

Enquiries: Sam Dunstan  
Phone: 07 4189 9100  
MCUC2016/0004

**IDAS Development Application Decision Notice**  
Sustainable Planning Act 2009  
**Material Change of Use (Shop)**

**South Burnett Regional Council**  
ABN 89 972 463 351  
PO Box 336  
Kingaroy QLD 4610  
☎ 1300 789 279 or (07) 4189 9100  
☎ (07) 4162 4806  
✉ info@southburnett.qld.gov.au  
■ www.southburnett.qld.gov.au

23 September 2016

Mayhill Planning & Architecture  
2/72 Merivale Street  
SOUTH BRISBANE QLD 4104

Attention: Michael Lowe

Dear Michael

I refer to your Development Application for a Development Permit - Material Change of Use (Shop) at 48 & 50 Coulson Street, Blackbutt (and described as Lot 8 SP105981 & Lot 9 RP32384). The application was assessed and submitted to Council at its General Meeting held on Wednesday 21 September 2016.

Council -

- i. approved the applicant's request for a Development Permit for Material Change of Use for a Shop (Shopping Centre) at 48 and 50 Coulson Street, Blackbutt (and described as Lot 8 on SP105981 and Lot 9 on RP32384) for Stage 1; and
- ii. did not approve the applicant's request for a Development Permit for Stage 2 and instead approved a Preliminary Approval for a Material Change of Use for a Shop (Shopping Centre);  
subject to conditions.

The following schedule provides the relevant details.

**1 REFERRAL AGENCY ASSESSMENT**

**Concurrence Agencies:**

Agency	Decision	Date of Decision
Department of Infrastructure, Local Government & Planning	Approved subject to conditions	18 July 2016

**Advice Agencies:** Nil

**2 CONDITIONS**

Refer to Attachment A for Assessment Manager's Conditions  
Refer to Attachment B for Department of Infrastructure, Local Government & Planning conditions

**Customer Service Centres**

☐ **Blackbutt** 69 Hart Street  
☐ **Kingaroy** 45 Glendon Street  
☐ **Nanango** 48 Drayton Street

☐ **Murgon** 42 Stephens Street West  
☐ **Wondai** Cnr Mackenzie & Scott Streets

### **3 APPROVAL TYPE**

Development Permit for Material Change of Use

### **4 FURTHER PERMITS/LICENCES REQUIRED**

Development Permit for Plumbing and Drainage Work  
Development Permit for Building Work  
Development Permit for Operational Work

### **5 RIGHTS OF APPEAL**

Details on rights of appeal are attached for your information and a Notice of Appeal can be accessed on <http://www.courts.qld.gov.au>

With a view to early completion of the appeal process, it is in your interest to advise Council of your acceptance of the approval and conditions or to lodge an Appeal at your earliest convenience – as pursuant to Division 5, s339 of the *Sustainable Planning Act 2009* the approval does not take effect until the completion of the applicants' Appeal Period.

### **6 ADVICE**

The *Sustainable Planning Act 2009* provides the opportunity to make representations about a matter in the decision notice. This opportunity is provided during the applicant's 20 business day appeal period.

The purpose of this opportunity is to provide a mechanism for applicants and assessment manager to resolve disputes about conditions and other decision notice matters outside the formal appeal process.

Decision notice matters that can be negotiated are:

- the type of approval issued (eg. the issuing of a preliminary approval instead of a development approval)
- the length of the relevant period
- the conditions of approval
- the plans referred to in the approval
- the list of other development permits necessary to allow the development to be carried out; and
- the list of codes that may need to be complied with for self-assessable development.

### **7 ASSESSMENT MANAGER**

South Burnett Regional Council.

Yours faithfully



**Chris Du Plessis**  
**MANAGER – PLANNING AND LAND MANAGEMENT**

Enc

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**General**

**Stage 1 Development Permit Conditions**

**Amended Plans**

- GEN1. Prior to the issue of a development permit for building work or operational work related to stage 1 of this approval, the applicant must submit to Council for approval amended proposal plans identifying the following amendments:
- (a) A maximum road frontage setback to Coulson Street of 3 metres;
  - (b) A minimum of 65% of the Coulson Street façade of Stage 1 as glass;
  - (c) Provision of pedestrian shelter at the Coulson Street frontage of buildings (Muir Street frontage need not comply) in compliance with Probable Solution S11.7 of the Nanango Planning Scheme 2006, specifically:
    - (i) minimum width of 3.2 metres; or otherwise replicating the width for adjoining buildings, but not more than 600mm off the kerb, and
    - (ii) head-height clearance of 3.0 to 4.2 metres above pavement height;
  - (d) Property access sufficient to allow servicing for an Articulated Vehicle (AV);
  - (e) Car parking for Stage 1 in compliance with the car parking rates required by the Nanango Shire Planning Scheme 2006, as specified by Condition ENG 5;
  - (f) Gross floor area must remain no greater than 499 m<sup>2</sup> for Stage 1

The amended plans/drawings must be submitted to Council for approval by the Chief Executive Officer. The amended plans/drawings, when approved by the Chief Executive Officer, will be the approved plans/drawings forming part of this approval and a stamped copy will be returned to the applicant. The development must be carried out in general accordance with the approved plans/drawings.

**General**

- GEN2. The subject site must be developed generally in accordance with the plans and information submitted with the application as amended by these conditions:
- (a) PROPOSED STAGE 01\_SITE PLAN – Drawing Number DA 01.03 Issue P dated 3/8/2016
  - (b) PROPOSED STAGE 01\_ROOF PLAN – Drawing Number DA 01.04 Issue P dated 3/8/2016
  - (c) SECTION – Drawing Number DA 02.09 Issue P dated 3/8/2016

**Development in Stages**

- GEN3. Unless otherwise varied by a subsequent Development Permit for a Material Change of Use, develop the site in accordance with the staging identified on the approved plans, in numeric order.

**Further Development Permits**

- GEN4. The development herein approved for Stage 1 must not start until the following development permits have been issued and complied with as required:
- (a) Development Permit for Building Work;
  - (b) Development Permit for Operational Work;
  - (c) Development Permit for Plumbing and Drainage Work.
- GEN5. The applicant must submit a completed *Permit to Work on Council Roads-Footpaths Application* form available from <http://www.southburnett.qld.gov.au/infrastructure-roads-and-drainage> for approval by Council before commencing and works within the Council road reserve (i.e., in this case, the required property access).
- GEN6. All works, including the repair or relocation of services (Telstra, lighting) must be completed at no cost to Council.

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- GEN7. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.
- GEN8. Maintain the site in a clean and orderly state at all times.
- GEN9. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

**Compliance Assessment**

- GEN10. All conditions of this approval must be satisfied prior to Council issuing a Compliance Certificate for the commencement of the use, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

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

**Amalgamation**

- MCU1. Prior to the commencement of use, the applicant must amalgamate the subject lots, Lot 8 on SP105981 and Lot 9 on RP32384, into one allotment and submit evidence of such to Council.

**Fencing**

- MCU2. Provide a minimum 1.8m high screen fence along the side and rear property boundaries of the site, tapered to 1.2m in height over a length of 4m toward Coulson Street and Muir Street frontages.
- MCU3. Road frontage fences or walls are not permitted.

**Lighting**

- MCU4. Design all external lighting in accordance with AS4282-1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".

Artificial illumination is not to cause a nuisance to occupants of nearby premises and any passing traffic. Direct security and flood lighting away from adjacent premises to minimise the protrusion of light outside the street.

**Landscaping**

- MCU5. A detailed landscaping plan prepared in accordance with Planning Scheme Policy No.5 - Landscaping must be submitted to Council for Compliance Assessment prior to any work commencing on site.

Landscaping must be planted, maintained and irrigated in accordance with the approved Landscaping Plan prior to commencement of the use.

**Refuse Storage Collection**

- MCU6. Any areas that are dedicated for the collection and/or storage of solid waste on the premises must be:
- (a) level;
  - (b) provided with impervious hard stand and drained; and
  - (c) screened from view from the street or adjoining properties.

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- MCU7. Dedicated refuse bin areas must be provided for the washing out of the refuse bins and:
- (a) all tap outlets must be fitted with backflow prevention devices;
  - (b) the floor areas must be drained to sewer; and
  - (c) must be covered so that water not associated with the washing out process (e.g. rainfall) does not enter the sewer.

**Property Access**

- ENG 1. Property access shall be provided in accordance with the details in table S2.7 – *Design and Construction Standards* of the Nanango Shire Council IPA Planning Scheme; and IPWEAQ standard Drawing No. RS-051 *Driveways Heavy Duty Vehicle Crossing*, Type A, with dimension W1 being the greatest of:
- (a) 6.0m; and
  - (b) the minimum value necessary to meet the swept path requirements of the Articulated Vehicle (AV) as defined in AS/NZS 2890.2.
- ENG 2. Only one access to the site will be permitted, which must be from Muir Street.
- ENG 3. Fencing, landscaping, signs and letterboxes must not impede sight lines for vehicles entering or leaving the site or travelling along Muir Street.
- ENG 4. Road works and entrances must be constructed so as to:
- (a) remove all disused vehicle entrances and reinstate kerbing consistent with the adjacent kerb profile;
  - (b) permit all vehicles to enter and leave the site in a forward gear;
  - (c) avoid a trip hazard to pedestrians; and
  - (d) ensure that low-clearance vehicles can clear the cross-over pavement upon entering and leaving the property.

**Car Parking & Manoeuvrability**

- ENG 5. The applicant must provide line-marked vehicular parking spaces for Stage 1 in accordance with the requirements of Schedule 1 and Table S1.1 of the Nanango Shire IPA Planning Scheme, comprising of:
- (a) Twenty-five (25) spaces for B99 vehicles including one (1) disabled bay, in compliance with the requirements of the current version of AS/NZS 2890.1; and
  - (b) one (1) parking space to suit an Articulated Vehicle (AV) in compliance with the requirements of the current version of AS/NZS 2890.2.
- ENG 6. The applicant must provide the number of marked car parking spaces at Stage 2 for B99 vehicles including one (1) disabled bay as required by Schedule 1 and Table S1.1 of the Nanango Shire IPA Planning Scheme, or otherwise submit a technical report that provides an assessment of; and justification for another proposed number of car parks, for compliance assessment by Council's General Manager of Infrastructure.
- ENG 7. As part of a separate development application for an Operational Works permit, the applicant must provide a Signage and Linemarking Plan for compliance assessment by Council's General Manager of Infrastructure and install the traffic management devices required in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD); ensuring that the plan provides for the use of vehicles, pedestrians and mobility aids for disabled access. Driveways and vehicular parking areas must be adequately sign-posted including indicating combined usage by pedestrians and vehicles.

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- ENG 8. Disabled car parks shall be designed and constructed in accordance with the requirements of the current version of AS/NZS 2890.6.
- ENG 9. All driveways, vehicle manoeuvring areas and turning radii shall be designed and constructed in all other respects in accordance with the requirements of Table S2.7 – *Design and Construction Standards* of the Nanango Shire IPA Planning Scheme and the current version of AS/NZS 2890.1 for a B99 vehicle, except that the turning radii and areas used by the HRV to service refuse collection and the AV to services goods delivery including the Muir Street access, internal driveways, parking and manoeuvring areas shall be designed and constructed in accordance with the requirements of the current version of AS/NZS 2890.2 to suit both the HRV and AV as appropriate .
- ENG 10. As part of a separate application for an Operational Works permit, the applicant must provide for compliance assessment by Council's General Manager of Infrastructure, .DWG format drawings demonstrating the turning templates required to both enter and exit the property at the proposed cross-over in a forward direction and to enter and exit:
- (a) all proposed parking bays using a B99 class vehicle, meeting the requirements of Australian Standard AS/NZS 2890.1, including a clearance of 300mm to both sides of the turning path as required by clause B3.2 of AS/NZS 2890.1
  - (b) the proposed parking bays for a HRV and an AV as defined in AS/NZS 2890.2; including a clearance of 300mm to both sides of the turning path as required by clause 5.4 of AS/NZS 2890.2.
- ENG 11. Kerbing associated with the car parking bays shall be low enough to provide for clearance under vehicles as a B99 swept vehicle path protrudes over them.
- ENG 12. Car parking areas and internal driveways shall be constructed, drained and surfaced with either asphaltic concrete or reinforced concrete; or where such surfacing exists but is damaged, repaired to the requirements of the Nanango Shire IPA Planning Scheme or another standard agreed to by Council's General Manager of Infrastructure, so as to minimise dust emissions, erosion and sediment run-off. The construction and design shall be in accordance with the relevant part of current version of either AS 2890 or AS/NZS 2890 and to the requirements of the Nanango Shire IPA Planning Scheme.

**Roads**

- ENG 13. Any alterations or improvements to roads must be designed and constructed in accordance with the requirements of the Nanango Shire IPA Planning Scheme and of the MUTCD.
- ENG 14. The applicant must submit all required engineering drawings related to roadworks for compliance assessment to Council's General Manager of Infrastructure under a separate development application for an Operational Works permit.

**Kerb and Channel**

- ENG 15. Any damage to existing kerb & channel must be repaired or replaced to a profile matching the existing profile in Coulson Street and Muir Street as appropriate, for the full road frontages of Lot 8 SP105981 and Lot 9 RP32384.

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**Footpaths**

- ENG 16. The Applicant must construct a concrete footpath at least 2.0m wide along the frontage of Lot 9 on RP32384 (the western side of Muir Street between Coulson Street and joining to the existing footpath) at Stage 1 in accordance with the details in IPWEA Standard Drawing RS-065. *Concrete Pathway Construction Details*, and the requirements of Table S2.7 – *Design and Construction Standards* of the Nanango Shire IPA Planning Scheme.
- ENG 17. Kerb ramps complete with TGSIs must be installed at Stage 1 at locations agreed to by Council in accordance with IPWEA Standard Drawing RS-090. A kerb ramp must be provided adjacent to all disabled car parking bays to provide access to the footpath if they are required to be through kerb and channel.

**Water Supply**

- ENG 18. The proposed development must connect to Council's reticulated water supply system at the nearest practicable location as advised by Council's General Manager of Infrastructure and in accordance with Schedule 2, Division 3.2 – *Design and Construction Standards*, Table S2.10 of the Nanango Shire IPA Planning Scheme and the *South-east Queensland Water Supply & Sewerage Design & Construction Code* (SEQ Code) requirements at no cost to Council.
- ENG 19. The applicant must advise Council of its expected water supply demand for Stages 1 and 2 and any water reticulation main upgrades required to meet this additional demand must be installed at no cost to Council.
- ENG 20. Design details and engineering drawings required to comply with water supply conditions, prepared and certified by a RPEQ Civil Engineer must be submitted for compliance assessment to Council's General Manager of Infrastructure.
- ENG 21. All required water supply works will be subject to approval under a separate development application for an Operational Works permit.

**Sewerage**

- ENG 22. The proposed development shall connect to Council's sewerage system at the nearest practicable location as advised by Council's General Manager of Infrastructure and in accordance with Schedule 2, Division 3.2 – *Design and Construction Standards*, Table S2.10 of the Nanango Shire IPA Planning Scheme and the *South-east Queensland Water Supply & Sewerage Design & Construction Code* (SEQ Code) requirements. at no cost to Council.
- ENG 23. Engineering drawings required to comply with sewerage conditions including required changes to Council's sewers, prepared and certified by a RPEQ Civil Engineer must be submitted for compliance assessment to Council's General Manager of Infrastructure.
- ENG 24. All required sewerage works will be subject to approval under separate development application for an Operational Works permit.
- ENG 25. Buildings must not be located over the existing sewer, or the existing sewer must be relocated through the site so that it is clear of proposed buildings.

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**Building Over and Adjacent to Sewer**

- ENG 26. Relocation or alteration of Council's existing sewer passing through Lot 9 RP 32384 and Lot 8 SP105981 necessary to comply with the requirements of MP1.4 *Building over or near relevant infrastructure*, will be subject to a separate development application for an Operational Works permit.
- ENG 27. Where vehicular access pavement is proposed to be built over an existing or proposed sewer, construction jointed sections must be incorporated to facilitate future Council access for maintenance/service purposes. The joints shall be located symmetrically about the centre-line of the sewer and at least 600mm apart. The location of the existing sewer may be inferred from the location of the nearest manholes to each side of the pavement.

**Trade Waste Facilities**

- ENG 28. Trade waste facilities to service any food processing must be provided by the applicant at its cost, in compliance with Council's Trade Waste Management Policy.

**Stormwater**

- ENG 29. The stormwater drainage system serving the site including all surface, underground and roof water components must be designed in accordance with the requirements of the *Queensland Urban Drainage Manual (QUDM)* for Level III roof and allotment drainage and certified by a RPEQ engineer; and so that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flows will occur, the applicant must produce evidence to the satisfaction of Council's General Manager of Infrastructure of a lawful right as to the method for stormwater discharge over the downstream land.
- ENG 30. The development must have as its Lawful Point of Discharge, the stormwater manhole provided by Council opposite the south-western corner of lot 8 SP105981 which shall be nominated in the Stormwater Management Plan and shown on the drawings submitted for compliance assessment to Council's General Manager of Infrastructure as part of a development application for an operational works permit.
- ENG 31. All stormwater drainage systems, including all surface, underground and roof water components:
- (a) shall effectively drain all stormwater falling onto the proposed development to Council's stormwater manhole, rain water tanks, or another lawful point of discharge agreed to by Council's General Manager of Infrastructure;
  - (b) shall enable the post-development flows at the point of discharge to all downstream properties including road reserves to remain consistent with the pre-developed case; and
  - (c) shall be designed such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
- ENG 32. The Applicant must submit for Stage 1 an on-site Stormwater Management Plan (SMP) report for Compliance Assessment by Council's General Manager of Infrastructure, indicating drainage paths for all roofed and impervious areas. The on-site SMP shall also provide the following:



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- (a) Hydraulic design for all 1% AEP and 50% AEP AR&R design storms from 5 minutes to 450 minutes duration; and provision of all software data files for both pre-development and post-development scenarios
- (b) Preliminary design showing sizes, levels and location of all proposed pipes and channels; on-site storage tanks; roof drainage, gully pits, manholes and field inlets, etc.;
- (c) Details of all pre and post development flows; and
- (d) Details of any cut or fill required to direct stormwater to a lawful point of discharge.

ENG 33. Detailed engineering design drawings of the proposed stormwater system showing plans and longitudinal sections for stormwater infrastructure, including hydraulic grade lines, stormwater flow rates and velocities, proposed locations and details of all stormwater pipelines, manholes, gully pits, field inlet pits, culverts, channels, on-site detention/ retention tanks and/or detention basins including inlet and outlet details, guttering and downpipes must be submitted for compliance assessment to Council's General Manager of Infrastructure under a separate development application for an Operational Works permit.

ENG 34. All stormwater systems must be constructed in accordance with the approved drawing details before commencing any approved use.

ENG 35. Any damage to existing stormwater infrastructure shall be repaired or replaced equivalent to its existing condition or better at no cost to Council.

ENG 36. Any new earthworks, landscaping, pavements or structures shall not concentrate or impede the natural flow of water across property boundaries and onto any other properties or road reserve.

**Earthworks**

ENG 37. Any proposed earthworks shall be undertaken in accordance with the *Urban Locality Code*, Element (g) within the Nanango Shire IPA Planning Scheme Part 3 Division 2 unless approved separately under a Development Permit for Operational Works; and strictly in accordance with the requirements of Australian Standard 3798; other relevant Australian Standards; and accepted engineering Codes of Practice and Industry Guidelines. A certificate of quality and uniformity of fill shall be provided by the Supervising RPEQ for all filled areas.

**Standard of Works**

ENG 38. Works shall be constructed generally in accordance with the specification requirements outlined in Aus-Spec #1 and the IPWEAQ Standard Drawings unless otherwise agreed by Council's General Manager of Infrastructure.

**Maintenance Bond**

ENG 39. A Maintenance Bond, equal to 5% of the total cost of construction of the civil works, including landscaping where applicable, must be lodged with the Council for a period of twelve (12) months from the date of acceptance "on maintenance" of any donated assets which are the subject of an Operational Works application.

**Advice**

ADV 1. All engineering designs submitted to Council for compliance assessment approval must be certified by an appropriate Registered Professional Engineer of Queensland.

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- ADV 2. Council will check its existing water supply system to determine whether any reticulation upgrades are necessary to meet the water supply and firefighting demand from the development, for which it will require advice from the applicant on its expected demand at Stages 1 and 2. A water connection upgrade may be required at Stage 1 based on the applicant's requirements and this will be at the applicant's cost.
- ADV 3. The applicant is advised that the existing water mains passing the site along Coulson Street and Muir Street are of asbestos cement manufacture and appropriate safety measures and methodology are required when working at or near these mains. All live works including new connections and capping off of any connection no longer required will be carried out by Council at the applicant's cost.
- ADV 4. Any work over or adjacent to Council's sewerage infrastructure, including the construction/rebuilding/alteration of buildings, pavements, or other structures; and filling or excavation of material is subject to the requirements of the *Queensland Development Code MP1.4 Building over or near relevant infrastructure*.
- ADV 5. The proposed sewerage relocation concept in Lenecon drawing No. S-0131617-01 Revision A dated 10/6/2015, "Sewer Diversion" is not acceptable and it is expected that the sewer will require relocation along the northern boundaries of Lot 9 RP 32384 and Lot 8 SP105981.
- ADV 6. It is expected that Muir Street from the intersection with Coulson Street to the northern boundary of Lot 9 RP32384 will require resurfacing with AC in order to meet the additional service requirements of the proposed development.
- ADV 7. At the time of application for Operational Works approval and before construction works may commence, the applicant will be required to submit the following design drawings for compliance assessment by Council's General Manager of Infrastructure: –
- (a) roadworks plans, cross-sections, typical detailed cross-section and pavement design details;
  - (b) Water supply internal reticulation plans and design details;
  - (c) Sewerage layout plans, longitudinal sections and design details;
  - (d) Stormwater layout plans longitudinal sections and design details;
  - (e) Landscaping plan and detailed planting schedule;
  - (f) Electricity layout; and
  - (g) Environmental management works.
- ADV 8. The coordinate system to be adopted for drawings submitted by the applicant in relation to future and completed operational works shall be GDA94 MGA Zone 56.
- ADV 9. Council expects that as-constructed revisions of all drawings submitted for operational works will be provided in DWG or DXF format and one (1) hard copy wet-signed on reinforced paper or film; and in accordance with the IPWEAQ Asset Design As Constructed (ADAC) Guidelines for Creation and Submission of ADAC XML Files. All text should be easily legible at A3 size.

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- ADV 10. *State Planning Policy (July 2014)* Appendix 3 Table B does not require any water quality treatment within Council's region since no population centres exceed 25,000 people; and there are no requirements in Council's Planning Scheme, but the proponent is encouraged to provide such facilities on its site and if required to meet its General Environmental Duty. However, Council will not accept such facilities as donated assets, due to the potential maintenance burden.
- ADV 11. In analysing the stormwater system to meet QUDM Level III requirements, calculation of the contribution to on-site detention (OSD) volumes of roofwater should not assume that more than Q20 flow is contributed to the OSD, unless the roofwater design (gutters and downpipes) has actually been designed to contribute a greater amount (for example, if these are designed for Q100).
- ADV 12. Stormwater calculations should not assume that rainwater tank retention storage contributes to the required detention volume.
- ADV 13. The applicant should consider the effects of any proposed Stage 2 works (should they be approved) upon the stormwater management plan for the site. Provision for Stage 2 stormwater drainage works at stage 1 such that minimal modification of Stage 1 works would be required has the potential for saving significant costs.

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**Stage 2 Preliminary Approval Conditions**

- GEN 1. Subject to the requirements of the planning scheme in effect at the time, an amended proposal for Stage 2 must be submitted to Council for assessment and must comply with the following requirements:
- (a) A maximum road frontage setback to Coulson Street of 3 metres;
  - (b) A minimum of 65% of the Coulson Street façade of Stage 1 as glass;
  - (c) Provision of pedestrian shelter at the Coulson Street frontage of buildings (Muir Street frontage need not comply) in compliance with Probable Solution S11.7 of the Nanango Planning Scheme 2006, specifically:
    - (i) minimum width of 3.2 metres; or otherwise replicating the width for adjoining buildings, but not more than 600mm off the kerb, and
    - (ii) head-height clearance of 3.0 to 4.2 metres above pavement height;
  - (d) Gross floor area must remain no greater than 923 m<sup>2</sup> for the combined total of Stage 1 and Stage 2.

**Further Development Permits**

- GEN 2. The development herein given preliminary approval for Stage 2 must not start until the required development permits have been issued and conditions complied with, particularly:
- (a) Development Permit for Material Change of Use.

**Car Parking & Manoeuvrability**

- ENG 1. The applicant must provide the number of marked car parking spaces at Stage 2 for B99 vehicles including one (1) disabled bay as required by Schedule 1 and Table S1.1 of the Nanango Shire IPA Planning Scheme, or otherwise submit a technical report that provides an assessment of; and justification for another proposed number of car parks, for compliance assessment by Council's General Manager of Infrastructure.

**Sewerage**

- ENG 2. Buildings must not be located over the existing sewer, or the existing sewer must be relocated through the site so that it is clear of proposed buildings.
- ENG 3. Engineering drawings required to comply with sewerage conditions including required changes to Council's sewers, prepared and certified by a RPEQ Civil Engineer must be submitted for compliance assessment to Council's General Manager of Infrastructure.
- ENG 4. All required sewerage works will be subject to approval under separate development application for an Operational Works permit.

**Trade Waste Facilities**

- ENG 5. Trade waste facilities to service any food processing must be provided by the applicant at its cost, in compliance with Council's Trade Waste Management Policy.

**Stormwater**

- ENG 6. The Applicant must submit at Stage 2 an amended on-site Stormwater Management Plan (SMP) report based upon the approved Stage 1 report, for Compliance Assessment by Council's General Manager of Infrastructure, indicating drainage paths for all roofed and impervious areas. The on-site SMP shall also provide the following:

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- (a) Hydraulic design for all 1% AEP and 50% AEP AR&R design storms from 5 minutes to 450 minutes duration; and provision of all software data files for both pre-development and post-development scenarios
- (b) Preliminary design showing sizes, levels and location of all proposed pipes and channels; on-site storage tanks; roof drainage, gully pits, manholes and field inlets, etc.;
- (c) Details of all pre and post development flows; and
- (d) Details of any cut or fill required to direct stormwater to a lawful point of discharge.



## AUGUST 2016 ISSUE P

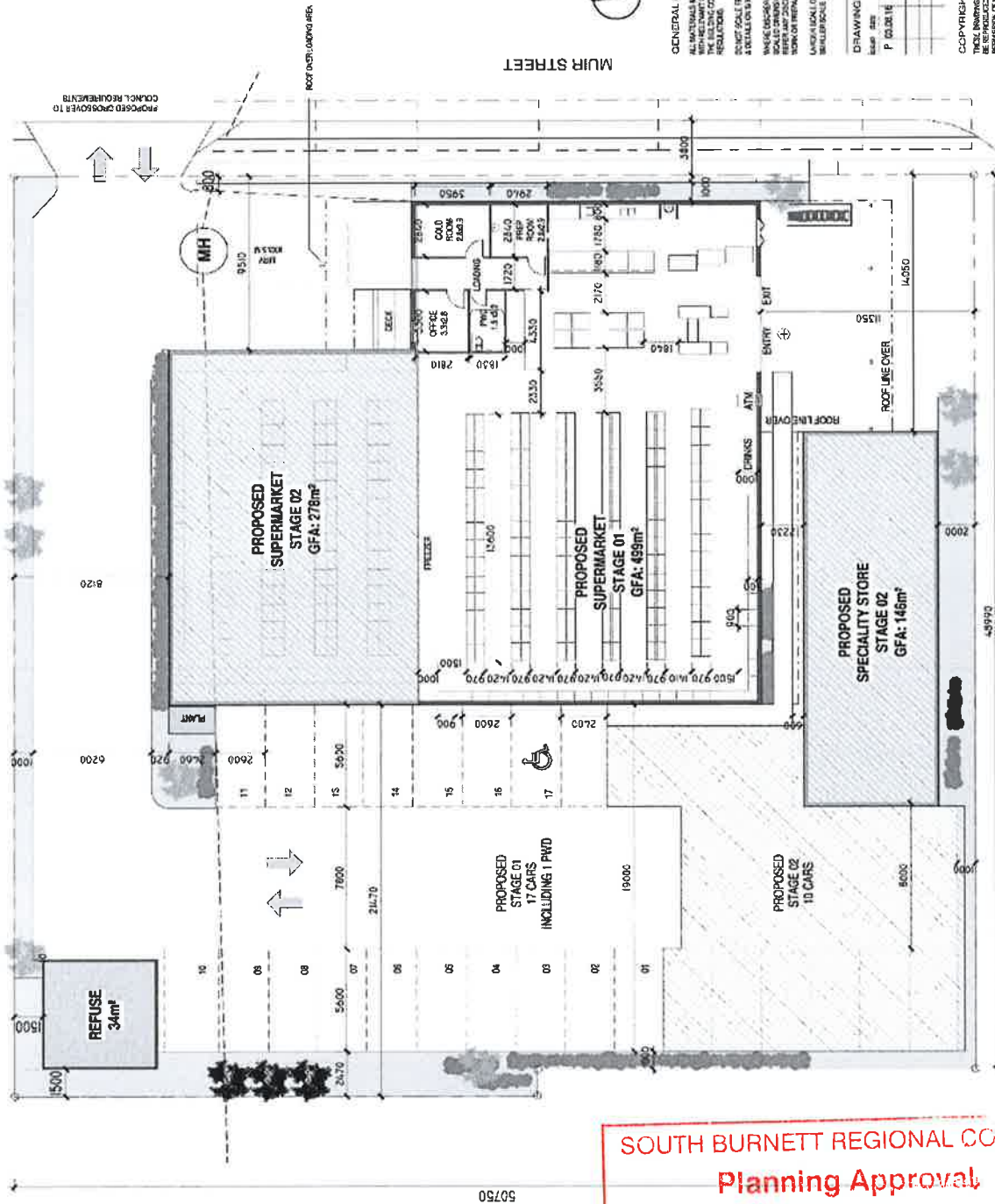
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ISSUE DATE 06/01/16  
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PREF. PRIMARY 06

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PROPOSED STAGE 01 SITE PLAN

EMA, STEVENAGE, UK. WWW.MAYHEL.COM

CORNER OF COULSON STREET AND MUIR ST

**SOUTH BURNETT REGIONAL COURT**  
**Planning Approval**

20 16 00 04

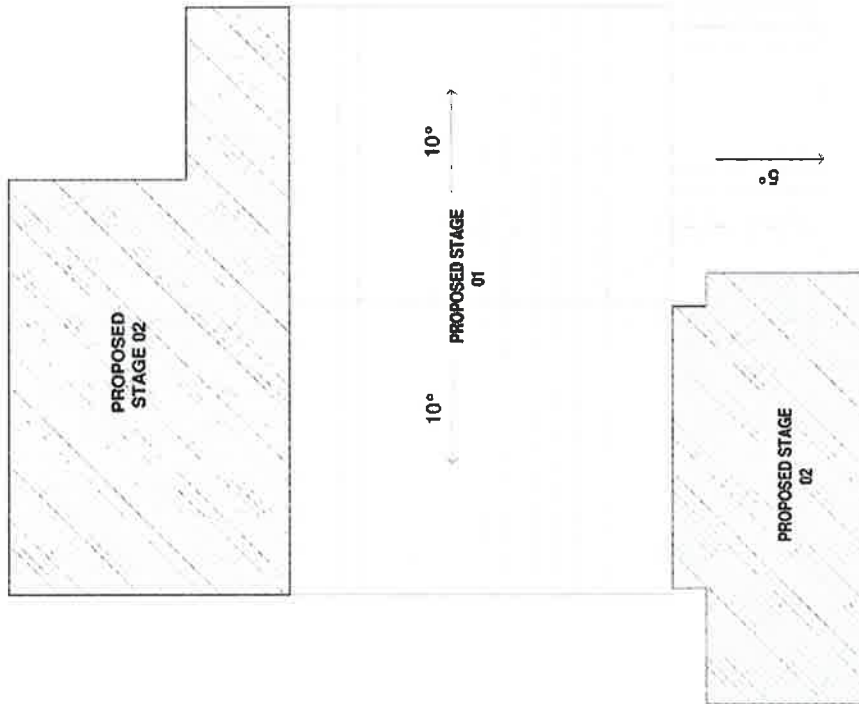
21 SEP 2016

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IR1602547  
Page 15 of 37

**ATTACHMENT A  
ASSESSMENT MANAGER'S REPORT  
SOUTH BURNETT REGIONAL COUNCIL**

PROPOSED STAGE 01



**GENERAL NOTES:**  
ALL MATERIALS, WORKMANSHIP & ACCORDANCE WITH RELEVANT CURRENT AUSTRALIAN STANDARDS, REGULATIONS & CODES OF PRACTICE & STANDARDS.  
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE RELEVANT CURRENT AUSTRALIAN STANDARDS, REGULATIONS & CODES OF PRACTICE & STANDARDS.  
WORKS TO BE COMPLETED PRIOR TO COMMENCEMENT OF CONSTRUCTION SHALL BE COMPLETED PRIOR TO COMMENCEMENT OF CONSTRUCTION.  
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DRAWING ISSUE	
Issue	Date
1	02/01/16
PRELIMINARY DA	

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**MAYHILL**  
URBAN PLANNING & ARCHITECTURE

AUGUST 2016 ISSUE P

P 2015-004 MB SM 1:200 DA 01.04  
SCALE: 1:200  
SHEET: 01 OF 01  
SHEET: 01 OF 01

PROPOSED STAGE 01 ROOF PLAN  
DRAWING TITLE  
SOUTH BURNETT REGIONAL COUNCIL  
CORNERS OF COULSON STREET AND MUJR ST

**SOUTH BURNETT REGIONAL COUNCIL**  
**Planning Approval**  
20 16 0 0 0 4 21 SEP  
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PROPOSED STAGE 01

**GENERAL NOTES:**

1. ALL TOLLS ARE WORKING IN ACCORDANCE WITH THE TOLLING ACT OF 1997. TOLLS ARE COLLECTED BY THE TOLLING AUTHORITY, THE TOLLING AUTHORITY OF AUSTRALIA & TOLLING REGULATIONS.

2. DO NOT SOLE FROM DOWNHILL KERRY INDUSTRIES IN DETAILS ON SITE BEFORE COMMENCING ANY WORK.

3. PRIVATE DOCUMENTS EXIST IN THE TOLLING ACT & TOLLING REGULATIONS. PLEASE CONTACT THE TOLLING AUTHORITY FOR ANY DOCUMENTS BEFORE COMMENCING ANY WORKING ON THE TOLLING ACT & TOLLING REGULATIONS.

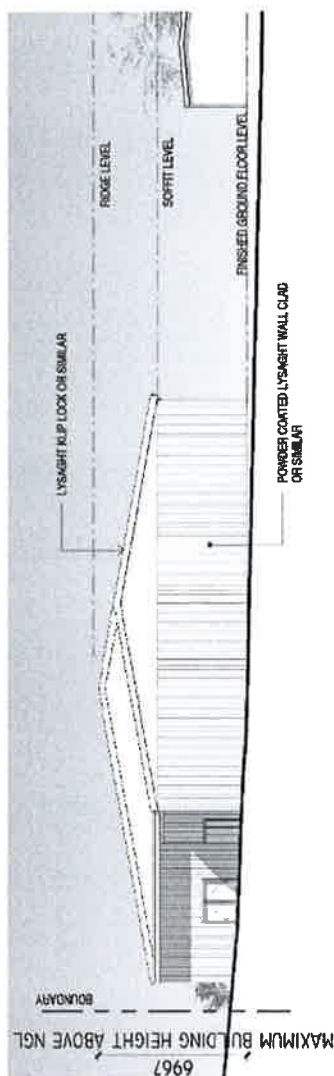
4. ALL TOLLS & OVERSIGHTS TAKE PLACE ON THE TOLLING ACT & TOLLING REGULATIONS.

DRAWING ISSUE	
DATE	0000
P. 00.00.10	PRELIMINARY DA

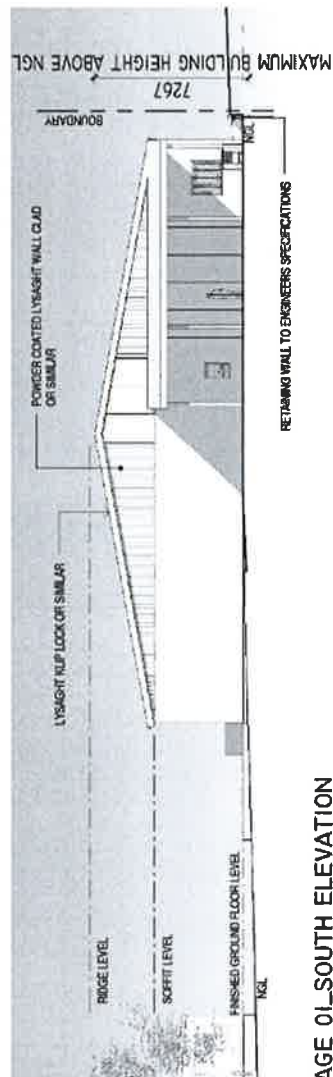
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2 STAGE 01 NORTH ELEVATION  
1:200



1  
STAGE 01\_SOUTH ELEVATION  
1 : 200

## SOUTH BURNETT REGIONAL COUNCIL Planning Approval

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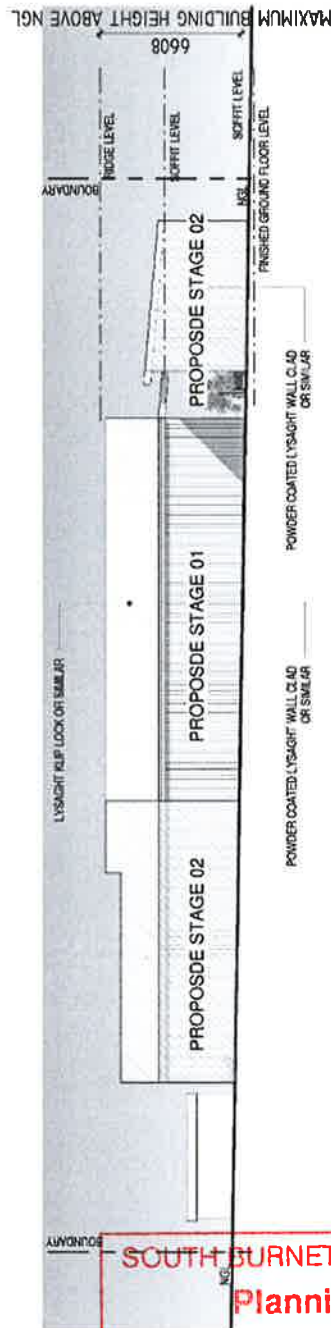
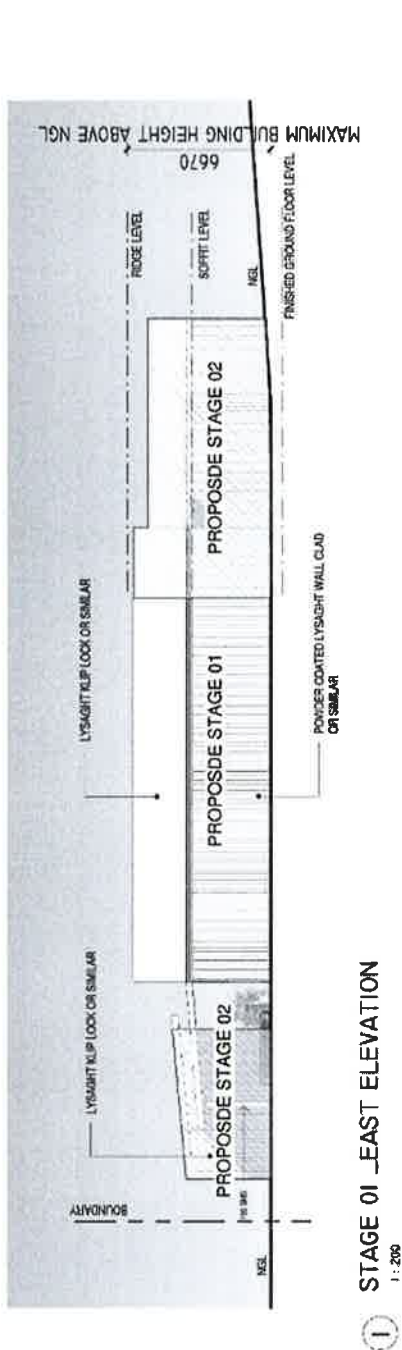
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IR1602547  
Page 17 of 37

**ATTACHMENT A  
ASSESSMENT MANAGER'S REPORT  
SOUTH BURNETT REGIONAL COUNCIL**

**PROPOSED STAGE 01**



**GENERAL NOTES:**  
ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA & STATUTORY REGULATIONS.  
DESIGN SCALE: 1:200 (AS SHOWN) & 1:200 (AS SHOWN).  
WHERE DIMENSIONS ARE NOT SPECIFIED, ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
WORK SHALL BE COMPLETED BEFORE COMMENCEMENT OF ANY OTHER WORK.  
LANDSCAPE CHANGES SHALL INCLUDE ALL NECESSARY BRIDGES & DRIVE.

**DRAWING ISSUE**  
Issue: 001  
P: 01.00.16  
PRELIMINARY DA

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AUGUST 2016, ISSUE P

**PROPOSED STAGE 01 ELEVATIONS**  
DRAWING TITLE: PROPOSED STAGE 01 ELEVATIONS  
SCALE: 1:200  
DATE: 2015-004  
MB  
P  
SM  
DA 01.06  
CORNER OF COULSON STREET AND MUJR ST  
LOCATION: CORNER OF COULSON STREET AND MUJR ST  
CLIENT: MANDEVILLY LTD  
21 SEP 2016  
20160004  
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## PROPOSED

STAND STILL, BE TIGHT, BUT NEVER GIVE UP.

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PROPOSED STAGE 02



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 DRAWING DATE: 03.08.15  
 PRELIMINARY ON

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UNISAM PLACING • ARCHITECTURE

EMAIL: [STEVE@247MIL.COM](mailto:STEVE@247MIL.COM) WEBSITE: [247MIL.COM](http://247MIL.COM)

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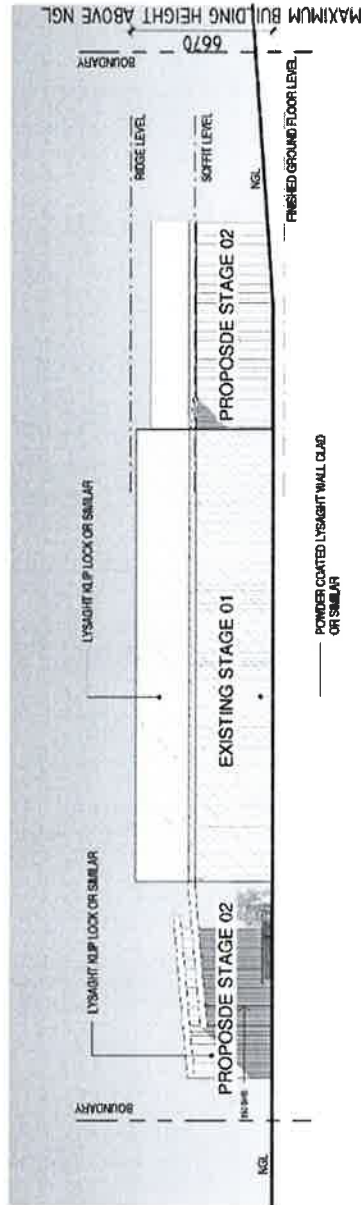
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Decision Notice and is subject to conditions.

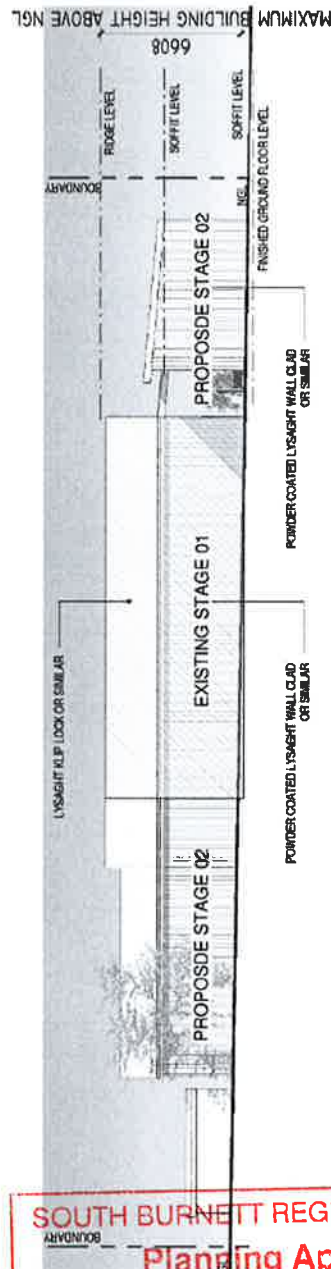


**ATTACHMENT A  
ASSESSMENT MANAGER'S REPORT  
SOUTH BURNETT REGIONAL COUNCIL**

# PROPOSED STAGE 02



**1 EAST ELEVATION**  
1 : 200



**2 WEST ELEVATION**  
1 : 200

**GENERAL NOTES:**  
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA & ALL APPLICABLE REGULATIONS.  
2. DO NOT SCALE FROM DIMENSIONS VERY DIMENSIONS A DETAIL OR ENTIRE COMPONENTS OF WORK.  
3. WHERE DIMENSIONS EXIST BETWEEN EXISTING & PROPOSED WORK, DIMENSIONS SHALL BE TO THE PROPOSED WORK OR IMPROVED SHOP DRAWING.  
4. LARGER SCALE DRAWINGS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.

DRAWING ISSUE  
Issue 001  
P. 00.00.16 PRELIMINARY 2A

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URBAN PLANNING & ARCHITECTURE

AUGUST 2016 ISSUE P

**SOUTH BURNETT REGIONAL COUNCIL**  
**Planning Approval**  
20 16 000 4      21 SEP 2016  
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PROJECT TITLE: PROPOSED STAGE 02 ELEVATIONS  
JOB NUMBER: 2015-004 MB  
SCALE: 1 : 200  
DATE: 2015-004 MB  
DRAWN BY: SM  
CHECKED BY: AS  
APPROVED BY: DA 02.03  
LOCATION: CORNER OF COLLISON STREET AND MUIR ST  
CLIENT: MANDEV PTY LTD  
EMAIL: STEVEN@MAYHILL.COM.AU  
WEB: WWW.MAYHILL.COM.AU  
SHOP: 2772 MERVILLE STREET, SOUTH BRISBANE QLD 4008  
TEL: 08 616 043 501 051

PROPOSED STAGE 02

**GENERAL NOTES:**  
ALL MATERIALS & WORKMANSHIP IN ACCORDANCE WITH THE LATEST CURRENT AUSTRALIAN STANDARDS. THE BUILDING CODE OF AUSTRALIA & STANDARD SOLUTIONS.

OBJECTS WOULD BE FROM DOMESTIC READY-MADE GOODS  
AND DETAILS ON THESE FOR COMMERCE ARE NOT  
AVAILABLE. DISCREPANCIES FOR 1978 BETWEEN A  
SCALED DIMENSIONAL FIELD DROPOUS METAL  
FROM ANY DISCREPANCIES BEFORE COMMING  
FROM AN INQUIRY. NEW DISCREPANCIES.

DRAWING ISSUE

P 00.00.16 PRELIMINARY DA

CONVARIANT

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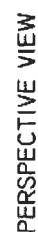
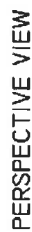
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21 SEP 2018

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PERSPPECTIVE



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URBAN PLANNING • ARCHITECTURE

AUGUST 2016 ISSUE P

PERSPECTIVE

ANDEV PTY LTD

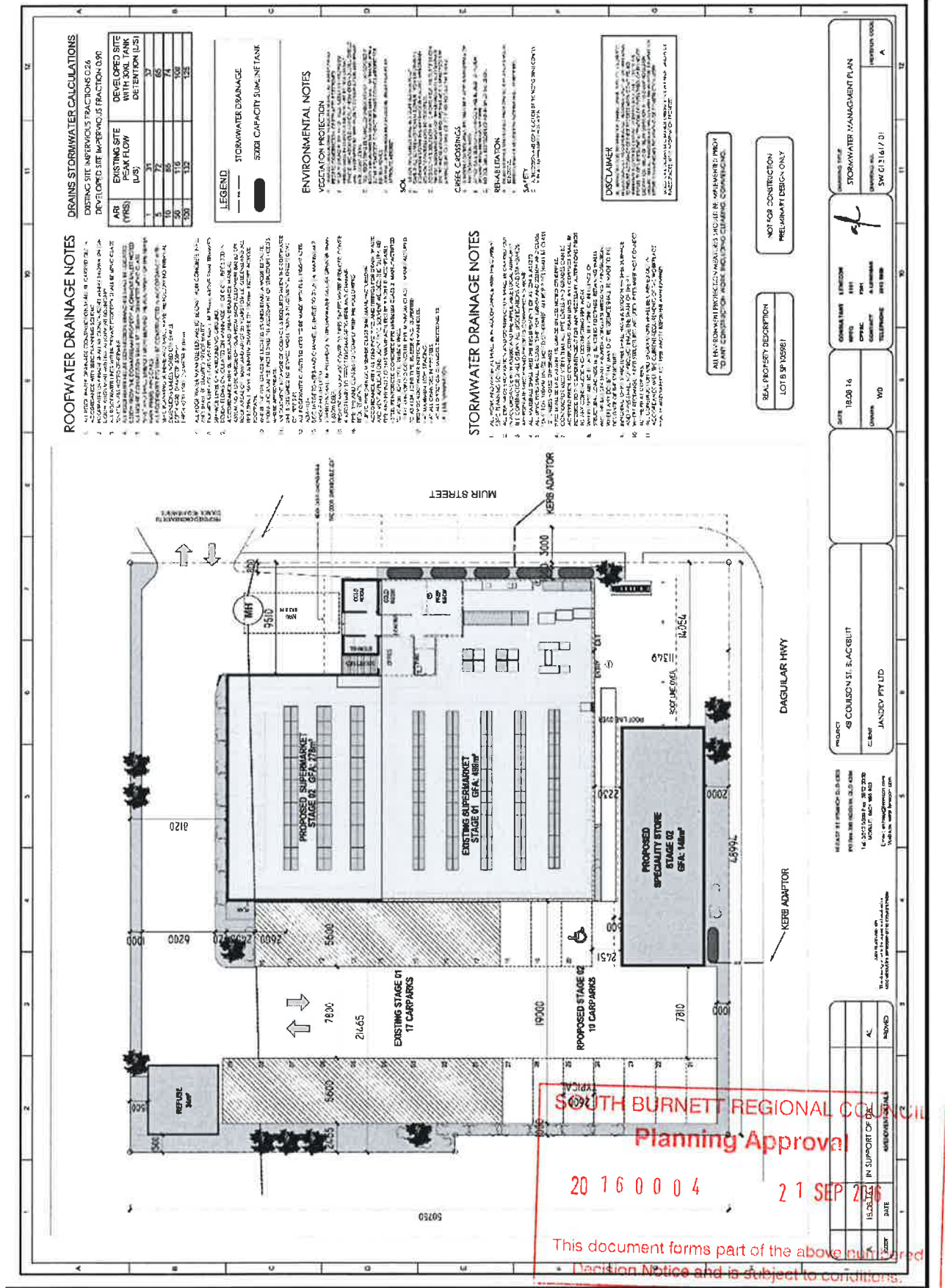
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Page 23 of 37

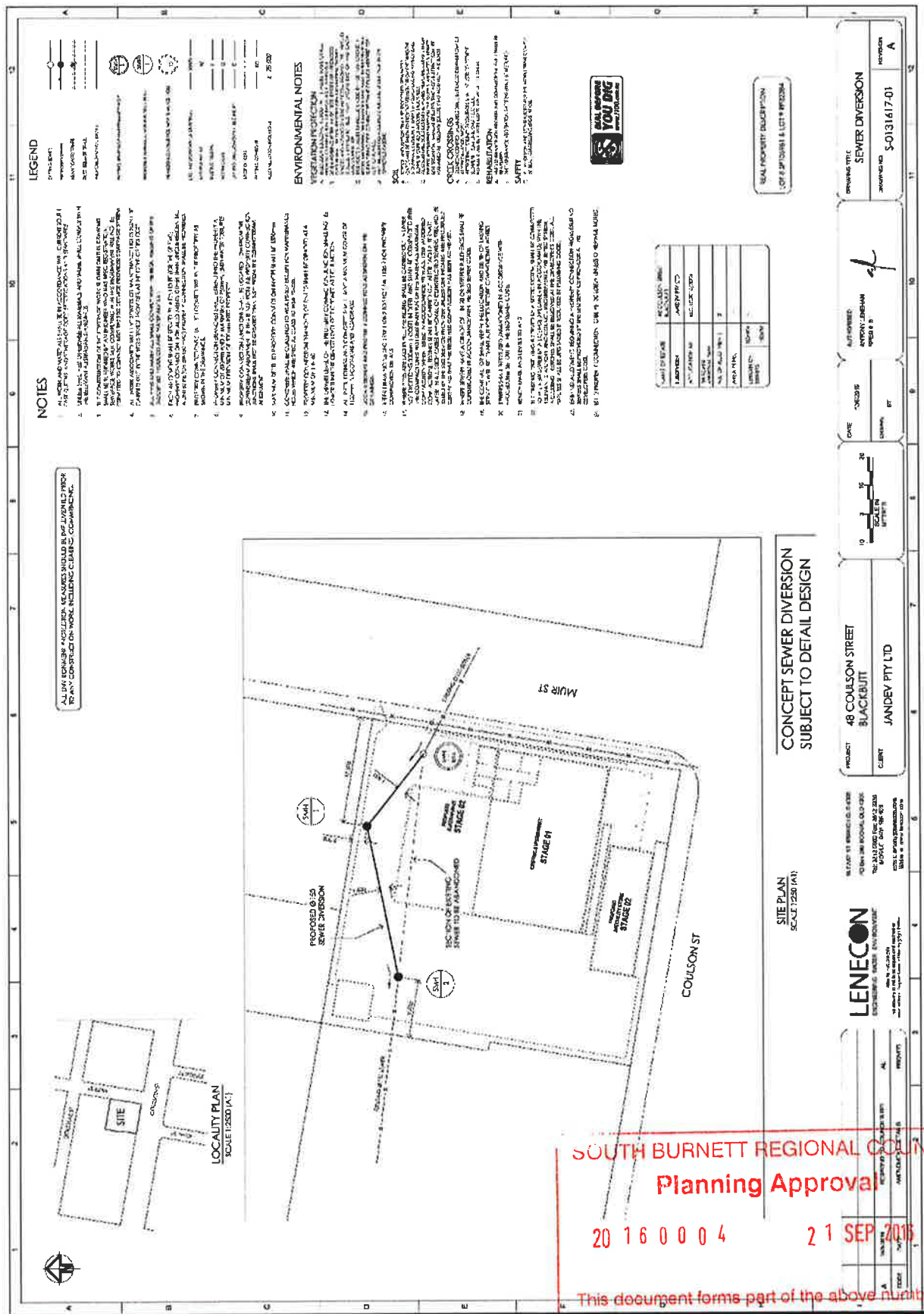
## SECTION





# **ATTACHMENT A ASSESSMENT MANAGER'S REPORT SOUTH BURNETT REGIONAL COUNCIL**







## Adopted Infrastructure Charges Notice Stage 1

**To:** Jandev Pty Ltd  
c/- Mayhill Planning and Architecture  
2/72 Merivale Street  
South Brisbane Qld 4104

**Date of Issue:** 21 September 2016

**Reference Number:** IR1602547 (MCUC 2016/0004)

**Amount of the Charge:** \$ 10,266.30

**Land to which the charge applies:** 50 to 54 Coulson Street Blackbutt  
(and described as Lot 8 SP105981 and Lot 9 RP32384)

**The person to whom the charge must be paid:** South Burnett Regional Council

**When the charge is payable:** **Material Change of Use:** When the change happens (in accordance with Section 638(l)(c) of the *Sustainable Planning Act 2009*).

Infrastructure Charges			
Description	m <sup>2</sup> GFA	Infrastructure Rate	Total Infrastructure Cost
Shopping Centre Stage 1	499	37	18,463.00
Credit (Places of Assembly)	512.3	16	8,196.80
<b>TOTAL</b>			<b>\$10,266.20</b>

Enquiries regarding this adopted infrastructure charges notice can be made by contacting Council's Manager Planning, Land Management & Community on 4189 9130;

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**



Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0616-030849  
Your reference: MCUC2016/0004

18 July 2016

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

Dear Mr Wall

**Concurrence agency response—with conditions**

48 and 50 Coulson Street, Blackbutt QLD 4306 – Lot 8 on SP105981 and Lot 9 on RP32384  
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 7 June 2016.

**Applicant details**

Applicant name:	Jandev Pty Ltd C/- Mayhill Planning and Architecture
Applicant contact details:	2/72 Merivale Street South Brisbane QLD 4101 michael@mayhill.com.au

**Site details**

Street address:	48 and 50 Coulson Street, Blackbutt QLD 4306
Lot on plan:	Lot 8 on SP105981 and Lot 9 on RP32384
Local government area:	South Burnett Regional Council

Page 1

Wide Bay Burnett  
Level 1, 7 Takalvan Street Bundaberg  
PO Box 979 Bundaberg  
Queensland 4670 Australia  
Telephone +61 7 4331 5614  
Website [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au)  
ABN 29 230 178 530

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

SDA-0616-030849

**Application details**

Proposed development: Development Permit for Material Change of Use (Shop)

**Aspects of development and type of approval being sought**

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development Permit	Supermarket and specialty shops	Code Assessment

**Referral triggers**

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 3, Item 1—State-controlled road

**Conditions**

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

**Reasons for decision to impose conditions**

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

**Further advice**

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

**Approved plans and specifications**

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
<b>Aspect of development: Material change of use</b>				
Proposed Stage 01_Site Plan	Mayhill Planning and Architecture	06.04.16	Dwg No. DA 01.03	Issue K

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

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

SDA-0516-030849

For further information, please contact Danica Clark, Senior Planning Officer, SARA Wide Bay Burnett on (07) 4331 5614, or email [WBBSARA@dlgp.qld.gov.au](mailto:WBBSARA@dlgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Holly Sorohan  
A/Manager (Planning)

cc: Jandev Pty Ltd C/- Mayhill Planning and Architecture  
    [michael@mayhill.com.au](mailto:michael@mayhill.com.au)  
enc: Attachment 1—Conditions to be imposed  
      Attachment 2—Reasons for decision to impose conditions  
      Attachment 3—Further advice  
      Attachment 4—Approved Plans and Specifications

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

SDA-0616-030849

Our reference: SDA-0616-030849

Your reference: MCUC2016/0004

**Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
Development Permit for Material Change of Use (Shops)		
State-controlled road—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	The development must be carried out generally in accordance with the following plan: <ul style="list-style-type: none"> <li>Proposed Stage 01_Site Plan prepared by Mayhill Planning and Architecture dated 06.04.16, reference Dwg No. DA 01.03 and revision K.</li> </ul>	Prior to the commencement of use and to be maintained at all times.
2.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i) create any new discharge points for stormwater runoff onto the D'Aguilar Highway;</li> <li>(ii) interfere with and/or cause damage to the existing stormwater drainage on the D'Aguilar Highway;</li> <li>(iii) surcharge any existing culvert or drain on the D'Aguilar Highway;</li> <li>(iv) reduce the quality of stormwater discharge onto the D'Aguilar Highway.</li> </ul> <p>(c) RPEQ certification with supporting documentation must be provided to the District Director, Wide Bay Burnett District within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) At all times.</p> <p>(b) At all times.</p> <p>(c) Prior to the commencement of use.</p>
3.	Direct access is not permitted between the D'Aguilar Highway and the subject site.	At all times
4.	(a) Road works comprising a Channelised Right Turn Short Treatment (CHR(S)) must be provided at the intersection of the D'Aguilar Highway and Muir Street, Blackbutt to cater for right turns into Muir Street from the D'Aguilar Highway.	Prior to the commencement of use.

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

SDA-0616-030849

No.	Conditions	Condition timing
	(b) The road works must be designed and constructed in accordance with the Department of Transport and Main Roads Road Planning and Design Manual 2 <sup>nd</sup> Edition and Standard Specifications (applicable at time of development works).	



**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

SDA-0616-030849

Our reference: SDA-0616-030849  
Your reference: MCUC2016/0004

**Attachment 2—Reasons for decision to impose conditions**

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The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor.
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road direct access to the state-controlled road is prohibited were not required.
- To ensure the road works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards.

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

SDA-0616-030849

Our reference: SDA-0616-030849  
Your reference: MCUC2016/0004

**Attachment 3—Further advice**

Further development permits, compliance permits or compliance certificates	
1.	<b>Road works approval:</b> Under section 33 of the <i>Transport Infrastructure Act 1994</i> , written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road. Please contact the Department of Transport and Main Roads on (07) 4151 0200 or email <a href="mailto:WBB.IDAS@tmr.qld.gov.au">WBB.IDAS@tmr.qld.gov.au</a> to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**

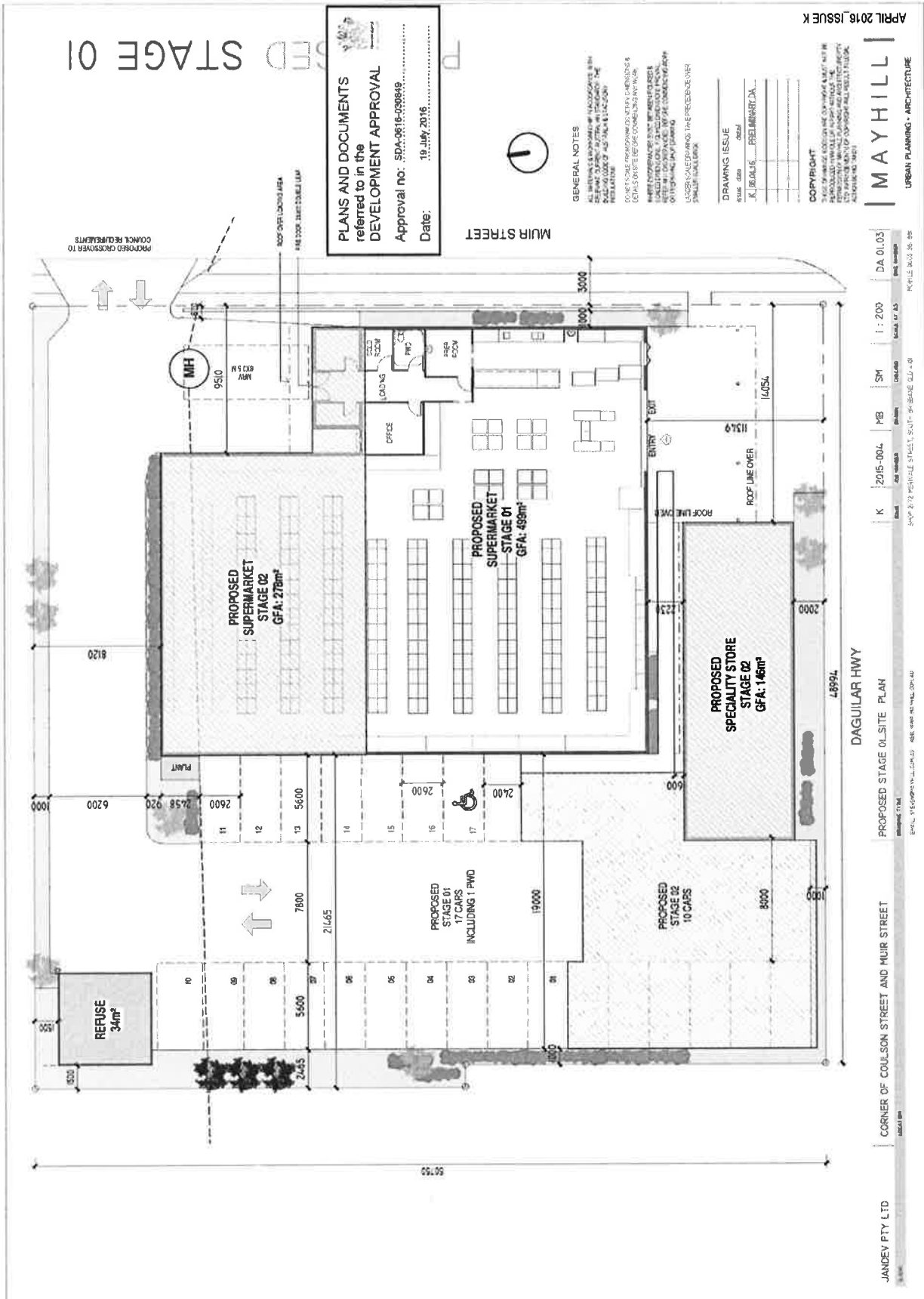
SDA-0616-030849

Our reference: SDA-0616-030849  
Your reference: MCUC2016/0004

**Attachment 4—Approved plans and specifications**

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**ATTACHMENT B**  
**DEPARTMENT OF INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING**  
**CONCURRENCE AGENCY**



**Appeal Rights**  
**Sustainable Planning Act 2009**  
**IDAS Development Application**

The following is an extract from the  
*Sustainable Planning Act 2009*

**Division 8 Appeals to court relating to  
development applications and approvals**

**461 Appeals by applicants**

(1) An applicant for a development application may appeal to the court against any of the following—

- (a) the refusal, or the refusal in part, of the development application;
- (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
- (c) the decision to give a preliminary approval when a development permit was applied for;
- (d) the length of a period mentioned in section 341;
- (e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—

- (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
- (b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

**462 Appeals by submitters—general**

(1) A submitter for a development application may appeal to the court only against—

- (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
- (b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—

- (a) the giving of a development approval;
- (b) any provision of the approval including—
  - (i) a condition of, or lack of condition for, the approval; or
  - (ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—

- (a) withdraws the submission before the application is decided; or
- (b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

**464 Appeals by advice agency submitters**

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

- (a) any part of the approval relating to the assessment manager's decision about any part

of the application requiring impact assessment under section 314; or

- (b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

**465 Appeals about decisions relating to extensions for approvals**

(1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

**466 Appeals about decisions relating to permissible changes**

(1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—

- (a) if the responsible entity for making the change is the assessment manager for the application—
  - (i) the person who made the request; or
  - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;

- (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.

(2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.

(3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

**467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency**

(1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.