Town Planning Report

Material Change of Use - Showroom and Outdoor Sales (motor vehicle dealership)

81-87 River Road, Kingaroy QLD 4610
Lot 25 on SP153807

1.0 EXECUTIVE SUMMARY

This Town Planning Report (PR) supports a development application to South Burnett Regional Council (Council) for a material change of use at 81-87 River Road, Kingaroy QLD 4610, described as Lot 25 on SP153807 (the Site), being the extension and reconfiguration of the established [redacted] (the Proposal).

The Proposal extends the existing showroom building by 132sqm so that a Mazda franchise is accommodated alongside the established Kia, Subaru and Isuzu franchises, adds a covered outdoor display area, forms new used vehicle display areas, introduces a second vehicular access from Stehbens Street, and increases formal car parking from nine spaces to 52. Storage sheds 1 and 6, totalling 720sqm, are demolished. Building area across the Site falls from 3,599sqm to 3,011sqm, and site coverage from 21% to 17.5%. The Proposal is contained wholly within the Site and does not extend the developed area beyond the footprint already in operation.

The defined uses are showroom and outdoor sales under Schedule 1 of the South Burnett Regional Council Planning Scheme Version 2.0, the dealership comprising branded showrooms addressing River Road together with used vehicle display and storage areas across the balance of the holding. Because neither showroom nor outdoor sales is listed in Table 5.5.8 for the Medium impact industry zone, Section 5.3.2(1) categorises the material change of use as impact assessment, the assessment benchmark is the planning scheme as a whole, and public notification is required. Referral to the chief executive is enlivened under Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the *Planning Regulation 2017*.

The Proposal satisfies every applicable performance outcome. Where an acceptable outcome is not engaged by its own terms, or is not adopted, compliance is demonstrated against the corresponding performance outcome, as Section 5.3.3(4)(c)(ii) of the planning scheme permits. Those outcomes are AO3.2 and AO5.5 of the Medium impact industry zone code and the non-industrial use outcomes at AO11.1 to AO12.3, each addressed at Appendix A.

Table 1: Compliance assessment overview	
Proposed development	Material change of use for showroom and outdoor sales, comprising a 132sqm showroom extension to accommodate a Mazda franchise, a covered outdoor display area, expanded outdoor vehicle display areas, a new Stehbens Street access, an increase in formal car parking from nine spaces to 52, and demolition of two storage sheds totalling 720sqm.
Pathway and approval	Impact-assessable material change of use. A development permit for a material change of use is required.
Site address	81-87 River Road, Kingaroy QLD 4610.
Lot on plan	Lot 25 on SP153807.
Site area	1.717ha (17,170sqm). Unchanged by the Proposal.
Local government area	South Burnett Regional Council.
Registered owner	[redacted]

Existing approval	MCUC2017/0002, Material Change of Use - Code (Car Dealership) Sales or Hire Premises - Incorporating Storage Sheds, decided 19 April 2017, decision notice issued 26 April 2017.
Planning position	The Proposal satisfies each applicable performance outcome and is consistent with the purpose and overall outcomes of the Medium impact industry zone code, with the strategic framework of the planning scheme and with the regional plan. It warrants approval subject to reasonable and relevant conditions.

Table 2: Planning summary	
Development type	Material change of use, being the start of the use on part of the premises under Section 44(1)(a) and a material increase in the intensity or scale of the use under Section 44(1)(c) of the Planning Act 2016.
Defined use	Showroom and outdoor sales, Schedule 1, Table SC1.1. The listed examples include a motor vehicles sales showroom and a motor vehicles sales yard respectively. Neither is listed in Table 5.5.8.
Assessment category	Impact assessment.
Categorising provisions	Planning scheme Section 5.3.2(1) and Table 5.5.8, any other use not listed in the table. Neither Schedule 6 nor Schedule 10 of the *Planning Regulation 2017* prescribes a different category.
Zone and precinct	Medium impact industry zone (Section 6.2.8), whole of Site, not within a precinct.
Overlays engaged	Airport environs overlay Regional infrastructure overlay Agricultural land overlay
Assessment benchmarks	The planning scheme as a whole, being the strategic framework at Part 3, the Medium impact industry zone code (Sections 1, 2 and 4), the Services and works code (Sections 1 to 5) and Table 8.4.5.
State referral	Enlivened. Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the *Planning Regulation 2017*, material change of use of premises near a State transport corridor. Assessment against the *State Development Assessment Provisions*.
Other referral	None.
Public notification	Required. Minimum 15 business days under Section 53(4)(b)(iii) of the *Planning Act 2016*.
Assessment manager	South Burnett Regional Council, Schedule 8 of the *Planning Regulation 2017*.

1.1 Basis of Assessment

Section 45(5) of the *Planning Act 2016* provides that impact assessment must be carried out against the assessment benchmarks in the categorising instrument and having regard to any matters prescribed by regulation, and may be carried out against, or having regard to, any other relevant

matter. The assessment benchmark is accordingly the *South Burnett Regional Council Planning Scheme* Version 2.0 as a whole, so the strategic framework at Part 3 is a benchmark for this application and is addressed at Section 4.5.

Section 2.1 of the planning scheme records that the *State Planning Policy* is integrated in the planning scheme, so it is not an additional benchmark under Section 26(2)(a)(ii) of the *Planning Regulation 2017*. The *Wide Bay Burnett Regional Plan 2023* applies under Section 26(2)(a)(i) to the extent not integrated; its only assessment benchmark is the Dark Sky Area Code at Schedule C, which applies along the region's coastline and does not extend to Kingaroy. The Local Government Infrastructure Plan is not an assessment benchmark and informs infrastructure charging only.

2.0 SITE ANALYSIS AND LOCALITY CONTEXT

2.1 Site Description

The Site is Lot 25 on SP153807, a freehold through-block industrial allotment of 1.717ha (17,170sqm) bounded by River Road to the north, Stehbens Street to the south, Lot 2 on SP254461 to the east, and Lot 9 on RP907811 and Lots 23 and 24 on SP153807 to the west. It has 108.975m of frontage to River Road, 159.550m along the eastern boundary and 109.30m to Stehbens Street. The land is level, cleared and fully developed with buildings, sealed hardstand and vehicle display, circulation and parking areas. No watercourse, drainage line or overland flow path traverses it.

- The Site is held under Title Reference 50429819 by [redacted] as [redacted], registered 12 September 2003.
- The title records rights and interests reserved to the Crown by Deed of Grant 10677154 (POR 116), and Easement 701958990 over Easement A on RP907811 (472sqm), which benefits the Site and lies outside it. No easement burdens the Site and none is proposed.
- [redacted] as tenants in common in equal shares.



Figure 1: *Aerial view. The Site outlined in red (South Burnett Regional Council mapping).*

Two uses operate on the Site. The dealership occupies the northern and eastern portions, with a principal building containing the Kia, Subaru and Isuzu showrooms, a customer lounge, sales offices, a service and parts counter, spare parts storage and delivery, amenities and a staff room, together with an attached workshop and pre-delivery building with an articulated vehicle loading and parking bay. A self-storage facility occupies the central and southern portions, comprising eight storage sheds arranged in four rows served by bitumen driveways, and operating under an earlier approval preserved by condition MCU2 of MCUC2017/0002. A maintenance shed and a covered vehicle storage area protected by hail netting adjoin the eastern driveway.

Finished floor level across the principal building is 423.70m AHD and showroom ceiling height is 3m. Three concrete crossovers serve the Site from River Road, comprising a display vehicle access, a customer access and an articulated and heavy rigid vehicle exit, established by conditions ENG1 to

ENG3 of MCUC2017/0002. Reticulated water, sewerage, electricity and telecommunications are connected, with Council's water main and sewer main in the River Road reserve. An underground stormwater detention tank installed under conditions ENG13 and ENG14 of MCUC2017/0002 lies north of the workshop. Landscaping is established along the River Road frontage and the full 159.550m of the eastern boundary.



Figure 2: Cadastral context showing Lot 25 on SP153807 and the adjoining allotments (Queensland Government SmartMap 9244-14132).

2.2 Surrounding Land Uses

The Site sits within the established industrial precinct at the northern approach to Kingaroy, bounded by the Bunya Highway to the west and River Road to the north. Surrounding land is used for industrial, service industry and highway commercial activities on large freehold allotments, characterised by large-format buildings, wide frontages, extensive sealed hardstand and open display and storage areas, with vehicle access taken directly from the local street network. Outdoor display and sale of vehicles, plant and equipment already occurs on adjoining and nearby holdings.

Across River Road to the north are Lots 2 and 3 on SP268009 in the Medium impact industry zone, accommodating the grain handling and silo storage complex operated by the Peanut Company of Australia. Across Stehbens Street to the south is Lot 26 on SP153807 (9.686ha). To the east is Lot 2 on SP254461 (6,862sqm) and beyond it Community facilities zoned land and the Kingaroy Creek corridor. To the west are Lot 9 on RP907811 (6,973sqm) and Lots 23 (4,137sqm) and 24 (3,001sqm) on SP153807. Lower density residential development begins approximately 200m to the east, beyond the Community facilities zoned land and the drainage corridor. The Kingaroy principal centre lies approximately 1.2km to the south-east.

2.3 Existing Approvals and Planning History

The Site is subject to development permit MCUC2017/0002 for a Material Change of Use - Code (Car Dealership) Sales or Hire Premises - Incorporating Storage Sheds, decided by Council at its General Meeting on 19 April 2017, with the decision notice issued on 26 April 2017. That approval was code assessable under the superseded Kingaroy Shire IPA Planning Scheme and the repealed *Sustainable Planning Act 2009*, was referred to the State under Schedule 7, Table 3, Item 1 of the *Sustainable*

Planning Regulation 2009 for a State-controlled road, and was conditioned across two stages, being the dealership building at Stage 1 and the workshop at Stage 2.

Condition MCU2 of that approval requires the development to maintain access, parking and servicing to the existing storage facility on part of the Site, and to ensure that facility continues to operate in accordance with the conditions of its earlier approval. The Adopted Infrastructure Charges Notice issued with MCUC2017/0002 on 10 April 2017 records the storage sheds at 2,267sqm in the industry charge class and applies a credit of $61,209 against them, while the dealership building is charged at 466.7sqm in the commercial bulk goods class. The two uses are accordingly distinct, and the Proposal preserves that position.

A boundary realignment transferring a 1,063sqm parcel of sealed overflow car parking in the south-western corner of the Site to the adjoining Lot 23 on SP153807 is annotated on Drawing SD03 and is the subject of a separate reconfiguring a lot application producing proposed Lot 26 on SP367384 of 5,200sqm and proposed Lot 27 on SP367384 of 1.611ha. It does not form part of this application, no part of the Proposal is located within the parcel, and the parcel carries no building. This application is made over Lot 25 on SP153807 in its present configuration of 17,170sqm, and every area based control is calculated on that figure. If the realignment registers first, site coverage rises from 17.5% to 18.7% and the 3% landscaping minimum at AO5.1 falls from 515sqm to 483sqm, so each control operates in the Proposal's favour or is immaterial.

3.0 DEVELOPMENT PROPOSAL

3.1 Overview and Intent

The Proposal seeks a development permit for a material change of use for showroom and outdoor sales, being the extension and reconfiguration of the established dealership. The development will result in:

- a 132sqm Mazda showroom at the western end of the existing showroom building, with a covered outdoor display area beyond it; and
- the removal of storage sheds 1 and 6 from the northern shed row, and the conversion of that land and the adjoining hardstand to used vehicle display, vehicle storage and staff car parking.

The purpose is to accommodate a Mazda franchise within the existing dealership alongside the established Kia, Subaru and Isuzu franchises, and to convert under-utilised storage area adjoining the customer forecourt to display and parking. Hours of operation, the traffic generating character of the use and the interface with surrounding land are unchanged. Six of the eight storage sheds are retained and the storage facility continues to operate.

3.2 Summary of Development Aspects

Table 3: Summary of development aspects.

Development type	Material change of use for showroom and outdoor sales, being the start of the use on the land vacated by storage sheds 1 and 6 and a material increase in the intensity or scale of the established use.
Showroom extension	New 132sqm Mazda showroom, 12.45m by 10.7m, at the western end of the existing showroom building, comprising a new car delivery bay, display floor, a 4.5m by 2.8m office, a Mazda entry portal with automatic sliding doors addressing River Road, and a vehicle sliding door to the west. Finished floor level 423.70m AHD, matching the existing building. Finished ceiling level 4m above floor level.
Covered outdoor display	New covered outdoor display area of 6.5m depth extending south from the showroom extension on existing concrete, beneath a new roof structure continuous with the extension. Open sided and not enclosed.
Demolition	Storage sheds 1 and 6 in the northern shed row, totalling 720sqm, with their concrete hardstand; the concrete hardstand west of the showroom forming the extension footprint; and a band of bitumen driveway immediately south of the showroom. Storage sheds 2, 3, 4, 5, 7 and 8, the maintenance shed, the workshop and pre-delivery building and the covered hail netted vehicle storage area are retained with no work.
Vehicle display and storage	New used vehicle display area to the River Road frontage and across the land vacated by sheds 1 and 6, modification of the hardstand surrounding the new showroom, and upgrading of the existing outdoor vehicle storage areas to the east and south.
Access	The three existing River Road crossovers are retained, including the articulated and heavy rigid vehicle exit. A new access from Stehbens Street serves the storage sheds, staff parking and used vehicle display area. The storage shed vehicle entry is relocated and served by a new concrete driveway and a relocated security gate.

Car parking	Visitor parking increases from nine spaces to 16, including two spaces for persons with a disability. A new 36 space staff car park is formed on existing bitumen hardstand, giving 52 formal spaces. Bays are dimensioned 2500mm by 5400mm, with 2700mm to accessible and end bays, and a 9750mm aisle. The existing articulated vehicle loading and parking bay is retained.
Surfacing	New driveways and parking areas constructed, drained and surfaced with concrete or bitumen in accordance with condition ENG10 of MCUC2017/0002.
Showroom reconfiguration	A new Subaru showroom is created within the existing floor area between the Isuzu and Kia showrooms, with a new media wall, sales team area and store, retaining the existing floor tiles. A new window is introduced to the eastern elevation.
Fencing and gates	Realignment of fencing to suit the revised configuration, modification of existing fencing to create the staff parking area, and relocation and reinstatement of existing security gates.
Signage	New Mazda pylon sign and corporate signage panel, rebranding of an existing pylon sign to Subaru, and new signage to the Stehbens Street frontage. Existing Kia and Isuzu signage is retained. All signage is business identification signage relating to the use conducted on the Site and is not a third party sign under Schedule 1, so it is not assessable operational work under Table 5.8.1.
Landscaping	Established landscaping to the River Road frontage and the eastern boundary is retained in full, with a 2m deep landscaped strip provided to the Stehbens Street frontage in accordance with condition MCU4. No landscaping is removed and no clearing is proposed.
Servicing	Existing reticulated water, sewerage, electricity and telecommunications connections retained. No network augmentation is required.

3.3 Building Area and Site Coverage

Table 4: Building area and site coverage.

Element	Existing	Proposed
Showroom	467sqm	467sqm
Workshop and pre-delivery building	765sqm	765sqm
Maintenance shed	100sqm	100sqm
New Mazda showroom	nil	132sqm
Dealership buildings	**1,332sqm**	**1,464sqm**
Storage sheds (per the 2017 charges notice)	2,267sqm	1,547sqm
Total building area	**3,599sqm**	**3,011sqm**
Site coverage, of 17,170sqm	**21%**	**17.5%**

The Proposal removes 720sqm of building and adds 132sqm, a net reduction of 588sqm. Site coverage falls from 21% to 17.5%.

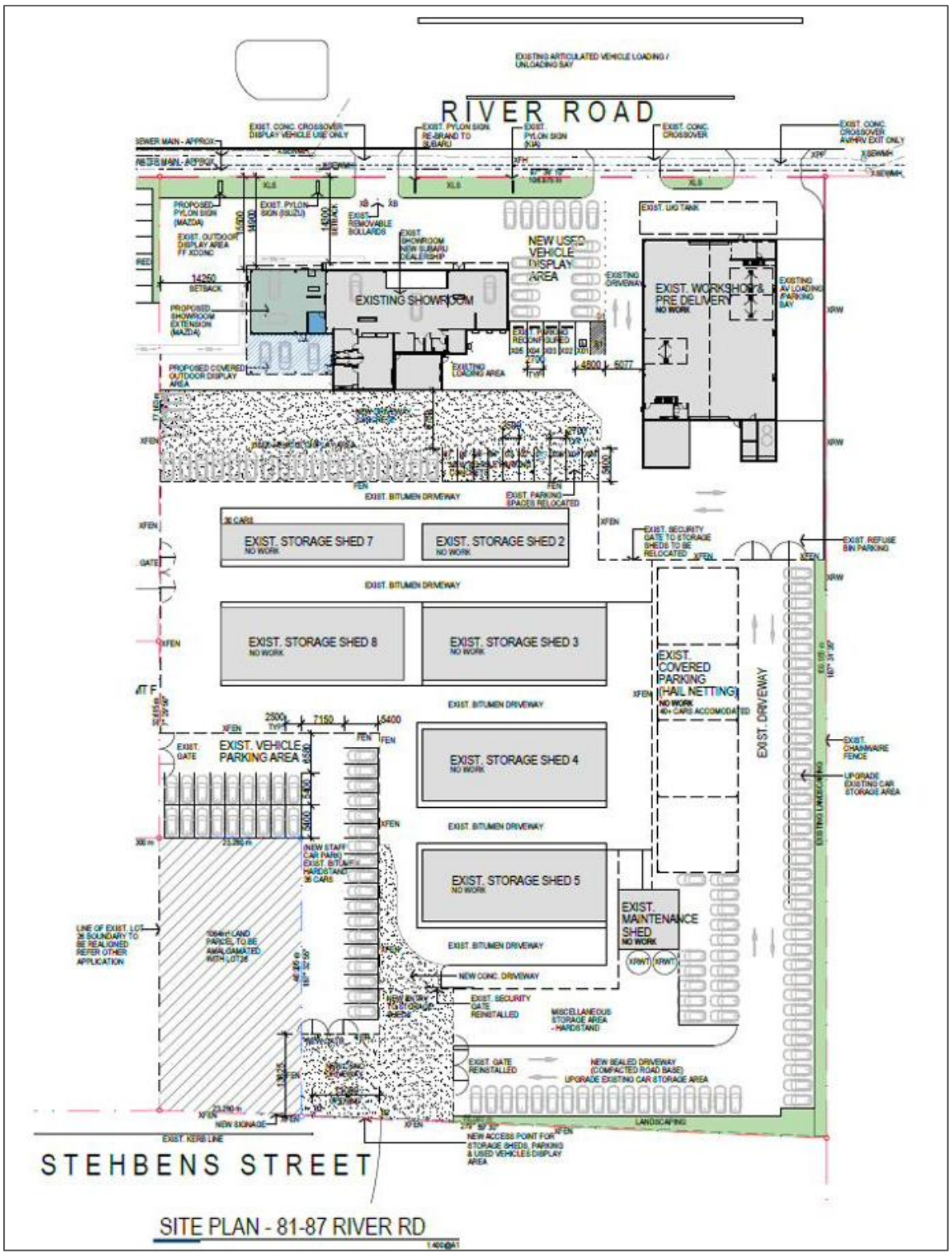


Figure 3: Proposed site plan [redacted] *Drawing 2150 SD03, August 2026).*

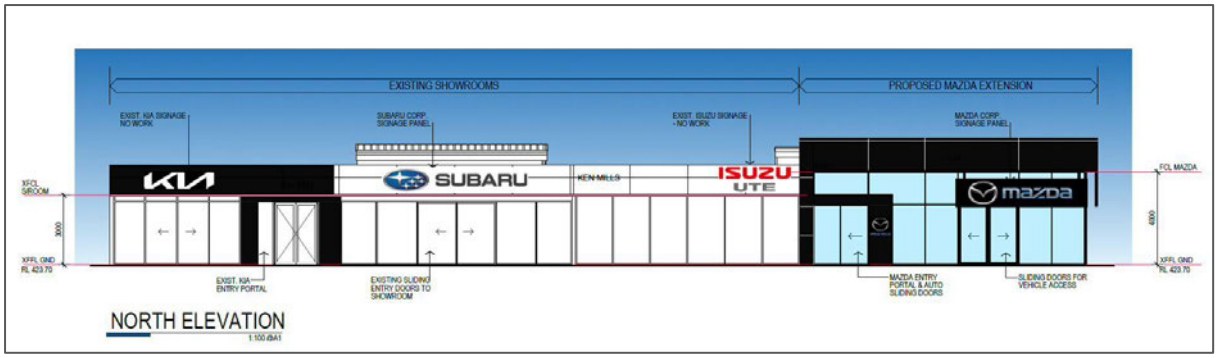


Figure 4: North elevation, the proposed Mazda extension to the right of the existing showrooms [redacted] Drawing 2150 SD05, August 2026).

3.4 Built Form, Access and Servicing

The extension is set back 14.3m from River Road and 14.26m from the western boundary, contained within the existing developed area. Its finished ceiling level is 4m above the finished floor level of 423.70m AHD, stepping up from the 3m ceiling height of the adjoining showroom and providing variation in parapet and roof height across the frontage. External materials comprise Mondoclad silver metallic cladding, a full height glazed shopfront to the northern and western elevations and a Mazda corporate signage panel, matching the established treatment of the Kia, Subaru and Isuzu showrooms. Access is taken from the three existing River Road crossovers, retained in their approved locations, and from the new Stehbens Street access. All movements occur in a forward gear, with the articulated vehicle entry and exit separated in the anti-clockwise circulation pattern established under MCUC2017/0002. Separating storage shed and used vehicle movements onto Stehbens Street removes the conflict between articulated vehicle circulation and storage shed traffic that Council itself identified at advice ADV10 of that approval and which the 2017 plans left unresolved.

Stormwater is managed by the existing on-site system approved under conditions ENG13 to ENG16 of MCUC2017/0002, including the underground detention tank, extended to serve the new roof and modified hardstand and discharging to the existing lawful point of discharge in accordance with the *Queensland Urban Drainage Manual*. The Proposal removes 720sqm of roof and adds 132sqm and otherwise replaces existing sealed surfaces, so there is no increase in impervious area and no new discharge point onto the State transport corridor.

4.0 PLANNING ASSESSMENT

This section confirms the statutory pathway, the overlay position, the referral and notification position and the merit case. The assessment against each applicable performance outcome and acceptable outcome is at Appendix A and is not restated here. No pre-lodgement meeting with Council was held.

4.1 Statutory Pathway

Schedule 1, Table SC1.1 of the planning scheme defines the use as follows:

> *"Outdoor sales. Premises used for, (a) displaying, selling, hiring or leasing of vehicles, boats, caravans, machinery, equipment or other similar products, if the use is mainly conducted outdoors; or (b) repairing, servicing, selling or fitting accessories for the products stated in paragraph (a), if the use is ancillary to the use in paragraph (a). Examples include, agricultural machinery sales yard, motor vehicles sales yard."*

Schedule 1 also defines showroom as premises used for the sale of goods of a related product line and of a size, shape or weight requiring a large area for handling, display or storage and direct vehicle access to the building containing the goods, listing a motor vehicles sales showroom as an example. The two definitions divide on whether the use is conducted inside a building or in the open, which the scheme marks by contrasting a motor vehicles sales showroom with a motor vehicles sales yard.

The dealership comprises both. The Kia, Subaru, Isuzu and proposed Mazda showrooms address River Road as enclosed branded showrooms with direct vehicle access, and the workshop, pre-delivery and spare parts functions are ancillary to them. The used vehicle display areas to the River Road frontage and across the land vacated by sheds 1 and 6, together with the vehicle storage areas to the east and south, are conducted in the open. The Proposal is accordingly a material change of use for showroom and outdoor sales, which is how Council framed the use in 2017 when it approved sales or hire premises (car dealership) with the sales and display building charged on gross floor area in the commercial bulk goods class and the workshop charged separately as industry. The storage facility on the balance of the Site continues under its earlier approval. The Proposal removes two of its sheds and converts that land to outdoor sales, with access, parking and servicing to the remaining facility maintained in accordance with condition MCU2.

Section 44(1) of the *Planning Act 2016* defines a material change of use as the start of a new use, the re-establishment of an abandoned use, or a material increase in the intensity or scale of the use of premises. The Proposal engages Section 44(1)(a). Removing storage sheds 1 and 6 and forming used vehicle display and staff parking over that land starts the outdoor sales component of the use on part of the premises previously used for storage. The Proposal also engages Section 44(1)(c), through the addition of a fourth franchise and associated showroom, the introduction of a second vehicular access and an increase in formal car parking from nine spaces to 52.

Section 5.3.2(1) of the planning scheme provides:

> *"A material change of use is assessable development requiring impact assessment: (a) unless the table of assessment states otherwise (b) if a use is not listed or defined (c) unless otherwise prescribed in the Act or the Regulation."*

Table 5.5.8 lists 20 uses for the Medium impact industry zone, being bulk landscape supplies, car wash, caretaker's accommodation, crematorium, emergency services, food and drink outlet, hardware and trade supplies, low impact industry, major electricity infrastructure, medium impact industry, office, park, research and technology industry, service industry, substation, telecommunications facility, transport depot, utility installation, veterinary service and warehouse. Neither showroom nor outdoor sales is among them, and the table provides for impact assessment for "any other use not listed in this table". Neither Schedule 6 nor Schedule 10 of the *Planning Regulation 2017* prescribes a

different category. The Proposal is accordingly assessable development requiring impact assessment. No part of it is prohibited development.

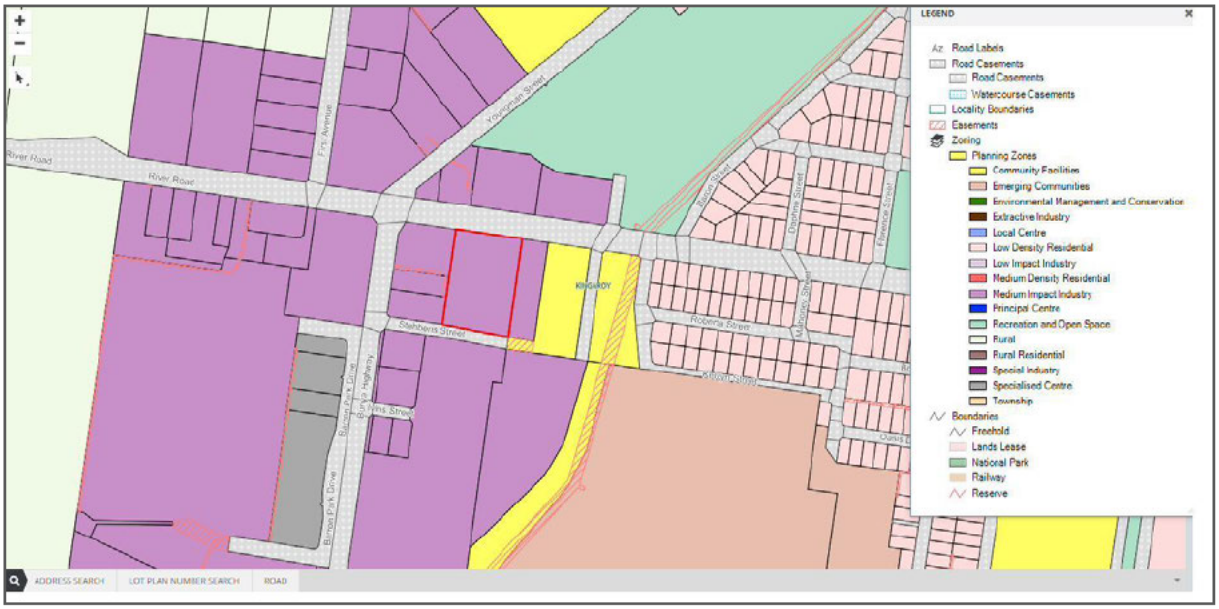


Figure 5: Zoning of the Site and its surrounds, the Site outlined in red (South Burnett Regional Council Planning Scheme interactive mapping).

4.2 Overlays

Section 5.3.2(5) of the planning scheme provides that where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay relates only to the affected part. Table 5.9.1 confirms that no overlay other than the bushfire hazard overlay changes the category of assessment for a material change of use, and directs the assessment to Section 4 of the zone code. Each outcome so directed is assessed at Appendix A.

Table 5: Overlay position.

Overlay	Position on the Site
Airport environs	Engaged. The Site lies approximately 3km from the Kingaroy Airport runway on Overlay Map 1 and is not within a public safety area, those areas lying at the runway ends at Taabinga to the south.
Regional infrastructure	Engaged. The rail trail alignment on Overlay Map 4 lies within the River Road reserve immediately north of the Site and does not extend onto it. The mapped substation lies on land further east.
Agricultural land	Engaged as to part. Agricultural Land Classification Class A extends across the western portion of the Site on Overlay Map 8, so under Section 5.3.2(5) any benchmark would relate to that part only. Section 4 of Table 6.2.8 of the Medium impact industry zone code carries no agricultural land provision, so the mapping imports no assessment benchmark in this zone. The Site is not within an Important Agricultural Area.
Flood hazard	Not engaged. The Site lies outside the mapped Flood Hazard Zone, which follows the Kingaroy Creek drainage line to the east and south-east.

Biodiversity areas	Not engaged. The mapped corridors follow the watercourses west of Barron Park Drive and east along the Kelvyn Street drainage line and do not extend to the Site, which carries no remnant or significant vegetation.
Bushfire hazard	Not engaged. No potential bushfire intensity layer or potential impact buffer extends to the Site, so the Bushfire hazard overlay code is not an assessment benchmark and the category of assessment is unaffected.
All other overlays	Not engaged. No water catchments, extractive resources, historic subdivisions, landslide hazard or sensitive uses separation layer affects the Site.

4.3 Assessment Manager, Referrals and Notification

Table 4 of Schedule 10, Part 9, Division 4, Subdivision 2 of the *Planning Regulation 2017* applies to a material change of use that is assessable development under a local categorising instrument if all or part of the premises "*(a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection*". The State-controlled road in the locality is the Bunya Highway. Neither River Road nor Stehbens Street forms part of the State-controlled road network on Department of Transport and Main Roads mapping, so limb (a) is not engaged, the Site being separated from the Bunya Highway corridor by Lots 23 and 24 on SP153807. Limb (b) is not engaged, no part of the Site being a future State transport corridor.

Limb (c) is engaged. The Site is adjacent to Stehbens Street, Stehbens Street intersects with the Bunya Highway, and the south-western corner of the Site lies approximately 86m from that intersection, being the length of the Stehbens Street frontage of Lot 23 on SP153807. Referral is accordingly to the chief executive, assessing against State code 1 of the *State Development Assessment Provisions*. The equivalent trigger applied to MCUC2017/0002, which was referred under Schedule 7, Table 3, Item 1 of the *Sustainable Planning Regulation 2009*.

State-controlled road outcomes. The concurrence agency response SDA-0317-037938 dated 23 March 2017 required that works on the land not create a new stormwater discharge point onto the State-controlled road, not interfere with or damage its drainage, not cause surcharge of any culvert or drain, and not reduce the quality of discharge onto it. The Proposal maintains each limb. It creates no access to the Bunya Highway, involves no works within the corridor and creates no new discharge point onto it. Access remains from the three existing River Road crossovers and the new Stehbens Street access, both on local government roads. Stormwater continues to discharge to the existing lawful point through the detention system installed under conditions ENG13 and ENG14, with no increase in impervious area and no alteration to the drainage of the corridor or its intersection with Stehbens Street.

Other referrals. None. No other Schedule 10 trigger arises and no Schedule 9 referral agency assessment applies.

Public notification. Required for a minimum of 15 business days under Section 53(4)(b) of the *Planning Act 2016*.

4.4 Assessment Benchmarks

The assessment benchmark is the planning scheme as a whole: the strategic framework at Part 3, the Medium impact industry zone code (Section 6.2.8), Sections 1, 2 and 4, and the Services and works code (Section 8.4.2), Sections 1 to 5, with Table 8.4.5. Section 3 of the zone code and Section 6 of

the Services and works code are not engaged, nor are the Reconfiguring a lot code, the Local heritage place code or the Third party sign code.

Section 5.3.3(4)(c)(ii) of the planning scheme provides that development complying with "*the performance or acceptable outcomes complies with the purpose and overall outcomes of the code*". An acceptable outcome is one means of compliance, not a mandatory standard, and compliance with a performance outcome is a complete answer. That is the pathway relied on for AO3.2, AO5.5, AO11.1, AO11.2, AO11.3 and AO12.3 of the zone code.

4.5 Strategic Framework and Regional Plan

Strategic outcomes 3.4.1(1) and 3.4.1(2) seek an economy founded on strength and diversity of industry that improves employment opportunities, with major industries sustained and grown through diversification and the clustering of complementary businesses. The Proposal advances both, allowing an established regional dealership to add a further franchise within its existing premises and retaining vehicle sales, servicing and parts expenditure within the South Burnett.

The strategic framework records that "*with an ample supply of existing zoned industrial land, expansion beyond zoned areas is not preferred unless there is an overriding planning need*". The Proposal makes better use of an existing zoned and serviced holding and takes no additional land into the use. The same passage seeks the protection of the ongoing operations of the Peanut Company of Australia, whose complex occupies Lots 2 and 3 on SP268009 immediately north. The dealership is an industrial zone use, not a sensitive land use under the *Planning Regulation 2017*, so it introduces no receptor capable of constraining that operation and generates no change in heavy vehicle movements on the shared frontage.

The Site carries the Urban designation and lies wholly within the Priority Infrastructure Area. The *State Planning Policy* is integrated in the planning scheme and the *Wide Bay Burnett Regional Plan 2023* states no assessment benchmark applying to the Site.

4.6 Relationship to the Existing Approval

The Proposal departs from the layout approved under MCUC2017/0002 in three respects. Condition ENG2 requires access from River Road as shown on the approved plans, whereas a second access is introduced from Stehbens Street. Condition MCU2 requires access, parking and servicing to the storage facility to be maintained, whereas two sheds are removed and the storage entry relocated. Condition GEN1 requires development generally in accordance with the approved plans, which do not include the showroom extension.

A fresh development permit is sought rather than a change application. A change would not qualify as a minor change under Schedule 2 of the *Planning Act 2016*, because the use now requires impact assessment and public notification where the 2017 application required neither, so a change application would attract the same level of assessment as a fresh application. MCUC2017/0002 is not surrendered and continues in effect. The existing use is lawfully established and is protected by Section 260 of the Planning Act 2016, so this application concerns the material change of use arising from the Proposal rather than the dealership as a whole.

Access, parking and servicing to the storage facility are maintained under condition MCU2, six of the eight sheds are retained, and the facility continues to operate under its earlier approval. It also resolves a matter Council left open. Advice ADV10 recorded that it was "*not clear how vehicular access to the storage sheds is proposed to be arranged and it appears that this may conflict with the proposed use for the future workshop, since access by the AV will be entry only and exit only in an anti-clockwise direction*". Taking storage and used vehicle movements from Stehbens Street separates that traffic from the articulated vehicle circulation and removes the conflict.

4.7 Planning Merit

Each applicable performance outcome is satisfied. Three groups of acceptable outcomes are addressed through their performance outcomes rather than on their face, and each is assessed in full at Appendix A. AO3.2 is confined by its opening words to facades visible from an arterial or higher order road, and there is no such road at the Site, River Road being a collector road under Table SC6.2.16 and the State-controlled road in the locality being the Bunya Highway. AO5.5 requires shade trees within car parking areas, which is incompatible with vehicle display and storage, and PO5 is satisfied through the perimeter landscaping. The non-industrial use outcomes at AO11.1 to AO12.3 are drafted for a component ancillary to an industrial use within a tenancy and import no workable standard for a dealership occupying the whole holding, and PO11 and PO12 are satisfied.

Overall outcome 6.2.8.2(2)(n) provides that higher order commercial uses belong in a centre zone. That describes an office, retail or service activity of the kind that anchors a town centre. The dealership is the opposite: its floor space is dominated by workshop, pre-delivery and parts functions, and it depends on outdoor display and storage hardstand and articulated vehicle access across a 1.717ha holding. The zone is where the use belongs, which is the conclusion Council reached in 2017.

Under Section 45(5)(b) of the *Planning Act 2016*, the following matters are relevant. The use is lawfully established and has operated continuously since 2017, so the question is whether the increment is acceptable, not whether the dealership belongs on the Site. There is no material change in external impact, hours of operation and traffic generating character being unchanged and building area falling by 588sqm. The Site adjoins industrial land on three sides and lies approximately 200m from the nearest residential area. The Proposal delivers 43 additional formal car parking spaces, a staff car park separated from the customer area, and an access arrangement that removes operational traffic from the River Road frontage.

5.0 CONCLUSION

The Proposal is an extension and reconfiguration of the established Ken Mills Autos dealership, comprising a 132sqm Mazda showroom, expanded vehicle display areas, a second vehicular access from Stehbens Street, an increase in formal car parking from nine spaces to 52, and the removal of two storage sheds. It is an impact-assessable material change of use requiring a development permit from Council, referral to the chief executive is enlivened, and public notification is required for a minimum of 15 business days.

The Proposal is a contained expansion of a lawfully established and operating dealership on zoned, fully serviced industrial land wholly within the Priority Infrastructure Area. No land beyond the Site is taken into the use, hours of operation and traffic generating character are unchanged, and building area falls from 3,599sqm to 3,011sqm, reducing site coverage from 21% to 17.5%. Access, parking and servicing to the storage facility are maintained in accordance with condition MCU2 of MCUC2017/0002, and the access arrangement resolves the conflict between articulated vehicle circulation and storage shed traffic that Council identified at advice ADV10 of that approval. Flood behaviour, ecological values, agricultural capacity and the State-controlled road environment are each unaffected, and the continued operation of the Peanut Company of Australia complex opposite is not compromised.

Each applicable performance outcome is satisfied. Where an acceptable outcome is not engaged by its own terms, or is not adopted, compliance is demonstrated against the corresponding performance outcome at Section 4.7 and Appendix A. Under Section 5.3.3(4)(c)(ii), compliance with a performance outcome is compliance with the code.

The Proposal satisfies each applicable performance outcome and is consistent with the relevant overall outcomes, with the strategic framework of the planning scheme and with the *Wide Bay Burnett Regional Plan 2023*. It appropriately responds to the applicable assessment benchmarks and represents an appropriate planning outcome. Approval subject to reasonable and relevant conditions is respectfully requested.

APPENDIX A: CODE COMPLIANCE TABLE

Material change of use for showroom and outdoor sales. The Site, Lot 25 on SP153807.
This appendix assesses the Proposal against each applicable assessment benchmark of the *South Burnett Regional Council Planning Scheme* Version 2.0. Performance outcomes (PO) and acceptable outcomes (AO) are reproduced verbatim in italics, with the scheme's own "and" and "or" connectors shown between them. Where an acceptable outcome is achieved, the Proposal complies. Where an acceptable outcome is not achieved or is not directed to development of this kind, compliance is demonstrated against the performance outcome and the relevant overall outcomes, as Section 5.3.3(4)(c)(ii) permits. Outcomes that do not bear on the Proposal are identified in a note beneath each table with the reason they are not engaged.

A.1 Medium impact industry zone code (Section 6.2.8)
Application (Section 6.2.8.1): *"This code applies to assessing a material change of use or a reconfiguring a lot for development in the Medium impact industry zone."*
Purpose (Section 6.2.8.2(1)): *"The purpose of the medium impact industry zone code is to provide for- (a) medium impact industry; (b) other uses and activities that- (i) support industry activities; and (ii) do not compromise the future use of premises for industry activities."* The overall outcomes relied on are (a), (b), (d), (e), (f), (h), (l), (m) and (n), addressed at Sections 4.5 and 4.7 of this PR.

Performance outcome	Acceptable outcome	Compliance response
PO1 *Buildings are of a scale that is consistent with the surrounding built form, streetscape and civic spaces.*	***AO1*** *Maximum building height is 11.5m.*	**Complies with AO1.** Drawing SD05 dimensions a finished ceiling level 4m above the finished floor level of 423.70m AHD for the extension, with parapet above. The existing showrooms carry a 3m ceiling height. The built form is single storey, well below the 11.5m maximum, and consistent with the surrounding large-format industrial buildings, including the grain and silo complex opposite.
PO2 *Buildings are sited to achieve an acceptable standard of visual amenity.*	***AO2.1*** *Buildings are setback from sub-arterial or higher order road frontages by a minimum of 8m.* *or* ***AO2.2*** *Buildings are setback from all other road frontages by a minimum of 4m.* *and* ***AO2.3***	**Complies with AO2.1, AO2.2, AO2.3 and AO2.4.** AO2.1 applies to sub-arterial or higher order road frontages. River Road at the Site frontage is a collector road under Table SC6.2.16, for the reasons given at PO3 below, and the State-controlled road in the locality is the Bunya Highway. AO2.2 accordingly sets the standard, and the 14.3m setback to River Road dimensioned on Drawing SD03 exceeds the 4m required. AO2.3 is satisfied at its first limb. Adjoining land to the west, east and south is in the Medium impact industry zone and in industrial and commercial use, so no minimum setback applies to the common boundaries. Drawing SD03 dimensions a setback of 14.26m from the western boundary.

Performance outcome	Acceptable outcome	Compliance response
	Where adjoining land is used, or approved for use, for industrial use, buildings have no minimum setbacks to the common property boundary. *or* *In all other circumstances, buildings are setback a minimum of 4m from the common property boundary.* *and* ***AO2.4*** *Total use area is no more than 75% of the site, excluding car parking areas.*	AO2.4 excludes car parking areas, and Schedule 1 further excludes landscaping and vehicle manoeuvring from total use area. Buildings occupy 3,011sqm of the 17,170sqm Site, being 17.5%, of which 1,547sqm is the separate storage facility. The balance of the outdoor sales area comprises display and storage hardstand, from which the perimeter driveway, the internal circulation aisles between every shed row, the 52 formal car parking spaces and their 9750mm aisles, and the perimeter landscaping to both frontages and the eastern boundary are all excluded. The total use area is well below 75%, and the Proposal reduces it further by removing 720sqm of building.
PO3 *Development presents a high quality appearance when viewed from public areas.*	***AO3.1*** *The maximum length of any wall without articulation or change of material is no more than 30m.* *and* ***AO3.2*** *All parts of the building facades visible from an arterial or higher order road are constructed predominantly of brick or coloured concrete or masonry and do not incorporate highly reflective materials.* *and* ***AO3.3*** *Buildings include variation in parapet design, roofing heights and treatments.* *and* ***AO3.4*** *The main entry to the building is easily identifiable from and directly accessible from the principal street frontage of the site and any ancillary office or sales area is located at the front of the building.*	**Complies with AO3.1, AO3.3 and AO3.4, and with PO3.** AO3.1 is achieved. The extension is 12.45m wide, with a recessed Mazda entry portal, a corporate signage panel, full height glazing and Mondoclad cladding providing changes of material within that length. AO3.2 is confined by its opening words to facades visible from an arterial or higher order road. Table SC6.2.16 of the planning scheme describes a Council Sub-Arterial to Arterial Road as a primary road where "no further property access or on-street parking is envisaged to maintain through-traffic safety and efficiency of movement", and a Collector Road as one where, in the Industry or the Centre Zones, direct property access is acceptable. River Road at the Site frontage carries three crossovers serving the Site alone and provides direct property access to every adjoining industrial holding, which is the collector characteristic. The outcome imports no standard here. The status of River Road as a State transport corridor for referral purposes is a separate question, the two classifications being made under different instruments for different purposes. PO3 is satisfied. The extension continues the established glazed shopfront and corporate signage panel treatment of the adjoining Kia, Subaru and Isuzu showrooms, presents an active and transparent frontage to River Road rather than a blank wall, and incorporates no highly reflective material. The Proposal improves the appearance of the Site from public areas by replacing an area of open hardstand

Performance outcome	Acceptable outcome	Compliance response
		at the western end of the frontage with a contemporary showroom set behind established landscaping and formal parking. AO3.3 is achieved, Drawing SD05 showing the extension parapet stepping up to 4m from the 3m ceiling height of the adjoining showroom. AO3.4 is achieved, the Mazda entry portal and automatic sliding doors addressing River Road as the principal street frontage, and the new office and display floor being at the front of the extension on Drawing SD04.
PO4 *Development is to be adequately serviced.*	*AO4.1* *Development is to be connected to reticulated water supply and sewerage.* *and* *AO4.2* *Development is supplied with reticulated electricity and telecommunications services.* *and* *AO4.3* *Stormwater is captured and drained to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners.*	**Complies with AO4.1, AO4.2 and AO4.3.** The Site lies wholly within the Priority Infrastructure Area and is connected to Council's reticulated water supply and sewerage scheme, with the water main and sewer main plotted in the River Road reserve on Drawing SD02, and to reticulated electricity and telecommunications. Existing connections are retained and no augmentation is required. Stormwater from the new roof and modified hardstand is captured and drained to the existing lawful point of discharge through the on-site system approved under conditions ENG13 to ENG16 of MCUC2017/0002, which includes the underground detention tank shown north of the workshop on Drawings SD02 and SD03. The Proposal removes 720sqm of roof and adds 132sqm and otherwise replaces existing sealed surfaces, so there is no increase in impervious area and the post-development discharge relationship is maintained. No discharge to downstream properties arises.
PO5 *Landscaping is provided to enhance the established streetscape, protect visual amenity, preserve sight lines and offer effective screening of unsightly activities.*	*AO5.1* *A minimum of 3% of the site is used to provide landscaping.* *and* *AO5.2* *Landscaping comprising large trees and spreading groundcovers is provided along all road frontages of the site, for a minimum depth of: (a) 2m along a State-controlled road or an arterial road; or (b) 1m along any other road frontage.* *and*	**Complies with AO5.1, AO5.2, AO5.3 and AO5.4, and with PO5.** AO5.1 requires 515sqm on the 17,170sqm Site. Landscaping totals approximately 740sqm, being 4.3%, comprising the established strip to the River Road frontage at 3m deep between the crossovers, the strip to the full 159.550m of the eastern boundary, and the 2m deep strip to the Stehbens Street frontage provided in accordance with condition MCU4 of MCUC2017/0002. No landscaping is removed by the Proposal. AO5.2 is achieved. A 2m minimum depth, exclusive of driveway and vehicle manoeuvring areas, is maintained along the River Road frontage and provided along the Stehbens Street frontage, in accordance with condition MCU4 of

Performance outcome	Acceptable outcome	Compliance response
	AO5.3 *Landscaping is provided to side and rear boundaries for a minimum depth of: (a) 2m where adjoining a sensitive receptor; (b) 0m where adjoining an industrial use; or (c) 1m in all other circumstances.* *and* ***AO5.4*** *Existing trees that already contribute to these requirements are retained where their removal is not required to site the use.* *and* ***AO5.5*** *Shade trees are provided in car parking areas at a ratio of 1 tree for each 6 car parking spaces.*	MCUC2017/0002. The 2m standard is applied to both frontages, which is the more onerous of the two limbs. AO5.3 is achieved at limb (b). The Site adjoins industrial uses to the west, east and south, so a nil depth applies. Landscaping is nonetheless retained along the full eastern boundary facing the Community facilities zoned land and the residential area beyond, exceeding the requirement. No sensitive receptor adjoins the Site. AO5.4 is achieved, all established landscaping being retained. AO5.5 is not achieved, shade tree planting not being provided within the car parking, vehicle display or vehicle storage areas. Canopy planting over those areas is incompatible with the use, given leaf and sap drop, bird activity and the obscuring of stock, which is why the existing covered vehicle storage on the Site is protected by hail netting rather than planting. PO5 is satisfied. Each limb, being enhancement of the established streetscape, protection of visual amenity, preservation of sight lines and effective screening of unsightly activities, is achieved by the perimeter landscaping to both frontages and the full eastern boundary, which is where the Site is read from the public realm and which screens the display and storage areas from the Community facilities zoned land and the residential area to the east. Interior planting would deliver no additional streetscape benefit and would obstruct the sight lines the outcome seeks to preserve.
PO6 *Site access facilitates the efficient, effective, safe and convenient functioning of transport infrastructure.*	***AO6.1*** *Site access is provided to a gazetted, formed and sealed road.* *and* ***AO6.2*** *Access arrangements preclude the need for vehicles to reverse on or off the site.* *and* ***AO6.3*** *Site access is provided that is at least 15m from an uncontrolled intersection or 30m from an intersection with traffic lights or islands.*	**Complies with AO6.1, AO6.2, AO6.3 and AO6.4.** Access is taken from River Road and Stehbens Street, each a gazetted, formed and sealed road, achieving AO6.1. All vehicles enter and leave in a forward gear, with the articulated vehicle entry and exit separated in the anti-clockwise circulation pattern established under MCUC2017/0002 and retained by the Proposal, achieving AO6.2. The new Stehbens Street access separates storage shed and used vehicle movements from that circulation, resolving the conflict Council identified at advice ADV10 of MCUC2017/0002. The new Stehbens Street access is located mid-frontage on Drawing SD03, well clear of the 15m separation from an uncontrolled intersection, achieving AO6.3. The three existing River Road crossovers are retained in their approved locations.

Performance outcome	Acceptable outcome	Compliance response
	and ***AO6.4*** *Where practical, adjoining industrial uses utilise a shared access point.*	AO6.4 is qualified by the words "where practical". A shared access with adjoining industrial uses is not practical, given the separate ownership of those holdings and the security fencing and gating a dealership holding stock in the open requires. The outcome is achieved to the extent practical, and PO6 is satisfied by access from two frontages with operational and customer traffic separated.
PO7 *Development does not adversely affect the safety and security of people and property.*	***AO7.1*** *Storage of dangerous goods and combustible liquids is limited to the quantities stated for Classes 2.1, 2.2, 2.3, 3, 4, 5.1, 5.2 and 8 and complies with the National Standard for the Storage and Handling of Dangerous Goods [NOHSC:1015(2001)].* *and* ***AO7.2*** *Visitor car parking areas are located adjacent to the office component of the use.* *and* ***AO7.3*** *The office component is designed with 25% of un-obscured glazing in facades facing public areas of the site and the street.*	**Complies with AO7.1, AO7.2 and AO7.3.** The Proposal makes no change to the existing workshop and pre-delivery building, introduces no new storage of dangerous goods or combustible liquids, and the extension is a display and sales area. Quantities held in connection with the existing facility remain within the stated Class limits and continue to be handled in accordance with the National Standard. Visitor car parking is located along the River Road frontage directly in front of the showrooms and sales offices on Drawing SD03, achieving AO7.2. Drawing SD05 shows full height unobscured glazing to the northern and western elevations of the extension facing River Road and the public areas of the Site, well in excess of 25%, achieving AO7.3 and providing casual surveillance of the forecourt and display areas.
PO8 *Development minimises disturbance to the geotechnical, hydrological, and environmental characteristics of the site and its setting.*	***AO8.1*** *Development is located on land with less than 10% slope.* *and* ***AO8.2*** *Development occurs in areas outside of stormwater discharge points, overland flow paths and natural drainage features.* *and* ***AO8.3***	**Complies with AO8.1 to AO8.6.** The Site is level, consistent with the single finished floor level of 423.70m AHD maintained across the principal building, and is well below a 10% slope. No overland flow path or natural drainage feature traverses it and it lies outside the Flood Hazard Zone, achieving AO8.1 and AO8.2. The Proposal makes no change to the existing workshop and pre-delivery building, where servicing activities and the storage of oils and lubricants are conducted within the building on covered and bunded floors drained to sewer, with spill control and waste disposal arrangements in place. The extension is a display and sales area and introduces no potentially contaminating activity, and stormwater from it drains away from the workshop to the existing detention system. AO8.3 to AO8.5 are achieved.

Performance outcome	Acceptable outcome	Compliance response
	Stormwater is directed away from areas of potential contamination. *and* ***AO8.4*** *Areas where potentially contaminating substances are stored or used are covered and bunded.* *and* ***AO8.5*** *Provision is made for spills to be controlled on-site for removal and disposal by an approved means.* *and* ***AO8.6*** *Liquid or solid wastes are not discharged directly to land or waters.*	All wastewater, including trade waste from the existing facility, is discharged to Council's reticulated sewerage scheme, and no liquid or solid waste is discharged to land or waters, achieving AO8.6.
PO9 *Refuse storage areas are located for convenient collection, screened from public view and provided with facilities for self-contained cleaning.*	***AO9.1*** *Refuse storage areas are located behind the front building line, allow the appropriately-sized collection vehicle to enter and exit in a forward gear. The use of staff car parking areas to accommodate internal manoeuvring is permissible.* *and* ***AO9.2*** *The refuse storage area is provided in a building or other enclosed structure screened to a minimum height of 0.2m above the height of the refuse receptacles.* *and* ***AO9.3*** *Refuse storage areas are provided with an impervious base that is drained to an approved*	**Complies with AO9.1, AO9.2 and AO9.3.** The existing refuse bin parking area is retained in its approved location on the eastern side of the Site on Drawing SD03, well behind the front building line, with collection vehicle access in a forward gear along the eastern driveway. The area is enclosed and screened, and is provided with an impervious base drained to sewer, backflow prevention to tap outlets, a dedicated hose cock and a cover preventing the entry of rainfall, in accordance with conditions MCU6 and MCU7 of MCUC2017/0002, which continue to apply and are appropriate to be re-imposed.

Performance outcome	Acceptable outcome	Compliance response
	waste disposal system and provided within a dedicated hose cock.	
PO10 *Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.*	***AO10.1*** *Development does not occur: (a) In areas that pose a health risk from previous activities; and (b) On sites listed on the Contaminated Land Register or Environmental Management Register.* *or* ***AO10.2*** *Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.*	**Complies with AO10.1.** The Site is not listed on the Environmental Management Register or the Contaminated Land Register. It has been used for vehicle sales, servicing and storage under development permits issued by Council, with servicing conducted within the workshop and wastewater discharged to sewer. The underground tank annotated on Drawings SD02 and SD03 is the stormwater detention structure installed under conditions ENG13 and ENG14 of MCUC2017/0002 and is not a fuel or chemical storage tank. No previous activity on the Site poses a health risk, and the Proposal introduces no sensitive land use.
PO11 *Offices and sales activities are ancillary to and directly support the industrial use of the site.*	***AO11.1*** *The area of the office use does not exceed 10% of the total gross floor area.* *and* ***AO11.2*** *Any sales area does not exceed 20% of the total gross floor area.* *and* ***AO11.3*** *Direct sales to the public are restricted to the sale of items produced on site.*	**Complies with PO11.** Each of AO11.1 to AO11.3 is drafted for a non-industrial component contained within an industrial tenancy. None is directed to an established vehicle sales use occupying a 1.717ha holding, and none imports a workable standard here. PO11 is satisfied. The office component of the extension is a single 4.5m by 2.8m room serving the showroom floor. The sales function is inseparable from the workshop, pre-delivery and spare parts functions, which occupy the majority of the built floor area and are industrial in character, and vehicles sold on the Site are prepared, serviced and warranted from it. The use supports the industrial function of the precinct rather than competing with it, and occupies no land beyond the area already committed to the dealership since 2017.
PO12 *Business activities are established at accessible locations and limited to small-scale outlets that provide goods and services*	***AO12.1*** *Business activities are located central to the industrial area that they serve.* *and* ***AO12.2***	**Complies with AO12.1 and AO12.2, and with PO12.** AO12.1 is achieved. The Site is centrally located within the Kingaroy industrial precinct with frontage to River Road and immediate access to the Bunya Highway. AO12.2 is achieved. The dealership provides vehicle sales, servicing, warranty and parts supply to local industry, businesses and residents, a service that would otherwise require travel outside the region.

Performance outcome	Acceptable outcome	Compliance response
for local industries and employees.	*The business activity addresses an identified deficiency in local service.* *and* ***AO12.3*** *The business activity has a total use area no greater than 250m2, excluding on-site car parking areas.*	AO12.3 is directed at small scale ancillary outlets and imports no standard for a lawfully established dealership on a 1.717ha site. PO12 is satisfied for the reasons above and at PO11.
PO16 *Development does not significantly increase the risk of wildlife hazard particularly flying vertebrates, such as birds and bats, intruding within an airport operational airspace.*	***AO16.1*** *Development located within 3 km of an airport runway as depicted on Overlay Map 01 does not include turf farms, fruit tree farms, piggeries, show grounds, food processing plants or food, organic waste or putrescible waste facilities.* *and* ***AO16.2*** *Development located between 3 km and 8 km of an airport runway ensures potential food or waste sources are covered and collected so that they are not accessible to wildlife.*	**Complies with AO16.1 and AO16.2.** The Site lies approximately 3km from the Kingaroy Airport runway on Overlay Map 1, so the Proposal is assessed against both outcomes and achieves each. The Proposal is for showroom and outdoor sales and involves none of the uses listed in AO16.1. No artificial water body is proposed. Refuse is stored in the covered and screened bin area required by conditions MCU6 and MCU7 of MCUC2017/0002 and collected under Council's arrangements, so no food, organic waste or putrescible waste source accessible to wildlife is created.
PO24 *Stock routes and trails identified on Overlay Map 04 are protected from incompatible development on adjoining sites.*	*No outcome specified.*	**Complies with PO24.** No acceptable outcome is specified, so the assessment is against the performance outcome directly. The rail trail alignment identified on Overlay Map 4 lies within the River Road reserve adjoining the northern boundary and does not extend onto the Site. The Proposal retains the established landscaped River Road frontage, creates no additional crossover across the alignment, and introduces no activity at the frontage beyond the vehicle display already conducted there. The trail is not compromised.

Outcomes not engaged. *PO13 and PO14 of Section 3 address caretaker's accommodation, none being proposed. PO15 and AO15 are confined by their opening words to development within an airport's public safety area, and the Site is not within one. PO17 to PO19 apply to areas identified on Overlay Map 5, and the Site is not so identified, carries no remnant or significant vegetation, no waterway corridor and no natural drainage feature, and no clearing is proposed. PO20 to PO23 apply to development within the area identified on Overlay Map 3, and the Site lies outside it. PO25 and PO26 address sensitive land uses near major electricity infrastructure and substations identified on Overlay Map 4; the mapped substation lies on land further east and no sensitive land use is proposed.*

A.2 Services and works code (Section 8.4.2)

Application (Section 8.4.2.1): *"This code applies to assessing a material change of use, reconfiguring a lot and operational works where identified as code assessment or impact assessment."*

Purpose (Section 8.4.2.2(1)): *"The purpose of the services and works code is to provide for the adequate provision of services and control of operational works."*

Performance outcome	Acceptable outcome	Compliance response
PO1 *The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.* ***PO3*** *Construction activities avoid or minimise adverse impacts on stormwater quality.* ***PO4*** *Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.*	***AO1*** *A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 8.4.4.* *and* ***AO3*** *An erosion and sediment control plan addresses the design objectives for the construction phase in Table 8.4.4.* *and* ***AO4*** *Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 8.4.4.*	**Complies with AO1, AO3 and AO4.** AO4 is achieved. The Site drains to the on-site system approved under conditions ENG13 to ENG16 of MCUC2017/0002, which includes the underground detention tank and was designed so that post-development flows at the point of discharge remain consistent with the pre-developed case. That system is extended to serve the new roof and modified hardstand and continues to discharge to the existing lawful point of discharge. The Proposal removes 720sqm of roof and adds 132sqm and otherwise replaces existing sealed surfaces, so impervious area does not increase. AO1 requires a stormwater quality management plan, which is not prepared for this application. PO1 is satisfied. The Site is a level, fully sealed holding with no watercourse, overland flow path or mapped biodiversity corridor, so the land use constraints bearing on stormwater design are limited and the Proposal introduces none. It replaces shed roof and unformed hardstand with formally drained concrete and bitumen surfaces within the existing treatment catchment, maintaining or improving the quality of discharge. AO3 requires an erosion and sediment control plan. Construction is confined to the demolition of two sheds and regrading within the existing developed area, with no bulk earthworks. PO3 is satisfied by implementation of an erosion and sediment control plan for the construction phase, with controls to the perimeter and the stormwater inlets, capable of resolution by condition consistent with the compliance assessment approach Council adopted at condition ENG13 of MCUC2017/0002.
PO2 *Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental*	***AO2.1*** *A wastewater management plan prepared by a suitably qualified person addresses wastewater type, climatic conditions, water quality objectives and best-practice environmental management.* *and* ***AO2.2***	**Complies with AO2.2.** All wastewater, including trade waste from the existing workshop and pre-delivery building, is discharged to Council's reticulated sewerage scheme, so discharge to a waterway is avoided entirely and limb (a) of AO2.2 is achieved. AO2.1 is directed at development discharging wastewater other than to sewer and imports no standard here.

Performance outcome	Acceptable outcome	Compliance response
management for that site.	*Wastewater is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.*	
PO5 *Development is provided with infrastructure which: (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented.*	***AO5.1*** *Except in the Rural zone, all development occurs on a site with frontage to a sealed road.* *and* ***AO5.2*** *Infrastructure is designed and constructed in accordance with the standards contained in PSP1 - Design and Construction Standards.*	**Complies with AO5.1 and AO5.2.** The Site has frontage to two sealed roads, being 108.975m to River Road and 109.30m to Stehbens Street, achieving AO5.1. The new Stehbens Street crossover and the new internal driveways are designed and constructed to the standards in Planning Scheme Policy 1 and the relevant IPWEAQ standard drawings, and are surfaced with concrete or bitumen, consistent with conditions ENG1 and ENG10 of MCUC2017/0002. Detailed design is a matter for condition.
PO6 *Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.*	***AO6.1*** *Vehicle parking spaces are provided on-site in accordance with Table 8.4.5. Showroom: 1 space for 20m2 for first 2,000m2 gross floor area then 1 space per 15m2 gross floor area thereafter. Outdoor sales: 1 space per 150m2 total use area (minimum 6 spaces). Industry: 1 space per 50m2 gross floor area for first 500m2, then 1 space per 100m2 gross floor area thereafter.* *and* ***AO6.2*** *A service bay is provided on-site for the service vehicle nominated in Table 8.4.5. Showroom: AV. Outdoor sales: AV.*	**Complies with AO6.1, AO6.2, AO6.3 and AO6.4.** AO6.1 requires parking in accordance with Table 8.4.5, which sets a separate rate for each component of the use. The showroom and ancillary industry components are met: 599sqm of showroom floor area, being the existing 467sqm showroom and the proposed 132sqm extension, generates 30 spaces at 1 space per 20sqm of gross floor area, the 765sqm workshop and pre-delivery building generates 13 spaces and the 100sqm maintenance shed 2 spaces at the industry rate, a requirement of 45 spaces against the 52 provided. The outdoor sales rate of 1 space per 150sqm of total use area applies in addition, to the display and storage hardstand, and the combined requirement exceeds the provision. AO6.1 is not achieved. PO6 is satisfied. Parking demand at a dealership is generated by staff numbers and customer visits, not by the extent of display and storage hardstand, which accommodates stock rather than parked vehicles and draws on the same staff and customers as the showrooms. The Proposal provides 52 formal spaces, being 16 visitor spaces including two for persons with a disability and a 36 space staff car park, against

Performance outcome	Acceptable outcome	Compliance response
	and ***AO6.3*** *Driveway crossings are provided to the standard contained in PSP1 - Design and Construction Standards.* *and* ***AO6.4*** *Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 - Design and Construction Standards.*	the 12 required by condition ENG5 of MCUC2017/0002 for the same operation and the nine presently provided. Staff parking is separated from the customer forecourt for the first time, which removes staff vehicles from the display areas and improves the availability of visitor parking. The articulated vehicle service bay nominated in Table 8.4.5 is retained. The provision meets the needs of occupants, employees, visitors and other users, which is what the outcome requires. AO6.2 is achieved. The existing articulated vehicle loading and parking bay adjoining the workshop is retained and utilised, as noted on Drawing SD01 and shown on Drawing SD03. AO6.3 and AO6.4 are achieved. Drawing SD03 dimensions car parking bays at 2500mm by 5400mm, with 2700mm to accessible and end bays and a 9750mm aisle, in accordance with AS/NZS2890.1 for a B99 vehicle, the accessible spaces to AS/NZS2890.6 and the articulated vehicle circulation to AS2890.2. Crossovers and parking areas are surfaced with concrete or bitumen to the standards in Planning Scheme Policy 1, consistent with conditions ENG4, ENG8 and ENG10 of MCUC2017/0002. A signage and linemarking plan will be provided under condition ENG11.
PO7 *Landscaping is appropriate to the setting and enhances local character and amenity.* ***PO8*** *Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.*	***AO7.1*** *Landscaping is provided in accordance with the relevant zone code provisions.* *and* ***AO7.2*** *Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m2 and is unsealed and permeable.* *and* ***AO7.3*** *Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.*	**Complies with AO7.1, AO7.3, AO8.1 and AO8.2, and with PO7 and PO8.** AO7.1 requires landscaping in accordance with the relevant zone code provisions. AO5.5 of the zone code is not adopted, for the reasons at PO5 of A.1 above, so AO7.1 is not achieved. PO7 is satisfied on the same reasoning. Landscaping is provided to both frontages and the full eastern boundary, which is where the Site is read from the public realm, and it is appropriate to the industrial setting and enhances local character and amenity. Canopy planting within the vehicle display and storage areas would not. AO7.2 is conditioned on shade tree planting being required in vehicle parking areas. None is proposed, so the outcome imports no standard. AO7.3 requires defined gardens with three tier planting, drip irrigation, mulching and border barriers. The established landscaping is in the form of defined garden beds along the River Road frontage and the eastern boundary, and a 2m deep bed is provided to the Stehbens Street frontage. The planting composition, irrigation and border treatment are set by the landscaping plan required under condition MCU5 of MCUC2017/0002, which is capable of resolution by condition on this approval in the same terms. PO7 is satisfied.

Performance outcome	Acceptable outcome	Compliance response
	and ***AO8.1*** *Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.* *and* ***AO8.2*** *Species selection avoids non-invasive plants.*	AO8.1 and AO8.2 are achieved. Species are appropriate to the industrial setting and the Kingaroy climate, are selected to preserve sight lines at the crossovers and to avoid damage to underground services, and are not invasive. PO8 is satisfied.
PO9 *Development results in ground levels that retain: (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety.* ***PO10*** *Filling or excavation does not cause damage to public utilities.* ***PO11*** *Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.*	***AO9.1*** *The depth of: (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level.* *and* ***AO10*** *Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.* *and* ***AO11*** *Following filling or excavation: (a) the premises: (i) are self-draining; and (ii) has a minimum slope of 0.25%; and (b) surface water flow is: (i) directed away from neighbouring properties; or (ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.*	**Complies with AO9.1, AO10 and AO11.** The Site is level and the works involve regrading of existing hardstand within the developed area only, well below the 2m thresholds in AO9.1. No filling or excavation exceeding 1m in depth or 50m3 in volume is proposed, so operational work remains accepted development under Table 5.8.1. AO10 is achieved. Service locations are confirmed on site before works commence in accordance with the demolition notes on Drawing SD02, and works maintain the 2m horizontal separation from underground services. Where the new concrete driveway crosses a Council sewer or water main, construction jointed sections are incorporated in accordance with condition ENG19 of MCUC2017/0002 and Part MP1.4 of the *Queensland Development Code*. AO11 is achieved. Hardstand is graded away from the buildings at not less than 0.25% to the existing stormwater drainage system, so the Site remains self-draining, no ponding occurs and surface water is not directed to neighbouring properties.

Outcomes not engaged. *PO12 to PO16 of Section 6 apply to operational work subject to an overlay. The Site is not identified on the biodiversity areas overlay or the flood hazard overlay and no major electricity infrastructure corridor adjoins it, so Section 6 is not engaged.*