC Review Date:**/...../2007 if required**Decision Level**☐ 2☐ 3☐ 4**Record of consultation**

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

Bring Up Details Report

332307 - Reconfiguration of a lot/251 Bridge Street NEWTOWN/Toowoomba Regional Council

Ref:	40599	Created Date:	02-JAN-09
Status:	Submitted	Closed Date:	
Assigned To:	JOHNS, Allen	Due Date:	09-JAN-09
Email Address:	allen.johns@epa.qld.gov.au	Reminder Date:	
Project Director:			
Project Manager:			
CC:			
CC:			
Subject:	ROL Boundary realignment		
Comments:	<p>An application has been received for Development approval on 22/12/2008. The Application will be forwarded to the Contaminated Land Unit on the 2/01/09.</p> <p>Details ROL Boundary Realignment Client Byrne Surveyors Lot on Plan Lot 16, RP62180; Lot 17, RP62180 Location 251-253 Bridge Street NEWTOWN</p>		

s.73

Contaminated Sites

No.	Lot No	Plan No	Registered Site ID	AMA Site ID	Current Category Code	AMA Type	AMA Name	Record Type	Register Name
1	16	RP62180	7113		N			BP	EMR

Environmental Services Regions

No.	EPA Region
1	Western

Local Government Areas

No.	LGA Name
1	TOOWOOMBA REGIONAL

Local Government Areas Prior to Amalgamation

No.	LGA Name
1	TOOWOOMBA CITY

s.73

No Features Found in the following layer(s):

- Koala Plan 2006 2016 for ECSU
- EPA Estate for ECSU
- IPA Trigger for ECSU
- VMA Essential Habitat Points
- VMA Essential Habitat
- Coastal Aerial Photos Urangan to St Lawrence 2001
- Coastal Aerial Photos Tweed to Urangan 2004
- Coastal Aerial Photos Townsville to Cooktown 2001
- Wet Tropical Coast Coastal Management District P
- Wet Tropical Coast Coastal Management District L
- Cardwell Hinchinbrook Coastal Management District P
- Cardwell Hinchinbrook Coastal Management District L
- Wet Tropical Coast AOSS Endangered Regional Ecosystems
- Cardwell Hinchinbrook AOSS Endangered Regional Ecosystems
- Endangered Remnant Regional Ecosystems Biodiversity Status
- Updates to Remnant Regional Ecosystems Biodiversity Status
- Wild River Area Boundaries
- Nature Refuges
- SEQ RCMP Coastal Management District polygon
- Forest Plantations Queensland
- World Heritage Areas
- EPA Referrable Wetlands
- Recreation Areas
- Nature Refuges and Coordinated Conservation Areas
- Wet Tropics World Heritage Area
- Coastal Permits ecotrack post October 2003
- Coastal Permits ecotrack pre October 2003
- S86 Point Permits
- S86 Line Permits
- Canal Estate Developments
- Provisional MBMP Zoning 081019 090228

EHP RTI DL Release

- Brigalow Belt Priority Species Habitat
- Draft Pre clearing Endangered Regional Ecosystems for ECSU
- Directory of Important Wetlands
- State Marine Parks
- Great Barrier Reef Marine Park Zones
- Coastal Aerial Photos
- Marine Park Permits
- Native Title Claim Boundaries
- SEQ RCMP CMD Points
- SEQ RCMP Coastal Management District line
- SEQ RCMP Developed and Undeveloped Waterways
- Areas under Coastal Management Plans
- Erosion Prone Area Plans
- Coastal Management Control Districts
- Ramsar Sites
- Port Limits
- Wet Tropical Coast Coastal Management District
- Cardwell Hinchinbrook Coastal Management District
- Curtis Coast Coastal Management District
- Coastal Building Line
- Marine Plants
- Queensland Heritage Register Boundaries
- Fish Habitat Areas
- Major Towns
- Other States

EHP RTI DL Release

FOR INTERNAL USE ONLY
ENVIRONMENTAL PROTECTION AGENCY

SEARCH RESPONSE

ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 1101394 EMR Site Id: 7113 02 January
2009

This response relates to a search request received for the site:
Lot: 16 Plan: RP62180

EMR RESULT

The above site IS included on the Environmental Management Register.

Lot: 16 Plan: RP62180
Address: 251 BRIDGE ST
TOOWOOMBA 4350

The site has been subject to the following Notifiable Activity pursuant to section 374 of the
Environmental Protection Act 1994.

SERVICE STATIONS - operating a commercial service station.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

Note: Searches maybe conducted online through the State Government Website
www.smartservice.qld.gov.au or Citec Confirm www.confirm.com.au.

If you have any queries in relation to this search please phone (07) 3227 7370.

Lindi Bowen
Registrar, Contaminated Land Unit

To execute a new search, select the "Back" button on the browser twice

FOR INTERNAL USE ONLY
ENVIRONMENTAL PROTECTION AGENCY

SEARCH RESPONSE

ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 1101395 EMR Site Id: 02 January
2009

This response relates to a search request received for the site:
Lot: 17 Plan: RP62180

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

Note: Searches maybe conducted online through the State Government Website
www.smartservice.qld.gov.au or Citec Confirm www.confirm.com.au.

If you have any queries in relation to this search please phone (07) 3227 7370.

Lindi Bowen
Registrar, Contaminated Land Unit

To execute a new search, select the "Back" button on the browser twice



Department of Natural Resources and Mines

QNTIME[QNTIME](#) > [Specific Parcel Search](#) > [Specific Parcel Report](#)**Specific Parcel Report**

Lot: 16 on Plan: RP62180
Parcel: on Segment:

DCDB:**Tenure:****FH****Description:****FREEHOLD****CISP:****Previous Plan Details:****Plan Registered Description**

RP62180 05/09/1947 LOTS 1-17 CANCELLING LOT 1 ON RP17079 AND LOT 2 ON RP56919
AG58 08/01/1902 POR.84; RESUB 15 OF SUB 8 OF POR.84
RP17079 07/10/1901 LOTS 1-2 CANCELLING (PART OF) LOT 84 ON AG58

ATS:**Title Reference:****12358200****Original Deed of Grant:****1. 19506237 (POR 84)****Previous Title References:****11001151****QVAS:****Registered Owner:**

sch4p4(6) Personal information

Address:**Primary Land Use Code:****SINGLE UNIT DWELLING(2)****Secondary Land Use Code:****NONE(0)****TAS:****No TAS data found.**[View on Keymap](#)[Back to Search](#)

Logged in as franciskd

[Disclaimer](#)

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[Queensland Government Gateway](#)

[QNTIME](#) > [Specific Parcel Search](#) > [Specific Parcel Report](#)

Specific Parcel Report

Lot: 17 on Plan: RP62180

Parcel: on Segment:

DCDB:**Tenure:****FH****Description:****FREEHOLD****CISP:****Previous Plan Details:****Plan Registered Description**

RP62180 05/09/1947 LOTS 1-17 CANCELLING LOT 1 ON RP17079 AND LOT 2 ON RP56919

RP56919 29/04/1940 LOTS 1 - 2 CANCELLING LOT 2 ON RP17079

AG58 08/01/1902 POR.84; RESUB 15 OF SUB 8 OF POR.84

RP17079 07/10/1901 LOTS 1-2 CANCELLING (PART OF) LOT 84 ON AG58

ATS:**Title Reference:****12358225****Original Deed of Grant:****1. 19506237 (POR 84)****Previous Title References:**

12238024

QVAS:**Registered Owner:**

sch4p4(6) Personal information

Address:**Primary Land Use Code:****SINGLE UNIT DWELLING(2)****Secondary Land Use Code:****NONE(0)****TAS:****No TAS data found.**[View on Keymap](#)[Back to Search](#)

Logged in as franciskd

[Disclaimer](#)

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[Queensland Government Gateway](#)

BYRNE SURVEYORS

Cadastral & Engineering Surveyors

PRINCIPAL : BOB BYRNE M.I.S.A. M.A.C.S M.U.D.I.A

Cnr Ruthven & Bridge Streets, TOOWOOMBA, QLD, 4350.

Postal: P.O.Box 861 Toowoomba

Telephone: (07) 4632 1688 Facsimile: (07) 4632 2837

Email: mail@byrnesurveyors.com.au ABN 32 996 410 966

Urban & Rural Subdivisions, Identification Surveys, Lease Surveys, Unit & Group Title Development Surveys, Volumetric Surveys, Digital Terrain Model Surveys, Engineering Surveys & Development Consulting.

19 December 2008

Our Ref: 08/278

Environmental Protection Agency

(Contaminated Land)

GPO Box 2771

BRISBANE QLD 4001

RECEIVED
22 DEC 2008
10:34



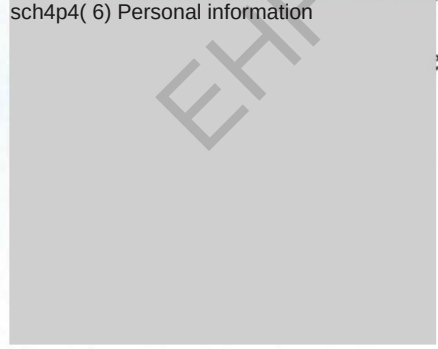
Dear Sir/Madam,

Re: Reconfiguration of Lot 2 – Boundary Realignment
251-253 Bridge Street, Newtown

With reference to the above, your department has been named as a Referral Agency. Please find enclosed copies of the following documents –

- Acknowledgement Notice from Toowoomba Regional Council to applicant.
- IDAS Form 1 Development Application – Part A
- IDAS Form 1 Development Application – Part F
- IDAS Form 1 Development Application – Part N
- IDAS Checklist
- Proposal Plan for Boundary Realignment.

sch4p4(6) Personal information



..s.



Enquiries: David Dugdel
Contact: Toowoomba Office, 4688 6713
Our Reference: RAL/2008/7016



ACKNOWLEDGMENT NOTICE

Integrated Planning Act 1997 Sections 3.2.3, 3.2.4, 3.2.5 & 3.2.6

15 December 2008

Byrne Surveyors
PO Box 861
TOOWOOMBA QLD 4350

Dear Sir/Madam,

Development Application for: Reconfiguring a Lot - 2 Lot Boundary Realignment
Location: 251-253 Bridge Street, NEWTOWN QLD 4350
Property Description: L16/RP62180:PAR DRAYTON, L17/RP62180:PAR DRAYTON
Relevant Planning Scheme: Toowoomba Planning Scheme 2003

Toowoomba Regional Council
PO Box 3021
Toowoomba Village Fair QLD 4350
T 07 4688 6611 F 07 4631 9292
E info@toowoombaRC.qld.gov.au
W www.toowoombaRC.qld.gov.au

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

1. Details of the Application

The application seeks development approval for -

	Development Permit	Preliminary Approval
• Reconfiguring a lot	☒	☐

2. IDAS Referral Agencies

The following referral agencies are applicable to this application -

Concurrence Agencies

✓
Environmental Protection Agency
(Contaminated Land)
GPO Box 2771,
BRISBANE QLD 4001

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 acknowledgment notice
- Any applicable concurrence agency application fee (refer to the *Integrated Planning Regulation 1998* to confirm the applicable referral agencies).

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

SERVICE CENTRES

CLIFTON
95 King Street
Clifton Q 4361
T 07 4697 4222

CROWS NEST
25 Emu Creek Road
Crows Nest Q 4355
T 07 4698 1155

GOOMBUNGEE
89 Mocatta Street
Goombungee Q 4354
T 07 4696 7900

GREENMOUNT
54 Hodgson Street
Greenmount Q 4359
T 07 4697 0200

HIGHFIELDS
O'Brien Road
Highfields Q 4352
T 07 4630 8925

MILLMERRAN
2-16 Campbell Street
Millmerran Q 4357
T 07 4695 1399

Oakey
64 Campbell Street
Oakey Q 4401
T 07 4691 1388

PITTSWORTH
85 Yandilla Street
Pittsworth Q 4356
T 07 4619 8000

TOOWOOMBA
153 Herries Street or
543 Ruthven Street
Toowoomba Q 4350
T 07 4688 6611

ABN 997 8830 5360

3. 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 -

Toowoomba

9.1 Development Works Code

9.11 Lot Reconfiguration Code

4. Status of Information Request

A further information request **may** be made by the assessment manager. Regardless of this advice, any concurrence agency for the application may make an information request.

5. Show Cause/Enforcement Notice

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

6. Application requesting assessment under the Superseded Planning Scheme

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 David Dugdell on the above number.

Yours faithfully

sch4p4(6) Personal information

Stephen Petrie
Acting Principal Engineer, Development Assessment Urban

Form 1 Development Application

idas

Part A

Common details

NOTE: Answer all questions unless directed to go to a particular question. Refer to the end of the form for advice on how to complete this form.

Applicant details (The Applicant is the person responsible for making the application and need not be the owner of the land. The Applicant is responsible for ensuring the information provided on the IDAS Application Form is correct. This information is relied upon by the Assessment Manager and any referral agencies when assessing and deciding this application. By lodging this application, the Applicant incurs the obligations and responsibilities prescribed by the IPA. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the Applicant.)

Company/organisation name (if applicable) **BYRNE SURVEYORS**

Individual applicant/Contact person (If there is more than one applicant, provide additional applicant details on an attachment to this form)

Title	Mr	First name	GLENN	Last name	BYRNE
Postal address	PO BOX 861 TOOWOOMBA QLD 4350				
Contact telephone number	4632 1688		Mobile phone number	sch4p4(6) Personal information	
Facsimile number	4632 2837		e-mail address	glenn@byrnesurveyors.com.au	

Details of the premises (i.e. the land on which the development is proposed - refer to the advice at the end of the form)

1. Identify the premises by completing Table A, or Table B and/or Table C (ensure adequate information is given to identify the premises)
- Table A** If the application is for a mobile and temporary Environmentally Relevant Activity (ERA), complete Table A only. Then go to Q2.

	Name of each local government area in which the mobile and temporary ERA is proposed to operate
1	

OR

Table B Street address for the premises (tick applicable box/es below and insert property description in the table. Identify each lot in a separate row.)

- (i) ☒ Street address / lot on plan for the **premises** (Appropriate for most applications including building applications); OR
- (ii) ☐ Street address /lot on plan for the **land adjoining or adjacent to the premises** (Appropriate for development in water e.g. jetty, pontoon etc) (Note: Lot on plan details may be obtained from title documents, a 'Rate' notice, or from the local government.)

	Street Address				Lot on plan description		Local government area (e.g. Logan, Cairns)
	Unit No.	Street No.	Street Name and official suburb/locality name	Post Code	Lot No.	Plan type and Plan Number	
1		251	BRIDGE STREET NEWTOWN	4350	16	RP62180	TOOWOOMBA REGIONAL
2		253	BRIDGE STREET NEWTOWN	4350	17	RP62180	TOOWOOMBA REGIONAL

AND / OR

Table C Coordinates and/or a map of the premises (Appropriate for development in remote areas, over part of a lot, in water (e.g. channel dredging in Moreton Bay) etc.)

	Coordinates (Note: place each set of coordinates in a separate row)				Zone Reference	Datum	Local government area (if applicable)
	Easting	Northing	Latitude	Longitude			
1						☐ DGDA94 ☐ WGS84 ☐ Other -	

2. Identify if any of the following apply to the premises by completing Tables D, E, or F. (Note: In most instances, the premises will not involve any of the following characteristics, however some applications may involve one or more of these characteristics - complete only if applicable)

Table D Complete if the premises are adjacent to or associated with a water body, watercourse or aquifer (e.g. river, creek, lake, canal)

Name of water body, watercourse or aquifer (if known)	
1	N/A

Table E Complete if the premises are on Strategic Port Land under the *Transport Infrastructure Act 1994*

Lot on plan description for strategic port land	Port Authority for the lot
1	N/A

Table F Complete if the premises are in tidal water

Name of local government for the tidal area (if applicable)	Name of port authority for the tidal area (if applicable)
1	N/A

3. Indicate the total area of the premises on which the development is proposed: (Note: The total area may include land both above and below water)

Total area of premises	
2,428.00	☒ m ² ☐ hectares (Tick applicable unit)

Existing use of the premises

4. Current use/s of the premises: (e.g. vacant land, house, townhouses, apartment building, shop, service station, school, sugar cane farming etc.)

1	VACANT SERVICE STATION
2	SINGLE UNIT DWELLING

5. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water etc.)?

☒ No ☐ Yes - Ensure the type, location and dimensions of each easement are included in plans, submitted with the application

Proposal details

6. Brief description of the proposal (e.g. 6 unit apartment building, 30 lot residential subdivision, a bore, aquaculture)

BOUNDARY REALIGNMENT

7. Does the proposal include new buildings or operational work (including any services) on the premises?

☒ No ☐ Yes - Ensure the nature, location and dimensions of the proposed works are included in plans, submitted with the application

Resource entitlement (if applicable) - further information is provided in the advice section at the end of the form

8. Does the application involve taking or interfering with a State resource and therefore require a resource entitlement? (e.g. the application involves State land (leased and freehold), declared Fish Habitat areas, taking quarry material, taking or interfering with water under the Water Act 2000, etc.)

☒ No - Go to Q9 ☐ Yes - Complete Table G - provide details for each evidence required on a separate row, if applicable. Evidence of resource allocation or entitlement must be submitted with the application. You do not need to answer Q9 - go to the next section.

Owner's consent (if applicable) - further information is provided in the advice section at the end of the form

9. Complete Table H for applications involving a material change of use; reconfiguration of a lot; work on land below high-water mark and not within a canal as defined under the *Coastal Protection and Management Act 1995*; or work on rail corridor land defined under the *Transport Infrastructure Act 1994* - provide details for each owner on a separate row, or on an attachment to this form if applicable.

Table H	Premises Owner's name/s and postal address	Details of the premises owned (street address or lot on plan description)	Owner's signature	Date consent was obtained
1	sch4p4(6) Personal information	251-253 Bridge Street, Newtown	sch4p4(6) Personal information	28/11/08

* Owner's signature cannot be provided on the form if you intend to submit the application electronically. Owner's consent must be provided on an attachment containing appropriate written documentation of the owner's consent. If the owner is a company, s127 of the *Corporations Act 2001* (Cwealth) details how a company may sign as owner. Templates for the provision of owner's consent are available on the [IPA website](#).

Attachments and supporting information (Complete Table 1 - Use a separate row for each type of attachment or information, including information required under this Part) Please ensure all documentation submitted with this form, including other Parts of Form 1, or owner's consent, etc. are securely attached to this Part of the Form.

Table 1	Description of attachment or information (e.g. Part C of Form 1, owner's consent, evidence of resource allocation/entitlement, plans, drawings, reports)	Title (if applicable) (e.g. General Authority James Street Traffic Report)	Date	Method of delivery to assessment manager
1	IDAS PART F			over the counter
2	IDAS PART N			over the counter
3	IDAS ASSESSMENT CHECKLIST			over the counter
4	PROPOSAL PLAN	PROPOSED BOUNDARY REALIGNMENT	14-Nov-2008	over the counter

Portable Long Service Leave (PLSL) levy (Applicable for certain building and construction work valued over \$80,000 only)

10. The Portable Long Service Leave Levy (PLSL) is not applicable to this application if any of the following apply: (Tick box if applicable)

- ☐ the application seeks a preliminary approval only;
- ☐ the application is not for building and construction work under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, section 3AA (e.g. the application is only for a change of use, or for the following types of work **carried out solely for farming purposes**: land clearing, site preparation, earthworks, fences, fodder harvesting, clearing of encroaching vegetation, clearing of regrowth, thinning vegetation or controlling weeds or pests);
- ☐ all costs, that relate to the work both directly and indirectly, are less than \$80,000, inclusive of GST; or
- ☐ the work is being carried out under an owner-builder permit issued under the *Queensland Building Services Authority Act 1991* - Complete and submit a QLeave Notification and Payment Form (no payment required if owner-builder permit number stated). The receipted form must be sighted by the assessment manager before a development permit can be given.

11. Is payment of a PLSL levy applicable to this application? (Refer to Q10 and the Advice below for more information)?

- ☒ No - End of Part A
- ☐ Yes - Answer Q12 below

OFFICE USE ONLY (For use by the Assessment Manager / Private Certifier) (Optional)

Fee (\$)	Date received	Receiving officer's name	Reference numbers

NOTIFICATION OF ENGAGEMENT OF PRIVATE CERTIFIER

To: Council. I have been engaged as the private certifier for the building work referred to in this application.

Date of engagement	Name	BSA Certification number	Building classification/s

QLEAVE NOTIFICATION AND PAYMENT (for completion by assessment manager or private certifier if applicable)

	Description of the work	QLeave Project Number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form
1						

Privacy Statement

The information collected on Form 1 will be used by the Department of Infrastructure and Planning (DIP) in accordance with the processing and assessment of your Application. Your personal details will not be disclosed for a purpose outside of the IDAS process, except where required by legislation (including the Freedom of Information Act 1992) or as required by Parliament. This information may be stored in a DIP database. The information collected will be retained as required by the Public Records Act 2002.

Advice for completing Part A

General advice

- Part A of IDAS Development Application Form 1 must be completed and accompany all development applications. The applicant is responsible for answering all questions fully and correctly, unless following a response there is a statement to go directly to another question. The Assessment Manager may refuse to receive an application that is not properly made.
- The IDAS Assessment Checklist must also be completed for all development applications, other than those requiring assessment against the *Building Act 1975* only, i.e. those applications requiring the completion of Parts A and B only.

Applicant details

- If the applicant is a company or organisation, a contact person must be nominated. The applicant's signature is not required to be provided under the IPA.

Details of the premises

- The term 'premises' is defined by the IPA, schedule 10 to mean a building or other structure, and land (whether or not a building or other structure is situated on the land). The term 'land' is also defined to include the estate in, on, over or under the land.
- Details of the land are not required if the application involves a mobile and temporary Environmentally Relevant Activity only. Instead complete Table A.
- The premises may be identified in a number of ways --
 - Street address and lot on plan are most common and will apply to most applications.
 - Coordinates may provide the best means of accurately identifying the location of development proposed in waters, or on a relatively small development site distant from property boundaries on a large lot. Sufficient coordinates need to be provided to identify the boundary of the premises the subject of the application. Eastings and northings using GDA94 datum is preferred, but longitude and latitude and other (specified) datum such as Zone Reference or GS84 may be provided.
- The definition of 'water body' and 'watercourse' can vary from Act to Act.
- StrategicPortLand is within a local government area but a local government's planning scheme does not apply on StrategicPortLand. StrategicPortLand is declared under the *Transport Infrastructure Act 1994*. For further information go to [IDAS Guide 11](#) (Development on strategic port land) and the Queensland Transport (Ports) website.
- 'Tidal water' is defined in the *Coastal Protection and Management Act 1995* (Schedule) and 'tidal area' for a local government and for strategic port land is defined in the IPA (schedule 10). Generally, the area below 'high-water mark' (defined by the *Coastal Act in relation to high water mark at spring tides*) establishes the boundary of a tidal area. Land below high water mark is not within a local government's area unless provided for under the *Local Government Act 1993*. Unless otherwise provided for by legislation, a local government has no jurisdiction below high water mark. A tidal area for strategic port land is within the jurisdiction of the relevant port authority, while the Environmental Protection Agency generally has jurisdiction for a local government tidal area. However, the IPA gives local governments jurisdiction for assessing and deciding applications for prescribed tidal works within the local government tidal area, and the planning scheme may be applied to that assessment (to the extent provided for in the code for prescribed tidal work).

Resource entitlement

- Section 3.2.1(5) of the IPA requires evidence of resource entitlement be given for applications if they involve taking or interfering with a prescribed State resource. Schedule 10 of the *Integrated Planning Regulation 1998* (IPR) prescribes the State resources, including State-owned land, where evidence is required to be given, and the evidence required to support the application. Link to [Integrated Planning Regulation](#). Section 3.2.1(10)(a)(ii) states an application **cannot** be taken to be properly made without the required evidence.
- For applications involving the **taking or interfering with water under the Water Act**, the development application may be made at the same time as the request for resource entitlement, and the Department of Natural Resources and Water will accept the application as properly made.
- For **State-controlled roads**, a resource entitlement is not required for an activity that is exempt ancillary works or encroachment (identified by gazette notice under the *Transport Infrastructure Act 1994*, section 50), or if the activity requires referral to the Department of Main Roads.
- Evidence may be required from more than one Department responsible for a State-owned resource, e.g. from the Environmental Protection Agency for quarry material below high water mark, and the Department of Natural Resources and Water in relation to the State-owned land above high water mark.

Owner's consent

- Section 3.2.1(3) of the IPA prescribes that an application must contain, or be supported by, the written consent of the land owner/s, if the application involves: a material change of use; reconfiguration of a lot; work on land below high-water mark and not within a canal as defined under the *Coastal Protection and Management Act 1995*; or work on rail corridor land defined under the *Transport Infrastructure Act 1994*.
- Evidence of this consent may need to be provided before the application will be accepted as properly made by the Assessment Manager, during the processes of the application or in the event of an appeal about the outcome of the application.
- 'Owner' for the purpose of a lodging an IDAS development application means the person at the time of lodging the application, entitled to receive the rent for the land (or would be entitled to receive the rent for it if it were let to a tenant at a rent).
- Templates are available from the [IPA website](#) for the provision of owner's consent as an attachment to this form. However other documentation may be used for providing owner's consent provided it is clear the documentation relates to the development application for the premises.
- Owner's consent, if required, must be provided even if the applicant is the owner. Owner's consent is not required for a mobile and temporary ERA.

Portable Long Service Leave (PLSL) Levy

- The Building and Construction Industry Portable Long Service Leave Scheme provides long service leave entitlements to workers in the building and construction industry who would be unlikely to accrue enough service with one employer to qualify for long service leave. To fund the scheme, a Portable Long Service Leave Levy (PLSL levy) is collected on certain building and construction work carried out in Queensland.
- The PLSL levy amount and other prescribed percentages and rates for calculating the levy are stated in the *Building and Construction Industry (Portable Long Service Leave) Regulation 2002*. Included in the amount collected by QLeave is the Workplace Health and Safety Fee and the Building and Construction Industry Training Levy.
- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* (PLSL Act) defines the building and construction work subject to the PLSL levy and includes renovating, relocating, constructing, altering, demolishing, maintaining or repairing buildings, pools, roads, jetties, pipelines, fences or earthworks, and works for subdividing, irrigating or draining land.
- The PLSL levy need not be paid when the application is made, but the PLSL Act requires the levy to be paid before a development permit may be issued.
- The Assessment Manager must sight an approved form issued by QLeave advising of the status of the payment of the PLSL levy. Building and Construction Industry Notification and Payment Forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at www.qleave.qld.gov.au. For further information contact QLeave (Tel: 1800 803 481 Web: www.qleave.qld.gov.au)

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Form 1 Development Application

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Part F**Reconfiguring a lot****Nature of the lot reconfiguration**

1. What is the nature of the lot reconfiguration? (Tick applicable box/es)

- ☐ (i) **Subdivision** - Complete Question 2 - 5 and 9 below
- ☒ (ii) **Boundary realignment** - Complete Question 2 - 4, 6 - 7 and 10 below
- ☐ (iii) Creating an **easement** giving access to a lot from a constructed road - Complete Question 2 - 4, 8 and 10 below
- ☐ (iv) Dividing land into **parts by agreement** and rendering different parts of a lot immediately available for separate disposition or separate occupation, **other than** by either -
- ☐ (a) a lease for a term, including renewal options, not exceeding 10 years; or
- ☐ (b) an agreement for the exclusive use of part of the common property for a community title scheme under the *Body Corporate and Community Management Act 1997* - Complete Question 2 - 4, 9 - 10 below

The subject land

2. How are the premises identified / zoned in the planning scheme?

	List of applicable zone/precincts/areas	List of applicable overlays
1	Mixed Housing	Airport 3km Wildlife Buffer - Reg Map - 11/05/2007
2		Airport Dangerous Light Area - Reg Map - 01/05/2005
3		Obstacle Limitation Surface - Reg Map - 01/05/2005

3. What is the total number of existing lots making up the premises, the subject of the application?

2

4. What is the total area of the premises?

2428

☒ Square metres (m²)☐ Hectares**Subdivision details (if applicable)**

5. Does the proposal involve multiple stages?

☐ No - Complete Table A☐ Yes - Complete Table B**Boundary realignment details (if applicable)**

6. What are the current and proposed dimensions for each lot forming the premises? (Provide details for each lot on a separate row)

	Current Lots			Proposed Lots		
	Lot on plan description	Area	Length of road frontage	Lot on plan description	Area	Length of road frontage
1	Lot 16 on RP62180	1313m ²	89m	Proposed Lot 16	655m ²	54m
2	Lot 17 on RP62180	1115m ²	16m	Proposed Lot 17	1773m ²	51m

7. What is the reason for the boundary realignment?

Better unitization of the vacant land area

Easement details (If applicable)

8. What are the dimensions and nature of the proposed easement?

Width (metres)	Length (metres)	Purpose of the easement (e.g. pedestrian access)	Entity favoured by the easement

Agreement details (If applicable)

9. What is the number of parts being created and what is their intended final use?

Intended final use of new parts	Residential	Commercial	Industrial	Other (Specify)
Additional number of parts created				

Mandatory Information

10. Confirm the following mandatory information accompanies this application

	Confirmation of lodgement	Method of lodgement
When creating lots by subdivision or rearranging boundaries		
Plans showing the proposed lot reconfiguration, including -	☒ Confirmed	over the counter
(i) Existing lot configuration	☒ Confirmed	over the counter
(ii) Dimensions of lots	☒ Confirmed	over the counter
(iii) Existing and proposed new roads (if applicable)	☒ Confirmed	over the counter
(iv) Existing and proposed easements (if applicable)	☒ Confirmed	over the counter
(v) The location and dimensions of land to be dedicated for community purposes (if applicable)	☒ Confirmed	over the counter
(vi) The final intended use of the new lots or parts	☒ Confirmed	over the counter
(vii) The lot reconfiguration in relation to the surrounding land	☒ Confirmed	over the counter

OFFICE USE ONLY

Date Received

Reference Numbers

Advice for completing Part F**General advice**

- Part A must also be completed for all IDAS development applications. The applicant is responsible for answering all questions fully and correctly, unless following a response there is a statement to go directly to another question.
- When paying fees to the Environmental Protection Agency by electronic funds transfer (EFT) for coastal development applications, use the process from the information sheet *Electronically paying fees to the Environmental Protection Agency (EPA)* and attach the form *Electronic Funds Transfer (EFT) payment notification* to the application

Q5

- 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.
- Questions in relation to the area and number of proposed lots and stages of the subdivision are required for statistical and planning purposes.
- An application for operational works to construct an artificial waterway or a canal associated with the reconfiguration of a lot should be made to the local government at the same time as the application for the reconfiguration. Form 1 Part M should also be completed.
- If the reconfiguration application involves operational work that is the building of a retaining wall on the premises, the application is taken also to be for the operational work if approval for the operational work has not been applied for in this application or a separate application.

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Form 1 Development Application

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Part N**Contaminated land****Nature of the application and contamination**

1. What is the nature of the application and the nature of the contamination on the premises? (Tick applicable box/es)

Nature of the application	Nature of the contamination	
☐ Material change of use	☒ (i)	All or part of the premises is on the Environmental Management Register
☒ Reconfiguring a lot	☐ (ii)	All or part of the premises is on the Contaminated Land Register
	☐ (iii)	All or part of the premises is currently used for, or if there is no existing use, was last used for -
	☒ (a)	a notifiable activity
	☐ (b)	an industrial activity and the proposed use is for a child care centre, educational, recreational or residential purpose (including a caretaker residence on industrial land)
	☐ (iv)	In an area for which an 'area management advice' has been given for natural mineralisation or industrial activity and the proposed use is for a child care centre, educational, recreational or residential purpose (including a caretaker residence on industrial land)
	☐ (v)	In an area for which an 'area management advice' has been given for unexploded ordnance

Mandatory information

2. Confirm the following mandatory information accompanies this application.

	Confirmation of lodgement	Method of lodgement
(i) Plans showing where any notifiable activities, hazardous contaminant or potentially contaminated activity has occurred on the premises	☒ Confirmed	over the counter
(ii) If the application involves a material change of use from an industrial use to a more sensitive use (e.g. child care, educational, recreational or residential purpose, including a caretaker residence on industrial land), a detailed site history outlining previous potentially contaminated uses on the premises	☐ Confirmed ☒ Not applicable	over the counter

OFFICE USE ONLY

Date Received

Reference Numbers

Advice for completing Part N**General advice**

- Part A must also be completed for all IDAS development applications.
- The applicant is responsible for answering **all** questions fully and correctly, unless following a response there is a statement to go directly to another question.
- For further information about completing this form go to -
 - IDAS Guide 5 (Contaminated land matters)
 - EPA contaminated land website.

Form 1 Development Application

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IDAS

Assessment Checklist

Answering the following questions will assist you in determining which sections of the checklist must be completed for your application. If unsure, phone or visit your local government or log onto the DIP website www.dip.qld.gov.au for help

For all IDAS development applications (except those for building work requiring assessment against the <i>Building Act 1975</i> only) - complete Section 1 of this checklist		
Does the application seek approval to materially change use of the premises? <i>If yes - complete Section 2 of this checklist</i>	☐ Yes	☒ No
Does the application seek approval to reconfigure a lot? <i>If yes - complete Section 3 of this checklist and Part F of IDAS Application Form 1. Assessment is by the local government.</i>	☒ Yes	☐ No
Does the application seek approval to carry out operational work? <i>If yes - complete Section 4 of this checklist</i>	☐ Yes	☒ No
Does the application seek approval to carry out building work requiring assessment against the <i>Fisheries Act 1994</i> ? <i>If yes - complete Section 5 of this checklist</i>	☐ Yes	☒ No
Have you received a referral agency response under section 3.3.2. of the IPA, in relation to this development application? <i>If yes - complete Section 6 of this checklist</i>	☐ Yes	☒ No
Does the application seek approval to carry out building work requiring assessment against a local government planning scheme? <i>If yes - complete Part E of IDAS Application Form 1. Assessment is by the local government.</i>	☐ Yes	☒ No
Does the application seek approval to carry out building work requiring assessment against the <i>Building Act 1975</i> ? <i>If yes - go to Appendix 1 of this checklist for advice on building referrals. Complete Part B of IDAS Application Form 1. Assessment is by a building certifier</i>	☐ Yes	☒ No

HERITAGE

- 1.1A Is any part of the proposal intended to be carried out on a Queensland Heritage place under the *Queensland Heritage Act 1992*?
- ☒ No - Go to 1.1B ☐ Yes

IPA, schedule 8, part 1, table 5, item 2; IP Regulation, schedule 2, table 1, item 11, table 2, item 18; IPA, section 1.3.5 (Definitions for terms used in development).

- 1.1B Does the proposal involve development, other than development mentioned in the *Integrated Planning Act 1997* Schedule 9 (development that is exempt from assessment against a planning scheme), that is intended to be carried out on a place entered in a Local Heritage Register under Part 11 of the *Queensland Heritage Act 1992*?

☒ No - Go to Q1.2 ☐ Yes - (Complete Form 1, Part C₂) This application requires assessment by the relevant local government against the IDAS Code in the *Queensland Heritage Regulation 2003*. If the development involves building work and the local government is not the Assessment Manager for the application, the local government has jurisdiction as Concurrence Agency.

IPA, schedule 8, part 1, table 5, item 2A, schedule 9, tables 1, 2, 3, 4 & 5; IP Regulation, schedule 2, table 1, item 11A; IPA, section 1.3.5 (Definitions for terms used in development); *Queensland Heritage Regulation 2003*, schedule 2 (IDAS Code).

REMOVING QUARRY MATERIAL; WILD RIVER AREA

- 1.2 Does the proposal involve removing quarry material from a watercourse or lake as defined under the *Water Act 2000*?

☒ No - Go to Q1.3 ☐ Yes

IPA, schedule 8, part 1, table 5, item 1; IP Regulation, schedule 2, table 2, item 11; IP Regulation, schedule 1, table 5, item 2 (wild river area); *Water Act 2000*, section 966C; *Wild Rivers Act 2005*, section 43A

ENVIRONMENTALLY RELEVANT ACTIVITY; WILD RIVER AREA

- 1.3 Does the proposal involve an environmentally relevant activity (ERA), other than a mining activity or a petroleum activity?

☒ No - Go to Q1.4 ☐ Yes

IPA, schedule 8, part 1, table 2, item 1; IPA, schedule 8, part 1, table 5, items 3 and 4; IP Regulation, schedule 2, table 2, items 1 and 23; *Environmental Protection Act 1994*, section 73AA (wild river area); *Wild Rivers Act 2005*, section 43A; relevant wild river declaration; *Wild Rivers Code*.

WITHIN THE LIMITS OF A PORT

- 1.4 Is any part of the premises within the limits of a port under the *Transport Infrastructure Act 1994*?

☒ No - Go to Q1.5

☐ Yes

IP Regulation, schedule 2, table 2, items 15 and 16

DECLARED FISH HABITAT AREA

- 1.5 Does any part of the premises adjoin a declared fish habitat area under the *Fisheries Act 1994*?

☒ No - Go to Q1.6

☐ Yes - If answers to questions in other sections of this checklist indicate that the proposed development is **assessable under IPA, schedule 8**, this application requires assessment by the Department of Primary Industries and Fisheries (DPI&F). If DPI&F is not the Assessment Manager for the application, the agency has jurisdiction as Advice Agency.

IP Regulation, schedule 2, table 2, item 26

COMMUNITY INFRASTRUCTURE

- 1.6 Is any part of the premises designated for community infrastructure?

☒ No - Go to Q1.7

☐ Yes

IP Regulation, schedule 2, table 3, item 7

WASTE WATER MANAGEMENT

- 1.7 Does the proposal involve the establishment or expansion of a waste water disposal system?

☒ No - End of Section 1 ☐ Yes

IP Regulation, schedule 2, table 3, item 5

STATE-CONTROLLED ROAD

- 3.1 Is any part of the premises located in part of a future State-controlled road, or within 100m of a State-controlled road?

☐ No ☒ Yes

If yes, will the proposed reconfiguration result in the following?

(i) An increase in the total number of lots

☒ No

☐ Yes

(ii) An increase in the total number of lots abutting the State-controlled road

☒ No

☐ Yes

COASTAL MANAGEMENT DISTRICT

3.2 Is any part of the premises within a coastal management district?

☒ No - Go to Q3.3

☐ Yes - This application must be referred to the Environmental Protection Agency (EPA) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 13(a)

VEGETATION CLEARING

3.3 Do the premises include a lot containing the following?

(i) A category 1, 2 or 3 area shown on a Property Map of Assessable Vegetation (PMAV)

☒ No ☐ Yes

(ii) If there is no PMAV for a lot, remnant vegetation

☒ No ☐ Yes

IP Regulation, schedule 2, table 2, item 4

EASEMENTS

3.4 Is any part of the premises subject to an easement?

☒ No - Go to Q3.5 ☐ Yes - Answer both (a) and (b) below

IP Regulation, schedule 2, table 2, item 20(a) (electricity easement); IP Regulation, schedule 2, table 2, item 32 (pipeline easement)

ELECTRICITY SUBSTATIONS

3.5 Is any part of the premises situated within 100m of a substation site under the *Electricity Act 1994*?

☒ No - Go to Q3.6 ☐ Yes - This application must be referred to the entity responsible for the substation as Advice Agency.

IP Regulation, schedule 2, table 2, item 20(b)

CONTAMINATED LAND - REGISTERED LAND

3.6 Is any part of the land forming the premises on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*?

☐ No - Go to Q3.7 ☒ Yes

If yes, does one or more of the following apply?

(i) A suitability statement has been given and a site management plan has been approved for the proposed use of the land, and the proposed use involves only the following -

- the fit-out of a building on the land; or
- minor site excavation, including for example, post holes for open-sided non-habitable structures

☒ No ☐ Yes

(ii) There is currently a notifiable activity on the land and the activity is continuing

☐ No ☒ Yes

(iii) The proposed use is industrial and only involves minor site excavation (e.g. post holes for open-sided non-habitable structures)

☐ No ☒ Yes

If no to all of (i) - (iii) above - (Complete Form 1, Part N) This application requires assessment by the Environmental Protection Agency (EPA). If EPA is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - NOTIFIABLE ACTIVITY

3.7 Is any part of the land forming the premises currently used for a notifiable activity, or if there is no existing use was it last used for a notifiable activity?

☐ No - Go to Q3.8 ☒ Yes

If yes, does one or more of the following apply?

- (i) A suitability statement, removing the land from the environmental management register, has been given under the *Environmental Protection Act 1994* for the existing use, or if there is no existing use, the last use, and the following **both** apply -
- no new notifiable activity has occurred on the land since the suitability statement was issued;
 - the land is not otherwise contaminated by a hazardous contaminant
- (ii) A suitability statement has been given and a site management plan has been approved for the proposed use of the land, and the proposed use involves only the following -
- the fit-out of a building on the land; or
 - minor site excavation, including for example, post holes for open-sided non-habitable structures

☒ No ☐ Yes

☒ No ☐ Yes

If no to both (i) and (ii) above - (Complete Form 1, Part N) This application requires assessment by the Environmental Protection Agency (EPA). If EPA is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - INDUSTRIAL ACTIVITY

- 3.8 Is any part of the premises currently used for an industrial activity (other than for a mining activity or petroleum activity), or if there is no existing use was it last used for an industrial activity (other than for a mining activity or petroleum activity)?

☒ No - Go to Q3.9 ☐ Yes

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - AREA MANAGEMENT ADVICE (NATURAL MINERALISATION OR INDUSTRIAL ACTIVITY)

- 3.9 Is any part of the premises in an area for which an area management advice has been given for natural mineralisation or industrial activity (other than for a mining activity or petroleum activity)?

☒ No - Go to Q3.10 ☐ Yes

IP Regulation, schedule 2, table 2, item 21(a)

CONTAMINATED LAND - AREA MANAGEMENT ADVICE (UNEXPLODED ORDNANCE)

- 3.10 Is any part of the premises in an area for which an area management advice has been given for unexploded ordnance?

☒ No - Go to Q3.11

☐ Yes - (Complete Form 1, Part N) This application must be referred to the Environmental Protection Agency (EPA) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 21(b)

SEQ REGIONAL PLAN

- 3.11A Is any part of the premises within the South East Queensland (SEQ) Regional Plan area?

☐ No - Go to Q3.11B ☒ Yes

If yes, is the application seeking approval for subdivision^{3 1}?

☐ No - Go to Q3.12 ☒ Yes - Answer both (a) and (b) below.

^{3 1}For the purposes of the SEQ Regional Plan, subdivision means - (a) creating a lot by subdividing another lot; or (b) dividing land into parts by agreement (other than a lease for a term, including renewal options, not exceeding 10 years) rendering different parts of a lot immediately available for separate disposition or separate occupation)

- (a) Is any part of the premises located within a Major Development Area and not included in a structure plan as defined under the SEQ Regional Plan Regulatory Provisions?

☒ No - Go to (b) ☐ Yes

- (b) Is any part of the premises within the Regional Landscape and Rural Production Area or in the Investigation Area?

☒ No - Go to Q3.12

☐ Yes - Answer (i) - (iii)

IP Regulation, schedule 2, table 2, item 35

STATE PLANNING REGULATORY PROVISIONS (REGIONAL PLANS)^{1 2}

- 3.11B Is any part of the premises within a designated region under Schedule 1 of the draft regulatory provisions?

☒ No - Go to Q3.12 ☐ Yes

3.2 State Planning Regulatory Provisions (Regional Plans) are the draft regulatory provisions
IP Regulation, schedule 2, table 2, item 35

KOALA CONSERVATION

3.12 Is any part of the premises in a koala conservation area or koala sustainability area?

☒ No - Go to Q3.13

☐ Yes

IP Regulation, schedule 2, table 2, item 33

CANAL DEVELOPMENT

3.13 Is the proposed reconfiguration in connection with the construction of a canal?

☒ No - Go to Q3.14

☐ Yes - (Complete Form 1, Part M) This application must be referred to the Environmental Protection Agency (EPA) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 13(b)

DECLARED CATCHMENT AREA

3.14 Is the proposed reconfiguration in an area declared to be a catchment area under the *Water Act 2000*?

☒ No - Go to Q3.15

☐ Yes

IP Regulation, schedule 2, table 2, item 19

PUBLIC PASSENGER TRANSPORT

3.15 Is the proposed reconfiguration listed in schedule 13A of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

☒ No - Go to Q3.16 ☐ Yes - This application must be referred to Queensland Transport (QT) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 30; IP Regulation, schedule 13A

RAIL TRANSPORT

3.16 Is the proposed reconfiguration listed in schedule 13B of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

☒ No - Go to Q3.17 ☐ Yes - This application must be referred to Queensland Transport (QT) as Concurrence Agency.

IP Regulation, schedule 2, table 2, item 31; IP Regulation, schedule 13B

WETLAND CONSERVATION ESTATE

3.17 Does the proposed reconfiguration result in more than 10 lots or any lot less than 5ha in area?

☒ No - Go to Q3.18 ☐ Yes - (Answer (a) and (b) below)

IP Regulation, schedule 2, table 2, items 38 and 39

HERITAGE

3.18 Does the proposed reconfiguration involve a lot sharing a common boundary with a Queensland Heritage place under the *Queensland Heritage Act 1992*?

☒ No - End of Section 3

☐ Yes - This application must be referred to the Environmental Protection Agency (EPA) as Advice Agency. - End of Section 3

IP Regulation, schedule 2, table 2, item 41

WILD RIVER AREA - Although legislation provides for assessment of lot reconfiguration for the purposes of the *Wild Rivers Act 2005*, currently no declarations for any of the wild river areas apply the Wild Rivers code to that type of development.

Disclaimer:

While the Department of Infrastructure and Planning (DIP) believes that this information contained on this form and provided as part of this process will be of assistance to you, it is provided on the basis that you will not rely on the information without first making your own enquiries regarding the interpretation and application of the applicable legislation to your circumstances.

To the full extent permitted by law DIP expressly disclaims all liability (including but not limited to liability for negligence) for errors or omissions of any kind or for any loss (including direct and indirect losses), damage or other consequence which may arise from your reliance on this process and the information contained on this form.

EHP RTI DL Release

Site id - 149-045791 Pro 2231

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*.

~~149-045791~~

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:-
GOWRIE ROAD SERVICE CENTRE

Location:-

Street Address 251 BRIDGE STREET

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 16 ON RP 62180

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

Postcode

See T.C.C. Box 11/194 at front of TMOA file

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 1973 SUPPORTING A
SERVICE STATION AND GARAGE 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):-

1313 M²

Current local authority zoning of the land:- RES A

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

Facsimile Transmission

COPY

City Administration Building
153 Herries Street
Toowoomba Q 4350

Telephone (076) 316611
Facsimile (076) 383830

Community Services
Telephone (076) 316749
Facsimile (076) 394272

Planning & Development
Telephone (076) 316706
Facsimile (076) 383301

Toowoomba City Library
Telephone (076) 316653
Facsimile (076) 382374

Address all correspondence to
The Town Clerk
PO Box 3021
Village Fair Post Office
Toowoomba Q 4350

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Date: 7 JULY 1994

Fax Number: (07) 227 8341

From: PAUL LLOYD

Council Department: PLANNING POLICY

To: MANAGER, CONTAMINATED LAND UNIT

Number of Pages: 6
(including this sheet)

Message:

AMENDMENTS TO THE DETAILS OF
CONTAMINATED SITES IN TOOWOOMBA
FOLLOW.

MOST OF THESE SITES WERE NOTIFIED
IN LETTERS FROM DEH DATED 18/5/94

All completed, 18/5/94

sch4p4(6) Personal information

Signature

(076) 316 863

Please advise immediately by phoning (076) 316642 if all pages are not received in legible form.

COPY

CONTAMINATED LAND DISCREPANCIES

For Sites Within Toowoomba City Council - July 1994

The following discrepancies were found between TCC records and DEH Notifications. Some were due to incorrect or incomplete original information from TCC. Most DEH notifications were dated 18 May 1994.

Details on DEH Notification (* indicates error)			Incorrect Details on DEH Notificat. of Probable Site	Correct Details
Lot No(s)	Plan	Address		
s.73				
16	RP 62180	251 BRIDGE	Street nos omitted from owners' address	MS 2010, 243 DARLING ST, TOOWOOMBA QLD 4350 ✓
s.73				

✓ indicates site is correct / has been amended on COR.