



SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 6 March 2024

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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY
ON WEDNESDAY, 6 MARCH 2024 AT 9:00AM**

PRESENT:

Councillors:

Cr Gavin Jones (Acting Mayor), Cr Jane Erkens, Cr Danita Potter, Cr Kirstie Schumacher, Cr Kathy Duff, Cr Scott Henschen

Council Officers:

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Aaron Meehan (General Manager Infrastructure), Leanne Petersen (Acting General Manager Liveability), Tiarna Hurt (Executive Assistant), Debra Moore (Manager Community & Lifestyle), Kerri Anderson (Manager Finance & Sustainability), Sam Dunstan (Senior Planning Officer), Zack Soper (Planning Officer)

1 OPENING

Acting Mayor Jones opened the meeting and welcomed attendees.

2 LEAVE OF ABSENCE / APOLOGIES

Acting Mayor Jones noted Mayor Otto's leave of absence.

3 PRAYERS

Cr Duff offered prayers for Council and for the conduct of the Council meeting.

4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Cr Duff acknowledged the traditional custodians of the land on which the meeting took place.

5 DECLARATION OF INTEREST

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest in relation to Item 17.2 - Negotiated Report for Material Change of Use - Residential Care Facility (General Care Units, NDIS Units, Palliative Care Units and Dementia Care Units), Health Care Services, Hospital (Plus 42 x Ancillary Short-Term Staff Accommodation, Cafe and Florist) and Child Care Centre (50 Enrolments) at 25 & 31 Markwell Street & 7 Glendon Street, Kingaroy (and described as Lot 1 on RP42037, Lot 1 on RP57027, Lots 2 & 3 on RP7925 & Lots 4 & 5 on SP146001). Applicant: Ethos Health Care Pty Ltd & C 59 Pty Ltd C/- Isaac Consulting Pty Ltd

The nature of my interest is as follows:

This declarable conflict of interest arises due to being a board member of the South Burnett Community Hospital Foundation.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

6 DEPUTATIONS/PETITIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 14 FEBRUARY 2024

RESOLUTION 2024/287

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That the Minutes of the Council Meeting held on 14 February 2024 be received and the recommendations therein be adopted.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

8 NOTICES OF MOTION

Nil

9 BUSINESS OUTSTANDING

9.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2024/288

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That the Business Outstanding table for the Ordinary Council Meeting be received for information.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

10 PORTFOLIO - CORPORATE GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATION & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION AND ADVOCACY, 2032 OLYMPICS & PARALYMPICS

10.1 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2024/289

Moved: Cr Kathy Duff
 Seconded: Cr Scott Henschen

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 28th February 2024 be received and noted.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

11 PORTFOLIO - INFRASTRUCTURE PLANNING, WORKS (CONSTRUCTION & MAINTENANCE), WATER & WASTEWATER, PLANT & FLEET

11.1 MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD TUESDAY 28 NOVEMBER 2023

RESOLUTION 2024/290

Moved: Cr Scott Henschen
 Seconded: Cr Jane Erkens

That the South Burnett Regional Council receive and note the attached minutes and recommendations of the Traffic Advisory Committee meeting held on 28 November 2023.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

11.1.1 QUESTION ON NOTICE - CONCERN FOR KINGAROY COOYAR ROAD & WEEKS ROAD INTERSECTION

Question on notice from Cr Schumacher:

Can you please provide some feedback I can give to a concerned resident regarding the Kingaroy Cooyar Road & Weeks Road corner?

11.1.2 QUESTION ON NOTICE - MURGON GAYNDAH ROAD - TMR

Question on notice from Cr Duff:

Can you please clarify why the Murgon Gayndah Road has been referred to RMPC and not TMR?

11.1.3 ITEMS TO BE RAISED AT THE NEXT TRAFFIC ADVISORY COMMITTEE MEETING

RESOLVED 2024/291

Cr Potter requested that these items be raised at the next Traffic Advisory Committee Meeting:

- Kingaroy Barkers Creek Road
- Tanguringie Bridge

12 PORTFOLIO - COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES

12.1 GRANT APPLICATIONS - REGIONAL ARTS FUND AND FRRR

RESOLUTION 2024/292

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

1. That South Burnett Regional Council delegate to the Chief Executive Officer for grant applications to be submitted for funding to the Regional Arts Fund.
2. That South Burnett Regional Council delegate to the Chief Executive Officer for grant applications to be submitted for funding to the FRRR Prepare for Drought Initiative.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

12.1.1 MEDIA RELEASES TO ADVISE OF GRANTS IN THE SOUTH BURNETT

RESOLVED 2024/293

A media release be organised to advise the community of grant opportunities in the South Burnett Region

Attendance:

At 9:50am, Senior Planning Officer Sam Dunstan entered the meeting.

At 9:51am, Planning Officer Zack Soper entered the meeting.

12.2 COUNCIL APPOINTEES FOR 2024 ANZAC DAY CEREMONIES

RESOLUTION 2024/294

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

1. That the Council representatives will be advised after the Local Government Elections on 16 March 2024 of their attendance at the respective Anzac Day ceremonies as required on behalf of Council.

Town	Location	Time	Council Representative	Responsibility
Blackbutt Dawn Service	Memorial at Hart & Coulson Streets	4.27am	Division 2	Attendance Lay wreath
Memorial Service	Cenotaph	11.00am	Division 2	Attendance Lay wreath/Book
Bunya Mountains Memorial Service	Lone Pine Office, National Park Campground, Dandabah	8.00am	Division 2	Attendance Lay wreath
Cherbourg Commemorative Service	Cenotaph	8.00am	Division 5	Attendance Lay wreath
Hivesville Dawn Service	Main Street	5.30am	Division 5	Attendance Participate in Ceremony Lay wreath
Kingaroy Dawn Service	Memorial Park	4.28am	Division 3 Division 4	Attendance
War Graves	Taabinga Cemetery	8.00am	Division 3	Attendance
Commemorative Service	Memorial Park	11.00am	Mayor Division 3	Participate in march. Participate in ceremony Lay wreath
Kumbia Commemorative Service	Flower bed next to Kumbia Hall	8.45am	Division 6	Participate in march Lay wreath
Maidenwell Memorial Service	Main Street Monument	10.30am	Division 2	Attendance Lay wreath
Murgon Fellowship	Services Club	4.45am	Mayor	Attendance
Dawn Service	Gore Street Opposite Services Club	5.30am	Mayor	Attendance Lay wreath
Commemorative Service	Services Club	10.00am	Division 5	Participate in march Participate in Ceremony Lay wreath
Nanango Dawn Service	Memorial in front of Chambers	5.30am	Division 1	Lay wreath
Public Pilgrimage	Nanango Cemetery	7.00am	Division 1	Attendance
Memorial Service	Memorial in front of Chambers	9.00am	Mayor Division 1	Lay wreath/Book

Proston Dawn Service		5.30am	ELT Member	Attendance Lay Wreath
School Service	Proston State School		Division 5	Attendance Lay wreath
Wondai Dawn Service	In front of Council Chambers	5.00am	Division 6	Attendance
Memorial Service	Cemetery	8.00am	Division 6	Attendance
Commemorative Service	Wondai Town Hall	10.00am	Division 4	Attendance Participate in Ceremony Lay wreath
Wooroolin Commemorative Service	Wooroolin Hall	11.00am	Division 6	Organisation of service Lay wreath

2. That Council approve a budget increase to each region to be \$1500 each for Kingaroy, Murgon, Nanango, \$1000 each for Blackbutt and Wondai and \$500 each for Wooroolin, Kumbia, Hivesville, Proston and Maidenwell.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

13 PORTFOLIO - NATURAL RESOURCE MANAGEMENT, RURAL SERVICES, AGRICULTURAL INNOVATION, COMPLIANCE AND ENVIRONMENTAL HEALTH

Nil

Attendance:

At 10:07am, Manager Community & Lifestyle Debra Moore left the meeting.

14 PORTFOLIO - DISASTER MANAGEMENT, WASTE AND RECYCLING MANAGEMENT

Nil

15 PORTFOLIO - RURAL RESILIENCE & DISASTER RECOVERY, PARKS & GARDENS, PROPERTY & FACILITY MANAGEMENT, FIRST NATIONS AFFAIRS

15.1 APPLICATION FOR FUNDING UNDER THE COMMUNITY HERITAGE OF THE COMMUNITY SUSTAINABILITY ACTION GRANTS PROGRAM - ROUND 8

RESOLUTION 2024/295

Moved: Cr Scott Henschen
Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council apply for a grant under the Round 8 – Community Heritage of the Community Sustainability Action Grants Program – capital expenditure project category for repairs to Boondooma Homestead roof.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

15.2 APPLICATION FOR FUNDING UNDER THE HEART FOUNDATION ACTIVE AUSTRALIA INNOVATION CHALLENGE

RESOLUTION 2024/296

Moved: Cr Danita Potter
Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council endorse an application for funding under the Heart Foundation Active Australia Innovation Challenge.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

16 PORTFOLIO - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES

Nil

17 PORTFOLIO - REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING

17.1 RECONFIGURING A LOT – 1 LOT INTO 2 LOTS AT 2 WATERVIEW DRIVE, MOFFATDALE (AND DESCRIBED AS LOT 1 ON SP207409) APPLICANT N C FRENCH C/- ONF SURVEYORS

RESOLUTION 2024/297

Moved: Cr Kathy Duff
 Seconded: Cr Scott Henschen

That Council approve the Reconfiguring a Lot – development permit (Subdivision 1 Lot into 2 Lots) at 2 Waterview Drive MOFFATDALE (and described as Lot 1 on SP207409).

GENERAL

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

Drawing Title	Prepared by	Ref No.	Rev.	Date
Proposed Subdivision	ONF Surveyors	11827P/1	B	26/10/2023

Timing: At all times.

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

COMPLIANCE

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

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

OUTSTANDING FEES

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

SURVEY MARKS

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

PLANNING

RAL2. All development involving the emission of noise, odour and dust from ongoing uses, building and/or construction activities, must ensure that the emissions are in accordance with the requirements of the *Environmental Protection Act 1994*.

Timing: As indicated.

PROPERTY BOUNDARIES

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

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.
- ENG2. 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. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

- ENG8. Provide a water supply in compliance with Australian Drinking Water Guidelines - current edition 2011 and enHealth Guidance of use of Rainwater standards for potable water.

ON-SITE WASTEWATER DISPOSAL

- ENG9. Future Dwellings must be connected to an on-site effluent disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.

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

VEHICLE ACCESS

- ENG10. Design and construct a vehicle crossover to each lot having a minimum width of 4 metres in accordance with Council's Standard Drawing No. 00049.

Comment: A single wider crossover is permitted to service both properties, provided the minimum 4m width is provided for each lot.

- ENG11. The driveway for proposed Lot 34, for the length of the access handle, shall comprise 100mm of compacted gravel 4m wide.
- ENG12. 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).

TELECOMMUNICATION

ENG13. Provide telecommunications to all lots within the development.

ELECTRICITY

ENG14. Provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.

ENG15. Submit to Council, written confirmation from an electricity provider (Certificate of Supply) that an agreement has been made for the supply of electricity.

SERVICES – EXISTING CONNECTIONS

ENG16. Ensure that all services provided to each lot are wholly located within the lot(s) it serves.

EROSION AND SEDIMENT CONTROL – GENERAL

ENG17. 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.

ENG18. 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.

STANDARD ADVICE

ADV1. Section 85(1)(b) of the *Planning Act 2016* provides that, if this approval is not acted upon within a period of four (4) years the approval will lapse.

ADV2. 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 does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

ADV3. Attached for your information is a copy of Chapter 6 of the Planning Act 2016 as regards to Appeal Rights.

INFRASTRUCTURE CHARGES

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

DEVELOPER INCENTIVE

ADV5. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2025. 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.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

Attendance:

At 10:21am, Cr Kirstie Schumacher left the meeting.
 At 10:21am, Chief Executive Officer Mark Pitt left the meeting.
 At 10:25am, Cr Danita Potter left the meeting.
 At 10:27am, Cr Danita Potter returned to the meeting.

17.2 NEGOTIATED REPORT FOR MATERIAL CHANGE OF USE - RESIDENTIAL CARE FACILITY (GENERAL CARE UNITS, NDIS UNITS, PALLIATIVE CARE UNITS AND DEMENTIA CARE UNITS), HEALTH CARE SERVICES, HOSPITAL (PLUS 42 X ANCILLARY SHORT-TERM STAFF ACCOMMODATION, CAFE AND FLORIST) AND CHILD CARE CENTRE (50 ENROLMENTS) AT 25 & 31 MARKWELL STREET & 7 GLENDON STREET, KINGAROY (AND DESCRIBED AS LOT 1 ON RP42037, LOT 1 ON RP57027, LOTS 2 & 3 ON RP7925 & LOTS 4 & 5 ON SP146001). APPLICANT: ETHOS HEALTH CARE PTY LTD & C 59 PTY LTD C/- ISAAC CONSULTING PTY LTD

RESOLUTION 2024/298

Moved: Cr Scott Henschen
 Seconded: Cr Danita Potter

That Council approve the Negotiated Decision request for Material Change of Use for a Staged Mixed-Use Development – Residential Care Facility, Health Care Services, Hospital, Child Care Centre and Food & Drink Outlets/Shop on land at 25 & 31 Markwell Street & 7 Glendon Street, Kingaroy (formally described as Lot 1 on RP42037, Lot 1 on RP57027, Lots 2 & 3 on RP7925 and Lots 4 & 5 on SP146001) – Applicant: Ethos Health Care Pty Ltd & C 59 Pty Ltd C/- Isaac Consulting Pty Ltd, subject to the following conditions:-

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

AMENDED APPROVED PLANS

Drawing Title	Prepared by	Drawing no.	Issue	Date
Stage 1 – Approved Plans				
Ground Floor – Stage 1	BLACK INK	SK-06	Issue 11	15 Feb 2024 <small>(print date 27 Feb 2024)</small>
Level 1 Plan – Stage 1	BLACK INK	SK-07	Issue 10	30 Nov 2023
Level 2 Plan – Stage 1	BLACK INK	SK-08	Issue 10	30 Nov 2023
Level 3 Plan – Stage 1	BLACK INK	SK-09	Issue 10	30 Nov 2023
Level 4 Plan – Stage 1	BLACK INK	SK-10	Issue 10	30 Nov 2023
Level 5 Plan – Stage 1	BLACK INK	SK-11	Issue 10	30 Nov 2023
Roof Plan – Stage 1	BLACK INK	SK-12	Issue 10	30 Nov 2023
Ground Floor Landscape Concept Plan		Sheet 2		Feb 2024
Level 6 Landscape Concept Plan (with Shaded Devices)		Sheet 12		Feb 2024
Level 6 Landscape Concept Plan		Sheet 13		Feb 2024

Stage 2 – Approved Plans				
Ground Floor – Stage 2	BLACK INK	SK-13	Issue 11	15 Feb 2024 (print date 27 Feb 2024)
Level 1 Plan – Stage 2	BLACK INK	SK-14	Issue 10	30 Nov 2023
Level 2 Plan – Stage 2	BLACK INK	SK-15	Issue 10	30 Nov 2023
Level 3 Plan – Stage 2	BLACK INK	SK-16	Issue 10	30 Nov 2023
Level 4 Plan – Stage 2	BLACK INK	SK-17	Issue 10	30 Nov 2023
Level 5 Plan – Stage 2	BLACK INK	SK-18	Issue 10	30 Nov 2023
Roof Plan – Stage 2	BLACK INK	SK-19	Issue 10	30 Nov 2023
Ground Floor Landscape Concept Plan		Sheet 2		Feb 2024
Level 2 Landscape Concept Plan		Sheet 4		Feb 2024
Level 6 Landscape Concept Plan (with Shaded Devices)		Sheet 12		Feb 2024
Level 6 Landscape Concept Plan		Sheet 13		Feb 2024
Stage 3 – Approved Plans				
Ground Floor – Stage 3	BLACK INK	SK-20	Issue 11	15 Feb 2024 (print date 27 Feb 2024)
Level 1 Plan – Stage 3	BLACK INK	SK-21	Issue 10	30 Nov 2023
Level 2 Plan – Stage 3	BLACK INK	SK-22	Issue 10	30 Nov 2023
Level 3 Plan – Stage 3	BLACK INK	SK-23	Issue 10	30 Nov 2023
Level 4 Plan – Stage 3	BLACK INK	SK-24	Issue 10	30 Nov 2023
Level 5 Plan – Stage 3	BLACK INK	SK-25	Issue 10	30 Nov 2023
Roof Plan – Stage 3	BLACK INK	SK-26	Issue 10	30 Nov 2023
Ground Floor Landscape Concept Plan		Sheet 2		Feb 2024
Level 2 Landscape Concept Plan		Sheet 4		Feb 2024
Level 5 Landscape Concept Plan		Sheet 7		Feb 2024
Level 6 Landscape Concept Plan (with Shaded Devices)		Sheet 12		Feb 2024
Level 6 Landscape Concept Plan		Sheet 13		Feb 2024
Section S01	BLACK INK	SK-29	Issue 09	05 Oct 2023
(Elevations 1) North Elevation	BLACK INK	SK-30	Issue 09	05 Oct 2023
(Elevations 1) East Elevation	BLACK INK	SK-30	Issue 09	05 Oct 2023
(Elevations 2) South Elevation	BLACK INK	SK-31	Issue 09	05 Oct 2023
(Elevations 2) West Elevation	BLACK INK	SK-31	Issue 09	05 Oct 2023
Landscaping Elevation Plans				
Landscape Section (Section – A)		Sheet 20		Feb 2024
Landscape Elevations and Blow Ups		Sheet 21		Feb 2024
Landscape Elevations and Blow Ups		Sheet 22		Feb 2024
Landscape Planting Schedule (Stage 1, Stage 2, Stage 3)				
Planting Schedule		Sheet 23		Feb 2024
Planting Schedule		Sheet 24		Feb 2024

Where there is a conflict between the conditions of this approval and the details shown on

the approved plans and documents, the conditions of approval prevail.

DOCUMENTS REFERRED TO IN THIS APPROVAL (ALL STAGES)

- CRG ACOUSTICS Environmental Noise Impact Assessment_23062_Revision 4_ Dated 27 November 2023.
- Lambert & Rehbein (SEQ) Pty Ltd Traffic Impact Assessment (Letter) ref_B23192TL001.
- Lambert & Rehbein (SEQ) Pty Ltd - Waste Management – Proposed Health Precinct – Revision 1, Dated 14 September 2023.
- Statement of Landscape Intent, Dated February 2024

STAGE 1 CONDITIONS

GENERAL

Unless otherwise amended by the following conditions.

GEN2. All works including the repair or relocation of services (Telstra/lighting) are to be completed at no cost to council.

GEN3. The applicant is required to maintain the site in a clean and orderly state at all times.

~~GEN4. All existing lots are to be amalgamated into a single lot prior to the commencement of Stage 1's site works.~~

ADDITIONAL DRAWINGS (STAGE 1)

GEN5. Prior to the commencement of Stage 1 works, provide detailed elevations of the intended Stage 1 building inclusive of the following:

- Confirm extent of façade treatments to be presented to Glendon Street frontage (east), & façade treatments closest to the adjoining property boundary (west).
- Interim façade treatments to all blank walls exposed prior to enactment of subsequent Stages 2 & 3.

COMPLIANCE ASSESSMENT

GEN6. All conditions of this approval are to be satisfied prior to Council issuing a compliance certificate for the commencement of the use and it's and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

Compliance certificate fee will be charged with payment required prior to council approval of the associated documentation requiring compliance assessment.

CONDITION TIMING

GEN7. Unless stated otherwise, all conditions are to be complied with prior to commencement of the use and compliance maintained at all times while the use continues.

BUILDING MANAGEMENT STATEMENT

GEN8. Ensure a Building Management Statement is registered on the title

The Building Management Statement must cover common building management items including but not limited to any shared:

- support, services and utilities;
- pedestrian and vehicle access;
- car parking including visitor and disabled spaces;
- vehicle servicing areas including loading docks;
- refuse storage and collection areas;
- storage areas;
- recreation areas

Timing: Prior to the occupancy of the building or issue of Certificate of Classification whichever occurs first.

- GEN9. The building management statement must be submitted to, and the content accepted by South Burnett Regional Council's 'Development Services'.
- GEN10. Lodge the accepted building Management Statement with the Registrar of Titles for the relevant Queensland State Government Authority.
- GEN11. Submit to South Burnett Regional Council's 'Development Services' evidence of the registration of the accepted Building Management Statement.

PLANNING

NATURE & EXTENT OF THE APPROVED USE

- MCU1. Stage 1 uses are limited to those identified on the approved plans (Ground Level through to Level 6).
- MCU2. Multi-Purpose Roofed Area (280m²) & Chapel (100m²), located on roof top must remain ancillary to the approved Residential care facility and Hospital only.
- MCU3. Existing buildings and ancillary components identified on 'Ground Floor – Stage 1' are to be suitably maintained in a lawful manner where required for interim use.
- MCU4. Landscape areas associated with existing buildings identified on 'Ground Floor – Stage 1' are to be maintained during interim use.

DEMOLITION

- MCU5. In the event existing buildings identified on 'Ground Floor – Stage 1' are demolished (in preparation of Stage 2 works) and site remains vacant for more than 3 months, all exposed areas are to appropriately treated for erosion and sediment control eg. turfed as agreed to by Council.

BUILDING HEIGHT

- MCU6. The maximum building height (Stage 1) must be in accordance with the following:
- Maximum overall vertical height of 33.5m (from existing ground level) to the peak roof height shown in approved drawing SK-29_Section S01_ (issue 09) _date 5 October 2023; and
 - Total number of storeys is 7 with arrangement (of storeys) to be in accordance with that shown in approved drawing SK-29_Section S01_ (issue 09) _date 5 October 2023.
- MCU7. Submit to Council certification from a registered surveyor confirming that the 'as constructed' overall height are in accordance with the requirements of condition MCU6.

Timing: Prior to issue of certificate of classification/Final Inspection Certificate, or prior to commencement of use (whichever comes first).

EXTERNAL ARCHITECTURAL DETAILS

- MCU8. External details of the building façade treatment and external materials, colours and finishes must be consistent with approved drawings and documents.

AWNING IN THE ROAD RESERVE

- MCU9. Provide a pedestrian awning along Glendon Street to the extent of the building façade (fronting Glendon Street) in accordance with the Approved Plans.

SECURITY LIGHTING

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- MCU10. Install a lighting system to the underside of the proposed awning over the footpath in accordance with the relevant Australian Standards and in accordance with the following:
- Suitably qualified professional is to submit a detailed lighting plan demonstrating that under awning lighting complies with applicable Australian Standards (for Pedestrian Areas).
 - Implement in accordance with the detailed lighting plan and provide Council with certification of completed works (from a licensed electrical contractor).
 - Maintain the awning lighting system at all times.
- MCU11. Install and maintain a suitable system of security lighting to operate from dusk till dawn within all areas where the public may gain access, including carparking areas, building entrances, and vegetated areas.
- MCU12. Design of all external lighting in accordance with AS 4282-1997 '*Control of obtrusive effects of outdoor lighting*', ensuring that light spillage does not cause nuisance to nearby sensitive uses.
- MCU13. Provide certification from a suitably qualified professional that all security lighting installed complies with applicable Australian Standards and retains acceptable impacts on adjoining (or nearby) sensitive uses.

FENCING AND ACOUSTIC TREATMENTS

- MCU14. All fencing and acoustic treatments to be in accordance with the CRG Acoustics - Environmental Noise Impact Assessment, Reference 23062, Revision 4, Dated 27 November 2023.

Nb. The combined height of the retaining wall, fencing and/or acoustic barrier must not exceed the adopted height as referred to in the Environmental Noise Impact Assessment.

LANDSCAPING

- MCU15. Construct landscaping in accordance with the prepared landscape concept plan, the relevant council standards, best trade practise, and the following conditions.
- If the extent or configuration of landscaped areas has been marginally amended from the plan, then adjust plant numbers to ensure full coverage.
 - Provide a 3-tier landscape structure to all landscape areas IE trees shrubs and ground covers.
 - Maximise opportunities for stormwater infiltration into landscaped areas (where available).
 - Maintain the landscape works generally in accordance with the detailed plans and to industry standards.

SCREEN MECHANICAL PLANT

- MCU16. Install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.

ELECTRICITY/TELECOMMUNICATIONS

- MCU17. The development is to be supplied with reticulated electricity and telecommunications services.

VISUAL AMENITY & REFLECTIVITY

- MCU18. Façade treatments must not cause nuisance from glare and/or inappropriate reflectivity.

MCU19. ~~Provide written confirmation from an appropriately qualified professional that façade treatments do not generate unreasonable glare, or reflectivity.~~

NOISE

MCU20. Carry out the development in accordance with the CRG Acoustics report reference_23062_REV4 recommendations as they relate to works associated with Stage 1 of this approval.

MCU21. A suitably qualified Acoustic Consultant shall provide written confirmation that all CRG Acoustics report reference_23062_REV4 recommendations (relevant to **Stage 1**) are in place.

Timing: Prior to issue of certificate of classification/Final Inspection Certificate, or prior to commencement of use (whichever comes first).

MCU22. Operation of trucks and commercial vehicles (excluding waste collection vehicles and emergency vehicles) must only occur between 7am & 7pm Monday to Saturday.

MCU23. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically damped to prevent environmental nuisance.

MCU24. Following the installation of all mechanical plant and equipment (e.g. air conditioning, mechanical ventilation, and refrigeration equipment and heat pump hot water systems), submit to South Burnett Regional Council's 'Development Services' certification that the plant and equipment is adequately noise-attenuated and in accordance with applicable Planning Scheme Codes/policies (and other applicable laws)

CAR PARKING

MCU25. Car parking within the premises must be maintained exclusively for the ancillary use of the development. The parking must be retained for purposes associated with the approved development.

MCU26. Bin Storage area identified on Ground Floor – Stage 1 (SK06) is to include appropriate washdown facilities and drainage connections.

ENGINEERING WORKS

ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, water supply, sewer, roadworks, access and parking, erosion and sediment control.

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

ENG4. Submit to Council, certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the Approved Plans and specifications and to Council's requirements, prior to commencement of the use.

MAINTENANCE

ENG5. Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from the date of on-maintenance. Any defective works must be rectified within the maintenance period.

ENG6. Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

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

ENG7. 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.

ENG8. 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.

ENG9. Repair any and all damage to Councils road network resulting from the construction of the development. In particular, Glendon Street is unlikely to be able to support the types of vehicles and associated loadings that will be required for construction of the development (e.g. construction equipment, materials delivery etc), and failure of the pavement and surface is expected.

Comment: Council is open to discussing a suitable approach to the ongoing maintenance of roads, to ensure that failures and repairs are rectified in a timely manner, so that Council roads are safe for all road users at all times.

CONSTRUCTION TRAFFIC ROUTES

ENG10. All construction traffic associated with the development (excluding light vehicles) shall enter and exit the site via Glendon Street, between Avoca Street and the concrete median south of the roundabout at the intersection of Glendon Street and Markwell Street. All construction traffic shall enter and exit Glendon Street from the Avoca Street end. No other transport route to or from the site shall be used without the written consent of Council.

CONSTRUCTION AND NUISANCE MANAGEMENT PLAN

ENG11. Submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development works for the site. The Plan is to cover where applicable, the following:

- a) air quality management;
- b) noise and vibration management;
- c) storm water quality management;
- d) erosion and sediment management;
- e) vegetation management;
- f) waste management;
- g) complaint management;
- h) community awareness;
- i) preparation of site work plans;
- j) workers' car parking arrangements;
- k) traffic control during works; and
- l) delivery of materials.

Timing: Prior to commencement of works.

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- ENG12. Implement the approved Construction Management Plan at all times during construction of the development.
- ENG13. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

STORMWATER MANAGEMENT

- ENG14. Provide stormwater management generally in accordance with the Conceptual Site Based Stormwater Management Plan prepared by RMA Engineers, Revision 1, dated 30 August 2023, subject to detailed design and except as altered by conditions of this development approval.
- ENG15. 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.
- ENG16. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG17. 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 the kerb and channel.
- ENG18. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG19. 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.
- ENG20. 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

- ENG21. Connect the development to Council's reticulated water supply system via a single connection, designed to Council and WWBROC requirements.

SEWERAGE

- ENG22. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council and WWBROC standards and be approved by Council's Utility Services Section.
- ENG23. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG24. Any works within the vicinity of an existing or proposed sewer shall meet the requirements of QDC *MP1.4 Building over or near relevant infrastructure*.
- ENG25. The existing sewer main SM0714 (Council Asset No. W00739), and end of line manhole 2125/3 (Council Asset No. W00276) within the site shall be removed or filled with flowable concrete with the connection to manhole 2125/2 made good.

Timing: Prior to commencement of Stage 1 of the development.

Comment: The existing sewer connection can be used until the new sewer extension is complete.

SEWER EXTENSION

ENG26. Design and construct a 150mm diameter sewer main from the site to manhole 2129A/1 (located on the southern side of Avoca Street), with a suitable alignment along Glendon Street, to service the whole of the proposed development.

Timing: Prior to commencement of Stage 1 of the development.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

TRADE WASTE DISPOSAL (COMMERCIAL KITCHEN)

ENG27. Connect any commercial kitchen to Council's sewer reticulation. Obtain a Plumbing Approval from Council with the relevant inspections undertaken prior to connection to the sewer.

PARKING AND ACCESS - GENERAL

- ENG28. 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.
- ENG29. Design all on-street parking in accordance with *AS2890.5:2020 Parking facilities On-street parking*, and Austroads Guide to Road Design.
- ENG30. Design and construct all access, parking and manoeuvring areas with concrete, asphalt or a two-coat bitumen seal.
- ENG31. Provide a minimum of 42 off street car parking spaces, including a minimum of 1 person with disability (PWD) car parking space, and 2 continuous set down zones generally in accordance with Black Ink Architecture Dwg SK-06 Issue 11 dated 27/02/2024, and which reflect requirements in the SARA decision reference 2310-37472 SRA on 12 January 2024.
- ENG32. Design & construct all off street PWD car parking spaces in accordance with AS2890.6.
- ENG33. Provide a concrete pedestrian footpath from the carpark to the Stage 1 buildings that meets the Disability Discrimination Act requirements.
- ENG34. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
- ENG35. 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.
- ENG36. 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.
- ENG37. Install all necessary signage for traffic flow e.g. No Entry, One-Way, Left Out Only.

PARKING AND ACCESS - SERVICING

ENG38. Provide loading bay/drop off facilities for Small Rigid Vehicle, Waste Collection Vehicle, mini bus, and ambulance in the locations generally shown on the approved plan(s) of development.

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- ENG39. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of all service vehicles, and ensure that all vehicles are able to enter and exit the site in a forward direction.
- ENG40. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS

- ENG41. Accesses to the site between the property boundary and the edge of the Markwell Street/Glendon Street road pavement, shall be constructed in accordance with Council's Standard Drawing IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossovers splay is designed to accommodate turning movements of the longest expected service vehicle.

Timing: Prior to commencement of Stage 1 of the development.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

- ENG42. 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).

REDUNDANT CROSSOVERS

- ENG43. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to the standard immediately adjacent along the frontage of the site.

ROADWORKS – FRONTAGE WORKS

- ENG44. Design and construct the Glendon Street frontage of the proposed development in accordance with Council Standards, relevant Austroads' Standards, and Council's Planning Scheme. More specifically, include the following:
- Widening of Glendon Street to accommodate the proposed parallel parking. This includes any reconstruction of Glendon Street to achieve the design levels required for kerb and channel;
 - Replacement of the kerb and channel for the full Glendon Street frontage;
 - Full width concrete footpath between the kerb and property boundary;
 - provision for stormwater drainage (including adjusting manhole levels), line marking, signage (including parking restrictions) and kerb ramps.

Comment: Roadworks shall be carried out under an Operational Work application.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

ROADWORKS AND PEDESTRIAN SAFETY

- ENG45. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- ENG46. 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.
- ENG47. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY AND TELECOMMUNICATION

ENG48. Connect the development to electricity and telecommunication services.

EARTHWORKS – GENERAL

ENG49. Earthworks per site involving cut or fill with a quantity of material greater than 50m³, requires an Operational Work application.

ENG50. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL – GENERAL

ENG51. 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.

ENG52. 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.

STAGE 2 CONDITIONS

GENERAL

Unless otherwise amended by the following conditions.

GEN2. 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 (refer to the **approved plans** cited under condition GEN1.).

GEN3. All works including the repair or relocation of services (Telstra/lighting) are to be completed at no cost to council.

GEN4. The applicant is required to maintain the site in a clean and orderly state at all times.

ADDITIONAL DRAWINGS (STAGE 2)

GEN5. Prior to the commencement of Stage 2 works, provide, detailed elevations of the intended Stage 2 building inclusive of the following:

- Show all proposed façade treatments to property boundaries and road frontages.
- The interim façade treatment to blank walls prior to enactment of subsequent Stage 3.

COMPLIANCE ASSESSMENT

GEN6. All conditions of this approval are to be satisfied prior to Council issuing a compliance certificate for the commencement of the use and it's and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

Compliance certificate fee will be charged with payment required prior to council approval of the associated documentation requiring compliance assessment.

CONDITION TIMING

GEN7. Unless stated otherwise, all conditions are to be complied with prior to commencement of the use and compliance maintained at all times while the use continues.

BUILDING MANAGEMENT STATEMENT

GEN8. Ensure a Building Management Statement is registered on the title.

The Building Management Statement must cover common building management items including but not limited to any shared:

- Support, services and utilities;
- Pedestrian and vehicle access;
- Car parking including visitor and disabled spaces;
- Vehicle servicing areas including loading docks;
- Refuse storage and collection areas;
- Storage areas; and
- Recreation areas.

Timing: As part of the registration of the plan of subdivision notated by Council and then to be maintained.

- GEN9. The building management statement must be submitted to, and the content accepted by South Burnett Regional Council’s ‘Development Services’.
- GEN10. Lodge the accepted building Management Statement with the Registrar of Titles for the relevant Queensland State Government Authority.
- GEN11. Submit to South Burnett Regional Council’s ‘Development Services’ evidence of the registration of the accepted Building Management Statement.

PLANNING

NATURE & EXTENT OF THE APPROVED USE

- MCU1. Stage 1 & 2 uses are limited to those identified on the approved plans (Ground Level through to Level 6).
- MCU2. Short-Term staff accommodation must remain ancillary to the approved Hospital, Health care services, and Residential care facility only. Short-Term staff accommodation is to be maintained exclusively for the purpose of accommodating staff and/or other service providers associated with the approved Hospital, Health care services, and Residential care facility only.
- MCU3. Roof top is to be limited to garden areas only unless otherwise stated on the approved drawings.
- MCU4. Multi-Purpose Space (165m² located on Roof Top) must remain ancillary to the approved Hospital, and Residential care facility only.
- MCU5. In the event that an appropriate liquor licence is obtained from the relevant authority, this development approval for Food and Drink Outlet (at ground level) does not permit the service of alcohol to patrons who are not consuming food.

DEMOLITION

- MCU6. Demolish buildings/structures on the site in accordance with the approved drawings and where applicable the approved Construction Management Plan.
- MCU7. If construction for Stage 2 does not commence within 3 months of the demolition of the existing buildings (on site), the site must be turfed and appropriately treated for erosion and sediment control.

BUILDING HEIGHT

- MCU8. The maximum building height (Stage 2) must be in accordance with the following:
 - Maximum overall vertical height of 33.5m (from existing ground level) to the peak roof height shown in approved drawing SK-29_Section S01_ (issue 09) _date 5 October 2023; and

- Total number of storeys is 7 with arrangement (of storeys) to be in accordance with that shown in approved drawing SK-29_Section S01_ (issue 09) _date 5 October 2023.

MCU9. Submit to Council certification from a registered surveyor confirming that the 'as constructed' overall height are in accordance with the requirements of condition MCU8.

EXTERNAL ARCHITECTURAL DETAILS

MCU10. All Stage 2 building façade treatments, external materials, colours and finishes must be in accordance with the approved drawings and documents.

AWNING IN THE ROAD RESERVE

MCU11. Provide a pedestrian awning along Markwell Street & Glendon Street to the extent shown in Stage 2 drawings (fronting Markwell Street & Glendon Street).

SECURITY LIGHTING

MCU12. Install a lighting system to the underside of the proposed awning over the footpath in accordance with the relevant Australian Standards and in accordance with the following:

- Suitably qualified professional is to submit a detailed lighting plan demonstrating that under awning lighting complies with applicable Australian Standards (for Pedestrian Areas).
- Implement in accordance with the detailed lighting plan and provide Council with certification of completed works (from a licensed electrical contractor).
- Maintain the awning lighting system at all times.

MCU13. Install and maintain a suitable system of security lighting to operate from dusk till dawn within all areas where the public may gain access, including carparking areas, building entrances, and vegetated areas.

MCU14. Design of all external lighting in accordance with AS 4282-1997 '*Control of obtrusive effects of outdoor lighting*', ensuring that light spillage does not cause nuisance to nearby sensitive uses.

MCU15. Provide certification from a suitably qualified professional that all security lighting installed complies with applicable Australian Standards and retains acceptable impacts on adjoining (or nearby) sensitive uses.

Timing: Prior to issue of certificate of classification/Final Inspection Certificate, or prior to commencement of use (whichever comes first).

LANDSCAPING

MCU16. Construct landscaping in accordance with the prepared landscape concept plan, the relevant council standards, best trade practise, and the following conditions.

- If the extent or configuration of landscaped areas has been marginally amended from the plan, then adjust plant numbers to ensure full coverage.
- Provide a 3-tier landscape structure to all landscape areas IE trees shrubs and ground covers.
- Maximise opportunities for stormwater infiltration into landscaped areas (where available).
- Maintain the landscape works generally in accordance with the detailed plans and to industry standards.

SCREEN MECHANICAL PLANT

MCU17. Install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The

screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.

ELECTRICITY/TELECOMMUNICATIONS

MCU18. The development is to be supplied with reticulated electricity and telecommunications services.

VISUAL AMENITY & REFLECTIVITY

MCU19. Façade treatments must not cause nuisance from glare and/or inappropriate reflectivity.

~~MCU20. Provide written confirmation from an appropriately qualified professional that façade treatments do not generate unreasonable glare, or reflectivity.~~

NOISE

MCU21. Carry out the development in accordance with the CRG Acoustics report reference 23062_REV4 recommendations as they relate to works associated with Stage 2 of this approval.

MCU22. A suitably qualified Acoustic Consultant shall provide written confirmation that all CRG Acoustics report reference_23062_REV4 recommendations (relevant to **Stage 2**) are in place.

Timing: Prior to issue of certificate of classification/Final Inspection Certificate, or prior to commencement of use (whichever comes first).

MCU23. Operation of trucks and commercial vehicles (excluding waste collection vehicles and emergency vehicles) must only occur between 7am & 7pm Monday to Saturday.

MCU24. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically damped to prevent environmental nuisance.

MCU25. Following the installation of all mechanical plant and equipment (e.g. air conditioning, mechanical ventilation, and refrigeration equipment and heat pump hot water systems), submit to South Burnett Regional Council's 'Development Services' certification that the plant and equipment is adequately noise-attenuated and in accordance with applicable Planning Scheme Codes/policies (and other applicable laws).

CAR PARKING

MCU26. Car parking within the premises must be maintained exclusively for the ancillary use of the development. The parking must be retained for purposes associated with the approved development.

MCU27. Bin Storage area identified on Ground Floor – Stage 2 (SK13) is to include appropriate washdown facilities and drainage connections.

ENGINEERING WORKS

ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, water supply, sewer, roadworks, access and parking, erosion and sediment control.

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.

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- ENG3. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
- ENG4. Submit to Council, certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the Approved Plans and specifications and to Council's requirements, prior to commencement of the use.

MAINTENANCE

- ENG5. Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from the date of on-maintenance. Any defective works must be rectified within the maintenance period.
- ENG6. Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

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

- ENG7. 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.
- ENG8. 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.
- ENG9. Repair any and all damage to Councils road network resulting from the construction of the development. In particular, Glendon Street is unlikely to be able to support the types of vehicles and associated loadings that will be required for construction of the development (e.g. construction equipment, materials delivery etc), and failure of the pavement and surface is expected.

Comment: Council is open to discussing a suitable approach to the ongoing maintenance of roads, to ensure that failures and repairs are rectified in a timely manner, so that Council roads are safe for all road users at all times.

CONSTRUCTION TRAFFIC ROUTES

- ENG10. All construction traffic associated with the development (excluding light vehicles) shall enter and exit the site via Glendon Street, between Avoca Street and the concrete median south of the roundabout at the intersection of Glendon Street and Markwell Street. All construction traffic shall enter and exit Glendon Street from the Avoca Street end. No other transport route to or from the site shall be used without the written consent of Council.

CONSTRUCTION AND NUISANCE MANAGEMENT PLAN

- ENG11. Submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development works for the site. The Plan is to cover where applicable, the following:
- a) air quality management;
 - b) noise and vibration management;
 - c) storm water quality management;
 - d) erosion and sediment management;
 - e) vegetation management;
 - f) waste management;

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- g) complaint management;
 - h) community awareness;
 - i) preparation of site work plans;
 - j) workers' car parking arrangements;
 - k) traffic control during works; and
 - l) delivery of materials.

Timing: Prior to commencement of works.

- ENG12. Implement the approved Construction Management Plan at all times during construction of the development.
- ENG13. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

STORMWATER MANAGEMENT

- ENG14. Provide stormwater management generally in accordance with the Conceptual Site Based Stormwater Management Plan prepared by RMA Engineers, Revision 1, dated 30 August 2023, subject to detailed design and except as altered by conditions of this development approval.
- ENG15. 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.
- ENG16. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG17. 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 the kerb and channel.
- ENG18. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG19. 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.
- ENG20. 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

- ENG21. Connect the development to Council's reticulated water supply system via a single connection, designed to Council and WWBROC requirements.

SEWERAGE

- ENG22. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council and WWBROC standards and be approved by Council's Utility Services Section.
- ENG23. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG24. Any works within the vicinity of an existing or proposed sewer shall meet the requirements of QDC *MP1.4 Building over or near relevant infrastructure*.

TRADE WASTE DISPOSAL (COMMERCIAL KITCHEN)

- ENG25. Connect any commercial kitchen to Council's sewer reticulation. Obtain a Plumbing Approval from Council with the relevant inspections undertaken prior to connection to the sewer.

PARKING AND ACCESS - GENERAL

- ENG26. 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.
- ENG27. Design all on-street parking in accordance with *AS2890.5:2020 Parking facilities On-street parking*, and Austroads Guide to Road Design.
- ENG28. Design and construct all access, parking and manoeuvring areas with concrete, asphalt or a two-coat bitumen seal.
- ENG29. Provide a minimum of 131 Off Street Car Parking spaces (47 temporary), including a minimum of 3 person with disability (PWD) car parking space and 2 continuous set down zones, generally in accordance with Black Ink Architecture Dwg SK-13 Issue 11 dated 27/02/2024, and which reflect requirements in the SARA decision reference 2310-37472 SRA on 12 January 2024.
- ENG30. Design & construct all off street PWD car parking spaces in accordance with AS2890.6.
- ENG31. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
- ENG32. 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.
- ENG33. 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.
- ENG34. Install all necessary signage for traffic flow e.g. No Entry, One-Way, Left Out Only.

PARKING AND ACCESS - SERVICING

- ENG35. Provide loading bay/drop off facilities for Small Rigid Vehicle, Waste Collection Vehicle, mini bus, and ambulance in the locations generally shown on the approved plan(s) of development.
- ENG36. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of all service vehicles, and ensure that all vehicles are able to enter and exit the site in a forward direction.
- ENG37. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS

- ENG38. Accesses to the site between the property boundary and the edge of the Markwell Street/Glendon Street road pavement, shall be constructed in accordance with Council's Standard Drawing IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossovers splay is designed to accommodate turning movements of the longest expected service vehicle.

Timing: Prior to commencement of Stage 2 of the development.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

ENG39. 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).

REDUNDANT CROSSOVERS

ENG40. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to the standard immediately adjacent along the frontage of the site.

ROADWORKS – FRONTAGE WORKS

ENG41. Design and construct the Markwell Street and Glendon Street frontage of the proposed development in accordance with Council Standards, relevant Austroads' Standards, and Council's Planning Scheme. More specifically, include the following:

- a) Widening of Markwell St pavement and Glendon St pavement to accommodate the proposed parallel parking. This includes any reconstruction of Markwell St and Glendon St to achieve the design levels required for an on-grade transition from the parking spaces to the footpath;
- b) Removal of the existing PWD carpark on Markwell St and Glendon St frontage;
- c) Replacement of the kerb and channel or the construction of Stormwater drainage culvert feature along the carpark edge. The Carpark spaces are to be on Grade with the footpath, for the full Glendon Street frontage;
- d) Full width concrete footpath between the kerb and channel, the car park spaces, and property boundary for Markwell Street and Glendon Street frontages;
- e) Provision for stormwater drainage (including adjusting manhole levels), line marking, signage (including parking restrictions) and kerb ramps.

Comment: Roadworks (including footpath works) shall be carried out under an Operational Work application.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

ROADWORKS AND PEDESTRIAN SAFETY

ENG42. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.

ENG43. 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.

ENG44. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY AND TELECOMMUNICATION

ENG45. Connect the development to electricity and telecommunication services.

EARTHWORKS – GENERAL

ENG46. Earthworks per site involving cut or fill with a quantity of material greater than 50m³, requires an Operational Work application.

ENG47. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL – GENERAL

ENG48. 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.

ENG49. 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.

STAGE 3 CONDITIONS

GENERAL

Unless otherwise amended by the following conditions.

GEN2. 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 (refer to the **approved plans** cited under condition GEN1.).

GEN3. All works including the repair or relocation of services (Telstra/lighting) are to be completed at no cost to council.

GEN4. The applicant is required to maintain the site in a clean and orderly state at all times.

COMPLIANCE ASSESSMENT

GEN5. All conditions of this approval are to be satisfied prior to Council issuing a compliance certificate for the commencement of the use and it's and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

Compliance certificate fee will be charged with payment required prior to council approval of the associated documentation requiring compliance assessment.

CONDITION TIMING

GEN6. Unless stated otherwise, all conditions are to be complied with prior to commencement of the use and compliance maintained at all times while the use continues.

BUILDING MANAGEMENT STATEMENT

GEN7. Ensure a Building Management Statement is registered on the title for each proposed lot.

The Building Management Statement must cover common building management items including but not limited to any shared:

- Support, services and utilities;
- Pedestrian and vehicle access;
- Car parking including visitor and disabled spaces;
- Vehicle servicing areas including loading docks;
- Refuse storage and collection areas;
- Storage areas; and
- Recreation areas.

Timing: As part of the registration of the plan of subdivision notated by Council and then to be maintained.

GEN8. The building management statement must be submitted to, and the content accepted by South Burnett Regional Council's 'Development Services'.

GEN9. Lodge the accepted building Management Statement with the Registrar of Titles for the relevant Queensland State Government Authority.

GEN10. Submit to South Burnett Regional Council's 'Development Services' evidence of the registration of the accepted Building Management Statement.

PLANNING

NATURE & EXTENT OF THE APPROVED USE

MCU1. Stage 3 uses are limited to those identified on the approved plans (Ground Level through to Level 6).

MCU2. Roof top is to be limited to garden areas only unless otherwise stated on the approved drawings.

DEMOLITION

MCU3. Demolish buildings/structures on the site in accordance with the approved drawings and where applicable the approved Construction Management Plan.

MCU4. If construction for Stage 3 does not commence within 3 months of the demolition of the existing buildings (on site), the site must be turfed and appropriately treated for erosion and sediment control.

BUILDING HEIGHT

MCU5. The maximum building height (Stage 3) must be in accordance with the following:

- Maximum overall vertical height is to be consistent with finished levels shown (and scaled) on the approved drawing SK-29_Section S01_ (issue 09) _date 5 October 2023; and
- Total number of storeys is 7 with arrangement (of storeys) to be in accordance with that shown in approved drawing SK-29_Section S01_ (issue 09) _date 5 October 2023.

EXTERNAL ARCHITECTURAL DETAILS

MCU6. External details of the building façade treatment, external materials, colours and finishes must be consistent with approved drawings and documents.

LIGHTING

MCU7. Install and maintain a suitable system of security lighting to operate from dusk till dawn within all areas where the public may gain access, including carparking areas, building entrances, and vegetated areas.

MCU8. Design of all external lighting in accordance with AS 4282-1997 '*Control of obtrusive effects of outdoor lighting*', ensuring that light spillage does not cause nuisance to nearby sensitive uses.

MCU9. Provide certification from a suitably qualified professional that all security lighting installed complies with applicable Australian Standards and retains acceptable impacts on adjoining (or nearby) sensitive uses.

FENCING AND ACOUSTIC TREATMENTS

MCU10. All fencing and acoustic treatments to be in accordance with the CRG Acoustics - Environmental Noise Impact Assessment, Reference 23062, Revision 4, Dated 27 November 2023.

Nb. The combined height of the retaining wall, fencing and/or acoustic barrier must not exceed the adopted height as referred to in the Environmental Noise Impact Assessment.

LANDSCAPING

- MCU11. Construct landscaping in accordance with the prepared landscape concept plan, the relevant council standards, best trade practise, and the following conditions.
- If the extent or configuration of landscaped areas has been marginally amended from the plan, then adjust plant numbers to ensure full coverage.
 - Provide a 3-tier landscape structure to all landscape areas IE trees shrubs and ground covers.
 - Maximise opportunities for stormwater infiltration into landscaped areas (where available).
 - Maintain the landscape works generally in accordance with the detailed plans and to industry standards.

SCREEN MECHANICAL PLANT

- MCU12. Install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.

ELECTRICITY/TELECOMMUNICATIONS

- MCU13. The development is to be supplied with reticulated electricity and telecommunications services.

VISUAL AMENITY & REFLECTIVITY

- MCU14. Façade treatments must not cause nuisance from glare and/or inappropriate reflectivity.

~~MCU15. Provide written confirmation from an appropriately qualified professional that façade treatments do not generate unreasonable glare, or reflectivity.~~

NOISE

- MCU16. Carry out the development in accordance with the CRG Acoustics report reference_23062_REV4 recommendations as they relate to works associated with Stage 3 of this approval.
- MCU17. A suitably qualified Acoustic Consultant shall provide written confirmation that all CRG Acoustics report reference_23062_REV4 recommendations (relevant to **Stage 3**) are in place.
- Timing:** Prior to issue of certificate of classification/Final Inspection Certificate, or prior to commencement of use (whichever comes first).
- MCU18. Operation of trucks and commercial vehicles (excluding waste collection vehicles and emergency vehicles) must only occur between 7am & 7pm Monday to Saturday.
- MCU19. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically damped to prevent environmental nuisance.
- MCU20. Following the installation of all mechanical plant and equipment (e.g. air conditioning, mechanical ventilation, and refrigeration equipment and heat pump hot water systems), submit to South Burnett Regional Council's 'Development Services' certification that

the plant and equipment is adequately noise-attenuated and in accordance with applicable Planning Scheme Codes/policies (and other applicable laws).

CAR PARKING

MCU21. Car parking within the premises must be maintained exclusively for the ancillary use of the development. The parking must be retained for purposes associated with the approved development.

ENGINEERING WORKS

- ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, water supply, sewer, roadworks, access and parking, erosion and sediment control.
- 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. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
- ENG4. Submit to Council, certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the Approved Plans and specifications and to Council's requirements, prior to commencement of the use.

MAINTENANCE

- ENG5. Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from the date of on-maintenance. Any defective works must be rectified within the maintenance period.
- ENG6. Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

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

- ENG7. 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.
- ENG8. 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.
- ENG9. Repair any and all damage to Councils road network resulting from the construction of the development. In particular, Glendon Street is unlikely to be able to support the types of vehicles and associated loadings that will be required for construction of the development (e.g. construction equipment, materials delivery etc), and failure of the pavement and surface is expected.

Comment: Council is open to discussing a suitable approach to the ongoing maintenance of roads, to ensure that failures and repairs are rectified in a timely manner, so that Council roads are safe for all road users at all times.

CONSTRUCTION TRAFFIC ROUTES

ENG10. All construction traffic associated with the development (excluding light vehicles) shall enter and exit the site via Glendon Street, between Avoca Street and the concrete median south of the roundabout at the intersection of Glendon Street and Markwell Street. All construction traffic shall enter and exit Glendon Street from the Avoca Street end. No other transport route to or from the site shall be used without the written consent of Council.

CONSTRUCTION AND NUISANCE MANAGEMENT PLAN

ENG11. Submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development works for the site. The Plan is to cover where applicable, the following:

- a) air quality management;
- b) noise and vibration management;
- c) storm water quality management;
- d) erosion and sediment management;
- e) vegetation management;
- f) waste management;
- g) complaint management;
- h) community awareness;
- i) preparation of site work plans;
- j) workers' car parking arrangements;
- k) traffic control during works; and
- l) delivery of materials.

Timing: Prior to commencement of works.

ENG12. Implement the approved Construction Management Plan at all times during construction of the development.

ENG13. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

STORMWATER MANAGEMENT

ENG14. Provide stormwater management generally in accordance with the Conceptual Site Based Stormwater Management Plan prepared by RMA Engineers, Revision 1, dated 30 August 2023, subject to detailed design and except as altered by conditions of this development approval.

ENG15. 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.

ENG16. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.

ENG17. 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 the kerb and channel.

ENG18. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.

ENG19. 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.

- ENG20. 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

- ENG21. Connect the development to Council's reticulated water supply system via a single connection, designed to Council and WWBROC requirements.

SEWERAGE

- ENG22. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council and WBBROC standards and be approved by Council's Utility Services Section.
- ENG23. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG24. Any works within the vicinity of an existing or proposed sewer shall meet the requirements of QDC *MP1.4 Building over or near relevant infrastructure*.

TRADE WASTE DISPOSAL (COMMERCIAL KITCHEN)

- ENG25. Connect any commercial kitchen to Council's sewer reticulation. Obtain a Plumbing Approval from Council with the relevant inspections undertaken prior to connection to the sewer.

PARKING AND ACCESS - GENERAL

- ENG26. 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.
- ENG27. Design all on-street parking in accordance with AS2890.5:2020 Parking facilities On-street parking, and Austroads Guide to Road Design.
- ENG28. Design and construct all access, parking and manoeuvring areas with concrete, asphalt or a two-coat bitumen seal.
- ENG29. Provide a minimum of 167 Off Street Car Parking spaces, including a minimum of 6 person with disability (PWD) car parking space and 2 continuous set down zones generally in accordance with Black Ink Architecture Dwg SK-20 Issue 11 dated 27/02/2024, and which reflect requirements in the SARA decision reference 2310-37472 SRA on 12 January 2024.
- ENG30. Design & construct all off street PWD car parking spaces in accordance with AS2890.6.
- ENG31. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
- ENG32. 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.
- ENG33. 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.
- ENG34. Install all necessary signage for traffic flow e.g. No Entry, One-Way, Left Out Only.

PARKING AND ACCESS - SERVICING

- ENG35. Provide loading bay/drop off facilities for Small Rigid Vehicle, Waste Collection Vehicle, mini bus, and ambulance in the locations generally shown on the approved plan(s) of development.
- ENG36. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of all service vehicles, and ensure that all vehicles are able to enter and exit the site in a forward direction.
- ENG37. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS

- ENG38. Accesses to the site between the property boundary and the edge of the Markwell Street/Glendon Street road pavement, shall be constructed in accordance with Council's Standard Drawing IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossovers splay is designed to accommodate turning movements of the longest expected service vehicle.

Timing: Prior to commencement of Stage 3 of the development.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

- ENG39. 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).

REDUNDANT CROSSOVERS

- ENG40. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to the standard immediately adjacent along the frontage of the site.

ROADWORKS AND PEDESTRIAN SAFETY

- ENG41. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- ENG42. 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.
- ENG43. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY AND TELECOMMUNICATION

- ENG44. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

- ENG45. Earthworks per site involving cut or fill with a quantity of material greater than 50m³, requires an Operational Work application.
- ENG46. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL - GENERAL

-
- ENG47. 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.
- ENG48. 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.

ADVICE APPLICABLE TO ALL STAGES

- ADV1. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.
- ADV2. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2025. 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.
- ADV3. 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.
- ADV4. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.
- ADV5. Attached for your information is a copy of Chapter 6 of the Planning Act 2016 as regards Appeal Rights.
- ADV6. SARA has imposed conditions on the development permit as attached as Attachment D.
- ADV7. Landscape planting to be carried out in accordance with South Burnett Regional Council Planting Guidelines/Branching Out Guide.
- ADV8. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the Environmental Protection (Air) Policy 2019 as measured at any sensitive place or commercial place must not be released to the atmosphere during building work and throughout the life of this development.
- ADV9. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the Environment Protection (Noise) Policy 2019 when measured at any sensitive receptor.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 5/0

Attendance:

At 10:28 am, Cr Kirstie Schumacher returned to the meeting.

At 10:28am, Chief Executive Officer Mark Pitt returned to the meeting.

17.3 RECONFIGURING A LOT - SUBDIVISION (2 LOTS INTO 15 LOTS), NEW ROAD AND DRAINAGE EASEMENTS AT 189 & 193 CRUMPTON DRIVE BLACKBUTT NORTH (AND DESCRIBED AS LOTS 109 & 110 ON RP174023). APPLICANT: GLW CONSTRUCTIONS PTY LTD C/- LAND PARTNERS PTY LTD

RESOLUTION 2024/299

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That Council approve the application for Reconfiguring a Lot – Subdivision (2 lots into 15 lots, new road and drainage easement) at 189 & 193 Crumpton Drive, Blackbutt North (and described as Lots 109 & 110 on RP174023) 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.	Prepared By	Drawing Title	Rev	Date
BRJD8286-000-4-11	LandPartners Surveyors and Planners	Proposed Reconfiguration	11	21/11/23
C0399-DA-BE-101	Urban Engineering Solutions	Bulk earthworks Layout Plan	B	16/11/23
C0399-DA-RW-101	Urban Engineering Solutions	Roadworks Layout Plan – Sheet 1	B	16/11/23
C0399-DA-RW-102	Urban Engineering Solutions	Roadworks – Layout Plan – Sheet 2	B	16/11/23
C0399-DA-RW-301	Urban Engineering Solutions	Roadworks Longitudinal Sections – Sheet 1	B	16/11/23
C0399-DA-RW-401	Urban Engineering Solutions	Roadworks Cross Sections – Sheet 1	B	16/11/23
C0399-DA-SD-101	Urban Engineering Solutions	Stormwater Layout Plan – Sheet 1	B	16/11/23
C0399-DA-SE-101	Urban Engineering Solutions	Sewerage Layout Plan	B	16/11/23

DOCUMENTS REFERRED TO IN THIS APPROVAL

Document Title	Prepared By	Ref No.	Rev	Date
Bushfire Management Report	Wollemi Eco-Logical Pty Ltd	23153	3	04/12/23
Flood Assessment Report	Storm Water Consulting Pty Ltd	J9915	1.4	27/11/23

DEVELOPMENT PERIOD – RAL

GEN2. The currency period for this development approval for reconfiguring a lot is four (4) 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.

COMPLIANCE/ENDORSEMENT

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

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

OUTSTANDING FEES

GEN4. Prior to sealing 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.

SURVEY MARKS

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.

VALUATION FEES

GEN6. 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 \$52.00 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.

Timing – As indicated.

ENVIRONMENT (BUSHFIRE MANAGEMENT)

GEN7. The development must be carried out in accordance with the Approved Range Environmental Bushfire Management Report as referenced at GEN1 of this conditions package and noting the following:

- Subdivision layout to be in accordance with 'Figure 2' of the Bushfire Management Report;
- Subdivision works to be carried out in accordance with recommendations in Section 4.0 of the Bushfire Management Report (where relevant to Reconfiguring a Lot);
- All lots are to retain or install access and egress in accordance with outcomes specified in Section 3.4 of the Bushfire Management Report;
- All lots are to be provided with dedicated fire fighting water storage with a volume of water not less than 25,000 litres for each building, as specified in Section 3.5 of the Bushfire Management Report;
- All future purchasers of the subject lots to be notified of bushfire management requirements at time of sale and/or other method of disposal.

Provide certification to Council from an accredited bushfire professional which certifies that subdivisional works have been constructed in accordance with the bushfire management conditions of this Development Approval.

Timing – Prior to sealing of the survey plan.

VALIDITY OF BUSHFIRE MANAGEMENT REPORT

BMR1. Prior to sealing of the survey plan provide written evidence from an accredited bushfire professional that the approved bushfire management report (BMR) and its recommendations are current and in accordance with the BMR disclaimer.

Timing - As indicated.

ENGINEERING WORKS

- ENG1. Submit to Council, an Operational Work application for all works that will become Council infrastructure and for earthworks, stormwater, and accesses.
- ENG2. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.
- 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.
- ENG4. Submit to Council, Certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the Approved Plans and specifications and to Council's requirements.

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 approved Flood Assessment Report prepared by Storm Water Consulting Pty Ltd dated 27 November 2023.
- ENG8. Design and construct stormwater drainage to ensure that the development will achieve "no nuisance" as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like for design storms of ARI2, ARI5, ARI10, ARI20, ARI50 and ARI100.
- ENG9. 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.
- ENG10. 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).
- ENG11. 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

ENG12. Future Dwellings shall provide a minimum a 45kl water tank for consumption purposes and an additional 22.5kl water storage located no more than 10m from the main dwelling is available for fire fighting purposes.

ON-SITE WATEWATER DISPOSAL

ENG13. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with *AS1547:2012 On-site domestic wastewater management*, 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

ENG14. Design and construct an access for each lot in accordance with Council's Standard Drawing 00049.

ROADWORKS - NEW ROAD

ENG15. Design and construct the new road identified on proposed plans of development as an Access Street in accordance with Council's Planning Scheme, and Austroads' Guide to Road Design.

TELECOMMUNICATION

ENG16. Provide underground telecommunications to all lots within the development.

ELECTRICITY

ENG17. Design and provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.

ENG18. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

ENG19. Submit electrical plans for Council's review prior to Council's endorsement of the Survey Plan. Be responsible to check and ensure that electrical drawings do not conflict with the civil engineering design.

SERVICES - EXISTING CONNECTIONS

ENG20. Ensure that all services provided to the existing house on proposed Lot 14 are wholly located within the lot(s) it serves.

STREET LIGHTING

ENG21. Design and install street lighting in accordance with AS/NZS1158 to a PR6 L33 standard. Submit to Council, street light design plans showing the proposed public lighting system for Council's endorsement.

ENG22. Enter into an agreement with an electricity supplier to provide a public lighting system in accordance with the lighting design plans as required by the previous condition. Submit to Council, written confirmation from an electricity provider that an agreement has been made to provide a public lighting system.

EARTHWORKS - GENERAL

ENG23. Earthworks per site involving cut or fill greater than 1 metre in height and quantity of material greater than 50m³, or earthworks involving cut or fill less than 1 metre in height and quantity of material greater than 100m³ requires an Operational Work application.

ENG24. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

ENG25. Supervise bulk earthworks to Level 1 and have a frequency of field density testing in accordance with Table 8.1 of AS3798.

ENG26. Ensure that each lot is self-draining.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG27. 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.

ENG28. 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.

EASEMENTS

ENG29. Lodge for registration at the Titles Queensland, the following easement(s):

- a. A stormwater drainage easement as shown on the approved plan(s) of development or as determined in any approval for Operational Work, whichever is the greater, to the benefit of Council, that includes all stormwater overland flow paths traversing the land;

ENG30. The restrictions imposed (non-permanent fixtures) on the property within the drainage easement, will include:

- a. a building (habitable or not), regardless of size;
- b. a bridge or culvert;
- c. a tower, mast, pillar, or post;
- d. a wall or a fence (other than a dividing fence);
- e. a shipping container or similar object;
- f. a sculpture or statue;
- g. a viaduct, railway line, roadway or path;
- h. a swimming pool or a tank; or
- i. anything else that may be reasonably characterised as a structure when placed upon land (whether by affixation or by resting upon its own weight).

ADVICE HERITAGE

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

FILLING & EXCAVATION

ADV2. 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

ADV3. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

INFRASTRUCTURE CHARGES

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

DEVELOPER INCENTIVE

ADV5. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2025. 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.

VEGETATION CLEARANCE

ADV6. It is incumbent upon the developer and future owners of all lots to ensure that the clearance of on-site vegetation can be undertaken in accordance with the provisions of the *Vegetation Management Act 1999*, the *Vegetation Management Regulation 2012*, the *Planning Act 2016* and the *Planning Regulation 2017*. These regulations permit the clearance of high value regrowth vegetation of State significance in some instances as 'exempt clearing work'.

For further information on the vegetation management framework:

Phone 135VEG (135 834)

Email vegetation@resources.qld.gov.au

Visit <https://www.resources.qld.gov.au/?contact=vegetation> to submit an online enquiry.

FUTURE DWELLING HOUSES AND BUSHFIRE MANAGEMENT

ADV7. All future buildings should be designed and constructed to meet the prevailing standards to ensure suitable Bushfire Attack Levels (BALs). In accordance with the Bushfire Management Report (as referenced at GEN1 of this conditions package), APZs are noted on the approved plans for future dwellings on 7, 8 and 9. However, bushfire risk to built assets can be effectively managed/addressed at design and construction phase of the project through the following:

- National Construction Code; and
- Australian Standard Construction of Buildings in Bushfire Prone Areas (AS3050-2018); and
- Ongoing vegetation management.

ADV8. This bushfire management report will be noted on Council's rates search system and will hence be discoverable information.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

ADJOURN MORNING TEA

RESOLUTION 2024/300

Moved: Cr Gavin Jones
 Seconded: Cr Scott Henschen

That the meeting adjourn for morning tea.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

Citizenship Ceremony

During the adjournment, a citizenship ceremony was held for:

- Mr Pesilai Kilioni
- Mr Daniel Aaron Lucas
- Shristi Ranabhat
- Mr Stephen Brent Robertson
- Mrs Jenna Rae Salmon
- Ms Aaliyah Rae Salmon

RESUME MEETING

RESOLUTION 2024/301

Moved: Cr Gavin Jones
 Seconded: Cr Scott Henschen

That the meeting resume at 11:35am.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

Attendance:

At the resumption of the meeting, Manager Finance and Sustainability Kerri Anderson was not present.

17.4 SELECTIVE INSPECTION PROGRAM - BUILDING AND PLUMBING WORKS IN THE HIVESVILLE TOWNSHIP

RESOLUTION 2024/302

Moved: Cr Kathy Duff
 Seconded: Cr Danita Potter

That Council;

1. Organise a meeting with service providers to address the areas of safety and health particularly in the Hivesville village;
2. Meet with the Hivesville community as early as appropriate;
3. Implement a 6 month amnesty across the Region for residential building and plumbing works;
4. Investigate a one off kerbside pickup service for residents in Hivesville;

5. Conduct an audit of overgrown allotments.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

MOTION

MOTION

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That item 17.4 lay on the table.

In Favour: Crs Danita Potter and Kathy Duff

Against: Crs Gavin Jones, Jane Erkens, Kirstie Schumacher and Scott Henschen

LOST 2/4

18 QUESTIONS ON NOTICE

18.1 QUESTION ON NOTICE - PIGGERY ROAD UPGRADES

RESOLUTION 2024/303

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That the response to the question regarding the status of the roadworks raised by Councillor Duff be received and noted.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

Attendance:

At 12:35pm, Senior Planning Officer Sam Dunstan left the meeting.

At 12:35pm, Planning Office Zack Soper left the meeting.

18.2 QUESTION ON NOTICE - INFRASTRUCTURE

RESOLUTION 2024/304

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That the response to the questions on notice from Cr Schumacher be received and noted.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

18.3 QUESTION ON NOTICE - FACILITIES AND PARKS

RESOLUTION 2024/305

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

That the response to the questions on notice from Cr Erkens be received and noted.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

19 INFORMATION SECTION

Nil

20 CONFIDENTIAL SECTION

Nil

21 CLOSURE OF MEETING

The Meeting closed at 12:57pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on

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CHAIRPERSON