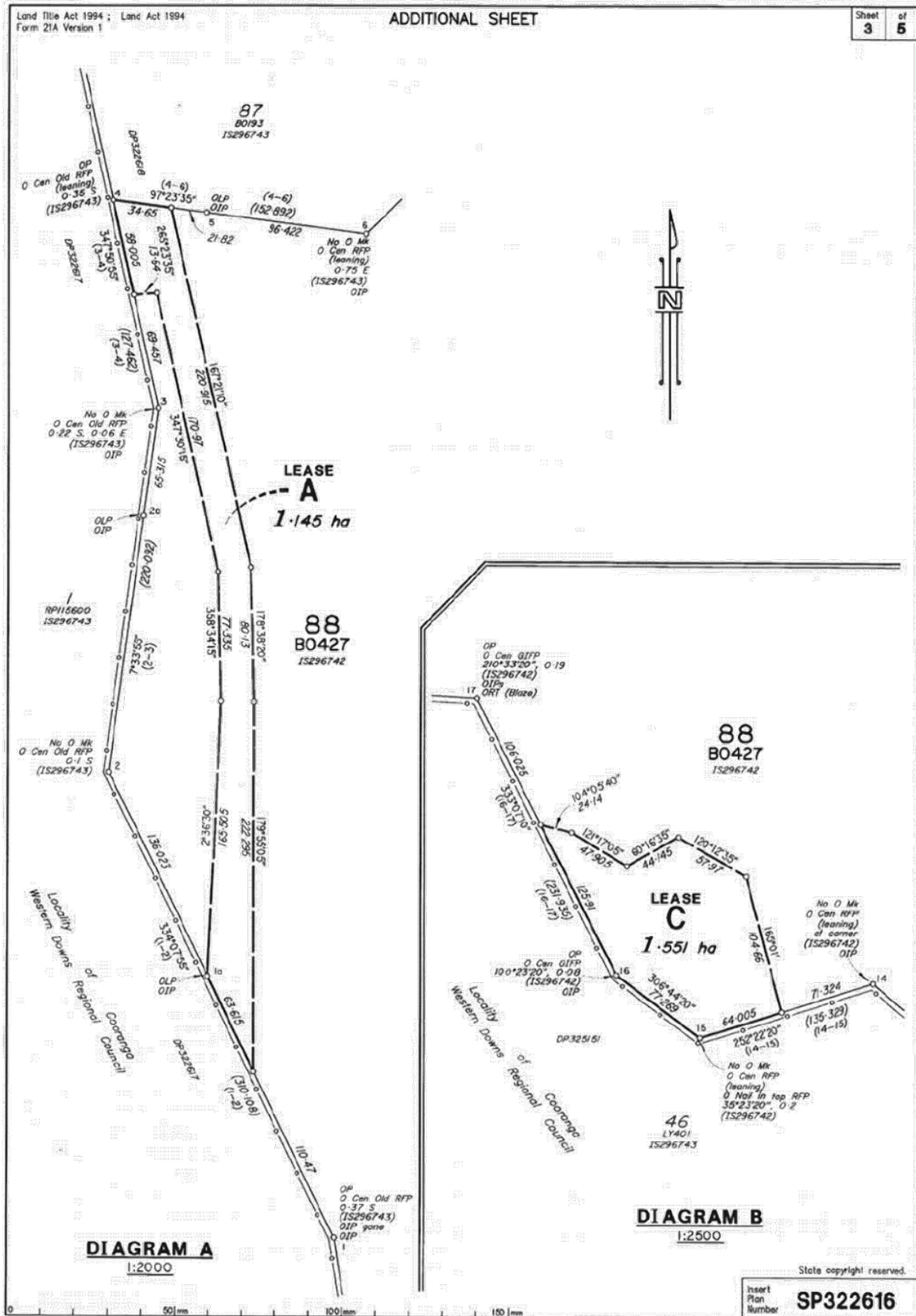
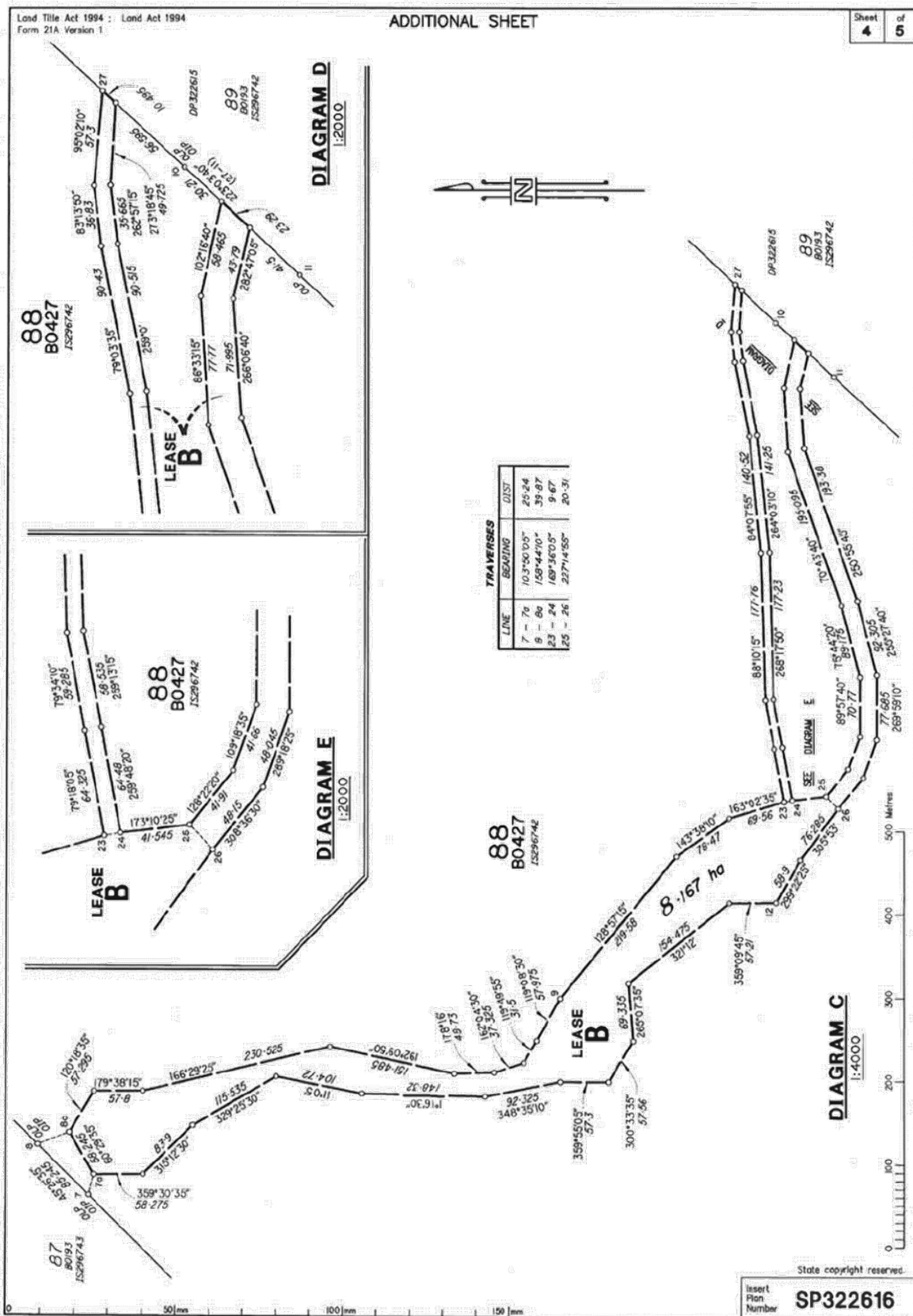
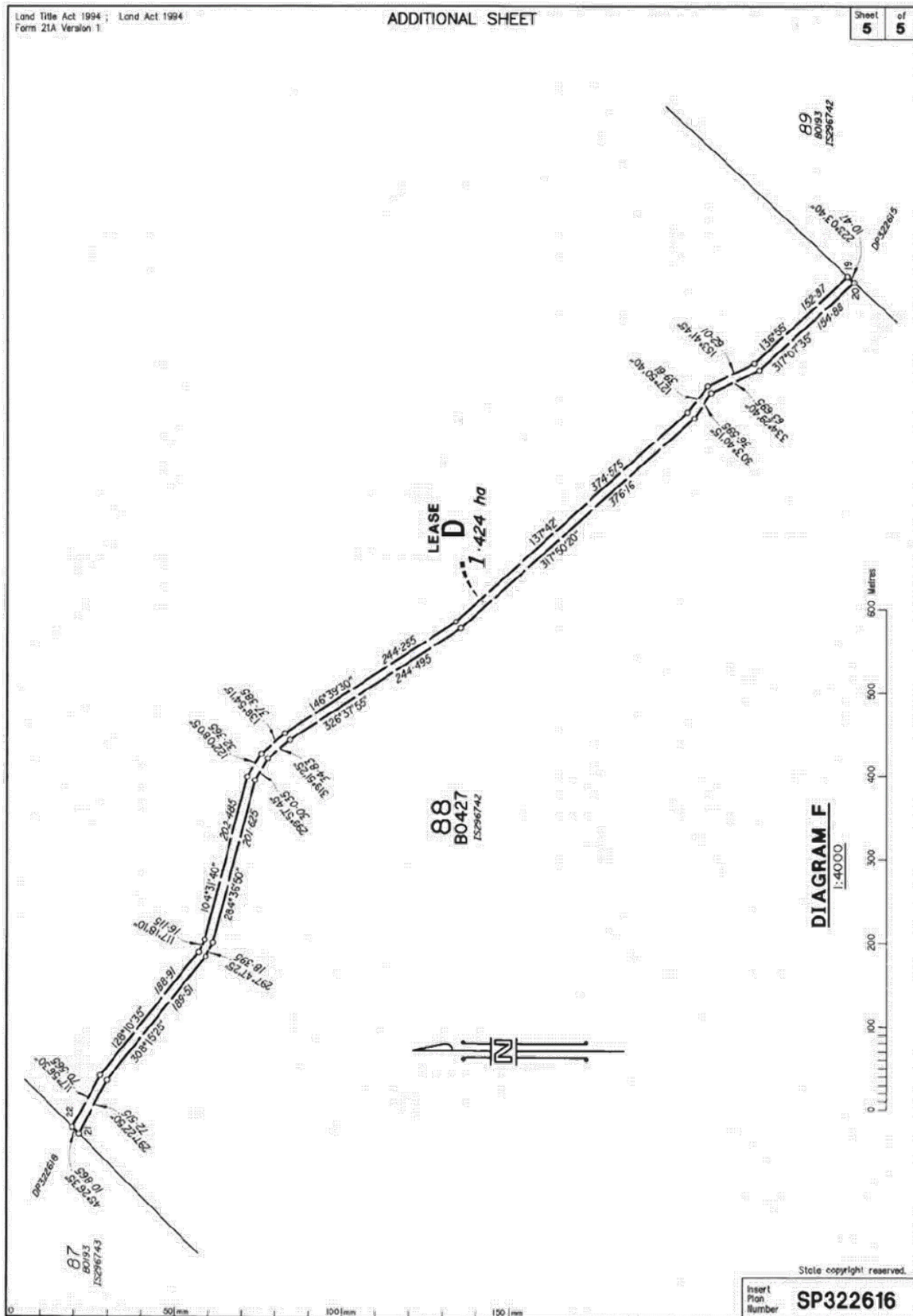
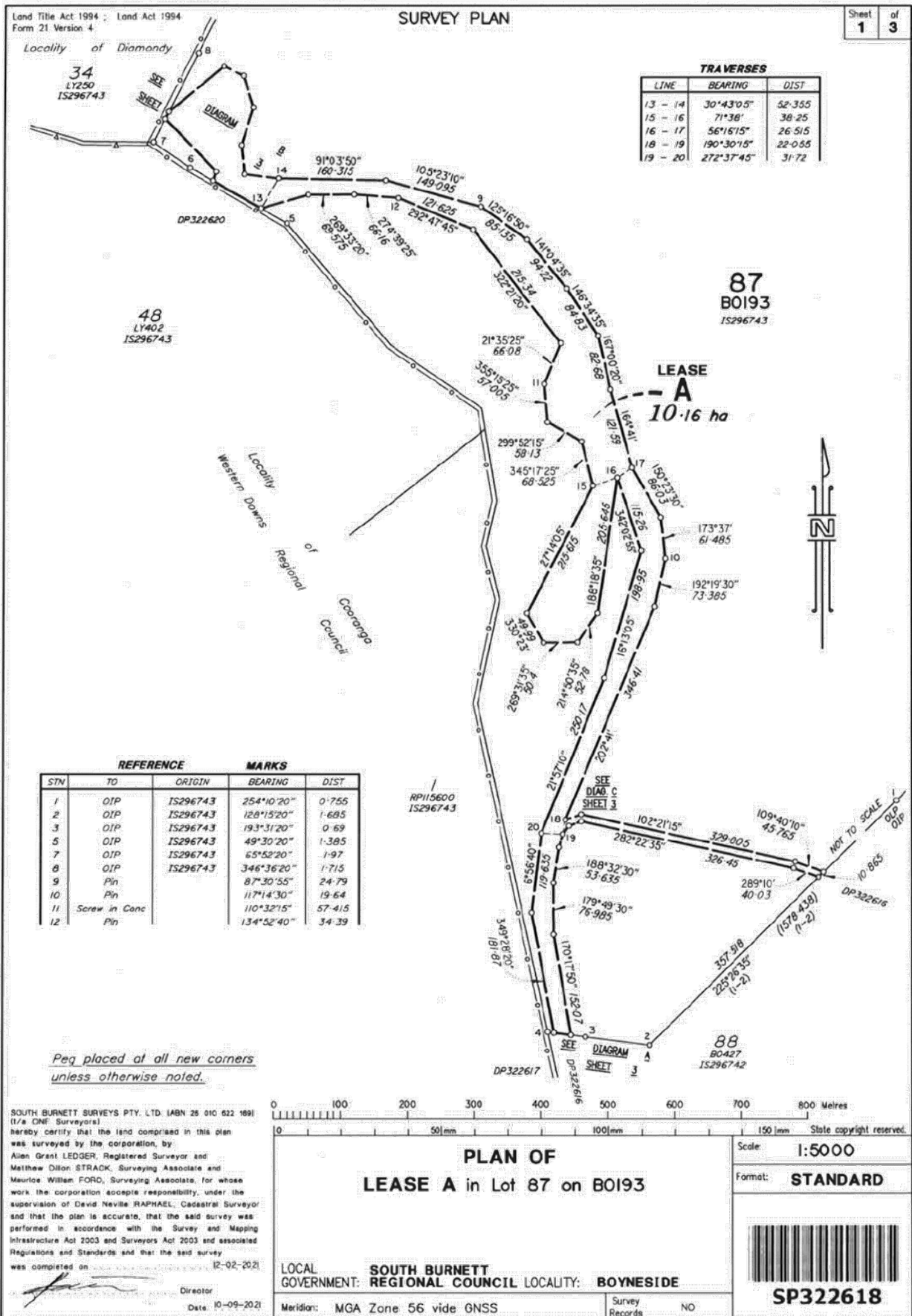


Land Title Act 1994 : Land Act 1994 Form 21B Version 2		WARNING : Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins.			Sheet 2 of 5
(Dealing No.)		4. Lodged by			
		(Include address, phone number, reference, and Lodger Code)			
1. Existing		Created			
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51091483	LDT 88 ON 80427			LEASES A, B, C & D	
REINSTATEMENT REPORT * Reinstatement is in agreement with IS296742 & IS296743					
Lots		Orig			
2. Orig Grant Allocation :		5. Passed & Endorsed :			
3. References :		By : South Burnett Surveys Pty. Ltd.			
Dept File :		Date : 3-06-2022			
Local Govt :		Signed :			
Surveyor : 8680		Designation : Liaison Officer			
		6. Building Format Plans only.		I certify that : * As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road. * Part of the building shown on this plan encroaches onto adjoining lots and road.	
		Cadastral Surveyor/Director * Date * Delete words not required		7. Lodgement Fees :	
		Survey Deposit \$		Lodgement \$	
		New Titles \$		Photocopy \$	
		Postage \$		TOTAL \$	
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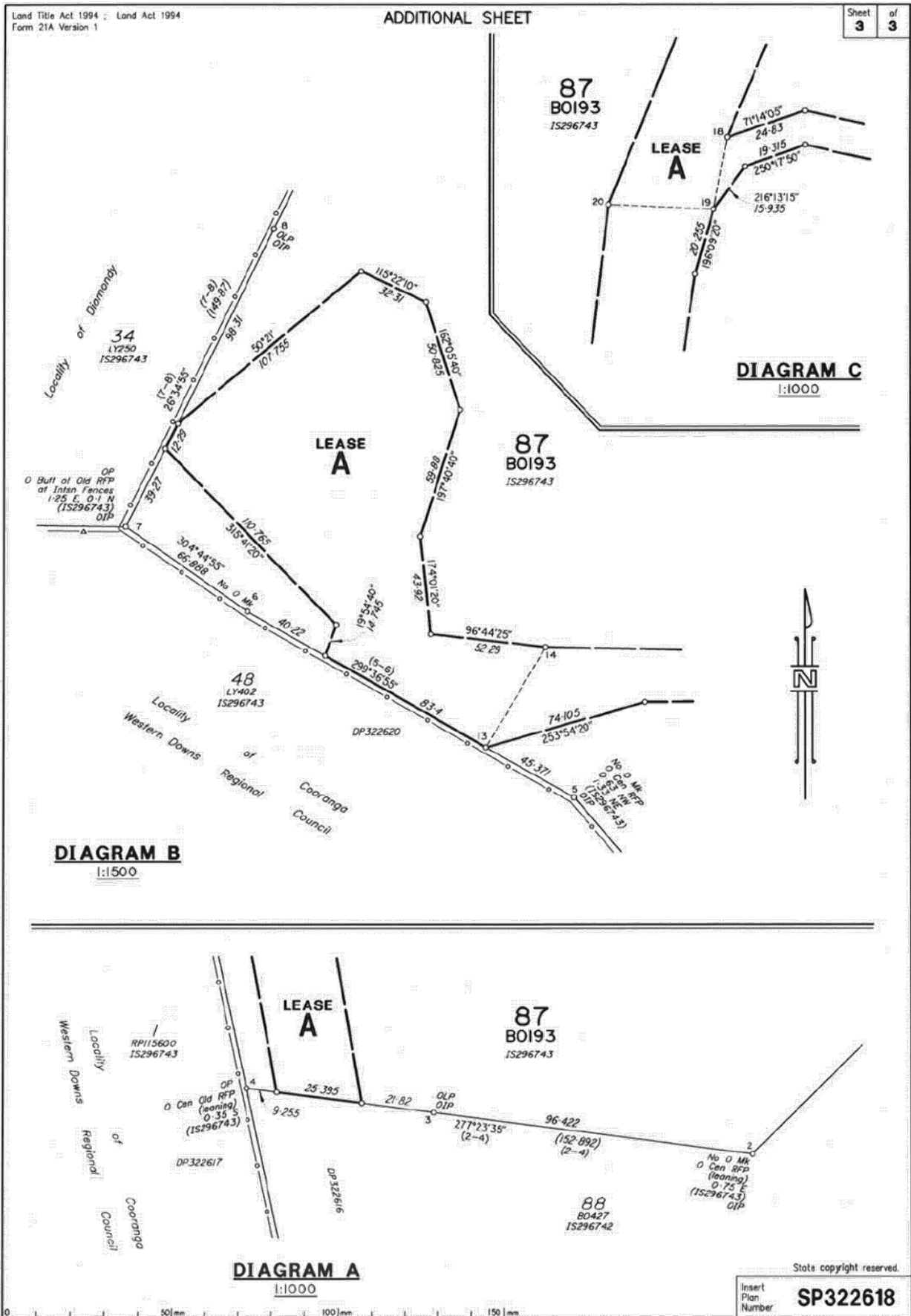




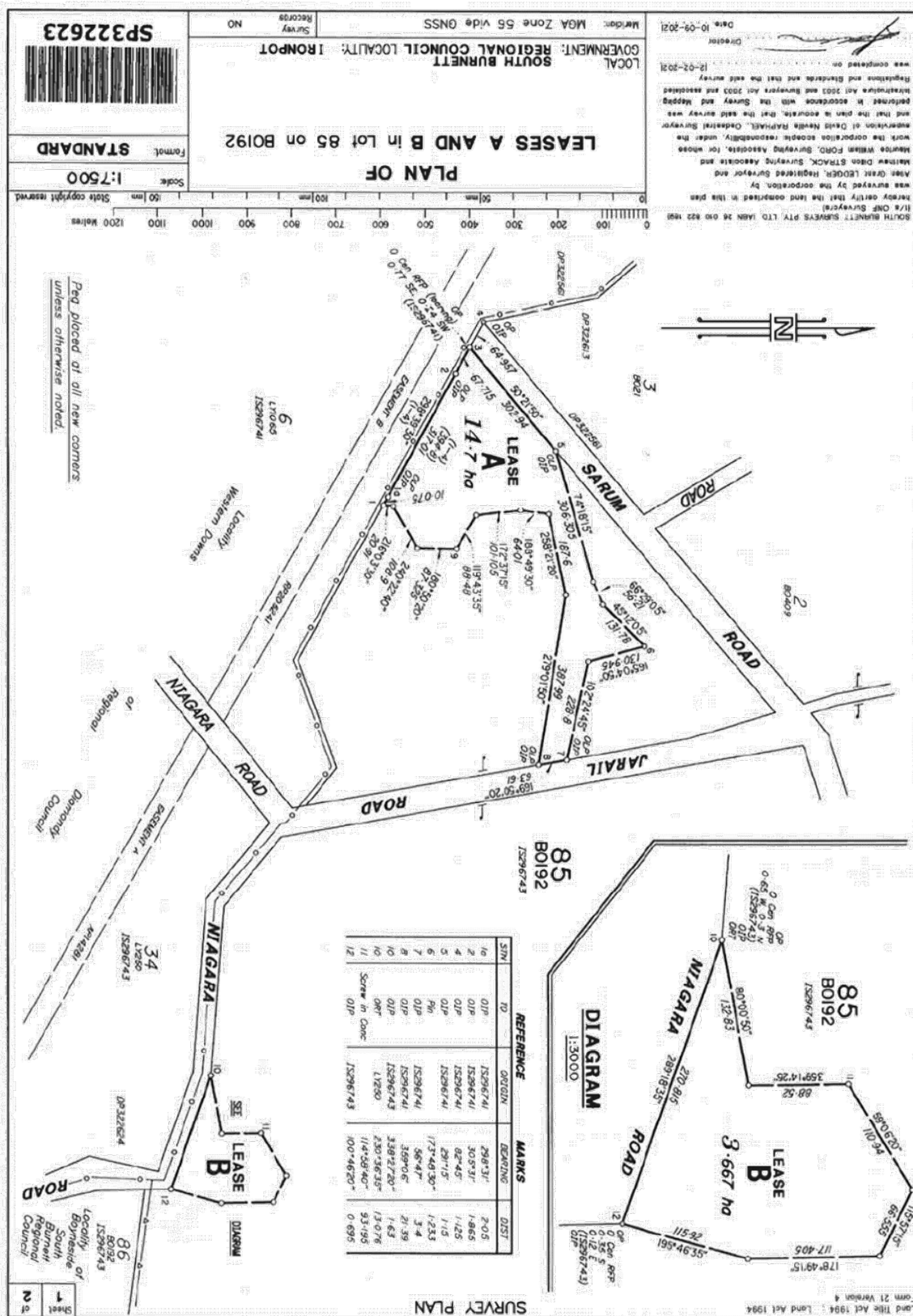
Document Set ID: 3066817
Version: 1, Version Date: 17/08/2023

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1. Existing		Created															
Title Reference	Description	New Lots	Road	Secondary Interests													
13563100	LOT 67 ON B0193	—	—	LEASE A													
<p>REINSTATEMENT REPORT</p> <ul style="list-style-type: none"> Reinstatement is in agreement with IS296743 																	
Lots		Orig															
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Dept File :		Date : 3-06-2022															
Local Govt :		Signed :															
Surveyor : 8880		Designation : Liaison Officer															
		<p>6. Building Format Plans only.</p> <p>I certify that :</p> <ul style="list-style-type: none"> As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or roads. Part of the building shown on this plan encroaches onto adjoining lots and road. <p style="font-size: x-small;">Cadastral Surveyor/Director Date</p> <p style="font-size: x-small;"><input type="checkbox"/> Delete words not required</p>															
		<p>7. Lodgement Fees :</p> <table style="width:100%; font-size: x-small;"> <tr><td>Survey Deposit</td><td style="text-align: right;">\$</td></tr> <tr><td>Lodgement</td><td style="text-align: right;">\$</td></tr> <tr><td> New Titles</td><td style="text-align: right;">\$</td></tr> <tr><td>Photocopy</td><td style="text-align: right;">\$</td></tr> <tr><td>Postage</td><td style="text-align: right;">\$</td></tr> <tr><td>TOTAL</td><td style="text-align: right;">\$</td></tr> </table>				Survey Deposit	\$	Lodgement	\$	New Titles	\$	Photocopy	\$	Postage	\$	TOTAL	\$
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		<p>8. Insert Plan Number</p> <p style="font-size: large; text-align: center;">SP322618</p>															

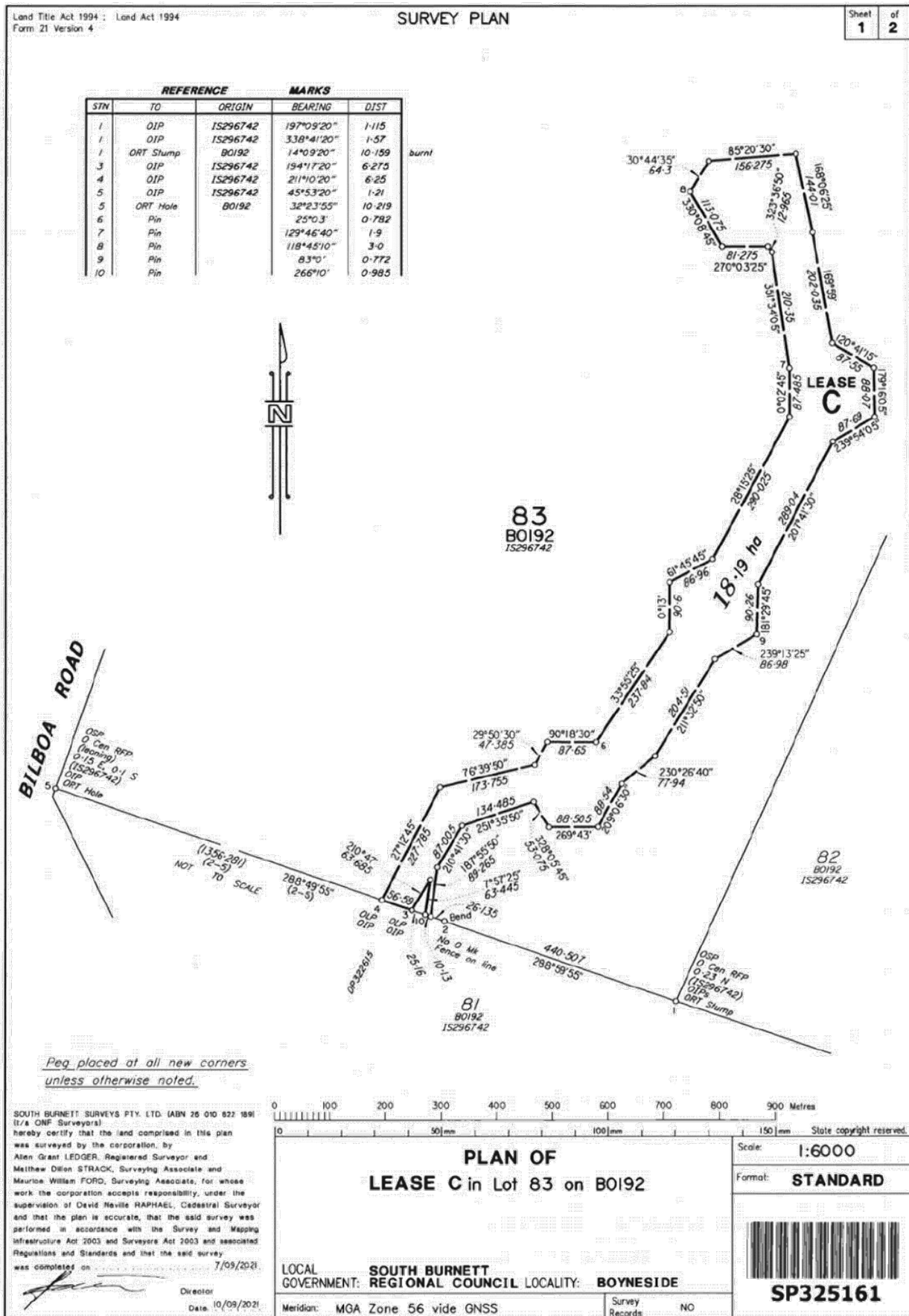
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Revision: 1, Version Date: 17/08/2023



<p>SP322623</p> <p>Insert Plan Number</p>	<p>Designation: Lot 10 Lot 11 Lot 12 Lot 13 Lot 14 Lot 15 Lot 16 Lot 17 Lot 18 Lot 19 Lot 20 Lot 21 Lot 22 Lot 23 Lot 24 Lot 25 Lot 26 Lot 27 Lot 28 Lot 29 Lot 30 Lot 31 Lot 32 Lot 33 Lot 34 Lot 35 Lot 36 Lot 37 Lot 38 Lot 39 Lot 40 Lot 41 Lot 42 Lot 43 Lot 44 Lot 45 Lot 46 Lot 47 Lot 48 Lot 49 Lot 50 Lot 51 Lot 52 Lot 53 Lot 54 Lot 55 Lot 56 Lot 57 Lot 58 Lot 59 Lot 60 Lot 61 Lot 62 Lot 63 Lot 64 Lot 65 Lot 66 Lot 67 Lot 68 Lot 69 Lot 70 Lot 71 Lot 72 Lot 73 Lot 74 Lot 75 Lot 76 Lot 77 Lot 78 Lot 79 Lot 80 Lot 81 Lot 82 Lot 83 Lot 84 Lot 85 Lot 86 Lot 87 Lot 88 Lot 89 Lot 90 Lot 91 Lot 92 Lot 93 Lot 94 Lot 95 Lot 96 Lot 97 Lot 98 Lot 99 Lot 100</p>	<p>8880 Surveyor: Local Govt: Dept File:</p>
<p>3 References: 2 Orig Grant Allocation: 5 Passed & Endorsed: By: South Burnett Surveyors Pty. Ltd. Date: 09-08-2022 17-02-2022 Signed: [Signature] Designation: Lot 10 Lot 11 Lot 12 Lot 13 Lot 14 Lot 15 Lot 16 Lot 17 Lot 18 Lot 19 Lot 20 Lot 21 Lot 22 Lot 23 Lot 24 Lot 25 Lot 26 Lot 27 Lot 28 Lot 29 Lot 30 Lot 31 Lot 32 Lot 33 Lot 34 Lot 35 Lot 36 Lot 37 Lot 38 Lot 39 Lot 40 Lot 41 Lot 42 Lot 43 Lot 44 Lot 45 Lot 46 Lot 47 Lot 48 Lot 49 Lot 50 Lot 51 Lot 52 Lot 53 Lot 54 Lot 55 Lot 56 Lot 57 Lot 58 Lot 59 Lot 60 Lot 61 Lot 62 Lot 63 Lot 64 Lot 65 Lot 66 Lot 67 Lot 68 Lot 69 Lot 70 Lot 71 Lot 72 Lot 73 Lot 74 Lot 75 Lot 76 Lot 77 Lot 78 Lot 79 Lot 80 Lot 81 Lot 82 Lot 83 Lot 84 Lot 85 Lot 86 Lot 87 Lot 88 Lot 89 Lot 90 Lot 91 Lot 92 Lot 93 Lot 94 Lot 95 Lot 96 Lot 97 Lot 98 Lot 99 Lot 100</p>		
<p>7. Lodgement Fees: Survey Deposit: Lodgement: Photocopy: Photolog: TOTAL:</p>		
<p>6. Building Format Plans only. I certify that: * As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road. * Part of the building shown on this plan encroaches onto adjoining lots and road. * Details words not required. * Date * Lodged by * Lodged by * Lodged by</p>		
<p>REINSTATEMENT REPORT * Reinstatement is in agreement with IS296741 & IS296743</p>		
<p>1. Title Reference Description Existing Created New Lots Road Secondary Interests LEASES A & B</p>		
<p>WARNING: Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins. Sheet 2 of 2</p>		
<p>Land Title Act 1994 : Land Act 1994 Form 21B Version 2</p>		



Land Title Act 1994 ; Land Act 1994 Form 21B Version 2 (Dealing No.)		WARNING : Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins.							
		Sheet 2 of 2							
		↓ Lodged by: (Include address, phone number, reference, and Ledger Code)							
Existing		Created							
Title Reference	Description	New Lots	Road						
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REINSTATEMENT REPORT • Reinstatement is in agreement with IS296742									
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Lots		Orig							
2. Orig Grant Allocation :		5. Passed & Endorsed :							
3. References :		By : South Burnett Surveys Pty. Ltd.							
Dept File :		Date : 6/07/2021 - 25/02/2022							
Local Govt :		Signed :							
Surveyor : 8880		Designation : Liaison Officer							
		6. Building Format Plans only. I certify that : • As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or roads. • Part of the building shown on this plan encroaches onto adjoining lots and road.							
		Cadastrol Surveyor/Director Date *delete words not required							
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Document Set ID: 3068818
 Version: 3, Version Date: 17/08/2023

0.0 OPERATIONAL WORKS (EARTHWORKS) AT 10 YOUNGMAN STREET, KINGAROY (AND DESCRIBED AS LOT 6 SP274891) APPLICANT KINGAROY JUNIOR RUGBY LEAGUE C/- ATC ENGINEERS & PROJECT MANAGERS.

File Number: OPW23/0012
Author: Administration
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
Coordinator MANAGER	[Redacted]	20/09/23
GM	[Redacted]	20/9/23
CEO	[Redacted]	21.9.2023

PRECIS

Operational Works (Earthworks) at 10 Youngman Street, Kingaroy (and described as Lot 6 SP274891) Applicant Kingaroy Junior Rugby League c/- ATC Engineers & Project Managers.

SUMMARY

- Development Application for Operational Work – Earthworks – OPW23/0012.
- Subject site located in Recreation and Open Space zone under the South Burnett Regional Council Planning Scheme;
- The works proposed are to construct a new playing field;
- The site is leased from South Burnett Regional Council by the Kingaroy Junior Rugby League;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme. Relevant codes including the Service & Works Code;
- Council did not issue an information request;
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes or has been conditioned to comply;
- The application is recommended for approval subject to reasonable and relevant conditions

OFFICER'S RECOMMENDATION

It is recommended that Council approve the development application for Operational Work for Earthworks at 10 Youngman St, Kingaroy - Lot 6 on SP274891, subject to the following conditions:

GENERAL

- ENG1. Compliance with the plans and specifications submitted with Development Application OPW23/0012, approval conditions, and all Council Planning Scheme Policies.
- ENG2. This approval extends to Earthworks only as detailed, and is conditional upon a set of "Issued for Construction" drawings, amended if required by the conditions of this approval, being submitted to Council for endorsement, prior to pre-start meeting.
- ENG3. Undertake all approved works and works required by conditions of this development approval at no cost to Council.
- ENG4. Adhere to the following hours of construction unless otherwise approved in writing by Council:

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

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

- ENG5. Be responsible to carry out Work Health and Safety legislative requirements.
- ENG6. Ensure all work sites are maintained in a clean, orderly state at all times.

-
- ENG7. Manage all waste in accordance with the relevant legislation and regulations and dispose of regulated waste at a licensed facility of South Burnett Regional Council by a licensed regulated waste disposal contractor.
- ENG8. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG9. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development, immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.

STORMWATER

- ENG10. Ensure that earthworks and fill on the subject land do not lead to ponding of stormwater or actionable nuisance, and drain freely to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual.
- ENG11. Do not concentrate stormwater onto adjoining properties.

DEVELOPMENT WORKS

- ENG12. Maintain erosion and sedimentation controls at all times during the course of the project. Council Officers will inspect and assess the sediment and erosion control measures and temporary fencing implemented, and any alterations and/or supplementary works required must be incorporated.
- ENG13. Implement measures to prevent site vehicles tracking sediment and other pollutants from the site onto adjoining streets during the course of the project, and to prevent dust nuisance during construction.
- ENG14. Be responsible for protecting nearby property owners from dust pollution arising from construction and maintenance of the works required by this approval, and comply with any lawful instructions from the Assessment Manager if, in his opinion, a dust nuisance exists.

EARTHWORKS

- ENG15. Fill shall be suitably compacted to the satisfaction of a suitably qualified Registered Professional Engineer of Queensland (RPEQ).
- ENG16. Contain cut or fill batters wholly within the subject land. Do not place fill on adjacent properties without providing Council with written permission from the respective property owner(s).
- ENG17. Do not use contaminated material as fill on the site. Undertake any filling using inert materials only.
- ENG18. Submit to Council, the following for approval in the event it is proposed to import material to or export material from the site, prior to commencement of the work:
- (a) details of the location of any material to be sourced for fill including the volume of fill to be moved from any particular source site;
 - (b) details of the final location for any material to be exported from the site from excavations including the volume to be moved to any particular site; and
 - (c) the proposed haulage route(s) and truck sizes for carting of the material.

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

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

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

INSPECTIONS AND TESTING

ENG19. Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.

ENG20. Provide Council with a minimum of two clear working days notice to undertake compulsory inspections and meetings at the following stages:

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

The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by the applicant as listed below:

Drawing No.	Drawing/Plan Title	Date
C-101 A	Site Plan	18/8/22
C-102 A	Cross Sections	18/8/22

ADVICE NOTES

The applicant be advised that:

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

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

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

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

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

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

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

REPORT**1. APPLICATION DETAILS**

Site address	10 Youngman St, Kingaroy		
Real property description	Lot 6 on SP274891		
Easements or encumbrances on title	Easement B on RP202301. The easement is at least 50m from the proposed works, and on the eastern side of the trunk open channel stormwater drain. No impacts are expected.		
Area of Site	21.19 Ha is the whole site.		
Current Use	Sporting fields including cricket, rugby league, tennis, soccer, AFL		
Environmental Management Register or Contaminated Land Register	N/A		
Applicant's name	Kingaroy Junior Rugby League		
Zone	Recreation and Open Space		
Applicable Overlays	Flood Hazard Overlay – Earthworks are clear of flood hazard area		
Proposed use as defined	No change to use proposed		
Details of proposal	Material Change of Use (MCU's) – Not Applicable		
Application type	Aspects of Development	Type of Approval Requested	
		Preliminary Approval	Development Permit
	Material Change of Use (MCU)		
	Reconfiguration of a Lot (RAL)		
	Building Work (BW)		
	Operational Work (OPW)		X
Level of Assessment	Code Assessment		
Pre-lodgement Consultation history /	Kingaroy Junior Rugby League have discussed the proposed with Councils Lease officer and the works are endorsed.		
Key planning issues e.g. vegetation, waterway corridors, overland flow	None identified		
Referral agencies	Agency	Concurrence/ Advice	
	N/A	N/A	
Public notification	Yes – 15 business days		
Planning Regulation 2017	N/A		

2. THE SITE

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

2.1. SITE DESCRIPTION & EXISTING USE

Table 1 – Maps & Descriptions (Source:)

<p>Site</p>	<p>10 Youngman St, Kingaroy (Lot 6 on SP274891)</p> 
<p>Zoning Applicable Overlays</p>	<p>Recreation and open Space Flood Hazard</p> 
<p>Services Topography</p>	<p>Currently the site of the Kingaroy Junior Rugby League Flat</p>

3. PROPOSAL DETAILS

The proposal plans as set out in Table 1 below are included in.

SUMMARY DETAILS

Minor earthworks to create a new playing field. 807m³ of cut, 779m³ of fill – 28m³ of spoil.

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Planning Act 2016, Section 26 – Assessment Benchmarks generally

(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

- (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (iii) a temporary State planning policy applying to the premises;

(b) if the local government is an infrastructure provider—the local government’s LGIP.

(3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. DEVELOPMENT CODE ASSESSMENTS

SERVICE AND WORKS CODE

Performance outcomes	Assessment benchmarks	Assessment
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.	N/A for Operational Work.

Performance outcomes	Assessment benchmarks	Assessment
<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>N/A</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>Erosion and sediment control has been conditioned. No changes to stormwater arrangements expected.</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.</p>	<p>N/A</p>
Infrastructure		
<p>PO5 Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. 	<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>N/A</p>

Performance outcomes	Assessment benchmarks	Assessment
Vehicle parking		
<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	N/A
Landscaping		
<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>	N/A
<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>	N/A

Performance outcomes	Assessment benchmarks	Assessment
<p>Filling and excavation</p> <p>PO9 Development results in ground levels that retain:</p> <ul style="list-style-type: none"> (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety. 	<p>AO9.1 The depth of:</p> <ul style="list-style-type: none"> (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level. <p>and</p> <p>AO9.2 The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p>AO9.3 Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots. 	<p>Cut or fill is less than 2m in height/depth.</p> <p>Existing slope is less than 15%.</p>
<p>PO10 Filling or excavation does not cause damage to public utilities.</p>	<p>AO10.1 Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>	<p>Public Utilities not expected to be affected.</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>Ponding of water is not expected as a result of the works.</p>

Performance outcomes	Assessment benchmarks	Assessment
All operational work subject to an overlay		
Biodiversity overlay		
PO12 Development avoids, minimises or mitigates adverse impacts on areas of environmental significance.	<p>AO12.1 Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p>AO12.2 Development is compatible with the environmental values of the area.</p> <p>or</p> <p>AO12.3 Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.</p>	N/A
PO13 Biodiversity values of identified areas of environmental significance are protected from the impacts of development	AO13.1 Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.	N/A
PO14 There are no significant adverse effects on water quality, ecological and biodiversity values.	<p>AO14.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features.</p> <p>and</p> <p>AO14.2 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.</p>	N/A
Flood hazard overlay		
PO15 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.	AO15.1 Works associated with the proposed development do not: <ul style="list-style-type: none"> (a) involve a net increase in filling greater than 50m³ in the area identified on Overlay Map 03; (b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or (c) change flood characteristics outside the site in ways that result in: <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows; or (iv) any reduction in flood warning times. 	Location of earthworks are clear of the flood hazard overlay.

Performance outcomes	Assessment benchmarks	Assessment
Regional infrastructure overlay		
PO16 Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment.	AO16.1 Earthworks do not alter levels along the boundaries of existing easements by more than 300mm and do not result in increased inundation of electricity infrastructure.	Site will not impact existing electrical easements
PO17 There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure.	No outcome specified.	N/A
Water catchments overlay		
PO18 There are no significant adverse effects on the water quality of the Region's drinking water supply.	<p>AO18.1 Development within the Bjelke-Petersen Dam Water Resource Catchment Area and the 800m buffer to Boondooma and Gordonbrook Dams shown on Overlay Map 06 has no significant adverse effect on the quantity and availability of raw water for consumption, as determined by a suitably qualified water quality expert.</p> <p>or</p> <p>AO18.2 Development within the Cooyar Creek water supply buffer area shown on Overlay Map 06 complies with the specific outcomes and measures of the <i>Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012</i>.</p>	Site is not within a water supply catchment

5. CONSULTATION

Referral Agencies

Not Applicable

Council Referrals

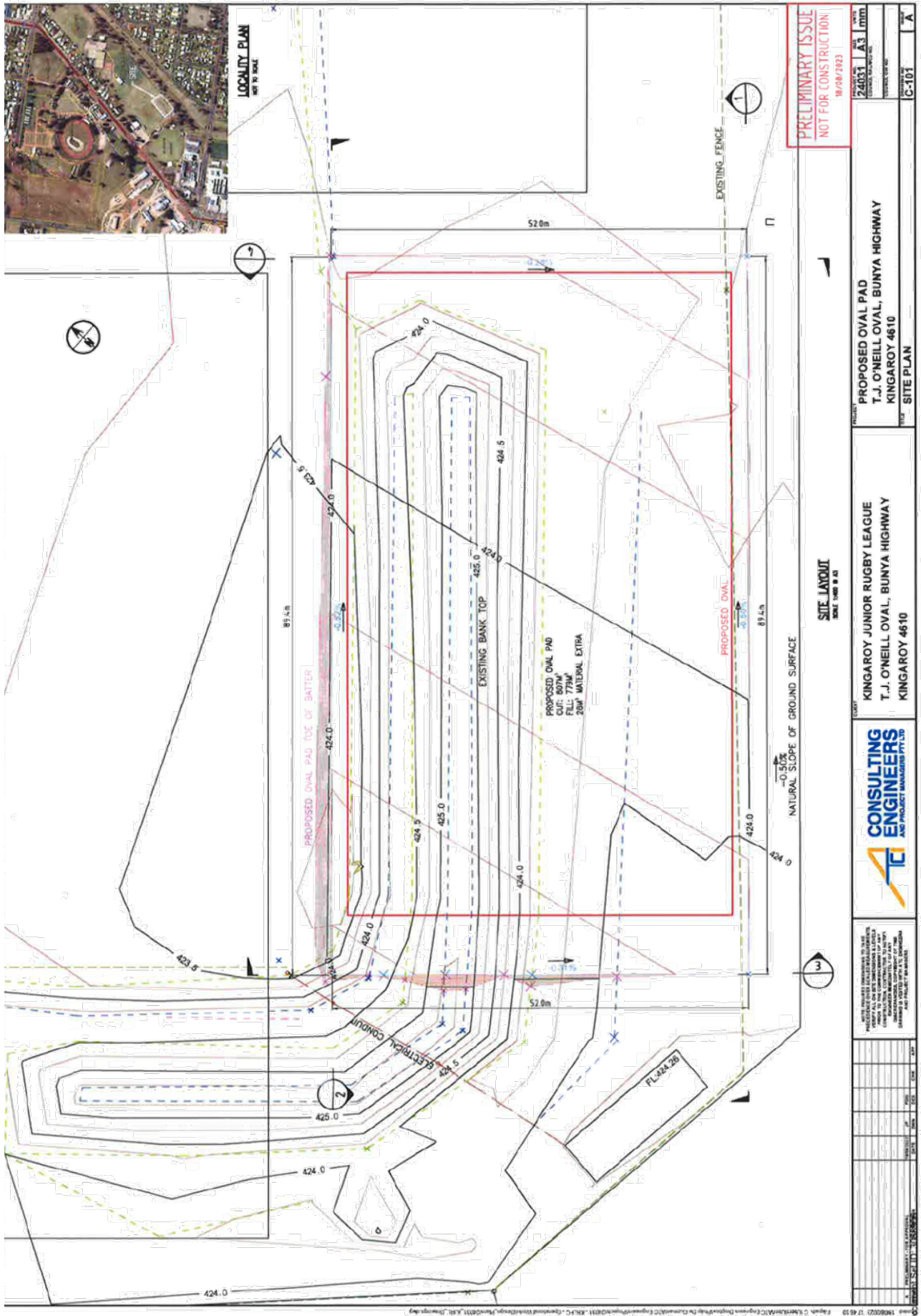
INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	Councils Development Engineer has done the assessment
Council's Community & Lifestyle, and Facilities & Parks departments	The Kingaroy Junior Rugby League (KJRL) has been liaising with Council's Community & Lifestyle, and Facilities & Parks departments regarding the Master Plan of the site. KJRL engaged Ross Planning in 2021 to prepare a master plan for the development of the site, and council is supportive of the report. The proposed works are consistent with the report.

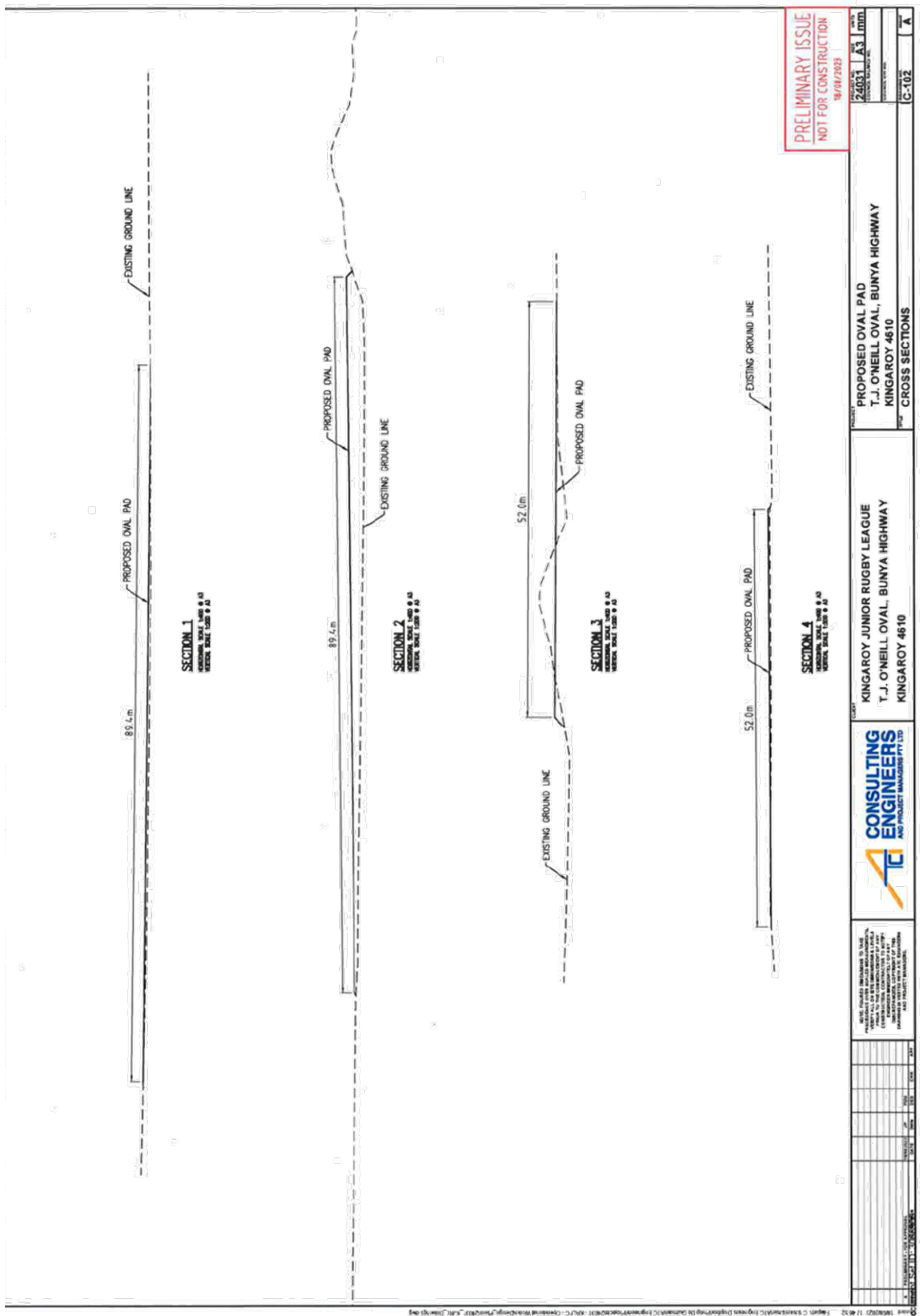
6. RECOMMENDATION

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

ATTACHMENTS

1. Attachment A - Approved Plans





**PRELIMINARY ISSUE
NOT FOR CONSTRUCTION**
18/08/2023

PROJECT NO	24031	SCALE	A3	DATE	18/08/2023
PROJECT NAME	PROPOSED OVAL PAD T.J. O'NEILL OVAL, BUNYA HIGHWAY KINGARROY 4610				
CROSS SECTIONS	C-102				

PROPOSED OVAL PAD
T.J. O'NEILL OVAL, BUNYA HIGHWAY
KINGARROY 4610
CROSS SECTIONS

KINGARROY JUNIOR RUGBY LEAGUE
T.J. O'NEILL OVAL, BUNYA HIGHWAY
KINGARROY 4610



NOTE: CONSULTING ENGINEERS TO TAKE RESPONSIBILITY FOR THE DESIGN OF THE OVAL PAD AND TO PROVIDE ALL NECESSARY INFORMATION TO THE CONTRACTOR TO EFFECT CONSTRUCTION OF THE OVAL PAD. CONSULTING ENGINEERS AND PROJECT MANAGERS PTY LTD IS NOT RESPONSIBLE FOR THE DESIGN OF THE OVAL PAD OR FOR THE CONSTRUCTION OF THE OVAL PAD.

NO.	DATE	BY	CHK	APP	REV	DESCRIPTION
1	18/08/23	...	...	...	...	...
2	...	...	...	...	...	...

Version: 1, Version Date: 23/08/2023

12.2 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**File Number:** 11-10-2023**Author:** Administration Officer**Authoriser:** Chief Executive Officer**PRECIS**

List of correspondence pending completion of assessment report.

SUMMARY

Reports pending completion of assessment as of 30 September 2023.

OFFICER'S RECOMMENDATION

That the List of correspondence pending completion of assessment report as of 30 September 2023 be received.

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

1. RAL22/0011 – Easement associated with MCU22/0004 at 79 Zerners Road MURGON
2. RAL23/0002 – Reconfiguration of a lot – Boundary Realignment at 858 Memerambi Gordonbrook Road GORDONBROOK
3. RAL23/0014 – Minor Change to Existing Approval (RAL22/0032) – Boundary Realignment (6 Lots into 5 Lots) at 12 Arthur Street East NANANGO
4. RAL23/0015 – Reconfiguration of a Lot – Subdivision (2 Lots into 15 Lots), New Road and Drainage Easements at 189 & 193 Crumpton Drive BLACKBUTT NORTH
5. RAL23/0020 – Minor Change to Existing Approval (RAL19/0011) at 116-120 Harris Road KINGAROY
6. RAL23/0021 – Reconfiguration of a Lot – Subdivision (1 Lot into 3 Lots) at 20-28 Glendon Street KINGAROY
7. RAL23/0022 - Minor Change to Existing Approval (RAL22/0031) at 6 Cherbourg Road MURGON
8. RAL23/0023 – Reconfiguration of a Lot – Subdivision (5 Lots into 25 Lots), New Road and Drainage Easements at 70, 84 & 104 Crumpton Drive BLACKBUTT NORTH
9. RAL23/0024 – Reconfiguration of a Lot – Subdivision (1 Lot into 2 Lots) at 14 McCord Street WONDAI
10. RAL23/0026 – Reconfiguration of a Lot – Subdivision (1 lot into 2 lots) at 92 Anita Road BLACKBUTT NORTH
11. RAL23/0027 – Reconfiguration of a Lot – Boundary Realignment (2 lot into 2 lots) at 394-415 Crumpton Drive, BLACKBUTT NORTH
12. RAL23/0028 – Reconfiguration of a Lot – Boundary Realignment (2 Lots into 2 Lots) at Haly Street, KINGAROY
13. RAL23/0029 – Reconfiguration of a Lot – Subdivision (1 Lot into 2 Lots) at 2 Moore Street, KINGAROY
14. RAL23/0030 – Reconfiguration of a Lot – Subdivision (1 Lot into 2 Lots) at 4 Gilliland Crescent, BLACKBUTT NORTH
15. RAL23/0031 – Reconfiguration of a Lot – Boundary Realignment (4 Lots into 3 Lots) at 102 Drayton Street, NANANGO
16. RAL23/0032 – Reconfiguration of a Lot – Subdivision (1 Lot into 2 Lots) at 91 Maidenwell Bunya Mountains Road, MAIDENWELL

Material Change of Use (MCU) Applications

1. MCU21/0017 – Material Change of Use – Expansion of the existing piggery (57,000SPU) at 592 Morgans Road, WINDERA (and described as Lot 49 on MZ555 & Lot 203 on SP251979)
2. MCU21/0019 – Other Change to Existing Approval – Material Change of Use (Master Planned Community and Development Permit for Reconfiguration of a lot (1 lot into 6 lots plus parkland dedication) at Corner Bunya Highway & Taylors Road KINGAROY
3. MCU22/0004 – Extractive Industry and Easement at 79 Zerners Road MURGON
4. MCU22/0011 – Motorsport and Ancillary Facilities and Caretakers' Residence and ERA (63) for Sewerage Treatment at Lewis Duff Road BALLOGIE
5. MCU22/0034 – Major Utility Infrastructure – Solar Farm at Bowman Road BLACKBUTT
6. MCU23/0008 – Material Change of Use – Food & Drink Outlet and Function Facility (associated with RAL23/0008) at 20 Fork Hill Drive MOFFATDALE
7. MCU23/0009 – Material Change of Use – Three (3) Additional Multi Dwelling Units at 42 & 44 Markwell Street KINGAROY
8. MCU23/0010 – Material Change of Use – Bulk Landscape Supplies Yard at 100 River Road KINGAROY
9. MCU23/0013 – Other Change to Existing Approval (MCU22/0022) – Short-term Accommodation Units at 17 Fork Hill Drive MOFFATDALE
10. MCU23/0014 – Material Change of Use – Short-term Accommodation (5 Farm Stay Units) at 18 Millers Road BOOIE
11. MCU23/0015 – Material Change of Use – Multiple Dwelling (3 Units) at 99 Anita Road BLACKBUTT NORTH
12. MCU23/0016 – Material Change of Use – Accommodation Building providing 14 Short-term Accommodation Units at 1 Hodge Street KINGAROY
13. MCU23/0017 – Material Change of Use – Short-Term Accommodation (24 x Accommodation Units) at 27-31 Pound Street KINGAROY
14. MCU23/0018 – Material Change of Use – Multiple Dwelling (15 Units) at 44 Stephens Street West MURGON
15. MCU23/0019 – Minor Change to Existing Approvals (MCU18/0005 & MCU21/0024) at 1 Rogers Drive KINGAROY
16. MCU23/0020 – Material Change of Use – Dwelling House at 1 Ringtail Lane BUNYA MOUNTAINS
17. MCU23/0021 – Material Change of Use – Multiple Dwelling (3 Units) at 1 Kelvyn Street KINGAROY
18. MCU23/0022 – Material Change of Use – Utility Installation (Waste Transfer Station) at 91 Maidenwell Bunya Mountain Road, MAIDENWELL
19. MCU23/0023 – Extension to Currency Period for Existing Preliminary Approval and Development Permit (IR1252673) at Cnr of Youngman Street and Taylors Road, KINGAROY

Exemption Certificates (EXE) Applications

1. EXE23/001 – Exemption Certificate at 11155 Bunya Highway KINGAROY

ATTACHMENTS

Nil

12.3 INFRASTRUCTURE CHARGES & PLANNING INCENTIVES**File Number:** 11-10-2023**Author:** Manager Environment and Planning**Authoriser:** Chief Executive Officer**PRECIS**

Proposed extension to the Developer Incentive Scheme (DIS) to encourage stimulus of the building, development and business community to promote economic activity and activate planning outcomes for the region.

SUMMARY

At the 16 December 2020 General Council meeting, Council adopted a stimulus package involving various forms of incentives for the building, development and business community generally known as the DIS. Currently, the DIS is due to end on 31 December 2023. The continuation of the scheme may offer broader potential and growth opportunities and encourage further development activity in the region.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council:

1. That Council approve the extension to the Developer Incentive Scheme (DIS) for 2 years to 31 December 2025. The proposed 2-year extension provides a reasonable amount of time for developers to move the through the planning application process, and progress to a stage where a development can be implemented in time to take advantage of the reduction in charges available.

Description	Criteria
Effective Dates	1 January 2024 to 31 December 2025
Applicable Development	All development is eligible if located within the South Burnett Regional Council area
Infrastructure charges discounts	<ul style="list-style-type: none"> ▪ 50% discount for any commercial use or industrial activity; ▪ 50% discount for long-term employment generating development; ▪ 75% discount for Reconfiguring a lot for Residential development; ▪ 75% discount for Residential development; (excluding in the Rural Residential Zone) ▪ 100% discount for Residential development in the Rural Residential zone; or ▪ 100% discount for Rural or Tourist activity (eg. Short-term accommodation) in the rural zone.
Recommendation and Approval	Manager Environment and Planning recommends reduction in infrastructure charges, for approval by the Chief Executive Officer.
Infrastructure Agreement	Approval for Chief Executive Officer to enter into Infrastructure Agreement with applicant.

2. Approve the release of the forms and guidelines to support and promote the Development Incentive Scheme, as presented:
 - Fact Sheet – Development Incentives;
 - Application form;
 - Appendix A: Rules and procedures; and
 - Appendix B: Definitions
3. Council delegate to the CEO the power, under the *Planning Act 2016* (Qld), to enter into an Infrastructure Agreement between Council and the applicant (developer) and apply the relevant discount per Council policy under the Developer Incentive Scheme.

BACKGROUND

Financial and Resource Implications

The proposed extension does not alter the previously approved discounts approved by Council and looks to provide some confidence to the development sector.

Where such discounts are provided as part of the scheme, such funds will be sourced from within a proposed budget allocation, which will be determined on an ongoing basis. Internal controls to manage the proposed budget allocation include transfers to the infrastructure account to reimburse the shortfall. Such actions may also support future reporting of infrastructure funding to the State Government.

A summary of the amount of infrastructure charges applied, reduced, and amount that Council has to budget for is provided below. This information is based on developments where an Infrastructure Agreement has been executed and the development completed/substantially completed:

Development Category	No. of Infrastructure Agreements	Original Charge	Discounted Charge	Amount Council has to Budget for
Commercial	3	\$26,952	\$13,476	\$13,476
Industrial	0	-	--	-
Residential	20	\$1,064,128.75	\$289,146.75	\$774,982.00
Rural Residential	19	\$240,781	\$0	\$240,781
Rural or Tourist Activity	1	\$82,993.85	\$0	\$82,993.85
Total	43	\$1,414,855.60	\$342,692.75	\$1,112,232.85

1. Excludes Oliver Rd, Nanango – Rural Residential (\$388,872) as not commenced

2. Excludes 95 Markwell St, Kingaroy – Retirement Village

Comments / Observations:

1. Commercial and Industrial take up has been limited, and the DIS does not seem to have encouraged wider development;
2. Residential development has been a combination of new lots and multiple dwellings;
3. Majority of created lots have been in the Rural Residential zone in the Blackbutt area, and Nanango to a lesser degree;

4. Concession of the infrastructure charges for rural residential development has encouraged 'Mum's & Dad's' to subdivide to take advantage of the 100% reduction of charges. Knowledge of the infrastructure charges concession appears to have been mainly by 'word of mouth';
5. With the significant increase in property values since the introduction of the DIS in 2020, there is scope to reduce the discount for Rural Residential zoned lots. This may deter the 'Mum & Dad' developers from subdividing but is not expected to affect the larger developers.

Link to Corporate/Operational Plan

Council's current Corporate Plan looks to *Support and advocate for appropriate growth and development with responsive planning schemes, processes, customer service and other initiatives*'. This supports Council's policy initiative. Key activities within the Operational Plan 2023-2024 also seek to expedite development through facilitated guidance, support, and process improvements.

Communication/Consultation (Internal/External)

Internal consultation involved discussions between the General Manager Liveability, Coordinator Development Services, and Council Officers.

External consultation has been carried out with a local Planning Consultant to gauge the view of the development sector regarding whether the current Incentive Scheme has brought forward development, and what development types have been most encouraged.

Legal Implications (Statutory Basis, Legal Risks)

The *Planning Act 2016* (Qld) enables Council to determine Infrastructure Charges through the development of a Local Government Infrastructure Plan (LGIP). Infrastructure Charges have been set per south Burnett Regional Council Charges Resolution (No. 3) 2019.

Section 150 of the *Planning Act 2016* (Qld) provides for infrastructure agreements relating to a condition for paying for or providing infrastructure as part of a development.

Policy/Local Law/Delegation Implications

Delegations will enable approval of applications under the scheme, including the execution of infrastructure agreements. All applications will be approved pursuant to the terms, conditions and criteria of the scheme and in accordance with Council's policy intent.

Asset Management Implications

No additional implications apply, over and above that identified in the previous report.

ATTACHMENTS

1. **Fact Sheet - Development Incentives**
2. **Application Form**
3. **Appendix A: Rules and Procedures Update**
4. **Appendix B: Definitions**

Fact Sheet – Development Incentives



Introduction

The South Burnett Regional Council recognises the importance of local development and is committed to creating temporary incentives to stimulate development and grow the population.

To assist with this, Council is offering reduced infrastructure charges for developments where certain criteria can be met.

Council is also committed to ongoing improvements in planning and development services, aimed at reducing the risk to developers.

Government stimulus packages have also created potential demand for house and land buyers so Council seeks to tap into this opportunity and remove possible barriers within the region.

Incentives for eligible development

Council has introduced incentives to assist developments that grow the population and create jobs.

To do this, Council is offering a development incentive scheme commencing 1 January 2024 to the 31 December 2025.

All development within the South Burnett Regional Council area is eligible under the scheme.

A range of discounts to infrastructure charges are available as follows:

- 50% discount for any commercial use or industrial activity;
- 50% discount for long-term employment generating development;
- 75% discount for Reconfiguring a lot for Residential development;
- 75% discount for Residential development (excluding in the Rural Residential Zone);
- 100% discount for Residential development in the Rural Residential zone;
- 100% discount for Rural or Tourist activity (eg. Short-term accommodation) in the Rural zone.

How to apply for incentives

To be eligible for the discounts available, it is necessary to make a simple and quick application to Council. The application form can be found on our website or is available from Council offices.

Eligible development under this scheme is required to be substantially commenced by 31 December 2024. For staged developments, the relevant stage is required to be substantially commenced by 31 December 2024. Please refer to the rules and procedures attached to the application form.

Persons seeking to take advantage of the scheme are required to enter into an infrastructure agreement containing full details of the discounts on offer, together with the obligations applicable to developers and land owners.

Other ways Council is helping

Apart from the direct financial incentives being offered, Council is also providing a range of other measures to assist residents and developers with their development projects including:

- Pre-lodgement meetings provided free-of-charge;
- Planning Scheme reduced levels of assessment and typically no application requirements for changes of use in existing commercial uses;
- Rates relief on undeveloped lots. Developers receive a 40% reduction in their valuation, with no minimum general rate until the parcel is developed or ownership changes. General rate is calculated using the reduced valuation;
- Developers receive an exemption from vacant water and sewerage charges for five (5) years from date of registration of land or until the allotment is sold.

Council has also introduced a policy that offers reduced infrastructure charges to certain not-for-profit and community groups when developing their facilities. Council recognises the importance of these community groups and seeks to lower the barriers for them to grow and expand our region.

If you are looking to develop in the South Burnett Region, Council is here to assist.

Further Information

For further or to obtain an application form, please contact us as follows:

Telephone: 4189 9100

Email: info@sbrc.qld.gov.au

Website: www.southburnett.qld.gov.au

You may also choose to visit any of Council's service centres for further assistance.



FORM: [NUMBER]
Department - Section

Infrastructure Charges Incentives Application Form

PRIVACY NOTICE: SOUTH BURNETT REGIONAL COUNCIL IS COLLECTING YOUR PERSONAL INFORMATION FOR THE PURPOSE OF PROCESSING THIS FORM. COUNCIL WILL RETAIN THESE DETAILS FOR THE PURPOSE OF CONTACTING YOU WITH REGARDS TO ANY COUNCIL RELATED MATTERS. YOUR PERSONAL DETAILS ARE HANDLED IN ACCORDANCE WITH THE *INFORMATION PRIVACY ACT 2009* AND WILL BE USED FOR THE PURPOSES OF RESPONDING TO YOU AND WILL NOT BE DISCLOSED TO ANY OTHER PERSON OR AGENCY EXTERNAL TO COUNCIL WITHOUT YOUR CONSENT, UNLESS REQUIRED OR AUTHORISED BY LAW.

Council is offering infrastructure charges incentives to encourage increased development activity and job creation.

To see if your development is eligible for infrastructure charges incentives, please refer to Attachment A.

To apply, please complete this form and return to Council.

Please email directly to info@sbrc.qld.gov.au

Developers details

Name/s (individual or company name in full)			
Contact name			
Postal address	Suburb	State	Postcode
Phone	Mobile		
Email address			

Owner details

Name/s (individual or company name in full)			
Postal address	Suburb	State	Postcode
Phone	Mobile		

Description of land

Property address			
Property description	Lot		Plan type and No.
	Lot		Plan type and No.
	Lot		Plan type and No.

Declaration

In lodging this request for an infrastructure charge discount, I/We declare that the owners of the property have consented to enter into an infrastructure agreement subject to the rules and procedures of the development incentive scheme.

Signature/s: _____ Date _____



Application details

Which of the following categories of incentivised development are you applying for (please see definitions)

- Any Commercial use or Industrial activity (50%)
- Long-term employment generating development (50%)
- Residential development (75%)
- Residential development in the Rural Residential zone (100%)
- Rural or tourist activity (eg. Short-term accommodation) in the Rural zone (100%)

Note: if the proposed development does not fit within the above descriptions, the development may not be eligible for this scheme but may be eligible for other incentives offered by Council. Please contact Council's Planning team on 4189 9100 for further information about how we can assist with your development. Please see definitions in Attachment B for assistance in determining what category your development may fit within. Refer to the *Planning Act 2016* and *Planning Regulation 2017* for terms used herein.

Details of the development permit or compliance permit

Application No:

Type of approval:

Date approval took affect:

Have the adopted infrastructure charges or infrastructure contribution/s been paid?

Yes No

Proposed details

What is the proposed value of works for the development? \$

What is the anticipated number of jobs to be created by this development? (if known/applicable)

If the development is for residential development please provide the following:

Number of dwelling units: Number of lots:

If the development is for a commercial use or industrial activity please provide the following:

Gross floor area (GFA)

Staged development

Is the development a staged development?

Yes No

Is it proposed that a discount apply to certain stages of the development and not the whole of the development?

Yes No

Note: if development is to be staged, the application needs to be accompanied by a staging plan.

Council Use Only			
Manager Recommendation			
<p>This application for reduction of infrastructure charges is compliant with the rules and procedures of the Development Incentive Scheme. An infrastructure charges discount of _____ % is recommended.</p>			
			Date
			DD / MM / YYYY
<p>_____</p>		<p>_____</p>	
<p>Manager Name (PRINT)</p>		<p>Manager Signature</p>	
CEO Approval			
<p>Mark Pitt</p>			Date
			DD / MM / YYYY
<p>_____</p>		<p>_____</p>	
<p>CEO</p>		<p>CEO Signature</p>	

Attachment A: Rules and procedures

1. Background

On 25 November 2020 Council launched a development incentive scheme to stimulate increased development and economic activity in the region. As part of this initiative, Council is offering a range of discounts for infrastructure charges on certain developments. Council has resolved to develop these rules and procedures to guide its decision-making in assessing applications for the infrastructure charges incentives. The incentives scheme will be extended to 31 December 2024, and applies to eligible development.

2. Eligibility for infrastructure charges incentives

2.1 A development approval exists for the development.

2.2 The Council has either:

- Issued an Infrastructure Charges Notice (ICN) in relation to the development approval; or
- Imposed an infrastructure contribution condition on the development approval; and
- The development is not subject to an existing infrastructure agreement that varies the amount of infrastructure charges payable (except where the infrastructure agreement relates to an extension of the relevant period for the development approval or a recalculation of the charges under a new charge resolution).

2.3 The development is eligible if located within the South Burnett Regional Council area;

2.4 The development was not completed before 1 December 2020. For staged development, the stage being applied for was not completed before 1 December 2020.

2.5 The development is not eligible for a refund for the provision of trunk infrastructure pursuant to section 129 of the *Planning Act 2016* (PA), as amended. If through a conversion application (section 139 PA) or a recalculation of the establishment cost of trunk infrastructure (section 137 PA) a development that at the time an application under this policy was made was not subject to a refund becomes subject to a refund, then the development will no longer be eligible for a discount under this scheme.

2.6 Development that does not meet the above criteria is not eligible for the infrastructure charges incentives.

3. Rules

3.1 Developments seeking to take advantage of the infrastructure charges incentives must make

application to Council for a discount using the approved form.

3.2 Only one infrastructure charges incentives offer can apply to a development.

3.3 The infrastructure charges incentives will not apply to any development that has been completed on or before 1 December 2020.

3.4 Discounts for the infrastructure charges are listed below and are valid for 12 months from the date of approval of the discount, as follows:

- 50% discount for any commercial use or industrial activity;
- 50% discount for long-term employment generating development;
- 75% discount for Reconfiguring a lot for Residential development;
- 75% discount for Residential development; (excluding in the Rural Residential Zone)
- 100% discount for Residential development in the Rural Residential zone;
- 100% discount for Rural or Tourist activity (eg. Short-term accommodation) in the rural zone.

The above discounts are taken to be discounts off the applicable infrastructure charges specified in an ICN or conditioned in a development approval (as varied by any infrastructure agreement relating to an extension of the relevant period of the development approval, where one exists). To be clear, no other discounts either under an adopted infrastructure charges resolution or other policy will apply (other than the rules specified in section 3.14 for community groups).

3.5 The discounts in Section 3.4 apply to infrastructure charges generated after the adoption of South Burnett Regional Council Charges Resolution (No. 3) 2019 dated 1 July 2019.

3.6 Infrastructure Charges issued under previous Charges Resolutions (No. 1 (2013) and 2 (2015)) also benefit under this scheme. Infrastructure Charges payable under Charges Resolutions No. 1 and 2, will be capped at the amount that would apply to charges issued under Charges Resolution No. 3 with the discounts in place.

3.7 The maximum discount under the incentives scheme is no more than \$500,000 for an eligible development.

3.8 Council may, in its absolute discretion, extend the date for any of the above discounts for a particular development where:

- The applicant can show sufficient reason why the development cannot be completed by the original completion date; and

Attachment A: Rules and procedures

- The development has achieved substantial commencement prior to the original completion date.
 - The determination as to whether a development has substantially commenced is at Council's absolute discretion.
- 3.9 Compliance for receiving the incentive reduction in infrastructure charges is only achieved through full compliance with the following:
- For developments involving material change of use and building works, the issue of a certificate of classification for building works and/or issue of final inspection certificate by the completion date; or
 - For developments involving material change of use and no building works, the approved use is established by the Completion Date.
 - For developments involving reconfiguring a lot, submission of a survey plan to Council for sealing.
- 3.10 In all cases, Council must be satisfied that all applicable conditions of the development approval for the development completed have been satisfactorily complied with.
- 3.11 The discount will be applied at the time of payment of the infrastructure charges, but no discount is applicable if infrastructure charges are not paid when due.
- 3.12 Nothing stops a developer from making early payment of infrastructure charges payable after approval for discount has been given under this policy. However, early payment does not guarantee eligibility for any discount. Development must comply with the terms of the executed infrastructure agreement to secure approved discounts.
- 3.13 The discount applies to gross charges less credits but before offsets for the provision of trunk infrastructure have been deducted. To be clear, no discount given under this policy can result in a development receiving a refund.
- 3.14 Where a community group seeks a discount on infrastructure charges as part of an approved development, they may choose either this scheme or the Community Group Infrastructure Charges Policy. That is, whichever option is most advantageous to them.
- ### 4. Process
- 4.1 Applicants must lodge the application on the approved form.
- 4.2 Council will assess the application, and if approved:
- (a) An infrastructure agreement will be issued identifying the discount available and must be signed by the applicant to acknowledge all terms applying to the incentive offer approved for the development;
 - (b) For the discounts to apply, the applicant must execute and return the infrastructure agreement to Council prior to the time for payment of the infrastructure charges;
 - (c) When the infrastructure agreement is executed by Council and the applicant, Council will issue a tax invoice for the amount of infrastructure charges to be paid, only when the requirements in section 3.10 have been complied.

Attachment B: Definitions

Below are the definitions for Council's development incentive scheme. If a word is not defined in this document, unless the context or subject matter otherwise indicates or requires, the word is to have a meaning given to it by the following:

- (a) the *Planning Act 2016*;
- (b) the South Burnett Regional Council Planning Scheme
- (c) the Macquarie Dictionary if the word is not defined in items (a) and (b) above.

Definition

Applicant - means the applicant for the infrastructure charges incentive under this scheme.

Commercial use - includes the use of premises for selling goods or providing a service to the public.

Development Approval – means a development permit for a material change of use or a development permit or compliance permit for reconfiguring a lot or a development permit for building work (where the material change of use is accepted development) that has not lapsed.

Eligible development – means proposed development that satisfies the requirements of section 2 of Attachment A.

Industrial activity – means the use of premises for the following terms (as defined):

- low impact industry;
- medium impact industry;
- high impact industry; or
- special industry.

Infrastructure Charges – means infrastructure charges or contributions for trunk infrastructure payable pursuant to a charges notice or a contribution condition in a development approval.

Infrastructure Charges Notice – means an infrastructure charges notice as defined in section 119 of the *Planning Act 2016*.

Other eligible development - means development for any material change of use or building works for which a charges notice has been issued.

Reconfiguring a lot – means creating lots by subdividing another lot.

Residential development - means the use of premises for the following accommodation activity:

- caretaker's accommodation;
- dual occupancy;
- dwelling house;
- dwelling unit;
- home-based business;
- multiple dwelling;
- non-resident workforce accommodation;

- relocatable home park;
- resort complex;
- retirement facility;
- rooming accommodation;
- short-term accommodation;
- a tourist park.

Rural activity – means an agricultural supplies store, animal husbandry, animal keeping, aquaculture, cropping, an intensive animal industry, intensive horticulture, a permanent plantation, a roadside stall, a rural industry, rural worker' accommodation, a wholesale nursery, or a winery.

Substantial Commencement – means that the development is under construction, or significant progress has been made, and will be completed in the near future.

Tourist activity – means nature-based tourism, a resort complex, a tourist attraction, a tourist park; tourist accommodation, or accommodation for employees, that is ancillary to a use stated or a commercial use that is ancillary to a use stated.

13 CONFIDENTIAL SECTION

OFFICER'S RECOMMENDATION

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

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

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

13.2 South Burnett Community Hospital Foundation Limited Board Meeting Minutes - 26 July 2023

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

13.3 Kingaroy WJ Lang Memorial Swimming Pool - Increase to Electricity Costs

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

14 CLOSURE OF MEETING