

Delegated Authority _____

Date: _____

CONSULTATION:

Referral Agencies

Not applicable.

Other Referrals

INTERNAL SPECIALIST	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 create a larger more viable farming unit by consolidating the good quality agricultural land onto proposed lot 1. Proposed lot 2 will be 4.5ha and include the existing dwelling and outbuildings. A vegetation buffer between the agricultural and residential land uses will ensure the rural amenity is protected and any conflicts are minimised.

RECOMMENDATION:

It is recommended that the Reconfiguring a lot application (2 into 2 lots) at 198 and 216 Hodges Road, Kingaroy (and described as lots 16 & 17 on RP7933) be approved subject to the reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

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	Reconfiguring a lot (Boundary realignment)– Development permit
Level of Assessment	Code
Application No	RAL21/0024
Name of Applicant	B & A Perrett C/- ONF Surveyors
Street Address	198 Hodges Road, Kingaroy 216 Hodges Road, Kingaroy
Real Property Address	Lots 16 & 17 on RP7933

On 10 March 2022 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.
- The boundary realignment will create a larger more viable farming unit, increasing the agricultural productivity of proposed lot 1.
- The size and shape of proposed lot 2 is consistent with nearby rural 'residential' style allotments.
- A vegetation buffer between the agricultural and residential land uses will ensure the rural amenity is protected and any conflicts are minimised.
- 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: _____

Attachment B

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT: B & A Bennet
 C/- ONF Surveyors
 PO Box 896
 KINGAROY QLD 4610

APPLICATION: Boundary Realignment (2 lots into 2 lots)

DATE: 10/03/2022

FILE REFERENCE: RAL21/0024

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 16 & 17 RP7933

SITE ADDRESS: 198 & 216 Hodges Road, Kingaroy

PAYABLE TO: **South Burnett Regional Council**

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

OFFSET OR REFUND: Not Applicable.

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

Delegated Authority

Date:

DETAILS OF CALCULATION

Water Supply

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	allotments	\$0.00	CR Table 2.3	\$0.00

Sewerage

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	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
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Delegated Authority				Date:	
Existing lawful use (2 lots)	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
Existing lawful use (2 lots)	2	allotments	\$2,009.00	CR Table 2.3	\$4,018.00

Stormwater

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	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:

INFORMATION NOTICE

Authority and Reasons for Charge	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.
Appeals	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.
Automatic Increase Provision of charge rate (\$)	<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>
GST	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.
Making a Payment	<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> <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;

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: _____

RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT AT 32-34 BURNETT STREET, KINGAROY (AND DESCRIBED AS LOT 42 ON RP37004 & LOT 43 ON RP37004) - APPLICANT: MERVYN & YVONNE PATES C/- EMJAE CONSULTING

File Number: RAL22/0001
Author: Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	22/5/22
GM	<i>[Signature]</i>	21/3/2022
CEO	<i>[Signature]</i>	21-3-2022

PRECIS

Reconfiguration of a lot - Boundary Realignment at 32-34 Burnett Street, Kingaroy (and described as Lot 42 & 43 on RP37004) - Applicant: Mervyn & Yvonne Pates C/- EMJAE Consulting

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 42 is 1,012m².
 - Total area of existing lot 43 is 1,270m².
 - Proposed lot 42 is 756m².
 - Proposed lot 43 is 1,526m².
- The purpose of the boundary realignment is to align the new boundary with the existing house fence.
- Proposed lot 42 has the existing dwelling house and domestic outbuildings.
- Proposed lot 43 is vacant and has the potential for a future dwelling.
- Access details are as follows:
 - Existing lot 42 gains access from Burnett Street.
 - Existing lot 43 currently has no access point.
 - Proposed lot 42 will maintain the existing access.
 - Proposed lot 43 will require a new access.
- The subject site is located in the Low density residential 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;
 - Low density residential zone code;
 - Services and works code.
- Council issued an Information request in regard to setback 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).
- 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 32-34 Burnett Street, Kingaroy (and described as Lot 42 & 43 on RP37004), 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:

Delegated Authority

Date:

Drawing Title	Prepared by	Ref No.	Rev.	Date
Proposed Boundary Realignment	EMJAE Consulting	1214-02P11	A	24/11/2021
Proposed Lots – Detail Underlay	EMJAE Consulting	1214-02P12	A	24/11/2021

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. Obtain a Building Approval to demolish the shed contravening the proposed boundary line as outlined on the 'Proposed lots – Detail Underlay' plan.

Timing: Before sealing the survey plan.

ENGINEERING WORKS

ENG1. Submit to Council, an Operation Works application for all works that will become Council infrastructure.

ENG2. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.

Delegated Authority _____ Date: _____

- ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's Standard Drawings, relevant Australian Standards, Codes of Practice, EDROC Regional Standards Manual and relevant design manuals.
- ENG4. 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

- ENG5. 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.
- ENG6. 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

- ENG7. 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.
- ENG8. 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

- ENG9. Connect the lots to Council's reticulated water supply system.
- ENG10. Design and construct all works in accordance with Council's requirements as set out in the WBBROC Design and Construction Guide, WSAA Guidelines and relevant development standards used by Council.
- ENG11. Install a separate water service connection to each lot as per Council's standards.

SEWERAGE

- ENG12. Connect all lots to Council's reticulated sewerage system.

Comment: Proposed Lot 43 is not currently serviced by sewer. Council will make alternations to the sewer network to service the lots upon an application being made to Council's Infrastructure Department. Please note that extending the sewer to proposed Lot 43 may require crossing proposed Lot 42.

- ENG12. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

VEHICLE ACCESS

- ENG12. Any future dwelling on proposed Lot 43 shall construct a vehicle crossover in accordance with Council's Standard Drawing SBRC 00048 "Residential Property Access and Kerb Crossover".

TELECOMMUNICATION

- ENG12. Provide telecommunications to all lots within the development.

ELECTRICITY

- ENG16. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

ADVICE

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Delegated Authority**Date:**

- 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.

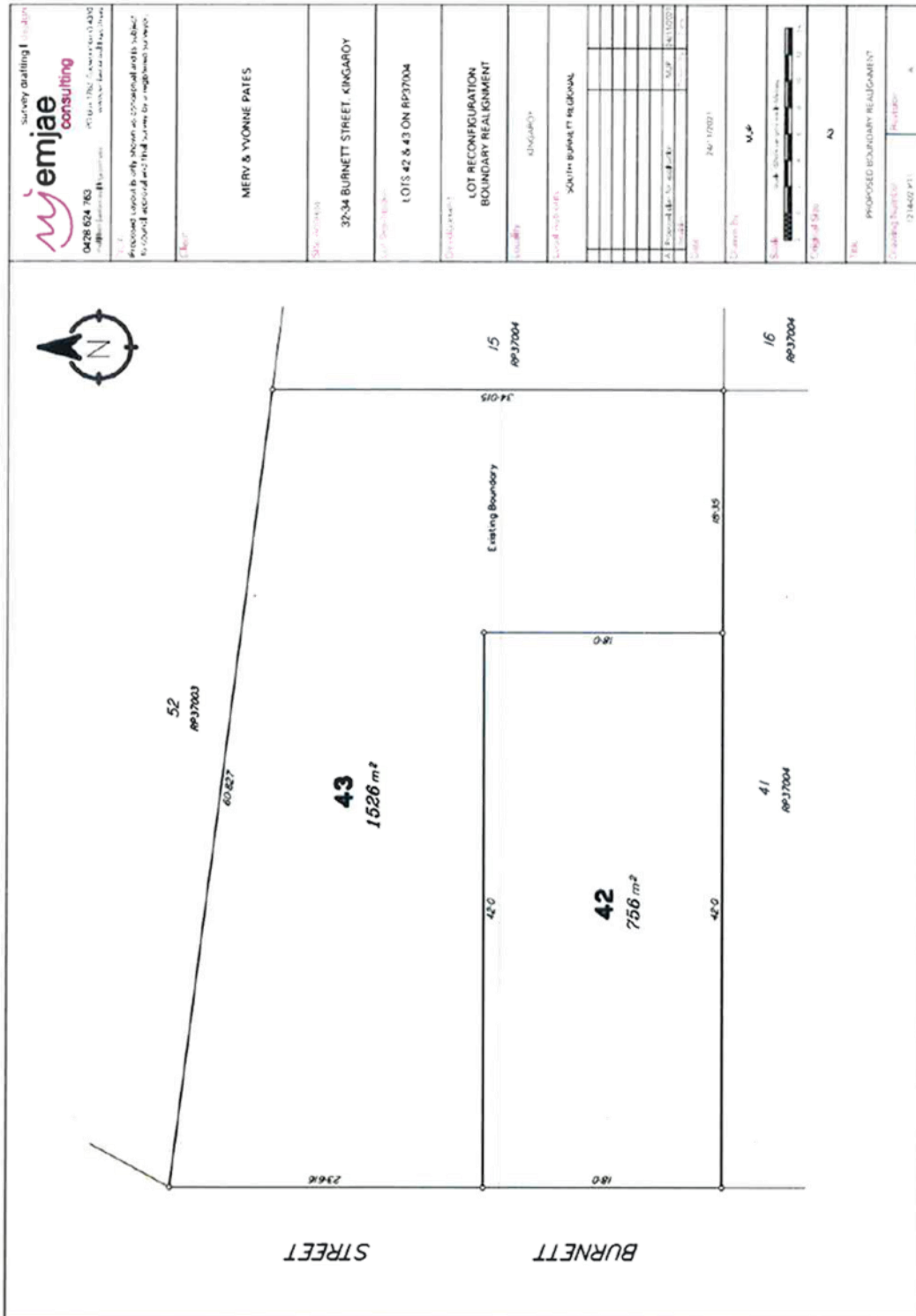
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

Delegated Authority

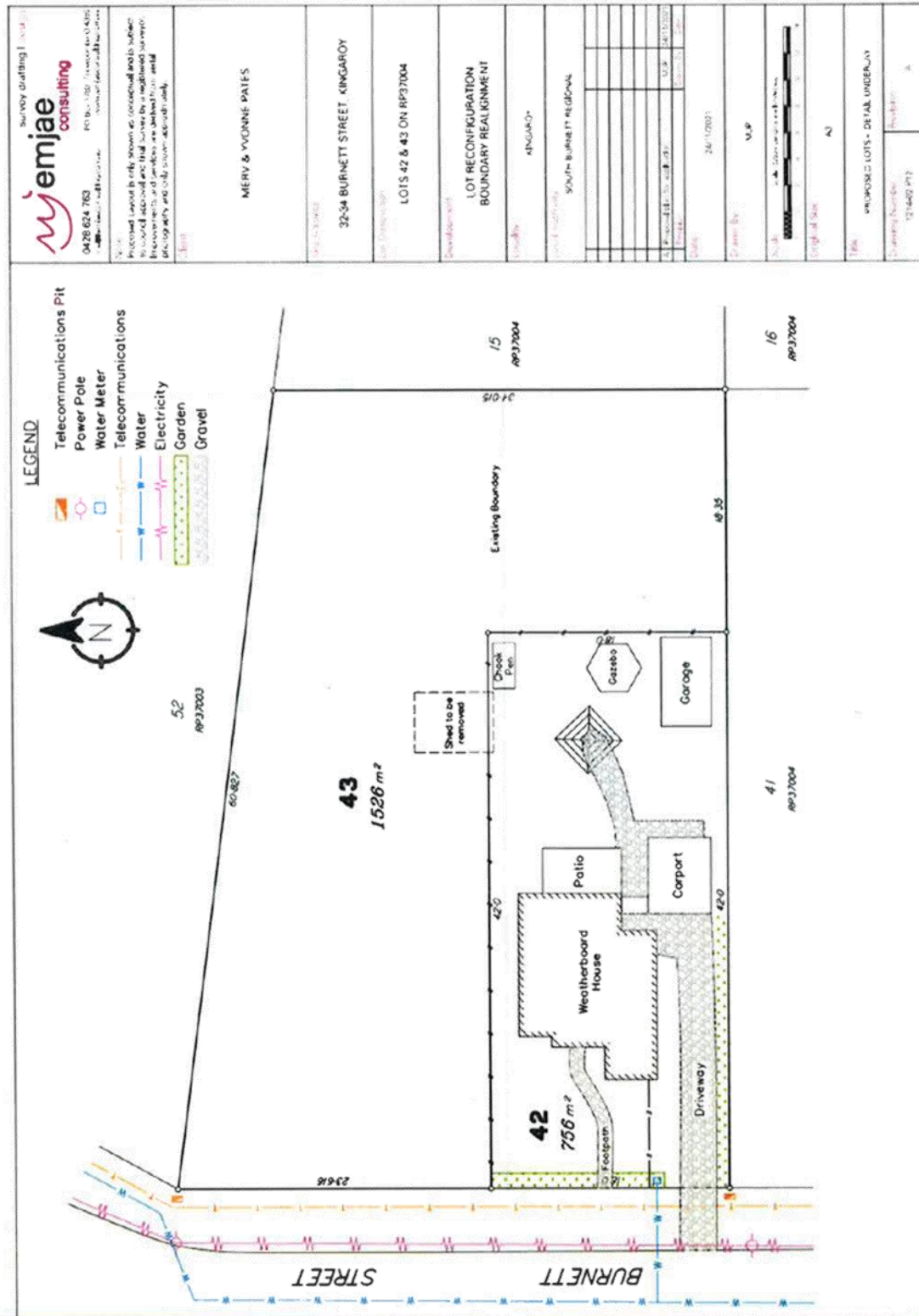
Date:

PROPOSAL PLAN



Delegated Authority

Date:



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Delegated Authority _____ Date: _____

REPORT

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

APPLICATION SUMMARY	
Applicant:	Mervyn & Yvonne Pates C/- ONF Surveyors
Proposal:	Reconfiguration of a lot - Boundary Realignment
Properly Made Date:	18 January 2022
Street Address:	32-34 Burnett Street, Kingaroy
RP Description:	Lot 42 on RP37004 Lot 43 on RP37004
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 42: 756m ² Proposed lot 43: 1,526m ²
Easements	Nil
Covenants	Nil

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION		
Land Area:	Total: 2,282m ²	
Existing Use of Land:	Existing lot 42 has a dwelling and associated outbuildings and existing lot 43 is vacant.	
Road Frontage:	Burnett Street	
Road/s	Road Hierarchy	
Burnett Street	Street – Bitumen sealed	
Easements	Nil	
Significant Site Features:	Nil	
Topography:	Relatively flat	
Surrounding Land Uses:	Land Use	Zone/Precinct
North	Park land/stormwater	Community facilities/ low density residential
South	Residential	Low density residential
East	Residential	Low density residential/ community facilities
West	Residential	Low density residential
Services:	Electricity, sewer, water, telecommunications	

Delegated Authority _____

Date: _____

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:	Urban
Zone:	Low density residential
Precinct:	N/A
Consistent/Inconsistent Use:	N/A
Assessment Benchmarks:	Reconfiguring a lot Code Low density residential 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
LOW DENSITY RESIDENTIAL ZONE	
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%. and AO2.2 Buildings are a maximum of 2 storeys above ground level. and AO2.3 Pedestrian entrances to buildings are clearly visible from the street. and AO2.4 The maximum length of any façade without articulation or change of materials is 10m. and AO2.5 Buildings are set back at least: (a) 6m from the primary street frontage; (b) 4.5m from any secondary street frontage; (c) 1.5m from side boundaries; and (d) 6m from rear boundaries. and AO2.6 A 1.8m high screen fence is provided to the side and rear boundaries. and AO2.7 Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, refuse bins, telecommunication devices, etc) are integrated into the building. 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 oriented 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 oriented toward its respective street frontage.</p>	<ul style="list-style-type: none"> ✓ The proposed boundary realignment does not result in the site cover being more than 50%. ✓ No new buildings or uses are proposed.
<p>PO3 Development responds to natural landforms and stormwater flows.</p>	
<p>AO3.1 Cut and fill is minimised. and AO3.2 For building sites steeper than 10%, elevated split-level building construction is used to achieve level changes.</p>	<ul style="list-style-type: none"> ✓ No cut or fill is proposed. ✓ No new buildings are proposed.

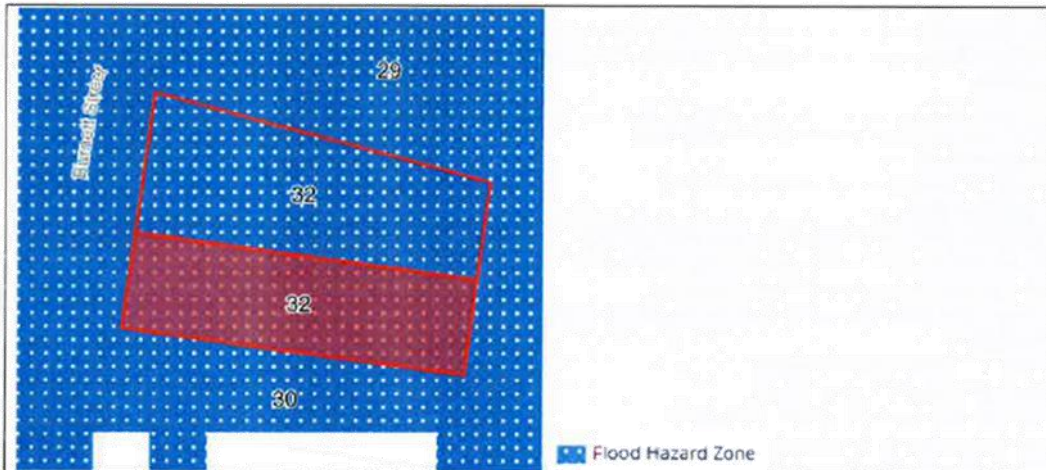
Delegated Authority

Date:

PO4 Development is adequately serviced.	
<p>AO4.1 Development is connected to reticulated water supply and sewerage. And AO4.2 Stormwater is discharged to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners. And AO4.3 Development is supplied with reticulated electricity and telecommunications services.</p>	<p>✓ Relevant conditions added to ensure both allotments are connected to reticulated water supply, electricity and telecommunications.</p>
PO5 The efficiency and safety of the road network is not compromised by inappropriate access arrangements.	
No outcome specified.	<p>✓ Proposed lot 43 will require a residential access constructed when the site is development with a dwelling.</p>
<p>PO6 Refuse storage areas: (a) are conveniently located for use and collection; and (b) are of useable size; and (c) avoid adverse impacts on neighbours and occupants; and (d) are screened from view within the site, adjoining properties and the street.</p>	
No outcome specified.	N/A
<p>PO7 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>AO7.1 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 AO7.2 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>✓ The site is not listed on the EMR or CLR.</p>
Section 7 – For development affected by one or more overlays	
Flood hazard overlay	

Delegated Authority

Date:



PO22 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.

AO22.1 All new allotments include an area of sufficient size to accommodate the intended land use outside the area identified on Overlay Map 03.
 and
AO22.2 New buildings are not located within the area identified on Overlay Map 03;
 or
AO22.3 Development is sited above the 1%AEP flood event where known, or the highest known flood event, as follows:
 (a) Habitable floor levels - 500mm;
 (b) Non-habitable floor levels - 300mm;
 (c) All other development - 0mm.
 and
AO22.4 Building work below the nominated flood level allows for the flow through of flood water at ground level:
 (a) The structure below flood level is unenclosed; or
 (b) Any enclosure below flood level aligns with the direction of water flow; or
 (c) Any enclosure not aligning with the direction of water flow must have openings that are at least 50% of the enclosed area with a minimum opening of 75mm.
 and
AO22.5 Resilient building materials are used below the nominated flood level in accordance with the relevant building assessment provisions.
 and
AO22.6 Signage is provided on site indicating the position and path of all safe evacuation routes off the site.

- ✓ No new allotments are being created.
- ✓ No new buildings are proposed.

Delegated Authority

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PO23 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.	
AO23.1 Works associated with the proposed development do not: (iv) involve a net increase in filling greater than 50m ³ ; or (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 I change flood characteristics outside the site in ways that result in: (iv) 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.	✓ The proposed boundary realignment does not involve any cut or fill.
PO24 Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood events.	
No outcome specified.	N/A
RECONFIGURING A LOT CODE	
Section 1 – Boundary realignment	
PO1 The boundary realignment: (a) results in lots that are consistent with the established subdivision pattern of the local area; (b) maintains or improves the utility of the lots; (c) does not create a situation where the use or buildings on the resulting lots become unlawful.	
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. and AO1.2 The utility of the lots is maintained or improved where: (a) a frontage to depth ratio exceeds that of the existing allotments; (b) access is provided to an allotment that previously had no access or an unsuitable access; (c) an existing boundary encroachment by a building or areas is corrected; and AO1.3 The realignment does not result in a building contravening the setback, standards required by this Planning Scheme or relevant building regulations. and AO1.4 The realignment results in a larger lot that is a more viable farming unit.	✓ The subject site is within the low density residential zone. Within this zone, the minimum lot size is 600m ² . Proposed lot 42 is 756m ² and proposed lot 43 is 1,526m ² . ✓ Utility of the lots will be maintained. Proposed lot 43 will require an access to service a future dwelling. The boundary realignment will align the allotment boundary with the existing house fence boundary. ✓ A shed will contravene the new boundary however, it is proposed to be removed. Relevant condition added to ensure compliance.
PO2 The boundary realignment facilitates the creation or consolidation of a viable farming unit.	
AO2.1 Where covered by the Overlay Map 08:	N/A

Delegated Authority

Date:

<p>(a) new lot boundaries enhance viable farming units; and (b) the boundaries ensure that a new dwelling is not on agricultural land. and (c) the reconfiguration satisfies the acceptable outcomes in section 6 of the Rural Zone code.</p>	
<p>Section 4 – All reconfiguring a lot subject to an overlay</p>	
<p>Flood hazard overlay</p>	
<p>PO20 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.</p>	
<p>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>✓ No additional allotments are created.</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 (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>✓ Proposal does not involve any cut or fill works.</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</p>	<p>N/A - This development application does not necessitate the need for a wastewater management plan.</p>

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Date:

<p>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>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>	
<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>✓ Burnett Street is bitumen sealed.</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>	

Delegated Authority

Date:

<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>	
<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. 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.</p>	<p>N/A – No cut of 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>	

Delegated Authority

Date:

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

Local Categorising Instrument - Variation Approval

N/A

Local Categorising Instrument - Temporary Local Planning Instrument

N/A

Other Relevant Matters

N/A

Delegated Authority

Date:

Locality Plan



Figure 1 - Aerial Image (Source: Qld Globe)

Aerial Plan



Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority _____

Date: _____

CONSULTATION:

Referral Agencies

Not applicable.

Other Referrals

INTERNAL SPECIALIST	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.

RECOMMENDATION:

It is recommended that the Reconfiguring a lot application (2 into 2 lots) at 32-34 Burnett Street, Kingaroy (and described as lots 42 & 43 on RP37004) be approved subject to the reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

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	Reconfiguring a lot (Boundary realignment)– Development permit
Level of Assessment	Code
Application No	RAL22/0001
Name of Applicant	Mervyn & Yvonne Pates C/- EMJAE Consulting
Street Address	32-34 Burnett Street, Kingaroy
Real Property Address	Lots 42 & 43 on RP37004

On 16 March 2022 the above development was:

Approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- No additional lots proposed.
- No new uses are proposed.
- The proposed boundary will align with the existing house yard fence.
- The utility of the lots will be improved.
- The proposal generally complies with the relevant requirements of the planning scheme.

2. Assessment Benchmarks

The following benchmarks apply to this development:

- Reconfiguring a lot code
- Low density residential zone code
- Services and works code

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

Delegated Authority _____

Date: _____

Attachment B

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT: M & Y Pates
 C/- EMJAE Consulting
 PO Box 1783
 TOOWOOMBA QLD 4350

APPLICATION: Boundary Realignment (2 lots into 2 lots)

DATE: 16/03/2022

FILE REFERENCE: RAL22/0001

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 42 RP37004

SITE ADDRESS: 32 Burnett St, Kingaroy

PAYABLE TO: **South Burnett Regional Council**

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

Delegated Authority _____ Date: _____

OFFSET OR REFUND: Not Applicable.

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

Delegated Authority _____ Date: _____

DETAILS OF CALCULATION

Water Supply

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	allotments	\$0.00	CR Table 2.3	\$0.00

Sewerage

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	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
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Delegated Authority

Date:

Existing lawful use (2 lots)	2	allotments	\$2,410.00	CR Table 2.3	\$4,820.00
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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
Existing lawful use (2 lots)	2	allotments	\$2,009.00	CR Table 2.3	\$4,018.00

Stormwater

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	allotments	\$401.00	CR Table 2.3	\$802.00

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:

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:

RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS) AT 5 GREENHILLS DRIVE, BLACKBUTT (LOT 17 ON RP169788) - APPLICANT: J & S STRID C/- ONF SURVEYORS

File Number: RAL22/0002
Author: Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	5/4/22
GM	<i>[Signature]</i>	30/3/22
CEO	<i>[Signature]</i>	30/3/22

PRECIS

Reconfiguration of a lot (1 lot into 2 lots) at 5 Greenhills Drive, Blackbutt (Lot 17 on RP169788) - Applicant: J & S Strid C/- ONF Surveyors

SUMMARY

- The applicant seeks approval for a Development Permit for Reconfiguring a Lot – Subdivision (1 into 2 lots).
- Boundary configuration as proposed:
 - Total area of existing lot 17 is 2ha;
 - Proposed lot 1 is 1.18ha;
 - Proposed lot 2 is 8,100m².
- Proposed lot 1 will include the existing house and shed.
- Proposed lot 2 will be vacant with potential for a dwelling house.
- Access to existing lot 17 is via Greenhills Drive.
- Proposed lot 1 will maintain the existing access from Greenhills Drive.
- Proposed lot 2 will gain access from Railway Street.
- The subject site is located in the rural residential zone (RR1 Precinct) within the South Burnett Regional Council Planning Scheme.
- The proposed subdivision complies with the prescribed minimum lot dimensions for the rural residential zone RR1 precinct and is therefore subject to code assessment.
- The development application is assessed against the relevant codes of the South Burnett Regional Council Planning Scheme. Relevant codes include:
 - Reconfiguring a lot Code;
 - Rural Residential 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 subdivision 1 into 2 lots at 5 Greenhills Drive, Blackbutt described as lot 17 on RP169788, 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 Subdivision	ONF Surveyors	10182P/1	-	2/02/2022

GEN2. The development must be completed within four (4) years of the development approval starting to have effect. The development approval will lapse unless the

Delegated Authority

Date:

survey plan for the development required to be given to Council for approval is provided within this period.

PERMIT TO WORK ON COUNCIL ROADS

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

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 Act Regulation 2017*.

GEN6. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

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 correction position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

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 Planning Scheme, Council's 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.

Item

Page 2

Delegated Authority _____

Date: _____

STORMWATER MANAGEMENT

ENG6. Provide overland flow paths that do not adversely alter the characteristics of the 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. Connect the development to Council's reticulated water supply system in accordance with Council requirements.

ENG9. Design and construct all works in accordance with Council's requirements as set out in the WBBROC Water Services Design and Construction Code, WSAA Guidelines and relevant development standards used by Council.

ENG10. Install a separate water service connection to each lot as per Council's standards.

ON-SITE SEWERAGE TREATMENT

ENG11. Future dwellings must be connected to an on-site effluent 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

ENG12. Design and construct a new access to proposed Lot 2, having a minimum width of 4 metres in accordance with Council's Standard Drawing No. 00049 Rev B.

Comment: Where the existing table drain is shallow, and subject to Council approval, the culvert can be omitted, and an 'at grade' access shall be constructed in accordance with Council's Standard Drawing No. 00048.

TELECOMMUNICATION

ENG13. Design and provide telecommunications to all lots within the development.

ELECTRICITY

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

EROSION AND SEDIMENT CONTROL - GENERAL

ENG15. 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.

ENG16. 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.

Delegated Authority _____

Date: _____

ADVICE

ADV1. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

APPEAL RIGHTS

ADV2. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

INFRASTRUCTURE CHARGES

ADV3. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

DEVELOPMENT INCENTIVE SCHEME

ADV4. Council is offering a reduction infrastructure charges payable through the development Incentive scheme which is available between 1 December 2020 and 30 December 2022. Eligible development under this scheme is required to be completed by 30 December 2022.

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

VALUATION FEES

ADV5. 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.

TELECOMMUNICATIONS CONNECTIONS

ADV6. Telecommunication connections can be arranged by logging onto Telstra's website (<http://www.telstra.com.au/smart-community/developers/index.htm>) and completing the 'Application for Reticulation'.

ELECTRICITY RETICULATION SERVICES

ADV7. Council would encourage you to discuss the development with Ergon Energy upon receipt of this approval to facilitate the timely supply of electricity to the development. Connection of electricity can take up to eight (8) months from the date of application to Ergon Energy.

Delegated Authority

Date:

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

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

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

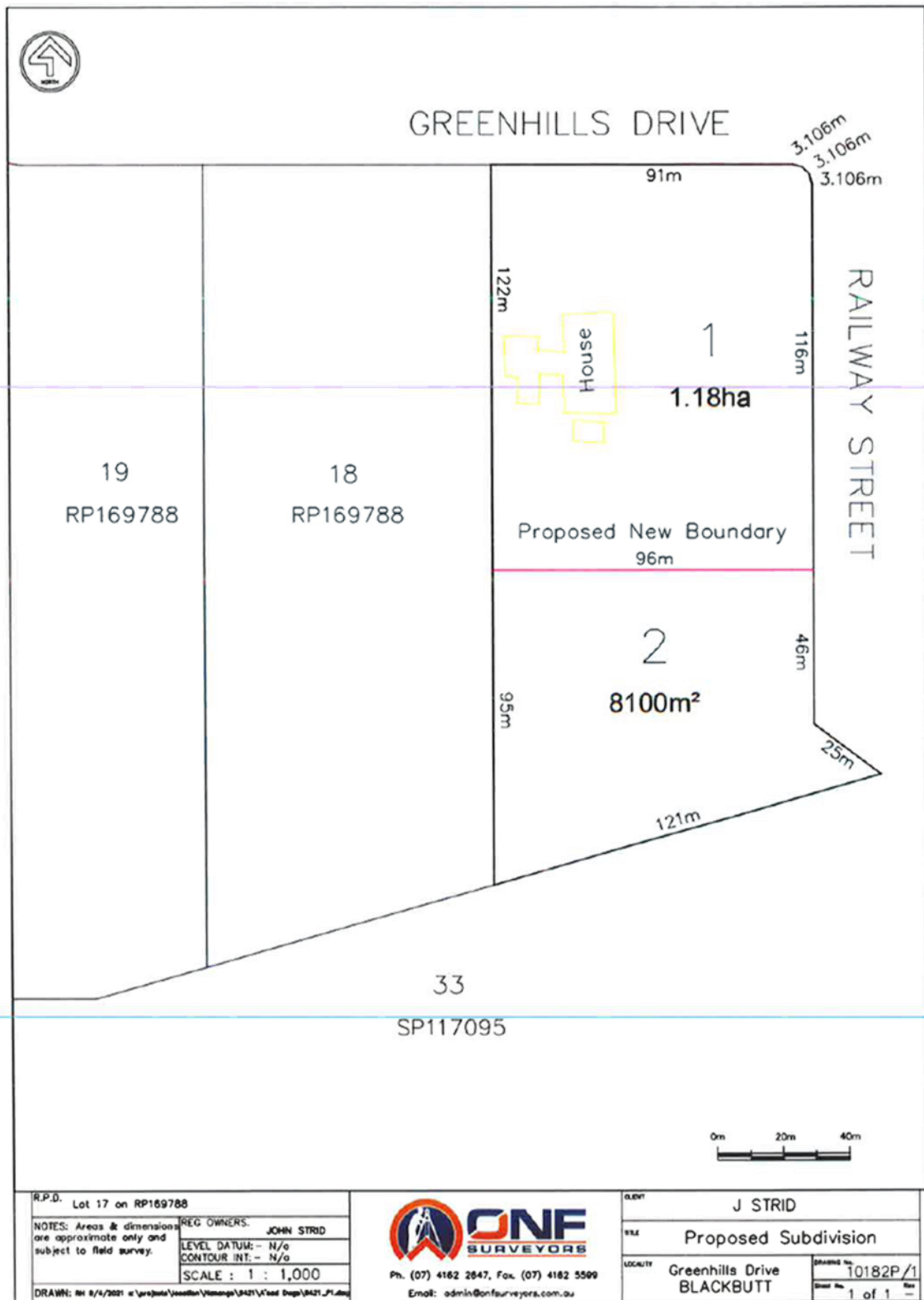
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

Delegated Authority

Date:

PROPOSAL PLAN



R.P.D. Lot 17 on RP169788		CLIENT: J STRID	
NOTES: Areas & dimensions are approximate only and subject to field survey.		TITLE: Proposed Subdivision	
REG OWNERS: JOHN STRID	LEVEL DATUM: - N/A	LOCALITY: Greenhills Drive BLACKBUTT	DRAWING No: 10182P/1
CONTOUR INT: - N/A	SCALE: 1 : 1,000		Sheet No: 1 of 1
DRAWN: 04/04/2021 at 'c:\projects\jstrid\10182p\10182p.dwg' by 'J.Strid'		Ph. (07) 4182 2647, Fax. (07) 4182 5599 Email: admin@confsurveyors.com.au	

Delegated Authority _____

Date: _____

REPORT

The applicant seeks approval for a development permit for a Reconfiguration of a lot (1 lot into 2 lots).

APPLICATION SUMMARY	
Applicant:	J Strid & S Strid C/- ONF Surveyors
Proposal:	Reconfiguration of a lot (1 lot into 2 lots)
Properly Made Date:	7 February 2022
Street Address:	5 Greenhills Drive, Blackbutt
RP Description:	Lot 17 on RP169788
Assessment Type:	Code assessable
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	Lot 1 – 1.18ha Lot 2 – 8,100m ²
Easements	N/A
Covenants	N/A

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	2ha
Existing Use of Land:	Existing dwelling house & associated outbuildings & rainwater tanks
Road Frontage:	Greenhills Drive & Railway Street
Road/s	Road Hierarchy
Greenhills Drive	Street (bitumen sealed)
Railway Street	Place (bitumen sealed)
Easements	N/A
Significant Site Features:	Nil
Topography:	Relatively flat
Surrounding Land Uses:	Land Use
North	Rural Residential Dwellings
South	Rural Residential Dwellings
East	Low density residential Dwellings
West	Rural Residential Dwellings
Services:	Electricity, Telecommunications, water supply.

Delegated Authority _____

Date: _____

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:	N/A
Zone:	Rural Residential
Precinct:	RR1
Consistent/Inconsistent Use:	N/A
Assessment Benchmarks:	<ul style="list-style-type: none"> • Reconfiguring a lot Code • Services and works Code • Rural residential zone Code

Assessment Benchmarks – Planning Scheme Codes

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

ACCEPTABLE OUTCOME	ASSESSMENT MANAGERS COMMENTS
RURAL RESIDENTIAL ZONE CODE	
SECTION 1 - General	

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<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%. and AO1.2 Buildings and structures are not higher than 8.5m above ground level. and AO1.3 Buildings have a minimum set back of: (a) 10m to the road frontage; (b) 6m to a side or rear boundary. and AO1.4 The maximum length of any façade without articulation or change of materials is 15m. and AO1.5 On-site storage areas visible from outside the site are screened by a 1.8m high fence along intervening boundaries. and AO1.6 Outdoor lighting is designed, installed and maintained in accordance with AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.</p>	<p>Complies – No new buildings or structures are proposed as a part of this application. Proposed lot 1 is of sufficient size to accommodate the existing dwelling and outbuildings. Proposed lot 2 is of sufficient size for a future dwelling to comply with the AO1.1 to AO1.6. The proposed layout maintains the rural residential character and is not expected to impact on the surrounding amenity.</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>N/A – The subject site is surrounded by residential properties and therefore does not necessitate the need for a vegetation buffer.</p>
<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. or 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. and AO3.3 The provision of on-site sewage treatment conforms to the requirements of the Queensland Plumbing and Wastewater Code. and AO3.4 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks. and AO3.5 Stormwater discharge must be to a lawful point of discharge or to downstream</p>	<ul style="list-style-type: none"> ✓ Conditioned to comply. Proposed Lot 2 will be required to connect into the reticulated water system. ✓ Proposed lot 2 is of sufficient size to have an on-site sewerage treatment system for a future dwelling. ✓ The existing dwelling is connected to electricity. Proposed lot 2 will be conditioned to comply. ✓ Conditioned to comply.

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<p>properties but only with the consent of the affected landowners. and AO3.6 Development has direct access to a sealed road.</p>	<p>✓ Proposed lot 1 will maintain access from Greenhills Drive and proposed lot 2 will gain access from Railway Street, both of which are bitumen sealed.</p>
<p>PO4 Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.</p>	
<p>AO4.1 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 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, or issuing of building works permit.</p>	<p>Complies – The subject site is not identified on the CLR or EMR.</p>
<p>RECONFIGURING A LOT CODE</p>	
<p>SECTION 3 – All other reconfiguration</p>	
<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. and AO7.2 The minimum allotment size for any rear allotment shall be calculated exclusive of the area of the access corridor of the allotment. and 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>Complies – The subject site is within the rural residential zone RR1 precinct whereby the minimum lot size is 4,000m². Proposed lot 1 is 1.18ha and proposed lot 2 is 8,100m², both exceeding the prescribed minimum lot size. N/A ✓ The proposed lots are a regular shape.</p>
<p>PO8 Lots have lawful, safe and practical access.</p>	
<p>AO8.1 Access is provided via either: (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). and AO8.2 Newly created lots do not have direct access to sub-arterial or higher order roads. and AO8.3 Except in the Rural Zone, new lots, are provided with access to a sealed road.</p>	<p>Complies – Proposed lot 1 has direct road frontage onto Greenhills Drive. Proposed lot 2 will have direct frontage onto Railway Street. ✓ Greenhills Drive is identified as a 'Street' and Railway Street is identified as 'Place' in the road hierarchy. ✓ Greenhills Drive and Railway Street are both bitumen sealed.</p>

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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.	
AO9.1 Only one rear lot is provided behind each full street frontage regular lot. and AO9.2 No more than two rear lot access strips directly adjoin each other. and AO9.3 No more than two rear lots gain access from the head of a cul-de-sac.	<p>✓ No rear lots are proposed.</p> <p>N/A</p> <p>N/A</p>
PO10 The design and construction of new roads: (a) Maintain safe and efficient access to the transport network; (b) Creates integrated neighbourhoods; and (c) Are constructed to a standard that is commensurate with the intended use of allotments.	
AO10.1 Intersection shall be spaced at no less than 45m from any other intersection. and AO10.2 Any intersections with existing roads shall be treated with a T-intersection or a roundabout. and AO10.3 The road layout indicates connections to adjoining development sites. and AO10.4 Other than in the Rural or Rural Residential Zones, new streets are provided with layback kerb and channel. or AO10.5 In the Rural Residential Zone, new streets are provided with concrete flush kerbs and swale drains.	N/A – No new roads are proposed.
PO11 The provision of services is resistant to inclement weather and does not degrade the character of the area.	
AO11.1 Where the reconfiguration involves the opening of a new road, all electricity and telecommunications services are located underground.	N/A – No new roads are proposed.
PO12 Reconfiguration facilitates 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.	
No outcome specified.	N/A
PO13 Public open space is provided in response to community need.	
AO13.1 Public open space is provided in accordance with the Priority Infrastructure Plan.	N/A
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.	

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Date:

<p>AO14.1 Reconfiguration in the Medium Density Residential zone involving allotments less than 400m² where creating allotments for individual units in an approved and completed multiple dwelling or dual occupancy.</p>	<p>N/A</p>
<p>PO15 Reconfiguration into allotments less than 400m² in the Medium Density Residential zone is to provide for suitable living environments.</p>	
<p>For allotments less than 400m² – AO15.1 All lots are orientated to within 200 of north. AO15.2 All lots are to be sized and shaped to accommodate a 10m x 20m rectangle.</p>	<p>N/A</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>✓ 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>✓ 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>✓ 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>	

Delegated Authority	Date:
<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>✓ 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>	
<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>✓ The subject site fronts Greenhills Drive and Railway Street which are both bitumen sealed.</p> <p>✓ Proposed lot 2 will require a new access and will be conditioned to comply with AO5.2.</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 provisions.</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>✓ This development application does not necessitate the need for landscaping.</p>

Delegated Authority

Date:

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.	N/A
SECTION 5 – 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.	N/A – No cut or fill is proposed as a part of this application.
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.	N/A – No cut or fill is proposed as a part of this application.
PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.	

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Date:

<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>N/A – No cut or fill is proposed as a part of this application.</p>
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Local Categorising Instrument - Variation Approval

Not applicable.

Local Categorising Instrument - Temporary Local Planning Instrument

Not applicable.

Other Relevant Matters

Not applicable.

Delegated Authority

Date:

Locality Plan



Figure 1 - Aerial Image (Source: Qld Globe)

Aerial Plan



Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority _____ Date: _____

CONSULTATION:

Referral Agencies

Not applicable.

Other Referrals

INTERNAL 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 that 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 Water Supply Network, Transport Network, and Parks and Land for Community Facilities Network 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 of the Rural Residential zone Code, Reconfiguring a lot Code, and the Services and works Code. The proposed development will result in an additional rural residential allotment that generally complies with the required benchmarks or can be conditioned to comply.

It is recommended that the development application for Reconfiguring a lot – Subdivision 1 into 2 lots at 5 Greenhills Drive, Blackbutt (and described as lot 17 on RP169788) be approved subject to reasonable and relevant condition pursuant to Section 60 of the Planning Act 2016.

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	Reconfiguring a lot – Development permit
Level of Assessment	Code
Application No	RAL22/0002
Name of Applicant	J & S Strid C/- ONF Surveyors
Street Address	5 Greenhills Drive, Blackbutt
Real Property Address	Lot 17 on RP169788

On 28 March 2022 the above development was:

Approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- The proposal will create an opportunity for future rural residential living consistent with the intent of the zone.
- The land use will continue to be utilised for rural residential activities, consistent with the surrounding area.
- There is no infrastructure or natural hazard constraints applicable that would not support the application.
- The land is easily serviceable with the required utilities and is well located to urban services nearby.

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: _____

Attachment B – Infrastructure Charges Notice

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

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

APPLICATION: Reconfiguring a Lot – Subdivision (1 lot into 2 lots)

DATE: 28/03/2022

FILE REFERENCE: RAL22/0002

AMOUNT OF THE LEVIED CHARGE: **\$14,261.00** **Total**

(Details of how these charges were calculated are shown overleaf)

\$9,842.00	Water Supply Network
\$0.00	Sewerage Network
\$2,410.00	Transport Network
\$2,009.00	Parks and Land for Community Facilities Network
\$0.00	Stormwater Network

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

LAND TO WHICH CHARGE APPLIES: Lot 17 RP169788

SITE ADDRESS: 5 Greenhills Dr, Blackbutt

PAYABLE TO: **South Burnett Regional Council**

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

OFFSET OR REFUND: Not Applicable.

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

Delegated Authority _____

Date: _____

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot 1 into 2	2	allotments	\$9,842.00	CR Table 2.3	\$19,684.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$9,842.00	CR Table 2.3	\$9,842.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
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
Reconfiguring a Lot 1 into 2	2	allotments	\$5,423.00	CR Table 2.3	\$10,846.00

Discounts*

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

Delegated Authority _____

Date: _____

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot 1 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
Existing Lot	1	allotment	\$2,009.00	CR Table 2.3	\$2,009.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
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
Reconfiguring a Lot (1 into 2)	\$9,842.00	\$0.00	\$2,410.00	\$2,009.00	\$0.00	\$14,261.00
Total	\$9,842.00	\$0.00	\$2,410.00	\$2,009.00	\$0.00	\$14,261.00

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

Delegated Authority

Date:

INFORMATION NOTICE

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

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

Automatic Increase Provision of charge rate (\$) An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI 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:

RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS) AT 258 CARBEEN CRESCENT, NANANGO (LOT 73 ON RP181992) - APPLICANT: ANGELA READER C/- ONF SURVEYORS

File Number: RAL22/0003
Author: Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	24/1/22
GM	<i>[Signature]</i>	30/3/22.
CEO	<i>[Signature]</i>	30/3/22.

PRECIS

Reconfiguration of a lot (1 lot into 2 lots) at 285 Carbeen Crescent, Nanango (Lot 73 on RP181992) - Applicant: Andrea Reader C/- ONF Surveyors

SUMMARY

- The applicant seeks approval for a Development Permit for Reconfiguring a Lot – Subdivision (1 into 2 lots).
- Boundary configuration as proposed:
 - Total area of existing lot 73 is 2.233 hectares;
 - Proposed lot 1 is 1.116 hectares;
 - Proposed lot 2 is 1.117 hectares.
- Proposed lot 1 will include the existing house and shed.
- Proposed lot 2 will be vacant with potential for a dwelling house.
- Access to existing lot 73 is via Carbeen Crescent.
- Proposed lot 1 will maintain the existing access from Carbeen Crescent.
- Proposed lot 2 will gain access from Carbeen Crescent.
- The subject site is located in the rural residential zone (RR1 Precinct) within the South Burnett Regional Council Planning Scheme.
- The proposed subdivision complies with the prescribed minimum lot dimensions for the rural residential zone RR1 precinct and is therefore subject to code assessment.
- The development application is assessed against the relevant codes of the South Burnett Regional Council Planning Scheme. Relevant codes include:
 - Reconfiguring a lot Code;
 - Rural Residential 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 subdivision 1 into 2 lots at 285 Carbeen Crescent, Nanango described as lot 73 on RP181992, 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 Subdivision	ONF Surveyors	10204P/1	-	2/02/2022

Delegated Authority _____

Date: _____

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

PERMIT TO WORK ON COUNCIL ROADS

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

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 Act Regulation 2017*.
- GEN6. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

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 correction position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

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 Planning Scheme, Council's 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.

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Delegated Authority

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STORMWATER MANAGEMENT

ENG6. Provide overland flow paths that do not adversely alter the characteristics of the 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.

ON-SITE SEWERAGE TREATMENT

ENG11. Future dwellings must be connected to an on-site effluent 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

ENG12. Design and construct a new access to proposed Lot 2, having a minimum width of 4 metres in accordance with Council's Standard Drawing No. 00049 Rev B.

Comment: Where the existing table drain is shallow, and subject to Council approval, the culvert can be omitted, and an 'at grade' access shall be constructed in accordance with Council's Standard Drawing No. 00048.

TELECOMMUNICATION

ENG13. Design and provide telecommunications to all lots within the development.

ELECTRICITY

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

EROSION AND SEDIMENT CONTROL - GENERAL

ENG15. 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.

ENG16. 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. 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.

APPEAL RIGHTS

ADV2. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

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INFRASTRUCTURE CHARGES

ADV3. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

DEVELOPMENT INCENTIVE SCHEME

ADV4. Council is offering a reduction infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 30 December 2022. Eligible development under this scheme is required to be completed by 30 December 2022.

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

VALUATION FEES

ADV5. 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.

TELECOMMUNICATIONS CONNECTIONS

ADV6. Telecommunication connections can be arranged by logging onto Telstra's website (<http://www.telstra.com.au/smart-community/developers/index.htm>) and completing the 'Application for Reticulation'.

ELECTRICITY RETICULATION SERVICES

ADV7. Council would encourage you to discuss the development with Ergon Energy upon receipt of this approval to facilitate the timely supply of electricity to the development. Connection of electricity can take up to eight (8) months from the date of application to Ergon Energy.

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity
GR8 Support and advocate for appropriate growth and development with responsive planning scheme, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

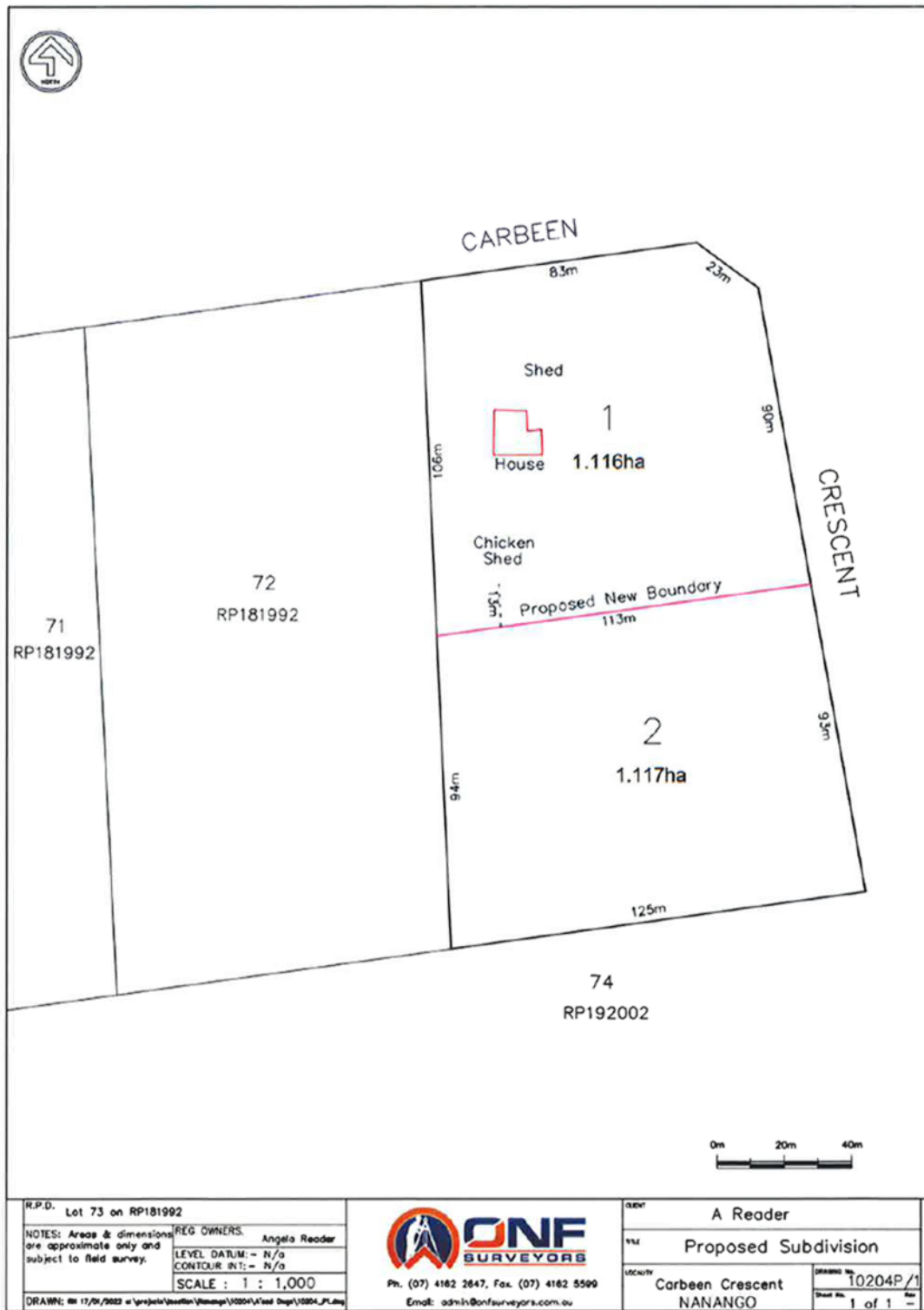
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Delegated Authority

Date:

PROPOSAL PLAN



R.P.D. Lot 73 on RP181992		 <p>Ph. (07) 4182 2647, Fax. (07) 4182 5590 Email: admin@one-surveyors.com.au</p>	SUBJ: A Reader	
NOTES: Areas & dimensions are approximate only and subject to field survey.			TITL: Proposed Subdivision	
REG OWNERS: Angela Reader			LOCALITY: Carbeen Crescent NANANGO	
LEVEL DATUM: - N/A CONTOUR INT: - N/A SCALE: 1 : 1,000			DRAWING No: T0204P/1 Sheet No: 1 of 1	
DRAWN: 17/01/2022 - I:\projects\2022\17012022\17012022\17012022_Plan.dwg				

Delegated Authority

Date:

REPORT

The applicant seeks approval for a development permit for a Reconfiguration of a lot (1 lot into 2 lots).

APPLICATION SUMMARY	
Applicant:	Angela Reader C/- ONF Surveyors
Proposal:	Reconfiguration of a lot (1 lot into 2 lots)
Properly Made Date:	9 February 2022
Street Address:	285 Carbeen Crescent, Nanango
RP Description:	Lot 73 on RP181992
Assessment Type:	Code assessable
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	2.233 hectares
Size of Proposed Lots	Lot 1 – 1.116 hectares Lot 2 – 1.117 hectares
Easements	N/A
Covenants	N/A

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	2.233ha
Existing Use of Land:	Existing dwelling house & associated outbuildings & rainwater tanks
Road Frontage:	Carbeen Crescent
Road/s	Road Hierarchy
Carbeen Crescent	Place (bitumen sealed)
Easements	N/A
Significant Site Features:	Nil
Topography:	Relatively flat
Surrounding Land Uses:	Land Use
North	Rural Residential Dwellings
South	Rural Residential Dwellings
East	Rural Residential Dwellings
West	Rural Residential Dwellings
Services:	Electricity, Telecommunications.

Delegated Authority _____ Date: _____

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:	N/A
Zone:	Rural Residential
Precinct:	RR1
Consistent/Inconsistent Use:	N/A
Assessment Benchmarks:	<ul style="list-style-type: none"> • Reconfiguring a lot Code • Services and works Code • Rural residential zone Code

Assessment Benchmarks – Planning Scheme Codes

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

ACCEPTABLE OUTCOME	ASSESSMENT MANAGERS COMMENTS
RURAL RESIDENTIAL ZONE CODE	
SECTION 1 - General	

Delegated Authority

Date:

<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%. and AO1.2 Buildings and structures are not higher than 8.5m above ground level. and AO1.3 Buildings have a minimum set back of: (a) 10m to the road frontage; (b) 6m to a side or rear boundary. and AO1.4 The maximum length of any façade without articulation or change of materials is 15m. and AO1.5 On-site storage areas visible from outside the site are screened by a 1.8m high fence along intervening boundaries. and AO1.6 Outdoor lighting is designed, installed and maintained in accordance with AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.</p>	<p>Complies – No new buildings or structures are proposed as a part of this application. Proposed lot 1 is of sufficient size to accommodate the existing dwelling and outbuildings. Proposed lot 2 is of sufficient size for a future dwelling to comply with the AO1.1 to AO1.6. The proposed layout maintains the rural residential character and is not expected to impact on the surrounding amenity.</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>N/A – The subject site is surrounded by residential properties and therefore does not necessitate the need for a vegetation buffer.</p>
<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. or 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. and AO3.3 The provision of on-site sewage treatment conforms to the requirements of the Queensland Plumbing and Wastewater Code. and AO3.4 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks. and AO3.5 Stormwater discharge must be to a lawful point of discharge or to downstream</p>	<p>N/A</p> <ul style="list-style-type: none"> ✓ No new buildings are proposed as part of this subdivision application. Future dwellings will be required to have a 45kl water tank. ✓ Proposed lot 2 is of sufficient size to have an on-site sewerage treatment system for a future dwelling. ✓ The existing dwelling is connected to electricity. Proposed lot 2 will be conditioned to comply. ✓ Conditioned to comply.

Delegated Authority	Date:
<p>properties but only with the consent of the affected landowners. and AO3.6 Development has direct access to a sealed road.</p>	<ul style="list-style-type: none"> ✓ Proposed lots 1 and 2 will have access from Carbeen Crescent, which is bitumen sealed.
<p>PO4 Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.</p>	
<p>AO4.1 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 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, or issuing of building works permit.</p>	<ul style="list-style-type: none"> ✓ The subject site is not identified on the CLR or EMR.
<p>RECONFIGURING A LOT CODE</p>	
<p>SECTION 3 – All other reconfiguration</p>	
<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. and AO7.2 The minimum allotment size for any rear allotment shall be calculated exclusive of the area of the access corridor of the allotment. and 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>	<ul style="list-style-type: none"> ✓ The subject site is within the rural residential zone RR1 precinct whereby the minimum lot size is 4,000m². Proposed lot 1 is 1.116ha and proposed lot 2 is 1.117ha, both exceeding the prescribed minimum lot size. N/A ✓ The proposed lots are a regular shape.
<p>PO8 Lots have lawful, safe and practical access.</p>	
<p>AO8.1 Access is provided via either: (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). and AO8.2 Newly created lots do not have direct access to sub-arterial or higher order roads. and AO8.3 Except in the Rural Zone, new lots, are provided with access to a sealed road.</p>	<ul style="list-style-type: none"> ✓ Proposed lots 1 and 2 will have direct road frontage onto Carbeen Crescent. ✓ Carbeen Crescent is identified as 'Place' in the road hierarchy. ✓ Carbeen Crescent is bitumen sealed.

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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.	
AO9.1 Only one rear lot is provided behind each full street frontage regular lot. and AO9.2 No more than two rear lot access strips directly adjoin each other. and AO9.3 No more than two rear lots gain access from the head of a cul-de-sac.	<p>✓ No rear lots are proposed.</p> <p>N/A</p> <p>N/A</p>
PO10 The design and construction of new roads: (a) Maintain safe and efficient access to the transport network; (b) Creates integrated neighbourhoods; and (c) Are constructed to a standard that is commensurate with the intended use of allotments.	
AO10.1 Intersection shall be spaced at no less than 45m from any other intersection. and AO10.2 Any intersections with existing roads shall be treated with a T-intersection or a roundabout. and AO10.3 The road layout indicates connections to adjoining development sites. and AO10.4 Other than in the Rural or Rural Residential Zones, new streets are provided with layback kerb and channel. or AO10.5 In the Rural Residential Zone, new streets are provided with concrete flush kerbs and swale drains.	N/A – No new roads are proposed.
PO11 The provision of services is resistant to inclement weather and does not degrade the character of the area.	
AO11.1 Where the reconfiguration involves the opening of a new road, all electricity and telecommunications services are located underground.	N/A – No new roads are proposed.
PO12 Reconfiguration facilitates 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.	
No outcome specified.	N/A
PO13 Public open space is provided in response to community need.	
AO13.1 Public open space is provided in accordance with the Priority Infrastructure Plan.	N/A
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.	

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Date: _____

<p>AO14.1 Reconfiguration in the Medium Density Residential zone involving allotments less than 400m² where creating allotments for individual units in an approved and completed multiple dwelling or dual occupancy.</p>	<p>N/A</p>
<p>PO15 Reconfiguration into allotments less than 400m² in the Medium Density Residential zone is to provide for suitable living environments.</p>	
<p>For allotments less than 400m² – AO15.1 All lots are orientated to within 200 of north. AO15.2 All lots are to be sized and shaped to accommodate a 10m x 20m rectangle.</p>	<p>N/A</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>✓ 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>✓ 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>✓ 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>	

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<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>✓ 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>	
<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road. and</p>	<p>✓ The subject site fronts Carbeen Crescent which is bitumen sealed.</p>
<p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>✓ Proposed lot 2 will require a new access and will be conditioned to comply with AO5.2.</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</p>	<p>✓ This development application does not necessitate the need for vehicle parking provisions.</p>
<p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5. and</p>	
<p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards. 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>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</p>	<p>✓ This development application does not necessitate the need for landscaping.</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. 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>	

Delegated Authority _____

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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.	N/A
SECTION 5 – 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.	N/A – No cut or fill is proposed as a part of this application.
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.	N/A – No cut or fill is proposed as a part of this application.
PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.	

Delegated Authority

Date:

<p>A011.1 Following filling or excavation: (a) the premises: (i) are self-draining; and, (ii) has a minimum slope of 0.25%; and, (b) surface water flow is: (i) directed away from neighbouring properties; or (ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.</p>	<p>N/A – No cut or fill is proposed as a part of this application.</p>
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Local Categorising Instrument - Variation Approval

Not applicable.

Local Categorising Instrument - Temporary Local Planning Instrument

Not applicable.

Other Relevant Matters

Not applicable.

Delegated Authority

Date:

Locality Plan



Figure 1 - Aerial Image (Source: Qld Globe)

Aerial Plan



Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority _____

Date: _____

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 that 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 Network, and Parks and land for Community Facilities Network 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 of the Rural Residential zone Code, Reconfiguring a lot Code, and the Services and works Code. The proposed development will result in an additional rural residential allotment that generally complies with the required benchmarks or can be conditioned to comply.

It is recommended that the development application for Reconfiguring a lot – Subdivision 1 into 2 lots at 285 Carbeen Crescent, Nanango (and described as lot 73 on RP181992) be approved subject to reasonable and relevant condition pursuant to Section 60 of the Planning Act 2016.

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	Reconfiguring a lot – Development permit
Level of Assessment	Code
Application No	RAL22/0003
Name of Applicant	Angela Reader C/- ONF Surveyors
Street Address	285 Carbeen Crescent, Nanango
Real Property Address	Lot 73 on RP181992

On 29 March 2022 the above development was:

- Approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- The proposal will create an opportunity for future rural residential living consistent with the intent of the zone.
- The land use will continue to be utilised for rural residential activities, consistent with the surrounding area.
- There is no infrastructure or natural hazard constraints applicable that would not support the application.
- The land is easily serviceable with the required utilities and is well located to urban services nearby.

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:

Attachment B – Infrastructure Charges Notice

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

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

APPLICATION: Reconfiguring a Lot – Subdivision (1 lot into 2 lots)

DATE: 29/03/2022

FILE REFERENCE: RAL22/0003

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

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

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

LAND TO WHICH CHARGE APPLIES: Lot 73 RP181992

SITE ADDRESS: 285 Carbeen Cr, Nanango

PAYABLE TO: **South Burnett Regional Council**

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

OFFSET OR REFUND: Not Applicable.

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

Delegated Authority _____

Date: _____

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
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
Reconfiguring a Lot 1 into 2	2	allotments	\$5,423.00	CR Table 2.3	\$10,846.00

Discounts*

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

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot 1 into 2	2	allotments	\$2,009.00	CR Table 2.3	\$4,018.00

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Delegated Authority

Date:

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Lot	1	allotment	\$2,009.00	CR Table 2.3	\$2,009.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
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
Reconfiguring a Lot (1 into 2)	\$0.00	\$0.00	\$2,410.00	\$2,009.00	\$0.00	\$4,419.00
Total	\$0.00	\$0.00	\$2,410.00	\$2,009.00	\$0.00	\$4,419.00

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

Delegated Authority

Date:

INFORMATION NOTICE

Authority and Reasons for Charge	This Infrastructure Charges Notice has been given in accordance with section 119 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.
Appeals	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.
Automatic Increase Provision of charge rate (\$)	<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>
GST	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.
Making a Payment	<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> <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;

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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- 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:

RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT (2 LOTS INTO 2) AT 125 HALY STREET, WONDAL (LOT 28 ON RP27223) & 123 HALY STREET, WONDAL (LOT 2 ON SP212978) - APPLICANT: PROFESSIONAL AD PTY LTD C/- ONE SURVEYORS

File Number: RAL22/0004
Author: Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	<i>[Signature]</i>	23/4/22
GM	<i>[Signature]</i>	5/4/2022
CEO	<i>[Signature]</i>	5-4-2022

PRECIS

Reconfiguration of a lot - Boundary Realignment (2 lots into 2) at 125 Haly Street, Wondai (Lot 28 on RP27223) & 123 Haly Street, Wondai (Lot 2 on SP212978) - Applicant: Professional AD Pty Ltd C/- ONF Surveyors

SUMMARY

- The applicant 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 28 is 3,227m².
 - Total area of existing lot 2 is 1,449m².
 - Proposed lot 28 is 3,258m².
 - Proposed lot 2 is 1,418m².
- Existing lot 28 on RP27223 is the site of the Colonial Motel.
- Existing lot 2 on SP212978 has a dwelling house and associated domestic outbuilding.
- This development application aims to realign the boundary between the subject lots to resolve the small encroachment of the patio at the Colonial Motel and to ensure the encroaching structure is wholly contained within its lot.
- Both allotments gain access from Haly Street (Bunya Highway) and the boundary realignment will not change the existing access arrangements.
- The subject site is located in the Low density residential zone of the South Burnett Regional Council Planning Scheme.
- Boundary realignment development applications are subject to code assessment.
- The development application is assessed against the relevant codes of the South Burnett Regional Council Planning Scheme. Relevant codes including:
 - Reconfiguring a lot Code;
 - Low density residential 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 lots into 2 lots at 123 & 125 Haly Street, Wondai described as lot 28 on RP27223 & lot 2 on SP212978, 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:

Delegated Authority _____

Date: _____

Drawing Title	Prepared by	Ref No.	Rev.	Date
Proposed Boundary Realignment	ONF Surveyors	10185P/1	-	07/02/2022

GEN2. The development must be completed within two (2) years of the development approval starting to have effect. The development approval will lapse unless the survey plan for the development required to be given to Council for approval is provided within this period.

COMPLIANCE

GEN3. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

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

OUTSTANDING FEES

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

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.

ADVICE

ADV1. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

APPEAL RIGHTS

ADV2. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

Delegated Authority

Date:

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

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

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

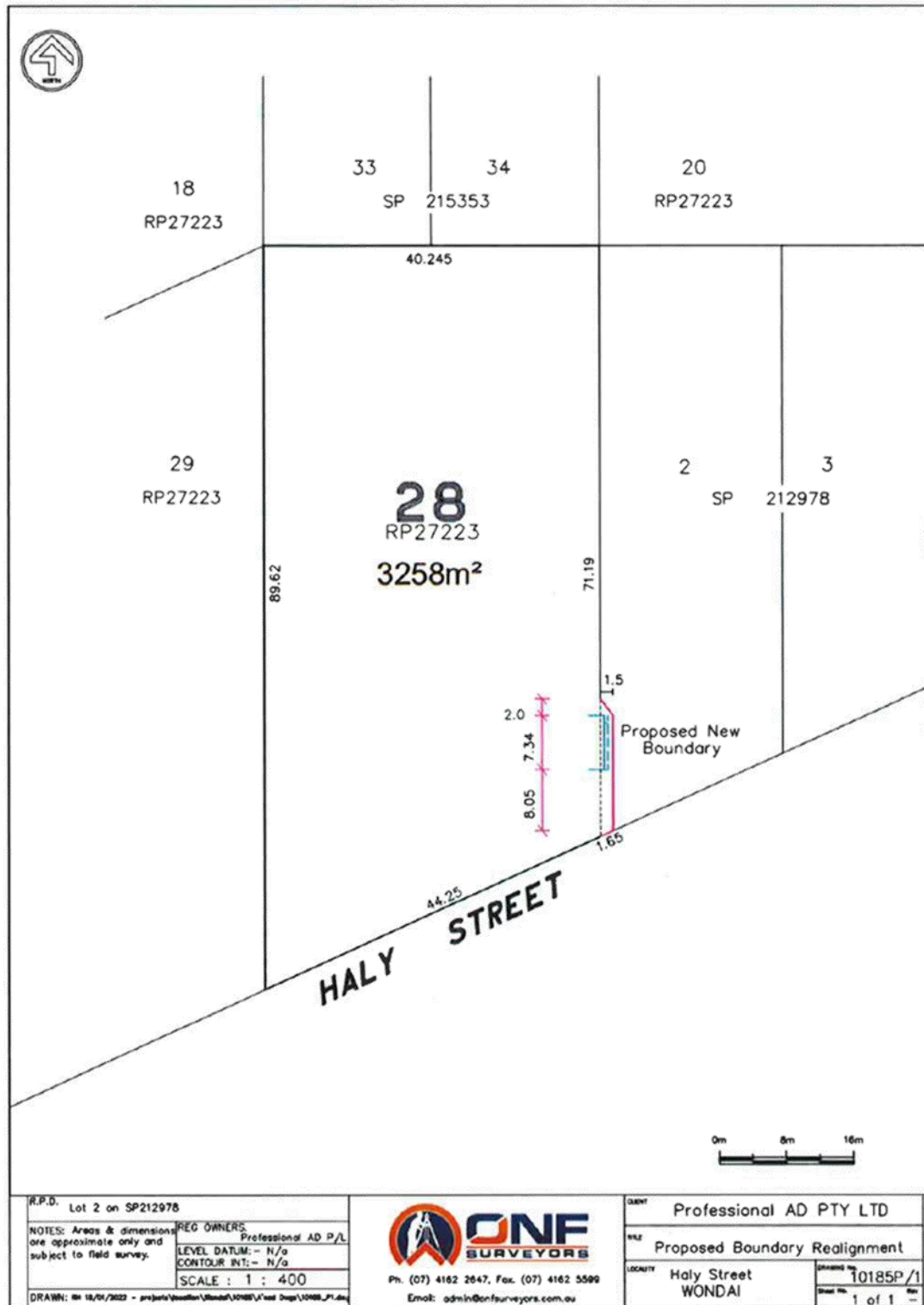
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

Delegated Authority

Date:

PROPOSAL PLAN



R.P.D. Lot 2 on SP212978 NOTES: Areas & dimensions are approximate only and subject to field survey.		REG OWNERS: Professional AD P/L LEVEL DATUM: - N/A CONTOUR INT: - N/A SCALE: 1 : 400		Ph. (07) 4162 2647, Fax. (07) 4162 5599 Email: admin@onfsurveyors.com.au		CLIENT: Professional AD PTY LTD FILE: Proposed Boundary Realignment LOCALITY: Haly Street WONDAI DRAWING NO: 10185P/1 SHEET NO: 1 of 1	
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Delegated Authority _____

Date: _____

REPORT

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

APPLICATION SUMMARY	
Applicant:	Professional AD Pty Ltd C/- ONF Surveyors
Proposal:	Boundary Realignment (2 lots into 2 lots)
Properly Made Date:	16 February 2022
Street Address:	123 Haly Street, Wondai 125 Haly Street, Wondai
RP Description:	Lot 28 on RP27223 Lot 2 on SP212978
Assessment Type:	Code assessable
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 lots
Size of Proposed Lots	Lot 28: 3,258m ² Lot 2: 1,418m ²
Easements	Nil
Covenants	Nil

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	4,676m ²
Existing Use of Land:	Existing Lot 28 contains the Colonial Motel which is located partly over Lot 2. Existing Lot 2 contains a dwelling house and shed.
Road Frontage:	Haly Street (Bunya Highway)
Road/s	Road Hierarchy
Haly Street (Bunya Highway)	Road
Easements	Nil
Significant Site Features:	Nil
Topography:	Relatively flat
Surrounding Land Uses:	Land Use
North	Residential allotments
South	Residential allotments
East	Residential allotments
West	Rural residential allotments

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Date:

Services:	Reticulated water, reticulated sewerage, electricity, telecommunications.
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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:	N/A
Zone:	Low density residential zone
Precinct:	N/A
Assessment Benchmarks:	Low density residential zone Code Reconfiguring a lot Code Services and Works Code

Assessment Benchmarks – Planning Scheme Codes

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

ACCEPTABLE OUTCOME	ASSESSMENT MANAGER'S RESPONSE
LOW DENSITY RESIDENTIAL ZONE CODE	

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Section 2 - General	
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>AO2.1 Site cover does not exceed 50% except for the Bunya Mountains Precinct where the maximum site cover is 10%. and AO2.2 Buildings are a maximum of 2 storeys above ground level. and AO2.3 Pedestrian entrances to buildings are clearly visible from the street. and AO2.4 The maximum length of any façade without articulation or change of materials is 10m. and AO2.5 Buildings are set back at least: (a) 6m from the primary street frontage; (b) 4.5m from any secondary street frontage; (c) 1.5m from side boundaries; and (d) 6m from rear boundaries. and AO2.6 A 1.8m high screen fence is provided to the side and rear boundaries. and AO2.7 Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, refuse bins, telecommunication devices, etc) are integrated into the building. 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 oriented 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 oriented toward its respective street frontage.</p>	N/A - No new buildings or uses are proposed.
PO3 Development responds to natura landforms and stormwater flows.	
<p>AO3.1 Cut and fill is minimised. and AO3.2 For building sites steeper than 10%, elevated split-level building construction is used to achieve level changes.</p>	<p>N/A – No cut or fill is proposed. N/A – No new buildings are proposed.</p>
PO4 Development is adequately serviced.	

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<p>AO4.1 Development is connected to reticulated water supply and sewerage. And AO4.2 Stormwater is discharged to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners. And AO4.3 Development is supplied with reticulated electricity and telecommunications services.</p>	<ul style="list-style-type: none"> ✓ Both allotments are already connected to reticulated water and sewerage. ✓ This boundary realignment application will not result in any changes to existing stormwater discharge. ✓ Both allotments have existing connections to electricity and telecommunications.
<p>PO5 The efficiency and safety of the road network is not compromised by inappropriate access arrangements.</p>	
<p>No outcome specified.</p>	
<p>PO6 Refuse storage areas: (a) are conveniently located for use and collection; and (b) are of useable size; and (c) avoid adverse impacts on neighbours and occupants; and (d) are screened from view within the site, adjoining properties and the street.</p>	
<p>No outcome specified.</p>	<p>N/A</p>
<p>PO7 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>AO7.1 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 AO7.2 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>	<ul style="list-style-type: none"> ✓ The subject allotments are not located on the CLR or EMR.
<p>RECONFIGURING A LOT CODE</p>	
<p>Section 1 – Boundary realignment</p>	
<p>PO1 The boundary realignment: (a) results in lots that are consistent with the established subdivision pattern of the local area; (b) maintains or improves the utility of the lots; (c) does not create a situation where the use or buildings on the resulting lots become unlawful.</p>	
<p>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. and AO1.2 The utility of the lots is maintained or improved where: (a) a frontage to depth ratio exceeds that of the existing allotments;</p>	<ul style="list-style-type: none"> ✓ Whilst this application is for a boundary realignment, the size of both proposed allotments exceeds the minimum lot size of the low density residential zone. ✓ The utility of the allotments is improved as this application seeks to resolve the boundary encroachment.

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<p>(b) access is provided to an allotment that previously had no access or an unsuitable access; (c) an existing boundary encroachment by a building or areas is corrected; and AO1.3 The realignment does not result in a building contravening the setback, standards required by this Planning Scheme or relevant building regulations. and AO1.4 The realignment results in a larger lot that is a more viable farming unit.</p>	<p>✓ Boundary realignment will resolve non-compliance with setback requirements.</p> <p>N/A</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: (a) new lot boundaries enhance viable farming units; and (b) the boundaries ensure that a new dwelling is not on agricultural land. and (c) the reconfiguration satisfies the acceptable outcomes in section 6 of the Rural Zone code.</p>	<p>N/A</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>	

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Date:

<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>	
<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>Complies – The subject site has access onto Haly Street which is sealed with bitumen. N/A</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>	

Delegated Authority

Date:

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

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Date: _____

Local Categorising Instrument - Variation Approval

Not applicable.

Local Categorising Instrument - Temporary Local Planning Instrument

Not applicable.

Other Relevant Matters

Not applicable.

Delegated Authority

Date:

Locality Plan



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

Aerial Plan

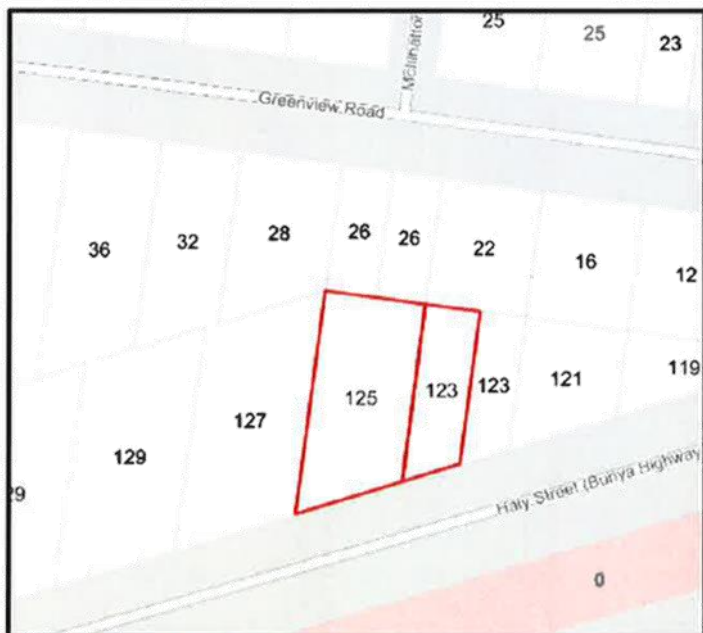


Figure 2 - Locality Plan (Source: IntraMaps)

Delegated Authority _____ Date: _____

CONSULTATION:

Referral Agencies

Not applicable.

Other Referrals

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

CONCLUSION:

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

This development application will resolve the current boundary encroachment of the Colonial Motel (lot 28 RP27223) over the adjoining allotment (lot 2 SP212978).

RECOMMENDATION:

It is recommended that the Reconfiguring a lot application (2 lots into 2 lots) at 123 and 125 Haly Street, Wondai (and described as lot 28 on RP27223 & lot 2 on SP212978) be approved subject to the reasonable and relevant pursuant to Section 60 of the *Planning Act 2016*.

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	Reconfiguring a lot – Development permit
Level of Assessment	Code
Application No	RAL22/0004
Name of Applicant	Professional AD Pty Ltd C/- ONF Surveyors
Street Address	123 Haly Street, Wondai 125 Haly Street, Wondai
Real Property Address	Lot 28 on RP27223 Lot 2 on SP212978

On 31 March 2022 the above development was:

Approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- The proposal will create a preferable outcome to that of the existing lot configuration, resolving the encroachment of the Colonial Motel and the boundary line.
- There is no changes to the existing use of each site.
- There is no infrastructure or natural hazard constraints applicable that would not support the application.

2. Assessment Benchmarks

The following benchmarks apply to this development:

- Reconfiguring a lot code
- Low density residential zone code
- Services and works code

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

Attachment B

Delegated Authority _____

Date: _____

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT:	Professional Ad Pty Ltd C/- ONF Surveyors PO Box 896 KINGAROY QLD 4610	
APPLICATION:	Boundary Realignment (2 lots into 2 lots)	
DATE:	31/03/2022	
FILE REFERENCE:	RAL22/0004	
AMOUNT OF THE LEVIED CHARGE:	\$0.00	Total
<i>(Details of how these charges were calculated are shown overleaf)</i>		
	\$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 28 RP27223	
SITE ADDRESS:	125 Haly St, Wondai	
PAYABLE TO:	South Burnett Regional Council	
WHEN PAYABLE:	Reconfiguring a Lot – When South Burnett Regional Council approves the Plan of Subdivision.	
	<i>(In accordance with the timing stated in Section 122 of the Planning Act 2016)</i>	
OFFSET OR REFUND:	Not Applicable.	

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

Delegated Authority _____

Date: _____

DETAILS OF CALCULATION

Water Supply

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	allotments	\$9,842.00	CR Table 2.3	\$19,684.00

Sewerage

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	allotments	\$5,423.00	CR Table 2.3	\$10,846.00

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
Existing lawful use (2 lots)	2	allotments	\$2,410.00	CR Table 2.3	\$4,820.00

Delegated Authority _____ Date: _____

Parks and Land for Community Facilities

Adopted Charges

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

Stormwater

Adopted Charges

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

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (2 lots)	2	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:

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:

MATERIAL CHANGE OF USE FOR A NEW DWELLING HOUSE AND ACCESS EASEMENT ON BUNYA MOUNTAINS ROAD, BUNYA MOUNTAINS (AND DESCRIBED AS LOT 1 ON RP108360 & LOT 7 RP106718) - APPLICANT: LA MOORE

File Number: MCU21/0021
Author: Senior Planner
Authoriser: Chief Executive Officer

PRECIS

Material Change of use for a new dwelling house & access easement at Bunya Mountains Road, Bunya Mountains (and described as Lot 1 on RP108360 & Lot 7 on RP106718) – Applicant LA Moore

SUMMARY

- Application for Material change of use - development permit (2 bedroom dwelling house) and Reconfiguring a lot – development permit (access easement);
- Subject site included within the Environmental Management and Conservation under the South Burnett Regional Council Planning Scheme;
- Proposal triggers assessment against the entire Planning Scheme which includes:
 - o Strategic Framework;
 - o Environmental Management and Conservation Zone Code;
 - o Services and Works Code; and
 - o Relevant Matters – Low Density Residential Zone Code.
- Referral to SARA as per Schedule 24 of *Planning Regulation 2017*;
- Application subject to public notification – no public submissions received during the notification period;
- The proposed development does not adversely impact on the character and amenity of the Bunya Mountains Environmental locality;
- The application is assessed against the overall outcomes and performance outcomes of the relevant codes and conditioned to comply (refer to Attachment A – Statement of Reasons);
- Infrastructure Charges Notice (refer to Attachment B);
- Concurrence Agency Response (refer to Attachment C);
- Application recommended for approval subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

That Council approve the development application for a Material Change of use for a new dwelling house & Reconfiguring a lot (access easement) at Bunya Mountains Road, Bunya Mountains (and described as Lot 1 on RP108360 & Lot 7 on RP106718), subject to reasonable and relevant conditions:

GENERAL

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

Drawing Title	Prepared by	Reference no.	Revision
Site plan	Statewide Building Design	2059	P1 April 21
Floor plan	Statewide Building Design	2059	P1 April 21
Elevation 1-4	Statewide Building Design	2059	P1 April 21
Identification survey of Lot 7 on RP106718	ONF Surveyors	IS301853	6 April 2021

DELEGATED AUTHORITY:**DATE:**

GEN2. The development herein approved may not start until the following development permits have been issued and complied with as required:

- Development Permit for Building Works; and
- Development Permit for Plumbing and Drainage Work.

GEN3. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

APPROVED USE – DWELLING HOUSE

GEN4. The approved development is a Material Change of Use for a new Dwelling House and on Lot 1 and access easement over Lot 7, as shown on the approved plans and does not imply approval for other similar uses eg. Short Term accommodation.

ACCESS – DWELLING HOUSE

GEN5. No additional access is permitted to the property. Access to the dwelling house must be via the current access / driveway arrangements as per the conditions of approval.

ACCESS – EASEMENT

RAL1. Prior to obtaining Building Permit, the applicant is to register an access easement over on Lot 7 on RP106718 benefitting Lot 1 on RP108360) (refer to GEN1 for approved plans).

RAL2. Prior to the sealing of the Plan of Survey the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the reconfiguration, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

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 commencement of the use unless stated otherwise.

ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.

ENG3. 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

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.

DELEGATED AUTHORITY:**DATE:**

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).

WATER SUPPLY

ENG8. Provide on-site water storage for the development with a minimum capacity of 45kl.

ON-SITE WASTEWATER DISPOSAL

ENG9. Connect the development to an on-site wastewater disposal system, in accordance with the AS1547 and the Queensland Plumbing and Wastewater Code.

ENG10. Obtain a Development Permit for Plumbing Works for the on-site wastewater disposal system.

ELECTRICITY AND TELECOMMUNICATION

ENG11. Connect the development to electricity and telecommunication services.

ADVICE – GENERAL**Protected Plants Flora**

ADV1. The property is identified as a High risk area and clearing of plants may require a flora survey and/or clearing permit. Please refer Department of Environment and Science webpage on the [clearing of protected plants](#) for more information. Contact DES for further information on the protected plants framework by visiting <https://www.qld.gov.au/environment/plants-animals/plants/protected-plants> or email palm@des.qld.gov.au.

Material Change of Use

ADV2. 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

ADV3. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

Infrastructure charges notice

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

Appeal Rights

ADV5. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

Concurrence Agency

ADV6. SARA has imposed conditions on the development permit and attached as Attachment C.

DELEGATED AUTHORITY:

DATE: