

- MCU4. The proposed development to provide ventilation and/or high hang windows, to provide each unit ventilation opportunities.
- MCU5. Any windows that overlook residential dwellings shall have the nectary window treatment to prevent a direct line of sight into a habitable room window or on to a secluded private open space.

FLOOD HAZARD OVERLAY:

- MCU6. Habitable floor level for the proposed development must be 500mm above the 1%AEP flood event.
- MCU7. The proposed development does not 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 and/or other properties.
- MCU8. Appropriate signage is provided on site indicating the position and path of all safe evacuation routes off the site.

NOISE:

- MCU9. The following is to be maintained with respect to noise:
- Use of outdoor areas such as decks, outdoor open space and alike associated with the Short-term accommodation use, shall not be used between the hours of 10pm and 6am 7 days a week.
 - Guest check-ins and check-outs shall not occur between the hours of 10pm and 6am.
 - All Rooms must be mechanically ventilated to allow guest the option to close windows and doors.

Timing: At all times.

- MCU10. There is to be no amplified music associated with the Short-term Accommodation use.

Timing: At all times.

- MCU11. Prepare a document notifying all Short-term accommodation guests of the noise limitations imposed in association with use of the Short-term accommodation:
- Provide documentation outlining Terms and Conditions regarding the above noise limitations prior to acceptance of guest bookings.

- MCU12. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically damped to prevent environmental nuisance.

Timing: Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first.

ADVERTISING DEVICE:

- MCU13. Prior to commencement of use, submit evidence to Council to record the installation of a professionally made weather-proof sign erected on the property street frontage, that is clearly legible, must be maintained with:
- Displays the name of the property manager including their all-hours phone number; and
 - The name of the Short-term accommodation business.

Note: Guidelines regarding the Installation of Advertising Devices are within the *South Burnett Regional Council Subordinate Local Law No. 1.4*.

- MCU14. Maintain outdoor lighting to comply with AS4282 – 1997 “*Control of Obstructive Effects of Outdoor Lighting*”. Artificial illumination is not to cause a nuisance to occupants of nearby premises and any passing traffic.

Timing: Sign to be illuminated only during the times of 6am to 10pm (checking and check out hours).

- MCU15. The sign/s are to be maintained in good repair and appearance.

LANDSCAPING:

- MCU16. The site is to be landscaped along the property frontage and driveway (excluding vehicle manoeuvring areas), prior to construction for Council’s endorsement. A detailed landscaping plan prepared by suitably qualified person should incorporate defined gardens with three tier planting comprising of ground cover, shrubs (understorey) and trees (canopy).

Guidance plant selection and planting including care is to be provided in accordance with *Branching Out – Your Handy Guide to Tree Planning in the South Burnett*.

- MCU17. The northern boundary must contain landscaping that will reach at least half the height of the building at maturity for effective screening to adjoining property.
- MCU18. Landscaping must predominantly contain species that are endemic to the region due to their low water dependency.

Timing: Prior to commencement of the use and to be maintained.

- MCU19. Ensure that landscaped areas are appropriately maintained during the establishment phase.

Timing: To be maintained.

FENCING:

- MCU20. Fence construction along property boundaries connecting to a road frontage of Hodge Street to be built at over 1.2m in height are tapered to 1.2m in height over a length of 4m toward the road frontage.

- MCU21. Fence construction along the southern, western and northern property boundary is to be solid screen fencing to a height not exceeding 1.8m.

- MCU22. Road frontage fences or walls are not to exceed 15m in length without a 1m x 0.5m indentation.

- MCU23. Fencing constructed in proximity to the pump station on the corner of Hodge Street and Harris Road is to be solid screen fencing to a height not exceeding 1.8m.

ENGINEERING WORKS:

- ENG1. Submit to Council, an Operational Work application for all civil works including earthworks (if required), access and carpark.

- ENG2. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.
- ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG4. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, road signs, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

- ENG5. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG6. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT:

- ENG7. Provide stormwater management generally in accordance with the Preliminary Stormwater Management Plan prepared by ATC Consulting Engineers and Project Managers, Revision 1, dated 10 July 2023, subject to detailed design and except as altered by conditions of this development approval.
- ENG8. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG9. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG10. Stormwater from sealed areas and overflow pipes from stormwater detention structures and/or tanks installed for the stormwater system is required to be piped to existing underground stormwater system, or kerb and channel.
- ENG11. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG12. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
- ENG13. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

WATER SUPPLY:

- ENG14. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE:

- ENG15. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Waste Services.
- ENG16. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG17. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
- ENG18. A minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
- ENG19. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
- ENG20. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

PARKING AND ACCESS – GENERAL:

- ENG21. Design all access driveways, circulation driveways, parking aisles and car parking spaces in accordance with Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking.
- ENG22. Design and construct all parking and manoeuvring areas with concrete, asphalt or a two-coat bitumen seal.
- ENG23. Provide a minimum of 16 car parking spaces including a minimum of 1 person with disability (PWD) car parking spaces.
- ENG24. Design & construct all PWD car parking spaces in accordance with AS2890.6.
- ENG25. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
- ENG26. Line mark or otherwise delineate the car park aisles and driveways within the development with directional arrows on the pavement to enable all vehicles to enter and leave the site in a forward gear.
- ENG27. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.
- ENG28. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.

PARKING AND ACCESS – SERVICING:

- ENG29. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS:

- ENG30. Construct a commercial crossover between the property boundary and the edge of the Hodge Street road pavement, having a minimum width as shown on ATC Consulting Engineers drawing B-101 A, generally in accordance with IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossover splay is designed to accommodate turning movements of the largest expected vehicle.
- ENG31. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

ROADWORKS AND PEDESTRIAN SAFETY:

- ENG32. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- ENG33. Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complied with during construction of the works.
- ENG34. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY AND TELECOMMUNICATION:

- ENG35. Connect the development to electricity and telecommunication services.

EARTHWORKS – GENERAL:

- ENG36. Earthworks per site involving cut or fill more than 1 metre, or involving quantity of material greater than 50m³, requires an Operational Work application.
- ENG37. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL – GENERAL:

- ENG38. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.
- ENG39. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

STANDARD ADVICE:

- ADV1. The developer is responsible for ensuring that all finished floor levels and overall height nominated on the building is in accordance with the height shown on the approved

elevations as amended in red. Any changes over and above the heights approved as amended in red may trigger further assessable development.

- ADV2. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.
- ADV3. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2023. Eligible development under this scheme is required to be completed by 31 December 2025.
- For further information or application form please refer to the rules and procedures available on Council's website.
- ADV4. Section 85 (1)(a) of the Planning Act 2016 provides that, if this approval is not acted upon within the period of six (6) years the approval will lapse.
- ADV5. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.
- ADV6. Attached for your information is a copy of Chapter 6 of the Planning Act 2016 as regards Appeal Rights.

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

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	1 Hodge Street, Kingaroy 4610	
Real property description	Lot 1 on SP212946	
Easements or encumbrances on title	Sewerage easement on the western boundary.	
Area of Site	1,253m ²	
Current Use	Vacant site	
Environmental Management Register or Contaminated Land Register	N/A	
Applicant's name	Russel Carracher C/- ONF Surveyors	
Zone	Low Density Residential Zone	
Applicable Overlays	OM1 – Airport Environs Overlay OM3 – Flood Hazard Overlay OM8 – Agricultural Overlay	
Proposed use as defined	Short-term Accommodation	
Details of proposal	Material Change of Use (MCU's)	
	▪ Gross Floor Area (GFA)	Total GFA 655.50m ² Ground Floor GFA 313.90m ² Upper Floor GFA 341.6m ²
	▪ Impervious area	1,102m ²
	▪ Building height	Approximately 5500m ² to ceiling upper floor ceiling height.
	▪ Site Cover	341.6m ² of site cover
	▪ Access	Hodge Street
	▪ Landscaping	The proposed landscaping for the development will include landscaping at half the height of the proposed building at maturity on the northern boundary. Detailed landscaping for the eastern boundaries will be provided post approval and will be conditioned.
	▪ Number of car parks	14 Short-term accommodation parking spaces 2 Visitor parking spaces
▪ Number of units/tenancies	14 x 1 bedroom units	
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)		
Level of Assessment	Impact Assessment		
Pre-lodgement Consultation history	N/A		
Key planning issues e.g. vegetation, waterway corridors, overland flow	N/A		
Referral agencies	Agency	Concurrence/ Advice	
	N/A	N/A	
Public notification	Yes – 15 business days		
Planning Regulation 2017	N/A		
Surrounding land uses	North	Multiple low-density dwellings	
	East	Residential dwellings	
	South	Residential dwellings and pump station	
	West	Holiday Park and Short-term Accommodation	

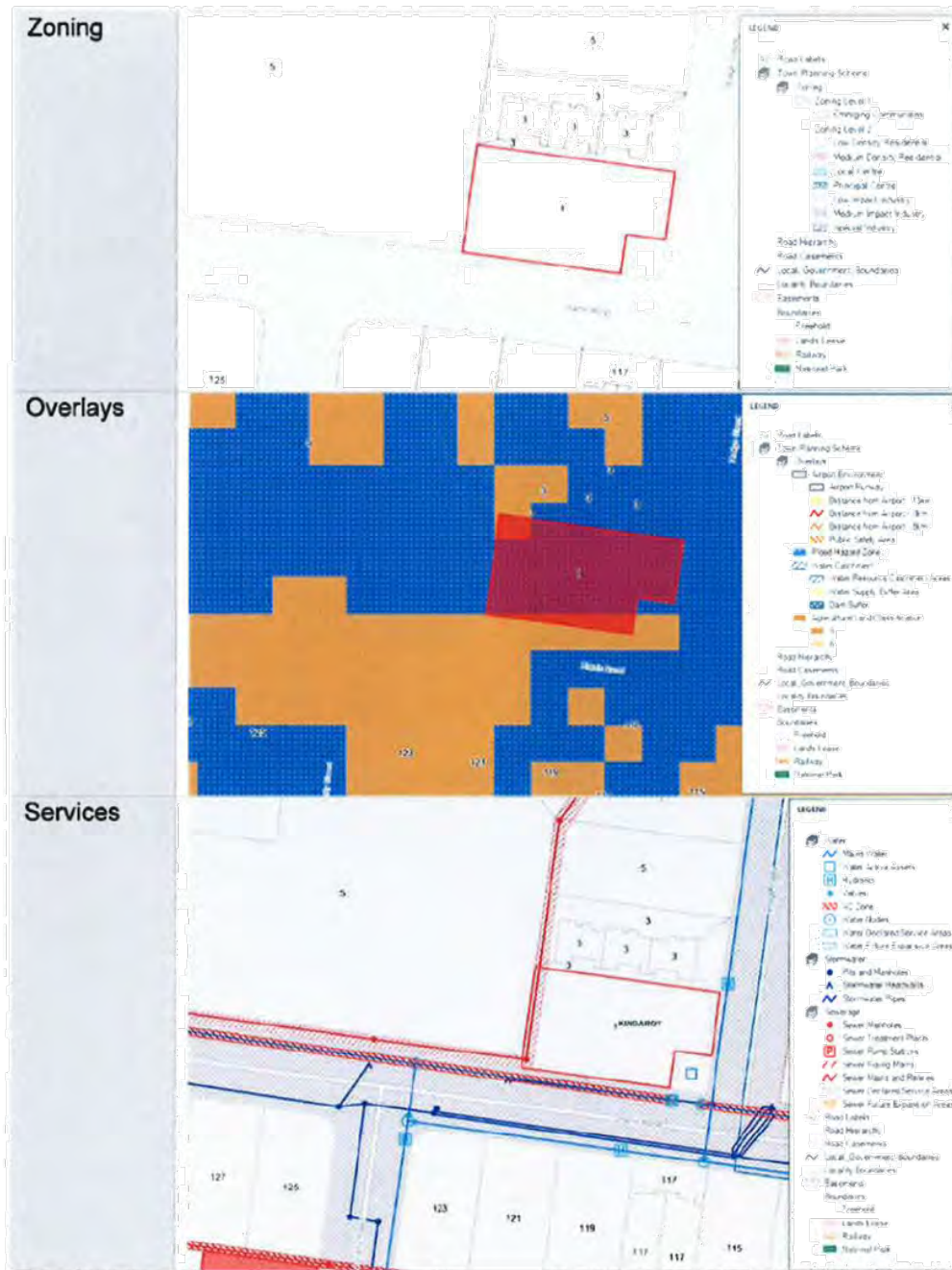
2. THE SITE

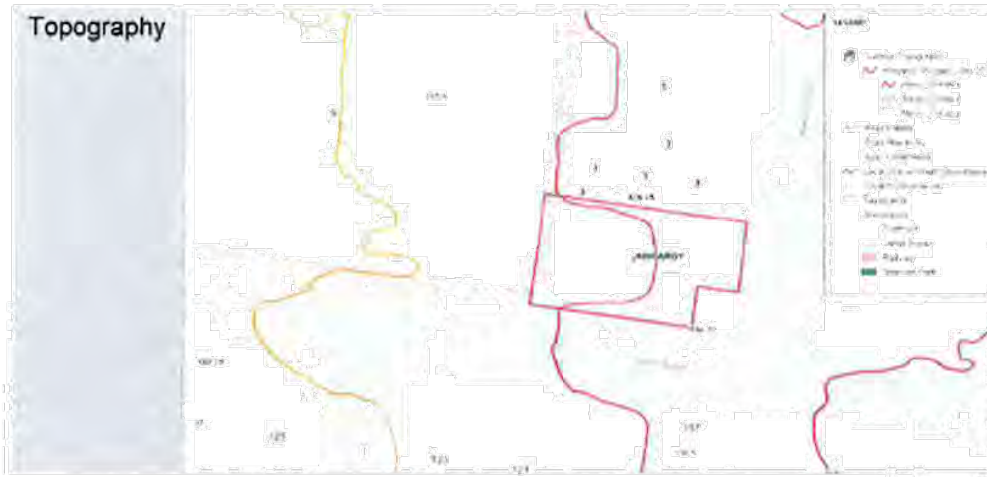
This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. SITE DESCRIPTION & EXISTING USE

Table 1 – Maps & Descriptions (Source: Intramaps)







2.2. DEVELOPMENT HISTORY OF THE SITE

No previous development detailed over this site.

3. PROPOSAL DETAILS

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

SUMMARY DETAILS

	GROUND FLOOR	UPPER FLOOR	PROPOSED DEVELOPMENT
Tenancies	<ul style="list-style-type: none"> • Five (5) Short-term Accommodation Units; • One (1) Short-term Accommodation Unit for PWD; • Reception Office; • Laundry. 	<ul style="list-style-type: none"> • Eight (8) Short-term Accommodation Units; • Laundry. 	<ul style="list-style-type: none"> • 13 Short-term Accommodation Units; • One (1) Short-term Accommodation Unit for PWD; • Reception Office; • Two (2) Laundries.
Gross Floor Area + Outdoor Storage Area	Ground Floor GFA 313.9m ² .	Upper Floor GFA 341.6m ² .	Total GFA 655.50m ² .
Building height	2700m ² to ceiling height.	2700m ² to ceiling height.	Approximately 5500m ² to ceiling upper floor ceiling height.

PROPOSED DEVELOPMENT

Storeys (height)	The proposed development is 2 stories.
Site Cover	Total Site Cover is 341.60m ² .
Impervious Area	Total Impervious Area is 1102m ² .
Landscaping	The proposed landscaping for the development will include landscaping at half the height of the proposed building at maturity on the northern boundary. Detailed landscaping for the front boundaries will be provided post approval and will be conditioned.

Number of parking spaces	14 Short term accommodation parking spaces. 2 Visitor parking spaces.
Access	Hodge Street.
Design Vehicle	B99 Vehicle.
Setbacks	<ul style="list-style-type: none"> • 6m from primary street frontage (Hodge Street). • 10.02m from Harris Road. • 3.2m from western boundary. • 1.68m from the northern boundary.
Materials	<ul style="list-style-type: none"> • Concrete Blocks walls (rendered/not rendered). • Wall cladding. • Timber batten screening.

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.
- (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:	N/A
WBB Regional Plan Designation:	<p>Wide Bay Burnett Regional Plan 2011 – Urban Footprint</p> <p>The Urban Footprint identifies land that can meet the region's projected urban development needs to at least 2031.</p> <p>The Urban Footprint is a representation of:</p> <ul style="list-style-type: none"> • large urban communities, other communities recognised as being affected by growth pressures, and other areas recognised as the preferred locations for future growth; and, • lands surrounded by existing or proposed urban development, but which may not be an appropriate location for development (e.g. flood plains). <p>The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the township of Kingaroy as one of the key inland towns for the Wide Bay Burnett region, and together with Bundaberg, Gympie, Hervey Bay and Maryborough, is intended to provide a range of higher order services and functions for the urban communities and to support the region’s rural activities. More particularly, the Regional Plan identifies Kingaroy as a Major Regional Activity Centre within the South Burnett Regional Council area.</p>
Adopted Economic Support Instrument	<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 2025.</p> <p>Economic support provisions</p> <p>4.1. The instrument applies the following provisions in accordance with section 68D(1) of the <i>Planning Regulation 2017</i></p> <ul style="list-style-type: none"> 4.1.1. Part 8B, Division 3 – Development that requires code assessment. 4.1.2. Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building, and 4.1.3. Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones. <p>The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4.</p>

4.2. REFERRAL AGENCIES

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

The application does not require referral to any referral agencies prescribed under Schedule 10, as demonstrated in Table 3.

Note: Grey shading indicates no provisions.

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
1	Airport Land	N/A		N/A	N/A	N/A
2	Brothels	N/A	N/A	N/A		N/A
3	Clearing Native Vegetation	N/A	N/A	N/A	N/A	N/A
4	Contaminated Land	N/A		N/A	N/A	N/A
5	Environmentally Relevant Activity	N/A	N/A	N/A	N/A	N/A
6	Fisheries: - Aquaculture - Declared Fish Habitat - Marine Plants - Waterway Barrier works	N/A N/A N/A N/A		N/A	N/A	N/A
7	Hazardous Chemical Facilities	N/A		N/A	N/A	N/A
8	Heritage Place: - Local Heritage Place - Queensland Heritage Place	N/A		N/A	N/A	N/A
9	Infrastructure Related: - Designated Premises - Electricity - Oil and Gas - State Transport Corridors and Future State Transport Corridors - State-controlled transport tunnels and future state-controlled transport tunnels	N/A N/A N/A N/A N/A			N/A	N/A

Table 3 - Matters Prescribed in Schedule 10 of the Planning Regulation						
Part	Matter	Applicability to this Development Application	Prohibited Development	Assessable Development	Referral Agency	Assessment Benchmarks / Matters to be assessed against
10	Koala Habitat in SEQ region	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		
12A	Walkable Neighbourhoods – particular 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 - 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	N/A
15	SEQ Development Area	N/A		N/A	N/A	N/A
16	SEQ Regional Landscape and Rural Production Area and Rural Living Area: - Community Activity - Indoor Recreation - Residential Development - Urban Activity	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:	N/A N/A		N/A	N/A	N/A

Table 3 - Matters Prescribed in Schedule 10 of the Planning Regulation						
Part	Matter	Applicability to this Development Application	Prohibited Development	Assessable Development	Referral Agency	Assessment Benchmarks / Matters to be assessed against
	- Taking or interfering with water - Removing quarry material - Referral dams - Levees	N/A N/A				
20	Wetland Protection Area	N/A	N/A	N/A	N/A	N/A
21	Wind Farms	N/A		N/A		N/A

Based on the findings in Table 3 it has been concluded that the application does not require referral to a Referral Agency in accordance with Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the *Planning Regulation 2017*.

4.3. STATE PLANNING POLICY

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

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

State Planning Policy Part E	
Liveable Communities and Housing.	
<ul style="list-style-type: none"> Housing supply and diversity. Liveable communities. 	<p>The proposed short-term accommodation aims to provide workers who currently rent accommodation in Kingaroy, the opportunity to stay in short-term accommodation.</p> <p>The proposed short-term accommodation is located in an area which is a mix of short-term accommodation uses and low residential development, and not within areas closer to the town centre preferable for higher density living. Because of the location of the proposed development there will be limited impacts to the housing supply of Kingaroy.</p>
Economic Growth.	
<ul style="list-style-type: none"> Agriculture. Development and construction. Mining and extractive resources. Tourism. 	<p>No applicable assessment benchmarks.</p> <p>The development will provide additional accommodation facilities for individuals who work away from home on a short-term basis.</p> <p>No applicable assessment benchmarks.</p> <p>The subject site is located within major service centre for the South Burnett Region and the proposal will provide additional accommodation for tourism.</p>
Planning for the Environment and Heritage.	
<ul style="list-style-type: none"> Biodiversity. Coastal environment. Cultural heritage. Water quality. 	<p>No applicable assessment benchmarks.</p>

Safety and Resilience to Hazards.	
<ul style="list-style-type: none"> • Emissions and hazardous activities. • Natural hazards, risk, and resilience. 	The site is mapped by the South Burnett Regional Council as being located within the Flood Hazard Area. If identified within a Local Government flood mapping area, the SPP (State Planning Policy) requirement is that it is assessed by the Local Government Mapping.
Infrastructure.	
<ul style="list-style-type: none"> • Energy and water supply. • Infrastructure integration. • Transport infrastructure. • Strategic airports and aviation facilities. • Strategic ports. 	All appropriate residential services infrastructure and connections can be made and are conditioned as part of the approval.

4.4 DEVELOPMENT CODE ASSESSMENTS

Strategic Framework

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

SETTLEMENT PATTERN

Strategic Outcome

(2) Kingaroy will continue to accommodate the greater proportion of the Region's population, commercial development and major facilities.

(4) Increases in population densities are facilitated where suitable access to services is available.

Specific Outcomes

(1) Urban growth is predominantly accommodated in identified broad-hectare sites. Although unlikely to be required in the life of this Planning Scheme, a long-term urban expansion area is shown to the north-west of Kingaroy on the basis that it is the most accessible land nearest the town.

(9) Increased density residential development is facilitated on serviced lots close to the town centres, with design to minimise impacts on the amenity and character of areas.

Comment

The proposal will provide more accommodation for the growing township of Kingaroy. With the proposed short-term accommodation located within the low-density zone 2.5kms from the town centre. With this located within a current mix of short-term accommodation and low-density development, the proposed development will help facilitate more appealing medium density development closer to the town centre therefore, benefiting Kingaroy's Settlement Pattern for accommodating potential growth. The proposed development will be connected to suitable access and services as well as provide accommodation for workers and tourist within a short drive to the center of Kingaroy.

STRONG ECONOMY

Strategic Outcome

(3) The contribution of tourism to the Region's economy is complemented by a diverse range of activities that respect the natural environment and productive rural resources.

(4) The role of major employers, including the Tarong Power Station, Swickers Kingaroy Bacon Factory Pty Ltd, the Peanut Company of Australia (PCA), Bean Growers Australia Ltd in the regional economy is supported.

Specific Outcomes

(3) The Tarong Power Station continues to provide employment and economic activity in the Regional and additional resources that are required for its ongoing operation are preserved for further exploitation.

Comment

The proposal will provide significant support to the major employment and economic generating activities in the area by providing additional short term accommodation facilities. The Tarong Power Station, Meandu Mine, extractive and mineral resource areas provide a substantial economic boost to the Region in terms of employment and flow-on economic benefits including short term accommodation for maintenance workers. This is supported by the current short-term accommodation regularly host short term workers for Power Station and Mining shutdowns as well as other construction work being carried out in Kingaroy and surrounds.

NATURAL SYSTEMS & SUSTAINABILITY

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.

Specific Outcomes

(5) Urban development protects and enhances water quality objectives and does not adversely impact on the environmental values of waterways, wetlands, groundwater resources, natural drainage paths and landscape features as described in the Queensland Water Quality Guidelines 2009.

(6) Water sensitive urban design incorporates effluent and stormwater management measures that protect and enhance water quality objectives and minimise the adverse impacts from erosion, altered stormwater flow, wastewater and nutrient discharge.

(10) Development avoids impacts on the function of flood plains and does not worsen the severity or impact of natural hazards.

Comment

The proposed development though the conditions outlined within the report will ensure that the impacts on the environmental values of waterways, wetlands, groundwater resources, natural drainage paths and landscape are limited from this proposed development. Conditions for flooding and stormwater management have also been included to ensure that no worsening impacts will occur on the proposed development and existing neighbouring developments.

STRONG COMMUNITIES

Strategic Outcomes

(1) The towns and villages retain the country look and feel that has created their individual social character and contributed to their desirability as places to live. The role of Kingaroy as the major regional centre is not compromised.

(2) Development occurs in a manner that provides access to a range of employment, commercial, cultural, recreational, education and community opportunities in serviceable locations that respond to community needs.

Specific Outcomes

(12) New development should be suitably integrated with existing development in relation to road, public and active transport networks, open space linkages and access to community facilities and employment opportunities.

(13) Residential neighbourhoods comprise a variety of lot sizes that support a diverse range of housing options in keeping with desired neighbourhood character.

(18) Streetscape character that is created by groups of residential and commercial buildings, their setting and landscaping is retained.

Comment

The proposed development originally didn't comply with the Strong Communities assessment. Throughout the application an information request and a further issues letter was written to help incorporate a low density zone character. These changes included the incorporations of front windows, medium density landscaping and the change of design on the northern façade. With these

implemented changes, the building now presents a low-density development design consistent to further short-term accommodation uses in the area as well as the current low density development located on Hodge Street and Harris Road.

INFRASTRUCTURE & SERVICING

Strategic Outcomes

(1) New development occurs in a manner that allows for the efficient and affordable provision and on-going maintenance of utility infrastructure.

Specific Outcomes

(1) Development is located to allow immediate connection to existing infrastructure or provides for the orderly extension of that infrastructure to service the development.

Comment

The site can be adequately serviced with water, sewer, electricity and telecommunications. The site is located within 2.5km from the centre of Kingaroy. The proposed currently has a walkability score of 27, which identifies that people wouldn't choose to walk for the location. This distance however by car will take 5 minutes, which therefore keeps this service to a proximity to the town centre.

Zone Code Assessment

Pursuant to under Section 5.6, Table 5.6.1 – Level of Assessment in the Low Density Residential Zone Code for Material Change of Use is subject to Impact Assessment. The relevant assessment benchmarks are:

- Low Density Residential Zone Code;
- Services & Works Code.

Low Density Residential Zone Code

Table 6.2.1—Accepted development subject to requirements and assessable development.

Performance Outcomes	Requirements for accepted development and assessment benchmarks	Assessment of proposed development
Section 1 – Development of greenfield areas		
PO1.		Not Applicable
Section 2 – General		
PO2. The density, built form and appearance of development reflects the intended low density, detached housing character of the zone, is climatically responsive and facilitates casual surveillance of the street.	<p>AO2.1 Site cover does not exceed 50% except for the Bunya Mountains Precinct where the maximum site cover is 10%.</p> <p>and</p> <p>AO2.2 Buildings are a maximum of 2 storeys above ground level.</p> <p>and</p> <p>AO2.3 Pedestrian entrances to buildings are clearly visible from the street.</p> <p>and</p> <p>AO2.4 The maximum length of any façade without articulation or change of materials is 10m.</p>	<p>Complies The proposed development site cover is 27% which doesn't exceed the 50% requirement.</p> <p>Complies The proposed building will not exceed 2 storeys above ground level.</p> <p>Complies The proposed building will have pedestrian entrances visible from Hodge Street.</p> <p>Complies The Proposed Northern Façade of the building will include a change of materials between blocks and timber battens within</p>

	<p>and AO2.5 Buildings are set back at least: (a) 6m from the primary street frontage; (b) 4.5m from any secondary street frontage; (c) 1.5m from side boundaries; and (d) 6m from rear boundaries.</p> <p>and AO2.6 A 1.8m high screen fence is provided to the side and rear boundaries.</p> <p>and AO2.7 Plant and service equipment (air conditioning, exhaust fans, lift motor rooms, refuse bins, telecommunication devices, etc) are integrated into the building.</p> <p>and AO2.8 Garages are at or behind the ground level front building setback.</p> <p>and AO2.9 Front façades incorporate the front door (and an associated front door identification structure) and living room windows or balconies oriented toward the street.</p> <p>and AO2.10 Each unit incorporates a private open space at least 20m² in area and 4 metres wide that directly adjoins the unit's principal living area and is oriented northward.</p>	<p>10m as requested from the information request.</p> <p>Complies The building setback will be;</p> <ul style="list-style-type: none"> • 6m from primary street frontage (Hodge Street). • 10.02m from secondary street frontage (Harris Road). • 3.2m from western boundary & 1.68m from northern boundary. <p>Conditioned Fence construction along the southern, western and northern property boundary is to be solid screen fencing to a height not exceeding 1.8m.</p> <p>Conditioned Mechanical plant and equipment shall not be visible from adjoining properties or the road frontage.</p> <p>Not Applicable The proposed development will not include Garages as part of the development.</p> <p>Complies The front façade will incorporate front doors, windows and balconies oriented towards the secondary street of Harris Road as requested.</p> <p>Performance Outcome The proposed development will include 31.6m² of open spaces for all 14 units as requested from the Further Issues Letter. This proposed open space is considered to be appropriate for the site, because of the limited space and irregular shape. The proposed development is close to 2 open space which are the</p>
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	<p>and AO2.11 Front fences are less than 1.2 metres high.</p> <p>and AO2.12 Where a dual occupancy in the Low Density Residential zone, each unit has: (a) independent driveway access to its respective street frontage; and (b) Its front door (and an associated front door identification structure) and living room windows or balconies oriented toward its respective street frontage.</p>	<p>rail trail and vacant open space located near the Bunnings. Therefore, with the current constraints of the proposed development, this 31.6m² of open spaces for all 14 units is considered to be consistent with the performance outcome.</p> <p>Conditioned Fencing on the surrounds the pump station on the corner of Hodge Street and Harris Road to be constructed as a solid screen fencing to a height not exceeding 1.8m. The fencing that borders Hodge Street will be constructed at a height of 1.2m.</p> <p>Not Applicable The proposed development is for short term accommodation.</p>
<p>PO3. Development responds to natural landforms and stormwater flows.</p>	<p>AO3.1 Cut and fill is minimised.</p> <p>and AO3.2 For building sites steeper than 10%, elevated split-level building construction is used to achieve level changes.</p>	<p>Conditioned Earthworks per site involving cut or fill more than 1 metre, or involving quantity of material greater than 50m³, requires an Operational Work application.</p> <p>Not Applicable The Site isn't steeper than 10% elevation.</p>
<p>PO4. Development is adequately serviced.</p>	<p>AO4.1 Development is connected to reticulated water supply and sewerage.</p> <p>and AO4.2 Stormwater is discharged to a lawful</p>	<p>Complies The proposed development will be connected to reticulated water supply and sewerage.</p> <p>Complies Stormwater will be discharged</p>

	<p>point of discharge or to downstream properties but only with the consent of the affected landowners.</p> <p>and AO4.3 Development is supplied with reticulated electricity and telecommunications services.</p>	<p>to a lawful point of discharge generally in accordance with the Preliminary Stormwater Management Plan prepared by ATC Consulting Engineers and Project Managers, Revision 1, dated 10 July 2023.</p> <p>Complies The proposed development will be connected to electricity and telecommunication services.</p>
<p>PO5. The efficiency and safety of the road network is not compromised by inappropriate access arrangements.</p>	<p>No outcome specified.</p>	<p>Complies The design allows for vehicle to enter and exit in a forward motion.</p>
<p>PO6. Refuse storage areas: (a) are conveniently located for use and collection; and (b) are of useable size; and (c) avoid adverse impacts on neighbours and occupants; and (d) are screened from view within the site, adjoining properties and the street.</p>	<p>No outcome specified.</p>	<p>Conditioned The refuse storage area is proposed at the frontage of the subject site to provide for the storage of wheelie bins and placement at the road reserve on collection days.</p>
<p>PO7 Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.</p>	<p>AO7.1 Development does not occur: (a) In areas that pose a health risk from previous activities; and (b) on sites listed on the Contaminated Land Register or Environmental Management Register.</p> <p>or AO7.2 Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan</p>	<p>Complies The applicant in the application identified that the site is not known to be contaminated or subject to know past activities that may pose a health risk.</p>

	sealing, operational works permit, or issuing of building works permit.	
PO8 to PO14	Not Applicable	
Section 7 – For development affected by one or more overlays		
Airport environs overlay		
Wildlife hazard sub-area		
PO15. Development does not significantly increase the risk of wildlife hazard particularly flying vertebrates, such as birds and bats, intruding within an airport operational airspace.	No outcome specified.	Complies Site is located within 3km to the Kingaroy airport and will not create any impacts to the airport.
PO16 to PO21.	Not Applicable	
Flood hazard overlay		
PO22. Development is not exposed to risk from flood events by responding to flood potential and maintains personal safety at all times.	<p>AO22.1 All new allotments include an area of sufficient size to accommodate the intended land use outside the area identified on Overlay Map 03.</p> <p>and</p> <p>AO22.2 New buildings are not located within the area identified on Overlay Map 03;</p> <p>or</p> <p>AO22.3 Development is sited above the 1%AEP flood event where known, or the highest known flood event, as follows: (a) Habitable floor levels - 500mm; (b) Non-habitable floor levels - 300mm; (c) All other development - 0mm.</p> <p>and</p> <p>AO22.4 Building work below the nominated flood level allows for the flow through of flood water at ground level: (a) The structure below flood level is unenclosed; or (b) Any enclosure below flood level</p>	<p>Not Applicable The proposed development is within the area identified on Overlay Map 03.</p> <p>Not Applicable The proposed development is within the area identified on Overlay Map 03.</p> <p>Conditioned To ensure that the proposed development is not exposed to any risks from flood events, Habitable floor levels of 500mm above the 1%AEP have been conditioned.</p> <p>Conditioned To ensure that the proposed development is not exposed to any risks from flood events, Habitable floor levels of 500mm above the 1%AEP have been conditioned in the report.</p>

	<p>aligns with the direction of water flow; or</p> <p>(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> <p>and</p> <p>AO22.5 Resilient building materials are used below the nominated flood level in accordance with the relevant building assessment provisions.</p> <p>and</p> <p>AO22.6 Signage is provided on site indicating the position and path of all safe evacuation routes off the site.</p>	<p>Conditioned</p> <p>The proposed development is conditioned to ensure that potential flood damage to the proposed development is limited to provide personal safety at all times.</p> <p>Conditioned</p> <p>Safety evacuation routes and signage has been conditioned into the development approval to ensure occupants safety during a flood event.</p>
<p>PO23. Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.</p>	<p>AO23.1 Works associated with the proposed development do not:</p> <p>(a) involve a net increase in filling greater than 50m³; or</p> <p>(b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth/ duration/velocity of flood waters; or</p> <p>(c) change flood characteristics outside the site in ways that result in:</p> <p>(i) loss of flood storage;</p> <p>(ii) loss of/changes to flow paths;</p> <p>(iii) acceleration or retardation of flows; or</p>	<p>Conditioned</p> <p>The proposed development is conditioned to ensure that potential flood damage associated by works to the proposed development is limited on site and on other existing developments.</p>

	(iv) any reduction in flood warning times.	
PO24. Community infrastructure in any area mapped as Flood Hazard is able to function effectively during and immediately after flood events.	No outcome specified.	Not Applicable The proposed development is for Short-term accommodation.
PO25 to PO28	Not Applicable	

Summary of Compliance with the Low Density Residential Zone Code

The proposed development is for Short-term accommodation (14 x 1 bedroom units) located at 1 Hodge Street, Kingaroy. The proposed development is an addition rather than consistent with existing short-term accommodation and multiple dwelling development located in the proximity to the proposed development. Relevant conditions have been imposed to ensure that the development will not be unduly impacted and/or impact existing neighbourhood with regards to flooding and servicing of the proposed development.

Services and Works Code

Table 8.4.3 – Assessable Development

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.	Complies Stormwater will be discharged to a lawful point of discharge generally in accordance with the Preliminary Stormwater Management Plan prepared by ATC Consulting Engineers and Project Managers, Revision 1, dated 10 July 2023.
PO2. Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.	AO2.1 A wastewater management plan prepared by a suitably qualified person and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; and AO2.2 Wastewater is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or	Not Applicable No wastewater is proposed to be discharged to a waterway and/or environment.

		(b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.	
PO3.	Construction activities avoid or minimise adverse impacts on stormwater quality.	AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.	Conditioned Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.
PO4.	Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.	Complies Stormwater will be discharged to a lawful point of discharge generally in accordance with the Preliminary Stormwater Management Plan prepared by ATC Consulting Engineers and Project Managers, Revision 1, dated 10 July 2023.
Section 2 – Infrastructure			
PO5	Development is provided with infrastructure which: (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented.	AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road. and AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.	Complies The subject site fronts Hodge Street and Harris Road which are both fully constructed sealed roads with curb and channel along the frontage of the subject site.
Section 3 – Vehicle parking			
PO6	Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.	AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5. and AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5. and	Complies The proposed development provides 1 car park space per unit and two visitor car-parking spaces. Complies The proposed development provides one (1) car park space per unit and two (2) visitor car-parking spaces.

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	<p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>	<p>Complies The proposed development will access Hodge Street. Updated plans provided by ATC Consulting Engineers drawing B-101 A and IPWEAQ Std Dwg RS-051, Rev F. Ensure that the new crossover is not closer than 1 metre to any existing or proposed infrastructure and is approved by both Ergon and Council.</p> <p>Complies Vehicle parking and manoeuvring areas are provided with the application.</p>
Section 4 – 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>	<p>Conditioned The proposed development is consistent to a medium density dwelling scale within the low density residential zone. Therefore, medium density landscaping will provide the proposed development better amenity and character.</p> <p>The proposed landscaping will require a detailed landscaping plan prepared by suitably qualified person to incorporate defined gardens with three tier planting comprising of ground cover, shrubs (understorey) and trees (canopy) as mentioned within the conditions for this report.</p> <p>Performance Outcome The northern boundary must contain landscaping that will reach at least half the height of the building at maturity for effective screening to adjoining property as requested from the information request & further issues letter. This will ensure that the proposed development will be consistent to visual amenity from the north.</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. 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>Conditioned Landscaping must predominantly contain species that are endemic to the region due to their low water dependency.</p> <p>Note: Guidance on planting selection is provided in Branching Out – Your Handy Guide to tree planting in the South Burnett.</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>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 Filling or excavation for the purpose or retention of water: (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; (b) directs overflow such that no scour</p>	<p>Conditioned Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.</p>

		damage or nuisance occurs on adjoining lots.	
PO10	Filling or excavation does not cause damage to public utilities.	AO10.1 Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.	Conditioned Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
PO11	Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.	AO11.1 Following filling or excavation: (a) the premises: (i) are self-draining; and, (ii) has a minimum slope of 0.25%; and, (b) surface water flow is: (i) directed away from neighbouring properties; or (ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.	Conditioned Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
Section 6 – All operational work subject to an overlay			
PO12 to PO14	Not Applicable		
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: (a) involve a net increase in filling greater than 50m ³ 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	Conditioned To ensure that the proposed development doesn't further impact flood damage either on site or other properties. Conditions have been included.

	outside the site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows; or (iv) any reduction in flood warning times.	
<p>PO16 to PO18</p>	<p>Not Applicable</p>	

Summary of Compliance with the Service and Works Code

The proposed development seeks approval for Short-term accommodation (14 x 1-bedroom units) located at 1 Hodge Street, Kingaroy. The proposed development stormwater management report and carparking calculations complies with the Service and Works Code. The Information Request identified that existing services on Hodge Street can impact the new access to Hodge Street. The applicant provided new plans outlining the proposed changes to these services, pending approval from Ergon and Council. Flooding was conditioned to ensure that the development will not be impacted and/or will not be impacting existing neighbouring developments. Filling and Excavation was conditioned to comply with the relevant assessment benchmarks in the Service and Works Code. Landscaping conditions consistent to the Medium Density Residential Code Performance Outcome six (6). This was conditioned due to the building’s façade and scale to existing neighbouring developments as well as to help bring the development in the low density residential zone character and amenity. This development is consistent with the Service and Works Code if the following relevant conditioned are meet.

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 regarding the Medium Density Residential Zone Code Performance Outcome six (6) landscaping.

<p>Medium Density Residential Zone Code</p>	<p>PO6 Landscaping enhances the appearance of the site, provides buffering and screening and shades activity areas.</p>
<p>AO6.1 A minimum 2m wide landscaped area with species selected to suit the streetscape is provided adjacent to all road frontages (excluding crossover and pedestrian access). and AO6.2 Landscaping of pedestrian areas uses plant species which at maturity have limited foliage below 1.8m. and AO6.3 The minimum area for site landscaping is: (a) For multiple dwellings – 20%</p>	<p>With the proposed development being a short-term accommodation, landscaping requirements from medium density residential zone code are considered to be more applicable for this proposed development. The proposed development is consistent to a medium density dwelling scale within the low density residential zone therefore, medium density landscaping will provide the proposed development better amenity and character.</p> <p>The proposed landscaping will require a detailed landscaping plan prepared by suitably qualified person should incorporate defined gardens with three tier planting comprising of ground cover, shrubs (understorey) and trees (canopy) as mentioned within the conditions for this report.</p>

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(b) For retirement facilities – 35%	
(c) For other uses – not specified.	

5. CONSULTATION

Referral Agencies

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

Council Referrals

INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	Council Development Engineer provided comments in relation to Infrastructure Charges and Engineering Conditions.
Infrastructure Charges Unit	<p>Council adopted the LGIP on 24 June 2019 which commenced on 1 July 2019.</p> <p>The types of Development that may trigger the issuing of an infrastructure charges notice are:</p> <ul style="list-style-type: none"> a) Reconfiguring a Lot; b) Making a Material Change of Use; c) Carrying out Building Work. <p>Refer to Attachment B for the Infrastructure Charges Notice.</p>

Public Notification

Date Notification Commenced	17 August 2023
Date Notification Completed	8 September 2023
Date notice of compliance received	11 September 2023

During the public notification period no public submissions were received in response to the proposed advertised development.

6. RECOMMENDATION

Grounds to Support the Development.

The proposed short-term accommodation is supported by the relevant provisions of the Strategic Framework and is supported on the following grounds:

- The proposal of short-term accommodation will help support the increased need of worker accommodation and support with tourism for the region.
- The site is located a short drive to the centre of Kingaroy and the Principal Centre Zone.
- The proposed development Has been conditioned to reduce its impact on the existing residential built character.

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

ATTACHMENTS

1. **Attachment A: Statement of Reasons**
2. **Attachment B: Infrastructure Charges Notice**
3. **Attachment C: Approved Plans**
4. **Attachment D: Preliminary Stormwater Management Report**

NOTICE ABOUT DECISION – STATEMENT OF REASONS

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

Applicant:	Russell Carracher C/- ONF Surveyors
Application No:	MCU23/0016
Proposal:	Material Change of Use Short Term Accommodation (14 x 1-bedroom Units)
Street Address:	1 Hodge Steet, Kingaroy
RP Description:	Lot 1 on SP212946
Assessment Type:	Impact Assessment
Number of Submissions:	No Submissions

On 27 November 2023 the above development was recommended for:

- Approval
 Refusal

1. Reasons for the Decision

The reasons for this decision are:

- The proposal of short-term accommodation will help support the increased need of worker accommodation and support with tourism for the region.
- The site is located close to the centre of Kingaroy and the Specialised Centre.
- The proposed development will not compromise the existing building character on Hodge Street and Harris Road.

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- Low Density Residential Zone Code
- Service and Works Code

3. Compliance with Benchmarks

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

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

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

APPLICANT:	Russell Carracher C/- ONF Surveyors PO Box 896 KINGAROY QLD 4610	
APPLICATION:	Material Change of Use (Accommodation Building providing 14 Short-term Accommodation Units) - Impact Assessable	
DATE:	31/10/2023	
FILE REFERENCE:	MCU23/0016	
AMOUNT OF THE LEVIED CHARGE: <i>(Details of how these charges were calculated are shown overleaf)</i>	\$80,337.00	Total
	\$39,368.00	Water Supply Network
	\$21,695.00	Sewerage Network
	\$9,644.00	Transport Network
	\$8,029.00	Parks and Land for Community Facilities Network
	\$1,601.00	Stormwater Network
AUTOMATIC INCREASE OF LEVIED CHARGE:	The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.	
LAND TO WHICH CHARGE APPLIES:	Lot 1 SP212946	
SITE ADDRESS:	1 Hodge St, Kingaroy	
PAYABLE TO:	South Burnett Regional Council	
WHEN PAYABLE: <i>(In accordance with the timing stated in Section 122 of the Planning Act 2016)</i>	Material Change of Use – When the change happens.	
OFFSET OR REFUND:	Not Applicable.	

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

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation Short Term (1 bed)	14	suite	\$717.00	CR Table 2.2	\$10,038.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (3 bed dwelling)	1	dwelling	\$2,009.00	CR Table 2.1	\$2,009.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation Short Term (1 bed)	14	suite	\$143.00	CR Table 2.2	\$2,002.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing lawful use (3 bed dwelling)	1	dwelling	\$401.00	CR Table 2.1	\$401.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Accommodation Short Term (1 bed)	\$39,368.00	\$21,695.00	\$9,644.00	\$8,029.00	\$1,601.00	\$80,337.00
Total	\$39,368.00	\$21,695.00	\$9,644.00	\$8,029.00	\$1,601.00	\$80,337.00

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

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

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

Enquiries

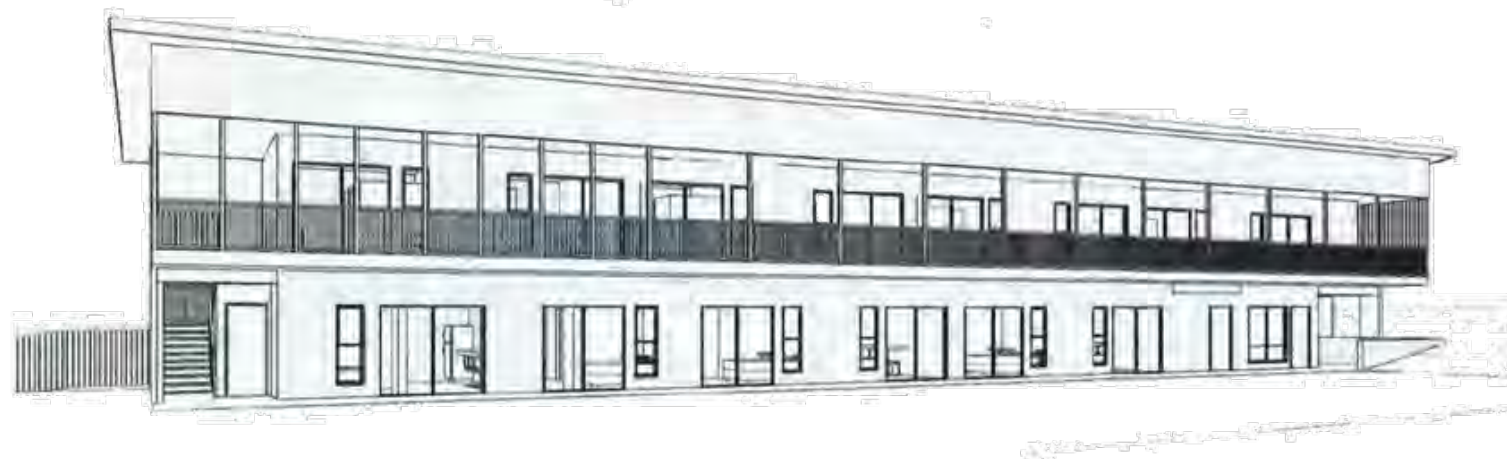
Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au



ACCOMMODATION BUILDING

RUSSELL CARRACHER

1 HODGE STREET
KINGAROY



Designer Planning
M: 07 3087 5332
E: info@designerplanning.com.au
W: www.designerplanning.com.au

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JOB No:	23-118
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ISSUE	DESCRIPTION	DATE	AUTHOR
1G	DRAFT FLOOR PLANS	13-10-2023	TN

AT NO POINT OR ANY STAGE DO THESE PLANS WARRANT/GUARANTEE BUILDING APPROVAL, NOR DO THESE PLANS PERMIT ANY BUILDER, HOMEOWNER OR CONSULTANT THE ABILITY TO PERFORM ANY BUILDING WORK WITHOUT THE REQUIRED LOCAL AUTHORITY REQUIREMENTS. THIS REQUIREMENT IS USUALLY EXPRESSED IN THE FORM OF A STAMPED BUILDING APPROVAL PLAN FROM PRIVATE CERTIFICATION.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL BUILDING DESIGN AND OTHER CONSULTANTS' DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE DESIGNER OR ENGINEER BEFORE PROCEEDING WITH THE WORK.

ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT AND CURRENT CODES AND WITH THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITIES EXCEPT WHERE VARIED BY THE PROJECT SPECIFICATION. ALL DIMENSIONS SHOWN SHALL BE VERIFIED BY THE BUILDER ON SITE.

CARE HAS BEEN TAKEN TO ACHIEVE ACCURACY HOWEVER ALL INFORMATION ON THIS PLAN SHOULD BE REGARDED AS APPROXIMATE.

ENGINEER'S DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS. DURING CONSTRUCTION THE STRUCTURE SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERTRESS. TEMPORARY BRACINGS SHALL BE PROVIDED BY THE BUILDER TO KEEP THE WORKS AND EXCAVATIONS STABLE AT ALL TIMES.

UNLESS NOTED OTHERWISE ALL LEVELS ARE IN METERS AND ALL DIMENSIONS ARE IN MILLIMETERS.

DETAIL OF THE CUT & FILL REQUIREMENTS FOR THIS BUILDING SITE IS BASED ON SURFACE LEVELS TAKEN AND THE OWNER/BUILDER SPECIFIED REQUIREMENTS. SUCH DETAIL IS SUBJECT TO VARIATION DEPENDANT UPON GROUND CONDITIONS ENCOUNTERED. SOIL TEST RESULTS AND LOCAL AUTHORITY REQUIREMENTS, CONTOURS AND R.L.S. WHERE SHOWN ARE INDICATIVE ONLY. SOME LEVELS MAY CHANGE DUE TO ACTUAL CONDITIONS ON SITE.

CLEAR BUILDING AREA OF ALL VEGETATION TO ONE METRE PAST THE BUILDING PERIMETER REMOVE ALL STUMPS & ROOTS. STOCKPILE TOP SOIL FOR REUSE ON COMPLETION OF BUILDING CONSTRUCTION. TOP SOIL IS NOT TO BE USED AS FILL MATERIAL.

ALL CUT AND FILL EMBANKMENTS TO BE NO STEEPER THAN 1:2 AND ALL DRIVEWAYS TO BE NO STEEPER THAN 1:6 ALL EARTHWORKS TO BE IN ACCORDANCE TO A.S. 2870.

SLOPE BUILDING PAD TO DRAIN ALL SURFACE WATER AWAY FROM RESIDENCE AS PER BCA PART 5.1.2 DRAINAGE

SITE WORKS INDICATED ON THIS PLAN ARE FOR CONSTRUCTION PURPOSES ONLY. IT IS THE CLIENT'S RESPONSIBILITY TO CARRY OUT ALL LANDSCAPING, SITE DRAINAGE, RETAINING WALLS AFTER COMPLETION OF CONSTRUCTION. ALL RETAINING WALLS & EMBANKMENTS SHOWN ARE TO COMPLY WITH THE LOCAL AUTHORITIES POLICY FOR RETAINING WALLS & EMBANKMENTS ON RESIDENTIAL BUILDING SITES. POSITION OF RETAINING WALLS & EMBANKMENTS MAY VARY ACCORDING TO SITE WORKS.

LEVEL OF CONCRETE FLOOR SLAB TO DWELLING IS TO BE VERIFIED BY BUILDER TO ENSURE THAT A MINIMUM HEIGHT ABOVE FINISHED GROUND LEVEL IS ATTAINED IN ACCORDANCE TO THE B.C.A. OLD BUILDING ACT-AMENDMENT ACT 1991 & THE LOCAL AUTHORITY POLICY AND TO CONFIRM CUT AND FILL LEVELS, THE SAME PRINCIPLE IS TO BE APPLIED WHEN CONSIDERING THE CAVITY BETWEEN THE LOWER FLOOR CEILING AND THE UPPER FLOOR TO ENSURE ADEQUATE SPACING FOR SERVICES.

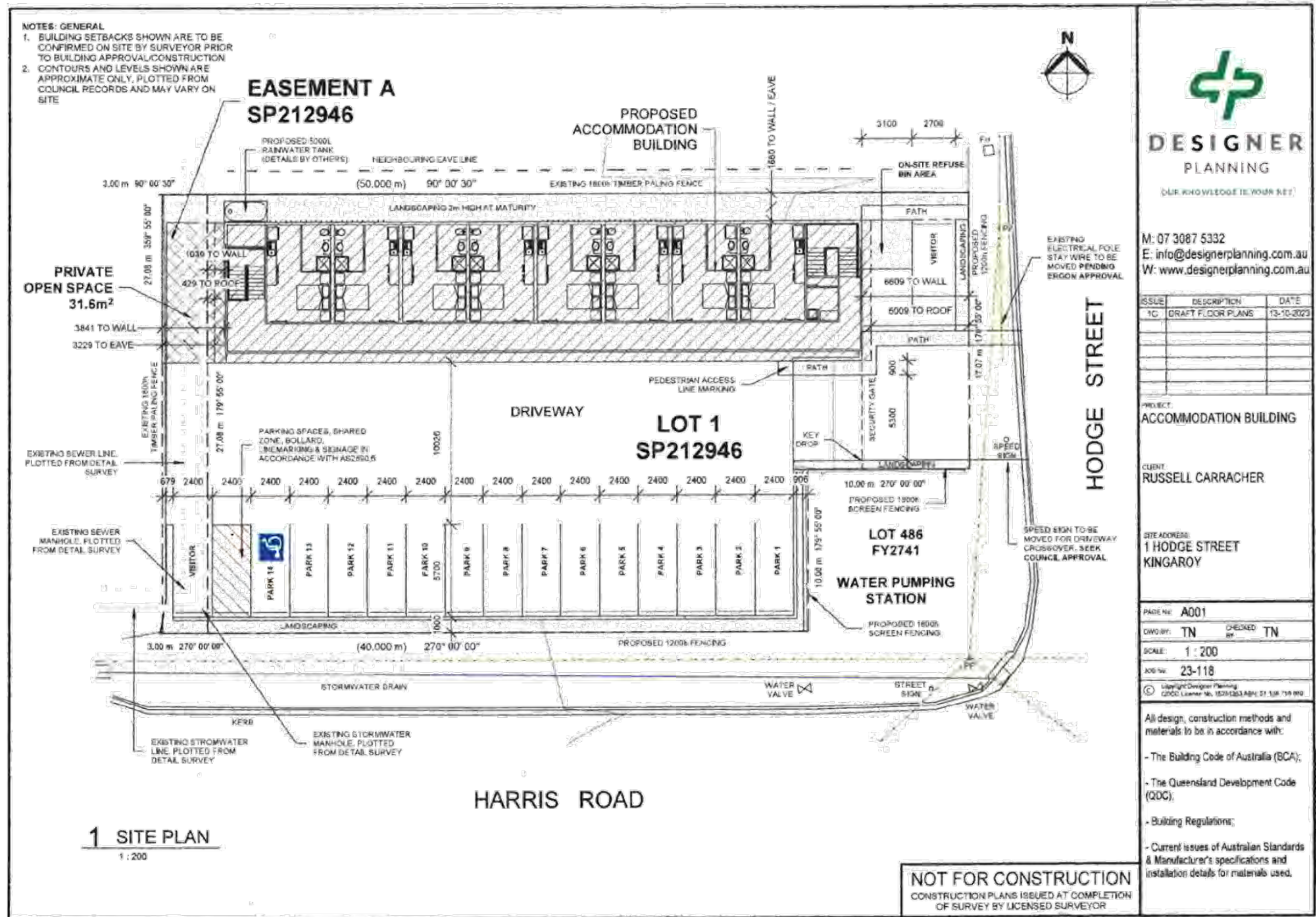
BUILDER TO VERIFY THE LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION.

CONFIRM THAT ALL SURVEY PEGS ARE IN THE CORRECT POSITION BEFORE SETTING OUT THE BUILDING. IF ANY DOUBT ARISES CONTACT THE BUILDER/SURVEYOR. THE RELATIONSHIP BETWEEN OCCUPATION AND THE PLOTTED BOUNDARY IS INDICATIVE I.E. THIS IS NOT A BOUNDARY SURVEY.

AFTER COMPLETION OF CONSTRUCTION OF THE DWELLING, THE OWNER SHALL MAINTAIN THE SITE & DWELLING IN ACCORDANCE WITH THE C.S.I.R.O. LEAPLET SHEET No. 10-81 GUIDE TO HOMEOWNERS ON FOUNDATION MAINTENANCE AND FOOTING PERFORMANCE.

Document Set ID: J061962
Version: 1, Version Date: 17/10/2023

13/10/2023 7:14:20 AM



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ISSUE	DESCRIPTION	DATE
1C	DRAFT FLOOR PLANS	13-10-2023

PROJECT:
ACCOMMODATION BUILDING

CLIENT:
RUSSELL CARRACHER

SITE ADDRESS:
1 HODGE STREET KINGAROY

PAGE NO: **A001**

DWG BY: **TN** CHECKED BY: **TN**

SCALE: **1 : 200**

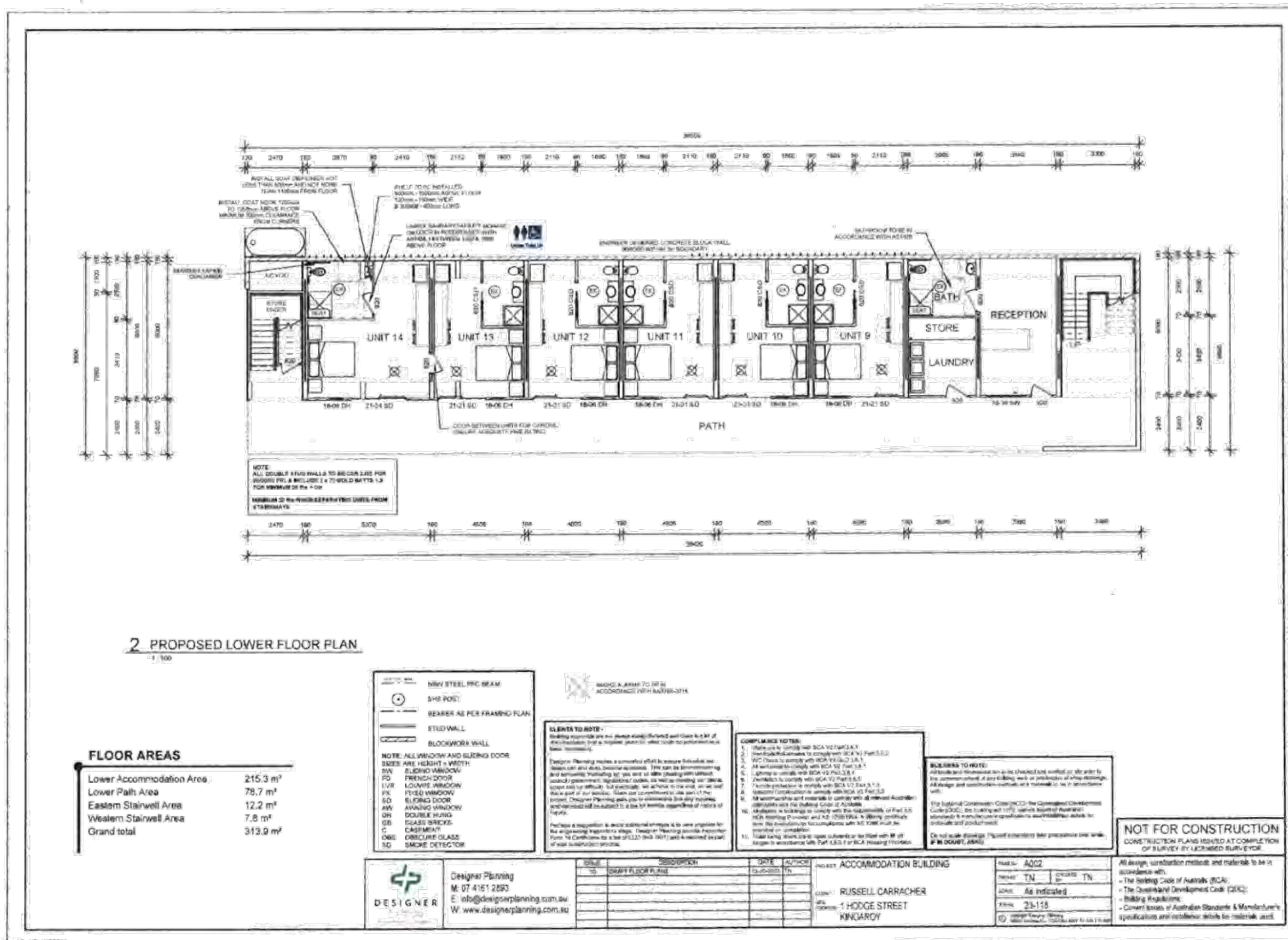
ADD NO: **23-118**

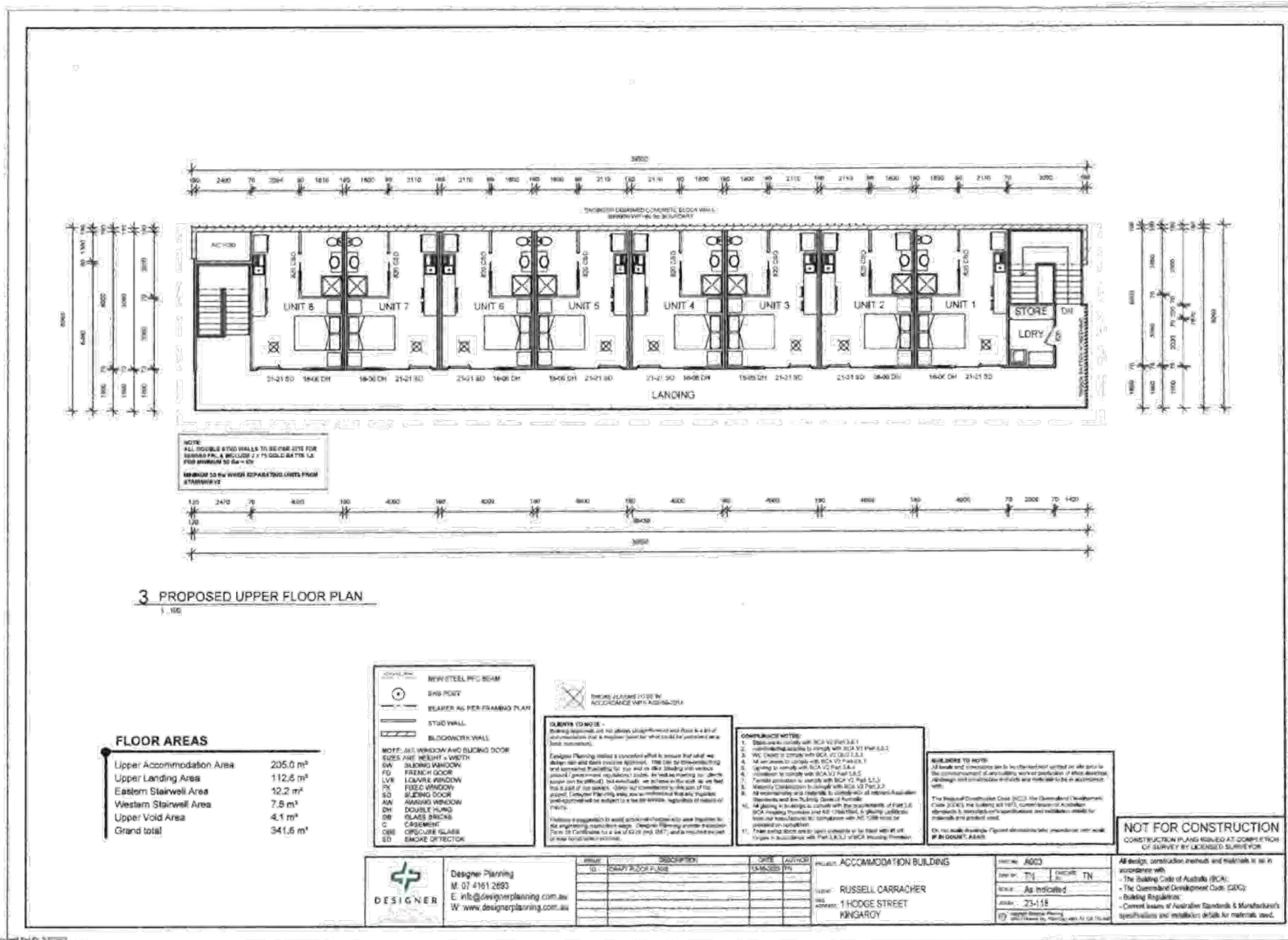
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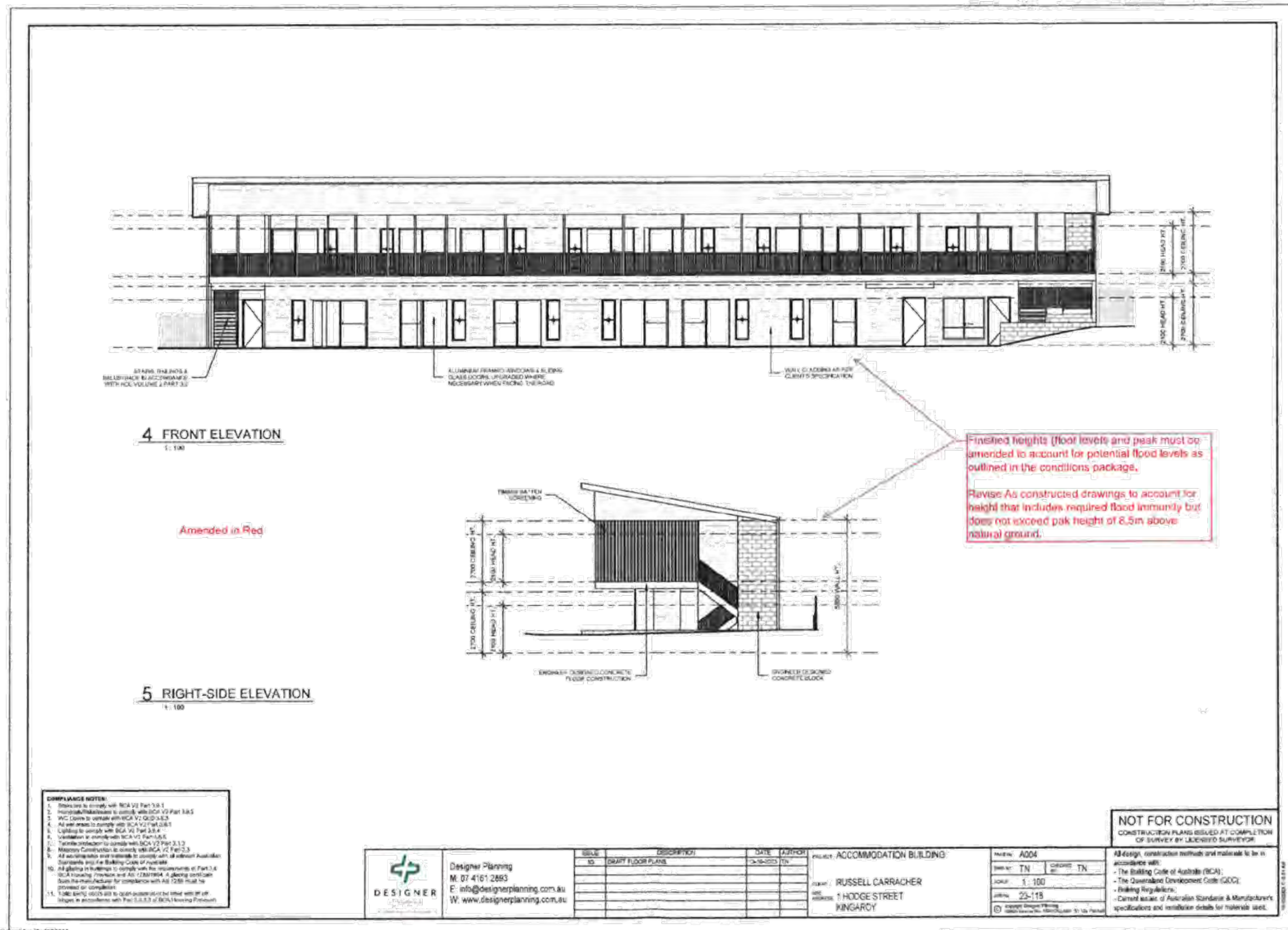
All design, construction methods and materials to be in accordance with:

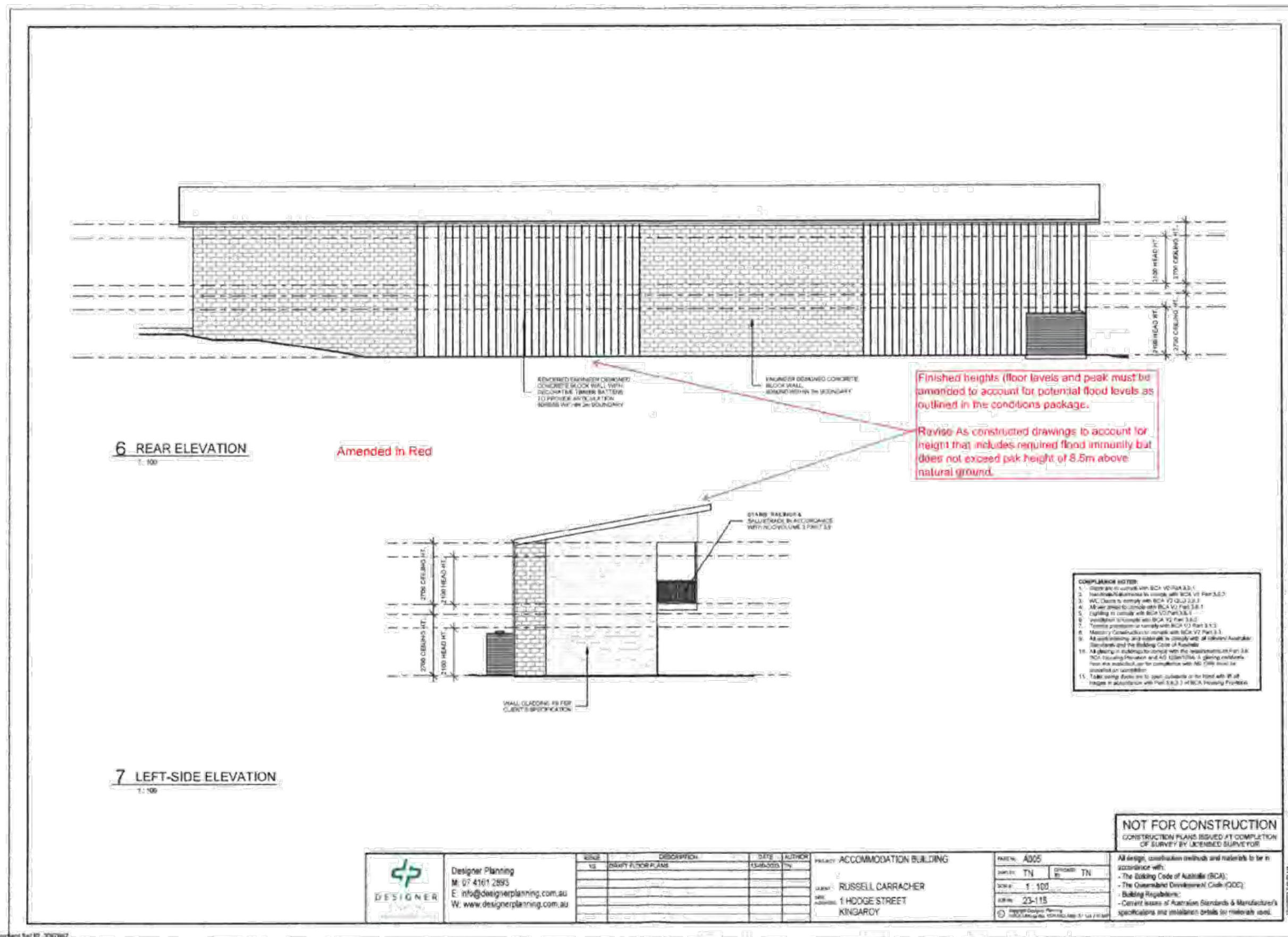
- The Building Code of Australia (BCA);
- The Queensland Development Code (QDC);
- Building Regulations;
- Current issues of Australian Standards & Manufacturer's specifications and installation details for materials used.

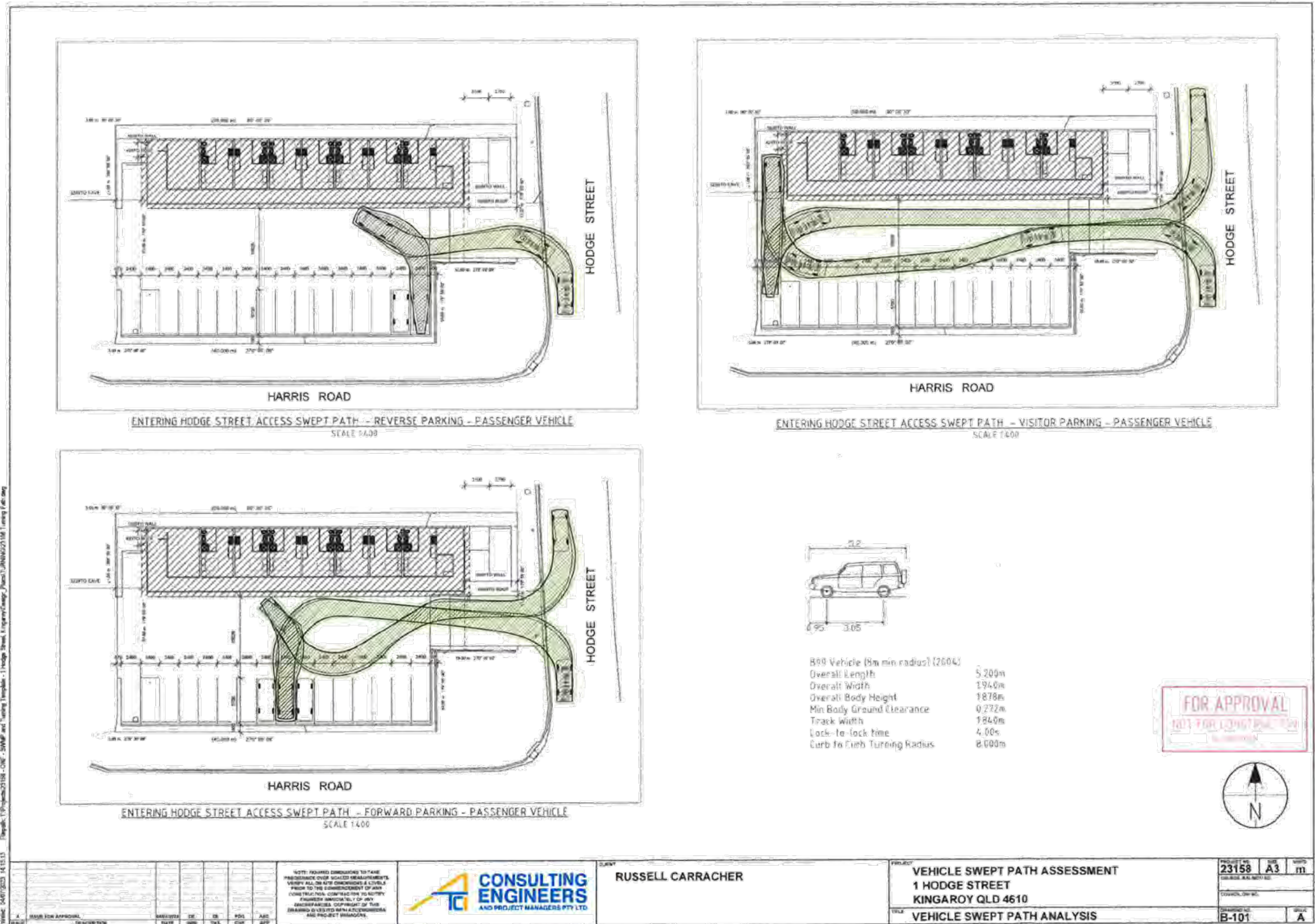
Document Set ID: 3087682
 Version: 1, Version Date: 17/10/2023













Preliminary Stormwater Management Report

Accommodation Building

1 Hodge Street, Kingaroy, 4610

Lot 1 SP212946

Version	Authored By	Approved By	Date
For Approval	David Eberhard	Allen Christensen	06 June 2023
Rev 1	David Eberhard	Allen Christensen	10 July 2023
This version replaces all previous versions of this report.			

THE TRUSTED ENGINEERS

Document Set ID: 3059746
 Version: 1, Version Date: 26/07/2023

1. Introduction

This preliminary stormwater management plan forms part of a development at 1 Hodge Street, Kingaroy, Queensland, 4610.

The new development features a new accommodation building and associated civil works.

ATC Engineers have been engaged on behalf of the applicant to assess the stormwater management of the proposed development. This 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.

2. Site Characteristics

2.1. Pre-development site description

The site is located at 1 Hodge Street, Kingaroy as shown in *Figure 1*.



Figure 1 - Proposed Development Site at the corner of 1 Hodge Street/Harris Road (Source: Queensland Globe)

The access to the new development is via the Hodge Street frontage.

The existing lot is typical of a suburban area. An estimated 1-3% surface grade is evident across the lot with fall generally to the rear of the block on the West. It appears that stormwater runoff is currently discharging through the fence of the adjacent Lot 14 SP212946 to the west, as is evident of water marks along the timber panels.

There was no evidence of scouring or other erosion issues on site during an inspection undertaken on the 20th of March 2023.



Figure 2 – Pre-Development site photos

3. Stormwater Analysis

3.1. Point of Discharge

The existing rear allotment piped network will be used as the point of discharge.

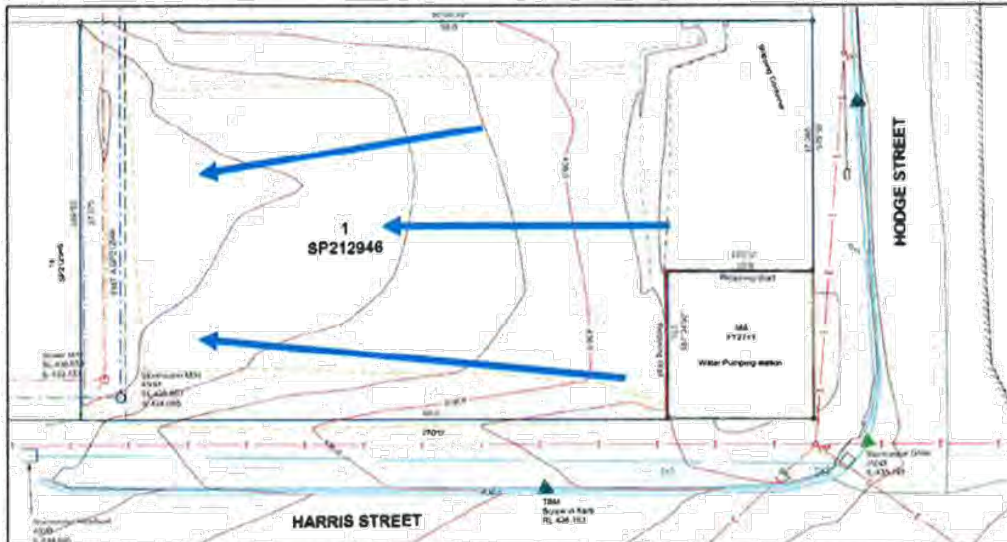


Figure 3: Lot Pre-Development Catchment Plan

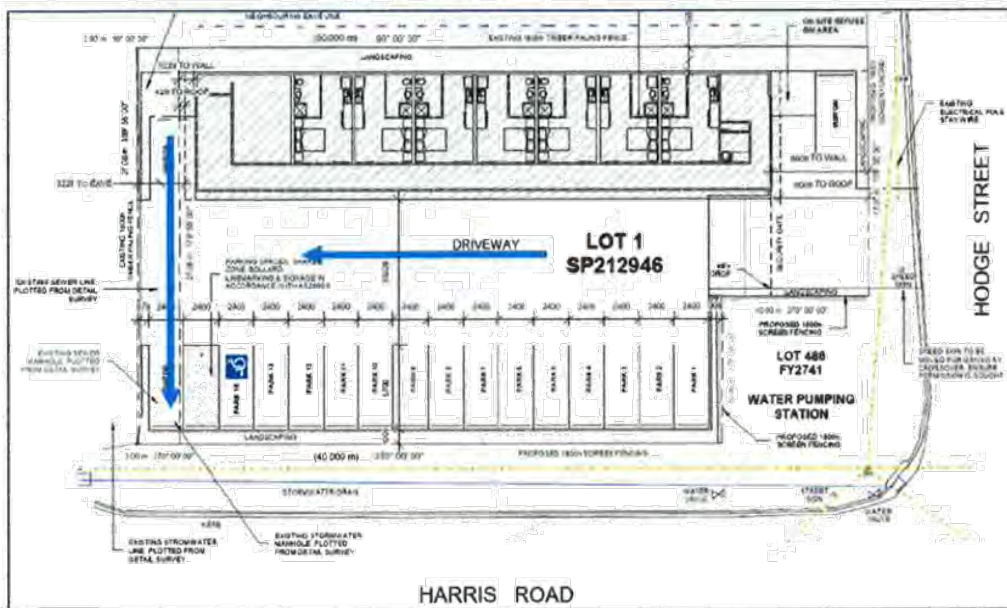


Figure 4: Lot Post-Development Catchment Plan

3.2. Hydraulic Design

A hydraulic assessment has been undertaken for the development using the Drains software program (Version 2023.02.8437.28953). An analysis was conducted to determine the peak runoff flows for the pre- and post-development conditions, and any potential detention requirements. 39% AEP minor and 1% AEP major storm events, with storm durations between 5 minutes to 4.5 hours, were used as part of the assessment.

A 50% pre-development impervious area was used in the analysis due to the availability of rear of allotment drainage. This is within the QUDMs (2017) recommendation of fraction impervious values of 0.45-0.85 for low density urban residential (including roads). Therefore, the analysis parameters are considered to be conservative for the purpose of this report.

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 – Drains Model assumptions

Catchment	Area	% Impervious	% Supplementary	% Grassed
Pre-development	1,253m ²	50% (626.5m ²)	0 (0m ²)	50% (626.5m ²)
Post-development	1,253m ²	88% (1102m ²)	0 (0m ²)	12% (151m ²)

Peak Flows

The peak flow rates for pre-development and post-development are shown in the table below. Peak flow rates shown in the below table may not be representative of the critical stormwater event under ARR guidelines.

Table 3 – Pre- and Post-Development Peak Flows

Storm Duration	Peak Flow Discharges					
	Pre-development		Post-development		Post-development (attenuated)	
	Minor 39% AEP (m3/s)	Major 1% AEP (m3/s)	Minor 39% AEP (m3/s)	Major 1% AEP (m3/s)	Minor 39% AEP (m3/s)	Major 1% AEP (m3/s)
5 minutes	0.021	0.054	0.034	0.08	0.013	0.042
10	0.028	0.068	0.042	0.092	0.023	0.054
15	0.03	0.073	0.042	0.092	0.025	0.058
20	0.03	0.072	0.041	0.087	0.025	0.057
25	0.028	0.07	0.036	0.086	0.024	0.056
30	0.029	0.067	0.036	0.089	0.024	0.054
45	0.023	0.064	0.035	0.077	0.021	0.052
1 hour	0.024	0.058	0.032	0.069	0.02	0.048
1.5	0.021	0.038	0.027	0.048	0.019	0.033
2	0.023	0.035	0.038	0.046	0.019	0.033
3	0.019	0.035	0.021	0.036	0.016	0.03
4.5	0.014	0.024	0.016	0.029	0.012	0.024

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

Table 4 – Peak Flow Discharges

Discharge Reference	Rear of Allotment Stormwater	
	Minor 39% AEP	Major 1% AEP
Storm Event		
Pre-Development (m ³ /s)	0.03	0.073
Post-Development (m ³ /s)	0.042	0.092
Post-Development Attenuated (m ³ /s)	0.025	0.058
Final Difference (m ³ /s)	-0.005	-0.015
Final Difference (%)	-17%	-21%

4. Stormwater Management Strategy

The peak flow results show that the post development flows do not generally lead to significant increases in stormwater discharges at the downstream boundary of the site or Harris Road. The overall stormwater strategy therefore is to:

- Adequately size all roof gutters for a AEP 1% storm event.
- Connect all roofed areas to a 5000L rainwater tank with a 75mm orifice plate 100mm above the invert. A 100mm discharge pipe and 200mm highflow shall be connected to the existing stormwater network at the rear.
- Connect the proposed carpark to the on site stormwater network using pits and pipes as shown on the preliminary drawings and designed to AS3500.
- Monitor for erosion and adequately maintain all pipes, pits and discharge locations.

A copy of 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 1% AEP event falling on the roofed areas and driveways can be safely discharged to the rear allotment stormwater network.
2. The new carpark stormwater network will provide additional surge capacity.
3. Stormwater will act generally in accordance with the assumptions made in the Drains model.

6. Conclusions

In summary:

- The development may lead to increases in stormwater flow discharging from the site for the specified design storm events.
- The effects of the increased discharge can be adequately managed with the use of detention tanks as shown.
- The applicant shall discharge stormwater in a manner so as to disperse the flow rather than concentrate it or cause an "actionable nuisance" to adjoining landowners.

I believe that the above response satisfies the requirements of QUDM and South Burnett Regional Council requirements with respect to stormwater management – subject to the application of reasonable and relevant conditions.

Should you require further assistance or information, please feel free to contact ATC on ☎ 07 4162 2378 or email ✉ office@atcengineers.com.au.

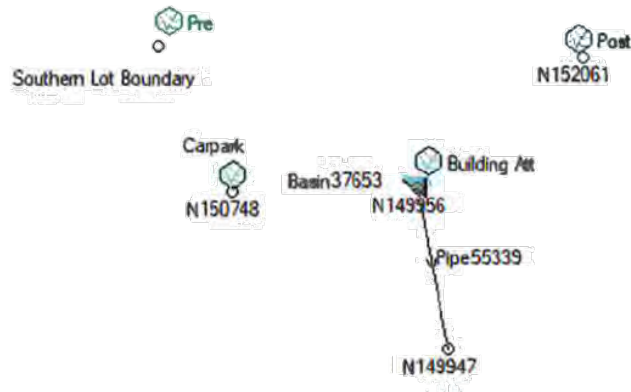
Yours sincerely,



Allen Christensen
DIRECTOR
BEng (Civil) RPEQ FIPWEQ

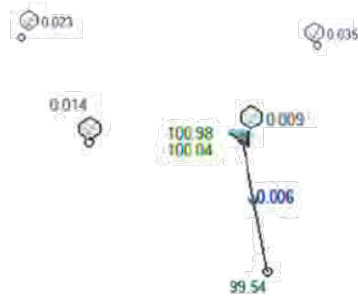
APPENDIX

Drains - Layout

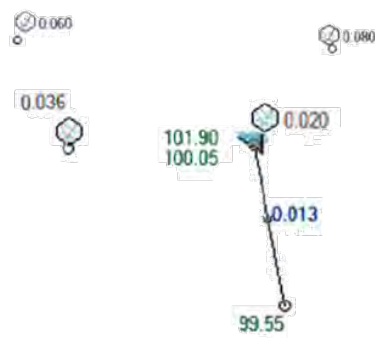


Drains - Critical Storm Results

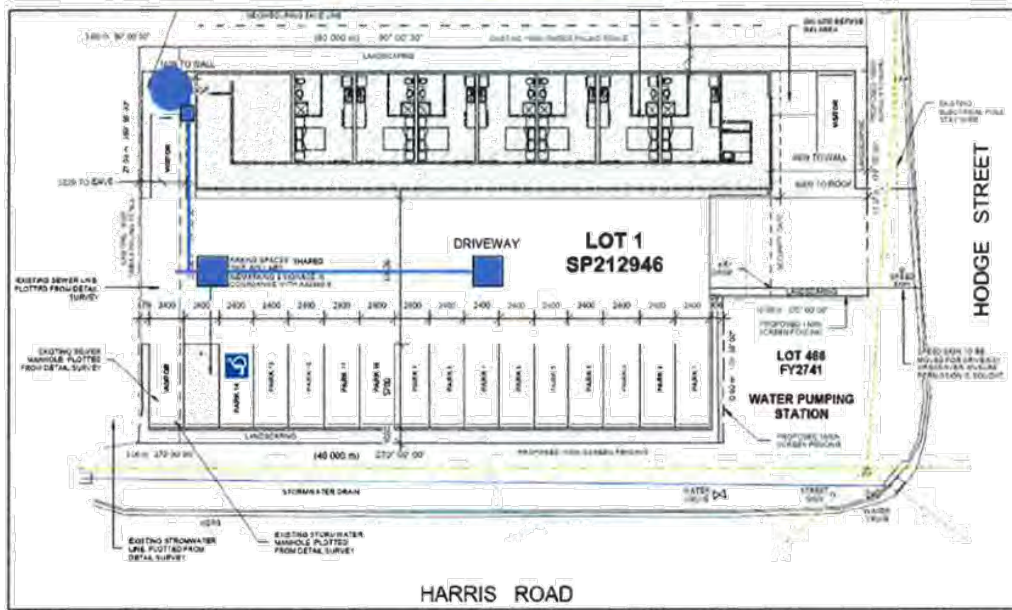
Minor (39% AEP)



Major (1% AEP)



Preliminary Drainage Layout



Delegated Authority

0.0 CHANGE APPLICATION (MINOR CHANGE) UNDER SECTION 78 OF THE PLANNING ACT 2016 - MATERIAL CHANGE OF USE (DWELLING HOUSE EXTENSION) AT 55 RAINFOREST DRIVE, BUNYA MOUNTAINS (AND DESCRIBED AS LOT 60 ON GTP1172). APPLICANT JEFF BRYANT C/- TOWN PLANNING STRATEGIES

File Number: MCU23/0029
Author: Senior Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
COORDINATOR MANAGER	[Redacted]	22/11/23
GM	[Redacted]	23/11/23
CEO	[Redacted]	3.11.2023

PRECIS

Change application (minor change) under section 78 of the *Planning Act 2016* – material change of use (dwelling house extension) at 55 Rainforest Drive, Bunya Mountains (and described as Lot 60 on GTP1172). Applicant: Jeff Bryant C/- Town Planning Strategies

SUMMARY

- Change request made pursuant to s78 of the *Planning Act 2016*;
- Application for a minor change to material change of use – development permit (dwelling house extension);
 - Applicant requested an amendment to development permit DA520 (issued 21 September 2006);
 - Proposed changes to include extension to existing dwelling house:
 - addition of an ensuite beyond bedroom 3; and
 - enlarged storeroom to the lower ground level;
 - Applicant requested replacement of approved architectural drawings.
- Subject site located in the Low density residential zone (LD1 – Bunya Mountains zone precinct) under the South Burnett Regional Council Planning Scheme v1.4;
- Original development was assessed under the *Integrated Planning Act 1997* and triggered code assessment;
- Council did not issue a further issues letter about the proposed minor change;
- No additional referral agencies were triggered;
- Pursuant to the *Planning Act 2016*, the proposed changes were assessed against the South Burnett Regional Council Planning Scheme v1.4. It was determined that there was no appreciable change to the planning scheme that would affect the changes as assessed by Council;
- Refer Attachment A – Statement of Reasons;
- Refer Attachment B – Approved Plans; and
- Refer Attachment C – Infrastructure Charges Notice (nil charge as a result of the minor change).
- Refer Attachment D – Applicant's Change Application Request

OFFICER'S RECOMMENDATION

That Council approve the change request made pursuant to s78 of the *Planning Act 2016* subject to the following changes as outlined below. Amended/new conditions shown in bold and deleted conditions shown in strikethrough.

~~1. Development generally in accordance with the report and drawings received by Council on 31 July 2006 (applicant's letter dated 26 July 2006) subject to any changes resulting from compliance with conditions.~~

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

Drawing Title	Prepared by	Ref no.	Rev	Date
Ensuite Floor Plan	WD Building Design	WD-100	C	19/10/2023
Storeroom Floor Plan	WD Building Design	WD-110	C	19/10/2023
Elevations	WD Building Design	WD-200	C	19/10/2023

All other conditions from development permit DA520 (issued 21 September 2006) remain applicable.

Delegated Authority

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

In assessing a change application for a minor change per s81 of the *Planning Act 2016*, Council (i.e. responsible entity) must consider another matter that the responsible entity considers relevant. Also, the responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.

The original application would have been assessed under the Nanango Shire Council Transitional Planning Scheme having regard to the Nanango Shire IPA Planning Scheme at the time of assessment, given the draft scheme at the time was adopted on 25 August 2006 and took effect on 25 September 2006. The Town Planning Scheme for the Shire of Nanango (transitional planning scheme) in October 1997 introduced a development control plan for part of the Bunya Mountains (Special development) as defined in the DCP documents. This DCP involved minimum areas and minimum frontages to a road within the subdivision of land by-law. This planning scheme was then superseded by the Nanango Shire IPA Planning Scheme whereby land within Bunya Mountains, Mountain residential zone introduced a preferred character for development of which is now incorporated into the current South Burnett Regional Council Planning Scheme. A dwelling house in the mountain residential zone under the Nanango Shire Council IPA Planning Scheme was code assessable and subject to preferred building characteristics including pole construction techniques with minimal ground disturbance and avoidance of flat and shallow sloped roof styles.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

Delegated Authority

REPORT

1. APPLICATION DETAILS

S81 Minor change

The applicant seeks approval for a development permit for a Change Application (minor change) – material change of use (dwelling house extension)

APPLICATION SUMMARY	
Applicant	Jeff Bryant C/- Town Planning Strategies
Type of Application	S78 Minor change request
Site Address	55 Rainforest Drive, Bunya Mountains
RP Description	Lot 60 on GTP1172
State Referral Agencies	N/A
Referred Internal Specialist	N/A
Site Area	2,030sqm
Zone	Low density residential in LD1 Precinct
Overlays	Bushfire (Medium potential)
Level of Assessment	Code
Affected Entity	Nil
Existing Use	Residential
Surrounding uses	Low density residential and Environmental management and conservation

Application Number	Details
Council Ref: DA520	On 19 September 2006 Council decided the application for a material change of use (dwelling house). The approval was given under the <i>Sustainable Planning Act 2016</i> . Standard planning conditions at the time were imposed.

2. THE SITE

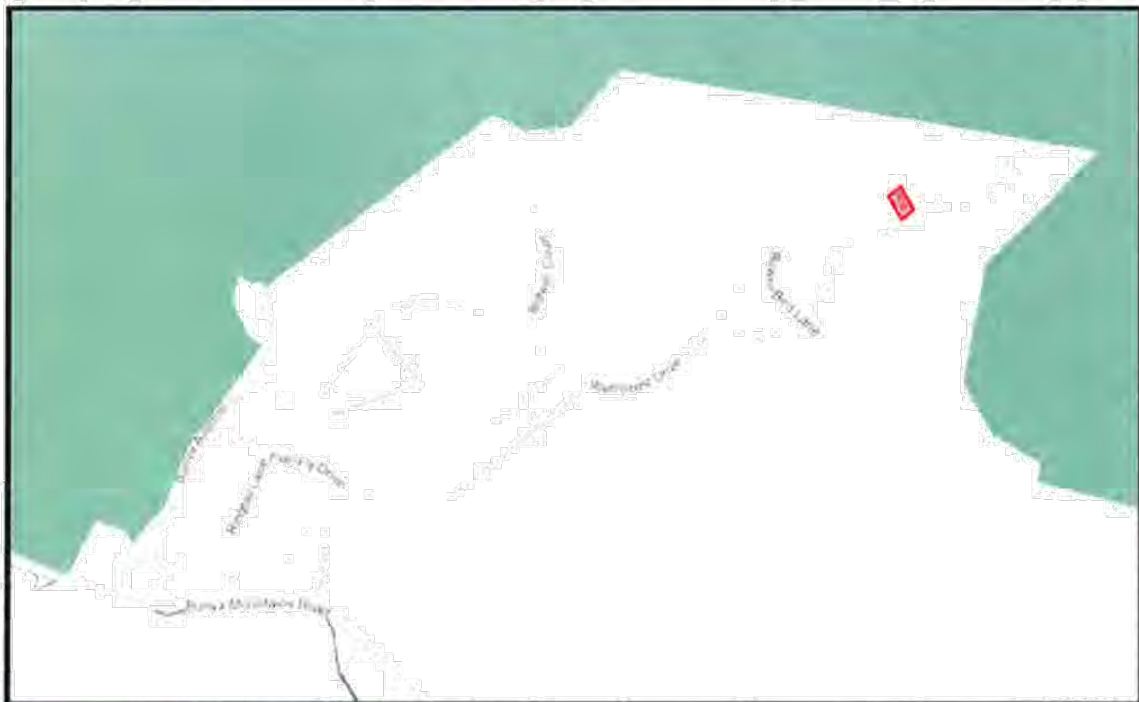


Figure 1 - Subject lot highlighted

Delegated Authority

3. BACKGROUND AND SUMMARY OF CHANGES

Application Number	Details
Council Ref: DA520	<p>On 19 September 2006 Council decided the application for a material change of use (dwelling house). The approval was given under the <i>Sustainable Planning Act 2016</i>.</p> <p>Standard planning conditions were imposed including architectural drawings, setbacks, building height, land overflow treatment, landscaping and signage per the planning scheme.</p> <p>On 6 November 2023 the request for minor change was deemed properly made. The applicant made representations for a dwelling house extension to incorporate an additional ensuite and to increase the storage room on the lower level.</p>


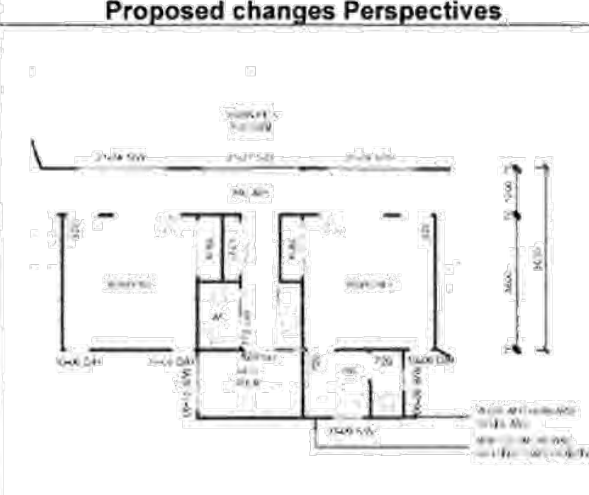
4. THE PROPOSED CHANGE

The applicant submits changes to the material change of use, with the following changes included:

- Build an ensuite of approximately 5.2sqm adjacent to Bedroom 3;
- Extend the existing storeroom floor area on lower ground level to include wash closet and kitchen sink;
- Slight earthworks to greater a flat pad under the dwelling house; and
- Other minor changes to the external façade as a consequence, to building alterations including re-use of weatherboards on side wall and new custom orb wall sheeting to match existing.

The dwelling is located closer to the western property boundary of the site. The building is two storeys with an undercroft for storage space. The building is built on stumps with minor earthworks to create a flat pad to incorporate an extension to the storage room. Current approved roof design is 25 degree pitch with the proposed extension reflective of similar pitch. External wall cladding is a mix of orb metal and weatherboard cladding (timber look).

Table 1 – perspective plans

Approved Dwelling Perspectives	Proposed changes Perspectives
	

Delegated Authority



The applicant has submitted within the material for this change request a series of existing and proposed internal layout drawings and limited associated commentary within the common material.

The applicant notes the following changes to conditions which reference the approved plans, that are now to be superseded by the changed plans:

The condition/s proposed to be amended and introduced is reproduced in both its current and amended form and is followed by a summary of the reasons and/or justification for the change.

ASSESSMENT MANAGER'S CONDITIONS

Existing Condition

1. Development generally in accordance with the report and drawings received by Council on 31 July 2006 (applicant's letter dated 26 July 2006) subject to any changes resulting from compliance with conditions.

Proposed condition by the applicant

The applicant did not provide an amended condition however suggested that the condition be amended to include a new set of architectural plans incorporating the addition of an ensuite and increase of the storage underneath the dwelling. Refer to Attachment C for applicant's correspondence.

5. MINOR CHANGE ASSESSMENT

A minor change is a change application to a development approval as per s78 of The *Planning Act 2016*. A response to the minor change criteria is provided below.

Table 3. Assessment against minor change criteria (*Planning Act 2016*, Schedule 2)

MINOR CHANGE CRITERIA	COMPLIES	RESPONSE
A minor change, for a development approval, means a change would not-		
i. Result in a substantially different development; or		The proposed change does not create or result in a substantially different

Delegated Authority

		development. The amendment of the condition to reflect the new architectural design in keeping with the current roof pitch and building footprint on lower level. The design amendments are not assessed to be substantially different to warrant a new application.
If a development application for the development, including the change, were made when the change application is made would not cause--		
A. The inclusion of prohibited development in the application; or		The proposed change will not result in prohibited development.
B. Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or		The minor change did not result in the referral to a referral agency.
C. Referral to extra referral agencies, other than to the chief executive; or		There were no additional referral agencies as a result of the minor change.
D. A referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or		N/A.
E. Public notification if public notification not required for the development application.		The proposed minor change did not change the level of assessment from code assessable.

The Development Assessment Rules 2017 (Schedule 1) provides guiding criteria in relation to 'substantially different development'. The proposed change is assessed against these criteria in **Table 4**.

Table 4. Assessment against substantially different development criteria (Development Assessment Rules 2017)

SUBSTANTIALLY DIFFERENT DEVELOPMENT CRITERIA	COMPLIES	RESPONSE
A Change may be considered to result in a substantially different development if the proposed change:		
A. Involves a new change.		There are no additional uses proposed.
B. Results in the application applying to a new parcel of land.		The proposed change does not apply to a new parcel of land.
C. Dramatically changes the built form in terms of scale, bulk and appearance.		Main changes incorporated are an extension off Bedroom 3 for an ensuite and extension of the storage room on the lower level underneath the verandah. The use of similar building materials have been incorporate as part of the building's alterations. No planning consequences are identified by the inclusion of the changes.
D. Changes the ability of the proposal to operate as intended.		The changes do not affect the approved land uses granted under other permit i.e. DA520 for a dwelling house.
E. Removes a component that is integral to the operation of the development.		The change proposed does not involve the removal of any critical components of the development. Access and services to the

Delegated Authority

		approval with the changes remain the same.
F. Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.		The proposed change to the approval does not change the ultimate traffic or transport arrangements.
G. Introduces new impacts or increases the severity of known impacts.		<p>There are no new impacts or increased impacts raised by the change to the internal or external environment. The need for additional minor earthworks on site are appropriately able to be managed through the existing conditions of the approval.</p> <p>Since the introduction of Council's current planning scheme the property is identified in the medium impact bushfire hazard overlay mapping.</p> <p>Professional advice was sought from a Council officer in relation to the building extension who advised that a minor addition to an existing dwelling need only match the build. No additional measures beyond those already existing in the dwelling are sought. Therefore, no condition seeking a bushfire management plan is required.</p>
H. Removes an incentive or offset component that would have balanced a negative impact of the development.		There were no incentives or offsets as part of the original decision and there is no change because of this application.
I. Impacts on infrastructure provision.		There will be no change or impacts on infrastructure provision because of this Minor Change application.

6. CONCLUSION

The officer's assessment demonstrates that the proposed changes can be considered as minor to the approval under the *Planning Act 2016*. The changes do not result in a substantially different development and does result in external impacts.

6.1 CHANGES TO CONDITIONS

There are no necessary changes to any of the conditions of approval other than where plan references are made. The existing conditions remain in place under development permit DA520 (issued 21 September 2023) with the new plans listed in the officer's recommendation. An Infrastructure Charges Notice is required as part of the decision package because of the request however, there is a nil charge applicable in accordance with Council's Adopted Infrastructure Charges Resolution No 3.

ATTACHMENTS

1. Attachment A - Statement of Reasons
2. Attachment B - Approved Plans
3. Attachment C - Infrastructure Charges Notice
4. Attachment D - Applicant's Change Application Request

NOTICE ABOUT DECISION – STATEMENT OF REASONS

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

SITE DETAILS	
Applicant:	Jeff Bryant C/- Town Planning Strategies
Proposal:	S81 Minor change request for Material change of use – dwelling house
Street Address:	55 Rainforest Drive, Bunya Mountains QLD 4405
RP Description:	Lot 60 on GTP1172
Assessment Type:	S81 Minor Change
Number of Submissions:	N/A
Decision:	Approved
Decision Date:	21 November 2023

1. Assessment Benchmarks

The following are the benchmarks apply to this development:

- s81 Planning Act 2016
- The Planning Act 2016 (Schedule 2)
- Development Assessment Rules 2017 (Schedule 1)

2. Reasons for the Decision

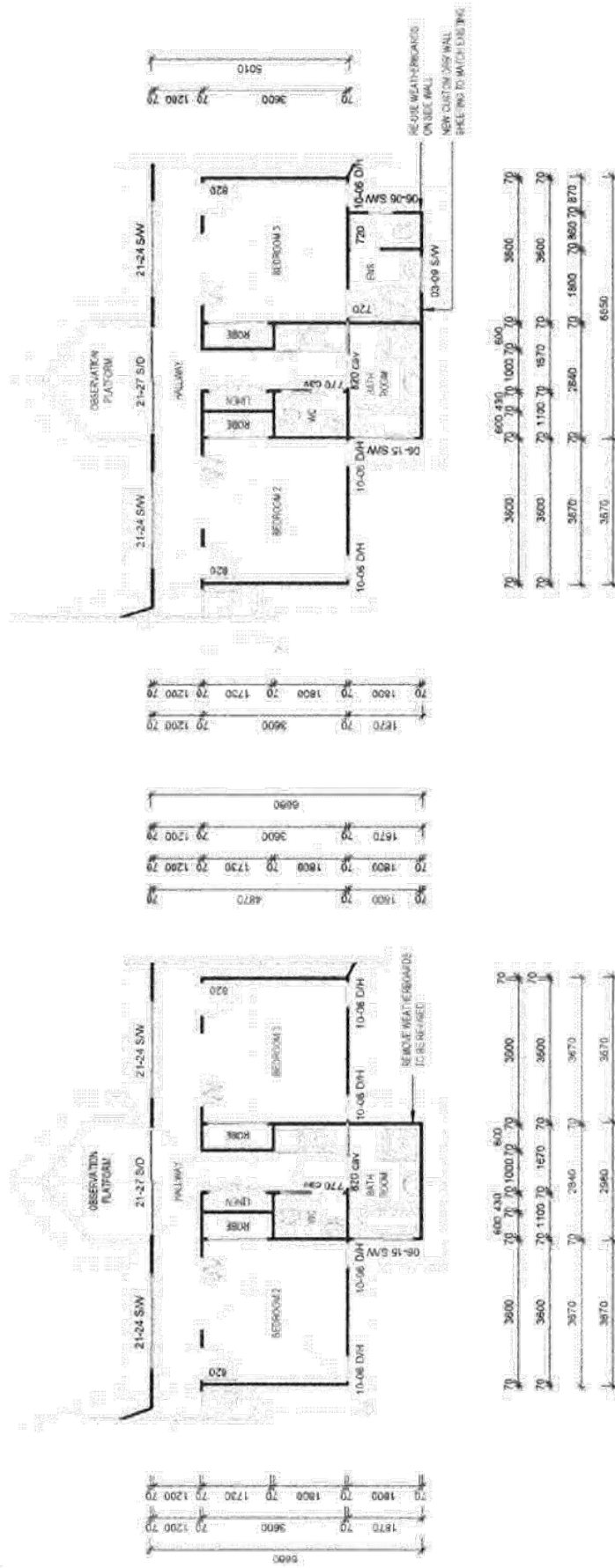
The reasons for this decision are:

- Reasonable and relevant conditions of approval can be imposed to ensure compliance with the South Burnett Planning Scheme 2017 v1.4.
- Incorporate of bushfire management plan compliant with state interests which form part of the current Planning Scheme benchmarks.
- The proposed changes are assessed to not be considered substantially different from the approved development.

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.



FLOOR AREA
5,2m² - ENHANCE

19/10/2023 M.J.



ENSURE FLOOR PLAN

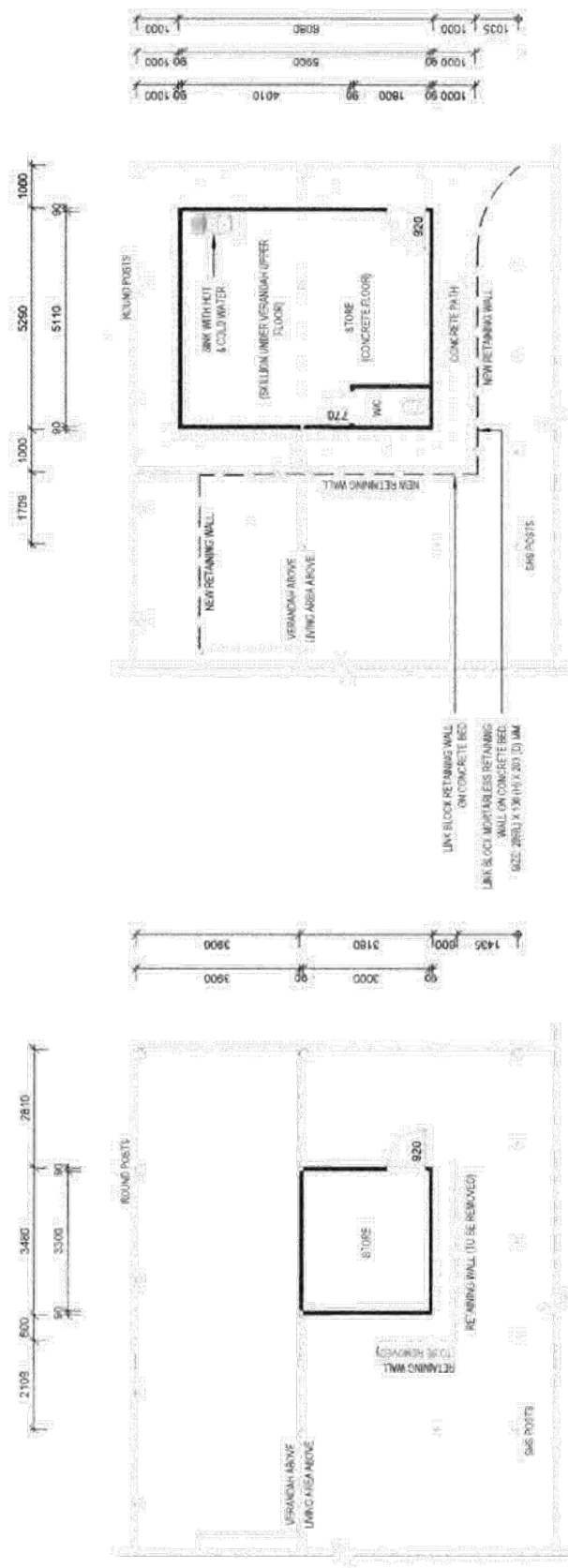
1/1/23

305 M.L. 2423/1/13

PROPOSED RENOVATION, RINNY ROMANCE

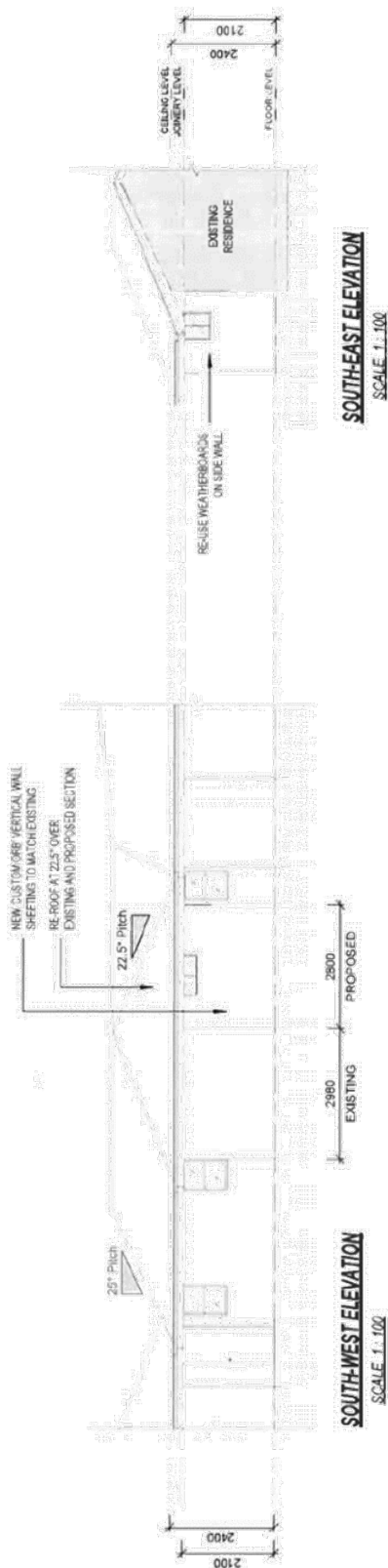


Document Set ID: 3094573
 Version: 1, Version Date: 03/11/2023



Document Set ID: 3094938
Version: 1, Version Date: 03/11/2023

Construction Drawing 19' 10/2023 M.L.
WD BUILDING DESIGN
 C
 STORE ROOM FLOOR PLAN W/C 1.10
 1:100
 I05 N.L., 2023/01/3
 PROPOSED RENOVATION 'BUNYA ROMANCE'



NOTES:

- 1. INTERNAL WALLS & CEILING TO HAVE PLASTERBOARD LINING.
- 2. INTERNAL WET AREAS WALLS TO HAVE VIBRBOARD LINING.
- 3. EXTERNAL CEILINGS & SIFTS TO HAVE VIBRBOARD LINING.
- 4. INTERNAL FLOORS TO BE STRUCTURAL.
- 5. INTERNAL WET AREA FLOORS TO BE FIBRECEMENT SHEETING.
- 6. NEW ROOF TRUSSES TO BE 22.5° PITCH.
- 7. NEW STORAGE ROOF PAPER ROOF PITCHES TO MATCH EXISTING.
- 8. NEW ROOF TRUSSES TO BE 22.5° PITCH.
- 9. EXTERIOR WALLS TO BE 400mm THICK.
- 10. ALL WINDOWS TO BE FITTED WITH INSECT SCREENS.
- 11. EXTERIOR DOORS TO BE 400mm THICK.
- 12. EXTERIOR DOORS TO BE 400mm THICK.
- 13. EXTERIOR DOORS TO BE 400mm THICK.
- 14. EXTERIOR DOORS TO BE 400mm THICK.
- 15. EXTERIOR DOORS TO BE 400mm THICK.
- 16. EXTERIOR DOORS TO BE 400mm THICK.
- 17. EXTERIOR DOORS TO BE 400mm THICK.
- 18. EXTERIOR DOORS TO BE 400mm THICK.
- 19. EXTERIOR DOORS TO BE 400mm THICK.
- 20. EXTERIOR DOORS TO BE 400mm THICK.

FRAMING SCHEDULE - N3

LIVING AREA - RLW - 380mm

ROOF BATTENS	METAL TOP HAT BATTENS or 75 x 50 (FS) @ 600mm CRS
ROOF TRUSSES	MANUFACTURED DESIGNED @ 600mm CRS
FASCIA	COLORBOND FASCIA or 205 x 32 (FS) DC240 TREATED
TOP PLATE	45 x 71 (MPF19)
UNFEL BOARDS	90 x 46 (MPF19) @ 46mm C/S
ROOF PLATE	90 x 71 (MPF19)
UNDERBATTENS	90 x 71 (MPF19) @ 71mm C/S
FLOOR JOISTS	50 x 85 (LVL) TO MATCH EXISTING
BEARER	240 x 85 (LVL) TO MATCH EXISTING

STORAGE AREA

ROOF BATTENS	METAL TOP HAT BATTENS or 75 x 50 (FS) @ 600mm CRS
ROOF TRUSSES	120 x 46 (MPF19) @ 600mm CRS
FASCIA	COLORBOND FASCIA or 205 x 32 (FS) DC240 TREATED
TOP PLATE	90 x 46 (MPF19)
UNFEL BOARDS	90 x 46 (MPF19)
ROOF PLATE	90 x 71 (MPF19)
UNDERBATTENS	90 x 71 (MPF19) @ 71mm C/S
FLOOR JOISTS	45 x 71 (MPF19) @ 46mm C/S
BEARER	45 x 71 (MPF19)

Document Set ID: 3094534
 Version: 1, Version Date: 03/11/2023

Construction Drawings 19/10/2023 M.L.

WD BUILDING DESIGN

C

ELEVATIONS

WD-200

1 : 100

JOB NO. 20230133

PROPOSED RENOVATION | BUINYA ROMANCE

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT:	Jeff Bryant Town Planning Strategies PO Box 800 HAMILTON CENTRAL QLD 4007	
APPLICATION:	Minor Change to Existing Approval (dwelling house under DA520)	
DATE:	21/11/2023	
FILE REFERENCE:	MCU23/0029	
AMOUNT OF THE LEVIED CHARGE: <i>(Details of how these charges were calculated are shown overleaf)</i>	\$0.00	Total
	\$0.00	Water Supply Network
	\$0.00	Sewerage Network
	\$0.00	Transport Network
	\$0.00	Parks and Land for Community Facilities Network
	\$0.00	Stormwater Network
AUTOMATIC INCREASE OF LEVIED CHARGE:	The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.	
LAND TO WHICH CHARGE APPLIES:	Lot 60 on GTP1172	
SITE ADDRESS:	55 Rainforest Drive, Bunya Mountains	
PAYABLE TO:	South Burnett Regional Council	
WHEN PAYABLE: <i>(In accordance with the timing stated in Section 122 of the Planning Act 2016)</i>	Material Change of Use – When the change happens.	
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
Not Applicable			\$0.00		\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$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
Material change of use (dwelling house)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

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

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, Development Services, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au



2 November 2023

Attention: Chief Executive Officer

South Burnett Regional Council
PO Box 336
Kingaroy Qld 4610

Via email: info@sbrc.qld.gov.au

Dear Sir/Madam

**Change Application to Development Approval – DA520 – Lot 60 Rainforest Drive, Bunya Mountains
Material Change of Use (Dwelling House)**

We write on behalf of the registered landowner of the aforementioned property. Provided below is a change application, pursuant to s78 of the *Planning Act 2016*, seeking a minor change to Development Approval DA520 (dated 21 September 2006).

Included with this change application are the following:

Attachment 1	DA Form 5
Attachment 2	Owners' Consent
Attachment 3	Architectural Drawings – prepared by WD Building Design

Proposed Changes

The proposed changes seek to replace part of the set of approved architectural drawings with the amended set of architectural drawings included as Attachment 3 to this letter. The changes propose the extension of the approved dwelling to include an ensuite beyond Bedroom 3 and an enlarged store room to the lower ground level.

Planning Act 2016

Sections 78 and 78A of the *Planning Act 2016* state, in part:

78 Making change application

- (1) A person may make an application (a change application) to change a development approval.
- (2) A change application must be made to the responsible entity.
- (3) The responsible entity is—

(c) otherwise—the assessment manager

78A Responsible entity for change applications

- (1) The responsible entity for a change application is—
- (a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency's response for the development application or another change application for the approval—the referral agency; or
- (b) otherwise—the assessment manager.



This change application is made to the assessment manager, South Burnett Regional Council. No referral agencies were identified for this application.

Minor Change

Schedule 2 of the *Planning Act 2016* sets out the definition of a 'minor change'. It provides:

minor change means a change that—

(b) for a development approval—

(i) would not result in substantially different development; and

(ii) if a development application for the development, including the change, were made when the change application is made would not cause—

(A) the inclusion of prohibited development in the application; or

(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or

(C) referral to extra referral agencies, other than to the chief executive; or

(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or

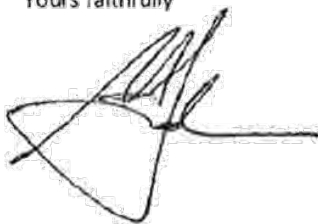
(E) public notification if public notification was not required for the development application.

It is submitted the proposed change constitutes a minor change and is therefore consistent with the definition provided in Schedule 2 of the *Planning Act 2016*. The proposed change:

- Will not result in a substantially different development;
- Does not include prohibited development;
- Will not require assessment by any referral agency; and
- Will not result in development that requires public notification.

We trust the information contained in this package sufficiently addresses those matters raised under the *Planning Act 2016*. We look forward to Council's decision in relation to this (minor) change application.

Yours faithfully



Marcus Brooks
Town Planner



0.0 RECONFIGURING A LOT (BOUNDARY REALIGNMENT) 2 LOTS INTO 2 LOTS AT 391 - 415 CRUMPTON DRIVE, BLACKBUTT NORTH (AND DESCRIBED AS LOT 1-2 RP174020). APPLICANT B J WASHINGTON & E S BRAYLEY C/- ONF SURVEYORS

File Number: RAL23/0027
Author: Administration
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
Coordinator MANAGER		21/11/2023
GM		
CEO		21.11.2023

PRECIS

Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) at 391 - 415 Crumpton Drive BLACKBUTT NORTH (and described as Lots 1 & 2 on RP174020). Applicant B J Washington & E S Brayley C/- ONF Surveyors

SUMMARY

- Application is for Reconfiguring a Lot (Boundary Realignment – 2 into 2 lots) – Development Permit;
- Subject site located in the Rural zone (no precinct) under the South Burnett Regional Council Planning Scheme;
- The proposal triggers code assessment as the proposal is a boundary realignment;
- The subject site is 91,000m² (9.11 hectares) in area;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme, version 1.4. Relevant codes include:
 - Rural Residential Zone Code;
 - Reconfiguring a Lot Code; and
 - Services and Works Code;
- No referrals were required;
- Council issued an Information Request on 26 September 2023 and raised the following issues:
 - provide an amended DA Form 1 with correct Lot and RP included in section 3.1;
 - provide a response to all relevant Acceptable Outcomes (or Performance Outcomes) in Section 1 of the Reconfiguring a Lot Code; and
 - provide appropriately drafted correspondence from a suitably qualified person (report or letter as deemed necessary) that the development complies with the Reconfiguring a Lot Code and Rural Residential Zone Code – Bushfire Hazard Overlay, expressly stating that the development (as applied for) is not placed at unacceptable risk from bushfire hazard;
- The applicant responded to Council's Information Request on 17 October 2023 and sufficiently addressed all matters raised in the Information Request, including the provision of a Bushfire Hazard Assessment, prepared by Range Environmental Consultants;
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes or has been conditioned to comply (refer to Attachment A – Statement of Reasons;
- As the application is a boundary realignment no infrastructure charges are applicable; and
- Application is recommended for approval subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

The application for Reconfiguring a Lot (Boundary Realignment – 2 into 2 lots) at 391 - 415 Crumpton Drive, Blackbutt North Qld 4314 (and described as Lots 1 and 2 on RP174020), be approved subject to conditions and recommendations contained herein.

GENERAL

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

Drawing No.	Drawing Title	Sheet	Revision
11661P/1	Boundary Realignment	1	B

GEN2. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

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

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

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

Timing – As indicated.

GEN5. Prior to the sealing of the Plan of Survey the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the reconfiguration, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

Timing – As indicated.

GEN6. Proposed Lots 101 & 102 are to maintain appropriate BAL ratings commensurate with that expected for a residential use and in accordance with recommendations of any Bushfire Management Report submitted to Council prior to plan sealing.

Timing – at all times

DEVELOPMENT PERIOD – RAL

GEN7. The currency period for this development approval for reconfiguring a lot is two (2) years after the development approval takes effect. The development approval will lapse unless the survey plan for all works and stages required to be given to Council for approval is provided within this period.

ENVIRONMENT (BUSHFIRE MANAGEMENT)

GEN8. Provide access to approved lots at all times from Crumpton Rd to Lot 101 & Lot 102 that is suitable for use by QFES emergency service vehicles.

Timing – prior to sealing of the survey plan.

GEN9. Provide a detailed Bushfire Management Report authored by a suitably qualified professional that establishes a suitable Asset Protection Zone, and separate Building Location Envelope for lot 102. Bushfire report is to be 6 months, or less in age upon submission of a plan sealing request to Council.

Timing – prior to sealing of the survey plan.

GEN10. Approved lot 102 is to have its asset protection zone pegged out by a licensed Surveyor prior to survey plan endorsement. The pegged asset protection zone must be maintained in place while marketing the lot for sale. No part of a building or structure including but not limited to tanks or pools associated with a dwelling house are to be located outside of the asset protection zone area at any time.

Timing – As indicated.

GEN11. Provide a dedicated fire-fighting water supply with a minimum capacity of 10,000 litres at the time of constructing a dwelling on Lot 2, 3 and 4 and to be maintained at all times.

VALUATION FEES

- RAL1. Payment of Department of Natural Resources, Mines and Energy valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$48.00 per lot however, the actual amount payable will be based on Council's Register of Fees & Charges and the rate applicable at the time of payment.

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.
- ENG2. Be responsible for any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

- ENG3. 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.
- ENG4. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT

- ENG5. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG6. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
- ENG7. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

ON-SITE WASTEWATER DISPOSAL

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

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

VEHICLE ACCESS

- ENG9. Design and construct an access to proposed Lot 102 generally in accordance with Council's Standard Drawing No. 00048.

Comment: A culvert under the access is not required where the table drain is shallow enough for a low clearance vehicle to traverse the table drain.

ELECTRICITY & TELECOMMUNICATIONS

- ENG10. Design and provide reticulated electricity (to Ergons requirements), and telecommunications to all lots within the development.

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

SERVICES – EXISTING CONNECTIONS

ENG12. Ensure that all services provided to the existing house on proposed Lot 101 are wholly located within the lot(s) it serves.

EROSION AND SEDIMENT CONTROL – GENERAL

ENG13. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

ENG14. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

DEVELOPER INCENTIVE

ADV1. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2023. Eligible development under this scheme is required to be completed by 31 December 2023.

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

HERITAGE

ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

FILLING & EXCAVATION

ADV3. It is the developer/owner's responsibility to ensure that any subsequent earthworks required as a consequence of this approval and/or ongoing operations complies with all aspects of Council's planning scheme either directly or indirectly. All erosion and sediment control measures should be to a standard as specified by a suitably qualified professional.

APPEAL RIGHTS

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

INFRASTRUCTURE CHARGES

ADV5. Infrastructure charges are levied by way of an infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

FUTURE DWELLING HOUSES

ADV6. All buildings should be designed and constructed to meet the requirements of the relevant building standards prevailing at the time. This includes the Building Code of Australia (BCAC), the Australian Standard for Construction of buildings in bushfire prone areas (AS3959 – 2018) and relevant Council bylaws and building regulations.

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	391 - 415 Crumpton Drive, Blackbutt North Qld 4314		
Real property description	Lots 1 and 2 on RP174020		
Easements or encumbrances on title	Nil		
Area of Site	91,000m ² (9.11 hectares)		
Current Use	Residential – dwelling house and ancillary outbuildings		
Environmental Management Register or Contaminated Land Register	The site is not included on the Environmental Management or Contaminated Land Register		
Applicant's name	B J Washington & E S Brayley c/- ONF Surveyors		
Zone	Rural Residential (no precinct)		
Applicable Overlays	<p><i>Bushfire Hazard</i> – very high potential bushfire intensity across the subject site and areas of Lot 2 mapped as being within potential impact buffer area</p> <p><i>Agricultural Land</i> – Class B agricultural land and small section of Class A agricultural land, situated to the south western corner of Lot 2</p>		
Proposed use as defined	Not applicable		
Details of proposal	Reconfiguring a Lot (RALs)		
	• Number of existing lots	Two (2)	
	• Easements or leases proposed	Nil	
	• Number of proposed lots	Two	
	• Lot areas	Proposed lot 101 – 27,500m ² (2.75 hectares) Proposed lot 102 – 63,600 m ² (6.36 hectares)	
	• Access	Proposed lot 101 – access will be from existing driveway in Crumpton Drive. Proposed lot 102 – a new driveway crossover will be required from Crumpton Drive.	
Application type	Aspects of Development	Type of Approval Requested	
		Preliminary Approval	Development Permit
	Material Change of Use (MCU)		
	Reconfiguration of a Lot (RAL)		X
	Building Work (BW)		
Operational Work (OPW)			
Level of Assessment	Code Assessment		

Pre-lodgement Consultation history	No prelodgement meeting undertaken	
Key planning issues e.g. vegetation, waterway corridors, overland flow	No key planning issues identified	
Referral agencies	Agency	Concurrence/ Advice
	NA	NA
Public notification	NA	
Planning Regulation	NA	
State Planning Policy	Applicable – refer to Section 4.2.	
Wide Bay Burnett Regional Plan	Applicable – refer to Section 4.3.	

2. THE SITE

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

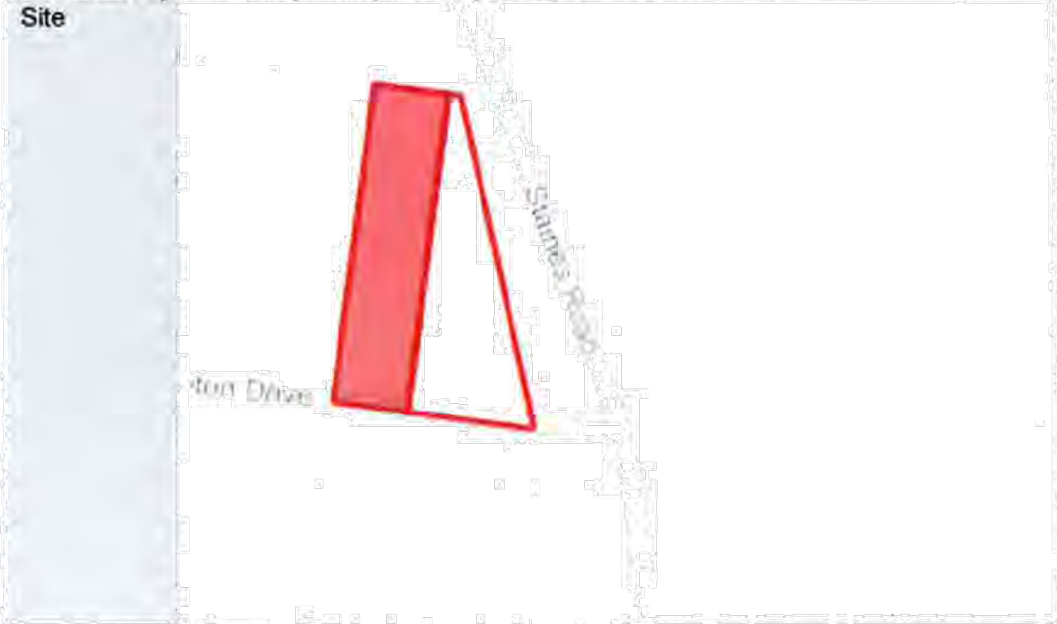
2.1. SITE DESCRIPTION & EXISTING USE

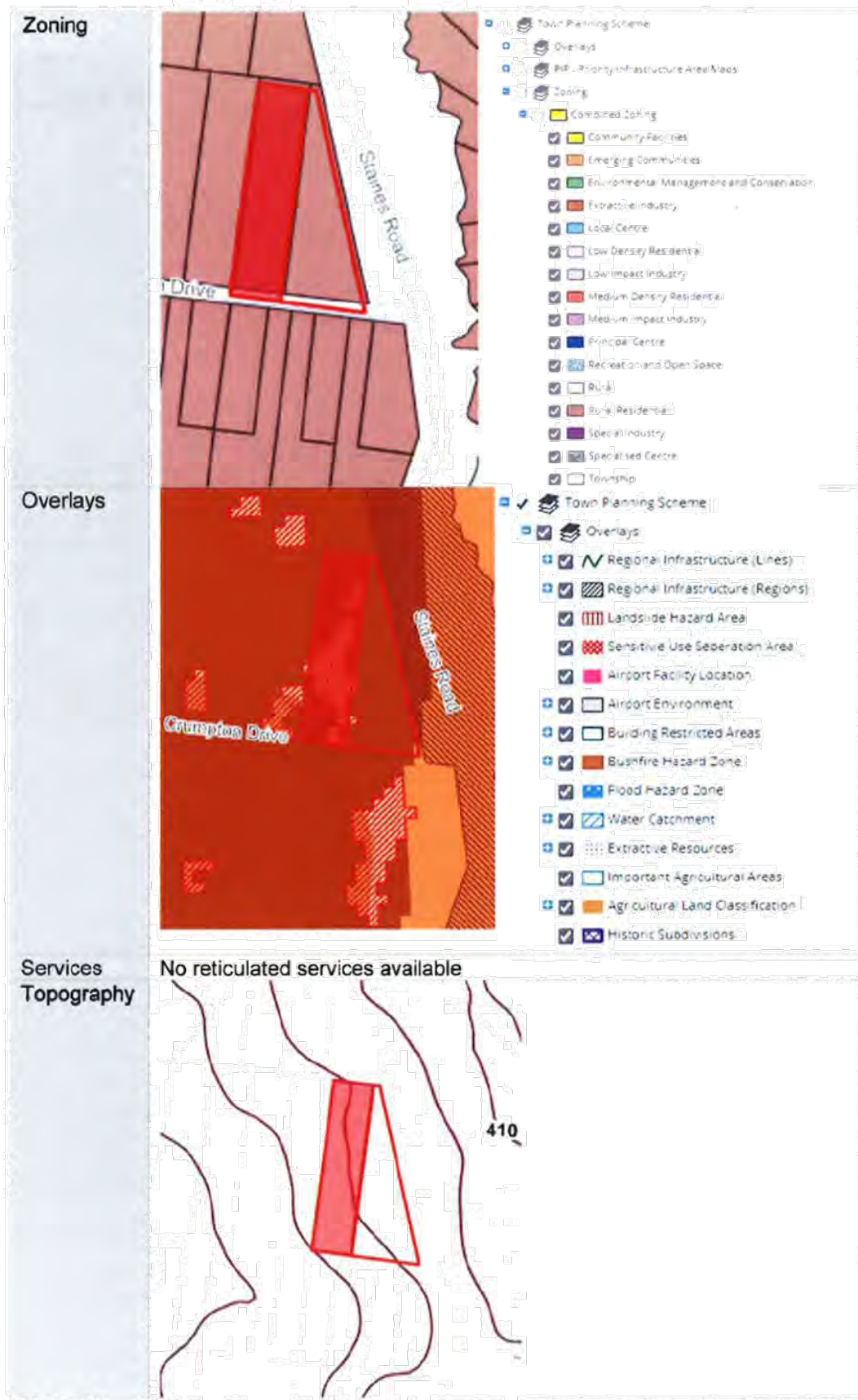
The subject site is a corner lot (corner Crumpton Drive and Staines Road), located northeast of the township of Blackbutt. Access to the site is from an established driveway on Lot 1 from Crumpton Drive which is a formed and sealed road to Council’s relevant standards.

The subject site contains Category C and Category X (non-remnant) vegetation, as per Regulated Vegetation Management mapping.

Surrounding land uses comprise rural residential lots and there are no identified intensive agricultural activities within the vicinity of the subject site.

Table 1 – Maps & Descriptions (Source:)





2.2. DEVELOPMENT HISTORY OF THE SITE

No development approvals or applications recorded for the site.

3. PROPOSAL DETAILS

Proposal involves realignment of the common boundary between two existing lots – lots 1 and 2 on RP174020 (refer to Figure 2), resulting in lots with the following characteristics:

Lot	Area	Frontage Width	Minimum Rectangle
Proposed Lot 101	27,500m ² (2.75 hectares)	170m to Crumpton Drive	60m x 90m
Proposed Lot 102	63,600 m ² (6.36 hectares)	115m to Crumpton Drive	60m x 90m

Access to proposed Lot 101 will be via the existing driveway in Crumpton Drive and for proposed Lot 102, a new driveway crossover will be required from Crumpton Drive. The future intention for proposed Lot 102 is for residential purposes (ie. dwelling house).

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

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.

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:	Schedule 12A – Walkable Neighbourhoods – not applicable as the proposed reconfiguration is not associated with the construction or extension of a road. There are no benchmarks relevant to the assessment of this application.

<p>WBB Regional Plan Designation:</p>	<p>Mapping for the Wide Bay Burnett Regional Plan 2011 places the site within the Rural Living Area.</p> <p>The Rural Living Area comprises locations currently designated for rural residential development in a local government planning scheme, and where further rural residential development through infill and consolidation is permitted under regional plan and the Wide Bay Burnett State Planning Regulatory Provisions 2011.</p> <p>Rural residential areas within the Rural Living Area can continue to be developed for rural residential purposes according to the relevant local government planning scheme requirements.</p> <p>The proposal for a boundary realignment which alters the size of the two existing rural residential zoned lots is consistent development in the Rural Living Area.</p>
<p>Adopted Economic Support Instrument</p>	<p>Under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023</p> <p>Economic support provisions</p> <p>4.1 The instrument applies the following provisions in accordance with section 68D(1) of the <i>Planning Regulation 2017</i>:</p> <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>

4.1. REFERRAL AGENCIES

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

The application does not require referral to any referral agencies prescribed under Schedule 10, as demonstrated in Table 2.

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

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
6	Fisheries: - Aquaculture - Declared Fish Habitat - Marine Plants - Waterway Barrier works	N/A N/A N/A N/A		N/A	N/A	N/A
7	Hazardous Chemical Facilities	N/A		N/A	N/A	N/A
8	Heritage Place: - Local Heritage Place - Queensland Heritage Place	N/A		N/A	N/A	N/A
9	Infrastructure Related: - Designated Premises - Electricity - Oil and Gas - State Transport Corridors and Future State Transport Corridors - State-controlled transport tunnels and future state-controlled transport tunnels	N/A N/A N/A N/A N/A			N/A	N/A
10	Koala Habitat in SEQ region	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		
12A	Walkable Neighbourhoods – particular reconfiguring a lot	N/A		N/A		N/A
13	Ports: - Brisbane Core Port Land	N/A N/A N/A		N/A	N/A	N/A

Table 3 - Matters Prescribed in Schedule 10 of the Planning Regulation						
Part	Matter	Applicability to this Development Application	Prohibited Development	Assessable Development	Referral Agency	Assessment Benchmarks / Matters to be assessed against
	<ul style="list-style-type: none"> - Within the port limits of the Port of Brisbane - Within the limits of another port - Strategic Port Land 	N/A				
14	Reconfiguring a Lot under the Land Title Act	N/A		N/A	N/A	N/A
15	SEQ Development Area	N/A		N/A	N/A	N/A
16	SEQ Regional Landscape and Rural Production Area and Rural Living Area: <ul style="list-style-type: none"> - Community Activity - Indoor Recreation - Residential Development - Urban Activity 	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: <ul style="list-style-type: none"> - Taking or interfering with water - Removing quarry material - Referral dams - Levees 	N/A N/A N/A N/A		N/A	N/A	N/A
20	Wetland Protection Area	N/A	N/A	N/A	N/A	N/A
21	Wind Farms	N/A		N/A		N/A

4.2. 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* 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. As outlined in Part 2 of the SBRC Planning Scheme V1.4, all aspects of the State Planning Policy 2017 have been fully incorporated into the planning scheme.

State Planning Policy Part E	
Liveable communities and housing	Proposed lots can be connected to all urban infrastructure and are within convenient access to services in Blackbutt. The principles for liveable communities and housing are supported by the proposal.
Economic growth <ul style="list-style-type: none"> • Agriculture. • Development and construction. • Mining and extractive resources. • Tourism. 	Matters pertaining to the protection of agricultural land are addressed by the Agricultural Land Overlay.
Planning for the environment and heritage. <ul style="list-style-type: none"> • Biodiversity. • Coastal environment. • Cultural heritage. • Water quality 	No applicable assessment benchmarks.
Safety and resilience to hazards <ul style="list-style-type: none"> • Emissions and hazardous activities • Natural hazards, risk, and resilience. 	Matters pertaining to bushfire risk are addressed by the Bushfire Hazard Overlay.
Infrastructure <ul style="list-style-type: none"> • Energy and water supply. • Infrastructure integration. • Transport infrastructure. • Strategic airports and aviation facilities. • Strategic ports. 	All appropriate infrastructure connections can be facilitated and are conditioned as part of the approval.

4.3. DEVELOPMENT CODE ASSESSMENTS

The application is assessable against the following assessment benchmarks of the SBRC Planning Scheme v1.4:

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

Assessment Benchmark	Performance Outcomes	Response
Rural Residential Zone Code	PO3 Dwellings are to be adequately serviced.	The subject site fronts Crumpton Drive which is a bitumen sealed road. Conditions are included in the approval for the provision of an on-site potable water supply and on-site effluent disposal infrastructure for any future dwelling on proposed Lot 102. Telecommunications and electricity supply connections can be made and are conditioned.

Assessment Benchmark	Performance Outcomes	Response
	<p>PO15 Development is not placed at unacceptable risk from bushfire, does not increase the extent or severity of bushfire and maintains the safety of people and property from bushfire.</p>	<p>In response to Council's RFI, the applicant provided a Bushfire Hazard Advice Letter, dated 17 October 2023 and prepared by Range Environmental Consultants. This assessment was undertaken in accordance with Bushfire Resilient Communities (QFES 2019) and AS3959-2018.</p> <p>Based on this assessment, a revised vegetation hazard class map was developed to inform the bushfire hazard on site and identified that in general, hazards are in the low category with a Bushfire Attack Level (BAL) in the order of BAL-Low identified for an Indicative Building Area on Lot 102.</p> <p>The development is conditioned to provide an Asset Protection Zone and Building location Envelope subject to a Bushfire Management Report (to be no more than 6 months old at time of plan sealing request).</p>
	<p>PO17 Major risks to the safety or property and to the wellbeing of occupants in areas mapped as Very High to Medium (Potential Intensity) Areas is minimised through appropriate siting, servicing and managing of residential premises.</p>	<p>As part of the bushfire hazard reporting, an assessment was undertaken by the consultant to ground truth vegetation hazard classes (VHCs) and assess the level of bushfire hazard present within and surrounding the site to demonstrate that adequate separation distance exists to achieve an acceptable level of bushfire risk to life and property at the site.</p> <p>An Indicative Building Area on proposed Lot 102 was assessed as being exposed to a Bushfire Attack Level (BAL) in the order of BAL-Low, due to a greater than 100m separation from potentially hazardous vegetation to the east and the south. Potentially hazardous vegetation to the west is located greater than 100m from the site.</p> <p>The proposed boundary realignment allows for a dwelling to be centrally located on proposed Lot 2 within a regular shaped cleared area of 60m x 90m (5,400m²) that is:</p> <ul style="list-style-type: none"> i. free of highly combustible vegetated areas; and ii. on a relatively level site with the land rising to the west and falling to the

Assessment Benchmark	Performance Outcomes	Response
		east with underlying slopes (gradient) in the order of 4% or 2°.
Reconfiguring a Lot Code	<p>PO1 The boundary realignment:</p> <ul style="list-style-type: none"> (a) results in lots that are consistent with the established subdivision pattern of the local area; (b) maintains or improves the utility of the lots; (c) does not create a situation where the use or buildings on the resulting lots become unlawful. <p>PO7 Allotments are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use.</p> <p>PO8 Lots have lawful, safe and practical access.</p> <p>PO19 Development is not placed at unacceptable risk from bushfire, does not increase the extent or severity of bushfire and maintains the safety of people and property from bushfire.</p>	<p>The proposed subdivision results in lot sizes that are consistent with the established subdivision pattern.</p> <p>To the south and directly opposite the subject site, lot sizes range from 2.0ha to 4.0ha. To the west, lot sizes range from 1.0ha to 4.5ha. To the north and east, lot sizes are generally 2.0ha.</p> <p>Currently, Lot 2 does not have vehicular access to Crumpton Drive. The subdivision will result in each of the two lots having separate vehicular access.</p> <p>Future dwelling on proposed Lot 102 can be sited appropriately without contravening the setback requirements of the Planning Scheme or building regulations.</p> <p>Proposed lots meet the requirements of Table 9.4.2 as lot sizes exceed 2.0ha and frontage widths exceed 80m. Additionally, each lot is capable of providing a minimum rectangle of 60m x 90m.</p> <p>Proposed Lot 101 has existing vehicular access to Crumpton Drive.</p> <p>The approval includes a condition for the construction of a driveway and crossover in accordance with Council's Standard Drawings for the provision of access to proposed Lot 102.</p> <p>In response to Council's, RFI, the applicant provided a Bushfire Hazard Advice Letter, dated 17 October 2023 and prepared by Range Environmental Consultants. This assessment was undertaken in accordance with Bushfire Resilient Communities (QFES 2019) and AS3959-2018.</p> <p>Based on this assessment, a revised vegetation hazard class map was developed to inform the bushfire hazard on site and identified that in general, hazards are in the low category with a Bushfire Attack Level (BAL) in the order of BAL-Low identified for an Indicative Building Area on Lot 102.</p>

Assessment Benchmark	Performance Outcomes	Response
		The Range, Bushfire Hazard Advice Letter, dated 17 October 2023 was reviewed and considered sufficient enough for Council to make a decision to impose conditions of approval requesting a detailed report outlining BAL (at time of plan seal) and specific requirements for Asset Protection Zone and Building Location Envelope.
Services and Works Code	PO5 Development is provided with infrastructure which: <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. 	The subject site fronts Crumpton Drive which is a bitumen sealed road. Conditions are included in the approval for the provision of an on-site potable water supply and on-site effluent disposal infrastructure for any future dwelling on proposed Lot 102. Telecommunication and electricity supply connections can be made and are conditioned.

5. CONSULTATION

Referral Agencies

State Assessment and Referral Agency	The application did not require referral to any referral agencies prescribed under Schedule 10, <i>Planning Regulation 2017</i> .
Other	Nil

Council Referrals

INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	Council's Development Engineer provided engineering conditions.
Infrastructure Charges Unit	Not Applicable

6. RECOMMENDATION

The application for a Development Permit for Reconfiguring a Lot (Boundary Realignment – 2 into 2 lots) at 391 - 415 Crumpton Drive, Blackbutt North (and described as Lots 1 and 2 on RP174020), is recommended for approval on the grounds outlined in the Officer's Recommendations at the beginning of this report.

ATTACHMENTS

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

NOTICE ABOUT DECISION – STATEMENT OF REASONS

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

Applicant:	B J Washington & E S Brayley C/- ONF Surveyors
Application No:	RAL23/0027
Proposal:	Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots)
Street Address:	391-415 Crumpton Drive, Blackbutt North Qld 4314
RP Description:	Lots 1 & 2 on RP174020
Assessment Type:	Code
Number of Submissions:	Not applicable

On 20 November 2023 the above development was recommended for:

- Approval
 Refusal

1. Reasons for the Decision

The reasons for this decision are:

- Proposed lots sizes, frontage widths and minimum rectangle sizes are compliant with Table 8.4.2, Reconfiguring a Lot Code for the Rural Residential Zone;
- The future intention for proposed Lot 102 is for residential purposes (ie. dwelling house);
- The proposed subdivision results in lot sizes that are consistent with the established subdivision pattern within Crumpton Drive and surrounds;
- Future Dwelling on proposed Lot 102 can be sited appropriately without contravening the setback requirements of the Planning Scheme or building regulations;
- The subject site fronts Crumpton Drive which is a bitumen sealed road;
- The construction of a driveway and crossover in accordance with Council's Standard Drawings for proposed Lot 102 has been conditioned;
- The provision of an on-site potable water supply and on-site effluent disposal infrastructure for any future Dwelling on proposed Lot 102 has been conditioned;
- Telecommunications and electricity supply connections can be made and are conditioned;
- A Bushfire Management Plan is required to be submitted prior to the submission of the survey plan that establishes a suitable Asset Protection Zone (APZ).
- Surrounding land uses are residential and the proposed subdivision will not result in any reverse amenity impacts from non-residential land uses or intensive animal industries.

Assessment Benchmarks

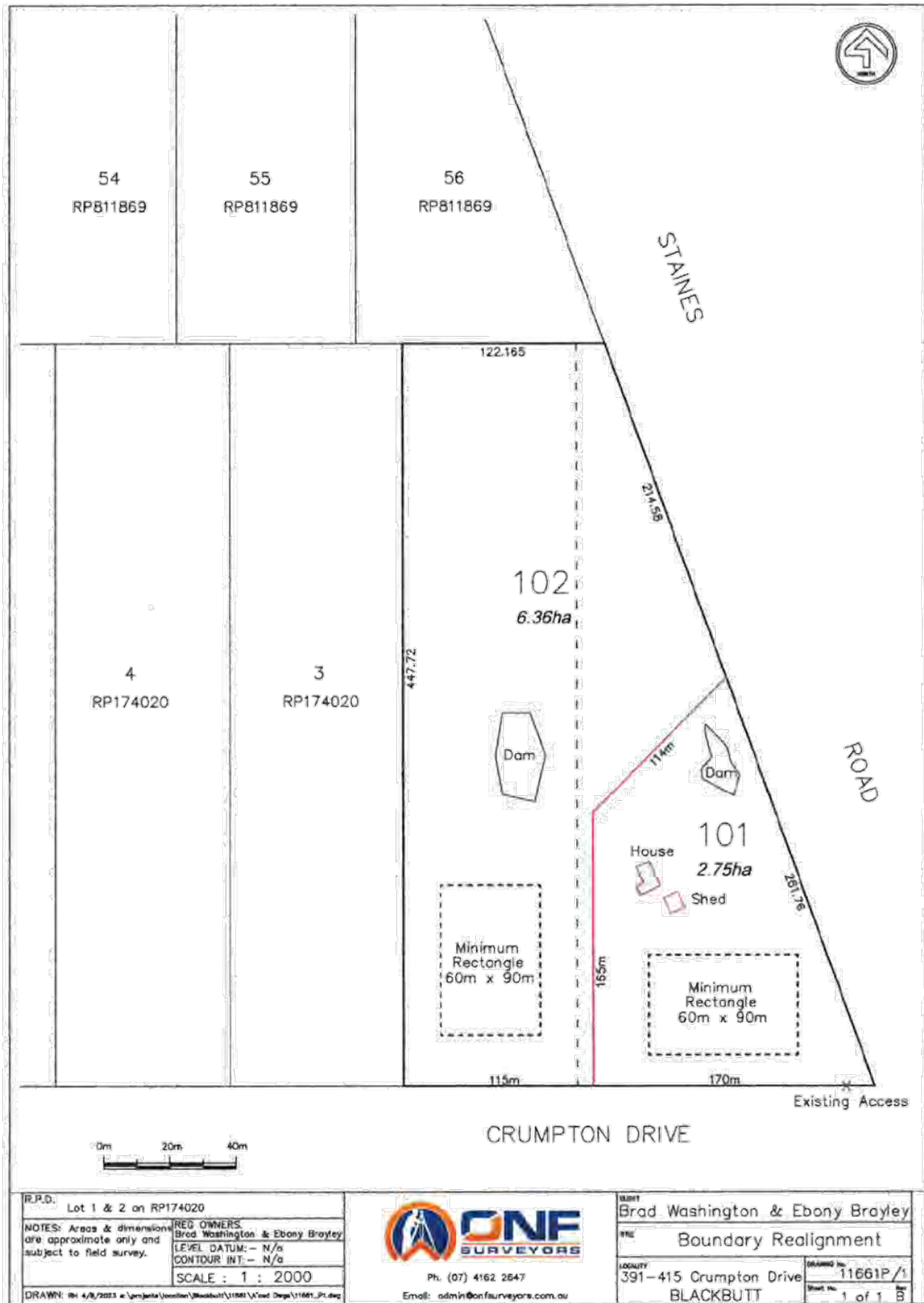
The following are the benchmarks apply to this development:

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

2. 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.



R.P.D. Lot 1 & 2 on RP174020

NOTES: Areas & dimensions are approximate only and subject to field survey.

REG OWNERS: Brad Washington & Ebony Brayley

LEVEL DATUM: - N/A

CONTOUR INT: - N/A

SCALE : 1 : 2000

DRAWN: 04/08/2023 at \\projects\location\blackbutt\11661\1\road\Design\11661_P1.dwg



CLIENT: Brad Washington & Ebony Brayley

TITLE: Boundary Realignment

LOCALITY: 391-415 Crumpton Drive BLACKBUTT

DATE: 11/06/23

Sheet No: 1 of 1

Scale: 1/5



Delegated Authority

Date:

0.0 RECONFIGURING A LOT - BOUNDARY REALIGNMENT (2 LOTS INTO 2 LOTS) AT HALY STREET, KINGAROY (AND DESCRIBED AS LOTS 55 & 56 ON RP37004) - APPLICANT: SOUTH BURNETT REGIONAL COUNCIL C/- ONF SURVEYORS

File Number: RAL23/0028
Author: Senior Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER		0/11/2023
GM		
GEO		1-11-2023

PRECIS

Reconfiguring a lot (boundary realignment – 2 lots into 2 lots) at Haly Street, Kingaroy (and described as Lots 55 & 56 on RP37004). Applicant: South Burnett Regional Council, C/- ONF Surveyors

SUMMARY

- The application is for Reconfiguring a Lot – Development Permit (Boundary Realignment – 2 lots into 2 lots);
- The common boundary seeks to adopt the top of a stormwater drain and the balance parcel remains vacant;
- The subject site is located in the Community facilities zone – Public utilities zone precinct (under the South Burnett Regional Council Planning Scheme v1.4);
- The proposal triggers code assessment;
- The subject lot areas combined is 2,024m²;
- The development application is assessed against the relevant codes of the South Burnett Regional Council Planning Scheme:
 - Community facilities zone code
 - Reconfiguring a lot code
 - Service and works code
- Council did not issue an information request;
- No referrals are triggered;
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes or has been conditioned to comply;
- Refer Attachment A – Statement of Reasons;
- Refer to Attachment B – Approved Plans;
- Refer to Attachment C – Infrastructure Charges; and
- Application recommended for approval subject to reasonable and relevant conditions.

OFFICER’S RECOMMENDATION

That Council approve the Reconfiguring a Lot development application for a Boundary Realignment (2 lots into 2 lots) at Haly Street, Kingaroy (and described as Lots 55 & 56 RP37004), subject to the conditions and recommendations contained herein.

The development must be carried out generally in accordance with the plans and documents contained in this development approval.

GENERAL

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

Drawing Title	Prepared by	Plan No.	Sheet	Date
Boundary Realignment	ONF Surveyors	11653P/1	1 of 1	3/8/2023

GEN2. The currency period for this development approval for reconfiguring a lot is four (4) years after the development approval starts to have effect. The development approval will lapse unless the survey plan for all works and stages required to be given to Council for approval is provided within this period.

Delegated Authority

Date:

PERMIT TO WORK ON COUNCIL ROADS

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

COMPLIANCE

GEN4. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

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

OUTSTANDING FEES

GEN6. Prior to sealing of Survey Plan the applicant is required to pay the Council all rates and charges or any expenses being charged over the subject land under any Act in accordance with Schedule 18 Section 69 of the *Planning Act Regulation 2017*.

GEN7. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

SURVEY MARKS

RAL1. Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey marks and install new survey marks in their correction position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

ENGINEERING WORKS

ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.

ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's Development Manual and Standard Drawings, relevant Australian Standards, Codes of Practice, WBBROC Regional Standards Manual and relevant design manuals.

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

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

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

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

STORMWATER MANAGEMENT

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

Delegated Authority

Date:

- ENG7. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
- ENG8. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

- ENG9. Connect the development to Council's reticulated water supply system.

SEWERAGE

- ENG10. Connect all lots to Council's reticulated sewerage system. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
- ENG11. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG12. Do not build works within 1.5 metres from the centre of any existing sewer pipe work or within the Zone of Influence, whichever is the greater (measured horizontally).
- ENG13. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
- ENG14. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
- ENG15. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

VEHICLE ACCESS

- ENG16. Design and construct a concrete driveway and a crossover, to proposed lot 155, in accordance with Council's Standard Drawing No. 00048. For the width of the footpath, the driveway shall match the crossfall of the existing footpath up to a maximum of 2.5%.

TELECOMMUNICATION

- ENG17. Design and provide telecommunications to proposed lot 155.

ELECTRICITY

- ENG18. Design and provide electricity supply to proposed lot 155 to comply with Ergon Energy's requirements.

Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity to proposed lot 155.

EROSION AND SEDIMENT CONTROL - GENERAL

- ENG19. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.
- ENG20. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

ADVICE

- ADV1. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an

Delegated Authority

Date:

activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

APPEAL RIGHTS

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

INFRASTRUCTURE CHARGES

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

DEVELOPMENT INCENTIVE SCHEME

ADV4. Council is offering a reduction infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 30 December 2023. Eligible development under this scheme is required to be completed by 30 December 2023.

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

VALUATION FEES

ADV5. Payment of *Department of Natural Resources and Mines* valuation fee that will result from the issue of split valuations prior to Council sealing the Survey Plan. The contribution is currently assessed at \$104.00 (2 x \$52.00); however, the actual amount payable will be based on Council's Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.

TELECOMMUNICATIONS CONNECTIONS

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

ELECTRICITY RETICULATION SERVICES

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

PROPERTY NOTE

PN1. Development Approval RAL23/0028 - Flood Hazard Area – The following notation applies to approved Lot 156 (existing Lot 55): All future purchasers/landowners of the subject land should note that the lot is within the Flood Hazard Area Overlay of the South Burnett Regional Council Planning Scheme.

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FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

- EC11 Support, advocate and facilitate real outcomes on mental health and suicide prevention, including advocating for a community well-being centre.
- IN9 Undertake an audit to identify Council land that can be divested.
- IN13 Advocate and support the specialist health services needs of our residents.
- GR3 Work with key stakeholders to create a pipeline of priority shovel ready projects that aim to improve the quality of life experienced by all residents, invest in strategic infrastructure and create a prosperous future for all.
- GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.
- OPE/09 Advocate for specialist and community health services to maintain current services at a minimum.
- OPL/09 Advocate for and pursue opportunities for mental health and suicide prevention initiatives and projects that support community well-being.
- OPL/23 Create a pipeline of 'shovel ready' projects that support asset management principles and liveability outcomes for the community.
- OPL/29 Council advocacy for mental health and suicide prevention programme working with community stakeholders and government.
- OPL/43 Investigate options to expedite development through facilitated guidance, support and process improvements to ensure developers and potential investors are supported through development process.
- OPL/44 Continued implementation of recommendations identified as part of Council's land investigation audit.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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REPORT

1. APPLICATION DETAILS

Site address	Haly Street Kingaroy		
Real property description	Lots 55 & 56 on RP37004		
Easements or encumbrances on title	Nil		
Area of Site	2,024m ²		
Current Use	Vacant land		
Environmental Management Register or Contaminated Land Register	N/A		
Applicant's name	South Burnett Regional Council C/- ONF Surveyors		
Zone	Community facilities zone CF5 – Public Utilities – Precinct		
Applicable Overlays	OM1 – Airport Environs Overlay OM3 – Flood Hazard Overlay		
Proposed use as defined	Vacant land		
Details of proposal	Reconfiguring a Lot (RALs)		
	• Number of existing lots	2	
	• Easements or leases proposed	N/A	
	• Number of proposed lots	2	
	• Lot areas	Proposed Lot 155 – 1,487m ² Proposed Lot 156 – 537m ²	
• Access	Haly Street		
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)			
Level of Assessment	Code Assessment		
Pre-lodgement / Consultation history	No pre-lodgement discussions were held with the Planning Team		
Key planning issues e.g. vegetation, waterway corridors, overland flow	Part of Lot 56 (proposed Lot 156) is affected by a large stormwater drain (refer to image below) which is subject to flood inundation		

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Figure 1 - One of the subject lots highlighted in red (Lot 56)



Figure 2 - Flood hazard overlay

Referral agencies	Agency	Concurrence/ Advice
	N/A	N/A
Public notification	N/A	
Planning Regulation 2017	N/A	

2. THE SITE

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

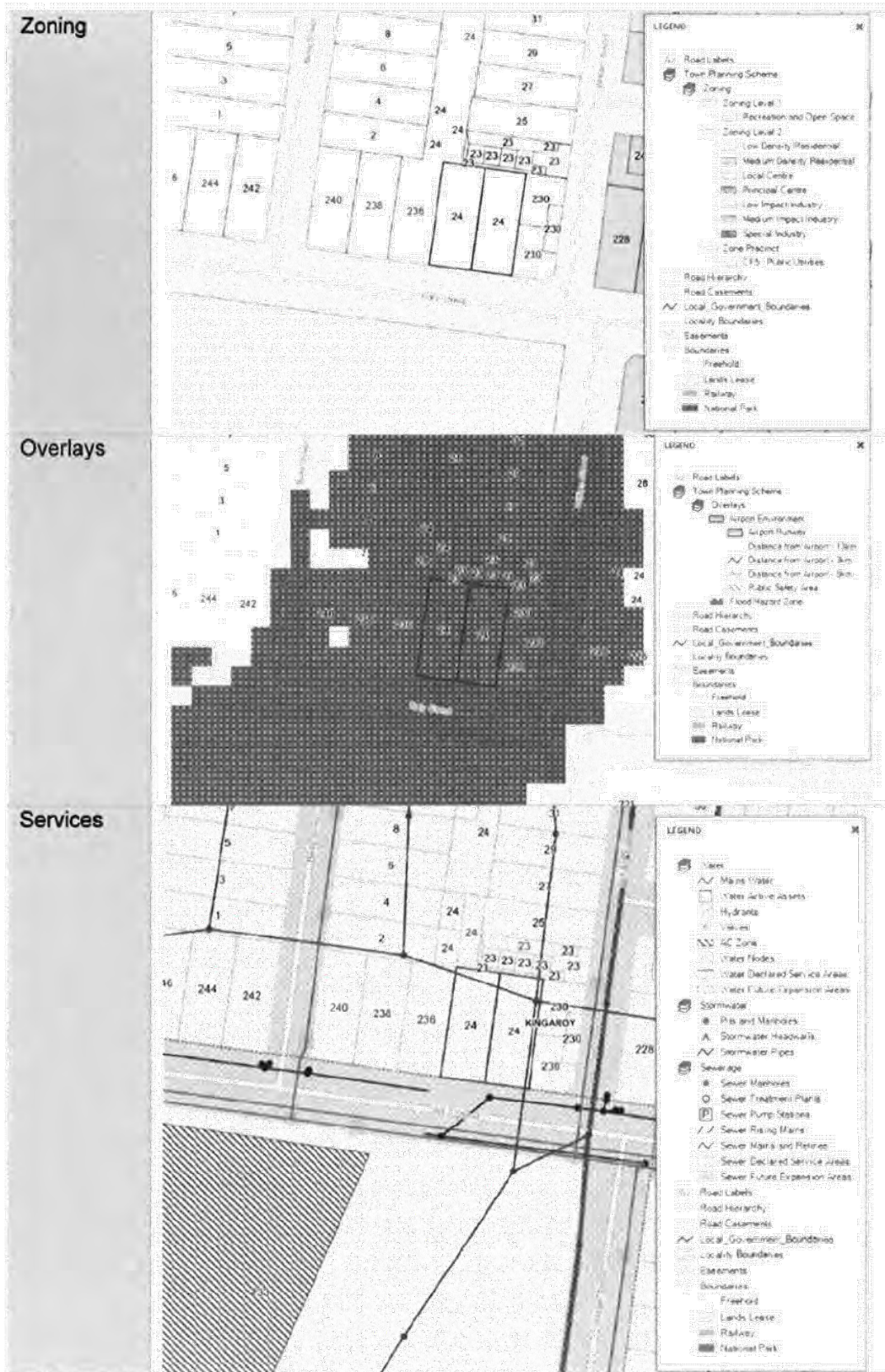
2.1. SITE DESCRIPTION & EXISTING USE

Table 1 – Maps & Descriptions (Source: IntraMaps)

Site	
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- 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. 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	As the proposed reconfiguration is not associated with the construction or extension of a road. There are no benchmarks relevant to the assessment of this application.
WBB Regional Plan Designation:	Wide Bay Burnett Regional Plan 2011 – Urban Footprint The Urban Footprint identifies land that can meet the region’s projected urban development needs to at least 2031. The Urban Footprint is a representation of: <ul style="list-style-type: none"> • large urban communities, other communities recognised as being affected by growth pressures, and other areas recognised as the preferred locations for future growth; and • lands surrounded by existing or proposed urban development, but which may not be an appropriate location for development (e.g. flood plains). The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the township of Kingaroy as one of the key inland towns for the Wide Bay Burnett region, and together with Bundaberg, Gympie, Hervey Bay and Maryborough, is intended to provide a range of higher order services and functions for the urban communities and to support the region’s rural activities. More particularly, the Regional Plan identifies Kingaroy as a Major Regional Activity Centre within the South Burnett Regional Council area.
Adopted Economic Support Instrument	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

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	<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 not require referral to any referral agencies prescribed under Schedule 10, as demonstrated in Table 3.

Note: Grey shading indicates no provisions.

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
1	Airport Land	N/A		N/A	N/A	N/A
2	Brothels	N/A	N/A	N/A		N/A
3	Clearing Native Vegetation	N/A	N/A	N/A	N/A	N/A
4	Contaminated Land	N/A		N/A	N/A	N/A
5	Environmentally Relevant Activity	N/A	N/A	N/A	N/A	N/A
6	Fisheries: - Aquaculture - Declared Fish Habitat - Marine Plants - Waterway Barrier works	N/A N/A N/A N/A		N/A	N/A	N/A
7	Hazardous Chemical Facilities	N/A		N/A	N/A	N/A
8	Heritage Place: - Local Heritage Place - Queensland Heritage Place	N/A		N/A	N/A	N/A
9	Infrastructure Related: - Designated Premises - Electricity - Oil and Gas - State Transport Corridors and	N/A N/A N/A 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
	Future State Transport Corridors - State-controlled transport tunnels and future state-controlled transport tunnels					
10	Koala Habitat in SEQ region	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		
12A	Walkable Neighbourhoods – particular 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 - 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	N/A
15	SEQ Development Area	N/A		N/A	N/A	N/A
16	SEQ Regional Landscape and Rural Production Area and Rural Living Area: - Community Activity - Indoor Recreation - Residential Development - Urban Activity	N/A	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
16A	Southport Spit	N/A	N/A			
17	Tidal Works or Work in a Coastal Management District	N/A		N/A	N/A	N/A
18	Urban Design	N/A			N/A	N/A
19	Water Related Development: - Taking or interfering with water - Removing quarry material - Referral dams - Levees	N/A N/A N/A N/A		N/A	N/A	N/A
20	Wetland Protection Area	N/A	N/A	N/A	N/A	N/A
21	Wind Farms	N/A		N/A		N/A

Based on the findings in Table 3 it has been concluded that the application does not require referral to a Referral Agency in accordance with Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the *Planning Regulation 2017*.

The purpose of this section is to ensure the reconfiguration supports convenient and comfortable walking for transport, recreation, leisure and exercise in the locality of the lot. The following comments address the Assessment Benchmarks of the Planning regulations for the Reconfiguration of a Lot proposal. This is despite the fact that the proposed development does not result in extending or creating a road.

4.3. STATE PLANNING POLICY

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

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

State Planning Policy Part E	
Liveable communities and housing • Housing supply and diversity • Liveable communities	No applicable assessment benchmarks
Economic growth • Agriculture • Development and construction • Mining and extractive resources • Tourism	No applicable assessment benchmarks
Environment and heritage	No applicable assessment benchmarks

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<ul style="list-style-type: none"> • Biodiversity • Coastal environment • Cultural heritage • Water quality 	
<p>Safety and resilience to hazards</p> <ul style="list-style-type: none"> • Emissions and hazardous activities • Natural hazards, risk, and resilience 	<p>Natural hazards, risk and resilience.</p> <p>The site is mapped by State Policy mapping as flood hazard area. The lots are zoned Communities facilities in the CF5 Public utilities precinct. It is not clear as to why the boundary realignment is proposed from the planning report submitted however, acknowledge that the common boundary will align to the stormwater drainage.</p> <p>No new lots have been created however, future development on the land adjacent to the drain will be subject to further planning assessment.</p> <p>On this basis, the application will be subject to standard conditions and property note which indicates the land is subject to flood inundation.</p>
<p>Infrastructure</p> <ul style="list-style-type: none"> • Energy and water supply • Infrastructure integration • Transport infrastructure • Strategic airports and aviation facilities • Strategic ports 	<p>All appropriate infrastructure and connections can be made and are conditioned as part of the approval.</p>

4.4. DEVELOPMENT CODE ASSESSMENTS

Community Facilities Zone

Performance Outcomes	Requirements for accepted development and assessment benchmarks	Responses
<p>PO1 Buildings and structures must complement the scale of nearby development.</p>	<p>AO1.1 Structures are a maximum height of:</p> <p>(a) For an educational establishment more than 20m from the Residential zone - 3 storeys and 10m.</p> <p>(b) In all other circumstances - 2 storeys or 8.5m</p> <p>and</p> <p>AO1.2 Buildings are set back not less than:</p> <p>(a) 10m from the frontage to a State-controlled or arterial road;</p> <p>(b) 6m from the principal road</p>	<p>The application is for Reconfiguring a lot – boundary realignment.</p>

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Performance Outcomes	Requirements for accepted development and assessment benchmarks	Responses
	<p>frontage of any other road;</p> <p>(c) 4m from any other road frontage; and</p> <p>(d) 1.5m from any other boundary except where compliance with AO2.1 is required.</p> <p>and</p> <p>AO1.3 Cumulative site cover does not exceed 40%.</p> <p>and</p> <p>AO1.4 The main entrance to the building is visible from, and directly accessible from the street.</p>	
<p>PO2 Development does not adversely impact on the amenity or privacy of the surrounding residential uses.</p>	<p>AO2.1 Buildings are setback from an adjoining residential premises a minimum of 10m.</p> <p>and</p> <p>AO2.2 Active outdoor use areas, site access and car parking, servicing or outdoor storage areas are set back from any boundary adjoining a residential premises a minimum of 4.5m.</p> <p>and</p> <p>AO2.3 New building plant or air-conditioning equipment is located central to the building and screened from view of the street or adjoining residential uses.</p> <p>and</p> <p>AO2.4 Noise generated by any use in the zone does not exceed the background noise levels as follows:</p> <p>(a) 6am – 10pm plus 10db(A);</p> <p>(b) 10pm – 6am plus 3db(A),</p> <p>measured as the adjusted maximum sound pressure level</p>	<p>The application is for Reconfiguring a lot – boundary realignment.</p>

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Performance Outcomes	Requirements for accepted development and assessment benchmarks	Responses
	<p>at the property boundary.</p> <p>and AO2.5 Where buildings, car parking, servicing or storage areas are proposed within 10m of any boundary adjoining a residential premises a minimum 1.8m high solid timber, brick or masonry fence is provided.</p> <p>and AO2.6 Outdoor lighting is designed, installed and maintained in accordance with AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>and AO2.7 Community activities adjoining or opposite residential uses are limited to the hours between 6am and 10pm.</p>	
<p>PO3 Refuse storage areas are located for convenient collection, screened from public view and provided with facilities for self-contained cleaning.</p>	<p>AO3.1 The refuse storage area is located near the front of the site and allows the collection vehicle to enter and exit in a forward gear. The use of staff car parking areas to accommodate internal manoeuvring is permissible.</p> <p>and AO3.2 The refuse storage area is provided in a building or other enclosed structure screened to a minimum height of 0.2m above the height of the refuse receptacles.</p> <p>and AO3.3 Refuse storage areas are provided with an impervious base that is drained to an approved</p>	<p>The application is for Reconfiguring a lot – boundary realignment.</p>

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Performance Outcomes	Requirements for accepted development and assessment benchmarks	Responses
	waste disposal system and provided within a dedicated hose cock.	
<p>PO4 Development is located and designed to ensure that land uses are not exposed to:</p> <ul style="list-style-type: none"> (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants. 	<p>AO4.1 Development does not occur:</p> <ul style="list-style-type: none"> (a) In areas that pose a health risk from previous activities; and (b) On sites listed on the Contaminated Land Register or Environmental Management Register. <p>or</p> <p>AO4.2 Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p>No search was undertaken and future development would be subject to Contaminated Land or Environmental searches.</p>
<p>PO5 The proposal does not introduce non-residential traffic into local streets and allows vehicles entering and leaving the site to do so safely and without adversely affecting the efficient functioning of adjacent roads.</p>	<p>AO5.1 Where available, access is provided to a Sub-Arterial Road or higher category road in preference to a local street.</p> <p>and</p> <p>AO5.2 The proposal provides convenient and safe pedestrian access from existing and proposed public transport infrastructure and other public areas.</p> <p>and</p> <p>AO5.3 New vehicle crossovers are separated from any other vehicle crossover by a distance not less than 10m.</p>	<p>Complies – Development Engineer conditioned proposed lot 155.</p>
<p>PO6 Development must be provided with an acceptable standard of infrastructure.</p>	<p>AO6.1 Where available, development is to be connected to reticulated water supply and sewerage.</p> <p>and</p>	<p>Complies – Development Engineer conditioned proposed lot 155.</p>