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A confirmation notice acknowledging the application was issued by Council on 5 April 2023.

Information Request

An Information Request was issued to the applicant on 13 April 2023 which sought further information (in summary) on the following matters:

1. A demonstration for planning need for the proposed land use on rural land.
2. Additional information on the operation of the land use including whether the use involved outdoor storage, if the proposed use would be automated, proposed operating hours and anticipated traffic generation.
3. Provide an Acoustic assessment given the proximity to sensitive receptors associated with the preliminary approval over Lot 3 on SP181686.
4. Details on proposed treatment of water from washdown bays.

Information Request Response

On 16 June 2023, correspondence was received by Council from the applicant in response to the matters raised within the information request.

As part of the applicant's information request response, the applicant had advised of a change to the development layout in response to questions regarding the wash down bays and open area in the north-eastern corner. The proposed changes included –

- Removal of wash bays;
- Increase in number of storage units to 123.
- Change from two (2) large shed buildings to three (3);
- Total GFA increase from 4,690m² to 5,289m²;
- Dimensions added to demonstrate compliance of the existing access with TMR standards;
- Utilisation of area in north-eastern corner of site for storage of up to 33 storage shipping containers.

SARA Information Request

SARA issued an information request on 5 July 2023. In summary, insufficient detail was provided to demonstrate that the proposed development could comply with PO15 and PO16 of State Code 1. The applicant was requested to resubmit a revised Traffic Impact Assessment to demonstrate compliance with State Code 1.

On 6 July 2023, the applicant requested an extension to the State Assessment and Referral Agency (SARA) referral agency assessment period for the development application. By agreement, the relevant period was extended to the 26 July 2023.

On 25 July 2023, the applicant requested an extension to the State Assessment and Referral Agency (SARA) referral agency assessment period for the development application – SARA accepted extended the relevant period to 9 August 2023.

Referral Information Request Response

The applicant provided a Response to Information Request on 16 June 2023. The response contained a response to each of the points raised by SARA in the information request, and

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additionally contained a supporting document, including a Traffic Impact Assessment prepared by ATC Engineers and Project Managers

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.

The following sections of the *Planning Act 2016* are relevant to this application:

- 45(5) *An impact assessment is an assessment that –*
- (a) *must be carried out –*
 - (i) *against the assessment benchmarks in a categorising instrument for the development; and*
 - (ii) *having regard to any matters prescribed by regulation for this subparagraph; and*
 - (b) *may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.*

In regard to the prescribed regulation, being the *Planning Regulation 2017*, the following sections apply in the assessment of this application:

Section 30 – Assessment Benchmarks generally

- (1) *For section 45(5)(i) of the Act, the impact 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 impact 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 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 development is not in a local government area-any local planning instrument for a local government area that may be materially affected by the development;*
 - (c) *if the local government is an infrastructure provider—the local government's LGIP.*

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(3) However, an assessment manager may, in assessing development requiring impact 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	
Assessment Benchmarks:	Not applicable.
WBB Regional Plan Designation:	<p>Wide Bay Burnett Regional Plan 2011 – Regional Landscape and Rural Production Area.</p> <p>The Regional Landscape and Rural Production Area identified land with regional landscape, rural production or other non-urban values. It seeks to protect land from inappropriate development, particularly urban or rural residential development.</p> <p>The RLRPA includes land with one or more of these values:</p> <ul style="list-style-type: none"> • Significant biodiversity • Regional ecosystems that are endangered or of concern • National parks, conservation parks, resources reserves or other conservation areas • Significant fauna habitats • Good quality agricultural land and other productive rural areas • Cultural and landscape heritage values (traditional and non-Indigenous) • Natural economic resources, including extractive resources and forestry plantations • Water catchments, water storages and groundwater resources • Native forests • Coastal wetlands • Land that forms strategic and regionally significant inter-urban breaks • Unsuitable for, or not required for, urban or rural residential purposes • Rural towns and associated activities. <p>As described later in this report, the land has limited rural potential and as such there is no major inconsistency with the Regional Plan.</p> <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</p>

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	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.
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<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> <p>4.1.1. Part 8B, Division 3 – Development that requires code assessment,</p> <p>4.1.2. Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building, and</p> <p>4.1.3. Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones</p> <p>The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4</p>
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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 referral to any referral agencies 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

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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
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	Applicable. The subject site is identified within 25m of a State-controlled road corridor.			SARA	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 - Within the limits of another port - Priority Ports - Strategic Port Land	N/A N/A N/A N/A N/A		N/A		N/A
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		N/A	N/A	N/A	N/A

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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
	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 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	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 require referral to a Referral Agency in accordance with Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the Planning Regulation 2017. This referral was made.

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.

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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 Class A and B agricultural land. The proposed development is near the highway frontage and over a portion of the land only. On this basis it is considered there is limited agricultural productivity and the proposed development will only have a marginal impact on what productivity does exist.
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 in the north west and south east corner The proposed development is clear of these areas.
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.

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4.4. DEVELOPMENT CODE ASSESSMENTS

Pursuant to Section 5.5, Table 5.5.13 – Level of Assessment in the Rural Zone, an application for a Warehouse is subject to Impact Assessment, as the use is not listed in the table. The relevant assessment benchmarks are:

- Strategic Framework
- Rural Zone Code
- Services and Works Code

STRATEGIC FRAMEWORK

An assessment of the proposed development against the relevant themes included under the Strategic Framework is included below.

a. Section 3.2 Settlement Pattern**3.2.1 Strategic Outcomes**

(1) Forecasts suggest moderate growth throughout the Region, prompting incremental increases in urban growth areas around most towns. However, possible growth influences, such as that associated with the Bowen Basin, may occasion larger growth areas.

(5) Industrial, commercial and other high-employment generating activities are located in areas of high accessibility, but in a way that minimises their visual influence on the character of their host towns.

(7) The boundary between urban and rural areas is well-defined, particularly along the main approaches to Kingaroy and the other towns where that characteristic is already established. Further strip development is discouraged and buffering is utilised to minimise land use conflicts.

3.2.1.1 Specific outcomes

(2) Buffering is provided to adjoining rural lands at the urban edges that is satisfactory to minimise land use conflict and accommodate sufficient land for future expansion.

Response:

The two broad themes of the strategic framework listed above are to encourage industrial and commercial activities in areas of high accessibility and ensuring there is a clear distinction between urban and rural areas. The proposed development is to occur on an existing vacant site which is between an agricultural supplies use to the north and other urban uses to the south (including a motel). There is a large residential development approved on the opposite side of the road in consideration of this and the aforementioned land uses, there is presently no distinction between the rural and urban landscapes. On this basis, there will be limited impact however a landscape buffer has been conditioned further assist in minimising visual impact of the use.

The location in the highway provides excellent accessibility for residents of the northern part of Kingaroy and beyond. The proposal seeks to support local and agricultural industries by providing storage opportunities for larger equipment, stock or product for respective activities. In addition, the

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use will support the broader residential locality, including established and emerging communities that require remote storage options. The subject site provides a highly accessible, well-exposed location along Bunya Highway, that is often relied upon for self-storage facility uses.

b. Section 3.3 Rural Futures

3.3.1 Strategic outcomes

(3) Non-rural land uses that are incompatible with the power generation, mining or extractive industries do not establish in rural areas or provide sufficient on-site buffering to eliminate any impacts.

3.3.1.1 Specific outcomes

(2) Agricultural lands are preserved for productive rural activities by only supporting rural development that directly supports agricultural production or a regionally significant rural-based industry.

(3) Productive rural land for cropping and animal husbandry is protected from intrusion of incompatible development. Where potentially incompatible development is facilitated, adequate buffers are provided to minimise land use conflict and the risk of disease or contamination from agricultural practices.

Response:

The strategic framework embeds a strong theme under section 3.3 – Rural futures, recognising the importance of minimising incompatible development on rural land to protect productive agricultural land and the rural landscape values which form an intrinsic part of the Region's character.

Whilst the proposed development is sought on productive agricultural land as per the SPP interactive mapping system, due to the sites proximity to sensitive land uses and its size, rural activities that require the use of productive agricultural land would be unlikely to utilise the site for viable operations (i.e., cropping). Notwithstanding, the proposed use is to be undertaken on a pre-established gravel hardstand area that comprises approximately 2.1ha of the total site, with the balance land (9 ha) able to be utilised for smaller-scale rural activities that are compatible with adjoining land uses, including grazing. The proposed location of the use will be setback approximately 250 metres from the nearest rural land use, immediately west of the site adjoining the rail trail.

c. Section 3.4 Strong Economy

3.4.1 Strategic outcomes

(1) The Region's economy is founded on strength and diversity of industry and service provision that capitalizes on its location advantages and natural assets, improving the Region's employment opportunities and maximising regional economic activity.

3.4.1.1 Specific outcomes

(7) The role of the Region's highways in supporting business development is protected.

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Response:

The proposed development is consistent with the strategic outcomes of Section 3.4 and is considered to support the local and regional economy. It has been identified that there is only one (1) existing self-storage facility that is operational within Kingaroy, which is situated toward the south along Bunya Highway. The proposed development will contribute to providing additional self-storage units that will target the wider Region, particularly with the increasing residential population.

d. Section 3.5 Natural systems & sustainability**3.5.1 Strategic outcomes**

- (2) *The water, land, vegetation and air resources of the Region are managed on a sustainable basis, maintaining their availability for sustainable use and facilitating their contribution to the Region's ecosystem health, liveability and prosperity.*
- (3) *New development acknowledges the potential impacts of climate change and is designed to reduce the carbon footprint of the Region by reducing car and electricity use.*

3.5.1.1 Specific outcomes

- (8) *Development avoids or mitigates risks to personal safety and property damage from natural hazards.*
- (9) *Development avoids impacts on the function of flood plains and does not worsen the severity or impact of natural hazards.*

Response:

The proposed development is consistent with the strategic outcomes of Section 3.5, particularly where not involving the clearing of native vegetation or removal of habitat values. The SPP mapping identifies regulated vegetation within the north-western and south-eastern corner of the site, however, will not be impacted by the proposed development. As discussed below, the subject site has been identified as affected by the Flood hazard area in accordance with Council's overlay map OM3. The entirety of the development footprint is to be situated on the existing gravel hardstand area on the site, which will provide a flood free platform for the proposed land use. The flood hazard mapping precedes the construction of the pad area and the development footprint is not subject to flood hazard area nominated. The proposed use for a self-storage facility will not result in any risk to personal safety where involving a use that is fully automated and will only require periodic use from patrons.

e. Section 3.7 Infrastructure and Servicing

The proposal is consistent with the strategic outcomes of Section 3.7 where it will not result in adverse impacts on the safe and efficient operation of the road network, being Bunya Highway. The proposed development seeks to utilise the existing access to the site, which was originally designed to accommodate for B-Double sized vehicles. It is noted that standard services are not required for the proposed development. The proposed development will not provide sewer connection but has been conditioned to provide electricity and telecommunications connections.

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Rural Zone Code

The purpose of the Rural zone code is to provide for rural uses and activities, including other uses and activities that are compatible with existing and future rural uses, and the character and environmental features of the zone. The Rural zone seeks to maintain the capacity of land for rural uses and activities by protecting and managing natural resources and processes.

The following table sets out an assessment of the proposal against the performance and acceptable outcomes for the Rural zone code

Performance outcomes	Requirements for accepted development and assessment benchmarks	Responses
General		
<p>PO1 Development maintains rural amenity and character.</p>	<p>AO1.1 Buildings are set back 20m from any collector or higher order road and 10m from any other road frontage.</p> <p>And</p> <p>AO1.2 The use does not cause odour, noise or air emissions in excess of the prescribed limits in the <i>Environmental Protection (Air) Policy 1997</i> or the <i>Environmental Protection (Noise) Policy 1997</i>.</p>	<p>Performance outcome sought. The proposed storage sheds are setback approximately 10 metres from Bunya Highway. The nature of the use and surrounding locality are such that the reduced setback will likely have minimal impact on rural amenity and character. The predominating character adjoining the site contains low-density residential housing, with land to the immediate east subject to future development for a residential development. Any rural values in which the proposed development will have impact upon are to the west of the site, in which the proposed development is appropriately setback from. A condition has been recommended to incorporate a 6m landscape buffer to screen the use from the road.</p> <p>Complies. The proposed development is a Warehouse for the purposes of a storage facility. The proposed land use will not cause odour, noise or air emissions in excess of the prescribed limits in the <i>Environmental Protection (Air) Policy 1997</i> or the <i>Environmental Protection (Noise) Policy 1997</i>.</p>
<p>PO2 Development does not jeopardise the rural production capacity of the Zone.</p>	<p>Development resulting in lots less than the minimum size in Table 8.4.2 satisfying outcomes</p> <p>AO2.1 The proposal is necessary for the efficient production and processing of a crop grown in the area.</p> <p>Or</p>	<p>Not applicable. The proposal does not involve the creation of new lots.</p>

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	<p>AO2.2 The proposal provides an alternate productive rural activity that supports regionally significant industry.</p> <p>Or</p> <p>AO2.3 An agricultural sustainability report prepared by a suitably qualified agronomist demonstrates that –</p> <ul style="list-style-type: none"> (a) The lot is suitability sized for the proposed activity, including a dwelling house including yard; and (b) There is sufficient water for the proposed activity; and (c) The allotment is capable of being connected to reticulated electricity; and (d) The proposed activity is financially viable, requiring a viability assessment that includes capital costs, operational costs, sustainable yields to support a family, climate, soils and geological factors affecting crop growth, nutrients, salinity, topography, susceptibility to flooding and erosion and an assessment of market robustness (both recent and projected) and alternative practices in the event of failure. <p>And</p> <p>AO2.4 Development is consistent with any Soil Conservation Plan that applies to the locality, as approved by the relevant State agency.</p>	
<p>PO3 Development does not result in any degradation of the natural environment, in terms of the geotechnical, physical, hydrological and environmental characteristics of the site and its setting.</p>	<p>AO3.1 Uses and associated works are confined to existing lawfully cleared land or areas not supporting regulated vegetation.</p> <p>And</p> <p>AO3.2</p>	<p>Complies. The development is proposed on an established elevated hardstand area on the site, which is void of any vegetation.</p> <p>Complies.</p>

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	<p>Uses and associated works are confined to areas outside stormwater discharge points, overland flow paths, watercourses and natural drainage features.</p> <p>And</p> <p>AO3.3 Development, excluding forestry activities and permanent plantations, adjacent to National Parks or State Forests is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.</p>	<p>The proposed development is to occur on an established elevated hardstand area on the site. The hardstand area is clear of existing discharge points, overland flow paths, watercourses and natural drainage features.</p> <p>Not applicable. The site is not situated adjacent to a National Park or State Forest.</p>
<p>PO4 Development is not exposed to risk from natural hazard relating to land slip.</p>	<p>AO4.1 Uses and associated works are confined to slopes not exceeding:</p> <ul style="list-style-type: none"> (a) 15% for residential uses; (b) 10% for treated effluent disposal areas; (c) 6% for non-residential uses. 	<p>Complies. The proposed development is to occur on a pre-existing gravel hardstand area in the north-eastern corner of the site which is relatively levelled.</p>
<p>PO5 Development is adequately serviced.</p>	<p>AO5.1 A 45kl water tank is provided for consumption purposes.</p> <p>And</p> <p>AO5.2 On-site sewage treatment is provided.</p> <p>And</p> <p>AO5.3 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks.</p>	<p>Complies with PO5. The proposed development will be conditioned to connect to reticulated services.</p> <p>Not applicable. The proposed development does not involve a dwelling house.</p>
<p>PO6 Development is located and designed to ensure that land uses are not exposed to:</p> <ul style="list-style-type: none"> (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants. 	<p>AO6.1 Development does not occur:</p> <ul style="list-style-type: none"> (a) In areas that pose a health risk from previous activities; and (b) On sites listed on the Contaminated Land Register or Environmental Management Register. <p>Or</p> <p>AO6.2 Areas that pose a health risk from previous activities and contaminated soils which are subject to development are</p>	<p>Complies. There are no known or listed contaminations on the subject site that could pose a health risk due to contaminated soils.</p>

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	remediated prior to plan sealing, operational works permit, or issuing of building works permit.	
Where in the vicinity of an existing animal industry		Not applicable.
Caretaker's accommodation		Not applicable.
Home based business		Not applicable.
Secondary dwelling		Not applicable.
For development affected by one or more overlays		
Agricultural land overlay		
PO15 The productive capacity and utility of agricultural land for rural activities is maintained.	<p>AO15.1 The proposal is not located on agricultural land as identified on SPP Interactive Mapping (Plan Making).</p> <p>Or</p> <p>AO15.2 The proposal is necessary for the efficient production and processing of a crop grown in the area.</p> <p>Or</p> <p>AO15.3 The proposal provides an alternate productive rural activity that supports regionally significant industry.</p> <p>Or</p> <p>AO15.4 An agricultural sustainability report prepared by a suitably qualified agronomist demonstrates that –</p> <ul style="list-style-type: none"> (a) The lot is suitability sized for the proposed activity. Including a dwelling house including yard; and (b) There is sufficient water for the proposed activity; and (c) The allotment is capable of being connected to reticulated electricity; and (d) The proposed activity is financially viable, requiring a viability assessment that includes capital costs, operational costs, sustainable yields to support a family, climate, soils and geological factors affecting crop growth, nutrients, salinity, topography, 	<p>Performance outcome sought. In accordance with the SPP Interactive Mapping System, the subject site is identified as containing Important Agricultural Areas and land containing agricultural land classes A and B.</p> <p>The subject site has previously undergone earthworks to establish a 2ha gravel hardstand area in the north-east extent of the site, prior to the development application being lodged with Council. The proposed land use will be confined to the footprint of the gravel hardstand area and will not require expansion onto the balance of undisturbed land. As described later in this report, it is not considered that there is significant agricultural potential and as such the proposed development will have limited impact.</p>

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	<p>susceptibility to flooding and erosion and an assessment of market robustness (both recent and projected) and alternative practices in the event of failure.</p> <p>And</p> <p>AO15.5 Development is consistent with any Soil Conservation Plan that applies to the locality, as approved by the relevant State agency.</p>	
<p>Airport environs overlay</p>		
<p>Public safety sub-area</p>		<p>Not applicable.</p>
<p>Wildlife hazards sub-area</p>		
<p>PO17 Development does not significantly increase the risk of wildlife hazard particularly flying vertebrates, such as birds and bats, intruding within an airport operational airspace.</p>	<p>AO17.1 Development located within 3 km of an airport runway as depicted on Overlay Map 01 does not include turf farms, fruit tree farms, piggeries, show grounds, food processing plants or food, organic waste or putrescible waste facilities.</p> <p>Development for the purposes of dairy or poultry farms, outdoor sport and recreation, non-putrescible waste facility or sewage treatment facilities ensure landscaping and drainage works (including artificial water bodies) minimise bird and bat attracting potential.</p> <p>And</p> <p>AO17.2 Development located between 3 km and 8 km of an airport runway as depicted on Overlay Map 01 for turf farms, fruit tree farms, piggeries, show grounds, food processing plants, food, organic waste or putrescible waste facilities, dairy or poultry farms, outdoor sport and recreation or sewage treatment facilities ensures potential food or waste sources are covered and collected so that they are not accessible to wildlife.</p> <p>And</p> <p>AO17.3 Putrescible waste disposal sites (e.g., landfill and waste transfer</p>	<p>Complies. The development is for a Warehouse for the purposes of a storage facility, which will accommodate storage for larger machinery, vehicles, boats caravans as well as stock or product associated with rural service industries. It is unlikely that the proposed land use will attract bird and bat wildlife.</p> <p>Not applicable. The proposed development is for a Warehouse for the purposes of a storage facility.</p> <p>Not applicable.</p>

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	facilities) are not located within a 13km radius of an airport.	The proposed development does not involve a landfill or waste transfer facility.
Biodiversity overlay		Not applicable.
Bushfire hazard overlay		Not applicable.
Extractive industry overlay		Not applicable.
Flood hazard overlay		
PO28 Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.	<p>AO28.1 All new allotments include an area of sufficient size to accommodate the intended land use outside the area identified on Overlay Map 03.</p> <p>And</p> <p>AO28.2 New buildings are not located within the area identified on Overlay Map 03;</p> <p>Or</p> <p>AO28.3 Development is sited above the 1%AEP flood event where known, or the highest known flood event, as follows:</p> <ul style="list-style-type: none"> (a) Habitable floor levels - 500mm; (b) Non-habitable floor levels - 300mm; (c) On-site sewage treatment and storage areas for potential contaminants - 300mm; (d) All other development - 0mm. <p>And</p> <p>AO28.4 Building work below the nominated flood level allows for the flow through of flood water at ground level:</p> <ul style="list-style-type: none"> (a) The structure below flood level is unenclosed; or (b) Any enclosure below flood level aligns with the direction of water flow; or (c) Any enclosure not aligning with the direction of water flow must have openings that are at least 50% of the enclosed area with a minimum opening of 75mm. <p>And</p>	<p>Not applicable. The proposed development does not involve reconfiguring a lot.</p> <p>Complies. The site has been identified as affected by the Flood hazard area in accordance with Council's overlay map OM3. The entirety of the development footprint is to be situated on the existing gravel hardstand area on the site, which will provide a flood free platform for the proposed land use. The flood hazard mapping precedes the construction of the pad area and the development footprint is not subject to flood hazard area nominated.</p>

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	<p>AO28.5 Resilient building materials are used below the nominated flood level in accordance with the relevant building assessment provisions.</p> <p>And</p> <p>AO28.6 Signage is provided on site indicating the position and path of all safe evacuation routes off the site.</p>	
<p>PO29 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.</p>	<p>AO29.1 Works associated with the proposed development do not:</p> <ul style="list-style-type: none"> (a) involve a net increase in filling greater than 50m³; or (b) result in any reductions of onsite flood storage capacity and contain within the site any changes to depth/duration / velocity of flood waters; or (c) change flood characteristics outside the site in ways that result in: <ul style="list-style-type: none"> i. loss of flood storage; ii. loss of/changes to flow paths; iii. acceleration or retardation of flows; or iv. any reduction in flood warning times. 	<p>Complies. The proposed development will not require works that will impact upon the nominated overlay area.</p>
<p>PO30 Development avoids the release of hazardous materials into floodwaters.</p>	<p>AO30.1 Materials manufactured or stored on site are not hazardous in nature.</p> <p>Or</p> <p>AO30.2 Hazardous materials and any associated manufacturing equipment are located above the nominated flood level.</p>	<p>Not applicable. The proposed development does not involve the manufacturing or storage of hazard goods or materials on-site.</p>
<p>PO31 Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood.</p>	<p>No outcome specified.</p>	<p>Not applicable. Community infrastructure is not proposed as part of the development.</p>
<p>Historic subdivisions overlay</p>		<p>Not applicable.</p>
<p>Landslide hazard overlay</p>		<p>Not applicable.</p>
<p>Regional infrastructure overlay</p>		<p>Not applicable.</p>

Delegated Authority:

Date:

Water catchments overlay	Not applicable.
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Summary of compliance with the Rural Zone Code:

Whilst the proposed land use for a 'Warehouse' is not anticipated within the Rural Zone, it has been demonstrated within Section 6.0 of this report that there is sufficient merit in providing the self-storage facility on the subject site. A performance outcome is sought in relation to setbacks however it is considered this can be managed through a condition requiring landscape buffering. A further performance outcome is sought in relation to the site's identification as agricultural land. With consideration to the sites close proximity to sensitive land uses to the south, in addition to its size (11.85ha), it is anticipated that the land is unable to be purposed for viable rural pursuits (i.e., cropping) that are generally anticipated to be undertaken within the Rural zone and require substantial productive land. As discussed, the proposed development is to be undertaken on an existing gravel hardstand area which comprises approximately 2.1ha of the site, with the balance of land available to be used for smaller-scale rural activities. A detailed discussion is provided in section 6.0.

Services and Works Code

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
Section 1 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.	<p>Complies.</p> <p>A Preliminary Stormwater Management Report prepared by ATC Engineers and Project Managers (dated 30 November 2022) was submitted in support of the development application.</p> <p>All runoff from the site flows in a westerly direction toward the existing railway corridor. An existing rural dam will collect overland flow prior to discharging to the railway corridor. The lawful point of discharge will remain toward the railway corridor.</p> <p>As outlined in section 4 of the management plan, the stormwater management strategy is to:</p> <ul style="list-style-type: none"> - Manage stormwater within the development in accordance with AS2500 and investigate rock discharge outlets on batters as required; and - Grade overland stormwater flow from the development to the lawful point of discharge as per the current arrangement.

Delegated Authority:

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO2 Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.</p>	<p>AO2.1 A wastewater management plan prepared by a suitably qualified person and addresses:</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; <p>and</p> <p>AO2.2 Wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (a) avoids wastewater discharge to waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater 	<p>Not applicable. A Wastewater Management Plan is not required as part of this application.</p>
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	<p>AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4</p>	<p>Not applicable. There are no extensive construction activities proposed as part of the development. Basic erosion control measures can be conditioned for construction of the proposed development.</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the postconstruction phase in Table 9.4.4.</p>	<p>Complies. All runoff from the site flows in a westerly direction toward the existing railway corridor. An existing rural dam will collect overland flow prior to discharging to the railway corridor. The lawful point of discharge will remain toward the railway corridor.</p>
<p>Section 2 Infrastructure</p>		
<p>PO5 Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. 	<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies. The proposed development will obtain access via Bunya Highway, which is a sealed bitumen road.</p>

Delegated Authority:

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
Section 3 Vehicle Parking		
<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 8.4.5.</p> <p>and</p> <p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies with the Performance Outcome. In accordance with Table 8.4.5 of the Services and works code, the minimum car parking requirement for a Warehouse land use is 1 space per tenancy plus 1 space per 500m² gross floor area.</p> <p>The proposed development seeks a total of four (4) spaces (incl. 1 PWD), which is under the prescribed rate. With consideration to the nature and operation of the land use, the prescribed car parking rate incompatible with a storage facility. This type of land use generates a limited number of vehicle trips at any given time, particularly on a day-to-day basis where involving a longer-term storage use and will not require on-site staff. Where involving storage of machinery, vehicles, boats, caravans and stock / product, it is anticipated that customers will park directly at their storage space to drop-off / pick-up the RV.</p> <p>Complies with Performance Outcome. A service bay has not been provided on-site as part of the development.</p> <p>Complies with AO6.3. Access to the site will be retained from Bunya Highway via a crossover designed for vehicles up to B-Double size.</p> <p>Complies with AO6.4. Vehicle parking and manoeuvring areas are achieved in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
Section 4 Landscaping		

Delegated Authority:

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
<p>PO7 Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p>AO7.1 Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p>AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable.</p> <p>and</p> <p>AO7.3 Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>	<p>Complies. There are no prescribed requirements under the Rural zone code relevant to landscaping. Notwithstanding, a 6-metre wide landscaping strip along the frontage of the site, adjoining the road corridor.</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>Complies. Can be conditioned to comply.</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.</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>Not applicable. No filling or excavation works are proposed as part of this development application.</p>

Delegated Authority:

Date:

Performance outcomes	Requirements for accepted development and assessment benchmarks	Assessment of Proposed Development
	<p>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots. 	
<p>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>

Delegated Authority:

Date:

Summary of Compliance with the Services and Works Code:

The proposed development generally complies with the Services and Works Code. Infrastructure and services for the proposed development will be 'fit for purpose', to meet the standards and requirements to appropriately service the use. There is a performance outcome in relation to proposed carparking rates achieved, where they are substantially under the prescribed rates under Table 8.4.5 of the Services and works code. Under the circumstances that the 'Warehouse' land use is for the purposes of a self-storage facility, the reduced car parking rate sought is unlikely to have detrimental impact on the function and operation of the use. While not relied upon by the applicant, there are also informal opportunities for loading and unloading vehicles in proximity to the storage units without causing interference to the manoeuvring area.

Other Relevant Matters

The consideration of other relevant matters applies to the assessment and decision-making process for this impact assessable development application. The below summarises the matters considered by the planning assessment.

Applicant submitted reports	Town Planning Report
Assessment considerations of merits	<p>Impact assessment under the Planning Act 2016 is an 'unbounded' assessment, meaning relevant matters other than those prescribed can also be considered, and weighing and balancing 'inside the box' as well as with factors 'outside the box' can take place in reaching a decision.'</p> <p>The below outlines the planning assessment of the merits of the application presented.</p>
Planning discussion	<p>A range of issues were raised by Council in the Information Request, and a response has been provided by the applicant. The primary issue raised in the request was in relation to the need for the proposed land use, which is not anticipated in the Rural Zone. Council's request sought an Economic Needs Assessment that specifically addressed the economic, community and planning need for the proposed development, including opportunities for the use to be located in existing industrial zoned land.</p> <p>The applicant advised that an Economic Needs Assessment was not provided to Council as per their request, with consideration to its locational context and the sites compatibility for the proposed land use.</p> <p>The primary intent of the Economic Needs Assessment was to determine whether there was vacant industrial land within Kingaroy that could accommodate the land use of a similar scale and nature to that proposed on the site. Anecdotally there are limited opportunities for the proposed land use to be accommodated within any pre-established industrial areas, including the Barron Park Drive industrial area which has been identified for future expansion. One limitation is the size of existing industrial zoned lots which are unable to accommodate the self-storage facility at the scale proposed.</p> <p>In support of the use of the subject land for the proposed development it is noted that self-storage facilities are often located outside of traditional industrial areas to maintain user accessibility and safety. That is, self-storage facilities are often used for storage of residential (rather than industrial) goods and as such</p>

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Date:

generate non industrial users and traffic. These facilities are often situated on land with high exposure, close to higher-order transport networks and often within proximity to residential and commercial land uses. There are typically few impacts beyond traffic that result from the proposed land use.

As demonstrated in the image below, the proposed development is to occur on land situated on the urban fringe of Kingaroy, either adjoining or in proximity to low-density residential housing and community facilities (i.e., Kingaroy Hospital). Land immediately east of Bunya Highway / Youngman Street (Lot 3 on SP181686) is subject to a current development application for a Preliminary Approval – MCU21-0019 for Kingaroy North, which will facilitate low density and medium density residential housing, including various centre land uses.

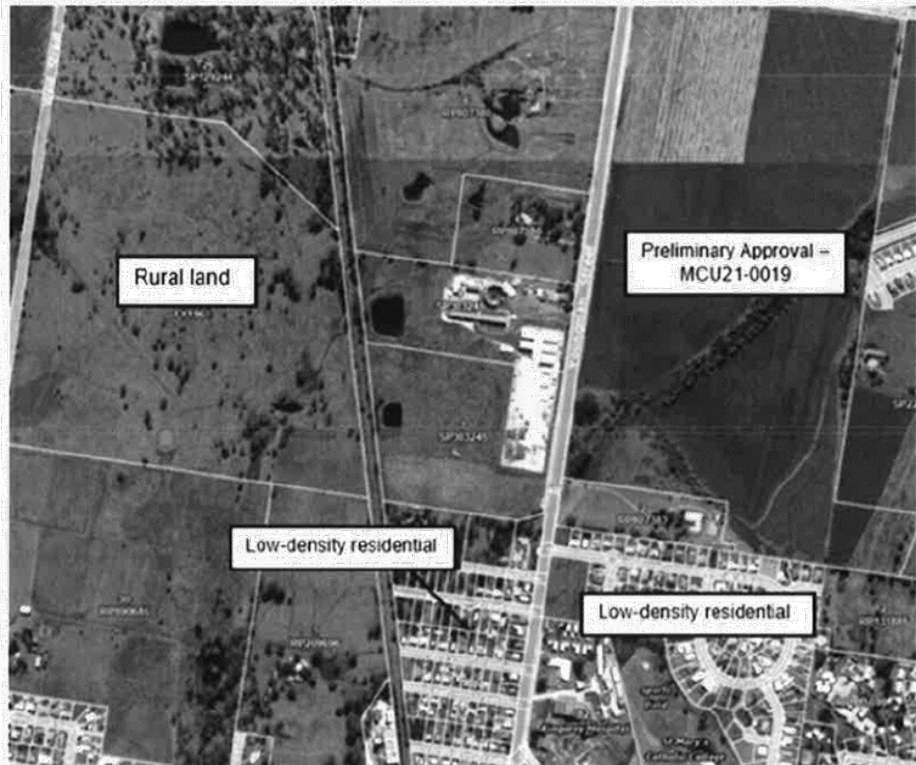


Figure 1: Surrounding land uses

With consideration to the surrounding locality, the proposed development for a self-storage facility achieves a land use outcome that is coherent with existing adjoining land uses, and provides a transitional use that is sensitive to adjoining rural land to the west, beyond the rail trail. Whilst the subject site has been dedicated for the purposes of rural land uses by way of its rural zoning, there is limited opportunity for the site to be utilised appropriately for future intensive rural activities (i.e., cropping) due to its proximity to sensitive land uses to the south and its overall lot size (11.85ha).

The proposed development is to occur on an established hardstand area situated in the north-east corner of the site, comprising approximately 2.1ha of the site. There is an opportunity for the balance land at the rear to be utilised for

Delegated Authority:

Date:

	<p>small-scale rural pursuits and operations, that are compatible with the site and adjoining urban locality.</p> <p>The relevant matters are therefore summarized as follows:</p> <ul style="list-style-type: none"> • Anecdotally there are few other opportunities to accommodate the proposed land use at the scale proposed. • The use falls within an industrial definition, however, has attributes and users which make it compatible within or nearby commercial and residential areas. • There is no clear distinction between the rural and urban landscape in proximity to the site as a result of existing and approved uses, so the proposed use will have limited impact on the rural landscape. • The subject site is considered to have limited agricultural viability so the proposed use will have a limited impact.
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5. CONSULTATION

Referral Agencies

State Assessment and Referral Agency	Yes
Other	N/A

Council Referrals

<i>INTERNAL REFERRAL SPECIALIST</i>	<i>REFERRAL / RESPONSE</i>
Development Engineer	Council's Development Engineer provided standard engineering conditions. Development Engineer has calculated the Infrastructure Charges.

Public Notification

Date Notification Commenced	Thursday, 22 nd June 2023
Date Notification Completed	Friday, 14 th July 2023
Date notice of compliance received	Monday, 17 th July 2023

Submissions

No submissions were received

6. RECOMMENDATION

That Council approve the Development Permit for Material Change of Use for Warehouse (Storage Facility) at 11155 Bunya Highway, Kingaroy (Lot 7 on SP303245) – Applicant – G Crumpton & Sons & Co Pty Ltd c/- ONF Surveyors.

Grounds to support the development –

Delegated Authority:

Date:

- Anecdotally there are few other opportunities to accommodate the proposed land use at the scale proposed.
- The use falls within an industrial definition, however has attributes and users which make it compatible within or nearby commercial and residential areas.
- There is no clear distinction between the rural and urban landscape in proximity to the site as a result of existing and approved uses, so the proposed use will have limited impact on the rural landscape.
- The subject site is considered to have limited agricultural viability so the proposed use will have a limited impact.
- The access to each allotment has been conditioned by SARA.

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

ATTACHMENTS

1. **Attachment A - Statement of Reasons**
2. **Attachment B - Infrastructure Charges Notice**
3. **Attachment C - Referral Agency Response**
4. **Attachment D - Approved Plan**

NOTICE ABOUT DECISION – STATEMENT OF REASONS

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

Applicant:	G Crumpton & Sons & Co Pty Ltd C/- ONF Surveyors
Application No:	MCU23/0005
Proposal:	Material Change of Use for Warehouse
Street Address:	11155 Bunya Highway, Kingaroy
RP Description:	Lot 7 on SP303245
Assessment Type:	Impact Assessable
Number of Submissions:	0

On <INSERT DATE> the above development was recommended for:

- Approval
 Refusal

1. Reasons for the Decision

The reasons for this decision are:

- Anecdotally there are few other opportunities to accommodate the proposed land use at the scale proposed.
- The use falls within an industrial definition, however has attributes and users which make it compatible within or nearby commercial and residential areas.
- There is no clear distinction between the rural and urban landscape in proximity to the site as a result of existing and approved uses, so the proposed use will have limited impact on the rural landscape.
- The subject site is considered to have limited agricultural viability so the proposed use will have a limited impact.
- The access to each allotment has been conditioned by SARA.

2. Assessment Benchmarks

The following are the benchmarks applicable to this development:

- Strategic Framework
- Rural zone 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.

The main body of the page contains a large, faint, and mostly illegible table or document. The text is extremely light and difficult to read, appearing as scattered characters and numbers across the page. Some faint words like "Table", "Total", and "Amount" are visible, suggesting it might be a financial statement or a report. The layout is sparse and lacks clear structure due to the low contrast and blurriness.

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

APPLICANT: G Crumpton & Sons & Co Pty Ltd
ONF Surveyors
PO Box 896
KINGAROY QLD 4610

APPLICATION: Warehouse - Impact Assessable - Bunya Highway
Kingaroy

DATE: 12/09/2023

FILE REFERENCE: MCU23/0005

AMOUNT OF THE LEVIED CHARGE: **\$42,600.00** **Total**
(Details of how these charges were calculated are shown overleaf)

\$0.00	Water Supply Network
\$0.00	Sewerage Network
\$42,600.00	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 7 on SP303245

SITE ADDRESS: Bunya Highway, Kingaroy

PAYABLE TO: **South Burnett Regional Council**

WHEN PAYABLE: Material Change of Use – When the change happens.
(In accordance with the timing stated in Section 122 of the Planning Act 2016)

OFFSET OR REFUND: Not Applicable.

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

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
Other Industry-Warehouse (Storage Facility)	5,271	m2 of GFA	\$8.00	CR Table 2.2	\$42,168.00
Commercial Office - Office	18	m2 of GFA	\$24.00	CR table 2.2	\$432.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Nil	-	-	\$0.00	-	\$0.00

Parks and Land for Community Facilities

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

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
Warehouse (Storage Facility) & Office	\$0.00	\$0.00	\$42,600.00	\$0.00	\$0.00	\$42,600.00
Total	\$0.00	\$0.00	\$42,600.00	\$0.00	\$0.00	\$42,600.00

* 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.

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>

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.

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



Our reference: 2304-34339 SRA
Your reference: MCU23/0005
Council reference: 11189K

9 August 2023

Chief Executive Officer
South Burnett Regional Council
PO Box 336
KINGAROY QLD 4610
info@southburnett.qld.gov.au

Attention: **Mr David Hursthouse**

Dear Mr Hursthouse

SARA Response – Bunya Highway, KINGAROY (Lot 7 on SP303245)

(Given under Section 56 of the *Planning Act 2016*)

The development application described below was confirmed as being properly referred to the State Assessment and Referral Agency (SARA) on 3 May 2023.

Response

Outcome: Referral Agency Response under Section 56(1)(b) of the *Planning Act 2016*

Date of response: 9 August 2023

Conditions: The approval is subject to the conditions in **Attachment 1**

Advice: Advice to the applicant is in **Attachment 2**

Reasons: The reasons for the referral agency response are in **Attachment 3**

Development Details

Description: Development permit for material change of use – warehouse (storage facility)

SARA role: Referral agency

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Wide Bay Burnett regional office
Level 1, 7 Takalvan Street, Bundaberg
PO Box 979, Bundaberg QLD 4670

2304-34339 SRA

SARA triggers: Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1–
Material change of use of premises near a State transport corridor
(Planning Regulation 2017)

SARA reference: 2304-34339 SRA

Assessment Manager: South Burnett Regional Council

Street address: Bunya Highway, KINGAROY

Real property description: Lot 7 on SP303245

Applicant name: G Crumpton & Sons & Co Pty Ltd
C/- ONF Surveyors

Applicant contact details: PO Box 896
KINGAROY QLD 4610
admin@onfsurveyors.com.au

State-controlled road access permit: This referral includes an application for a road access location, under Section 62A(2) of the *Transport Infrastructure Act 1994*.

Below are details of this decision:

- Approved – with conditions
- TMR23-039177
- Date: 1 August 2023

Human Rights Act 2019 considerations:

A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

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

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

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

For further information please contact Peter Mulcahy, Principal Planning Officer, on (07) 3307 6152 or via email WBBSARA@dsgilp.qld.gov.au who will be pleased to assist.

2304-34339 SRA

Yours sincerely



Caroline Plank
A/Manager, Planning – Wide Bay Burnett

enc Attachment 1 – Referral agency conditions
Attachment 2 – Advice to the applicant
Attachment 3 – Reasons for referral agency response
Attachment 4 – Representations about a referral agency response
Attachment 5 – Approved plans and specifications

cc G Crumpton & Sons & Co Pty Ltd
C/- ONF Surveyors
admin@onfsurveyors.com.au

Department of Transport and Main Roads
Wide.Bay.Burnett.IDAS@transport.qld.gov.au

2304-34339 SRA

Attachment 1—Referral agency conditions

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

No.	Conditions	Condition timing
Development Permit for Material Change of Use – Warehouse (Storage Facility)		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the <i>Planning Regulation 2017</i> —The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	<p>(a) Carry out the stormwater management of the proposed development generally in accordance with Figure 6 of the Preliminary Stormwater Management Report, prepared by ATC Engineers and Project Managers, dated 30 November 2022, Reference: <i>Bunya Highway Storage Sheds Development</i> Version 0.1, in particular, all post development flows will be captured and directed away from the State-controlled road (Bunya Highway).</p> <p>(b) Submit Registered Professional Engineer of Queensland (RPEQ) certification (with supporting documentation) to the District Director Wide Bay Burnett within the Department of Transport and Main Roads via e-mail (Wide.Bay.Burnett.IDAS@tmr.qld.gov.au), confirming that the proposed development has been constructed in accordance with part (a) of this condition.</p>	<p>(a) At all times.</p> <p>(b) Within 20 business days of the completion of works.</p>
2.	<p>(a) The road access location is to be located generally in accordance with <i>General Site Layout Plan</i>, prepared by ATC Engineers and Project Managers, dated 8 August 2023, Reference: Project Number 22170 Drawing No. C-101, Issue 8 and amended by SARA on 9 August 2023.</p> <p>(b) Road works comprising of a Rural Basic Turn Right and Rural Left Turn Treatment (at the road access location referenced in part (a) above) must be provided generally in accordance with Figure A.6 of <i>Austroads Guide to Road Design Part 1 (2021)</i> and Figure 8.2 of <i>Austroads Guide to Road Design Part 4A (2021)</i>.</p> <p>(c) The road access works must be designed and constructed in accordance with the Department of Transport and Main Roads' <i>Road Planning and Design Manual 2nd Edition, Technical Specifications, Standards and Standard Drawing Roads</i>.</p>	<p>(a) At all times.</p> <p>(b) Prior to the commencement of use.</p> <p>(c) Prior to the commencement of use.</p>

2304-34339 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.0. If a word remains undefined it has its ordinary meaning.
Advertising devices	
2.	<p>Advertising devices have the potential to cause unsafe distraction, glare or other nuisance to drivers, which affects safety on the state-controlled road. Any proposed advertising devices are to be in accordance with the DTMR Roadside Advertising Manual. Any advertising device at this location:</p> <ul style="list-style-type: none"> • must not exceed a maximum luminance of 350cd/m² • must be placed within the subject site, clear of the state-controlled road reserve (without overhang) • must not contain a variable message component.
Stormwater and overland flow	
3.	<p>Condition No. 1 of the SARA Referral Agency Response includes a requirement for Registered Professional Engineer of Queensland (RPEQ) certification relating to stormwater management of the proposed development.</p> <p>The RPEQ certification is to be provided to the Department of Transport and Main Roads (DTMR) and must be supported by relevant hydraulic and civil drawings for the stormwater works.</p> <p>For more information about complying with these conditions, please contact the DTMR Bundaberg Office via e-mail (Wide.Bay.Burnett.IDAS@tmr.qld.gov.au) and quote TMR23-039177.</p>
Works in the road reserve	
4.	<p>Under Section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads (DTMR) to carry out road works or access works on a State-controlled road. Please contact DTMR on (07) 4154 0200 or by e-mail to Wide.Bay.Burnett.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the State-controlled road reserve.</p> <p>The road works approval process takes time – please contact DTMR as soon as possible to ensure that gaining approval does not delay construction (DTMR Reference: TMR23-039177).</p> <p>Additional information about road works and road access work applications can be found at the DTMR website.</p>

2304-34339 SRA

Attachment 3—Reasons for referral agency response

(Given under Section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

The development application seeks a development permit for material change of use for a warehouse (storage facility), on Lot 7 on SP303245 (subject site), within 25m of a state-controlled road, Bunya Highway. The development requires access to the state-controlled road.

SARA has assessed the development against State Code 1: Development in a state-controlled road environment (State code 1) of the *State Development Assessment Provisions (SDAP)*.

SARA finds that the proposed development complies with the State code 1, subject to conditions, as the proposed development is considered to:

- maintain the function and efficiency of the state-controlled road network
- appropriately manage stormwater run-off and overland flow to minimise impacts on the adjoining state-controlled road.

Material used in the assessment of the application:

- The development application material
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions (Version 3.0)* as published by the SARA
- The Development Assessment Rules (DA Rules)
- SARA DA Mapping system
- *Human Rights Act 2019*

2304-34339 SRA

Attachment 4—Representations about a referral agency response

2304-34339 SRA


Attachment 5—Approved plans and specifications

State Assessment and Referral Agency (SARA)

Page 8 of 8



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2304-34339 SRA

Date: 9 August 2023

Preliminary Stormwater Management Report

Bunya Highway Storage Sheds Development
Lot 7 SP303245, Kingaroy, 4606

Version	Authored By	Approved By	Date
0.1	David Eberhard	Allen Christensen	30 November 2022
This version replaces all previous versions of this report.			

THE TRUSTED ENGINEERS

1. Introduction

This preliminary stormwater management plan is part of a development application for South Burnett Regional Council over Lot 7 SP303245.

The application involves a commercial development for storage containers, rental sheds, driveways, wash bays and parking spaces. It is proposed that the development takes place over numerous stages as demand increases.

ATC Engineers have been engaged to assess the stormwater management of the proposed development, on behalf of the applicant. The report will address the pre- and post-development stormwater flows, and any attenuation requirements, to demonstrate that the post-development flows can be adequately managed without any additional impacts on other properties or infrastructure.

A pre-development site visit was undertaken on the 19th of December 2022 to inspect existing stormwater arrangements including the lawful point of discharge.

2. Site Characteristics

2.1. Site Description

The site is located at 11,155 Bunya Highway, Kingaroy as shown in *Figure 1*.



Figure 1 - Proposed Development Site at Lot 7 SP303245 (Source: Queensland Globe)

The access for the proposed development is via the Bunya Highway frontage (Shown as Youngman Street on QLD Globe in Figure 1).

The existing lot has a gravel hardstand near the road frontage which will serve as the development footprint. The remainder of the lot is grassed vegetation, and the area to the south of the development is minimally used for agricultural purposes. The natural slope of the lot runs in a westerly direction with a reasonably flat grade in the order of 1% on the existing gravel hardstand. The grassed area to the west has a grade of 2%, and flows ultimately discharge under the rail corridor to the west through the existing stormwater culverts near the lot boundary.

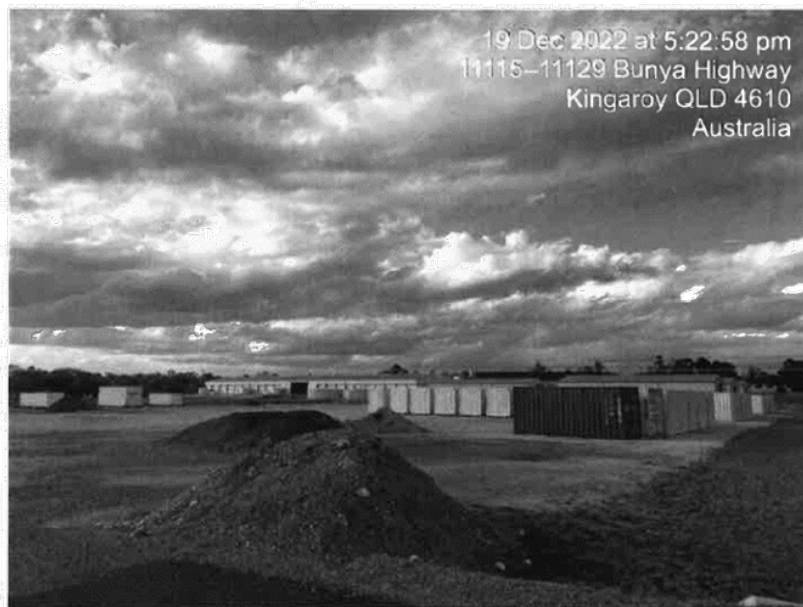


Figure 2 - Figure 2 - Pre-development site photo (Gravel hardstand)

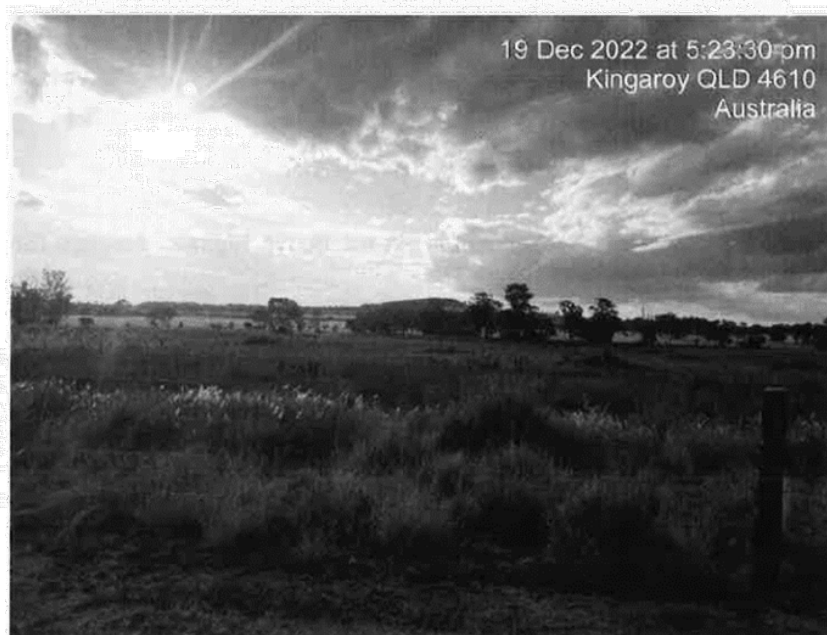


Figure 3 - Pre-development site photo (Looking west towards the lawful point of discharge)

2.2. Current Stormwater Arrangements

The development is situated within a rural environment with overland flow above the development site intercepted to the north and south by culverts under the Bunya Highway. Runoff from the site flows in a westerly direction towards the existing railway corridor. Note that the corridor is no longer used for railway transport and is currently being used as a recreational trail. A rural dam (30x50m) has been on the lot in excess of 20 years at the western end and generally collects overland flow prior to discharging to the rail corridor.

The batters of the development footprint have established vegetation with no evidence of scouring or other erosion issue during the site visit.



Figure 4 - Lawful point of discharge (Looking East from the railway corridor to the development)

3. Stormwater Analysis

3.1. Lawful Point of Discharge

The lawful point of discharge for this property is to the railway corridor at the downstream end of the rural dam.



Figure 5 - Pre-Development Lot Catchment Plan (1m Contours)

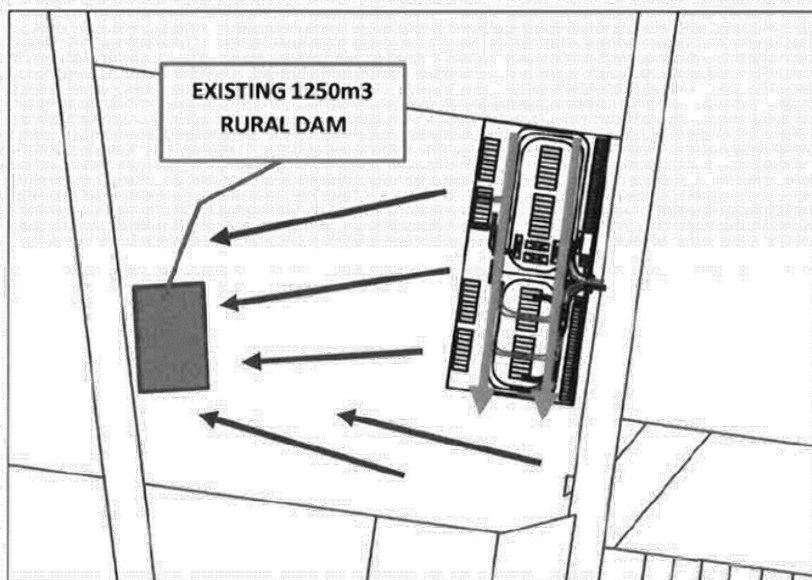


Figure 6 - Post-Development Lot Catchment Plan

3.2. Hydraulic Design

A hydraulic assessment has been undertaken for the development using the Drains software program (Version 2020.034 (64bit) – 18 April 2020). An analysis was conducted to determine the peak runoff flows for the pre- and post-development conditions, and potential detention requirements. AEP 5% and AEP 1% storm events as minor and major storms were selected, respectively. Storm durations between 5 minutes to 4.5 hours, were used as part of the assessment.

Drains Input

The inputs shown in Table 1-3 were used for the stormwater modelling process.

Table 1 - Drains Model Inputs

Hydrological Model	ILSAX
Paved (impervious) area depression storage (mm)	1
Supplementary area depression storage (mm)	1
Grassed (pervious) area depression storage (mm)	5
Soil Type	3 (Slow Infiltration Rate)
Antecedent Moisture Condition	3 – Rather Wet

Catchment Information

The below areas and assumptions were used in the stormwater modelling process.

Table 2 - Model assumptions

Catchment	Area (ha)	% Impervious	% Supplementary	% Grassed
Pre-development	11.85	1 (1,185m ²)	14 (16,590m ²)	85 (100,725m ²)
Post-development (Unattenuated)	11.85	10 (12,260m ²)	5 (5,515m ²)	85 (100,725m ²)

Peak Flows

The peak flow rates for pre-development and attenuated post-development are shown in the table below. This includes the flows from the development site. Peak flow rates shown in Table 4 may not be representative of the critical stormwater event under ARR guidelines.

Table 3 – Pre- and Post-Development Peak Flows

Storm Duration	McLucas Lane Discharge Location					
	Pre-development		Post-development		Post-development (attenuated)	
	Minor Storm (m3/s)	Major Storm (m3/s)	Minor Storm (m3/s)	Major Storm (m3/s)	Minor Storm (m3/s)	Major Storm (m3/s)
5 minutes	1.345	1.877	1.345	1.877	-	-
10 minutes	2.069	2.825	2.069	2.825	-	-
15 minutes	2.437	3.386	2.437	3.386	-	-
20 minutes	2.696	3.752	2.696	3.752	-	-
25 minutes	2.893	3.879	2.893	3.879	-	-
30 minutes	2.994	4.208	2.994	4.208	-	-
45 minutes	2.938	3.719	2.938	3.719	-	-
1 hour	3.135	3.437	3.135	3.437	-	-
1.5 hours	2.404	3.012	2.404	3.012	-	-
2 hours	2.34	2.587	2.34	2.587	-	-
3 hours	2.478	2.447	2.478	2.447	-	-
4.5 hours	2.089	1.845	2.089	1.845	-	-

A summary of the pre-development and post-development peak flows are shown in the table below.

Table 4 - Pre-Development to Post Development Peak Discharges

Discharge Reference	Western Boundary to Railway Corridor	
	Minor (5% AEP)	Major (1% AEP)
Storm Event		
Pre-Development m ³ /s	3.14	4.21
Post-Development m ³ /s	3.14	4.21
Final Difference m ³ /s (%)	0.00 (0.0%)	0.00 (0.0%)

4. Stormwater Management Strategy

The results for drainage model show that there is no noticeable increase in peak flows exiting the property at the lawful point of discharge. The overall stormwater strategy therefore is to:

- Manage stormwater within the development in accordance with AS3500 and investigate rock discharge outlets on batters as required by the progress of the development.
- Grade overland stormwater flow from the development to the lawful point of discharge as per the current arrangement.

A copy of the output from the Drains Model is attached in the Appendix.

5. Design Assumptions

The assumptions made in calculating the on-site flows are:

1. All water up to the Q100 event falling on the sheds, containers and driveways can be adequately managed within the development footprint. Discharge at the extents of the development shall be adequately managed to disperse concentrated flows prior to reaching the western railway boundary.
2. Stormwater will act generally in accordance with the assumptions made in the Drains model.

6. Conclusions

In summary, the proposed development:

- Will not lead to increases in stormwater flow discharging from the site
- The on-site effects can be managed with adequate overland flow provisions within the development footprint. This is subject to detailed design.

I believe that the above response satisfies the requirements of QUDM and Council with respect to the stormwater management, attenuation, and water quality requirements – subject to the application of reasonable and relevant conditions.

Should you require further assistance or information please feel free to contact me on ☎ 0438 122 997 or email ✉ allen@atcengineers.com.au.

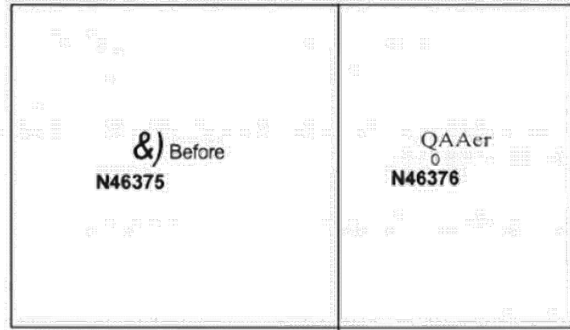
Regards



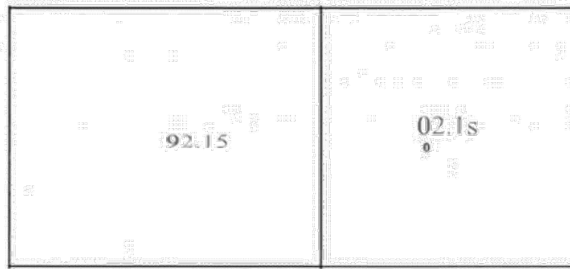
Allen Christensen
DIRECTOR
BEng (Civil) RPEQ FIPWEQ

APPENDIX

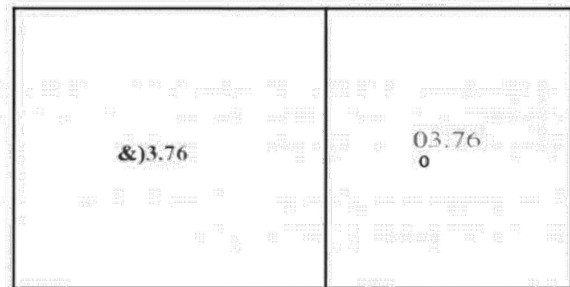
Drains Model



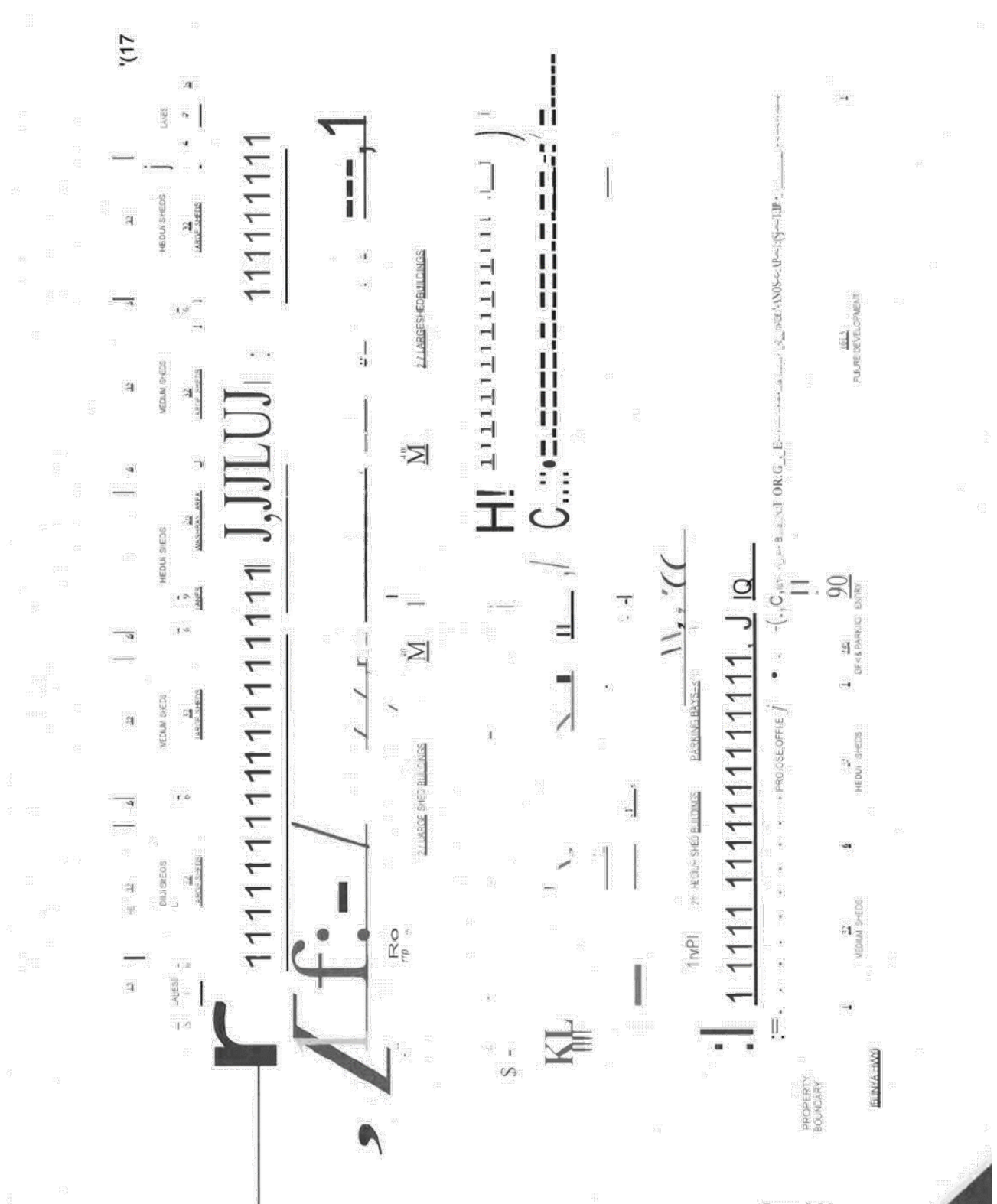
Minor AEP 5% – Critical Storm Discharges



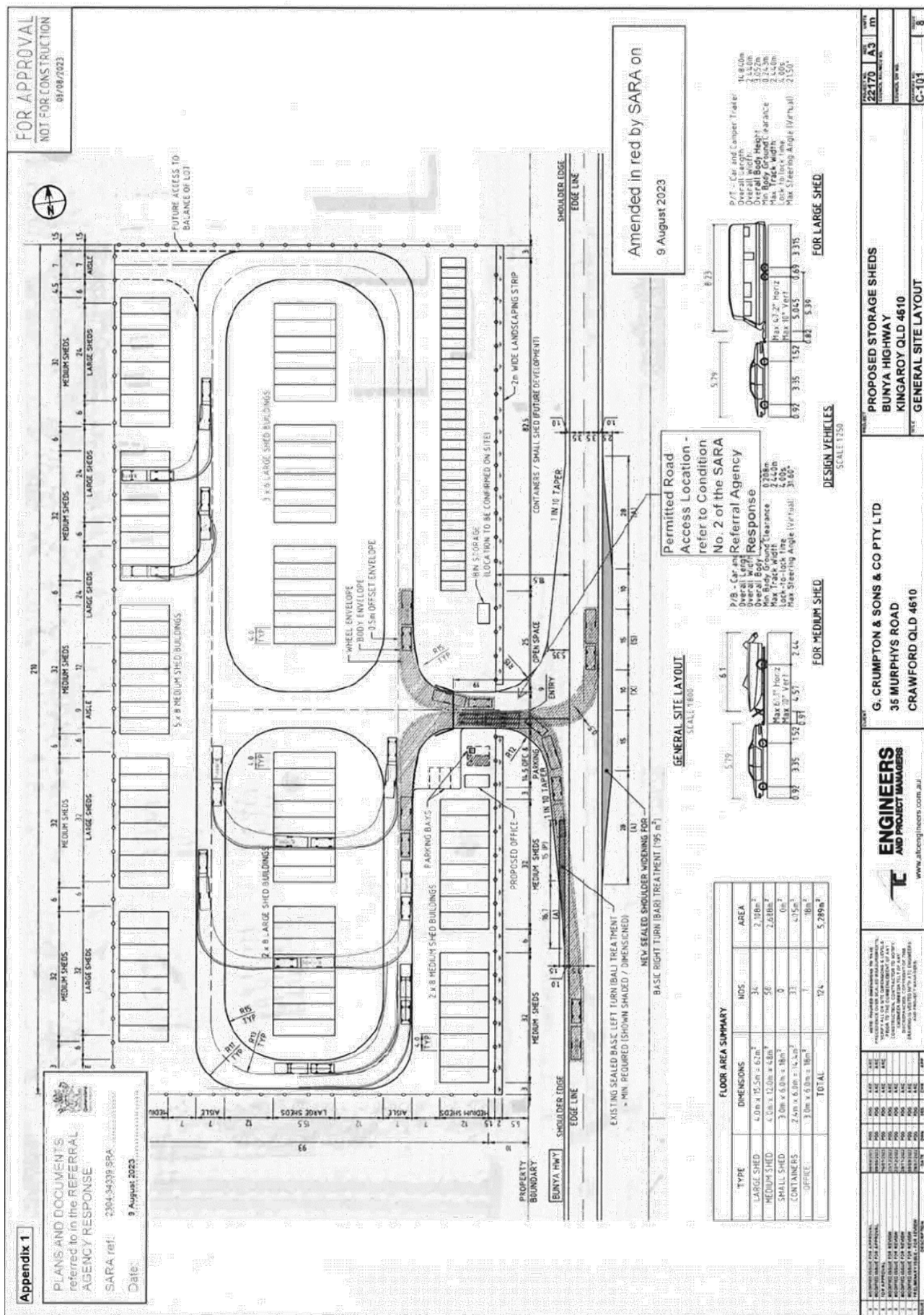
Major AEP 1% – Critical Storm Discharges



Concept Drainage Arrangement



THE TRUSTED ENGINEERS
 26 Afford Street, Kingaroy Qld 4610 | atcengineers.com.au | office@atcengineers.com.au



Our ref TMR23-039177
 Your ref 11189K
 Enquiries Bryan Richters



Department of
Transport and Main Roads

1 August 2023

Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number MCU23/0005, lodged with South Burnett Regional Council involves constructing or changing a vehicular access between Lot 7 SP303245, the land the subject of the application, and the Bunya Highway [Kingaroy – Goomeri] (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address G Crumpton & Sons & Co Pty Ltd C/- ONF Surveyors
 P O Box 896
 Kingaroy QLD 4610

Application Details

Address of Property Bunya Highway, Kingaroy QLD 4610
 Real Property Description Lot 7 SP303245
 Aspect/s of Development Development Permit for Material Change of Use – Warehouse (storage facility)

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	The Permitted Road Access Location between the Bunya Highway and Lot 7 SP303245 is located about 115 metres south from the northern property boundary generally in accordance with General Site Layout Plan prepared by ATC Engineers dated 9 June 2023 reference project number 22170 Drawing Number C-101 Issue 7 amended in red by the Department of Transport and Main Roads dated 19 July 2023.	At all times.

¹ Please refer to the further approvals required under the heading 'Further approvals'

Program Delivery and Operations
 Southern Queensland Region
 23 Quay Street Bundaberg QLD 4670
 Locked Bag 486 Bundaberg DC QLD 4670

Telephone +61 7 (07) 4154 0280
 Website www.tmr.qld.gov.au
 Email WBB.IDAS@tmr.qld.gov.au
 ABN: 39 407 690 291

No.	Conditions of Approval	Condition Timing
2	<p>Use of the Permitted Road Access Location specified in Condition Number 1 is approved for the following purposes: -</p> <p>(a) A warehouse (Storage Facility) type use on part of Lot 7 SP303245 as detailed in Development Application Number MCU23/0005 and generally shown on the General Site Layout Plan prepared by ATC Engineers dated 9 June 2023 reference project number 22170 Drawing Number C-101 Issue 7 amended in red by the Department of Transport and Main Roads dated 19 July 2023; and</p> <p>(b) The remaining balance area of Lot 7 SP303425 inclusive of access for slashing and maintenance, and or any agricultural purposes that do not require a development approval under South Burnett Regional Council's Planning Scheme applicable at the time.</p>	At all times
3	<p>Direct access is prohibited between the Bunya Highway and Lot 7 SP303245 at any other location other than the Permitted road access location described in Condition Number 1 above.</p> <p><i>Note: Access to the balance area of Lot 7 SP303245 will need to be maintained at the Permitted Road Access Location identified in Condition Number 1.</i></p>	At all times
4	<p>Road works comprising of a Rural Type Basic Right Turn treatment and Rural Type Basic Left Turn Treatment must be provided at the Permitted Road Access Location described in Condition Number 1, generally in accordance with:-</p> <p>(a) Figure A.6 of Austroads <i>Guide to Road Design Part 4 Intersections and Crossings: General (2021)</i>; and</p> <p>(b) Figure 8.2 of Austroads <i>Guide to Road Design Part 4A Unsignalised and Signalised intersections (2021)</i>; and</p> <p>(c) The Department of Transport and Main Roads' <i>Road Planning and Design Manual 2nd Edition, Technical Specifications, Standards and Standard Drawings Roads</i>.</p>	Prior to the commencement of the use of the Road Access Works and to be maintained at all times.
5	The location of any property gate must be positioned wholly within the boundaries of Lot 7 SP303245 such that:	At all times.

No.	Conditions of Approval	Condition Timing
	<p>(a) the gate is located a minimum of 19 metres from the boundary with the Bunya Highway reserve as shown on the General Site Layout Plan prepared by ATC Engineers dated 9 June 2023 reference project number 22170 Drawing Number C-101 Issue 7 amended in red by the Department of Transport and Main Roads dated 19 July 2023; and</p> <p>(b) the gate must open away from the Bunya Highway.</p>	
6	The standard of road access works specified in Condition Number 3, specifically between the Bunya Highway shoulder and Lot 7 SP303245, must be maintained to the nominated standard by the landowner and/or other person/s with an interest in the land at no cost to the Department of Transport and Main Roads.	At all times.

Reasons for the decision

The reasons for this decision are as follows:

- a) To ensure vehicular access does not compromise the safety of road users of the state-controlled road network.
- b) To ensure vehicular access is consistent with the functional requirements of the state-controlled road network.
- c) To ensure the access decision is consistent with the Principles and Strategies of the Department of Transport and Main Roads (TMR) *Vehicular access to state-controlled roads policy 2023*; and

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.

In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

In accordance with section 67(7) of TIA, this decision notice:

- a) starts to have effect when the development approval has effect; and
- b) stops having effect if the development approval lapses or is cancelled; and
- c) replaces any earlier decision made under section 62(1) in relation to the land.

In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.

In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads (TMR) also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from TMR to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. Please contact TMR's Bundaberg Office via email to WBB.IDAS@tmr.qld.gov.au to ascertain how to make an application for road works approval.
2. Standard of access – Condition Number 2 requires provision of a rural basic right turn and left turn standard to the development's Bunya Highway access. TMR acknowledges that there is a constructed access to the site however any road works application will only need to include the works necessary to ensure the conditioned standard is provided. Should you have any further enquiries about this matter, I encourage you to contact our Bundaberg Office via email to WBB.IDAS@tmr.qld.gov.au and quote TMR23-039177.
3. Access in general – TMR advises that access is approved on the basis that it provides access Lot 7 SP303245 only at the nominated road access location. Measures will need to be provided to facilitate unobstructed two way access through the storage facility use between the balance area and the Permitted Road Access location.

In the event that the land is further developed and/or intensified, TMR will reassess the access requirements in accordance with TMR's policies at that time to ensure that the road safety and transport efficiency outcomes for the state-controlled road network are maximised. On the basis of TMR's *Vehicular access to state-controlled roads policy 2023*, TMR advises it will not support any additional access points between the Bunya Highway and Lot 7 SP303245.

If further information about this approval or any other related query is required, Mr Bryan Richters, Program Support Coordinator (Development Assessment) should be contacted by email at WBB.IDAS@tmr.qld.gov.au or on (07) 4154 0280.

Yours sincerely



Adam Fryer
Principal Advisor (Corridor & Land Management)

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions
ATC Engineers Drawing Number C-101 Issue 7 amended in red by the Department of Transport and Main Roads dated 19 July 2023

Attachment A
Decision Evidence and Findings

Findings on material questions of fact:

- Access between a state-controlled road and adjacent land is managed by the Department of Transport and Main Roads (TMR) under the *Transport Infrastructure Act 1994* (TIA). The objective of the TIA requires the establishment of a road network that is safe and efficient. The Bunya Highway (Kingaroy - Goomeri) is a state-controlled road managed by TMR.
- Section 62 of the TIA allows the Chief Executive of TMR to make decisions about permitted road access locations between particular land and a state-controlled road. Section 62(1)(g) of the TIA allows TMR to make a decision about road access works being a stated type, standard or extent or be constructed in a stated way.
- TMR's *Vehicular access to state-controlled roads policy 2023* (VAP) includes principles and strategies that will be applied when deciding about access to ensure vehicular access is consistent with the safety, function and future intent requirements of the state-controlled road. TMR's *Guide to Traffic Impact Assessments December 2018* (GTIA) outlines the method of assessing development impacts to the state-controlled road network.
- The land described as Lot 7 SP303245 abuts a state-controlled road (Bunya Highway) and it is the only public road abutting the land.
- A development application seeking a Development Permit for a Material Change of Use – Warehouse (Storage facility) on land described as Lot 7 SP303245 has been made (South Burnett Regional Council reference MCU23/0005).
- The access for the proposed warehouse use is shown on General Site Layout Plan prepared by ATC Engineers dated 9 June 2023 reference project number 22170 Drawing Number C-101 Issue 7 (the site plan).
- The submitted Traffic Impact Assessment prepared by ATC Consulting Engineers dated 24 June 2023 Version 2.0 (the traffic response) has not included an assessment of traffic and safety impacts to the state-controlled road up to and including the impact assessment year calculated in accordance with Table 6.5 of the GTIA.
- The vehicle types expected to access this proposed use will include longer vehicle combinations which require additional time and longer gaps in opposing traffic to safely turn across the Bunya Highway northbound lane. The opportunity to find appropriate gaps in opposing traffic flows will reduce up to the impact assessment year (2033). These propped vehicles present an impact on road safety to users traveling south on the Bunya Highway as there is no opportunity for southbound vehicles to safely pass to the left of a propped vehicle.

- The warrants detailed in Figure 3.25 of Austroads *Guide to Traffic Management Part 6 (2020)* as referenced in TMR's *Road Planning and Design Manual 2nd Edition (RPDM)* apply to turning movements from the major road (i.e Bunya Highway is the road with priority). The minimum standard for identified in Figure 3.25 is identified to be a Basic Right Turn (BAR) and Basic Left Turn (BAL) standard.
- Provision of a Rural Basic Right Turn treatment to the development's access prior to the commencement of the use will ensure the proposed development does not adversely impact the on safety, function, and operational efficiency of the Bunya Highway.
- On the basis of minimising the number of access points to the state-controlled road (refer Principle 2, Strategy 3 of TMR's VAP), a condition is included to ensure no additional access will be supported between the site and the state-controlled road. This means measures must be included to ensure unobstructed two-way access through the proposed use is provided between the Permitted Road Access Location on the Bunya Highway and the balance area of Lot 7 SP303245.
- The location of the gate identified on the site plan does not allow for the types of vehicles expected to access the site to stop clear of the state-controlled road corridor. Based on a warehouse use and general access, vehicles up to a 19-metre articulated heavy vehicle are permitted to access the land. Amending the site plan to ensure the gate is located a minimum of 19 metres from the state-controlled road boundary and be free of any structure will ensure sufficient area is provided and avoid creating a safety hazard to users on the state-controlled road.

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version/Issue
<i>Transport Infrastructure Act 1994</i>	Queensland Government	Current as at 19 July 2023	---	---
Vehicular access to state-controlled roads access policy	Department of Transport and Main Roads	20223	---	---
Road Planning and Design Manual 2 nd Edition	Department of Transport and Main Roads	Current as at 19 July 2023	---	---
Standard Drawings Roads Manual	Department of Transport and Main Roads	Current as at 19 July 2023	---	---
Guide to Traffic Impact Assessments	Department of Transport and Main Roads	December 2018	---	---
Guide to Traffic Management Part 6	Austroads	2020	---	---
Development Application Material	G Crumptions & Sons & Co Pty Ltd C/- ONF Surveyors	various	MyDAS Reference 2304-34339 SRA	---

Confirmation Notice	South Burnett Regional Council	11 April 2023	MCU23/0005	---
Referral Confirmation Notice	Department of State Development, Infrastructure, Local Government and Planning	3 May 2023	2304-34339 SRA	
Crumptons Proposed Storage Facility Bunya Hwy, Kingaroy Traffic Impact Assessment	ATC Consulting Engineers	24 June 2023	Sonie Crumpton Lot 7 SP303245 Kingaroy QLD 4610	2.0
General Site Layout Plan amended by TMR	ATC Consulting Engineers	9 June 2023	Project Number 22170 Drawing Number C-101	7

Attachment B**Section 70 of TIA**

Transport Infrastructure Act 1994
Chapter 6 Road transport infrastructure
Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
 - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and
 - (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

(5) The court may order—

- (a) the appeals to be heard together or 1 immediately after the other; or
- (b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

Transport Planning and Coordination Act 1994

Part 5, Division 2 – Review of Original Decisions

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.
- (8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

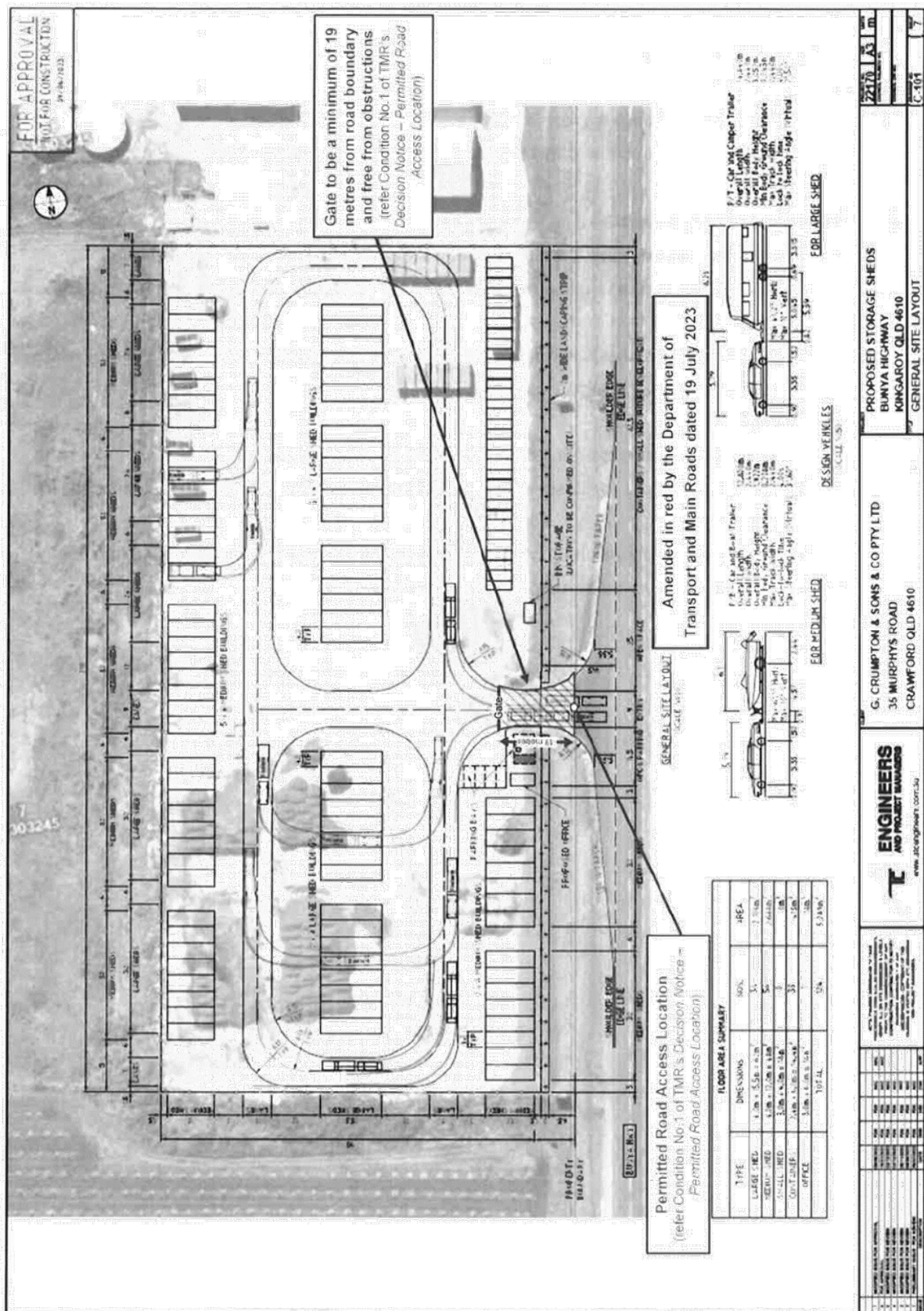
- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
- (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.



Getting a Road Works Approval (under section 33 of the Transport Infrastructure Act 1994) to undertake works required by a development approval condition

All road works within the State-controlled road must be constructed in accordance with the Department of Transport and Main Roads' (TMR) standards for road works. Construction must be managed to ensure no adverse safety impacts for road users and construction workers. The details about the road works required are included as conditions of approval on the concurrence agency response given by the State Assessment and Referral Agency as part of the development assessment process.

Even though a development approval has been given by Council it is still necessary to obtain approval to construct road access works within the State-controlled road from TMR.

Step 1: Application

The road works application must be made on the approved form which is available from the local TMR office (contact details on the back of this page) or at <http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Other-matters-requiring-approval.aspx>

What you need to provide

The information that is required by TMR to assess an application for Road Works approval will largely depend upon the size and scale of the road works to be constructed. In all cases, detailed design of the road work consistent with the requirements of the conditions of approval, conforming to the requirements of the Road Planning and Design Manual and certified by a Registered Professional Engineer Queensland will be necessary. The following are examples of the types of issues that may need to be addressed in the detailed design:

- horizontal and vertical alignment of the works
- cross sections
- property accesses
- drainage design
- pavement design
- signage and pavement marking
- relocating of utilities
- sight distances
- speed environment
- details about the estimated cost of the works (for calculating bond amount if required)

To determine exactly what information is required by TMR, it is recommended you contact your local TMR office.

The road works approval process takes time.

The amount of time depends on the road works required. For this reason, it is important you contact TMR as soon as possible to ensure that obtaining approval does not delay construction.

Step 2: Approval to construct the works

Where road access works may pose a safety risk to road users, approval may be conditional upon providing TMR a traffic management plan before construction begins.

Depending on the nature of the works proposed, TMR may require a performance bond to ensure the works are completed as required.

These conditions will be included in the road access works approval. When all conditions of the road access approval have been fulfilled, TMR will issue an authority to commence construction and work may begin.

What you need to provide

Before construction can begin TMR may require:

- a meeting onsite prior to the start of construction
- the proposed timing and duration of works; and/or
- an indemnity signed by the contractor
- a performance bond
- a traffic management plan

Step 3: Evidence of Construction of the Road Works

TMR may need you to provide evidence that the road works were constructed as approved. This is likely to require the provision of the "as constructed" drawings. The return of any bond may be dependent upon the provision of these drawings.

Important Note:

It is important to read and understand all approvals given to you by TMR as you must comply with them. If you do not understand something or have any additional questions, do not hesitate to contact the TMR office that issued the approval.

Contact details for Transport and Main Roads offices

To lodge your application or if you require any assistance with finalising your application email, contact your local TMR office. To find out which office is your local office, call 132380 or go to www.tmr.qld.gov.au/About-us/Contact-us/In-person/Roads-offices.aspx

Office	Email	Phone
Barcaldine	barcaldine.office@tmr.qld.gov.au	4651 2777
Rockhampton	corridormangement@tmr.qld.gov.au	4931 1559
Roma	downsswr.office@tmr.qld.gov.au	4622 9511
Toowoomba	downsswr.office@tmr.qld.gov.au	4639 0777
Cairns	cairns.office@tmr.qld.gov.au	4045 7144
Mackay	mackay.whitsunday.idas@tmr.qld.gov.au	4951 8555
Brisbane	metropolitan.idas@tmr.qld.gov.au	3066 5499
Maroochydore	north.coast.idas@tmr.qld.gov.au	5451 7055
Cloncurry	cloncurry.office@tmr.qld.gov.au	4769 3200
Townsville	towdawe@tmr.qld.gov.au	4421 8700
Gold Coast	scrcmallocations@tmr.qld.gov.au	5563 6600
Bundaberg	wide.bay.burnett.idas@tmr.qld.gov.au	4154 0200

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

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

Part 7: Miscellaneous

30 Representations about a referral agency response

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

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

