

<p>Airport environs overlay - Not Applicable (The proposal is for a boundary realignment only to facilitate an additional water supply reservoir to meet water supply demands in the region)</p>		
<p>Biodiversity overlay</p>		
<p>PO18 Development avoids, minimises or mitigates adverse impacts on environmentally significant areas and values.</p>	<p>AO18.1 Development is confined to areas not mapped as high or general ecological significance on Overlay Map 05. or</p> <p>AO18.2 Proposed boundaries do not create additional barriers to species movement. and</p> <p>AO18.3 Proposed allotments do not create circumstances where additional accepted development clearing of protected vegetation may occur.</p>	<p>AO18.1 – AO18.3 – Complies The proposed reconfiguration of a lot is for a boundary realignment only with areas of environmental and ecological significance located at the south-western corner of the site.</p>
<p>Bushfire hazard overlay</p>		
<p>PO19 Development is not placed at unacceptable risk from bushfire, does not increase the extent or severity of bushfire and maintains the safety of people and property from bushfire.</p>	<p>AO19.1 Development does not occur in areas mapped as Very High, High or Medium Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making). or</p> <p>AO19.2 A written assessment by a suitably experienced or qualified person confirms that the site is of Low Potential Bushfire Hazard. or</p> <p>AO19.3 Bushfire risk is mitigated through a Bushfire Management Plan incorporating: (a) Lot design that (i) Locates high intensity uses on the least bushfire prone area on the site and activities least susceptible to fire closest to the bushfire hazard; and (ii) Optimises efficient emergency access; and (iii) Considers the bushfire risk associated with aspect, elevation, slope and vegetation. (b) Firebreaks to protected vegetation included in the subdivision layout providing access for fire fighting or other emergency vehicles and</p> <p>AO19.4 Road layouts facilitate easy and safer access and movement by emergency vehicles</p>	<p>AO19.1 – AO19.4 – Complies The proposal is for a boundary realignment only.</p>

	in the event of encroaching fire and provides that an alternative safe access (if one direction is blocked in the event of fire) is maintained at all times.	
Flood hazard overlay		
PO20 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times	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.	AO20.1 – Complies The proposal is for a boundary realignment to facilitate the future storage of water across the site on Lot 1 that will be excised from an area on Lot 7 that is not subject to flood hazard.
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.	AO21.1 Works associated with the proposed development do not: (a) 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 (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.	AO21.1 – Complies The proposal is for a boundary realignment only and does not involve filling works.
Regional infrastructure overlay – Not Applicable		
Waterways, wetlands and catchments overlay – Not Applicable		
SERVICES AND WORKS CODE (Not Applicable - The proposal is for a boundary realignment only to facilitate an additional water supply reservoir on Lot 1 to meet water supply demands in the region). Existing servicing and access arrangements will be maintained)		
Section 1 General		
PERFORMANCE OUTCOME	ACCEPTABLE OUTCOME	
PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	AO1.1 A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.	AO1.1 – N/A The proposal is for a boundary realignment only.
PO2 Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	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	AO2.1 – N/A The proposal is for a boundary realignment only.
	AO2.2	AO2.2 – N/A

Ordinary Council Meeting Agenda

25 December 2030

	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.	The proposal is for a boundary realignment only.
PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.	AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.	AO3.1 – N/A The proposal is for a boundary realignment only.
PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the postconstruction phase in Table 9.4.4.	AO4.1 – N/A The proposal is for a boundary realignment only.
Section 2 Infrastructure Not Applicable - The proposal is for a boundary realignment only to facilitate an additional water supply reservoir on Lot 1.		
Section 3 Vehicle Parking Complies; existing parking arrangements can be retained within the larger allotment.		
Section 4 Landscaping Not Applicable - The proposal is for a boundary realignment only.		
Section 5 Filling and Excavation Not Applicable - The proposal is for a boundary realignment only – No filling or excavation is proposed.		
Section 6 - All operational work subject to an overlay – Not Applicable - The proposal is for a boundary realignment only – No operational work is proposed.		
Biodiversity overlay – Not Applicable – No operational work is proposed.		
Flood hazard overlay – Not Applicable – No operational work is proposed.		
Regional infrastructure overlay – Not Applicable – No operational work is proposed.		
Water catchments overlay – Not Applicable – No operational work is proposed.		

5. CONSULTATION

Referral Agencies

State Assessment and Referral Agency	SARA
Other	N/A

The application triggers referral to the State Assessment and Referral Agency (SARA) as a Concurrence Agency as follows:

- Schedule 10, Part 3, Division 4 Table 2, Item 1 of the Planning Regulation 2017 – Clearing native vegetation

SARA confirmed that the application was properly referred on 24 May 2023.

SARA issued their referral agency response on 28 June 2023 raised no objections with respect to the clearing of vegetation, subject to conditions, citing the following reasons:

- The proposal reasonably avoids and minimises clearing.
- The remnant vegetation unit within which the assessable clearing is located is contained with a unit of vegetation which is greater than 10ha.

- Total clearing area for EH including new boundaries and firebreak related to the proposed reservoir is 0.22ha.

Council Referrals

<i>INTERNAL REFERRAL SPECIALIST</i>	<i>REFERRAL / RESPONSE</i>
Development Engineer	Council's Development Engineer provided engineering conditions
Infrastructure Charges Unit	Not applicable – as application is for Boundary Realignment

6. RECOMMENDATION

It is recommended that the code assessable application for a Development Permit for Reconfiguring a Lot for - Boundary Realignment (2 Lots not 2 Lots), be approved subject to conditions.

ATTACHMENTS

1. **Attachment A - Statement of Reasons**
2. **Attachment B - Approved Plans**

NOTICE ABOUT DECISION – STATEMENT OF REASONS

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

Applicant:	South Burnett Regional Council C/- Reel Planning
Application No:	RAL23/0007
Proposal:	Development Permit for Reconfiguration of a Lot (Boundary Realignment – 2 Lots into 2 Lots).
Street Address:	Weens Road, KINGAROY QLD 4610
RP Description:	Lot 1 on RP5937 & Lot 7 on RP869401
Assessment Type:	Code Assessable
Number of Submissions:	N/A

On 20 July 2023 the above development was recommended for:

- Approval
 Refusal

1. Reasons for the Decision

The reasons for this decision are:

- The proposal is consistent with the overall outcomes for the Rural Zone, Reconfiguring a Lot Code, and Services & Works Code.
- The proposal is not subject to constraints by mapped overlays that would otherwise have an impact on the proposal.
- Reasonable and relevant conditions of approval can be imposed to ensure compliance with the South Burnett Planning Scheme 2017 requirements.
- The proposal presents no conflicts with the assessment benchmarks.

2. Assessment Benchmarks

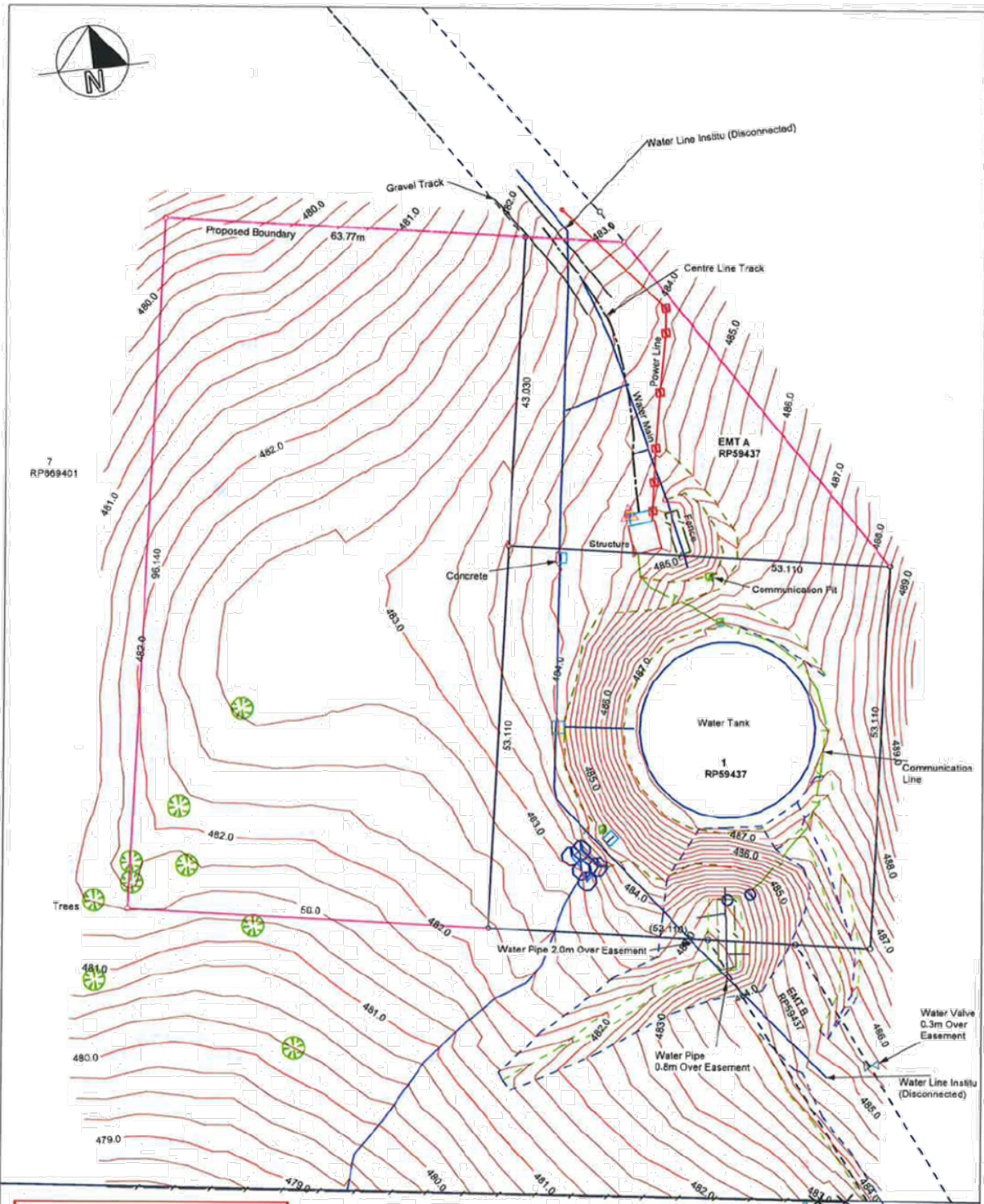
The following are the benchmarks apply to this development:

- Rural Zone Code
- Reconfiguring a Lot Code
- Services & Works Code

3. Compliance with Benchmarks

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

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



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 2305-34720 SRA

Date: 28 June 2023

Horizontal Co-Ord System MGA 94 Zone 56		Contour Interval 0.25		Level Datum: AHD			SOUTH BURNETT REGIONAL COUNCIL	CONTOUR & DETAIL PLAN Lot 1 on RP59437 - Kingaroy Water Reservoir -			
Horizontal Co-Ord Origin: Via SBRC Control		Level Origin: Via SBRC Control		Value:				Computer File: K:\KINGAROY\RES\Map\dwg	Scale (A3): 1:500	Job No: 9785	Locality: KINGAROY
Easting	Northing	Surveyed: SBRC & M.H		Date: 01-09-21		Phone: 4562 2547	Email: adm@onfsurveyors.com.au				
Azimuth GPS	Field Book: TSC3-6	Drawn: A.L		Date: 06-09-21							

Document Set ID: 3050206
 Version: 1, Version Date: 29/06/2023

0.0 RECONFIGURATION OF A LOT - SUBDIVISION (1 LOT INTO 3 LOTS) AT 118 GILLILAND CRESCENT, BLACKBUTT NORTH (AND DESCRIBED AS LOT 50 ON RP804679). APPLICANT: BLACKBUTT CENTRAL PTY LTD C/- ONF SURVEYORS

File Number: RAL23/0009
Author: Planning Consultant
Authoriser: Chief Executive Officer

Coordinator development services MANAGER	SIGNATURE	DATE
GM	[Redacted Signature]	6/7/23
CEO		6/7/23

← -7-20

PRECIS

Development Application for Reconfiguration of a Lot – Subdivision (1 Lot into 3 Lots) over land described as Lot 50 on RP804679 and situated at 118 Gilliland Crescent, Blackbutt North. The Applicant is Blackbutt Central Pty Ltd C/- ONF Surveyors and the application reference is RAL23/0009.

SUMMARY

- Application for Development Permit for Reconfiguring a Lot (1 Lot into 3 Lots);
- Applicant seeks to reconfigure the subject site into three (3) lots, creating an additional two lots with full frontage to Gilliland Crescent;
- Subject site located in the Rural residential zone under the South Burnett Regional Council Planning Scheme;
- Proposal triggered Code assessment as the proposed lots are 1.21 hectares, 4,009m², and 4,009m²;
- The subject site includes an area of 2.0190 hectares;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme. Relevant codes include:
 - Rural Residential Zone Code;
 - Reconfiguring a Lot Code; and
 - Services and Works Code.
- The proposal does not trigger referral to any external referral agency;
- Council did not issue an information request;
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes (refer Attachment A – Statement of Reasons);
- Refer Attachment B – Infrastructure Charges Notice; and
- Application has been recommended for approval, subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

That Council approve the development permit for a Reconfiguring a Lot (1 Lot into 3 Lots) at 118 Gilliland Crescent, Blackbutt North (formally described as Lot 50 on RP804679) – Applicant: Blackbutt Central Pty Ltd c/- ONF Surveyors.

GENERAL

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

Drawing Title	Prepared by	Ref No.	Rev.	Date
Proposed Subdivision	ONF Surveyors	11278P/1	-	28/02/2023

Timing: At all times.

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

COMPLIANCE

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

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

OUTSTANDING FEES

- GEN4. Prior to the sealing of the Plan of Survey the applicant is required to pay the Council all rates and charges or any expenses being a charge 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.

PLANNING

- RAL2. 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

- RAL3. All existing on-site structure, dams and sewerage treatment facilities including transpiration and irrigation areas are to be relocated so as not to cross the proposed property boundary.

ENGINEERING WORKS

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

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

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

STORMWATER MANAGEMENT

- ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG7. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
- ENG8. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

ON-SITE SEWAGE TREATMENT

- ENG9. 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

- ENG10. Construct a gravelled driveway and crossover to proposed lots 2 and 3, having a minimum width of 4 metres and vehicle turnout in accordance with Council's Standard Drawing No. 00049.
- ENG11. The access for proposed lot 3 shall be located at the southern end of the lot frontage to Gilliland Crescent, away from the road reserve opposite.

TELECOMMUNICATION

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

ELECTRICITY

- ENG13. Provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.
- ENG14. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

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. Section 85(1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within a period of four (4) years the approval will lapse.
- ADV2. Payment of Department of Natural Resources, Mines and Energy valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$48.00 per lot however, the actual amount payable will be based on Council's Register of Fees & Charges and the rate applicable at the time of payment.
- ADV3. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2023.

Eligible development under this scheme is required to be completed by 31 December 2023.

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

- ADV4. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.
- ADV5. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.
- ADV6. Infrastructure charges are levied by way of an infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

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.

REPORT**1. APPLICATION DETAILS**

Site address	118 Gilliland Crescent, Blackbutt North		
Real property description	Lot 50 on RP804679		
Easements or encumbrances on title	N/A		
Area of Site	2.0190 hectares		
Current Use	Rural residential		
Environmental Management Register or Contaminated Land Register	No known listing.		
Applicant's name	Blackbutt Central Pty Ltd c/- ONF Surveyors		
Zone	Rural Residential Zone		
Applicable Overlays	OM2 – Bushfire Hazard Overlay OM8 – Agricultural Land Overlay		
Application type	Aspects of Development	Type of Approval Requested	
		Preliminary Approval	Development Permit
	Material Change of Use (MCU)		
	Reconfiguration of a Lot (RAL)		X
	Building Work (BW)		
	Operational Work (OPW)		
Level of Assessment	Code Assessment		
Pre-lodgement Consultation history	- N/A		
Key planning issues e.g. vegetation, waterway corridors, overland flow	- Bushfire hazard		
Referral agencies	Agency	Agency	
	N/A	N/A	
Public notification	N/A		
Planning Regulation 2017	N/A		

2. THE SITE


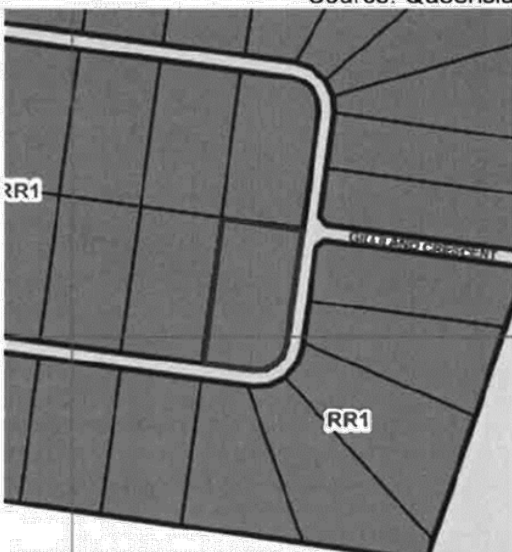

This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

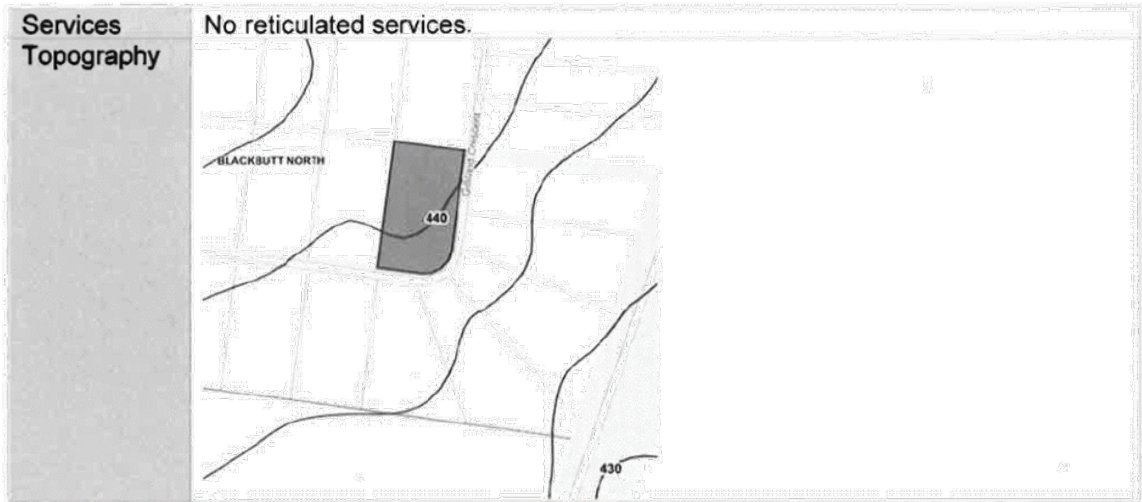
2.1. SITE DESCRIPTION & EXISTING USE

The subject site is located at 118 Gilliland Crescent, Blackbutt North and is formally described as Lot 50 on RP804679. The subject site is currently used for rural residential purposes, containing a

single dwelling house and associated outbuildings. The land is heavily vegetated and includes a frontage of approximately 280 metres to Gilliland Crescent.

Table 1 – Maps & Descriptions.

<p>Site</p>	 <p>Source: Queensland Globe.</p>																																		
<p>Zoning</p>	 <table border="1" data-bbox="933 873 1340 1366"> <thead> <tr> <th colspan="2">Zoning</th> </tr> </thead> <tbody> <tr><td>[Light Grey]</td><td>Low Density Residential</td></tr> <tr><td>[Medium-Light Grey]</td><td>Medium Density Residential</td></tr> <tr><td>[Medium Grey]</td><td>Local Centre</td></tr> <tr><td>[Dark Grey]</td><td>Principal Centre</td></tr> <tr><td>[Lightest Grey]</td><td>Specialised Centre</td></tr> <tr><td>[Very Light Grey]</td><td>Low Impact Industry</td></tr> <tr><td>[Light Grey]</td><td>Medium Impact Industry</td></tr> <tr><td>[Dark Grey]</td><td>Special Industry</td></tr> <tr><td>[Lightest Grey]</td><td>Community Facilities</td></tr> <tr><td>[Light Grey]</td><td>Emerging Communities</td></tr> <tr><td>[Dark Grey]</td><td>Extractive Industry</td></tr> <tr><td>[Lightest Grey]</td><td>Recreation and Open Space</td></tr> <tr><td>[Dark Grey]</td><td>Environmental Management and Conservation</td></tr> <tr><td>[Dark Grey]</td><td>Rural Residential</td></tr> <tr><td>[Lightest Grey]</td><td>Township</td></tr> <tr><td>[Lightest Grey]</td><td>Rural</td></tr> </tbody> </table>	Zoning		[Light Grey]	Low Density Residential	[Medium-Light Grey]	Medium Density Residential	[Medium Grey]	Local Centre	[Dark Grey]	Principal Centre	[Lightest Grey]	Specialised Centre	[Very Light Grey]	Low Impact Industry	[Light Grey]	Medium Impact Industry	[Dark Grey]	Special Industry	[Lightest Grey]	Community Facilities	[Light Grey]	Emerging Communities	[Dark Grey]	Extractive Industry	[Lightest Grey]	Recreation and Open Space	[Dark Grey]	Environmental Management and Conservation	[Dark Grey]	Rural Residential	[Lightest Grey]	Township	[Lightest Grey]	Rural
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3. PROPOSAL DETAILS

The Applicant seeks a Development Permit for a Reconfiguration of a Lot (1 Lot into 3 Lots). The proposed lot reconfiguration will retain the existing structures and access on proposed Lot 1 and create two new lots using the remaining land. Lot 1 will maintain the existing access point from Gilliland Crescent while Lot 2 and Lot 3 will include frontages of 37.2 metres, with new access points to be created. **Figure 1** below includes the proposed site plan for the development, prepared by ONF Surveyors.

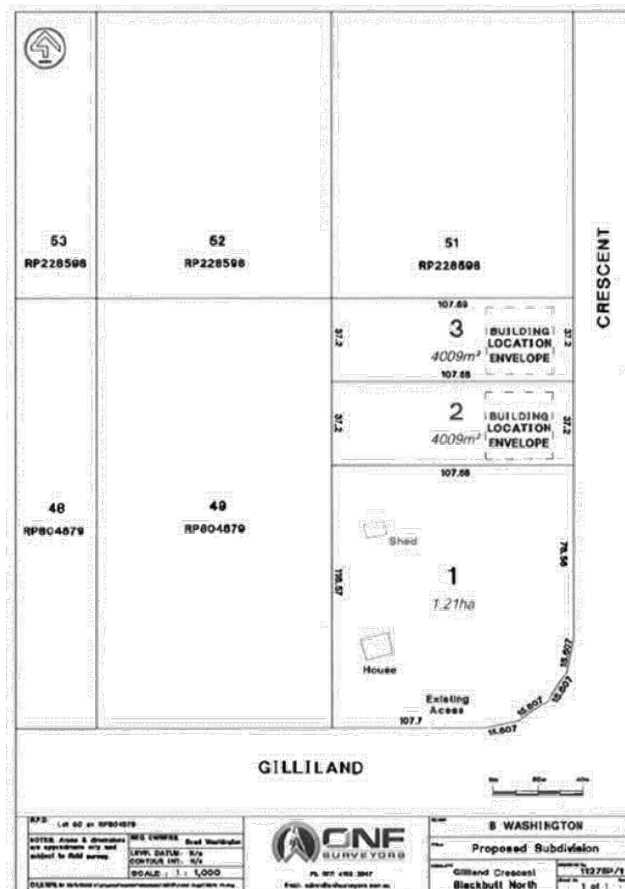


Figure 1. Proposed Subdivision Plan (ONF Surveyors).

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

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.

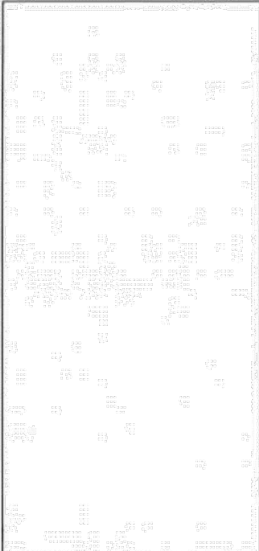
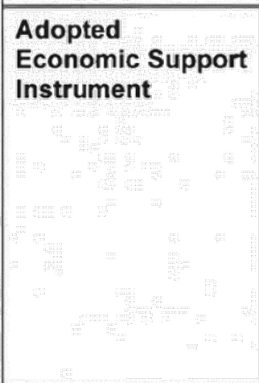
Planning Act 2016, Section 26 – Assessment Benchmarks generally

- (1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks –
 - (a) The assessment benchmarks stated in –
 - (i) The regional plan for a region, to the extent that the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (ii) The State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (iii) A temporary State planning policy applying to the premises;
 - (b) If the local government is an infrastructure provider – the local government’s LGIP.
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

PLANNING REGULATION 2017 DETAILS	
WBB Regional Plan Designation:	<p>Wide Bay Burnett Regional Plan 2011 – Rural Living Area</p> <p>By 2031, it is anticipated that an additional 4,300 dwellings will be required to house growth within the South Burnett region. Urban and rural living broad hectare land can accommodate a significant proportion of the required dwellings.</p> <p>Rural Living Area Principles:</p> <ul style="list-style-type: none"> • Productive rural land is preserved. • Rural residential areas are not located in areas of high ecological significance. • Natural hazards such as flooding, bushfire and landslide do not cause an unacceptable risk to life and property. • All weather access to a community of interest is available. • Rural residential areas are located in proximity to towns where a minimum of local services are available to support residents.

	<ul style="list-style-type: none"> • There is an identified need for additional land to be included in a rural residential area, considering both the capacity in urban areas and rural living areas. • Suitable infrastructure is available or can be provided to support future residents. • Land management practices, such as weed and pest control and bushfire management, can be practically accommodated. • Inclusion of land in the Rural Living Area considers the whole-of-life costs of the development. <p>The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the township of Kingaroy as one of the key inland towns for the Wide Bay Burnett region, and together with Bundaberg, Gympie, Hervey Bay and Maryborough, is intended to provide a range of higher order services and functions for the urban communities and to support the region’s rural activities. More particularly, the Regional Plan identifies Kingaroy as a Major Regional Activity Centre within the South Burnett Regional Council area.</p>
<p>Adopted Economic Support Instrument</p> 	<p>Under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023</p> <p>Economic support provisions</p> <p>4.1. The instrument applies the following provisions in accordance with section 68D(1) of the <i>Planning Regulation 2017</i>:</p> <ul style="list-style-type: none"> 4.1.1 Part 8B, Division 3 – Development that requires code assessment; 4.1.2 Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building, and 4.1.3 Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones. <p>The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4</p>

4.2. REFERRAL AGENCIES

To determine whether the development application requires referral to the State Assessment and Referral Agency (SARA) or 'another entity', an assessment of the proposal against Schedule 10 of the Regulation has been undertaken.

The application does not require referral to a referral agency prescribed under Schedule 10, as demonstrated in **Table 3**.

Note: Grey shading indicates no provisions.

Part	Matter	Applicability to this Development Application	Prohibited Development	Assessable Development	Referral Agency	Assessment Benchmarks / Matters to be assessed against
1	Airport Land	N/A		N/A	N/A	N/A
2	Brothels	N/A	N/A	N/A		N/A
3	Clearing Native Vegetation	N/A	N/A	N/A	N/A	N/A
4	Contaminated Land	N/A		N/A	N/A	N/A
5	Environmentally Relevant Activity	N/A	N/A	N/A	N/A	N/A
6	Fisheries: - Aquaculture - Declared Fish Habitat - Marine Plants - Waterway Barrier works	N/A N/A N/A N/A		N/A	N/A	N/A
7	Hazardous Chemical Facilities	N/A		N/A	N/A	N/A
8	Heritage Place: - Local Heritage Place - Queensland Heritage Place	N/A		N/A	N/A	N/A
9	Infrastructure Related: - Designated Premises - Electricity - Oil and Gas - State transport generally - State Transport Corridors and Future State Transport Corridors - State-controlled transport tunnels and future state-controlled transport tunnels	N/A			N/A	N/A
10	Koala Habitat in SEQ region	N/A	N/A	N/A	N/A	N/A
11	Noise Sensitive Place on Noise Attenuation land	N/A	N/A			
12	Operational Work for Reconfiguring a Lot	N/A		N/A		N/A
13	Ports: - Brisbane Core Port Land - Within the port limits of the Port of Brisbane	N/A N/A N/A N/A		N/A	N/A	N/A

Table 3 - Matters Prescribed in Schedule 10 of the Planning Regulation						
Part	Matter	Applicability to this Development Application	Prohibited Development	Assessable Development	Referral Agency	Assessment Benchmarks / Matters to be assessed against
	- Within the limits of another port - Priority Ports - Strategic Port Land					
14	Reconfiguring a Lot under the Land Title Act	N/A		N/A		N/A
15	SEQ Development Area	N/A		N/A	N/A	N/A
16	SEQ Regional Landscape and Rural Production Area and Rural Living Area: - Reconfiguring a lot - Tourist or sport and recreation activity - Community Activity - Indoor Recreation - Residential Development - Urban Activity - Combined Uses	N/A	N/A	N/A	N/A	N/A
16A	Southport Spit	N/A	N/A			
17	Tidal Works or Work in a Coastal Management District	N/A		N/A	N/A	N/A
18	Urban Design	N/A			N/A	N/A
19	Water Related Development: - Taking or interfering with water - Removing quarry material - Referral dams - Levees	N/A N/A N/A N/A		N/A	N/A	N/A
20	Wetland Protection Area	N/A	N/A	N/A	N/A	N/A
21	Wind Farms	N/A		N/A		N/A

Based on the findings in **Table 3** it has been concluded that the application does not require referral to a Referral Agency in accordance with Schedule 10.

4.3. STATE PLANNING POLICY

The State Planning Policy (July 2017) (SPP) commenced on the 3 July 2017 and is effective at the time of writing this report. The Planning Regulation 2017 (PR 2017) states the assessment must be carried out against the assessment benchmarks stated in Part E of the State Planning Policy to the extent Part E is not appropriately integrated into the planning scheme.

In accordance with section (8)(4)(a) of the Act, the State Planning Policy applies to the extent of any inconsistency with the Planning Scheme.

State Planning Policy Part E	
Liveable communities and housing	No applicable assessment benchmarks
Economic growth <ul style="list-style-type: none"> • Agriculture. • Development and construction. • Mining and extractive resources. • Tourism. 	The site is within an important agricultural area and contains some Class A and B agricultural land along the south-eastern corner of the land. The proposed development should not significantly impact upon the productive capacity of the agricultural land.
Planning for the environment and heritage. <ul style="list-style-type: none"> • Biodiversity. • Coastal environment. • Cultural heritage. • Water quality 	The site contains some category R regulated vegetation and intersects a watercourse along the rear boundary. The proposed development should not significantly impact upon these biodiversity values.
Safety and resilience to hazards <ul style="list-style-type: none"> • Emissions and hazardous activities. • Natural hazards, risk, and resilience. 	No applicable assessment benchmarks.
Infrastructure <ul style="list-style-type: none"> • Energy and water supply. • Infrastructure integration. • Transport infrastructure. • Strategic airports and aviation facilities. • Strategic ports. 	All appropriate residential services infrastructure and connections can be made and are conditioned as part of the approval.

4.4. DEVELOPMENT CODE ASSESSMENTS

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

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

Rural Residential Zone Code

The subject site is situated in the Rural Residential Zone of the Planning Scheme. The purpose of the Rural Residential Zone is to provide for residential uses and activities on large lots, including lots for which the local government has not provided infrastructure and services. The proposal for the lot reconfiguration is appropriate for the zone as it is not changing the physical use of the site and will create three appropriately sized lots that facilitates future rural residential development.

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

Table 6.2.14.3 Criteria for Assessment

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of proposed development
General		
<p>PO1 Buildings and structures must complement the semi-rural character of nearby development and protects residential amenity.</p>	<p>AO1.1 Site cover does not exceed 10%.</p> <p>and</p> <p>AO1.2 Buildings and structures are not higher than 8.5m above ground level.</p> <p>and</p> <p>AO1.3 Buildings have a minimum set back of: (a) 10m to the road frontage; (b) 6m to a side or rear boundary.</p> <p>and</p> <p>AO1.4 The maximum length of any façade without articulation or change of materials is 15m.</p> <p>and</p> <p>AO1.5 On-site storage areas visible from outside the site are screened by a 1.8m high fence along intervening boundaries.</p> <p>and</p> <p>AO1.6 Outdoor lighting is designed, installed and maintained in accordance with AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.</p>	<p>Not Applicable The proposal is for a lot reconfiguration only.</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>Not Applicable There are no adjacent non-residential uses.</p>
<p>PO3 Dwellings are to be adequately serviced.</p>	<p>AO3.1 Where in a reticulated water supply area, development is</p>	<p>Not Applicable. The subject site is not located within a water supply area.</p>

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of proposed development
	<p>to be connected to the supply network.</p> <p>and</p> <p>AO3.2 Where reticulated water supply is not available, a 45kl water tank is provided for each dwelling for consumption purposes and an additional 22.5kl water storage located no more than 10m from the main dwelling is available for fire fighting purposes.</p> <p>and</p> <p>AO3.3 The provision of on-site sewerage treatment conforms to the requirements of the Queensland Plumbing and Wastewater Code.</p> <p>and</p> <p>AO3.4 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks.</p> <p>and</p> <p>AO3.5 Stormwater discharge must be to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners.</p> <p>and</p> <p>AO3.6 Development has direct access to a sealed road.</p>	<p>Complies. A minimum 25,000L permanent water supply will be established at the time of construction of a structure which is capable for supplying for fire-fighting purposes.</p> <p>Conditioned. Future dwellings must be connected to on-site effluent disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.</p> <p>Complies. Future dwellings can be connected to electricity and telecommunications.</p> <p>Complies The lots are of sufficient size that stormwater from future houses is unlikely to be concentrated onto adjoining properties.</p> <p>Complies. The proposal site fronts Gilliland Crescent, which is a bitumen sealed road, where the lots are to be accessed from.</p> <p>It is concluded that adequate services are available or can be provided to the proposed lots so that future dwellings are suitably serviced.</p>
<p>PO4 Development is located and designed to ensure that land uses are not exposed to:</p> <p>(a) Areas that pose a health risk from previous activities; and</p>	<p>AO4.1 Development does not occur:</p> <p>(a) In areas that pose a health risk from previous activities; and</p> <p>(b) On sites listed on the Contaminated Land Register or</p>	<p>Not Applicable. There are no known or listed contaminations on the subject site that could pose a health risk due to contaminated soils.</p>

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of proposed development
(b) Unacceptable levels of contaminants.	Environmental Management Register or AO4.2 Areas that pose a health risk from pervious activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit.	
Section 2 Where in the vicinity of an existing intensive animal industry		Not Applicable. The subject site is not located within the vicinity of any existing intensive animal industry.
Section 3 Home based business		Not Applicable. The proposed development is for reconfiguring a lot.
Section 4 Secondary dwelling		Not Applicable. The proposed development is for reconfiguring a lot.
Section 5 For development affected by one or more overlays		Not Applicable. The site is not identified on any of the listed overlays.

Summary of Compliance with Rural Residential Zone Code:

The proposed development complies with (or can be conditioned to comply with) the acceptable outcomes of the Rural residential zone code.

Reconfiguring a Lot Code

Table 8.4.1—Assessable development

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
Section 1 Boundary Realignment PO1 – PO2		Not Applicable. The proposed development is not for a boundary realignment.
Section 2 Reconfiguration under a Community Title Scheme PO3 – PO6		Not Applicable. The proposed reconfiguration is not under a Community Title Scheme.
Section 3 All other reconfiguration		
PO7 Allotments are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use.	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	Complies. The proposed lots meet the minimum lot size requirements for the Rural Residential Zone, in accordance with Table 8.4.2. Complies. The minimum lot size is achieved for the proposed lots.

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>the access corridor of the allotment.</p> <p>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>Not applicable. Irregular lots are not proposed.</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).</p> <p>and AO8.2 Newly created lots do not have direct access to sub-arterial or higher order roads.</p> <p>and AO8.3 Except in the Rural Zone, new lots, are provided with access to a sealed road.</p>	<p>Complies. The proposed lots have direct road frontages.</p> <p>Not applicable. The proposed lots do not have direct access to a sub-arterial or higher order roads.</p> <p>Complies. Access for all proposed lots is via Gilliland Crescent, which is a bitumen sealed road.</p>
<p>PO9 The number of rear lots is minimised having regard to the outlook, topography of the site, intended land use and general amenity of the area.</p>	<p>AO9.1 Only one rear lot is provided behind each full street frontage regular lot.</p> <p>and AO9.2 No more than two rear lot access strips directly adjoin each other.</p> <p>and AO9.3 No more than two rear lots gain access from the head of a cul-de-sac.</p> <p>and AO9.4 Rear lots are only created where the site gradient is greater than 5%.</p>	<p>Not Applicable. The proposal does not include a rear lot.</p> <p>Not Applicable. The proposal does not include a rear lot.</p> <p>Not Applicable. The proposal does not include a rear lot.</p> <p>Not Applicable. The proposal does not include a rear lot.</p>
<p>PO10 The design and construction of new roads: (a) Maintain safe and efficient access to the transport network;</p>	<p>AO10.1 Intersection shall be spaced at no less than 45m from any other intersection.</p> <p>and</p>	<p>Not Applicable. The proposed development does not include any new roads.</p>

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>(b) Creates integrated neighbourhoods; and</p> <p>(c) Are constructed to a standard that is commensurate with the intended use of allotments.</p>	<p>AO10.2 Any intersections with existing roads shall be treated with a T-intersection or a roundabout.</p> <p>and</p> <p>AO10.3 The road layout indicates connections to adjoining development sites.</p> <p>and</p> <p>AO10.4 Other than in the Rural or Rural Residential Zones, new streets are provided with layback kerb and channel.</p> <p>or</p> <p>AO10.5 In the Rural Residential Zone, new streets are provided with concrete flush kerbs and swale drains.</p>	
<p>PO11 The provision of services is resistant to inclement weather and does not degrade the character of the area.</p>	<p>AO11.1 Where the reconfiguration involves the opening of a new road, all electricity and telecommunications services are located underground.</p>	<p>Not Applicable. The proposed development does not include any new roads.</p>
<p>PO12 Reconfiguration facilities integration of walking and cycling networks that provide a safe and convenient environment for users having regard to appropriate gradients and distances to be travelled.</p>	<p>AO12.1 No outcome specified.</p>	<p>Not Applicable. Integration of walking and cycling networks are not relevant to this proposal in the Rural Residential Zone.</p>
<p>PO13 Public open space is provided in response to community need.</p>	<p>AO13.1 Public open space is provided in accordance with the Priority Infrastructure Plan.</p>	<p>Not Applicable. The proposed development does not require the provision of public open space.</p>
<p>PO14 Reconfiguration into allotments less than 400m² in the Medium Density Residential zone is facilitated where design outcomes are consistent with expectations for the zone.</p>	<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>Not Applicable. The subject site is located within the Rural Residential Zone.</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 –</p> <p>AO15.1 All lots are orientated to within 20° of north.</p> <p>AO15.2 All lots are to be sized and shaped to</p>	<p>Not Applicable. The subject site is located within the Rural Residential Zone.</p>

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	accommodate a 10m x 20m rectangle.	
Section 4 All reconfiguring a lot subject to an overlay		Not Applicable. The site is not identified on any of the listed overlays.

Summary of Compliance with the Reconfiguring a Lot Code:

The proposed development seeks to reconfigure one (1) existing lot to create three (3) lots. The proposed lots are considered to be of an appropriate size and do not compromise the existing or future use of the lots. The development will not have any adverse impacts on the surrounding rural residential allotments. The proposed development complies with (or can be conditioned to comply with) the acceptable outcomes of the Reconfiguring a lot code.

Services and Works Code

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
General		
PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	AO1.1 A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.	Complies with the Performance Outcome. All lots are of sufficient size to avoid the concentration of stormwater from future buildings. No changes to ground levels are proposed.
PO2 Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	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	Complies. The proposed development will not involve discharging wastewater to a waterway or off-site.
PO3 Construction activities avoid or minimise adverse	AO3.1 An erosion and sediment control plan addresses the design objectives for	Not Applicable. There are no extensive construction activities

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
impacts on stormwater quality.	the construction phase in Table 9.4.4	proposed as part of the development. Basic erosion and sediment control measures can be conditioned for construction of the new driveway.
PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the postconstruction phase in Table 9.4.4.	Not Applicable. Limited ground disturbance is proposed which would alter water flow paths across the land.
Section 2 Infrastructure		
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.	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.	Complies. The proposed development has frontage to Gilliland Crescent, which is a bitumen sealed road. Complies. Limited infrastructure is proposed however the driveways and crossovers can be conditioned to meet the relevant standards.
Part 3 Vehicle Parking		
PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.	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.	Complies. The proposal is for reconfiguring a lot only so no formal parking is warranted. The lots are sufficiently large to accommodate future parking demands. Complies. As above. Complies. Driveways will be conditioned to comply with the standard. Complies. Vehicle manoeuvring areas will be conditioned to comply with the standard.
Section 4 Landscaping		

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO7 Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p>AO7.1 Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p>AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable.</p> <p>and</p> <p>AO7.3 Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>	<p>Not Applicable. The proposed development is for reconfiguring a lot and will not involve any landscaping works as part of the proposal.</p>
<p>PO8 Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p>AO8.1 Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p>AO8.2 Species selection avoids non-invasive plants.</p> <p>Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council.</p>	<p>Not Applicable. The proposed development is for reconfiguring a lot and will not involve any landscaping works as part of the proposal.</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.</p> <p>and</p> <p>AO9.2 The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p>AO9.3 Works do not occur on slopes over 15% in grade.</p> <p>and</p>	<p>Not Applicable. No significant cut/fill is proposed. Any cut or fill to provide vehicle crossovers and building pads will comply with these requirements or be subject to approval as part of the building approval process for new dwellings on the proposed lots.</p>

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots. 	
<p>PO10 Filling or excavation does not cause damage to public utilities.</p>	<p>AO10.1 Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>	<p>Not Applicable. No filling or excavation works are proposed as part of this development application.</p>
<p>PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p>AO11.1 Following filling or excavation:</p> <ul style="list-style-type: none"> (a) The premises: <ul style="list-style-type: none"> (i) Are self-draining; and (ii) Has a minimum slope of 0.25%; and (b) Surface water flow is: <ul style="list-style-type: none"> (i) Directed away from neighbouring properties; or (ii) Discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2 	<p>Not Applicable. No filling or excavation works are proposed as part of this development application.</p>

Summary of Compliance with the Services and Works Code:

The proposed development generally complies with (or can be conditioned to comply with) the acceptable outcomes of the Services and works code. There is a performance outcome in relation to stormwater as a stormwater plan was not submitted with the application. In this case the lots are of sufficient size that stormwater is unlikely to be concentrated as a result of future development such that it would cause an impact on adjoining land. There are no substantial earthworks proposed.

5. CONSULTATION

Referral Agencies

State Assessment and Referral Agency	N/A
Other	N/A

Council Referrals

<i>INTERNAL REFERRAL SPECIALIST</i>	<i>REFERRAL / RESPONSE</i>
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 developments 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>Refer to Attachment B for the Infrastructure Charges Notice.</p>

6. RECOMMENDATION

Grounds to support the development –

- The subdivision is appropriate for the site, anticipated by the planning scheme and constraints are able to be managed by way of condition.
- The subdivision will result in lot sizes consistent with the surrounding rural residential setting and other rural residential properties nearby.
- The access to each allotment can be managed so that they are safe and efficient for each lot from Gilliland Crescent.

On this basis, we recommend Council approve the proposed development, subject to the conditions outlined within this report.

ATTACHMENTS

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

NOTICE ABOUT DECISION – STATEMENT OF REASONS

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

Applicant:	Blackbutt Central Pty Ltd c/- ONF Surveyors
Application No:	RAL23/0009
Proposal:	Reconfiguring a Lot (1 Lot into 3 Lots)
Street Address:	118 Gilliland Crescent, Blackbutt North
RP Description:	Lot 50 on RP804679
Assessment Type:	Code Assessable
Number of Submissions:	N/A

On 6 July 2023 the above development was recommended for:

- Approval
 Refusal

1. Reasons for the Decision

The reasons for this decision are:

- The subdivision is appropriate for the site, anticipated by the planning scheme and constraints are able to be managed by way of condition.
- The subdivision will result in lot sizes consistent with the surrounding rural residential setting and other rural residential properties nearby.
- The access to each allotment can be managed so that they are safe and efficient for each lot from Gilliland Crescent.

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- Rural Residential Zone Code
- Reconfiguring a Lot Code
- Services and Works Code

3. Compliance with Benchmarks

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

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

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

APPLICANT:	Blackbutt Central Pty Ltd C/- ONF Surveyors PO Box 896 KINGAROY QLD 4610	
APPLICATION:	Reconfiguring a Lot - Subdivision (1 Lot into 3 Lots)	
DATE:	06/07/2023	
FILE REFERENCE:	RAL23/0009	
AMOUNT OF THE LEVIED CHARGE: <i>(Details of how these charges were calculated are shown overleaf)</i>	\$8,838.00	Total
	\$0.00	Water Supply Network
	\$0.00	Sewerage Network
	\$4,820.00	Transport Network
	\$4,018.00	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 50 on RP804679	
SITE ADDRESS:	18 Gilliland Crescent, Blackbutt North	
PAYABLE TO:	South Burnett Regional Council	
WHEN PAYABLE: <i>(In accordance with the timing stated in Section 122 of the Planning Act 2016)</i>	Reconfiguring a Lot – When South Burnett Regional Council approves the Plan of Subdivision.	
OFFSET OR REFUND:	Not Applicable.	
This charge is made in accordance with South Burnett Regional Council's Charges Resolution (No. 3) 2019		

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 3)	\$0.00	\$0.00	\$4,820.00	\$4,018.00	\$0.00	\$8,838.00
Total	\$0.00	\$0.00	\$4,820.00	\$4,018.00	\$0.00	\$8,838.00

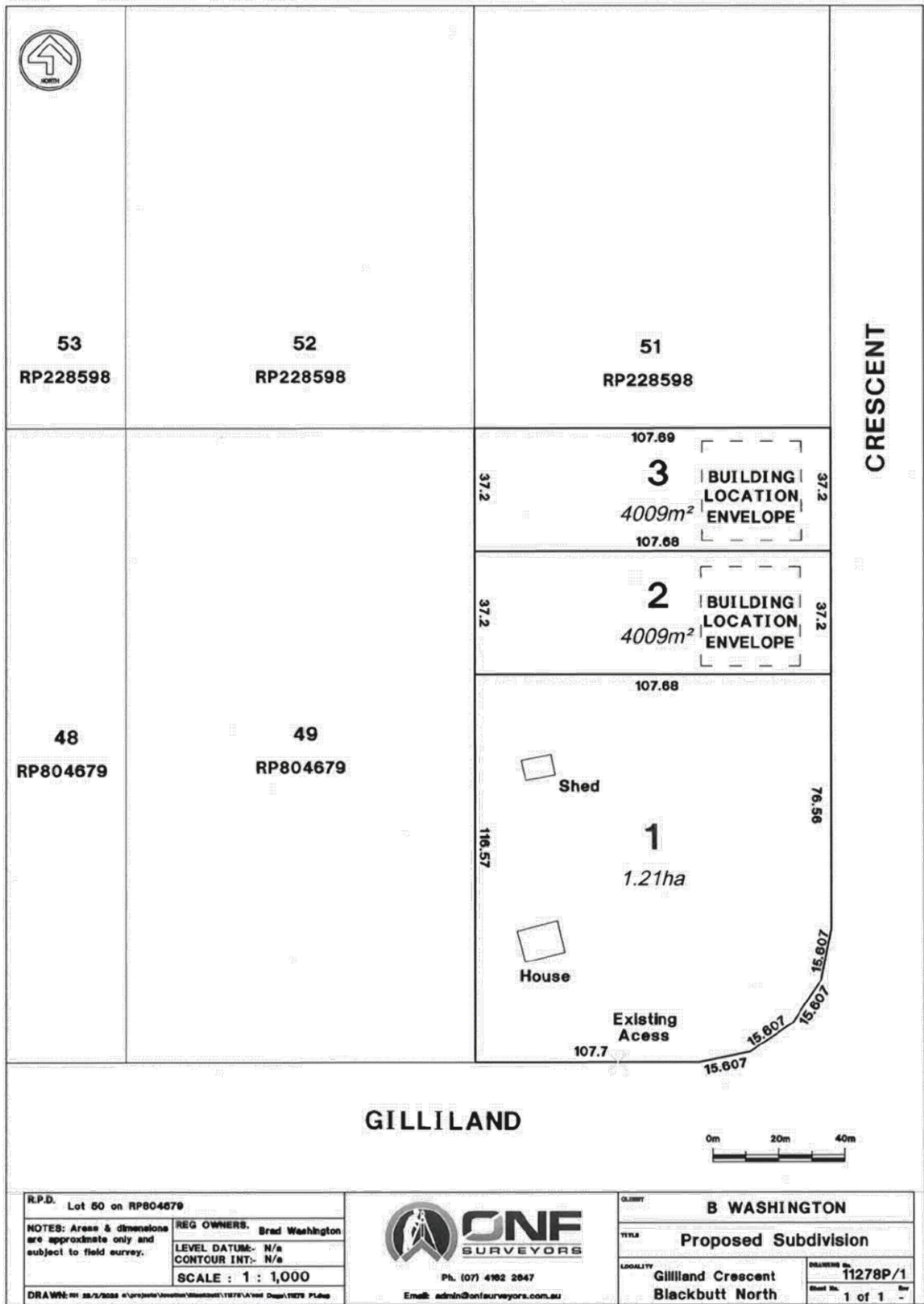
* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.

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

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

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au



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17.2 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**File Number: 09-08-2023****Author: Administration Officer****Authoriser: Chief Executive Officer****PRECIS**

List of correspondence pending completion of assessment report.

SUMMARY

Reports pending completion of assessment as of 31 July 2023.

OFFICER'S RECOMMENDATION

That the List of correspondence pending completion of assessment report as of 31 July 2023 be received.

REPORT**Reconfiguration of a lot (RAL) applications**

1. RAL22/0011 – Easement associated with MCU22/0004 at 79 Zerners Road MURGON
2. RAL22/0042 – Reconfiguration of a lot – Subdivision (1 Lot into 10 Lots) at 14503 D'Aguilar Highway, NANANGO
3. RAL23/0002 – Reconfiguration of a lot – Boundary Realignment at 858 Memerambi Gordonbrook Road GORDONBROOK
4. RAL23/0006 – Reconfiguration of a lot – Subdivision (1 Lot into 2 Lots) at 46 Kingaroy Burrandowan Road TAABINGA
5. RAL23/0008 – Reconfiguration of a lot – Easement (associated with MCU23/0008) at 20 Fork Hill Drive KINGAROY
6. RAL23/0011 – Reconfiguration of a lot – Subdivision (2 Lot into 4 Lots) at 31 & 33 Verdelho Drive MOFFATDALE
7. RAL23/0012 – Reconfiguration of a lot – Subdivision (1 Lot into 3 Lots) at Reservoir Service Road BLACKBUTT
8. RAL23/0013 – Reconfiguration of a lot – Boundary Realignment at 41 & 43 Alexander Street WOOROOLIN
9. RAL23/0014 – Minor Change to Existing Approval (RAL22/0032) – Boundary Realignment (6 Lots into 5 Lots) at 12 Arthur Street East NANANGO
10. RAL23/0015 – Reconfiguration of a Lot – Subdivision (2 Lots into 15 Lots), New Road and Drainage Easements at 189 & 193 Crompton Drive BLACKBUTT NORTH
11. RAL23/0016 – Reconfiguration of a Lot – Boundary Realignment (4 Lots into 3 Lots) at Bunya Highway KINGAROY
12. RAL23/0020 – Minor Change to Existing Approval (RAL19/0011) at 116-120 Harris Road KINGAROY
13. RAL23/0021 – Reconfiguration of a Lot - Subdivision (1 Lot into 3 Lots) at 20-28 Glendon Street KINGAROY
14. RAL23/0022 - Minor Change to Existing Approval (RAL22/0031) at 6 Cherbourg Road MURGON

Material Change of Use (MCU) Applications

1. MCU21/0017 – Material Change of Use – Expansion of the existing piggery (57,000SPU) at 592 Morgans Road, WINDERA (and described as Lot 49 on MZ555 & Lot 203 on SP251979)

2. MCU21/0019 – Other Change to Existing Approval - Material Change of Use (Master Planned Community and Development Permit for Reconfiguration of a lot (1 lot into 6 lots plus parkland dedication) at Corner Bunya Highway & Taylors Road KINGAROY
3. MCU22/0004 – Extractive Industry and Easement at 79 Zerners Road MURGON
4. MCU22/0011 – Motorsport and Ancillary Facilities and Caretakers' Residence and ERA (63) for Sewerage Treatment at Lewis Duff Road BALLOGIE
5. MCU22/0018 – Agricultural supplies store and Special Industry (Manufacturing fertiliser) and concurrent ERA 7 (Chemical Manufacturing) at 107 River Road KINGAROY
6. MCU22/0034 – Major Utility Infrastructure – Solar Farm at Bowman Road BLACKBUTT
7. MCU23/0005 – Material Change of Use – Warehouse at Bunya Highway KINGAROY
8. MCU23/0007 – Minor Change to Existing Approval – Material Change of Use (Increase to Number of Units and Associated Layout Changes) at 95 Markwell Street KINGAROY
9. MCU23/0008 – Material Change of Use – Food & Drink Outlet and Function Facility (associated with RAL23/0008) at 20 Fork Hill Drive MOFFATDALE
10. MCU23/0009 – Material Change of Use – Three (3) Additional Multi Dwelling Units at 42 & 44 Markwell Street KINGAROY
11. MCU23/0010 – Material Change of Use – Bulk Landscape Supplies Yard at 100 River Road KINGAROY
12. MCU23/0011 – Material Change of Use – Low Impact Industry at 4 Jarrah Street KINGAROY
13. MCU23/0012 – Material Change of Use – Multiple Dwelling (3 Units) at 40 & 42 Markwell Street KINGAROY
14. MCU23/0013 – Other Change to Existing Approval (MCU22/0022) – Short-term Accommodation Units at 17 Fork Hill Drive MOFFATDALE
15. MCU23/0014 – Material Change of Use – Short-term Accommodation (5 Farm Stay Units) at 18 Millers Road BOOIE
16. MCU23/0015 – Material Change of Use – Multiple Dwelling (3 Units) at 99 Anita Road BLACKBUTT NORTH
17. MCU23/0016 – Material Change of Use – Accommodation Building providing 14 Short-term Accommodation Units at 1 Hodge Street KINGAROY
18. MCU23/0017 – Material Change of Use – Short-Term Accommodation (24 x Accommodation Units) at 27-31 Pound Street KINGAROY
19. MCU23/0018 – Material Change of Use – Multiple Dwelling (15 Units) at 44 Stephens Street West MURGON
20. MCU23/0019 – Minor Change to Existing Approvals (MCU18/0005 & MCU21/0024) at 1 Rogers Drive KINGAROY

Operational Works (OPW) Applications

1. OPW23/0011 – Earthworks at 63 Reece Court WONDAI

ATTACHMENTS

Nil

18 QUESTIONS ON NOTICE**18.1 QUESTION ON NOTICE - KINGAROY ENGAGEMENT CENTRE****File Number:** 9-08-2023**Author:** Manager Community & Lifestyle**Authoriser:** Chief Executive Officer

The following question on notice was received from Councillor Erkens.

Question

Has there been any progress with forming a working group to establish a Kingaroy Youth Engagement Centre?

Response

To date Officers are currently investigating the current number and volume of youth related projects that are currently being delivered across the whole of region by a wide range of stakeholders. It is expected that this information will form the basis for a report to be provided to the September Liveability, Governance and Finance Standing Committee.

RECOMMENDATION

That the response to the question regarding the progress of a working group raised by Councillor Erkens be received and noted.

ATTACHMENTS**Nil**

18.2 QUESTION ON NOTICE - FACADE IMPROVEMENT APPLICATIONS**File Number:** 9-08-2023**Author:** Manager Community & Lifestyle**Authoriser:** Chief Executive Officer

The following question on notice was received from Councillor Henschen.

Question

How many Façade Improvement applications have been received for Scott Street Wondai?

Response

The following applications have been received and approved for Scott Street Wondai:

South Burnett Façade Grant	Address	Business	Approved/Not Approved
Round 2	16 Scott St, Wondai	Wild Earth Float	Approved
Round 2	15 Scott St, Wondai	Ryan's Butchery	Approved
Quick Round (Round 3)	38 Scott St, Wondai	Theuerkauf Plumbing	Approved
Quick Round (Round 3)	38 Scott St, Wondai	Theuerkauf Investments	Approved

A total of 4 applications were received for the South Burnett Façade Grants and all were approved. There were no applications received from Scott Street businesses in Round 1.

RECOMMENDATION

That the response to the question regarding Façade Improvement applications raised by Councillor Henschen be received and noted.

ATTACHMENTS

Nil

18.3 QUESTION ON NOTICE - LEGAL FEES**File Number:** 09/08/2023**Author:** Manager Finance & Sustainability**Authoriser:** Chief Executive Officer

The following question on notice was received from Councillor Jane Erkens.

Question

How many rate payers with a rates debt have legal fees added?

Response

As at the end of July 2023, the number of rateable properties who currently still have rates outstanding and have legal fees as part of their debt are 214. This is approximately 14% of properties that are currently overdue.

RECOMMENDATION

That the response to the question regarding Legal Fees raised by Councillor Jane Erkens be received and noted.

ATTACHMENTS

Nil

19 CONFIDENTIAL SECTION

OFFICER'S RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the *Local Government Regulation 2012*:

19.1 Legal Update - Update on Planning Matter before the Planning and Environment Court.

This matter is considered to be confidential under Section 254J - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

19.2 Visit South Burnett - 2023/2024 Agreement

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

20 CLOSURE OF MEETING