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 Delegated Authority
 

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**0.0 RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT (3 LOTS INTO 2) AT 47 MAGNUSSSENS DRIVE, TINGOORA (LOT 25 ON RP191922), 45 MAGNUSSSENS DRIVE, TINGOORA (LOT 26 ON RP191922) & 43 MAGNUSSSENS DRIVE, TINGOORA (LOT 27 ON 191922) - APPLICANT: G & D LIPPIATT**

**File Number:** RAL21/0006  
**Author:** Student Planner  
**Authoriser:** Chief Executive Officer

**PRECIS**

Reconfiguration of a lot - Boundary Realignment (3 lots into 2) at 47 Magnussens Drive, Tingoora (Lot 25 on RP191922), 45 Magnussens Drive, Tingoora (Lot 26 on RP191922) & 43 Magnussens Drive, Tingoora (Lot 27 on 191922) - Applicant: G & D Lippiatt

**SUMMARY**

- The applicant seeks approval for a Development Permit for Reconfiguring a Lot – Boundary Realignment (3 into 2 lots).
- Lot configuration is as follows:
  - Total area of existing lot 25 is 1,100m<sup>2</sup>.
  - Total area of existing lot 26 is 1,100m<sup>2</sup>.
  - Total area of existing lot 27 is 1,100m<sup>2</sup>.
  - Proposed lot 10 is 1,650m<sup>2</sup>.
  - Proposed lot 11 is 1,650m<sup>2</sup>.
- Proposed lot 10 will contain the existing house and shed.
- Proposed lot 11 will be vacant.
- The boundary realignment aims to correct the boundary line which the shed was built over, creating a preferable outcome.
- The dwelling house has an existing sealed access onto Magnussens Drive.
- Proposed lot 10 will include the existing access.
- The subject site is located in the Township zone of the South Burnett Regional Council Planning Scheme.
- Boundary realignment development applications are subject to code assessment.
- The development application is assessed against the relevant codes of the South Burnett Regional Council Planning Scheme. Relevant codes including:
  - Reconfiguring a lot Code;
  - Township zone Code;
  - Services and Works Code.
- No information request was issued by Council.
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes or has been conditioned to comply (refer attachment A – Statement of Reasons).
- Application recommended for approval subject to reasonable and relevant conditions.

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**OFFICER'S RECOMMENDATION**

That Council approve the development permit for a Reconfiguring a lot for a boundary realignment 3 lots into 2 lots at 43-47 Magnussens Drive, Tingoora described as lots 25, 26 & 27 on RP191922, subject to the following conditions:

**GENERAL**

**Delegated Authority**

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	Ref No.	Rev.	Date
Boundary Realignment	ONF Surveyors	9489P/1	-	22/04/2021

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.

**COMPLIANCE**

GEN3. 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.

**OUTSTANDING FEES**

GEN4. Prior to sealing of Survey Plan 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 Regulation 2017*.

**PERMIT IT WORK ON COUNCIL ROADS**

GEN6. 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).

**SURVEY MARKS**

RAL1. Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey marks and install new survey marks in their correct position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

**VALUATION FEES**

RAL2. Payment of *Department of Natural Resources and Mines* valuation fee that will result from the issue of split valuations prior to Council sealing the Survey Plan. 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 Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.

**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, stormwater drainage systems or other public utility installations resulting from the development or from road and drainage works required in connection with the development.



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**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.

**ON-SITE WASTEWATER DISPOSAL**

ENG7. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with the AS 1547 and the Queensland Plumbing and Wastewater Code.

**Timing:** Prior to the issue of a Building Approval for a future Dwelling on the proposed lots.

**VEHICLE ACCESS**

GEN8. Design and construct a crossover having a minimum width of 4 metres and vehicle turnout in accordance with Council's Standard Drawing No. 00049 to access proposed Lot 11. The crossover shall be constructed of concrete, or gravel with a bitumen seal surfacing.

GEN9. The access shall be constructed under a Permit to Work on Council Roads or Footpaths Application.

**ADVICE**

ADV1. 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**

ADV2. 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.

Delegated Authority

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**LINK TO CORPORATE/OPERATIONAL PLAN**

Growing our Region's Economy and Prosperity

GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

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

Refer to CONSULTATION in this report.

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

No implication identified.

**POLICY/LOCAL LAW/DELEGATION IMPLICATIONS**

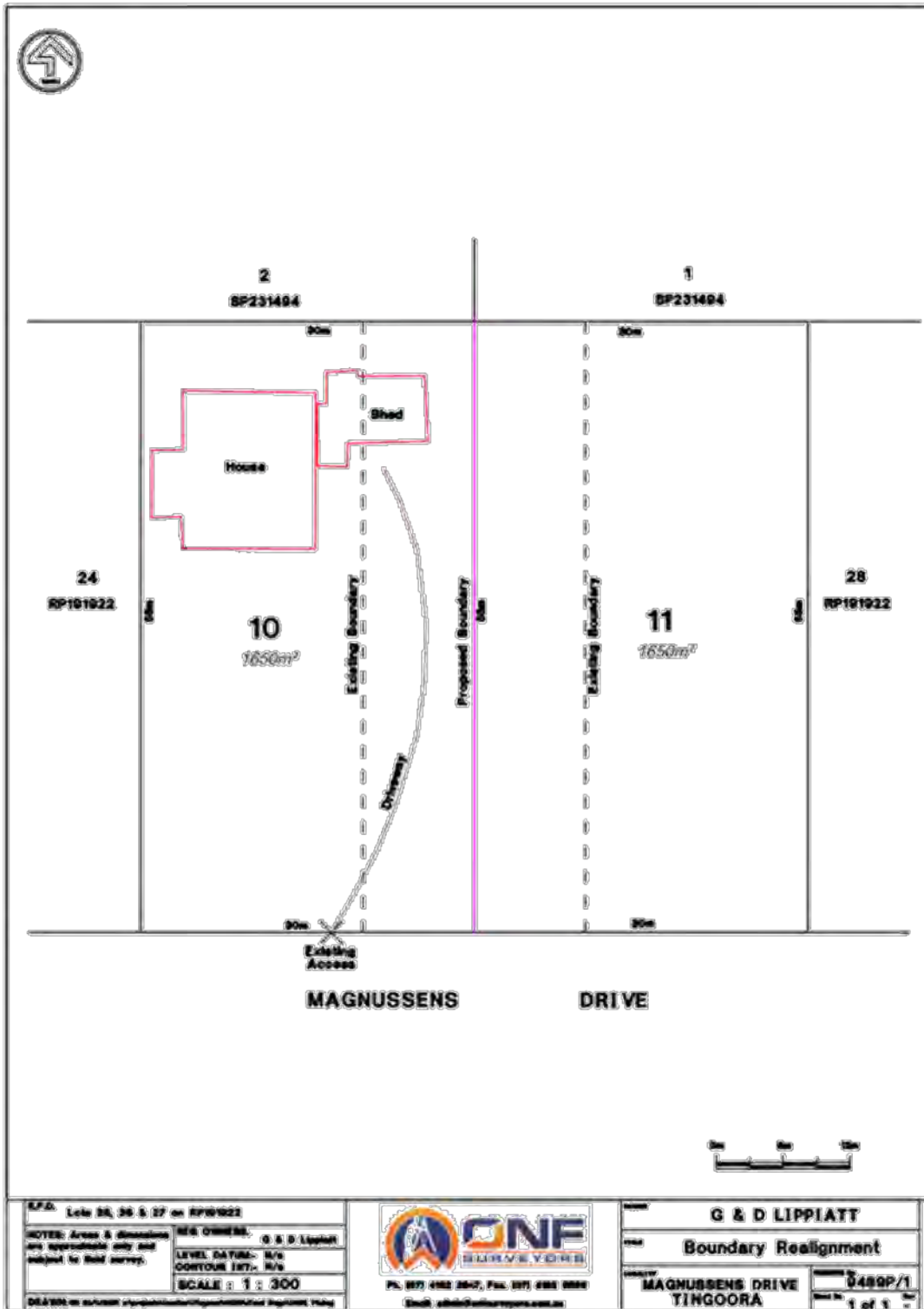
No implication can be identified.

**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.

Delegated Authority

**PROPOSAL PLAN**



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**REPORT**

The applicant seeks approval for a development permit for a reconfiguration of a lot – Boundary Realignment (3 lots into 2 lots).

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	G & D Lippiatt C/- ONF Surveyors
<b>Proposal:</b>	Boundary Realignment (3 lots into 2 lots)
<b>Properly Made Date:</b>	31/05/2021
<b>Street Address:</b>	43-47 Magnussens Drive, Tingoorra
<b>RP Description:</b>	Lots 25, 26 & 27 on RP191922
<b>Assessment Type:</b>	Code assessable
<b>Number of Submissions:</b>	N/A
<b>State Referral Agencies:</b>	N/A
<b>Referred Internal Specialists:</b>	Development Engineer

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

<b>DEVELOPMENT PARAMETERS</b>	
<b>Number of Proposed Lots</b>	2 lots
<b>Size of Proposed Lots</b>	Lot 10: 1,650m <sup>2</sup> Lot 11: 1,650m <sup>2</sup>
<b>Easements</b>	Nil
<b>Covenants</b>	Nil

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>	
<b>Land Area:</b>	3,300m <sup>2</sup>
<b>Existing Use of Land:</b>	Existing Lot 25 contains a dwelling and a shed which is located partly on Lot 26. Lot 27 currently has a dwelling under construction.
<b>Road Frontage:</b>	Magnussens Drive
<b>Road/s</b>	<b>Road Hierarchy</b>
Magnussens Drive	Local Road
<b>Easements</b>	Nil
<b>Significant Site Features:</b>	Nil
<b>Topography:</b>	Relatively flat
<b>Surrounding Land Uses:</b>	<b>Land Use</b>
<b>North</b>	Combination of vacant residential lots and developed residential lots
<b>South</b>	Combination of vacant residential lots and developed residential lots
<b>East</b>	Combination of vacant residential lots and developed residential lots

Delegated Authority

<b>West</b>	Combination of vacant residential lots and developed residential lots
<b>Services:</b>	Reticulated water, electricity, telecommunications

Background / Site History

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

**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>	
<b>Assessment Benchmarks:</b>	Nil
<b>WBB Regional Plan Designation:</b>	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.

<b>Planning Scheme:</b>	South Burnett Regional Council Planning Scheme Version 1.3
<b>Strategic Framework Land Use Category:</b>	N/A
<b>Zone:</b>	Township
<b>Precinct:</b>	N/A
<b>Assessment Benchmarks:</b>	Township zone Code Reconfiguring a lot Code Services and Works 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:

Delegated Authority

<b>ACCEPTABLE OUTCOME</b>	<b>ASSESSMENT MANAGER'S RESPONSE</b>
<b>TOWNSHIP ZONE CODE</b>	
<b>Section 1 - General</b>	
<b>PO1</b> The extent of development complements the intended low-density character of the Zone.	
<p><b>AO1.1</b> For residential uses, site cover does not exceed 50%. and <b>AO1.2</b> For non-residential uses, site cover does not exceed 60%.</p>	<p><b>Complies</b> – The proposal is reducing the number of lots, creating two larger lots, thus decreasing the site cover on proposed lot 10. Site cover is well below 50%.  <b>N/A</b></p>
<b>PO2</b> The scale, bulk and design of development are consistent with established scale, character, street presentation and streetscape in the locality.	
<p><b>AO2.1</b> Buildings are a maximum of 8.5m above natural ground level. and <b>AO2.2</b> Buildings are built the same distance from the road alignment as the average of the 2 adjoining buildings. and <b>AO2.3</b> If no adjoining buildings, or if the average setback of adjoining buildings from road alignments exceeds 6m, buildings are at least 3m from road alignments.</p>	<p><b>N/A</b> – No new buildings are proposed.</p>
<b>PO3</b> Development is to be adequately serviced.	
<p><b>AO3.1</b> Development in Benarkin, Kumbia, Wooroolin, Tingoorra and Proston is connected to the reticulated water supply network and, in the case of Kumbia and Wooroolin, supplemented by a 9,000L roofwater storage. or <b>AO3.2</b> In all other circumstances, development is provided with water supply of: (a) For residential uses – a 45,000L rainwater tank per dwelling; (b) For non-residential uses – a potable supply at 140L/head/day and fire-fighting supply at 3,000L/hour for a 5 hour period. and <b>AO3.3</b> Development in Proston is connected to Council's common effluent drainage scheme. or <b>AO3.4</b> In all other circumstances, the provision of on-site sewage treatment conforms to the requirements of the Queensland Plumbing and Wastewater Code. and <b>AO3.5</b> Stormwater discharge must be to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners.</p>	<p><b>Complies</b> – The existing dwelling is connected to the reticulated water supply. Any future dwelling has the ability to connect as they are within the water supply catchment.  <b>N/A</b> - No new dwellings are proposed as a part of this application.  <b>N/A</b>  <b>N/A</b> – No new dwellings are proposed as a part of this application.  <b>Complies</b> – Proposed lots 10 and 11 have access onto Magnussens Drive which is sealed with bitumen.</p>

Delegated Authority

<p>and  <b>AO3.6</b> Development has direct access to a sealed road.                  and  <b>AO3.7</b> Development is provided with a connection to the electricity supply and telecommunications networks.</p>	<p><b>Complies - Relevant conditions added.</b></p>
<p><b>PO4</b> Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.</p>	
<p><b>AO4.1</b> Development does not occur:                  (a) In areas that pose a health risk from previous activities; and                  (b) On sites listed on the Contaminated Land Register or Environmental Management Register.                  or  <b>AO4.2</b> Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p><b>Complies –</b> The land is not on the CLR or EMR. The land is not known to be contaminated or to pose a health risk.</p>
<p><b>RECONFIGURING A LOT CODE</b></p>	
<p>Section 1 – Boundary realignment</p>	
<p><b>PO1</b> The boundary realignment:                  (a) results in lots that are consistent with the established subdivision pattern of the local area;                  (b) maintains or improves the utility of the lots;                  (c) does not create a situation where the use or buildings on the resulting lots become unlawful.</p>	
<p><b>AO1.1</b> Development provides that allotment area, dimension and shape are in accordance with the standards in Table 8.4.2, except where the reconfiguration is boundary realignment and the outcome is preferable to the current allotment configuration.                  and  <b>AO1.2</b> The utility of the lots is maintained or improved where:                  (a) a frontage to depth ratio exceeds that of the existing allotments;                  (b) access is provided to an allotment that previously had no access or an unsuitable access;                  (c) an existing boundary encroachment by a building or areas is corrected;                  and  <b>AO1.3</b> The realignment does not result in a building contravening the setback, standards required by this Planning Scheme or relevant building regulations.                  and  <b>AO1.4</b> The realignment results in a larger lot that is a more viable farming unit.</p>	<p><b>Complies –</b> Proposed lots 10 &amp; 11 comply with the minimum lot dimensions for the Township zone. Both lots will be 1,650m<sup>2</sup> each with 30m frontages. The proposed outcomes is preferable to the current allotment configuration as the shed was built over the boundary line. The proposed boundary configuration is consistent with and does not compromise the surrounding allotment pattern.</p> <p><b>N/A -</b> No new buildings are proposed as a part of this application.</p> <p><b>N/A</b></p>

Delegated Authority

<b>PO2</b> The boundary realignment facilitates the creation or consolidation of a viable farming unit.	
<b>AO2.1</b> Where covered by the Overlay Map 08: (a) new lot boundaries enhance viable farming units; and (b) the boundaries ensure that a new dwelling is not on agricultural land. and (c) the reconfiguration satisfies the acceptable outcomes in section 6 of the Rural Zone code.	<b>N/A</b> – Whilst the existing allotments are identified within the agricultural land classification B they are used for residential purposes and are not viable farming units in their existing form.
<b>SERVICES AND WORKS CODE</b>	
Section 1 - General	
<b>PO1</b> The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	
<b>AO1.1</b> A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.	<b>N/A</b> - This development application does not necessitate the need for a stormwater quality management plan.
<b>PO2</b> Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	
<b>AO2.1</b> A wastewater management plan prepared by a suitably qualified person and addresses : (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; and <b>AO2.2</b> Wastewater is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.	<b>N/A</b> - This development application does not necessitate the need for a wastewater management plan.
<b>PO3</b> Construction activities avoid or minimise adverse impacts on stormwater quality.	
<b>AO3.1</b> An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.	<b>N/A</b> - This development application does not necessitate the need for an erosion and sediment control plan.
<b>PO4</b> Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow	
<b>AO4.1</b> Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.	<b>N/A</b> - This development application does not necessitate the need for stormwater flow control measures.



Delegated Authority

<b>Section 2 - Infrastructure</b>	
<p><b>PO5</b> Development is provided with infrastructure which:</p> <p>(a) conforms with industry standards for quality;</p> <p>(b) is reliable and service failures are minimised; and</p> <p>(c) is functional and readily augmented.</p>	
<p><b>AO5.1</b> Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p><b>AO5.2</b> Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p><b>Complies</b> – The subject site has access onto Magnussens Drive which is sealed with bitumen.</p> <p><b>Complies</b> – Relevant conditions added.</p>
<b>Section 3 – Vehicle parking</b>	
<p><b>PO6</b> Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	
<p><b>AO6.1</b> Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p><b>AO6.2</b> A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p><b>AO6.3</b> Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p><b>AO6.4</b> Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p><b>N/A</b> – This development application does not necessitate the need for vehicle parking.</p>
<b>Section 4 - Landscaping</b>	
<p><b>PO7</b> Landscaping is appropriate to the setting and enhances local character and amenity.</p>	
<p><b>AO7.1</b> Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p><b>AO7.2</b> Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m<sup>2</sup> and is unsealed and permeable.</p> <p>and</p> <p><b>AO7.3</b> Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>	<p><b>N/A</b> - This development application does not necessitate the need for landscaping.</p>
<p><b>PO8</b> Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	

Delegated Authority

<p><b>AO8.1</b> Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping. and <b>AO8.2</b> Species selection avoids non-invasive plants.</p>	<p><b>N/A</b> - This development application does not necessitate the need for landscaping.</p>
<p><b>Section 5 – Filling and excavation</b></p>	
<p><b>PO9</b> Development results in ground levels that retain: (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety.</p>	
<p><b>AO9.1</b> The depth of: (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level. and <b>AO9.2</b> The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary. and <b>AO9.3</b> Works do not occur on slopes over 15% in grade. and <b>AO9.4</b> Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped. and <b>AO9.5</b> Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height. and <b>AO9.6</b> Filling or excavation for the purpose or retention of water: (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots.</p>	<p><b>N/A</b> – No cut or fill is proposed as a part of the application.</p>
<p><b>PO10</b> Filling or excavation does not cause damage to public utilities.</p>	
<p><b>AO10.1</b> Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>	<p><b>N/A</b> – No cut or fill is proposed as a part of this application.</p>
<p><b>PO11</b> Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	

Delegated Authority

<p><b>AO11.1</b> Following filling or excavation:                  (a) the premises:                  (i) are self-draining; and,                  (ii) has a minimum slope of 0.25%; and,                  (b) surface water flow is:                  (i) directed away from neighbouring properties; or                  (ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.</p>	<p><b>N/A</b> – No cut of fill is proposed as a part of this application.</p>
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**Local Categorising Instrument - Variation Approval**

Not applicable.

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

Not applicable.

**Other Relevant Matters**

Not applicable.

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**Locality Plan**



Figure 1 - Aerial Image (Source: Old SPP mapping)

**Aerial Plan**

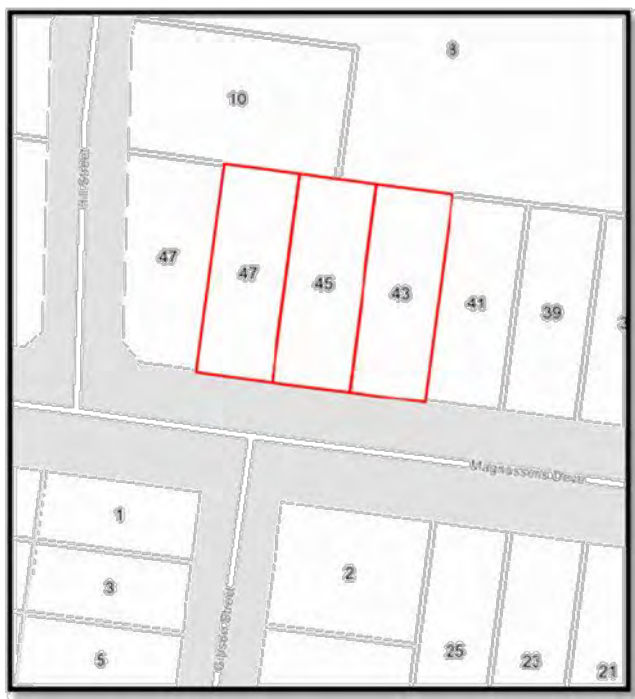


Figure 2 - Locality Plan (Source: IntraMaps)

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**CONSULTATION:**

**Referral Agencies**

Not applicable.

**Other Referrals**

<b>INTERNAL SPECIALIST</b>	<b>REFERRAL</b>	<b>REFERRAL / RESPONSE</b>
Development Engineer		Council's Development Engineer provided comments in relation to Infrastructure Charges and conditions.
Infrastructure Charges Unit		N/A

**CONCLUSION:**

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within the report. The proposal generally complies with the Assessment Benchmarks of the Township zone Code, Reconfiguring a lot code and Services and works code within the South Burnett Regional Council Planning Scheme.

The boundary realignment will result in larger lots and create preferable outcome to the existing lot configuration without compromising the surrounding settlement pattern.

**RECOMMENDATION:**

It is recommended that the Reconfiguring a lot application (3 lots into 2 lots) at 43-47 Magnussens Drive, Tingoorra (and described as lots 25, 26 & 27 on RP191922) be approved subject to the reasonable and relevant pursuant to Section 60 of the *Planning Act 2016*.

Delegated Authority

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**ATTACHMENTS**

**NII**

**Attachment A**

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Item 0.0

Page 16

Delegated Authority

**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

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

The development application for:

<b>Type of Approval</b>	Reconfiguring a lot – Development permit
<b>Level of Assessment</b>	Code
<b>Application No</b>	RAL21/0006
<b>Name of Applicant</b>	G & D Lippiatt C/- ONF Surveyors
<b>Street Address</b>	43-47 Magnussens Drive, Tingoorra
<b>Real Property Address</b>	Lots 25, 26 & 27 on RP191922

On 20 July 2021 the above development was:

Approved in full, with conditions.

**1. Reasons for the Decision**

The reasons for this decision are:

- The proposal will create a preferable outcome to that of the existing lot configuration, resolving the conflict between an existing structure and boundary line.
- The proposed lot configuration is consistent with that of the Tingoorra residential area and does not compromise the existing surrounding allotment pattern of the locality.
- The land is easily serviceable with urban utilities.
- There is no infrastructure or natural hazard constraints applicable that would not support the application.

**2. Assessment Benchmarks**

The following benchmarks apply to this development:

- Reconfiguring a lot code
- Township zone code
- Services and works code

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

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**0.0 RECONFIGURATION OF A LOT - (1 LOT INTO 5 LOTS AND 2 EASEMENTS) AT MARKWELL STREET, KINGAROY (LOT 55 ON SP249662) - RAL21/0001 - L SHELDON**

**File Number:** RAL21/0001  
**Author:** Senior Planner  
**Authoriser:** Chief Executive Officer

**PRECIS**

Reconfiguration of a lot - (1 lot into 5 lots and 2 easements) at Markwell Street, Kingaroy (Lot 55 on SP249662) - RAL21/0001 - L Sheldon

**SUMMARY**

- Application for Reconfiguring a lot (1 lot into 5 lots including two reciprocal easements) 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:
  - Low density residential zone code;
  - Reconfiguring a lot code;
  - Services and works code.
- Subject site subject to overlay OM1 – Airport Environs Overlay – Within 8km to Kingaroy Airport
- 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 the proposal subject to reasonable and relevant conditions.

**OFFICER’S RECOMMENDATION**

That Council approve the Development Application for Reconfiguring a Lot (1 lot into 5 lots including two reciprocal easements) at Markwell Street, Kingaroy (and described as Lot 55 on SP249662) 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	6206P/1 – Sheet 1 of 2	-	11 February 2021
Proposed Subdivision	ONF Surveyors	6206P/1 – Sheet 2 of 2		11 February 2021
General Layout	ATC Engineers	21081	A	25 March 2021

**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.



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Delegated AuthorityDate:

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**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).

**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.

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

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.

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**

ENG 1 Submit to Council, an Operational Work application for all works that will become Council infrastructure and for earthworks (if applicable), sewer, stormwater, and access.

ENG 2 Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council.

ENG 3 Undertake Engineering designs and construction in accordance with the Planning Scheme, *WBBROC Design and Construction Standards*, Council Specifications, and Customer Service Standards.

ENG 4 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**

ENG 5 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.

ENG 6 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**

ENG 7 Roofwater from future dwellings shall be discharged into the proposed easement that includes a suitably sized stormwater system to accommodate an ARI5 storm event, or directed to an inter-allotment stormwater system.

ENG 8 To assist with discharge rates/velocities, it is recommended that best practice stormwater devices are installed, e.g. rain gardens, prior to stormwater being discharged from each lot.

ENG 9 To avoid future damage, stormwater pipes located within footpaths shall be RHS.

ENG 10 Discharge to the existing kerb and channel shall be via an approved metal kerb adaptor.

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Delegated Authority

Date:

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- ENG 11 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.
- ENG 12 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).
- ENG 13 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.

#### **LAWFUL POINT OF DISCHARGE**

- ENG 14 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).

#### **WATER SUPPLY**

- ENG 15 Connect all proposed lots to Council's reticulated water supply system. Each proposed lot shall have its own water meter. Note that the water meter for each lot shall be located within the Markwell St road reserve, at a location suitable to Council.
- ENG 16 Construct water supply requirements in accordance with the *WBBROC Design and Construction Standards*, Council Specifications, Customer Service Standards, Plumbing & Wastewater Code, and statutory requirements.

#### **SEWERAGE**

- ENG 17 Connect all lots to Council's reticulated sewerage system.
- ENG 18 Construct sewer requirements in accordance with the *WBBROC Design and Construction Standards*, Council Specifications, Customer Service Standards, Plumbing & Wastewater Code, and statutory requirements.
- ENG 19 Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG 20 Do not build works within 1.5 metres from the centre of any existing sewer pipe work or within the Zone of Influence, whichever is the greater (measured horizontally).
- ENG 21 Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
- ENG 22 Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
- ENG 23 The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

#### **VEHICLE ACCESS**

- ENG 24 For proposed lots 1 and 5, construct a residential standard crossover between the property boundary and Markwell Street pavement, having a minimum width of 4 metres, generally in accordance with Council's Standard Drawing No. SBRC 00048.
- ENG 25 For proposed lots 2, 3, and 4, construct a residential standard crossover between the property boundary and Markwell Street pavement, having a minimum width of 6 metres, generally in accordance with Council's Standard Drawing No. SBRC 00048. The access

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 Delegated Authority
Date:
 

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shall be constructed generally in accordance with ATC Engineers drawing S-101 General Layout.

ENG 26 Kerb and channel shall not be constructed along the access driveway.

*Note: The access driveway to lots 2, 3, and 4 shall have the appearance of a driveway, and not a roadway.*

ENG 27 Design the access to lots 2, 3, and 4 making provision for all services to be included within the proposed easement.

#### **RESTRICTED ACCESS**

ENG 28 No vehicular access is permitted to Alford Street from proposed Lot 4.

#### **TELECOMMUNICATION**

ENG 29 Provide underground telecommunications to all lots within the development.

#### **ELECTRICITY**

ENG 30 Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

#### **EARTHWORKS - GENERAL**

ENG 31 Earthworks involving filling greater than 50m<sup>3</sup> requires an Operational Work application.

ENG 32 Ensure that each lot is self-draining, and that overland flow paths are not redirected onto adjacent properties.

#### **EROSION AND SEDIMENT CONTROL - GENERAL**

ENG 33 Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

ENG 34 Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

#### **EASEMENTS**

ENG 35 Provide a reciprocal access easement having a minimum width of eight (8) metres/as shown on the approved plan(s) of development.

ENG 36 All services for lots 2, 3, and 4 shall be contained within the easement.

ENG 37 The restrictions imposed (non-permanent fixtures) on the property within the drainage easement, will include:

- a. a building (habitable or not), regardless of size;
- b. a bridge or culvert, tower, mast, pillar, or post;
- c. a wall or a fence (other than a dividing fence);
- d. a shipping container or similar object;
- e. a sculpture or statue;
- f. a viaduct, railway line, roadway or path;
- g. a swimming pool or a tank; or
- h. anything else that may be reasonably characterised as a structure when placed upon land (whether by affixation or by resting upon its own weight).

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Delegated Authority

Date:

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### **ADVICE**

#### **WHEN APPROVAL STARTS TO HAVE EFFECT**

ADV1. This development approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

#### **WHEN APPROVAL LAPSES**

ADV2. 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**

ADV3. 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.dafsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

#### **APPEAL RIGHTS**

ADV4. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

#### **INFRASTRUCTURE CHARGES**

ADV5. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

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Delegated Authority

Date:

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**FINANCIAL AND RESOURCE IMPLICATIONS**

No implication can be identified.

**LINK TO CORPORATE/OPERATIONAL PLAN**

Growing our Region's Economy and Prosperity

GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

**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.

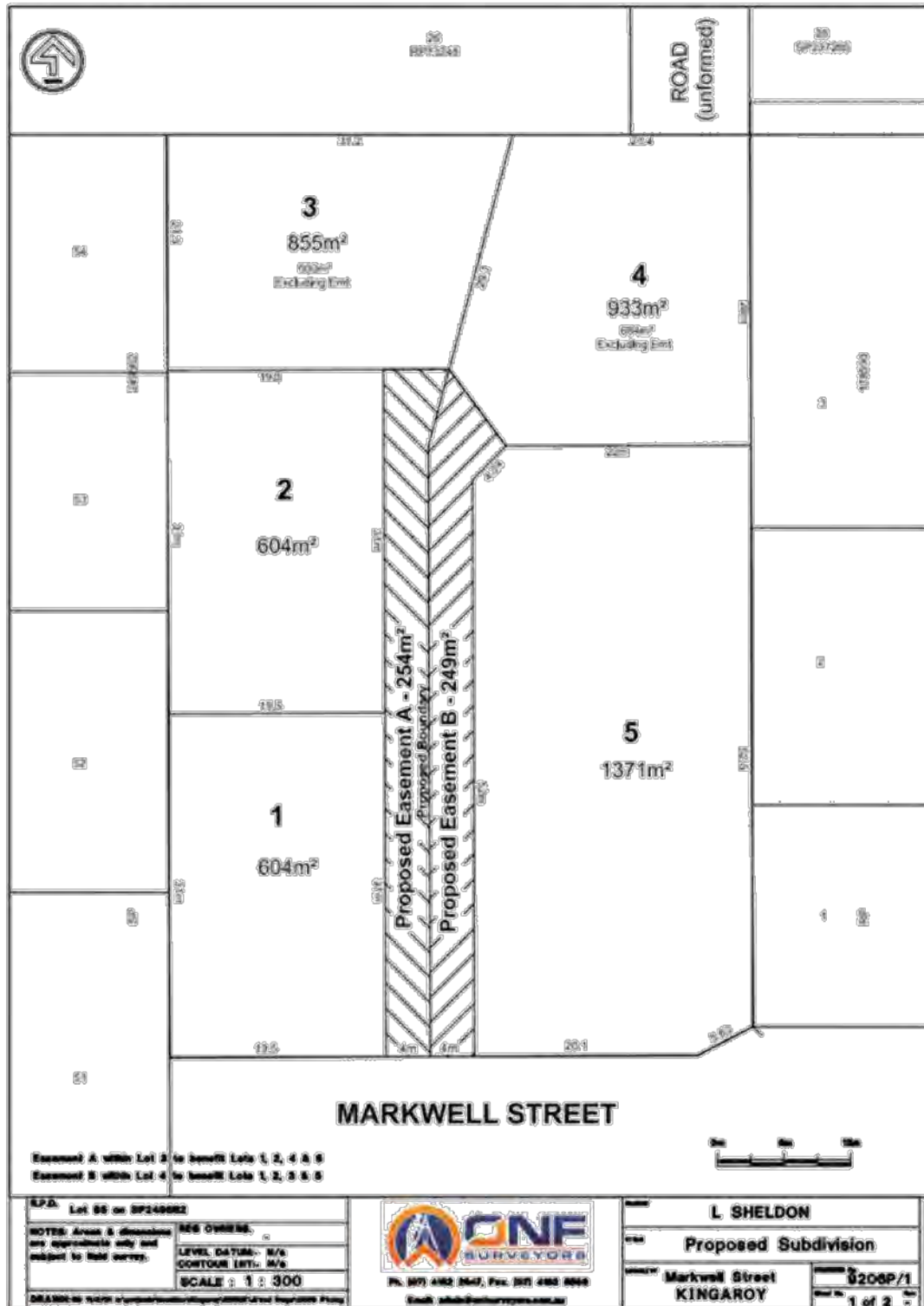
**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.

Delegated Authority

Date:

**PROPOSAL PLAN**

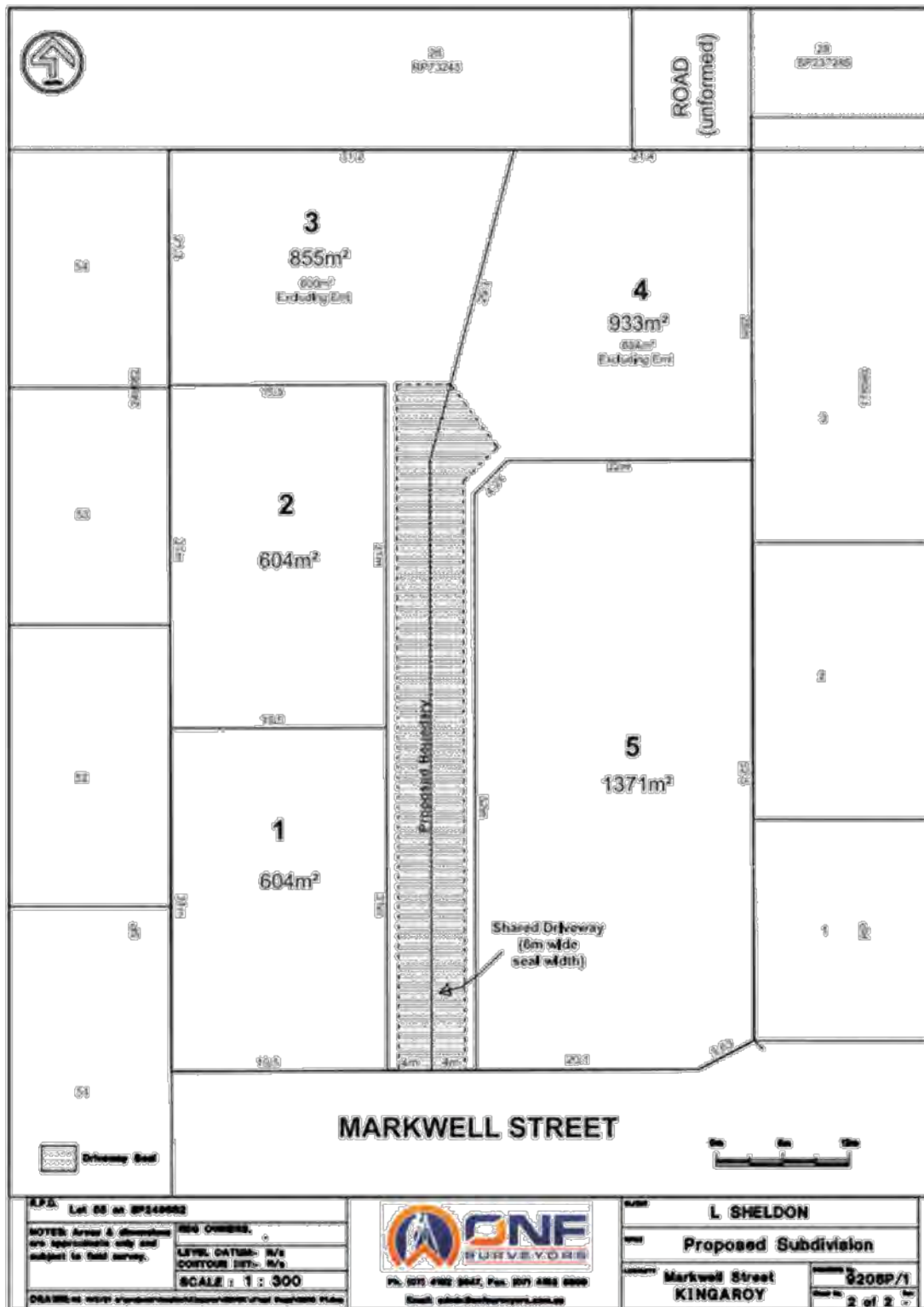


Source: Applicant



Delegated Authority

Date:



Source: Applicant



Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**REPORT**

The applicant seeks approval for a reconfiguration of a lot (1 lot in 5 lots).

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	L Sheldon C/- ONF Surveyors
<b>Proposal:</b>	Reconfiguration of a lot – (1 lot into 5 lots & 2 easements)
<b>Proposed Made Date:</b>	18 March 2021
<b>Street Address:</b>	Markwell Street, Kingaroy
<b>RP Description:</b>	Lot 55 on SP249662
<b>Assessment Type:</b>	Code assessable
<b>Referred Internal Specialists:</b>	Development Engineer

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

<b>DEVELOPMENT PARAMETERS</b>	
<b>Number of Proposed Lots</b>	5
<b>Size of Proposed Lots</b>	Lot 1 – 604m <sup>2</sup> Lot 2 – 604m <sup>2</sup> Lot 3 – 855m <sup>2</sup> Lot 4 – 933m <sup>2</sup> Lot 5 – 1371m <sup>2</sup>
<b>Easements</b>	Proposed Easement A – 254m <sup>2</sup> Proposed Easement B – 249m <sup>2</sup>

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>		
<b>Land Area:</b>	4368m <sup>2</sup>	
<b>Existing Use of Land:</b>	Vacant land	
<b>Road Frontage:</b>	Markwell Street	
<b>Road/s</b>	<b>Road Hierarchy</b>	
Markwell Street	Street	
<b>Easements</b>	N/A	
<b>Significant Site Features:</b>	Vacant	
<b>Topography:</b>	Relatively flat with a slight fall towards the Markwell street frontage.	
<b>Surrounding Land Uses:</b>	<b>Land Use</b>	<b>Zone/Precinct</b>
<b>North</b>	Dwellings	Low Density Residential
<b>South</b>	Dwellings, road	Low Density Residential
<b>East</b>	Dwellings	Low Density Residential
<b>West</b>	Dwellings, vacant land	Low Density Residential
<b>Services:</b>	Roads, water, sewer, stormwater	

Delegated Authority

Date:

## PLANNING ASSESSMENT

### Planning Regulation 2017

This section of the report includes an assessment of the proposed development against Schedule 10 of the Planning Regulation 2017 (the Planning Regulation).

#### Schedule 9 – Building Works

It is noted that assessment benchmarks and matters stated in Schedule 9 of the Regulation are not relevant to this development application for Reconfiguring a Lot.

#### Schedule 10 – Assessable Development

The proposed development does not comprise any aspect of assessable development under Schedule 10.

#### Other Matters for Code Assessment

This section of the report includes an assessment of the proposed works against the other matters that impact assessment must have regard to as required by the Planning Regulation 2017 (section 27), namely:

- the Planning Scheme;
- the Regional Plan;
- the State Planning Policy, to the extent the SPP is not identified in the planning scheme as being appropriately integrated in the planning scheme;
- any temporary State planning policy applying to the premises;
- any development approval for, and any lawful use of, the premises or adjacent premises; and
- the common material.

In accordance with section 45 (3) of the Planning Act, code assessment is an assessment that must be carried out only –

- (a) *against the assessment benchmarks in a categorising instrument for the development;*  
*and*
- (b) *having regard to any matters prescribed by regulation for this paragraph.*

In this instance under section 45 (3)(a) of the Planning Act, the categorising instrument for the development is the South Burnett Regional Council Planning Scheme 2017 (v1.4) under which the applicable assessment benchmarks are the Low Density Residential Zone Code, Airport Environs Overlay Code, Flood Hazard Overlay Code, Reconfiguring a Lot Code and the Services and Works Code.

The planning assessment of the development considers the above assessment benchmarks and matters to the extent that the assessment benchmark and matter is relevant to the development.

#### Planning Scheme

##### Defined Use

The proposed **Reconfiguring a Lot** component is defined, pursuant to the Planning Act 2016, as:

- (a) *creating lots by subdividing another lot; or*
- (b) *amalgamating 2 or more lots; or*
- (c) *rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

- (d) *dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is –*
  - i. *a lease for a term, including renewal options, not exceeding 10 years; or*
  - ii. *an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or*
- (e) **creating an easement giving access to a lot from a constructed road.**

We consider that the **bold** elements of the Reconfiguring a Lot definition are appropriate to the proposed lot reconfiguration.

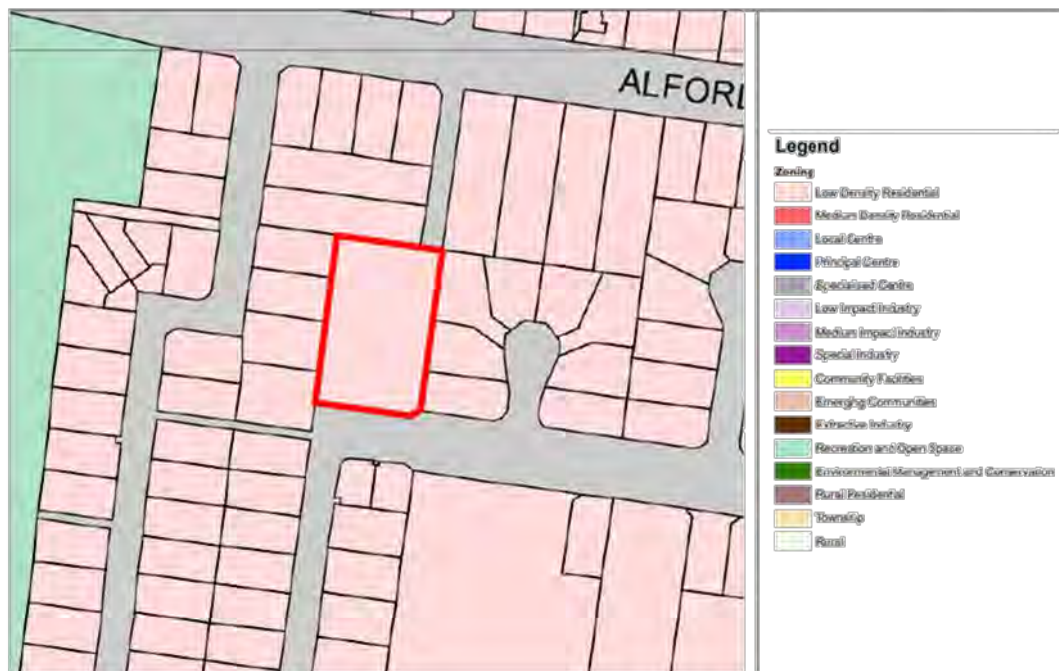
**Assessment Benchmarks**

Table 5.6.1 categorises Reconfiguring a Lot, where the reconfiguration is compliant with the relevant requirements, as code assessable development. The relevant assessment benchmarks are:

- Low Density Residential Zone Code
- Reconfiguring a Lot Code
- Services and Works Code

**Zone**

The subject site is situated in the Low Density Residential Zone of the Planning Scheme:



**Low Density Residential Zone Code**

The purpose of the Low Density Residential Zone Code is to provide for residential and community uses along with small-scale services, facilities and infrastructure to support local residents. The proposal for the lot reconfiguration is appropriate for the zone as it is not changing the physical use of the site and will create more regular sized lots that prepares for future residential and community use development.

The following table sets out an assessment of the proposal against the overall outcomes for the Low Density Residential Zone Code.

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<b>Section 1 Development of greenfield areas</b>		
<b>PO1</b> Not applicable. The site is less than 5000m <sup>2</sup> .	<b>AO1.1 – AO1.7</b> Not Applicable. The site is less than 5000m <sup>2</sup> .	<b>AO1.1 - AO1.7</b> Not Applicable. The site is less than 5000m <sup>2</sup> .
<b>Section 2 General</b>		
<p><b>PO2</b> The density, built form and appearance of development reflects the intended low density, detached housing character of the zone, it climatically responsive and facilitates casual surveillance of the street.</p>	<p><b>AO2.1</b> Site cover does not exceed 50% except for the Bunya Mountains Precinct where the maximum site cover is 10%.</p> <p>and</p> <p><b>AO2.2</b> Buildings are a maximum of 2 storeys above ground level</p> <p>and</p> <p><b>AO2.3</b> Pedestrian entrances to buildings are clearly visible from the street.</p> <p>and</p> <p><b>AO2.4</b> The maximum length of any façade without articulation or change of materials is 10m.</p> <p>and</p> <p><b>AO2.5</b> Buildings are set back at least:</p> <ul style="list-style-type: none"> <li>(a) 6m from the primary street frontage;</li> <li>(b) 4.5m from any secondary street frontage;</li> <li>(c) 1.5m from side boundaries; and</li> <li>(d) 6m from rear boundaries.</li> </ul> <p>and</p> <p><b>AO2.6</b> A 1.8m high screen fence is provided to the site and rear boundaries.</p> <p>and</p> <p><b>AO2.7</b> Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, refuse bins, telecommunication devices, etc.) are integrated into the building.</p> <p>and</p> <p><b>AO2.8</b> Garages are at or behind the ground level front building setback.</p>	<p><b>Performance Outcome Required.</b> There are no new buildings proposed as part of the development. The PO is able to be achieved given that the proposed lots are compliant with the prescribed minimum area requirements for the low density residential zone and single detached dwellings will be able to be sited on each lot.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>and  <b>AO2.9</b> Front facades incorporate the front door (and an associated front door identification structure) and living room windows or balconies orientated toward the street.</p> <p>and  <b>AO2.10</b> Each unit t incorporates a private open space at least 20m2 in area and 4 metres wide that directly adjoins the unit's principal living area and is oriented northward.</p> <p>and  <b>AO2.11</b> Front fences are less than 1.2 metres high.</p> <p>and  <b>AO2.12</b> Where a dual occupancy in the Low Density Residential zone, each unit has:                      (a) independent driveway access to its respective street frontage; and                      (b) Its front door (and an associated front door identification structure) and living room windows or balconies oriented toward its respective street frontage.</p>	
<p><b>PO3</b>                      Development responds to natural landforms and stormwater flows.</p>	<p><b>AO3.1</b> Cut and fill is minimised.                      and  <b>AO3.2</b> For building sites steeper than 10%, elevated split-level building construction is used to achieve level changes.</p>	<p><b>Complies.</b>                      The site is outside of a stormwater discharge path and no cut/fill will be proposed as part of the configuration.</p>
<p><b>PO4</b>                      Development is adequately serviced.</p>	<p><b>AO4.1</b> Development is connected to reticulated water supply and sewerage.                      and  <b>AO4.2</b> Stormwater is discharged to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners.                      and</p>	<p><b>Complies.</b>                      Standard residential services are going to be provided to the proposed lots. Stormwater is to be directed to the frontage on Markwell Street</p>



Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<b>AO4.3</b> Development is supplied with reticulated electricity and telecommunications services.	
<b>PO5</b> The efficiency and safety of the road network is not compromised by inappropriate access arrangements.	<b>AO5.1</b> No outcome specified.	<b>Complies.</b> The proposed development does not anticipate to include inappropriate site access.
<b>PO6</b> Refuse storage areas: (a) are conveniently located for use and collection; and (b) are of useable size; and (c) avoid adverse impacts on neighbours and occupants; and (d) are screened from view within the site, adjoining properties and the street.	<b>AO6.1</b> No outcome specified.	Noted and to be compliant with.
<b>PO7</b> Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.	<b>AO7.1</b> Development does not occur: (a) In areas that pose a health risk from previous activities; and (b) on sites listed on the Contaminated Land Register or Environmental Management Register.  or <b>AO7.2</b> Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	<b>Not applicable.</b> The subject site is currently vacant and has not been utilised for any specific uses that would pose a health risk to any future uses.
<b>Home based business PO8 – PO10</b>		<b>Not Applicable.</b> The application is not for a home based business.
<b>Secondary dwelling PO11</b>		<b>Not Applicable.</b> The application is not for a secondary dwelling.
<b>Development in the Bunya Mountains Precinct PO12</b>		<b>Not Applicable.</b> The subject site is not located within the Bunya Mountains Precinct.
<b>Small lot dwelling houses PO13 – PO14</b>		<b>Not Applicable.</b> The subject site is not for small lot dwelling houses.
<b>Section 7 For development affected by one or more overlays</b>		
<b>Airport environs overlay PO15</b>		<b>Not Applicable.</b> The subject site is not located within the wildlife hazard sub-area/
<b>Biodiversity overlay PO16 – PO18</b>		<b>Not Applicable.</b> The subject site is not located within the biodiversity overlay.

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
Bushfire hazard overlay PO19 – PO21		Not Applicable. The subject site is not located within the bushfire hazard overlay.
Flood hazard overlay PO22 – PO24		Not Applicable. The subject site is not affected by the flood hazard overlay.
Historic subdivisions overlay PO25 – PO26		Not Applicable. The subject site is not located within a historic subdivision overlay.
Landslide hazard overlay PO27 – PO28		Not Applicable. The subject site is not affected by the landslide hazard overlay.

**Summary of Compliance with Low Density Residential Zone Code:**

The proposed reconfiguring a lot is consistent with the intent of the Low Density Residential Zone Code, where it will not have any impact upon future development on the site. The proposal seeks to create five (5) additional residential sized lots, which can accommodate for future residential and community development. The proposed reconfiguration is not affected by, or exacerbate any impacts caused by applicable overlays to the site such as Agricultural Land and Airport Environs.

**Reconfiguring a Lot Code**

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
Section 1 Boundary Realignment PO1 – PO2		Not Applicable. The proposed development is not for a boundary realignment.
Section 2 Reconfiguration under a Community Title Scheme PO3 – PO6		Not Applicable. The proposed reconfiguration is not under a Community Title Scheme.
<b>Section 3 All other reconfiguration</b>		
<b>PO7</b> Allotments are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use.	<b>AO7.1</b> Development provides that allotment area, dimension and shape are in accordance with the standards in Table 8.4.2.  and <b>AO7.2</b> The minimum allotment size for any rear allotment shall be calculated exclusive of the area of the access corridor of the allotment.  and <b>AO7.3</b> Irregularly shaped allotments are designed to allow a building area of 15m by 10m to be setback 6m from the site frontage.	<b>Complies.</b> The proposed lots achieve the prescribed minimum area requirements for the Low Density Residential Zone. The proposed rear lots achieve the minimum 600m <sup>2</sup> area requirement excluding the access handles of the lots.
<b>PO8</b> Lots have lawful, safe and practical access.	<b>AO8.1</b> Access is provided via either: (a) Direct road frontage;	<b>Complies.</b> The proposed lots will have access via Markwell Street.

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>(b) Access strip with a minimum width of 3.5m (for rear lots only); or</p> <p>(c) Access easement with a minimum width of 6m (where lots only have legal road frontage that does not provide, safe or practical access to the existing street network).</p> <p>and</p> <p><b>AO8.2</b> Newly created lots do not have direct access to sub-arterial or higher order roads.</p> <p>and</p> <p><b>AO8.3</b> Except in the Rural Zone, new lots, are provided with access to a sealed road.</p>	<p>which is a sealed bitumen road. Markwell Street is not a sub-arterial or higher order road.</p> <p>Proposed Lots 1 and 5 have direct frontage onto Markwell Street. Proposed Lots 2, 3 and 4 will obtain access via a shared driveways through the access handles of lots 3 and 4. The access corridor will be 8 metres wide and the constructed driveway will have a width of 6 metres.</p> <p>An access easement is provided as part of the development to ensure that proposed Lots 2, 3 and 4 have lawful access and the proposed new driveway is to provide safe and practical access to the abovementioned lots.</p> <p>It is of note that there is a Road Reserve which adjoins Lot 4 to the north, however, is currently unformed.</p>
<p><b>PO9</b> The number of rear lots is minimised having regard to the outlook, topography of the site, intended land use and general amenity of the area.</p>	<p><b>AO9.1</b> Only one rear lot is provided behind each full street frontage regular lot.</p> <p>and</p> <p><b>AO9.2</b> No more than two rear lot access strips directly adjoin each other.</p> <p>and</p> <p><b>AO9.3</b> No more than two rear lots gain access from the head of a cul-de-sac.</p> <p>and</p> <p><b>AO9.4</b> Rear lots are only created where the site gradient is greater than 5%.</p>	<p><b>Not Applicable.</b> No rear lots are proposed.</p>
<p><b>PO10</b> The design and construction of new roads: (a) Maintain safe and efficient access to the transport network; (b) Creates integrated neighbourhoods; and (c) Are constructed to a standard that is commensurate with the intended use of allotments.</p>	<p><b>AO10.1</b> Intersection shall be spaced at no less than 45m from any other intersection.</p> <p>and</p> <p><b>AO10.2</b> Any intersections with existing roads shall be treated with a T-intersection or a roundabout.</p>	<p><b>Not Applicable.</b> There are no new roads proposed as part of the development.</p>



Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	and <b>AO10.3</b> The road layout indicates connections to adjoining development sites.  and <b>AO10.4</b> Other than in the Rural or Rural Residential Zones, new streets are provided with layback kerb and channel.  or <b>AO10.5</b> In the Rural Residential Zone, new streets are provided with concrete flush kerbs and swale drains.	
<b>PO11</b> The provision of services is resistant to inclement weather and does not degrade the character of the area.	<b>AO11.1</b> Where the reconfiguration involves the opening of a new road, all electricity and telecommunications services are located underground.	<b>Not Applicable.</b> There are no new roads proposed as part of the development.
<b>PO12</b> Reconfiguration facilities integration of walking and cycling networks that provide a safe and convenient environment for users having regard to appropriate gradients and distances to be travelled.	<b>AO12.1</b> No outcome specified.	<b>Not Applicable.</b> There are no defined paths that exist in the subject area.
<b>PO13</b> Public open space is provided in response to community need.	<b>AO13.1</b> Public open space is provided in accordance with the Priority Infrastructure Plan.	<b>Complies.</b> A Parks Contribution will be applicable as part of Infrastructure Charges in lieu of providing public open space.
<b>PO14</b> Reconfiguration into allotments less than 400m <sup>2</sup> in the Medium Density Residential zone is facilitated where design outcomes are consistent with expectations for the zone.	<b>AO14.1</b> Reconfiguration in the Medium Density Residential zone involving allotments less than 400m <sup>2</sup> where creating allotments for individual units in an approved and completed multiple dwelling or dual occupancy.	<b>Not Applicable.</b> The proposal site is not located within Medium Density Residential Zone.
<b>PO15</b> Reconfiguration into allotments less than 400m <sup>2</sup> in the Medium Density Residential zone is to provide for suitable living environments.	For allotments less than 400m <sup>2</sup> – <b>AO15.1</b> All lots are orientated to within 20° of north.  <b>AO15.2</b> All lots are to be sized and shaped to accommodate a 10m x 20m rectangle.	<b>Not Applicable.</b> The proposed lot sizes are above 400m <sup>2</sup> .
<b>Section 4 All reconfiguring a lot subject to an overlay</b> <b>Airport environs overlay</b>		

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<b>Public safety sub-area</b>		
<b>PO17</b> Development located at the end of runways does not increase the risk to public safety.	<b>AO17.1</b> Development does not include a significant increase in the number of people living, working or congregating in an airport's public safety area as depicted on Overlay Map 01.	<b>Not Applicable.</b> The subject site is not located at the end of a runway.

**Summary of Compliance with the Reconfiguring a Lot Code:**

The proposed development seeks to reconfigure a lot to create five (5) lots and two reciprocal easements. The proposed lots are considered to be an appropriate size and do not compromise the existing or future use of the lots. The development will not have any adverse impacts on the surrounding residential dwellings.

**Services and Works Code**

The Applicant has sufficiently addressed the requirements of the Services and Works Code:

- The site will be adequately serviced by electricity, telecommunications and water.
- The proposed development displays adequate stormwater quality management through the location of discharge to Markwell Street to the kerb and channel.
- The proposal site has access to Markwell Street, which is a sealed bitumen road and will provide sealed roads in order to provide access to Lots 2, 3 and 4.
- Conditions of approval will be provided to address wastewater management and an erosion and sediment control.
- No filling and excavation is proposed as part of this approval and future works will be subject to a further application.

**Local Categorising Instrument - Variation Approval**

Not applicable.

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

Not applicable.

**Other Relevant Matters**

Not applicable.

Delegated Authority

Date:

**Locality Plan**



Figure 1 - Aerial Image (Source: Old Globe)

**Aerial Plan**

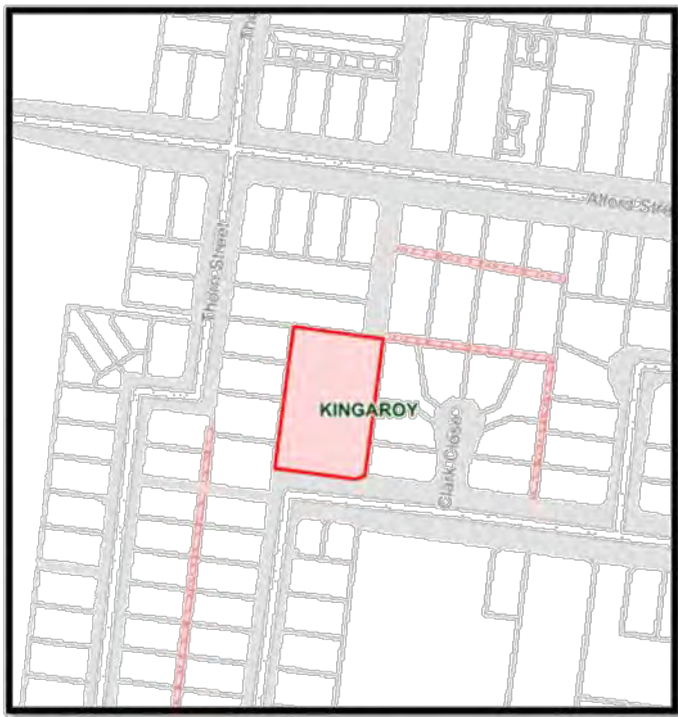


Figure 2 - Locality Plan (Source: IntraMaps)

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Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**CONSULTATION:****Referral Agencies**

The proposal did not trigger referral to any relevant referral agencies.

**Public Notification**

No public notification was required as the proposal is code assessable.

**CONCLUSION:**

The subject site is zoned for Low Density Residential purposes which supports residential and community uses along with small-scale services, facilities and infrastructure to support residents. The proposed reconfiguration meets the minimum requirements for lot sizes in the Low Density Residential Zone and has been assessed as a code assessable application.

The reconfiguration provides additional lots which can accommodate for future residential and community development. The proposed reconfiguration is not affected by, or exacerbate any impacts caused by applicable overlays to the site such as Agricultural Land and Airport Environs. Adequate servicing for all lots is able to be provided as part of the development.

**RECOMMENDATION:**

Grounds to support the development:

- The subject site is located within the Low Density Residential Zone.
- The proposed lots are in accordance with the prescribed minimum requirements of Table 8.4.2 as identified within the South Burnett Regional Council Planning Scheme.
- The use is code assessable and the development outcome, given the appropriate lot sizes and dimensions, is anticipated within the Low Density Residential Zone.
- The proposed development complies with all relevant prescribed acceptable outcomes and performance criteria, and does not prejudice the residential uses of surrounding land.
- The development ensures that all proposed lots will be connected to water supply, electricity and telecommunications and will provide for appropriate access to all lots.
- The visual amenity impacts of the proposal can be managed through specific conditions of approval and future applications.
- The proposed reconfiguration does not preclude the development from being undertaken in a structured and coordinated sequence.

On balance, the proposed development and its impacts can be managed through compliance with conditions. On this basis, we recommend Council approve the proposed development, subject to the conditions outlined within this report.

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

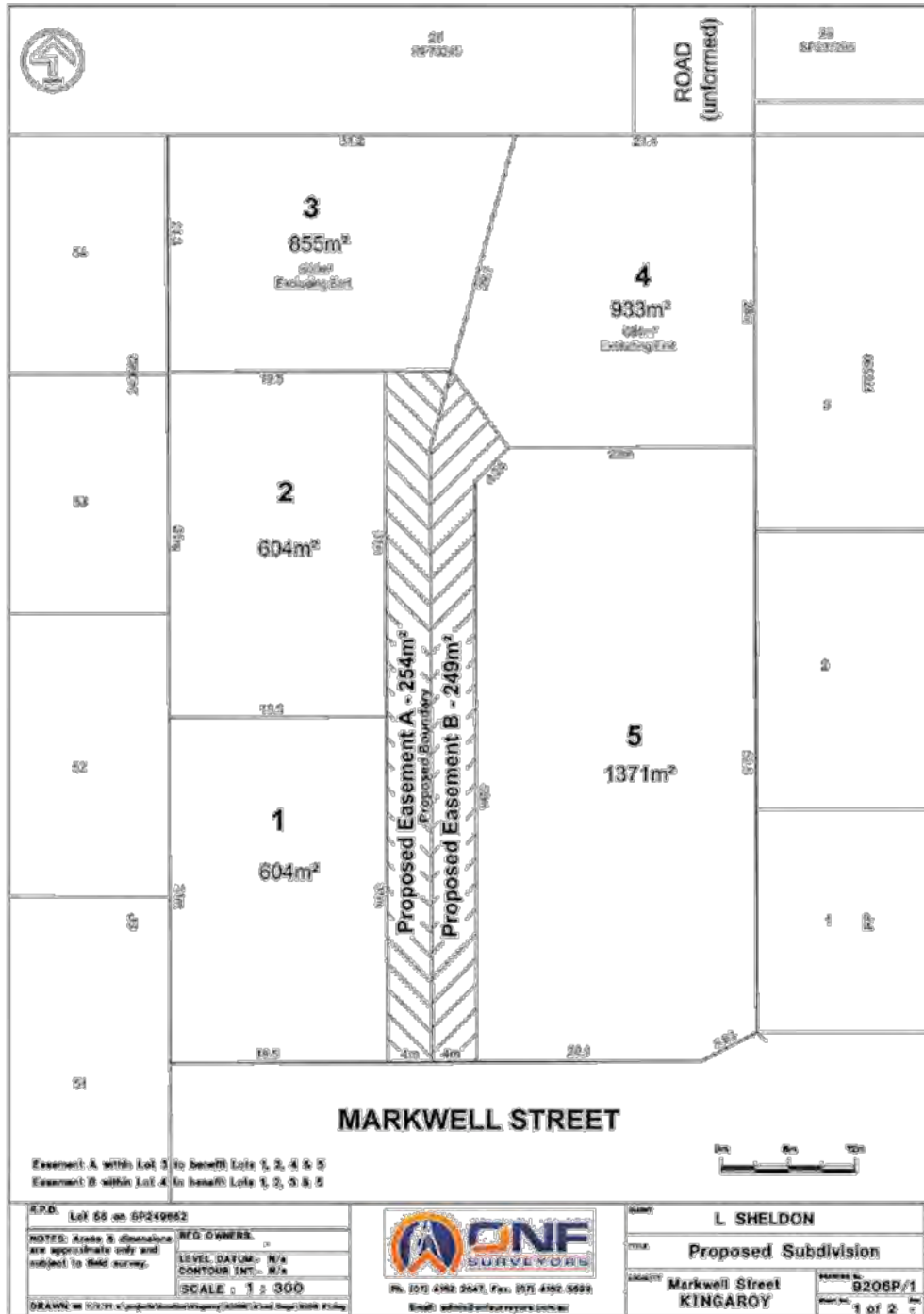
**ATTACHMENTS**

1. **Attachment A: Approval Plans**
2. **Attachment B: Statement of Reasons**
3. **Attachment C: Infrastructure Charges Notice**

Delegated Authority

Date:

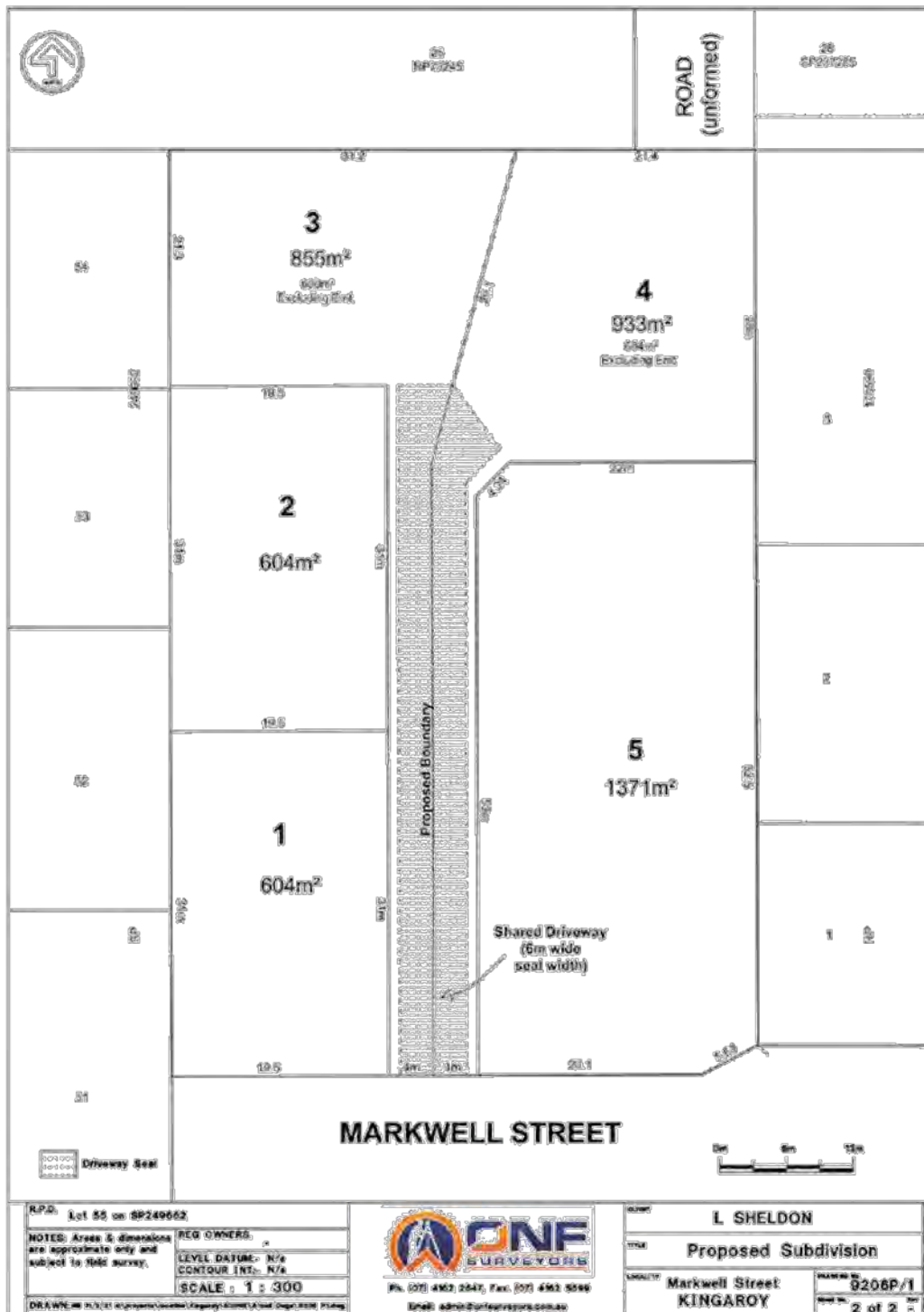
**Attachment A  
Approved Plans**





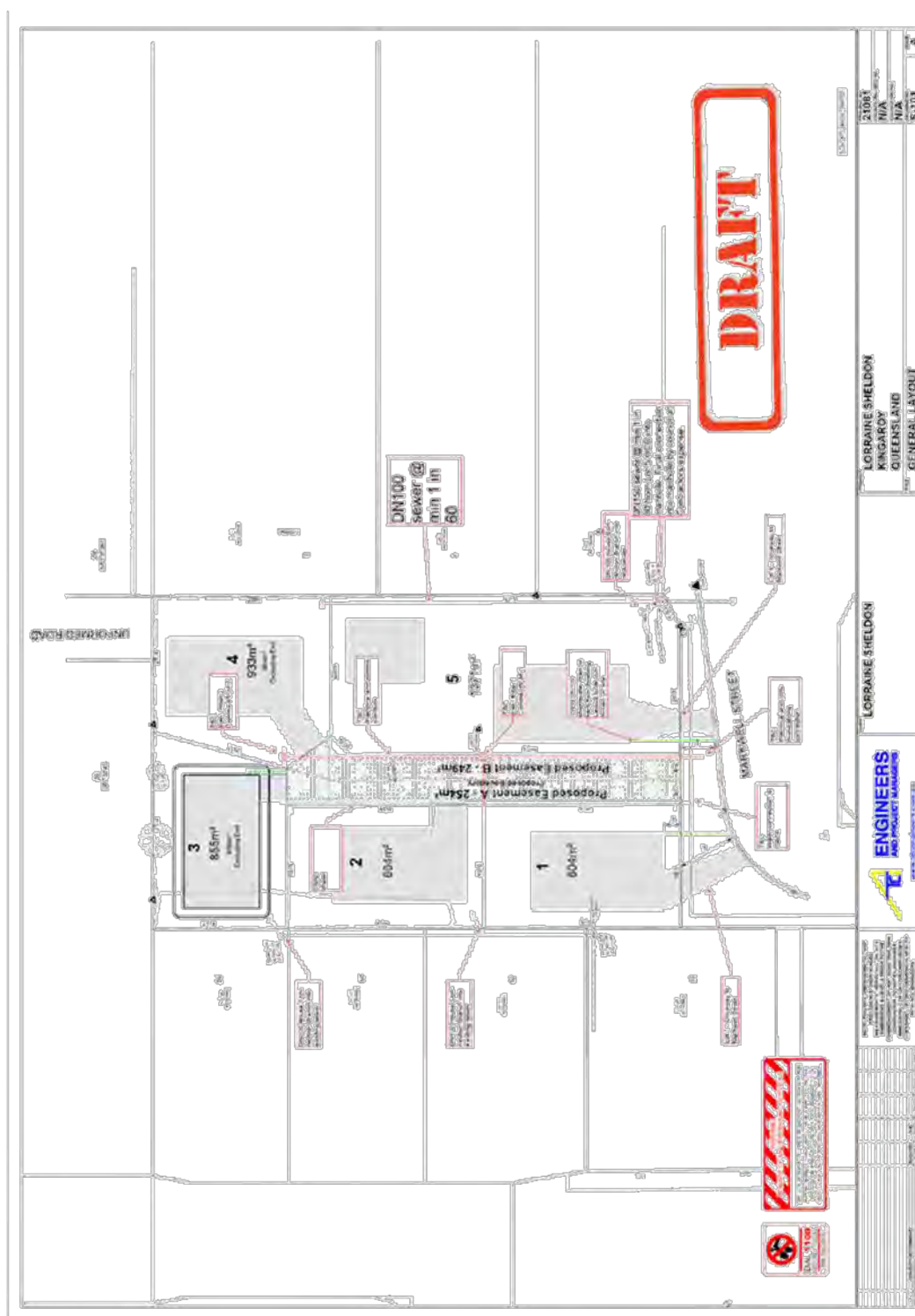
Delegated Authority

Date:



Delegated Authority

Date:







**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

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

The development application for:

Type of Approval:	Development Permit for Reconfiguring a Lot – 1 Lot into 5 Lots plus easements
Level of Assessment	Code
Submissions:	N/A
Application No:	RAL21/0001
Name of Applicant:	L. Sheldon c/- ONF Surveyors
Street Address:	Lot 55 Markwell Street, Kingaroy
Real Property Description:	Lot 55 SP249662

On 6 July 2021, the above development application was:

- Approved in full, with conditions;
- Approved in full, without conditions;
- Refused;
- Approved in part with conditions and refused in part.

Customer Service Centres:

- Bassendean
- Kingaroy
- Mambo

- Murgoo
- Wondol

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**1. Reasons for the Decision**

(a)  
 (b) The proposed Reconfiguration of a Lot is supported by the relevant provisions of the Low Density Residential Zone Code and the Services and Works Code, as identified in this report. The proposal also appropriately responds to the relevant overlays. The proposal is supported on the following grounds:

(c)  
 Grounds to support the development

- The subject site is located within the Low Density Residential Zone.  
 (a)
- The proposed lots are in accordance with the prescribed minimum requirements of Table 8.4.2 as identified within the South Burnett Regional Council Planning Scheme.  
 (b)
- The use is code assessable and the development outcome, given the appropriate lot sizes and dimensions, is anticipated within the Low Density Residential Zone.  
 (c)
- The proposed development complies with all relevant prescribed acceptable outcomes and performance criteria, and does not prejudice the residential uses of surrounding land.  
 (d)
- The development ensures that all proposed lots will be connected to water supply, electricity and telecommunications and will provide for appropriate access to all lots.  
 (e)
- The visual amenity impacts of the proposal can be managed through specific conditions of approval and future applications.  
 (f)
- The proposed reconfiguration does not preclude the development from being undertaken in a structured and coordinated sequence.

Overall, there are no conflicts with the planning scheme identified. Reasonable and relevant conditions are included to manage or mitigate potential impacts from the use such that use maintains acceptable amenity outcomes in the locality.

As such, the development can be approved subject to strict adherence with the conditions contained herein.

**2. Assessment Benchmarks**

The following are the benchmarks apply to this development:

- South Burnett Regional Council Planning Scheme 2017
- Low density residential zone code
- Service and Works Code

**3. Compliance with Benchmarks**

ASSESSMENT MATTERS		
<b>Reasons for Decision</b>	The development was assessed against all of the Assessment Benchmarks listed above and complies with all of these with the exception listed below.	
	<b>Assessment Benchmark</b>	<b>Reasons for the Approval Despite Non-compliance with Benchmark</b>
	N/A	N/A

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**INFRASTRUCTURE CHARGES NOTICE**

*(Section 119 of the Planning Act 2016)*

**APPLICANT:** O'Reilly Nunn Favier - ONF Surveyors  
PO Box 896  
KINGAROY QLD 4610

**APPLICATION:** Reconfiguring a Lot - 1 lot into 5 lots

**DATE:** 7/07/2021

**FILE REFERENCE:** RAL21/0001

**AMOUNT OF THE LEVIED CHARGE:** **\$80,340.00** **Total**  
*(Details of how these charges were calculated are shown overleaf)*

\$39,368.00	Water Supply Network
\$21,692.00	Sewerage Network
\$9,640.00	Transport Network
\$8,036.00	Parks and Land for Community Facilities Network
\$1,604.00	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:** 55 SP249662

**SITE ADDRESS:** Markwell 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**

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**DETAILS OF CALCULATION**

**Water Supply**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	5	allotments	\$9,842.00	CR Table 2.3	\$49,210.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$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)	5	allotments	\$5,423.00	CR Table 2.3	\$27,115.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$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)	5	allotments	\$2,410.00	CR Table 2.3	\$12,050.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$2,410.00	CR Table 2.3	\$2,410.00

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**Parks and Land for Community Facilities**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (Residential)	5	allotments	\$2,009.00	CR Table 2.3	\$10,045.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$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)	5	allotments	\$401.00	CR Table 2.3	\$2,005.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$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)]	\$39,368.00	\$21,692.00	\$9,640.00	\$8,036.00	\$1,604.00	\$80,340.00
<b>Total</b>	<b>\$39,368.00</b>	<b>\$21,692.00</b>	<b>\$9,640.00</b>	<b>\$8,036.00</b>	<b>\$1,604.00</b>	<b>\$80,340.00</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.*

Delegated Authority

Date:

## 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;

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<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.

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Delegated Authority

Date:

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- 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 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](mailto:info@southburnett.qld.gov.au)

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**0.0 P&LM - RAL21/0003 - RECONFIGURATION OF A LOT - SUBDIVISION (1 LOT INTO 2 LOTS) LOT 2 ON RP186067, 59 BUSHNELLS ROAD, NANANGO**

**File Number:** RAL21/0003  
**Author:** Senior Planner  
**Authoriser:** Chief Executive Officer

**PRECIS**

RAL21/0003 – Reconfiguration of a lot – subdivision (1 lot into 2 lots) at 59 Bushnells Road, Nanango (lot 2 on RP186067) – applicant: ONF Surveyors

**SUMMARY**

- Application for Reconfiguring a lot – Subdivision (1 lot into 2 lots);
  - o Subdivision configuration as proposed:
    - Total area 1.235ha
    - Proposed Lot 3 is 8,150sqm
      - Lot frontage 13m
      - Lot includes an existing dwelling house and associated outbuildings
      - Access via Bushnells Road
    - Proposed Lot 4 is 4,355sqm (including the access strip)
      - Lot is currently vacant
      - Lot frontage is 10m with access narrowing to 7m wide driveway
      - Access via Bushnells Road
- Subject site is included in the Rural residential zone and in the RR1 precinct (4,000sqm);
- Subdivision complying with the minimum 4,000sqm lot size is code assessable;
- Proposal triggers assessment against:
  - o Rural residential zone code;
  - o Reconfiguring a lot code;
  - o Services and works code
- Infrastructure charges notice (refer to Attachment A);
- Statement of reasons (refer to Attachment B);
- Recommendation that Council approve the Reconfiguring a lot (1 lot into 2 lots) subject to reasonable and relevant conditions.

**OFFICER'S RECOMMENDATION**

That Council approve the Development Application for Reconfiguring a lot (Subdivision 1 lot into 2 lots) located at 59 Bushnells Road, Nanango (and described as Lot 2 on RP186067) 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	9421P/1	A	10 June 2021



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Delegated Authority

Date:

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**Amendment:** Provide an amended plan indicating a suitable building envelope as a result of recommendation in the Bushfire management plan (refer to GEN9).

GEN2. 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

GEN3. The approved development is Reconfiguring a lot for subdivision (1 lot into 2 lots), as shown on the Approved Plans.

#### Permit to Work on Council Roads

GEN4. 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).

#### Compliance/Endorsement

GEN5. 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.

#### Outstanding Fees

GEN6. 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 Certificate

GEN7. 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

GEN8. 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 (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.

#### Bushfire Management – General

GEN9. A bushfire management plan is to be provided prior to the sealing of the survey plan to ensure that there is sufficient firebreak between existing road reserve (stock route) and sufficient area for a building envelope for future dwelling house and associated outbuildings (refer to GEN1).

#### 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.

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Item 0.0

Page 2

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

- ENG2. Undertake Engineering design and construction in accordance with the SBRC Planning Scheme, Council's Standard Drawings, relevant Australian Standards, Codes, and relevant design manuals.

**Location, protection and repair of damage to Council and public utility services infrastructure and assets**

- ENG3. 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.

- ENG4. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazard exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

**Stormwater management**

- ENG5. 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.

- 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).

**Water supply**

- ENG7. Provide a minimum of 45,000l of water storage, plus a separate additional storage of 22,500l (minimum) of permanent water to be exclusively used for firefighting purposes and must be located within 10m of the main dwelling.

**On-site Wastewater Disposal**

- ENG8. The development must be connected to an on-site wastewater disposal facility. The proposed facility is to comply with Australian Standard AS1547 and the Queensland Plumbing & Wastewater Code.

**Vehicle access**

- ENG9. All accesses shall be designed and constructed with a gravelled driveway, having a minimum width of 4m and vehicle turnout in accordance with Council's standard drawing 00049.

- ENG10. For proposed Lot 4 the access shall comprise 100mm compacted gravel 4m wide for the full length of the access handle.

- ENG11. For proposed Lot 4 design and construct all services along the full length of the access handle.

**Telecommunication**

- ENG12. Design and provide underground telecommunications to all lots within the development.

**Electricity**

- ENG13. Design and provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.

- ENG14. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

Item 0.0

Page 3

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Delegated Authority

Date:

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**Services – Existing connections**

ENG15. Ensure that all services provided to the existing dwelling house on proposed Lot 3 are wholly located within the lot it serves.

**Advice****Currency period**

ADV1. Section 85 (1)(b)(i) of the *Planning Act 2016* provides that, if this approval is not acted upon within the period of 12 months 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 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.

**Infrastructure charges**

ADV4. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

**Developer Incentive**

ADV5. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 30 June 2022. Eligible development under this scheme is required to be completed by 30 June 2022.

For further information or application form please refer to the rules and procedures available on Council's website.

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Delegated Authority

Date:

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**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.

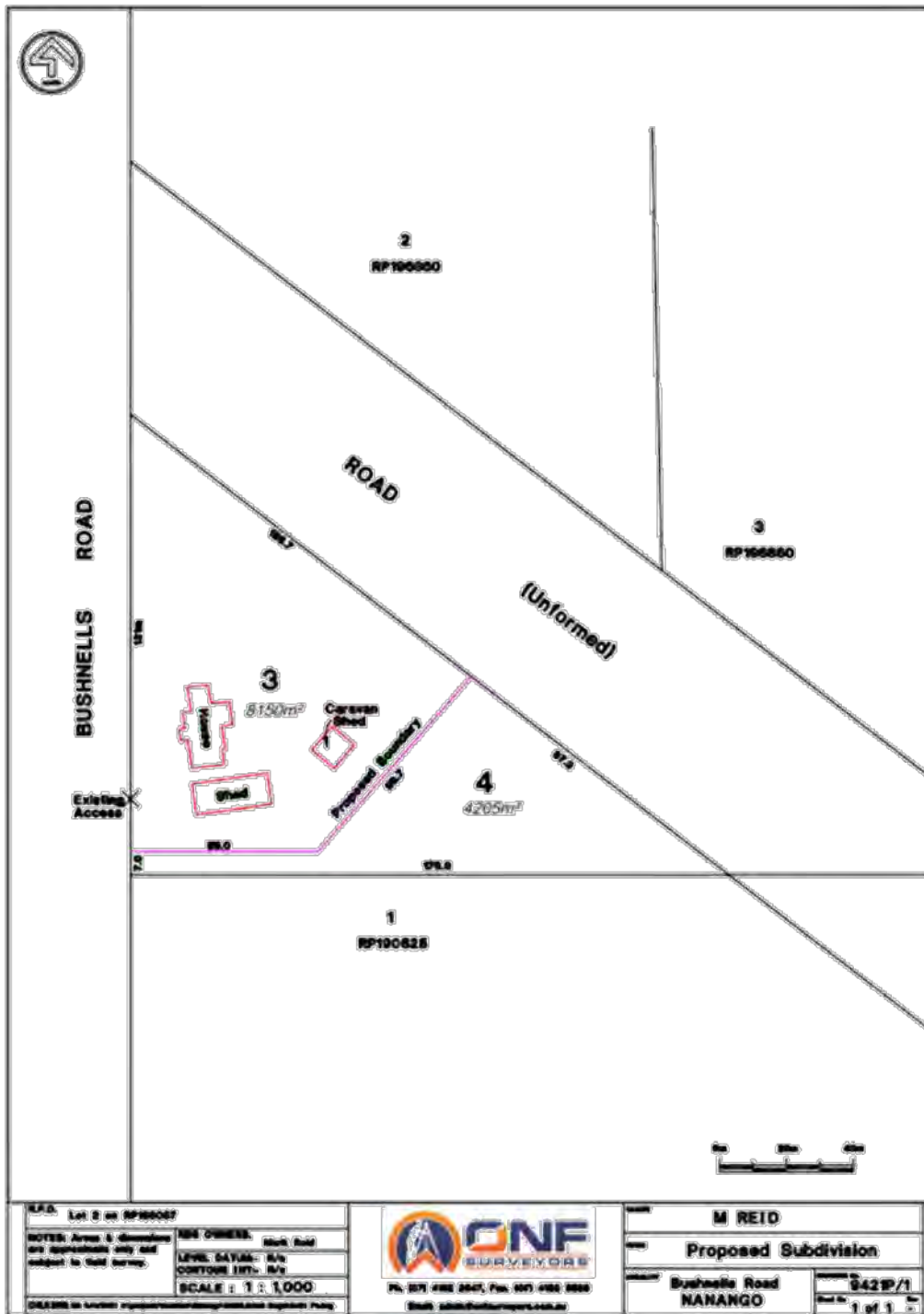
**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.

Delegated Authority

Date:

**PROPOSAL PLAN**



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**REPORT**

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

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	M Reid C/- ONF Surveyors
<b>Proposal:</b>	Subdivision 1 lot into 2 lots
<b>Properly Made Date:</b>	15 June 2021
<b>Street Address:</b>	59 Bushnells Road Nanango
<b>RP Description:</b>	Lot 2 on RP186067
<b>Assessment Type:</b>	Code
<b>Number of Submissions:</b>	N/A
<b>State Referral Agencies:</b>	NIL
<b>Referred Internal Specialists:</b>	Development Engineer

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

	<b>DEVELOPMENT PARAMETERS</b>
<b>Number of Proposed Lots</b>	2 lots
<b>Size of Proposed Lots</b>	Proposed Lot 3 – 4,000sqm (excluding access strip) Proposed Lot 4 – 8,000sqm
<b>Easements</b>	Nil
<b>Covenants</b>	Nil

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>			
Land Area:	1.235ha		
Existing Use of Land:	Dwelling house and associated outbuildings		
Road Frontage:	Bushnells Road, Nanango		
Road/s	<b>Road Hierarchy</b>		
	Collector minor		
Easements	Nil		
Significant Site Features:	None reported		
Surrounding Land Uses:	<b>Land Use</b>	<b>Zone/Precinct</b>	
North	Unformed road reserve and rural residential dwellings		
South	Rural residential dwellings		
East	Rural residential dwellings		
West	Rural residential dwellings		
Services:	Bitumen sealed road and electricity		

**Background / Site History**

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

**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**



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

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 1.4
<b>Strategic Framework Land Use Category:</b>	N/A
<b>Zone:</b>	Rural residential
<b>Precinct:</b>	RR1 precinct (4,000sqm)
<b>Assessment Benchmarks:</b>	Rural residential zone code Reconfiguring a lot code Services and works 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 residential zone code</b>	
PO1 Buildings and structures must complement the semi-rural character of nearby development and protects residential amenity.	<b>Complies</b> – the property is within the RR1 precinct and meets the minimum lot size.
PO2 Development minimises the potential for reverse amenity impacts for adjoining existing non-residential activities.	Refer above.
PO3 Dwellings are to be adequately serviced.	<b>To be conditioned</b>  There is no reticulated water supply in the area. A minimum of 45kl water tank is to be provided by each dwelling for consumption plus an additional 22.5kl water storage no more than 10m from the main dwelling for fire fighting purposes.  On-site waste disposal as per Qld Plumbing and wastewater code.  Dwellings to be provided with electricity supply and telecommunication networks.  Access will be via Bushnells Road which is bitumen sealed.

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

PO4 Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.	N/A
<b>PO5 – PO14</b>	<b>Not applicable</b>
PO15 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	The proposed subdivision forms part of infill development.
<b>PO16</b>	<b>Not applicable</b>
PO17 Major risks to the safety or property and to the wellbeing of occupants in areas mapped as Very High to Medium (Potential Intensity) Areas is minimised through appropriate siting, servicing and managing of residential premises.	<b>To be conditioned</b>  The property is mapped by Medium impact bushfire intensity area with some bushfire buffer affecting the subject property. The surrounding vegetation in particular in the existing road reserve present a potential bushfire hazard to the proposed new rural residential lot.  A Bushfire management plan to be supplied confirming the presence of medium bushfire risk and recommendations relating to the siting of a future dwelling on proposed Lot 4 and sufficient firebreaks to the adjoining road reserve.
<b>PO18 – PO23</b>	<b>Not applicable</b>
PO24 Stock routes and trails identified on Overlay Map 04 are protected from incompatible development on adjoining sites.	<b>Complies</b> – The development is infill development and any on-site wastewater systems designed for future residential lot will be conditioned accordingly so as not to affect or intrude into the identified stock routes.
<b>PO25 – PO27</b>	<b>Not applicable</b>
<b>Reconfiguring a lot</b>	
<b>PO1 – PO6</b>	<b>Not applicable</b>
PO7 Allotments are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use.	<b>Complies</b> – the proposed lots comply with the minimum lot size stipulated.
PO8 Lots have lawful, safe and practical access.	<b>Complies</b> – access is via the existing collector road that is Bushnells Road.

Delegated Authority

Date:

<p>PO9 The number of rear lots is minimised having regard to the outlook, topography of the site, intended land use and general amenity of the area</p>	<p><b>Complies</b> – proposed Lot 4 has an approximately 42m long driveway and adjoins existing road reserve (stock route) and two rural residential lots. The proposed layout is not considered to have a negative impact upon the general amenity of the area.</p>
<p><b>PO10 – PO18</b></p>	<p><b>Not applicable</b></p>
<p>PO19 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.</p>	<p><b>To be conditioned</b></p> <p>The property is mapped by Medium impact bushfire intensity area with some bushfire buffer affecting the subject property.</p> <p>The surrounding vegetation in particular in the existing road reserve present a potential bushfire hazard to the proposed new rural residential lot.</p> <p>A Bushfire management plan to be supplied confirming the presence of medium bushfire risk and recommendations relating to the siting of a future dwelling on proposed Lot 4 and sufficient firebreaks to the adjoining road reserve.</p>
<p><b>PO20 – PO21</b></p>	<p><b>Not applicable</b></p>
<p>PO22 Infrastructure networks and trails identified on Overlay Map 04 are protected from incompatible development on adjoining sites</p>	<p><b>Complies</b> – The development is infill development and any on-site wastewater systems designed for future residential lot will be conditioned accordingly so as not to affect or intrude into the identified stock routes. Firebreaks will be required to be implemented or identified as part of the Bushfire management plan to ensure that both the road reserve (stock route) and future dwellings are protected.</p>
<p><b>PO23</b></p>	<p><b>Not applicable</b></p>
<p><b>Services and works code</b></p>	
<p>PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.</p>	<p><b>To be conditioned</b></p>
<p>PO2 Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.</p>	
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	
<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>To form part of conditions of approval.</b></p> <p>Access to the lots to be via existing road network.</p> <p>Proposed Lot 4 to be condition in accordance with Drawing No. 00049 and access strip minimum 7m wide with 100mm compacted gravel for 4m wide.</p> <p>Water supply for proposed lot to have access to a minimum 45,000litre rain water tank plus additional storage for fire fighting purposes (confirmed by way of Bushfire management plan).</p> <p>Waste water system as per the Qld Plumbing and wastewater code for proposed lots.</p> <p>Stormwater to be conditioned to be captured and infiltrated onsite to prevent an increase in the outflow from the site under normal operating conditions.</p> <p>Electricity and telecommunications conditioned in accordance with industry standards.</p>
<p><b>PO6 – PO11</b></p>	<p><b>Not applicable</b></p>

**Local Categorising Instrument - Variation Approval**

Not applicable.

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

Not applicable.

**Other Relevant Matters**

Not applicable.

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**Locality Plan**



Figure 1 - Aerial Image (Source: Qld Globe)

**Aerial Plan**

Delegated Authority

Date:

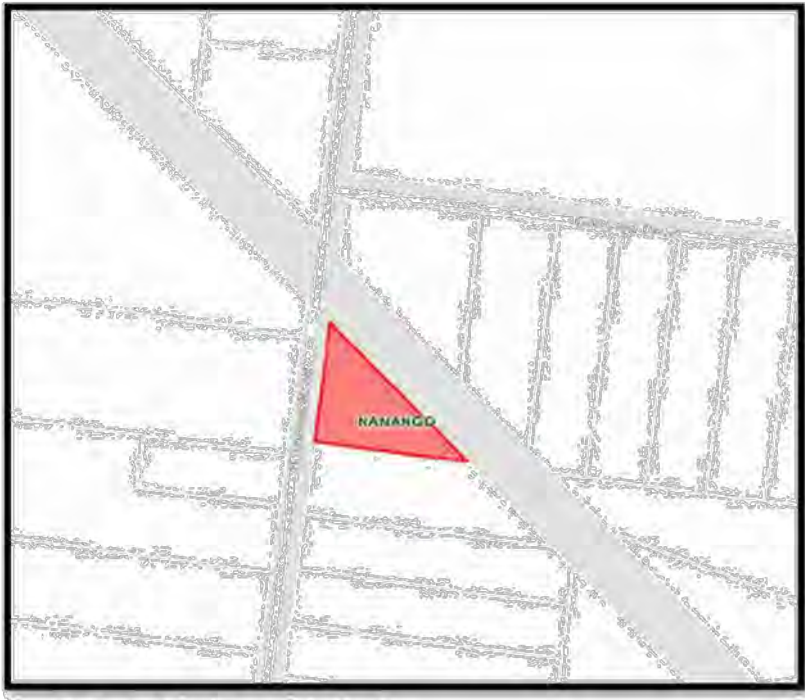


Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**CONSULTATION:**

**Referral Agencies**

Not applicable.

**Other Referrals**

<b>INTERNAL SPECIALIST</b>	<b>REFERRAL / RESPONSE</b>
Development Engineer	Development Engineer supported the proposed engineering conditions
Infrastructure Charges Unit	<p>Council adopted the LGIP on 24 June 2019 which commenced on 1 July 2019.</p> <p>The types of development that may trigger the issuing of an infrastructure charges notice are:</p> <ul style="list-style-type: none"> <li>a) Reconfiguring a lot;</li> <li>b) Making a material change of use; and</li> <li>c) Carrying out building work.</li> </ul> <p>The property is within the transport network catchment map..... and is therefore subject to the relevant adopted charge.</p> <p>The adopted charge for reconfiguring a lot for non-residential development, is the adopted charge per allotment as stated in Table 2.3 of the South Burnett Regional Council Charges Resolution (No. 3) 2019.</p> <p>The current charge for this proposed rural residential subdivision development is \$4,419.00.</p> <p>Refer to the Infrastructure charges notice attached as Attachment A.</p>

**Public Notification**

Not applicable.

**CONCLUSION:**

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within the report. 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.

It is recommended that the development application for Reconfiguring a Lot (Subdivision 1 lot into 2 lots) at 59 Bushnells Road, Nanango (and described as Lot 2 on RP186067) be approved subject to reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

Delegated Authority

Date:

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**ATTACHMENTS**

**NII**



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**ATTACHMENT A**

**INFRASTRUCTURE CHARGES NOTICE**

*(Section 119 of the Planning Act 2016)*

**APPLICANT:** Mark Reid  
C/- ONF Surveyors  
PO Box 896  
KINGAROY QLD 4610

**APPLICATION:** Rural Residential - 1 lot into 2 lots

**DATE:** 2 August 2021

**FILE REFERENCE:** RAL21/0003

**AMOUNT OF THE LEVIED CHARGE:** **\$4,419.00** **Total**  
*(Details of how these charges were calculated are shown overleaf)*

\$0.00	Water Supply Network
\$0.00	Sewerage Network
\$2,410.00	Transport Network
\$2,009.00	Parks and Land for Community Facilities Network
\$0.00	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 2 RP186067

**SITE ADDRESS:** 59 Bushnells Rd, Nanango, Qld, 4615

**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**

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**DETAILS OF CALCULATION**

**Water Supply**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot	2	allotments	\$0.00	CR Table 2.3	\$0.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lot	1	allotment	\$0.00	CR Table 2.3	\$0.00

**Sewerage**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot	2	allotments	\$0.00	CR Table 2.3	\$0.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lot	1	allotment	\$0.00	CR Table 2.3	\$0.00

**Transport**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot	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 lot	1	allotment	\$2,410.00	CR Table 2.3	\$2,410.00

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**Parks and Land for Community Facilities**

**Adopted Charges**

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

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lot	1	allotment	\$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	2	allotments	\$0.00	CR Table 2.3	\$0.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lot	1	allotment	\$0.00	CR Table 2.3	\$0.00

**Levied Charges**

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Reconfiguring a Lot	\$0.00	\$0.00	\$2,410.00	\$2,009.00	\$0.00	\$4,419.00
<b>Total</b>	\$0.00	\$0.00	\$2,410.00	\$2,009.00	\$0.00	\$4,419.00

*\* 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.*

Delegated Authority

Date:

## 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)

<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.

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**Delegated Authority****Date:**

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 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](mailto:info@southburnett.qld.gov.au)

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**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*

The development application for:

<b>SITE DETAILS</b>	
Site Address	59 Bushnells Road, Nanango
RP Description	Lot 2 on RP186067
Site Area	1.235ha

<b>PROPOSED DEVELOPMENT</b>	
Name of Applicant	M Reid C/- ONF Surveyors
Type of Application	Reconfiguring a lot – Development permit
Proposed Development	Subdivision of 1 lot into 2 lots
Level of Assessment	Code
Decision	<input checked="" type="checkbox"/> Approved in full, with conditions;
Decision Date	3 July 2021

**1. Assessment Benchmarks**

The following are the benchmarks apply to this development:

South Burnett Regional Council Planning Scheme 2017

- Rural residential zone code;
- Reconfiguring a lot code; and
- Services and works code.

**2. Decision**

The reasons for this decision are:

- The proposed lot reconfiguration provides for compliant lot sizes and dimensions within the Rural Residential Zone.
- The proposed development is appropriate in the Rural Residential Zone.
- Appropriate infrastructure is, or can be, provided to each lot including water, telecommunications, electricity and stormwater. The existing house site (proposed Lot 3) is serviced by on-site wastewater treatment and disposal.
- The proposal does not create land use conflict or inability to provide access to the proposed lots.
- All infrastructure associated with the development will be maintained in accordance with Council and Public Utility requirements.

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

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**Ordinary Council Meeting Agenda**

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**0.0 OPERATIONAL WORKS APPLICATION ASSOCIATED WITH STAGE 5D SUMMIT VIEW - PREMIER DRIVE, KINGAROY (LOT 207 ON 313146) - APPLICANT: BAKER ROSSOW CONSULTING ENGINEERS****File Number: OPW21/0003****Author: Administration Officer, Planning & Land Management****Authoriser: Chief Executive Officer****PRECIS**

Operational Works Application for Stage 5D Summit View – Premier Drive, Kingaroy – Lot 207 SP313146 – Baker Rossow Consulting Engineers – OPW21/0003

**SUMMARY**

- Application for Operational Work for Earthworks, Stormwater, Water Supply at Premier Drive, Kingaroy on Lot 207 SP131146;
- An Operational Work application was conditioned in the required to implement the approval for Reconfiguring a Lot (Council Ref IR1322460);
- The proposed Operational Work is approved with conditions.
- These conditions are seen to be in accordance with South Burnett Regional Council Planning Scheme 2017, development guidelines and best practices.

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**OFFICER'S RECOMMENDATION**

It is recommended that Council approve the development application for Operational Work for Stage 5 for Stormwater, Water Supply, Roadworks, Earthworks, on land described as Lot 207 on SP131146 and situated at Premier Drive, Kingaroy, subject to the following conditions:

**GENERAL**

ENG1. Compliance with the plans submitted with Development Application OPW21/0003, approval conditions, all Council Planning Scheme Policies and Reconfiguration of a Lot Approval (Council Ref IR1322460 dated 26 September 2014)

- (a) This approval extends to Operational Work for Stormwater, Water Infrastructure, Roadworks, and Earthworks, as detailed, and is conditional upon a set of "Issued for Construction" drawings, amended if required by the conditions of this approval, being submitted to Council for endorsement, prior to pre-start meeting.

ENG2. Undertake all approved works and works required by conditions of this development approval at no cost to Council.

ENG3. Submit to Council, electrical underground power and street lighting plans certified by a suitably qualified Engineer (RPEQ – Electrical) for endorsement, prior to Council's endorsement of the Plan of Survey. Be responsible to check and ensure that electrical drawings do not conflict with the civil engineering design.



Ordinary Council Meeting Agenda

*Note: Electrical and Lighting plans have previously been prepared and accepted by Council subject to Ergon approval, which has not been received. The plans were prepared by Mohsen Khodadady at S&M Engineers.*

- ENG4. Submit to Council for approval, an Inspection and Test Plan certified by a suitably qualified Engineer (RPEQ – Civil) prior to commencement of any work and prior to any pre-start meeting.
- ENG5. Pay to Council, inspection fees based on Council's Fees and Charges current at the time of commencement of works and based on the estimated project cost as estimated or accepted by Council prior to the pre-start meeting.
- ENG6. Ensure that supervision of all construction works are carried out by a suitably qualified and experienced Engineer (RPEQ).
- ENG7. Adhere to the following hours of construction unless otherwise approved in writing by Council:

Monday to Saturday:	6.30am to 6.00pm	Noise permitted
Monday to Sunday:	6.00pm to 6.30am	No noise permitted
Sunday and Public Holidays:		No noise permitted

Do not conduct work or business that causes audible noise from or on the site outside the above hours.

- ENG8. Be responsible to carry out Work Health and Safety legislative requirements.
- ENG9. Ensure all work sites are maintained in a clean, orderly state at all times.
- ENG10. Manage all waste in accordance with the relevant legislation and regulations and dispose of regulated waste at a licensed facility of South Burnett Regional Council by a licensed regulated waste disposal contractor.
- ENG11. 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.
- ENG12. 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 damage immediately upon completion of works associated with the development.
- ENG13. Submit to Council, a Certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements, prior to Council's endorsement of the Plan of Survey.
- ENG14. Works are to be constructed generally in accordance with the specification requirements outlined in Aus-Spec #1 and the IPWEAQ Standard Drawings unless otherwise approved by South Burnett Regional Council.

**ROADWORKS**

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**Ordinary Council Meeting Agenda**

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ENG15. Ensure fill placed under the road formation in embankment situations is compacted to achieve 98% standard compaction. Testing and supervision of such fill must be in accordance with the testing requirements of EDROC and at Level 2 Supervision of AS3798.

ENG16. Ensure that backfilling of road crossings with an insitu material to subgrade level is compacted to achieve 97% standard compaction.

ENG17. Submit to Council for approval, a Traffic Management Plan prior to commencement of any works involving closing of Council roads or working on or adjacent to existing roads.

**STORMWATER**

ENG18. Provide a Closed Circuit Television (CCTV) inspection of all existing underground stormwater drainage and interallotment drainage. Any damaged stormwater infrastructure shall be replaced.

ENG19. In the event that works on Lots 207 and 206 are not carried out at the same time, temporary end caps shall be provided to the RW Line 2 at the boundary to allow for future connection. Future dwellings on proposed lots 168 and 169 shall not be connected to RW Line 2 until construction of RW Line 2 is completed.

ENG20. Ensure that earthworks and fill on the subject land do not lead to ponding of stormwater or actionable nuisance and ensure all lots, both internal and adjoining/ensure that the development and adjoining properties, drain freely to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual.

ENG21. Do not concentrate stormwater onto adjoining properties.

ENG22. Provide appropriate energy dissipation and scour protection measures at stormwater outlets.

**DEVELOPMENT WORKS**

ENG23. Maintain erosion and sedimentation controls at all times during the course of the project and the ensuing defects liability period. Council Officers will inspect and assess the sediment and erosion control measures and temporary fencing implemented, and any alterations and/or supplementary works required must be incorporated.

ENG24. Implement measures to prevent site vehicles tracking sediment and other pollutants from the site onto adjoining streets during the course of the project, and to prevent dust nuisance during construction and the ensuing defects liability period.

ENG25. Be responsible for protecting nearby property owners from dust pollution arising from construction and maintenance of the works required by this approval, and comply with any lawful instructions from the Assessment Manager if, in his opinion, a dust nuisance exists.

**EARTHWORKS**

ENG26. Supervise bulk earthworks to Level 1 or Level 2 as applicable, and have a frequency of field density testing carried out in accordance with Table 8.1 of AS3798.

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**Ordinary Council Meeting Agenda**

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ENG27. Contain cut or fill batters wholly within the subject land. Do not place fill on adjacent properties without providing Council with written permission from the respective property owner(s).

ENG28. Do not store plant or material on adjoining lands without written permission from the respective property owner(s).

ENG29. Do not use contaminated material as fill on the site. Undertake any filling using inert materials only, with a maximum particle size of 75mm.

**WATER SUPPLY**

ENG30. Construct water supply networks in accordance with the WBBROC, *SEQ Design and Construction Standards*, Council Specifications, and Customer Service Standards.

ENG31. All live works associated with water must be performed by South Burnett Regional Council (or under the supervision of a South Burnett Regional Council Officer if considered appropriate).

ENG32. All existing water infrastructure associated with Stage 5D shall be inspected and tested prior to commencement of work. Any aspect or component of the existing water infrastructure that is found to be defective, or does not meet standards, shall be replaced/upgraded.

ENG33. Install valve markers and hydrant markers including RPMs on the completed roads to Council's standards.

**INSPECTIONS AND TESTING**

ENG34. Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.

ENG35. Provide Council with a minimum of two clear working days notice to undertake compulsory inspections and meetings at the following stages:

Pre-start meeting with Council, Contractor, Supervising Engineer and developer;

- a) Water: In accordance with Council's Minimum Requirements, and:
  - i. prior to backfilling of each water main;
  - ii. prior to backfilling of each water connection point;
  - iii. prior to connection of any works to the reticulated water supply systems;
  - iv. at the time of super-chlorination works and swabbing of mains; and
  - v. at the time of any testing of each and every water main;
- b) Stormwater:
  - i. prior to backfilling of any stormwater drainage works; and
  - ii. at the time of CCTV inspection to facilitate Council's acceptance of the works on and off-maintenance;
- c) Structural steel inspection prior to pouring of any structural concrete including cast in-situ stormwater and sewer manholes and gully pits;
- d) prior to back filling road crossings;
- e) following preparation and compaction of road sub-grade;

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**Ordinary Council Meeting Agenda**

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- f) following placement and compaction of each road pavement layer and prior to laying of the next pavement layer or surfacing layer;
- g) of the finished pavement surface prior to any bitumen primer-seal or prime or asphalt surfacing;
- h) at the point of completion of all works before placing on-maintenance; and
- i) at the point of requesting Council to accept the works off-maintenance.

ENG36. Submit to Council, all inspection and test data in its entirety prepared by the applicant, Engineer, Principal Contractor or by Subcontractors in relation to the Operational Work or as described in the application prior to Council's endorsement of the Survey Plan. Undertake any further inspection, testing or analysis required, due to failure of work to meet specifications or where the testing previously provided is considered insufficient on behalf of the Principal Contractor by a NATA accredited entity (where applicable).

ENG37. Uncover all works covered prior to inspection to allow inspection by Council at Council's sole discretion.

ENG38. Allow Council to enter a work site to which this approval relates and undertake testing or analysis of any part of the construction, and Council is not liable for the rectification of or compensation for any damage caused in the testing or analysis process. Should work be found to be not constructed to specification or of poor quality, any reasonable instruction given by Council Officers must be considered to be a condition of approval and undertaken by the Principal Contractor.

ENG39. Where complete or incomplete works under this approval adversely affect adjoining properties, Council land, roads or other infrastructure, Council requires by notice, works to be completed.

ENG40. Undertake any works for the safety or health of the community or protection of infrastructure where Council deems it necessary.

**MAINTENANCE**

ENG41. Submit to Council, a written request to place constructed works on-maintenance or off-maintenance from the developer's certifying Engineer stating that all approved works have been completed and are ready for Council inspection.

ENG42. Submit to Council, a Closed Circuit Television (CCTV) inspection for all underground stormwater drainage, and inter-allotment drainage undertaken by an accredited provider at on and off-maintenance. A certified copy of the report including a disk or storage device is to be submitted to Council for review and endorsement prior to Council's acceptance of the works on or off-maintenance.

ENG43. Pay to Council, a maintenance bond of 5% of the cost of the operational work as estimated or accepted by Council, prior to commencement of the on-maintenance period.

ENG44. Maintenance bond must be provided in the form of a cash bond or a bank guarantee.

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**Ordinary Council Meeting Agenda**

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ENG45. Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from commencement of the on-maintenance period. Undertake any necessary maintenance or repairs to non-conforming work, defects and/or damage to any works undertaken in relation to this approval, even where damage has resulted from a third party activity within the maintenance period.

ENG46. The maintenance bond will be entirely forfeited to Council should there be any failure by the applicant to undertake any such works considered by Council as necessary, to rectify any non-compliant works and to protect public safety. In the event that the bond is insufficient to address the non-compliant works, Council reserves the right to seek restitution. After expiration of the maintenance period and where required maintenance is suitably undertaken to Council's satisfaction, the bond will be returned accordingly, after the project is accepted off-maintenance.

ENG47. The on-maintenance period commences only when Council provides written confirmation that all of the following are completed:

- (a) satisfactory completion of all works and conditions of Operational Work approval including associated Reconfiguring a Lot approval;
- (b) provision of all necessary test and quality audit requirements;
- (c) lodgement with Council, of certification from an RPEQ that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements;
- (d) lodgement of a maintenance bond of 5% of the cost of the operational work as accepted by Council;
- (e) submission of "As Constructed" data in the required format.

**AS CONSTRUCTED INFORMATION**

ENG48. Submit to Council within 10 working days of completion of the operational work, suitable "As Constructed" drawings in hard copy and AutoCAD format and on GDA Zone 56 coordinates. The "As Constructed" drawings or data capture methods as required by Council must be certified by a Registered Professional Engineer of Queensland (RPEQ) on every drawing and shall be to an appropriate electronic format and standard as required by Council's Infrastructure Services General Manager.

ENG49. Provide "As Constructed" data for the following elements, where applicable:

- (a) water supply;
- (b) roadworks; and
- (c) stormwater drainage.

## Ordinary Council Meeting Agenda

*The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by Baker Rossow Consulting Engineers as listed below:*

Drawing No./ Revision/Sheet No.	Drawing/Plan Title	Date
140248_05-101 A	Typical Cross Section, Kerb and Pavement Details	-
140248_05-102 A	Control Line Setout Plan	25/6/21
140248_05-201 A	Roadworks Layout	25/6/21
140248_05-202 A	Roadworks Longitudinal Section – CL1 – Sheet 1 of 2	25/6/21
140248_05-203 A	Roadworks Longitudinal Section – CL1 – Sheet 2 of 2	25/6/21
140248_05-204 A	Roadworks Cross Sections – CL1 – Sheet 1 of 4	25/6/21
140248_05-205 A	Roadworks Cross Sections – CL1 – Sheet 2 of 4	25/6/21
140248_05-206 A	Roadworks Cross Sections – CL1 – Sheet 3 of 4	25/6/21
140248_05-207 A	Roadworks Cross Sections – CL1 – Sheet 4 of 4	25/6/21
140248_05-401 A	Stormwater Catchment Plan	25/6/21
140248_05-402 A	Stormwater Drainage Layout Plan	25/6/21
140248_05-403 A	Stormwater Drainage Longitudinal Section – Sheet 1 of 4	25/6/21
140248_05-404 A	Stormwater Drainage Longitudinal Section – Sheet 2 of 4	25/6/21
140248_05-405 A	Stormwater Drainage Longitudinal Section – Sheet 3 of 4	25/6/21
140248_05-406 A	Stormwater Drainage Longitudinal Section – Sheet 4 of 4	25/6/21
140248_05-407 A	Stormwater Drainage Miscellaneous Details – Sheet 1 of 2	25/6/21
140248_05-408 A	Stormwater Drainage Miscellaneous Details – Sheet 2 of 2	25/6/21
140248_05-701 A	Water Reticulation Layout Plan	25/6/21
140248_05-702 A	Water Reticulation Details	25/6/21
140248_05-801 A	Erosion and Sediment Control Plan	25/6/21
140248_05-802 A	Erosion and Sediment Control Details	25/6/21

**ADVICE NOTES**

The applicant be advised that:

- (a) Prior to commencement of the use or endorsement of the survey plan as applicable, the applicant shall contact Council to arrange a Development Compliance Inspection.
- (b) The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

Any amendment, alteration or addition to the development approval will require further consideration by Council in assessing any changes to the environmental conditions.

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 Ordinary Council Meeting Agenda
 

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- (c) The *Aboriginal Cultural Heritage Act 2003* (ACHA) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:
- (i) is not negated by the issuing of this development approval;
  - (ii) applies on all land and water, including freehold land;
  - (iii) lies with the person or entity conducting an activity; and
  - (iv) if breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIP's Cultural Heritage Co-ordination Unit on telephone (07) 3224 2070 for further information on the responsibilities of developers under the ACHA.

- (d) The **relevant period** for the development approval (Operational Work) shall be **two (2) years** starting the day the approval is granted or takes effect. In accordance with Section 85(1)(c) of the *Planning Act 2016* (PA), the development approval for Operational Work lapses if the development does not substantially start within the abovementioned **relevant period**.

An applicant may request Council to extend the **relevant period** provided that such request is made in accordance with Section 86 of PA and before the development approval lapses under Section 85 of the PA.

- (e) Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.
- (f) The relevant Planning Scheme for this Development Permit is the South Burnett Regional Council Planning Scheme 2017. All references to the Planning Scheme and Schedules within these conditions refer to the above Planning Scheme.

### Conclusion

The proposed development has been assessed against the requirements of the South Burnett Regional Council Planning Scheme 2017. It is considered that the proposed development generally complies with the requirements of the Planning Scheme and as such, the applicant should be provided with a Development Permit. The Development Permit should contain the conditions detailed in the Officer's Recommendation in order to ensure that the proposal complies with the South Burnett Regional Council Planning Scheme 2017.

### Attachments

1. Locality Plans
2. Proposal Plans



Ordinary Council Meeting Agenda

**Locality Plan (Intramaps)**



Ordinary Council Meeting Agenda

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**Approved Plans**

Not Included – refer table of Approved Plans

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>General</b>	
<p><b>PO1</b> The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.</p>	<p><b>AO1.1</b> A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.</p>
<p><b>PO2</b> Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.</p>	<p><b>AO2.1</b> A wastewater management plan prepared by a suitably qualified person and addresses :</p> <ul style="list-style-type: none"> <li>(a) wastewater type;</li> <li>(b) climatic conditions;</li> <li>(c) water quality objectives;</li> <li>(d) best-practice environmental management;</li> </ul> <p>and</p> <p><b>AO2.2</b> Wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids wastewater discharge to waterways; or</li> <li>(b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.</li> </ul>
<p><b>PO3</b> Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	<p><b>AO3.1</b> An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.</p>
<p><b>PO4</b> Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	<p><b>AO4.1</b> Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.</p>
<ul style="list-style-type: none"> <li>• <i>Stormwater Management Plan prepared by Baker Rossow Consulting Engineers approved as part of the Reconfiguring a Lot approval.</i></li> <li>• <i>Wastewater discharge for dwellings will be as part the AS1547 and QPWC</i></li> </ul>	
<b>Infrastructure</b>	
<p><b>PO5</b> Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> <li>(a) conforms with industry standards for quality;</li> <li>(b) is reliable and service failures are minimised; and</li> <li>(c) is functional and readily augmented.</li> </ul>	<p><b>AO5.1</b> Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p><b>AO5.2</b> Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<ul style="list-style-type: none"> <li>Subdivision connects to existing sealed road, with water supply available.</li> <li>Design meets current standards and requirements</li> </ul>	
<b>Vehicle parking</b>	
<p><b>PO6</b> Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p><b>AO6.1</b> Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p><b>AO6.2</b> A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p><b>AO6.3</b> Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p><b>AO6.4</b> Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<ul style="list-style-type: none"> <li>Not Applicable</li> </ul>	
<b>Landscaping</b>	
<p><b>PO7</b> Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p><b>AO7.1</b> Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p><b>AO7.2</b> Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m<sup>2</sup> and is unsealed and permeable.</p> <p>and</p> <p><b>AO7.3</b> Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>
<p><b>PO8</b> Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p><b>AO8.1</b> Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p><b>AO8.2</b> Species selection avoids non-invasive plants.</p> <p>Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council.</p>
<ul style="list-style-type: none"> <li>Landscaping to be provided as per Reconfiguring a Lot approval conditions</li> </ul>	

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Filling and excavation</b>	
<p><b>PO9</b> Development results in ground levels that retain:</p> <ul style="list-style-type: none"> <li>(a) access to natural light;</li> <li>(b) aesthetic amenity;</li> <li>(c) privacy; and</li> <li>(d) safety.</li> </ul>	<p><b>AO9.1</b> The depth of:</p> <ul style="list-style-type: none"> <li>(a) fill is less than 2m above ground level; or</li> <li>(b) excavation is less than 2m below ground level.</li> </ul> <p>and</p> <p><b>AO9.2</b> The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p><b>AO9.3</b> Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p><b>AO9.4</b> Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p><b>AO9.5</b> Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p><b>AO9.6</b> Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> <li>(a) is certified by an RPEQ engineer to safely withstand the hydraulic loading;</li> <li>(b) directs overflow such that no scour damage or nuisance occurs on adjoining lots.</li> </ul>
<p><b>PO10</b> Filling or excavation does not cause damage to public utilities.</p>	<p><b>AO10.1</b> Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>
<p><b>PO11</b> Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p><b>AO11.1</b> Following filling or excavation:</p> <ul style="list-style-type: none"> <li>(a) the premises:                             <ul style="list-style-type: none"> <li>(i) are self-draining; and,</li> <li>(ii) has a minimum slope of 0.25%; and,</li> </ul> </li> <li>(b) surface water flow is:                             <ul style="list-style-type: none"> <li>(i) directed away from neighbouring properties; or</li> <li>(ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• No significant excavation or filling. Road to be constructed at existing ground level.</li> </ul>	
<b>All operational work subject to an overlay</b>	
<b>Biodiversity overlay</b>	
<p><b>PO12</b> Development avoids, minimises or mitigates adverse impacts on areas of environmental significance.</p>	<p><b>AO12.1</b> Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p><b>AO12.2</b> Development is compatible with the environmental values of the area.</p> <p>or</p> <p><b>AO12.3</b> Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a</p>

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
	suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.
<b>PO13</b> Biodiversity values of identified areas of environmental significance are protected from the impacts of development	<b>AO13.1</b> Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.
<b>PO14</b> There are no significant adverse effects on water quality, ecological and biodiversity values.	<b>AO14.1</b> Uses and associated works are confined to areas outside overland flow paths and natural drainage features. and <b>AO14.2</b> The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Flood hazard overlay</b>	
<b>PO15</b> 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.	<b>AO15.1</b> Works associated with the proposed development do not: <ul style="list-style-type: none"> <li>(a) involve a net increase in filling greater than 50m<sup>3</sup> in the area identified on Overlay Map 03;</li> <li>(b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or</li> <li>(c) change flood characteristics outside the site in ways that result in:                             <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows; or</li> <li>(iv) any reduction in flood warning times.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Regional infrastructure overlay</b>	
<b>PO16</b> Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment.	<b>AO16.1</b> Earthworks do not alter levels along the boundaries of existing easements by more than 300mm and do not result in increased inundation of electricity infrastructure.
<b>PO17</b> There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure.	No outcome specified.
<ul style="list-style-type: none"> <li>• <i>Site is not near any existing easements</i></li> </ul>	

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Water catchments overlay</b>	
<b>PO18</b> There are no significant adverse effects on the water quality of the Region's drinking water supply.	<b>AO18.1</b> Development within the Bjelke-Petersen Dam Water Resource Catchment Area and the 800m buffer to Boondooma and Gordonbrook Dams shown on Overlay Map 06 has no significant adverse effect on the quantity and availability of raw water for consumption, as determined by a suitably qualified water quality expert.  or <b>AO18.2</b> Development within the Cooyar Creek water supply buffer area shown on Overlay Map 06 complies with the specific outcomes and measures of the <i>Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012</i> .
<ul style="list-style-type: none"> <li>• <i>Site is not within a water supply catchment</i></li> </ul>	
Performance outcomes	Assessment benchmarks
<b>General</b>	
<b>PO19</b> The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	<b>AO19.1</b> A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.
<b>PO20</b> Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	<b>AO20.1</b> A wastewater management plan prepared by a suitably qualified person and addresses : (e) wastewater type; (f) climatic conditions; (g) water quality objectives; (h) best-practice environmental management;  and <b>AO20.2</b> Wastewater is managed in accordance with a waste management hierarchy that: (c) avoids wastewater discharge to waterways; or (d) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.
<b>PO21</b> Construction activities avoid or minimise adverse impacts on stormwater quality.	<b>AO21.1</b> An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.
<b>PO22</b> Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	<b>AO22.1</b> Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.
<ul style="list-style-type: none"> <li>• <i>Stormwater Management Plan prepared by Baker Rossow Consulting Engineers approved as part of the Reconfiguring a Lot approval.</i></li> <li>• <i>Wastewater discharge for dwellings will be as part the AS1547 and QPWC</i></li> </ul>	



Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Infrastructure</b>	
<p><b>PO23</b> Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> <li>(d) conforms with industry standards for quality;</li> <li>(e) is reliable and service failures are minimised; and</li> <li>(f) is functional and readily augmented.</li> </ul>	<p><b>AO23.1</b> Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p><b>AO23.2</b> Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<ul style="list-style-type: none"> <li>• <i>Subdivision connects to existing sealed road, with water supply available.</i></li> <li>• <i>Design meets current standards and requirements</i></li> </ul>	
<b>Vehicle parking</b>	
<p><b>PO24</b> Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p><b>AO24.1</b> Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p><b>AO24.2</b> A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p><b>AO24.3</b> Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p><b>AO24.4</b> Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Landscaping</b>	
<p><b>PO25</b> Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p><b>AO25.1</b> Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p><b>AO25.2</b> Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m<sup>2</sup> and is unsealed and permeable.</p> <p>and</p> <p><b>AO25.3</b> Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>
<p><b>PO26</b> Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p><b>AO26.1</b> Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p><b>AO26.2</b> Species selection avoids non-invasive plants.</p> <p><small>Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council.</small></p>
<ul style="list-style-type: none"> <li>• <i>Landscaping to be provided as per Reconfiguring a Lot approval conditions</i></li> </ul>	

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Filling and excavation</b>	
<p><b>PO27</b> Development results in ground levels that retain:</p> <ul style="list-style-type: none"> <li>(e) access to natural light;</li> <li>(f) aesthetic amenity;</li> <li>(g) privacy; and</li> <li>(h) safety.</li> </ul>	<p><b>AO27.1</b> The depth of:</p> <ul style="list-style-type: none"> <li>(c) fill is less than 2m above ground level; or</li> <li>(d) excavation is less than 2m below ground level.</li> </ul> <p>and</p> <p><b>AO27.2</b> The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p><b>AO27.3</b> Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p><b>AO27.4</b> Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p><b>AO27.5</b> Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p><b>AO27.6</b> Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> <li>(c) is certified by an RPEQ engineer to safely withstand the hydraulic loading;</li> <li>(d) directs overflow such that no scour damage or nuisance occurs on adjoining lots.</li> </ul>
<p><b>PO28</b> Filling or excavation does not cause damage to public utilities.</p>	<p><b>AO28.1</b> Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>
<p><b>PO29</b> Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p><b>AO29.1</b> Following filling or excavation:</p> <ul style="list-style-type: none"> <li>(c) the premises:                             <ul style="list-style-type: none"> <li>(iii) are self-draining; and,</li> <li>(iv) has a minimum slope of 0.25%; and,</li> </ul> </li> <li>(d) surface water flow is:                             <ul style="list-style-type: none"> <li>(iii) directed away from neighbouring properties; or</li> <li>(iv) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• No significant excavation or filling. Road to be constructed at existing ground level.</li> </ul>	
<b>All operational work subject to an overlay</b>	
<b>Biodiversity overlay</b>	
<p><b>PO30</b> Development avoids, minimises or mitigates adverse impacts on areas of environmental significance.</p>	<p><b>AO30.1</b> Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p><b>AO30.2</b> Development is compatible with the environmental values of the area.</p> <p>or</p> <p><b>AO30.3</b> Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a</p>

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
	suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.
<b>PO31</b> Biodiversity values of identified areas of environmental significance are protected from the impacts of development	<b>AO31.1</b> Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.
<b>PO32</b> There are no significant adverse effects on water quality, ecological and biodiversity values.	<b>AO32.1</b> Uses and associated works are confined to areas outside overland flow paths and natural drainage features.  and <b>AO32.2</b> The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Flood hazard overlay</b>	
<b>PO33</b> 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.	<b>AO33.1</b> Works associated with the proposed development do not: (d) involve a net increase in filling greater than 50m <sup>3</sup> in the area identified on Overlay Map 03; (e) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or (f) change flood characteristics outside the site in ways that result in: (v) loss of flood storage; (vi) loss of/changes to flow paths; (vii) acceleration or retardation of flows; or (viii) any reduction in flood warning times.
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Regional infrastructure overlay</b>	
<b>PO34</b> Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment.	<b>AO34.1</b> Earthworks do not alter levels along the boundaries of existing easements by more than 300mm and do not result in increased inundation of electricity infrastructure.
<b>PO35</b> There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure.	No outcome specified.
<ul style="list-style-type: none"> <li>• <i>Site is not near any existing easements</i></li> </ul>	

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Water catchments overlay</b>	
<p><b>PO36</b> There are no significant adverse effects on the water quality of the Region's drinking water supply.</p>	<p><b>AO36.1</b> Development within the Bjelke-Petersen Dam Water Resource Catchment Area and the 800m buffer to Boondooma and Gordonbrook Dams shown on Overlay Map 06 has no significant adverse effect on the quantity and availability of raw water for consumption, as determined by a suitably qualified water quality expert.</p> <p>or</p> <p><b>AO36.2</b> Development within the Cooyar Creek water supply buffer area shown on Overlay Map 06 complies with the specific outcomes and measures of the <i>Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012</i>.</p>
<ul style="list-style-type: none"> <li>• <i>Site is not within a water supply catchment</i></li> </ul>	

**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

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

The development application for:

<b>Type of Approval</b>	Operational Work
<b>Level of Assessment</b>	Code Assessment
<b>Application No</b>	OPW21/0003
<b>Name of Applicant</b>	Baker Rossow Consulting Engineers PO Box 896 Kingaroy Qld 4610
<b>Street Address</b>	Premier Drive, Kingaroy
<b>Real Property Address</b>	Lot 207 SP313146

On 10 August 2021 the above development was:

- Approved in full, with conditions;
- Approved in full, without conditions;
- Refused;
- Approved in part with conditions and refused in part.

**1. Reasons for the Decision**

The reasons for this decision are:

- The proposed development (Operational Work) is complimentary to previous Reconfiguring a Lot Approval - IR1322460 dated 26 September 2014
- The application meets the requirements of the Services and Works Code of the SBRC Planning Scheme

**2. Assessment Benchmarks**

The following benchmarks apply to this development:

- South Burnett Regional Council Planning Scheme 2017: Services and Works Code.

Ordinary Council Meeting Agenda

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**ATTACHMENTS**

**NII**

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**0.0 MATERIAL CHANGE OF USE - EXPANSION OF INTENSIVE ANIMAL INDUSTRY (499 STANDARD CATTLE UNIT (SCU) TO 2300SCU) AND ERA 2(1)(B) AT 226 MANNUEM ROAD, MANNUEM - LOT 2 BO66 - APPLICANT: GLENVILLAN PASTORAL COMPANY PTY. LTD.**

**File Number: MCU19/0001**  
**Author: Senior Planner**  
**Authoriser: Chief Executive Officer**

**PRECIS**

Expansion of existing Intensive Animal Industry (Feedlot) from 499 SCU to 2,300 SCU and ERA 2(1)(B) at 226 Mannuem Road, Mannuem - Lot 2 BO66 - Applicant: Glenvillan Pastoral Company Pty Ltd- MCU19/0001.

**SUMMARY**

The application for Intensive Animal Keeping incorporates the expansion of an existing cattle feedlot from 499 SCU to 2300 SCU. As part of the application, a Prescribed Environmentally Relevant Activity (ERA) is applied for a Cattle feedlot greater than 1,000 and less than 10,000 SCU.

The subject site is located within the Rural Zone and is located approximately 4 kilometres to the north east of Mannuem. The site has an area of approximately 365 hectares, and currently accommodates an existing intensive animal industry (feedlot). The current feedlot contains a feed processing area, handling yards, nine (9) feedlots and silage bunks to accommodate 499 SCU. The feedlot is currently owned and operated by the applicant.

The proposal seeks to expand the existing feedlot to the north of the current operations on the site. The expansion proposes 18 new production pens, composting areas, sediment basins and effluent holding ponds. New internal roads are proposed with access to be maintained from Mannuem Road.

Provided Council is satisfied the proposed development does not create an environmental harm to adjoining sensitive receptors, is accepting of the impact of additional traffic movements upon the road network, the proposal should be supported subject to conditions.

Note\* - For the purposes of this report, a Standard Cattle Unit or SCU is the equivalent to an animal with a liveweight of 600 kilograms.

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**OFFICER'S RECOMMENDATION**

**PLANNING**

PLN 1 The development must be completed generally in accordance with the approved plans and documents and any amendments arising through conditions to this development approval at all times.

Plan Title	Plan Reference
Typical Pen Layout	SK03 Rev.A
Proposed Feedlot Catchment Plan	SK04 Rev.B
Sedimentation System Typical Layout	SK05 Rev.A

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

PLN 2 Maintain the approved development in accordance with the approved drawings and documents and any relevant subsequent approvals required by the conditions herein at all times.

PLN 3 The approved development is for an expansion of an Intensive Animal Industry (Cattle Feedlot) from 499SCU to 2300SCU.

PLN 4 No materials, equipment or structures are to be stored or placed within the area of the mapped waterways and drainage lines adjoining the development footprint at any time and in accordance with the approved site plan.

Timing: To be maintained at all times

PLN 5 The development herein approved may not start until the following development permits have been issued and complied with as required:

- Operational Works Permit for Roadworks
- Development Permit for Building Works

### **ENGINEERING WORKS**

ENG 1 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 commencement of the use unless stated otherwise.

ENG 2 Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.

ENG 3 Be responsible for the full cost of any alterations 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**

ENG 4 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.

ENG 5 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**

ENG 6 Provide stormwater management generally in accordance with the Stormwater Plans prepared by Premise, subject to detailed design and except as altered by conditions of this development approval.

ENG 7 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.

### **WATER SUPPLY**

ENG 8 Provide suitable on-site water storage to service the requirements of the development.

### **VEHICLE ACCESS - TURNOUT**



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Delegated Authority

Date:

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ENG 9 Design and construct vehicle turnout in accordance with Council's Standard Drawing No. 00049 Rev B.

ENG 10 The road shoulders on the eastern side of Mannuem Road in the vicinity of the access shall be topped up with gravel to accommodate the turning movements of the largest expected vehicle using the access.

#### **ROADWORKS - SIGNAGE**

ENG 11 Install a "Trucks (crossing or entering)" sign "W5-22" on both approaches to the access in accordance with the Manual of Uniform Traffic Control Devices.

#### **ELECTRICITY AND TELECOMMUNICATION**

ENG 12 Connect the development to electricity and telecommunication services.

#### **STANDARD ADVICE**

**ADV1.** Section 85(1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within a period of six (6) years, the approval will lapse.

**ADV2.** The general environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance cause by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the premises during all stages of the development, including earthworks, construction and operation.

**ADV3.** Where dangerous goods are stored on site, compliance with *Queensland Work Health and Safety Act 2011* is required at all times.

**ADV4.** The Department of Agriculture and Fisheries issued an Environmental Authority (EA 2019-11) pursuant to the *Environmental Protection Act 1994* that takes effect once the development application is approved.

**ADV5.** This approval includes a concurrence agency response with conditions from the Department of State Development, Manufacturing, Infrastructure and Planning – Reference: 1901-9505 SRA and dated 18 June 2021.

**ADV6.** All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the "cultural heritage duty of care"). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

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

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Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**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.

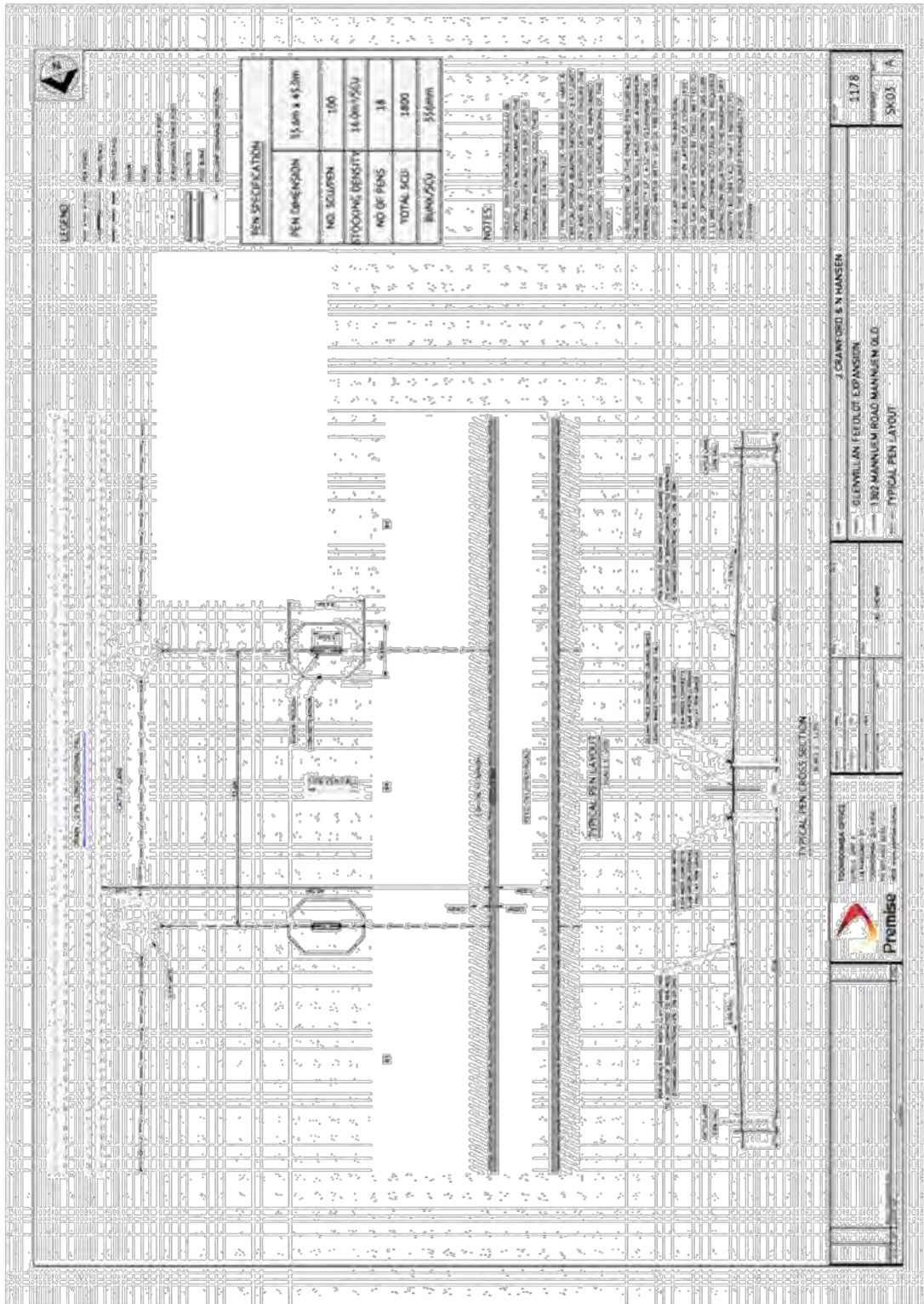
**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.

Delegated Authority

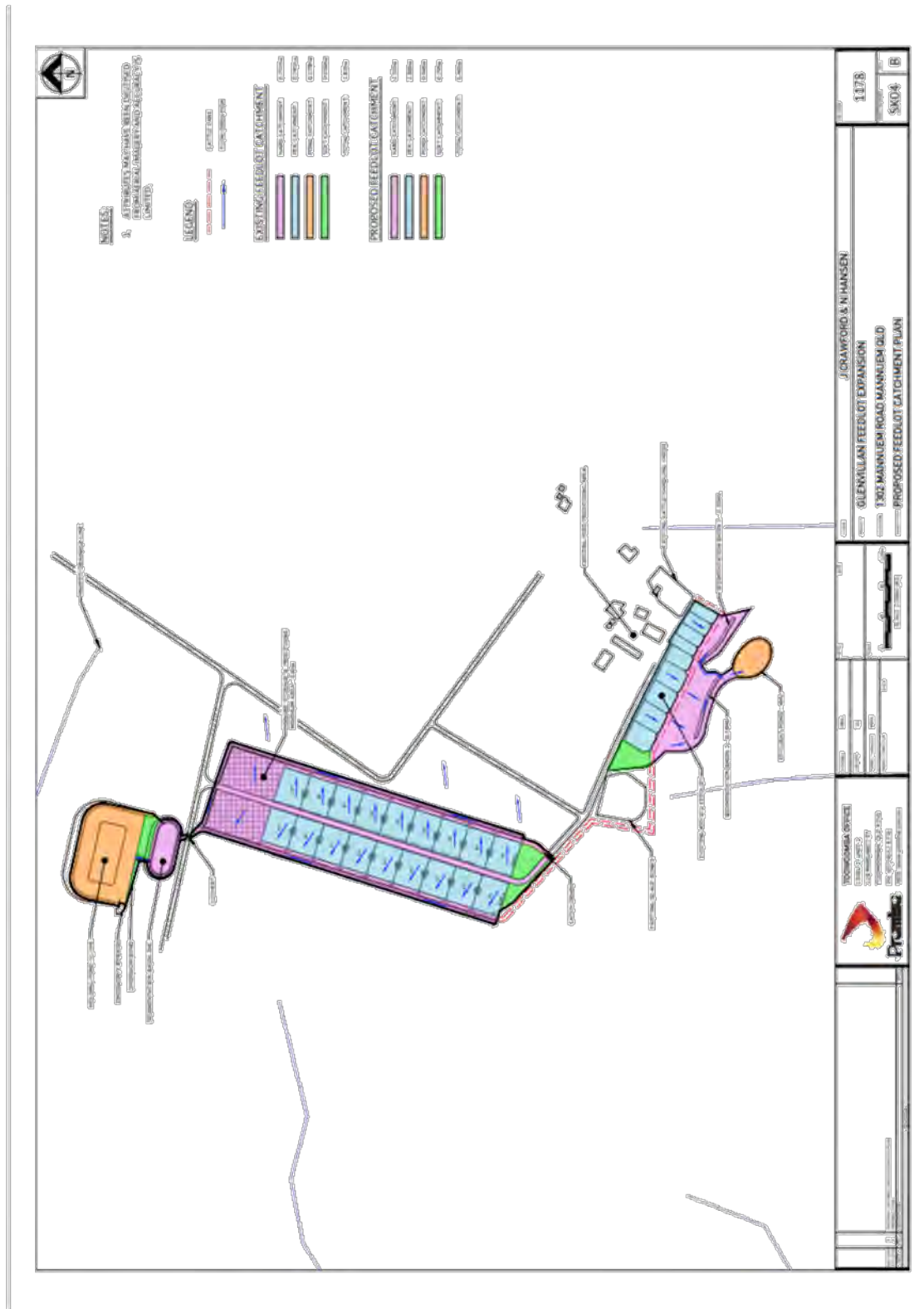
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**PROPOSAL PLAN**



Delegated Authority

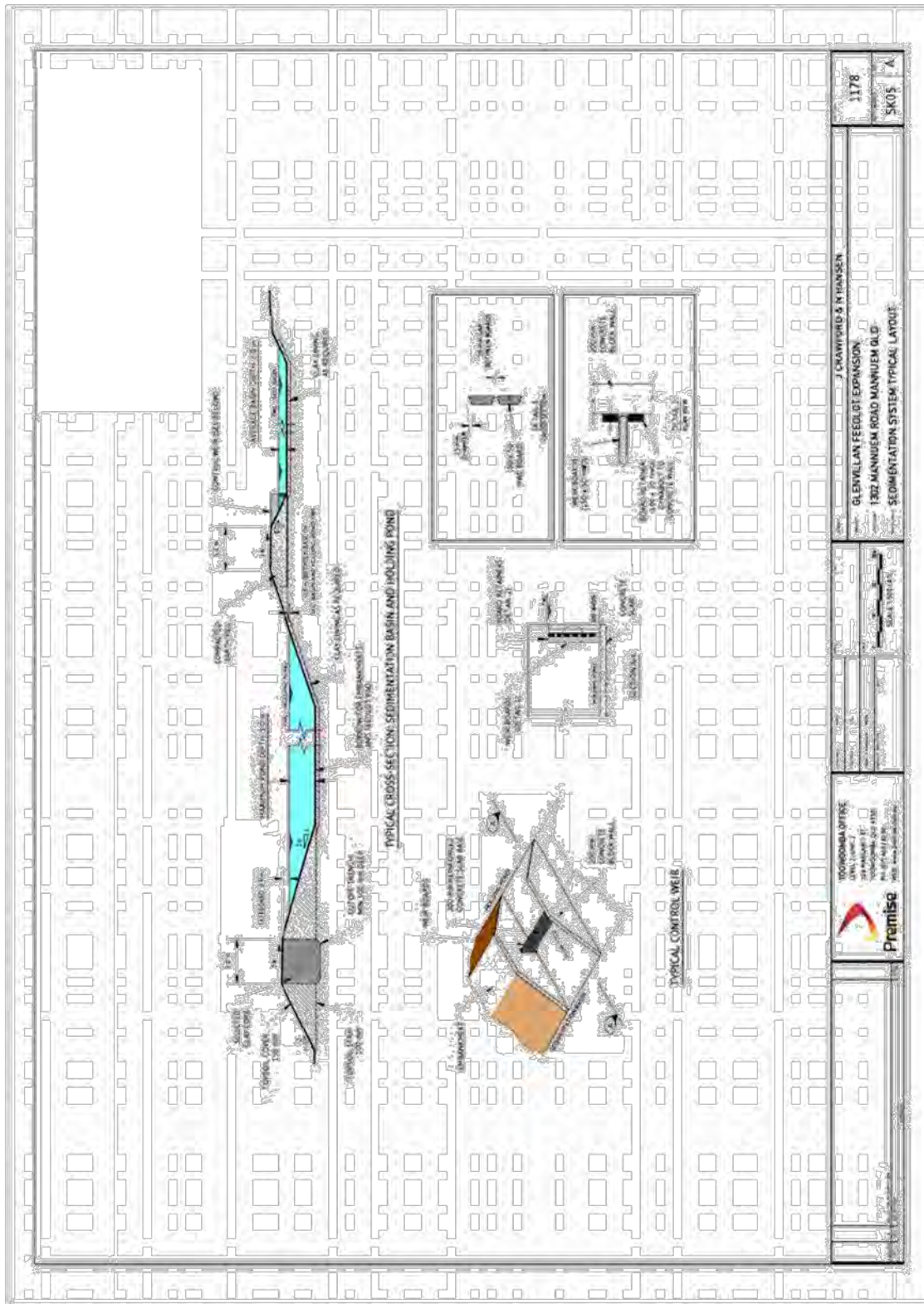
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Date:

**Report**

**Applicant:** Glenvillan Pastoral Company Pty Ltd c/- Premise Agriculture  
**Owner:** Glenvillan Pastoral Company Pty Ltd  
**Property Address:** 226 Mannuem Road, Mannuem  
**Real Property Description:** LOT 2 ON BO66  
**Approvals Sought:** Expansion of existing Intensive Animal Industry (Feedlot) from 499 SCU to 2,300 SCU and ERA 2(1)(b)

**Proposal Description:**

**Planning Scheme:** South Burnett Regional Planning Scheme 2017  
**Planning Scheme Zone:** Rural Zone  
**Preferred Land Use Area:** Intensive Animal Industry (Feedlot)  
**Area of Land:** Approximately 365 hectares  
**Existing Land Use:** Intensive Animal Keeping and ERA 2 1(a) >150-1,000 SCU  
**Surrounding Land Uses:** The surrounding area is predominantly comprised of large rural lots, used for the purposes of primary production. A number of lots contain detached dwellings and associated outbuildings. The subject site is located approximately 4 kilometres to the north east of the township of Mannuem.

**Services:** Electricity  
**Access:** Access to the site is obtained from Mannuem Road. A new internal road will be established to service the new pens.

**Topography:** The site is undulating falling from 510mAHD in the locations within the site, falling to the lowest point of 430mAHD at the South Western portion. The site also contains a gully which connects to a number of damns scattered throughout the site.

**Application Deemed Properly Made:** 22 January 2019  
**Confirmation Notice Issued:** 25 January 2019  
**Information Request Issued:** 22 February 2019  
**Information Response Received:** Dated 11 July 2019  
**Further Issues Issued** Nil  
**Response to Further Issues** Nil  
**Referrals Required/Received:** SARA (State-controlled road and ERA) Properly Referred – 4 February 2019; Referral Response – 18 June 2021  
**Application Process:** Impact Assessment  
**Public Notification:** 02 September to 23 September 2019  
**Properly Made Submissions:** 0  
**Public Notice Compliance:** 25 September 2019

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**1.0 EXECUTIVE SUMMARY**

This report carries out an independent town planning assessment of the proposed development. The Applicant, Glenvillan Pastoral Company Pty Ltd, seeks a Material Change of Use for the Expansion of existing Intensive Animal Industry (Feedlot) from 499 SCU to 2,300 SCU and ERA 2(1)(b) located at 226 Mannuem Road, Mannuem, formally described as Lot 2 BO66.

The application was lodged and has been assessed against the South Burnett Regional Planning Scheme 2017.

**2.0 SITE AND LOCALITY**

**2.1 Site Description**

The subject site is formally described as Lot 2 on BO66 refer to **Figure 1**. The site is irregular in shape and has a total site area of approximately 365 hectares. The site is not burdened or benefited by any easements.



**Figure 1:** Aerial of Subject Site (outline in red), approximate 3km radius from site boundary (in blue) and nearest sensitive receptors (dwellings) (in yellow)

The site comprises an existing feedlot which has the capacity to accommodate 499 SCU under its current ERA licence. The surrounding land is utilised for cropping and grazing purposes.

There are a number of outbuildings located on the site which are used for feed preparation and storage area. Associated with the site are two dwellings which are occupied by the owners of the site.

The site is bound by two road frontages being Mannuem Road on the eastern boundary and Glenrocks Road to the South. Access is currently obtained from Mannuem Road on the eastern boundary.

**2.2 Surrounding Land Uses**



Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

The immediate locality is made up of large rural land parcels typically used for primary production purposes. More specifically:

North	Large Rural Lot (Lot 2 RP187630) of approximately 324 hectares containing a detached dwelling, scattered vegetation and dams throughout the site.
East	Large Rural Lot (Lot 2 RP205523) of approximately 98 hectares in area containing a detached dwelling, scattered vegetation and dams throughout
South	Glenrocks Road (unformed road)
West	2 Large Rural Lots (Lots 42 and 43 on FTZ237338) approximately 1300 hectares in area containing dense vegetation

Further to Figure 1, and as highlighted in yellow, there are a number of dwellings located on individual lots. These dwellings are associated with the rural living lots associated with primary production. As identified on the heavily vegetated site to the west, there are no dwellings within the 3km radius from the boundary of the site.

**3.0 APPLICATION AND PROPOSAL DETAILS**

**3.1 Application Type**

The application seeks a Development Permit for a Material Change of Use for the Expansion of existing Intensive Animal Industry (Feedlot) from 499 SCU to 2,300 SCU and ERA 2(1)(b), an increase of 1801 SCU. As identified below in Figure 2, the subject site is located with the Rural Zone of the South Burnett Regional Council Planning Scheme 2017.



**Figure 2:** Rural Zoning and subject site (outline in red)

Intensive animal industry is Code assessable where located within the Rural Zone provided the site is more than 2km from an urban or rural residential zoned land, on a site greater than 10 hectares in area and is for 150 or less standard cattle units.

As illustrated in Figure 1, the site is not located within 2km of an urban or rural residential zone and the site is greater than 10 hectares in area. However, as the number of proposed SCU is greater than 150, exceeding the threshold for code assessment, the proposed development triggers impact assessment and is required to undergo public consultation.

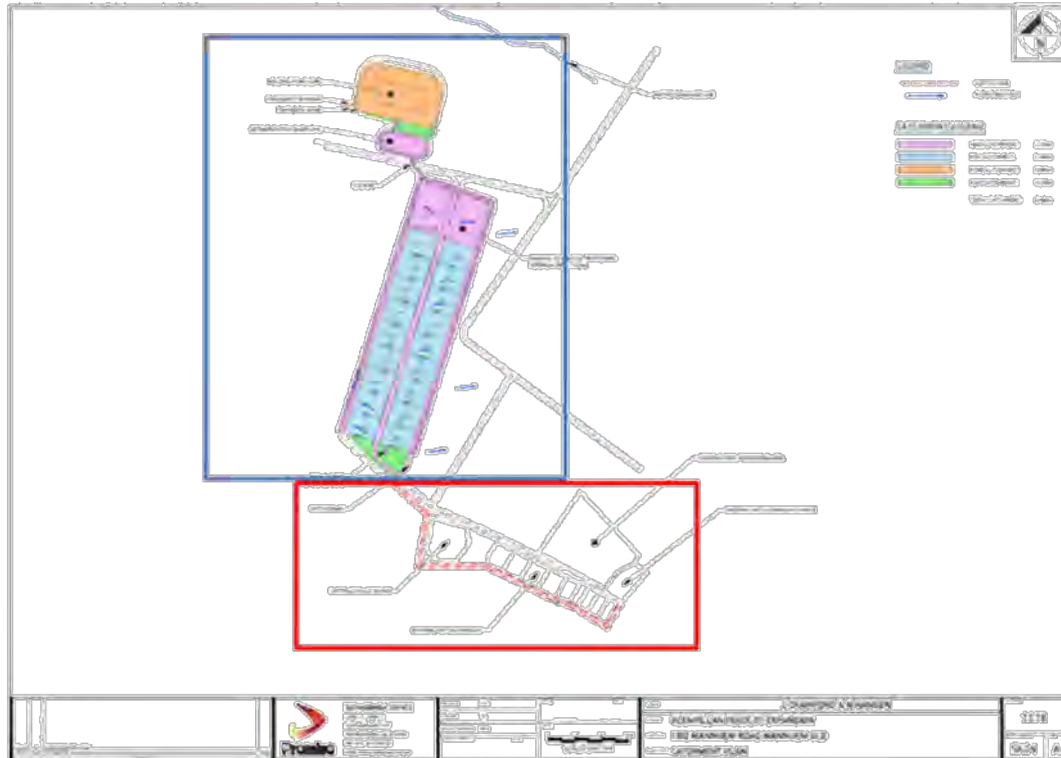


Delegated Authority

Date:

### 3.2 The Proposal

The proposed development seeks to increase the number of SCU from 499 to 2300. Illustrated below in Figure 3, the existing Intensive Animal Industry is highlighted in red. The expansion is highlighted in blue and is located to the north of the existing Intensive Animal Industry use.



**Figure 3: Proposed Extension (Blue) and Existing Development Extent (Red)**

The existing use accommodating 499 SCU, incorporates 9 pens, silage bunks, feed processing areas and cattle handling area. The cattle handling area as identified on the site plan accommodates 7 class 10 structures, and two dwellings.

To the north of the feed processing area, three larger pens have previously been used for the keeping of cattle. These areas will not continue to be used with the expansion of the proposed use.

The expansion area avoids all mapped watercourses and dams within the subject site.

The expansion area is proposed to be constructed to the north of the silage bunks and accommodate 18 new pens (27 in total). Associated infrastructure such as the manure storage area (0.6 hectare) and holding pen is proposed. As identified below in Figure 4, the manure and effluent is disposed of on site via an irrigation method and spreading area. On-site maintenance including pen cleaning is undertaken on a daily basis (spilt feed and weed removal).

An environmental assessment has been carried out to determine if the proposal will impact upon the adjoining sensitive land uses, ground water, or cause environmental harm (odour or other emissions).

Regulated vegetation is mapped on the site (Category A, B, C and R), however, the proposed development footprint sits outside of the areas mapped and is not subject to clearing requirements. A

Delegated Authority

Date:

search of the locality has identified there are two registered bores which are located several kilometres from the site.

The proposed expansion may have an impact upon the amenity of the locality due to the increased vehicle movements, odour emissions, and dust generation. In order to mitigate these impacts upon adjoining land uses, the instillation of pen drainage, sedimentation devices, manure stockpiles, site management feeding techniques, and improved draining systems are required to be managed appropriately. The national guidelines for Beef Cattle Feedlots set an 'S-factor' equation which can be used to estimate and determine the required minimum separation distances to adjoining sensitive land uses.

When calculating the S-factor, the design and management, location of sensitive receptors, prevailing winds, terrain, and existing vegetation are considered. Having regard to the site-specific factors, and the scale and nature of the development, it is estimated that required separation from the proposed land use to an adjoining sensitive land use is 892m. As proposed, the development is located approximately 1,031m from a sensitive receptor.

A traffic impact assessment report was carried out for the site to determine the impacts upon the adjoining land uses and road network. The report identifies that on average, the current use generates 2 heavy vehicle movements per week. The proposed expansion will increase the vehicle movements by four (4) light vehicle trips per day (two (2) inbound and two (2) outbound) and four (4) heavy vehicle trips per day (two (2) inbound and two (2) outbound).



Figure 4: Subject site: Effluent and irrigation area

Delegated Authority

Date:

Diversion banks and swales will be utilised to divert stormwater from the proposed pens. All stormwater will be diverted within sedimentation basins and holding pond on the site. The sediment basin pond is 2,000m<sup>3</sup> in size and is proposed to be connected to an effluent holding pond which can accommodate 13.1 Megalitres.

Several existing dams are located on the site which are spring fed and has been estimated to have a current storage capacity of 25 megalitres. The estimated water demand for a feedlot of this scale and nature (2,300 SCU) is 46ML/year. As part of the development, the existing dams will require expansion via a separate development permit or require water to be imported to the site to accommodate the use.

It is estimated that the proposed expansion will require two additional staff once the development is in full operation. Generally, the use operates during daylight hours which varies from 5:00am to 10:00pm. Vehicle movements can occur outside these standard operating hours (typically in summer) for animal welfare purposes.

### 3.3 Application History

A record of the Registration Certificate issued in accordance with the *Environmental Protection Act 1994* has been provided. The Certificate was issued on the 22 August 2006 for Cattle Feed lotting (2b) at a level of 499 Standard Cattle Units at the subject site.

2006 an IDAS Development Application Decision Notice was issued on the site for the expansion of an existing feedlot from 100 SCU to 499.

Land use approvals:

Pursuant to the above and the relevant land use approval (IR – 223126 13 July 2006), the site is and can be used for intensive animal keeping (up to 499 SCU).

#### Confirmation Notice

A confirmation notice acknowledging the application was issued by the South Burnett Regional Council on 25 January 2019. The level of assessment determining the application is Impact assessable as the number of SCU for the Rural Zone exceeded the relevant threshold. In addition, the type of application triggered a referral to the following agencies:

Department of State Development, Manufacturing, Infrastructure and Planning.

The referral triggers were:

Schedule 10, Part 5, Division 4, Table 2 – Non devolved environmentally relevant activity. A feedlot is considered an ERA under Schedule 2 of the Environmental Protection Regulation.

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 – Infrastructure related referrals. The proposed Intensive animal industry exceeds the threshold for development (>2,000 SCU).

#### Council Information request

An information request was issued to the applicant on 22 February 2019. The items within the request related to providing adequate traffic reporting to demonstrate the development limited impacts upon the surrounding sensitive receptors and existing road network.

On 11 July 2019, correspondence was received by Council from the applicant in response to the matters raised within the information request.

### 3.4 Public Notification

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

The application is impact assessable and required public notification. No properly made submissions were received during the public notification period.

**3.5 Referral Agencies**

The application triggered referral under Schedule 10 of the Planning Regulation for the following matters:

- Schedule 10, Part 5, Division 4, Table 2 – Non-devolved Environmentally Relevant Activities
- Schedule 10, Part 9, Division 4, Subdivision 2 – Aspect of development stated in Schedule 20 ‘Development impacting on State transport infrastructure and thresholds’

The application was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 1 February 2019. On 14 February 2019 the Department of State development, Manufacturing, Infrastructure and Planning issued an information request to the applicant. These matters related to the operating conditions and safety impacts upon the road network.

On 24 May 2021, correspondence was received from Agricultural Development Services Australia Pty Ltd (AgDSA) in response to the matters raised by the Department of State Development, Manufacturing, Infrastructure and Planning. AgDSA made comments regarding the final revision of the traffic information including –

- The original traffic routes proposed for the feedlot remain current (split north and south). Burrandowan Road to the north and Mannuerm Road to the south.
- The feedlot will only use semi-trailers until such time as B-double permits can be obtained by the National Heavy Vehicle Regulator (NHVR).

A referral agency response with conditions was issued by the Department of State Development, Manufacturing, Infrastructure and Planning on 18 June 2021.

**4.0 TOWN PLANNING CONTEXT**

This section provides an overview of the town planning context at the date the application was made.

**4.1 State and Regional Planning Context**

A summary of the applicable State and regional planning instruments is provided in **Table 1**.

**Table 1 - State and Regional Planning Instruments Overview**

State and Regional Planning Instruments	
Wide Bay Burnett Regional Plan	Regional Landscape and Rural Production Area
State Planning Policy <ul style="list-style-type: none"> <li>▪ The SPP is reflected in the South Burnett Regional Planning Scheme 2017</li> </ul>	<b>Agriculture</b> Important Agricultural Areas Agricultural land classifications A and B <b>Biodiversity</b> MSES – Regulated Vegetation Category B, C, R and intersecting a waterway) <b>Natural Hazards Risk and Resilience</b> Flood hazard area – Level 1 Bushfire prone area

INTERIM DEVELOPMENT ASSESSMENT REQUIREMENT	ASSESSMENT
<b>Economic growth</b>	
(a) Considering the value and suitability of land for current or	<b>Complies</b> The proposal is for the expansion of an existing agricultural land use.




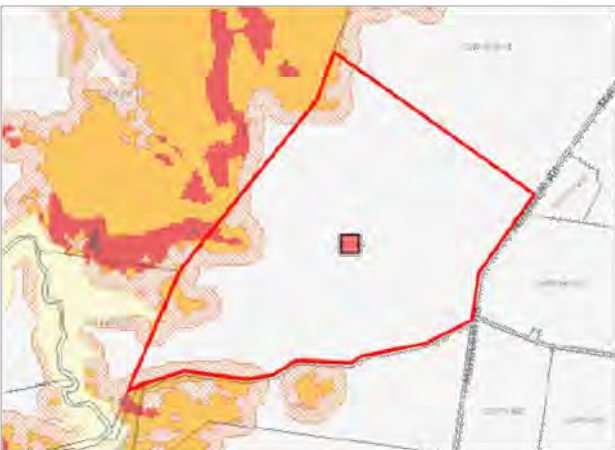
Delegated Authority

Date:

<p>potential agricultural uses when making land use decisions.</p> <p>(b) Considering the planning needs of hard to locate intensive agricultural land uses, such as intensive animal industries and intensive horticulture.</p> <p>(c) Locating new development (such as sensitive land uses or land uses that have biosecurity risks for agriculture) in areas that minimise the potential for conflict with existing agricultural uses through the provision of adequate separation areas or other measures.</p> <p>(d) Considering model levels of assessment and including agriculture development codes (or similar development assessment requirements).</p> <p>(e) Facilitating opportunities for mutually beneficial co-existence with development that is complementary to agriculture and other nonagricultural uses that do not diminish productivity.</p> <p>(f) Considering the infrastructure and services necessary to support a strong agriculture industry and associated agricultural supply chains.</p> <p>(g) Protecting the stock route network from development (both on the stock route and adjacent) that would compromise the network's primary use or capacity for stock movement and other values (conservation, recreational).</p>	<p>Notwithstanding the footprint of the feedlot, the remainder of the site is to be utilised for agricultural purposes including grazing and cropping.</p> <p>The expansion of the feedlot is located further to the north west and away from the existing sensitive receptors.</p> 
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Delegated Authority

Date:

<p><b>Biodiversity</b></p>	
<p>(1) enhances matters of state environmental significance where possible.                  (2) identifies any potential significant adverse environmental impacts on matters of state environmental significance.                  (3) manages the significant adverse environmental impacts on matters of state environmental significance by protecting the matters of state environmental significance from, or otherwise mitigating, those impacts.</p>	<p><b>Complies</b>                  The site contains areas of Category B remnant and Category C non-remnant vegetation on the western property boundary.                  As identified, the development footprint is not located within the areas identifies as category B or C.</p>  <p> <input checked="" type="checkbox"/> MSES - Regulated vegetation (category B)  <input checked="" type="checkbox"/> MSES - Regulated vegetation (category C)  <input checked="" type="checkbox"/> MSES - Regulated vegetation (category R)  <input checked="" type="checkbox"/> MSES - Regulated vegetation (intersecting a watercourse)                 </p>
<p><b>Natural Hazards</b></p>	
<p><b>For all natural hazards:</b>                  Development:                  (1) avoids natural hazard areas or mitigates the risks of the natural hazard to an acceptable or tolerable level, and                  (2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and                  (3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and                  (4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and</p>	<p><b>Complies –</b>                  As identified below, part of the site is mapped as being identified as subject to bushfire hazard. The development footprint and expansion is not located within the potential impact buffer.</p> 

Delegated Authority

Date:

<p>(5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard, and</p>	
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**4.2 Local Planning Context**

A summary of the applicable provisions of the South Burnett Regional Council Planning Scheme 2017 is provided in **Table 2**.

**Table 2 – Summary of Local Planning Instrument**

Current Planning Scheme	
Planning Scheme	South Burnett Regional Council Planning Scheme 2017
Zone	Rural zone
Applicable Overlays	<ul style="list-style-type: none"> <li>▪ Agricultural Land Classification Overlay (Important Agricultural Areas; Agricultural Land Class B).</li> <li>▪ Landslide Hazard Overlay</li> <li>▪ Bushfire Hazard overlay</li> </ul>
Level of Assessment	Impact Assessment
Applicable Codes	The Planning Scheme

**5.0 PLANNING ASSESSMENT**

**5.1 Common Material – Technical Reports**

An environmental assessment report has been carried out by Premise agriculture for the proposed use. The report provides an assessment of the potential impacts the proposed use will introduce on the land and the surrounding locality.

The findings of the reports has identified that as a result of expanding the existing use, associated odour and traffic impacts will unavoidably be increased. The assessment of the relevant factors has determined that the development is not expected to generate unacceptable odour impacts on surrounding sensitive receiving environments.

The assessment has determined that an adequate buffer distances are provided to adjoining sensitive land uses.

To accompany the report, a Traffic Impact assessment report has been prepared by Premise Engineering consultants. The assessment concludes that the proposed expansion will not create traffic issues, such as capacity on Mannueum Road or site access. The report recommends that Council provide further information regarding pavement impact and required mitigation works.

**5.2 State and Regional Planning Instruments**

There are no matters of state significance that affect this site.

**5.2.1 Wide Bay Burnett Regional Plan**

The Wide Bay Burnett Regional Plan (WBBRP) designates the site in the Regional Landscape and Rural Production Area (RLRPA), which identifies land with one or more of the values identified, including significant ecosystems, natural economic resources including extractive resources and land that forms strategic and regionally significant inter-urban breaks. The proposal does not considerably conflict with the Regional Plan.



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Date:



**Figure 3:** Regional land use categories – Source: Queensland Government DA mapping system

### 5.3 South Burnett Regional Planning Scheme 2017 (v1.3)

#### Discussion on Strategic Framework

The Strategic Framework identifies the policy direction for the Planning Scheme and is broken into to six themes that collectively represent the policy intent. The subject site is identified as being within the Rural Designation of the Strategic Framework.

The development is not considered to be a conflict with the Overall Outcomes of Rural Zone Code. The Strategic Framework is addressed regardless as per impact assessment procedure.

The following themes of the strategic framework are considered to be achieved through this proposal:

#### Settlement Pattern

The South Burnet Regional economy is based on animal and crop production whilst offering lifestyle choices set in the rural environment. The proposed intensive animal keeping use seeks to grow an intensive animal land use and is required to mitigate and minimise any impacts upon adjoining land uses. Buffering and separation distances from the proposed development site to the adjoining rural lands is essential to avoid land use conflicts.

#### Rural features

The site has been utilised for intensive animal keeping (cattle feedlot) and associated cropping. The proposal seeks to expand upon the intensive animal keeping land use which is considered to contribute to the surrounding important agricultural areas.

The proposed intensive animal land use is a rural activity and with adequate buffering and screening can maintain the rural amenity of the locality. Agricultural uses can be undertaken where located outside the development footprint of the proposed land use (intensive animal keeping industry).

#### Strong economy



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Date:

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The construction of the development and ongoing use will be of economic value and provide employment opportunities. The development is a primary production land use where located within the Rural Zone and has the potential to have a strong linkage with its agricultural sector.

#### **Natural systems and sustainability**

The site is mapped as containing areas of regulated vegetation. The development footprint is located outside mapped regulated vegetation and does not incorporate the removal of vegetation to accommodate the development footprint.

#### **Strong communities**

The subject site is located within a Rural setting and proposes a rural development which has the capability to support the rural industry. The feedlot will introduce additional employment opportunities during the construction phase and ongoing use of the use.

#### **Infrastructure and servicing**

The site will increase vehicle movements of B double trucks in order to service the site. The existing road is of an adequate standard to accommodate the use.

#### **5.3.2 Rural Zone Code**

As shown in figure 4 below, the site is located entirely within the Rural Zone. The purpose of the Rural Zone is to provide for uses which are compatible with existing rural uses and activities. Land located within the Rural zone is essential to the economic viability and is to be utilised for a range of rural pursuits including cropping, animal industries, and primary production uses. Where new uses are introduced, natural features such as creeks and waterways are to be retained, managed, and buffered.

Development in the immediate locality comprises of large rural lots which vary in size. As identified in figure 1, there are a number of sensitive receptors located to the north east and south east of the subject site. These dwellings are located on large rural lots and used for rural purposes.

The location of the development footprint achieves an adequate separation distance to adjoining sensitive land uses. The visual and rural amenity of the locality is atypical of the zoning and the establishment of rural land utilised for cropping and animal husbandry.

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Date:



Figure 4: Zoning

<b>(2) Rural Zone Code Overall Outcomes:</b>	
(a) Land that is essential to the economic viability of productive Agricultural Land Classification Class A or Class B and rural land uses within the region is conserved.	<p><b>Complies.</b> The subject site is mapped within the Agricultural Land Classification Class B and is currently utilised for cattle grazing and intensive animal keeping (feedlot).</p> <p>The feedlot is an economic driver for the region and will continue to be utilised for agricultural purposes.</p>
(b) Development comprises a wide range of existing and new rural pursuits, including cropping, intensive horticulture and animal industries, animal husbandry and keeping and other compatible primary production uses.	<p><b>Complies.</b> The proposal meets the intent of this provision which expands the existing intensive animal industry. Grazing and cropping can continue to operate on the site.</p>
(c) On farm value adding in the form of small scale agri-tourism is supported where associated with the rural use of the site.	<p><b>Not Applicable.</b> The proposal is for an intensive animal industry.</p>
(d) Infrastructure is provided at a standard normally expected in rural locations.	<p><b>To be conditioned.</b> The proposed use currently has access to electricity, water. The use relies on the transportation of feed for the use to continue its ongoing use.</p>
(e) Areas of land used for primary production are conserved and not unnecessarily fragmented.	<p><b>Complies and to be conditioned.</b> The use does not involve any reconfiguration of a lot or impact upon adjoining land uses.</p>
(f) The viability of existing and future rural uses and activities are protected from the intrusion of incompatible uses.	<p><b>Complies</b> The development seeks to expand an existing feedlot on the site.</p>
(g) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised.	<p><b>Complies</b> Ongoing management and compliance with the EPA is required to ensure odour and noise does not impact upon adjoining land uses.</p>

Delegated Authority

Date:

(h) Development embraces sustainable land management practices and contributes to the rural amenity and landscape of the area.	<b>Complies</b> The use has been established within proximity to the development footprint of the existing intensive animal industry. Due to the clustering of the expansion of the existing use, the proposal is not considered to have any greater significant impacts upon the rural character of the locality.
(i) Development is reflective of and responsive to the surrounding character of the area, natural hazards and the environmental constraints of the land.	<b>Complies.</b> The development (albeit an expansion) maintains the existing use on the site.
(j) Sites that are contaminated or pose a health risk from prior activities are remediated prior to being developed for sensitive land use (as defined in the Regulation).	<b>Not Applicable.</b> The subject land is not contaminated and will continue the current operations on the site.
(k) Residential or other sensitive land use (as defined in the Regulation) are not intensified in the identified separation area around the Swickers Kingaroy Bacon Factory on Overlay Map 11.	<b>Not Applicable.</b> The subject land is not identified as being in proximity to the Swickers Kingaroy Bacon Factory on OM11.
(l) New residential development of historic or remote residential subdivisions is inconsistent with the purpose of this zone code.	<b>Not Applicable.</b> The use does not involve a new residential component.
(m) Non-rural development is appropriate only where directly associated with the rural use of the zone and does not compromise the rural use of the land.	<b>Not applicable</b> The use is for rural purposes.
(n) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and buffered from adjacent development.	<b>Complies.</b> The expansion of the feedlot is not located within areas identified as a waterway or wetland. The identified mapped vegetation is not impacted upon.
(o) Water supply catchments are protected from activities that may endanger water quality.	<b>Complies to be conditioned.</b> Water supply catchments will not be affected as result of the proposal. Reasonable conditions will be imposed to ensure this.

**Criteria for assessment**

Performance outcomes	Requirements for accepted development and assessment benchmarks	Comments
Section 1 General		
PO1 Development maintains rural amenity and character.	AO1.1 Buildings are set back 20m from any collector or higher order road and 10m from any other road frontage. and AO1.2 The use does not cause odour, noise or air emissions in excess of the prescribed limits in the Environmental Protection (Air) Policy 1997 or the Environmental Protection (Noise) Policy 1997.	Complies. The feedlot has a limited built form and is set back behind the existing development footprint which presents to Mannuem Road. The environment assessment demonstrates that adequate separation distances have been achieved to ensure there are no adverse impacts upon adjoining or other sensitive land uses as a result of the proposed development.
PO2 Development does not jeopardise the rural production capacity of the Zone.	Development resulting in lots less than the minimum size in Table 9.4.2 satisfying outcomes – AO2.1 The proposal is necessary for the efficient production and	Not applicable The proposal does not incorporate the reconfiguration of a lot.

Delegated Authority

Date:

	<p>processing of a crop grown in the area. or                  AO2.2 The proposal provides an alternate productive rural activity that supports regionally significant industry. or                  AO2.3 An agricultural sustainability report prepared by a suitably qualified agronomist demonstrates that –                  (a) The lot is suitability sized for the proposed activity, including a dwelling house including yard; and                  (b) There is sufficient water for the proposed activity; and                  (c) The allotment is capable of being connected to reticulated electricity; and                  (d) The proposed activity is financially viable, requiring a viability assessment that includes capital costs, operational costs, sustainable yields to support a family, climate, soils and geological factors affecting crop growth, nutrients, salinity, topography, susceptibility to flooding and erosion and an assessment of market robustness (both recent and projected) and alternative practices in the event of failure. and                  AO2.4 Development is consistent with any Soil Conservation Plan that applies to the locality, as approved by the relevant State agency.</p>	
<p>PO3 Development does not result in any degradation of the natural environment, in terms of the geotechnical, physical, hydrological and environmental characteristics of the site and its setting.</p>	<p>AO3.1 Uses and associated works are confined to existing lawfully cleared land or areas not supporting regulated vegetation. and                  AO3.2 Uses and associated works are confined to areas outside stormwater discharge points, overland flow paths, watercourses and natural drainage features. and                  AO3.3 Development, excluding forestry activities and permanent plantations, adjacent to National Parks or State Forests is set back a minimum of 100m from the park boundaries in the absence of any current</p>	<p>Complies                  The proposal does not incorporate the removal of vegetation.</p>
<p>PO4 Development is not exposed to risk from natural hazard relating to land slip.</p>	<p>AO4.1 Uses and associated works are confined to slopes not exceeding:                  (a) 15% for residential uses;                  (b) 10% for treated effluent disposal areas;                  (c) 6% for non-residential uses.</p>	<p>Complies                  The development footprint has a maximum slope of approximately 3%.</p>
<p>PO5 Development is adequately serviced.</p>	<p>AO5.1 A 45kl water tank is provided for consumption purposes. And                  AO5.2 On-site sewage treatment is provided. and                  AO5.3 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks.</p>	<p>Complies.                  No new structures are proposed as part of the development. Existing dwellings are adequately serviced.</p>

Delegated Authority

Date:

<p>PO6 Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.</p>	<p>AO6.1 Development does not occur: (a) In areas that pose a health risk from previous activities; and (b) On sites listed on the Contaminated Land Register or Environmental Management Register. or AO6.2 Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p>Complies The site is not identified on the contaminated land register.</p>
<p>Section 2 Where in the vicinity of an existing intensive animal industry - <b>Not Applicable</b></p>		
<p>Section 3 Caretaker's accommodation - <b>Not Applicable</b></p>		
<p>Section 4 Home based business - <b>Not Applicable</b></p>		
<p>Section 5 Secondary dwelling - <b>Not applicable</b></p>		
<p>Section 6 For development affected by one or more overlays - Agricultural land overlay</p>		
<p>PO15 The productive capacity and utility of agricultural land for rural activities is maintained.</p>	<p>AO15.1 The proposal is not located on agricultural land as identified on SPP Interactive Mapping (Plan Making). or AO15.2 The proposal is necessary for the efficient production and processing of a crop grown in the area. or AO15.3 The proposal provides an alternate productive rural activity that supports regionally significant industry. or AO15.4 An agricultural sustainability report prepared by a suitably qualified agronomist demonstrates that – (a) The lot is suitability sized for the proposed activity. Including a dwelling house including yard; and (b) There is sufficient water for the proposed activity; and (c) The allotment is capable of being connected to reticulated electricity; and (d) The proposed activity is financially viable, requiring a viability assessment that includes capital costs, operational costs, sustainable yields to support a family, climate, soils and geological factors affecting crop growth, nutrients, salinity, topography, susceptibility to flooding and erosion and an assessment of market robustness (both recent and projected) and alternative practices in the event of failure. and AO15.5 Development is consistent with any Soil Conservation Plan that applies to the locality, as approved by the relevant State agency.</p>	<p>Complies The agricultural use provides an activity which is of economic value to the region. The agricultural and rural uses anticipated in the zone and overlay is met.</p>
<p>Airport environs overlay - Public safety sub-area <b>Not Applicable</b></p>		
<p>Biodiversity overlay</p>		
<p>PO18 Areas of environmental significance, including biodiversity</p>	<p>AO18.1 Uses and associated works are confined to areas not identified on Overlay Map 05; or</p>	<p>Complies</p>

Delegated Authority

Date:

values, are identified, protected and enhanced.	AO18.2 Development is compatible with the environmental values of the area; or AO18.3 Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.	The development footprint is located outside areas mapped within the biodiversity overlay.
PO19 Biodiversity values of identified areas of environmental significance are protected from the impacts of development	AO19.1 Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.	Not applicable
PO20 There are no significant adverse effects on water quality, ecological and biodiversity values.	AO20.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features. and AO20.2 All buildings, on-site effluent disposal, external activities or storage areas are located 100m from the top of the bank of a river, creek, stream or wetland identified on Overlay Map 05. Note: This setback does not apply to equipment such as pumps that are necessary to access water or waterway crossings. and AO20.3 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.	Complies To be conditioned.
<b>Bushfire hazard overlay</b>		
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	AO21.1 Development does not occur in areas mapped as Very High or High Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making). or AO21.2 A written assessment by a suitably experienced or qualified person confirms that the site is of Low Potential Bushfire Hazard. or AO21.3 For areas mapped as Medium Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making), bushfire risk is mitigated through a Bushfire Management Plan incorporating: (a) Lot design and the siting of buildings and uses so: (i) high intensity uses are located on the least bushfire prone area on the site and activities least susceptible to fire are sited closest to the bushfire hazard; and (ii) efficient emergency access is optimised; and (iii) bushfire risk is effectively minimised having regard to aspect, elevation, slope and vegetation.	Not applicable The site is constrained and is mapped within the bushfire hazard overlay. Notwithstanding this, the development footprint is located outside areas impacted by the bushfire hazard overlay.

Delegated Authority


Date:

	(b) Including firebreaks that provide adequate: (i) setbacks between buildings/ structures and hazardous vegetation; and (ii) access for fire fighting or other emergency vehicles; and (c) Road access for fire-fighting appliances and firebreaks are provided through a perimeter road that separates the use from areas of bushfire hazard and that road has a minimum cleared width of 20 metres; and (d) Where a reticulated water supply is not available and development involves buildings with a gross floor area greater than 50m <sup>2</sup> , one tank within 100m of each residential building that has: (i) fire brigade tank fittings; and (ii) 25,000 litres dedicated for fire fighting purposes.	
PO22 Community infrastructure in any area mapped as Very High to Medium (Potential Intensity) Areas are able to function effectively during and immediately after bushfire events.	AO22.1 No outcome specified.	Not applicable Community infrastructure is not proposed.
PO23 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	AO23.1 No hazardous materials, manufactured or stored in bulk, are on land mapped as Very High to Medium (Potential Intensity) Areas.	Complies The existing chemical and fuel supply is located outside of areas mapped. The expansion of the feedlot does not introduce any additional chemicals of fuels.
PO24 Major risks to the safety or property and to the wellbeing of occupants in areas mapped as Very High to Medium (Potential Intensity) Areas is minimised through appropriate siting, servicing and managing of residential premises.	AO24.1 New dwellings on land mapped as Very High to Medium (Potential Intensity) Areas are located: (a) Centrally within existing cleared areas on a lot which allows a regular shaped area (with a minimum dimension of 50m) of 5,000m <sup>2</sup> to be identified that: (i) is free of highly combustible vegetated areas; and (ii) is on southerly to easterly facing slopes not exceeding 15% gradient; or (iii) on flat lands at the base of north to western facing slopes not exceeding 15% gradient. (b) A fire protection buffer is established around the complete perimeter of the dwelling unit within a lot for a minimum width of 50m.	Complies No new dwellings are proposed.
Extractive industry overlay <b>Not Applicable</b>		
Flood hazard overlay		
PO28 Development is not exposed to risk from flood events by responding to	AO28.1 All new allotments include an area of sufficient size to accommodate the intended land use	Complies No new lots are proposed as a result of the development proposal.



Delegated Authority

Date:

<p>flood potential and maintains personal safety at all times.</p>	<p>outside the area identified on Overlay Map 03. and                  AO28.2 New buildings are not located within the area identified on Overlay Map 03; or                  AO28.3 Development is sited above the 1%AEP flood event where known, or the highest known flood event, as follows:                  (a) Habitable floor levels - 500mm; (b) Non-habitable floor levels - 300mm;                  (c) On-site sewage treatment and storage areas for potential contaminants - 300mm;                  (d) All other development - 0mm. and                  AO28.4 Building work below the nominated flood level allows for the flow through of flood water at ground level:                  (a) The structure below flood level is unenclosed; or                  (b) Any enclosure below flood level aligns with the direction of water flow; or                  (c) Any enclosure not aligning with the direction of water flow must have openings that are at least 50% of the enclosed area with a minimum opening of 75mm. and                  AO28.5 Resilient building materials are used below the nominated flood level in accordance with the relevant building assessment provisions. and                  AO28.6 Signage is provided on site indicating the position and path of all safe evacuation routes off the site.</p>	<p>The flood hazard overlay impacts upon the south eastern portion of the site. The extent of flooding has no impact upon the development footprint of the proposal.</p>  <p>To be conditioned:                  Adequate signage is to be provided to identify emergency evacuation routes.</p>
<p>PO29 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.</p>	<p>AO29.1 Works associated with the proposed development do not:                  (a) involve a net increase in filling greater than 50m<sup>3</sup>; or                  (b) result in any reductions of onsite flood storage capacity and contain within the site any changes to depth/duration / velocity of flood waters; or                  (c) change flood characteristics outside the site in ways that result in:                  (i) loss of flood storage;                  (ii) loss of/changes to flow paths;                  (iii) acceleration or retardation of flows; or                  (iv) any reduction in flood warning times.</p>	<p>Complies                  On site treatment via sedimentation basin and effluent holding pond are proposed which will assist in reducing flow velocities to catchment areas.</p>
<p>PO30 Development avoids the release of hazardous materials into floodwaters.</p>	<p>AO30.1 Materials manufactured or stored on site are not hazardous in nature. or                  AO30.2 Hazardous materials and any associated manufacturing equipment are located above the nominated flood level.</p>	<p>Complies                  The development footprint is located outside the areas effected by flooding.</p>
<p>PO31 Community infrastructure in any area mapped as Flood Hazard is</p>	<p>No outcome specified.</p>	<p>Not applicable</p>



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

able to function effectively during and immediately after flood.		The development does not seek consent for community infrastructure purposes.
Historic subdivisions overlay <b>Not Applicable</b>		
Landslide hazard overlay <b>Not Applicable</b>		
Regional infrastructure overlay <b>Not Applicable</b>		
Water catchments overlay <b>Not Applicable</b>		

**6.0 PLANNING CONSIDERATIONS**

The proposed land use seeks to expand the existing cattle feed lot within a rural zone. The overall outcomes for the Rural Zone seeks to establish and ensure the agricultural economy for the region prospers. This project involves an expansion and upgrades to intensive animal industry on an existing facility. The land use will contribute to the economic viability of the site and contribute regionally, with the remainder of the site having the capacity to accommodate cropping and agricultural uses in the future.

Primary production land uses such as intensive animal keeping are of significant economic value and are regionally beneficial, provided that environmental constraints and emissions are addressed to ensure there is no detrimental impact upon sensitive land uses. The development footprint achieves an adequate separation distance of 1.0 kilometre to the nearest adjoining sensitive receptor.

Notwithstanding the environmental report demonstrating compliance for adequate separation distances for noise and odour, it is yet to be demonstrated how the proposed use complies with the prescribed limits in the Queensland Environmental Protection (Air) Policy 1997 or the Environmental Protection (Noise) Policy 1997. Conditions are imposed accordingly by the State agencies responsible for licensing and compliance.

**KEY ISSUES**

**7.2 Impacts upon Adjoining Sensitive Land Uses - Rural Amenity**

The South Burnett Regional Council Planning Scheme sets assessment benchmarks for noise and odour generated as part of a proposed development to be in accordance with the *Environmental Protection Act 1994*. The proposal anticipates noise will be generated from vehicle movements entering the site, and the ongoing operations of the proposed development.

The purpose of the Rural Zone is to accommodate primary production uses which incorporates the development of intensive animal keeping. It is reasonable to expect a land use of this nature and associated built form to be located on Rural zoned land provided the impact upon adjoining sensitive land uses is minimised.

The road network is considered to be adequate to cater for the development without having a significant impact upon existing road users and adjoining residential land uses. SARA have included advice that Kingaroy-Burrandowan Road is not identified as an 'as of right' B-double route, and the Applicant should acquire the necessary permits to undertake haulage by B-double vehicles.

Considering the above, and subject to compliance, the proposal is believed to achieve appropriate levels of noise and odour within the development context to maintain the amenity of the adjoining sensitive land uses.

**8.0 CONTRIBUTIONS / CHARGES**

Adopted infrastructure charges apply to the new development.

**9.0 CONSULTATION**

Delegated Authority

Date:

The application is impact assessable and was publicly notified from 2 September 2019 to 23 September 2019. No properly made submissions were received during the public notification period.

### 9.1 Internal

The application has been assessed by Council Engineers and consultant planners for SBRC.

### 9.2 External

The application was referred to the State Assessment and Referral Agency (SARA) and separately an Environmental Authority application was made to the Department of Energy and Science. Both agencies responsible for assessing the technical environmental impact details of the project have granted approvals subject to conditions.

The approvals are referenced as part of this decision.

## 11.0 GROUNDS FOR APPROVAL / RECOMMENDATION

The following grounds are provided in support of the development:

- Primary production (Intensive Animal Industry) is an anticipated land use for a site located within the Rural Zone of the South Burnett Regional Planning Scheme.
- All proposed built form achieves an acceptable setback distances to all lot boundaries  
3.0
- An adequate buffer to existing sensitive land uses are achieved in order to maintain the rural amenity and character of the locality.
- The land use is a productive rural activity which is essential to the economic viability of productive agricultural land.  
4.0
- The use is appropriate for the site, given its location within a rural locality and along a major transport route. The site is also within proximity to other agricultural uses and rural industry.  
5.0
- The amenity impacts of the proposal, including light, noise, dust and odour, can be managed through specific conditions of approval.  
6.0
- The use is an impact assessable land use which is anticipated in the Rural Zone. The use complies with all acceptable outcomes and performance criteria, and does not prejudice the use of surrounding land.

Overall, there are no conflicts with the planning scheme identified and reasonable and relevant conditions are included to manage or mitigate potential impacts from the use such that use maintains acceptable amenity outcomes in the locality.

As such, the development can be approved subject to strict adherence with the conditions contained herein and with the attached State Assessment and Referral Agency conditions that form part of this decision package.

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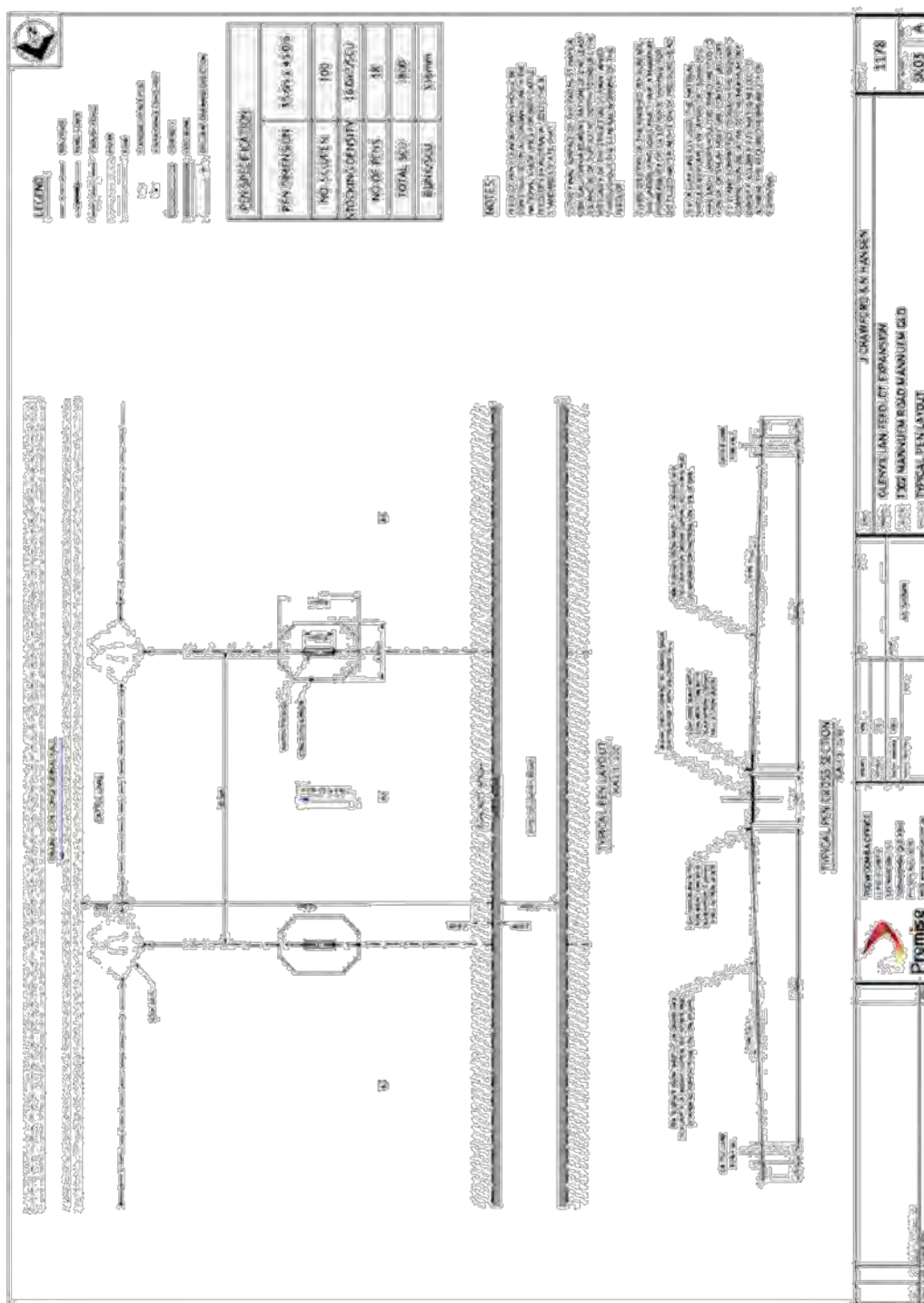
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**ATTACHMENTS**

1. **Attachment A: Approved Plans**
2. **Attachment B: SARA Approval**
3. **Attachment C: Statement of Reasons**

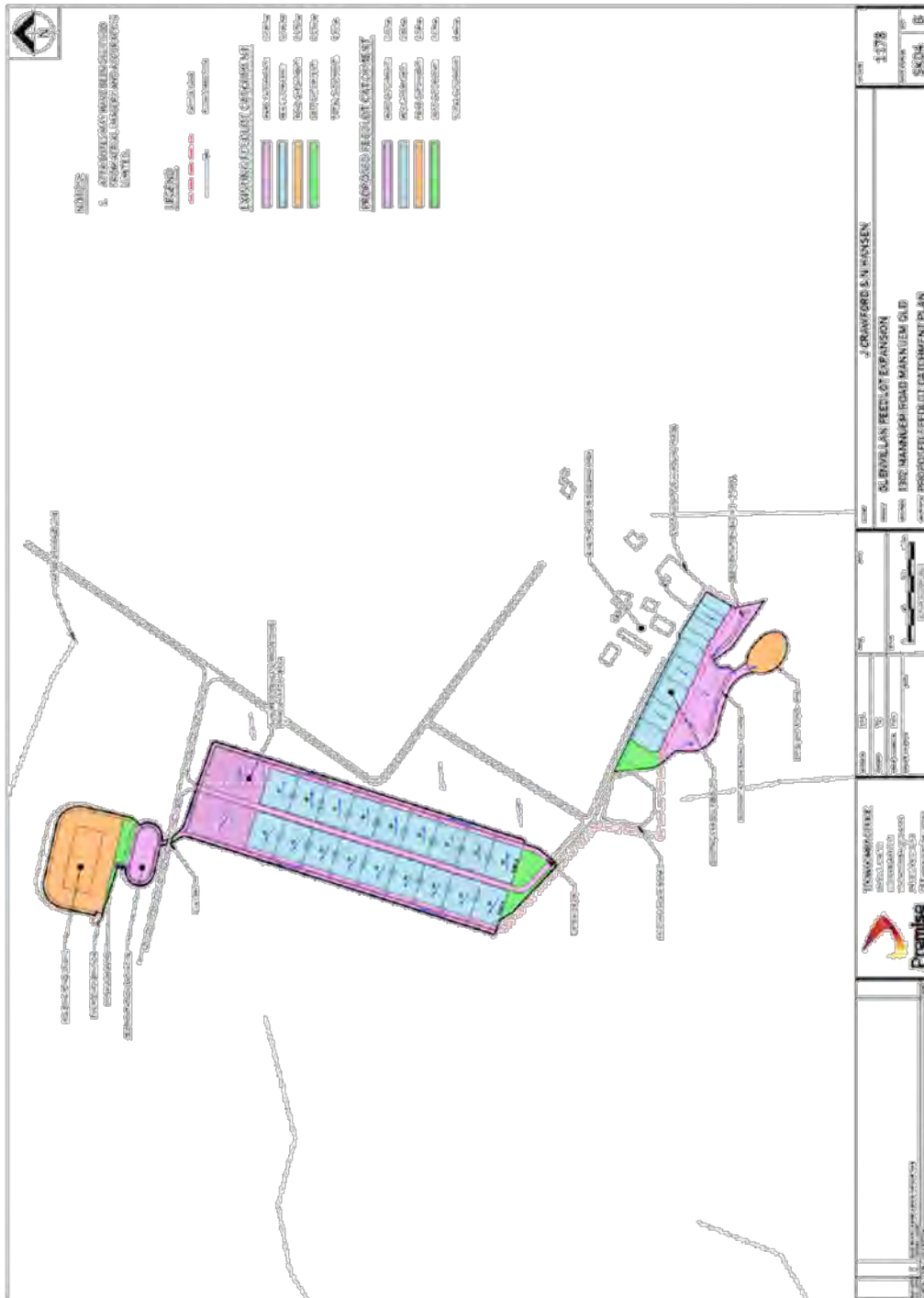
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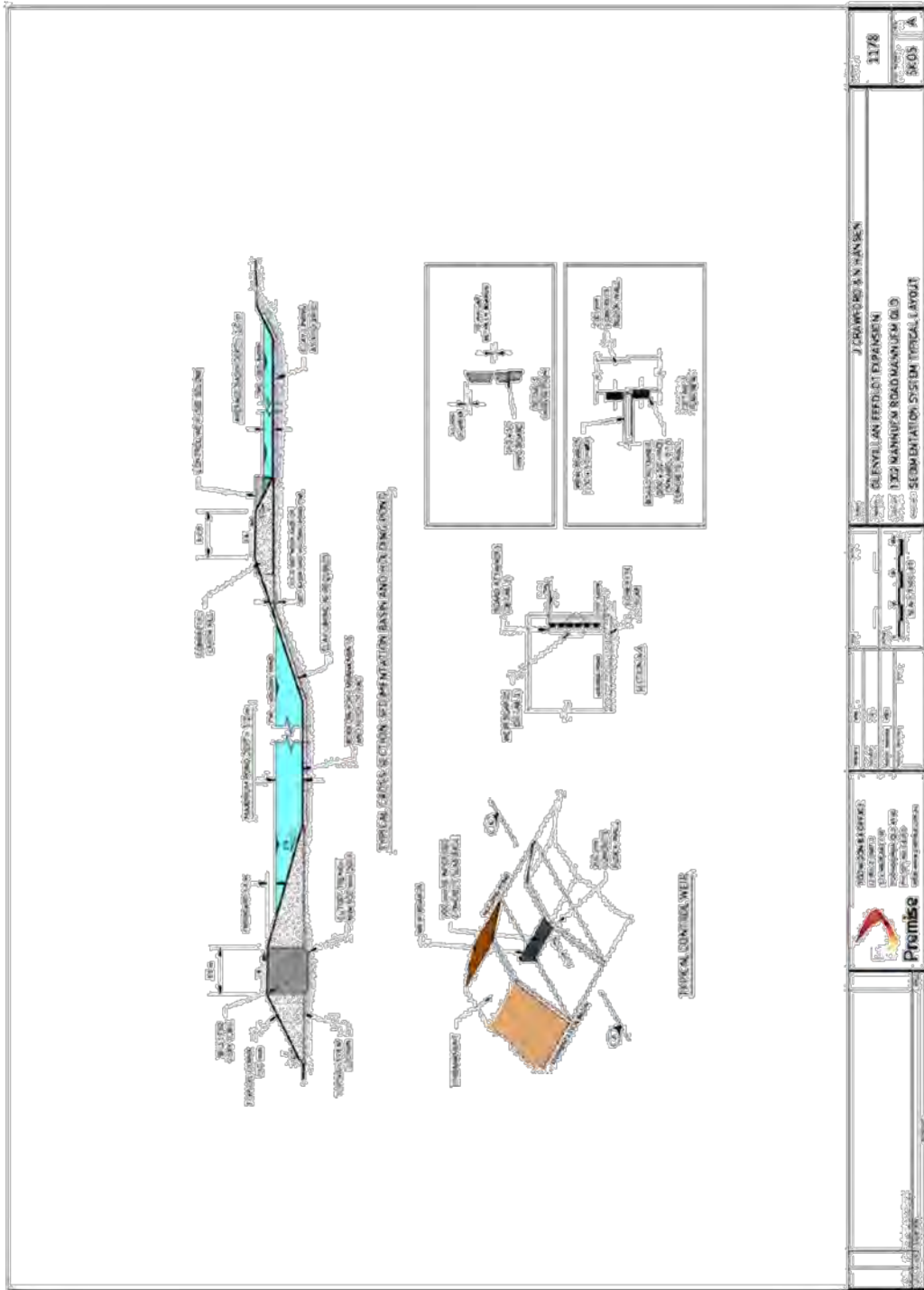
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**PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE**

**SARA ref:** 16016600 SRA

**Date:** 28 June 2021




**Premise**

**GLENVILLAN PASTORAL COMPANY PTY LTD**

**GLENVILLAN FEEDLOT EXPANSION**  
**226 MANNUEM ROAD, MANNUEM**

**TRAFFIC IMPACT ASSESSMENT**

Report No: 17T00-1178/R01  
 Rev: A  
 Date: 30 May 2019







 ENGINEERING
  ENVIRONMENT
  AGRICULTURE
  SARA

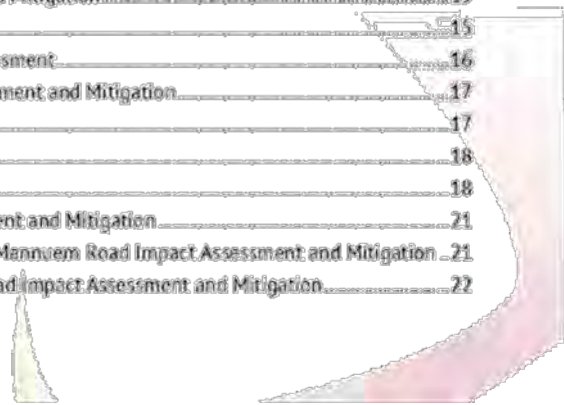




TABLE OF CONTENTS

- 1 INTRODUCTION.....1
  - 1.1 Background.....1
  - 1.2 Scope and Study Area.....1
  - 1.3 Information Requests.....2
- 2 EXISTING CONDITIONS.....3
  - 2.1 Land Use and Zoning.....3
  - 2.2 Adjacent Land Uses / Approval.....3
  - 2.3 Surrounding Road Network Details.....3
    - 2.3.1 Mannuem Road.....3
    - 2.3.2 Kingaroy Burrandowan Road.....4
    - 2.3.3 Bunya Highway.....4
    - 2.3.4 Kingaroy Burrandowan Road / Mannuem Road Intersection.....5
    - 2.3.5 Bunya Highway / Mannuem Road Intersection.....6
  - 2.4 Traffic Volumes.....6
  - 2.5 Road Safety Issues.....8
  - 2.6 Site Access.....9
- 3 PROPOSED DEVELOPMENT DETAILS.....9
  - 3.1 Development Site Plan.....9
  - 3.2 Operational Details.....9
  - 3.3 Proposed Access and Parking.....10
- 4 DEVELOPMENT TRAFFIC.....10
  - 4.1 Traffic Generation.....10
    - 4.1.1 Light Vehicles.....10
    - 4.1.2 Heavy Vehicles.....11
  - 4.2 Trip Distribution.....12
  - 4.3 Development Traffic Volumes on the Network.....12
- 5 IMPACT ASSESSMENT AND MITIGATION.....13
  - 5.1 With and Without Development Traffic Volumes.....13
  - 5.2 Road Safety Impact Assessment and Mitigation.....15
    - 5.2.1 Road Safety Risk Assessment.....15
    - 5.2.2 Road Environment Safety Assessment.....16
  - 5.3 Access and Frontage Impact Assessment and Mitigation.....17
    - 5.3.1 Turn Warrant Assessment.....17
    - 5.3.2 Intersection Analysis.....18
    - 5.3.3 Sight Distances.....18
  - 5.4 Intersection Delay Impact Assessment and Mitigation.....21
    - 5.4.1 Kingaroy Burrandowan Road / Mannuem Road Impact Assessment and Mitigation.....21
    - 5.4.2 Bunya Highway / Mannuem Road Impact Assessment and Mitigation.....22

Traffic Impact Assessment  
CP9d-TE19 Rev A







5.5	Pavement Impact Assessment.....	22
6	INFORMATION REQUEST RESPONSE.....	23
7	CONCLUSIONS AND RECOMMENDATIONS.....	24
7.1	Summary of Impacts and Mitigation Measures.....	24
7.2	Certification Statement and Authorisation.....	24

**TABLE OF FIGURES**

Figure 1-1:	Impact Assessment Scope.....	1
Figure 2-1:	Subject site and surrounding area land use.....	3
Figure 2-2:	Mannuem Road typical cross section, looking North from the development site access.....	4
Figure 2-3:	Bunya Highway typical cross section, East of Mannuem Road facing West (Google Maps Street View).....	5
Figure 2-4:	Kingaroy Burrandowan Road / Mannuem Road Intersection (Department of Natural Resources and Mines).....	5
Figure 2-5:	Bunya Highway / Mannuem Road Intersection (Department of Natural Resources and Mines).....	6
Figure 2-6:	Traffic count data provided for the road network.....	7
Figure 2-7:	Historic background traffic volumes, Bunya Highway.....	8
Figure 2-8:	Historic background traffic volumes, Kingaroy Burrandowan Road.....	8
Figure 2-9:	Access road intersection (Department of Natural Resources and Mines).....	9
Figure 3-1:	Haulage Routes.....	10
Figure 4-1:	Development daily traffic volumes on the network.....	13
Figure 5-1:	With development 2031 design year daily traffic volumes.....	14
Figure 5-2:	Estimated with development 2031 design year peak hour traffic volumes.....	15
Figure 5-3:	Major turn treatment warrants, normal design domain (Transport and Main Roads, August 2014).....	17
Figure 5-4:	Major turn treatment warrants, extended design domain (Transport and Main Roads, August 2014).....	17
Figure 5-5:	Sight distance on Mannuem Road looking North.....	20
Figure 5-6:	Sight distance on Mannuem Road looking South.....	21

**TABLE OF TABLES**

Table 2-1:	SBRC Traffic Count Data (Mannuem Road).....	6
Table 4-1:	Estimated Traffic Movements.....	11
Table 5-1:	Daily traffic volumes with and without development.....	13
Table 5-2:	Potential Likelihood Evaluation Criteria.....	16
Table 5-3:	Intersection Volumes Below Which Capacity Analysis is Unnecessary (Austroads 2009).....	18

Traffic Impact Assessment  
CPSD-TE19 Rev A





APPENDICES

- Appendix A Information Requests
- Appendix B Traffic Analysis & Reporting System Data
- Appendix C Development Site Plan
- Appendix D Traffic Impact Assessment Certification

DOCUMENT AUTHORISATION					
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Traffic Impact Assessment  
CPSd-TE19 Rev A

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannuem Road, Mannuem  
 Traffic Impact Assessment



**1 INTRODUCTION**

Premise Australia Pty Ltd (Premise) was engaged by Glenwillan Pastoral Company Pty Ltd to undertake a Traffic Impact Assessment for the proposed feedlot expansion at 226 Mannuem Road, Mannuem, in response to Information Requests by the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) and South Burnett Regional Council (SBRC).

**1.1 Background**

Glenwillan Feedlot located at Lot 2 on B0266 Mannuem Road, Mannuem, is proposing to expand from a 499 Standard Cattle Unit (SCU) feedlot to a 2,300 SCU feedlot. A Development Application was lodged with SBRC and the Department of Agriculture and Fisheries (DAF). The application included a development application report dated 22 January 2019 by Premise Agriculture Pty Ltd. In response to the development application, Information Requests were issued by DSDMIP on 14 February 2019 and SBRC on 22 February 2019. Both Information Requests are enclosed in Appendix A.

**1.2 Scope and Study Area**

Figure 1-1 shows the impact assessment area which consists of:

- Mannuem Road;
- Kingaroy Burrandowan Road / Mannuem Road intersection; and
- Bunya Highway / Mannuem Road intersection.



Figure 1-1: Impact Assessment Scope

The construction period is scheduled to commence in 2020 with completion expected in 2022.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mamuem Road, Mamuem  
 Traffic Impact Assessment



The construction of the pens are expected to be staged however, other elements of the development will be built straight away. Upon approval, 500 SCU will be built with the construction of the remaining pens being staged with full completion expected by 2022.

The impact mitigation period for the access intersection is 10 years after the opening of the final stage resulting in a design year of 2032.

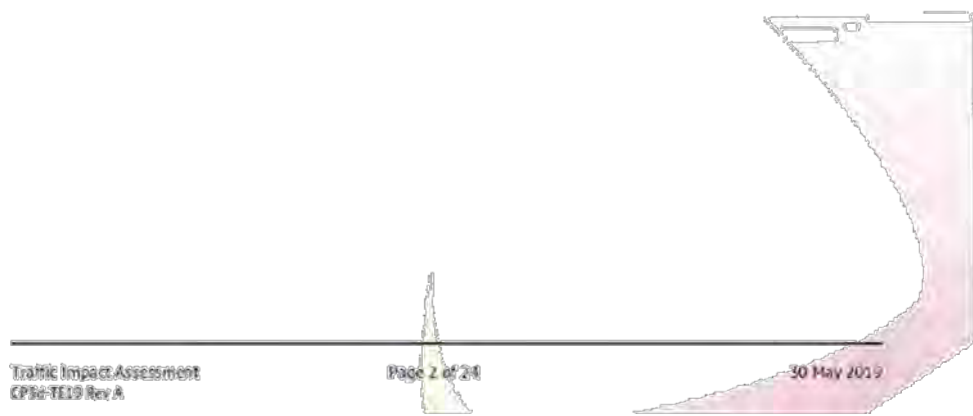
**1.3 Information Requests**

This Traffic Impact Assessment responds to Item 2 of the DSOMIP Information Request, including the requests to:

- i) Estimate development traffic generation;
- ii) Confirm the largest design vehicle;
- iii) Clarify the commonly used haul routes between the subject site and the State Controlled Road network;
- iv) Provide distribution of development traffic at the State Controlled intersections;
- v) Consider existing traffic volumes;
- vi) Determine the impact the development traffic has on the State Controlled Road network; and
- vii) Propose recommendations and mitigation techniques, if required.

This Traffic Impact Assessment also addresses Item 1 of the SBRC Information Request where it specifies that the assessment must address development access and impacts on the surrounding road network including pavement impacts. Subsequent correspondence with SBRC has clarified that the Pavement Impact Assessment is to be carried out in accordance with Department of Transport and Main Roads (TMR) guidelines.

Parking/servicing arrangements internal to the development site which are also referred to in Item 1 of the SBRC Information Request will be addressed in a letter by Premise Agriculture Pty Ltd.



Traffic Impact Assessment  
 CP&A-TE19 Rev A

Page 2 of 24

30 May 2019



Glenwillan Pastoral Company Pty Ltd  
Glenwillan Feedlot Expansion - 226 Mannuem Road, Mannuem  
Traffic Impact Assessment



**2 EXISTING CONDITIONS**

**2.1 Land Use and Zoning**

The subject site is currently zoned rural in the SBRC Planning Scheme and is occupied by a 499 SCU feedlot.

**2.2 Adjacent Land Uses / Approval**

Land use surrounding the subject site is rural. As shown by Figure 2-1, the nearest non-rural land use is the village of Kumbia approximately 11km to the southwest.

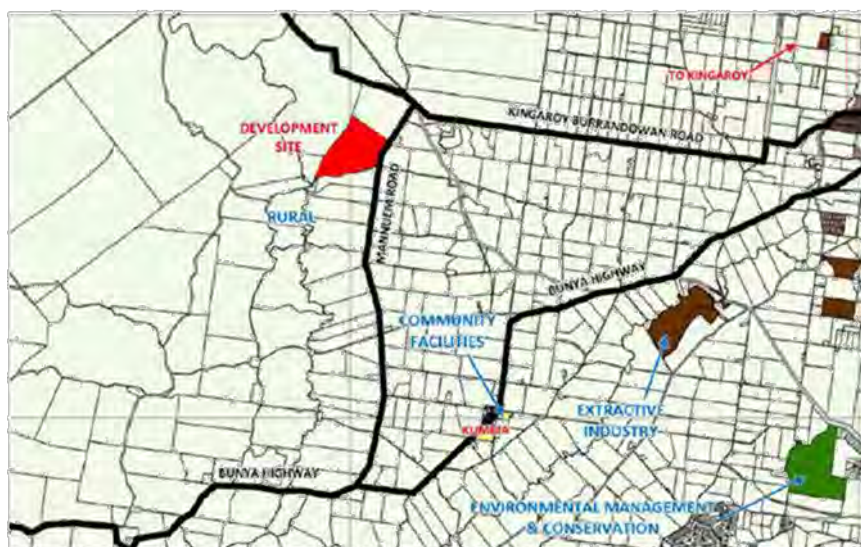


Figure 2-1: Subject site and surrounding area land use

**2.3 Surrounding Road Network Details**

The surrounding road network is shown by Figure 1-1.

**2.3.1 Mannuem Road**

Mannuem Road is a minor access with a sealed pavement under the governing authority of SBRC. As shown by Figure 2-2 the typical cross section of Mannuem Road provides an approximately four (4) metre wide seal with approximately one (1) metre wide unsealed shoulders. Mannuem Road is generally aligned North-South connecting to Kingaroy Burrandowan Road in the North and Bunya Highway in the South. Mannuem Road is assumed to have a speed limit of 100km/h, being the default speed limit in rural areas.

Glenwillan Pastoral Company Pty Ltd  
Glenwillan Feedlot Expansion - 226 Mannuem Road, Mannuem  
Traffic Impact Assessment



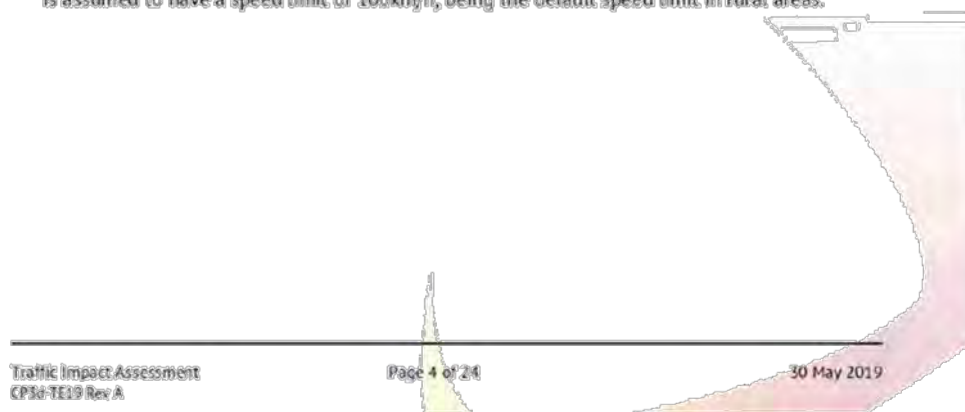
Figure 2-2: Mannuem Road typical cross section, looking North from the development site access

**2.3.2 Kingaroy Burrandowan Road**

Kingaroy Burrandowan Road is a state-controlled road under the governing authority of TMR. In the vicinity of Mannuem Road, Kingaroy Burrandowan Road provides a sealed surface with centre lines marked to delineate a single lane of traffic flow in each direction. Kingaroy Burrandowan Road is aligned generally East-West connecting Bunya Highway approximately 6km south of Kingaroy in the East to Chinchilla Wondai Road approximately 9km east of Durong in the West. Kingaroy Burrandowan Road is assumed to have a speed limit of 100km/h, being the default speed limit in rural areas.

**2.3.3 Bunya Highway**

Bunya Highway is a state-controlled road under the governing authority of TMR. As shown by Figure 2-3, Bunya Highway provides a sealed surface with centre and edge lines marked to delineate a single lane of traffic flow in each direction. Bunya Highway connects Burnett Highway approximately 2km south of Goomeri in the northeast to Dalby in the Southwest. Bunya highway is assumed to have a speed limit of 100km/h, being the default speed limit in rural areas.



Glenwillan Pastoral Company Pty Ltd  
Glenwillan Feedlot Expansion - 226 Mannuem Road, Mannuem  
Traffic Impact Assessment



Figure 2-3: Bunya Highway typical cross section, East of Mannuem Road facing West (Google Maps Street View)

**2.3.4 Kingaroy Burrandowan Road / Mannuem Road Intersection**

Kingaroy Burrandowan Road / Mannuem Road Intersection is a priority (unsigned) T-intersection on the state-controlled road network. Kingaroy Burrandowan Road is the major (priority) road and Mannuem Road is the minor (yielding) road. Figure 2-4 shows the intersection layout which features simple left and right (SL/SR) turn treatments.



Figure 2-4: Kingaroy Burrandowan Road / Mannuem Road Intersection (Department of Natural Resources and Mines)



Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannuem Road, Mannuem  
 Traffic Impact Assessment



**2.3.5 Bunya Highway / Mannuem Road Intersection**

Bunya Highway / Mannuem Road is a priority (give way) T-intersection on the state-controlled road network. Bunya Highway is the major (priority) road and Mannuem Road is the minor (yielding) road. Figure 2-5 shows that the intersection is located on the outside of a curve and features SL/SR turn treatments.



Figure 2-5: Bunya Highway / Mannuem Road intersection (Department of Natural Resources and Mines)

**2.4 Traffic Volumes**

Traffic count data was obtained from SBRC for the local government roads and from TMR and Queensland Globe for the state-controlled roads.

SBRC provided traffic count data for two (2) sites on Mannuem Road located 100m to the North of Ironpot Road (Site 1) and 100m to the South of Ironpot Road (Site 2). Traffic counts, which included vehicle class/speed matrices and weekly vehicle counts, were undertaken for the period from 25 February 2019 to 17 March 2019. Table 2-1 summarises the traffic data provided for each of the two (2) sites on Mannuem Road where, vph refers to vehicles per hour and vpd refers to vehicles per day.

Table 2-1: SBRC Traffic Count Data (Mannuem Road)

Parameter	Site 1	Site 2
Operating Speed (85 <sup>th</sup> %ile)	80-90km/h	80-90km/h
Heavy Vehicle Proportion	23%	27%
Highest vehicle classification (ARX)	11 (B-doubles)	11 (B-doubles)
7-day Daily Traffic Volume (average)	83vpd	84vpd
<b>Morning Peak Hour Traffic Volumes</b>		
Average	10xph	10xph
Maximum	14xph	18xph
Minimum	6vph	5vph
<b>Evening Peak Hour Traffic Volumes</b>		
Average	9vph	10vph
Maximum	13xph	14xph
Minimum	6vph	6vph

Traffic Impact Assessment  
 CP3d-TE19 Rev A

Page 6 of 24

30 May 2019

Glenvilan Pastoral Company Pty Ltd  
 Glenvilan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



TMR provided Traffic Analysis and Reporting System (TARS) data for Kingaroy Burrandowan Road, as attached in Appendix B. 2018 TARS data reported the following traffic on Kingaroy Burrandowan Road in the vicinity of Mannum Road:

- Eastbound: 88vpd (AADT) with 15.91% commercial vehicles; and
- Westbound: 79vpd (AADT) with 18.99% heavy vehicles.

Queensland Globe was used to determine traffic volumes on Bunya Highway near Mannum Road with 2017 traffic census data indicating 853vpd (AADT, two-way) with 27.28% heavy vehicles.

Figure 2-6 summarises the daily traffic volumes (DTV) and heavy vehicle (HV) proportions for the road network surrounding the subject site. The peak hour volume on Mannum Road (Table 2-1) observed during the three (3) week survey was 22% of the average daily traffic volume.

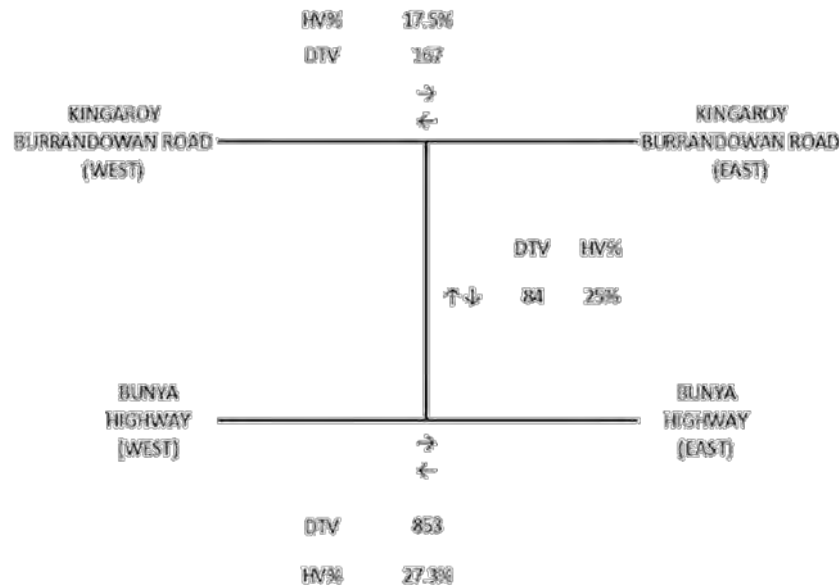


Figure 2-6: Traffic count data provided for the road network

Queensland Globe also provided AADT volumes for the period between 2010 and 2017. Figure 2-7 and Figure 2-8 show the historic background traffic volumes for Bunya Highway and Kingaroy Burrandowan Road, respectively. Background traffic volumes contained in Figure 2-7, show that traffic volumes on Bunya Highway have grown at a compound rate of 0.4% per annum. Background traffic volumes contained in Figure 2-8 show that traffic volumes on Kingaroy Burrandowan Road have grown at a compound growth rate of 2% per annum.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion - 226 Mannum Road, Mannum  
 Traffic Impact Assessment

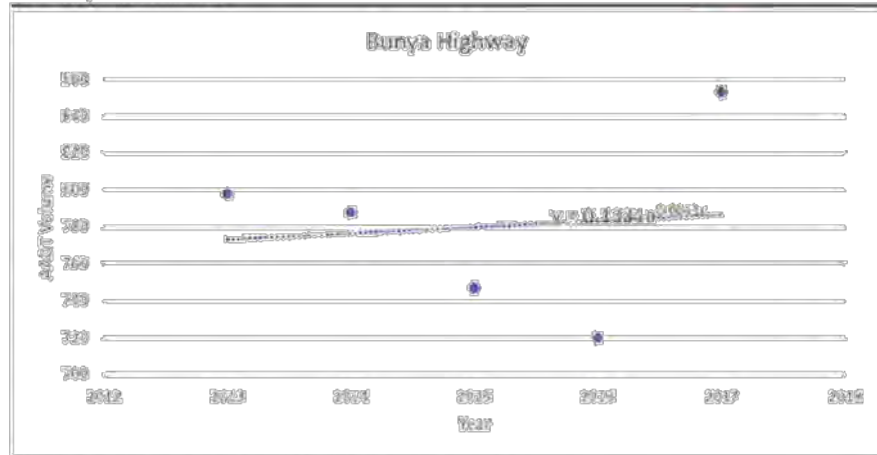


Figure 2-7: Historic background traffic volumes, Bunya Highway

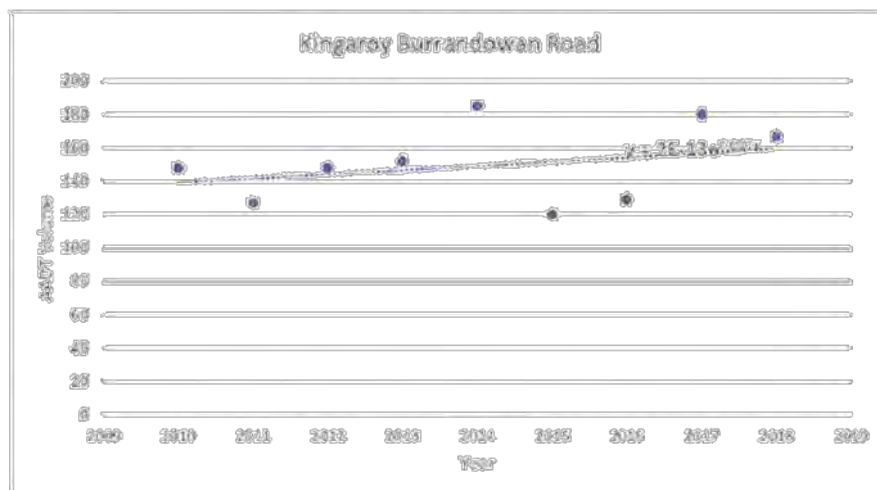


Figure 2-8: Historic background traffic volumes, Kingaroy Burrandowan Road

**2.5 Road Safety Issues**

Existing road safety issues in the study area were identified through crash rate analysis. The analysis was conducted on data contained in Queensland Globe. Queensland Globe provides details of crash type, year, hour, conditions and DCA code. Queensland Globe shows one (1) reported crash in the study area, occurring at the intersection of Mannum Road and Ironpot Road. The accident involved through vehicles on both roads and occurred at approximately 1PM on a clear, dry day. A total of three (3) vehicles were involved in the collision which resulting in hospitalisation.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannuem Road, Mannuem  
 Traffic Impact Assessment



**2.6 Site Access**

Access to the development site is via an access road / driveway on Mannuem Road as shown by Figure 2-9. Google Earth imagery shows that there is no seal on the driveway area between the Mannuem Road carriageway and the property boundary. Mannuem Road is shown to provide SL/SR turn treatments at the access road.



Figure 2-9: Access road intersection (Department of Natural Resources and Mines)

**3 PROPOSED DEVELOPMENT DETAILS**

**3.1 Development Site Plan**

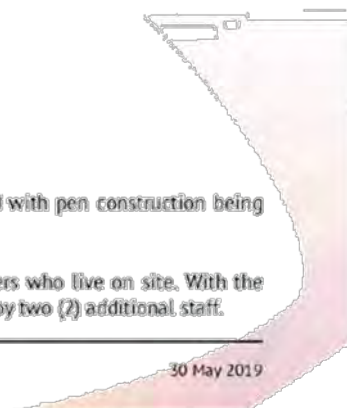
Development site plans are enclosed in Appendix C and show the area of the existing feedlot and the area of the feedlot expansion. The proposed feedlot expansion consists of:

- Eighteen (18) 100SCU pens;
- Water storage tank;
- Manure storage & processing area;
- Sedimentation basin; and
- Holding pond.

**3.2 Operational Details**

Construction of the feedlot expansion is expected to occur in 2020 with pen construction being staged, full completion of the feedlot is expected by 2022.

The feedlot is currently managed and staffed by the property owners who live on site. With the proposed feedlot expansion, it is expected that the feedlot will employ two (2) additional staff.





Glenwillan Pastoral Company Pty Ltd  
Glenwillan Feedlot Expansion - 226 Mannuam Road, Mannuam  
Traffic Impact Assessment



A total of 6,716 cattle are expected to pass through the feedlot expansion annually.

In general, vehicle movements will be undertaken during daylight hours, between 6:00AM and 6:00PM, seven days a week. During summer months, hours will vary according to animal welfare needs, hours of operation during this time will be generally between 5:00AM to 10:00PM.

**3.3 Proposed Access and Parking**

As shown by the development site plan attached in Appendix C, access to the development site will be via the existing access driveway located on Mannuam Road as described in Section 2.6.

Haulage routes for the proposed development consist of a northern route and a southern route as shown by Figure 3-1. The northern route consists of Mannuam Road North of the development site and Kingaroy Burrandowan Road to Kingaroy. The southern haulage route consists of Mannuam Road South of the development site and Bunya Highway to Dalby.



Figure 3-1: Haulage Routes

**4 DEVELOPMENT TRAFFIC**

**4.1 Traffic Generation**

**4.1.1 Light Vehicles**

With two (2) additional staff, light vehicle traffic generated by the feedlot expansion is assumed to be four (4) light vehicle trips per day being two (2) inbound trips in the morning and two (2) outbound trips in the evening.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



**4.1.2 Heavy Vehicles**

Heavy vehicles traffic generated by the proposed feedlot expansion is expected to consist of incoming cattle, outgoing cattle, incoming grain and feedstuffs, and outgoing manure. Table 4-1, reproduced from Table 7 of the development application report dated 22 January 2019 by Premise Agriculture, shows the estimated heavy vehicle traffic generation for the expanded feedlot on the basis that haulage is by B-double (as is the case for existing feedlot operations). One (1) traffic movement in Table 4-1, refers to one (1) loaded and one (1) unloaded trip.

**Table 4-1: Estimated Traffic Movements**

	Unit	Existing	Proposed	Total
<b>Incoming Cattle</b>				
Cattle per year	head/yr	1,460	6,516	8,176
Livestock produced onsite	%	0%		
Typical truck type		B-Double		
No. of head/truck	exit	93		
No. of trucks	no/year	16	72	88
	no/week	-	2	2
<b>Outgoing Cattle</b>				
Cattle out per year	head/yr	1,445	6,649	8,094
Typical truck type		B-Double		
No. of head/truck	exit	71		
No. of trucks	no/year	20	94	114
	no/week	-	2	2
<b>Grain and Feedstuffs</b>				
Total Feed Imported	t/year	1,752	8,059	9,811
Typical truck type		B-Double		
No. of trucks incoming	no/year	52	237	289
	no/week	1	5	6
<b>Manure</b>				
Manure sold off-site per year	t/year	0	200	200
No. of trucks outgoing	no/yr	0	22	22
	no/week	0	1	1
<b>Total – Incoming and Outgoing trucks</b>				
No. of trucks - Incoming Cattle and Commodities	no/year	67	310	377
	no/wk	1	6	7
No. of trucks - Outgoing Cattle and Manure	no/year	20	116	136
	no/wk	-	2	2
<b>TOTAL</b>				
	no/year	88	425	513
	no/week	2	8	10

Glenwillan Pastoral Company Pty Ltd  
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 Traffic Impact Assessment



Table 4-1 estimates that the proposed feedlot expansion will generate a total of 425 heavy vehicle movements (850 trips) per year. This corresponds to an annual average daily traffic generation of 2.4 heavy vehicle trips per day. To be conservative, it is assumed that there will be two (2) inbound trips and two (2) outbound trips per day.

**4.2 Trip Distribution**

Light vehicle trip distribution is expected to be to / from Kingaroy and will therefore be inbound / outbound via the northern route shown by Figure 3-1.

As described in Section 3.3, heavy vehicle trips will be via either the northern or southern haulage routes shown by Figure 3-1. Heavy vehicle trip distribution is expected to be as follows:

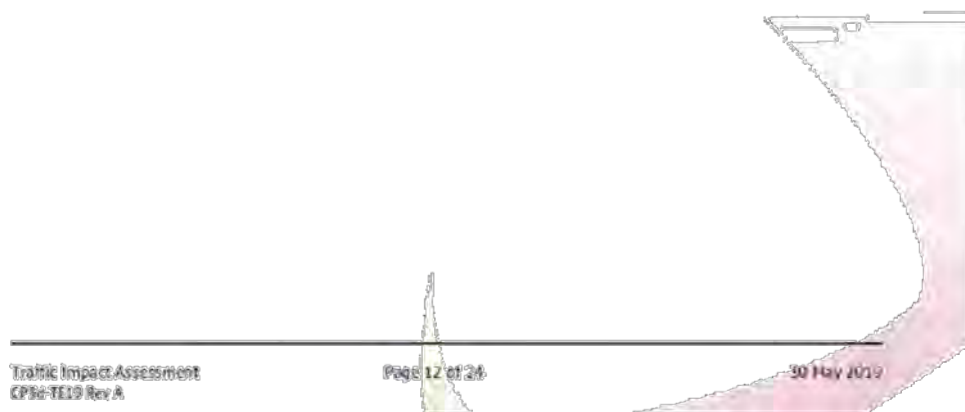
- Incoming cattle - 100% from the South;
- Outgoing cattle - 100% to the North;
- Incoming grain and feedstuffs - 50% from the North and 50% from the South; and
- Outgoing manure - 50% to the North and 50% to the South.

**4.3 Development Traffic Volumes on the Network**

As discussed in the preceding sections, the daily traffic volume generated by the proposed development is assumed to be:

- Four (4) light vehicle trips per day (two (2) inbound and two (2) outbound); and
- Four (4) heavy vehicle trips per day (two (2) inbound and two (2) outbound).

Figure 4-1 shows development traffic assigned to the road network.





Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion - 226 Mannum Road, Mannum  
 Traffic Impact Assessment

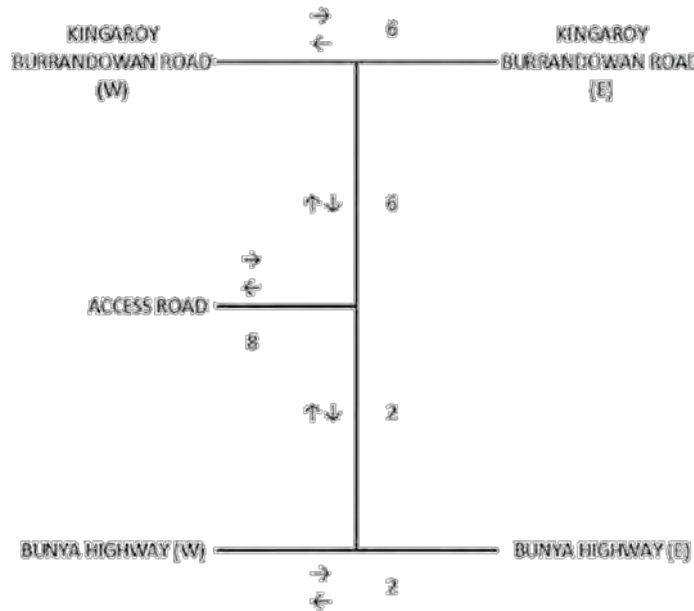


Figure 4-1: Development daily traffic volumes on the network

5 IMPACT ASSESSMENT AND MITIGATION

5.1 With and Without Development Traffic Volumes

Table 5-1 shows the average daily two-way traffic volumes with and without development traffic for the 2022 opening year and the 2032 design year. Without development opening year (2022) traffic is assumed to be as shown by Figure 2-6. Without development design year (2032) traffic volumes were determined by growing reported traffic volumes by a linear growth rate of 5% per annum, which is highly conservative compared to historic growth rates determined in Section 2.4.

Table 5-1: Daily traffic volumes with and without development

Road	Without Development	
	2022 opening year	2032 design year
Mannum Road	84vpd	139vpd
Kingaroy Burrandowan Road	167vpd	284vpd
Bunya Highway	1,066vpd	1,493vpd

Figure 5-1 shows with development 2032 design year traffic volumes determined by combining development traffic volumes shown in Figure 4-1 and without development 2032 design year traffic volumes listed in Table 5-1. It is assumed that existing traffic on the access road is made up of existing staff which currently live on site, being one (1) inbound light vehicle per day and one (1) outbound light vehicle per day. Conservative estimates of development heavy vehicle traffic are considered to account for existing heavy vehicle traffic, refer Table 4-1.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion - 226 Mannum Road, Mannum  
 Traffic Impact Assessment

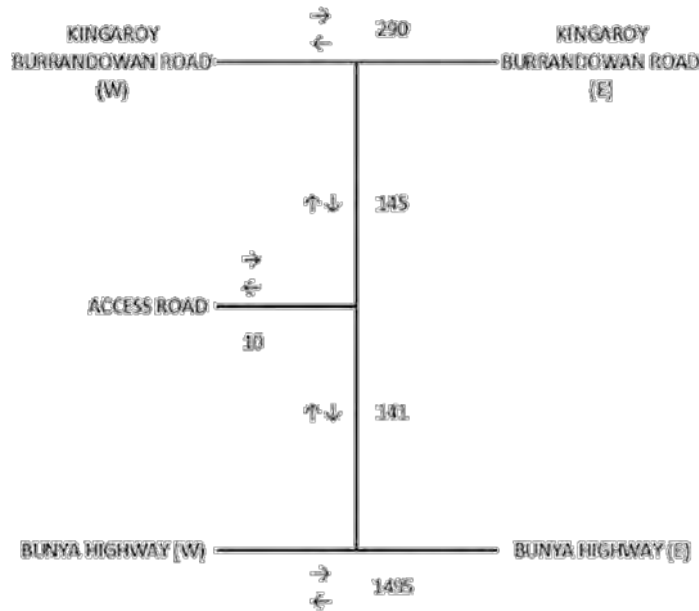


Figure 5-1: With development 2032 design year daily traffic volumes

By taking development traffic volumes (Figure 4-1) and dividing it by opening year without development traffic volumes shown in Table 5-4, it is calculated that the development's impact on the surrounding road network is as follows:

- Mannum Road - 7.1% North of the access road and 2.4% South of the access road;
- Kingaroy Burrandowan Road - 3.6%; and
- Bunya Highway - 0.2%.

The "Guide to Traffic Impact Assessment" (GTIA) specifies that a development's impact is only considered significant if the impact is greater than 5%. Therefore, the development traffic is considered to significantly impact on Mannum Road but not the state-controlled road network apart from the intersections with Mannum Road.

Section 2.4 conservatively determined that existing peak hour traffic volumes on Mannum Road are 22% of daily traffic volumes. By taking with development 2032 design year traffic volumes in Table 5-1 and assuming the same peak hour : daily traffic volume ratio as Mannum Road, estimated peak hour traffic volumes are shown in Figure 5-2.

Traffic Impact Assessment  
 CP&A-TE19 Rev A

Page 14 of 26

30 May 2019

Glenvilian Pastoral Company Pty Ltd  
 Glenvilian Feedlot Expansion - 226 Mannum Road, Mannum  
 Traffic Impact Assessment

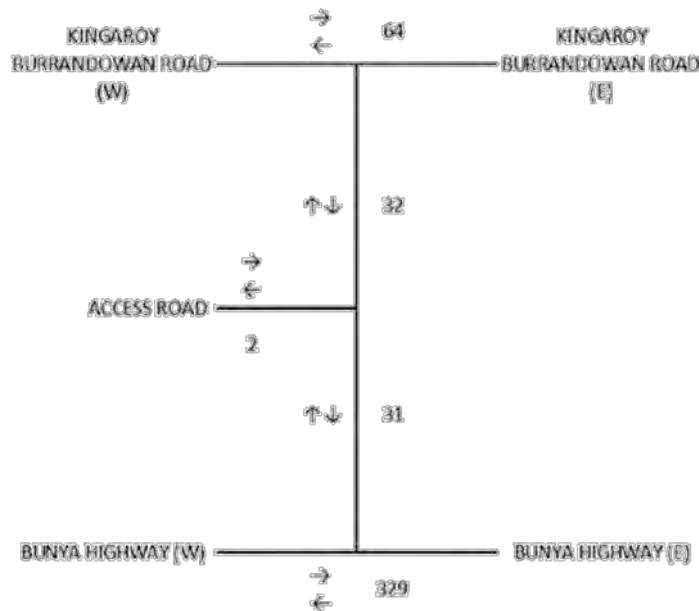


Figure 5-2: Estimated with development 2032 design year peak hour traffic volumes

**5.2 Road Safety Impact Assessment and Mitigation**

The GTIA specifies the following two (2) stage process for assessment of road safety impacts:

1. Road Safety Risk Assessment to determine the change in risk profile associated with existing road safety issues as a result of the development; and
2. Road Environment Safety Assessment to determine if changes to infrastructure require either a road safety audit by an accredited road safety auditor (RSA) or a road safety assessment by either an RSA or a registered professional engineer of Queensland (RPEQ).

**5.2.1 Road Safety Risk Assessment**

A road safety risk assessment was conducted in accordance with the GTIA based on historic crash data (refer Section 2.5). The risk assessment process involves the following steps:

- Evaluate potential consequences based on accident severity from 1, property damage only, to 5, fatality;
- Evaluate potential likelihood from 1, rare, to 5, almost certain;
- Sum the potential consequence and likelihood values to determine the risk score with scores up to and including 4 considered low risk, 5 to 7 medium risk, and 8 or greater high risk.

To provide an objective assessment of the potential likelihood, Premise uses the average recurrence interval / frequency criteria listed in Table 5-2.

Glenvilan Pastoral Company Pty Ltd  
 Glenvilan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



These criteria are highly conservative compared to the criteria suggested by TMR’s “Guide to Traffic Impact Assessment: Frequently Asked Questions (December 2017)” which proposes that rare could happen once a year whereas almost certain may mean daily. However, the criteria are consistent with other TMR guidelines which suggest three (3) fatal or serious injury (hospitalisation) accidents in five (5) years warrants intervention.

Table 5-2: Potential Likelihood Evaluation Criteria

Potential Likelihood	Average Recurrence Interval	Accidents over 17 years
Almost Certain (5)	≤ 1 year	17 or more
Likely (4)	≤ 2 years	9 to 16
Moderate (3)	≤ 4 years	5 to 8
Unlikely (2)	≤ 8 years	3 to 4
Rare (1)	> 8 years	2 or less

Section 2.5 identified that there was only one (1) crash recorded in the study area being the entire length of Mannum Road during the 17-year reporting period. With a total of one (1) (potential likelihood of one (1)) accident resulting in hospitalisation (potential consequence of four (4)), the overall risk score is medium. This risk does not require immediate mitigation.

The largest vehicle generated by the proposed development is expected to be B-doubles (4.1.2) which SBRCTraffic count records indicate are already operating on the study area road network (refer Table 2-1). Therefore, the proposed feedlot expansion is not expected to increase the potential consequence of accidents.

It is conservatively assumed that development traffic volumes will increase the potential likelihood of accidents occurring by one (1) risk band.

For the with development scenario, with a potential likelihood of two (2), increased by one (1) risk band, and a potential consequence of four (4), no increase, the overall risk score for accidents occurring on Mannum Road with the development is medium. Therefore, the development is not expected to increase the risk score of any existing road safety issues and, in accordance with the GTIA, no mitigation is required.

**5.2.2 Road Environment Safety Assessment**

Kingaroy Burrandowan Road and Bunya Highway have a speed limit of 100km/h (refer Section 2.3), Mannum Road has an 85<sup>th</sup> Mile operating speed of 80-90km/h (refer Table 2-1) and AADT volumes on all three (3) roads are less than 8,000vpd, refer Figure 5-1. Therefore, in accordance with the GTIA, Mannum Road, Kingaroy Burrandowan Road and Bunya Highway are assessed as having a medium road environment risk rating.

The proposed development is a Planning Act Development as defined by the GTIA and therefore, any changes to the road environment do not require a road safety audit but should be subject to a road safety assessment. A road safety assessment may be conducted by either an RSA or RPEQ.



Glenvilan Pastoral Company Pty Ltd  
 Glenvilan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



**5.3 Access and Frontage Impact Assessment and Mitigation**

**5.3.1 Turn Warrant Assessment**

A turn warrant assessment was conducted for the access intersection on Mannum Road based on major road turn warrants contained in the "Supplement to Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections" (Transport and Main Roads, August 2014). The assessment is based on a design speed of 80-90km/h, being the 85<sup>th</sup> percentile operating speed (refer Table 2-1). Major road turn treatment warrants applicable to Mannum Road are shown in Figure 5-3 for the Normal Design Domain (NDD) and Figure 5-4 for the extended design domain (EDD).

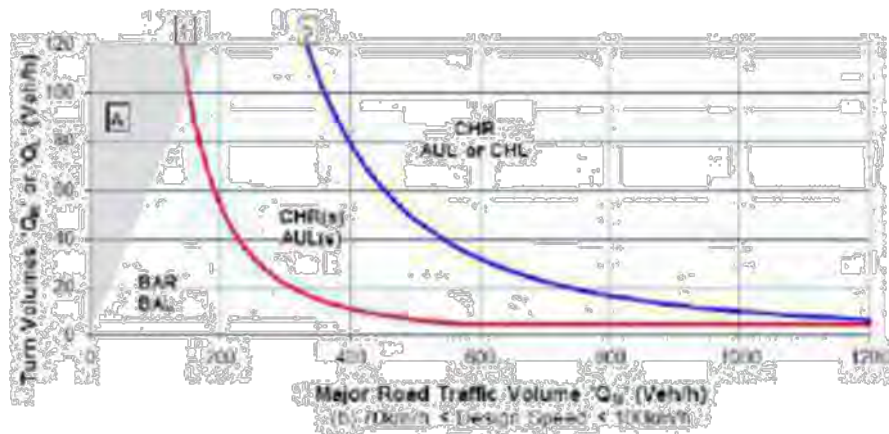


Figure 5-3: Major turn treatment warrants, normal design domain (Transport and Main Roads, August 2014)

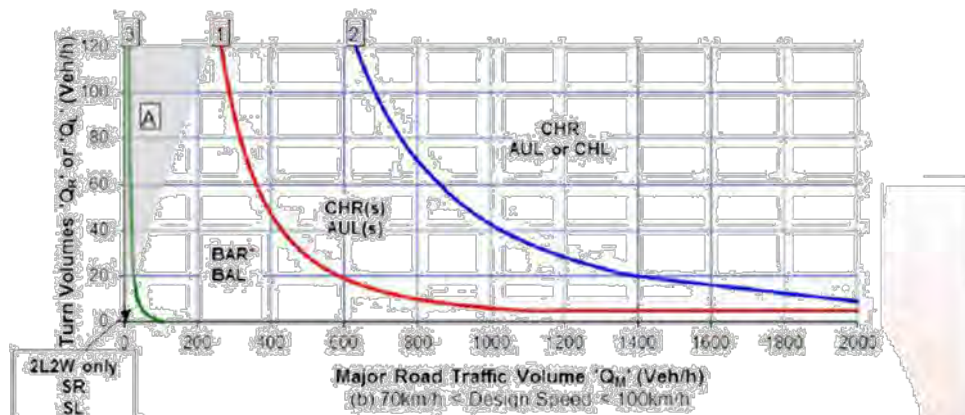


Figure 5-4: Major turn treatment warrants, extended design domain (Transport and Main Roads, August 2014)

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



Due to the low with development 2032 design year peak hour traffic volumes shown in Figure 5-2 based on the highly conservative 5% per annum background growth rate, the provision of the minimum standard turn treatments is justifiable. That is, basic left and right (BAL/BAR) turn treatments in the NDD or simple left and right (SL/SR) turn treatments in the EDD.

The "Unsealed Roads Manual" (ARRB Group, March 2009) states that, as a rough guide, it may be difficult to economically justify sealing a road carrying less than 100vpd, whereas if it is carrying over 250vpd it will probably be justified. Therefore, as Mannum Road currently carries less than 100vpd and traffic growth in the area has historically been low (refer Section 2.4), it is concluded that the existing 4m wide seal with 1m wide unsealed shoulders provides an acceptable Mannum Road cross section at the development site access in accordance with the EDD.

**5.3.2 Intersection Analysis**

The "Guide to Traffic Management Part 3: Traffic Studies and Analysis" (Austroads 2009) states that "at unsignalised intersections with minor roads where there are relatively low volumes of cross and turning traffic, capacity considerations are usually not significant, and capacity analysis is unnecessary." Table 5-3 reproduced from the Guide to Traffic Management Part 3 lists the intersection volumes below which capacity analysis is unnecessary.

**Table 5-3: Intersection Volumes Below Which Capacity Analysis is Unnecessary (Austroads 2009)**

Type of road	Light cross and turning volumes maximum design hour volumes vehicles per hour (two way)		
Two-lane major road	400	500	650
Cross road	250	200	250
Four-lane major road	1000	1500	2000
Cross road	100	50	75

Design peak hour traffic volumes on the major road (Mannum Road) and cross road (access road), shown in Figure 5-2, are below the volumes in Table 5-3. Therefore, in accordance with Austroads (2009), capacity analysis of the Mannum Road / Access Road intersection is unnecessary.

**5.3.3 Sight Distances**

The GTA specifies minimum sight distance requirements for intersections as:

- Approach Sight Distance (ASD) required to the road surface at all intersections and accesses;
- Safe Intersection Sight Distance (SISD) desirable between a vehicle using a public road intersection and a vehicle approaching on the major road; and
- Minimum Gap Sight Distance (MGSD) acceptable between a vehicle using a public road intersection and a vehicle approaching on the major road.

ASD, SISD and MGSD are defined in the "Guide to Road Design Part 4A: Unsignalised and Signalised Intersections" (Austroads 2017). Austroads also provides formulas for calculating the acceptable minimum sight distances for the NDD.

Traffic Impact Assessment  
CPR-TEIS Rev A

Page 18 of 26

30 May 2019

Glenvilian Pastoral Company Pty Ltd  
 Glenvilian Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



ASD is the distance at which a driver can see any line marking on the road surface at the intersection. ASD should be sufficient to allow a driver to react to the intersection and, if necessary, come to a complete stop before entering the intersection. Minimum ASD is calculated using the formula

$$ASD = \frac{R_r \times V}{3.6} + \frac{V^2}{254 \times (d + 0.01 \times a)}$$

where

- R<sub>r</sub> = reaction time
- = 2.5sec unalerted driving;
- V = design speed or 85<sup>th</sup> percentile operating speed;
- d = coefficient of deceleration
- = 0.36 for cars (desirable value for most urban and rural road types); and
- a = longitudinal grade.

SISD is the distance at which a driver can see a vehicle moving into a collision situation and decelerate to a stop before reaching the collision point. Minimum SISD is calculated using the formula

$$SISD = \frac{D_r \times V}{3.6} + \frac{V^2}{254 \times (d + 0.01 \times a)}$$

where the meaning of variables is as for ASD with decision time, D<sub>r</sub>, being the sum of reaction time, R<sub>r</sub>, and observation time, O<sub>r</sub> (3.0 sec).

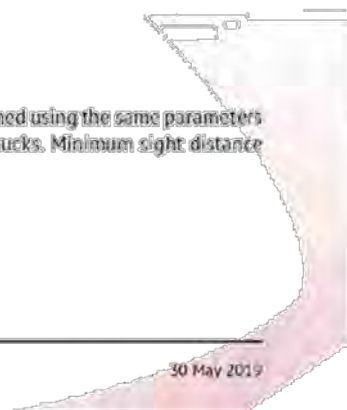
MGSD is based on distances corresponding to the critical acceptance gap that drivers are prepared to accept when undertaking a crossing or turning manoeuvre at intersections. MGSD is measured from the point of conflict between approaching and entering vehicles back along the centre of the travel lane of the approaching vehicle. The MGSD is dependent on the critical gap acceptance time (t<sub>c</sub>) that a driver of an entering vehicle accepts to see a vehicle in the conflicting streams to safely commence the desired manoeuvre. The critical gap acceptance in this case is 5.0sec for cars.

With a design speed on Mannum Road of 90km/h, being the 85<sup>th</sup> percentile operating speed as shown in Table 2-1, and a relatively flat grade (<1%) the minimum sight distance requirements for cars as determined by Austroads are as follows:

- ASD – 151m;
- SISD – 226; and
- MGSD – 125m.

The minimum sight distance requirements for trucks were determined using the same parameters for cars except with a coefficient of deceleration, d, of 0.29 for trucks. Minimum sight distance for trucks are determined to be as follows:

- ASD – 173m; and
- SISD – 248m.





Glenwillan Pastoral Company Pty Ltd  
Glenwillan Feedlot Expansion - 226 Mannuem Road, Mannuem  
Traffic Impact Assessment



Sight distance to the North of the access road along Mannuem Road is estimated to be in excess of 500m as shown by Figure 5-5. Sight distance to the North of the access road complies with Austroads guidelines for ASD, SISD and MGSD, for both cars and trucks. Therefore, sight distance to the North of the access along Mannuem Road is considered acceptable in accordance with the GTIA.



Figure 5-5: Sight distance on Mannuem Road looking North

Sight distance to the South of the access road along Mannuem Road is shown by Figure 5-6. It shows that sight distance is restricted by a slight crest which is assumed to coincide with a left-hand bend on Mannuem Road 210m to the South of the access. Sight distance to the South is provided with ASD, for cars and trucks, and MGSD achieved. However, SISD to the South of the intersection assumed to be 16m (0.6 seconds of travel at 90km/h) short of the NDD standard for cars and 38m (1.5 seconds) for trucks.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannuem Road, Mannuem  
 Traffic Impact Assessment



Figure 5-6: Sight distance on Mannuem Road looking South

The GTIA requires a property access such as the Glenwillan Feedlot to provide ASD only. Sight distance at the access exceeds this standard by providing:

- ASD to the North and South of the access;
- MGSD to the North and South of the access;
- SISD to the North of the access;
- SISD to the South of the intersection for a car with a decision time of 4.9sec; and
- SISD to the South of the intersection for a truck with a decision time of 4.0sec.

**5.4 Intersection Impact Assessment and Mitigation**

As previously observed, traffic volumes in the study area are very low. Therefore, intersection operation has been assessed based on the Austroads’ capacity guidelines shown by Table 5-3:

**5.4.1 Kingaroy Burrandowan Road / Mannuem Road Impact Assessment and Mitigation**

Figure 5-2 shows estimated 2032 design year peak hour traffic volumes on Kingaroy Burrandowan Road (the major road) are 62vph and on Mannuem Road (the cross road) are 31vph. Therefore, in accordance with Austroads (2009), capacity analysis of the Kingaroy Burrandowan Road / Mannuem Road intersection is unnecessary.

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannuem Road, Mannuem  
 Traffic Impact Assessment



**5.4.2 Bunya Highway / Mannuem Road Impact Assessment and Mitigation**

Figure 5-2 shows estimated 2032 design year peak hour traffic volumes on Bunya Highway (major road) are 315vph and on Mannuem Road (cross road) are 31vph. Therefore, in accordance with Austroads (2009), capacity analysis of the Bunya Highway / Mannuem Road intersection is unnecessary.

**5.5 Pavement Impact Assessment**

The significance of pavement impacts on Mannuem Road were estimated in accordance with the "Guide to Traffic Impact Assessment Practice Note: Pavement Impact Assessment" (Department of Transport and Main Roads, December 2018).

With a current AADT volume of 84 vehicles per day and with 25% heavy vehicles (Figure 2-6), it is estimated that there will be 21 heavy vehicles per day on Mannuem Road in the opening year. Therefore, it is estimated that in an average year there will be 7,665 heavy vehicles on Mannuem Road. The GTIA Practice Note shows that TMR provide standard rates based on survey data for the number of Standard Axle Repetitions (equivalent standard axles) per heavy vehicle with a load damage exponent of 4 (SAR4s (ESAs) / HV) to be 2.8 for the Bruce Highway and 3.2 for all other roads. Table 2-1 showed that the largest vehicle currently operating on Mannuem Road is B-doubles (ARX Classification 11). Considering that the Bruce Highway does not permit road trains (ARX classification 12) but many other state-controlled roads do, a rate of 2.8 ESA/HV is considered more appropriate for Mannuem Road.

With an estimated heavy vehicle traffic volume of 7,665 per year and 2.8 ESA/HV, it is estimated that background traffic loads on Mannuem Road are 21,462 ESA. No directional factor is applied to this traffic load as the width of the Mannuem Road seal results in the wheel paths of vehicles travelling in opposite directions overlapping.

Haulage is expected to be by B-double, refer Section 4.1.2. The GTIA Practice Note specifies B-doubles to have 0.53 SAR4 per HV for unloaded movements and 6.30 SAR4 per HV for loaded movements. With Mannuem Road being a single lane, two-way road and development traffic having an equal distribution of inbound/outbound loaded/unloaded vehicles, the average of loaded and unloaded rates will be used for further calculations (i.e. 3.42).

Incoming cattle are to be to/from the South (refer Section 4.2) and consist of 72 incoming deliveries per year (Table 4-1), or 144 trips per year. It is therefore estimated that development loadings for incoming cattle deliveries will be 492 SAR4 per year to the South of the access road.

Outgoing cattle are to be to/from the North (refer Section 4.2) and consist of 94 outgoing cattle deliveries per year (Table 4-1), or 188 trips per year. It is therefore estimated that development loadings for outgoing cattle deliveries will be 642 SAR4 per year to the North of the access road.

Incoming grain/feedstuffs and outgoing manure are to be to/from the North and South (refer Section 4.2). With 237 incoming grain and feedstuff deliveries per year and 22 outgoing manure deliveries per year, there will be 259 deliveries per year (i.e. 518 trips per year). It is therefore estimated that development loadings for incoming grain/feedstuffs and outgoing manure will be 885 SAR4 per year to the North and 885 SAR4 per year to the South of the access road.



Glenvilian Pastoral Company Pty Ltd  
 Glenvilian Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



Summing the development loadings for each delivery type, taking into account trip distribution to the North and South of the access road, development loadings on Mannum Road are expected to consist of:

- 1,527 SAR4 per year to the North of the access road; and
- 1,377 SAR4 per year to the South of the access road.

Therefore, in accordance with the GTA Practice Note the impact development traffic loading has on Mannum Road is estimated to be:

- 7.1% North of the access road; and
- 6.4% South of the access road.

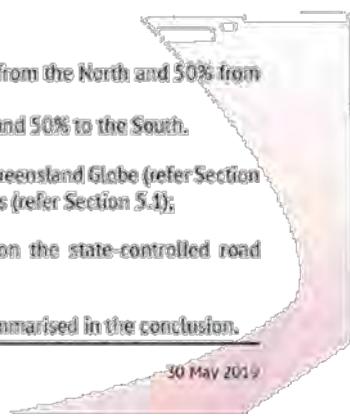
With impacts being greater than 5%, the proposed feedlot expansion is considered to have a significant impact on the Mannum Road pavement.

In order to progress the Mannum Road pavement impact assessment further, additional information is required from SBRC. Further assessment may determine that mitigation is required which may include monetary contributions and/or upgrade works.

**6 INFORMATION REQUEST RESPONSE**

The following comments respond to the points raised in the DSDMIP information request attached in Appendix A:

- i) Development traffic generation has been estimated in Section 4.1. It is conservatively assumed that the feedlot expansion will generate four (4) light vehicle trips per day and four (4) heavy vehicle trips per day;
- ii) The largest vehicle generated by the proposed development is expected to be a B-double, (refer Section 4.1.2);
- iii) Haulage routes between the development site and the state-controlled road network are shown by Figure 3-1 and use only Mannum Road;
- iv) Development traffic is expected to be distributed as detailed in Section 4.2 where:
  - Incoming cattle deliveries will be from the South;
  - Outgoing cattle deliveries will be to the North;
  - Incoming grain and feedstuffs deliveries will be 50% from the North and 50% from the South; and
  - Outgoing manure deliveries will be 50% to the North and 50% to the South.
- v) Current traffic count data was obtained from SBRC, TMR and Queensland Globe (refer Section 2.4) and used to estimate without development traffic volumes (refer Section 5.1);
- vi) Development traffic volumes are not expected to impact on the state-controlled road network, refer Section 5.1; and
- vii) Proposed recommendations and mitigation techniques are summarised in the conclusion.



Glenvillan Pastoral Company Pty Ltd  
 Glenvillan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment



The SBRC information request attached in Appendix A, requested a pavement impact assessment and SBRC clarified that this was to be based on TMR guidelines. Assessment of pavement impacts in accordance with "Guide to Traffic Impact Assessment Practice Note: Pavement Impact Assessment" (refer Section 5.5) determined that the development traffic loading will have a significant impact on the pavement of Mannum Road. It has been concluded that additional information from SBRC is required to determine if mitigation is required. Pavement impact mitigation may include monetary contributions and/or upgrade works.

**7 CONCLUSIONS AND RECOMMENDATIONS**

**7.1 Summary of Impacts and Mitigation Measures**

Based on the preceding discussion and analysis the following conclusions are drawn.

- The proposed feedlot expansion will generate four (4) light vehicle trips per day and four (4) heavy vehicle trips per day;
- No existing road safety issues were identified that require immediate mitigation and the proposed feedlot expansion is not expected to increase the risk associated with existing road safety issues;
- A road environment safety assessment determined that any changes to the road environment do not require a road safety audit but should be subject to a road safety assessment. A road safety assessment may be conducted by either an accredited road safety auditor (RSA) or a registered professional engineer of Queensland (RPEQ);
- As Mannum Road currently carries less than 100vpd and traffic growth in the area has historically been low (refer Section 2.4), it is concluded that the existing 4m wide seal with 1m wide unsealed shoulders provides an acceptable Mannum Road cross section at the development site access in accordance with the EDD;
- Traffic volumes on Mannum Road are very low and no capacity issues are expected at any associated intersections or the development access over the design life of the project;
- Sight distances at the development access on Mannum Road were assessed as acceptable in accordance with the GTIA; and
- Assessment of pavement impacts determined that the development traffic loading will have a significant impact on the pavement of Mannum Road. It has been concluded that additional information from SBRC is required to determine if mitigation is required. Pavement impact mitigation may include monetary contributions and/or upgrade works.

**7.2 Certification Statement and Authorisation**

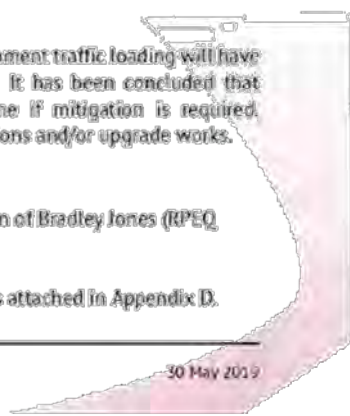
This report was prepared by Daniel Marais under the direct supervision of Bradley Jones (RPEQ 19986).

Traffic Impact Assessment Certification in accordance with the GTIA is attached in Appendix D.

Traffic Impact Assessment  
 CPB-TE19 Rev A

Page 24 of 26

30 May 2019



**APPENDIX A  
INFORMATION REQUESTS**





Department of  
State Development,  
Manufacturing,  
Infrastructure and Planning

Our reference: 1901-9509 SRA  
Your reference: 17T00-1178 Rev: A  
Council reference: NCU190001

14 February 2019

Glennivan Pastoral Company Pty Ltd  
C/- Premise Agriculture  
PO Box 2175  
TOOWOOMBA QLD 4350  
matt.norton@premise.com.au

Attention: Mr Matt Norton

Dear Mr Norton

**Information request**

(Given under Section 12 of the Development Assessment Rules)

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) has carried out a further review of your development application for the following premises:

**Location details**

Street address:	226 Mannum Road, MANNUM
Real property description:	Lot 2 on B046
Local government area:	South Burnett Regional Council

The department has determined that the following additional information is needed to assess the application:

**Network Impacts (Safety)**

- Section 3.4 of the Development Application Report prepared by Premise Agriculture (Reference No. 17T00-1178 Rev: A dated 22 January 2019) provides the following details on traffic generation associated with the proposed development:

*The heavy vehicles utilised for the feedlot are currently B Doubles. Although Mannum Road is not an approved B Double route, Martins Haulage provide transport services from the proposed and have a B Double permit for Mannum Road. They will continue to be utilised for the proposed expansion.*

The proposed development relies on a haulage route for heavy vehicles (specifically B-Double combinations) to transport outgoing cattle between the development site and the state-controlled

Wisc Bay Burnett regional office  
Level 1, 7 Takavan Street, Sunaberg  
PO Box 979, Bundaberg QLD 4670

1501-9508 6RA

road network that are not gazetted as-of-right routes for B-Double combinations, specifically Kingaroy-Burrandowan Road, Mannum Road and Aerodrome Road.

The applicant is requested to provide the following information to demonstrate compliance with Performance Outcomes PO1 of State Code 6 (Protection of state transport networks):

- written evidence from the National Heavy Vehicle Regulator (NHVR) that approval has been issued, or alternatively supported, for B-Double multi combination vehicles to use Mannum Road or any other road on the nominated haulage route between the subject site (Lot 2 on B066) and the approved multi combination route (Bunya Highway)

In this regard, assumptions that involve the use of B-Double multi combination vehicles for the transport of cattle/grain associated with the proposed development cannot be accepted until it can be demonstrated that B-Double combination vehicles can lawfully use the roads along the nominated route(s).

Note: Where this cannot be demonstrated, the development traffic must be based on vehicle combination of regulation mass limits and as-of-right for the road network. It is recommended that a sensitivity analysis be included based on:

- i) B-Double combinations; and
- ii) Regulation mass limits that do not require National Heavy Vehicle Regulator (NHVR) approval

Guidance about what roads are approved for multi combination routes can be found on the Department of Transport and Main Roads' website (<http://www.tmr.qld.gov.au>) or the National Heavy Vehicle Regulator website (<http://www.nhvr.gov.au>).

#### Network Impacts (Operating Conditions)

2. As per Item 1 above, Section 3.4 of the Development Application Report prepared by Premise Agriculture (Reference No. 17TCO-1178 Rev. A dated 22 January 2019) provides details of traffic generation associated with the proposed development.

Upon review, it is considered that the application material does not contain sufficient detail regarding the following matters:

- Extent of traffic generation
- Distribution of traffic
- Projected impacts on the state-controlled road network

To demonstrate compliance with PO1 to PO3 of State Code 6 (Protection of state transport networks), the applicant is requested to provide a Traffic Impact Assessment (TIA) in accordance with the Department of Transport and Main Roads' *Guide to Traffic Impact Assessment* (<https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Guide-to-Traffic-Impact-Assessment>). The Traffic Impact Assessment (TIA) must provide the following information:

- i) Identify the number, types and frequency of traffic that will be generated by the proposed development on a daily, AM Peak and PM Peak hour basis. This includes all vehicles such as haul vehicles used to transport incoming and outgoing cattle (loaded and unloaded), grain deliveries (loaded and unloaded), staff and any other traffic that will be generated by, or is required to access to the subject site (Lot 2 on B066) in association with the proposed development;

1901-9508 SRA

- ii) Confirm the largest design vehicle that will access the subject site (Lot 2 on B066) associated with the proposed development. Where no approval or evidence can be obtained through the National Heavy Vehicle Regulator (refer to Item 1 above), any assessment will need to be based on vehicle combinations with regulation mass limits and revise the traffic generation accordingly;
- iii) Please clarify the commonly used haul routes for cattle and grain deliveries between the subject site (Lot 2 on B066) and the state-controlled road network. Please note that assumptions that include B-Double multi combination vehicles along Kingaroy-Burrandowan Road without NHVR approval will not be accepted;
- iv) Please provide the distribution of generated traffic at the Bunya Highway/Mannuum Road intersection and include justification for any assumptions used. This includes identifying the origin/destination for incoming/outgoing cattle, origin/destination for grain deliveries, and any other vehicles generated by, or which require access to the proposed development. Where other intersections are identified as potential haul routes in ii) above, please specify what intersections along the state-controlled road network will be used;
- v) Consider and identify the existing traffic volumes at the Bunya Highway/Mannuum Road intersection for the scenarios specified in i) and ii) above as evidenced by a recent traffic count for the intersection;
- vi) Determine the impact of generated traffic on the state-controlled road network (including the Bunya Highway/Mannuum Road intersection or other impacted intersections or sections of the state-controlled road network) based on the impact assessment year specified in Table 8.5 of the SITIA.
- vii) Where impacts are identified, propose recommendations to ameliorate the impact of the proposed development on the state-controlled road network. Where road upgrades are required, include a preliminary concept of the road work upgrades to demonstrate that the works can be constructed within the existing road corridor. If a SIDRA analysis is used as part of the determination, please forward an electronic copy of SIDRA file(s) with your response.

#### Proposal Plans

3. The applicant is requested to provide an amended Catchment Plan (SK04 Rev A) that includes a description of volumes, areas and dimensions for the relevant catchment areas of the existing feedlot including the sedimentation structures and effluent holding pond. On this plan, the proposed effluent pond volume is inconsistent with that provided in the Concept Plan (SK01 Rev B) and other information in the Development Application Report. Confirm the final volume for the proposed new effluent holding pond and amend plans where appropriate.
4. Provide an amended Property Aerial Plan (SK02 Rev A) illustrating the waste utilisation areas that includes buffers around watercourses and vegetation stands that are mapped as either Matters of State Environmental Significance (MSES) or regulated vegetation (protected under the *Vegetation Management Act 1999*) to minimise the risk of waste utilisation practices directly or indirectly causing environmental harm to these environmental values.

Based on the information provided by the applicant, there appears to be insufficient manure utilisation areas mapped in the information provided. Amend the Property Aerial Plan (SK02 Rev A) to include all other areas onsite where manure may be spread, including buffers to vegetation and waterways where relevant.

Remove the aerial photo from this plan (SK02 Rev A) and include the lot boundary.  
The due date for providing the required information is 14 May 2019. Please complete the relevant task in MyDAS2 to advise the Department of your response to this information request.

Ordinary Council Meeting

25 December 2030

1501-5505-ARA

As the Department's assessment of your application will be based on the information provided, it is recommended that you provide all the information required. If you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and the Department will continue with its assessment of your application without the information required.

As the Department is a referral agency, a copy of this information request will be provided to the assessment manager in accordance with Section 12.3 of the DA Rules.

For further information please contact Peter Mulcahy, Principal Planning Officer, on (07) 4331 5603 or via email [WBBBARA@dadrp.qld.gov.au](mailto:WBBBARA@dadrp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning

cc: South Burnett Regional Council  
[info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

Department of Transport and Main Roads  
[Wbb.Bay.Burnett.DAS@trm.qld.gov.au](mailto:Wbb.Bay.Burnett.DAS@trm.qld.gov.au)

Department of Agriculture and Fisheries  
[LivestockRegulator@daf.qld.gov.au](mailto:LivestockRegulator@daf.qld.gov.au)

Office: Chris Du Plessis  
 Telephone: (07) 4189 9100  
 Ref: MCU19/0001 CDP/LA



22 February 2019

Glenvilan Pastoral Company Pty Ltd  
 C/- Premise Agriculture  
 PO Box 2175  
 TOOWOOMBA QLD 4350

South Burnett Regional Council  
 ABN 87 570 4942  
 PO Box 21  
 Murgoo QLD 461  
 1300 29 29 or (07) 4189 9100  
 www.southburnett.qld.gov.au

Dear Sir/Madam

**Information Request**  
*Planning Act 2016*

I refer to your application and advise that Council requires further information to satisfactorily assess the proposal.

**APPLICATION DETAILS**

Application No: **MCU19/0001**  
 Proposal: **Expansion of Existing Feedlot to 2,500 standard cattle units and Environmental Relevant Activity (ERA) 2(1)(b) Intensive Animal Feedlotting**  
 Street Address: **226 Mannuem Road MANNUEM QLD 4610**  
 Real Property Description: **Lot 2 BO 66**

**INFORMATION REQUIRED**

Council supports in principal the ongoing use and expansion of the subject site for intensive animal keeping and the use's business importance to the region of South Burnett is strongly supported. However, further information on the impacts from the intensification of the use are required for a detailed assessment. The information requested is detailed below:

**1. Transport and Traffic**

The subject site obtains heavy vehicle access from Mannuem Road which is not identified as a heavy vehicle route. With the expansion of the feed lot, trip generation and the use of B double trucks will increase and may have an impact upon the existing road networks and consequently, potentially impact surrounding uses.

Submit a Traffic Impact Statement for the site and the proposed use to address, access, parking, servicing and the impacts upon the surrounding transport network. In the scope of the report, include a comprehensive response to the matters raised within the information request by the DSCMIP dated 14 February 2019. A pavement impact assessment is recommended to be included.

**2. Site plan and reporting**

A review of the development application report has described the application with respect to existing built form on the site and the surrounding sensitive receptors within 3 kilometres of existing

**Customer Service Centres**

- Northcott at Red Street
- Murgoo at 428 Spicers Road West
- Murgoo at Glendalwood
- Warialda at Connaught & South Street
- Manonga at Connaught Street

facility. However, the report is not considered to accurately identify all sensitive receptors or accurately detail the use of existing buildings on site.

Submit an amended site plan identifying all sensitive receptors within 3 kilometres of the existing facility and detail all structures on the site and their associated uses. There is particularly a lack of information regarding the use of structures within the existing feed processing area.

An assessment and evaluation of the intensification of the use is yet to be provided demonstrating how the expansion of the proposed use will not impact upon adjoining land uses and the surrounding land uses.

### 3: Other

Please confirm/clarify if staging the use is proposed in any way, to ensure an accurate assessment and decision. Provide any details with respect to staging and any required updated reports and/or plans.

Under the provisions of the *Development Assessment Rules 2017*, you have three options available in response to this Information Request. You may give the assessment manager (in this instance Council):

- (a) all of the information requested; or
- (b) part of the information requested; or
- (c) a notice that none of the information will be provided.

For any response given in accordance with items (b) and (c) above, you may also advise Council that it must proceed with its assessment of the development application.

Please be aware that under the *Development Assessment Rules 2017*, the applicant is to respond to any Information Request within 3 months of the request. If you do not respond to the Information Request within this time period, or, within a further period agreed between the applicant and Council, it will be taken that you have decided not to provide a response. In the event of no response being received, Council will continue with the assessment of the application without the information requested.

Council prefers that all of the information requested be submitted as one package. If any additional matters arise as a result of the information submitted, or, as a result of public notification (where applicable), you will be advised accordingly.

Should any referral agency make an information request, you are reminded of your obligation to provide council with a copy of the information response provided to that referral agency.

Please do not hesitate to contact our office should you have any further queries in relation to the above.

Yours faithfully

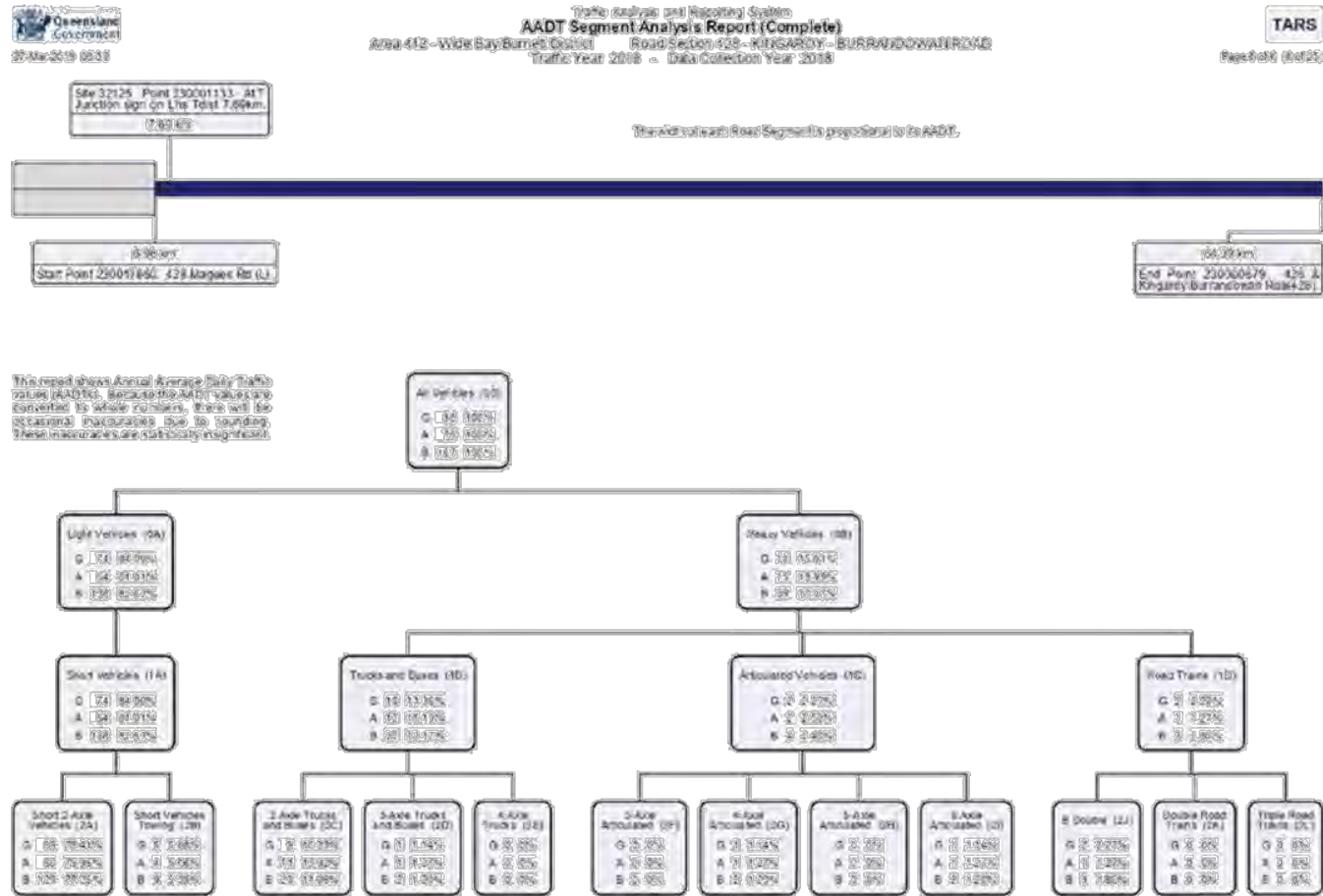


Chris Du Plessis  
MANAGER PLANNING & LAND MANAGEMENT

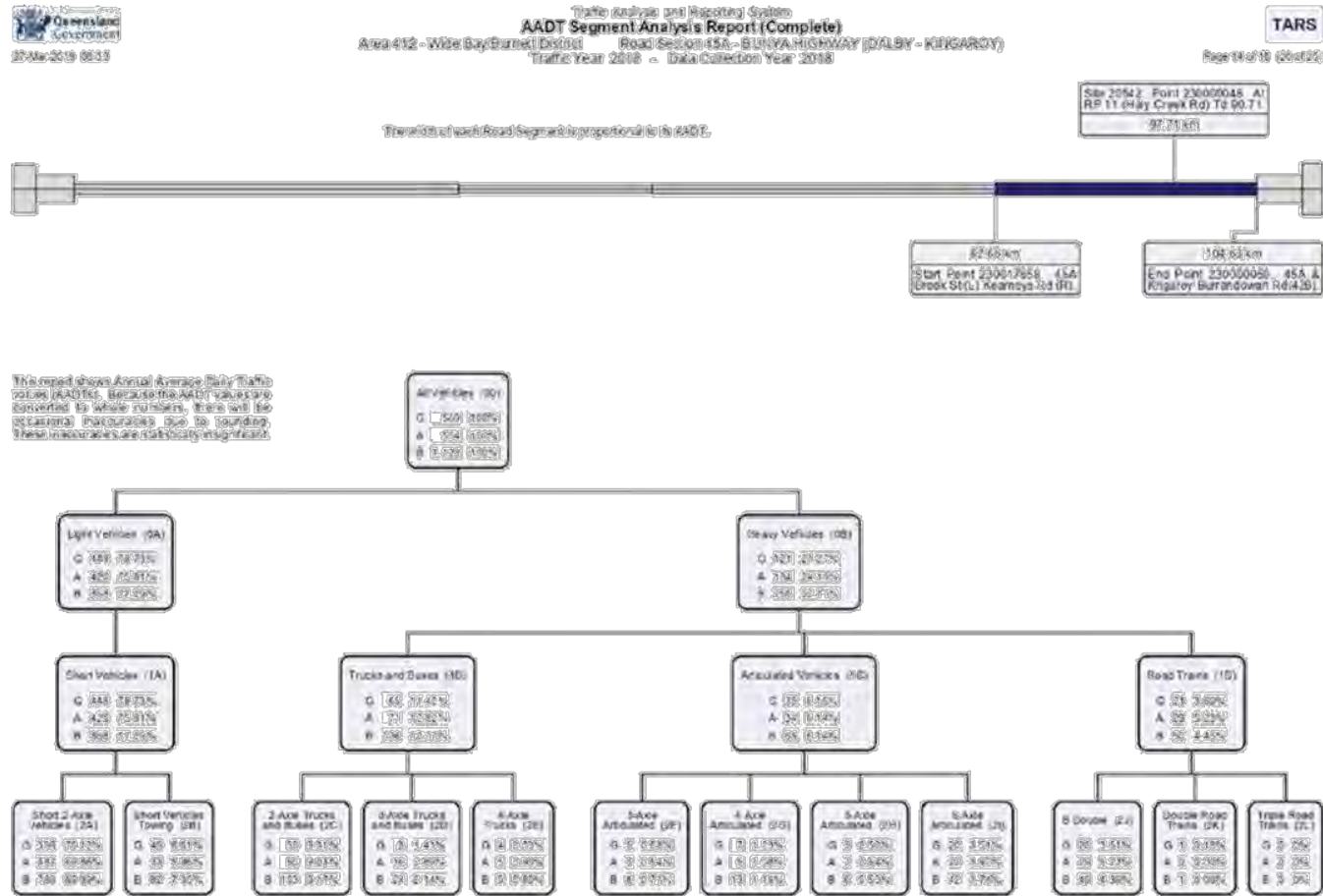


**APPENDIX B**  
**TRAFFIC ANALYSIS AND REPORTING SYSTEM DATA**

















Traffic Analysis and Reporting System  
**AADT Segment Analysis Report (Complete)**  
 Area 412 - Wide Bay/Burnie District Road Section 45A - BUNYA HIGHWAY (DALBY - KINGAROO)  
 Traffic Year 2016 - Data Collection Year 2018

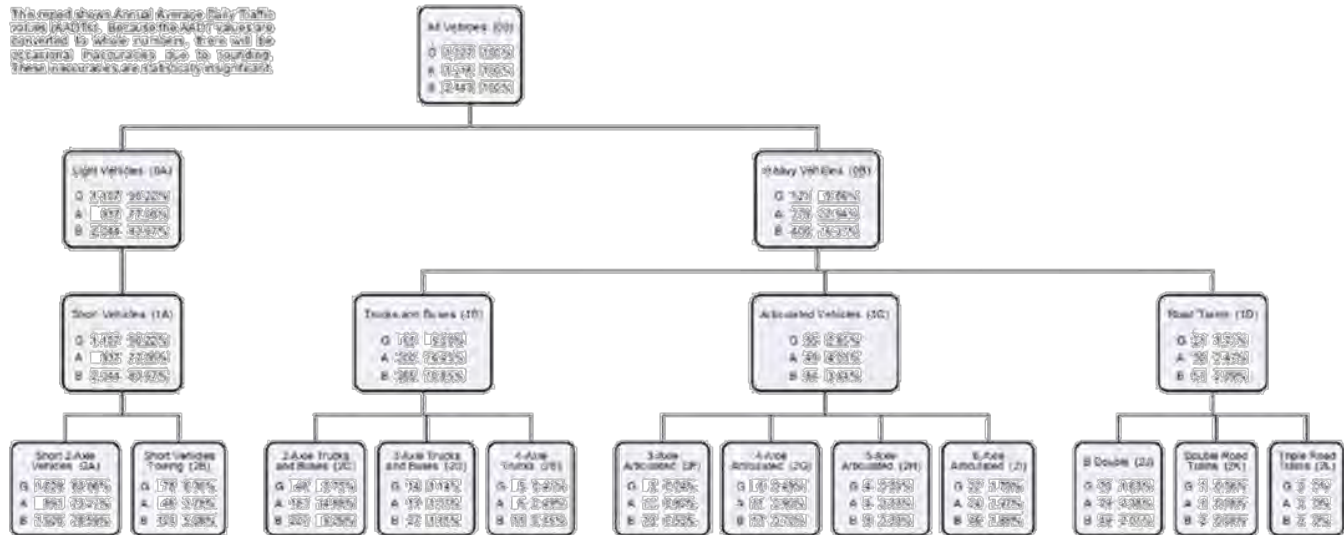
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Page 18 of 18 (4/26/20)

The width of each Road Segment is proportional to its AADT.



The report shows Annual Average Daily Traffic counts (AADT). Because the AADT values are converted to whole numbers, there will be occasional inaccuracies due to rounding. These inaccuracies are not statistically significant.





Traffic Analysis and Reporting System  
**Report Notes for AADT Segment Analysis Report (Complete)**



Page 1 of 1 (25 of 25)

**AADT Segment Report**

Provides AADT Segment details for a Road Section together with the traffic flow data collected at the related Site. Traffic data is reported by the start and end Through Distance of the AADT Segment on each section of road. The road segments are represented diagrammatically with AADT data including:

- AADT by direction of traffic flow
- VKT Vehicle Kilometres Travelled
- PVD Percentage Vehicle Miles per the Australian vehicle classification scheme

**Annual Average Daily Traffic (AADT)**

Annual Average Daily Traffic (AADT) is the number of vehicles passing a point on a road in a 24 hour period, averaged over a calendar year.

**AADT Segment**

Is a subdivision of a Road Section. The boundaries of an AADT Segment are its Start Point and End Point (or Start and End Through Distance (TDist)) within the Road Section. These distances are measured in kilometres from the beginning of the Road Section in Gazetteal Direction. AADT Segments are determined by the traffic volume collected at a count Site, located within the limits of each AADT Segment.

**Annual Segment Growth (when displayed)**

A percentage that represents the increase or decrease in AADT for the AADT Segment using an exponential fit, calculated over a 1, 5 or 10 year period.

**Area**

For administrative purposes the Department of Transport and Main Roads has divided Queensland into 12 Districts. The Area field in TARS reports displays the District Name and Number.

District Name	District
Central West District	401
Eastern Downs District	402
Far North District	403
Flinders District	404
Macay North Coast District	405
Metropolitan District	406
North Coast District	407
North West District	408
North West District	409
North West District	410
South West District	411
Wide Bay/Burnett District	412

**Data Year**

The most recent year the traffic data was collected for this AADT Segment.

**Gazetteal Direction**

The Gazetteal Direction is the direction of the traffic flow. It can be easily recognised by referring to the name of the road eg. Road Section 10A Brisbane - Gympie denotes that the gazetteal direction is from Brisbane to Gympie.

- Traffic Flow by Gazetteal Direction
- Traffic Flow by Segment Gazetteal Direction
- The combined traffic flow in both directions

**Road Section**

Is the Gazetteal road from which the traffic data is collected. Each Road Section is given a code, allocated sequentially in Gazetteal Direction. Longer roads are broken down into sections and identified by an ID code with a suffix for consistent collection and reporting (eg. 10A, 10B, 10C). Road Sections are then broken into AADT Segments which are determined by traffic volume.

**Site**

The physical location of a traffic counting device. Sites are located at a specified Through Distance along a Road Section.

**Site TDist**

The Through Distance in gazetteal direction from the start of the Road Section at which the site is located.

**Site Description**

The description of the physical location of the traffic counting device.

**Start and End Point**

The unique identifier for the Through Distance along a Road Section.

**Through Distance**

The distance, in kilometres, from the beginning of the Road Section in Gazetteal Direction.

**Traffic Class**

Is the 12 Australian vehicle categories or classes into which vehicles are placed or banded. Traffic classes are formed in a hierarchical format.

**Volume or All Vehicles**

00 = All vehicles

**Light Vehicles**

0A = LA

1A = 2A to 2B

**Heavy Vehicles**

0B = 3A to 3C to 3D

1B = 4A to 4B to 4C

1C = 5A to 5B to 5C to 5D

1D = 6A to 6B to 6C

The following classes are the categories for which data can be captured:

**Volume**

00 All vehicles.

**2-Bin**

0A Light vehicles

0B Heavy vehicles

**4-Bin**

1A Light vehicles

1B Truck or bus

1C Articulated vehicle

1D Road train

**12-Bin**

0A Short Single vehicles

0B Short truck or bus

0C Long truck or bus

0D Long truck or bus

0E Caravan

0F Semi-articulated vehicle

0G Articulated vehicle

0H Semi-articulated vehicle

0I Semi-articulated vehicle

0J Bus/coach

0K Double road train

0L Triple road train

**Vehicle Kilometres Travelled (VKT)**

Daily VKT is a measure of the traffic demand. It is calculated by the length of an AADT Segment in kilometres multiplied by its AADT. The yearly VKT is the daily VKT multiplied by 365 days.

**AADT Segment Summary - All Vehicles**

The total VKT can be used to gauge the demand on an entire Road Section.

**AADT Segment Summary - Heavy Vehicles only**

A blank cell indicates that vehicle classification data was not collected for this AADT Segment.

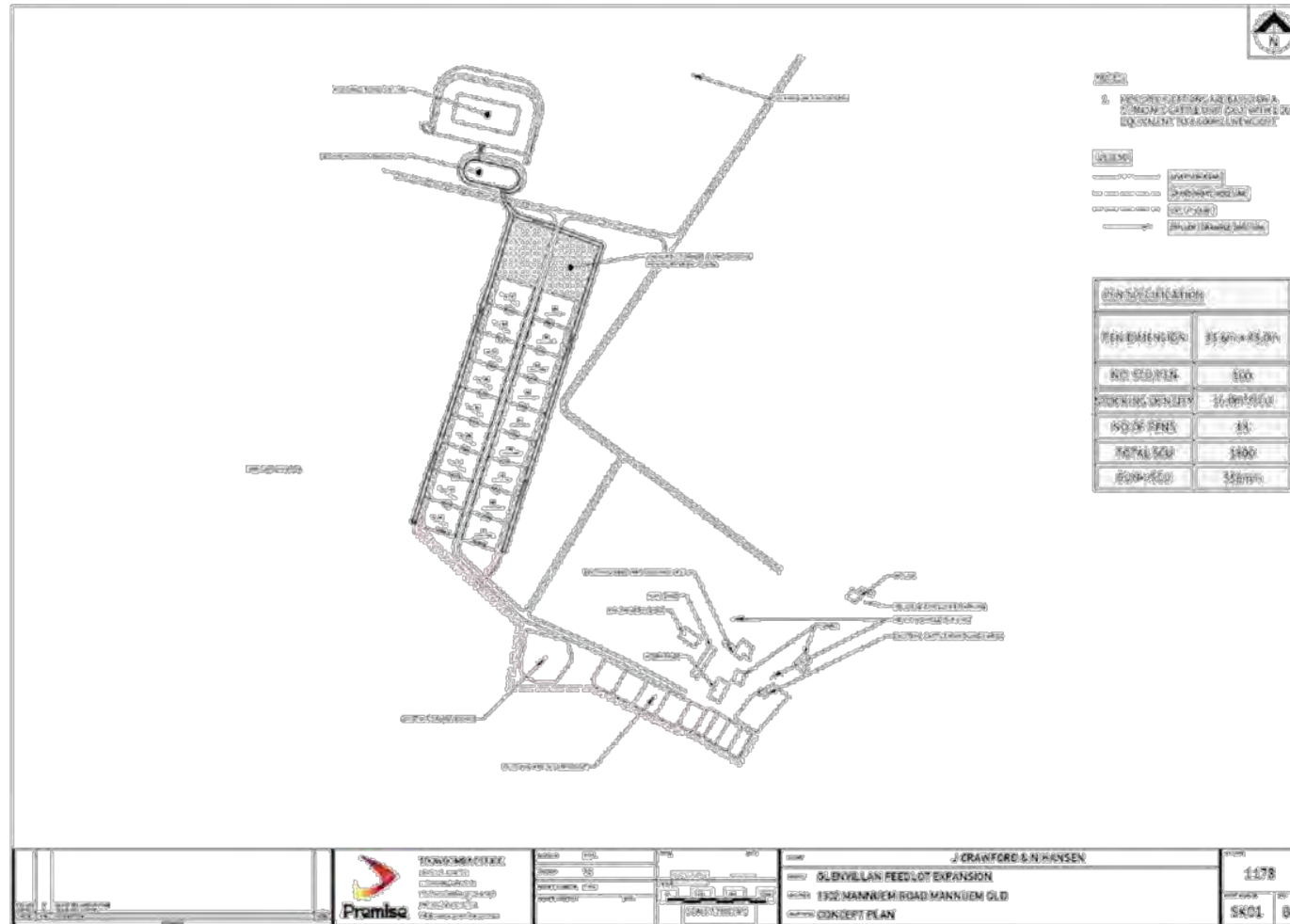
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**APPENDIX C  
DEVELOPMENT SITE PLAN**



**APPENDIX D**  
**TRAFFIC IMPACT ASSESSMENT CERTIFICATION**

Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment Certification



**CERTIFICATION OF TRAFFIC IMPACT ASSESSMENT REPORT  
 REGISTERED PROFESSIONAL ENGINEER QUEENSLAND  
 FOR**

<b>Project Title</b>	Glenwillan Feedlot Expansion
----------------------	------------------------------

As a professional engineer registered by the Board of Professional Engineers of Queensland pursuant to the *Professional Engineers Act 2002* as competent in my areas of nominated expertise, I understand and recognise:

- The significant role of engineering as a profession; and that
- The community has a legitimate expectation that my certification affixed to this engineering work can be trusted; and that
- I am responsible for ensuring its preparation has satisfied all necessary standards, conduct and contemporary practice.

As the responsible RPEQ, I certify:

- i) I am satisfied that all submitted components comprising this traffic impact assessment, listed in the following table, have been completed in accordance with the Guide to Traffic Impact Assessment published by the Queensland Department of Transport and Main Roads and using sound engineering principles; and
- ii) Where specialised areas of work have not been under my direct supervision, I have reviewed the outcomes of the work and consider the work and its outcomes as suitable for the purposes of this traffic impact assessment; and that
- iii) The outcomes of this traffic impact assessment are a true reflection of results of assessment; and that
- iv) I believe the strategies recommended for mitigating impacts by this traffic impact assessment, embrace contemporary practice initiatives and will deliver the desired outcomes.

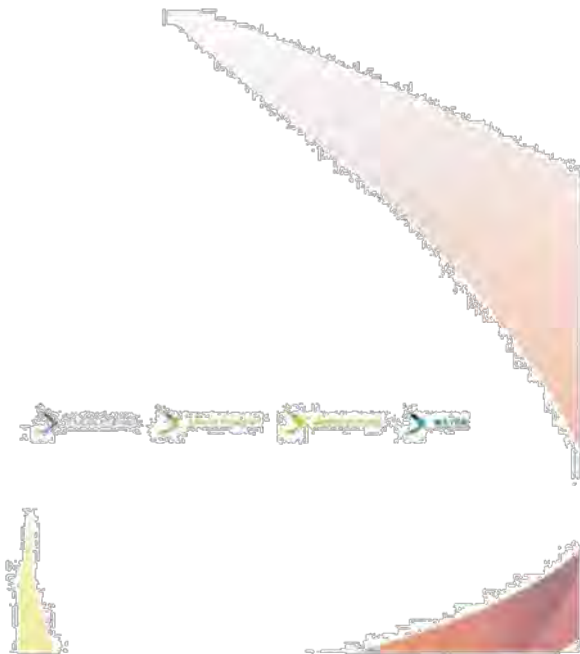
<b>Name</b>	Bradley Jones
<b>RPEQ No.</b>	19986
<b>RPEQ Competencies</b>	Civil
<b>Email</b>	<a href="mailto:Bradley.jones@premise.com.au">Bradley.jones@premise.com.au</a>
<b>Postal Address</b>	PO BOX 1110, Townsville QLD 4810
<b>Signature</b>	
<b>Date</b>	30 May 2019



Glenwillan Pastoral Company Pty Ltd  
 Glenwillan Feedlot Expansion – 226 Mannum Road, Mannum  
 Traffic Impact Assessment Certification



Traffic impact assessment components to which this certification applies	<input checked="" type="checkbox"/>
<b>1. Introduction</b>	
Background	<input checked="" type="checkbox"/>
Scope and study area	<input checked="" type="checkbox"/>
<del>Pre-judgment meeting notes</del> Information Requests	<input checked="" type="checkbox"/>
<b>2. Existing Conditions</b>	
Land use and zoning	<input checked="" type="checkbox"/>
Adjacent land uses / approvals	<input checked="" type="checkbox"/>
Surrounding road network details	<input checked="" type="checkbox"/>
Traffic volumes	<input checked="" type="checkbox"/>
Intersection and network performance	<input type="checkbox"/>
Road safety issues	<input checked="" type="checkbox"/>
Site access	<input checked="" type="checkbox"/>
Public transport (if applicable)	<input type="checkbox"/>
Active transport (if applicable)	<input type="checkbox"/>
Parking (if applicable)	<input type="checkbox"/>
Pavement (if applicable)	<input type="checkbox"/>
Transport infrastructure (if applicable)	<input type="checkbox"/>
<b>3. Proposed Development Details</b>	
Development site plan	<input checked="" type="checkbox"/>
Operational details (including year of opening each stage and any relevant catchment / market analysis)	<input checked="" type="checkbox"/>
Proposed access and parking	<input checked="" type="checkbox"/>
<b>4. Development Traffic</b>	
Traffic generation (by development stage if relevant and considering light and heavy vehicle trips)	<input checked="" type="checkbox"/>
Trip distribution	<input checked="" type="checkbox"/>
Development traffic volumes on the network	<input checked="" type="checkbox"/>
<b>5. Impact Assessment and Mitigation</b>	
With and without development traffic volumes	<input checked="" type="checkbox"/>
Construction traffic impact assessment and mitigation (if applicable)	<input type="checkbox"/>
Road safety impact assessment and mitigation	<input checked="" type="checkbox"/>
Access and frontage impact assessment and mitigation	<input checked="" type="checkbox"/>
Intersection <del>delay</del> impact assessment and mitigation	<input checked="" type="checkbox"/>
Road link capacity assessment and mitigation	<input type="checkbox"/>
Pavement impact assessment <del>and mitigation</del>	<input checked="" type="checkbox"/>
Transport infrastructure impact assessment and mitigation	<input type="checkbox"/>
Information Request Response	<input checked="" type="checkbox"/>
<b>6. Conclusions and Recommendations</b>	
Summary of impacts and mitigation measures proposed	<input checked="" type="checkbox"/>
Certification statement and authorisation	<input checked="" type="checkbox"/>





Our reference: 1951-9505 SRA  
 Your reference: NCU19.0001  
 Applicant reference: 17TCO-1178 Rev.A

18 June 2021

The Chief Executive Officer  
 South Burnett Regional Council  
 PO Box 336  
 KINGAROO QLD 4610

[info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

Attention: Ms Sam Dunstan

Dear Ms Dunstan

## SARA Response – 226 Mannuem Road, MANNUEM (Lot 2 on BO66)

(Given under Section 56 of the Planning Act 2016)

The development application described below was confirmed as being properly referred to the State Assessment and Referral Agency (SARA) on 4 February 2019.

### Response

Outcome:	Referral Agency Response under Section 56(1)(b) of the Planning Act 2016 (with conditions)
Date of response:	18 June 2021
Conditions:	The approval is subject to the conditions in <b>Attachment 1</b>
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development Details

Description:	Development Permit for Material Change of Use – Expansion of existing Feedlot to 2,300 standard cattle units (SCUs)  Environmentally Relevant Activity (ERA) No. 2 – Intensive Animal Feedlotting – more than 1,000 SCUs but not more
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Page 1 of 8

With: Bay Burnett regional office  
 Level 1, 7 Takavan Street, Sunnyside  
 PO Box 979, Bundaberg QLD 4670

1501-5505 SRA

	than 10,000 SCUs
SARA role:	Referral agency
SARA triggers:	Schedule 10, Part 5, Division 4, Table 2, Item 1 – Non-devolved Environmentally Relevant Activities  Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on State transport infrastructure and thresholds (Planning Regulation 2017)
SARA reference:	1501-5505 SRA
Assessment Manager:	South Burnett Regional Council
Street address:	225 Mansueth Road, MANNUEM
Real property description:	Lot 2 on B066
Applicant name:	Glennivan Pastoral Company Pty Ltd
Applicant contact details:	GI- Agricultural Development Services Pty Ltd PO Box 202 TOOWOOMBA QLD 4350 <a href="mailto:matt.norton@agds99.com.au">matt.norton@agds99.com.au</a>
Environmental Authority:	This referral included an application for an Environmental Authority under Section 115 of the <i>Environmental Protection Act 1994</i> . Below are the details of the decision: <ul style="list-style-type: none"> <li>• Approved subject to conditions</li> <li>• Reference: EA.2019-11</li> <li>• Effective date: On the date the approval MCU190001 takes effect</li> <li>• Prescribed Environmentally Relevant Activity (ERA)</li> </ul>

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (Section 30 of the Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Peter Mulcahy, Principal Planning Officer, on (07) 4331 5603 or via email [WBS\\_SARA@ds.dfo.gov.au](mailto:WBS_SARA@ds.dfo.gov.au) who will be pleased to assist.

Yours sincerely



**Luke Lankowski**  
**Manager, Planning – Wide Bay Burnett**

enc Attachment 1 – Referral agency conditions  
Attachment 2 – Advice to the applicant  
Attachment 3 – Reasons for referral agency response  
Attachment 4 – Representations about a referral agency response

State Assessment and Referral Agency (SARA)

Page 2 of 6

1901-9508 SRA

Attachment 5 – Approved plans and specifications

cc [Gerrilan Pastoral Company Pty Ltd](#)  
[G- Agricultural Development Services Australia Pty Ltd](#)  
[mail.nor@adpsa.com.au](mailto:mail.nor@adpsa.com.au)

[Department of Transport and Main Roads](#)  
[Wide\\_Bay\\_Bonnet\\_IDAS@tmr.qld.gov.au](mailto:Wide_Bay_Bonnet_IDAS@tmr.qld.gov.au)

[Department of Agriculture and Fisheries](#)  
[livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au)

1501-5505 SRA

**Attachment 1—Referral agency conditions**

(Under Section 56(1)(b)) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<p><b>Development Permit for Material Change of Use – Expansion of existing Feedlot to 2,300 standard cattle units (SCUs)</b></p>		
<p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 of the Planning Regulation 2017—The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
<p>1.</p>	<p>The development must be carried out generally in accordance with the following reports:</p> <ul style="list-style-type: none"> <li>• <i>Development Application Report</i>, prepared by Premise, Reference No. 17TCC-1178 Rev A, dated 22 January 2018, specifically:                             <ul style="list-style-type: none"> <li>- Section 3.2 Cattle Numbers and Assumptions</li> <li>- Section 3.4 Traffic Generation</li> </ul> </li> <li>• <i>Traffic Impact Assessment</i>, prepared by Premise, Reference No. 17TCC-1178R01 (Rev. A) dated 30 May 2018, specifically:                             <ul style="list-style-type: none"> <li>- Section 4.1.2 (Heavy Vehicles)</li> <li>- Section 4.3 (Development Traffic Volumes on the Network)</li> </ul> </li> </ul>	<p>Prior to the commencement of use and to be maintained at all times.</p>
<p>Schedule 10, Part 5, Division 4, Table 2, Item 1 of the Planning Regulation 2017—The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Agriculture and Fisheries to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):</p>		
<p>2.</p>	<p>Development authorised under this approval for Environmentally Relevant Activity No. 2 (Intensive Animal Feedlotting) is limited to 2,300 Standard Cattle Units (SCUs), 499 SCUs in the existing feedlot and 1801 SCUs in the proposed new feedlot and shown in:</p> <ul style="list-style-type: none"> <li>- <i>Typical Pen Layout</i>, prepared by Premise, Drawing No. SK03, Revision A, dated 13 November 2018</li> <li>- <i>Proposed Feedlot Catchment Plan</i>, prepared by Premise, Drawing No. SK04, Revision B dated 26 July 2019</li> <li>- <i>Sedimentation System Typical Layout</i>, prepared by Premise, Drawing No. SK05, Revision A dated 12 November 2018.</li> </ul>	<p>Prior to commencement of use and to be maintained at all times.</p>



1501-9505 SRA

**Attachment 2—Advice to the applicant**

General Advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the <i>State Development Assessment Provisions (SDAP) v2.5</i> . If a word remains undefined it has its ordinary meaning.
B-double use	
2.	<p>Insufficient information has been provided within the application material to support B-Double haulage on Kingaroy-Burrandowan Road which is not identified as an as-of right B-Double route.</p> <p>It is recommended that you contact the <a href="#">National Heavy Vehicle Regulator (NHVR)</a> to acquire the permits necessary for B-double vehicles to haul on the Kingaroy-Burrandowan Road.</p>

1501-9505 SRA

**Attachment 3—Reasons for referral agency response***(Given under Section 58(7) of the Planning Act 2016)***The reasons for the SARA decision are:**

The proposed development complies with the assessment benchmarks and purpose statement within State Code 6: Protection of state transport networks and State Code 22: Environmentally relevant activities of the State Development Assessment Provisions.

Conditions have been applied to ensure compliance with State Code 6 and State Code 22 in relation to the approved plans and reports referencing the scale and intensity of the proposed development.

**Material used in the assessment of the application:**

- The development application material
- *Planning Act 2016.*
- *Planning Regulation 2017.*
- *The State Development Assessment Provisions (Version 2.5).*
- *The Development Assessment Rules (DA Rules).*
- *SARA DA Mapping system.*
- *Human Rights Act 2019.*

1501/3509 SRA

**Attachment 4—Representations about a referral agency response**

State Assessment and Referral Agency (SARA)

Page 7 of 8

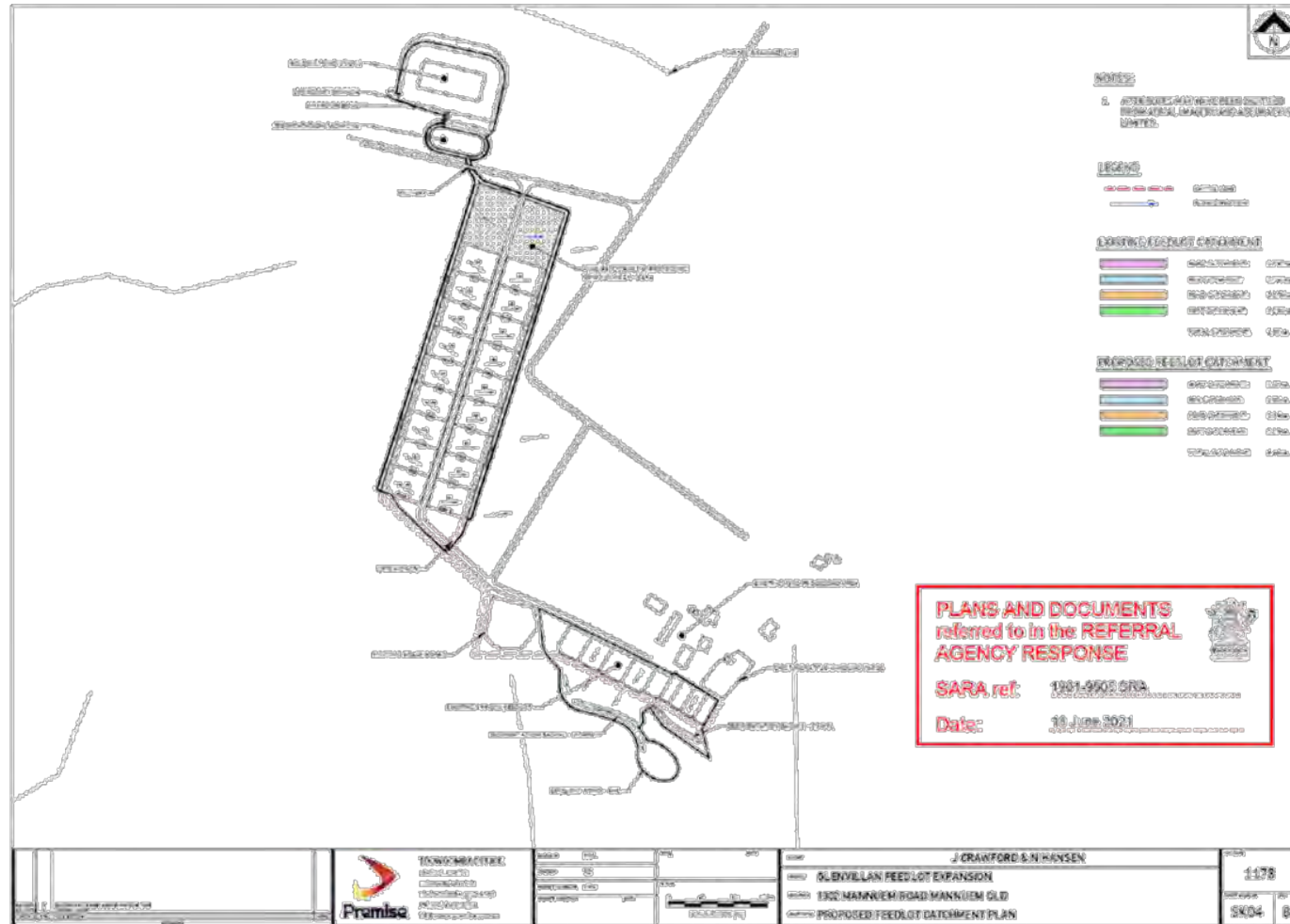
1501/3509 SRA

**Attachment 5—Approved plans and specifications**

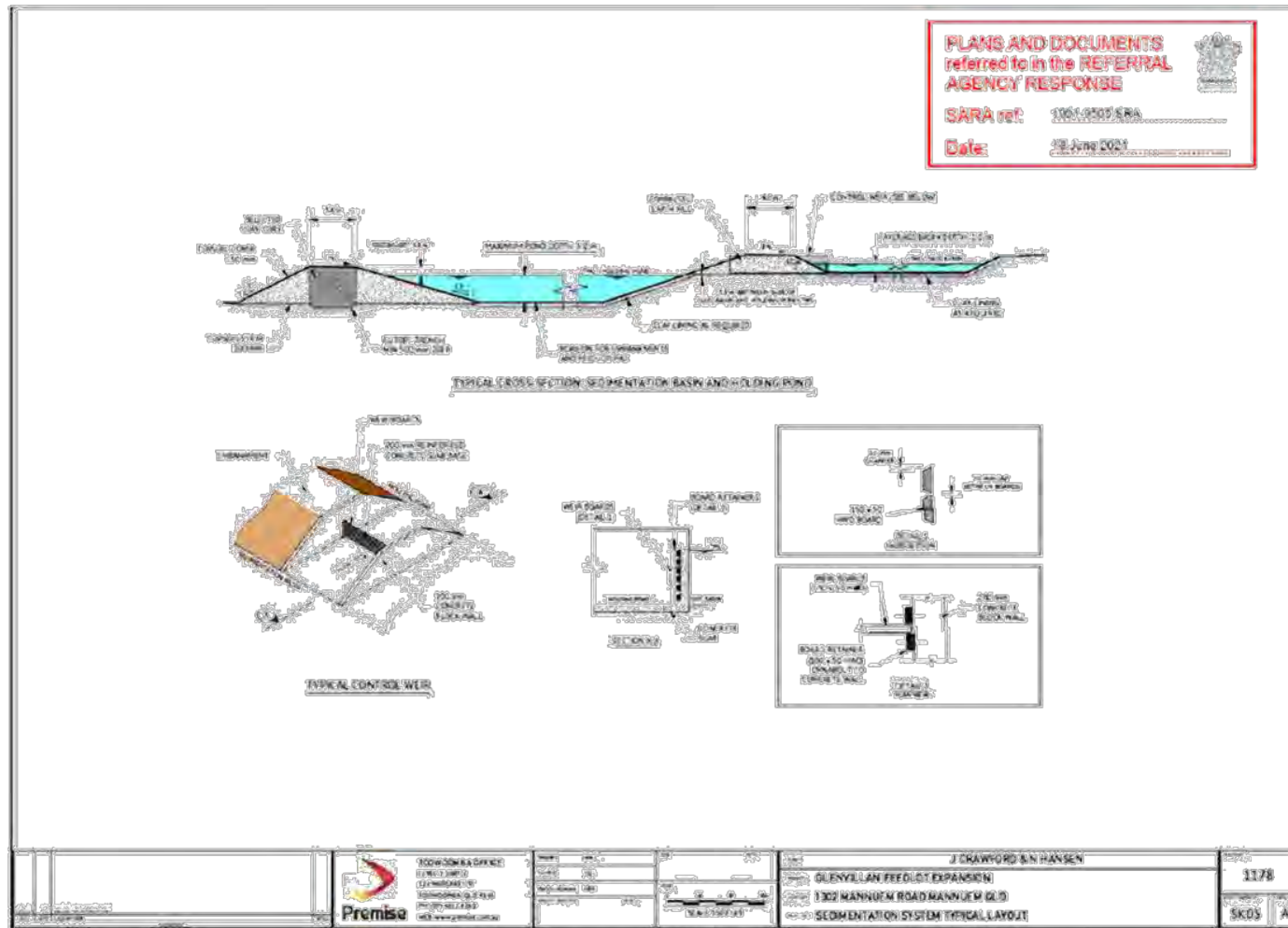
State Assessment and Referral Agency (SARA)

Page 8 of 8









## Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding representations about a referral agency response

### Part 6: Changes to the application and referral agency responses

#### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 25.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

## Part 7: Miscellaneous

### 30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

Overall, there are no conflicts with the planning scheme identified. And reasonable and relevant conditions are included to manage or mitigate potential impacts from the use such that use maintains acceptable amenity outcomes in the locality.

As such, the development can be approved subject to strict adherence with the conditions contained herein.

The proposed operation is well located such that any potential impacts to the surrounding environment can be managed. The closest sensitive receptor is located approximately 1 kilometre from the site. The reporting undertaken to assess these associated impacts confirm that, subject to appropriate operating processes and procedures.

**2. Assessment Benchmarks**

The following are the benchmarks apply to this development:

- South Burnett Regional Council Planning Scheme 2017
- Rural zone code
- Service and Works Code

**3. Compliance with Benchmarks**

ASSESSMENT MATTERS					
<b>Reasons for Decision</b>	The development was assessed against all of the Assessment Benchmarks listed above and complies with all of these with the exception listed below.				
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;"><b>Assessment Benchmark</b></th> <th style="width: 50%;"><b>Reasons for the Approval Despite Non-compliance with Benchmark</b></th> </tr> </thead> <tbody> <tr> <td>PO31 Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood.</td> <td>The use does not incorporate the development of community infrastructure. The development footprint is not constrained by flooding across the site.</td> </tr> </tbody> </table>	<b>Assessment Benchmark</b>	<b>Reasons for the Approval Despite Non-compliance with Benchmark</b>	PO31 Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood.	The use does not incorporate the development of community infrastructure. The development footprint is not constrained by flooding across the site.
	<b>Assessment Benchmark</b>	<b>Reasons for the Approval Despite Non-compliance with Benchmark</b>			
PO31 Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood.	The use does not incorporate the development of community infrastructure. The development footprint is not constrained by flooding across the site.				

Ordinary Council Meeting Agenda

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**0.0 OPERATIONAL WORKS APPLICATION - CODE ASSESSABLE - CLEAN UP OF 26 - 30 STOLZENBERG ST, KINGAROY (LOT 15 ON SP145188) - APPLICANT: WSP AUSTRALIA PTY LIMITED**

**File Number:** OPW21/0004  
**Author:** Engineering Contractor, Planning & Land Management  
**Authoriser:** Chief Executive Officer

**PRECIS**

Development Application for Operational Work – Earthworks for site remediation at 26-30 Stolzenberg Road, Kingaroy – Lot 15 SP145188 – OPW21/0004.

**SUMMARY**

- Application for Operational Work for Earthworks for Site Remediation at 26-30 Stolzenberg Road, Kingaroy – Lot 15 SP145188 – OPW21/0004.
- The proposed Operational Work is approved with conditions.
- These conditions are seen to be in accordance with South Burnett Regional Council Planning Scheme 2017, development guidelines and best practices.

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**OFFICER'S RECOMMENDATION**

It is recommended that Council approve the development application for Operational Work for Earthworks for Site Remediation on land described as Lot 15 SP145188 and situated at 26-30 Stolzenberg Rd, Kingaroy, subject to the following conditions:

**GENERAL**

ENG 1 Compliance with the plans and specifications submitted with Development Application OPW21/0004, approval conditions, and all Council Planning Scheme Policies.

- (a) This approval extends to Earthworks as detailed, and is conditional upon a set of "Issued for Construction" drawings, amended if required by the conditions of this approval, being submitted to Council for endorsement, prior to pre-start meeting.

ENG 2 Undertake all approved works and works required by conditions of this development approval at no cost to Council.

ENG 3 Submit to Council for approval, an Inspection and Test Plan certified by a suitably qualified Engineer (RPEQ – Civil) prior to commencement of any work and prior to any pre-start meeting.

ENG 4 Pay to Council, inspection fees based on Council's Fees and Charges current at the time of commencement of works and based on the estimated project cost as estimated or accepted by Council prior to the pre-start meeting.

ENG 5 Ensure that supervision of all construction works are carried out by a suitably qualified and experienced Engineer (RPEQ).

ENG 6 Adhere to the following hours of construction unless otherwise approved in writing by Council:

Monday to Saturday:	6.30am to 6.30pm	Noise permitted
Monday to Sunday:	6.30pm to 6.30am	No noise permitted



Ordinary Council Meeting Agenda

Sunday and Public Holidays:	No noise permitted
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Do not conduct work or business that causes audible noise from or on the site outside the above hours.

- ENG 7 Be responsible to carry out Work Health and Safety legislative requirements.
- ENG 8 Ensure all work sites are maintained in a clean, orderly state at all times.
- ENG 9 Manage all waste in accordance with the relevant legislation and regulations.
- ENG 10 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.
- ENG 11 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 damage immediately upon completion of works associated with the development.
- ENG 12 Submit to Council, a Certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements.

**STORMWATER**

- ENG 13 Ensure that earthworks and fill on the subject land do not lead to ponding of stormwater or actionable nuisance and ensure that the development drains freely to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual.
- ENG 14 Do not concentrate stormwater onto adjoining properties.

**DEVELOPMENT WORKS**

- ENG 15 Access for trucks and other heavy machinery during the construction phase shall be taken via Industrial Avenue, Kingaroy.
- ENG 16 Maintain erosion and sedimentation controls at all times during the course of the project and the ensuing defects liability period. Council Officers will inspect and assess the sediment and erosion control measures and temporary fencing implemented, and any alterations and/or supplementary works required must be incorporated.
- ENG 17 Implement measures to prevent site vehicles tracking sediment and other pollutants from the site onto adjoining streets during the course of the project, and to prevent dust nuisance during construction and the ensuing defects liability period.
- ENG 18 Be responsible for protecting nearby property owners from dust pollution arising from construction and maintenance of the works required by this approval, and comply with any lawful instructions from the Assessment Manager if, in his opinion, a dust nuisance exists.
- ENG 19 A sewer main crosses the site and will be affected by the proposed works. Prior to the commencement of works the sewer main shall be located, and all necessary precautions shall be taken during excavation and filling operations to protect the sewer. The sewer material is Asbestos-Concrete (AC), and all appropriate safety measures shall be implemented. As a minimum, the sewer main shall be subject to a condition assessment survey pre and post development including internal CCTV of the pipe, and external visual prior to backfilling. The backfilling shall meet the requirements of the WBBROC standards.

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Any damage to the sewer will require replacement of the sewer main at the applicant's expense.

Comment: Due to the risk of damage during construction, Council will consider allowing the (AC) sewer to be replaced, at the applicant's expense, prior to the commencement of, or during construction.

**EARTHWORKS**

ENG 20 Supervise bulk earthworks to Level 1 or Level 2 as applicable, and have a frequency of field density testing carried out in accordance with Table 8.1 of AS3798.

ENG 21 Do not use contaminated material as fill on the site. Undertake any filling using inert materials only, with a maximum particle size of 75mm.

ENG 22 Ensure open drains and fill platforms are constructed with a longitudinal grade on no less than 0.1%.

ENG 23 Submit to Council, the following for approval in the event it is proposed to import material to or export material from the site, prior to commencement of the work:

- (a) details of the location of any material to be sourced for fill including the volume of fill to be moved from any particular source site;
- (b) details of the final location for any material to be exported from the site from excavations including the volume to be moved to any particular site; and
- (c) the proposed haulage route(s) and truck sizes for carting of the material.

Note: Further Development Applications may be required to be submitted to and approved by Council for sites proposed to import material from or export material to, or conditions may be applied to any sites endorsed in accordance with this condition, eg submit a Traffic Management Plan to Council for acceptance, or rehabilitation of the site. Any required approvals are to be in place prior to commencement of the work.

This approval does not extend to any material proposed to be imported to or exported from the site:

- (d) other than from or to site(s) that have a current Development Approval enabling them to export/accept any material; or
- (e) the material is being exported to and accepted at a licensed Council refuse facility.

**CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

ENG 24 Prior to pre-start meeting, submit to Council for endorsement, a Construction and Nuisance Management Plan for the approved development works for the site. The Plan is to cover, but not be limited to the following:

- (i) air quality management;
- (ii) noise and vibration management;
- (iii) storm water quality management;
- (iv) erosion and sediment management;
- (v) waste management;
- (vi) complaint management;
- (vii) community awareness;
- (viii) preparation of site work plans;
- (ix) workers' car parking arrangements; and
- (x) traffic control during works.

ENG 25 Implement the approved Construction and Nuisance Management Plan at all times during construction of the development.

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**Ordinary Council Meeting Agenda**

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ENG 26 Ensure a legible copy of the approved Construction and Nuisance Management Plan is available on site at all times during construction and earthworks.

**INSPECTIONS AND TESTING**

ENG 27 Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.

ENG 28 Provide Council with a minimum of two clear working days notice to undertake compulsory inspections and meetings at the following stages:

- (a) Pre-start meeting with Council, Contractor, Supervising Engineer and developer;
- (b) at the point of completion of all works.

ENG 29 Submit to Council, all inspection and test data in its entirety prepared by the applicant, Engineer, Principal Contractor or by Subcontractors in relation to the Operational Work. Undertake any further inspection, testing or analysis required, due to failure of work to meet specifications or where the testing previously provided is considered insufficient on behalf of the Principal Contractor by a NATA accredited entity (where applicable).

ENG 30 Uncover all works covered prior to inspection to allow inspection by Council at Council's sole discretion.

ENG 31 Allow Council to enter a work site to which this approval relates and undertake testing or analysis of any part of the construction, and Council is not liable for the rectification of or compensation for any damage caused in the testing or analysis process. Should work be found to be not constructed to specification or of poor quality, any reasonable instruction given by Council Officers must be considered to be a condition of approval and undertaken by the Principal Contractor.

ENG 32 Where complete or incomplete works under this approval adversely affect adjoining properties, Council land, roads or other infrastructure, Council requires by notice, works to be completed.

ENG 33 Undertake any works for the safety or health of the community or protection of infrastructure where Council deems it necessary.

**COMPLIANCE CERTIFICATE**

ENG 34 Upon completion of the work, submit to Council, a written request for a Compliance Certificate from the developer's certifying Engineer stating that all approved works have been completed and are ready for Council inspection.

- (a) The compliance certificate will be issued only when Council provides written confirmation that all of the following are completed:
  - (i) satisfactory completion of all works and conditions of Operational Work approval;
  - (ii) provision of all necessary test and quality audit requirements;
  - (iii) lodgement with Council, of certification from an RPEQ that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements;
  - (iv) compliance with the conditions of approval for any Operational Work and any other approvals on the subject site, and the Department of Environment and Science Clean-up Notice dated 12 February 2021.

Ordinary Council Meeting Agenda

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The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by WSP as listed below:

Drawing No./ Revision	Drawing/Plan Title	Date
Figure 1	Site Location	25/11/20
Figure 5	Excavation Plan 0-1.5m BGL	11/12/20
Figure 6	Excavation Plan 1.5-2.5m BGL	11/12/20
Figure 8	Cross Sections	11/12/20

**ADVICE NOTES**

The applicant be advised that:

- (a) Prior to commencement of the use or endorsement of the survey plan as applicable, the applicant shall contact Council to arrange a Development Compliance Inspection.
- (b) The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

Any amendment, alteration or addition to the development approval will require further consideration by Council in assessing any changes to the environmental conditions.

- (c) The *Aboriginal Cultural Heritage Act 2003 (ACHA)* is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:
  - (i) is not negated by the issuing of this development approval;
  - (ii) applies on all land and water, including freehold land;
  - (iii) lies with the person or entity conducting an activity; and
  - (iv) if breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIP's Cultural Heritage Co-ordination Unit on telephone (07) 3224 2070 for further information on the responsibilities of developers under the ACHA.

- (d) The **relevant period** for the development approval (Operational Work) shall be **two (2) years** starting the day the approval is granted or takes effect. In accordance with Section 85(1)(c) of the *Planning Act 2016 (PA)*, the development approval for Operational Work lapses if the development does not substantially start within the abovementioned **relevant period**.

An applicant may request Council to extend the **relevant period** provided that such request is made in accordance with Section 86 of PA and before the development approval lapses under Section 85 of the PA.

- (e) Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

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**Ordinary Council Meeting Agenda**

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- (f) The relevant Planning Scheme for this Development Permit is the South Burnett Regional Council Planning Scheme 2017. All references to the Planning Scheme and Schedules within these conditions refer to the above Planning Scheme.

**Conclusion**

The proposed development has been assessed against the requirements of the South Burnett Regional Council Planning Scheme 2017. It is considered that the proposed development generally complies with the requirements of the Planning Scheme and as such, the applicant should be provided with a Development Permit. The Development Permit should contain the conditions detailed in the Officer's Recommendation in order to ensure that the proposal complies with the South Burnett Regional Council Planning Scheme 2017.

**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.



Ordinary Council Meeting Agenda

PROPOSAL PLANS

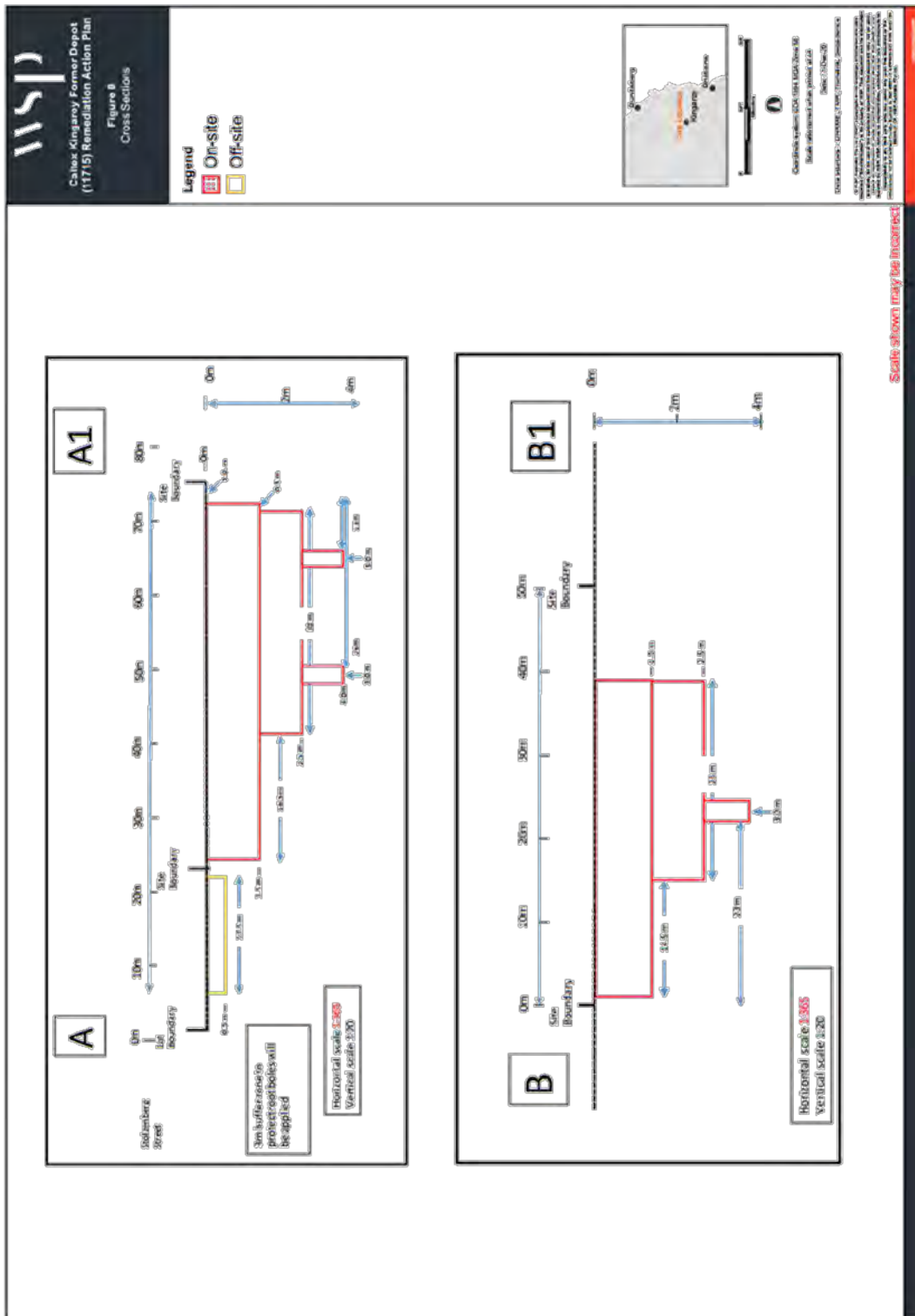








Ordinary Council Meeting Agenda



Ordinary Council Meeting Agenda

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**REPORT**

The applicant seeks approval for Earthworks for site remediation for an old fuel depot.

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	Ampol Australia Petroleum Pty Ltd C/- WSP Australia Pty Ltd
<b>Proposal:</b>	Operational Work - Earthworks
<b>Properly Made Date:</b>	4 August 2021
<b>Street Address:</b>	26-30 Stolzenberg St, Kingaroy
<b>RP Description:</b>	Lot 15 SP145188
<b>Assessment Type:</b>	Code
<b>Number of Submissions:</b>	Not Applicable
<b>State Referral Agencies:</b>	Not Applicable
<b>Referred Internal Specialists:</b>	Megan Nilon – Senior Environmental Health Officer

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

<b>PROPOSED DEVELOPMENT</b>	
<b>Proposed Development:</b>	Operational Work - Earthworks
<b>Variations Sought:</b>	Not Applicable
<b>Level of Assessment:</b>	Code
<b>Area to be used:</b>	3,331m <sup>2</sup>
<b>Impervious Area:</b>	Nil
<b>Site Cover:</b>	Nil
<b>Car Parking Spaces:</b>	Nil
<b>Service Vehicle Provision:</b>	Nil
<b>Submissions Received:</b>	Not Applicable
<b>Decision Making Period Ends:</b>	16 September 2021

Ordinary Council Meeting Agenda

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>				
<b>Land Area:</b>	3,331m2			
<b>Existing Use of Land:</b>	Fuel Depot			
<b>Road Frontage:</b>	Stolzenberg St			
<b>Road/s</b>	<b>Road Hierarchy</b>			
Stolzenberg St	Street			
<b>Easements</b>	Nil			
<b>Significant Site Features:</b>	Nil			
<b>Topography:</b>	Flat			
<b>Surrounding Land Uses:</b>	<b>Land Use</b>	<b>Zone/Precinct</b>		
<b>North</b>	Commercial/Residential			
<b>South</b>	Industrial			
<b>East</b>	Residential			
<b>West</b>	Commercial			
<b>Services:</b>	Water, Sewer, Access			

**Background / Site History**

The site is owned by the South Burnett Regional Council, and has been leased by Ampol as a fuel depot.

**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>	
<b>Assessment Benchmarks:</b>	Nil.
<b>WBB Regional Plan Designation:</b>	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.



Ordinary Council Meeting Agenda

<b>Planning Scheme:</b>	South Burnett Regional Council Planning Scheme Version 1.3
<b>Strategic Framework Land Use Category:</b>	Not Applicable
<b>Zone:</b>	Not Applicable
<b>Precinct:</b>	Not Applicable
<b>Consistent/Inconsistent Use:</b>	Not Applicable
<b>Assessment Benchmarks:</b>	Service and Works 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:

**SERVICE AND WORKS CODE**

Performance outcomes	Assessment benchmarks
<b>General</b>	
<b>PO1</b> The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	<b>AO1.1</b> A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.
<b>PO2</b> Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	<b>AO2.1</b> A wastewater management plan prepared by a suitably qualified person and addresses : (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; and <b>AO2.2</b> Wastewater is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.
<b>PO3</b> Construction activities avoid or minimise adverse impacts on stormwater quality.	<b>AO3.1</b> An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.
<b>PO4</b> Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	<b>AO4.1</b> Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.
<ul style="list-style-type: none"> <li>• <i>No changes to stormwater</i></li> <li>• <i>No wastewater discharge is proposed.</i></li> </ul>	



Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Infrastructure</b>	
<p><b>PO5</b> Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> <li>(a) conforms with industry standards for quality;</li> <li>(b) is reliable and service failures are minimised; and</li> <li>(c) is functional and readily augmented.</li> </ul>	<p><b>AO5.1</b> Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p><b>AO5.2</b> Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<ul style="list-style-type: none"> <li>• <i>Not Applicable to application</i></li> </ul>	
<b>Vehicle parking</b>	
<p><b>PO6</b> Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p><b>AO6.1</b> Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p><b>AO6.2</b> A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p><b>AO6.3</b> Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p><b>AO6.4</b> Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<ul style="list-style-type: none"> <li>• <i>Not Applicable to application</i></li> </ul>	
<b>Landscaping</b>	
<p><b>PO7</b> Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p><b>AO7.1</b> Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p><b>AO7.2</b> Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m<sup>2</sup> and is unsealed and permeable.</p> <p>and</p> <p><b>AO7.3</b> Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>
<p><b>PO8</b> Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p><b>AO8.1</b> Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p><b>AO8.2</b> Species selection avoids non-invasive plants.</p> <p>Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council.</p>
<ul style="list-style-type: none"> <li>• <i>Not Applicable to application</i></li> </ul>	

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Filling and excavation</b>	
<p><b>PO9</b> Development results in ground levels that retain:</p> <ul style="list-style-type: none"> <li>(a) access to natural light;</li> <li>(b) aesthetic amenity;</li> <li>(c) privacy; and</li> <li>(d) safety.</li> </ul>	<p><b>AO9.1</b> The depth of:</p> <ul style="list-style-type: none"> <li>(a) fill is less than 2m above ground level; or</li> <li>(b) excavation is less than 2m below ground level.</li> </ul> <p>and</p> <p><b>AO9.2</b> The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p><b>AO9.3</b> Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p><b>AO9.4</b> Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p><b>AO9.5</b> Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p><b>AO9.6</b> Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> <li>(a) is certified by an RPEQ engineer to safely withstand the hydraulic loading;</li> <li>(b) directs overflow such that no scour damage or nuisance occurs on adjoining lots.</li> </ul>
<p><b>PO10</b> Filling or excavation does not cause damage to public utilities.</p>	<p><b>AO10.1</b> Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>
<p><b>PO11</b> Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p><b>AO11.1</b> Following filling or excavation:</p> <ul style="list-style-type: none"> <li>(a) the premises:                             <ul style="list-style-type: none"> <li>(i) are self-draining; and,</li> <li>(ii) has a minimum slope of 0.25%; and,</li> </ul> </li> <li>(b) surface water flow is:                             <ul style="list-style-type: none"> <li>(i) directed away from neighbouring properties; or</li> <li>(ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Excavation to be disposed off of site. Existing ground levels to be reinstated.</li> </ul>	
<b>All operational work subject to an overlay</b>	
<b>Biodiversity overlay</b>	
<p><b>PO12</b> Development avoids, minimises or mitigates adverse impacts on areas of environmental significance.</p>	<p><b>AO12.1</b> Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p><b>AO12.2</b> Development is compatible with the environmental values of the area.</p> <p>or</p> <p><b>AO12.3</b> Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a</p>

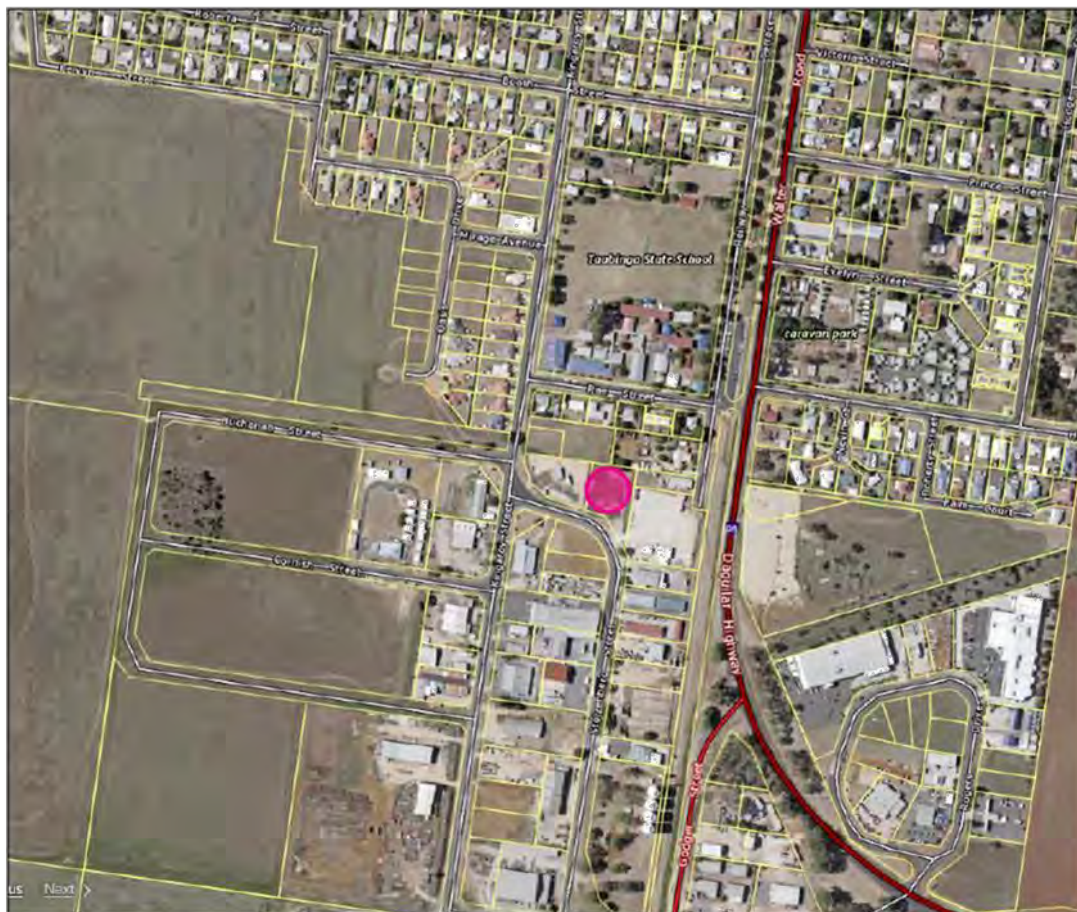
Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
	suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.
<b>PO13</b> Biodiversity values of identified areas of environmental significance are protected from the impacts of development	<b>AO13.1</b> Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.
<b>PO14</b> There are no significant adverse effects on water quality, ecological and biodiversity values.	<b>AO14.1</b> Uses and associated works are confined to areas outside overland flow paths and natural drainage features. and <b>AO14.2</b> The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Flood hazard overlay</b>	
<b>PO15</b> 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.	<b>AO15.1</b> Works associated with the proposed development do not: <ul style="list-style-type: none"> <li>(a) involve a net increase in filling greater than 50m<sup>3</sup> in the area identified on Overlay Map 03;</li> <li>(b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or</li> <li>(c) change flood characteristics outside the site in ways that result in:                             <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows; or</li> <li>(iv) any reduction in flood warning times.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• <i>Not Applicable</i></li> </ul>	
<b>Regional infrastructure overlay</b>	
<b>PO16</b> Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment.	<b>AO16.1</b> Earthworks do not alter levels along the boundaries of existing easements by more than 300mm and do not result in increased inundation of electricity infrastructure.
<b>PO17</b> There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure.	No outcome specified.
<ul style="list-style-type: none"> <li>• <i>Site is not near any existing easements</i></li> </ul>	

Ordinary Council Meeting Agenda

Performance outcomes	Assessment benchmarks
<b>Water catchments overlay</b>	
<p><b>PO18</b> There are no significant adverse effects on the water quality of the Region's drinking water supply.</p>	<p><b>AO18.1</b> Development within the Bjelke-Petersen Dam Water Resource Catchment Area and the 800m buffer to Boondooma and Gordonbrook Dams shown on Overlay Map 06 has no significant adverse effect on the quantity and availability of raw water for consumption, as determined by a suitably qualified water quality expert.</p> <p>or</p> <p><b>AO18.2</b> Development within the Cooyar Creek water supply buffer area shown on Overlay Map 06 complies with the specific outcomes and measures of the <i>Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012</i>.</p>
<ul style="list-style-type: none"> <li>• Site is not within a water supply catchment</li> </ul>	

Locality Plan





Ordinary Council Meeting Agenda

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Figure 1 - Aerial Image (Source: Qld Globe)

**Aerial Plan**



Figure 2 - Locality Plan (Source: IntraMaps)

Ordinary Council Meeting Agenda

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**CONSULTATION:**

**Referral Agencies**

Not Applicable

**Other Referrals**

<i>INTERNAL SPECIALIST</i>	<i>REFERRAL</i>	<i>REFERRAL / RESPONSE</i>
Councils Environmental & Waste Unit		Waste disposal per licensing and regulation requirements. Refer to DES Clean Up Order for details.



Ordinary Council Meeting Agenda

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**ATTACHMENTS**

**NII**

Delegated Authority

Date:

**0.0 REQUEST TO CHANGE EXISTING APPROVAL FOR MATERIAL CHANGE OF USE - RETIREMENT FACILITY AT 95 MARKWELL STREET, KINGAROY - LOT 4 ON RP178596 - APPLICANT: EUREKA GROUP HOLDINGS LIMITED**

**File Number: MCU21/0006**  
**Author: Senior Planner**  
**Authoriser: Chief Executive Officer**

**PRECIS**

Change Application (Other Change) – Request to change existing approval for Material Change of Use – Retirement Facility Situated at 95 Markwell Street, Kingaroy, formally described as Lot 4 on RP178596. The Applicant is Eureka Group Holdings Limited c/- Plan A Town Planning and the application reference is MCU21/0006.

**SUMMARY**

The Applicant seeks approval for a Change Application (Other Change) in accordance with Section 82 of the Planning Act 2016. The application seeks to change the approved dwelling layout and associated facilities, as approved by Development Permit MCU2016/0001 dated 22 July 2016.

The proposed 'Other Change' is sought over land described as 95 Markwell Street, Kingaroy – formally described as Lot 4 on RP178596.

The proposed change involves:

- Change to dwelling form, with previous two-bedroom dwellings replaced with small one-bedroom dwellings;
- Relocation of all car parking and vehicle access areas to adjacent the western site boundary;
- Inclusion of a bioretention basin;
- Overall changes to site layout, including dwelling orientation, landscaping and open space area;
- Removal of previous staging; and
- Changes to conditions.

The proposed facility is located within the Low Density Residential Zone under the *South Burnett Regional Council Planning Scheme 2017 (v1.4)* (the Planning Scheme) and is affected by the Agricultural Land Overlay.

The application required referral to the State for the following matter:

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development application for an aspect of development stated in schedule 20 – Retirement Facility.

Based on an assessment of the matters Council (as Assessment Manager) must and may have regard to under section 82 (4) of the Planning Act 2016 (the Planning Act), we are satisfied that the application should be approved subject to the conditions outlined herein.

Delegated Authority

Date:

GENERAL

GEN1. The subject site is to be developed generally in accordance with the plans and information submitted with the application:

- ~~Site Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 15 Floor Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 15 Elevations, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 15 3D views 1, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 15 3D views 2, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 11 Floor Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 11 Elevations, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 11 3D views 1, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Unit 11 3D views 2, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~3 Bedroom Units – Floor plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~3 Bedroom Units Elevations, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~3 Bedroom Units 3D views 1, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~3 Bedroom Units 3D views 2, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~2 Bedroom Units Floor Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~2 Bedroom Units Elevations, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~2 Bedroom Units 3D views 1, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~2 Bedroom Units 3D views 2, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Units 1-3 Elevations, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Units 1-3 3D views 1, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Units 1-3 3D views 2, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Units 1-3 3D views 3, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Units 1-3 Floor Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Administration Building Floor Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Administration Building Elevations, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Administration Building 3D views 1, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- ~~Administration Building 3D views 2, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~

Delegated Authority

Date:

- ~~Staging Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
  - ~~Turning Movement Plan, Project No. 15-2145-SPY – Blueprint Drafting Services, dated: 22 February 2016~~
- Unless otherwise amended by the following conditions:

Plan	Reference	Date
Site Plan	DA-01	Issue A 28/05/21
Typical Unit Plan	DA-02	Issue A 28/05/21
Community entre	DA-07	Issue A 28/05/21
Typical Unit Elevations- Type A	DA-04	Issue A 28/05/21
Typical Unit Elevations - TYPE B	DA-05	Issue A 28/05/21
Typical Unit Elevations Type C	DA-06	Issue A 28/05/21
Landscape Concept Plan – Schematic Design	2103700 SD02	Issue A 28/05/21
Landscape Concept Plan – Schematic Design	2103700 SD-03	Issue A 28/05/21
Landscape Concept Plan – Schematic Design Indicative Plant Palette	2103700 SD-04	Issue A 28/05/21
SARA Decision notice	SARA reference 2106-22883 SRA	Dated 23 <sup>rd</sup> June 2021

Unless otherwise amended by the following conditions.

- GEN2. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.
- GEN3. The applicant is required to maintain the site in a clean and orderly state at all times, clearing declared weeds and feral animals.

**COMPLIANCE ASSESSMENT**

- GEN4. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificates for the commencement of each the use stage, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

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

**ELECTRICITY / TELECOMMUNICATIONS**

- MCU1. The dwelling units are to be supplied with reticulated electricity and telecommunication services.

**LANDSCAPING**

- MCU2. ~~The site is to be landscaped in accordance with the Kingaroy Shire IPA Planning Scheme Policy No. 5 – Landscaping prior to commencement of the use. A landscaping plan prepared in accordance with Planning Scheme Policy No.5 – Landscaping is to be submitted to Council for Compliance Assessment prior to any work commencing on site.~~

Delegated Authority

Date:

**Landscape the site to contribute to the integration of the new development and to provide a high level of amenity in accordance with the approved Landscape Plans.**

**Construct landscaping in accordance with the prepared detailed Landscape Plans, the relevant Council Standards, Best Trade Practice, and the following conditions.**

- **If the extent or configuration of landscaped areas has been marginally amended from the plan, then adjust plant numbers to ensure full coverage.**
- **Provide a 3 tier landscape structure to all landscape areas ie. Trees, shrubs and groundcovers.**
- **Maximise opportunities for stormwater infiltration into landscaped areas.**
- **Maintain the landscape works generally in accordance with the detailed plans and to industry standards.**

MCU3. ~~A minimum 1m wide strip of landscaping is to be provided along Markwell Street road frontage (excluding vehicle manoeuvring areas).~~ **Condition deleted**

MCU4. ~~A minimum 1m wide strip of landscaping is to be provided along the Logan Street road frontage (excluding vehicle manoeuvring areas).~~ **Condition deleted**

#### LIGHTING

MCU5. Design all external lighting in accordance with AS4282-1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".

Artificial illumination is not to cause a nuisance to occupants of nearby premises and any passing traffic. Direct security and flood lighting away from adjacent premises to minimise the protrusion of light outside the street.

#### MECHANICAL PLANT

MCU6. Mechanical plant (air conditioning, refrigeration equipment and pumps) must comply with the *Environmental Protection Act 1994*.

Air conditioning and refrigeration equipment must achieve no more than 3dB(A) above the background level from 10pm to 7am and no more than 5dB(A) above the background level from 7am to 10pm when measured at an affected building.

Pumps (including heat pumps) must not be audible from 10pm to 7am, no more than 5dB(A) above the background level from 7am to 7pm and no more than 3dB(A) above the background level from 7pm to 10pm when measured at an affected building.

#### REFUSE STORAGE COLLECTION

MCU7. Provision must be made for the storage and removal of refuse in accordance with the *Waste Reduction and Recycling Regulation 2011*.

MCU8. Any areas that are dedicated for the collection and/or storage of solid waste on the premises are to be:

Delegated Authority

Date:

- a) level;
- b) provided with impervious hard stand and drained; and
- c) ~~if facing either the street frontage or adjoining properties, fully enclosed by a screened bin enclosure by a 1.8m high fence around the full perimeter.~~
- d) **no bins shall be stored along the common boundary fences with external neighbours, along the eastern or western boundaries**

- MCU9. Refuse bin areas are to be provided for the washing out of the refuse bins and in connection with this:
- a) all tap outlets must be fitted with backflow prevention devices;
  - b) the floor areas are to be drained to sewer; and
  - c) areas are to be covered and drainage designed such that water not associated with the washing out process (e.g. rainfall) does not enter the sewer

#### FENCING

- MCU10. ~~Fence construction along property boundaries connecting to a road frontage over 1.2m in height are tapered to 1.2m in height over a length of 4m toward the road frontage.~~ **Erect a screen fence along the boundaries of the site as shown on the approved plans. Where not otherwise designated as an acoustic fence, and unless an alternative design for the fence is agreed to with the owner of adjoining land, the screen fence is not to exceed 1.8 metres in height and be constructed from timber palings. Front fencing to road frontages (Markwell St and Logan Road) are to be in accordance with the approved landscape concept plans and include indents for landscaping in front of the fence.**

- MCU11. ~~Fence construction between private open space areas of the units is to be solid screen fencing to a height not exceeding 1.8m.~~ **Condition deleted**

- MCU12. ~~Fences or walls proposed along road frontages are to be maximum 1.2m in height if of solid construction or maximum of 1.5m in height, if gaps permit 50% transparency, except where providing screening to bin storage area.~~ **Condition deleted**

- MCU13. ~~Road frontage fences or walls are not to exceed 15m in length without a 1m x 0.5m indentation.~~

~~Alternatively the applicant must provide a 4m wide strip between the property boundary and fence along the frontage of the site to Markwell Street.~~ **Condition deleted**

- MCU14. ~~Fence construction along the eastern and western property boundary is to be solid screen fencing to a height not exceeding 1.8m.~~

#### CLOTHES DRYING

- MCU15. Each dwelling unit is to be provided with external clothes drying facilities within the nominated open private space areas.

#### LETTERBOXES AND UNIT IDENTIFICATION

- MCU16. Letterboxes shall be provided for each habitable unit, including the body corporate if appropriate. Each box shall be distinguished by a number corresponding to the unit number.

- MCU17. Each dwelling unit is to be readily identified by number.



Delegated Authority

Date:

## SATELLITE DISHES

- MCU18. A maximum of one satellite dish is permitted per dwelling unit with a maximum diameter of 1.2m with a maximum height of 10.5m above ground level.

## STAGING

~~References to stages in these conditions are based on the staging shown in the Blueprint Drafting Services Drawing No. 15-2145-SPY Sheet 2 entitled Staging Plan, dated 22 February 2016. Condition deleted~~

## PROPERTY ACCESS, CAR PARKING &amp; MANOEUVRABILITY

- ENG1. ~~Property accesses shall be provided in accordance with the details in table S2.7—Design and Construction Standards of the Kingaroy Shire IPA—South Burnett Regional Council Planning Scheme; and IPWEAQ standard Drawing No. SEQ R-051, Type A, with dimension W1 being the greater of:~~  
 a) 6.0m; and  
 b) ~~the minimum value necessary to meet the swept path requirements of the Heavy Rigid—Rubbish Collection Vehicle (HRCRV) as defined in AS 2890.2 without crossing the centreline of Markwell Street, or Logan Street upon entry or exit.~~
- ENG1A. **Property accesses shall be provided in accordance with the South Burnett Regional Council Planning Scheme, and IPWEAQ standard Drawing No. SEQ R-051, Type B, with dimension W1 being a minimum of 7m for Markwell Street, and 8m for Logan Street, with the splays designed to accommodate the swept path of the Rubbish Collection Vehicle (RCV) without crossing the centreline of Markwell Street, or Logan Street for left turn movements into, or out of the site.**
- ENG2. ~~Only one access to the site will be permitted at stages 1 and 2. This must be from Markwell Street. At Stage 3, one access must be constructed to Logan Street. Condition deleted~~
- ENG3. Fencing, landscaping and letterboxes must not to impede sight lines for vehicles entering or leaving the site or driving along Markwell Street **or Logan Street.**
- ENG4. Road works and entrances shall be constructed so as to:  
 a) remove all disused vehicle entrances and reinstate the verge consistent with the adjacent verge profile;  
 b) permit HRCV and B99 vehicles ~~as defined in AS 2890.2 and AS/NZS 2890.1~~ respectively to enter and leave the site in a forward gear;  
 c) avoid a trip hazard to pedestrians; and  
 d) ensure that low-clearance vehicles can clear the cross-over pavement upon entering and leaving the property.
- ENG5. ~~Vehicle manoeuvring areas and turning radii including for the property accesses, internal driveways and cul-de-sac heads to be constructed as part of Stage 1 and Stage 2 works as shown on Blueprint Drafting Services Drawing No. 15-2145-SPY Sheet 2 entitled Staging Plan, dated 22 February 2016 shall be designed and constructed in accordance with the requirements of the current version of AS 2890.2 for a HRV vehicle, except that in areas where a HRV vehicle is excluded from entering, they shall be designed and constructed in accordance with the requirements of the current version of AS/NZS 2890.1 for a B99 vehicle. Condition deleted~~
- ENG6. Provide a total for all stages of at least 70 car parking spaces for B99 vehicles including one (1) **PWD car parks, 2 loading bays, and 1 bus stop disabled bay**, in compliance with the requirements of the current version of AS/NZS 2890.1 (**absolute minimum**) and in accordance with the requirements of Schedule 4 **6 of the South Burnett**

Delegated Authority

Date:

**regional Council Planning Scheme. As a large number of vehicles in the region are B99 or equivalent, Council prefers that B99 vehicles are able to enter and exit parking spaces in a single manoeuvre.**

Unrestricted access is to be provided for bona fide visitors to any visitor bay. Visitor car parks must be clearly labelled as 'visitor parking'.

Unrestricted access is to be provided to service vehicles to the site, and Table S1.4 of the Kingaroy Shire IPA Planning Scheme. Car parking shall be provided in stages as follows:

Stage	Car parking bays required
1	34—(17) for dwelling units, (12) for visitors, (2) for staff, (2) for disabled and (1) for ambulance. Also 1 space for a HRV.
2	14—(12) for dwelling units and (2) for visitors
3	23—(15) dwelling units and (8) for visitors

ENG7. ~~The disabled car park shall be designed and constructed as part of Stage 1 works, in accordance with the requirements of the current version of AS/NZS 2890.6. Condition deleted~~

ENG8. ~~Provide one vehicle parking space for a HRV as part of Stage 1 works, in compliance with the requirements of the current version of AS 2890.2 and in accordance with the requirements of Schedule 1 and Table S1.1 of the Kingaroy Shire IPA Planning Scheme. Condition deleted~~

ENG9. ~~The cul-de-sac heads that must be provided at stages 1 and 2 must enable at least a 3-point turn for a HRV and have a sealed surface radius of at least 11.0m. Condition deleted~~

ENG10. ~~Kerbing associated with or adjacent to the car parking bays shall be low enough to provide for clearance under vehicles as the B99 swept vehicle path intrudes over them.~~

**Provide wheel stops in front of all car parking spaces in accordance with AS2890.1.**

ENG11. The car parking areas and internal driveways shall be constructed, drained and surfaced with reinforced concrete. The construction and design shall be in accordance with the current version of AS/NZS 2890.1 and the requirements of Table S2.7 – Design and Construction Standards of the Kingaroy Shire IPA Planning Scheme. The standard of construction shall be consistent with the details on IPWEAQ standard Drawing No. RS-051 Driveways Heavy Duty Vehicle Crossing; or

**Alternatively, the car parking areas and internal driveways can be constructed with granular pavement with asphalt surfacing. The design of the pavement and surfacing shall be submitted to Council for approval.**

ENG12. ~~Provide a Signage and Linemarking Plan for compliance assessment by Council's General Manager of Infrastructure, and install the traffic management devices required in accordance with the Manual of Uniform Traffic Control Devices (MUTCD); ensuring that the plan provides for the use of vehicles, pedestrians and mobility aids for disabled access. Driveways and car parking areas shall be adequately sign-posted indicating combined usage by pedestrians and vehicles.~~

ENG13. ~~A drawing must be submitted by the applicant for compliance assessment by Council's General Manager of Infrastructure showing the location and details proposed for refuse collection and demonstrating how this will allow service vehicle access for refuse collection. Condition deleted~~

Delegated Authority

Date:

## ROADS

- ENG14. Roads must be designed and constructed in accordance with the requirements of the Kingaroy Shire IPA **South Burnett Regional Council** Planning Scheme.
- ENG15. Markwell Street and Logan Street are each classified as a "street" for the purpose of the Kingaroy Shire **South Burnett Regional Council** Planning Scheme. The applicant must design and construct:
- a) ~~as part of Stage 1 works,~~ widening of the southern lane of Markwell Street for the complete frontage of Lot 4 RP178596, to match the alignment at the existing traffic island within Markwell Street, located opposite the western side of this property, complete with pavement construction, sealing and installation of layback K&C Type M3 along the southern road lane alignment including the southern, western and eastern sides of the traffic island, **alterations to the existing traffic island and reinstatement of the pavement where necessary**
- ENG16. Pavements must be designed to cater for the ultimate development traffic loading.

## FOOTPATH

- ENG17. ~~As part of Stage 1 works, a footpath having a constructed concrete width of 1.5m and in accordance with the details in IPWEAQ standard drawing SEQ R-065, Concrete Pathway Construction Details, and the requirements of Table S2.7 Design and Construction Standards of the Kingaroy Shire IPA Planning Scheme must be constructed:~~
- a) ~~for the full frontage of the Markwell Street site~~
  - a) ~~along the southern verge of Markwell Street from First Avenue to the proposed entrance of the proposed development at Lot 4 RP178596; and~~
  - b) ~~from and connecting to the existing concrete path that terminates on the western side of First Avenue near Markwell Street, to the kerb, terminating in a pram ramp. Condition deleted~~
- ENG18. ~~A kerb (pram) ramp complete with TGSIs compliant with IPWEAQ standard drawings R-090 to R-094 inclusive shall be provided:~~
- a) ~~where the footpath terminates at the intersection with First Avenue, facing north at the southern verge of Markwell Street; and~~
  - b) ~~facing south at the northern verge of Markwell Street adjacent to the intersection with First Avenue. Condition deleted~~
- ENG19. ~~As part of Stage 1 works in Markwell Street and Stage 3 works in Logan Street, the full width of the verge, exclusive of concrete pedestrian pavement and vehicle crossovers shall be graded, topsoiled and turfed as follows:~~
- a) ~~Minimum cross fall of 1.5% and a maximum cross fall of 4% width;~~
  - b) ~~100mm depth of approved loam; and~~
  - c) ~~turfing behind the kerb must extend at least one (1)m beyond the back of the Kerb and Channel. Condition deleted~~

## TRAFFIC CONTROL

- ENG20. ~~Traffic calming devices, streetscape works and entrance statements shall be designed and constructed in accordance with current best practice and as a minimum to the requirements of Queensland Streets and in accordance with the requirements of Table~~

Delegated Authority

Date:

~~S2.5 – Location and Design Standards of the Kingaroy Shire IPA Planning Scheme.~~  
**Condition deleted**

#### STORMWATER DRAINAGE

- ENG21. The applicant shall submit a Stormwater Management Plan for Compliance Assessment to Council's General Manager of Infrastructure, detailing:
- how stormwater management will be carried out at each stage of the works; how stormwater management of these stages will be made complementary; and the ultimate development stormwater management plan for the complete site;
  - hydraulic design for 1% AEP, 5% AEP and 50% AEP storms; and provision of all software data files for both pre-development and post-development scenarios;
  - design drawings showing plans and longitudinal sections for stormwater infrastructure including hydraulic grade lines, stormwater flow rates and velocities, proposed locations and details of all stormwater pipelines, manholes, gully pits, field inlet pits, culverts, channels and on-site detention/retention tanks and/or detention basins including inlet and outlet details.
  - drainage paths within the property and to the lawful point(s) of discharge; and
  - details of any cut or fill required to direct stormwater to a lawful point of discharge
- ENG22. The stormwater drainage system serving the site including all surface, underground and roof water components must be designed in accordance with the requirements of the Queensland Urban Drainage Manual (QUDM) and certified by a RPEQ engineer; and so that the development will not make material changes to the predevelopment **discharge rates**, location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flows will occur, the applicant must produce evidence to the satisfaction of Council's General Manager of Infrastructure of a lawful right as to the method for stormwater discharge over the downstream land.
- ENG23. ~~Each proposed stage of the development shall have its own Lawful Point of Discharge, which shall be nominated in the Stormwater Management Plan and the applicant must produce evidence to Council's satisfaction of its lawful right to discharge at these nominated points.~~ **Condition deleted**
- ENG24. The stormwater drainage must be designed such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
- ENG25. All stormwater collected from the site, ~~making allowance for Stages 2 and 3~~, from roofed and impervious areas must be piped to a lawful point of discharge. Such works must be constructed as determined by the detailed design.
- ENG26. Detention basins shall be designed in accordance with the provisions of the *Queensland Urban Drainage Manual* and *Australian Rainfall and Runoff* and shall be constructed so as to ensure the integrity of the embankment during filling. A detailed hydrologic and geotechnical design and detailed engineering drawings shall be submitted to Council for compliance assessment by Council's General Manager of Infrastructure before commencing any operational works.
- ENG27. Detailed plans required to comply with stormwater conditions shall be lodged under a separate Development Permit for Operational Works.

#### EASEMENTS & DRAINAGE RESERVES

Delegated Authority

Date:

- ENG28. The applicant must provide all easements or drainage reserves found necessary for whatever purpose during the course of engineering investigation and design. Such easements or drainage reserves shall have a width that is appropriate to their purpose, but in any case, generally not less than 4m. Such easements or drainage reserves shall be deeded to Council when the Survey Plan is presented for sealing.
- ENG29. The effective widths of these drainage reserves and easements shall be justified on the basis of hydrologic and hydraulic analyses and also make allowance at one bank for access and manoeuvring by a SRV maintenance vehicle; and this justification shall be reported within the Stormwater Management Plan that is required to be submitted for Compliance Assessment to Council's General Manager of Infrastructure.

## WATER SUPPLY

- ENG30. Water supply must be reticulated to the proposed development in accordance with the requirements of Schedule 6 2, Division 3.2 — *Design and Construction Standards*, Table S2.10 of the Kingaroy Shire IPA of the South Burnett Regional Council Planning Scheme and the **WBBROC Water Services Design and Construction Code**, and **Councils Customer Service Standards**. *South-east Queensland Water Supply & Sewerage Design & Construction Code (SEQ Code)*.
- ENG31. An analysis and report of the existing and ultimate water supply requirements for the development prepared and certified by a RPEQ Civil Engineer must be submitted for compliance assessment to Council's General Manager of Infrastructure, confirming that the internal water supply system will meet the minimum pressure and flow requirements, including fire fighting, of the **WBBROC Water Services Design and Construction Code**, **Councils Customer Service Standards**, and **QFES requirements**. *Planning Guidelines for Water Supply and Sewerage April 2010* and *Technical Bulletins* published by the Department of Energy & Water Supply.
- ENG32. Detailed plans required to comply with water supply conditions, if not self-assessable against the Kingaroy Shire IPA **South Burnett Regional Council** Planning Scheme, shall be lodged under a separate Development Permit for Operational Works.

## SEWERAGE

- ENG33. Sewerage must be connected to the proposed development in accordance with the Kingaroy Shire IPA **South Burnett Regional Council** Planning Scheme and the **WBBROC Water Services Design and Construction Code**, and **Council** South-east Queensland Water Supply & Sewerage Design & Construction Code (SEQ Code) requirements.
- ENG34. An analysis and report of the existing and ultimate sewerage requirements for the development prepared and certified by a RPEQ Civil Engineer must be submitted for compliance assessment to Council's General Manager of Infrastructure.
- ENG35. Nominal Main Sizes shall be designed in accordance with the **WBBROC Water Services Design and Construction Code**, and **Council** requirements. *Planning Guidelines for Water Supply and Sewerage April 2010* and *Technical Bulletins* published by the Department of Energy & Water Supply.
- ENG36. Detailed plans required to comply with sewerage conditions, if not self-assessable against the Kingaroy Shire IPA **South Burnett Regional Council** Planning Scheme, shall be lodged under a separate Development Permit for Operational Works.

## STANDARD OF WORKS

Delegated Authority

Date:

- ENG37. Works shall be constructed generally in accordance with the specification requirements outlined in **WBBROC Water Services Design and Construction Code**, Aus-Spec #1 and the IPWEAQ Standard Drawings unless otherwise agreed by Council's General Manager of Infrastructure.

## MAINTENANCE BOND

- ENG38. ~~A Maintenance Bond, equal to 5% of the total cost of construction of the civil works, including landscaping where applicable, must be lodged with the Council for a period of twelve (12) months from the date of acceptance "on maintenance" of any donated assets which are the subject of an Operational Works application. Condition deleted~~

## EARTHWORKS

- ENG39. Any proposed earthworks if not self-assessable against the Kingaroy Shire IPA **South Burnett Regional Council Planning Scheme** shall be done in accordance with Council's Planning Scheme **Part 5.8 Table 5.8.1 – Operational Work 3.3.2 Rural Residential Locality Code—020 (g) Earthworks** and shall be undertaken under a separate Development Permit for Operational Works.

## ADVICE CONDITIONS

- ADV1. ~~Section 341 of the Sustainable Planning Act 2009 provides that, if this approval is not acted upon within the period of four (4) years the approval will lapse. Note that in accordance with section 341(7) a related approval may extend the relevant (currency) period.~~
- ADV2. Telecommunication connections can be arranged by logging onto Telstra's website (<http://www.telstra.com.au/smart-community/developers/index.htm>) and completing the 'Application for Reticulation'.
- 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.
- ADV4. 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.
- ADV5. ~~Attached for your information is a copy of Division 8 of the Sustainable Planning Act 2009 as regards Rights of Appeal. With respect to Appeal Rights of Applicants, the following is drawn to your attention—~~
- ~~a. the applicant's Appeal Period commences upon receipt of this advice and expires twenty (20) business days thereafter.~~
  - ~~b. should the applicant notify the Assessment Manager (Council) in writing of acceptance of the conditions of approval and that it is not intended to make an appeal, the Applicant's Appeal Period is at an end. Condition deleted~~



<u>Delegated Authority</u>	<u>Date:</u>
ADV6.	All engineering designs, drawings and reports submitted to Council for compliance assessment approval must be certified by an appropriate Registered Professional Engineer of Queensland.
ADV7.	<del>Detention basins should be designed to comply with the provisions of the <i>Water Supply (Safety &amp; Reliability) Act 2008</i> particularly with reference to referable dams. Condition deleted</del>
ADV8.	To help the applicant to comply with water supply and sewerage conditions ENG30 and ENG 33, Council has potable water supply and sewerage network models available to check the capacity of the networks to service the proposed development. The applicant should approach <b>Council</b> the <del>General Manager of Infrastructure</del> regarding fees and charges related to analysing the effect of the development. Analysis results but no report will be provided and the applicant should ascertain the development's internal sewerage and water supply demand including for firefighting purposes and refer to QFES for particular requirements.
ADV9.	The applicant will need to ascertain the hydraulic sewage load from the proposed development and check the capacity of Council's sewer along Logan Street from the proposed connection manhole to at least the point where it connects to the 300mm diameter trunk sewer adjacent to First Avenue, to confirm whether or not it can accept this additional hydraulic load.
ADV10.	Any proposed commercial kitchen must be serviced with trade waste facilities by the applicant at its cost, in compliance with Council's Trade Waste Management Policy.
ADV11.	At the time of application for Operational Works approval and before construction works may commence, the applicant will be required to submit the following design drawings for compliance assessment by Council's General Manager of Infrastructure: – (a) roadworks plans, cross-sections, typical detailed cross-section and pavement design details; (b) Water supply internal reticulation plans and design details; (c) Sewerage layout plans, longitudinal sections and design details; (d) Stormwater layout plans longitudinal sections and design details; (e) Landscaping plan and detailed planting schedule; (f) Electricity layout; and (g) Environmental management works.
ADV12.	<del>The coordinate system to be adopted for drawings submitted by the applicant in relation to future and completed operational works shall be GDA94 MGA Zone 56.</del>  Council expects that as constructed revisions of all drawings submitted for operational works will be provided in DWG or DXF format and one (1) hard copy wet-signed on reinforced paper or film; and in accordance with the IPWEAQ Asset Design As Constructed (ADAC) Guidelines for Creation and Submission of ADAC XML Files. All text should be easily legible at A3 size <b>Condition deleted</b>
ADV13.	The applicant must submit a completed <i>Permit to Work on Council Roads Application</i> available from <a href="http://www.southburnett.qld.gov.au">http://www.southburnett.qld.gov.au</a> for approval by Council before commencing and works within the Council Road reserve (i.e., in this case, the required property access).
ADV14.	<b>This approval includes the concurrence agency response from SARA dated 23 June 2021 Ref. 2106-22883 SRA.</b>

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Delegated Authority

Date:

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**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.

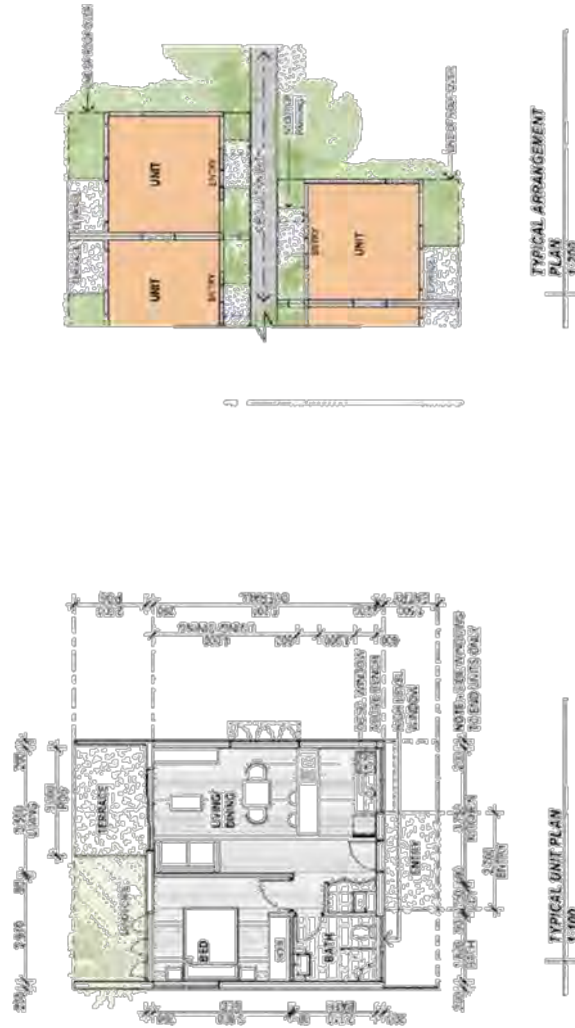
**POLICY/LOCAL LAW/DELEGATION IMPLICATIONS**

No implication can be identified.

**ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.





**Eureka Kingaroy**  
 TYPICAL UNIT PLAN & ARRANGEMENT  
 2738-371 DA-02 A

**Rusdlog**  
 rusdlog.com.au  
 07 5442 1111  
 rusdlog@rusdlog.com.au

**cure**

REG. NO. 123456789  
 REG. NO. 123456789  
 REG. NO. 123456789



FIRST FLOOR  
1:200

GROUND FLOOR PLAN  
1:200

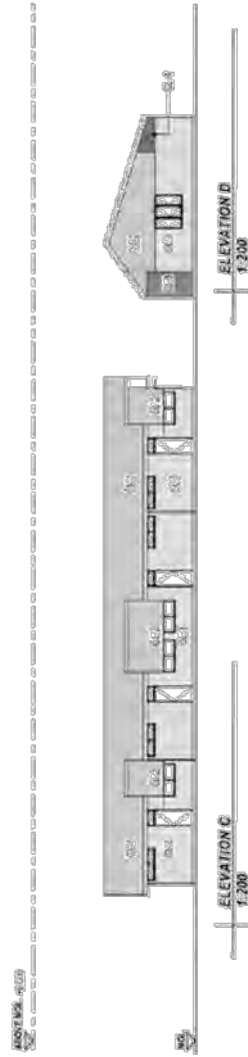
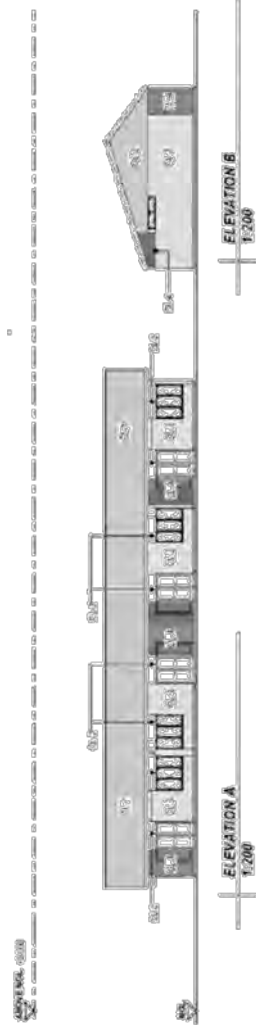
**Eureka Kingaroy**  
**COMMUNITY CENTRE**  
 2738-371 DA-04 A

**Rusdlog**  
 russlogarchitects.com  
 Phone: 07 5522 2815  
 russlog@rusdlog.com

**eureka**

Architectural symbols and a north-south orientation arrow.

APPROVED BY  
 ARCHITECT  
 DATE 12/11/2020  
 DRAWN BY  
 DATE 12/11/2020



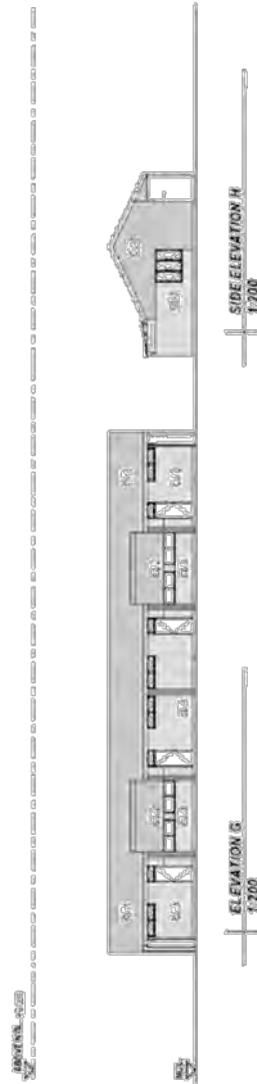
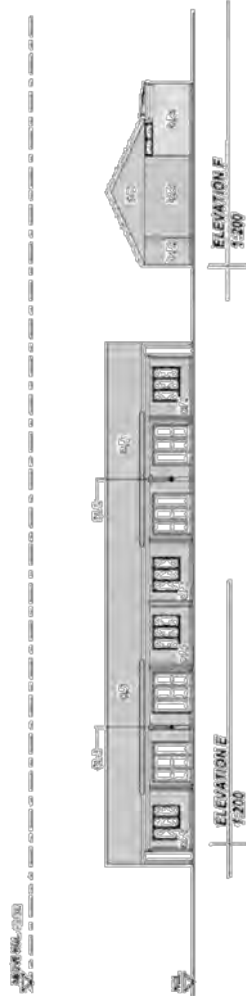
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**Eureka Kingaroy**  
 TYPICAL UNIT ELEVATIONS - TYPE A  
 2738-371 DA-04 A

1:50



PROPOSED  
CONSTRUCTION  
OF 10 UNIT TYPICAL  
RESIDENTIAL

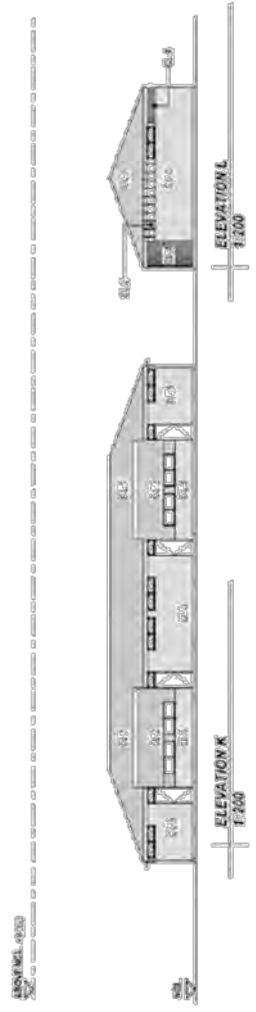
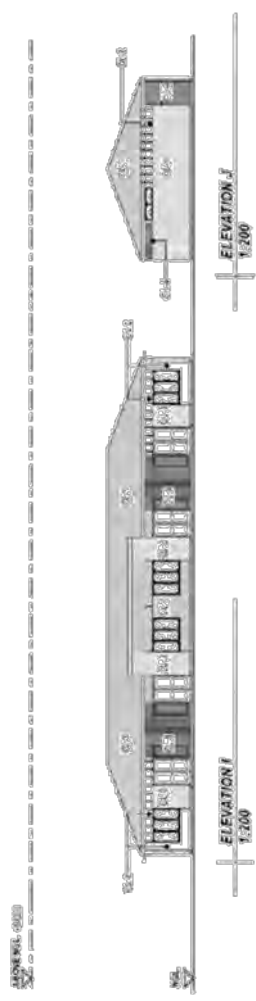


**Rusdlog**  
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**Eureka Kingaroy**  
 TYPICAL UNIT ELEVATION - TYPE B  
 DRAWING NO. 2738-371 DA-05 A

Scale: 1:200  
 Date: 25/12/2030

APPROVED AND  
FORWARDED:  
CITY ENGINEER (SIGNED)  
DATE: 11/11/2020

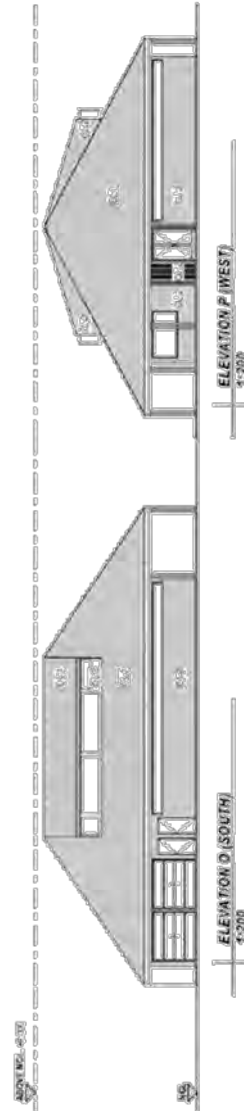
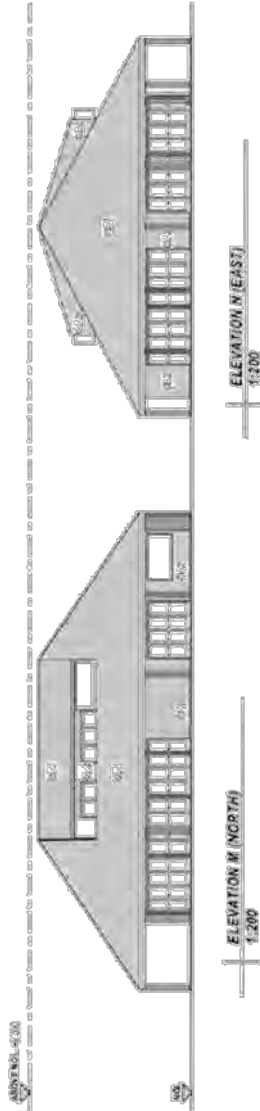


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**Eureka Kingaroy**  
 TYPICAL UNIT ELEVATIONS - TYPE C  
 2738-371 DA-06 A

Scale: 1:100  
 Date: 11/11/2020

PROPOSED  
ELEVATIONS  
OF COMMUNITY CENTRE







**Eureka Kingaroy**  
**COMMUNITY CENTRE ELEVATIONS**  
 2738-371 DA-07 A

Scale: 1:200  
 Date: 25/12/2030  
 Author: [Name]  
 Checked: [Name]











Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**Report**

**Applicant:** Eureka Group Holdings Limited c/- Plan A Town Planning Pty Ltd  
**Owner:** Eureka Group Holdings Limited  
**Property Address:** 95 Markwell Street, Kingaroy  
**Real Property Description:** Lot 4 on RP178596  
**Approvals Sought:** Other Change (s82) – to change Development Approval for Material Change of Use for Retirement Facility MCU2016/0001

**Proposal Description:**

**Planning Scheme:** South Burnett Regional Planning Scheme 2017 (v1.4)  
**Planning Scheme Zone:** Low Density Residential Zone  
**Area of Land:** 20,920m<sup>2</sup>  
**Existing Land Use:** Vacant  
**Surrounding Land Uses:** Residential  
**Services:** Water, electricity and telecommunications are available.  
**Access:** Access maintained via Markwell Street and Logan Road  
**Topography:** Gradual downward slope to the south-east  
**Application Deemed Properly Made:**  
**Confirmation Notice Issued:** 2 June 2021  
**Information Request Issued:** Nil  
**Information Response Received:** Nil  
**Further Issues Issued:** Nil  
**Response to Further Issues:** Nil  
**Referrals Required/Received:**  
**Application Process:** Other Change s82 Planning Act 2016 (Impact Assessment)  
**Public Notification:** N/A  
**Properly Made Submissions:** N/A  
**Public Notice Compliance:** N/A

Delegated Authority

Date:

**1.0 EXECUTIVE SUMMARY**

This report carries out an independent town planning and assessment of the proposed Change Application under s82 of the Planning Act 2016. The Applicant, Eureka Group Holdings Limited, seeks approval for an Other Change, to change aspects of the approved dwelling layout and associated facilities, approved by development permit MCU2016/0001. The approved development is a Material Change of Use to establish a Retirement Facility over land described as Lot 4 on RP178596 and situated at 95 Markwell Street, Kingaroy.

**2.0 SITE AND LOCALITY**

**2.1 Site Description**

The subject site is located at 95 Markwell Street, Kingaroy, formally described as Lot 4 on RP178596. The site has an area of 20,920m<sup>2</sup> and has a rectangular configuration. The site is currently vacant and contains some sporadic vegetation toward the northern portion of the site. The existing site has primary street frontage to Markwell Street of approximately 80m and 95m frontage to Logan Street on the southern boundary of the site.



Figure 1: Aerial of Subject Site (Source: Queensland Globe)

**2.2 Surrounding Land Uses**

The subject site is situated in the locality of Kingaroy, within 2km of the town centre. The surrounding area predominantly comprises of residential dwellings to the north, east and west of the site and rural residential properties to the south along Logan Road. The site is located within close proximity to the Kingaroy State High School, along with various other surrounding community and recreational facilities.

**3.0 PROPOSAL OVERVIEW**

Delegated Authority

Date:

The Applicant seeks to change a development approval for a Retirement Facility, approved by permit MCU2016/0001. The changes are outlined below.

### 3.1 Proposed Changes

The Change Application seeks approval for the following:

- Change to dwelling layout from the previously approved generally east-west grid pattern to include blocks of dwellings on a variety of alignments. While the presentation to both streets will remain similar, with blocks of units facing both Markwell Street and Logan Road, the change to internal layout facilitates a more appealing built form and allows for integration of landscaping, communal spaces and pedestrian networks which add to the overall liveability of the development.
- New proposed bioretention basin in the southeast corner of the site.
- The internal driveway now runs along the western boundary only, rather than throughout the development. This reflects the revised dwelling type which no longer includes private car parking spaces. All car parking is now provided communally alongside the proposed driveway.
- Crossovers relocated to the western ends of both the Markwell Street and Logan Road frontages.
- Increased provision of communal open space areas throughout the development, with "Respite" areas along pedestrian pathways and a "Town Green" near the centre of the development.
- Amendments to size and internal layout of the communal building, labelled as "Homestead" on the proposed plans. The location and scale of the communal building is however similar to that previously proposed.
- Change to the internal layout of dwellings. Rather than the previously approved two-bedroom layouts, the proposed dwellings are all single storey with an internal area of approximately 44m<sup>2</sup>.
- Removal of previously approved staging, with all construction now to be undertaken as part of one complete stage.

#### 3.1.1 Changes to Conditions

##### Condition GEN1 – General

Remove references to all previous plans and documents and replace with references to the new plans and documents associated with this application.

##### Unnumbered Condition – Staging

The updated proposal does not involve staging and as such this condition can be removed in full.

##### Condition ENG2 – Property Access, Car Parking & Manoeuvrability

This condition relates to the access required per stage. As the proposal does not involve staging, this condition can be removed in full.

##### Condition ENG5 – Property Access, Car Parking & Manoeuvrability

This condition references the original approved plans and should be replaced with reference to the new proposed plans. This condition should also remove any reference to staging.

##### Condition ENG6 – Property Access, Car Parking & Manoeuvrability

This condition relates to the parking required per stage. Reference to stages should be removed. The proposal now involves 75 car parking spaces, and this can be specified in an amended condition.

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**Condition ENG7 – Property Access, Car Parking & Manoeuvrability**

This condition references stages and this reference should be removed. The proposal can accommodate a disabled parking bay and therefore the balance of the condition is able to remain.

**Condition ENG8 – Property Access, Car Parking & Manoeuvrability**

References to stages are to be removed from this condition.

**Condition ENG9 – Property Access, Car Parking & Manoeuvrability**

This condition relates to the construction of cul-de-sacs. As the revised proposal does not involve cul-de-sacs, this condition can be removed in full.

**Condition ENG14 – Roads**

This condition requires roads to be designed and constructed in accordance with the requirements of the Kingaroy Shire IPA Planning Scheme, however it is vague as to what specifically this condition relates to. It is assumed that this condition relates to works specified in condition ENG15 and we request this is made clear as part of an amended condition.

**Condition ENG17 – Footpath**

This condition requires a footpath to the Markwell Street frontage.

**Condition ENG23 – Stormwater Drainage**

This condition should remove reference to stages.

**Condition ENG25 – Stormwater Drainage**

This condition should remove reference to stages.

**4.0 TOWN PLANNING CONTEXT**

Table 3 provides an overview of the current town planning framework relevant to the subject site.

<b>TABLE 3 – SUMMARY OF LOCAL PLANNING INSTRUMENT</b>	
<b>State Planning Context</b>	
Regional Plan	<i>Wide Bay Burnett Regional Plan 2011 (the Regional Plan)</i>
State Planning Policy	<i>State Planning Policy (July 2017) (the SPP)</i>
SARA DA Mapping	Water Resources - Water resource planning area boundaries
Referrals	N/A
Assessment Benchmarks	N/A
<b>Local Planning Context</b>	
Planning Scheme	<i>South Burnett Regional Council Planning Scheme 2017 (v1.4)</i>
Strategic Framework Designation	Urban
Zone	Low Density Residential Zone (see <b>Figure 5</b> )
Overlays	Agricultural Land Overlay
Defined Use	Retirement Facility
Level of Assessment	Impact Assessment
Assessment Benchmarks	<ul style="list-style-type: none"> <li>• Low Density Residential Zone Code</li> <li>• Services and works code</li> </ul>

Delegated Authority

Date:

## 5.0 PLANNING ASSESSMENT

In accordance with Section 82(4) of the Planning Act 2016, this application will be assessed against:

- (a) **The assessment benchmarks;**
- (b) Any matters a referral agency must, may or may only assess the application against or have regard to under section 55(2);
- (c) If the development to which the change application related requires code assessment – any matters the assessment must be carried out having regard to under section 45(3)(b);
- (d) **If the development to which the change application relates requires impact assessment – any matters the assessment must or may be carried out against or having regard to under section 45(5)(a)(ii) or (b).**

### 5.1 Planning Regulation 2017

This section of the report includes an assessment of the proposed development against Schedule 10 of the Planning Regulation 2017 (the Planning Regulation).

#### 5.1.1 Schedule 9 – Building Works

It is noted that assessment benchmarks and matters stated in Schedule 9 of the Regulation are not relevant to this development application for a material change of use but may be relevant to subsequent development such as building work.

#### 5.1.2 Schedule 10 – Assessable Development

The proposed development does not involve prescribed assessable development under Schedule 10.

#### 5.1.3 Schedule 10 – Referral Agencies

The application triggered referral under Schedule 10 of the Planning Regulation for the following matters:

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development application for an aspect of development stated in schedule 20 – Retirement Facility

The application was properly referred to SARA on 8 June 2021, with a response provided with conditions issued by SARA on the 23 June 2021. No information request was issued by SARA in response to the referral.

### 5.2 Other Matters for Impact Assessment

This section of the report includes an assessment of the proposed works against the other matters that impact assessment must have regard to as required by the Planning Regulation 2017 (section 31) namely:

- (a) the Planning Scheme;
- (b) the Regional Plan
- (c) the State Planning Policy, to the extent the SPP is not identified in the planning scheme as being appropriately integrated in the planning scheme;
- (d) any temporary State planning policy applying to the premises;
- (e) any development approval for, and any lawful use of, the premises or adjacent premises; and
- (f) the common material.

In accordance with section 45(5)(a) of the Planning Act, impact assessment is an assessment that –

- (a) *must be carried out only*
  - (i) *against the assessment benchmarks in a categorising instrument for the development; and*
  - (ii) *having regard to any matters prescribed by regulation for this paragraph; and*

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

*(b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.*

In this instance under section 45 (5)(a) of the Planning Act, the categorising instrument for the development is the South Burnett Regional Council Planning Scheme 2017 (v1.3) under which the applicable assessment benchmarks are the Low Density Residential Zone Code and the Services and Works Code.

The planning assessment of the development considers the above assessment benchmarks and matters to the extent that the assessment benchmark and matter is relevant to the proposed change.

### 5.3 Planning Scheme

#### 4.0

#### 5.3.1 Defined Use

The proposed land use is defined under the Planning Scheme as a Retirement Facility. A Retirement Facility is defined as follows under the provisions of the South Burnett Regional Planning Scheme.

**Retirement Facility means a residential use of premises for –**

- (a) Accommodation for older members of the community, or retired persons, in independent living units or services units;*
- (b) Amenity and community facilities, a manager's residence, health care and support services, preparing food and drink ancillary to the use in paragraph (a).*

Under the previous approval, the proposed development was assessed against the Kingaroy Shire IPA Planning Scheme, where the associated land use was defined as a Retirement Village.

#### **Retirement Village**

*Premises for residential accommodation by (exclusively or primarily) elderly or retired persons if the premises:*

- (a) Include dwelling units, rooming units, hostel beds and/or nursing home facilities;*
- (b) Provide on-site opportunities for social and recreational pursuits, including communal facilities;*
- (c) Provide on-site medical services for residents;*
- (d) Are of an integrated design and layout; and*
- (e) Are managed.*

*The term does not include Accommodation buildings, Special use (hospital), or Multiple dwelling units as separately defined.*

#### 5.3.2 Assessment Benchmarks

Pursuant to under Section 5.5, Table 5.5.1 – Level of Assessment in the Low Density Residential Zone for a Retirement Facility is subject to Impact Assessment. The relevant assessment benchmarks are:

- Low Density Residential Zone Code
- Services and Works Code

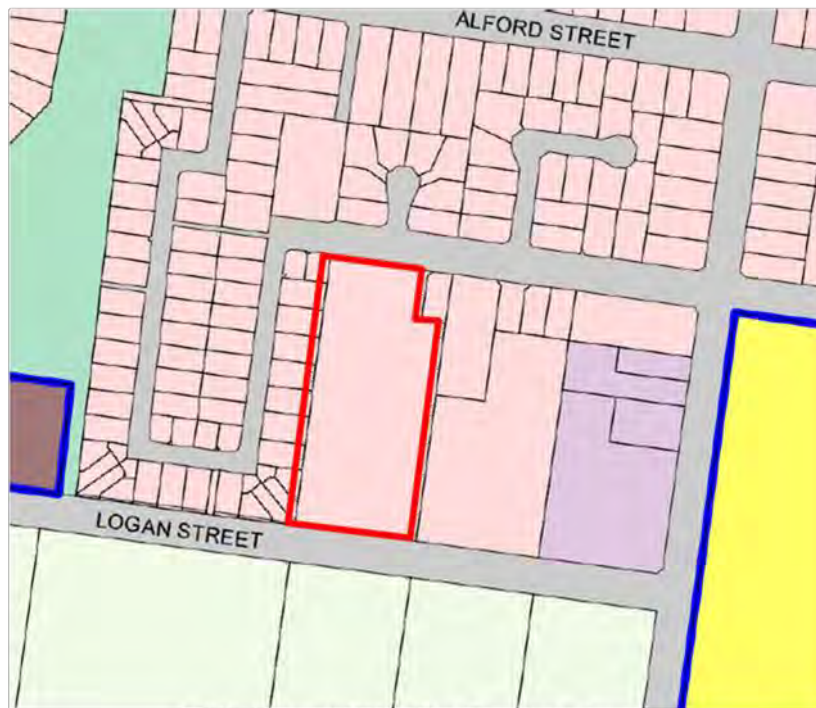
#### 3.3.2.2 Low Density Residential Zone Code

The subject site is situated in the Low Density Residential Zone of the Planning Scheme:



Delegated Authority

Date:



**FIGURE 5 – ZONING MAP (Planning Scheme)**

The purpose of the Low Density Residential Zone is to provide for residential land uses, community uses and small-scale services, facilities and infrastructure in order to support local residents.

The following table sets out an assessment of the proposal against the overall outcomes for the Low Density Residential Zone Code.

Delegated Authority

Date:

**Table 6.2.4.3 Criteria for Assessment**

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
General		
<p><b>PO1</b></p>	<p><b>AO1.1</b> Development occurs in accordance with an approved structure plan.</p> <p>or</p> <p><b>AO1.2</b> The development application includes a structure plan that provides detailed information addressing site constraints, proposed development, integration with and protection of amenity and safety for surrounding development and provision of urban infrastructure. The structure plan does not confer land use rights.</p> <p>Editor's note— A structure plan is an integrated land use plan setting out the broad environmental, land use, infrastructure and development intent for a specific area. It does not confer land use rights.</p> <p>Editor's note— As a guide, when drafting a structure plan, open space should comprise 10% of the development parcel and be a fair average of its geographic qualities.</p>	<p><b>Not Applicable.</b> The proposal does not involve a structure plan.</p>
<p><b>Section 2 General</b></p>		

Delegated Authority

Date:

<p><b>PO2</b> The density, built form and appearance of development reflects the intended low density, detached housing character of the zone, is climatically responsive and facilitates casual surveillance of the street</p>	<p><b>AO2.1</b> Site cover does not exceed 50% except for the Bunya Mountains Precinct where the maximum site cover is 10%.</p> <p>and</p> <p><b>AO2.2</b> Buildings are a maximum of 2 storeys above ground level.</p> <p>and</p> <p><b>AO2.3</b> Pedestrian entrances to buildings are clearly visible from the street.</p> <p>and</p> <p><b>AO2.4</b> The maximum length of any façade without articulation or change of materials is 10m.</p> <p>and</p> <p><b>AO2.5</b> Buildings are set back at least:</p> <ul style="list-style-type: none"> <li>(a) 6m from the primary street frontage;</li> <li>(b) 4.5m from any secondary street frontage;</li> <li>(c) 1.5m from side boundaries; and</li> <li>(d) 6m from rear boundaries.</li> </ul> <p>and</p> <p><b>AO2.6</b> A 1.8m high screen fence is provided to the side and rear boundaries.</p> <p>and</p> <p><b>AO2.7</b> Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, refuse bins, telecommunication devices, etc) are integrated into the building.</p> <p>and</p> <p><b>AO2.8</b> Garages are at or behind the ground level front building setback.</p> <p>and</p> <p><b>AO2.9</b> Front façades incorporate the front door (and an associated front door identification structure) and living room windows or balconies oriented toward the street.</p> <p>and</p>	<p><b>AO2.1</b> <b>Complies.</b> Proposed site cover does not exceed 50%.</p> <p><b>AO2.2</b> <b>Complies.</b> The proposed dwellings are single storey only.</p> <p><b>AO2.3</b> <b>Complies.</b> Pedestrian entries to the site are clearly identified on both Markwell Street and Logan Road. Pedestrian entries are separate to vehicle entries.</p> <p><b>AO2.4</b> <b>Complies.</b> All buildings involve substantial articulation at least every 10m.</p> <p><b>AO2.5</b> <b>Complies.</b> All buildings are setback at least 6m from the street and 3m from adjoining property boundaries, more than the minimum requirements.</p> <p><b>AO2.6</b> <b>Complies.</b> The site will include appropriate screen fencing.</p> <p><b>AO2.7</b> <b>Complies.</b> Plant and service equipment will be located appropriately.</p> <p><b>AO2.8</b> <b>Not Applicable.</b> The proposal does not involve garages.</p> <p><b>AO2.9</b> <b>Complies.</b> The proposal involves units that address the street. These include doors and living areas which address the street.</p> <p><b>AO2.10</b> <b>Complies.</b></p> <p><b>AO2.11</b> <b>Complies.</b> The proposal will not involve front fences exceeding 1.2m.</p> <p><b>AO2.12</b> <b>Not Applicable.</b> The proposal does not involve a Dual Occupancy.</p>
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Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p><b>AO2.10</b> Each unit incorporates a private open space at least 20m<sup>2</sup> in area and 4 metres wide that directly adjoins the unit's principal living area and is oriented northward.</p> <p>and</p> <p><b>AO2.11</b> Front fences are less than 1.2 metres high.</p> <p>and</p> <p><b>AO2.12</b> Where a dual occupancy in the Low Density Residential zone, each unit has:</p> <ul style="list-style-type: none"> <li>(a) Independent driveway access to its respective street frontage; and</li> <li>(b) Its front door (and an associated front door identification structure) and living room windows or balconies orientated toward its respective street frontage.</li> </ul>	
<p><b>PO3</b> Development responds to natural landforms and stormwater flows.</p>	<p><b>AO3.1</b> Cut and fill is minimised.</p> <p>and</p> <p><b>AO3.2</b> For building sites steeper than 10%, elevated split-level building construction is used to achieve level changes.</p>	<p><b>AO3.1</b> <b>Complies.</b> The proposal is designed to minimise cut and fill.</p> <p><b>AO3.2</b> <b>Not Applicable.</b> The site is not steeper than 10%.</p>
<p><b>PO4</b> Development is adequately serviced.</p>	<p><b>AO4.1</b> Development is connected to reticulated water supply and sewerage.</p> <p>and</p> <p><b>AO4.2</b> Stormwater is discharged to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners.</p> <p>and</p> <p><b>AO4.3</b> Development is supplied with reticulated electricity and telecommunications services.</p>	<p><b>AO4.1</b> <b>Complies.</b> The proposal will achieve appropriate access to services. Connection to services is addressed in an engineering services report which will be provided upon completion.</p> <p><b>AO4.2</b> <b>Complies.</b> The proposal achieves appropriate stormwater discharge. Stormwater discharge is addressed in an engineering services report which will be provided upon completion.</p>
<p><b>PO5</b> The efficiency and safety of the road network is not compromised by inappropriate access arrangements.</p>	<p>No outcome specified.</p>	<p><b>Complies.</b> Access to the site is appropriate and addressed in a traffic statement which will be provided upon completion.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p><b>PO6</b> Refuse storage areas:                      (a) are conveniently located for use and collection; and                      (b) are of useable size; and                      (c) avoid adverse impacts on neighbours and occupants; and                      (d) are screened from view within the site, adjoining properties and the street.</p>	<p>No outcome specified.</p>	<p><b>Complies.</b> Refuse storage will be provided appropriately and addressed in a traffic statement which will be provided upon completion.</p>
<p><b>PO7</b> Development is located and designed to ensure that land uses are not exposed to:                      (a) Areas that pose a health risk from previous activities;                      (b) Unacceptable levels of contaminants.</p>	<p><b>AO7.1</b> Development does not occur: (a) In areas that pose a health risk from previous activities; and (b) On sites listed on the Contaminated Land Register or Environmental Management Register                       and  <b>AO7.2</b> Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p><b>AO7.1 – AO7.2 Complies.</b> The subject site is currently vacant and is not at risk of previous activities. The site is not located on the Contaminated Land Register or Environmental Management Register.</p>
<p><b>Section 3 Home Based Business</b></p>		
<p><b>PO8 – PO10 Not Applicable.</b>                      The proposed development is not for a home based business.</p>		
<p><b>Section 4 Secondary Dwelling</b></p>		
<p><b>PO11 Not Applicable.</b>                      The proposed development does not include a secondary dwelling.</p>		
<p><b>Section 5 Development in Bunya Mountains Precinct</b></p>		
<p><b>PO12 Not Applicable.</b>                      The proposal site is not located within the Bunya Mountains Precinct.</p>		
<p><b>Section 6 Small lot dwelling houses</b></p>		
<p><b>PO13 – PO14 Not Applicable.</b>                      The proposed development does not include a dwelling house on a small lot.</p>		
<p><b>Section 7 For development affected by one or more overlays</b></p>		
<p><b>Airport Environs overlay                      Wildlife hazard sub-area</b></p>		
<p><b>PO15 Not Applicable.</b>                      The proposal site is not located within the Wildlife hazard sub-area of the Airport Environs Overlay.</p>		
<p><b>Biodiversity Overlay</b></p>		
<p><b>PO16 – PO18 Not Applicable.</b>                      The proposal site is not located within the Biodiversity Overlay.</p>		
<p><b>Bushfire Hazard Overlay</b></p>		
<p><b>PO19 – PO21 Not Applicable.</b>                      The proposal site is not located within the Bushfire Hazard Overlay.</p>		
<p><b>Flood Hazard Overlay</b></p>		
<p><b>PO22 – PO24 Not Applicable.</b>                      The proposal site is not located within the Flood Hazard Overlay.</p>		
<p><b>Historic Subdivisions Overlay</b></p>		



Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<b>PO25 – PO26 Not Applicable.</b> The subject site is not located within the Historic Subdivisions Overlay.		
<b>Landslide Hazard Overlay</b>		
<b>PO27 – PO28 Not Applicable.</b> The proposal site is not located within the Landslide Hazard Overlay.		

3.3.2.2 Services and Works Code

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
General		
<b>PO1</b> The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	<b>AO1.1</b> A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.	<b>AO1.1 Complies.</b> A stormwater management plan will be provided upon completion in accordance with the relevant requirements.
<b>PO2</b> Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	<b>AO2.1</b> A wastewater management plan prepared by a suitably qualified person and addresses : (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management;  and <b>AO2.2</b> Wastewater is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater	<b>AO2.1 – AO2.2 Not Applicable.</b> The proposal does not require a wastewater management plan. Discharge of wastewater will be discussed as part of the engineering services report to be provided upon completion.
<b>PO3</b> Construction activities avoid or minimise adverse impacts on stormwater quality.	<b>AO3.1</b> An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4	<b>AO3.1 Complies.</b> An erosion and sediment control plan is able to be prepared as part of detailed design.
<b>PO4</b> Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	<b>AO4.1</b> Development incorporates stormwater flow control measures to achieve the design objectives for the postconstruction phase in Table 9.4.4.	<b>AO4.1 Complies.</b> Stormwater flow will be addressed as part of the stormwater management report to be provided upon completion.
<b>Section 2 Infrastructure</b>		



Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p><b>PO5</b> Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> <li>(a) conforms with industry standards for quality;</li> <li>(b) is reliable and service failures are minimised;</li> <li>and</li> <li>(c) is functional and readily augmented.</li> </ul>	<p><b>AO5.1</b> Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p><b>AO5.2</b> Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p><b>AO5.1</b> <b>Complies.</b> Both Markwell Street and Logan Road are sealed roads.</p> <p><b>AO5.2</b> <b>Complies.</b> Infrastructure is to be designed in accordance with the relevant standards.</p>
<p><b>Part 3 Vehicle Parking</b></p>		
<p><b>PO6</b> Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p><b>AO6.1</b> Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p><b>AO6.2</b> A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p><b>AO6.3</b> Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p><b>AO6.4</b> Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p><b>AO6.1</b> <b>Complies.</b> Under table 8.4.5 of the Planning Scheme, parking rates for a Retirement Facility are not specifically prescribed, and as such parking is required at a rate sufficient for the nature, scale and intensity of the use.</p> <p>A traffic statement will be provided which details that parking is sufficient to meet peak demand.</p> <p>It is noted that the subject Retirement Facility is designed as an affordable housing product, with residents having a low rate of vehicle ownership.</p> <p><b>AO6.2</b> <b>Complies.</b> Servicing will be addressed as part of the traffic statement.</p> <p><b>AO6.3</b> <b>Complies.</b> Driveway crossings are provided in accordance with the relevant standards.</p> <p><b>AO6.4</b> <b>Complies.</b> Parking and manoeuvring areas are provided in accordance with the relevant standards.</p>
<p><b>Section 4 Landscaping</b></p>		

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p><b>PO7</b> Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p><b>AO7.1</b> Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p><b>AO7.2</b> Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m<sup>2</sup> and is unsealed and permeable.</p> <p>and</p> <p><b>AO7.3</b> Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>	<p><b>AO7.1</b> <b>Complies.</b> Landscaping will be provided in accordance with the requirements of the planning scheme.</p> <p><b>AO7.2</b> <b>Complies.</b> Not Applicable. The relevant components of the planning scheme does not require specific shade tree planting. However, any planting beds will be provided appropriately.</p> <p><b>AO7.3</b> <b>Complies.</b> Defined gardens will be provided appropriately on site.</p>
<p><b>PO8</b> Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p><b>AO8.1</b> Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p><b>AO8.2</b> Species selection avoids non-invasive plants.</p> <p>Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council.</p>	<p><b>AO8.1-AO8.2</b> <b>Complies.</b> Appropriate plant species will be provided on site.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p><b>PO9</b> Development results in ground levels that retain:                      (a) access to natural light;                      (b) aesthetic amenity;                      (c) privacy; and (d) safety.</p>	<p><b>AO9.1</b> The depth of: (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level.</p> <p>and</p> <p><b>AO9.2</b> The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p><b>AO9.3</b> Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p><b>AO9.4</b> Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p><b>AO9.5</b> Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p><b>AO9.6</b> Filling or excavation for the purpose or retention of water:                      (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading;                      (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots.</p>	<p><b>AO9.1-AO9.5 Complies.</b> The proposal is not anticipated to involve significant earthworks. All earthworks information will be provided as part of engineering reporting.</p>
<p><b>PO10</b> Filling or excavation does not cause damage to public utilities.</p>	<p><b>AO10.1</b> Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>	<p><b>Complies.</b> All filling and excavation will be located appropriately on site.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p><b>PO11</b> Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p><b>AO11.1</b> Following filling or excavation:</p> <ul style="list-style-type: none"> <li>(a) The premises:                             <ul style="list-style-type: none"> <li>(i) Are self-draining; and</li> <li>(ii) Has a minimum slope of 0.25%; and</li> </ul> </li> <li>(b) Surface water flow is:                             <ul style="list-style-type: none"> <li>(i) Directed away from neighbouring properties; or</li> <li>(ii) Discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2</li> </ul> </li> </ul>	<p><b>Complies.</b> Filling and excavation would achieve the relevant drainage outcomes required by the planning scheme.</p>
<p><b>Section 6 All operational work subject to an overlay</b></p>		
<p><b>Biodiversity Overlay</b></p>		
<p><b>PO12 – PO14 Not applicable.</b></p>		
<p><b>Flood Hazard Overlay</b></p>		
<p><b>PO15 Not applicable.</b></p>		
<p><b>Regional Infrastructure Overlay</b></p>		
<p><b>PO16 – PO17 Not applicable.</b></p>		
<p><b>Water Catchments Overlay</b></p>		
<p><b>PO18 Not applicable.</b></p>		

**8.0 CONTRIBUTIONS / CHARGES**

The South Burnett Regional Council Adopted Infrastructure Charges Resolution (No. 2) 2015 applies and an ICN is attached to this decision.

**9.0 CONSULTATION**

No public notification was required under the DA Rules for this Other Change application as the only reason for the Other Change was a new referral agency trigger.

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Delegated Authority

Date:

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## 10.0 GROUNDS FOR APPROVAL / RECOMMENDATION

Grounds to support the development

- The proposed change involves changes to the proposed dwelling layout and associated facilities and repositioning of the proposed road. Due to its residential nature and scale, the proposed retirement facility will not prejudice the use of the site or surrounding land for residential or community uses in the future.  
5.0
- The use is an impact assessable land use which is anticipated in the Low Density Residential Zone. The use complies with all acceptable outcomes and performance criteria within the current planning framework, including the South Burnett Regional Council Planning Scheme 2017.  
6.0
- The amenity impacts of the proposal, including light and noise, can be managed through specific conditions of approval. Future compliance will be required with those conditions.  
7.0
- The proposed change continues to advance the Strategic Framework and does not cause the existing approved use to conflict with any strategic provisions.  
8.0

On balance, the proposed development and its impacts can be managed through compliance with conditions. On this basis, we recommend that Council approve the proposed development, subject to the conditions outlined herein:

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENTS**

1. **Attachment A: Referral Agency Response with conditions**
2. **Attachment B: Approved Proposal Plans**



Delegated Authority

Date:

Attachment A  
Referral Agency Approval

886-N



SARA reference: 2106.22633-SRA  
Council reference: MCU210005  
Applicant reference: 20.297

23 June 2021

South Burnett Regional Council  
PO Box 336  
KINGAROY Qld 4610  
info@southburnett.qld.gov.au

Attention: Sam Dunstan

Dear Sam Dunstan

**SARA response—95 Markwell Street, Kingaroy**

*(Referral agency response given under section 59 of the Planning Act 2016)*

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 8 June 2021.

**Response**

Outcome:	Referral agency response—with conditions.
Date of response:	23 June 2021
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

**Development details**

Description:	Development permit: Material change of use for Proposed Change (s82 Other Change) to existing Development Permit for a Material Change of Use for Retirement Facility (110 Units)
SARA role:	Referral Agency.
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017)  Development application for an aspect of development stated in

North and North West regional office  
Level 4, 445 Fingers Street, Townsville  
PO Box 5966, Townsville QLD 4810

Page 1 of 7

Delegated Authority

Date:

2106-22883 SRA

SARA reference: schedule 20 – Retirement Facility  
 2106-22883 SRA  
 Assessment Manager: South Burnett Regional Council  
 Street address: 95 Markwell Street, Kingaroy  
 Real property description: Lot 4 on RP178598  
 Applicant name: Eureka Group Holdings Limited  
 c/- Plan A Town Planning Pty Ltd  
 Applicant contact details: PO Box 1661  
 MILTON QLD 4654  
 planning@planatp.com.au

**Representations**

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Catherine Hobbs, Principal Planning Officer, on 4758 3412 or via email [NQSARA@dssdmp.qld.gov.au](mailto:NQSARA@dssdmp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Graeme Kenna  
 Manager (Planning)

- cc Eureka Group Holdings Limited c/- Plan A Town Planning Pty Ltd, [planning@planatp.com.au](mailto:planning@planatp.com.au)
- enc Attachment 1 – Referral agency conditions  
 Attachment 2 – Advice to the applicant  
 Attachment 3 – Reasons for referral agency response  
 Attachment 4 – Representations provisions  
 Attachment 5 – Approved plan and specifications

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

2106-22683 SRA

**Attachment 1—Referral agency conditions**

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Development Permit for Material Change of Use (s82 Other Change) to existing Development Permit for a Material Change of Use for Retirement Facility (110 Units)		
Schedule 10, Part 3, Division 4, Subdivision 1, Table 1, Item 1—Development application for an aspect of development stated in schedule 20—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development must be carried out generally in accordance with the following plans: Site Plan, prepared by Reddog, dated 28.05.2021, reference 2738-371 DA-01, revision A as amended in red by SARA.	Prior to the commencement of use and to be maintained at all times

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

2106-22663 SRA

**Attachment 2—Advice to the applicant**

<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> (its regulation or the State Development Assessment Provisions (SDAP) [v2.0]. If a word remains undefined it has its ordinary meaning.

Delegated Authority

Date:

2106-22683 SRA

**Attachment 3—Reasons for referral agency response***(Given under section 56(7) of the Planning Act 2016)***The reasons for the department's decision are:**

- the development does not create a safety hazard for users of state transport infrastructure or public passenger services
- the development does not result in a worsening of the physical condition or operating performance of the state transport network
- the development does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure
- the development provides public passenger transport infrastructure to enable development to be serviced by public passenger transport (NB use only where the development provides, or is conditioned to provide, public passenger transport infrastructure)
- the development does not compromise existing safe and direct access to public passenger transport infrastructure, including access by cycling and walking.

**Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- *Planning Regulation 2017*
- *The State Development Assessment Provisions (version [2.6]), as published by the department*
- *The Development Assessment Rules*
- SARA DA Mapping system

Delegated Authority

Date:

2020-22860 CRA

**Attachment 4—Change representation provisions**

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Safe Assessment and Referral Agency

Page 6 of 7



Delegated Authority

Date:

2106-22860 CRA

**Attachment 5—Approved plan and specifications**

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Safe Assessment and Referral Agency

Page 7 of 7



**Eureka Kingaroy**

**SITE PLAN**

2738-371 DA-01 A

**Rusdlog**  
 rusdlogarchitects.com  
 PHONE: 07 5522 8815  
 email: info@rusdlog.com

**eureka**

1:750

113 TOTAL UNITS  
78 CARPARKS

Attachment B  
Approved Proposal Plans

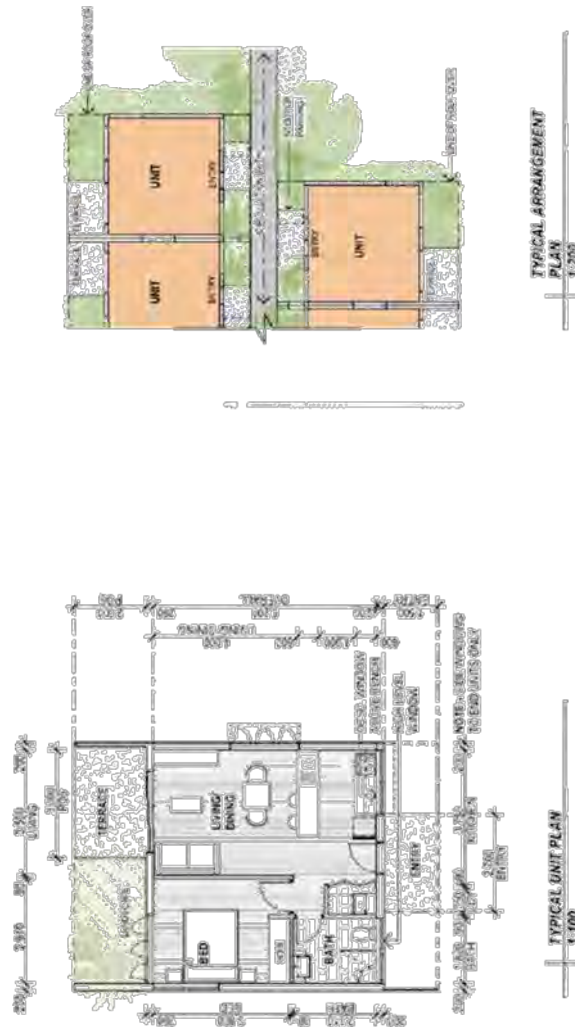


**Reddog**  
 redlogdesigns.com  
 PROJECT MANAGER  
 paul@redlogdesigns.com

**Eureka**  
 EUREKA  
 EUREKA KINGAROY

**Eureka Kingaroy**  
 SITE PLAN  
 2738-371 DA-01 A

SCALE 1:1000  
 0 5 10 15 20 METRES



**Eureka Kingaroy**

**TYPICAL UNIT PLAN & ARRANGEMENT**

2738-371 DA-02 A

Rusdlog  
rusdlog.com.au  
RUSKIN ST BRISBANE  
rusdlog@rusdlog.com.au

curea

RUSKIN ST BRISBANE



FIRST FLOOR  
1:200

GROUND FLOOR PLAN  
1:200

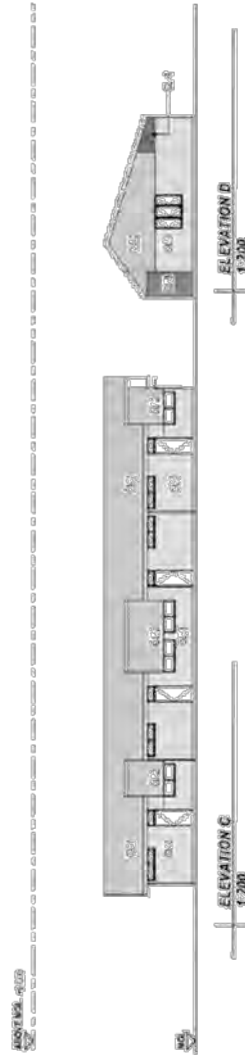
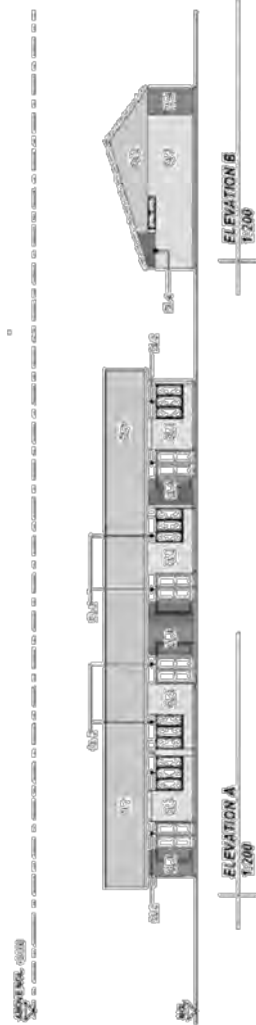
  
**Eureka Kingaroy**  
**COMMUNITY CENTRE**  
 2738-371 DA-04 A





[www.rusdlog.com.au](http://www.rusdlog.com.au)  
 Rusdlog Architecture  
 2738-371 DA-04 A

APPROVED BY:  
COUNCILOR(S)  
CITY ENGINEER(S)  
CITY CLERK  
DATE



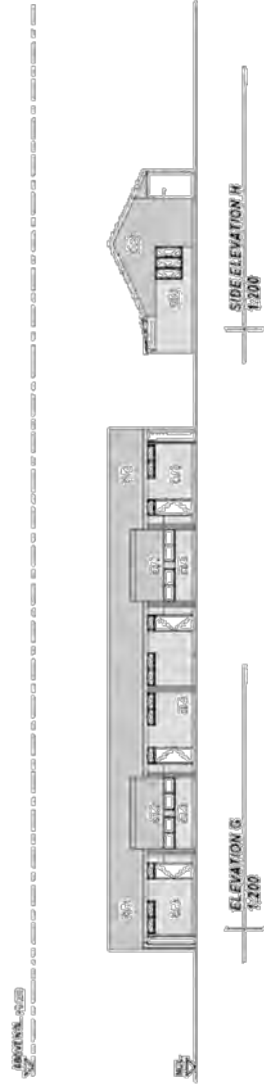
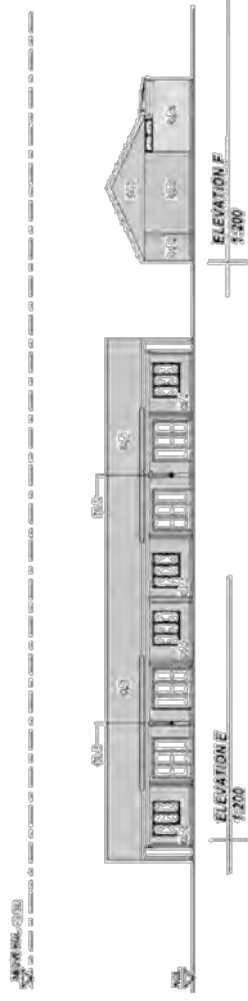
**Rusdlog**  
[rusdlog.com](http://rusdlog.com)  
 Phone: 021 923 2815  
[rusdlog@rusdlog.com](mailto:rusdlog@rusdlog.com)

**Eureka Kingaroy**  
 TYPICAL UNIT ELEVATIONS - TYPE A  
 2738-371 DA-04 A

Scale: 1:100  
 0 1000 2000



PROPOSED  
CONSTRUCTION  
OF 10 UNIT TYPICAL  
RESIDENTIAL

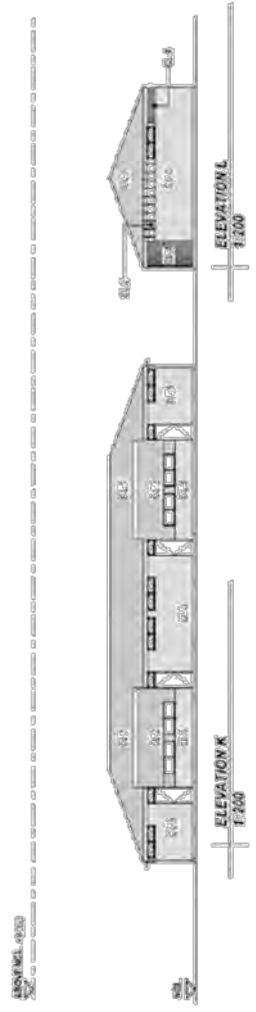
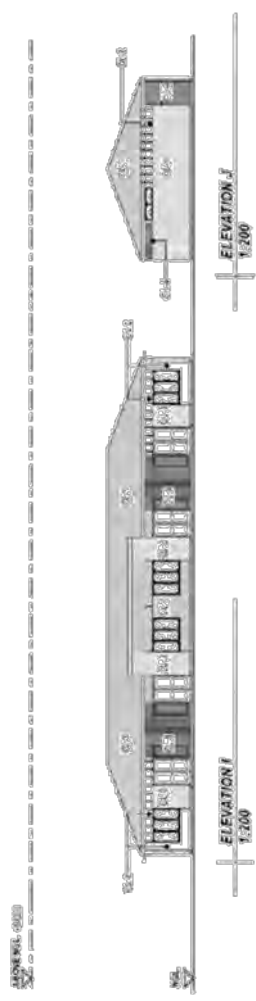


**Rusdlog**  
[rusdlog.com](http://rusdlog.com)  
 Phone: 08 9392 2815  
[info@rusdlog.com](mailto:info@rusdlog.com)

**Eureka Kingaroy**  
 TYPICAL UNIT ELEVATION - TYPE B  
 DRAWING NO. 2738-371 DA-05 A

Scale: 1:200  
 Date: 25/12/2030

APPROVED AND  
FORWARDED  
BY COUNCIL  
ON BEHALF OF  
THE CHAIR

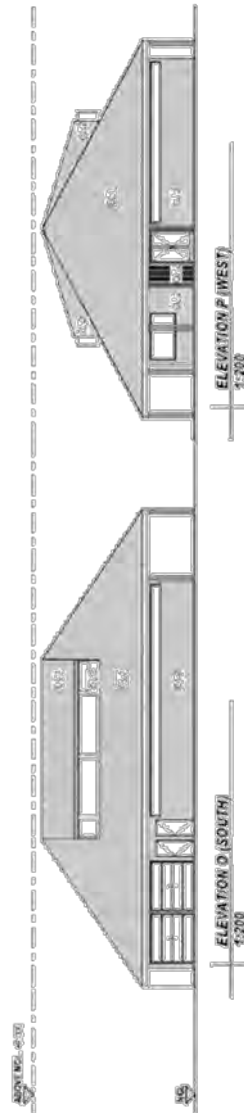
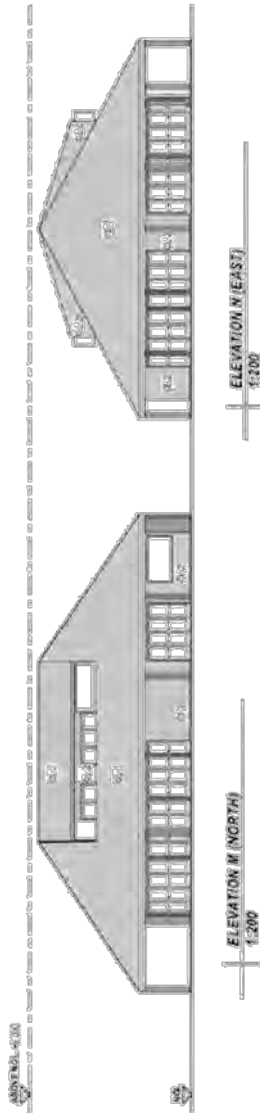


**Rusdlog**  
[rusdlog.co.nz](http://rusdlog.co.nz)  
 Phone: 06 853 8888  
 Email: [info@rusdlog.co.nz](mailto:info@rusdlog.co.nz)

**Eureka Kingaroy**  
 TYPICAL UNIT ELEVATIONS - TYPE C  
 2738-371 DA-06 A

Scale: 1:100  
 Date: 25/12/2030

PROPOSED  
ELEVATIONS  
OF COMMUNITY CENTRE







**Eureka Kingaroy**  
**COMMUNITY CENTRE ELEVATIONS**  
 2738-371 DA-07 A

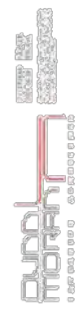
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 Author: [Name]  
 Check: [Name]





Delegated Authority

Date:

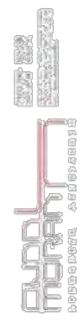


**SCHEMATIC DESIGN - INDICATIVE SECTIONS**  
EUREKA VILLAGE KINGARROY

Delegated Authority

Date:

The image displays a grid of 15 photographs of various plants and trees, organized into three vertical columns. Each column is separated by a vertical line. The first column (left) features trees and shrubs, including a large green tree, a purple-flowering tree, a dense green tree, a palm tree, and a row of orange-brown shrubs. The second column (middle) features flowering plants and foliage, including red flowers, green foliage, green foliage, white flowers, and green foliage. The third column (right) features purple flowers, green foliage, purple and green foliage, green foliage, and green foliage. The photographs are arranged in a grid-like fashion, with each row containing one image from each column.



**SCHEMATIC DESIGN - INDICATIVE PLANT PALETTE**  
 EUREKA VILLAGE KINGARROY



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

Attachment C

**INFRASTRUCTURE CHARGES NOTICE**

*(Section 119 of the Planning Act 2016)*

**APPLICANT:** Eureka Group Holdings Limited  
 C/- Plan A Town Planning Pty Ltd  
 PO Box 1661  
 MILTON QLD 4064

**APPLICATION:** (MCUI2016/0001) Other change to approval Retirement Facility (110 Units)

**DATE:** 28/06/2021

**FILE REFERENCE:** MCU21/0006

**AMOUNT OF THE LEVIED CHARGE:** **\$1,578,060.00** **Total**  
*(Details of how these charges were calculated are shown overleaf)*

\$773,300.00	Water Supply Network
\$426,030.00	Sewerage Network
\$189,420.00	Transport Network
\$157,850.00	Parks and Land for Community Facilities Network
\$,31,460.00	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 4 RP178596

**SITE ADDRESS:** 95 Markwell St, Kingaroy

**PAYABLE TO:** **South Burnett Regional Council**

**WHEN PAYABLE:** Material Change of Use – When the change happens.  
*(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**

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**DETAILS OF CALCULATION**

**Water Supply**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation (long term) (1 or 2 bedroom suite)	110	dwelling	\$7,030.00	CR Table 2.1	\$773,300.00
Residential Use (3 or more bed) – Managers Residence	1	dwelling	\$9,842.00	CR Table 2.1	\$9,842.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use – Residential Use	1	dwelling	\$9,842.00	CR Table 2.1	\$9,842.00

**Sewerage**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation (long term) (1 or 2 bedroom suite)	110	dwelling	\$3,873.00	CR Table 2.1	\$426,030.00
Residential Use (3 or more bed) – Managers Residence	1	dwelling	\$5,423.00	CR Table 2.1	\$5,423.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use – Residential Use	1	dwelling	\$5,423.00	CR Table 2.1	\$5,423.00

**Transport**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
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Delegated Authority

Date:

Accommodation (long term) (1 or 2 bedroom suite)	110	dwelling	\$1,722.00	CR Table 2.1	\$189,420.00
Residential Use (3 or more bed) – Managers Residence	1	dwelling	\$2,410.00	CR Table 2.1	\$2,410.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use – Residential Use	1	dwelling	\$2,410.00	CR Table 2.1	\$2,410.00

**Parks and Land for Community Facilities**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation (long term) (1 or 2 bedroom suite)	110	dwelling	\$1,435.00	CR Table 2.1	\$157,850.00
Residential Use (3 or more bed) – Managers Residence	1	dwelling	\$2,009.00	CR Table 2.1	\$2,009.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use – Residential Use	1	dwelling	\$2,009.00	CR Table 2.1	\$2,009.00

**Stormwater**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation (long term) (1 or 2 bedroom suite)	110	dwelling	\$286.00	CR Table 2.1	\$31,460.00
Residential Use (3 or more bed) – Managers Residence	1	dwelling	\$401.00	CR Table 2.1	\$401.00

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use – Residential Use (3 or more bed)	1	dwelling	\$401.00	CR Table 2.1	\$401.00

**Levied Charges**

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Accommodation (long term) (1 or 2 bedroom suite)	\$773,300.00	\$426,030.00	\$189,420.00	\$157,850.00	\$31,460.00	\$1,578,060.00
Residential Use (3 or more bed) – Managers Residence	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$773,300.00</b>	<b>\$426,030.00</b>	<b>\$189,420.00</b>	<b>\$157,850.00</b>	<b>\$31,460.00</b>	<b>\$1,578,060.00</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.*

Delegated Authority

Date:

## 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;

<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.

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Delegated Authority

Date:

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- 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 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](mailto:info@southburnett.qld.gov.au)



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**REQUEST FOR NEGOTIATED DECISION NOTICE - MATERIAL CHANGE OF USE (SERVICE STATION) AT 4 SCOTT STREET, WONDAL - LOTS 808, 809 & 810 ON W5357 - MCU20/0020 - SJS FUELS PTY LTD - C/- PROJECT URBAN PTY LTD**

**File Number:** MCU20/0020  
**Author:** Senior Planner  
**Authoriser:** Chief Executive Officer

**PRECIS**

Request for Negotiated Decision Notice – Material change of use (Service station) at 4 Scott Street, Wondai – Lots 808, 809 & 810 on W5357 MCU20/0020 – SJS Fuels – C/- Project Urban Pty Ltd

**SUMMARY**

- The applicant submitted representations on 27 July 2021 requesting a Negotiated Decision Notice in relation to the Material change of use – Development Permit (Service station);
- The nature of the requested amendment relates to:
  - MCU13 Environmental health (complaint recording/reporting process) – request to have this condition amended.

**OFFICER'S RECOMMENDATION**

That Council issue a Negotiated Decision Notice for Material change of use (Service station) at 4 Scott Street, Wondai (and described as Lots 808, 809 & 810 on W5357) pursuant to the provisions of s76 of the *Planning Act 2016* subject to the amendments (strikethrough deleted text and new text in bold) listed as follows:-

**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/ Drawing no.	Revision	Date
Landscape concept plan	Project Urban	/	B	14 January 2021
Perspective View	Ashanti	/	/	23 March 2021
Site Plan	Ashanti	1	/	23 March 2021
Part Floor Plan	Ashanti	2	/	23 March 2021
Part Floor Plan	Ashanti	3	/	23 March 2021
Dimension Plan	Ashanti	4	/	23 March 2021
Elevation (1) (2) (3)	Ashanti	5	/	23 March 2021

Approved Documents listed:-

Author	Document Title	Reference no.	Revision	Date
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Delegated Authority

Date:

QGE	Exterior Lighting Design Report	883-002- RPT 001	/	15 February 2021
ATP Consulting Engineers	Noise Impact Assessment	ATP201020	2 Issue 3	March 2021
ASK Acoustic & Air Quality	Air Quality Assessment	217401.0010.R01V03	3	24 March 2021
Contour	Engineering Report	2594-ENG01(B)	B	20 January 2021

- GEN2. The development herein approved may not start until the following development permits have been issued and complied with as required:
- o Development Permit for Building works;
  - o Development Permit for Plumbing and drainage works;
  - o Development Permit for Operational works.

**APPROVED USE**

- GEN3. The Development Permit is for a Service station including Service station shop of 300sqm and does not imply approval for a separate segregated food outlet or ownership or any other buildings or structures indicated on the Approval Plan. Separate approval may be required for structures/works not specifically approved in this application.

**HOURS OF OPERATION**

- GEN4. The approved use on the premises is permitted to operate 24 hours a day, seven (7) days a week.

**COMPLIANCE WITH CONDITIONS**

- GEN5. Unless otherwise stated all conditions shall be completed prior to commencement of the use.

**LANDSCAPING**

- MCU1. Landscaping is to be provided along all property boundaries in accordance with the submitted Site Plan and Landscape Concept Plans as listed in GEN1 (excluding vehicle manoeuvring areas).

All landscaped works must be established by a qualified person and maintained in accordance with the conditions of this Development Approval for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to the full form and be refurbished when its life expectancy is reached.

**REFUSE STORAGE COLLECTION**

- MCU2. Provision must be made for the storage and removal of refuse in accordance with the *Waste Reduction and Recycling Regulation 2011*.

- MCU3. Any areas that are dedicated for the collection and/or storage of solid waste on the premises are to be:
- a) level;
  - b) provided with impervious hard stand and drained; and
  - c) if facing either the street frontage or adjoining properties, screened by a 1.8m high fence around the full perimeter.

- MCU4. Refuse bin areas are to be provided for the washing out of the refuse bins and in connection with this:
- a) all tap outlets must be fitted with backflow prevention devices;
  - b) the floor areas are to be drained to sewer; and

Delegated Authority

Date:

- c) areas are to be covered and drainage designed such that water not associated with the washing out process (e.g. rainfall) does not enter the sewer.

**FENCING**

MCU5. A 1.8m high acoustic fence to be constructed on the north-eastern and south-eastern sides of the delivery bay atop the 1.5m high retaining wall. The top of the 1.8m high acoustic fence must be 3.3m above the finish surface level of the delivery bay and meet the ATP Consulting Engineers recommendations of the Noise Impact Assessment Report No ATP21020-R-NIA-03 Dated March 2021.

MCU6. A 2m high acoustic fence to be constructed along the north-eastern property boundary and meet the ATP Consulting Engineers recommendations of the Noise Impact Assessment Report No ATP21020-R-NIA-03 Dated March 2021.

**LIGHTING**

MCU7. Design all external lighting in accordance with *AS4282-1997 "Control of the Obtrusive Effects of Outdoor Lighting"* and meet the QGE recommendations of the Exterior Lighting Design Report 883-002 RPT 001 Dated 15 February 2021.

Artificial illumination is not to cause a nuisance to occupants of nearby premises and any passing traffic. Direct security and flood lighting away from adjacent premises to minimise the protrusion of light outside the street.

**ADVERTISING SIGN**

MCU8. Advertisement devices are designed and located in accordance with the submitted proposed site plans and elevations.

**NOISE ATTENUATION**

MCU9. Noise management mitigation measures recommended in the Noise Impact Assessment Report prepared by ATP Consulting Engineers Report Dated March 2021 must be implemented by the operator of the proposal.

MCU10. Any tyre inflation device installed on site must have the beeper on silent between the hours of 6:00pm to 7:00am or a visual alarm (eg. flashing light) instead of an audible beeper.

**AMALGAMATION**

MCU11. Prior to the commencement of the use, the applicant must amalgamate the subject lots (Lots 808, 809 & 810 on W5357) into one allotment and submit evidence of such to Council.

**Timing:** Prior to commencement of the use

**ENVIRONMENTAL HEALTH**

MCU12. All mechanical plant and equipment must be appropriately located and/or acoustically screened to ensure compliance with noise criteria at the nearest noise sensitive places, as specified in the Noise Impact Assessment March 2021.

MCU13. When requested by Council, nuisance monitoring must be undertaken **for a period agreed with Council and recorded over a period of three (3) months**, to investigate any genuine **complaints** compliance of nuisance caused by noise, light or odour. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

**AIR QUALITY**

Item

Page 3

Delegated Authority

Date:

MCU14. Air quality management mitigation measures recommended in the Air Quality Assessment prepared by ASK Acoustic & Air Quality Dated 24 March 2021 must be implemented by the operator of the proposal.

#### UNDERGROUND TANKS

EH1. Prior to the commencement of the use, underground tanks shall be checked to ensure compliance in accordance with the following:

- (i) Tanks are to have an overfill protection valve installed in the drop tube of the tank. The overfill prevention valve shall be calibrated to prevent the tank from being filled in excess of 95% of its capacity.
- (ii) Tanks are to be fitted with an automatic flow limiting device which reduces the flow rate into the tank by 98% when the normal fill level of the tank has been attained.
- (iii) Tanks are to be made of fibre-reinforced thermosetting resin (fibreglass) that is compatible with the product.
- (iv) Tanks are to be double-walled with an interstitial space.

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the underground tanks have been checked for compliance to ensure they are in compliance with the Australian Standards for Underground Tank Installation.

#### PIPEWORK

EH2. Prior to the commencement of the use, Pipework shall be constructed and installed in accordance with the following:

- (i) Pipework is to be made of non-corrodible materials as defined by *clause 1.4.37 of AS 4897 The design, installation and operation of underground petroleum storage systems*.
- (ii) Product piping is to be double-walled with an interstitial space.
- (iii) Each tank fill point is to be clearly labelled and identified in accordance with *AS 4977 Petroleum products - Pipeline, road tanker compartment and underground tank identification*.
- (iv) Each tank fill point is to be fitted with a camlock type or other liquid-tight connection.
- (v) Each tank fill point is to be provided with spill containment of at least 15 litre capacity per spill point.
- (vi) All fill and vapour recovery points are to be earthed in accordance with *AS 1020 The control of undesirable static electricity* and *AS 3000 Electrical installations*.

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the pipework has been constructed and installed in accordance with the above requirements.

#### LEAK DETECTION FOR UNDERGROUND TANKS

EH3. Prior to the commencement of the use:

- (i) Establish a leak monitoring system that is rated to detect a release of 0.76 litres/hour (or a release of 18 L/day), with greater than 95% confidence (and less than 5% false positive).

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification from a suitably qualified person that the leak detection system complies with the relevant Australian Standards for leak detection.

#### LEAK DETECTION FOR PIPEWORK

EH4. Prior to the commencement of the use:

Delegated Authority

Date:

- (i) Install line leak detection for pressure piping that is rated to detect a release of 0.76 litres/hour (or a release of 18 L/day), with greater than 95% confidence (and less than 5% false positive).

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification from a suitably qualified person that the leak detection system was installed and was verified as meeting the above leak detection performance standard.

**FUEL DISPENSING AREAS**

EH5. Prior to the commencement of the use, Fuel dispensing areas shall be constructed and installed in accordance with the following:

- (i) All ground surfaces within the fuel dispensing area are to be constructed of impermeable materials such as waterproofed, reinforced concrete that is free of gaps and/or cracks. Impermeable, hydrocarbon resistant jointing material is to be used between treated concrete slabs.
- (ii) The fuel dispensing area is to be clearly demarcated from the uncovered forecourt area, access roads, general parking bays and all other areas to clearly delineate the higher contamination risk area from lower risk areas.
- (iii) A canopy shall be installed over fuel dispensing areas. The canopy shall at least cover the demarcated fuel dispensing area. An appropriately sized Spel Purceptor shall be installed to accommodate any rainfall up to an ARI 10 storm event, of 5 minute to 2 hour duration, that may blow into the demarcated fuel dispensing area.
- (iv) A liquid-tight dispenser sump is to be installed under each dispensing unit. It is to be designed to house all pipework joints and fittings and to collect and contain any leak.
- (v) Signage indicating 'flows to stormwater treatment system' is to be provided at all drainage inlets within the fuel dispensing area.
- (vi) The fuel dispensing area is to be graded and drained to an independently certified stormwater treatment system. The system shall be installed in accordance with the approved site-based stormwater quality management plan.

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the fuel dispensing area has been constructed and installed in accordance with the above requirements.

**UNCOVERED FORECOURT AREA**

EH6. Prior to the commencement of the use, uncovered forecourt areas must be constructed and installed in accordance with the following:

- (i) All ground surfaces of the uncovered forecourt area are to be constructed to provide a sealed surface, free of gaps or cracks.
- (ii) Signage indicating 'flows to stormwater treatment system' is to be provided at all drainage inlets in the uncovered forecourt area.
- (iii) The uncovered forecourt area is to be graded and drained to an independently certified stormwater treatment system listed on Council's Register for Certified Hydrocarbon Separators. The system shall be installed in accordance with the approved site-based stormwater quality management plan.

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the uncovered forecourt area has been installed and constructed in accordance with the above requirements.

**ROAD TANKER DELIVERY**

Item

Page 5

Delegated Authority

Date:

- EH7. Prior to the commencement of the use, the road tanker delivery area shall be located within the containment area of the fuel dispensing area.

#### **STAGE 1 VAPOUR RECOVERY**

- EH8. Prior to the commencement of the use, construct and install stage 1 vapour recovery for underground systems storing motor spirit/petrol that has:
- (i) vapour return lines that return all vapour displaced from the storage tank to the delivery tanker.
  - (ii) a design that prevents the mixing of product in piping common to more than one tank.
  - (iii) vapour-tight couplings on the vapour line that close automatically when disconnected.
  - (iv) incompatible liquid and vapour couplings.
  - (vi) the vapour recovery point located within 2 metres of the respective fill point.

**Timing:** Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that stage 1 vapour recovery equipment has been constructed and installed in accordance with the above requirements.

#### **ENGINEERING WORKS**

- ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, roadworks, and access crossover.
- ENG2. 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 commencement of the use unless stated otherwise.
- ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG4. Be responsible for the full cost of any alterations 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.
- ENG5. Submit to Council, certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the Approved Plans and specifications and to Council's requirements, prior to commencement of the use.

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

- ENG6. 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.
- ENG7. 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

#### **CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

- ENG8. Submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development works for the site. The Plan is to cover where applicable, the following:
- a) air quality management;
  - b) noise and vibration management;

Item

Page 6



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

- c) storm water quality management;
- d) erosion and sediment management;
- e) vegetation management;
- f) waste management;
- g) complaint management;
- h) community awareness;
- i) preparation of site work plans;
- j) workers' car parking arrangements; and
- k) traffic control during works.

**Timing:** Prior to commencement of works

- ENG9. Implement the approved Construction Management Plan at all times during construction of the development.
- ENG10. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

**STORMWATER MANAGEMENT**

- ENG11. Provide stormwater management generally in accordance with the approved Conceptual Site Based Stormwater Management Plan prepared by Contour, Revision A, dated 24/11/2020, subject to detailed design and except as altered by conditions of this development approval.
- ENG12. Design and construct stormwater drainage to ensure that the development will achieve "no nuisance" as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves, drainage features, waterways, and the like for design storms up to ARI100.
- ENG13. 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.
- ENG14. Design and construct stormwater drainage that provides:
  - a) for stormwater infrastructure to be included in easements where the infrastructure is located in downstream properties; and
  - b) upgrades of the downstream stormwater infrastructure required to convey design flows unless it has been demonstrated to Council that existing infrastructure has the capacity to cater for the post development conditions.
- ENG15. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG16. Stormwater from sealed areas at risk of contamination is required to be piped to the Spel Puraceptor (or equivalent) prior to discharge from the site.
- ENG17. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG18. 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.

**LAWFUL POINT OF DISCHARGE**

- ENG19. 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).

**WATER SUPPLY**

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

ENG20. Connect the development to Council's reticulated water supply system via a single connection.

#### **SEWERAGE**

ENG21. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.

ENG22. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

ENG23. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).

ENG24. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes. Saw cuts shall be placed 1.5m either side of any Council sewer to facilitate future replacement and/or maintenance.

ENG25. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.

ENG26. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

#### **TRADE WASTE DISPOSAL (WASH DOWN BAY/COMMERCIAL KITCHEN)**

ENG27. Connect the commercial kitchen] to Council's sewer reticulation. Obtain a Plumbing Approval from Council and the relevant inspections are to be undertaken prior to connection to the sewer.

#### **PARKING AND ACCESS - GENERAL**

ENG28. Design all access driveways, circulation driveways, parking aisles and car parking spaces in accordance with Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking.

ENG29. Design and construct all sealed areas with concrete, asphalt or a two-coat bitumen seal.

ENG30. Provide a minimum of eight (8) car parking spaces including a minimum of one (1) person with disability (PWD) car parking spaces.

ENG31. Design & construct all PWD car parking spaces in accordance with AS2890.6.

ENG32. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

ENG33. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

ENG34. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.

#### **PARKING AND ACCESS - SERVICING**

ENG35. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of a Heavy Rigid Vehicle, and ensure that all vehicles are able to enter and exit the site in a forward direction.

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

ENG36. Ensure all loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

ENG37. Install 2 (two) R2-4 Regulatory Signs (no Entry) at the exit location, erected 1 (one) metre offset from the driveway and facing the opposite direction to the one-way flow, in accordance with Manual for Uniform Traffic Control Devices (MUTCD).

#### **VEHICLE ACCESS**

ENG38. Construct a commercial standard crossover between the property boundary and the edge of the Scott Street road pavement, having a minimum width to accommodate the manoeuvring of a B-Double, generally in accordance with Council's Standard Drawing IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossover splay is designed to accommodate turning movements of a B-Double.

ENG39. The profile of the accesses shall maintain the levels, grade, and crossfall of the existing footpath.

ENG40. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

ENG41. No access is permitted to/from Ivory Street, or Edward Street at all times.

#### **REDUNDANT CROSSOVERS**

ENG42. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to Council's standard/to the standard immediately adjacent along the frontage of the site.

#### **ROADWORKS AND PEDESTRIAN SAFETY**

ENG43. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.

ENG44. Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complied with during construction of the works.

ENG45. Maintain safe pedestrian access along Council's footpaths at all times.

#### **ELECTRICITY AND TELECOMMUNICATION**

ENG46. Connect the development to electricity and telecommunication services.

#### **EARTHWORKS - GENERAL**

ENG47. Earthworks involving cut or fill more than 1m, or more than nett quantity of material greater than 50m<sup>3</sup>, requires an Operational Work application.

ENG48. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

#### **EARTHWORKS - RETAINING STRUCTURES AND BATTERS**

ENG49. Ensure retaining walls and earthworks batters designs do not adversely affect adjoining properties or services within the vicinity.

ENG50. Ensure batters do not exceed a maximum slope of 25% (1 in 4).

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

ENG51. Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

ENG52. Design and construct all retaining walls and associated footings in accordance with AS4678 Earth Retaining Structures and without encroachment onto adjoining properties or public land.

**EROSION AND SEDIMENT CONTROL - GENERAL**

ENG53. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

ENG54. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

**ADVICE**

ADV1. Section 85 (1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within the period of six (6) years the approval will lapse.

ADV2. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

ADV3. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 30 June 2022. Eligible development under this scheme is required to be completed by 30 June 2022.

For further information or application form please refer to the rules and procedures available on Council's website.

ADV4. 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.

ADV5. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

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Delegated Authority

Date:

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**FINANCIAL AND RESOURCE IMPLICATIONS**

No implication can be identified.

**LINK TO CORPORATE/OPERATIONAL PLAN**

Growing our Region's Economy and Prosperity

GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

**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.

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**Report**

**Background / Introduction**

Council approved, under delegation the application for a Material change of use (Service station) on the subject site on 30 June 2021 subject to conditions. The decision notice was issued to the applicant on 6 July 2021.

Pursuant to s74 of the *Planning Act 2016*, the applicant may change the development approval, during the applicant’s appeal period, by making change representations to Council to change the conditions of the approval. The applicant’s appeal period starts on the date the decision notice is given to the applicant and expires within 20 business days from this date.

Council received the applicant’s change representations on 27 July 2021 and are considering the change representations within the applicant’s appeal period.

<b>APPLICATION DETAILS</b>	
Application Number:	MCU20/0020
Applicant:	SJS Fuels Pty Ltd C/- Project Urban Pty Ltd
Type of Application:	Request for Negotiated Decision Notice
Appeal Period Suspended:	19 July 2021
Representations Received Date:	27 July 2021

<b>SITE AND LOCALITY DESCRIPTION</b>	
Street Address:	4 Scott Street, Wondai
RP Description:	Lots 808, 809 & 810 W5357
Assessment Type:	Impact assessable
Number of Submissions:	One submission
State Referral Agencies:	SARA
Referred Internal Specialists:	Development Engineer & Senior EHO

<b>SITE AND LOCALITY DESCRIPTION</b>	
Land Area:	3,455sqm
Existing Use of Land:	Vacant site
Road Frontage:	Scott Street, Wondai
Road/s	<b>Road Hierarchy</b>
Scott Street	State-controlled road
Edward Street	Street (Class 9A)
Ivory Street	Place (Class 9B)
Easements	Nil
Significant Site Features:	Nil
Topography:	South to North
Surrounding Land Uses:	<b>Land Use</b>
North	Ivory Street Road Reserve and Wondai Golf Course
South	Wondai Local Centre and more broadly town centre
East	Low density housing
West	Scott Street road reserve and more broadly residential dwellings
Services:	Access available to transport network, telecommunications, electricity, water supply network, stormwater network, and sewerage network.

<b>APPROVED DEVELOPMENT</b>	
Type of Approval:	Development Permit
Approved Development:	Material change of use (Service station)
Variations Sought:	N/A



Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

<b>Level of Assessment:</b>	Impact assessable
<b>Total area:</b>	700sqm
<b>Impervious Area:</b>	1,816sqm
<b>Site Cover:</b>	Service Station, access pathways & canopy = 673sqm Landscaped areas – 1,640sqm (47% of total site area)
<b>Car Parking Spaces:</b>	A total of eight (8) carparking spaces are provided including one (1) disabled car park.
<b>Service Vehicle Provision:</b>	Delivery bay (east of Service station shop)
<b>Submissions Received:</b>	One (1) properly made submission
<b>Decision Notice Issued:</b>	6 July 2021

**CONSULTATION:**

**Referral Agencies**

SARA.

**Other Referrals**

<b>INTERNAL SPECIALIST</b>	<b>REFERRAL / RESPONSE</b>
Development Engineer	Council's Senior EHO provided feedback in response to the applicant's representations regarding complaint recording and reporting process.
Infrastructure Charges Unit	<p>Council adopted the LGIP on 24 June 2019 which commenced on 1 July 2019.</p> <p>The types of development that may trigger the issuing of an infrastructure charges notice are:</p> <ul style="list-style-type: none"> <li>a) Reconfiguring a lot;</li> <li>b) Making a Material Change of Use;</li> <li>c) Carrying out Building Work.</li> </ul> <p>The property is within the Parks catchment mapping and is therefore subject to relevant adopted charges.</p> <p>The adopted charge for material change of use for residential development, is the adopted charge as stated in Table 2.1 of the South Burnett Regional Council Charges Resolution (No. 3) 2019.</p> <p>Refer to the Infrastructure Charges Notice attached as Attachment A.</p>

**PUBLIC NOTIFICATION**

Public notification was carried out for the original application. During the notification period, one (1) public submission was received in objection to the application.

**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:

**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.

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Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

### **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**

The applicant has requested that condition MCU13 be amended as the applicant asserts complaints should be investigated on a case by case basis so that the monitoring period is designed to address the specific complaint. The three (3) month period be removed and an agreed time with Council be adopted.

### **Current Condition**

MCU13. When requested by Council, nuisance monitoring must be undertaken **for a period agreed with Council** and recorded over a period of three (3) months, to investigate any genuine **complaints** compliance of nuisance caused by noise, light or odour. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

### **Officer's Response and recommendation**

Council's Senior EHO agreed with the applicant's representations.

**Recommendation** - Condition to be amended to include a period agreed with Council ie. allowing greater flexibility in the reporting process to suit the type of complaint received.

### **CONCLUSION:**

The requested change representations have been assessed regarding the applicable assessment framework as identified within this report. The amendment of MCU13 be approved. It is therefore recommended that the development approval be amended as identified above.

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

Delegated Authority

Date:

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**ATTACHMENTS**

**NII**

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT A**

**INFRASTRUCTURE CHARGES NOTICE**

*(Section 119 of the Planning Act 2016)*

**APPLICANT:** SJS Fuels Pty Ltd  
**C/-** Project Urban Pty Ltd  
 PO Box 7618  
 SIPPY DOWNS QLD 4556

**APPLICATION:** Material Change of Use - Service Station and ancillary shop -300sqm

**DATE:** 26 May 2021

**FILE REFERENCE:** MCU20/0020

**AMOUNT OF THE LEVIED CHARGE:** **\$2,070.00** **Total**  
*(Details of how these charges were calculated are shown overleaf)*

\$0.00	Water Supply Network
\$0.00	Sewerage Network
\$2,070.00	Transport Network
\$0.00	Parks and Land for Community Facilities Network
\$0.00	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 808, 809 & 810 W5357

**SITE ADDRESS:** 4 Scott Street, Wondai

**PAYABLE TO:** **South Burnett Regional Council**

**WHEN PAYABLE:** Material Change of Use – When the change happens.  
*(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**

Delegated Authority \_\_\_\_\_ Date: \_\_\_\_\_

**DETAILS OF CALCULATION**

**Water Supply**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Commercial (retail)	300	m <sup>2</sup> GFA	\$63.00	CR Table 2.2	\$18,900.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Residential Use (3 or more bed)	3	Per lot	\$9,842	CR Table 2.1	\$29,526.00

**Sewerage**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Commercial (retail)	300	m <sup>2</sup> GFA	\$35.00	CR Table 2.2	\$10,500.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Residential Use (3 or more bed)	3	Per lot	\$5,423.00	CR Table 2.1	\$16,269.00

**Transport**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Commercial (retail)	300	m <sup>2</sup> GFA	\$31.00	CR Table 2.2	\$9,300.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
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Delegated Authority				Date:	
Residential Use (3 or more bed)	3	Per lot	\$2,410.00	CR Table 2.1	\$7,230.00

**Parks and Land for Community Facilities**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Commercial (retail)	300	m <sup>2</sup> GFA	\$0.00	CR Table 2.2	\$0.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Residential Use (3 or more bed)	3	Per lot	\$2,009.00	CR Table 2.1	\$6,027.00

**Stormwater**

**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Commercial (retail)	300	m <sup>2</sup> GFA	\$2.00	CR Table 2.2	\$600.00

**Discounts\***

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Residential Use (3 or more bed)	3	Per lot	\$401	CR Table 2.1	\$1,203.00

**Levied Charges**

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Commercial (retail)	\$0.00	\$0.00	\$2,070.00	\$0.00	\$0.00	\$2,070.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,070.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,070.00</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.



Delegated Authority

Date:

## 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;

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<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.

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Delegated Authority

Date:

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- 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 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](mailto:info@southburnett.qld.gov.au)

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

**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*

<b>SITE DETAILS</b>	
<b>Street Address:</b>	4 Scott Street, Wondai
<b>RP Description</b>	Lot 808 on W5357 Lot 809 on W5357 Lot 810 on W5357
<b>Site Area</b>	3,455sqm

<b>PROPOSED DEVELOPMENT</b>	
<b>Name of Applicant</b>	SJS Fuels C/- Project Urban
<b>Type of Application</b>	Material Change of use
<b>Proposed Development</b>	Service Station and Ancillary shop
<b>Level of Assessment</b>	Impact
<b>Impervious Area</b>	1,816sqm
<b>Site Cover</b>	Service station, access pathways & canopy = 673sqm Landscaped areas – 1,640sqm (47% of total site area)
<b>Car Parking Spaces</b>	A total of eight (8) carparking spaces are provided including one (1) disabled car park.
<b>Service Vehicle Provision</b>	Delivery bay (east of Service station shop)
<b>Submissions Received</b>	One (1) properly made submission
<b>Decision</b>	Approved subject to reasonable and relevant conditions
<b>Decision Date</b>	17 August 2021

**1. Assessment Benchmarks**

The proposed development was assessed against the following assessment benchmarks:

South Burnett Regional Council Planning Scheme 2017

- Strategic framework;
- Local centre zone code;
- Overlays; and
- Services and works code.

**2. Reasons for the Decision**

The reasons for this decision are: -

- A service station is an acceptable commercial use in the Local centre zone and is adequately buffered from adjoining residential activities with the provision of an acoustic fence;

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Delegated Authority

Date:

- The proposed development has suitable conditions to mitigate noise, odour/air quality impacts provided through specialist reporting which accompanied the development application;
- Operation of the facility will be in accordance with the conditions of approval and relevant Australian Standards;
- The proposed Service station has direct access to a state-controlled road without introducing vehicular movements to neighbouring residential streets;
- The Service station shop will not operate independently.

### 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.

Delegated Authority

Date:

**ATTACHMENT C**

**SARA RESPONSE**



SARA reference: 2012-20323-SRA  
 Council reference: MCU/20/0020  
 Applicant reference: 20219

25 January 2021

The Chief Executive Officer  
 South Burnett Regional Council  
 PO Box 336  
 KINGAROY Qld 4610  
 info@southburnett.qld.gov.au

Attention: Chris Du Plessis

Dear Sir/Madam

**SARA response—4 Scott Street, Wondai**  
 (Referral agency response given under section 56 of the Planning Act 2016)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 17 December 2020.

**Response**

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Outcome:	Referral agency response – with conditions.
Date of response:	25 January 2021
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

**Development details**

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Description:	Development permit:	Material change of use for a Service Station which will operate 24 hours a day seven (7) days a week.
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017)	

Fitzroy Central regional office  
 Level 2, 208 Boissier Street,  
 Rockhampton  
 PO Box 113, Rockhampton QLD 4700

Page 1 of 7

Delegated Authority

Date:

2012-20323 SRA

Development application for a material change of use within 25m of a state-controlled road corridor. Development application for a material change of use adjoining a local road and within 100m of the intersection of a state-controlled road and the local road

**SARA reference:** 2012-20323 SRA

**Assessment Manager:** South Burnett Regional Council

**Street address:** 4 Scott Street, Wondal

**Real property description:** Lot 808 on W5357; lot 809 on W5357; lot 810 on W5357

**Applicant name:** SJS Fuels Pty Ltd c/- Project Urban

**Applicant contact details:** PO Box 6380  
Maroochydore BC QLD 4558  
thomas.hadden@projecturban.com.au

**State-controlled road access permit:** This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR20-031813
- Date: 22 January 2021

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at [WBR.IDAS@tma.qld.gov.au](mailto:WBR.IDAS@tma.qld.gov.au).

**Representations**

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Tracey Beath, Senior Planning Officer, on (07) 4924 2917 or via email [RockhamptonSARA@dsdmip.qld.gov.au](mailto:RockhamptonSARA@dsdmip.qld.gov.au), who will be pleased to assist.

Yours sincerely



**Anthony Walsh**  
Manager Planning

cc: SJS Fuels Pty Ltd c/- Project Urban, [thomas.hadden@projecturban.com.au](mailto:thomas.hadden@projecturban.com.au)

enc: Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications  
DTMR decision under s62 of the *Transport Infrastructure Act 1994*

State Assessment and Referral Agency Page 2 of 7



Delegated Authority

Date:

2012-20323 SRA

**Attachment 1—Referral agency conditions**

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Material change of use</b>		
10.9.4.2.4.1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the state-controlled road;</li> <li>(ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road;</li> <li>(iii) surcharge any existing culvert or drain on the state-controlled road;</li> <li>(iv) reduce the quality of stormwater discharge onto the state-controlled road.</li> </ul>	<p>(a) At all times</p> <p>(b) At all times</p>
2.	<p>(a) The road access locations are to be located generally in accordance with Site Plan prepared by Ashanti Building Designs dated 1 December 2020, reference Job No. 2044 Drawing 1 (as amended in red by SARA).</p> <p>(b) Road access works comprising urban commercial crossovers, (at the road access locations) must be provided generally in accordance with Type B on the Standard Drawings, Driveways, Heavy Duty Vehicle Crossing prepared by the Institute of Public Works Engineering Australasia dated June 2014, Drawing RS-051 and revision F.</p> <p>(c) The road access works must be designed and constructed in accordance with the specified plans, the Department of Transport and Main Roads' <i>Road Planning and Design Manual 2<sup>nd</sup> Edition</i> and the Department of Transport and Main Roads' Standards and Specifications in force at the time.</p>	<p>(a) At all times</p> <p>(b) Prior to the commencement of the use</p> <p>(c) Prior to the commencement of the use</p>
3.	<p>Existing vegetation or new vegetation plantings within the site must not obstruct the sight lines between:</p> <ul style="list-style-type: none"> <li>(i) Ivory Street and the Bunya Highway; or</li> <li>(ii) Edward Street and the Bunya Highway.</li> </ul>	At all times

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

2012-20323-SRA

**Attachment 2—Advice to the applicant**

<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the <i>State Development Assessment Provisions (SDAP) v2.6</i> . If a word remains undefined it has its ordinary meaning.
<b>Road works approval</b>	
2.	Under section 33 of the <i>Transport Infrastructure Act 1994</i> , written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road. Please contact the Department of Transport and Main Roads on 4154 0200 or via email on <a href="mailto:WBB.IDAS@tmr.qld.gov.au">WBB.IDAS@tmr.qld.gov.au</a> to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

2012/20323-SRA

**Attachment 3—Reasons for referral agency response**

*(Given under section 56(7) of the Planning Act 2016)*

**The reasons for the department’s decision are:**

- the proposed development is for a service station which will operate 24 hours/day
- the site will be accessed from the Bunya Highway (state-controlled road). The separate proposed accesses for entry to and access from the site will be appropriately located and designed
- traffic generated by the proposed development is not considered to adversely impact on the state-controlled road network
- stormwater from the site will be directed away from the state-controlled road. Stormwater runoff from the site is to be managed so that it does not adversely impact on the State-controlled road
- vegetation on the site is to be managed so that it does not adversely impact on the safety of the intersection of the Bunya Highway with Ivory and Edward Streets by obstructing sight lines
- the development complies with relevant provisions of State code 1 of the State Development Assessment Provisions, version 2.6, subject to the implementation of conditions.

**Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- *Planning Regulation 2017*
- *The State Development Assessment Provisions (version 2.6)*, as published by the department
- *The Development Assessment Rules*
- SARA DA Mapping system

State Assessment and Referral Agency

Page 5 of 7

Item

Page 27

Delegated Authority

Date:

2012-2022 SRA

**Attachment 4—Change representation provisions**

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State Assessment and Referral Agency

Page 6 of 7

Item

Page 28

Delegated Authority \_\_\_\_\_

Date: \_\_\_\_\_

2019/2020 SRA

**Attachment 5—Approved plans and specifications**

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State Assessment and Referral Agency

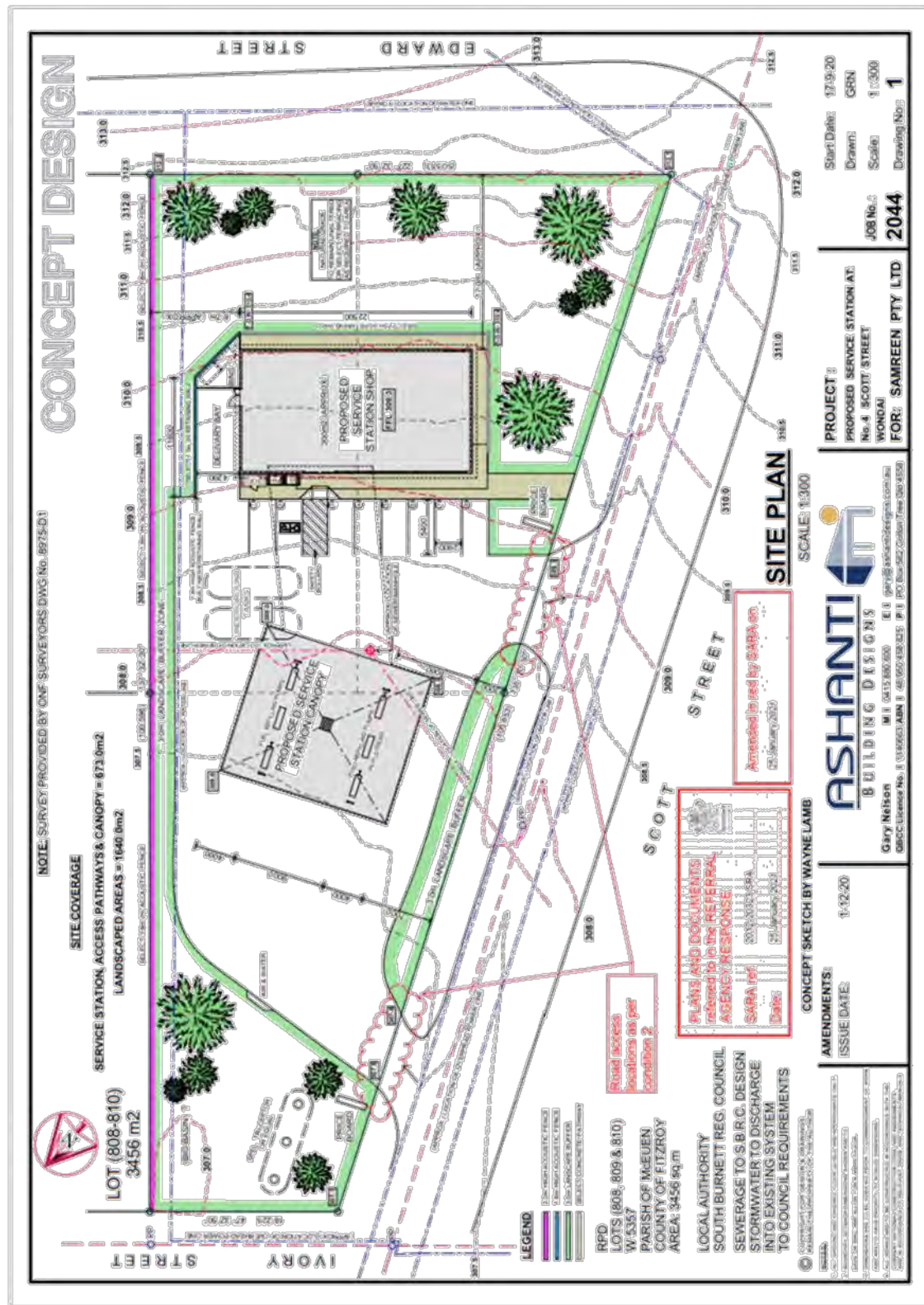
Page 7 of 7

Item

Page 29

Delegated Authority

Date:





Delegated Authority

Date:

**TABLE A**  
Cross-section showing kerb height, gutter, and drainage details.

**TABLE B**  
Cross-section showing kerb height, gutter, and drainage details.

**TABLE C**  
Cross-section showing kerb height, gutter, and drainage details.

**TABLE D**  
Cross-section showing kerb height, gutter, and drainage details.

**TABLE E**  
Plan view showing kerb height, gutter, and drainage details.

**VEHICLE CROSSING DETAILS**

TYPE	W (m)	H (m)
A	6.0	0.0
B	6.0	0.0
C1/01	4.5	3.5
C2/01	3.0	3.0
C3/03	7.5	6.0
C4/04	9.0	7.5

Driveway type to network Council approval

**PLANS AND DOCUMENTS referred to in GO REFERRAL AGENCY RESPONSE**

SARA ref: 2013/20333 (SRA)

Date: 27 January 2021

**NOTES:**

- All concrete to be done N2 in accordance with AS 1379
- All adjacent roads or concrete surfaces and pavements to be set out in accordance with the details shown are subject to approval from relevant authorities.
- Refer PS-148 for driveway established locations.
- All construction materials to be obtained from Council, including approval of location and levels prior to excavation.
- Where directed by Council Local Council Surface Indicators are to be provided adjacent to the driveway in accordance with AS 1428.1.
- Where directed by Council, the driveway shall have HOPC approval of adjacent paved surfaces for service to and the concrete, for any alterations to levels, contact relevant Authority prior to concrete pour.
- All dimensions are in millimetres unless shown otherwise.

**TECHNICAL SECTION - CHANNEL BOUND**

400 x 824 at 300 centres

5 x 10 mm plastic fibre

175mm concrete with 50% reinforcement

Solid slaking layer 50 mm

Proposed vehicle crossing

**TECHNICAL SECTION - CHANNEL BOUND**

max 12mm coarse with 50% reinforcement

20 mm depth

Proposed vehicle crossing

**REVISIONS**

NO	DATE	DESCRIPTION
1	2021/08/25	Issue for Council approval

**INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA STANDARD DRAWINGS**

DRIVEN/MS HEAVY DUTY VEHICLE CROSSING

PS-051

Delegated Authority

Date:

Our ref: TMR20-031813  
 Your ref:  
 Enquiries: Ian Leyton



22 January 2021

**Decision Notice – Permitted Road Access Location  
 (s62(1) Transport Infrastructure Act 1994)**

**This is not an authorisation to commence work on a state-controlled road<sup>1</sup>**

Development application reference number MCU20/0020, lodged with South Burnett Regional Council involves constructing or changing a vehicular access between Lots 808, 809 and 810 on W5357, the land the subject of the application, and Bunya Highway (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

**Applicant Details**

Name and address: SJS Fuels Pty Ltd C/- Project Urban  
 PO Box 6380  
 MAROOCHYDORE QLD 4558

**Application Details**

Address of Property: 7 Scott Street, WONDAI QLD 4606  
 Real Property Description: 808W5357, 8099W5357 and 810W5357  
 Aspect/s of Development: Development Permit for Material Change of Use for Service Station

**Decision (given under section 67 of TIA)**

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	The permitted road access locations on the Bunya Highway (Scott Street) are centred approximately 15 metres from the Ivory Street Boundary and 42 metres from the Edward street Boundary, in accordance with: <ul style="list-style-type: none"> <li>Site Plan prepared by Ashanti Building Design dated 1-12-20 reference Job No. 2044 Drawing 1.</li> </ul>	At all times.
2	Road access works comprising urban commercial crossovers,	Prior to commencement of

<sup>1</sup> Please refer to the further approvals required under the heading 'Further approvals'

Program Delivery and Operations  
 Southern Queensland Region  
 23 Quay Street Bundaberg QLD 4670  
 Locked Bag 488 Bundaberg DC QLD 4670

Telephone +61 7 (97) 5482 0367  
 Website www.tmr.qld.gov.au  
 Email WBB/DAS@tmr.qld.gov.au  
 ABN: 39 407 690 291

Delegated Authority

Date:

No.	Conditions of Approval	Condition Timing
	<p>must be provided at the permitted road access locations generally in accordance with IPEWA Standard Drawing Driveways Heavy Vehicle Crossing Type B Drawing RS051 Revision F dated 06/14</p> <p>The road access works must be designed and constructed in accordance with the specified plans, the Department of Transport and Main Roads Road Planning and Design Manual 2<sup>nd</sup> Edition and the departments Standards and Specification in force at the time</p>	<p>the Material Change of use</p>
3	<p>Direct access is prohibited between the Bunya Highway and Lots 808, 809 and 810 on W5357 at any other location other than the permitted road access location described in Condition 1.</p>	<p>At all times.</p>

**Reasons for the decision**

The reasons for this decision are as follows:

- a) The applicant has submitted a development application for a service station that proposes new accesses. For this type of development provision of two access points as opposed to a single location is common and logical.
- b) Access between a state-controlled road, the Bunya Highway and adjacent land is managed by the Department of Transport and Main Roads under the *Transport Infrastructure Act 1994*.
- c) Access at the proposed locations should not create an unreasonable impact on safe operation of Bunya Highway if maintained according to the conditions above and used in accordance with the road rules.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

**Information about the Decision required to be given under section 67(2) of TIA**

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

**Further information about the decision**

1. In accordance with section 67(7) of TIA, this decision notice:
  - a) starts to have effect when the development approval has effect; and
  - b) stops having effect if the development approval lapses or is cancelled; and
  - c) replaces any earlier decision made under section 62(1) in relation to the land.

Delegated Authority

Date:

2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

**Further approvals**

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. **Road Access Works Approval Required** – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Mr Ian Leyton, Development Control Officer (Adjacent Land Management) should be contacted by email at [WBB.IDAS@tmr.qld.gov.au](mailto:WBB.IDAS@tmr.qld.gov.au) or on (07) 5482 0367.

Yours sincerely



Adam Fryer

**Principal Advisor (Corridor & Land Management)**

**Attachments:** Attachment A – Decision evidence and findings  
Attachment B – Section 70 of TIA  
Attachment C – Appeal Provisions  
Attachment D – Permitted Road Access Location Plan  
Attachment E – IPEWA Standard Drawing RS051 Revision F

Page 3 of 10



Delegated Authority

Date:

**Attachment A**

**Decision Evidence and Findings**

**Findings on material questions of fact:**

- Access between a state-controlled road (Bunya Highway) and adjacent land is managed by the Department of Transport and Main Roads under the *Transport Infrastructure Act 1994*.
- Section 62 of the *Transport Infrastructure Act 1994* allows the Department of Transport and Main Roads to decide about road access.
- Where access to a local road is available it is the departments general policy to require access via the local road.
- The applicant has proposed two direct accesses to the Bunya Highway in favour of accessing via the local roads.
- For this development type the accesses to the Bunya Highway as proposed are appropriate considering as a whole:
  - the shape of the land being developed which makes creation of a functional building and refuelling apron layout with access from Edwards Street impractical;
  - site topography which becomes elevated towards Edwards Street and would involve additional earthworks to achieve appropriate grades with little benefit to road safety in doing so;
  - inadequate frontage to Ivory Street to enable an access with suitable sight distances;
  - the speed limit of the road (60km/h) and the relative low traffic volumes on the Bunya Highway;
  - very low turning volumes at both the Ivory Street and Edwards Street intersections with the Bunya Highway;
  - available sight distance in both directions on the Bunya Highway;
  - the separation of the proposed access locations from Edwards Street and Ivory Street which is considered adequate in this location; and
  - wide sealed shoulder on the Burnett Highway which should enable any likely queuing to be contained outside the through carriageways.
- Access at the proposed locations should not create an unreasonable impact on safe operation of Bunya Highway if maintained according to the conditions above and used in accordance with the road rules.

**Evidence or other material on which findings were based:**

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
<i>Transport Infrastructure Act 1994</i>	Queensland Government	Current as at 20 July 2020		

Delegated Authority

Date:

Road Access Policy	Department of Transport and Main Roads			V1.0
Road Planning and Design Manual 2 <sup>nd</sup> Edition	Department of Transport and Main Roads	Current as at 17 February 2020		Current as at 17 February 2020
Site Plan	Ashanti Building Design	1-12-20	Job No. 2044 Drawing 1	
Planning Assessment Report and appendices.	Project Urban Pty Ltd	2 December 2020	File 20219	Final
Traffic Impact Assessment	Contour Consulting Engineering Pty Ltd	20 November 2020	CIV2594-TRA F01	A

Page 3 of 10



Delegated Authority

Date:

**Attachment B**

**Section 70 of TIA**

*Transport Infrastructure Act 1994*  
 Chapter 6 Road transport infrastructure  
 Part 5 Management of State-controlled roads

**70 Offences about road access locations and road access works, relating to decisions under s 62(1)**

(1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.

(2) A person to whom this section applies must not—

- (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
- (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
- (c) obtain any other access between the land and the road contrary to the decision; or
- (d) use a road access location or road access works contrary to the decision; or
- (e) contravene a condition stated in the decision; or
- (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
- (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

(3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Page: 6 of 10

Delegated Authority

Date:

**Attachment C**  
**Appeal Provisions**

*Transport Infrastructure Act 1994*  
*Chapter 16: General provisions*

**485 Internal review of decisions**

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
  - (a) applies to the review; and
  - (b) provides—
    - (i) for the procedure for applying for the review and the way it is to be carried out; and
    - (ii) that the person may apply to QCAT to have the original decision stayed.

**485B Appeals against decisions**

- (1) This section applies in relation to an original decision if a court (the **appeal court**) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
  - (a) applies to the appeal; and
  - (b) provides—
    - (i) for the procedure for the appeal and the way it is to be disposed of; and
    - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
  - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

Page 17 of 38

Delegated Authority

Date:

(b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

(5) The court may order—

(a) the appeals to be heard together or 1 immediately after the other, or

(b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

**original decision** means a decision described in schedule 3.

**reviewed decision** means the chief executive's decision on a review under section 485.

Delegated Authority

Date:

*Transport Planning and Coordination Act 1994*  
Part 5, Division 2 – Review of Original Decisions

**31 Applying for review**

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
  - (a) the notice did not state the reasons for the original decision; and
  - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)
 the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

**32 Stay of operation of original decision**

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
  - (a) may be given on conditions the relevant entity considers appropriate; and
  - (b) operates for the period specified by the relevant entity; and
  - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

Page 9 of 18

Delegated Authority

Date:

~~(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.~~

~~(9) In this section—~~

~~relevant entity means—~~

~~(a) if the reviewed decision may be reviewed by QCAT—QCAT; or~~

~~(b) if the reviewed decision may be appealed to the appeal court—the appeal court.~~

**35 Time for making appeals**

~~(1) A person may appeal against a reviewed decision only within—~~

~~(a) if a decision notice is given to the person—28 days after the notice was given to the person; or~~

~~(b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.~~

~~(2) However, if—~~

~~(a) the decision notice did not state the reasons for the decision; and~~

~~(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);~~

~~the person may apply within 28 days after the person is given a statement of the reasons.~~

~~(3) Also, the appeal court may extend the period for appealing.~~









**18 QUESTIONS ON NOTICE**

Nil

**19 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 254J of the *Local Government Regulation 2012*:

**19.1 Sale of Land for Overdue Rates and Charges**

This matter is considered to be confidential under Section 254J - 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.

**19.2 Application seeking Council Approval for Reprieve from Sale of Land Process**

This matter is considered to be confidential under Section 254J - 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.

**20 CLOSURE OF MEETING**