



# STANDPIPE CHARGES

## Fact Sheet

### WHAT IS THE PURPOSE OF THE STANDPIPES?

The standpipes were installed to provide an alternative access to water in time of need for household domestic use, when those people who rely on tank water have limited supply. The standpipes allow people the opportunity to transport their own water as needed, without the requirement to pay a private water carter if they wish.

### HOW DOES A WATER SCHEME WORK AND WHAT IS AN ALLOCATION?

Each town with potable and non-potable water supply is identified as a scheme. The schemes boundary is determined by the extent of connections, and the number of connections is designed on the amount of people and commercial properties the water supply can normally support.

Due to limited water allocations and reliability of supply, Council is limited in its options to extend water schemes. Those people on a water scheme have a connected service and pay a fixed access charge regardless of use in addition to their consumption charge.

### HOW DO STANDPIPES AFFECT THE WATER ALLOCATIONS?

The standpipes access water from Council's high priority or bore allocations. Water taken through the standpipes places limitations on the approved water schemes as it takes allocations, essentially extending the number of people who access an approved scheme beyond its capability and reliability. This is why standpipes are designed to support rural landowners in times of need only for domestic use.

### HOW ARE WATER ALLOCATIONS MANAGED?

In urban areas water allocation consumption is managed in two ways; water restrictions and price.

1. Water restrictions set the purpose and reasons water is to be utilised.
2. Price is set on a Tiered System to minimise medium and high water usage.

### For Further Information

Please contact Council's Water & Wastewater team on (07) 4189 9100.

[www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

As water allocations and reliability are reduced, water restrictions are increased to maintain reliability and limit consumption.

### HOW IS STANDPIPE CONSUMPTION MANAGED?

Currently there are no restrictions placed on how much water can be taken from a standpipe, and landowners using standpipe water are not subject to water restrictions. Standpipe consumption is primarily managed through pricing to encourage responsible use, similar to the purpose of a tiered system pricing on a water scheme.

### WHY DID COUNCIL REVIEW THE PRICE OF THE STANDPIPES?

Council undertook a review of its standpipe charges as a result of water restriction reviews and enquiries made by people across the region in comparison of scheme charges, and as a result of having uncontrolled consumption of water from standpipes particularly when supply restrictions are in place.

### HOW MUCH DO THE WATER SCHEMES COST?

All water schemes are a take or no take pay scheme, meaning Council must fund the scheme in full each year regardless if the allocation is used or not, but only customers that access water pay for the operation and maintenance of these assets, which currently cost \$10.8 million annually.

The majority of this money is recouped through access charges, which in addition provides a subsidy to the consumption and treatment of water. Annually, Council pays \$1.2 million to purchase raw water that is then treated and distributed in the water network.

### WHY DID THE COST OF STANDPIPE WATER INCREASE TO \$10 PER KILOLITRE?

In regards to rural or residential properties not connected to the water system, their water supply is not intended to primarily come from town water supply and they should be supplied by alternatives such as rainwater tanks, bores etc.

(Continued over...)



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However, when tanks supply becomes critical people need water to survive, which triggers essential domestic use only. The same way in which critical restrictions would be enacted on a water supply.

People requiring water for their tanks will either buy a load of water for their tank from a water carter or they can buy it from a Council standpipe.

Rural residential landowners only usually buy what they need from the water carter because it comes at a price point that reasonably encourages minimal domestic use, encouraging self restriction.

If you buy water from a Council standpipe, you buy it much cheaper and without any restrictions. That water comes from a restricted town supply or allocated raw water supply.

The justification pricing for standpipes considers the following factors:

1. Ensuring that standpipes are provided to support the rural community in being able to access water in times of need for domestic use only.
2. Ensuring that the water scheme and allocation is not used to essentially provide continual and substantive supply of normal water usage for rural households or non-domestic use. This places additional stress on the water allocations and reduces water security and reliability for town water supplies. Uncontrolled use of water creates significant risk for Council.
3. Create a price point that encourages self restriction e.g. people only take what they need to live. We would expect that people on critical water supply would be using less than 100 litres per day, and should reasonably minimise their usage somewhere in the vicinity of 80 litres per day.
4. Create a fair price point that achieves all of the above.

**SUMMARY OF RATING WATER DATA**

The below South Burnett Regional Council rating data details the evaluation methodology.

One of the requirements was the determination of true water costs of connected customers.

Connected customers pay for water infrastructure regardless of consumption. Each customer pays the access charge which is currently \$611.00 per year. This charge covers the cost of maintaining the infrastructure used to treat and deliver water to our customers. Because of the fixed access charge the less water a customer consumes the higher cost per kilolitre. Customers that are not connected to the network do not contribute to the maintenance of the water infrastructure. The current standpipe water charge of \$4.10 per kilolitre appears to be well below what most connected customers pay.

As the summary table shows 8,533 customers or 84% of all connections pay \$4.10 or more per kilolitre. 4,003

customers or 39.5% pay \$10.00 or more per kilolitre. 2,839 customers or 27.9% pay \$15.00 or more per kilolitre.

If it is assumed that standpipe customers access 1 kilolitre per week @ 52 kilolitres per year or 1.5 kilolitres per week @ 78 kilolitres per year, when compared to the summary table the price fall in the range of \$10 - \$15 per kilolitre.

It is reasonable to assume unless a person not connected to the network will only access water when they need it, and therefore, it is very unlikely that they would access standpipe water 365 days a year their overall cost increase would be reasonably even less, when compared to an average premise connected in those categories.

The new charge for the standpipes will be \$10 per kilolitre or 1 cent a litre. It should be noted that 39% of premises connected to a water scheme still pay more than \$10 a kilolitre on average.

Rates yearly access	consumption	Price kl	sub total consumption	total access & consumption	overall price kl	Cumulative total of connections	Number of customers in each band	Number of customers in %
\$611.00	25	\$1.52	\$ 38.00	\$ 649.00	\$ 25.96	2040	2040	20.1084278
\$611.00	30	\$1.52	\$ 45.60	\$ 656.60	\$ 21.94	2133	291	22.99655002
\$611.00	45	\$1.52	\$ 68.40	\$ 679.40	\$ 15.10	2817	506	27.88422868
\$611.00	72	\$1.52	\$ 109.44	\$ 720.44	\$ 10.01	4003	3164	39.45786102
\$611.00	100	\$1.52	\$ 152.00	\$ 763.00	\$ 7.63	5152	1149	50.78363726
\$611.00	125	\$1.52	\$ 190.00	\$ 801.00	\$ 6.41	6075	923	59.88171513
\$611.00	150	\$1.52	\$ 228.00	\$ 839.00	\$ 5.59	6889	814	67.9553721
\$611.00	175	\$1.52	\$ 266.00	\$ 877.00	\$ 5.01	7475	586	73.68161656
\$611.00	200	\$1.52	\$ 304.00	\$ 915.00	\$ 4.58	7991	518	78.78758009
\$611.00	225	\$1.52	\$ 342.00	\$ 953.00	\$ 4.19	8366	373	82.66426811
\$611.00	237	\$1.52	\$ 360.24	\$ 971.24	\$ 4.10	8534	167	84.11039921

**8,533 (or 84%) of connections pay \$4.10 or more per kilolitre. With Council increasing standpipe charges to \$10 per kilolitre there are still 39.5% of connections paying more. If Council was to increase standpipe charges to \$15 per kilolitre there would still be 27.9% of connections paying more.**

**For Further Information**

Please contact Council's Water & Wastewater team on (07) 4189 9100.

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**13 PORTFOLIO – RURAL RESILIENCE, PARKS & GARDENS, PROPERTY & FACILITY MANAGEMENT, INDIGENOUS AFFAIRS**

**13.1 RURAL RESILIENCE, PARKS & GARDENS, PROPERTY & FACILITY MANAGEMENT AND INDIGENOUS AFFAIRS PORTFOLIO REPORT**

**File Number:** 16-09-2020

**Author:** Councillor

**Authoriser:** Chief Executive Officer

**PRECIS**

Rural Resilience, Parks & Gardens, Property & Facility Management and Indigenous Affairs Portfolio Report

**SUMMARY**

Cr Duff presented her Rural Resilience, Parks & Gardens, Property & Facility Management and Indigenous Affairs Portfolio Report to Council.

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**OFFICER'S RECOMMENDATION**

That Cr Duff's Rural Resilience, Parks & Gardens, Property & Facility Management and Indigenous Affairs Portfolio Report to Council be received.

**BACKGROUND**

Nil

**ATTACHMENTS**

Nil



**13.2 TENDER TO LEASE RINGSFIELD, NANANGO****File Number: 16-09-2020****Author: Senior Lease and Property Management Officer****Authoriser: Chief Executive Officer****PRECIS**

Call for community groups' tender to lease Ringsfield House, and associated grounds and buildings.

**SUMMARY**

To invite community organisations to express their interest in leasing the historically significant house in Nanango, known as Ringsfield House, and associated grounds and buildings (Ringsfield) to manage and operate as a museum/tourism destination.

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**OFFICER'S RECOMMENDATION**

That, in accordance with section 228 of the *Local Government Regulation 2012* Council invite formal tenders from community groups to operate and manage Ringsfield, Nanango.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The successful Community group will be responsible for the ongoing maintenance of the buildings and surrounding grounds. In previous operational maintenance budgets Council has expended on average \$56,000 per annum to maintain lawns and gardens, rates, electricity, pest control, fire and electrical safety. At this stage no proposed saving in maintenance or repair costs to Council is expected as a community group may require 12 months to develop funding and income streams.

Community groups will need ongoing support and external funding streams to contribute to ongoing maintenance and repairs, supervision of work programs and volunteers, implementation of workplace health and safety policies and procedures to help keep visitors and volunteers safe.

Therefore, it is recommended that the tender request a financial report outlining the community groups financial ability, funding streams and cash flows to undertake the management and operation of Ringsfield.

**LINK TO CORPORATE/OPERATIONAL PLAN**

ENHANCING OUR COMMUNITY – Building a vibrant, healthy, supportive and inclusive community

EC3 An active, safe and healthy community

EC3.2 – Enhance community culture through the support of initiatives and the provision of community facilities.

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Cr Frohloff and Cr Duff have held discussions with community members and organisations in Nanango regarding suggestions and ideas on the future management of Ringsfield House / museum and use of the School building by Nanango History Room Inc.

Council held a meeting on Thursday 20<sup>th</sup> of August with Nanango Tourism and Development Association (NaTDA) and Nanango History Room Inc. to discuss the future management of Ringsfield House Museum.

At this meeting the community representatives advised that a community meeting has been held in Nanango to see if members of the wider community would like to get involved in the management and operation of Ringsfield House/ Museum. Council was advised that approximately 25 people attended.



**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

Pursuant to Section 236 of the *Local Government Regulation 2012* (the Regulation), Council is permitted to dispose of a valuable non-current asset other than by tender if it is being disposed to a community organisation. However, at least two community organisations have expressed an interest in managing Ringsfield. To allow all interested groups to make a submission to Council to manage and operate Ringsfield, Council will release a tender for the disposal of non-current asset by way of lease using the tender process set out in Section 228 of the Regulation for probity and transparency in the decision making.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

Offering the property for lease is in accordance with Council's Disposal of Real Estate Policy whereby disposal will aim to reduce operating costs, such as building or property maintenance costs in the long term and provides for economic and tourism development.

It is also a requirement under the policy that Council's contribution is acknowledged by the recipient.

**ASSET MANAGEMENT IMPLICATIONS**

Ringsfield House and associated buildings have been valued at \$1,950,000 for current asset replacement cost. This comprehensive revaluation of building assets was prepared by Shepherd Consulting Services and forms part of Council's entire building asset portfolio.

The Ringsfield complex is made up of smaller timber surrounding buildings including a chapel, school building, Shephard's Hut, Coach Shed, Outhouse, Gardner's and Maintenance sheds, as well as the large Historic timber house. The grounds include bitumen driveway and carpark, large shade sails, outdoor seating area, gazebos, garden structures and sculptures, historic gardens, rose beds and high-performance lawns.

The assets have been maintained at a high standard and used as a tourism facility, community facility used by Tai Chi and Nanango History Room, markets, wedding and other events.

Council has recently funded the replacement of roof on the Coach shed in 2019, exhaust fan upgrade in the kitchen for \$25,000 and replacement roof on Ringsfield House in 2020.

**REPORT**

The purpose of this tender process is to invite community organisations to submit a tender to lease the historically significant house in Nanango, known as Ringsfield House, and associated grounds and buildings (Ringsfield) to manage and operate as a museum/tourism destination.

Council will evaluate each tender submission to identify and select a preferred respondent that is suited to, qualified for and financially prepared to manage and operate Ringsfield.

This tender will provide:

- a background of Ringsfield
- exclusions from the tender
- details on the Council's requirements
- information on what is required from proponents in submitting their tender

The tender does not require interested community organisations to provide full business plans for management and operations but will require proponents to submit responses to the key criteria for consideration by Council.

Council's intention is to select the preferred respondent based on their experience, capability and capacity to manage and operate Ringsfield, based on the evaluation criteria outlined in the tender documents.

## 1.1 Background

Previously the Nanango and District Historical Society, managed and operated Ringsfield as a destination for visitors and local community as a showcase of historical memorabilia and items from the history of Nanango, as a function and event centre, with a small café opened in recent years. Nanango Historical Society handed back the asset to Council for ongoing operation and management. Council tendered the lease and awarded it to a commercial operator for a 2-year period. Unfortunately, the tenderer decided not to continue as it was not a financially viable operation for a commercial operator.

Ringsfield has now reverted back to the Council for management and operation.

## 1.2 Description of Ringsfield

The Ringsfield property was built as a private residence in 1908 as a 14-room villa. Ringsfield remained as a private residence until 1942 when it was opened in August as a maternity hospital. The maternity hospital closed in 1969 but was reopened as a women's refuge in 1973.

Since 1995 the Nanango and District Historical Society, in cooperation with Council, has managed and improved the Ringsfield property, with the addition of many outbuildings, including the relocation of the Nanango Presbyterian Church and Nanango Primary School building.

### 1.2.1 Ringsfield House

Ringsfield house is a large historically significant residence which now houses historical displays, has a large kitchen capable of being used commercially, and a verandah café overlooking the gardens.

### 1.2.2 Gardens

Extensive established gardens complement the house and are often used for weddings, special occasions, marquee receptions and photographs.

### 1.2.3 Nanango State School building

This school building was relocated to the Ringsfield property and restored as a conference and meeting room catering for up to 30 people. Known as the Pat Lee Meeting Room it houses historical displays and items which complement the building but do not impede the functionality of the space.

### 1.2.4 Nanango Presbyterian Church

The church was relocated to the Ringsfield property and has been fully restored as a church. It is airconditioned.

### 1.2.5 Various outbuildings

Outbuildings have been constructed on the property in keeping with the heritage value of the house including the Coach Shed, Sheppard's hut, and accessible toilet. Other structures around the grounds include shade sails, picnic tables, raised timber garden beds and a garden shed.

## 1.3 Tenure

The Ringsfield was previously held by Council as Trustee of five Reserve parcels plus one held in freehold. In 2018, Council made application to the Department of Natural Resources Mines and Energy to convert the Reserve parcels to freehold tenure. Ringsfield is now comprised of two Council-owned freehold parcels of land being Lot 9 on SP307587 and Lot 5 on SP156194, as shown on the attached plan.

## 1.4 Brighthaven residential units

The residential units located at the western boundary of Ringsfield **ARE NOT** included in this tender. Any lease offered to a Preferred Respondent as a consequence of this tender will exclude the units, known as the Brighthaven units, and surrounds.

### 1.5 Shared driveway

The driveway which is located adjacent to Brighthaven units is a shared driveway and not for the exclusive use of Ringsfield. The driveway is used for access to and parking for the Brighthaven units.

### 1.6 Ancilliary improvements and contents

A full inventory will be included as part of any agreement offered to the Preferred Proponent. All museum items remain the Property of the Principle.

#### Tender Evaluation Criteria:

The Council is looking for a thoughtful and considered approach to management and operation of Ringsfield and is open to innovative and alternative ideas.

Tender evaluation criteria;

- **Respondent's proposal** to manage and operate Ringsfield with key targets and outcomes; and the use of performance measures to monitor those outcomes such as KPIs and cashflows;
- **Marketing and promotion strategy** to promote Ringsfield as a destination offering a variety of opportunities for use;
- **Communication plan** outlining what groups or members you are working with, how you will engage the community.
- **Maintenance and Servicing schedules** including:
  - mowing and grounds maintenance,
  - cleaning of museum artefacts and displays, cleaning of floors, toilets, kitchen etc,
  - maintenance of existing and new museum displays,
  - building maintenance on all buildings,
  - garbage and waste collection,
  - servicing and maintenance of the commercial kitchen including Combi Oven, Stovetop oven, Grease Trap
  - Trade Waste Permit
  - Food Business Licence
  - water supply and testing of water tanks
  - supply of furniture for café and verandah
  - supply of materials and supplies, equipment for cleaning and maintenance

Council will consider providing:



- Pest Control
  - Fire and Electrical Safety
  - Council Rates and water usage for gardens
  - Telecommunication
  - Capital Renewals of Building Assets as per Asset Management Plan
- **Financial Report** which outlines:
    - financial ability to undertake the management and operation of Ringsfield
    - additional funding sources and the proposed extent of support from each source including purpose and amount of funding required.
    - projected cash flow itemising revenue, and costs including general maintenance, water, electricity, information technology requirements, and insurance.
  - **Relevant Experience** and ability to manage and operate Ringsfield including capability and capacity, previous experience in managing community assets.



**ATTACHMENTS**

1. **Map of Ringsfield freehold tenure**  



	<p>South Burnett Regional Council does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that SBRC shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p>	<p><b>RINGSFIELD HOUSE</b>  <b>9SP307585</b>  <b>and</b>  <b>5SP156194</b></p>	<p>4/09/2020</p> <hr/> <p>1:850</p>	
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**13.3 OUTDOOR FURNITURE AT THE ROY EMERSON MUSEUM - BLACKBUTT****File Number: 16-09-2020****Author: Senior Lease and Property Management Officer****Authoriser: Chief Executive Officer****PRECIS**

Request received from the Blackbutt and District Tourism and Heritage Association Inc, to install outdoor seating within the Brisbane Valley Rail Trail, at the Railhead, Blackbutt.

**SUMMARY**

Blackbutt and District Tourism and Heritage Association Inc (BDTHA) has sought approval to permanently install outdoor seating at Roy Emerson Museum located within the Blackbutt Railhead on the Brisbane Valley Rail Trail.

The BDTHA is seeking grant funding to purchase and install the seating.

**OFFICER'S RECOMMENDATION**

That Council approve the Blackbutt and District Tourism and Heritage Association Inc permanently install one outdoor table and shelter setting in the grounds of the Roy Emerson Museum at the Blackbutt Railhead of the Brisbane Valley Rail Trail on the condition that the table and shelter setting remain the property and maintenance responsibility of the Blackbutt and District Tourism and Heritage Association Inc.

**FINANCIAL AND RESOURCE IMPLICATIONS**

There are no foreseeable financial and resource implications.

**LINK TO CORPORATE/OPERATIONAL PLAN**

EC2 Sustainable community groups

EC2.1 - Encourage and support community organisations to enhance their sustainability

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

As owner of the land, DTMR have advised that they offer no objection to the permanent installation of the outdoor seating.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

There are no foreseeable legal implications. However, should BDTHA cease to exist and abandon the licence area, the seating will become the property of Council.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

There are no Policy/Local Law Delegation implications.

**ASSET MANAGEMENT IMPLICATIONS**

Permanent installation of outdoor table and shelter setting may restrict the future development of the site. Costs may be incurred for the removal or relocation of the setting if needed.

**REPORT**

Council leases the Brisbane Valley Rail Trail (BVRT) from the Department of Transport and Main Roads. The BDTHA holds a Deed of Licence to Occupy for part of the Blackbutt Railhead located within the BVRT.



The BDTHA made application through the Council's Community Grants process for funding to purchase and install an outdoor table and shelter setting. The BDTHA has sought approval under the Licence to install the seating and provided a location and design of the seating.

Under the licence between BDTHA and the Council, approval is required to be sought before any buildings or other structures are built or placed on site. Council has sought approval from DTMR as Head-lessor.

An open drainage area runs through the land in the vicinity of the proposed location of the seating. Rectification of any damage or undermining of the foundations due to overland flow will be the responsibility of the BDTHA.

## ATTACHMENTS

1. **Outdoor seating design** [↓](#) 
2. **Map - proposed location of seating** [↓](#) 



**Sales Quote**  
**U1013857#01**  
**8/06/2020**

ABN: 38 425 905 205

**Requested By:**

Jackie Ross - 07 4163 0146  
 Blackbutt & District Tourism & Heritage Association Inc  
 PO Box 177  
 Blackbutt QLD 4314

**Your Sales Contact**

**Athol Rowland**  
**1300 552 102**  
**athol.rowland@grillex.com.au**

**Unisite Group Pty Ltd**  
**ATF The TR Family Trust**  
**T/A Grillex**

10 Maddison Court  
 PO Box 5010  
 Bundaberg West QLD 4670  
 www.grillex.com.au  
 Toll Free: 1300 552 102  
 Free Fax: 1300 552 098

<b>Quote No:</b>	U1013857#01	<b>Quote Valid To:</b>	8/07/2020
<b>Credit Terms:</b>	50% Deposit - Final 7 Days	<b>Page:</b>	1 of 2

Code & Description	Unit	Qty	Req Date	Unit Price	Ext Price ex GST
MTSS-SM-STD-005	Each	1	30/07/2020	\$2,400.00	\$2,400.00

**Metro 2m Table & Shelter Setting - Surface Mount - Standard Finish - Zincalume Roof**

**MTSS-SM-STD-005**



- \* Zincalume corrugated iron roof supported by a strong Steel frame
- \* Aluminium frames powder coated in standard silver finish
- \* Clear anodised extrusion slats with UV resistant, fire retardant nylon endcaps in grey
- \* All Stainless Steel vandal-proof fixings
- \* Fully enclosed insect and vermin resistant extrusions
- \* Inground or Surface Mounting
- \* Flat packed for cheaper freight rates

MTSS-SM-DEL-005	Each	1	30/07/2020	\$2,478.00	\$2,478.00
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**Metro 2m Table & Shelter Setting - Surface Mount - Deluxe Finish - Colourbond Roof**

**MTSS-SM-DEL-005**



- \* Premium Colorbond® corrugated iron roof in your choice of colour supported by a strong Steel frame
- \* Aluminium frames and end caps powder coated in your choice of colour from the Dulux colour range
- \* All Stainless Steel vandal-proof fixings
- \* Fully enclosed insect and vermin resistant extrusions
- \* Inground or Surface Mounting
- \* Flat packed for cheaper freight rates

FREIGHT	\$	1	30/07/2020	\$185.00	\$185.00
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**Freight Charge Per Metro Table & Shelter Setting To Blackbutt QLD**







**13.4 HIVESVILLE BBQ SHELTER****File Number: 16-09-2020****Author: Senior Lease and Property Management Officer****Authoriser: Chief Executive Officer****PRECIS**

Request from the Hivesville Progress Association Inc to install a secure area for storage of items used for Anzac Day celebrations at the Hivesville Memorial Park.

**SUMMARY**

Hivesville Progress Association (HPA) has made a request asking Council to provide approval and/or a letter of support for HPA to seek grant funding to build a secure area to store items used for the annual ANZAC Day event.

**OFFICER'S RECOMMENDATION**

That

1. Council grant approval for the Hivesville Progress Association to enclose an existing sheltered building to secure an area of storages of items on the condition that:
  - (a) All costs to enclose the existing structure are to be borne by the Hivesville Progress Association and
  - (b) Works performed are to be of a competent manner and
  - (c) Security and items stored in the park are the responsibility of the Hivesville Progress Association

**FINANCIAL AND RESOURCE IMPLICATIONS**

There are no foreseeable financial and resource implications.

**LINK TO CORPORATE/OPERATIONAL PLAN****EC2 Sustainable community groups**

EC2.1 - Encourage and support community organisations to enhance their sustainability

**EC3 An active, safe and healthy community**

EC3.2 - Enhance community culture through the support of initiatives and the provision of community facilities

EC3.3 - Advocate for improvements in community safety

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Council's Parks and Gardens Department have offered no objection to the proposal.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

The Park and structure to be enclosed is managed and maintained by Council however, is partially located on land owned by Queensland Rail.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

There are no Policy/Local Law Delegation implications.

**ASSET MANAGEMENT IMPLICATIONS**

The HPA are enclosing a Council-owned building asset. Alterations to the building will be noted in the asset register and must be carried out by the HPA, or their appointed contractor, in a competent manner.

**REPORT**

The HPA emailed a letter to Council seeking approval and letter of support to seek grant funding to upgrade the BBQ shed in the Hivesville Memorial Park.

The HPA have advised that the park is used for Anzac Day celebrations and as a meeting place, that they currently store chairs and items in an old fridge at the rear of this shed. HPA would like to seek a grant or request Council to upgrade the following:

1. Rear of existing BBQ area to be fenced/walled in and the concrete floor extended to allow:
  - i. a secure area so that a working fridge/freezer can be left onsite;
  - ii. secure storage of essential hygiene/cleaning items;
  - iii. secure storage of cups, cutlery etc.;
  - iv. secure storage of non-perishables;
  - v. secure storage for additional seating/tables
2. Upgrade power to allow more than 2 appliances to be plugged in
3. Guttering to be installed to capture rainwater.
4. A small tank installed for washing purposes within the walled off area.

It is appropriate for part of the existing building to be enclosed with two secure doors to allow for secure storage of items. Therefore, approval is sought for item 1 as outlined above.

**ATTACHMENTS**

Nil

### **13.5 NAMING OF NANANGO SPORTSGROUND**

**File Number:** 16-09-2020

**Author:** Senior Lease and Property Management Officer

**Authoriser:** Chief Executive Officer

#### **PRECIS**

Proposed naming of the Nanango Sportsground to the Alan Downie Sports Fields.

#### **SUMMARY**

Council is trustee of the Reserve for Recreation, part of which is leased to the Nanango Sporting Association (NSA). The NSA would like to recognise Alan Downie's commitment to Nanango Soccer by naming the sportsground the "Alan Downie Sports Fields".

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#### **OFFICER'S RECOMMENDATION**

That the Nanango Sports Association be permitted to name the sportsground at Burnett Street, Nanango, the "Alan Downie Sports Fields" in recognition of Alan's many years of service and commitment to Nanango Soccer.

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

There will be no financial or resource implications for Council. Any costs for signage and communications associated with the naming of the sportsground will be the responsibility of the NSA.

#### **LINK TO CORPORATE/OPERATIONAL PLAN**

*ENHANCING OUR COMMUNITY - Building a vibrant, healthy, supportive and inclusive community*

EC3 An active, safe and healthy community

EC3.2 - Enhance community culture through the support of initiatives and the provision of community facilities

#### **COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

The NSA have advised that the sportsground has not previously been named.

#### **LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

There are no known legal implications for Council in the renaming of the sportsgrounds.

Council, under the *Land Act 1994*, is Trustee of the Reserve for Recreation, part of which is leased to the Nanango Sports Association as a sportsground. DNRME have been consulted and do not provide input for naming of the local sportsground.

Council is responsible for naming sportsgrounds.

#### **POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

Council adopted its Infrastructure Asset Naming Policy on 15 March 2017.

The Asset Naming Policy applies to all existing and proposed infrastructure assets inclusive of gazetted and private assets in the South Burnett region that are under the control of the South Burnett Regional Council. The sportsground at Nanango is under the control of the South Burnett Regional Council and the naming of the facility is governed by this policy.

The name proposed by the Nanango Sports Association, the "Alan Downie Sports Fields", meets the requirements of this policy because it:

- Is a suitable name, length and spelling as to not hinder emergency services and the general public;
- Is not offensive
- Is not duplicated within the region and is suitable for the location
- Recognises a person that has had a long and significant association with the sportsground
- Acknowledges Alan as having given significant community service to the sportsground, Nanango Soccer and the region.

The NSA has made investigations into the naming of the facility and have advised that, as far as they are aware, the sportsground has not previously been named. Therefore, Council considers that public consultation is not necessary in this instance as the NSA has undertaken its own community enquiries and investigations. This level of consultation is considered appropriate in this instance.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications for the naming of the sportsground.

### **REPORT**

Council received a request from the NSA, seeking approval to name the Nanango Sportsground.

NSA have advised that they would like the Nanango Sportsground to be officially named after Alan. The NSA would like the grounds to be officially known as the "Alan Downie Sports Fields", to be displayed on a sign at the front entry of the grounds.

As the land is a Reserve for Recreation, the Department of Natural Resources Mines and Energy have been asked if there are any requirements under the *Land Act 1994*. DNRME have advised that as Trustee, Council has the right to name the facility without referring to the department.

The NSA have advised that they aren't aware of any previous names for the facility.

Community consultation will be required to ensure the community is supportive of the naming of the sportsground.

### **SUMMARY**

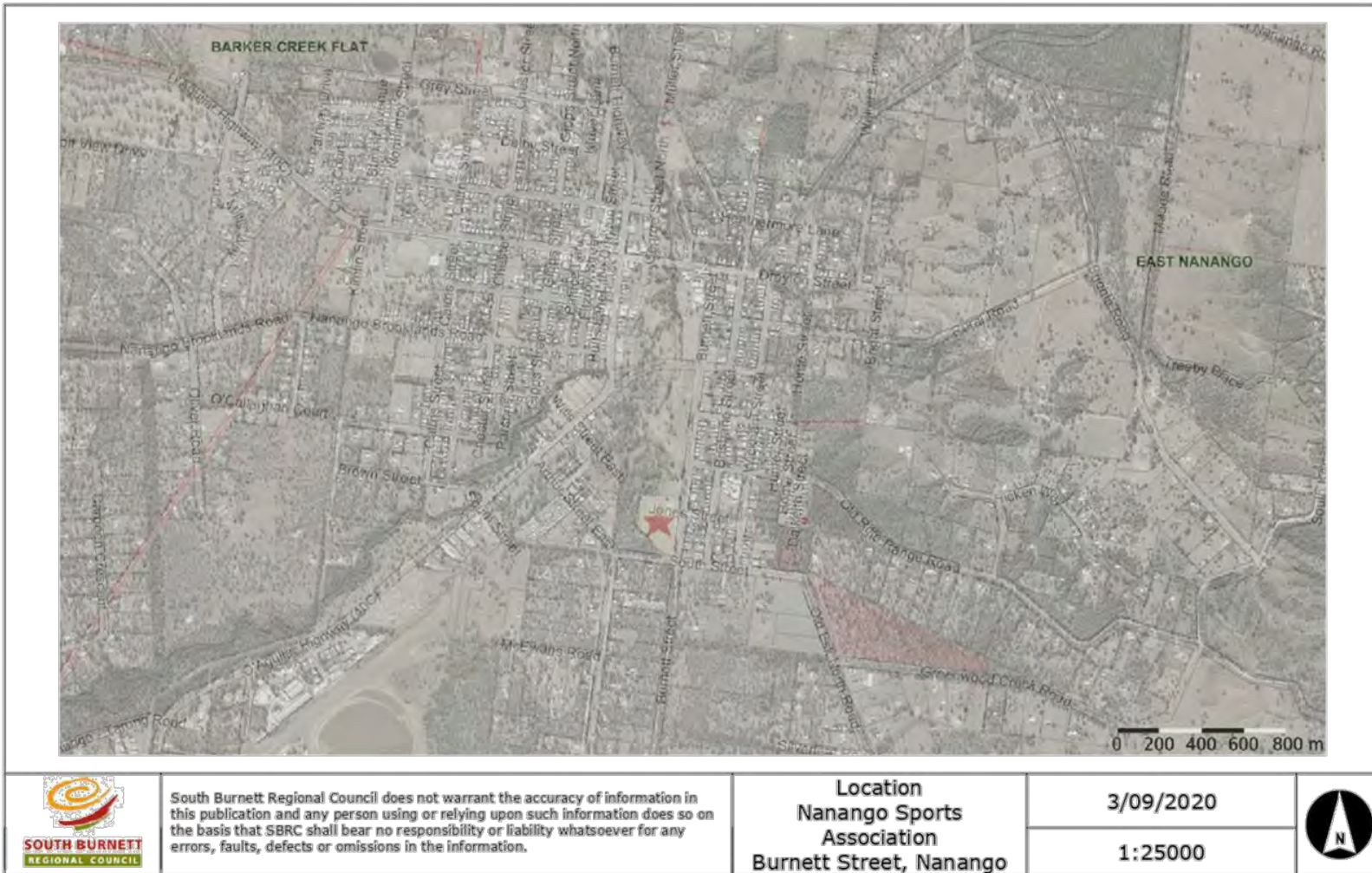
Council is trustee of the Reserve for Recreation, part of which is leased to the Nanango Sporting Association (NSA). Alan Downie, an integral part of the Nanango Soccer for 36 years as player and coach, and a respected member of the Nanango community, recently passed away.

The NSA would like to recognise Alan's commitment to Nanango Soccer by naming the sportsground the "Alan Downie Sports Fields"

Council is trustee of the Reserve for Recreation, part of which is leased to the Nanango Sporting Association (NSA). The NSA would like to recognise Alan Downie's commitment to Nanango Soccer by naming the sportsground the "Alan Downie Sports Fields."



### **ATTACHMENTS**

1. **Location of sportsground** [↓](#) 
2. **Nanango Sports Association - Burnett Street - fields** [↓](#) 







	<p>South Burnett Regional Council does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that SBRC shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p>	<p>Nanango Sports Association Burnett Street, Nanango</p>	<p>3/09/2020 1:1750</p>	
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**13.6 DISPOSAL OF ASSET - SHED FOR REMOVAL - 6 MACALISTER STREET, MURGON****File Number: 16-09-2020****Author: Senior Lease and Property Management Officer****Authoriser: Chief Executive Officer****PRECIS**

Proposed disposal of asset – shed for removal from the old Murgon Depot at 6 Macalister Street, Murgon (Lot 61 on RP48890)

**SUMMARY**

Council owns a timber framed weatherboard shed at the old Murgon Depot – Lot 61 on RP48890 – 6 Macalister Street, Murgon. Council's asset condition assessment identified that the shed is in poor conditions and should be demolished. The shed was offered for removal to the public by way of tender.

**OFFICER'S RECOMMENDATION**

That Council not accept the tender for demolition of the shed at 6 Macalister Street, Murgon, and proceed to seek quotes for the demolition of the building.

**FINANCIAL AND RESOURCE IMPLICATIONS**

As the shed did not sell for removal, Council will now incur costs to demolish the building.

**LINK TO CORPORATE/OPERATIONAL PLAN**EXC1 Effective financial management

EXC1.1 - Ensure Council's financial management planning is based on realistic, sustainable, equitable policies and practices

INF1 Infrastructure that meets our communities needs

INF1.3 - Provide and maintain other Council owned infrastructure to meet community needs in accordance with asset management practices

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Council's Manager Property is liaising across Council to ensure all items stored at the shed are removed prior to removal.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

Sale of surplus assets is in accordance with requirements under the *Local Government Regulation 2012* Section s227. As the shed did not sell, seeking quotations for the demolition of the building will now be undertaken in accordance with Division 2 of the *Local Government Regulation 2012*.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

Disposal of the asset is in accordance with Council's Disposal of Asset Policy and contractors engaged for the demolition of the building will be in accordance with Council's Procurement Policy.

**ASSET MANAGEMENT IMPLICATIONS**

Demolition of the shed is in accordance with the Asset Management Plan and will reduce ongoing costs of holding an aging building asset.

**REPORT**

Council offered for sale for removal a shed located at Macalister Street, Murgon.

One tender was received and has been evaluated in accordance with the Tender Evaluation Plan.

The single tender received referred to their submission as being a quote for demolition and the tenderer was contacted and asked to clarify. The tenderer confirmed that the submission was a quote for demolition and the intention was for Council to pay the tenderer the amount quoted.

As this was not the intention of the disposal for removal, the tender cannot be accepted.

**ATTACHMENTS**

Nil

**13.7 SALE OF MACALISTER STREET MURGON BY TENDER (HOUSE ONLY)****File Number:** 16-09-2020**Author:** Senior Lease and Property Management Officer**Authoriser:** Chief Executive Officer**PRECIS**

Proposed disposal of house for removal from Lot 6 on SP118178, 41 Macalister Street, Murgon.

**SUMMARY**

Council owns 41 Macalister Street, Murgon, a residential property adjoining the Murgon Depot. The land is to be retained for future expansion of the Murgon depot and the house has been offered for sale for removal by way of tender.

**OFFICER'S RECOMMENDATION**

That Council sell for removal the house located at 41 Macalister Street, Murgon, a valuable non-current asset, in accordance with Section 227 of the *Local Government Regulation 2012*, to the successful tenderer, Altas House Removers.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Disposal of the house will reduce the asset building portfolio, asset depreciation, ongoing maintenance and capital improvement costs.

**LINK TO CORPORATE/OPERATIONAL PLAN**EXC1 Effective financial management

EXC1.1 - Ensure Council's financial management planning is based on realistic, sustainable, equitable policies and practices

INF1 Infrastructure that meets our communities needs

INF1.3 - Provide and maintain other Council owned infrastructure to meet community needs in accordance with asset management practices

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Council's Manager Property liaised across Council to determine the future use of the land. The land is to be held for future depot expansion.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

Sale of surplus assets will be in accordance with requirements under the *Local Government Regulation 2012* Section s227.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

Sale of the house for removal is in accordance with Council's Disposal of Assets Policy.

**ASSET MANAGEMENT IMPLICATIONS**

Sale of the house is in accordance with the Asset Management Plan and will reduce ongoing costs of holding an aging building asset.

**REPORT**

Council called tenders for the sale of the house for removal at 41 Macalister Street, Murgon situated on Lot 6 SP118178 in accordance with Section 227(1)(a) of the *Local Government Regulation 2012*.

The house and land located at 41 Macalister Street; Murgon has been rented by Council to private tenants for the past 10 years. The tenant vacated the property in 2019 and it is now vacant.

Ongoing maintenance is estimated to be \$190,000 over the next 2 to 3 years if retained by Council. Identified maintenance includes replacing the roof, ceiling repairs and external painting.

Two tenders were received with the successful Tenderer offering \$5,126.00 (GST inclusive) to purchase the house for removal.

**ATTACHMENTS**

1. **Map of 41 Macalister Street, Murgon**  
2. **Photo of 41 Macalister Street, Murgon (house)**









**13.8 SALE BY TENDER OF 20 WILLIAM STREET, KINGAROY****File Number: 16-09-2020****Author: Senior Lease and Property Management Officer****Authoriser: Chief Executive Officer****PRECIS**

Disposal of 20 William Street, Kingaroy (described as Lot 4 on RP7914) by way of tender.

**SUMMARY**

Council offered for sale, Lot 4 on RP7914, 20 William Street, Kingaroy, by tender in accordance with Section 236 of the *Local Government Regulation 2012*. Tenders have closed and been evaluated, and Council is in a position to progress the matter.

**OFFICER'S RECOMMENDATION**

That Council finalise the tender process for the sale of Lot 4 on RP7914, 20 William Street, Kingaroy by:

1. Entering into negotiations with the highest tenderer and if the current market value of the property is reached, enter into a contract of sale for the property or
2. If negotiations with the highest tenderer does not result in a sale of the property at current market value, list the property for sale on the open market.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Revenue from the sale of Council owned land will be allocated to future capital expenditure programs.

If negotiations with the highest tenderer do not result in a sale, Council will engage a real estate agent to market and sell the property, which will incur marketing costs and commission.

**LINK TO CORPORATE/OPERATIONAL PLAN****GROWTH AND OPPORTUNITY**

A strong and sustainable regional economy supported by diverse sectors and innovative planning mechanisms.

GO1 A strong and sustainable regional economy

GO1.1 – Implement the Council's Economic Development Strategy

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

N/A

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

The offer of sale of the property is in accordance with Sections 227-228 of the *Local Government Regulation 2012*. If negotiations with the preferred tenderer is successful, Council will engage a solicitor to draft the contract of sale and manage the executed contract through to settlement. If negotiations do not result in the sale, the property will be listed for sale on the open market with contract documents prepared by the appointed real estate agent.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

Offering the property for sale is in accordance with Council's Disposal of Real Estate Policy.

**ASSET MANAGEMENT IMPLICATIONS**

Sale of this block will result in a reduction in housing assets held by Council.

**REPORT**

20 William Street, Kingaroy is a regular shaped inside residential allotment improved with a single unit residential dwelling. It is located in an established residential area of Kingaroy opposite Memorial Park and within 400 metres from the Kingaroy central business district and major shopping centre. It is zoned medium density residential under the South Burnett Regional Council Town Planning Scheme and has an area of about 1000 square metres.

The property has been rented on the open market for the last two years, but the tenant has recently vacated. A recent asset condition assessment has been conducted on the property. Given the property is surplus to requirements, it is a timely opportunity to dispose of the property.

As per the *Local Government Regulation 2012* Section s228(1)(b) Council must invite tenders for non-current assets that has a market value greater than \$10,000 unless it has an exemption under Section 236. To be exempt from tendering or auction under section 236 Council must agree that the land is;

- Not suitable for tender or auction, and
- No other adjoining landowner wishes to acquire the land, and
- It is in the public interest, and
- It is in accordance with sound contracting principles, and
- It is disposed of at market value.

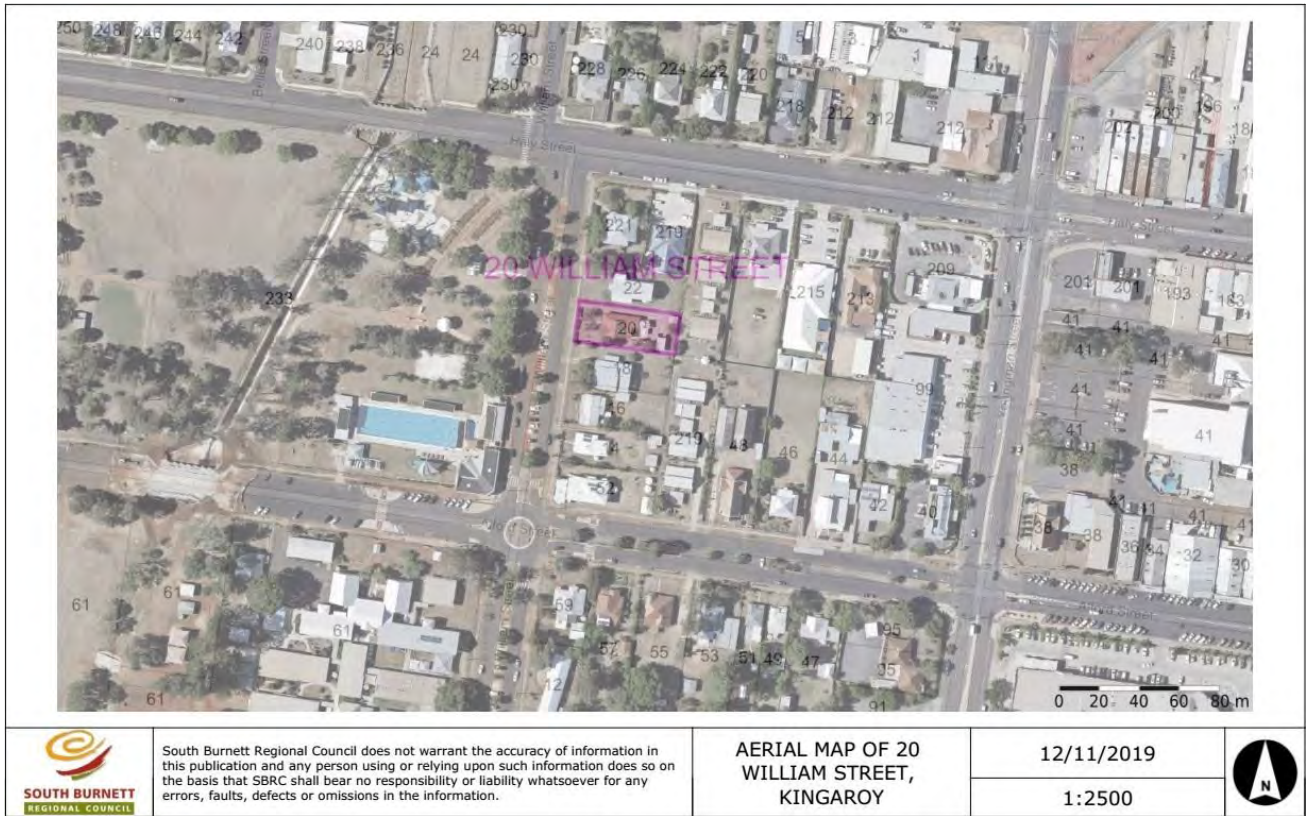
As the disposal of 20 William Street, Kingaroy does not meet any exemption under the *Local Government Regulation 2012*, it was offered for sale by tender.

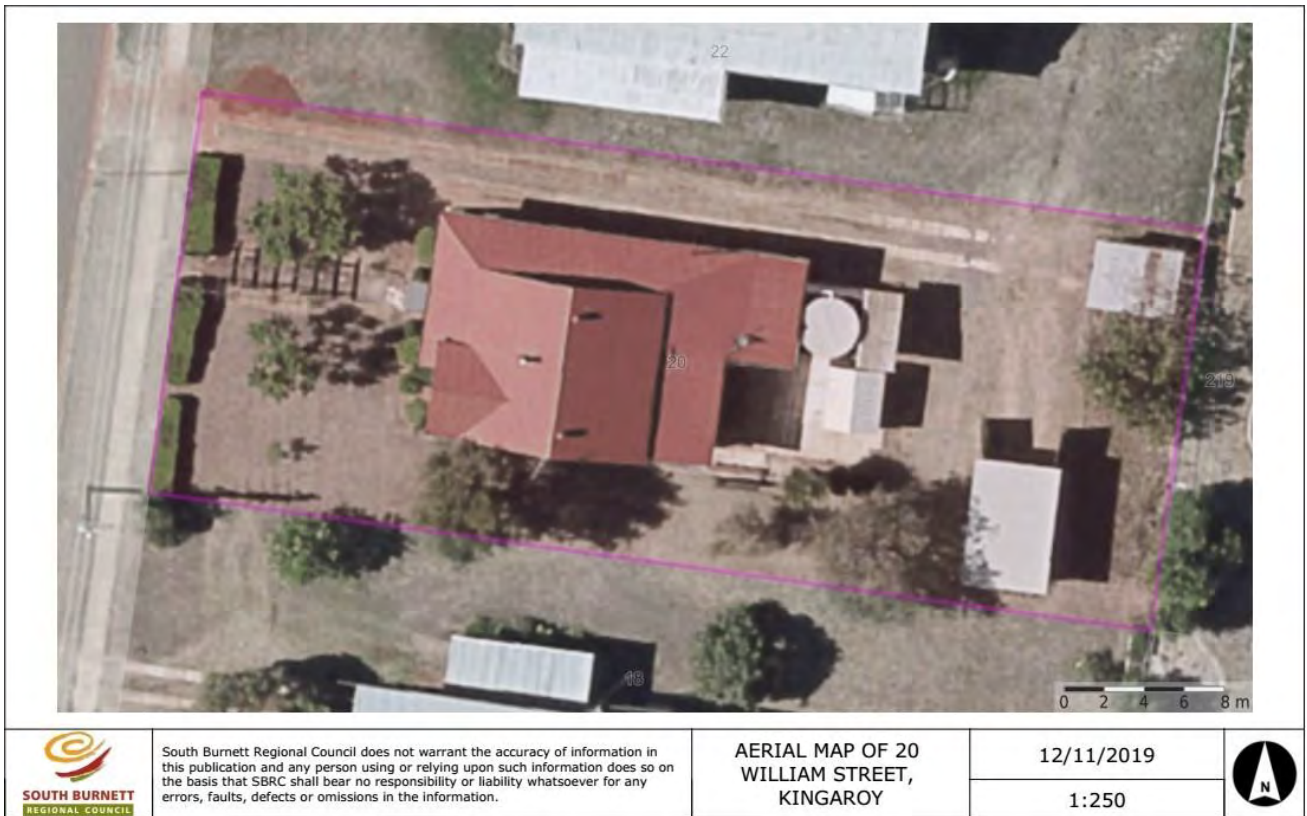
Three tenders were received for the property with no tenders reaching the market value of the property.

**ATTACHMENTS**

1. **Location of 20 William Street, Kingaroy** [↓](#) 
2. **Aerial - 20 William Street, Kingaroy** [↓](#) 







**14 PORTFOLIO – ECONOMIC DEVELOPMENT**

**14.1 ECONOMIC DEVELOPMENT PORTFOLIO REPORT**

**File Number: 16-09-2020**

**Author: Councillor**

**Authoriser: Chief Executive Officer**

**PRECIS**

Economic Development Portfolio Report

**SUMMARY**

Cr Schumacher presented her Economic Development Portfolio Report to Council

---

**OFFICER’S RECOMMENDATION**

That Cr Schumacher’s Economic Development Portfolio Report to Council be received.

**BACKGROUND**

Nil

**ATTACHMENTS**

Nil

**15 NOTICES OF MOTION**

**15.1 NOTICE OF MOTION - WATER STANDPIPES**

**File Number: 16-09-2020**

I, Councillor Kathy Duff, give notice that at the next Ordinary Meeting of Council to be held on 16 September 2020, I intend to move the following motion:

---

**MOTION**

That the fees and charges schedule be reset to allow the price for standpipes to be \$4.10 per kilolitre and this price is to remain in place until the infrastructure team completes and presents back to Council a full review of water standpipe charges across our region.

**ATTACHMENTS**

**Nil**

**16 INFORMATION SECTION**

**16.1 IS - LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**

**File Number:** 19-08-2020

**Author:** Executive Assistant

**Authoriser:** Chief Executive Officer

**PRECIS**

List of correspondence pending completion of assessment report

**SUMMARY**

Reports pending completion of assessment

---

**OFFICER'S RECOMMENDATION**

That the List of Correspondence pending completion of Assessment Report be received.

**REPORT**

**2710208** - Reconfiguration of a Lot application - Boundary Realignment (3 Lots int 2 Lots) - Kingaroy Waste Facility - Luck Road Inverlaw - Lots 1 RP167555, 1 RP114513 & 2 RP114513 - RAL20/0011

**2711311** - Request for Negotiated Decision in relation to Material Change of Use - Animal Keeping (Dog Breeding) at 23 Zolner Road (Birt Road) Memerambi - Lot 333 FY357 - MCU20/0002

**ATTACHMENTS**

Nil



**16.2 DELEGATED MEETING REPORTS**

**File Number:** 16/09/2020  
**Author:** Planning Administration  
**Authoriser:** Chief Executive Officer

**PRECIS**

Reports signed by the Chief Executive Officer under delegated authority.

**SUMMARY**




This report comprises a listing of any reports approved by delegated authority.

---

**OFFICER'S RECOMMENDATION**

That the Delegated Authority report be received.

**ATTACHMENTS**

1. **Material Change of Use - Secondary Dwelling House - 207 Malar Crescent, Booie - MCU20/0012 - ONF Surveyors - D M Johnson.** [↓](#) 
2. **Reconfiguring of a Lot (1 lot into 2 lots) 20 Reen Street, Kingaroy - RAL20/0006 - ONF Surveyors - Greeff.** [↓](#) 
3. **Request for a Negotiated Decision Notice - 23 Zolner Road, Memerambi - MCU20/0002 - S Clair** [↓](#) 

Approved by Delegated Authority:  Date: 14/08/2020

**P&LM - 2703693 - MATERIAL CHANGE OF USE - SECONDARY DWELLING, 207 MALAR CRESCENT, BOOIE - LOT 36 ON RP224504 - D M JOHNSON**

**File Number:** MCU20/0012  
**Author:** Manager Planning & Land Management  
**Authoriser:** General Manager Community  
 Chief Executive Officer

	SIGNATURE	DATE
MANAGER		14/8/2020
GM		17/8/2020
CEO		17-08-2020

**PRECIS**

Material Change of Use Secondary Dwelling at 207 Malar Crescent, Booie described as Lot 36 on RP224504 for D M Johnson

**SUMMARY**

- Application for a development permit for a Secondary Dwelling with a gross floor area of 98.3m<sup>2</sup> that exceeds the maximum gross floor area requirements (70m<sup>2</sup> or 40% of the gross floor area of the existing dwelling, whichever is less) of the Planning Scheme.
- Subject site is in the Rural Zone and forms part of an existing subdivision consisting of smaller lots generally 2.5ha in extent.
- Proposed secondary dwelling will be sited within the curtilage of the existing dwelling on site creating the appearance of a single larger dwelling.
- Proposed secondary dwelling will be sited clear of the natural hazards created by flooding and bushfire so that personal safety can be maintained.
- A Bushfire Management Report submitted with the application confirms the Bushfire Attack Level (BAL) of the building site as LOW.
- Proposal will not result in adverse impacts on the existing rural residential character and amenity of the surrounding area.
- Proposal recommended for approval subject to reasonable and relevant conditions.

**OFFICER'S RECOMMENDATION**

That Council **approve** the development application for a Material Change of Use for a Secondary Dwelling at 207 Malar Crescent, Booie described as Lot 36 on RP224504, subject to reasonable and relevant conditions:

**GENERAL**

GEN1. The development must be completed and maintained generally in accordance with the approved plans and documents and any amendments arising through conditions to this development approval:

Drawing Title	Prepared by	Reference no.	Issue Date
Proposed Secondary Dwelling	ONF Surveyors	8774 P/1	8 July 2020
Custom Kit Home Floorplan	Custom Home and Shed Designs	Q21739	29 May 2020
Custom Kit Home Elevations	Custom Home and Shed Designs	Q21739	29 May 2020

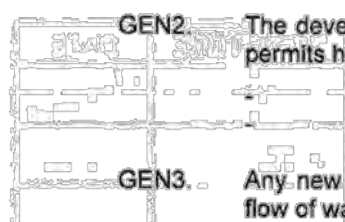
Approved by Delegated Authority:



Date: 14/08/2020

**Documents:**

Bushfire Management Report prepared by Designconxion dated May 2020.

- 
- GEN2.** The development herein approved may not start until the following development permits have been issued and complied with as required:
- Development Permit for Building Works, and
  - Permit for Plumbing and Drainage Work.
- GEN3.** Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

**APPROVED USE – SECONDARY DWELLING**

- GEN4.** The approved development is a Material Change of Use for a secondary dwelling, as shown on the approved plans and does not imply approval for other similar uses including short term accommodation, Air BNB and the like.

**WASTEWATER**

- MCU1.** The proposed secondary dwelling is to be connected to an on-site sewerage facility. The proposed facility is to comply with Australian Standard AS1547 and the Queensland Plumbing & Wastewater Code.

**CARPARKING**

- MCU2.** Parking is to be provided for one (1) vehicle and access to it is via the same driveway as the primary dwelling.

**MAINTENANCE**

- MCU4.** Maintain the site in a clean and orderly state at all times.
- MCU5.** Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.

**ELECTRICITY**

- MCU7.** The applicant is to provide the secondary dwelling with reticulated electricity supply complying with Ergon Energy's requirements. Submit to Council, written confirmation from the electricity provider that the secondary dwelling is connected or an agreement has been guaranteed for the supply of electricity.

**TELECOMMUNICATIONS**

- MCU8.** The applicant is to provide the secondary dwelling with a telecommunications service. Where supply is not able to be provided at this time, details of the proposed service is to be provided for Council's consideration and approval.

**STORMWATER MANAGEMENT**

- ENG1.** Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG2.** Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

**ADVICE**

- ADV1.** Section 85 (1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within the period of four (4) years the approval will lapse.

**HERITAGE**

- ADV2.** This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A

MCU20/0012 – 207 Malar Crescent, BOOIE

2 of 15

Approved by Delegated Authority:



Date: 14/08/2020

person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

**APPEAL RIGHTS**

ADV3. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights

**FINANCIAL AND RESOURCE IMPLICATIONS**

No implication can be identified.

**LINK TO CORPORATE/OPERATIONAL PLAN**

Growth and Opportunity  
 GO2 Balanced development that preserves and enhances our region.  
 GO2.1 Implement Council's planning scheme to support sustainable development of business, industry and community liveability

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Refer to CONSULTATION in this report.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

No implication identified.

**POLICY/LOCAL LAW/DELEGATION IMPLICATIONS**

No implication can be identified.

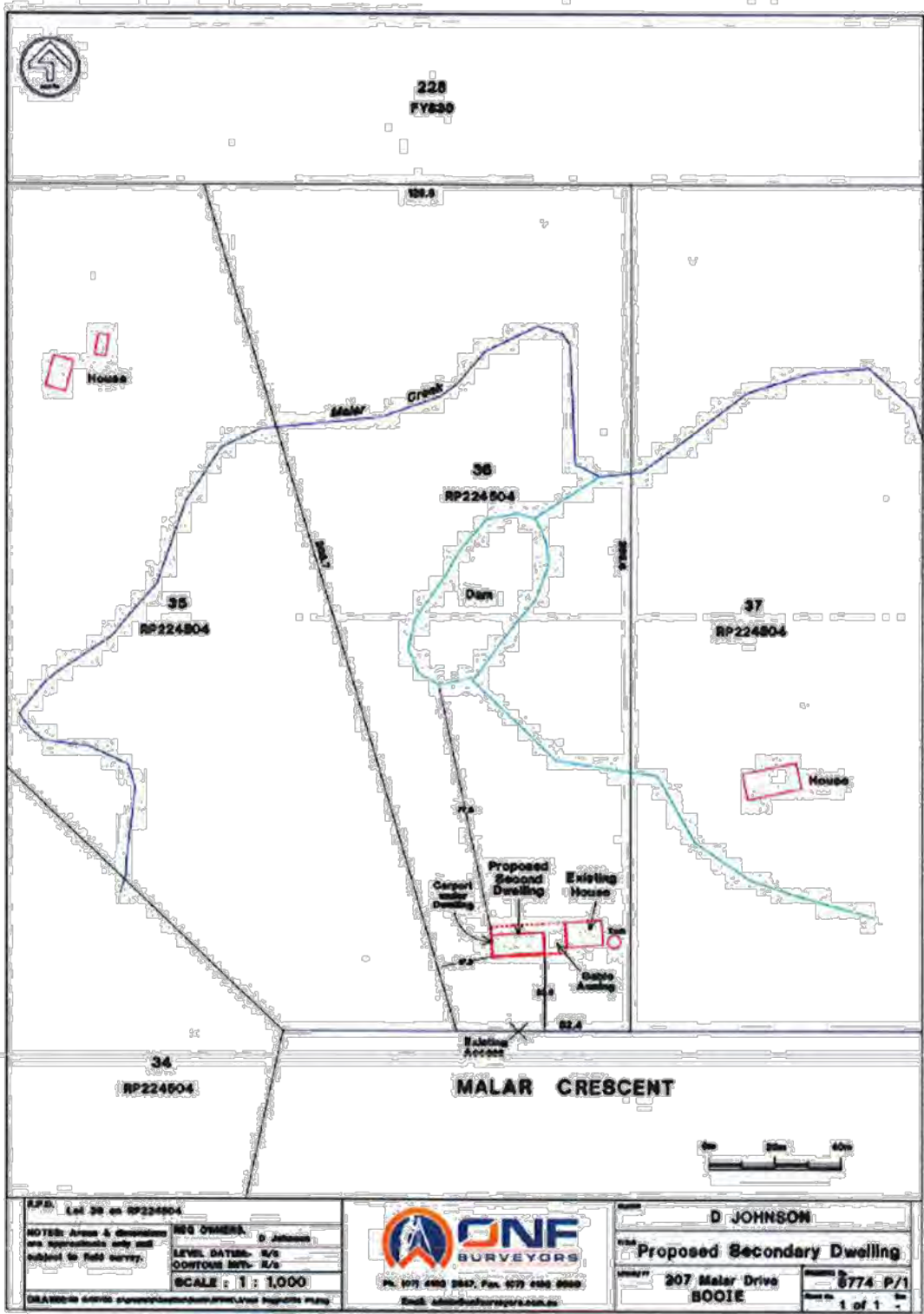
**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.

Approved by Delegated Authority: 

Date: 14/08/2020

**PROPOSAL PLAN**



<p>RP224804 Lot 35 on RP224804</p> <p>NOTES: Areas &amp; dimensions are approximate only and subject to field survey.</p> <p>LEVEL DATUM: M/S</p> <p>CONTOUR INT: 1/2</p> <p>SCALE: 1 : 1,000</p> <p><small>DRAWN BY: G.M. SURVEYORS/ENGINEERS/PLANNERS/ARCHITECTS/PAINTERS</small></p>	<p>REG OWNER: D. Johnson</p> <p>DATE: 14/08/2020</p> <p>SCALE: 1 : 1,000</p> <p><b>GNE SURVEYORS</b></p> <p>Ph: 077 430 2847, Fax: 077 430 2848</p> <p>Email: admin@gnepurveyors.co.nz</p>	<p>NAME: D. JOHNSON</p> <p>PROPOSED: Proposed Secondary Dwelling</p> <p>ADDRESS: 207 Malar Drive BOOIE</p> <p>PROJECT NO: 5774 P/1</p> <p>Sheet No: 1 of 1</p>
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MCU20/0012 – 207 Malar Crescent, BOOIE

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Approved by Delegated Authority:

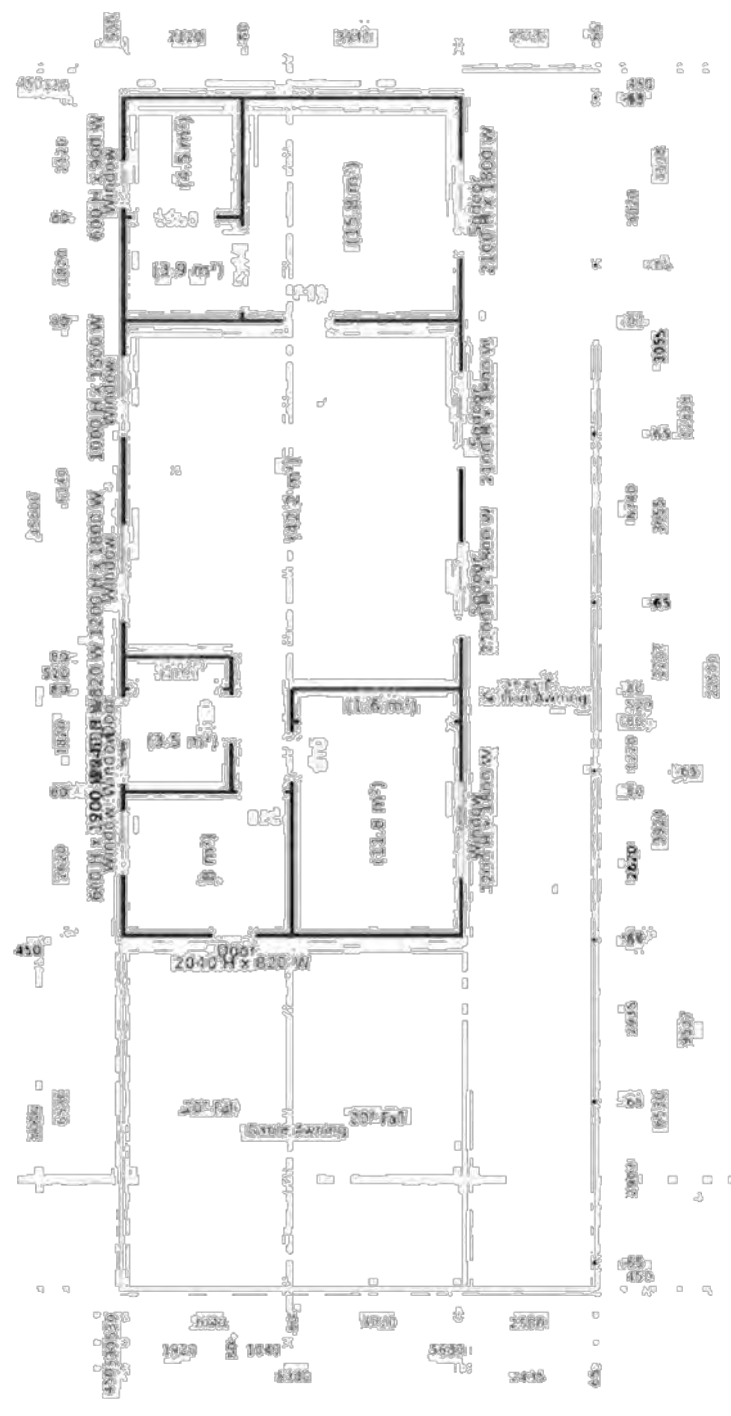
*A*

Date: 14/08/2020

**Quotation**  
Steven Johnson  
Ph: 0448 32 399  
Email: [sjohnson@sheds.com.au](mailto:sjohnson@sheds.com.au)  
Quote ID: Q1739

MEVINSI 489 800 745  
Shop 3W2 Drayton St, Nanango QLD 4616  
Ph: 0419 976 787  
[nanango@mecano.com.au](mailto:nanango@mecano.com.au)  
[www.mecano.com.au](http://www.mecano.com.au)  
**Mecano**  
Custom Home and Shed Designs

**Custom Kit Home - Floorplan**



Date: 29 May, 2020

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MCU20/0012 – 207 Malar Crescent, BOOIE

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Approved by Delegated Authority: 

Date: 14/08/2020

**Quotation**

Business Address  
P.O. Box 933359  
Email: [quotation@mh.com](mailto:quotation@mh.com)  
Quote ID: Q21798

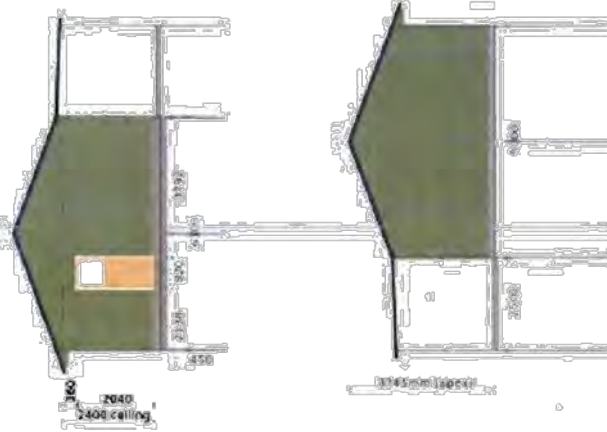
**Custom Kit Home - Elevations**



Date: 29 May 2020

Page 1 of 3

ABN: 51 499 330 745  
Shop: 383 Division St, Nambour QLD 4656  
Ph: 0419 976 787  
[enquiries@mecano.com.au](mailto:enquiries@mecano.com.au)  
[www.mecano.com.au](http://www.mecano.com.au)  
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Custom Home and Shed Designs



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MCU20/0012 – 207 Malar Crescent, BOOIE

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Approved by Delegated Authority: 

Date: 14/08/2020

**REPORT**

The applicant seeks approval for a Material Change of Use to establish a Secondary Dwelling in addition to the existing Dwelling house on site.

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	D Johnson C/- ONF Surveyors
<b>Proposal:</b>	Material Change of Use for Secondary Dwelling
<b>Properly Made Date:</b>	9 July 2020
<b>Street Address:</b>	207 Malar Road, Booie
<b>RP Description:</b>	Lot 36 RP224504
<b>Assessment Type:</b>	Code Assessment
<b>State Referral Agencies:</b>	Not required
<b>Referred Internal Specialists:</b>	Development Engineer

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>				
<b>Land Area:</b>	2.3160ha			
<b>Existing Use of Land:</b>	Dwelling House, rural residential living			
<b>Road Frontage:</b>	Malar Crescent			
<b>Road/s</b>	<b>Road Hierarchy</b>	<b>Width</b>	<b>Seal Width</b>	
Malar Crescent	Street	20m	7m	
<b>Easements</b>	None			
<b>Significant Site Features:</b>	Malar Creek over norther part of site. Vegetation on site and surrounding area comprises eucalypt woodland with grassy understory. Existing cleared areas			
<b>Topography:</b>	Relatively flat sloping towards the north along Malar Creek.			
<b>Surrounding Land Uses:</b>	<b>Land Use</b>	<b>Zone/Precinct</b>		
<b>North</b>	Rural activities in the Rural zone to the north.			
<b>South</b>	Rural residential activities in the Rural zone on other surrounding sites.			
<b>East</b>				
<b>West</b>				
<b>Services:</b>	Reticulated water and sewer not available.			

**ASSESSMENT:**

**Framework for Assessment**

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- The *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Approved by Delegated Authority: 

Date: 14/08/2020

**Assessment Benchmarks Pertaining to the Planning Scheme**

The applicable planning scheme for the application is South Burnett Regional Council Version 1.3. The following sections relate to the provisions of the Planning Scheme.

<b>Planning Scheme:</b>	South Burnett Regional Council Planning Scheme Version 1.3
<b>Zone:</b>	Rural
<b>Assessment Benchmarks:</b>	Rural Zone Code

**Assessment Benchmarks – Planning Scheme Codes**

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

<b>PERFORMANCE OUTCOME</b>	<b>ACCEPTABLE OUTCOME</b>
<b>Rural Zone Code</b>	
<b>PO14</b> A secondary dwelling must be subsidiary to its primary dwelling.	<b>AO14.1</b> A secondary dwelling is no larger than 70m <sup>2</sup> in gross floor area or 40% of the gross floor area of the primary dwelling, whichever is less.  <b>Comment</b> The existing dwelling on site has an approximate gross floor area of 80m <sup>2</sup> and the proposed dwelling will have a gross floor area of 98m <sup>2</sup> , hence the proposal does not meet the requirement of the zone code. The proposed new dwelling will be located adjacent to the existing dwelling within the curtilage and with minor separation between the two dwellings. The two dwellings will have the appearance of a larger single dwelling which is consistent with the character of the residential development on adjoining land. The proposal will have access from a single driveway.
<b>Agricultural Land Overlay</b>	
<b>PO15</b> The productive capacity and utility of agricultural land for rural activities is maintained.	<b>AO15.1</b> The proposal is not located on agricultural land as identified on SPP Interactive Mapping (Plan Making).  <b>Comment</b> The size of the subject site is 2.31ha and part of a bigger rural residential subdivision containing small rural residential lifestyle lots that are identified as agricultural land in the SPP Mapping System.
	The subject site is not utilized for intensive agricultural pursuits and the proposal will represent a relatively small increase in the development footprint on site.



Approved by Delegated Authority:

Date: 14/08/2020

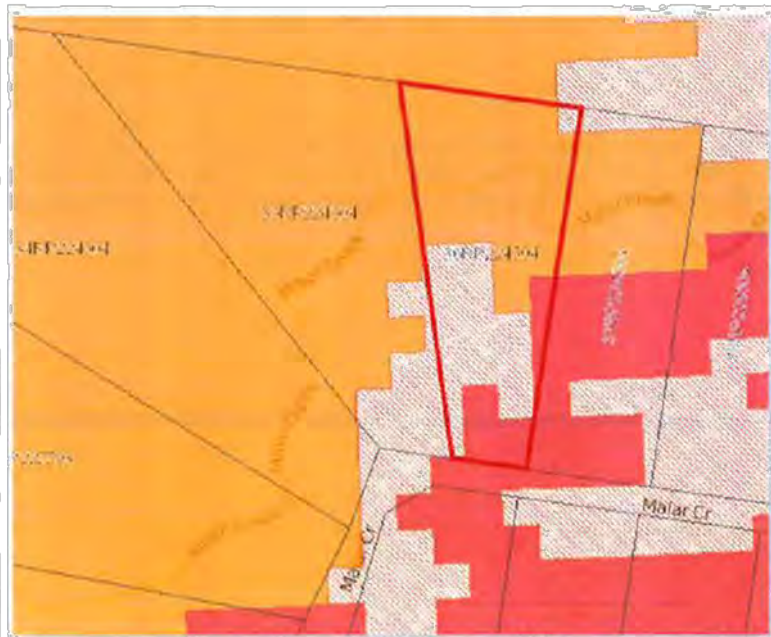


**Bushfire Hazard Overlay**

**PO21**  
Development is not placed at unacceptable risk from bushfire, does not increase the extent or severity of bushfire and maintains the safety of people and property from bushfire.

**AO21.2**  
A written assessment by a suitably experienced or qualified person confirms that the site is of Low Potential Bushfire Hazard.

**Comment**  
The Bushfire Management Report submitted as part of the application confirms that the building site had a Bushfire Attack level (BAL) of Low therefore meeting the requirements of the zone code.





Approved by Delegated Authority:

Date: 14/08/2020

**Flood Hazard Overlay**

<p><b>PO28</b> Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.</p>	<p><b>AO28.2</b> New buildings are not located within the area identified on Overlay Map 03.</p> <p><b>Comment</b> The proposed new dwelling will be located in an elevated position on site that is outside the nominated flood hazard area.</p>
--	---

**Other Relevant Matters**

The applicant confirmed that the proposed dwelling will be utilised by family members. Given the position of the proposed dwelling in close proximity of the existing dwelling it is unlikely that the proposed dwelling will be utilised for short term accommodation or rented to a third party.

Approved by Delegated Authority:  Date: 14/08/2020

**Locality Plan**

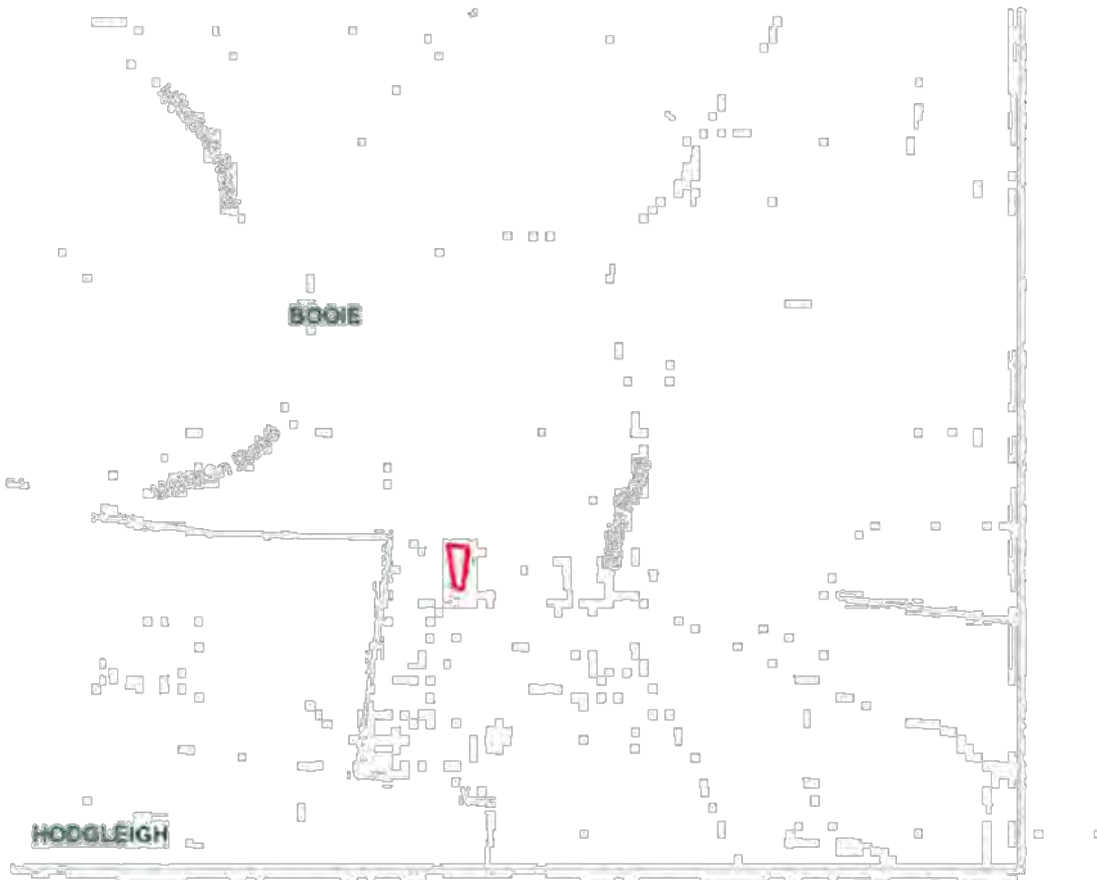


Figure 1 - Locality Plan (Source: IntraMaps)

Approved by Delegated Authority:



Date: 14/08/2020

**Aerial Plan**



Figure 2 - Aerial Image (Source: Qld Globe)

Approved by Delegated Authority: 

Date: 14/08/2020

**CONSULTATION:**

**Referral Agencies**

None required.

**Other Referrals**

<b>INTERNAL REFERRAL SPECIALIST</b>	<b>REFERRAL / RESPONSE</b>
Development Engineer	Appropriate engineering conditions was provided.  No infrastructure charges are applicable to a secondary dwelling.

**CONCLUSION:**

The proposal represents an acceptable residential development on the subject site that will appear as a single dwelling therefore not likely to impact on the existing rural residential amenity of the surrounding area. The proposal can be sited in a position on site to successfully mitigate natural hazards while maintaining personal safety.

Approved by Delegated Authority: 

Date: 14/08/2020

**Statement of Reasons**

**Notice about Decision – Statement of Reasons**

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

<b>SITE DETAILS</b>	
<b>Applicant:</b>	D Johnson
<b>Proposal:</b>	Secondary Dwelling
<b>Properly Made Date:</b>	9 July 2020
<b>Street Address:</b>	207 Malar Road, Booie
<b>RP Description:</b>	Lot 36 RP224504
<b>Assessment Type:</b>	Code
<b>Decision:</b>	Approved
<b>Decision Date:</b>	14 August 2020

**1. Assessment Benchmarks**

The following are the benchmarks that apply to this development:

- Rural Zone Code

**2. Reasons for the Decision**

The reasons for this decision are:

- The proposal represents an acceptable residential development on the subject site that will appear as a single dwelling therefore not likely to impact on the existing rural residential amenity of the surrounding area.
- The proposal can be sited in a position on site to successfully mitigate natural hazards while maintaining personal safety.

**3. Compliance with Benchmarks**

The development was assessed against all of the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

**Note:** Each application submitted to Council is assessed individually on its own merit.



Approved by Delegated Authority:



Date: 14/08/2020

**ATTACHMENTS**

Nil

End.



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Approved by Delegated Authority: 

Date: 04/09/2020

**0.0 P&LM - 2698841 - APPLICATION FOR PROPOSED SUBDIVISION RECONFIGURATION OF A LOT - 1 INTO 2 LOTS, 20 REEN STREET KINGAROY - LOT 12 RP36999 - APPLICANT: R&J GREEFF - RAL20/0006**

**File Number:** RAL20/0006  
**Author:** Senior Planner  
**Authoriser:** Chief Executive Officer

	SIGNATURE	DATE
MANAGER		4/9/2020
GM?		7/9/2020.
CEO		8.9.2020

**PRECIS**

P&LM - 2698841 - Application for Proposed Subdivision - Reconfiguration of a Lot - 1 into 2 lots - 20 Reen Street Kingaroy - Lot 12 RP36999 - Applicant: R&J Greeff - RAL20/0006

**SUMMARY**

- Application for Reconfiguring a lot (1 lot into 2 lots) in the Low density residential zone of the South Burnett Regional Council Planning Scheme v1.3;
- Subdivision that meets the minimum lot size are Code assessable;
- Proposal triggered assessment against the planning scheme which included:
  - o Low density residential zone code;
  - o Reconfiguring a lot code;
  - o Services and works code.
- The proposed development generally complies with the assessment benchmarks or has been conditioned to comply (refer to Attachment B – Statement of Reasons); and
- Recommendation that Council approve, 1 lot into 2 lots subject to reasonable and relevant conditions.

**OFFICER'S RECOMMENDATION**

That Council approve the Development Application for Reconfiguring a Lot (1 lot into 2 lots) at 20 Reen Street, Kingaroy (and described as Lot 12 on RP36999) subject to the following conditions:

**GENERAL**

GEN1. The development must be completed and maintained generally in accordance with the approved plans and documents and any amendments arising through conditions to this development approval:

Drawing Title	Prepared by	Reference no.	Revision	Date
Proposed Subdivision	ONF Surveyors	8754P/1		23 June 2020

**DEVELOPMENT PERMIT**

GEN2. The development must be completed within four (4) years of the development approval starting to have effect. The development approval will lapse unless the survey plan for the development required to be given to Council for approval is provided within this period.

**PERMIT TO WORK ON COUNCIL ROADS**

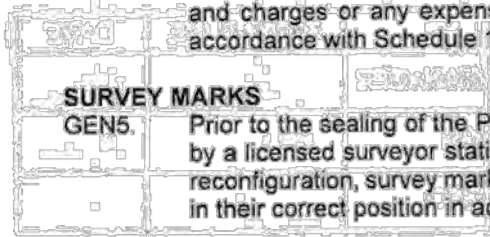
GEN3. The applicant must submit a completed *Permit to Work on Council Roads Application* available from <http://www.southburnett.qld.gov.au> for approval by Council before commencing and works within the Council road reserve (i.e., in this case, the required property access).

Approved by Delegated Authority

Date: 04/09/2020

**OUTSTANDING FEES**

GEN4. Prior to sealing the Plan of Survey the applicant is required to pay the Council all rates and charges or any expenses being charged over the subject land under any Act in accordance with Schedule 18 Section 69 of the *Planning Act Regulation 2017*.



**SURVEY MARKS**

GEN5. Prior to the sealing of the Plan of Survey the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the reconfiguration, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

**VALUATION FEES**

GEN6. Payment of Department of Natural Resources, Mines and Energy valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$96.00 (2 x \$48.00); however, the actual amount payable will be based on Council's Register of Fees & Charges and the rate applicable at the time of payment.

**EARTHWORKS/STRUCTURES**

GEN7. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

GEN8. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

**MAINTENANCE**

GEN9. The development (including landscaping, parking, driveway and other external spaces) shall be maintained in accordance with the approved plans, subject to and modified by any conditions of this approval.

GEN10. Maintain the site in a clean and orderly state at all times.

GEN11. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.

**SURVEY PLAN**

GEN12. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

A fee will be charged, with payment required prior to Council's approval of the associated documentation requiring assessment.

**ELECTRICITY**

RAL1. Prior to Council sealing the Survey Plan the applicant is to provide each lot with an electricity supply. The standards of service nominated by the electricity supply authority with reticulated electricity to be made available at the property boundary.

Note: In relation to reticulated electricity, written evidence must be provided to Council in the form of a "Certificate of Supply" or "Supply is Available" supplied by the relevant service provider.

**TELECOMMUNICATIONS**

RAL2. Prior to Council sealing the Survey Plan the applicant is to provide each lot with a telecommunication service. The standards of service nominated by the relevant telecommunications supply authority with reticulated services to be made available at the property boundary.

Approved by Delegated Authority:



Date: 04/09/2020

Note: For telecommunication services, written evidence must be provided to Council in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra, or a "Notice of Practical Completion", "Confirmation of Payment" or "Post Execution of Development" letter where such services are provided by NBN Co.

**ENGINEERING WORKS**

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's Standard Drawings, relevant Australian Standards, and relevant design manuals.
- ENG3. Be responsible for any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

**LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

- ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

**STORMWATER MANAGEMENT**

- ENG6. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
- ENG7. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

**WATER SUPPLY**

- ENG8. Connect all lots to Council's reticulated water supply system.

**SEWERAGE**

- ENG9. Connect all lots to Council's reticulated sewerage system.

**ROADWORKS - FRONTAGE WORKS**

- ENG10. Carry out roadworks along the Henry Street frontage of the proposed development in accordance with Council's Planning Scheme, and relevant standards, specifically:
- Extend the existing concrete mountable kerb and channel along the existing alignment for the full frontage of the lot;
  - Associated earthworks to ensure the kerb and channel is free draining into the table drain at the end of Henry Street;
  - Any associated road works including bitumen sealing.

**PROPERTY NOTES**

- PN1. Development Approval RAL20/0006 – Sewer  
The following notation applies to approved Lots 13 & 14: All future purchasers of the subject land should note that the lot/s have sewer infrastructure located within the



Approved by Delegated Authority: \_\_\_\_\_



Date: 04/09/2020

property boundaries. Location of driveway/s and Class 1 (dwelling house) including Class 10 (sheds) will need to address and demonstrate compliance with the provisions of the QDC without impacting upon Council infrastructure.

**ADVICE  
BUILDING STANDARD**

ADV1. This development approval has not considered any building assessment provisions under the Building Code of Australia and QDC. Council sewer infrastructure is located within the proposed boundaries of Lots 13 & 14. The provisions of QDC will need to consider and address the future location of driveway/s and Class 1 (dwelling house) including Class 10 (sheds) without impacting upon Council infrastructure.

**STORMWATER DISCHARGE TO RAIL TRAIL**

ADV2. This development approval does not infer or give approval to the owners or occupiers of the subject land to discharge stormwater to Council's Rail Trail.

**ELECTRICITY**

ADV3. Council would encourage you to discuss the development with Ergon Energy upon receipt of this approval to facilitate the timely supply of electricity to the development. Connection of electricity can take up to eight (8) months from the date of application to Ergon Energy.

**WHEN APPROVAL STARTS TO HAVE EFFECT**

ADV4. This development approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

**WHEN APPROVAL LAPSES**

ADV5. This development approval will lapse in accordance with the provisions contained within Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this development approval.

**HERITAGE**

ADV6. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

**APPEAL RIGHTS**

ADV7. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

**INFRASTRUCTURE CHARGES**

ADV8. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

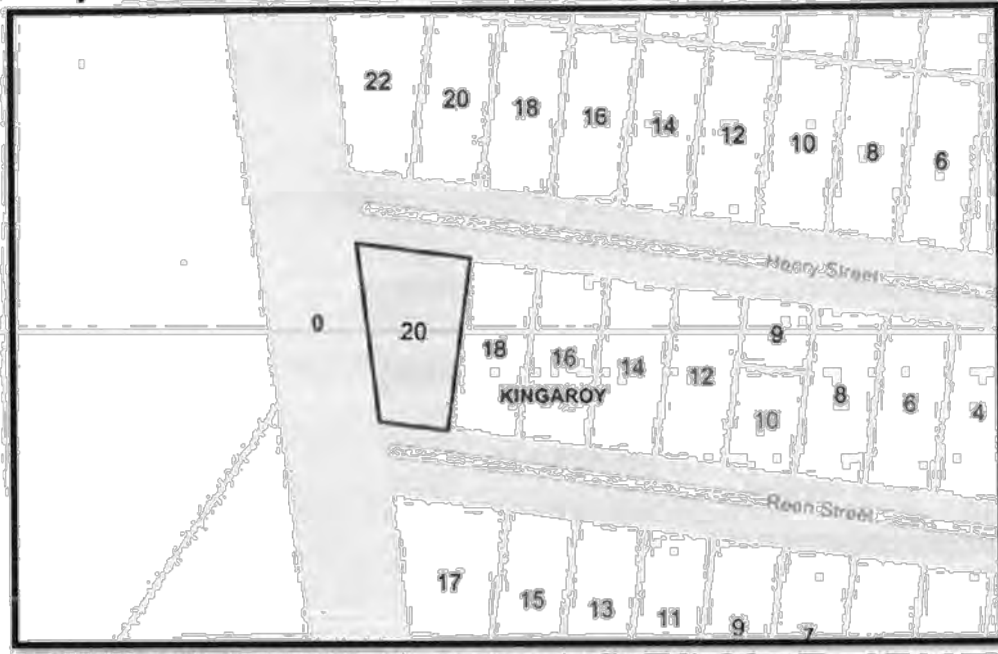


Approved by Delegated Authority



Date: 04/09/2020

**Locality Plan**



Source: Intramaps

**Aerial Plan**

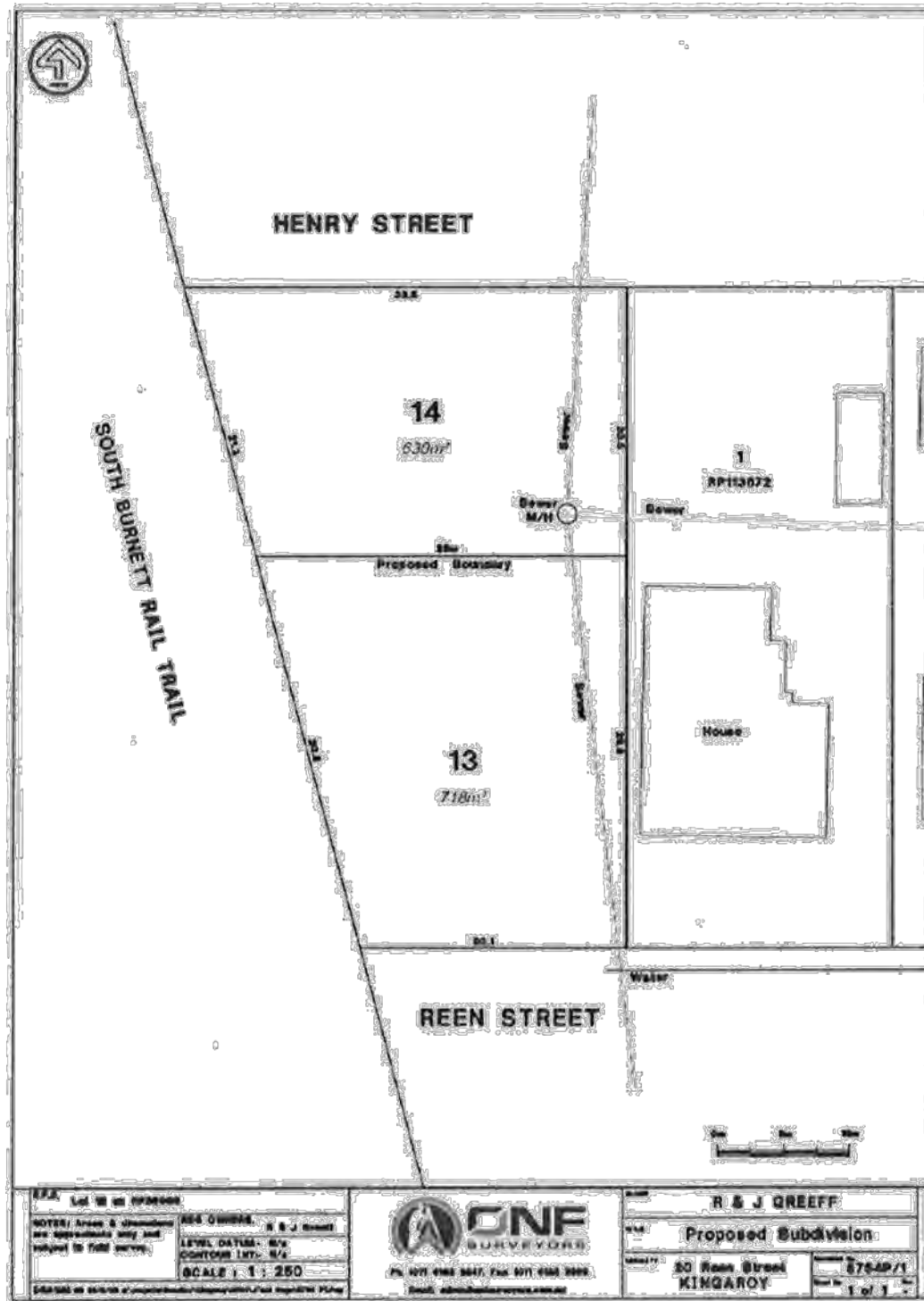


Source: Queensland Globe

Approved by Delegated Authority: 

Date: 04/09/2020

PROPOSAL PLAN



<p>NOTES: Areas &amp; boundaries are approximate only and subject to field survey.</p>	<p>RES OWNER: R &amp; J Greeff          LEVEL DATUM: M/A          CONTOUR INT: 0.5          SCALE: 1 : 250</p>	<p><b>ONE</b>          SURVEYORS          PO BOX 498 3647, FAX 071 498 3999          Email: admin@onesurveyors.com.au</p>	<p>PREPARED BY: R &amp; J GREEFF          PROJECT: Proposed Subdivision          ADDRESS: 20 Reen Street KINGAROO</p>	<p>DATE: 04/09/2020          DRAWING NO: 57549/1          SHEET: 1 of 1</p>
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Approved by Delegated Authority: 

Date: 04/09/2020

**REPORT**

The applicant seeks approval for a Reconfiguring a Lot – Development Permit (1 lot into 2 lots).

<b>APPLICATION SUMMARY</b>	
Applicant:	R & J Greef c/- ONF
Proposal:	1 lot into 2 lots - residential subdivision
Properly Made Date:	30 June 2020
Street Address:	20 Reen Street, Kingaroy
RP Description:	Lot 12 on RP36999
Assessment Type:	Code Assessment
Number of Submissions:	Nil
State Referral Agencies:	N/A
Referred Internal Specialists:	Contract Development Engineer

The following table describes the key development parameters for the proposal:

<b>DEVELOPMENT PARAMETERS</b>	
Number of Proposed Lots	Two (2)
Size of Proposed Lots	Proposed:- Lot 13 – 718sqm Lot 14 – 630sqm
Easements	Nil existing
Covenants	Nil

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>		
Land Area:	1,348sqm	
Existing Use of Land:	Vacant residential land	
Road Frontage:	Lot has two (2) frontages – Reen and Henry Streets but the primary frontage is listed as Reen Street	
Road/s	Road Hierarchy	
Each road is a dead end with open ended cul-de-sac	Place	
Easements	None proposed although Council's sewer infrastructure runs inside of the eastern property boundary of the existing lot with an existing sewer manhole located in proposed Lot 14.	
Significant Site Features:	Nil	
Topography:	Relatively flat	
Surrounding Land Uses:	Land Use	Zone/Precinct
North	Dwelling House	Low density residential
South	Dwelling House	Low density residential
East	Dwelling House	Low density residential
West	Qld Rail (Rail Trail)	Recreation open space
Services:	All services	

**Background / Site History**

<b>APPLICATION NO.</b>	<b>DECISION AND DATE</b>
	N/A



Approved by Delegated Authority: 

Date: 04/09/2020

**ASSESSMENT:**  
**Framework for Assessment**  
**Categorising Instruments for Statutory Assessment**

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- The *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

**Assessment Benchmarks Pertaining to the Planning Regulation 2017**

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

<b>PLANNING REGULATION 2017 DETAILS</b>	
Assessment Benchmarks:	Nil
WBB Regional Plan Designation:	N/A

**Assessment Benchmarks Pertaining to the Planning Scheme**

The applicable planning scheme for the application is South Burnett Regional Council Version 1.3. The following sections relate to the provisions of the Planning Scheme.

Relevant Parts  
 N/A

Zones  
 Low density residential

Overlays  
 OM1 - Airport environs  
 OM3 - Flood hazard

Other Codes  
 Reconfiguring a lot  
 Services and works

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

<b>PERFORMANCE OUTCOME</b>	<b>ACCEPTABLE OUTCOME</b>
<b>LOW DENSITY RESIDENTIAL ZONE</b>	
PO3 Development responds to natural landforms and stormwater flows	<b>Compliant</b> – Land is flat and any cut or fill associated with the construction of a dwelling house will be addressed and assessed by a building certifier.
PO4 Development is adequately serviced	<b>Compliant</b> – Development can be connected to reticulated water and sewerage. Stormwater discharged to street.
PO6 Refuse storage areas: (a) are conveniently located for use and collection; and (b) are of useable size; and	<b>Semi-Compliant</b> – Wheelie bins will be brought to the street frontage however, the layback kerb does not extend past proposed Lot 14.

Approved by Delegated Authority:

Date: 04/09/2020

<p>(c) avoid adverse impacts on neighbours and occupants; and (d) are screened from view within the site, adjoining properties and the street.</p>	
<p>PO22 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times</p>	<p><b>Semi-Compliant</b> – The western property boundary of the lot is affected by the flood hazard overlay mapping. The mapping is based on an analysis of potential flood hazard. It is not a map of known flood inundation associated with any specific flood event type.</p>

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
<b>RECONFIGURING A LOT CODE</b>	
<p>PO7 Allotment are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use.</p>	<p><b>Compliant</b> – The proposed lots comply with the minimum lot size &gt;600sqm in area.</p>
<p>PO8 Lots have lawful, safe and practical access.</p>	<p><b>Semi-Compliant</b> – The existing lot (Lot 12) has layback kerb constructed for the full width of the lot allowing access from Reen Street. The proposed subdivision creates an additional lot with primary road frontage to Henry Street. Upon a site inspection it was evident that the existing layback kerb and channel ended before the Henry Street turnaround around. It is considered reasonable to condition the applicant to extend the existing layback kerb for the full width of proposed Lot 14 providing lawful access to the lot thus preventing vehicles from crossing the private property while undertaking turnaround at the end of Henry Street (refer to Figures 1 &amp; 2).</p>
<p>PO11 The provision of services is resistant to inclement weather and does not degrade the character of the area.</p>	<p><b>Compliant</b> – Conditions relating to the reticulation of electricity and telecommunications services will be imposed relevant to the standards expected in the low density residential zone.</p>
<p>PO20 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.</p>	<p><b>Semi-Compliant</b> – The western property boundary of the lot is affected by the flood hazard overlay mapping. The mapping is based on an analysis of potential flood hazard. It is not a map of known flood inundation associated with any specific flood event type.</p>

PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME
<b>SERVICES AND WORKS CODE</b>	
<p>PO5 Development is provided with infrastructure which: (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented.</p>	<p><b>Semi-Compliant</b> – The existing lot (Lot 12) has layback kerb constructed for the full width of the lot allowing access from Reen Street. The proposed subdivision creates an additional lot with primary road frontage to Henry Street. Upon a site inspection it was evident that the existing layback kerb and channel ended before the Henry Street turnaround around. It is considered reasonable to condition the applicant to extend the existing layback kerb for the full width of proposed Lot 14 providing lawful access to the lot thus preventing vehicles from crossing the private property while undertaking turnaround at the end of Henry Street (refer to Figures 1 &amp; 2).</p> <p>Nb. PSP1 of Council's Planning Scheme requires that concrete drive-over K&amp;C on both sides of the road in the low density residential zone. No footpath or cycleway is necessary.</p>

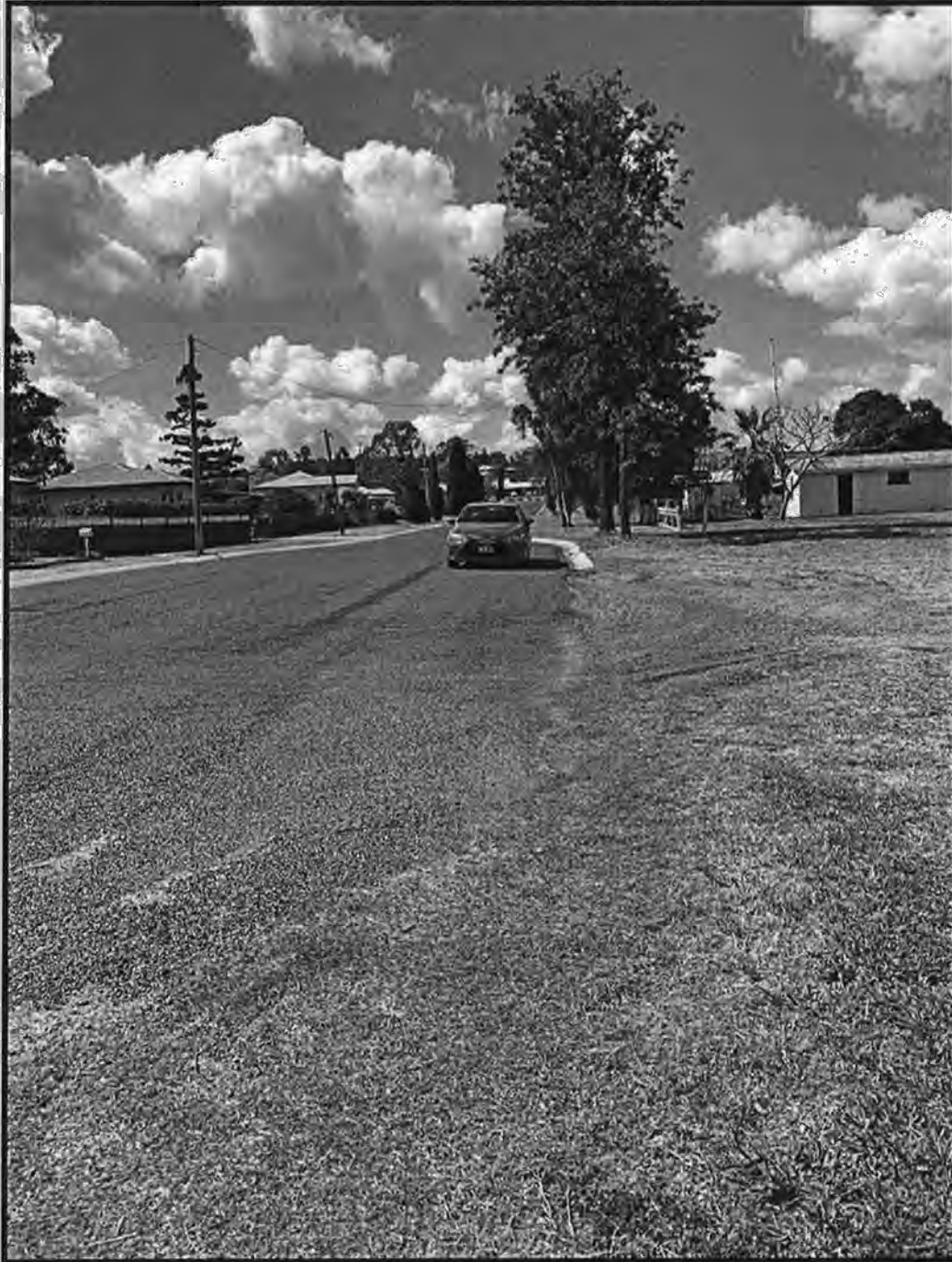
Approved by Delegated Authority:



Date: 04/09/2020

PO15 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.

**Compliant** – The property is adjacent to the rail trail with larger culverts located at the end of Reen & Henry Streets. Runoff from future dwellings will be directed to the street and directed to the culverts.



*Figure 1 - View from end of Henry Street looking east with proposed Lot 14 right of photo. Layback kerb does not extend through to end of the street (refer to Figure below for aerial imagery)*

Approved by Delegated Authority:



Date: 04/09/2020

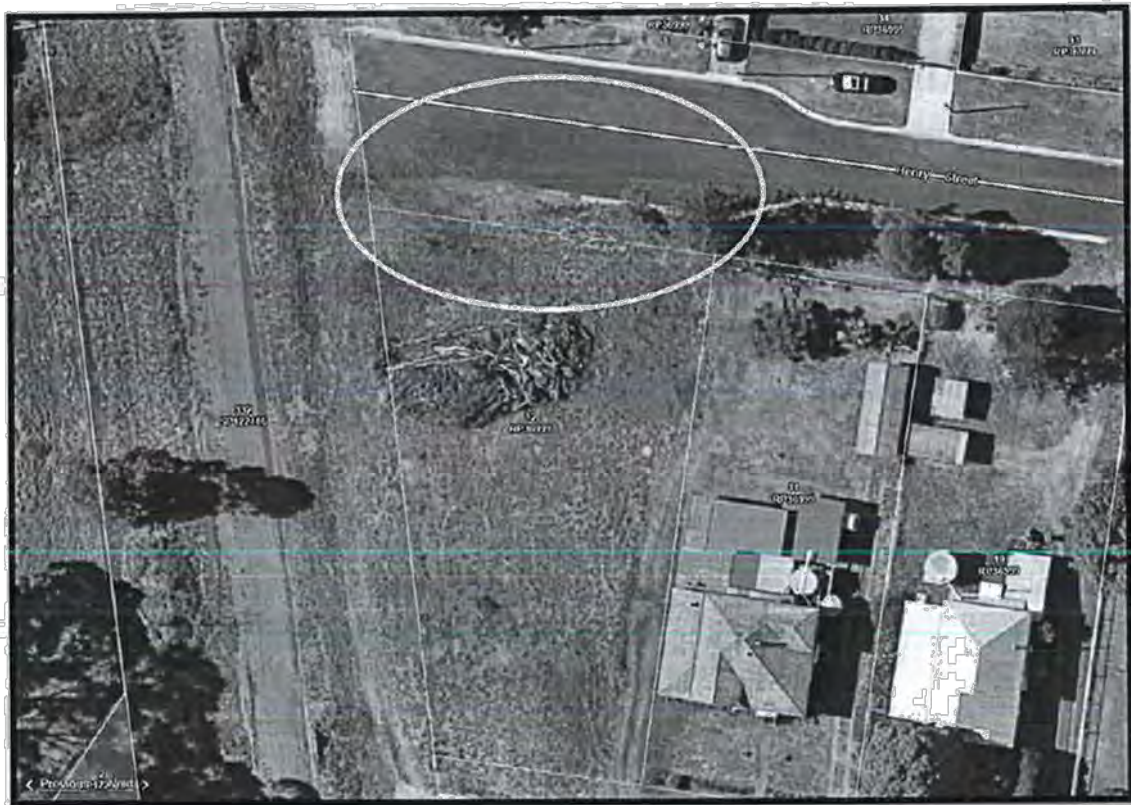
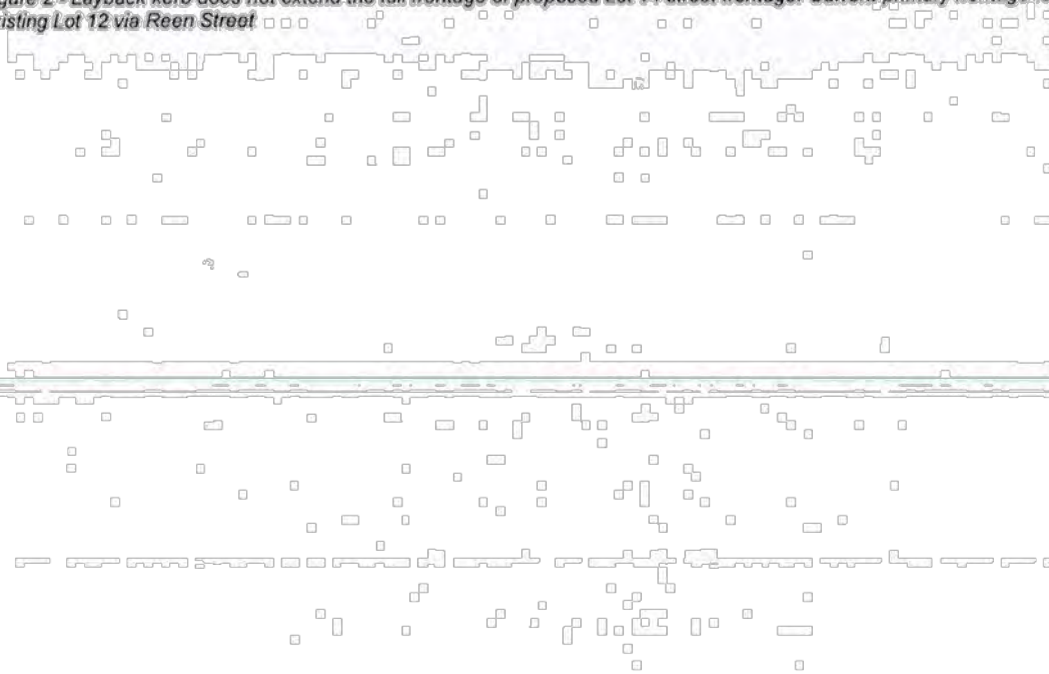


Figure 2 - Layback kerb does not extend the full frontage of proposed Lot 14 street frontage. Current primary frontage for existing Lot 12 via Reen Street





Approved by Delegated Authority: *A*

Date: 04/09/2020

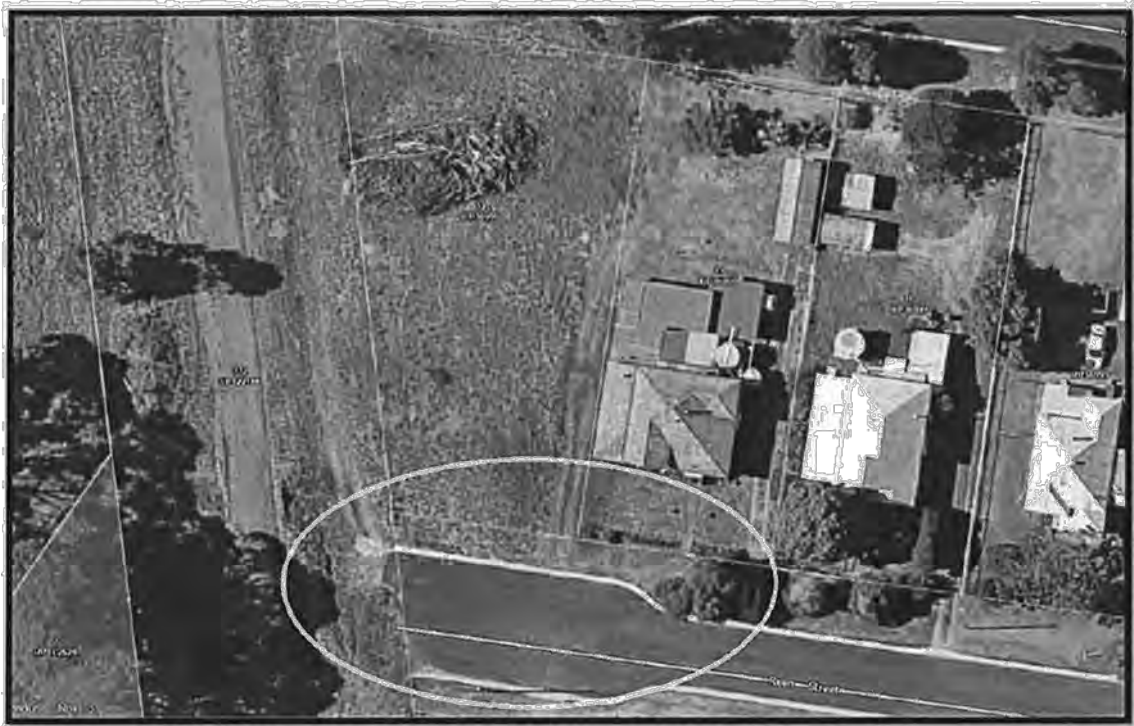


Figure 3 - Current primary frontage for existing Lot 12 via Reen Street – layback kerb extends the full length of road frontage

**Local Categorising Instrument - Variation Approval**

N/A.

**Local Categorising Instrument - Temporary Local Planning Instrument**

N/A.

**Other Relevant Matters**

N/A.

**CONSULTATION:**

**Referral Agencies**

Nil.

**Other Referrals**

INTERNAL SPECIALIST	REFERRAL	REFERRAL / RESPONSE
Contract Engineer	Development	<p>Provided conditions relating to sewerage, water, access and building locations.</p> <p>A site inspection by Planning Officer and Manager – Planning &amp; Land Management found that the layback kerb and channel did not extend past the full frontage of proposed Lot 14. Furthermore, there was evidence of the property being used as</p>



Approved by Delegated Authority:

Date: 04/09/2020

	<p>a turnaround point for vehicles (refer to Figure 2) at the end of Henry Street (no through road).</p> <p>Council's contract Development Engineer sought confirmation from Council's Infrastructure Section questioning the kerb in Henry Street whereby it was confirmed that works under the Natural Disaster Relief and Recovery Arrangements (NDRRA) to replace the kerb and channel were like for like.</p> <p>It is important to note that the kerb was not originally constructed for the entire length of Henry Street. Should the lot remain intact no requirement would be imposed to extend the layback kerb and channel however, it is considered reasonable and relevant for the developer to extend the kerb and channel.</p> <p>Under s65 of the <i>Planning Act 2016</i> "A development condition imposed on a development approval must –                  (a) be relevant to, but not be an unreasonable imposition on, the development or the use of premises as a consequence of the development; or                  (b) be reasonable required in relation to the development or the use of premises as a consequence of the development."</p>
<p><b>Infrastructure Charges Unit</b></p>	<p>A residential lot is listed as an adopted charge for reconfiguring a lot under the South Burnett Regional Council Charges Resolution (No. 3) 2019.</p>
	<p>Nb. The adopted charge is the charge for another similar use listed in this table that Council decides to apply to the use.</p> <p>As per the South Burnett Regional Council Charges Resolution (No. 3) 2019 Table 2.3 the charge for residential is \$20,085.00 per lot. Broken down as:</p> <ul style="list-style-type: none"> <li>- \$9,842.00 Water supply</li> <li>- \$5,423.00 Sewerage</li> <li>- \$2,410.00 Transport</li> <li>- \$2,009.00 Parks and land for community facilities</li> <li>- \$401.00 Stormwater</li> </ul> <p>Refer to Attachment B – Adopted Infrastructure Charge.</p>

**PUBLIC NOTIFICATION**

N/A.

**CONCLUSION:**

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within the report and the attached Statement of Reasons (refer to Attachment B).

The proposed development generally complies with the benchmarks or can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance.

Approved by Delegated Authority:



Date: 04/09/2020

**RECOMMENDATION:**

It is recommended that the development application for Reconfiguring a Lot (1 lot into 2 lots) at 20 Reen Street, Kingaroy (and described as Lot 12 on RP36999) be approved subject to reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

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Approved by Delegated Authority:



Date: 04/09/2020

**ATTACHMENTS**

**Nil**

Approved by Delegated Authority:



Date: 04/09/2020

**ATTACHMENT A**

**INFRASTRUCTURE CHARGES NOTICE**

*(Section 119 of the Planning Act 2016)*

**APPLICANT:** R & J Greef C/- ONF Surveyors  
 PO Box 896  
 KINGAROY QLD 4610

**APPLICATION:** Reconfiguring of a Lot (1 into 2 Lots) Low Density Residential

**DATE:** 04/09/2020

**FILE REFERENCE:** RAL20/0006

**AMOUNT OF THE LEVIED CHARGE:** **\$20,085.00** **Total**  
*(Details of how these charges were calculated are shown overleaf)*

	\$9,842.00	Water Supply Network
	\$5,423.00	Sewerage Network
	\$2,410.00	Transport Network
	\$2,009.00	Parks and Land for Community Facilities Network
	\$401.00	Stormwater Network

**AUTOMATIC INCREASE OF LEVIED CHARGE:** The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

**LAND TO WHICH CHARGE APPLIES:** Lot 12 RP36999

**SITE ADDRESS:** 20 Reen St, Kingaroy

**PAYABLE TO:** South Burnett Regional Council

**WHEN PAYABLE:** Reconfiguring a Lot – When South Burnett Regional Council approves the Plan of Subdivision.  
*(In accordance with the timing stated in Section 122 of the Planning Act 2016)*

**OFFSET OR REFUND:** Not Applicable

This charge is made in accordance with South Burnett Regional Council's *Charges Resolution (No. 3) 2019*

Approved by Delegated Authority: 

Date: 04/09/2020

**DETAILS OF CALCULATION**

**Water Supply**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	2	allotments	\$9,842.00	CR Table 2.3	\$19,684.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (Residential)	1	Allotments	\$9,842.00	CR Table 2.3	\$9,842.00

**Sewerage**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	2	allotments	\$5,423.00	CR Table 2.3	\$10,846.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (Residential)	1	Allotments	\$5,423.00	CR Table 2.3	\$5,423.00

**Transport**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	2	allotments	\$2,410.00	CR Table 2.3	\$4,820.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (Residential)	1	Allotments	\$2,410.00	CR Table 2.3	\$2,410.00

**Parks and Land for Community Facilities**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	2	allotments	\$2,009.00	CR Table 2.3	\$4,018.00

**Discounts\***



Approved by Delegated Authority:



Date: 04/09/2020

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (Residential)	1	Allotments	\$2,009.00	CR Table 2.3	\$2,009.00

**Stormwater**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	2	allotments	\$401.00	CR Table 2.3	\$802.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (Residential)	1	Allotments	\$401.00	CR Table 2.3	\$401.00

**Levied Charges**

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Reconfiguring a Lot (Residential)	\$9,842.00	\$5,423.00	\$2,410.00	\$2,009.00	\$401.00	\$20,085.00
<b>Total</b>	<b>\$9,842.00</b>	<b>\$5,423.00</b>	<b>\$2,410.00</b>	<b>\$2,009.00</b>	<b>\$401.00</b>	<b>\$20,085.00</b>

\* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.

Approved by Delegated Authority:



Date: 04/09/2020

### INFORMATION NOTICE

**Authority and Reasons for Charge** This Infrastructure Charges Notice has been given in accordance with section 119 of the *Planning Act 2016* to support the Local government's long-term infrastructure planning and financial sustainability.

**Appeals** Pursuant to section 229 and Schedule 1 of the *Planning Act 2016* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Planning Act 2016* that details your appeal rights.

**Automatic Increase Provision of charge rate (\$)** An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average<sup>1</sup>. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase. However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.

**GST** The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Planning Act 2016* are GST exempt.

**Making a Payment** This Infrastructure Charges Notice cannot be used to pay your infrastructure charges. To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment. An Itemised Breakdown may be requested by emailing [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au) Payment can be made at any of the following South Burnett Regional Council Offices:

- 69 Hart Street, Blackbutt, 4314;
- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

**Enquiries** Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL

<sup>1</sup> 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) Index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

Approved by Delegated Authority:



Date: 04/09/2020

COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au

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Approved by Delegated Authority: 

Date: 04/09/2020

**ATTACHMENT B**

**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

SITE DETAILS	
Street Address:	20 Reen Street, Kingaroy
RP Description	Lot 12 on RP36999
Site Area	1,348sqm

PROPOSED DEVELOPMENT	
Name of Applicant	R & J Greeff
Type of Application	Reconfiguring a lot – development permit
Proposed Development	1 lot into 2 lots
Level of Assessment	Code assessable
Area of Development	Proposed Lot 13 – 718sqm Proposed Lot 14 – 630sqm
Impervious Area	N/A
Site Cover	N/A
Car Parking Spaces	N/A
Service Vehicle Provision	N/A
Submissions Received	N/A
Decision	Approved with conditions
Decision Date	4 September 2020

**1. Assessment Benchmarks**

The proposed development was assessed against the following assessment benchmarks:  
South Burnett Regional Council Planning Scheme 2017

- Low density residential zone code;
- Reconfiguring a lot code;
- Overlays; and
- Services and works Code.

The development was assessed against all of the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

**2. Reasons for Decision**

The reasons for the decision are:

- The proposed lots comply with the minimum lot size in the Low density residential zone;
- The proposed lots are considered infill development and can be serviced by water and sewerage network;
- The lots have access to constructed roads;
- Conditions of approval are considered sufficient to support the subdivision layout by the applicant.

**Note:** Each application submitted to Council is assessed individually on its own merit.

Approved by Delegated Authority: 

Date: 04/09/2020

**0.0 REQUEST FOR NEGOTIATED DECISION NOTICE - MATERIAL CHANGE OF USE (DOG BREEDING) AT 23 ZOLNER ROAD, MEMERAMBI - LOT 333 FY357 - APPLICANT: THE PLANNING PLACE - MCU20.0002**

**File Number:** MCU20/0002  
**Author:** Planning Administration  
**Authoriser:** Chief Executive Officer

	SIGNATURE	DATE
MANAGER		1/9/2020
GM		7/9/2020
CEO		8.9.2020

**PRECIS**

Request for Negotiated Decision Notice - Material Change of Use (Dog Breeding) at 23 Zolner Road, Memerambi - Lot 333 FY357 - Applicant: The Planning Place - MCU20.0002

**SUMMARY**

- The applicant submitted representations on 13 August 2020 requesting a Negotiated Decision Notice in relation to the Material Change of Use – Development Permit (Animal keeping - dog breeding);
- The nature of the requested amendments and inclusions relate to:
  - Approved Plans – Animal Management Plan – request to form part of the approved documents; and
  - Condition ENV1 – Acoustic Amenity General – request to amend this condition.
- Recommendation that Council approve the request for Negotiated Decision.

**OFFICER'S RECOMMENDATION**

That Council approve the request for a Negotiated Decision Notice for Material change of use (Animal keeping - dog breeding) at 23 Zolner Road, Memerambi (and described as Lot 333 on FY357) pursuant to the provisions of s76 of the *Planning Act 2016* subject to the amendments listed as follows:

Drawing Title / Documents	Prepared by	Ref	Revision	Date
23 Zolner Road (Birt Road), Memerambi Detail Site Plan – Proposed Animal Keeping (Dog Breeding)	Applicant	Nil	Part of Response to Information Request dated 18 May 2020	Nil
23 Zolner Road (Birt Road), Memerambi Site Plan – Proposed Boundary Setbacks	Applicant	Nil	Part of Response to Information Request dated 18 May 2020	Nil
Layout	Wide Span Sheds Pty Ltd	WSS200265-3	Part of Response to Information Request dated 18 May 2020	28/2/2020
Floor Plan – Building 1	Applicant	Nil	Part of Response to Information Request dated 18 May 2020	Nil
Appendix B Animal Management Plan for Animal Keeping (Dog Breeding)	/	Our Ref: 6452 Your Ref: MCU20/0002 SD:LA 23 Zolner Road, Memerambi	Part of Response to Information Request dated 18 May 2020, unless otherwise amended by the conditions of approval	



Approved by Delegated Authority: 

Date: 04/09/2020

Note: Where there is any inconsistency between the approved plans and documents and the conditions of the approval, the conditions of the approval will prevail.

**ACOUSTIC AMENITY - GENERAL**

ENV1. Unless otherwise approved in writing by Council, visitors to the facility are restricted to the following hours:

- 10:00AM to 3:00PM Monday to Friday and Saturday only, Sunday and excluding Sunday and any Public Holiday.

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Approved by Delegated Authority:



Date: 04/09/2020

**Financial and Resource Implications**

No implication can be identified.

**LINK TO CORPORATE/OPERATIONAL PLAN**

**Growth and Opportunity**

GO2 Balanced development that preserves and enhances our region.

GO2.1 Implement Council's planning scheme to support sustainable development of business, industry and community liveability

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Nil.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

No implication identified.

**POLICY/LOCAL LAW/DELEGATION IMPLICATIONS**

No implication can be identified.

**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.



Approved by Delegated Authority:



Date: 04/09/2020

North	Large rural properties with associated outbuildings and dwelling	Rural / N/A
South	Large rural properties with associated outbuildings and dwelling and Rural industry	Rural / N/A
East	Large rural property	Rural / N/A
West	Large rural properties with associated outbuildings and dwelling	Rural / N/A
Services:	Electricity and Telecommunications	

APPROVED DEVELOPMENT	
Type of Approval:	Material change of use – development permit
Approved Development:	Animal keeping – dog breeding
Variations Sought:	N/A
Level of Assessment:	Impact assessable
Area to be used:	Per approved site plan
Impervious Area:	Nil indicated
Site Cover:	Nil indicated however the dog breeding sheds, exercise yards etc are located within close proximity to the residential use of the site.
Car Parking Spaces:	Five (5) car parking spaces proposed by the owner.
Service Vehicle Provision:	There is no minimum parking provisions outlined in the Planning Scheme Table 8.4.5. Council officer's support the number of parking spaces as proposed having regard to the nature, scale and intensity of the use.
Submissions Received:	Nil
Decision Notice Issued:	24 July 2020

**CONSULTATION:**

**Referral Agencies**

SARA as part of the original development application;

**Other Referrals**

INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	No comment required.
Infrastructure Charges Unit	N/A.

**PUBLIC NOTIFICATION**

Public notification was carried out for the original application. During the notification period, no submissions were received by the assessment manager.

**Planning Considerations**

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

Approved by Delegated Authority:



Date: 04/09/2020

**76 Deciding change representations**

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

**Assessment of Proposed Changes – Change to Conditions of the Development Approval**  
 Changes to the conditions of approval have been proposed by the applicant shown as applicant's change representations, the officer's assessment of the proposed amendments and any recommended amendments to the condition/s.

**Applicant's Change Representations**

"We note the approved Animal Management Plan is referred to in Conditions ENV9 and ENV10 and in the referenced documents, but is not included in the tabled Approved Documents and Plans.

The said Animal Management Plan was prepared and submitted in the Response to Information Request dated 18 May 2020. In this way, it is a fundamental document that stipulates itinerary, administration and record keeping information, including: number of animals kept on site; food and water supply; food and water supply; food and water supply; [sic] cleaning and wastewater management; site contact and complaint management records.

Condition ENV10 requires that the approved Management Plan must be implemented, maintained and modified where necessary to maintain compliance with the requirements of the Development Approval, State Legislation, Local laws and Codes of Practice at all times.

As this document forms part of the development approval and its operations, is referred to in the permit conditions, and is to be kept on-site, we believe it should be formally included and stated in the tabled Approval Documents and Plans, and stamped approved."

**Officer's Response**

While this is not necessarily an error, the inclusion of the referenced document can be listed in the Table of Approved Plans per the applicant's request however, Council does not stamp plans or documents. Listing plans and documents in the Table of Approved Plans by way of referencing their title, revision and date is considered sufficient without the need to stamp each plan/document.

Condition to be amended as follows:

Drawing Title / Documents	Prepared by	Ref	Revision	Date
23 Zolner Road (Birt Road), Memerambi Detail Site Plan – Proposed Animal Keeping (Dog Breeding)	Applicant	Nil	Part of Response to Information Request dated 18 May 2020	Nil
23 Zolner Road (Birt Road), Memerambi Site Plan – Proposed Boundary Setbacks	Applicant	Nil	Part of Response to Information Request dated 18 May 2020	Nil
Layout	Wide Span Sheds Pty Ltd	WSS200265-3	Part of Response to Information Request dated 18 May 2020	28/2/2020
Floor Plan – Building 1	Applicant	Nil	Part of Response to Information Request dated 18 May 2020	Nil



Approved by Delegated Authority: 

Date: 04/09/2020

<p><b>Appendix B</b>  <b>Animal Management Plan for</b>  <b>Animal Keeping (Dog Breeding)</b></p>		<p>Our Ref: 6452                  Your Ref: MCU20/0002                  SD:LA                  23 Zolner Road,                  Memerambi</p>	<p>Part of Response                  to Information                  Request dated 18                  May 2020, unless                  otherwise                  amended by the                  conditions of                  approval</p>
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Note: Where there is any inconsistency between the approved plans and documents and the conditions of the approval, the conditions of the approval will prevail.

**Applicant's Change Representations**

*"While this condition is intended to maintain the amenity of the areas, we believe the hours are restrictive, in that for instance, clients / visitors who are travelling from out of town (ie. from Brisbane) may arrive outside of these hours, it is also reasoned that the frequency of visitors to the site (i.e. to pick up a dog) would be low in most cases. Also, it is anticipated there would be other existing rural activities that are commonly operating outside these hours in the immediate locality. Furthermore, the Rural Zone Code under the South Burnett Regional Council Planning Scheme does not prescribed specific hours of operation for an Animal Keeping (Dog Breeding) use.*

*The landowner's (business owner) representations (as per email dated Thu 13/08/2020) are restated below:*

*"Hi Graham. I would like you to apply to council to extend the trading hours of my business to include Sunday trading. This is because most of my business to include Sunday trading. This is because most of my clients live at a days driving distance and would like to stay overnight in our lovely town of Kingaroy, visit the bunya and use the facilities available such as motels meal venues and wineries etc.*

*Occasionally this can be done on the preferred days Monday to Friday during school holidays etc however most people like to travel up on Saturday morning spend the day sightseeing, stay overnight in a local motel. Sunday morning after breakfast they like to travel out here to collect their puppy before travelling home Sunday midday. I would be happy if my trading hours on Sunday could be 10 am till 2 pm. I feel sure that this won't be of any concern to my neighbours many thanks. Regards sue [sic] Clair".*

*In this scenario, the customer would likely stay overnight at a local motel and spend money at a restaurant or café in the Kingaroy township. And then on the Sunday go to the dog breeder to purchase a dog. This provides an economic multiplier effect for the local economy in Kingaroy, that is, spending or consuming in one place to create economic benefits elsewhere.*

*Further, the landowner (business owner) has also provided an extract below of correspondence from a new customer (as per email dated Thu 13/08/2020), to provide a level of evidence that there are out of town customers who seek local accommodation in the Kingaroy area when they are coming into town to buy a puppy.*

**(SBRC Planning Officer did not reproduce image)**

*In view of the above fair and reasonable grounds, we recommend Condition ENV1 should be amended to read as follows:*

**Condition ENV1**

*"Unless otherwise approved in writing by Council, visitors to the facility are restricted to the following hours:- 10:00AM to 3:00PM Monday to Friday and Sunday, and excluding any Public Holiday".*

Approved by Delegated Authority:



Date: 04/09/2020

*If required, the requested Sunday trading hours can be limited to 10:00AM to 2:00PM; however, for consistency and regularity, the above requested hours are considered acceptable and not unreasonable given the nature and small scale of this local business."*

**Officer's Response**

The property is large enough to sustain a well operated dog breeding facility with minimal impact on the adjoining owners in accordance with the conditions of approval. The conditions imposed as part of the development permit were designed to allow adequate time for the staff to undertake the necessary cleaning, feeding, exercising and care of the animals.

It is considered that Animal keeping is an acceptable use in the rural locality that is adequately separated from nearby rural residential lots. The inclusion of Sundays will have negligible impact upon Zolner Road and the surrounding locality. It is recommended that Council approve the applicant's requested change by amending condition Acoustic Amenity – General ENV1 to include Sundays.

Condition to be amended to read as follows:

- ENV1. Unless otherwise approved in writing by Council, visitors to the facility are restricted to the following hours:
  - 10:00AM to 3:00PM Monday to Friday and Saturday only, Sunday and excluding Sunday and any Public Holiday.

**CONCLUSION:**

The requested change representations have been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes have been approved in full. It is therefore recommended that the development approval be amended as identified above.

The attached Statement of Reasons (refer Attachment A) is not required to be amended.

**ATTACHMENTS**

Nil

Approved by Delegated Authority: 

Date: 04/09/2020

**ATTACHMENT A - STATEMENT OF REASONS**

**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

*The following information is provided in accordance with Section 83(8) & (9) of the Planning Act 2016*

SITE DETAILS	
<b>Applicant:</b>	Susan Clair c/- The Planning Place
<b>Proposal:</b>	Material Change of Use – Animal Keeping (Dog Breeding (maximum of 30 dogs)
<b>Street Address:</b>	23 Zolner Road (Birt Road), MEMERAMBI,
<b>RP Description:</b>	Lot 333 on FY357
<b>Assessment Type:</b>	Impact assessment
<b>Number of Submissions:</b>	Nil
<b>Decision:</b>	Approved – with conditions
<b>Decision Date:</b>	4 September 2020

**1. Assessment Benchmarks**

The following are the benchmarks apply to this development:

- South Burnett Regional Council Planning Scheme 2017 v1.3

**2. Reasons for the Decision**

The reasons for this decision are:

- It is considered that Animal keeping is an acceptable use in the rural locality that is adequately separated from nearby rural residential lots;
- Nuisance impacts eg. noise and odour will be conditioned so that nearby rural residential lifestyles are not unduly compromised;
- Operation of the facility will be in accordance with the Animal Management Plan plus additional operation of the facility will be administered by Council's Code of Practice once adopted;
- The existing and proposed outbuildings are complimentary to the existing rural locality;
- The activity would not significantly alter the existing rural nature of the nearby area given the strict number of dogs permitted on site at any one time;
- Visitors to the site will be restricted to 10am to 3pm seven (7) days a week excluding public holidays;
- The owner operator/s reside in the dwelling house on-site and is not reliant on additional external staff.

**3. Compliance with Benchmarks**

The development was assessed against all of the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

**Note:** Each application submitted to Council is assessed individually on its own merit.

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**17 CONFIDENTIAL SECTION**

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**OFFICER'S RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the *Local Government Regulation 2012*:

**17.1 Customer Request: RV2020/1008 | Financial Hardship Rates Application – Assessment Number 41732-00000-000**

This matter is considered to be confidential under Section 275 - d of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**17.2 Customer Request: RV2020/1216 | Additional Rate Concession Due to Inability to Generate Income Due to COVID-19 - Assessment Number 20616-00000-022**

This matter is considered to be confidential under Section 275 - d of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**17.3 Rate Exemptions and Remissions - Additions to Approved List - Assessment Numbers: 11312-00000-000, 10842-90000-000 and 30488-10000-000**

This matter is considered to be confidential under Section 275 - d of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

**17.4 Management and Operation of the South Burnett Aquatic Centre SBRC-20/21-04**

This matter is considered to be confidential under Section 275 - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by it.

**17.5 Purchase of Commercial Property**

This matter is considered to be confidential under Section 275 - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by it.

**18 CLOSURE OF MEETING**