

Delegated Authority

Date:

0.0 RECONFIGURATION OF A LOT (2 LOTS INTO 6 LOTS) OVER LAND DESCRIBED AS LOT 22 ON SP181271 AND LOT 227 ON CA31983 AND SITUATED AT OLD ESK NORTH ROAD, SOUTH EAST NANANGO. APPLICANT: RONALD AND GLENYS LOWE C/- ONF SURVEYORS - RAL21/0008

File Number: RAL21/0008
Author: Senior Planner
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	15/11/21
GM	<i>[Signature]</i>	15/11/21
CEO	<i>[Signature]</i>	19-11-2021

PRECIS

Reconfiguration of a Lot (2 Lots into 6 Lots) over land described as Lot 22 on SP181271 and Lot 227 on CA31983 and situated at Old Esk North Road, South East Nanango Applicant: Ronald and Glenys Lowe c/- ONF Surveyors - RAL21/0008

SUMMARY

The Applicant seeks a Development Permit for Reconfiguration of a Lot (2 Lots into 6 Lots) over land at Old Esk North Road, South East Nanango, formally described as Lots 22 on SP181271 and Lot 227 on CA31983.

The proposed development seeks to reconfigure the subject sites into six (6) lots, retaining the existing overland flow paths and remnant vegetation on proposed Lot 1 and creating five (5) additional lots on CA31983. The proposed lot sizes range from approximately 10ha to 48ha.

The subject site is located within the Rural Residential Zone under the South Burnett Regional Council Planning Scheme 2017 (v1.4) and is affected by the Bushfire Hazard and Biodiversity Areas Overlays. Reconfiguring a Lot within the Rural Residential Zone is code assessable development providing the minimum lot dimensions are achieved (in accordance with Table 8.4.2 of the Planning Scheme). The proposed lot layout meets the minimum lot dimensions.

The proposed development does not conflict with the current planning framework.

Based on an assessment of the matters Council (as Assessment Manager) must and may have regard to under section 45 (3) of the Planning Act 2016 (the Planning Act), we are satisfied that the application should be approved subject to the conditions outlined herein.

OFFICER'S RECOMMENDATION

GENERAL

GEN1. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Plan/Document Number	Revision
Proposed Subdivision	9551P/1	
Sight Distance Report prepared by ATC Engineers and Project Managers,	version 1.0 dated 15 September 2021 and further advice dated 28 October 2021.	

Timing: At all times.

PLANNING

PLN 1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.

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Timing: Prior to survey plan endorsement and to be maintained at all times

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 Standards, relevant Australian Standards, and relevant design manuals.

ENG3. Be responsible for any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT

ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

ENG7. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

ENG8. Future dwellings shall provide on-site water storage with a minimum capacity of 45kl.

ON-SITE WASTEWATER TREATMENT

ENG9. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.

VEHICLE ACCESS

ENG10. All accesses shall be located in accordance with the Sight Distance Report prepared by ATC Engineers and Project Managers, version 1.0 dated 15 September 2021, and further advice dated 28 October 2021.

ENG11. On the southern approach to proposed Lot 3, a "Concealed Driveway" advisory sign shall be installed 120m south of the proposed access location, and a "Concealed Driveway" advisory sign with "180m Ahead" supplementary plate shall be installed 180m south of the proposed access. Signs shall be installed in accordance with the MUTCD.

ENG12. Design and construct accesses having a minimum width of 4 metres in accordance with Council's Standard Drawing No. 00049.

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TELECOMMUNICATION AND ELECTRICITY

ENG13. Provide telecommunications to all lots within the development.

ENG14. 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.

SERVICES - EXISTING CONNECTIONS

ENG15. Ensure that all services provided to the existing house on proposed Lot 1 are wholly located within the lot(s) it serves.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG16. 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.

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 four (4) 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. 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.datsima.qld.gov.au

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

ADV5. There are no infrastructure charges or conditions for additional payments levied for this development approval.

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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.

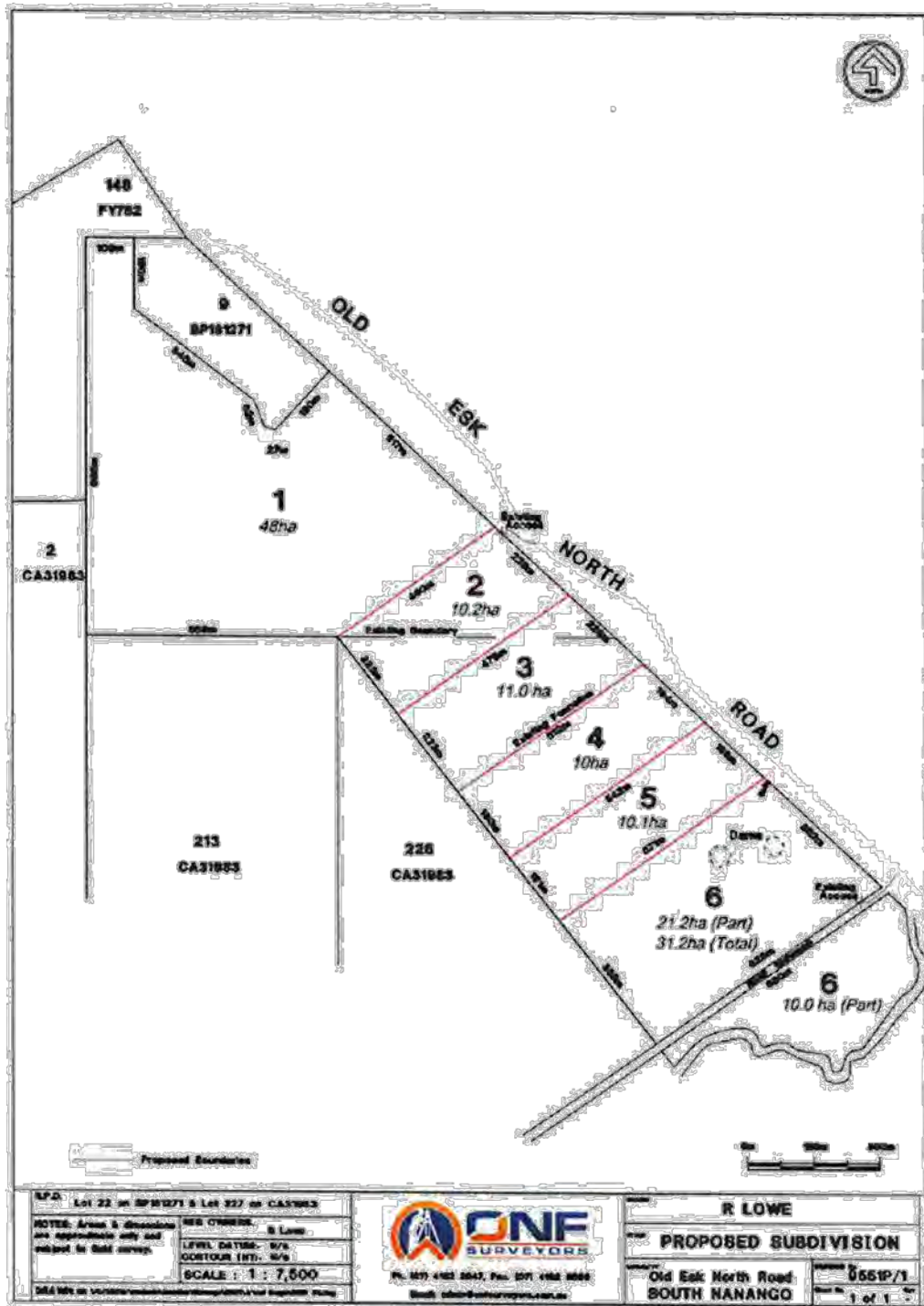
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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PROPOSAL PLAN



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REPORT

The applicant seeks approval for a Development permit for a Reconfiguration of a lot (2 lots into 6 lots).

Applicant: R and G Lowe *cf-* ONF Surveyors
Owner: C and G Richardson
Property Address: Old Esk North Road, South East Nanango
Real Property Description: Lot 22 on SP181271 and Lot 227 on CA31983
Approvals Sought: Development Permit for Reconfiguring a Lot (2 lots into 6 lots)

Proposal Description:

Planning Scheme: South Burnett Regional Planning Scheme 2017 (v1.4)
Planning Scheme Zone: Rural Residential Zone
Area of Land: 121.71ha
Existing Land Use: Vacant
Surrounding Land Uses: Rural residential
Services: Water, electricity and telecommunications are available.
Access: Access via Old Esk North Road
Topography: Gradual downward slope to the north, north-east
Application Deemed Properly Made: 21 July 2021
Confirmation Notice Issued: 23 July 2021
Information Request Issued: 05 August 2021
Information Response Received: 21 September 2021
Further Issues Issued Yes – via email
Response to Further Issues Yes
Referrals Required/Received: Nil
Application Process: Code Assessment
Public Notification: N/A
Properly Made Submissions: N/A
Public Notice Compliance: N/A

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1.0 EXECUTIVE SUMMARY

This report carries out an independent town planning and assessment of the proposed development. The Applicant, Ronald and Glenys Lowe, seek a Development Permit for Reconfiguration of a Lot (2 Lots into 6 Lots) over land described as Lots 22 on SP181271 and Lot 227 on CA31983 and situated at Old Esk North Road, South East Nanango.

2.0 SITE AND LOCALITY

2.1 Site Description

The subject site is located at Old Esk North Road, South East Nanango, formally described as Lot 22 on SP181271 and Lot 227 on CA21983. Any reference to 'subject-site' is a reference to both lots. The site has a combined area of 121.71ha and are of irregular configuration.

The subject site is currently unimproved of any buildings or associated structures and is being utilised for cattle grazing. Lot 227 contains two farm dams which are located in the south-eastern portion of the site. The two lots contain sparse vegetation coverage throughout and a waterway corridor that traverses through Lot 22. Vehicular access to Lot 22 and Lot 227 is provided along Old Esk Road North via unsealed crossovers.

PMAV

The subject land has an approved Property Map of Assessable Vegetation and replaces the Regional Ecosystem Mapping (RE) map in determining the assessability of native vegetation on the property the PMAV plans have been provided during the assessment for review and it is confirmed that no assessable clearing will occur as part of the creation of the proposed lots (mapped Category X).

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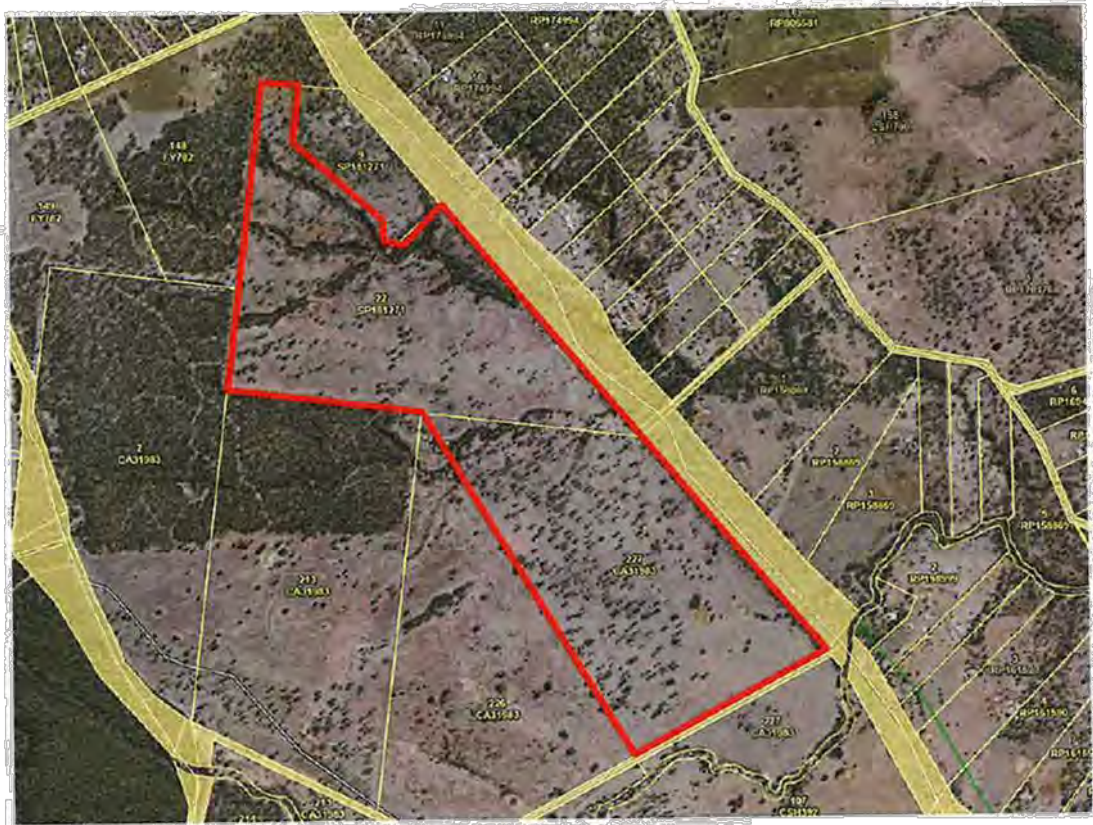


Figure 1: Aerial of Subject Site (Source: Queensland Globe)

2.2 Surrounding Land Uses

The subject site is situated approximately 4 kilometres from the town centre of Nanango. The surrounding area predominantly comprises of rural residential dwellings on large lots to the north and east of the site and is bound by vacant rural residential lots to the south and west of the site.

The subject site is within an established rural residential area typically containing detached dwellings on large lots, which defines the character of the locality. The existing development pattern in the immediate vicinity maintains an open rural character.

3.0 PROPOSAL OVERVIEW

The Applicant seeks a Development Approval for a Reconfiguration of a Lot (2 into 6 lots). The proposed lot configuration seeks to contain the overland flow path and remnant vegetation on proposed Lot 1 and create five (5) additional lots along the frontage of the site along Old Esk North Road for future rural residential dwellings. The proposed lot sizes range from approximately 10ha to 48ha, shown in Figure 2 below.

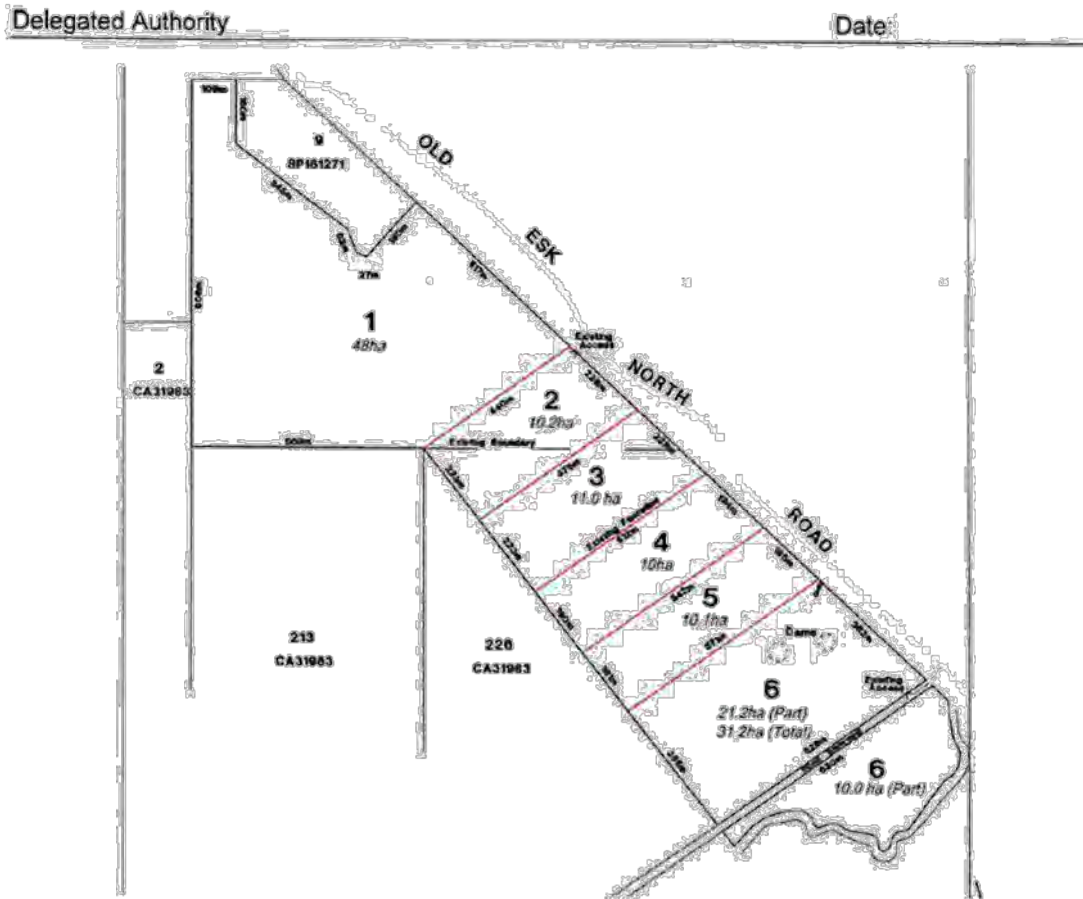


Figure 2: Proposed lot reconfiguration (Source: ONF Surveyors)

Vehicular access to the proposed lots will be provided to Old Esk Road via bitumen sealed road and existing access to the two existing lots will be maintained off Old Esk Road. Council engineer has raised issues with sight distances to the access points proposed and this has been resolved with alternative siting details provided in response to the further issues raised.



4.0 TOWN PLANNING CONTEXT

Table 3 provides an overview of the current town planning framework relevant to the subject site.

TABLE 3 – SUMMARY OF LOCAL PLANNING INSTRUMENT	
State Planning Context	
Regional Plan	Wide Bay Burnett Regional Plan 2011 (the Regional Plan)
State Planning Policy	State Planning Policy (July 2017) (the SPP)
SARA DA Mapping	Water Resources - Water resource planning area boundaries
Referrals	N/A
Assessment Benchmarks	N/A
Local Planning Context	

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Planning Scheme	South Burnett Regional Council Planning Scheme 2017 (v1.4)
Strategic Framework Designation	Urban
Zone	Rural Residential Zone (see Figure 5)
Overlays	Bushfire Hazard Overlay Biodiversity Areas Overlay
Defined Use	Reconfiguring a Lot
Level of Assessment	Code Assessment
Assessment Benchmarks	<ul style="list-style-type: none"> • Rural residential zone code • Reconfiguring a lot code • Services and works code

4.0 PLANNING ASSESSMENT

4.1 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).

4.1.1 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.

4.1.2 Schedule 10 – Assessable Development

The proposed development does not involve prescribed assessable development under Schedule 10.

4.2 Other Matters for Code Assessment

This section of the report includes an assessment of the proposed works against the other matters that code 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 (5)(a) of the Planning Act, Code Assessment is an assessment that must be carried out–

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- (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.*

In this instance under **section 45 (3)(a)(i) 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 Rural Residential Zone Code, Reconfiguring a Lot Code and Services and Works Code.

The planning and 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.

4.3 Planning Scheme

4.3.1 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*
- (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.



4.3.2 Assessment Benchmarks

Pursuant to under Section 5.6, Table 5.6.1 – Level of Assessment in the Rural Residential Zone for Reconfiguring a Lot is subject to Code Assessment. The relevant assessment benchmarks are:

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

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3.3.2.2 Rural Residential Zone Code

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



FIGURE 5 – ZONING MAP (Planning Scheme)

The purpose of the Rural Residential Zone is to provide for residential uses and activities on large lots, including lots for which the local government has not provided infrastructure and services. 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 rural residential development.

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

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Table 6.2.4.3 Criteria for Assessment

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
General		
<p>PO1 Buildings and structures must complement the semi-rural character of nearby development and protects residential amenity.</p>	<p>AO1.1 Site cover does not exceed 10%.</p> <p>and</p> <p>AO1.2 Buildings and structures are not higher than 8.5m above ground level.</p> <p>and</p> <p>AO1.3 Buildings have a minimum set back of: (a) 10m to the road frontage; (b) 6m to a side or rear boundary.</p> <p>and</p> <p>AO1.4 The maximum length of any façade without articulation or change of materials is 15m.</p> <p>and</p> <p>AO1.5 On-site storage areas visible from outside the site are screened by a 1.8m high fence along intervening boundaries.</p> <p>and</p> <p>AO1.6 Outdoor lighting is designed, installed and maintained in accordance with AS4282 – Control of the Otrusive Effects of Outdoor Lighting.</p>	<p>Complies.</p> <p>The proposed lots will result in configurations and design that provide sufficient area so that the construction of future dwellings will be able to meet these requirements.</p>
<p>PO2 Development minimises the potential for reverse amenity impacts for adjoining existing non-residential activities.</p>	<p>AO2.1 A well-maintained vegetative buffer is provided on the residential land between the residential development and adjacent existing non-residential use.</p>	<p>Complies.</p> <p>The subject site is adjoined by rural residential land uses which is consistent with the intended use of the proposed lots.</p>

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<p>PO3 Dwellings are to be adequately serviced.</p>	<p>AO3.1 Where in a reticulated water supply area, development is to be connected to the supply network.</p> <p>and</p> <p>AO3.2 Where reticulated water supply is not available, a 45kl water tank is provided for each dwelling for consumption purposes and an additional 22.5kl water storage located no more than 10m from the main dwelling is available for fire fighting purposes.</p> <p>and</p> <p>AO3.3 The provision of on-site sewerage treatment conforms to the requirements of the Queensland Plumbing and Wastewater Code.</p> <p>and</p> <p>AO3.4 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks.</p> <p>and</p> <p>AO3.5 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>and</p> <p>AO3.6 Development has direct access to a sealed road.</p>	<p>Not Applicable. The subject site is not located within a water supply area.</p> <p>Not Applicable. To be provided when new dwellings are constructed.</p> <p>Complies. On site wastewater treatment plants can be wholly contained with the proposed lots they serve.</p> <p>Complies. Future dwellings can be connected to electricity and telecommunications.</p> <p>Noted.</p> <p>Complies.</p>
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Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
		<p>The proposal site fronts Old Esk North Road which is a bitumen sealed road.</p> <p>It is concluded that adequate service is available or can be provided to the proposed lots so that future dwellings are suitably serviced.</p>
<p>PO4 Development is located and designed to ensure that land uses are not exposed to:</p> <ul style="list-style-type: none"> (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants. 	<p>AO4.1 Development does not occur:</p> <ul style="list-style-type: none"> (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. <p>or</p> <p>AO4.2 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.</p>	<p>Not Applicable.</p> <p>There are no known or listed contamination on the subject sites that could pose a health risk due to contaminated soils.</p>
Section 2 Where in the vicinity of an existing intensive animal industry		Not Applicable. The subject site is not located within the vicinity of any existing intensive animal industry.
Section 3 Home based business		Not Applicable. The proposed development is for reconfiguring a lot.
Section 4 Secondary dwelling		Not Applicable. The proposed development is for reconfiguring a lot.
Section 5 For development affected by one or more overlays		
Bushfire hazard overlay		

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<p>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.</p>	<p>AO15.1 Development does not occur in areas mapped as Very High or High Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making).</p> <p>or</p> <p>AO15.2 A written assessment by a suitably experienced or qualified person confirms that the site is of Low Potential Bushfire Hazard.</p> <p>or</p> <p>AO15.3 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:</p> <ul style="list-style-type: none"> (a) Lot design and the siting of buildings and uses so: <ul style="list-style-type: none"> (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. (b) Including firebreaks that provide adequate: <ul style="list-style-type: none"> (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 	<p>Complies.</p> <p>Areas of "Medium Potential Bushfire Risk" are nominated over parts of the subject site. The size of the proposed lots is considered sufficient so that dwellings and rural residential uses can be sited to meet the relevant Australian Standard for Construction of Buildings in Bushfire Prone Areas. For this reason, no increased risk to people or property is anticipated as a result of the proposed additional lots. A written assessment regarding the bushfire hazard of the subject site or Bushfire Management Plan has not been deemed necessary to consider the creation of the new lots. The size of the areas on the proposed lots outside of the bushfire hazard area and buffer zone is substantial and considered sufficient to provide for the location of buildings in a safe position.</p> <p>All proposed lots will have direct access to Old Esk North Road to provide access for emergency services in the event of a bushfire.</p>
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Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>bushfire hazard and that road has a minimum cleared width of 20 metres; and</p> <p>(d) Where a reticulated water supply is not available and development involves buildings with a gross floor area greater than 50m², one tank within 100m of each residential building that has:</p> <ul style="list-style-type: none"> (i) Fire brigade tank fittings; and (ii) 25,000 litres dedicated for fire fighting purposes. <p>AO15.4 A written assessment by a suitably experienced or qualified person confirms that the site is of Low Potential Bushfire Hazard.</p>	
<p>PO16 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.</p>	No outcome specified.	<p>Not Applicable.</p> <p>The proposed development is not for community infrastructure.</p>

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Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>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.</p>	<p>AO17.1 New dwellings on land mapped as Very High to Medium (Potential Intensity) are located:</p> <p>(a) Centrally within existing cleared areas on a lot which allows a regular shaped (with a minimum dimension of 50m) of 5,000m² to be identified that:</p> <ul style="list-style-type: none"> (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. <p>(b) A fire protection buffer is established around the complete perimeter of the dwelling unit within a lot for a minimum width of 50m.</p>	<p>Complies.</p> <p>Any future dwellings on the new lots can be located within existing cleared areas that are free of highly combustible vegetated areas that meet the area requirement given the size of the proposed lots.</p>

Summary of Compliance with Rural Residential Zone Code:

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.
Section 3 All other reconfiguration		
<p>PO7 Allotments are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use.</p>	<p>AO7.1 Development provides that allotment area, dimension and shape are in accordance with the standards in Table 8.4.2.</p>	<p>Complies</p> <p>The proposed lots each exceed the minimum area, dimension and shape requirements</p>

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Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>and</p> <p>AO7.2 The minimum allotment size for any rear allotment shall be calculated exclusive of the area of the access corridor of the allotment.</p> <p>and</p> <p>AO7.3 Irregularly shaped allotments are designed to allow a building area of 15m by 10m to be setback 6m from the site frontage.</p>	<p>prescribed for the Rural Residential Zone.</p> <p>The subject site is an irregular shaped lot and the proposed lots conform to the site's physical characteristics.</p>
<p>PO8 Lots have lawful, safe and practical access.</p>	<p>AO8.1 Access is provided via either:</p> <ul style="list-style-type: none"> (a) Direct road frontage; (b) Access strip with a minimum width of 3.5m (for rear lots only); or (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>and</p> <p>AO8.2 Newly created lots do not have direct access to sub-arterial or higher order roads.</p> <p>and</p> <p>AO8.3 Except in the Rural Zone, new lots, are provided with access to a sealed road.</p>	<p>Complies</p> <p>The proposed lots are able to meet the prescribed access requirements and have access to Old Esk North Road which is bitumen sealed for the full frontage of the site and are not nominated as a sub-arterial or higher order road.</p>
<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>AO9.1 Only one rear lot is provided behind each full street frontage regular lot.</p> <p>and</p> <p>AO9.2 No more than two rear lot access strips directly adjoin each other.</p> <p>and</p> <p>AO9.3 No more than two rear lots gain access from the head of a cul-de-sac.</p>	<p>Not Applicable.</p> <p>There are no rear lots proposed.</p>

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Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	and AO9.4 Rear lots are only created where the site gradient is greater than 5%.	
<p>PO10 The design and construction of new roads:</p> <p>(a) Maintain safe and efficient access to the transport network;</p> <p>(b) Creates integrated neighbourhoods; and</p> <p>(c) Are constructed to a standard that is commensurate with the intended use of allotments.</p>	<p>AO10.1 Intersection shall be spaced at no less than 45m from any other intersection.</p> <p>and</p> <p>AO10.2 Any intersections with existing roads shall be treated with a T-intersection or a roundabout.</p> <p>and</p> <p>AO10.3 The road layout indicates connections to adjoining development sites.</p> <p>and</p> <p>AO10.4 Other than in the Rural or Rural Residential Zones, new streets are provided with layback kerb and channel.</p> <p>or</p> <p>AO10.5 In the Rural Residential Zone, new streets are provided with concrete flush kerbs and swale drains.</p>	<p>Not Applicable. The proposed development does not include any new roads.</p>
<p>PO11 The provision of services is resistant to inclement weather and does not degrade the character of the area.</p>	<p>AO11.1 Where the reconfiguration involves the opening of a new road, all electricity and telecommunications services are located underground.</p>	<p>Not Applicable. The proposed development does not include any new roads.</p>
<p>PO12 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.</p>	<p>AO12.1 No outcome specified.</p>	<p>Not Applicable. Integration of walking and cycling networks are not relevant to this proposal in the Rural Residential Zone.</p>
<p>PO13 Public open space is provided in response to community need.</p>	<p>AO13.1 Public open space is provided in accordance with the Priority Infrastructure Plan.</p>	<p>Not Applicable. The proposed development does not require the provision of public open space.</p>

Delegated Authority		Date
Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
PO14 Reconfiguration into allotments less than 400m ² in the Medium Density Residential zone is facilitated where design outcomes are consistent with expectations for the zone.	AO14.1 Reconfiguration in the Medium Density Residential zone involving allotments less than 400m ² where creating allotments for individual units in an approved and completed multiple dwelling or dual occupancy.	Not Applicable. The subject site is located within the Rural Residential Zone.
PO15 Reconfiguration into allotments less than 400m ² in the Medium Density Residential zone is to provide for suitable living environments.	For allotments less than 400m ² – AO15.1 All lots are orientated to within 20° of north. AO15.2 All lots are to be sized and shaped to accommodate a 10m x 20m rectangle.	Not Applicable. The subject site is located within the Rural Residential Zone.
Section 4 All reconfiguring a lot subject to an overlay		
Airport environs overlay		
Public safety sub-area		
PO17 Development located at the end of runways does not increase the risk to public safety.	AO17.1 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.	

Summary of Compliance with the Reconfiguring a Lot Code:

The proposed development seeks to reconfigure two (2) existing lots to create six (6) lots. 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.

3.3.2.2 Services and Works Code

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
General		
PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	AO1.1 A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.	Noted. No changes to the existing characteristics are proposed as part of the lot reconfiguration.

Delegated Authority		Date:
Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<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>AO2.1 A wastewater management plan prepared by a suitably qualified person and addresses :</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; <p>and</p> <p>AO2.2 Wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (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 	<p>Complies.</p> <p>Wastewater system designs will be prepared as part of the permit approval for the wastewater systems of each new dwellings on the proposed lots. These systems can be safely setback from the overland flow paths on the site to retain water quality of the surrounding environment.</p>
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	<p>AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4</p>	<p>Not Applicable.</p> <p>There are no extensive construction activities proposed as part of the development.</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the postconstruction phase in Table 9.4.4.</p>	<p>Not Applicable.</p> <p>The proposed use of the new lots for rural residential purposes is unlikely to rest in significant alteration to stormwater quality and flows.</p>
<p>Section 2 Infrastructure</p>		
<p>PO5 Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. 	<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies.</p> <p>The subject site fronts to Old Esk North Road and Hamilton, which are both bitumen sealed.</p>
<p>Part 3 Vehicle Parking</p>		

Delegated Authority		Date:
Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies.</p> <p>Vehicle parking and access can be provided to meet the needs of future residents and rural residential uses on the proposed lots.</p>
<p>Section 4 Landscaping</p>		
<p>PO7 Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p>AO7.1 Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p>AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable.</p> <p>and</p> <p>AO7.3 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>Not Applicable.</p> <p>The proposed development is for reconfiguring a lot and will not involve any landscaping works as part of the proposal.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO8 Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p>A08.1 Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p>A08.2 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>Not Applicable.</p> <p>The proposed development is for reconfiguring a lot and will not involve any landscaping works as part of the proposal.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO9 Development results in ground levels that retain: (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety.</p>	<p>AO9.1 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>AO9.2 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>AO9.3 Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 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>Complies.</p> <p>Cut or fill to provide vehicle crossovers and building pads will comply with these requirements or be subject to approval as part of the building approval process for new dwellings on the proposed lots.</p>
<p>PO10 Filling or excavation does not cause damage to public utilities.</p>	<p>AO10.1 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>Not Applicable.</p>

Delegated Authority

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p>AO11.1 Following filling or excavation:</p> <p>(a) The premises:</p> <p>(i) Are self-draining; and;</p> <p>(ii) Has a minimum slope of 0.25%; and</p> <p>(b) Surface water flow is:</p> <p>(i) Directed away from neighbouring properties; or</p> <p>(ii) Discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2</p>	<p>Not Applicable</p>

8.0 CONTRIBUTIONS / CHARGES

The South Burnett Regional Council Local Government Infrastructure Plan, Priority Infrastructure Area boundary does not apply to the subject land. As such the adopted Infrastructure Charges Resolution does not apply to the application.

It is not recommended that the Council an additional payment for trunk infrastructure condition under section 133 of the Planning Act 2016 in this case as the subdivision will facilitate on site servicing and new lots will not be connected to trunk infrastructure networks other than the road corridor. There is no forward planning prepared for road corridor upgrades that would warrant the inclusion of additional payment conditions. There is deemed to be no additional demand placed on trunk infrastructure that would be generated by the development in this case.

9.0 CONSULTATION

No public notification was required.

10.0 GROUNDS FOR APPROVAL / RECOMMENDATION

Grounds to support the development

- The subdivision is appropriate for the site, anticipated by the planning scheme and constraints are able to be managed by way of Condition.
- The subdivision will result in lot sizes consistent with the surrounding rural residential setting and other rural residential properties nearby
- The access to each property can be managed so that they are safe and efficient for each lot from Old Esk Road
- There is no identified impact or additional demand placed on trunk infrastructure networks for this development that is outside the Priority Infrastructure Area for Nanango.

Delegated Authority

Date

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:

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Delegated Authority

Date

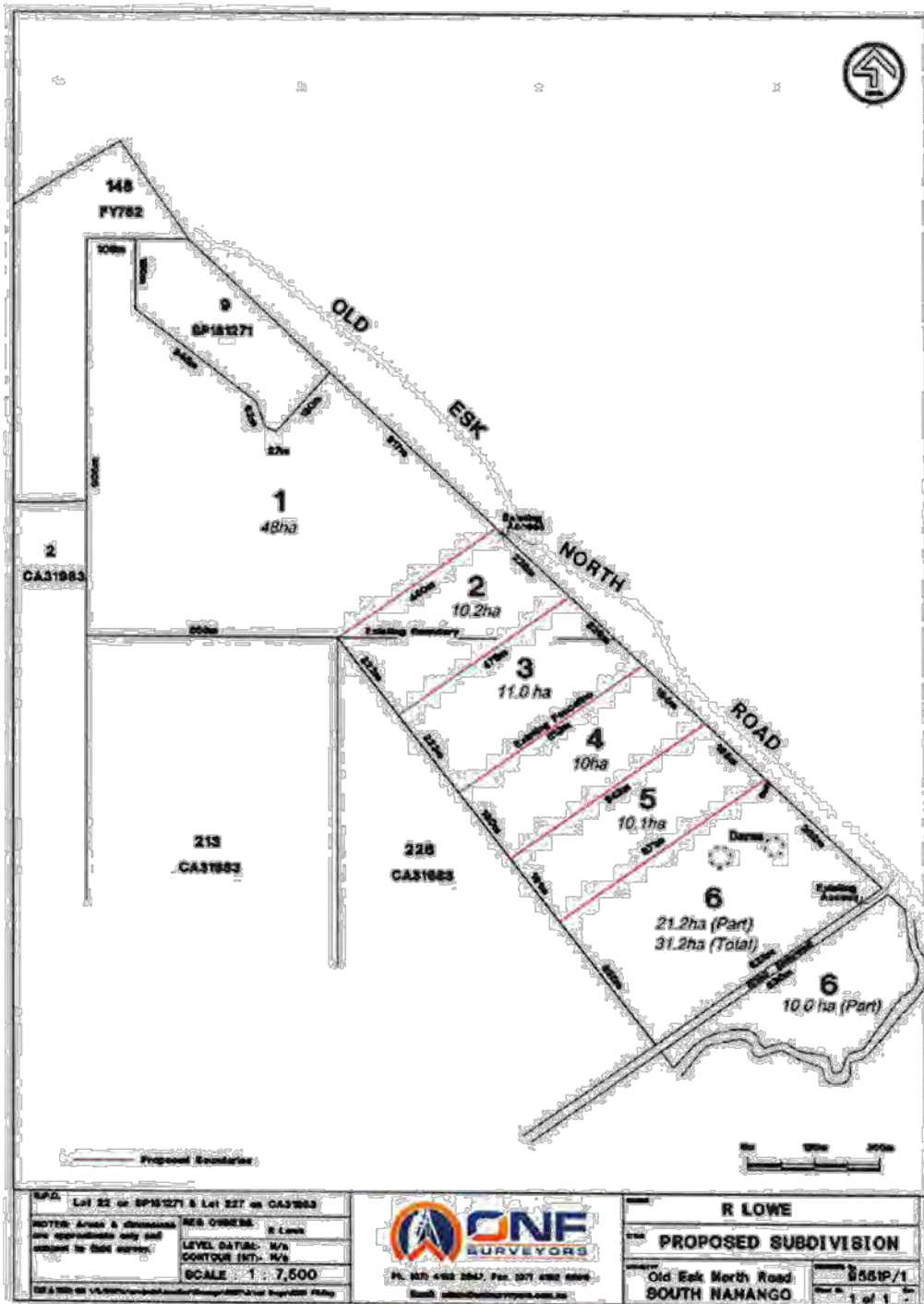
ATTACHMENTS

- 1. ATC Engineers sight distance report and further advice for approval**

Delegated Authority

Date

Attachment A
Approved Plans



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:

Type of Approval:	Reconfiguring a Lot
Level of Assessment	Code Assessable
Submissions:	NIL
Application No:	RAL21/0008
Name of Applicant:	Ronald and Glenys Lowe
Street Address:	Old Esk North Road, South East Nanango
Real Property Description:	Lot 22 on SP181271 Lot 227 on CA31983

On 15 November 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.

1. Reasons for the Decision

The development application seeking a Development Permit for Reconfiguring a Lot is supported under the provisions of the South Burnett Planning Scheme 2017 and the Planning Act 2016 for the following reasons:

- The subdivision is appropriate for the site, anticipated by the planning scheme and constraints are able to be managed by way of Condition.
- The subdivision will result in lot sizes consistent with the surrounding rural residential setting and other rural residential properties nearby.
- The future accesses to each property can be managed so that they are safe and efficient for each lot from Old Esk Road.
- There is no identified impact or additional demand placed on trunk infrastructure networks for this development that is outside the Priority Infrastructure Area for Nanango.

2. Assessment Benchmarks

The following are the benchmarks apply to this development:
 - South Burnett Planning Scheme 2017

Delegated Authority _____ Date: _____

3. Compliance with Benchmarks

ASSESSMENT MATTERS		
Reasons for Decision	The development was assessed against all of the Assessment Benchmarks listed above and complies with all of these with the exception listed below:	
	Assessment Benchmark	Reasons for the Approval Despite Non-compliance with Benchmark
	<ul style="list-style-type: none"> • Rural residential zone code • Reconfiguring a lot code • Services and works code 	Compliance with assessment benchmarks has been demonstrated

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Date: _____

Attachment C
Safe Sight Distance Report & Further advice



Sight Distance Report

Ron Lowe

Lot 22 SP181271 and Lot 227 CA31983

Nanango QLD 4615

Version	Authored By	Approved By	Date
0.1	David Eberhard		27 August 2021
1.0	David Eberhard	Allen Christensen	15 September 2021

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Delegated Authority

Date:

17 September 2021

Ron Lowe
Lot 22 SP181271 and Lot 227 CA31983
Nanango QLD 4615

Dear Ron Lowe

Re: Reconfiguration of a lot - 2 lots into 6 lots -- Sight Distance Engineering Assessment

Background

ATC Engineers have been engaged by Ron Lowe, Owner of Lot 22 SP181271 and Lot 227 CA31983 to conduct a sight distance assessment for proposed property accesses to a council owned road, Old Esk North Road, Nanango 4615.

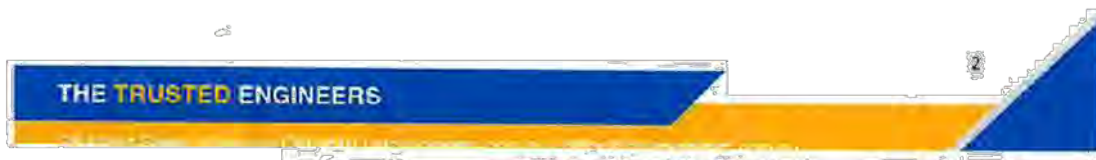
This is in response to the request for further information from the South Burnett Regional Council (SBRC) in regard to the reconfiguration of the lots into six (6) lots (RAL21/0008).

A proposed subdivision plan prepared by ONF Surveyors (9551P/1) dated 01 June 2021 shows the proposed six (6) new lots with sizes between 10 and 48 hectares and typical road frontages between 185 and 517m.

An access into the existing Lot 1 is proposed to be used for Lot 2 on the North-West of the development. An existing access to proposed Lot 6 is on the South-East corner of the development through an unformed road easement. Proposed Lot 1, 3, 4 and 5 accesses were assessed as part of this report.

Queensland Globe and an on-site inspection were used to assess the sight distances against South Burnett Regional Councils' rural access requirements (SBRC 00049 Revision B dated 18th March 2016). These distances are presented on the attached plans as an indicative distance and were confirmed during the site inspection.

Design vehicle turning movements, swept path and other road traffic impacts have not been assessed as part of this report.



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Figure 1 - Locality Plan (Source: Google Maps)

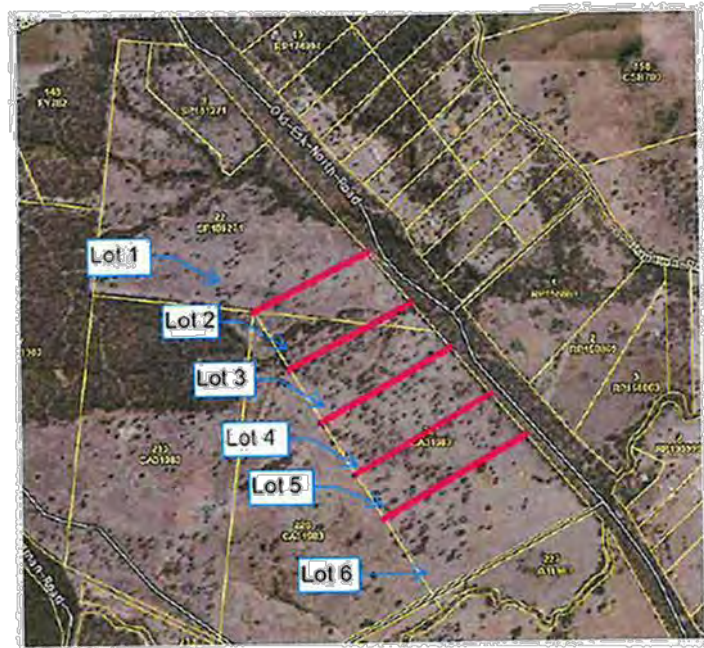


Figure 2 - Approximate Lot Plan (Source: OLD GIBBE)



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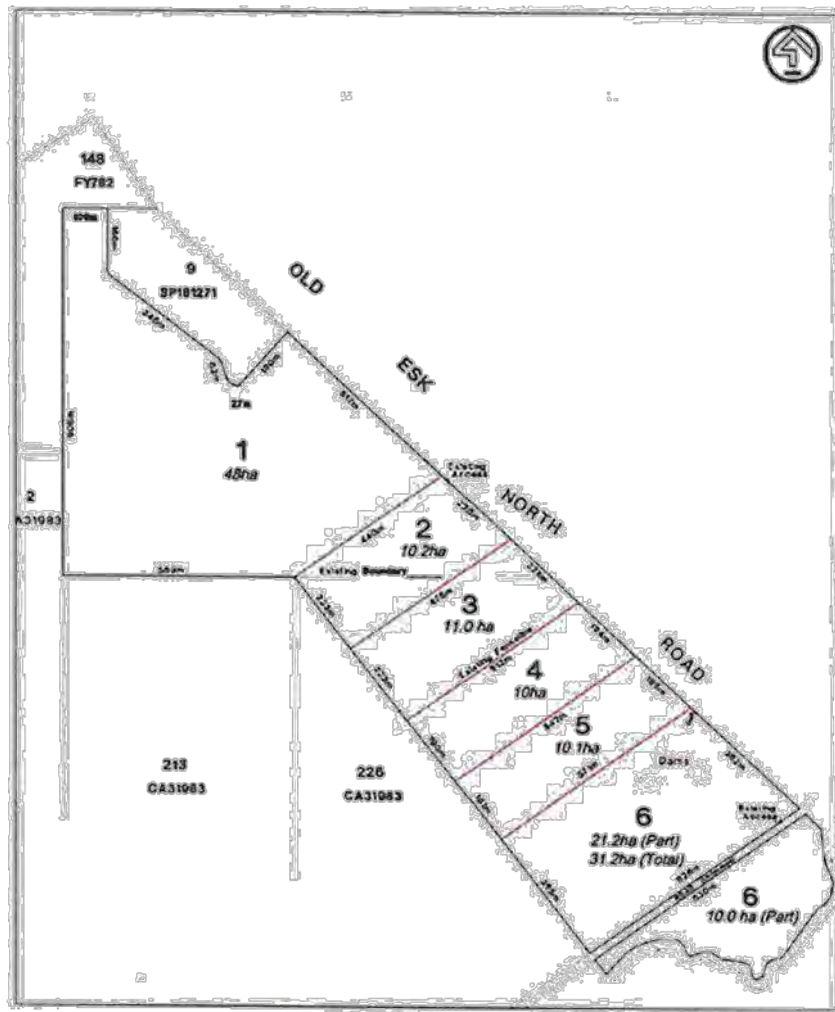


Figure 3 - Proposed Lot Layout (Source: ONF Surveyors)



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Site Investigation

To determine the sight distances applicable to this site, a desktop analysis was performed by ATC Engineers using proposed access locations. A site inspection was undertaken by David Eberhard to confirm these distances on the 26th of August 2021 with the client, Ron Lowe:

It is understood that the bitumen sealed road has a posted speed limit of 80 km/h. An average safe travel speed along the length of the property boundary is estimated to be between 70-80km/h.

Existing conditions

Old Esk North Road runs generally from North to South with four (4) horizontal curves and four (4) vertical curves affecting the proposed new access locations. The road runs generally South of the new development until the sealed section eventually terminates some 2000m past the new development and continues as an unformed road.

Old Esk North Road is a low-volume collector road for adjacent rural lots with an estimated AADT of 200 with less than 1% Heavy Vehicles, for the section between Whitaker Road and the termination of the road to the South. It is estimated that the new access locations will generate 40 additional vehicle movements per day (4 Lots x 10 vpd). There is no dedicated footpath and no pedestrian or cycling movements were witnessed during the site inspection, typical of a rural setting.

The road is under care and management by South Burnett Regional Council.

A speed limit of 80 km/h was used in the assessment, with a safe traveling speed of 70 km/h heading South through the various valleys and crests.

A search of the crash history includes two crashes within the vicinity of the proposed development.

One single vehicle accident occurred 40m South from the existing Lot 6 entrance after an object was hit in April 2015.

Another single vehicle crash involving hospitalisation occurred in May 2017 after an object was hit approximately 1000m North from the proposed Lot 1 and Lot 2 entrance. A horizontal and vertical curve through a dip contributed to an obscured view.

Detailed Assessment

The proposed accesses have been assessed against South Burnett Regional Council Standard Drawing – Rural Property Access (SBRC 00049 dated 18th March 2016), with reference to Department of Transport and Main Roads “Road Planning and Design Manual Chapter 9: Sight Distance” and Ausroads “Guide to Road Design Part 3: Geometric Design”.

The following assumptions have been made for the evaluation of the sight distances:

- Road = sealed road surface with approximately 6.5m pavement width with double line centre line-marking (typical through winding section)
- Speed limit = 80 km/h
- Height of eye of driver = 1.10m
- Maximum sight distance = 130-160m based on general vehicle light beam range



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Speed Limit (km/h)	Safe Sight Distance (m)
40	45
50	62
60	81
70	102
80	126
90	151
100	179

Figure 4 – South Burnett Regional Council Standard Drawing Rural Property Access Austroads part 3 – 2009, Table 5.4 (R1-2.5)

Table 5.5: Stopping sight distances for cars on sealed roads

Design speed (km/h)	Absolute minimum values Only for specific road types and situations ⁽¹⁾ based on $d = 0.46 \text{ m}^2/\text{s}^2$			Desirable minimum values for all road types based on $d = 0.36$		
	$R_T = 1.5 \text{ s}^{(2)}$	$R_T = 2.0 \text{ s}^{(4)}$	$R_T = 2.5 \text{ s}$	$R_T = 1.5 \text{ s}^{(2)}$	$R_T = 2.0 \text{ s}^{(4)}$	$R_T = 2.5 \text{ s}$
	40	30	36	-	34	40
50	42	49	-	48	55	62
60	56	64	-	64	73	81
70	71	81	-	83	92	102
80	88	99	-	103	114	126
90	107	119	132	126	139	151
100	-	141	155	-	165	179
110	-	165	180	-	193	209
120	-	190	207	-	224	241
130	-	217	235	-	257	275

Figure 5 – Austroads Part 3 (2021) – Lower volume roads

Access Location	North Bound (m)	South Bound (m)	Result
Lot 1	130	130	OK
Lot 2	130	130	OK
Lot 3	130	80	Additional safety consideration required
Lot 4	130	130	OK
Lot 5	130	130	OK
Lot 6	Existing	Existing	Not Applicable

Figure 6 – Assessment Results



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Conclusion

Based on the available information and site visit performed, the proposed driveway access locations may generally be located as per the layout in Figure 6. Additional conditions are discussed below which must be implemented to allow safe access for all lots.

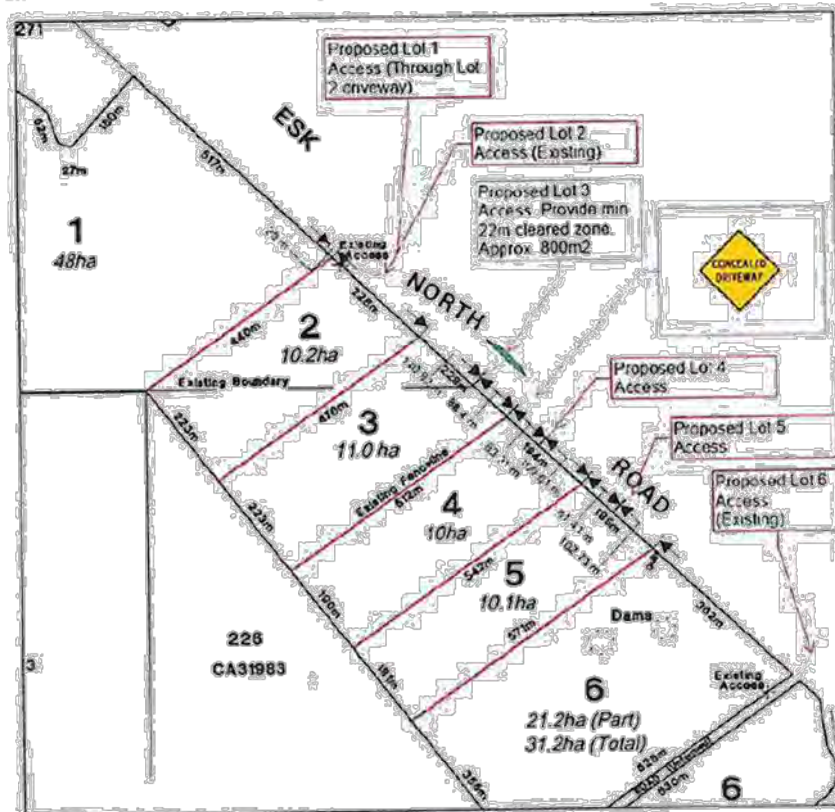


Figure 2 - Proposed driveway locations



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The following conditions are required to be met to allow safe access to the new lots:

- Vegetation to be suitably managed at each entrance to provide unobstructed visibility in both directions. Lot 3 will require additional clearing to achieve an appropriate minimum visibility standard. The extend of clearing is shown in Figure 6 and is estimated at 800m².
- A "Concealed Driveway" sign is to be placed 80m south of the entrance at proposed Lot 3 on the Northbound side. The size is to be a minimum 600 x 600mm and comply with the MUTCD requirements and Table 1.12.2. The sign shall be at least 600 mm clear of the outer edge of road shoulder, line of guideposts or face of guardrail. The clearance should not be less than 2m nor more than 5 m from the edge of the travelled way. The exact sign location is to be determined on-site, with regard to other traffic signs and property accesses. (Sign code: TC1201)
- Line-marking be made good at each access location as required.
- A Dial-Before-You-Dig is performed prior to the works commencing to check existing services.



Figure 6: Proposed sign (TC1201) for Lot 3 and typical placement requirement



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- All driveway crossovers be installed as per SBRC's standard rural property access drawing including maximum grades and drainage requirements.

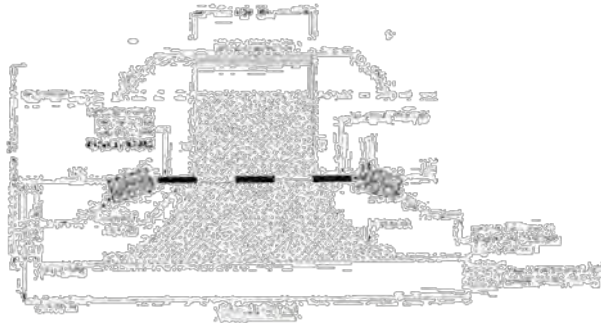


Figure 9 - Standard driveway access detail (SBRC Standard Drawing 00049)

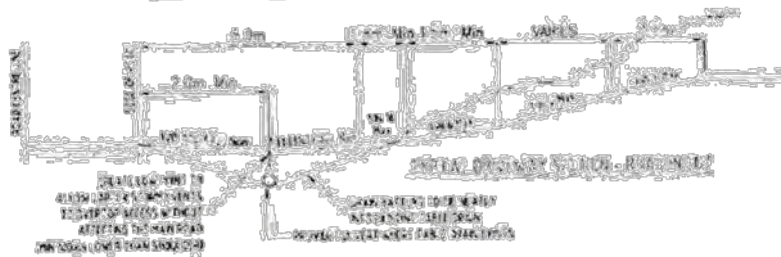


Figure 10 - Standard driveway grades for road use (SBRC Standard Drawing 00049)

Should you have any other queries in relation to the project please feel free to contact ATC's on ☎ (07) 4162 2378.

Yours faithfully

Allen Christensen
DIRECTOR

BEng (Civil), RPEQ (No: 6237), FIPWEAQ



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Date

Limitations

This document has been authored by ATC Engineers and Project Managers Pty Ltd (ATC) and is subject to the following limitations.

This document has been authored for the specific purposes of the client as described above and is for the sole use of the client. The scope of ATC's services is as described in our proposal to the client and is subject to restrictions and limitations. This document is only to be used in full, and may not be used to support purposes, nor objectives, other than those expressly set out above, except where written approval, with comments, are provided by the author. No responsibility whatsoever will be accepted to any person other than the Client. ATC accepts no responsibility for damages, if any, suffered by any second or third party as a result of decisions made or actions based on this document.

This document has been tailored to investigate the subject site exclusive to the specific scope and context as detailed above, and/or as described in our correspondences with the client. ATC did not perform a complete assessment of all possible conditions or circumstances that may exist at the site. If a matter is not expressly referenced in the document, it was not assessed. Conditions may exist which were undetectable given the limited, practical extent of the investigation. Variations in conditions may occur between investigation locations on the site, and there may be latent or extraordinary conditions pertaining to the site which have not been revealed by the investigation, and which have not therefore been considered in the document.

No warranty is included, either express or implied, that the actual conditions across the entire site will conform exactly to the assessments contained in this report. In the future (for example at time of construction breaking ground), if latent or extraordinary conditions are found to exist on the site, the author is to be consulted. Additional studies and actions may be required to be undertaken at that time, with conclusions and recommendations to be amended in the context of the new information on conditions.

ATC's opinions as detailed above, are based on available knowledge and information that existed at the time that the document was produced. With the passage of time, man-made or natural events, may alter the site conditions. It is understood that the services undertaken allowed ATC to form an opinion of the conditions of the site at the time the site was visited, and cannot be used to assess the effect of any subsequent changes in the site conditions, or its surroundings.

Where data supplied by the client or other external sources, including previous site investigation data, have been used, it has been assumed that the information is correct unless otherwise stated. No responsibility is accepted by ATC for incomplete or inaccurate data supplied by others.



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Appendix

Lot 1 and 2 - Access



Figure 11 - Lot 1&2 - Estimated Sight Distance to the North



Figure 12 - Lot 1&2 - Estimated Sight Distance to the South



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Figure 13 - Lot 152 access looking south



Figure 14 - Lot 152 looking North

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Lot 3 – Access Sight Distances

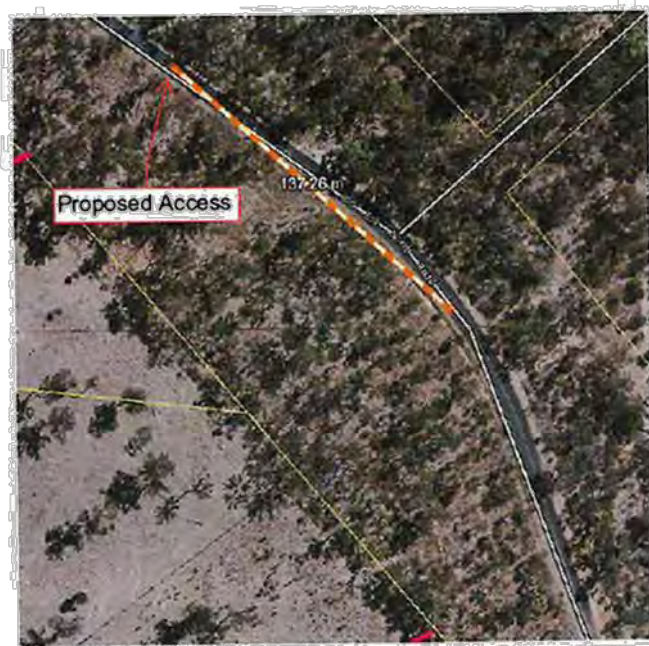


Figure 15 - Lot 3 - Estimated Sight Distance to the North



Figure 16 - Lot 3 - Estimated Sight Distance to the South



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Figure 17 - Lot 3 Access looking South



Figure 18 - Lot 3 access looking North

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Lot 4 – Access Sight Distances



Figure 19 - Lot 4 - Estimated Sight Distance to the North



Figure 20 - Lot 4 - Estimated Sight Distance to the South

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Figure 21 - Lot 4 access looking South



Figure 22 - Lot 4 access looking North

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Lot 5 – Access Sight Distances



Figure 23 - Lot 5 - Estimated Sight Distance to the North



Figure 24 - Lot 5 - Estimated Sight Distance to the South

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Figure 25 - Lot 5 Access - Looking North

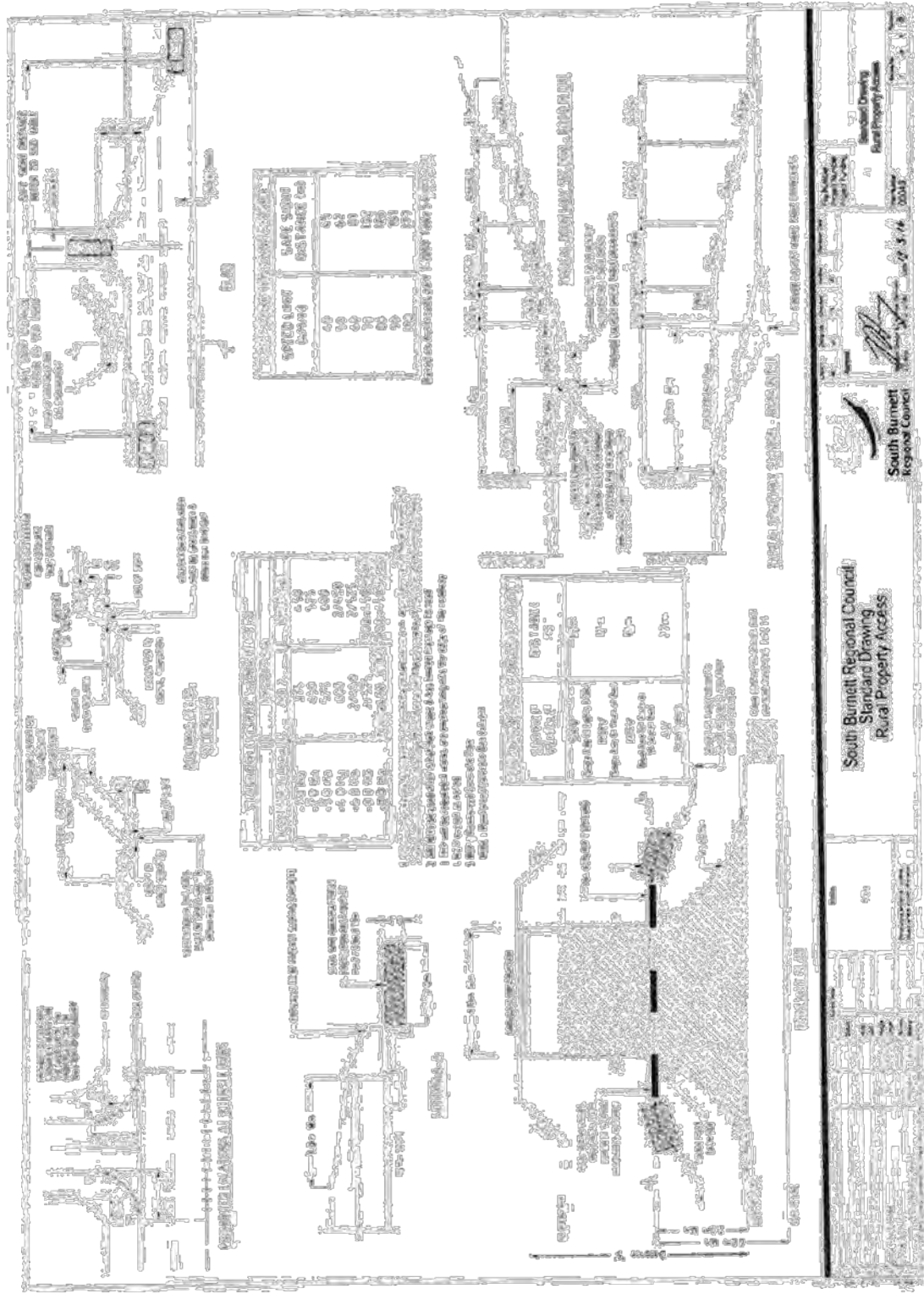


Figure 26 - Lot 5 access looking North

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Date



Item 0.0

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Delegated Authority

Date

ADDITIONAL ADVICE FOR SIGHT DISTANCE REPORT PREPARED BY ATC ENGINEERS DATED 28.10.2021 REFERRED TO IN THE APPROVAL FOR RAL21/0008

From: David - ATC Engineers <david@atcengineers.com.au>
Sent: Thursday, 28 October 2021 9:50 AM
Subject: RE: RAL21/0008 2 lots into 6 lots - Old Esk North Road, Nanango 4615

Hi

I have reviewed the report, Austroads, the footage from Old Esk North Road and discussed the options further with Allen.

Guide to Road Design Part 3: Geometric Design – Table 5.5 specifies that for rural roads (in very constrained locations) a reduced reaction time could be used.

Examples of constrained locations in Australia include:

- lower volume roads
- mountainous roads
- lower speed urban roads
- sighting over or around barriers.

As this is a lower volume road with various horizontal and vertical curves (mountainous), a lower reaction time could be adopted for cars as the drivers would be required to be more alert through the winding sections.

In this case a reaction time of 1.5-2 seconds could be adopted.

It is also estimated that the safe travelling speed (V85) is 70 km/h through this section heading towards Nanango.

The future access to Lot 3 will be on fill leading onto the road, essentially placing the departing car slightly higher at the crossover. This would provide additional sight opportunities for the departing driver, as well as for northbound (Nanango bound) vehicles. For northbound vehicles coming down the crest towards the proposed crossover, the clearing of vegetation within the road reserve to the south of the crossover would allow good sight distance close to the absolute minimum specified in Austroads of 88-99m for a reaction time of 1.5 to 2 seconds.

Attached is the Queensland Globe aerial showing the Northbound distance and an estimate of 100-110m sight distance if the entrance is suitably cleared.

This is from the existing access to Lot 1 RP158869 at the top of the crest shown in the attached drive through photo.

As discussed, if poor vegetation maintenance at the proposed entrance is a safety concern, the risk could be mitigated by:

- An additional concealed driveway sign to the south of the Lot 3 access, providing advanced warning as per MUTCD Part 1 recommendations in Table 1.12.2. This would result in one sign at 120m and another at 180m south of Lot 3. The 180m sign will advise the approaching vehicle of the distance to the hazard (driveway), the 120m sign will re-advise the driver at the minimum desirable stopping distance and at 80m the entrance will be visible to the approaching vehicle and vice versa. i.e. the approaching vehicle will be visible to the car at the entrance regardless of vegetation management. The 180m sign should have the distance specified as per Figure 2 however the exact placement and distance will need to consider the Lot 1 RP158869 entrance. MUTCD allows a variation

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of the first sign between 120-180m, and the second sign should be placed 60m in advance of the first.



Figure 1 - First sign - 120m to the south of the access



Figure 2 - Second sign - 180m to the south of the access

If you have any questions or would like to discuss further please let me know.

Thank you.

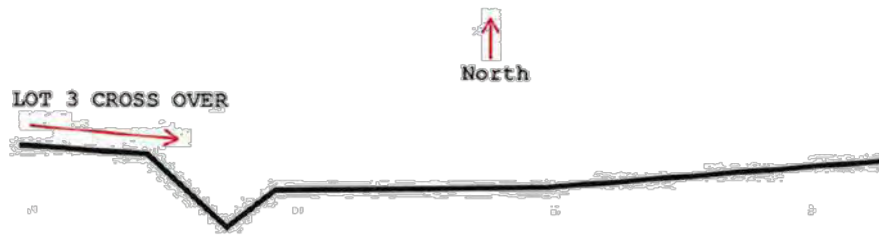
Kind Regards,

David Eberhard
Project Engineer
BEng (Civil)



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0.0 RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT AT 387 RIVER ROAD, INVERLAW (AND DESCRIBED AS LOT 2 ON RP167555 & LOT 12 ON SP 322593) - APPLICANT: J L LARKIN C/- ONF SURVEYORS

File Number: RAL21/0015
Author: Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	18/11/21
GM	<i>[Signature]</i>	19/11/21
CEG	<i>[Signature]</i>	19.11.2021

PRECIS

Reconfiguration of a lot - Boundary Realignment at 387 River Road, Inverlaw (and described as Lot 2 on RP167555 & Lot 12 on SP 322593) - Applicant: J L Larkin C/- ONF Surveyors

SUMMARY

- This application seeks approval for a Development Permit for Reconfiguring a Lot – Boundary Realignment (2 into 2 lots).
- Lot configuration is as follows:
 - Total area of existing lot 2 is 80.5ha.
 - Total area of existing lot 12 is 62.1ha.
 - Proposed lot 2 is 111.05ha.
 - Proposed lot 12 is 31.05ha.
- The applicant states that the proposal intends to consolidate the mapped agricultural land into a larger lot (proposed lot 2).
- Proposed lot 12 will be used for grazing purposes.
- Proposed lot 2 will contain the existing buildings.
- Access details are as follows:
 - Existing lot 2 gains access from River Road.
 - Existing lot 12 has been gaining access via lot 2.
 - Proposed lot 2 will maintain access from River Road.
 - Proposed lot 12 will require a new access from Luck Road.
- The subject site is located in the Rural Zone of the South Burnett Regional Council Planning Scheme.
- Boundary realignment 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;
 - Rural 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.

OFFICER'S RECOMMENDATION

That Council approve the development permit for a Reconfiguring a lot for a boundary realignment (2 into 2 lots) at 387 River Road (and described as Lot 2 on RP167555 & Lot 12 on SP322593), 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:

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Drawing Title	Prepared by	Ref No.	Rev.	Date
Boundary Realignment	ONF Surveyors	9676P/1	-	26/05/2021

GEN2. All works, including the repair or relation of services (Telstra, lighting) is to be completed at no cost to Council.

APPROVED USE

GEN3. The approved development is Reconfiguring a lot (Boundary realignment) as shown on the approved plans.

COMPLIANCE

GEN4. 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

GEN5. 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*.

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.

PLANNING

RAL3. All development involving the emission of noise, odour and dust from ongoing uses, building and/or construction activities, must ensure that the emissions are in accordance with the requirements of the *Environmental Protection Act 1994*.

Timing: As indicated.

PROPERTY BOUNDARIES

RAL4. All existing on-site structure, dams and sewerage treatment facilities including transpiration and irrigation areas are to be relocated so as not to cross the proposed property boundary.

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, Codes of Practice, and relevant design manuals

ENG3. Be responsible for any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations

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resulting from the development or from road and drainage works required in connection with the development.

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

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

STORMWATER MANAGEMENT

- ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG7. 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).
- ENG8. 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.

ON-SITE WASTEWATER DISPOSAL

- ENG9. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.

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

VEHICLE ACCESS

- ENG10. Design and construct a gravelled driveway and a crossover having a minimum width of 4 metres and vehicle turnout in accordance with Council's Standard Drawing No. 00049 "Rural Property Access", to access proposed Lot 2 and 12.
- ENG11. The location of the accesses shall enable minimum sight distance of 179m in both directions, unless otherwise agreed by Council.

TELECOMMUNICATION AND ELECTRICITY

- ENG12. Provide telecommunications to all lots within the development.
- ENG13. 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.
- ENG14. Remove all redundant electrical connections and reinstate the land.
- ENG15. Submit electrical plans for Council's review prior to Council's endorsement of the Survey Plan. Be responsible to check and ensure that electrical drawings do not conflict with the civil engineering design.

EROSION AND SEDIMENT CONTROL – GENERAL

- ENG16. 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.

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ENG17. 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.

ADVICE

ADV1. Section 85 (1)(b)(i) of the *Planning Act 2016* provides that, if this approval is not acted upon within the period of two (2) years the approval will lapse.

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.

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

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growth and Opportunity

GO2 Balanced development that preserves and enhances our region

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

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

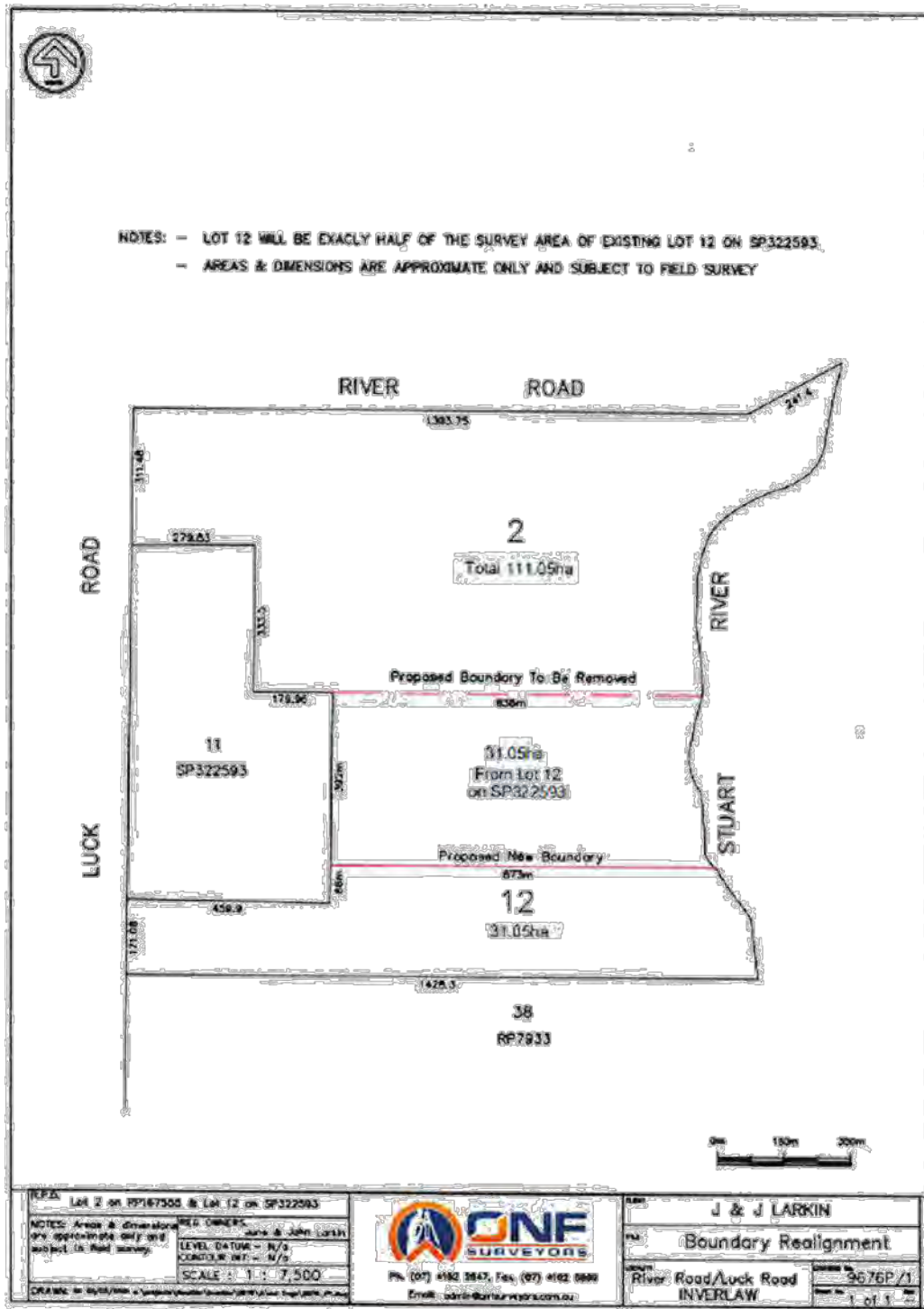
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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PROPOSAL PLAN



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REPORT

The applicant seeks approval for a Reconfiguring a Lot for a Boundary Realignment (2 into 2 lots).

APPLICATION SUMMARY	
Applicant:	J L Larkin C/- ONF Surveyors
Proposal:	Reconfiguration of a lot - Boundary Realignment
Properly Made Date:	29 September 2021
Street Address:	387 River Road & Luck Road, Inverlaw
RP Description:	Lot 2 on RP167555 Lot 12 on SP 322593
Assessment Type:	Code
Number of Submissions:	N/A
State Referral Agencies:	N/A
Referred Internal Specialists:	Development Engineer

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

DEVELOPMENT PARAMETERS	
Number of Proposed Lots	2
Size of Proposed Lots	Proposed lot 2: 111.05ha Proposed lot 12: 31.05ha
Easements	Nil
Covenants	Nil

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION		
Land Area:	142.1ha	
Existing Use of Land:	Both lots are predominantly used for cropping along the Stuart River and grazing purposes and contain farm sheds and other infrastructure to support farming activities.	
Road Frontage:	Luck Road & River Road	
Road/s	Road Hierarchy	
River Road	Collector Minor	
Luck Road	Local Road	
Easements	N/A	
Significant Site Features:	Allotment adjoining Stuart River to the east and Council dump to the west.	
Topography:	Slightly sloping downwards towards the river.	
Surrounding Land Uses:	Land Use	Zone/Precinct
North	Grazing Land	Rural
South	Grazing land & Cultivated areas	Rural
East	Grazing land & Dwelling	Rural
West	Council's Waste Transfer Station & Grazing Land	Rural
Services:	Electricity	

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Background / Site History

APPLICATION NO.	DECISION AND DATE
	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:

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

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is South Burnett Regional Council Version 1.4. The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	South Burnett Regional Council Planning Scheme Version 1.4
Strategic Framework Land Use Category:	Rural
Zone:	Rural
Precinct:	N/A
Consistent/Inconsistent Use:	N/A
Assessment Benchmarks:	Reconfiguring a lot Code Rural zone 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:

ACCEPTABLE OUTCOME	ASSESSMENT MANAGER'S RESPONSE
RURAL ZONE CODE	

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Section 1 - General	
PO1 Development maintains rural amenity and character.	
<p>AO1.1 Buildings are set back 20m from any collector or higher order road and 10m from any other road frontage.</p> <p>and</p> <p>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.</p>	<p>Complies – The existing buildings are more than 400m from a road. There are no new buildings proposed as a part of this application.</p> <p>✓ There are no new uses proposed as a part of this application. The development will not disrupt the rural amenity and character of the surrounding area.</p>
PO2 Development does not jeopardise the rural production capacity of the Zone.	
<p>Development resulting in lots less than the minimum size in Table 8.4.2 satisfying outcomes –</p> <p>AO2.1 The proposal is necessary for the efficient production and processing of a crop grown in the area.</p> <p>or</p> <p>AO2.2 The proposal provides an alternate productive rural activity that supports regionally significant industry.</p> <p>or</p> <p>AO2.3 An agricultural sustainability report prepared by a suitably qualified agronomist demonstrates that –</p> <p>(a) The lot is suitability sized for the proposed activity, including a dwelling house including yard; and</p> <p>(b) There is sufficient water for the proposed activity; and</p> <p>(c) The allotment is capable of being connected to reticulated electricity; and</p> <p>(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.</p> <p>and</p> <p>AO2.4 Development is consistent with any Soil Conservation Plan that applies to the locality, as approved by the relevant State agency.</p>	<p>Complies – The existing allotments are currently below the minimum 100ha (lot 2 – 80ha, lot 12 – 62ha). The boundary realignment aims to consolidate the good quality agricultural land onto proposed lot 2 to enhance the productive capacity of the allotment. As a result, proposed lot 2 will be compliant with the minimum lot size and proposed lot 12 will remain below the minimum lot size.</p> <p>✓ No new uses are proposed. Both allotments will continue to be used for agricultural activities.</p> <p>N/A – This development application does not necessitate the need for an Agricultural sustainability report.</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>AO3.1 Uses and associated works are confined to existing lawfully cleared land or areas not supporting regulated vegetation.</p> <p>and</p> <p>AO3.2 Uses and associated works are confined to areas outside stormwater discharge points, overland flow paths, watercourses and natural drainage features.</p>	<p>Complies – The subject site is predominately cleared and used for cultivation and livestock grazing. The proposal does not involve any change to the environmental characteristics of the site.</p> <p>N/A – No new uses proposed. The proposal is consistent with the existing features of the site.</p>


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<p>and A03.3 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 'Management Plans' for these areas</p>	<p>N/A</p>
<p>PO4 Development is not exposed to risk from natural hazard relating to land slip.</p>	
<p>A04.1 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>N/A – No new uses or works are proposed. The site has varying slopes, with the maximum slope being 5%.</p>
<p>PO5 Development is adequately serviced.</p>	
<p>A05.1 A 45kl water tank is provided for consumption purposes. and A05.2 On-site sewage treatment is provided. and A05.3 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks.</p>	<p>Complies – The site will continue to be used for agricultural pursuits. There are no dwellings on site and there are no dwellings proposed. No new uses are proposed and therefore the application doesn't necessitate the need for additional services.</p>
<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>A06.1 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 A06.2 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 property is not listed on the CLR or EMR. No new uses are proposed as a part of this boundary realignment application.</p>
<p>Section 6 – For development affected by one or more overlays:</p>	
<p>Agricultural land Overlay</p>	
<p>PO15 The productive capacity and utility of agricultural land for rural activities is maintained.</p>	

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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.

Complies – The subject site is within the Class A Agricultural land area overlay. The area identified as Class A land is currently used for cropping and the remainder of the site is used for livestock grazing. No new uses are proposed. The proposal aims to consolidate the Class A land onto proposed lot 2 and create a larger more viable farming unit. Proposed lot 12 can still be used for agricultural activities as it will retain frontage to the Stuart River.

N/A – This development application does not necessitate the need for an agricultural sustainability report.

Biodiversity Overlay
PO18 Areas of environmental significance, including biodiversity values, are identified, protected and enhanced.

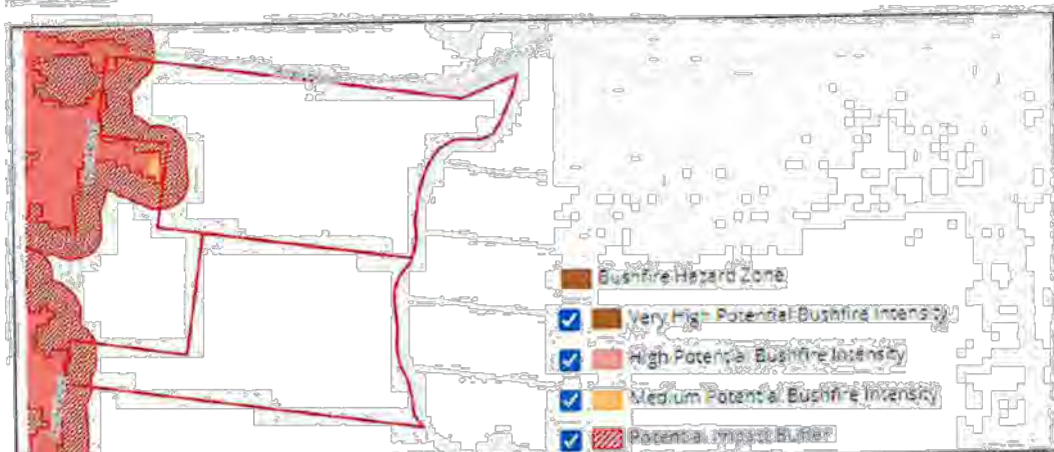
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<p>AO18.1 Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p>AO18.2 Development is compatible with the environmental values of the area.</p> <p>or</p> <p>AO18.3 Where development within an area identified 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.</p>	<p>Complies – Stuart River is identified as a waterway corridor on the Biodiversity overlay. The proposed new boundary will not impact on the environmental values of the area. No new uses are proposed.</p>
<p>PO19 Biodiversity values of identified areas of environmental significance are protected from the impacts of development.</p>	
<p>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.</p>	<p>N/A – No new uses are proposed.</p>
<p>PO20 There are no significant adverse effects on water quality, ecological and biodiversity values.</p>	
<p>AO20.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features.</p> <p>and</p> <p>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.</p> <p>and</p> <p>AO20.3 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.</p>	<p>✓ This proposal will not impact on the existing overland flows and drainage.</p> <p>N/A</p> <p>✓ The waterway corridor (Stuart River) will be maintained in a natural state.</p>
<p>Bushfire hazard overlay</p>	

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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.

(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 50m², 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.

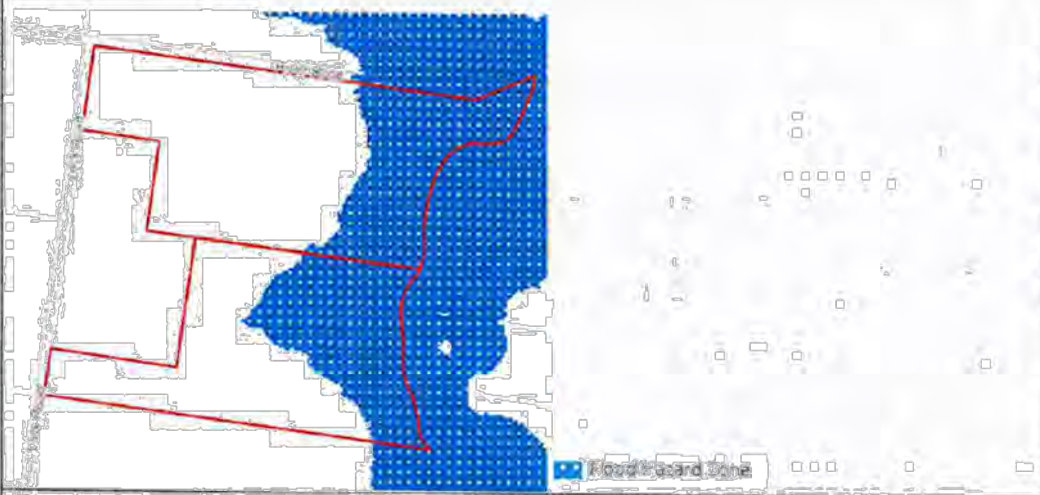
Complies – A small portion of the western side of the site is within the potential bushfire impact buffer. There are no existing buildings within the overlay and there are no new buildings or uses proposed as a part of this boundary realignment application. There is no increased risk as a result of the proposed new boundaries.

N/A

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.

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<p>AO22.1 No outcome specified.</p>	<p>N/A</p>
<p>PO23 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	
<p>AO23.1 No hazardous materials, manufactured or stored in bulk, are on land mapped as Very High to Medium (Potential Intensity) Areas.</p>	<p>N/A – The property is not mapped in any areas marked as very high to medium potential bushfire areas.</p>
<p>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.</p>	
<p>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 5,000m² 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.</p>	<p>N/A – The property is not located within the very high to medium bushfire hazard areas. The existing buildings are not located within any bushfire hazard area. There are no new dwellings proposed.</p>
<p>Flood hazard overlay</p>	
	
<p>PO28 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.</p>	
<p>AO28.1 All new allotments include an area of sufficient size to accommodate the intended land use 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</p>	<p>Complies – The new allotments have sufficient area outside of the flood hazard area. The flood hazard overlay will not greatly impact on the existing agricultural use of the site. No new uses are proposed. N/A – All of the existing buildings are outside of the nominated flood hazard area. There are no</p>

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<p>AO28.3 Development is sited above the 1%AEP flood event where known, or the highest known flood event, as follows:</p> <ul style="list-style-type: none"> (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. <p>and</p> <p>AO28.4 Building work below the nominated flood level allows for the flow through of flood water at ground level:</p> <ul style="list-style-type: none"> (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. <p>and</p> <p>AO28.5 Resilient building materials are used below the nominated flood level in accordance with the relevant building assessment provisions.</p> <p>and</p> <p>AO28.6 Signage is provided on site indicating the position and path of all safe evacuation routes off the site.</p>	<p>new buildings proposed as a part of the development application.</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:</p> <ul style="list-style-type: none"> (a) involve a net increase in filling greater than 50m³; 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: <ul style="list-style-type: none"> (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>N/A – There are no cut or fill works proposed as a part of this boundary realignment application.</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.</p> <p>or</p> <p>AO30.2 Hazardous materials and any associated manufacturing equipment are located above the nominated flood level.</p>	<p>Complies – The existing buildings are located outside of the flood hazard area.</p>

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<p>PO31 Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood.</p>	
<p>No outcome specified: N/A</p>	
<p>RECONFIGURING A LOT CODE</p>	
<p>Section 1 – Boundary realignment</p>	
<p>PO1 The boundary realignment:</p> <p>(a) results in lots that are consistent with the established subdivision pattern of the local area;</p> <p>(b) maintains or improves the utility of the lots;</p> <p>(c) does not create a situation where the use or buildings on the resulting lots become unlawful.</p>	
<p>AO1.1 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.</p> <p>and</p> <p>AO1.2 The utility of the lots is maintained or improved where:</p> <p>(a) a frontage to depth ratio exceeds that of the existing allotments;</p> <p>(b) access is provided to an allotment that previously had no access or an unsuitable access;</p> <p>(c) an existing boundary encroachment by a building or areas is corrected;</p> <p>and</p> <p>AO1.3 The realignment does not result in a building contravening the setback standards required by this Planning Scheme or relevant building regulations.</p> <p>and</p> <p>AO1.4 The realignment results in a larger lot that is a more viable farming unit.</p>	<p>Complies – The reconfiguration is a boundary realignment. The proposed new boundary results in a larger more viable farming unit (lot 2). Proposed lot 12 has a consistent size and shape with that of the rural allotments to the east.</p> <p>✓ The boundary realignment will not impact on the utility of both allotments. The proposed allotment shapes are considered consistent with the surrounding area.</p> <p>Complies – All existing buildings meet the required setback to the proposed new boundaries.</p> <p>☑ The boundary realignment will consolidate the good quality agricultural land onto proposed lot 2, creating a larger more viable farming unit.</p>
<p>PO2 The boundary realignment facilitates the creation or consolidation of a viable farming unit.</p>	
<p>AO2.1 Where covered by the Overlay Map 08:</p> <p>(a) new lot boundaries enhance viable farming units; and</p> <p>(b) the boundaries ensure that a new dwelling is not on agricultural land; and</p> <p>(c) the reconfiguration satisfies the acceptable outcomes in section 6 of the Rural Zone code.</p>	<p>Complies – The boundary realignment will not impact on the viability of the existing agricultural use of the site. Whilst the proposal decreases the size of lot 12, the proposal aims to capture the class A agricultural land on one allotment (proposed lot 2). Lot 12, is considered consistent with the allotment pattern of adjoining rural land to the east.</p> <p>✓ No new dwellings are proposed.</p> <p>✓ Section 6 of the Rural zone code has been addressed above.</p>
<p>Section 4 – All reconfiguring a lot subject to an overlay</p>	
<p>Agricultural land overlay</p>	
<p>PO16 The productive capacity and utility of agricultural land for rural activities is maintained.</p>	
<p>AO16.1 In the Rural zone only, no additional allotments are created in the area identified as</p>	<p>N/A – No additional allotments are proposed.</p>

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<p>agricultural land on SPP Interactive Mapping (Plan Making); or AO16.2 In the Rural zone only, a Farm management plan prepared by a suitably qualified agronomist demonstrates that the existing productivity of the land area is not reduced.</p>	<p>✓ Both allotments will continue to be utilised for agricultural activities. There are no new uses proposed and thus, a Farm management plan is not necessary as a part of this development application.</p>
<p>Bushfire hazard overlay 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>AO19.1 Development does not occur in areas mapped as Very High, High or Medium Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making). or AO19.2 A written assessment by a suitably experienced or qualified person confirms that the site is of Low Potential Bushfire Hazard. or AO19.3 Bushfire risk is mitigated through a Bushfire Management Plan incorporating: (a) Lot design that (i) Locates high intensity uses on the least bushfire prone area on the site and activities least susceptible to fire closest to the bushfire hazard; and (ii) Optimises efficient emergency access; and (iii) Considers the bushfire risk associated with aspect, elevation, slope and vegetation. (b) Firebreaks to protected vegetation included in the subdivision layout providing access for fire fighting or other emergency vehicles and AO19.4 Road layouts facilitate easy and safer access and movement by emergency vehicles in the event of encroaching fire and provides that an alternative safe access (if one direction is blocked in the event of fire) is maintained at all times.</p>	<p>✓ Discussed in Section 6 Rural zone Code. Minimal bushfire hazard area identified over the subject allotments.</p>
<p>Flood hazard overlay PO20 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.</p>	
<p>AO20.1 All new allotments include an area of sufficient size to accommodate the intended land use outside the area identified on Overlay Map 03.</p>	<p>✓ Discussed in Section 6 Rural zone Code. The new boundary allows sufficient area outside of the bushfire hazard for the existing use to continue.</p>
<p>PO21 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>AO21.1 Works associated with the proposed development do not: (a) involve a net increase in filling greater than 50m3; or</p>	<p>✓ Discussed in Section 6 Rural zone Code – There are no works associated with the proposed boundary realignment.</p>

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<p>(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 (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>SERVICES AND WORKS CODE</p>	
<p>Section 1 - General</p>	
<p>PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.</p>	
<p>AO1.1 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>N/A - This development application does not necessitate the need for a stormwater quality management plan.</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>AO2.1 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 AO2.2 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.</p>	<p>N/A - This development application does not necessitate the need for a wastewater management plan.</p>
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	
<p>AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.</p>	<p>N/A - This development application does not necessitate the need for an erosion and sediment control plan.</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow</p>	
<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.</p>	<p>N/A - This development application does not necessitate the need for stormwater flow control measures.</p>
<p>Section 2 - Infrastructure</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>	

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<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road. and AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>N/A – The property is located in the rural zone. However, proposed lot 2 has access to a River Road which is bitumen sealed and proposed lot 12 has access to Luck Road which is gravel sealed.</p> <p>✓ Proposed lot 2 will utilise the existing access from River Road. Proposed lot 12 will a new access to be constructed from Luck Road (conditions added).</p>
<p>Section 3 – Vehicle parking</p>	
<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	
<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5. and AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5. and AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards. and AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>N/A - This development application does not necessitate the need for vehicle parking.</p>
<p>Section 4 - Landscaping</p>	
<p>PO7 Landscaping is appropriate to the setting and enhances local character and amenity.</p>	
<p>AO7.1 Landscaping is provided in accordance with the relevant zone code provisions. and AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable. and AO7.3 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>N/A - This development application does not necessitate the need for landscaping.</p>
<p>PO8 Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	
<p>AO8.1 Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping. and AO8.2 Species selection avoids non-invasive plants.</p>	<p>N/A - This development application does not necessitate the need for landscaping.</p>
<p>Section 5 – Filling and excavation</p>	

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<p>PO9 Development results in ground levels that retain:</p> <ul style="list-style-type: none"> (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety. 	
<p>AO9.1 The depth of:</p> <ul style="list-style-type: none"> (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level. <p>and</p> <p>AO9.2 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>AO9.3 Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> (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>N/A – No cut or fill is proposed as a part of the boundary realignment application.</p>
<p>PO10 Filling or excavation does not cause damage to public utilities.</p>	
<p>AO10.1 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>N/A – No cut or fill is proposed as a part of this boundary realignment application.</p>
<p>PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	
<p>AO11.1 Following filling or excavation:</p> <ul style="list-style-type: none"> (a) the premises: <ul style="list-style-type: none"> (i) are self-draining; and, (ii) has a minimum slope of 0.25%; and, (b) surface water flow is: <ul style="list-style-type: none"> (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>N/A – No cut or fill is proposed as a part of this boundary realignment application.</p>

Local Categorising Instrument - Variation Approval

N/A

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Date: 18/11/2021

Local Categorising Instrument - Temporary Local Planning Instrument

N/A

Other Relevant Matters

N/A

Locality Plan



Figure 1 - Aerial Image (Source: Qld Globe)

Aerial Plan

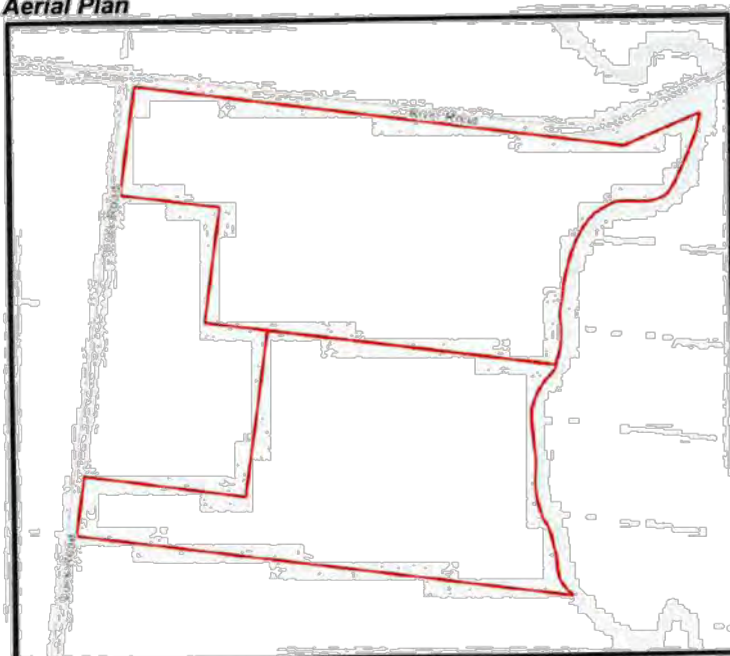


Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority

Date: 18/11/2021

CONSULTATION:

Referral Agencies

Not applicable.

Other Referrals

INTERNAL SPECIALIST	REFERRAL	REFERRAL / RESPONSE
Development Engineer		Council's Development Engineer provided standard engineering conditions.
Infrastructure Charges Unit		Refer to Attachment B – Infrastructure Charges Notice.

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 Rural zone code, Reconfiguring a lot code and Services and works code within the South Burnett Regional Council Planning Scheme.

The boundary realignment will consolidate the good quality agricultural land onto proposed lot 2 and proposed lot 12 will continue to be used for grazing purposes.

RECOMMENDATION:

It is recommended that the Reconfiguring a lot application (2 into 2 lots) at 387 River Road & Luck Road, Inverlaw (and described as lots 2 on RP167555 & 12 on SP322593) be approved subject to the reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

Delegated Authority

Date: 18/11/2021

ATTACHMENTS

Nil

Delegated Authority

Date: 18/11/2021

Attachment A

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	Reconfiguring a lot (Boundary realignment)– Development permit
Level of Assessment	Code
Application No	RAL21/0015
Name of Applicant	L Larkin C/- ONF Surveyors
Street Address	387 River Road & Luck Road
Real Property Address	Lots 2 RP167555 & Lot 12 SP322593

On 18 November 2021 the above development was:

Approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- There are no additional lots proposed.
- Both allotments will continue to be utilised for rural productive activities.
- The proposal will consolidate the Class A Agricultural land onto proposed lot 2, creating a larger more viable farming unit.
- The size and shape of proposed lot 12 is consistent with the allotment pattern of adjoining rural land to the east.
- The utility of the lots is maintained.
- The natural hazard constraints are minimal for the existing agricultural use to continue.

2. Assessment Benchmarks

The following benchmarks apply to this development:

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

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

Delegated Authority

Date: 18/11/2021

Attachment B
INFRASTRUCTURE CHARGES NOTICE
 (Section 119 of the Planning Act 2016)

APPLICANT: J Larkin
 C/- O'Reilly Nunn Favier - ONF Surveyors
 PO Box 896
 KINGAROY QLD 4610

APPLICATION: Reconfiguration of a lot - Boundary Realignment

DATE: 17/11/2021

FILE REFERENCE: RAL21/0015

AMOUNT OF THE LEVIED CHARGE: **\$0.00** **Total**
 (Details of how these charges were calculated are shown overleaf)

\$0.00	Water Supply Network
\$0.00	Sewerage Network
\$0.00	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 2 RP167555 & Lot 12 SP322593

SITE ADDRESS: 387 River Road & Luck Road, Inverlaw

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: 18/11/2021

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	allotments	\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	allotments	\$0.00	CR Table 2.3	\$0.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	allotments	\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	allotments	\$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 into 2)	2	allotments	\$2,410.00	CR Table 2.3	\$4,820.00

Discounts*

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

Parks and Land for Community Facilities

Adopted Charges

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

Discounts*

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

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Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	allotments	\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	allotments	\$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 (2 into 2)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

* 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: 18/11/2021

INFORMATION NOTICE

<p>Authority and Reasons for Charge</p>	<p>This Infrastructure Charges Notice has been given in accordance with section 119 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.</p>
<p>Appeals</p>	<p>Pursuant to section 229 and Schedule 1 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.</p>
<p>Automatic Increase Provision of charge rate (\$)</p>	<p>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 average¹. 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.</p> <p>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.</p>
<p>GST</p>	<p>The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2016</i> are GST exempt.</p>
<p>Making a Payment</p>	<p>This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.</p> <p>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.</p> <p>An Itemised Breakdown may be requested by emailing info@southburnett.qld.gov.au</p>

¹ 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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	<p>Payment can be made at any of the following South Burnett Regional Council Offices:</p> <ul style="list-style-type: none"> • 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.
<p>Enquiries</p>	<p>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</p>

Delegated Authority

Date:

0.0 MATERIAL CHANGE OF USE - DWELLING HOUSE AND SHORT TERM ACCOMMODATION (4 BEDROOMS) AT 1 BUNYA AVENUE, BUNYA MOUNTAINS (AND DESCRIBED AS LOT 1 ON SP308120) - APPLICANT: G & M FERGUSON CI- ONF SURVEYORS

File Number: MCU21/0014
Author: Administration Officer, Planning & Land Management
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	10/11/21
GM	<i>[Signature]</i>	15/11/21
CEO	<i>[Signature]</i>	15-11-2021

PRECIS

Development Approval for a Material Change of Use for a 'Dwelling House' and 'Short Term Accommodation' over land described as Lot 1 on SP308120 and situated at 1 Bunya Avenue, Bunya Mountains. The Applicant is G and M Ferguson for Silver Super 888 Pty Ltd ci- ONF Surveyors

SUMMARY

The Applicant seeks a Development Permit for Material Change of Use for a 'Dwelling House' and 'Short Term Accommodation' over land at 1 Bunya Avenue, Bunya Mountains, formally described as Lot 1 on SP308120. The subject site is within the No 1 Bunya Avenue Bunya Mountains Community Title Scheme 23898, where dwellings have been constructed on other lots.

The proposed development seeks to create a new dwelling house on the subject site and a new carport over an existing exclusive use area parking bay. The applicant has changed the application in response to the Council's information request to include a permit for short term accommodation, to allow the lease of the premises for short term stay.

The subject site is located within the Low Density Residential Zone under the South Burnett Regional Council Planning Scheme 2017 (v1.4), and is not affected by any overlays. A Material Change of Use for a Dwelling House and short term accommodation within the Low-Density Residential Zone is impact assessable development where located within a Community Title Scheme.

The proposed dwelling house can demonstrate compliance with the strategic direction of the relevant planning scheme. The design of the proposed dwelling is consistent with the distinctive architecture and character that has been established within the Bunya Mountains locality and will not impede on the existing amenity of the area.

The proposed development does not conflict with the current planning framework.

Based on an assessment of the matters Council (as Assessment Manager) must and may have regard to under section 45 (3) of the Planning Act 2016 (the Planning Act), we are satisfied that the application should be approved subject to the conditions herein.

OFFICER'S RECOMMENDATION

GEN1. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Plan/Document Number	Revision	Date
Proposed double carport (Plan view and Typical Section)	210125 sheet 1 of 1		24.01.2021
Proposed double carport (Views A, B, C and D)	210125 sheet 1 of 1		24.01.2021
Amended Site Plan	19023	1	Received 30/09/2021
Roof Plan	19023	4	
Floor Plan	19023	5	

Delegated Authority		Date:
Sub-floor Layout	19023	4
Elevations East and North	19023	5
Elevations West and South	19023	5
Sections (AA and BB)	19023	4
Sections (CC)	19023	4

All approved plans are amended in red to title the documents proposed dwelling house AND Short-term accommodation (4x bedrooms).

Timing: To be maintained at all times.

PLANNING

PLN 1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer at all times unless otherwise stated.

Timing: To be maintained at all times

PLN 2 This approval allows for the establishment of a dwelling house within Lot 1 and permits that dwelling to be leased on a short-term basis, from time to time, for accommodation purposes as per the definition of Short-term accommodation in Schedule 1 of the South Burnett Planning Scheme 2017. The short-term accommodation and dwelling house use areas are limited to the area of Lot 1 and the exclusive use area of Lot 1.

No use of common property within the existing Community title Scheme is permitted for short term accommodation users, unless expressed otherwise within the laws or policies within the community title scheme, community management statement or similar site management plan unless authorized in writing by the body corporate or management group for communal areas.

The short-term accommodation use is limited to a maximum for 4 bedrooms and two car parking spaces on site at any one time. There shall be no overflow parking for short term accommodation use located within common property.

NOTE: this condition applies at all times when the short-term accommodation use is the activity being carried out.

Timing: To be maintained at all times.

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 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 3 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.

Delegated Authority

Date:

- ENG 4 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 5 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 6 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

- ENG 7 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 8 Provide sufficient water supply to service the development independent of Councils reticulated network. Access to Councils reticulated network is not available at this location.

ON-SITE WASTEWATER DISPOSAL

- ENG 9 Connect the development to the existing on-site wastewater disposal system, for the Group Title Scheme. Connection to the scheme shall be made at the existing connection point. If the existing connection point cannot be located, a new connection shall be made subject to a Development Permit for Plumbing Works. The storage capacity of the septic tank for the development shall be a minimum of 3,500L.

ADVICE

- ADV 1 This approval does not permit any works within areas that are allocated as common property on the Community title Scheme. All works assessed and approved subject to this development permit are limited to Lot 1 and the allocated exclusive use area associated with Lot 1.

- ADV 2 The use of this property for short term accommodation purposes requires building certification to a Class 1b Standard under the Building Act and Codes relevant.

Material Change of Use

- ADV 3 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.

Heritage

- ADV 4 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

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arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

Infrastructure charges notice

ADV 5 Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

Appeal Rights

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

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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.

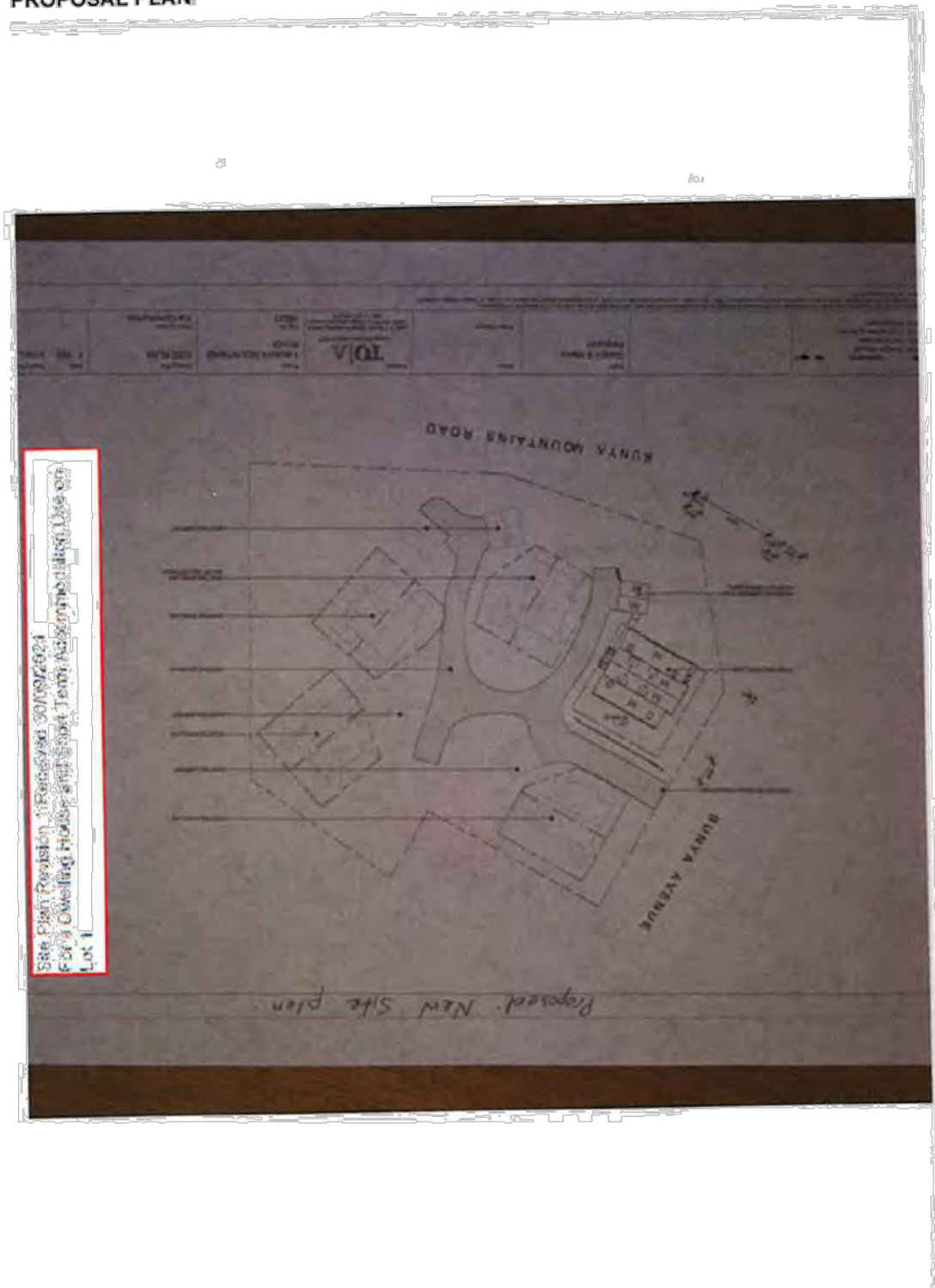
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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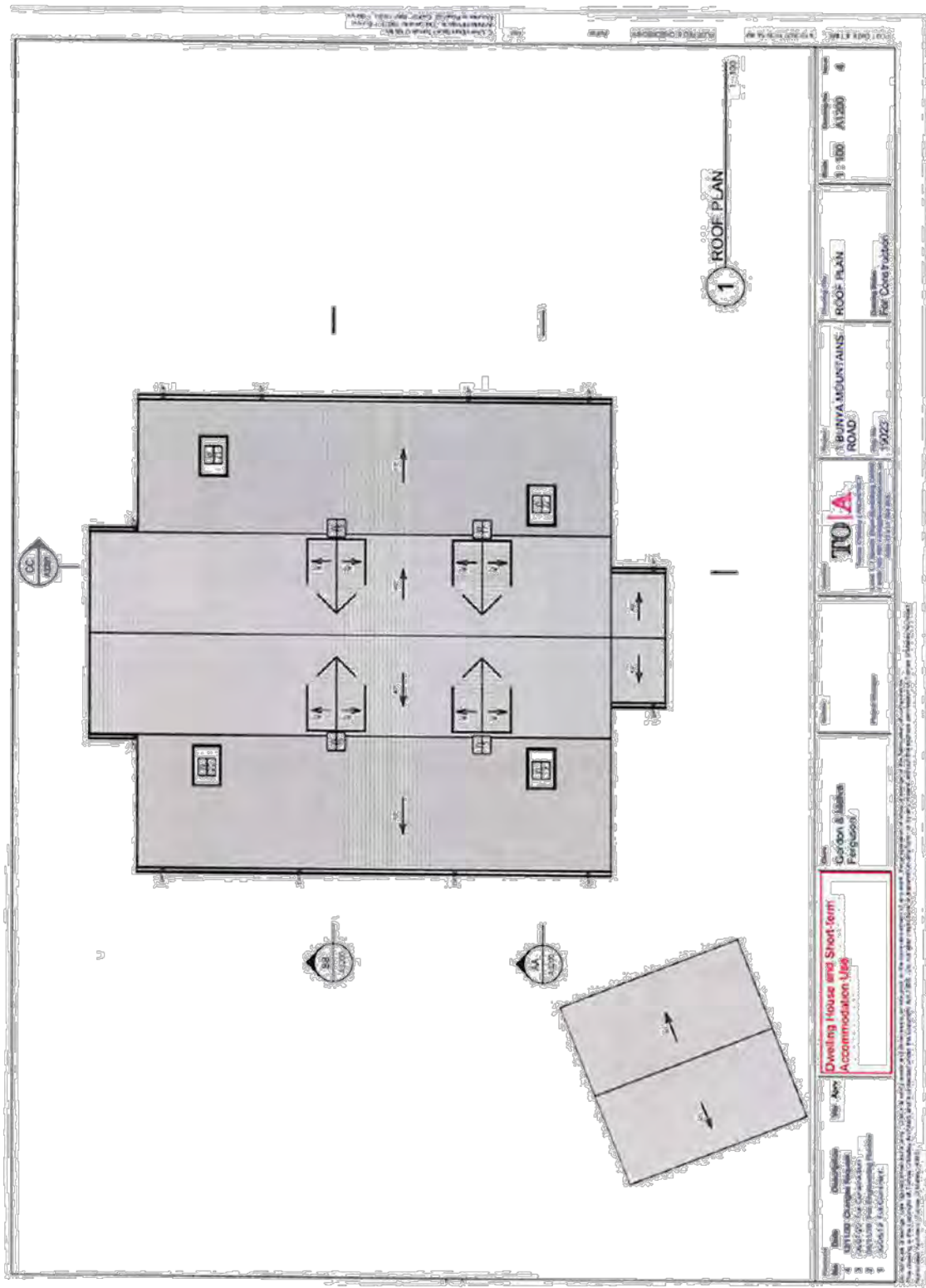
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PROPOSAL PLAN



Delegated Authority

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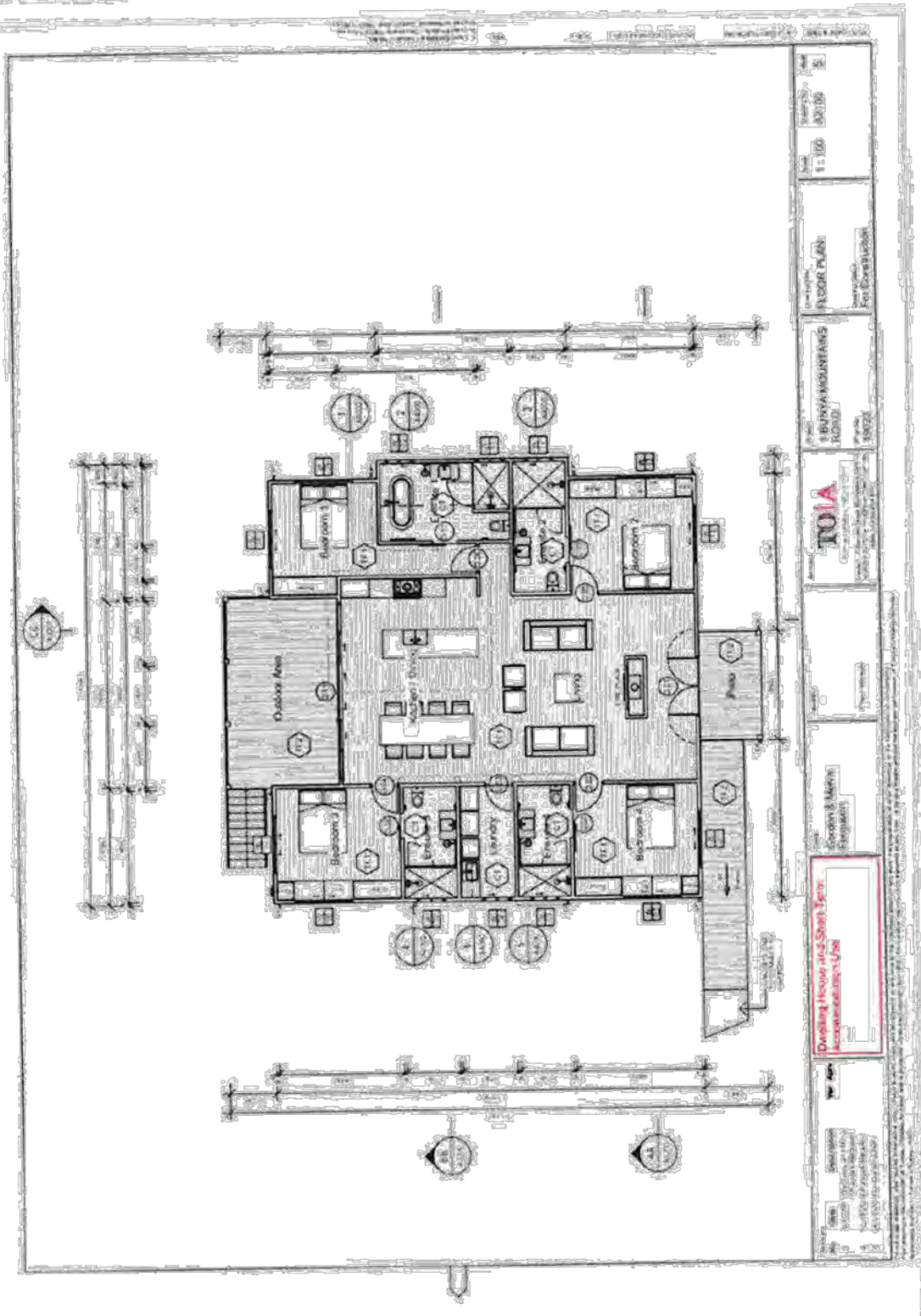


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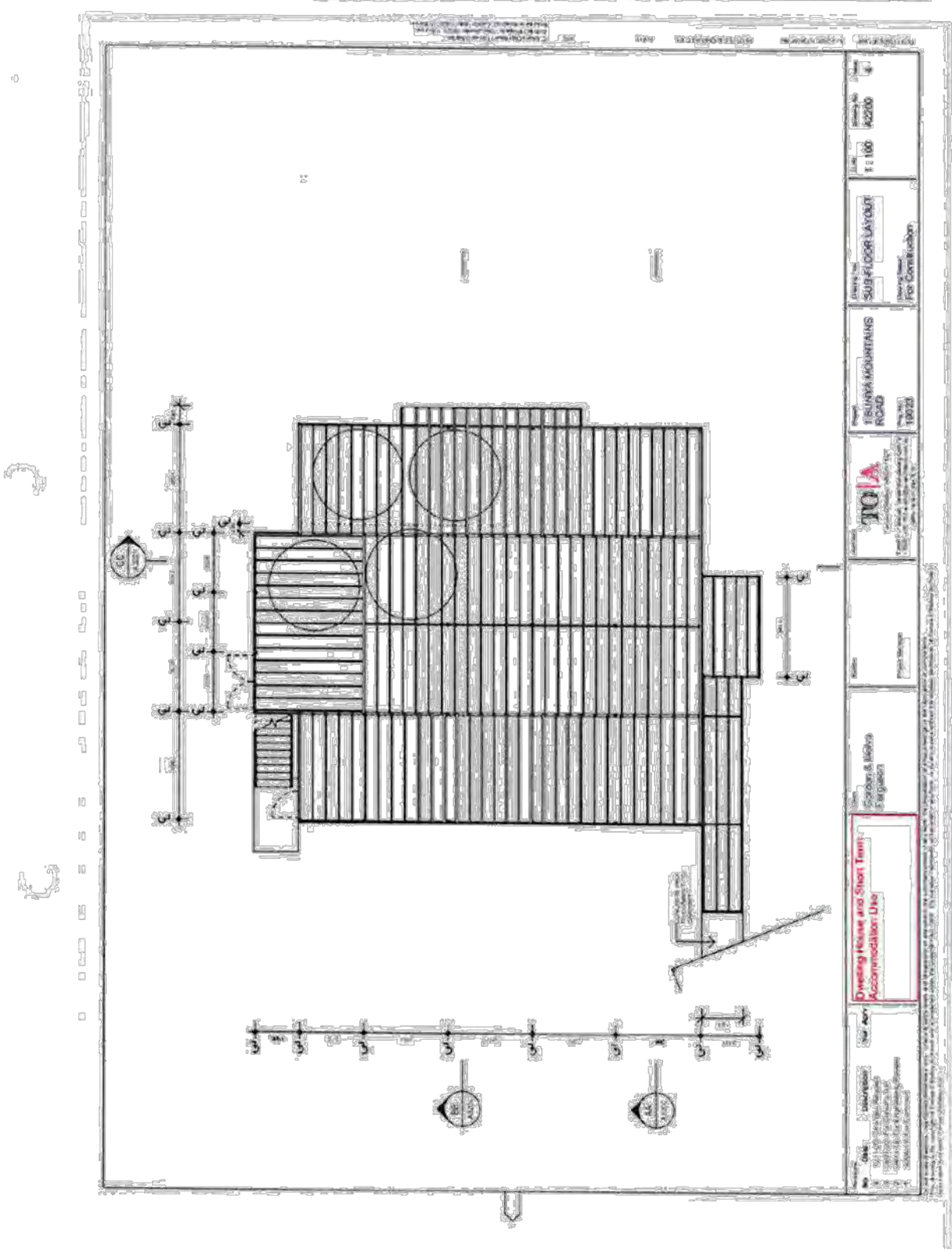


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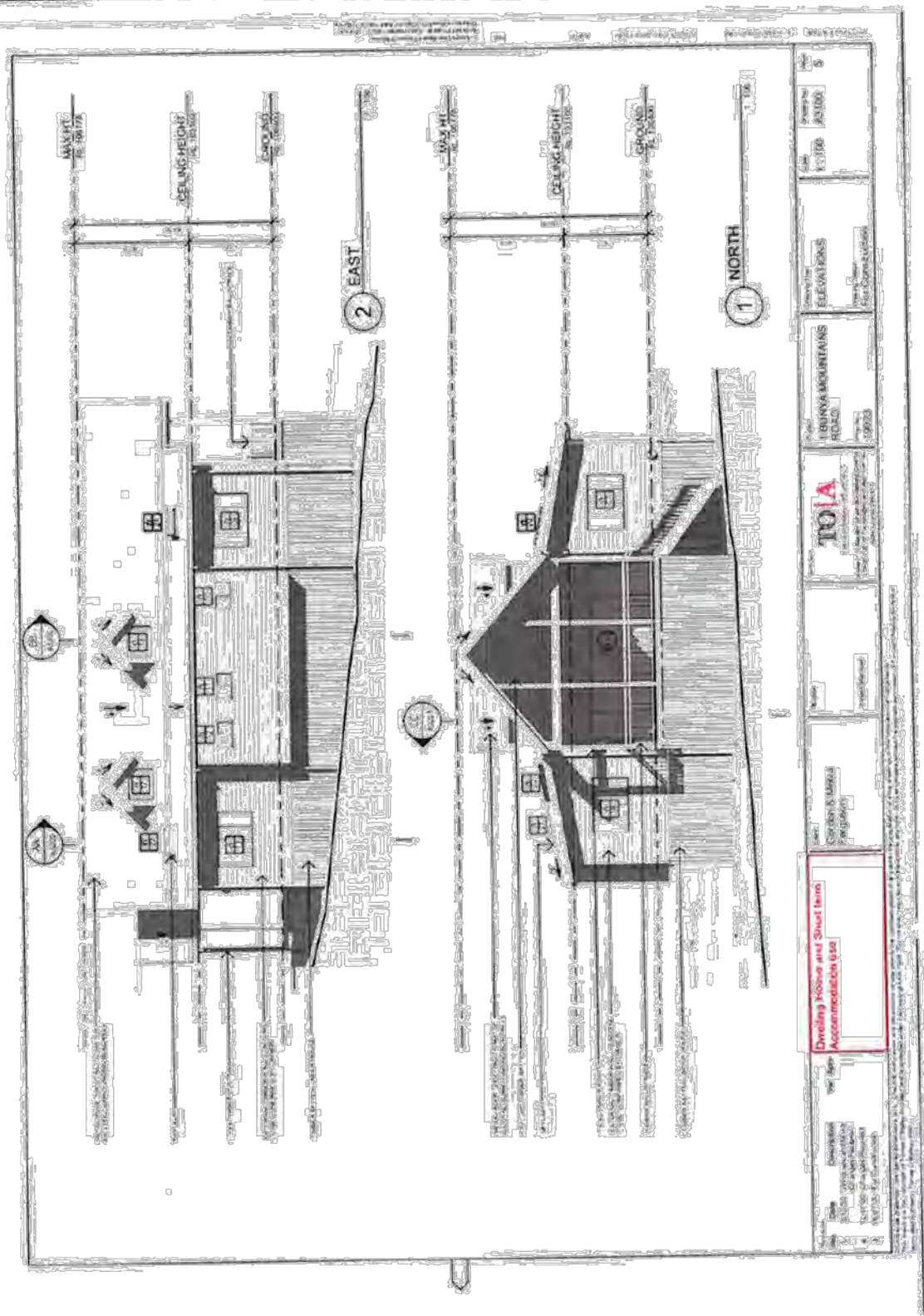


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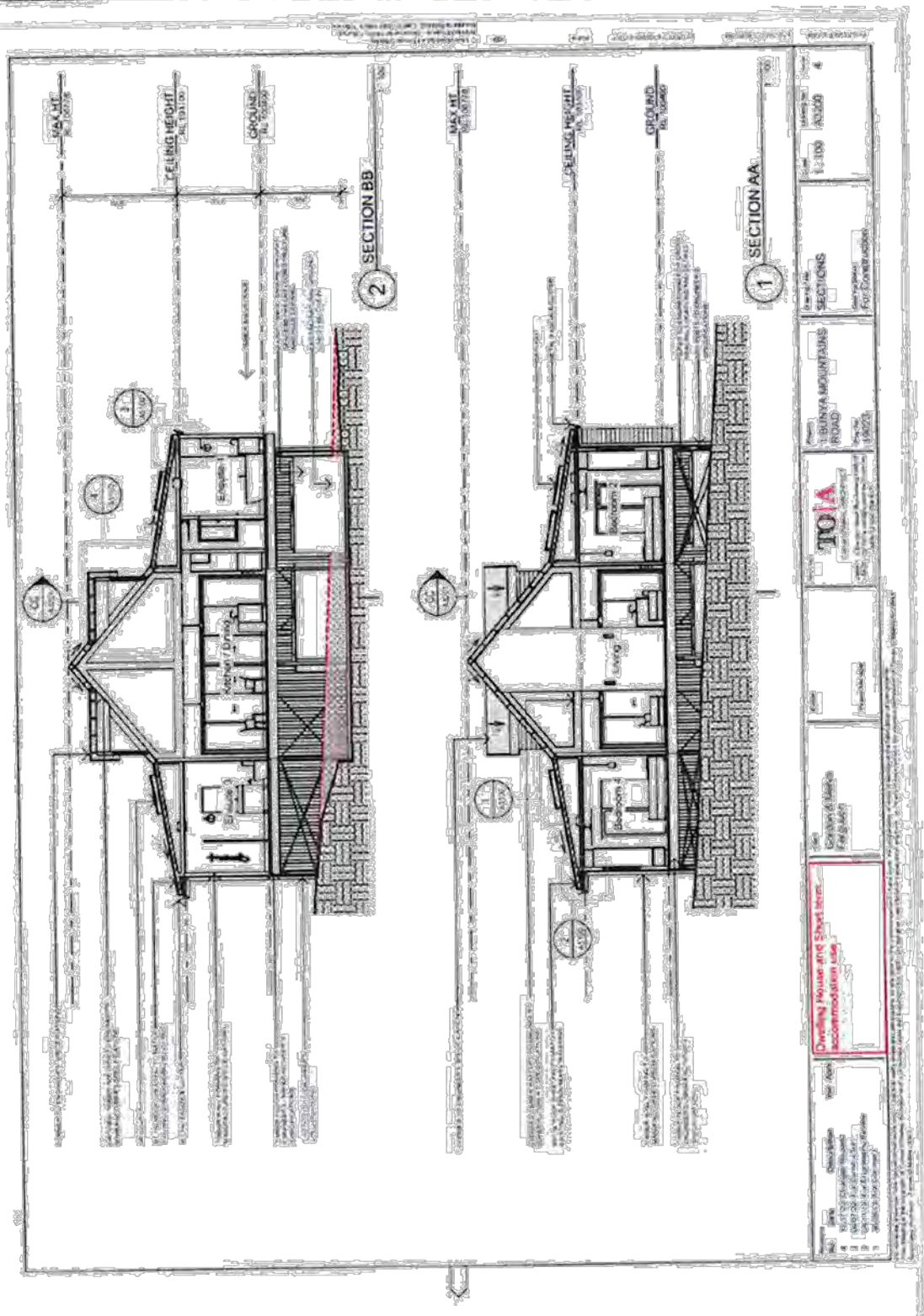
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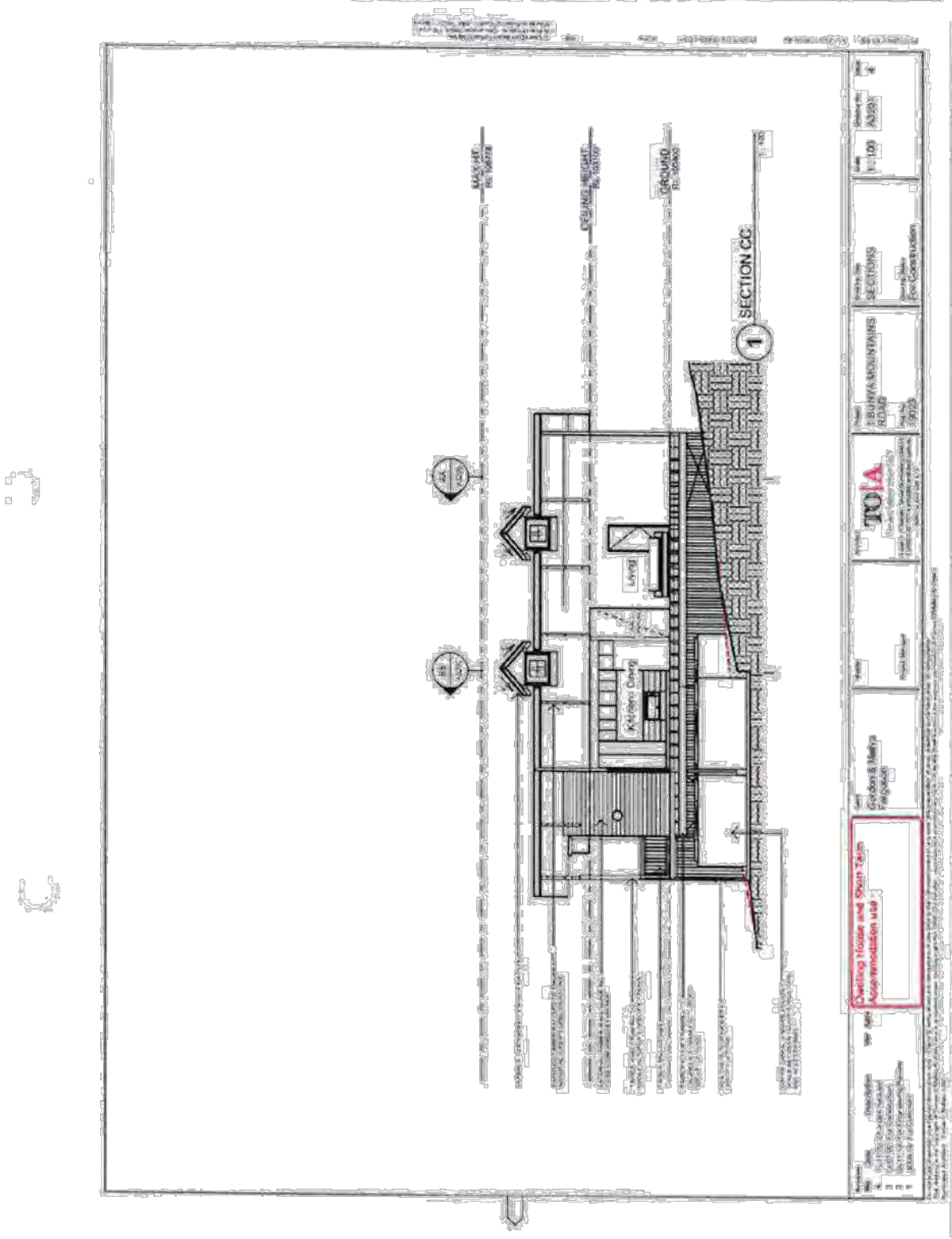
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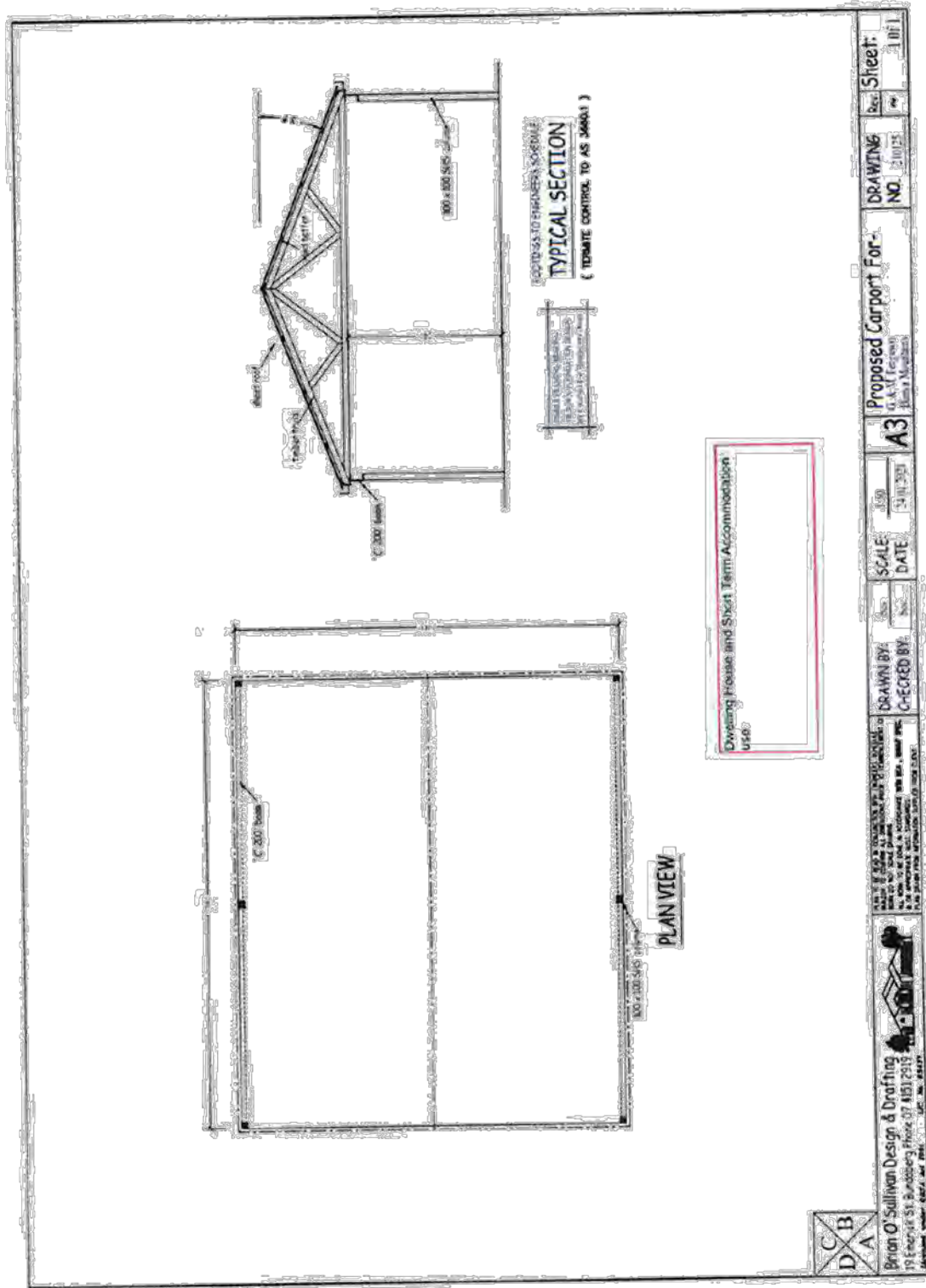


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VIEW 'A'

VIEW 'B'

VIEW 'C'

VIEW 'D'

100 x 100 S4S

100 x 80 S4S

100 x 80 S4S

100 x 80 S4S

Dwelling House and Short term accommodation use

Proposed Carport For:
U.S.M. Farms
Bushy Park Station

DRAWING NO. 310135

Sheet 1 OF 1

A3

SCALE: 1:50

DATE: 24.01.2021

DRAWN BY: [Signature]

CHECKED BY: [Signature]

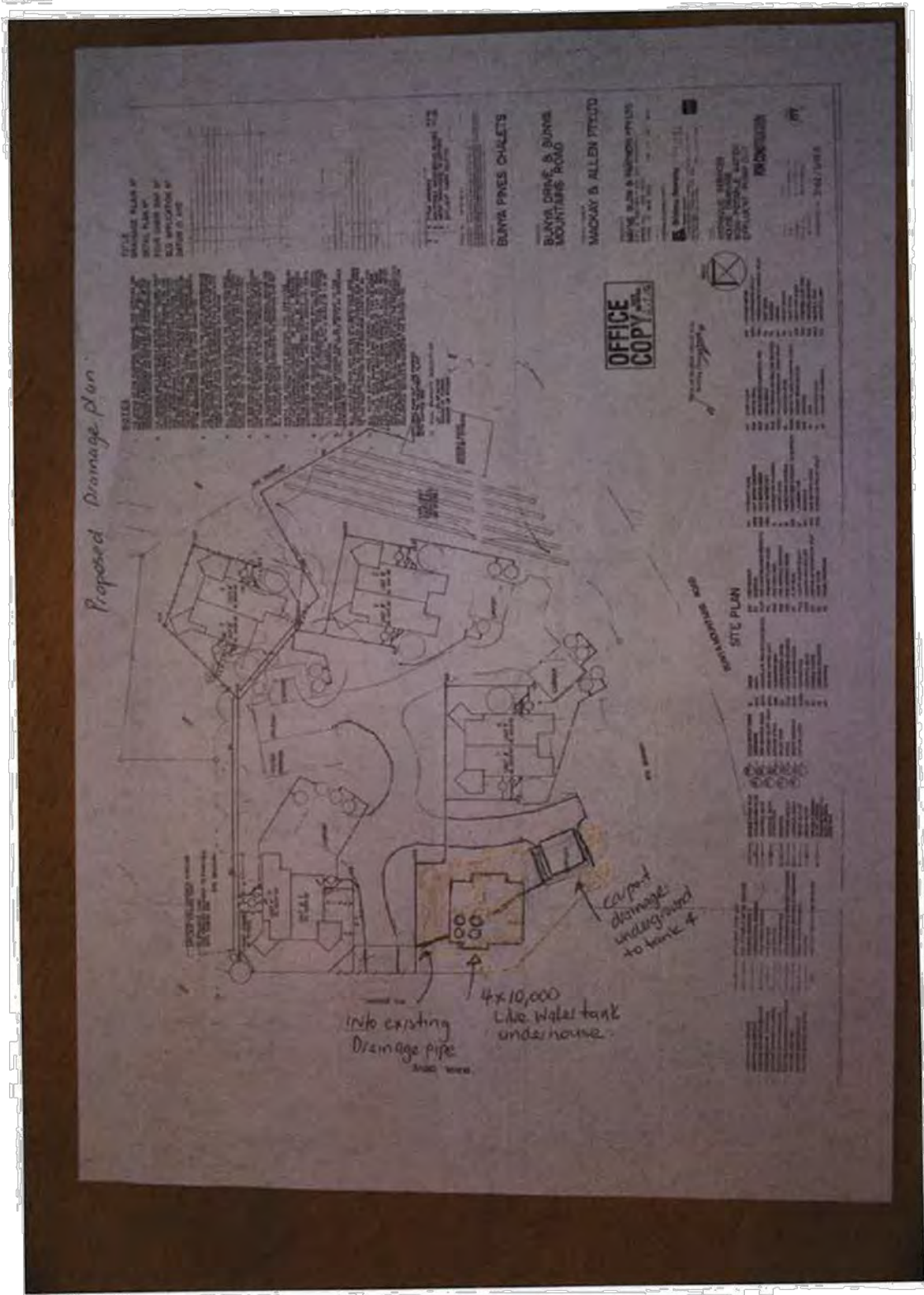
Disclaimers:
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Brian O'Sullivan Design & Drafting
19 Emerald St. Bundaberg Phone 07 4151 2919
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Legend:
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Delegated Authority

Date:



Delegated Authority Date:

Report

Applicant: G Ferguson and M Ferguson
Owner: Silver Super 888 Pty Ltd ACN 602 570 892
Property Address: 1 Bunya Avenue, Bunya Mountains
Real Property Description: Lot 1 on SP308120
Approvals Sought: Development Permit for Material Change of Use for a 'Dwelling House' and 'Short Term Accommodation'

Proposal Description:

Planning Scheme: South Burnett Regional Planning Scheme 2017 (v1.4)
Planning Scheme Zone: Low Density Residential Zone
Area of Land: 400m²
Existing Land Use: Vacant
Surrounding Land Uses: Residential / conservation parks
Services: Water, electricity and telecommunications are available.
Access: Access via Bunya Avenue via the common property internal driveway of Community Title Scheme
Topography: Relatively flat with a gradual fall from the eastern to western boundary of the site.

Application Deemed Properly Made: 11 August 2021
Confirmation Notice Issued: 24 August 2021
Information Request Issued: 28 September 2021
Information Response Received: 30 September 2021
Further Issues Issued: Nil
Response to Further Issues: Nil
Referrals Required/Received: Nil
Application Process: Impact Assessment
Public Notification: Yes
Properly Made Submissions: NIL
Public Notice Compliance: Yes

1.0 EXECUTIVE SUMMARY

This report carries out an independent town planning and assessment of the proposed development. The Applicant, G Ferguson and M Ferguson for Silver Super 888 Pty Ltd, seeks a Development Permit for Material Change of Use for a Dwelling House' and short term accommodation over land described as Lot 1 on SP308120 and situated at 1 Bunya Avenue, Bunya Mountains.

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The application was initially lodged only for the purposes of a Dwelling House Use. As the area is known for holiday rentals the applicant was requested in the information request stage to contemplate and advise council on the inclusion of a Short term accommodation permit to allow the owners to lease the property for holiday rental form time to time lawfully under the planning scheme.

The applicant responded to Council's information request asking to include a permit for short term accommodation and the application continued with impact assessment procedures and notification for both uses.

2.0 SITE AND LOCALITY

2.1 Site Description

The subject site is located on the corner of Bunya Avenue and Bunya Mountains Road, formally described as Lot 1 on SP308120. The site is a freehold lot that was included in the No 1 Bunya Avenue Bunya Mountains Community Title Scheme 23898 when Lots 1 and 2 on GTP106033 were amalgamated. The site has an area of 400sqm and is of a regular configuration. Access to the site is currently provided via Bunya Avenue, via the common property of the Community Title Scheme.



Figure 1: Aerial of Subject Site (Source: Queensland Globe)

Lot 1 and its area of exclusive use under the Community Title Scheme is as follows:

SCHEDULE E DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY	
LOT ON PLAN	EXCLUSIVE USE AREAS
Lot 1 on SP308120	Areas marked 1 & 2 on sketch marked "A"

Delegated Authority _____

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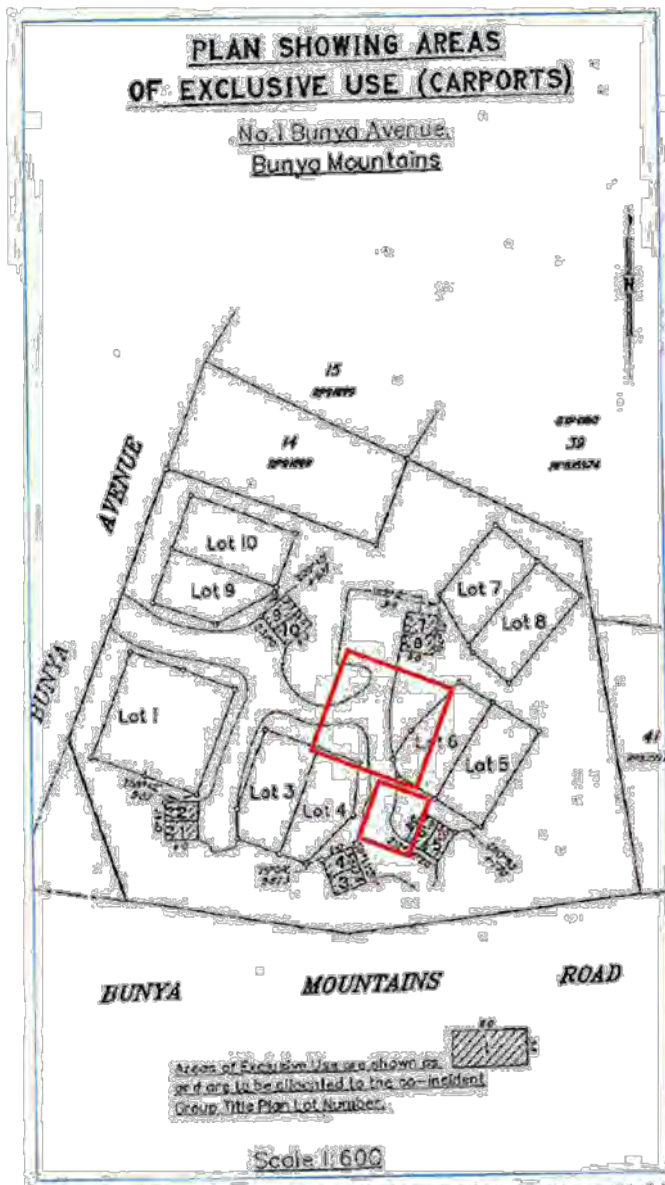


Image: Subject site and allocated exclusive use area highlighted red

2.2 Surrounding Land Uses

The subject site is situated in the locality of Blackbutt, within the town centre. The surrounding area predominantly comprises of residential dwellings to the north and east of the site and commercial uses to the west and south of the site along Coulson Street. Coulson Street is primarily characterised with small-scale, local businesses such as the Blackbutt Bakery, Blackbutt Service Centre and the Blackbutt Motel. The D’Aguilar Highway intersects through Blackbutt from the east to west, which adjoins the subject site.

3.0 PROPOSAL OVERVIEW

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Date:

The Applicant seeks a Development Approval for a Material Change of Use for a new Dwelling House and Short term accommodation on existing Lot 1 and new double carport over existing exclusive use parking bays as per the following plan of layout:

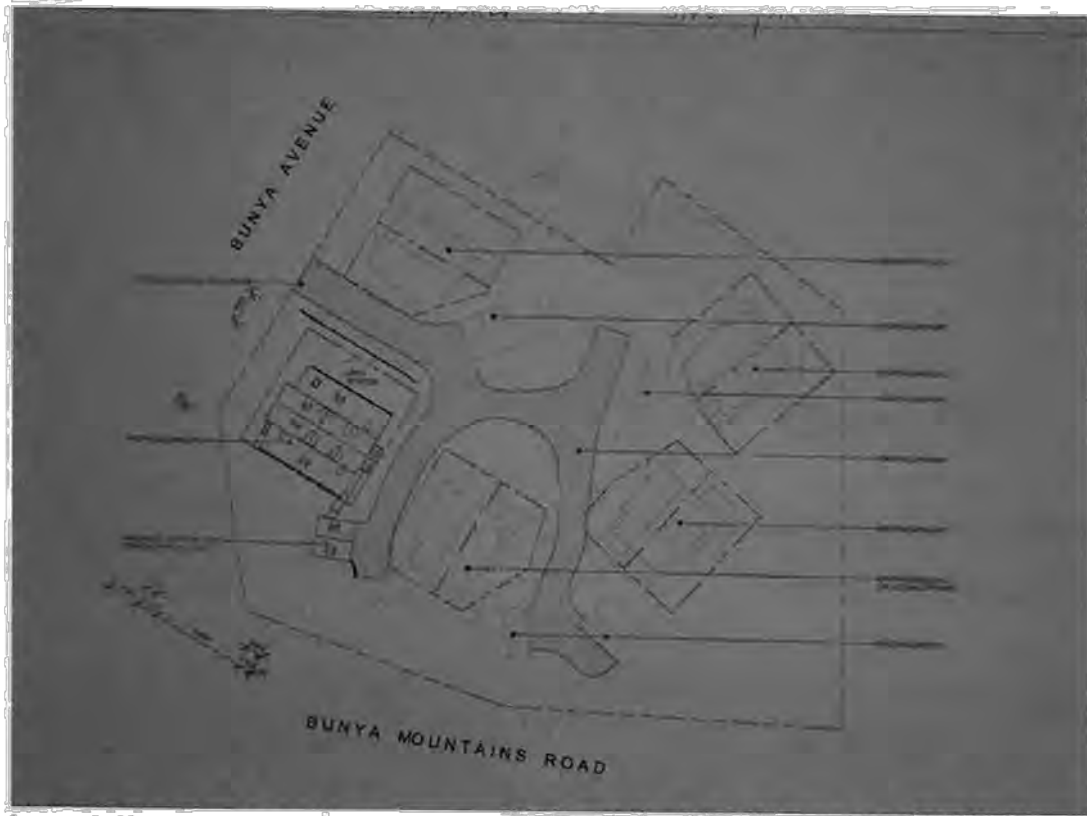


Image 2: Updated whole site plan and layout of proposal (as provided in response to Council's information request)

3.1 Development History

The subject site is a lot created under a community title scheme QTS23898 " Body Corporate for No 1 Bunya Avenue Bunya Mountains.

It will form part of the existing residential estate.

The estate has a protected landscape buffer that development must not encroach within. The plan attached to the CTS is relevant to the assessment of this application.

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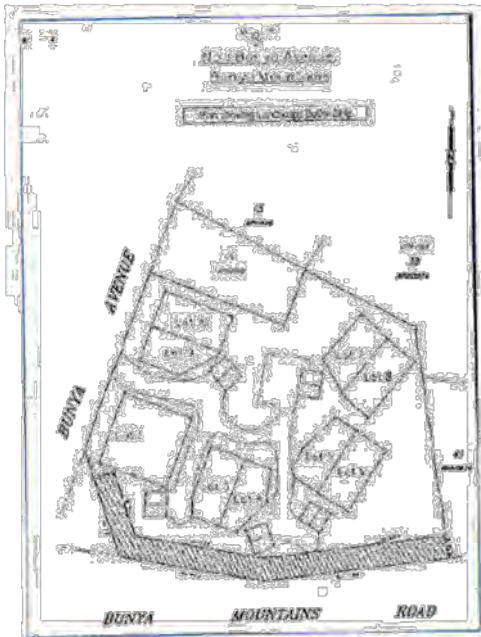


Image 3: Landscape buffer to be protected

3.2 Proposed Development

Parking and Access

Vehicular access to the subject site will be maintained from the existing crossover to Bunya Ave. With the access driveway and location of vehicle pathways unchanged as part of this proposal. All internal driveways are located within common property under the community title scheme.

Parking is proposed to be improved with the installation of a double carport over Lot 1 exclusive use areas for resident and or visitor parking.

Refuse

Refuse manoeuvring and collection will remain as existing.

Landscaping and Servicing

The proposed plans demonstrate the protection of the landscape buffer along the Bunya Mountains Road.

All rainwater tanks are proposed to be located under the dwelling house, with stormwater discharge of roof water to be directed within the common property and to the lawful point of discharge for the estate.

On-site wastewater treatment is also proposed consistent with all other dwellings within the community title scheme.

4.0 TOWN PLANNING CONTEXT

Table 3 provides an overview of the current town planning framework relevant to the subject site.

Delegated Authority _____ Date _____

TABLE 3 – SUMMARY OF LOCAL PLANNING INSTRUMENT

State Planning Context

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	<i>Water Resources</i>
	<ul style="list-style-type: none"> ▫ <i>Water resource planning area boundaries</i>
Referrals	N/A
Assessment Benchmarks	N/A

Local Planning Context

Planning Scheme	<i>South Burnett Regional Council Planning Scheme 2017 (v1.4)</i>
Strategic Framework Designation	Urban
Zone	Low Density Residential Zone (see Figure 5)
Overlays	N/A
Defined Use	Dwelling House
Level of Assessment	Impact Assessment
Assessment Benchmarks	<ul style="list-style-type: none"> ▫ Planning Scheme • Low Density Residential Zone Code



5.0 PLANNING ASSESSMENT

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 no referrals under Schedule 10 of the Planning Regulation 2017.

5.2 Other Matters for Code Assessment

This section of the report includes an assessment of the proposed works against the other matters that code 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;

Delegated Authority _____ Date _____

- 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 (5)(a) of the Planning Act, Code Assessment is an assessment that must be carried out–

- (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.***

In this instance under **section 45 (3)(a)(i) 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 benchmark is the Local Centre Zone Code.

5.3 Planning Scheme

5.3.1 Assessment Benchmarks

Pursuant to under Section 5.5, Table 5.5.4 – Level of Assessment in the Low-Density Residential Zone for a Dwelling house and short term accommodation is subject to impact Assessment. The relevant assessment benchmarks are:

- Low Density Residential Zone Code
- Strategic Framework
- 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.

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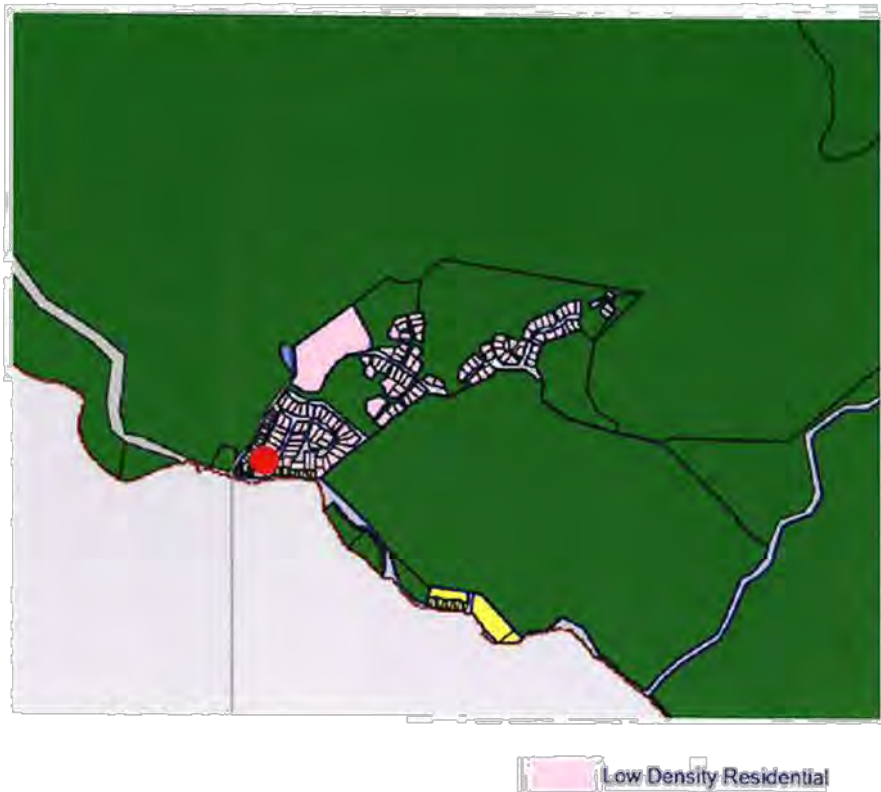


FIGURE 5 – ZONING MAP (Planning Scheme)

The purpose of the low-density residential zone code is to provide for residential uses and community uses, small-scale services, facilities and infrastructure to support local residents. The code seeks to accommodate housing at the low density and scale consistent with the country lifestyle expectations of the Region’s residents and ensure that development is accommodated by the efficient expansion of infrastructure. The proposal for a dwelling house and short term accommodation use is appropriate for the zone where it provides development at a scale that is consistent with the surrounding character of the area.

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
Section 1 Development of greenfield areas		Not Applicable. The proposal does not incorporate development of a greenfield area.
Section 2 General		

Delegated Authority Date:

<p>PO2 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>AO2.1 Site cover does not exceed 50% except for the Bunya Mountains Precinct where the maximum site cover is 10%.</p> <p>and</p> <p>AO2.2 Buildings are a maximum of 2 storeys above ground level.</p> <p>and</p> <p>AO2.3 Pedestrian entrances to buildings are clearly visible from the street.</p> <p>and</p> <p>AO2.4 The maximum length of any façade without articulation or change of materials is 10m.</p> <p>and</p> <p>AO2.5 Buildings are setback at least:</p> <ul style="list-style-type: none"> (a) 6m from primary street frontage; (b) 4.5m from any secondary street frontage; (c) 1.5m from side boundaries; and (d) 6m from rear boundaries. <p>and</p> <p>AO2.6 A 1.8m high screen fence is provided to the side and rear boundaries.</p> <p>and</p> <p>AO2.7 Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, refuse bins, telecommunication devices etc.) are integrated into the building.</p>	<p>Complies.</p> <p>The built form of the proposed dwelling will be similar in appearance to existing dwellings located on the other sites within the Community Title Scheme.</p> <p>The proposed building will be no more than 2 storeys in height above ground level.</p> <p>Pedestrian access to the front of the building will be visible from Bunya Avenue:</p> <ul style="list-style-type: none"> • The building façade includes articulation and change of appearance; • The siting of the building within the common property lot meets the setback requirements; • There are currently no fencing between the dwellings and screen fencing is not proposed to retain the open space feel and character of the site; • The dwelling has an outdoor area that is directly accessible from the main living areas. The stairs connect the outdoor area to the balance of the common property available for use by the occupants of the proposed dwelling; • The front door, living room windows and outdoor area is orientated toward Bunya Avenue.
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Date:

and

AO2.8 Garages are at or behind the ground level front building setback.

and

AO2.9 Front façades incorporate the front door (and an associated front door identification structure) and living room windows or balconies oriented toward the street.

and

AO2.10 Each unit 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 orientated northward.

and

AO2.11 Front fences are less than 1.2 metres high.

and

AO2.12 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 orientated toward its respective street frontage.

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Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO3 Development responds to natural landforms and stormwater flows.</p>	<p>AO3.1 Cut and fill is minimised.</p> <p>and</p> <p>AO3.2 For building sites steeper than 10%, elevated split-level building construction is used to achieve level changes.</p>	<p>Complies.</p> <p>The proposed development will utilise 'pole' construction techniques that minimise cut and fill and ground disturbance or landscape modification.</p>
<p>PO4 Development is adequately serviced.</p>	<p>AO4.1 Development is connected to reticulated water supply and sewerage.</p> <p>and</p> <p>AO4.2 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>AO4.3 Development is supplied with reticulated electricity and telecommunications services.</p>	<p>Complies.</p> <p>The proposed development provides rainwater tanks on site. The proposed dwelling will be connected to the existing wastewater treatment and disposal system provided on site. The construction of the dwelling will not result in significant interference with the existing overland stormwater flows on site and roof water will be collected and stored within the on-site rainwater tanks. The proposed dwelling will be connected to the existing electricity network.</p>
<p>PO5 The efficiency and safety of the road network is not compromised by inappropriate access arrangements.</p>	<p>No outcome specified.</p>	<p>Complies.</p> <p>The proposed development seeks to utilise the existing access arrangements to Bunya Drive and will not have any adverse on the efficient and safety operation of the road network.</p>

Delegated Authority _____ Date: _____

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO6 Refuse storage areas:</p> <ul style="list-style-type: none"> (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>No outcome specified.</p>	<p>Complies. Refuse generated on site will be household waste and stored and disposed of in accordance with the existing body corporate arrangements for the site.</p>
<p>PO7 Development is located and designed to ensure that land uses are not exposed to:</p> <ul style="list-style-type: none"> (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants. 	<p>A07.1 Development does not occur:</p> <ul style="list-style-type: none"> (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. <p>or</p> <p>A07.2 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 proposal site is located within an existing residential development area and is not considered to pose a health risk due to previous residential activities surrounding the site.</p>

Section 3 Home based business	Not Applicable. The proposed development is for a dwelling house.
Section 4 Secondary dwelling	Not Applicable. The proposed development is for a dwelling house.
Section 5 Development in Bunya Mountains Precinct	

Delegated Authority

Date:

PO12 Development, including Dwelling Houses, must adopt the local alpine village architectural form.

AO12.1 Roofs are pitched to at least 40° and incorporate at least 400mm eaves (see examples below).

In relation to the prescribed development outcomes listed in AO12.1 to AO12.7, the proposal meets the requirements as follows:

and

AO12.2 Buildings are of predominantly timber construction.

- The roof pitch is predominantly 40° and consistent with the architectural form of surrounding dwellings on site;

AO12.3 Front façades incorporate verandahs and windows with a height to width ratio greater than 1.0.

- The proposed dwelling will be constructed using timber posts, balustrades, external timber wall cladding and timber battens;

and

AO12.4 Buildings utilise 'pole' construction techniques with minimal ground disturbance in preference to 'slab on ground' construction techniques.

- Pole type construction will be employed; and

- Metal roof sheeting will be used to match the existing surrounding dwellings on the site.

and

AO12.5 Timber-cladding and metal rather than tiled roofs are the predominant finishes used in building/construction.

and

AO12.6 Awnings, decorative or ornamental down-posts and fenestrations and other ornamentation (as illustrated below) are used in building design to reinforce a 'chalet' character of built form.

AO12.7 Dual occupancies have the appearance of a dwelling house.

Section 6 Small lot dwelling houses

Not Applicable. The proposed development is

Delegated Authority		Date
Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
Section 7 For development affected by one or more overlays		for a dwelling house on a standard lot size. Not Applicable. The proposal site is not affected by any overlays.

3.3.2.2 Services and Works Code

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
General		
PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	AO1.1 A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.	Not Applicable. Provision of a stormwater management plan is not required as part of the proposal.

Delegated Authority Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<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>AO2.1 A wastewater management plan prepared by a suitably qualified person and addresses :</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; 	<p>Not Applicable. No wastewater is proposed to be discharged to a waterway. No waterways traverse the site.</p>
	<p>and</p> <p>AO2.2 Wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (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 	
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	<p>AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4</p>	<p>Not Applicable. No construction activities are proposed as part of the proposal. Sediment and erosion control measures will be undertaken as part of building activities.</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the postconstruction phase in Table 9.4.4.</p>	<p>Not Applicable. No operational works are proposed.</p>

Section 2 Infrastructure

Delegated Authority _____ Date: _____

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
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<p>PO5 Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. 	<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies. The proposal site has frontage to Bunya Avenue which is a sealed road. Access to the site will be maintained via the existing access.</p>
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Part 3 Vehicle Parking

<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies. The proposal seeks to utilise the two existing parking bays registered as exclusive use areas for the proposed dwelling house.</p>
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Section 4 Landscaping:

Delegated Authority		Date
Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO7 Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p>AO7.1 Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p>AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable.</p> <p>and</p> <p>AO7.3 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>Complies. The proposal site contains existing vegetation which will be retained around the proposed new dwelling to maintain the character and amenity of the site. Any further landscaping is not deemed necessary considering the existing nature of vegetation on the site. An existing 6m wide open space easement containing screen planting is provided along the Bunya Drive and Bunya Mountains Road frontages of the subject site.</p>
<p>PO8 Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p>AO8.1 Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p>AO8.2 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>Noted.</p>

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Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO9 Development results in ground levels that retain: (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety.</p>	<p>AO9.1 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>AO9.2 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>AO9.3 Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 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>Not Applicable. No cut/fill that is deeper or over 2m above ground level is proposed as part of the development.</p>

Delegated Authority Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO15 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.</p>	<p>AO15.1 Works associated with the proposed development do not:</p> <ul style="list-style-type: none"> (a) involve a net increase in filling greater than 50m³ in the area identified on Overlay Map 03; (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: <ul style="list-style-type: none"> 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>Not Applicable. The subject site is not located within the Flood Hazard Overlay.</p>
<p>Regional Infrastructure Overlay PO16 – PO17 Not applicable.</p>	<p>AO16.1 – AO17 Not applicable.</p>	<p>Not Applicable. The subject site is not located within the Regional Infrastructure Overlay.</p>
<p>Water Catchments Overlay PO18 Not applicable.</p>	<p>AO18.1 – AO18.2 Not applicable.</p>	<p>Not Applicable. The subject site is not located within the Water Catchments Overlay.</p>

8.0 CONTRIBUTIONS / CHARGES

The South Burnett Regional Council Adopted Infrastructure Charges Resolution (No. 2) 2015 does apply to the use for a dwelling house and short-term accommodation.

Delegated Authority Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO10 Filling or excavation does not cause damage to public utilities.</p>	<p>AO10.1 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>Noted.</p>
<p>PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p>AO11.1 Following filling or excavation:</p> <p>(a) The premises:</p> <ul style="list-style-type: none"> (i) Are self-draining; and (ii) Has a minimum slop of 0.25%; and <p>(b) Surface water flow is:</p> <ul style="list-style-type: none"> (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>Noted.</p>

Section 6 All operational work subject to an overlay

Biodiversity Overlay

PO12 – PO14 Not applicable.

AO12.1 – AO14.2 Not applicable.

Not Applicable. The subject site is not located within the Biodiversity Overlay.

Flood Hazard Overlay

Delegated Authority

Date:

The AICR No.3 2019 sets out the following charges for residential uses. The proposed dwelling house is comprised of 3 or more bedrooms.

Development for which an adopted charge may apply	Prescribed amount (Maximum adopted charges)	Local Government adopted charges	Adopted charges (\$)					
			Proportional split of adopted charge per trunk infrastructure network					
			Water supply	Sewerage	Transport	Parks and land for community facilities	Stormwater	
			49%	27%	12%	10%	2%	
Residential Uses	1 or 2 bedroom dwelling	\$20,494.45 per dwelling	\$14,346 per dwelling	\$7,030	\$3,873	\$1,722	\$1,435	\$266
	3 or more bedroom dwelling	\$28,692.25 per dwelling	\$20,085 per dwelling	\$9,842	\$5,423	\$2,410	\$2,009	\$401

The resolution applies to short term accommodation as follows:

Accommodation (short-term)	Prescribed amount	Local Government adopted charges	Water supply	Sewerage	Transport	Parks and land for community facilities	Stormwater
1 or 2 bedroom suite	\$10,247.20 per suite	\$7,173 per suite	\$3,515	\$1,937	\$861	\$717	\$143
3 or more bedroom suite	\$14,346.10 per suite	\$10,042 per suite	\$4,921	\$2,711	\$1,205	\$1,004	\$201
bedroom that is not part of a suite	\$10,247.20 per bedroom	\$7,173 per bedroom	\$3,515	\$1,937	\$861	\$717	\$143
	\$10,247.20	\$7,173					

As the site is connected to infrastructure that is private and not council network for water and stormwater there is not considered to be any additional demand on the network for these components of the charge to be levied.

As per section 2.4 of the AICR if the land is not serviced or planned to be serviced by Council infrastructure networks then such separate network charges shall be deducted from the charge payable.

Council's engineer is to advise on sewerage, transport and parks network charges. Credit for the existing lot would also be considered as part of the calculation.

The short-term accommodation charges should be levied per bedroom that is not part of a suite for this development (4 x bedrooms excluding water and stormwater charges and sewer if not connected to the trunk network).

Delegated Authority

Date

9.0 CONSULTATION

The application was notified for a period of 15bd in accordance with the DA Rules. No submissions have been received during the notification period.

10.0 GROUNDS FOR APPROVAL / RECOMMENDATION

Grounds to support the development

- The use is appropriate for the site, on an existing community title lot that was created to facilitate dwelling houses within an estate. A number of short-term accommodation activities exist within this locality within residential homes. The use for short term accommodation reflects the type and nature of this low density living environment and allows owners to diversify the use of their property in a way that does not cause impacts on the amenity of the area.
- A diversification of use for short term accommodation promotes the regional tourism economy.
- The dwelling house and short-term accommodation uses will connect to services and utilities that exist and have capacity for the development within the community title scheme area and that are privately owned and maintained. There are no impacts on public infrastructure.
- The use does not conflict with the current planning framework, including the South Burnett Regional Council Planning Scheme 2017.
- The dwelling design and carparking (carport) maintains environmental buffers and necessary setbacks for development as determined at the time of subdivision and is consistent with the conditions of the subdivision approval that are maintained with the land and relevant to the assessment of this application.

It is recommended that Council approve the proposed development, subject to the conditions outlined herein:

Delegated Authority

Date

ATTACHMENTS

Nil

□

□

□



Delegated Authority _____ Date _____

Attachment A

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:	Material Change of Use Development Permit <ul style="list-style-type: none"> • Dwelling house; and • Short Term Accommodation (4 x bedrooms)
Level of Assessment:	Impact Assessable
Submissions:	NIL
Application No:	MCU21/0014
Name of Applicant:	G & M Ferguson
Street Address:	1 Bunya Avenue, Bunya Mountains
Real Property Description:	Lot 1 on SP308120

On 10 November 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.

1. Reasons for the Decision

The development application seeking a Development Permits for Material Change of Use for a Dwelling House and Short Term Accommodation use under the South Burnett Planning Scheme 2017 and the Planning Act 2016.

Grounds to support the development

- The use is appropriate for the site, on an existing community title lot that was created to facilitate dwelling houses within an estate. A number of short-term accommodation activities exist within this locality within residential homes. The use for short term accommodation reflects the type and nature of this low density living environment and allows owners to diversify the use of their property in a way that does not cause impacts on the amenity of the area.
- A diversification of use for short term accommodation promotes the regional tourism economy.
- The dwelling house and short-term accommodation uses will connect to services and utilities that exist and have capacity for the development within the community title scheme area and that are privately owned and maintained. There are no impacts on public infrastructure.
- The use does not conflict with the current planning framework, including the South Burnett Regional Council Planning Scheme 2017.
- The dwelling design and carparking (carport) maintains environmental buffers and necessary setbacks for development as determined at the time of subdivision and is consistent with the conditions of the subdivision approval that are maintained with the land and relevant to the assessment of this application.

Delegated Authority _____

Date: _____

2. Assessment Benchmarks

The following are the benchmarks apply to this development:
 - South Burnett Planning Scheme 2017

3. Compliance with Benchmarks

ASSESSMENT MATTERS		
Reasons for Decision	The development was assessed against all of the Assessment Benchmarks listed above and complies with all of these with the exception listed below.	
	Assessment Benchmark	Reasons for the Approval Despite Non-compliance with Benchmark
	Low Density Residential Zone Code	<p>The Code does not explicitly regulate short-term accommodation uses.</p> <p>The locality presents several leased dwellings for weekend/holiday accommodation on a variety of rental websites including AirBnB. The use of this dwelling for short term accommodation will have no impact on residential amenity or the ability to service the subject site. The short-term accommodation use places no additional demand on infrastructure than compared to typical household use.</p> <p>The use promotes regional tourism and economic development within Bunya Mountains locality.</p> <p>Conditions of approval are imposed to ensure short-term accommodation users do not cause nuisance to communal areas within the existing community title scheme.</p> <p>Short term accommodation use does not conflict with any overall outcomes of the LDR zone code.</p>

Delegated Authority _____ Date: _____

Attachment C

INFRASTRUCTURE CHARGES NOTICE
(Section 119 of the Planning Act 2016)

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

APPLICATION: Dwelling house on freehold lot within community title scheme (REEL Planning assessing officer)

DATE: 10/11/2021

FILE REFERENCE: MCU21/0014

AMOUNT OF THE LEVIED CHARGE: **\$4,417.00** **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
\$2,007.00	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 1 SP308120

SITE ADDRESS: 1 Bunya Ave, Bunya Mountains

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: _____

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
3 or more bed dwelling	1	Per 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
Not Applicable			\$0.00		\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$0.00		\$0.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Short Term Accommodation (3 or more bed suite)	\$0.00	\$0.00	\$2,410.00	\$2,007.00	\$0.00	\$4,417.00
Total	\$0.00	\$0.00	\$2,410.00	\$2,007.00	\$0.00	\$4,417.00

** 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: _____

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable			\$0.00		\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$0.00		\$0.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable			\$0.00		\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$0.00		\$0.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Short Term Accommodation (3 or more bed suite)	4	Per suite	\$1,205.00	CR Table 2.1	\$4,820.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
3 or more bed dwelling	1	Per 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
Short Term Accommodation (3 or more bed suite)	4	Per suite	\$1,004.00	CR Table 2.1	\$4,016.00

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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 average¹. 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

Payment can be made at any of the following South Burnett Regional Council Offices:

• 69 Hart Street, Blackbutt, 4314;

¹ 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.

Delegated Authority

Date:

- 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

Delegated Authority _____ Date: _____

0.0 OPERATIONAL WORKS APPLICATION FOR ACCESS & SERVICES FOR SUBDIVISION WORKS (5 LOTS) AT MARKWELL STREET, KINGAROY (AND DESCRIBED AS LOT 55 ON SP249662) - APPLICANT: L SHELDON CI- ATC ENGINEERS

File Number: OPW21/0008
Author: Engineering Contractor, Planning & Land Management
Authoriser: Chief Executive Officer

APPLICANT: L SHELDON CI- ATC ENGINEERS	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	16/11/21
CEO	<i>[Signature]</i>	19/11/21
	<i>[Signature]</i>	19.11.2021

Update ENG 37 as marked below

PRECIS

Operational works application for Access & Services for subdivision works (5 lots) at Markwell Street, Kingaroy (and described as Lot 55 on SP249662) - Applicant: L Sheldon CI- ATC Engineers

SUMMARY

- Application for Operational Work for Earthworks, Sewer, Water Reticulation, Stormwater and Access on land described as Lot 55 SP249662, situated at Markwell Street, Kingaroy
- An Operational Work application is required to progress the approval for RAL21/0001 – Reconfiguring a Lot (1 into 5);
- 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.

Engineering Officer's Statement about Compliance with the Relevant Code/s

The assessing Officer considers the proposed development generally complies with the relevant Codes and any question of non-compliance is managed by the recommended conditions.

OFFICER'S RECOMMENDATION

It is recommended that Council approve the development application for Operational Work for Earthworks, Sewer, Water Reticulation, Stormwater and Access on land described as Lot 55 SP249662, situated at Markwell Street, Kingaroy, subject to the following conditions:

GENERAL

- ENG 1 Compliance with the plans and specifications submitted with Development Application OPW21/0008, approval conditions, all Council Planning Scheme Policies and Reconfiguration of a Lot Approval No. RAL21/0001.
- ENG 2 This approval extends to Engineering works for Earthworks, Sewer, Water Reticulation, Stormwater and Access 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 3 Undertake all approved works and works required by conditions of this development approval at no cost to Council.
- ENG 4 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 5 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 6 Ensure that supervision of all construction works are carried out by a suitably qualified and experienced Engineer (RPEQ).

Delegated Authority _____ Date _____

ENG 7 Adhere to the following hours of construction unless otherwise approved in writing by Council:

Monday to Saturday:	6.30am to 6.30pm	Work permitted
Monday to Sunday:	6.30pm to 6.30am	No work permitted
Sunday and Public Holidays:		No work permitted

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

- ENG 8 Be responsible to carry out Work Health and Safety legislative requirements.
- ENG 9 Ensure all work sites are maintained in a clean, orderly state at all times.
- ENG 10 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.
- ENG 11 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 12 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 13 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.
- ENG 14 Works are to be constructed generally in accordance with the specification requirements outlined in Aus-Spec #1, WBBROC, and the IPWEAQ Standard Drawings unless otherwise approved by South Burnett Regional Council.

TRAFFIC MANAGEMENT

- ENG 15 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.
- ENG 16 The Traffic Management Plan and Work Method Statements in accordance with the *Work Health and Safety Act 2011* requirements shall be maintained on-site at all times.

ACCESS

- ENG 17 The crossover between the Markwell St pavement and the boundary of the access easement shall be constructed in accordance with SBRC Standard Drawing 00048 "Residential Property Access".

STORMWATER

- ENG 18 Provide a Closed Circuit Television (CCTV) inspection undertaken by an accredited provider, of all underground stormwater drainage and inter-allotment drainage.
- ENG 19 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, drain freely to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual.
- ENG 20 Do not concentrate stormwater onto adjoining properties.

Delegated Authority

Date

ENG 21 Provide appropriate energy dissipation and scour protection measures at stormwater outlets.

ENG 22 Stormwater pipes across the footpath shall be rectangular hollow sections.

DEVELOPMENT WORKS

ENG 23 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 24 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 25 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 26 Adjust all access chamber surface levels to provide a freeboard of 100mm above the finished ground surface level, where the work involves excavation or filling over, or adjacent to water supply, sewerage infrastructure.

ENG 27 Waste material as a result of demolition work and excavation work must not be used as fill as described within the *Waste Reduction and Recycling Act 2011*.

EARTHWORKS

ENG 28 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 29 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).

ENG 30 Do not store plant or material on adjoining lands without written permission from the respective property owner(s).



ENG 31 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 32 Ensure open drains and fill platforms are constructed with a longitudinal grade on no less than 0.1%.

SEWERAGE

ENG 33 Construct sewerage networks in accordance with the WBBROC *Design and Construction Standards*, Council Specifications, and Customer Service Standards.

ENG 34 The sewer shall be located outside of the *zone of influence* for any proposed future structures on proposed Lot 5.

ENG 35 Conduct vacuum testing, cleaning and CCTV video inspection to a Council approved standard.

ENG 36 Provide Council's Engineering Services with a minimum of 2 working days notice when any temporary stoppages to sewage flow are expected.

Delegated Authority _____ Date: SBRC

ENG 37 All live works associated with sewerage must be performed by Western Downs Regional Council (or under the supervision of a Western Downs Regional Council Officer if considered appropriate). SBRC

ENG 38 Construct house connection branches in accordance with WBBROC standards at the time of construction.

ENG 39 Mark house connection branches with a single vertical PVC electrical conduit (or similar material) 40mm in diameter and 2,000mm long, placed at the invert of the HCB and brought to surface, and mark with the Words "Sewer Connection 2 M".

WATER SUPPLY

ENG 40 Construct water supply networks, and property connections in accordance with the WBBROC Design and Construction Standards, Council Specifications, and Customer Service Standards.

ENG 41 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).

INSPECTIONS AND TESTING

ENG 42 Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.

ENG 43 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) Sewer: in accordance with Council's Minimum Requirements for Water and Sewerage Works, and:
 - (i) prior to backfilling of each sewer main;
 - (ii) prior to backfilling of each property connection point;
 - (iii) prior to connection of any works to the existing sewer network;
 - (iv) at the time of any testing of each and every sewer main; and
 - (v) at the time of CCTV inspection to facilitate Council's acceptance of the works on and off-maintenance;

ENG 44 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 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).

ENG 45 Uncover all works covered prior to inspection to allow inspection by Council at Council's sole discretion.

ENG 46 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 47 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.

Delegated Authority _____ Date _____

ENG 48 Undertake any works for the safety or health of the community or protection of infrastructure where Council deems it necessary.

MAINTENANCE

ENG 49 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.

ENG 50 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.

ENG 51 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.

ENG 52 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.

ENG 53 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; and
- f) compliance with the conditions of approval for any Operational Work and associated Reconfiguring a Lot, Material Change of Use approval and any other approvals on the subject site.

AS CONSTRUCTED INFORMATION

ENG 54 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 co-ordinates. 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.

ENG 55 Provide "As Constructed" data for the following elements, where applicable:
 a) Sewer.

The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by ATC Engineers and Project Managers as listed below:

Drawing No./ Revision	Drawing/Plan Title	Date
-----------------------	--------------------	------

Delegated Authority _____ Date: _____

G-101 B	General Layout Plan	20/10/2021
G-102 A	General Notes	6/10/2021
E-101 A	Earthworks Layout Plan	6/10/2021
W-101 A	Water Reticulation Layout Plan & Notes	6/10/2021
W-102 A	Water Typical Details	6/10/2021
S-101 B	Sewer Layout Plan, Notes & Typical Details	20/10/2021
S-102 A	Sewer Longitudinal Sections	6/10/2021
S-103 A	Sewer Typical Details	6/10/2021
D-101 B	Stormwater Drainage Layout Plan	20/10/2021
C-101 B	Pavement Layout Plan & Typical Details	20/10/2021
C-102 A	Pavement Cross Sections	6/10/2021

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**.

Delegated Authority**Date**

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) ^o 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.

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

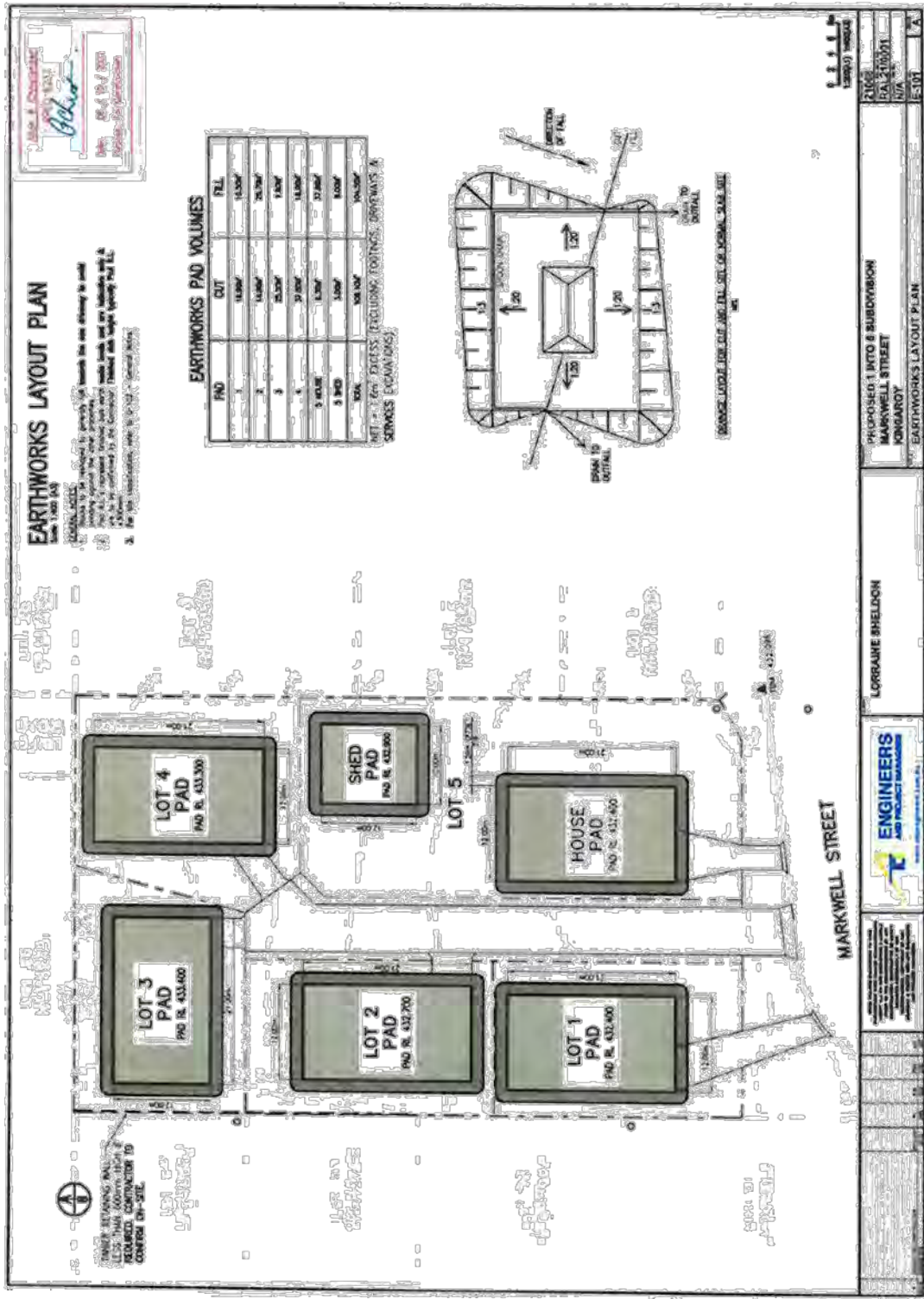
No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

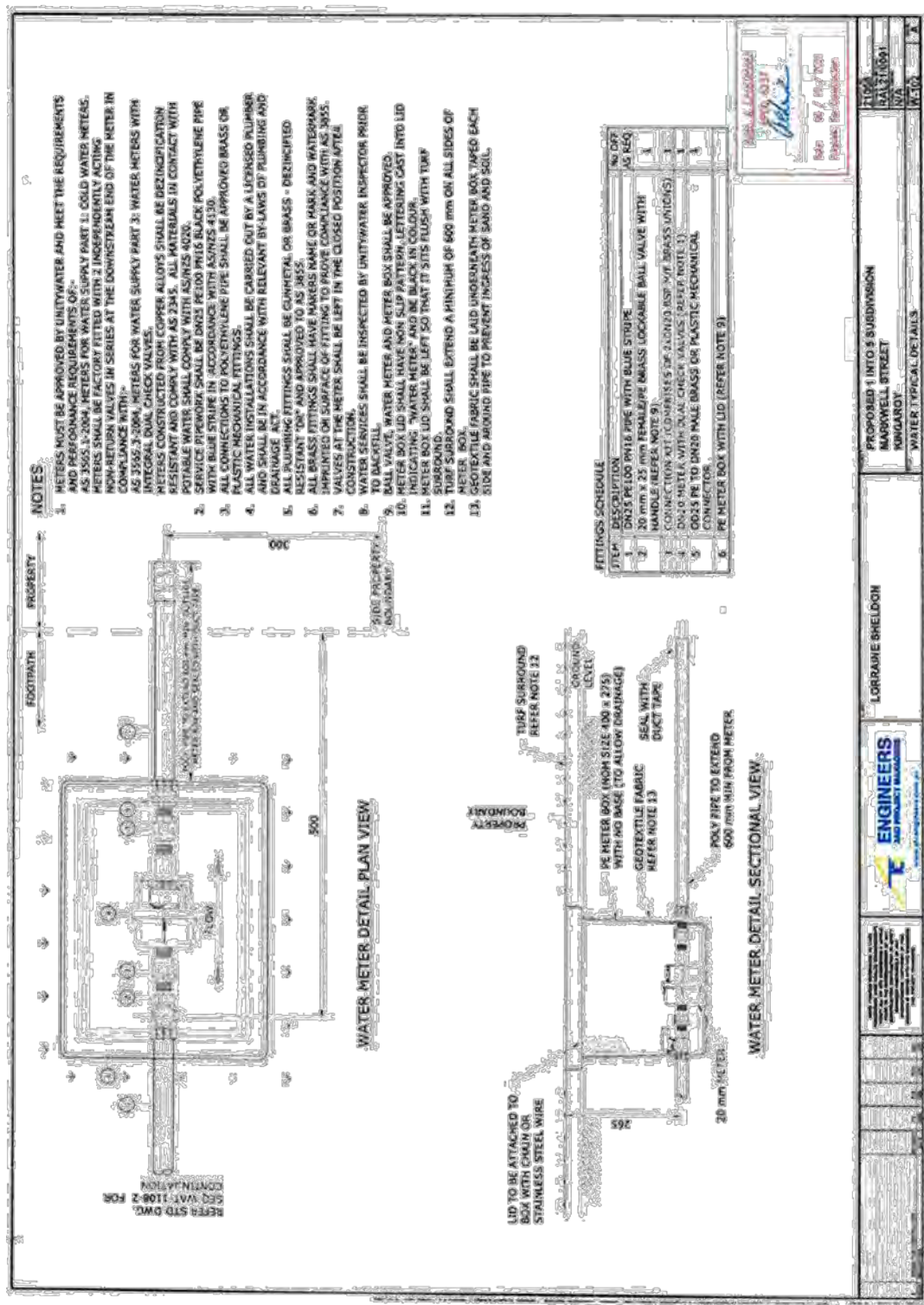
Delegated Authority

Date:



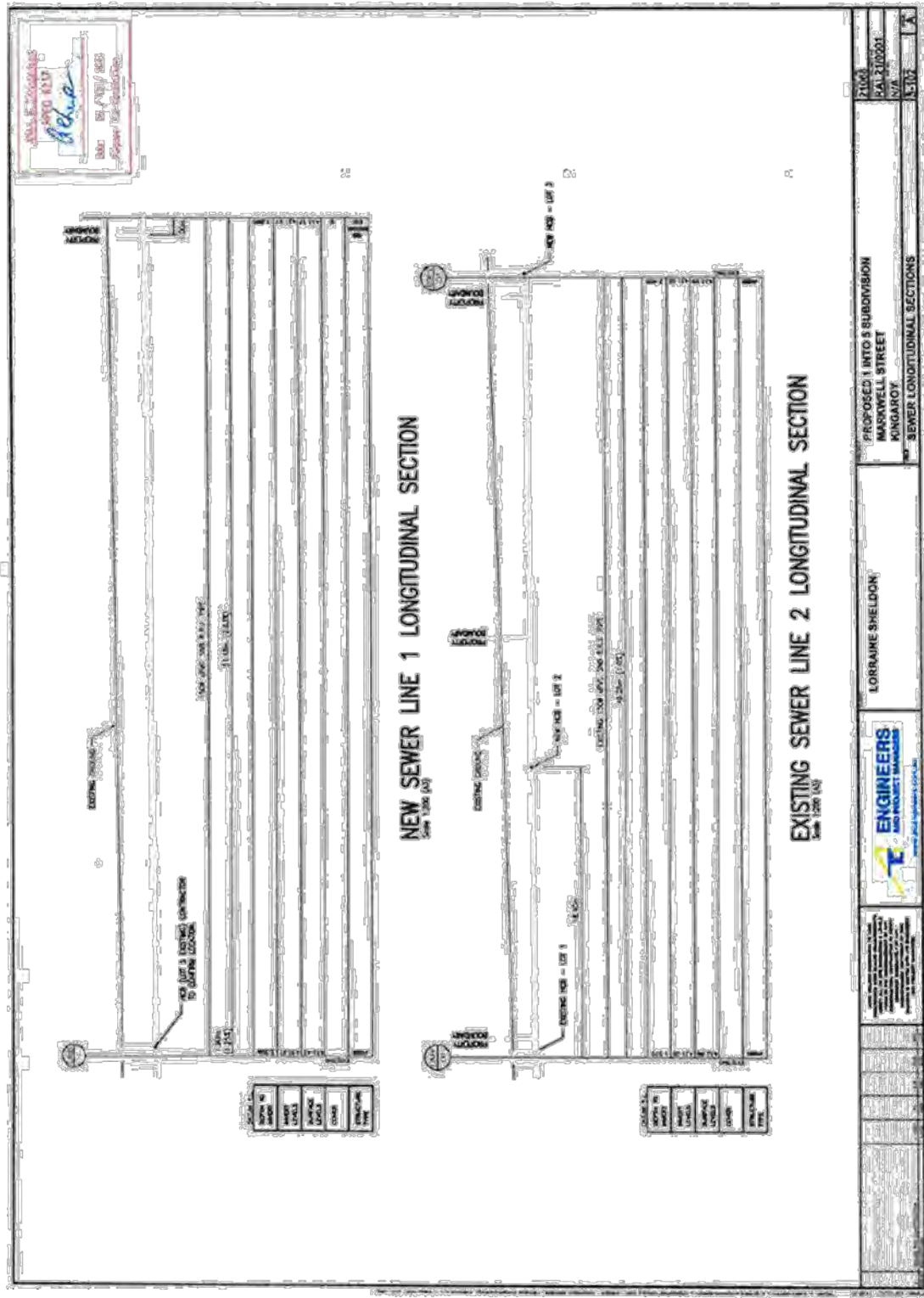
Delegated Authority

Date



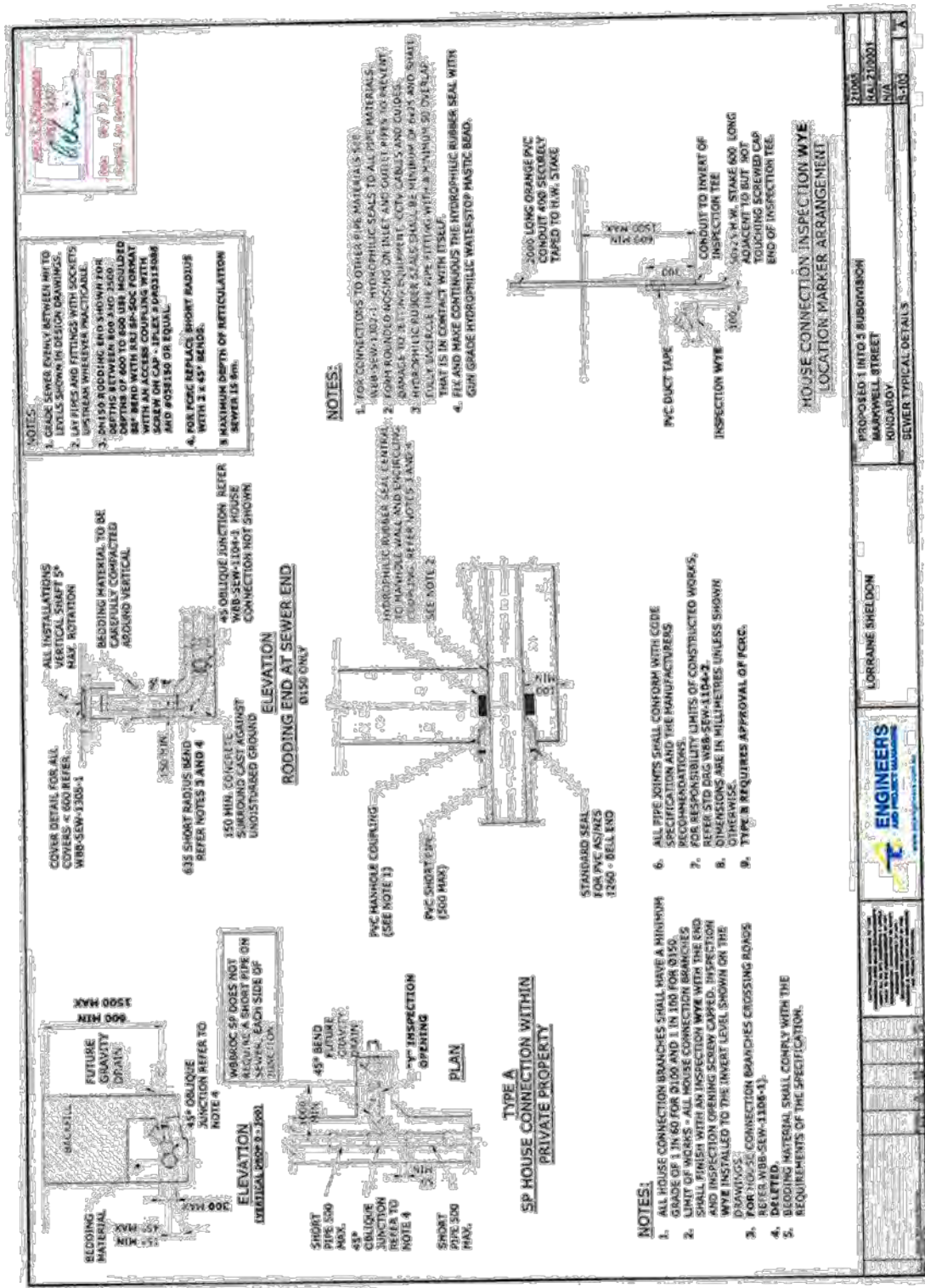
Delegated Authority

Date:



Delegated Authority

Date:



NOTES:

1. GRADE SEWER FINISH BETWEEN INLET LEVELS SHOWN IN DESIGN DRAWINGS.
2. ALL PIPES AND FITTINGS WITH SOCKETS USE BRASS WHEREVER PRACTICABLE.
3. 90° BENDS TO BE SHOWN FOR DEPTHS OF 600 TO 800 UTM. HORIZONTAL BEND WITH R43 80-50C FORMAT WITH AN ACCESS COUPLER WITH 150MM DIA. AND 40S150 OR EQUAL.
4. FOR FCRC REPLACE SHORT RADIUS WITH 1 x 45° BENDS.
5. MAXIMUM DEPTH OF RETICULATION SEWER IS 4m.

NOTES:

1. PVC CONNECTIONS TO OTHER PIPE MATERIALS PER WBB-SEW-1307-3. HYDROPHILIC SEALS TO ALL PIPE MATERIALS.
2. 90° BENDS TO BE SHOWN FOR DEPTHS OF 600 TO 800 UTM. HORIZONTAL BEND WITH R43 80-50C FORMAT WITH AN ACCESS COUPLER WITH 150MM DIA. AND 40S150 OR EQUAL.
3. HYDROPHILIC RUBBER SEAL SHALL BE WITHIN 40MM OF 45° AND SHALL FULLY BACKUP THE PIPE FITTING WITH A MINIMUM 50mm OVERLAP THAT IS IN CONTACT WITH DISK.
4. RL AND GRADE CONTINUOUS THROUGH HYDROPHILIC RUBBER SEAL WITH GUN GRADE HYDROPHILIC WATERSTOP PLASTIC BEAD.

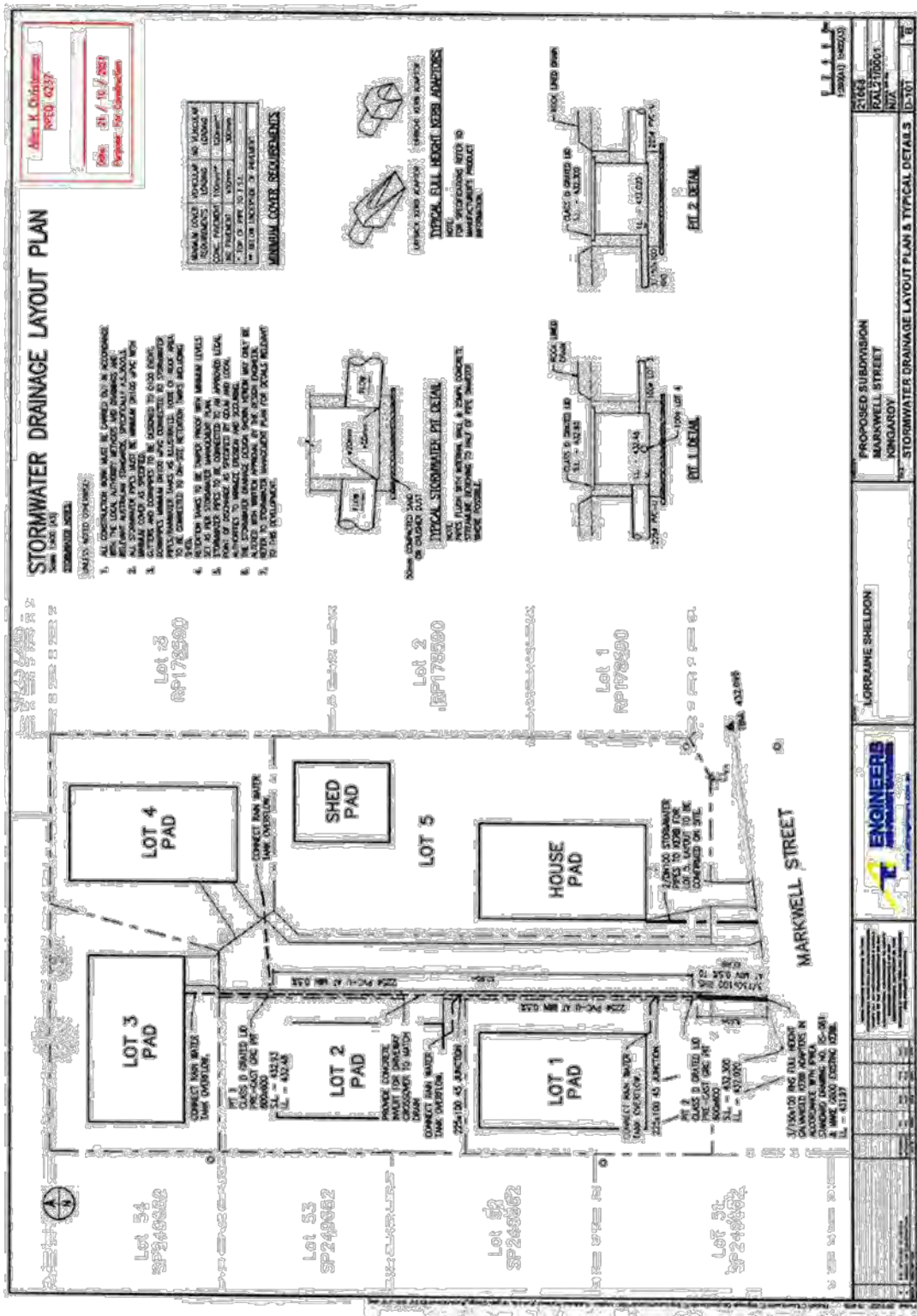
NOTES:

1. ALL HOUSE CONNECTION BRANCHES SHALL HAVE A MINIMUM GRADE OF 1 IN 60 FOR 0150 AND 1 IN 100 FOR 0150.
2. LIMIT OF WORKS - ALL HOUSE CONNECTION BRANCHES SHALL FINISH WITH AN INSPECTION WYE WITH THE END AND INSPECTION OPENING SCREW CAPPED. INSPECTION WYE SHALL BE INSTALLED TO THE INVERT LEVEL SHOWN ON THE DRAWINGS.
3. DERIVATIVE CONNECTION BRANCHES CROSSING ROADS SHALL BE REFER WBB-SEW-1308-1.
4. DELTET.
5. BEDDING MATERIAL SHALL COMPLY WITH THE REQUIREMENTS OF THE SPECIFICATION.

210005	210001	210001	210001
ASAP CONSULTANTS	ASAP CONSULTANTS	ASAP CONSULTANTS	ASAP CONSULTANTS
PROPOSED 1 INTO 3 BURBOROUGH	PROPOSED 1 INTO 3 BURBOROUGH	PROPOSED 1 INTO 3 BURBOROUGH	PROPOSED 1 INTO 3 BURBOROUGH
MARSHWELL STREET	MARSHWELL STREET	MARSHWELL STREET	MARSHWELL STREET
KONGADOO	KONGADOO	KONGADOO	KONGADOO
SEWER TYPICAL DETAILS	SEWER TYPICAL DETAILS	SEWER TYPICAL DETAILS	SEWER TYPICAL DETAILS
ENGINEERS	ENGINEERS	ENGINEERS	ENGINEERS
LORRAINE SHELTON	LORRAINE SHELTON	LORRAINE SHELTON	LORRAINE SHELTON

Delegated Authority

Date:



Delegated Authority _____

Date: _____

REPORT

The applicant seeks approval for Operational Work for Earthworks, Sewer, Water Reticulation, Stormwater and Access associated with Reconfiguring a Lot approval RAL21/001.

APPLICATION SUMMARY	
Applicant:	L Sheldon C/- ATC Engineers
Proposal:	Access & Services (5 lots)
Proposed Made Date:	18 October 2021
Street Address:	Markwell Street, Kingaroy
RP Description:	Lot 55 on SP249662
Assessment Type:	Code
Referred Internal Specialists:	Water & Wastewater Section

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

PROPOSED DEVELOPMENT	
Proposed Development:	Operational Work - Earthworks, Sewer, Water Reticulation, Stormwater and Access
Variations Sought:	N/A
Level of Assessment:	Code
Area to be used:	N/A
Impervious Area:	N/A
Site Cover:	N/A
Car Parking Spaces:	N/A
Service Vehicle Provision:	N/A
Submissions Received:	N/A
Decision Making Period Ends:	6 December 2021

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	4,368m ²
Existing Use of Land:	Vacant
Road Frontage:	Markwell St, Kingaroy
Road/s	Road Hierarchy
Markwell St	Minor Urban Collector
Easements	Nil
Significant Site Features:	Nil
Topography:	Slight fall to the south
Surrounding Land Uses:	Land Use
North	Residential
South	Residential
East	Residential
West	Residential
Services:	Road, water supply, sewer reticulation, stormwater

Background / Site History

Delegated Authority _____ Date: _____

APPLICATION NO.	DECISION AND DATE
RAL21/0001	Reconfiguring a Lot (1 into 5) - Approved 7 July 2021

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:

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

Assessment Benchmarks Pertaining to the Planning Scheme

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

Planning Scheme:	South Burnett Regional Council Planning Scheme Version 1.3
Strategic Framework Land Use Category:	Residential
Zone:	Low Density Residential
Precinct:	N/A
Consistent/Inconsistent Use:	Consistent
Assessment Benchmarks:	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:

Delegated Authority

Date:

Service and Works Code

Performance outcomes	Assessment benchmarks
General	
<p>PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.</p>	<p>AO1.1 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>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>AO2.1 A wastewater management plan prepared by a suitably qualified person and addresses :</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; <p>and</p> <p>AO2.2 Wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (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.
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	<p>AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p> <ul style="list-style-type: none"> • No changes to stormwater • Wastewater discharge is to sewer. 	<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.</p>
Infrastructure	
<p>PO5 Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. 	<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<ul style="list-style-type: none"> • All services provided to the existing site 	
Vehicle parking	
<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 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"> • Parking is provided for each lot 	

Delegated Authority		Date:
Performance outcomes	Assessment benchmarks	
Landscaping		
PO7 Landscaping is appropriate to the setting and enhances local character and amenity.	AO7.1 Landscaping is provided in accordance with the relevant zone code provisions. and AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m ² and is unsealed and permeable. and AO7.3 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.	
PO8 Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.	AO8.1 Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping. and AO8.2 Species selection avoids non-invasive plants. 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.	
<ul style="list-style-type: none"> • <i>Not Applicable</i> 		
Filling and excavation		
PO9 Development results in ground levels that retain: (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety.	AO9.1 The depth of: (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level. and AO9.2 The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary. and AO9.3 Works do not occur on slopes over 15% in grade. and AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped. and AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height. and AO9.6 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.	
PO10 Filling or excavation does not cause damage to public utilities.	AO10.1 Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.	

Delegated Authority

Date:

Performance outcomes	Assessment benchmarks
<p>PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p>AO11.1 Following filling or excavation: the premises:</p> <ul style="list-style-type: none"> (a) are self-draining; and, (ii) has a minimum slope of 0.25%; and, (b) surface water flow is: <ul style="list-style-type: none"> (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>Filling proposed only for house pads. Access easement to be constructed at existing ground level. Changes to overland flow paths are not expected to create a nuisance to neighbouring, or downstream property owners.</p>	
<p>All operational work subject to an overlay</p>	
<p>Biodiversity overlay</p>	
<p>PO12 Development avoids, minimises or mitigates adverse impacts on areas of environmental significance.</p>	<p>AO12.1 Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p>AO12.2 Development is compatible with the environmental values of the area.</p> <p>or</p> <p>AO12.3 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.</p>
<p>PO13 Biodiversity values of identified areas of environmental significance are protected from the impacts of development</p>	<p>AO13.1 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.</p>
<p>PO14 There are no significant adverse effects on water quality, ecological and biodiversity values.</p>	<p>AO14.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features.</p> <p>and</p> <p>AO14.2 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.</p>
<p><i>Not Applicable</i></p>	

Delegated Authority

Date:

Performance outcomes	Assessment benchmarks
Flood hazard overlay	
<p>PO15 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.</p>	<p>AO15.1 Works associated with the proposed development do not:</p> <ul style="list-style-type: none"> (a) involve a net increase in filling greater than 50m³ in the area identified on Overlay Map 03; (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 (c) change flood characteristics outside the site in ways that result in: <ul style="list-style-type: none"> (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.
<ul style="list-style-type: none"> • <i>Not Applicable</i> 	
Regional infrastructure overlay	
<p>PO16 Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment.</p>	<p>AO16.1 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.</p>
<p>PO17 There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure.</p>	<p>No outcome specified.</p>
<ul style="list-style-type: none"> • <i>Site is not near any existing easements</i> 	
Water catchments overlay	
<p>PO18 There are no significant adverse effects on the water quality of the Region's drinking water supply.</p>	<p>AO18.1 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>AO18.2 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"> • <i>Site is not within a water supply catchment</i> 	

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

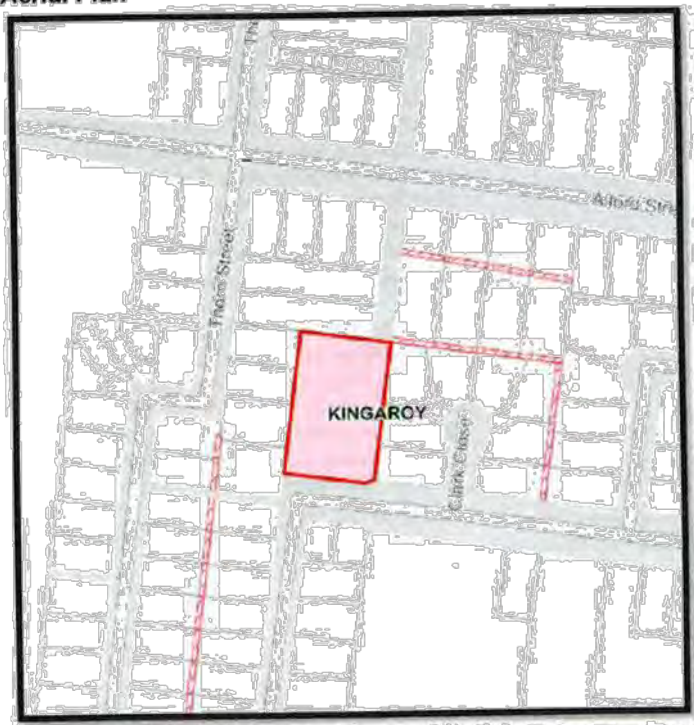


Figure 2 - Locality Plan (Source: InfraMaps)

Delegated Authority _____ Date _____

CONSULTATION:

Referral Agencies

Nil

Other Referrals

INTERNAL SPECIALIST	REFERRAL	REFERRAL / RESPONSE
Infrastructure Wastewater	Water &	Sewer connection suitable

CONCLUSION:

No identified Issues

RECOMMENDATION:

Approve as per design.

Delegated Authority

Date:

ATTACHMENTS

NII

Delegated Authority

Date: 26/11/2021

0.0 RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT – THREE (3) LOTS INTO THREE (3) LOTS AT 70, 84 & 92 CRUMPTON DRIVE, BLACKBUTT NORTH (AND DESCRIBED AS LOT 3 ON SP310062, LOT 82 & 81 ON RP173326)

File Number: RAL21/0017
Author: Senior Planner
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER		
GM	<i>[Signature]</i>	
CEO	<i>[Signature]</i>	26.11.2021

PRECIS

Reconfiguration of a lot - Boundary Realignment – Three (3) lots into three (3) lots at 70, 84 & 92 Crumpton Drive, Blackbutt North (and described as Lot 3 on SP310062, Lot 82 & 81 on RP173326)

SUMMARY

- The application seeks approval for a Development Permit for Reconfiguring a Lot – Boundary Realignment (3 into 3 lots);
- Existing lot configuration is as follows:
 - Existing lot 3 is 3.476ha;
 - Existing lot 82 is 3.866ha;
 - Existing lot 81 is 3.233ha.
- Proposed lot configuration is as follows:
 - Proposed lot 3 is 4.151ha;
 - Proposed lot 2 is 4.915ha;
 - Proposed lot 1 is 1.509ha.
- Each new allotment will retain each existing dwelling house and associated outbuildings.
- Existing lots gain access from Crumpton Drive;
 - Proposed lots 1, 2 & 3 will retain existing accesses;
- The boundary realignment aims to consolidate most of the lot 81 into lot 82, creating proposed lots 1 and 2;
- The changed boundary between existing lots 3 and 82 has been moved to increase the land held within proposed lot 3;
 - Future subdivision layout has been considered by the applicant with this small internal realignment but does not form part of this application;
- The subject allotments are located in the Rural residential zone (RR1 precinct) of the South Burnett Regional Council Planning Scheme;
- Boundary realignment development application is code assessable;
- The development application is assessed against the relevant codes of the South Burnett Regional Council Planning Scheme
 - Relevant codes including:
 - Reconfiguring a lot code;
 - Rural residential zone code;
 - Services and works code.
- Council issued an Information Request on the 18 October 2021 to seek:
 - Reasoning for the altered boundary between proposed lots 2 & 3; and
 - Written assessment against the Reconfiguring a lot Code Section 1 – Boundary realignment, demonstrating compliance.
- 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);
- Nil Infrastructure Charges Notice (Attachment B);
- Application recommended for approval subject to reasonable and relevant conditions.

Delegated Authority

Date: 26/11/2021

OFFICER'S RECOMMENDATION

That Council approve the Development Application for a Reconfigure a Lot (Boundary Re-alignment 3 lots into 3 lots) located at 70, 84 & 92 Crumpton Drive, Blackbutt (and described as Lot 3 on SP310062, Lot 82 on RP173326 & Lot 81 on RP173326), 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	Ref no.	Rev	Date
Proposed Boundary Realignment of Lots 81 & 82 on RP173326 and Lot 3 on SP310062 (Crumpton Dr, Blackbutt)	LandPartners surveyors and planners	BRJD789 9-000-9-2 BDY Realign		01/09/2021

GEN2. All works, including the repair or relation of services is to be completed at no cost to Council.

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.

GEN4. Prior to sealing the 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 Act Regulation 2017*.

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.

Natural Resources 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 \$144.00 (3 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, 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.

Delegated Authority

Date: 26/11/2021

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

ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT

ENG6. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

ENG7. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

ON-SITE WASTEWATER DISPOSAL

ENG8. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.

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

VEHICLE ACCESS

ENG9. Design and construct a new crossover to proposed Lot 2 having a minimum width of 4 metres and vehicle turnout in accordance with Council's Standard Drawing "Rural Property Access" No. 00049.

TELECOMMUNICATION

ENG10. Design and provide underground telecommunications to all lots within the development.

ELECTRICITY

ENG11. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity to all proposed lots.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG12. 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.

ADVICE

ADV1. The currency period for this development approval is twelve (12) months starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

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

Item 0.0

Page 3

Delegated Authority

Date: 26/11/2021

consulted before proceeding. A search can be arranged by visiting and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

- ADV3. Attached for your information is a copy of Chapter 8 of the *Planning Act 2016* as regards Appeal Rights.

Delegated Authority

Date: 26/11/2021

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: 26/11/2021

PROPOSAL PLAN

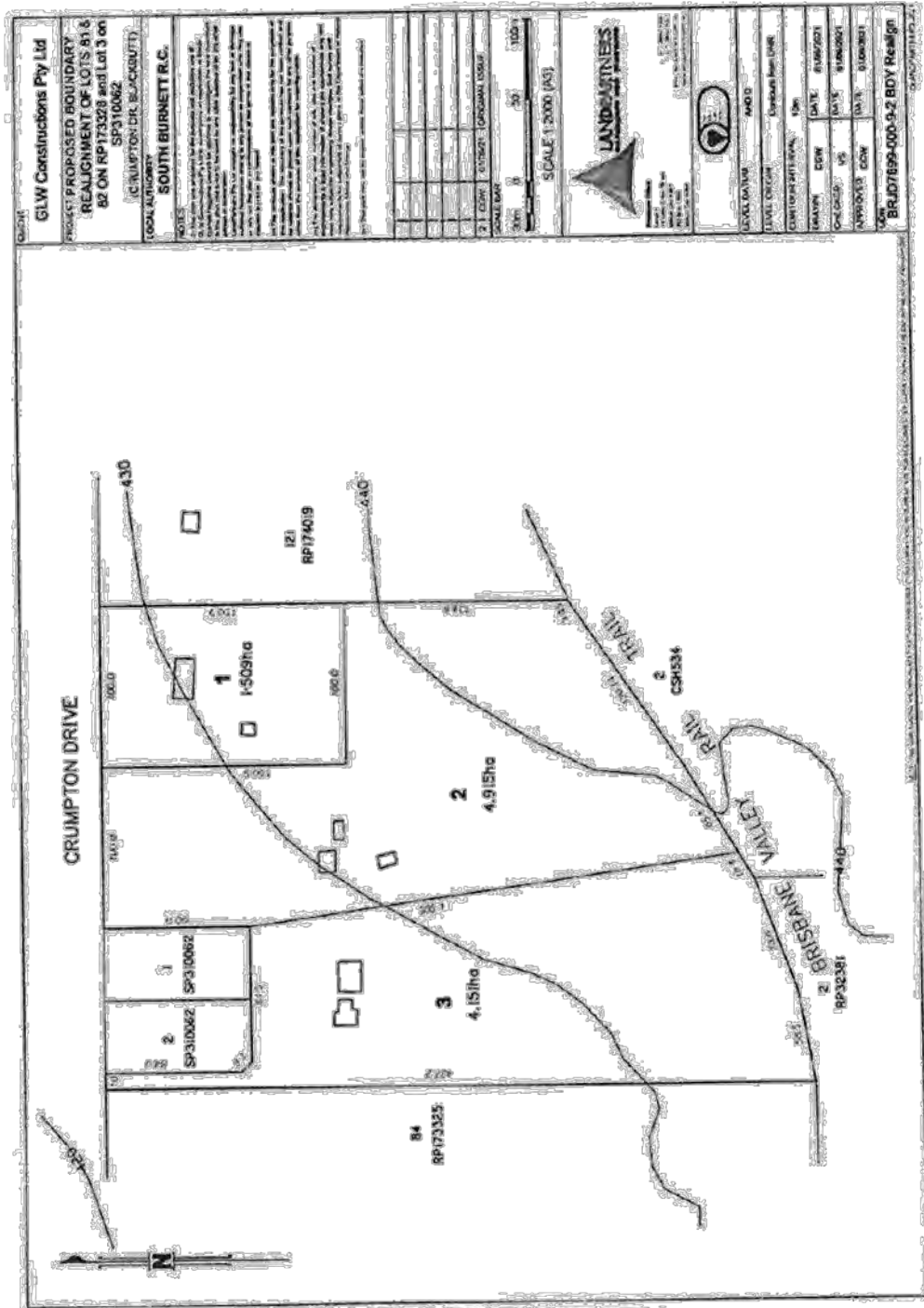


Figure 1 - Source: Applicant

Delegated Authority

Date: 26/11/2021

REPORT

The applicant seeks approval for a Reconfiguration of a lot – Boundary Realignment (Three (3) lots into three (3) lots)

APPLICATION SUMMARY	
Applicant:	GLW Constructions Pty Ltd C/- LandPartners Pty Ltd
Proposal:	The proposal seeks a Development Permit for Reconfiguring a Lot (Boundary Realignment – Three (3) Lots into Three (3) Lots). Proposed lot 1 contains an existing dwelling house that is proposed to be maintained in its current form and operation. Proposed lots 2 & 3 have been configured to allow for future potential residential development.
Properly Made Date:	28 September 2021
Street Address:	70, 84 & 92 Crumpton Drive, Blackbutt North
RP Description:	Lot 3 on SP310062 Lot 81 on RP173326 Lot 82 on RP173326
Assessment Type:	Code assessment
Number of Submissions:	N/A
State Referral Agencies:	N/A
Referred Internal Specialists:	Contract Development Engineer

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

DEVELOPMENT PARAMETERS	
Number of Proposed Lots	Three (3) lots
Size of Proposed Lots	Lot 1 = 1.509ha (road frontage – 100m) Lot 2 = 4.915ha (road frontage – 100m) Lot 3 = 4.151ha (road frontage - 10m (rear allotment))
Easements	N/A
Covenants	N/A

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	10.575ha in total
Existing Use of Land:	The premises are currently improved by existing dwelling houses and sheds, which are to be retained as part of this application
Road Frontage:	The premises have a frontage of 210m onto Crumpton Drive along the northern boundary
Road/s	Road Hierarchy
Crumpton Drive	Local Road
Easements	N/A
Significant Site Features:	Nil
Topography:	Slightly sloping

Delegated Authority

Date: 26/11/2021

Surrounding Land Uses:	Land Use	Zone/Precinct
North	Rural residential dwellings	Rural residential zone
South	Rail trail & vacant land	Recreation & Open Space / Emerging communities
East	Rural residential dwellings	Rural residential zone
West	Rural residential dwellings	Rural residential zone
Services:	Electricity, telecommunications.	

Background / Site History

APPLICATION NO.	DECISION AND DATE
	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:

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

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is South Burnett Regional Council Version 1.4. The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	South Burnett Regional Council Planning Scheme Version 1.4
Strategic Framework Land Use Category:	Rural residential
Zone:	Rural Residential
Precinct:	Rural Residential RR1
Consistent/Inconsistent Use:	Consistent
Assessment Benchmarks:	Rural Residential Zone Code Reconfiguring a Lot Code Services and Works Code

Delegated Authority

Date: 26/11/2021

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. No pertinent issues arose out of assessment against the codes. Each property has its own property access and existing buildings on site do not encroach boundaries indicated on site plan.

Local Categorising Instrument - Variation Approval

Not applicable.

Local Categorising Instrument - Temporary Local Planning Instrument

Not applicable.

Other Relevant Matters

Not applicable.

Delegated Authority

Date: 26/11/2021

Locality Plan



Figure 1 - Aerial Image (Source: Qld Globe)

Aerial Plan

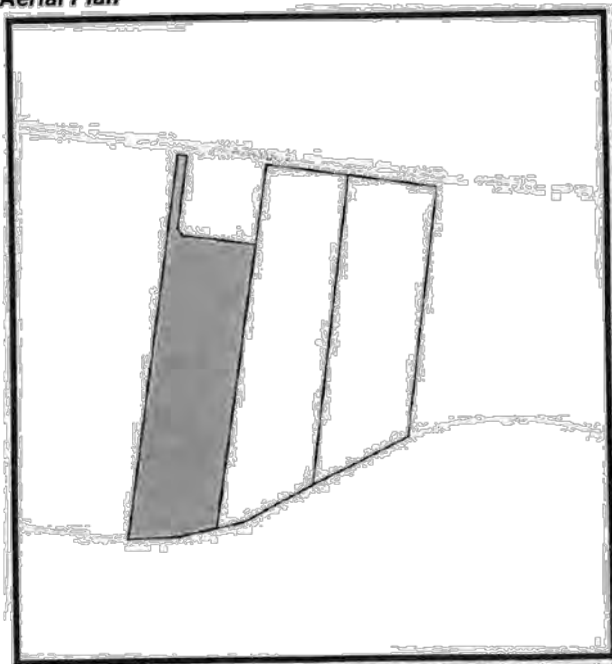


Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority

Date: 26/11/2021

CONSULTATION:

Referral Agencies

Not applicable.

Other Referrals

INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	Council's Development Engineer provided comments in relation to Infrastructure Charges and 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 which may trigger the issuing of an infrastructure charges notice are:</p> <ul style="list-style-type: none"> a) Reconfiguring a lot; b) Making a Material Change of Use; c) Carrying out Building Work. <p>The property is within the Transport catchment mapping and is therefore subject to relevant adopted charges.</p> <p>Refer to the Infrastructure Charges Notice attached as Attachment B.</p>

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.

RECOMMENDATION:

It is recommended that the development application for Reconfiguring a Lot (Boundary realignment – 3 lots into 3 lots) at 70, 84 & 92 Crumpton Drive, Blackbutt North (and described as Lot 3 on SP310062, Lot 82 & 81 on RP173326) be approved subject to reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

Delegated Authority

Date: 26/11/2021

ATTACHMENTS

Nil

Item 0.0

Page 12

Delegated Authority

Date: 26/11/2021

Attachment A

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	Reconfiguring a lot (boundary realignment) – Development permit
Level of Assessment	Code
Application No	RAL21/0017
Name of Applicant	GLW Constructions Pty Ltd C/- ONF Surveyors
Street Address	70, 84 & 92 Crumpton Drive, Blackbutt North
Real Property Address	Lot 81 & 82 RP173326 Lot 3 SP310062

On 26 November 2021 the above development was:

Approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- The minor nature of the boundary re-alignment and that the position of the dividing boundary between proposed Lots 2 & 3 provides greater separation between existing buildings to the dividing boundary;
- The proposal creates a smaller rural residential lot for proposed Lot 1 of approximately 1.509 in keeping with the preferred rural residential lot size;
- No changes to existing accesses are required;
- No infrastructure charges are applicable for a boundary realignment.

2. Assessment Benchmarks

The following benchmarks apply to this development:

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

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

Delegated Authority

Date: 26/11/2021

Attachment B

INFRASTRUCTURE CHARGES NOTICE
(Section 119 of the Planning Act 2016)

APPLICANT: GLW Constructions Pty Ltd
 C/- Landpartners Pty Ltd
 PO Box 1399
 MILTON QLD 4064

APPLICATION: Boundary Realignment – Three (3) lots into three (3) lots

DATE: 24/11/2021

FILE REFERENCE: RAL21/0017

AMOUNT OF THE LEVIED CHARGE: <i>(Details of how these charges were calculated are shown overleaf)</i>	\$0.00	Total
	\$0.00	Water Supply Network
	\$0.00	Sewerage Network
	\$0.00	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 81 & 82 RP173326 and Lot 3 SP310062

SITE ADDRESS: 70, 84 & 92 Crumpton Drive, Blackbutt North

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: 26/11/2021

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	-	\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	\$0.00	CR Table 2.3	\$0.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	-	\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	\$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 (3 into 3)	3	allotments	\$2,410.00	CR Table 2.3	\$7,230.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Reconfiguring a Lot (3 into 3)	3	allotments	\$2,410.00	CR Table 2.3	\$7,230.00

Delegated Authority

Date: 26/11/2021

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (3 into 3)	3	allotments	\$2,009.00	CR Table 2.3	\$6,027.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Reconfiguring a Lot (3 into 3)	3	allotments	\$2,009.00	CR Table 2.3	\$6,027.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$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 (3 into 3)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

** 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: 26/11/2021

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 average¹. 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

Payment can be made at any of the following South Burnett Regional Council Offices:

- 69 Hart Street, Blackbutt, 4314;

¹ 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.

Delegated Authority

Date: 26/11/2021

- 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

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Delegated Authority

Date: 22/11/2021

0.0 RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT TO CORRECT BOUNDARY FENCE ENCROACHMENT BETWEEN ADJOINING LOTS AT 125 BORCHARTS ROAD & 99 BORCHARTS ROAD, KINGAROY (AND DESCRIBED AS LOT 4 ON SP235443 & LOT 2 ON RP 853877)

File Number: RAL21/0016
Author: Senior Planner
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	22/11/21
GM	<i>[Signature]</i>	22/11/21
CEO	<i>[Signature]</i>	23.11.2021

PRECIS:

Reconfiguration of a lot - Boundary Realignment to correct boundary fence encroachment between adjoining lots at 125 Borcharts Road & 99 Borcharts Road, Kingaroy (and described as Lot 4 on SP235443 & Lot 2 on RP 853877):

SUMMARY

- Application for Reconfiguring a Lot (Boundary Realignment);
 - o Boundary Configuration as proposed:
 - Current total area of Lot 2 is 60.72ha;
 - Current total area of Lot 4 is 71.91ha;
 - Boundary realignment to correct boundary affected by fencing between the two existing lots resulting in exchange in a land area of 1.25ha
 - Area of proposed Lot 5 is 73.1ha;
 - Area of proposed Lot 6 is 59.5ha;
 - o Both lots have access to Borcharts Road which is classified as an 'Access Secondary' gravel road with a formation width generally between 3m to 5m;
 - o The boundary realignment is over parts of the sites mapped as Class A Agricultural Land;
 - o Existing Lot 2 is subject to an electricity easement in favour of Ergon but the realignment is clear of the easement and electricity transmission line;
 - o Council's overlay maps nominate a flood hazard over the western and southern parts of existing Lot 4 and the southern part of existing Lot 2 along the Stuart River. The boundary realignment will not be over parts of the sites subject to the mapped flood hazard;
 - o No additional exempt vegetation clearing will result from the proposal given that the new boundary will align with the existing fence;
 - o Council's overlay maps identify the proposal clear of the potential impact buffer mapped on site adjacent to Borcharts Road;
 - o Council's overlay maps identify the proposal adjacent to the stock route however no new fences or other physical barriers will be placed along the site's boundary with Borcharts Road that is identified as a stock route;
- Subject site is included with the Rural zone under the South Burnett Regional Council Planning Scheme;
- A boundary realignment application in the Rural zone is a code assessable application;
- Proposal triggered assessment against:
 - o Rural zone code;
 - o Reconfiguring a lot code; and
 - o Services and works code.
- The application has been assessed against the overall outcomes and performance outcomes of the relevant codes;
- Statement of Reasons (Attachment A);
- Recommendation that Council approve the boundary realignment subject to reasonable and relevant conditions.

Delegated Authority

Date: 22/11/2021

OFFICER'S RECOMMENDATION

That Council approve the Development Application for a Reconfigure a Lot (Boundary Re-alignment - 2 lots into 2 lots) located at 125 Borcharts Road & 99 Borcharts Road Kingaroy (and described as Lot 4 on SP235443 & Lot 2 on RP 853877), 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	Ref no.	Rev	Date
Boundary Realignment	ONF Surveyors	9493P/1	A	13/5/2021

GEN2. All works, including the repair or relation of services is to be completed at no cost to Council.

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.

GEN4. Prior to sealing the 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 Act Regulation 2017*.

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.

Natural Resources 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.

Advice

ADV1. The currency period for this development approval is twelve (12) months starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

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 and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

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

Delegated Authority

Date: 22/11/2021

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.

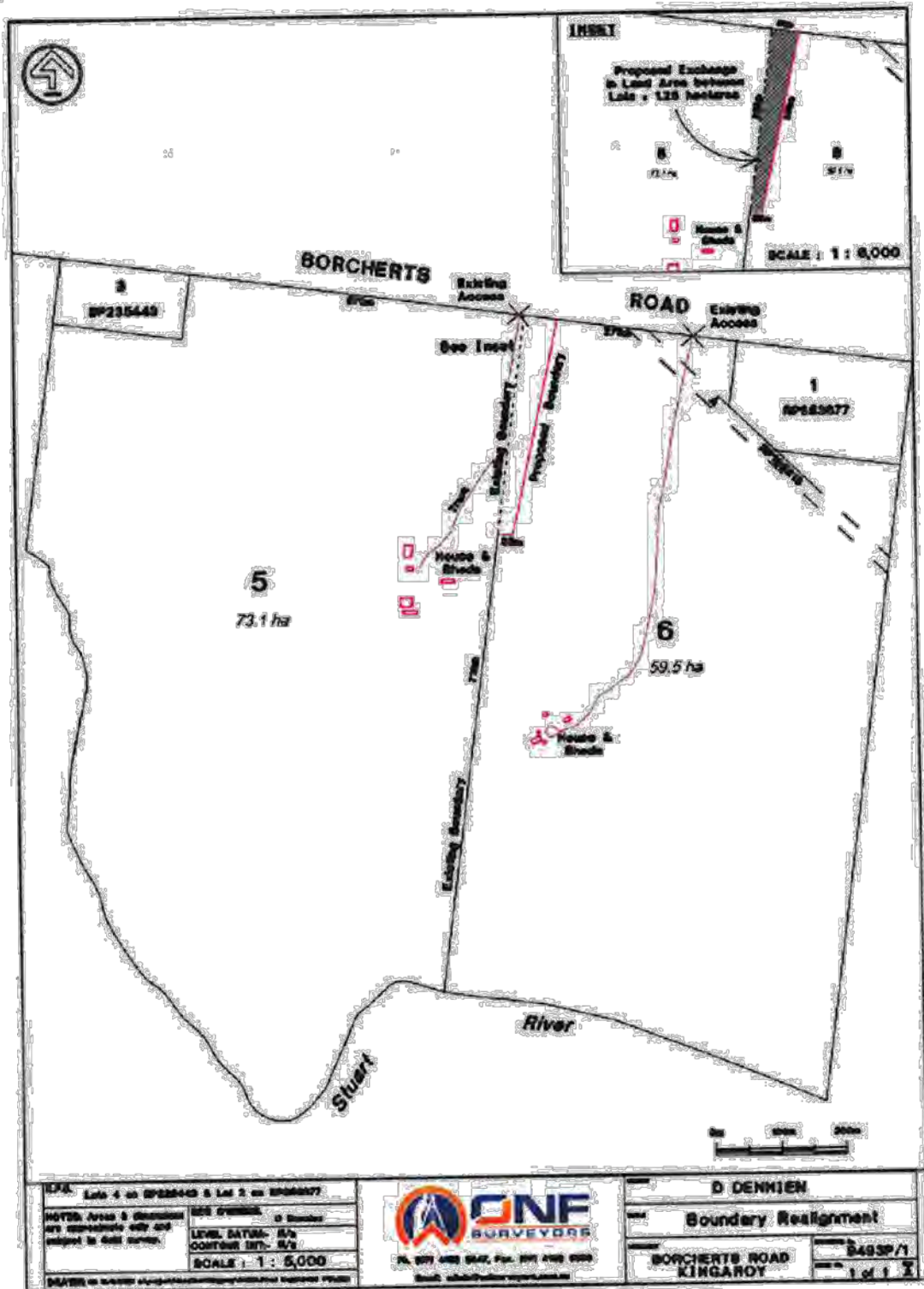
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

Delegated Authority

Date: 22/11/2021

PROPOSAL PLAN



Delegated Authority

Date: 22/11/2021

REPORT

The applicant seeks approval for a Reconfiguration of a lot - Boundary Realignment to correct boundary fence encroachment between adjoining lots.

APPLICATION SUMMARY	
Applicant:	D A & T M Dennien C/- ONF Surveyors
Proposal:	This application seeks approval to realign the boundaries between the subject lots to align boundaries with existing use of the site. The dividing fence between the two subject lots encroaches existing Lot 2, and the proposal will realign the dividing boundary to align with the dividing fence.
Properly Made Date:	6 October 2021
Street Address:	125 Borcharts Road, Kingaroy 99 Borcharts Road, Kingaroy
RP Description:	Lot 4 on SP235443 Lot 2 on RP853877
Assessment Type:	Code
Number of Submissions:	N/A
State Referral Agencies:	N/A
Referred Internal Specialists:	Contract Development Engineer

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

DEVELOPMENT PARAMETERS	
Number of Proposed Lots	Two
Size of Proposed Lots	Existing Lot 4 – 73.1773ha Existing Lot 2 – 59.4438ha
Easements	Existing Lot 2 is subject to an electricity easement in favour of Ergon, but the realignment is clear of the easement and electricity transmission line.
Covenants	Nil

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	Lot 4 on SP 235443 = 71.9057ha Lot 2 on RP 853877 = 60.7154
Existing Use of Land:	The subject sites contain dwellings and outbuildings associated with farming practices both on and off site.
Road Frontage:	Borcharts Road
Road/s	Road Hierarchy
Borcharts Road	Classified as an 'Access Secondary' gravel road with a formation width generally between 3m to 5m
Significant Site Features:	Nil
Topography:	Land slopes from north to south direction towards Stuart River Creek
Surrounding Land Uses:	Land Use Zone/Precinct

Delegated Authority		Date: 22/11/2021
North	Grazing Land & Cultivation, Dwelling	Rural
South	Cultivation & Dwelling	Rural
East	Grazing Land	Rural
West	Grazing Land	Rural
Services:	Electricity and Telecommunications	

Background / Site History

APPLICATION NO.	DECISION AND DATE
	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:

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

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is South Burnett Regional Council Version 1.4. The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	South Burnett Regional Council Planning Scheme Version 1.4
Strategic Framework Land Use Category:	Important Agricultural Area
Zone:	Rural
Precinct:	N/A
Consistent/Inconsistent Use:	N/A
Assessment Benchmarks:	Rural zone code Services and works code Reconfiguring a lot code

Assessment Benchmarks – Planning Scheme Codes

Delegated Authority

Date: 22/11/2021

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. No pertinent issues arose out of assessment against the codes.

Local Categorising Instrument - Variation Approval

N/A.

Local Categorising Instrument - Temporary Local Planning Instrument

N/A.

Other Relevant Matters

N/A.

Delegated Authority

Date: 22/11/2021

Locality Plan



Figure 1 - Aerial Image (Source: Qld Globe)

Aerial Plan

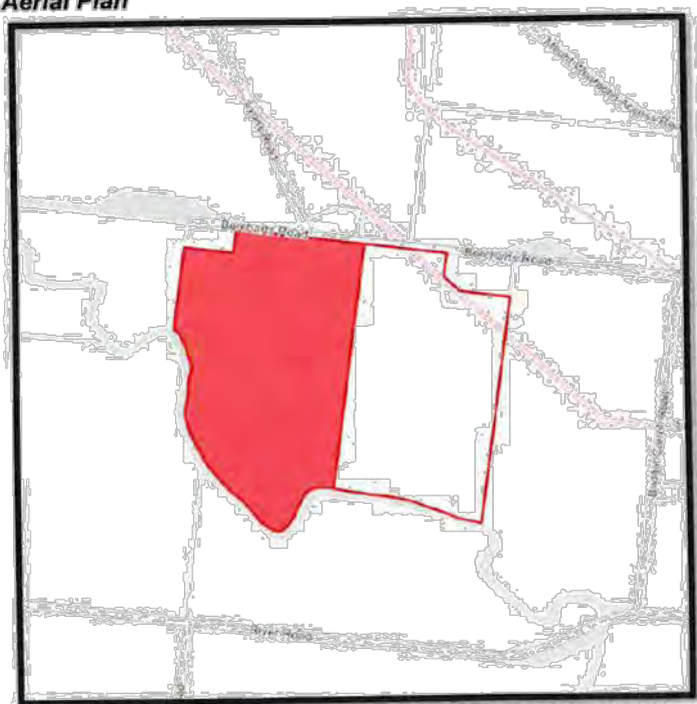


Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority

Date: 22/11/2021

CONSULTATION:

Referral Agencies

N/A.

Other Referrals

INTERNAL SPECIALIST	REFERRAL	REFERRAL / RESPONSE
Contract Engineer	Development	No conditions.
Infrastructure Charges Unit		None applicable for boundary realignments

Public Notification

N/A.

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.

RECOMMENDATION:

It is recommended that the development application for Reconfiguring a Lot (Boundary realignment – 2 lots into 2 lots) at 125 Borcharts Road & 99 Borcharts Road, Kingaroy (and described as Lot 4 on SP235443 & Lot 2 on RP 853877) be approved subject to reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

Delegated Authority

Date: 22/11/2021

ATTACHMENTS

NII

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17.2 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**File Number:** 15/12/2021**Author:** Administration Officer, Planning & Land Management**Authoriser:** Chief Executive Officer**PRECIS**

List of correspondence pending completion of assessment report

SUMMARY

Reports pending completion of assessment

OFFICER'S RECOMMENDATION

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

REPORT**Reconfiguration of a lot applications****RAL21/0010** - Change to development approval - Convert Preliminary approval to development permit at River Road, Kingaroy (and described as Lot 10 on RP204229)**RAL21/0013** – Combined application for a reconfiguration of a lot (1 lot into 2 lots) and Material Change of Use for a dwelling house (MCU21/0015) at 1 Alford Street, Kingaroy (and described as Lot 21 on RP7917)**RAL21/0014** – Reconfiguration of a lot – Boundary Realignment (2 lots into 2 lots) at Sommerville Street, Murgon (and described as Lot 5 on SP183100)**RAL21/0018** - Reconfiguration of a lot (1 into 2 lots) at 358 Boonenne Ellesmere Road, Taabinga (and described as Lot 2 on RP152448)**RAL21/0019** – Reconfiguration of a lot - Boundary Realignment (6 lots into 3 lots) at 17, 19 & 21 Thorn Street, 15 & 13 Rose Street, Murgon (and described as Lots 1 & 2 on RP28469, Lot 1 & 2 on RP138691, Lot 8 on RP8433 and Lot 7 on RP73520)**RAL21/0021** - Reconfiguration of a lot (1 Lot into 3 Lots) at 48 Dutton Street, Murgon (and described as Lot 6 on SP245795)**RAL21/0023** - Reconfiguration of a lot (1 Lot into 2 Lots) at 62 Wickham Street, Nanango (and described as Lot 341 on N2320)**Material Change of Use Applications****MCU21/0001** – Material Change of use for a service station, food and drink outlet & shop at 81 Haly Street, Wondai (and described as Lot 3 on RP6088 & Lot 411 on W53510)**MCU21/0012** – Material Change of use - Eight short term accommodation units and proposed access easement A over lot 13 and 14 on SP212946 at 3 Evelyn Street, Kingaroy (and described as Lot 13 on SP212946)**MCU21/0013** – Material Change of use – Motor Sport Facility and Outdoor Sport and Recreation at Lewis Duff Road, Ballogie (and described as Lot 34 on BO44)**MCU21/0015** - Combined application for a Material Change of Use for a dwelling house and a Reconfiguration of a lot (1 lot into 2 lots) (RAL21/0013) at 1 Alford Street, Kingaroy (and described as Lot 21 on RP7917)**MCU21/0017** – Material Change of use for Expansion of the existing piggery (57,000SPU) at 592 Morgans Road, Windera (and described as Lot 49 on MZ555 & Lot 203 on SP251979)

MCU21/0018 - Material Change of use for Two attached dwellings on a lot defined as a dual occupancy at 17 Hodge Street, Kingaroy (and described as Lot 9 on SP212946)

MCU21/0019 - Other Change to existing approval - Material Change of use (Master Planned Community and Development Permit for Reconfiguration of a lot (1 lot into 6 lots plus parkland dedication) at Corner Bunya Highway & Taylors Road, Kingaroy (and described as Lot 3 on SP181686)

MCU21/0020 – Extension to currency period at 73-75 Buckingham Street and 48, 50, and 52 Logan Street, Kingaroy (and described as Lots 184 & 186 on SP219380 & Lots 185, 211 & 210 on SP227676)

MCU21/0021 - Material Change of use for Short term accommodation & Easement at Bunya Mountains Road, Bunya Mountains (and described as Lot 1 on RP108360 & Lot 7 on RP106718)

ATTACHMENTS

Nil

18 QUESTIONS ON NOTICE**18.1 QUESTION ON NOTICE****File Number:** 15-12-2021**Author:** Manager Works**Authoriser:** Chief Executive Officer

The following question on notice was received from Councillor Duff.

Question

It was resolved at the October Infrastructure Standing Committee that an update of Blackbutt CBD works to be included in reporting each month. On 3 November 2021 there was an Infrastructure Standing Committee meeting and it just said that footpath renewal procurement currently underway in the portfolio report and amount of actual expenditure of \$96,891 and a budget amount of \$1,305,000. Why aren't we getting a more detailed breakdown of works? Is it possible for you to provide us with the costings of the project to date and what the additional money is being spent on? Report to the December Ordinary Meeting of Council.

Response

It is intended that a more comprehensive update on the Blackbutt CBD project be presented in the Infrastructure Standing Committee reports once the project commences. There is currently no work happening on the ground as the project is currently in the procurement stage. The costs to date primarily relate to preconstruction costs such as landscape architect, design, and project management. On commencement of the project, the costing information would form part of the monthly report.

Attached for information only is a recent media release on the project.

RECOMMENDATION

That the response to the question raised by Councillor Duff be received and noted.

ATTACHMENTS

1. **Blackbutt CBD Streetscape and Footpath Upgrade** [↓](#) 



Public Notice

PO Box 336, Kingaroy Q 4610 - P: 07 4189 9100 - F: 07 4162 4806 - E: media@sbrc.qld.gov.au - W: www.southburnett.qld.gov.au - ABN 89 972 463 351

FOR IMMEDIATE RELEASE 9/12/2021

START

Blackbutt CBD streetscape and footpath upgrade

South Burnett Regional Council is pleased to give the green light for the upgrade to the Blackbutt CBD streetscape and footpath areas.

The project will deliver revitalisation to the Blackbutt CBD precinct with new infrastructure including kerb and channel, textured and coloured footpath areas, bike racks, pedestrian seating, landscaping and trees, with acknowledgements of the Blackbutt town heritage and connection to the timber industries.

Outcomes from delivering this project will provide economic stimulus, engaging with local and regional businesses.

South Burnett Regional Council has taken the opportunity to readvertise the project's works contract, due to the Australian Government extending the timeline for the project until June 2022.

Readvertising of the works contract will give Council the opportunity to provide flexibility in the delivery of the project and source competitive contractor interest.

The ability to create flexibility in the delivery of the project will provide reduced disruption to businesses and the community as we approach the Christmas and peak tourism periods.

The procurement process of the works contract is expected to be finalised by February 2022 with the project scheduled for completion in June 2022.

An example of the decorative surfacing for Blackbutt's new footpath will soon be showcased by Council on the bike rack facility in Les Muller Park. The surface coating is scheduled for completion in December 2021.

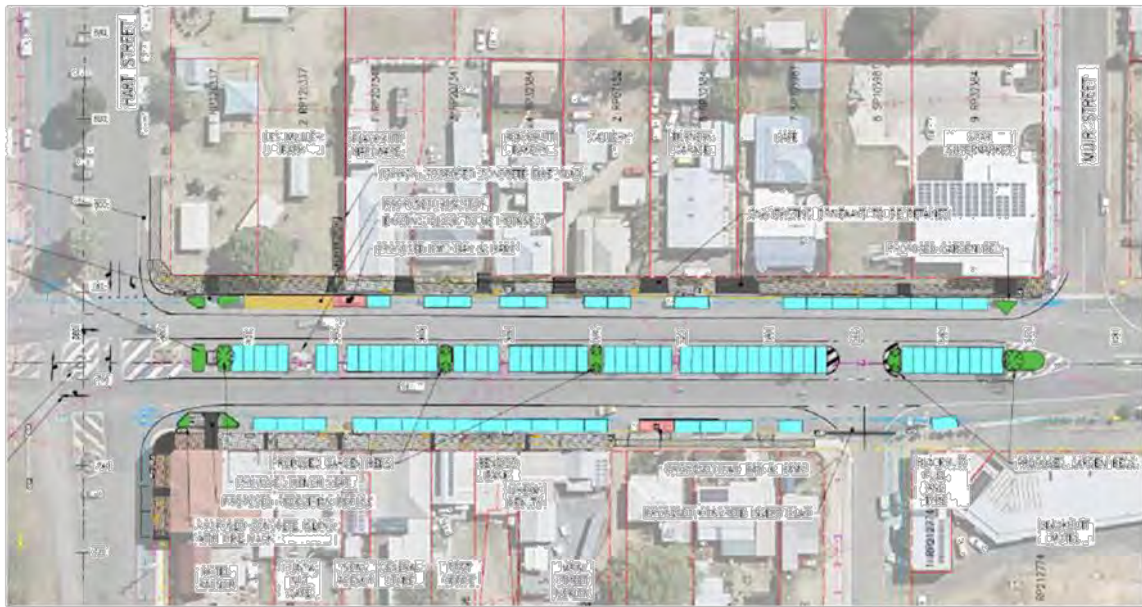
This project has been funded under the Australian Government's Local Roads and Community Infrastructure Program (LRCI) and Council's Capital Works programme for 2021-2022.

For further information regarding the project, please contact Council's Infrastructure team on 1300 789 279, 07 4189 9100 or email info@sbrc.qld.gov.au.

Image (Page 2): Map of works

For Media Enquiries Contact: *Communications Officer*
Telephone: 07 4189 9100
Email: media@sbrc.qld.gov.au

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END

19 CONFIDENTIAL SECTION

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 Water Reconnection at Lot1 SP256027, 4 Meek Street Tingoorra

This matter is considered to be confidential under Section 254J - f 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 matters that may directly affect the health and safety of an individual or a group of individuals.

19.2 Organisational Review

This matter is considered to be confidential under Section 254J - b 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 industrial matters affecting employees.

19.3 Rainmaker Strategic Services

This matter is considered to be confidential under Section 254J - g 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 negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

19.4 Performance Review Chief Executive Officer and Contract Renewal - 2021

This matter is considered to be confidential under Section 254J - b 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 industrial matters affecting employees.

20 CLOSURE OF MEETING