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(3 southburnettregion

SOUTH BURNETT
REGIONAL COUNCIL

22 December 2025

Direct Telephone:

Our Reference:

Officer:

ATC Consulting Engineers & Project Managers Pty Ltd PO Box 550 KINGAROY QLD 4610

07 4189 9100

OPW25/0018

Development Engineer - Basanta

Dear Sir/Madam

Decision Notice Planning Act 2016

I refer to your application and advise that on 17 December 2025, Council's Delegated Authority decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: OPW25/0018

Street Address: Taylors Road, KINGAROY

Real Property Description: Lot 94 on SP348421

Planning Scheme: South Burnett Regional Council

DECISION DETAILS

Type of Decision: Approval

Type of Approval:

Development Permit for Operational Works (Roadwork,

Drainage Work, Stormwater, Earthworks, Water Infrastructure,

Sewage Infrastructure)

Date of Decision: 17 December 2025

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is 2 years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Not Applicable

ASSESSMENT MANAGER CONDITIONS

GENERAL

- ENG1. Compliance with the plans and specifications submitted with Development Application OPW25/0018, approval conditions, all Council Planning Scheme Policies and Reconfiguration of a Lot Approval Number RAL24/0026.
- ENG2. This approval extends to Road work, Drainage work, Stormwater, Earthworks, Water Infrastructure & Sewage Infrastructure as detailed, and is conditional upon a set of "Issued for Construction" drawings, amended if required by the conditions of this approval, being submitted to Council for endorsement, prior to pre-start meeting.
- ENG3. Undertake all approved works and works required by conditions of this development approval at no cost to Council.
- ENG4. Submit to Council, electrical underground power and street lighting plans certified by a suitably qualified Engineer (RPEQ Electrical) for approval, prior to Council's endorsement of the Plan of Survey. Be responsible to check and ensure that electrical drawings do not conflict with the civil engineering design.
- ENG5. Submit to Council for approval, an Inspection and Test Plan certified by a suitably qualified Engineer (RPEQ Civil) prior to commencement of any work and prior to any pre-start meeting.
- ENG6. Pay to Council, inspection fees based on Council's Fees and Charges current at the time of commencement of works and based on the estimated project cost as estimated or accepted by Council prior to the pre-start meeting.
- ENG7. Ensure that supervision of all construction works are carried out by a suitably qualified and experienced Engineer (RPEQ).
- ENG8. Adhere to the following hours of construction unless otherwise approved in writing by Council:

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

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

- ENG9. Be responsible to carry out Work Health and Safety legislative requirements.
- ENG10. Ensure all work sites are maintained in a clean, orderly state at all times.
- ENG11. Manage all waste in accordance with the relevant legislation and regulations and dispose of regulated waste at a licensed facility of South Burnett Regional Council by a licensed regulated waste disposal contractor.
- ENG12. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

- ENG13. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development, immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.
- ENG14. Submit to Council, a Certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements, prior to Council's endorsement of the Plan of Survey.
- ENG15. Works are to be constructed generally in accordance with the specification requirements outlined in Aus-Spec #1 and the IPWEAQ Standard Drawings unless otherwise approved by South Burnett Regional Council.

ROADWORKS

- ENG16. Submit to Council for approval, final pavement designs certified by an RPEQ to Austroads' or the Department of Transport and Main Roads' design standards after stripping of topsoil and assessment of soaked sub-grade CBR values, and using an ESA's or design traffic based on traffic engineering predictions.
- ENG17. Ensure fill placed under the road formation in embankment situations is compacted to achieve 98% standard compaction. Testing and supervision of such fill must be in accordance with the testing requirements of EDROC and at Level 2 Supervision of AS3798.
- ENG18. Ensure that backfilling of road crossings with an insitu material to subgrade level is compacted to achieve 97% standard compaction.
- ENG19. Base gravel is to be Type 3, Subtype 2 material or higher quality. Provide recently undertaken compliance testing from the stockpile used for the project for materials from non-certified Quarries by Council.
- ENG20. Sub-base gravel is to be Type 3, Subtype 3 material Provide recently undertaken compliance testing from the stockpile used for the project for materials from Quarries non-certified by Council.
- ENG21. Surface all new roads with a 10mm asphalt mix, with a minimum nominal 30mm thickness with AMC0 prime coat, or as approved otherwise by Council. Submit to Council for approval, a surfacing design prepared by an RPEQ Civil, a minimum of 48 hours prior to commencement of the surfacing works.
- ENG22. Provide temporary signage and traffic control for construction in dedicated road reserves in accordance with Part 3 (Works on Roads) of Manual of Uniform Traffic Control Devices (MUTCD) Department of Transport and Main Roads.
- ENG23. Install and/or modify all street signs and linemarking to suit the new works in accordance with the MUTCD. Install new or relocated signage using V-Lok installation system. All new signage shall be Class 1 retro-reflective material to AS1743.
- ENG24. Submit to Council for approval, a Traffic Management Plan prior to commencement of any works involving closing of Council roads or working on or adjacent to existing roads.

ENG25. The Traffic Management Plan and Work Method Statements in accordance with the Work Health and Safety Act 2011 requirements shall be maintained on-site at all times.

STORMWATER

- ENG26. Provide a Closed-Circuit Television (CCTV) inspection undertaken by an accredited provider, of all underground stormwater drainage and interallotment drainage.
- ENG27. Provide appropriate energy dissipation from the temporary detention basin outlet to prevent scouring or other nuisance.
- ENG28. The temporary detention basin shall only be removed once a permanent connection is provided for the upstream for the interallotment drainage.
- ENG29. All inter-allotment drainage shall be contained with a 3 metre wide easement.
- ENG30. Ensure that earthworks and fill on the subject land do not lead to ponding of stormwater or actionable nuisance and ensure all lots, both internal and adjoining, drain freely to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual.
- ENG31. Do not concentrate stormwater onto adjoining properties.
- ENG32. Provide appropriate energy dissipation and scour protection measures at stormwater outlets.

DEVELOPMENT WORKS

- ENG33. Maintain erosion and sedimentation controls at all times during the course of the project and the ensuing defects liability period. Council Officers will inspect and assess the sediment and erosion control measures and temporary fencing implemented, and any alterations and/or supplementary works required must be incorporated.
- ENG34. Implement measures to prevent site vehicles tracking sediment and other pollutants from the site onto adjoining streets during the course of the project, and to prevent dust nuisance during construction and the ensuing defects liability period.
- ENG35. Access via Bernard Crescent is to be minimised to limit the amount of heavy traffic traversing the residential area in Bridgman Parade.
- ENG36. Be responsible for protecting nearby property owners from dust pollution arising from construction and maintenance of the works required by this approval, and comply with any lawful instructions from the Assessment Manager if, in his opinion, a dust nuisance exists.
- ENG37. Adjust all access chamber surface levels to provide a freeboard of 100mm above the finished ground surface level, where the work involves excavation or filling over, or adjacent to water supply, sewerage or gas infrastructure. Be responsible for all costs associated with the adjustment of the chamber levels and the works to be undertaken by Council on a Private Works Quotation basis.
- ENG38. Waste material as a result of demolition work and excavation work must not be used as fill as described within the *Waste Reduction and Recycling Act 2011*.

EARTHWORKS

- ENG39. Supervise bulk earthworks to Level 1 or Level 2 as applicable and have a frequency of field density testing carried out in accordance with Table 8.1 of AS3798.
- ENG40. Contain cut or fill batters wholly within the subject land. Do not place fill on adjacent properties without providing Council with written permission from the respective property owner(s).
- ENG41. Do not store plant or material on adjoining lands without written permission from the respective property owner(s).
- ENG42. Do not use contaminated material as fill on the site. Undertake any filling using inert materials only, with a maximum particle size of 75mm.
- ENG43. Ensure open drains and fill platforms are constructed with a longitudinal grade on no less than 0.1%.
- ENG44. Submit to Council, the following for approval in the event it is proposed to import material to or export material from the site, prior to commencement of the work:
 - (a) Details of the location of any material to be sourced for fill including the volume of fill to be moved from any particular source site;
 - (b) Details of the final location for any material to be exported from the site from excavations including the volume to be moved to any particular site; and
 - (c) The proposed haulage route(s) and truck sizes for carting of the material.

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

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

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

SEWERAGE

- ENG45. Construct sewerage networks in accordance with the *WBBUWA Design and Construction Standards*, Council Specifications, and Customer Service Standards.
- ENG46. Conduct vacuum testing, cleaning and CCTV video inspection to a Council approved standard.
- ENG47. Provide Council's Engineering Services with a minimum of two (2) working days notice when any temporary stoppages to sewage flow are expected.
- ENG48. All live works associated with sewerage must be performed by South Burnett Regional Council (or under the supervision of a South Burnett Regional Council Officer if considered appropriate).

- ENG49. Construct house connection branches in accordance with Council's Standard Drawing current at the time of commencement of construction.
- ENG50. Mark house connection branches with a single vertical PVC electrical conduit (or similar material) 40mm in diameter and 2,000mm long, placed at the invert of the HCB and brought to surface, and mark with the Words "Sewer Connection 2 M".

WATER SUPPLY

- ENG51. Construct water supply networks in accordance with the *WBBUWA Design and Construction Standards*, Council Specifications, and Customer Service Standards.
- ENG52. All live works associated with water must be performed by South Burnett Regional Council (or under the supervision of a South Burnett Regional Council Officer if considered appropriate).
- ENG53. Install valve markers and hydrant markers including RPMs on the completed roads to Council's standards.
- ENG54. Water mains are to conform to a minimum Class 16 pipe and ensure construction works are completed, cleaned, tested, chlorinated and swabbed in accordance with the SEQ Design and Construction Standards prior to connection to existing Council mains.
- ENG55. Provide fire hydrants in all new roads at intervals of not more than 80 metres.
- ENG56. Provide property connections in accordance with Council's Standards. Ensure services are:
 - (a) terminated with an approved stop tap in accordance with the Standard Drawing;
 - (b) "live" during water main testing and shall be left live after construction; and
 - (c) "open" for testing at the on-maintenance inspection.
- ENG57. Do not keep any external water services interrupted for more than a cumulative total of three hours during development works, and a minimum of five (5) days notice of any interruptions must be provided to Council and any relevant consumers.

CONSTRUCTION AND NUISANCE MANAGEMENT PLAN

- ENG58. Prior to pre-start meeting, submit to Council for endorsement, a Construction and Nuisance Management Plan for the approved development works for the site. The Plan is to cover, but not be limited to the following:
 - i. air quality management;
 - ii. noise and vibration management;
 - iii. storm water quality management;
 - iv. erosion and sediment management;
 - v. waste management;
 - vi. complaint management;
 - vii. community awareness;
 - viii. preparation of site work plans;
 - ix. workers' car parking arrangements; and
 - x. traffic control during works.
- ENG59. Implement the approved Construction and Nuisance Management Plan at all times during construction of the development.

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ENG60. Ensure a legible copy of the approved Construction and Nuisance Management Plan is available on site at all times during construction and earthworks.

INSPECTIONS AND TESTING

- ENG61. Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.
- ENG62. Provide Council with a minimum of two clear working days' notice to undertake compulsory inspections and meetings at the following stages:
 - (a) Pre-start meeting with Council, Contractor, Supervising Engineer and developer;
 - (b) Water: in accordance with Council's Minimum Requirements for Water and Sewerage Works, and:
 - i. prior to backfilling of each water main;
 - ii. prior to backfilling of each water connection point;
 - iii. prior to connection of any works to the reticulated water supply systems;
 - iv. at the time of super-chlorination works and swabbing of mains; and
 - v. at the time of any testing of each and every water main;
 - (c) Sewer: in accordance with Council's Minimum Requirements for Water and Sewerage Works, and:
 - i. prior to backfilling of each sewer main;
 - ii. prior to backfilling of each property connection point;
 - iii. prior to connection of any works to the existing sewer network:
 - iv. at the time of any testing of each and every sewer main; and
 - v. at the time of CCTV inspection to facilitate Council's acceptance of the works on and off-maintenance;
 - (d) Stormwater:
- i. prior to backfilling of any stormwater drainage works; and
- ii. at the time of CCTV inspection to facilitate Council's acceptance of the works on and off-maintenance;
- (e) Structural steel inspection prior to pouring of any structural concrete including cast in-situ stormwater and sewer manholes and gully pits;
- (f) prior to back filling road crossings;
- (g) following preparation and compaction of road sub-grade;
- (h) following placement and compaction of each road pavement layer and prior to laying of the next pavement layer or surfacing layer;
- (i) of the finished pavement surface prior to any bitumen primer-seal or prime or asphalt surfacing;
- (j) at the point of completion of all works before placing on-maintenance; and
- (k) at the point of requesting Council to accept the works off-maintenance.
- ENG63. Submit to Council, all inspection and test data in its entirety prepared by the applicant, Engineer, Principal Contractor or by Subcontractors in relation to the Operational Work or as described in the application prior to Council's endorsement of the Survey Plan. Undertake any further inspection, testing or analysis required, due to failure of

- work to meet specifications or where the testing previously provided is considered insufficient on behalf of the Principal Contractor by a NATA accredited entity (where applicable).
- ENG64. Uncover all works covered prior to inspection to allow inspection by Council at Council's sole discretion.
- ENG65. Allow Council to enter a work site to which this approval relates and undertake testing or analysis of any part of the construction, and Council is not liable for the rectification of or compensation for any damage caused in the testing or analysis process. Should work be found to be not constructed to specification or of poor quality, any reasonable instruction given by Council Officers must be considered to be a condition of approval and undertaken by the Principal Contractor.
- ENG66. Where complete or incomplete works under this approval adversely affect adjoining properties, Council land, roads or other infrastructure, Council requires by notice, works to be completed.
- ENG67. Undertake any works for the safety or health of the community or protection of infrastructure where Council deems it necessary.

MAINTENANCE

- ENG68. Submit to Council, a written request to place constructed works on-maintenance or off-maintenance from the developer's certifying Engineer stating that all approved works have been completed and are ready for Council inspection.
- ENG69. Submit to Council, a Closed-Circuit Television (CCTV) inspection for all underground stormwater drainage, interallotment drainage and sewerage works undertaken by an accredited provider at on and off-maintenance. A certified copy of the report including a disk or storage device is to be submitted to Council for review and endorsement prior to Council's acceptance of the works on or off-maintenance.
- ENG70. Pay to Council, a maintenance bond of 5% of the cost of the operational work as estimated or accepted by Council, prior to commencement of the on-maintenance period.
- ENG71. Maintenance bond must be provided in the form of a cash bond or a bank guarantee as per current' Bank Guarantee- Organisational Policy'.
- ENG72. Maintain all works that will become Council infrastructure for a period of 24 months (maintenance period) from commencement of the on-maintenance period. Undertake any necessary maintenance or repairs to non-conforming work, defects and/or damage to any works undertaken in relation to this approval, even where damage has resulted from a third-party activity within the maintenance period.
- ENG73. The maintenance bond will be entirely forfeited to Council should there be any failure by the applicant to undertake any such works considered by Council as necessary, to rectify any non-compliant works and to protect public safety. In the event that the bond is insufficient to address the non-compliant works, Council reserves the right to seek restitution. After expiration of the maintenance period and where required maintenance is suitably undertaken to Council's satisfaction, the bond will be returned accordingly, after the project is accepted off-maintenance.

- ENG74. The on-maintenance period commences only when Council provides written confirmation that all of the following are completed:
 - (a) satisfactory completion of all works and conditions of Operational Work approval including associated Reconfiguring a Lot approval RAL24/0026;
 - (b) provision of all necessary test and quality audit requirements;
 - (c) lodgement with Council, of certification from an RPEQ that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements;
 - (d) lodgement of a maintenance bond of 5% of the cost of the operational work as accepted by Council; and
 - (e) submission of "As Constructed" data in the required format.

AS CONSTRUCTED INFORMATION

- ENG75. Submit to Council within 10 working days of completion of the operational work, suitable "As Constructed" drawings in hard copy and AutoCAD format and on GDA Zone 56 co-ordinates. The "As Constructed" drawings or data capture methods as required by Council must be certified by a Registered Professional Engineer of Queensland (RPEQ) on every drawing and shall be to an appropriate electronic format and standard as required by Council's Infrastructure Services General Manager.
- ENG76. Provide "As Constructed" data for the following elements, where applicable:
 - (a) sewerage;
 - (b) water supply;
 - (c) roadworks; and
 - (d) stormwater drainage.

The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by ATC Engineers and Project Managers Project No. 26060 as listed below:

Drawing No./ Revision/Sheet No.	Drawing/Plan Title	Date
001	Cover Sheet and List of Drawings	23/09/2025
101	Control Line Setout Plan	23/09/2025
102	Typical Sections and Kerb Details	23/09/2025
201	General Layout Plan	23/09/2025
202	Longitudinal Section	23/09/2025
203	Cross Sections – Sheet 1 of 3	23/09/2025
204	Cross Sections – Sheet 2 of 3	23/09/2025
205	Cross Sections – Sheet 3 of 3	23/09/2025
208	Allotment Earthworks Plan	23/09/2025
209	Stage Boundary Works	23/09/2025
301	Sewer Reticulation Layout Plan	23/09/2025
302	Sewer Longitudinal Section – Sheet 1	23/09/2025

303	Sewer Longitudinal Section – Sheet 2	23/09/2025
401	Stormwater Catchment Plan	23/09/2025
402	Stormwater Drainage Layout Plan	23/09/2025
403	Stormwater Drainage Longitudinal Section	23/09/2025
405	Stormwater Drainage Details	23/09/2025
501	Electrical Layout Plan	23/09/2025
601	Water Reticulation Layout Plan	23/09/2025
602	Water Reticulation Details	23/09/2025
701	Sediment and Erosion Control Layout Plan	23/09/2025
702	Sediment and Erosion Control Details	23/09/2025
801	Water Main Thrust Block Details	23/09/2025
802	Hydrant and Valve Installation	23/09/2025
803	1050ø Access Chambers Precast Components	23/09/2025
804	House Connection Branches	23/09/2025

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
001	-	Cover Sheet and List of Drawings, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
101	-	Control Line Setout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
102	-	Typical Sections and Kerb Details, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
201	-	General Layout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
202	-	Longitudinal Section, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
203	-	Cross Sections – Sheet 1 of 3, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
204	-	Cross Sections – Sheet 2 of 3, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
205	-	Cross Sections – Sheet 3 of 3, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025

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208	-	Allotment Earthworks Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
209	-	Stage Boundary Works, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
301	-	Sewer Reticulation Layout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
302	-	Sewer Longitudinal Section – Sheet 1, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
303	-	Sewer Longitudinal Section – Sheet 2, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
401	-	Stormwater Catchment Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
402	-	Stormwater Drainage Layout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
403	-	Stormwater Drainage Longitudinal Section, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
405	-	Stormwater Drainage Details, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
501	-	Electrical Layout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
601	-	Water Reticulation Layout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
602	-	Water Reticulation Details, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
701	-	Sediment and Erosion Control Layout Plan, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
702	-	Sediment and Erosion Control Details, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
801	-	Water Main Thrust Block Details, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
802	-	Hydrant and Valve Installation, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
803	-	1050ø Access Chambers Precast Components, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025
804	-	House Connection Branches, prepared by ATC Engineers & Project Managers Project No 26060	23/09/2025

REFERENCED DOCUMENTS

Not Applicable.

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

- ADV1. Prior to commencement of the use or endorsement of the survey plan as applicable, the applicant shall contact Council to arrange a Development Compliance Inspection.
- ADV2. The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a

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result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

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

- ADV3. The *Aboriginal Cultural Heritage Act 2003* (ACHA) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:
 - (i) is not negated by the issuing of this development approval;
 - (ii) applies on all land and water, including freehold land;
 - (iii) lies with the person or entity conducting an activity; and
 - (iv) if breached, is subject to criminal offence penalties.

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

- ADV4. The *relevant period* for the development approval (Operational Work) shall be **two** (2) years starting the day the approval is granted or takes effect. In accordance with Section 85(1)(c) of the *Planning Act 2016*, the development approval for Operational Work lapses if the development does not substantially start within the abovementioned *relevant period*.
 - An applicant may request Council to extend the *relevant period* provided that such request is made in accordance with Section 86 of *Planning Act 2016* and before the development approval lapses under Section 85 of the *Planning Act 2016*.
- ADV5. Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.
- ADV6. The relevant Planning Scheme for this Development Permit is the South Burnett Regional Council Planning Scheme 2017 V2.0. All references to the Planning Scheme and Schedules within these conditions refer to the above Planning Scheme.

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

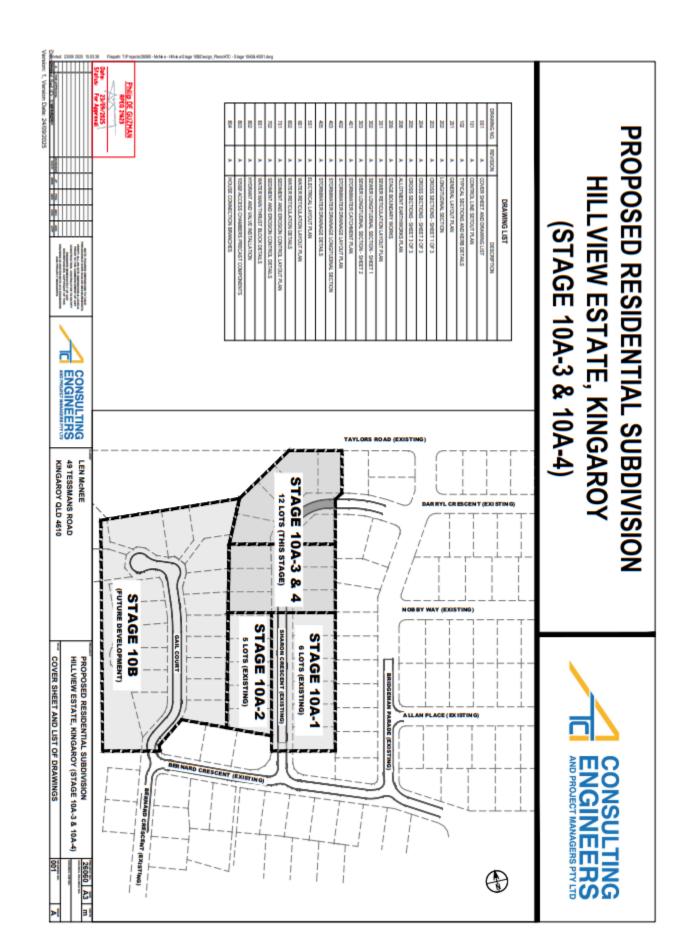
If you wish to obtain more information about Council's decision, electronic copies are available on line at www.southburnett.qld.gov.au, or at Council Offices.

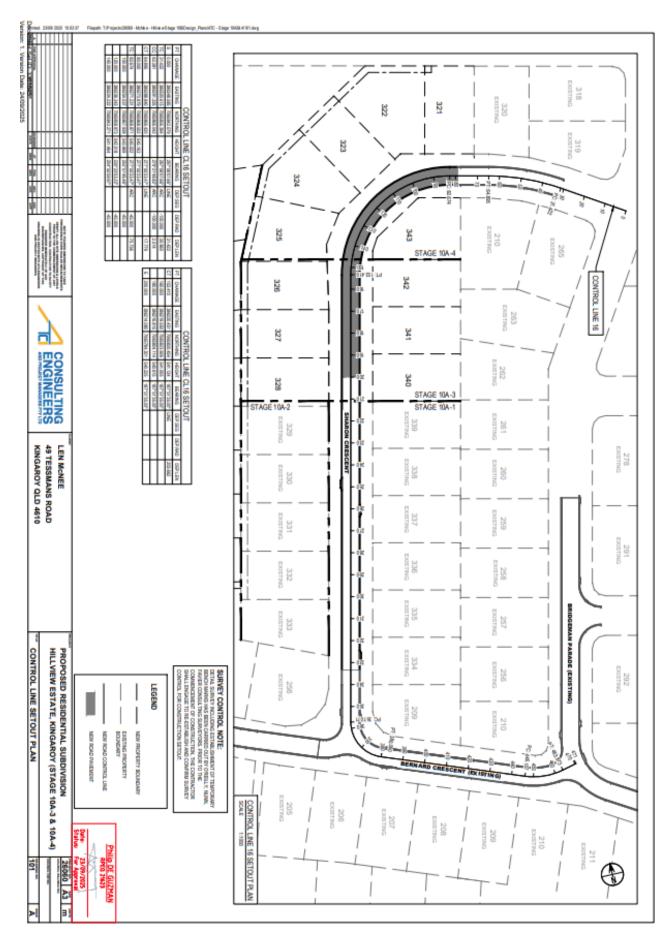
Yours faithfully

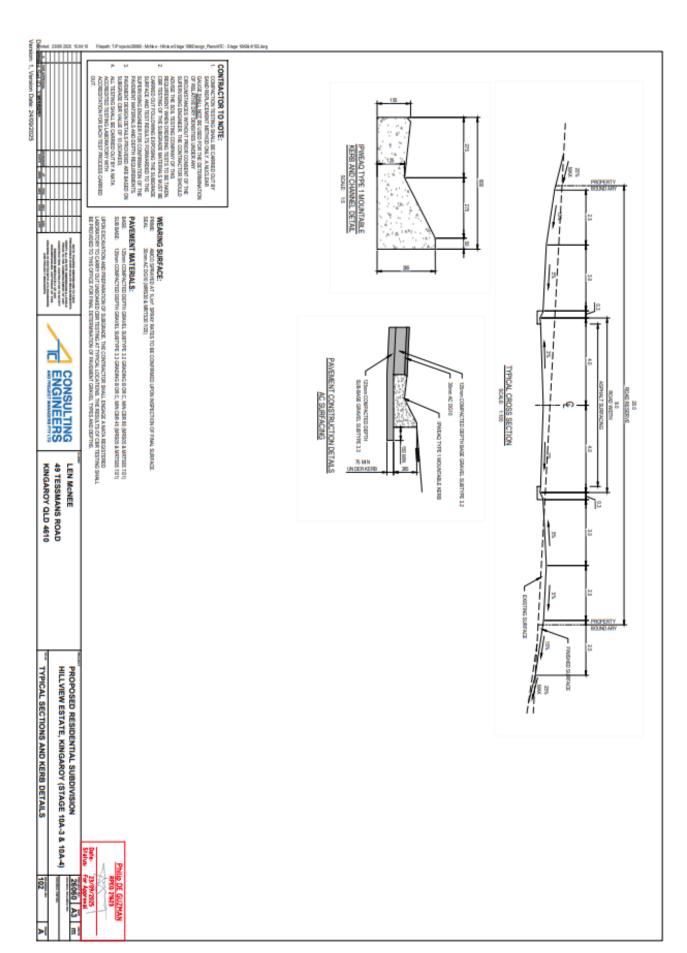
DAVID HURSTHOUSE

COORDINATOR DEVELOPMENT SERVICES

Enc: Approved Plans Appeal Rights

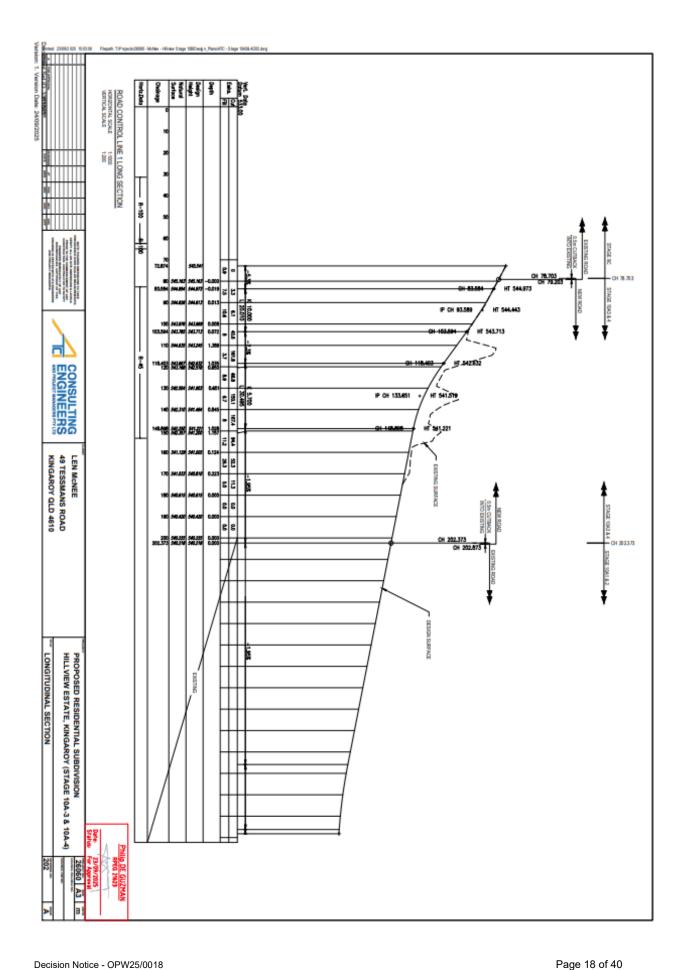


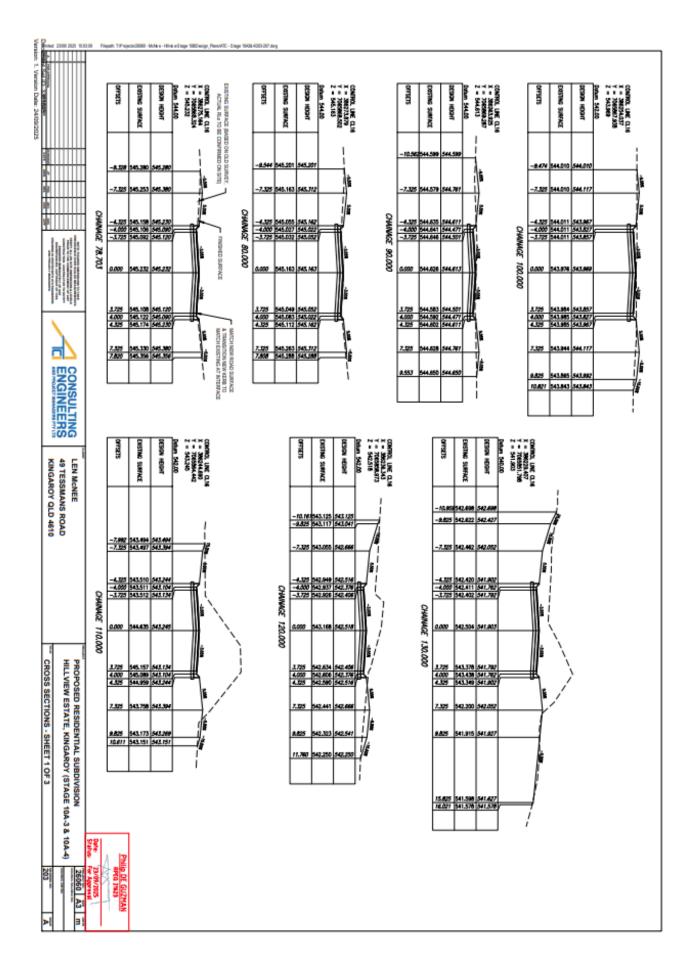


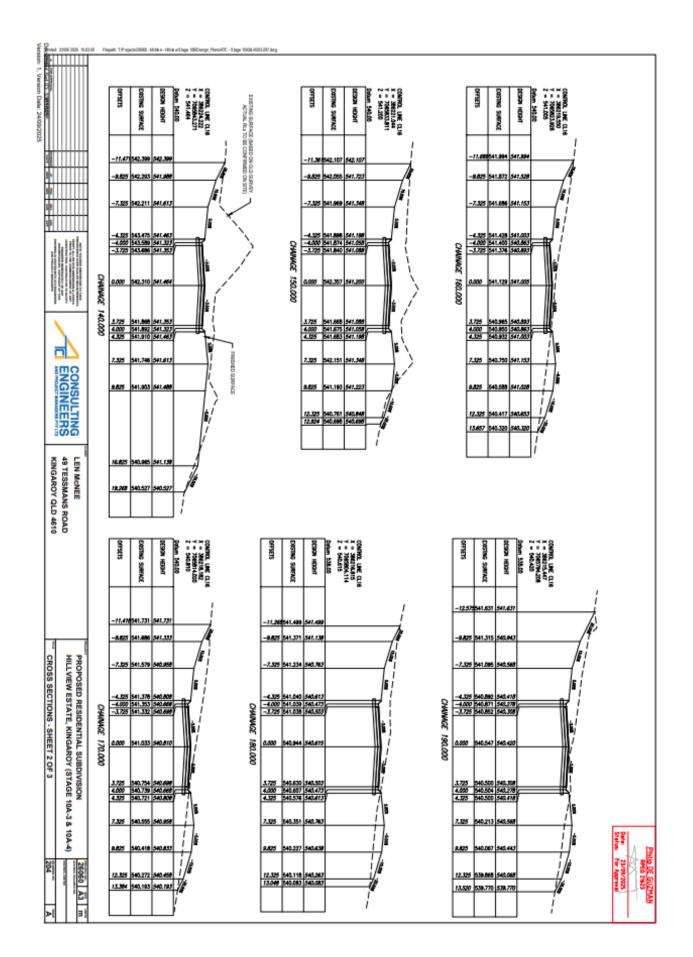


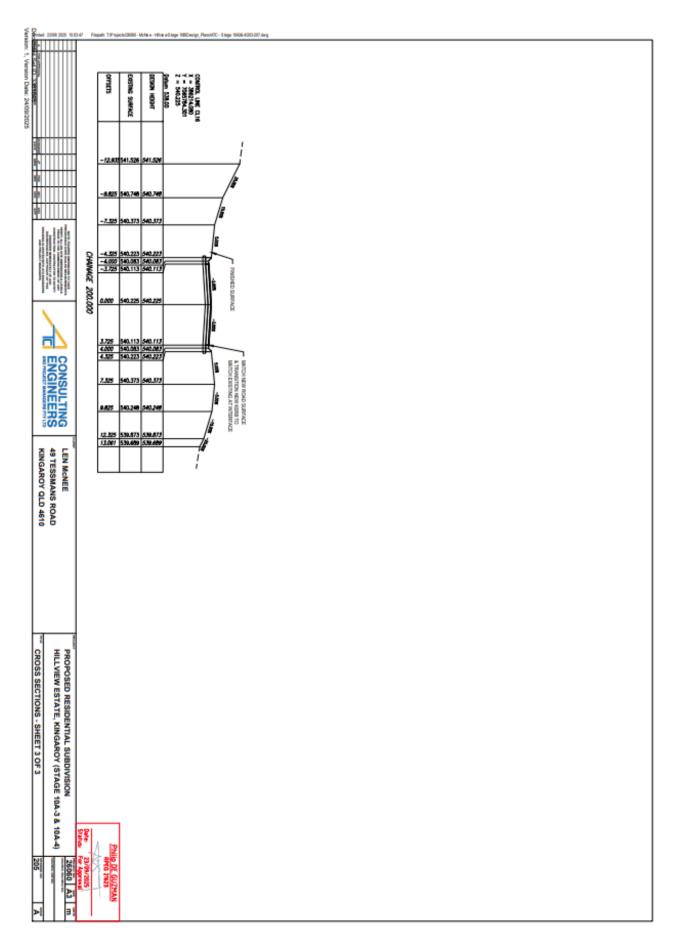


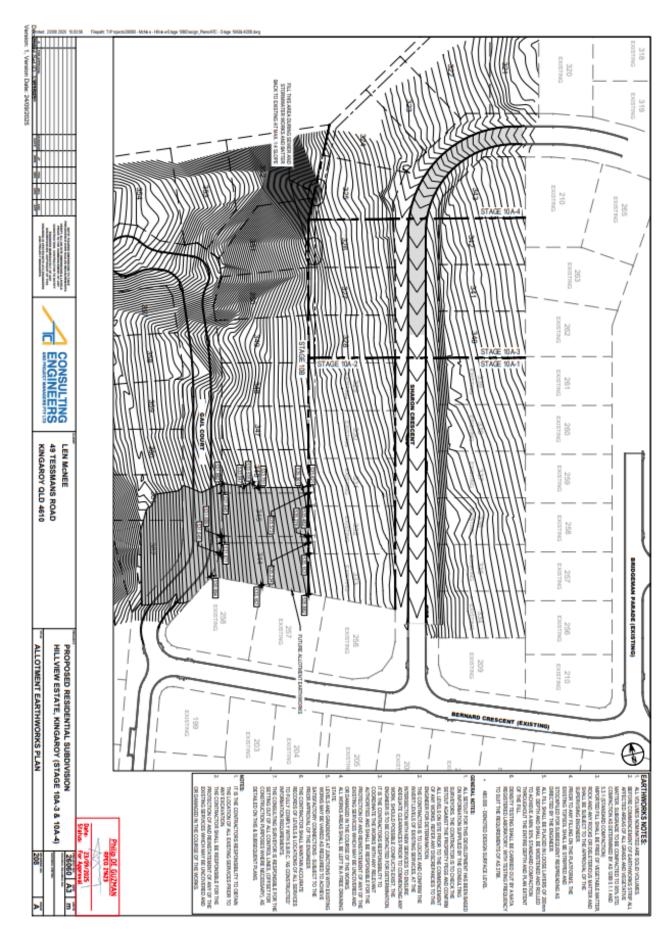
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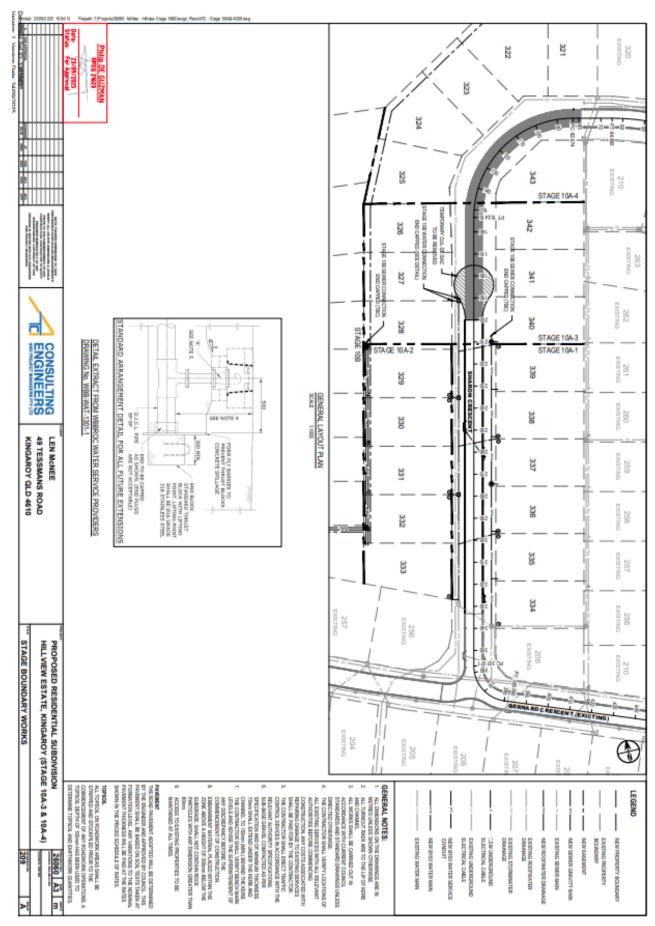




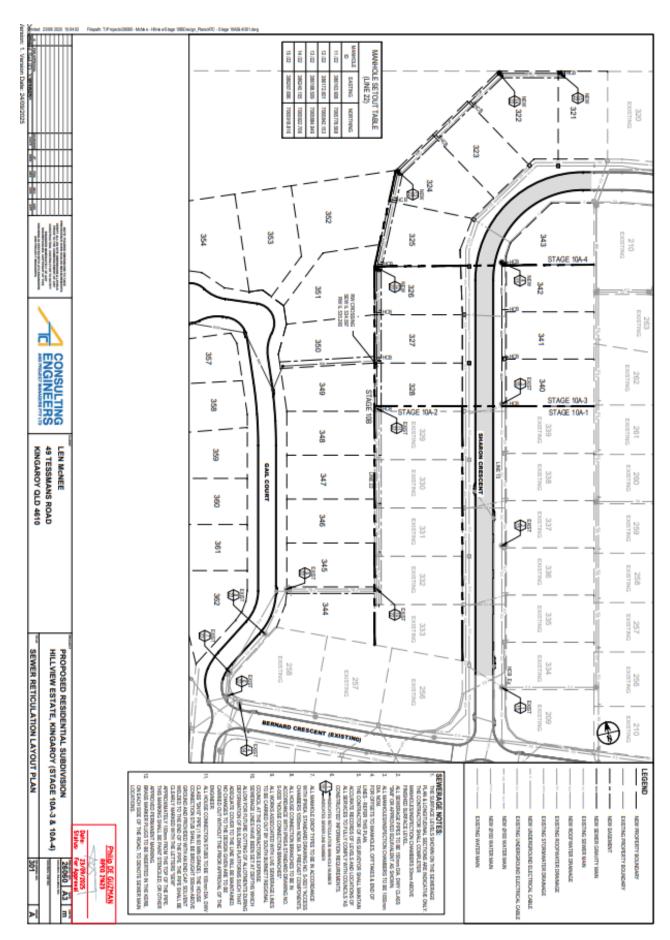


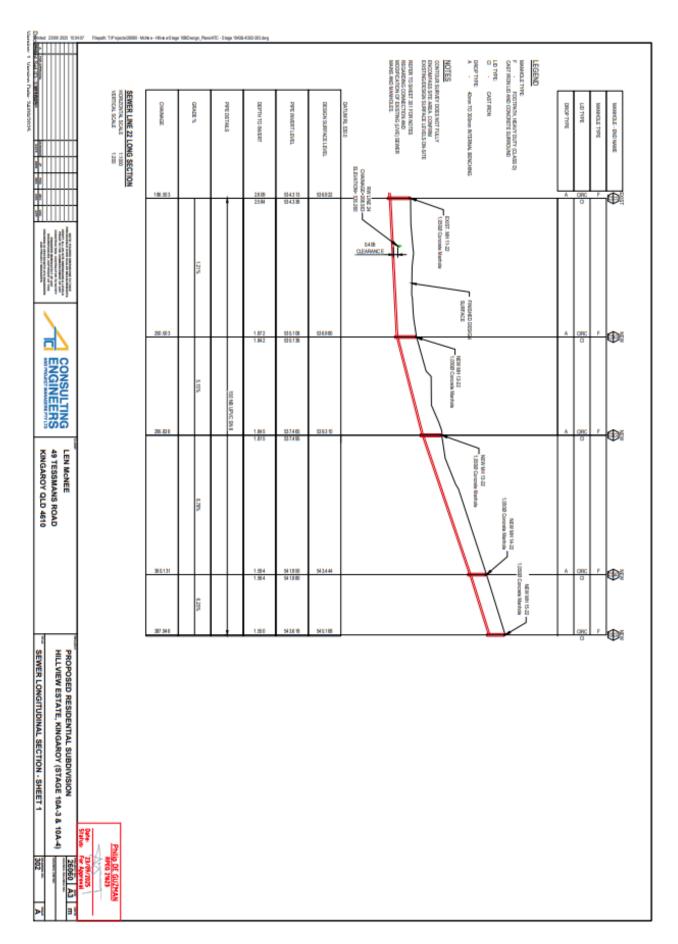


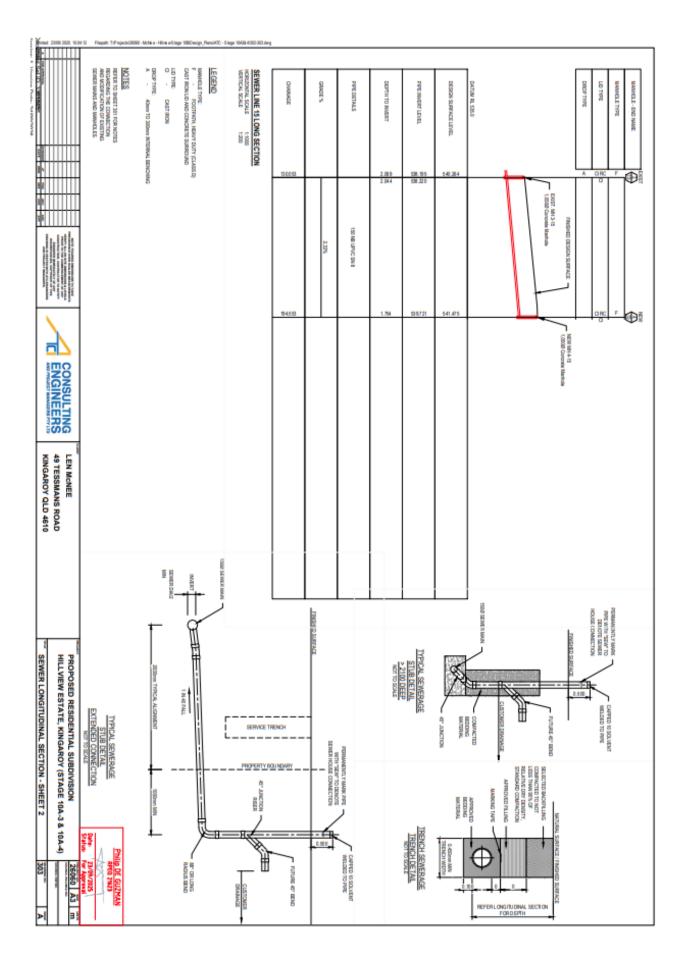
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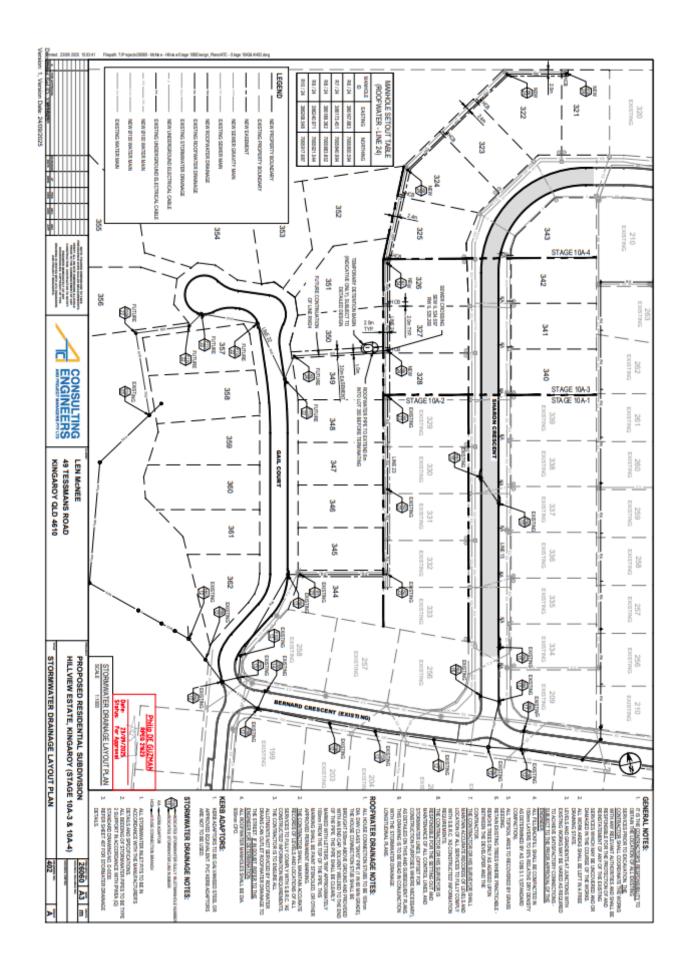
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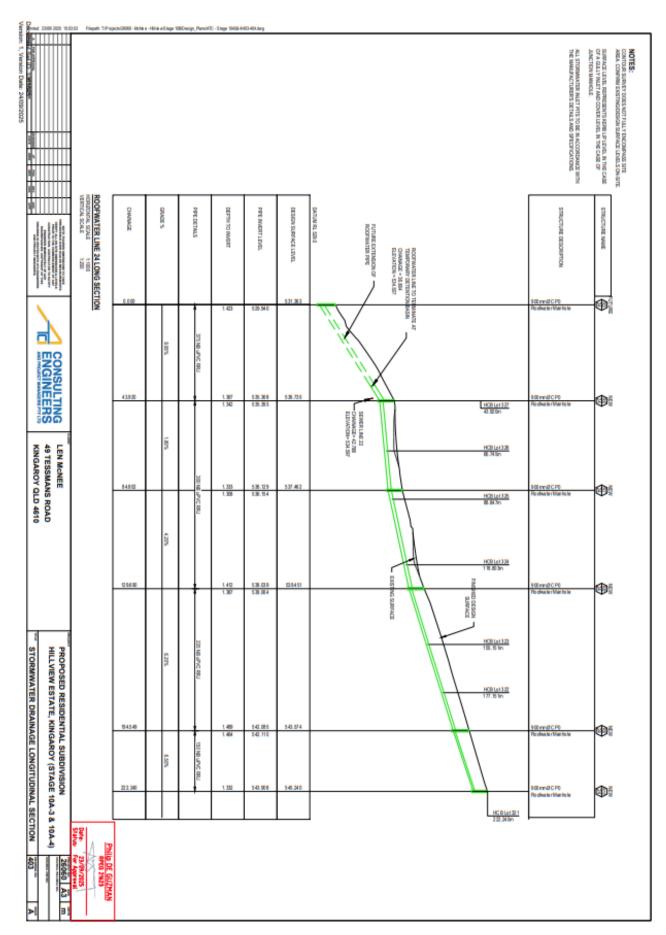


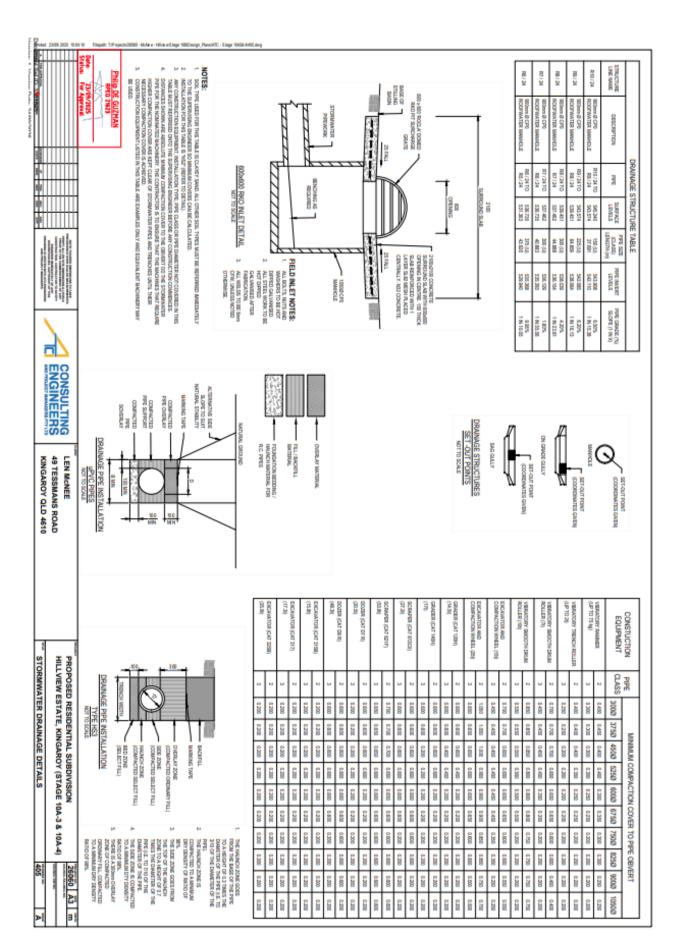


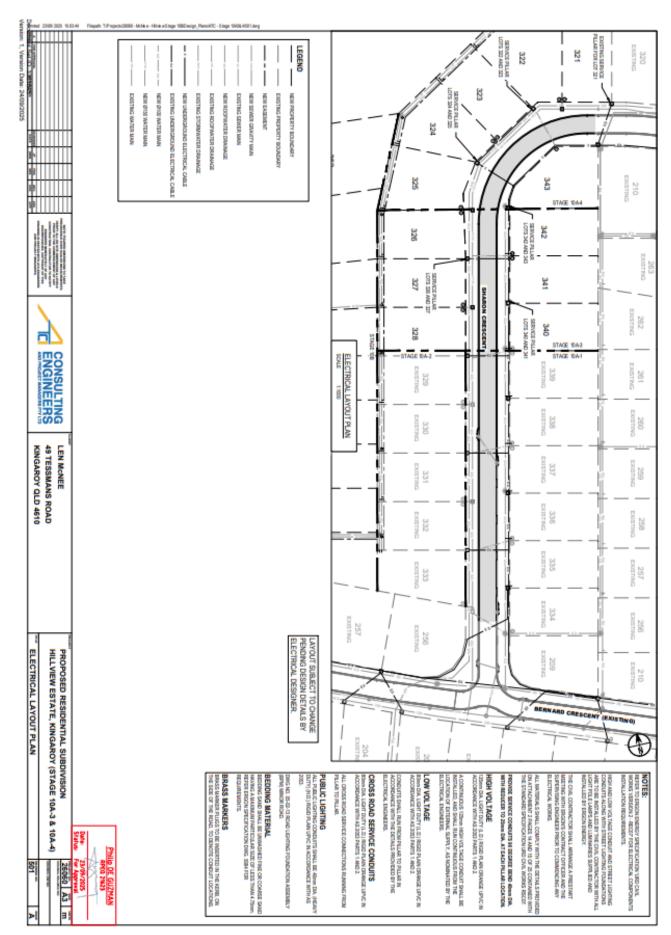


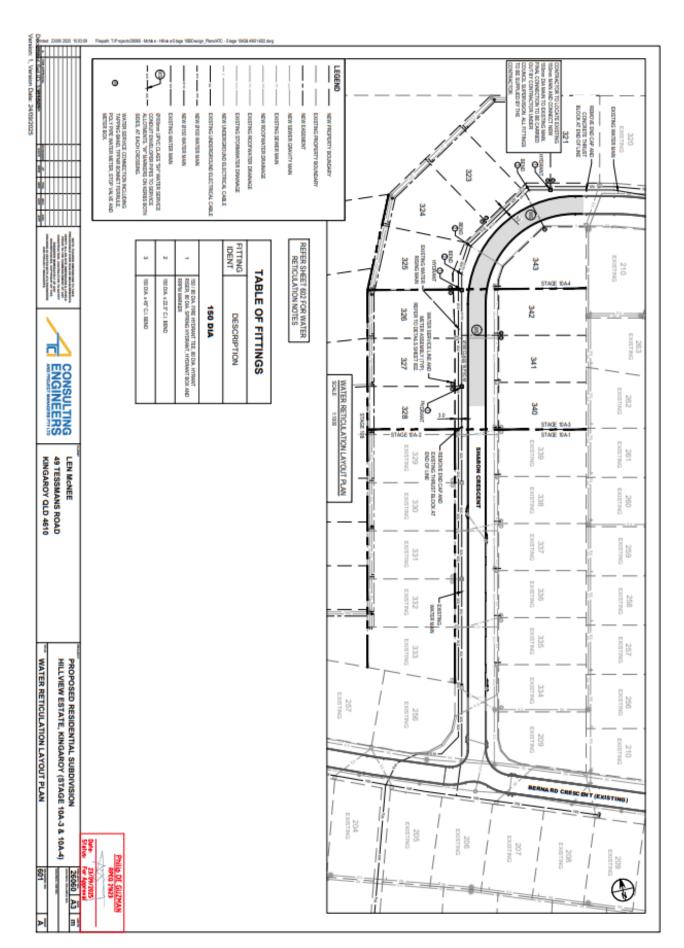


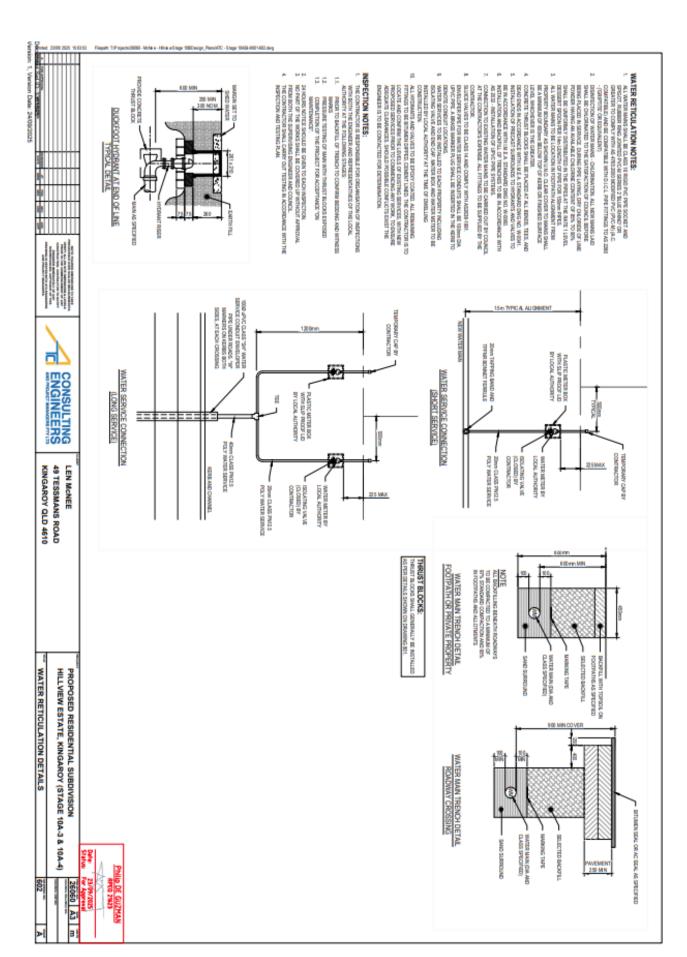
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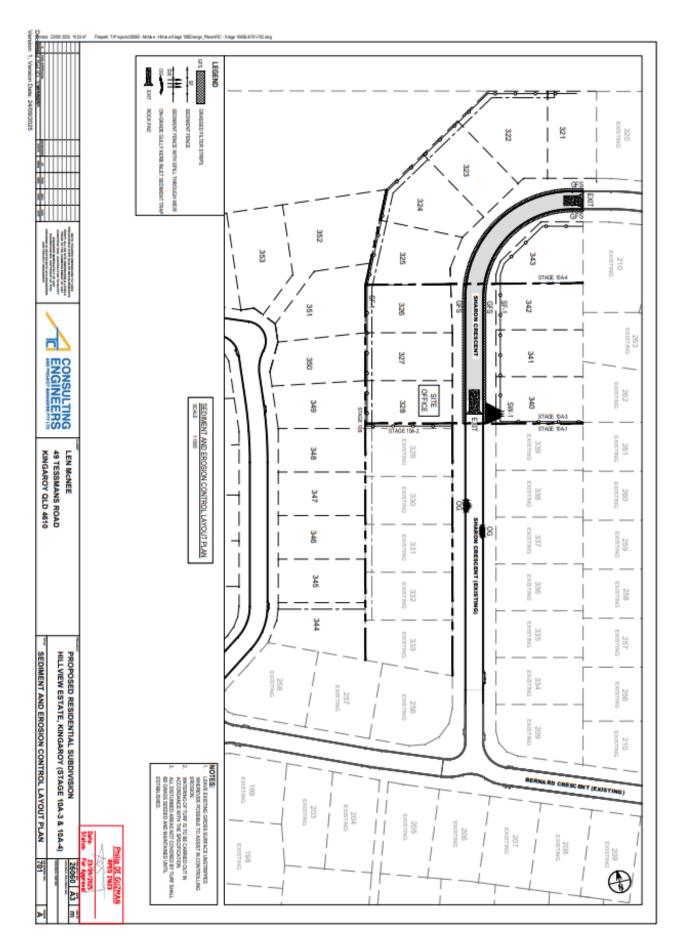


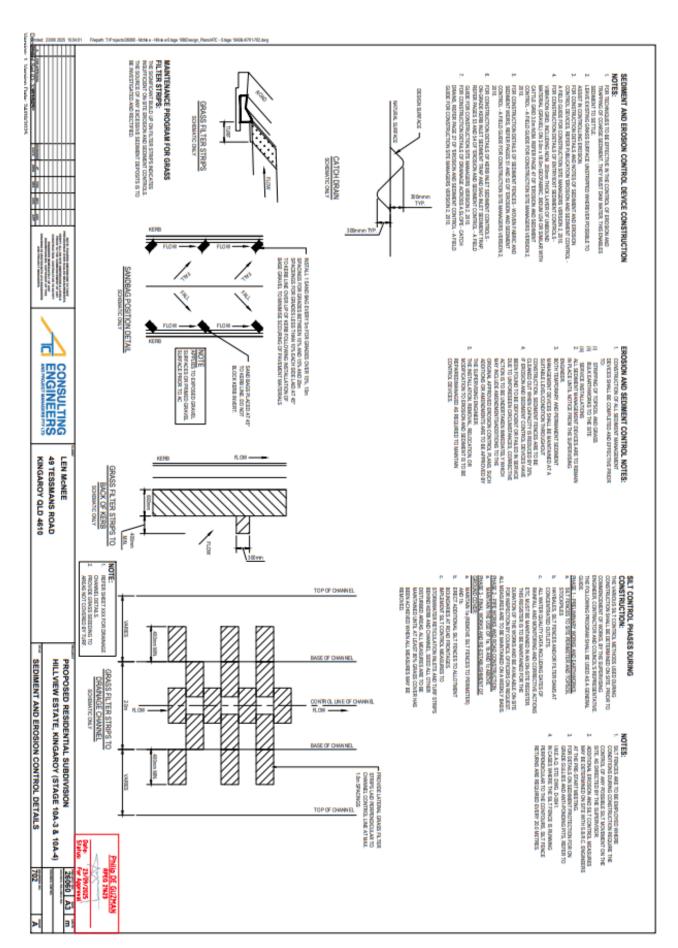


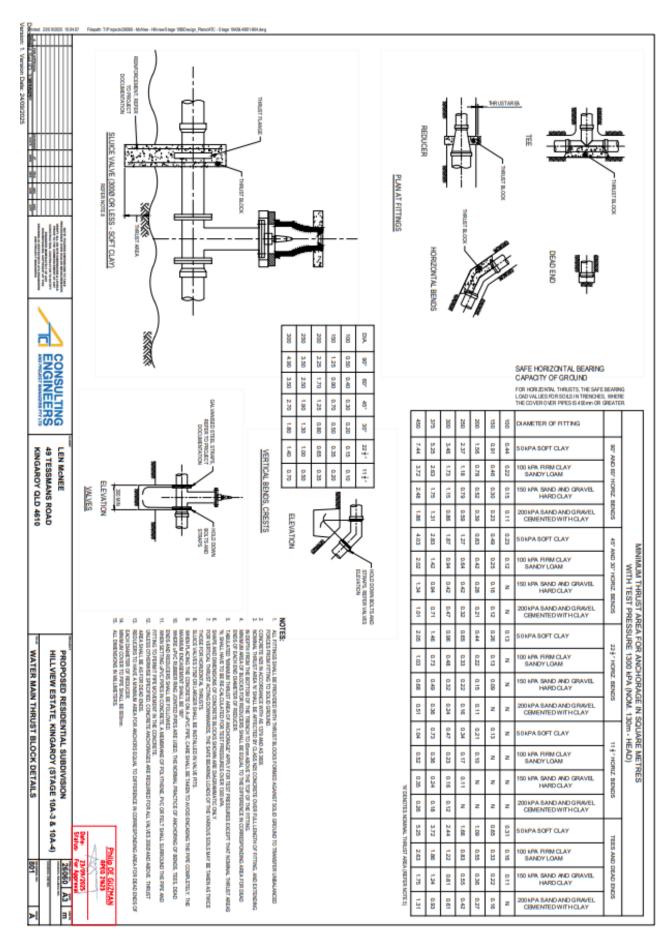




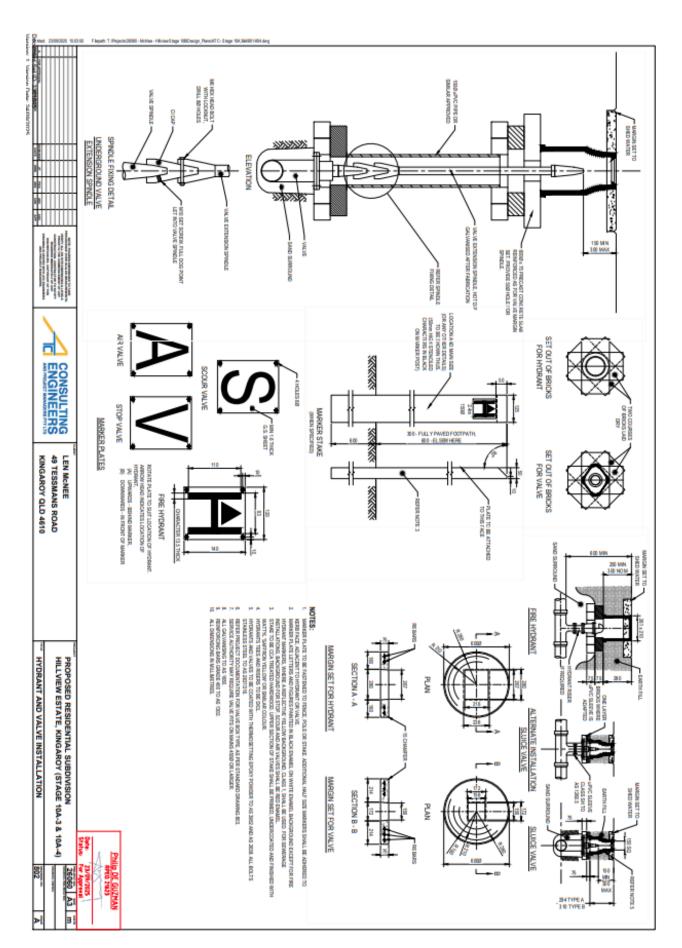


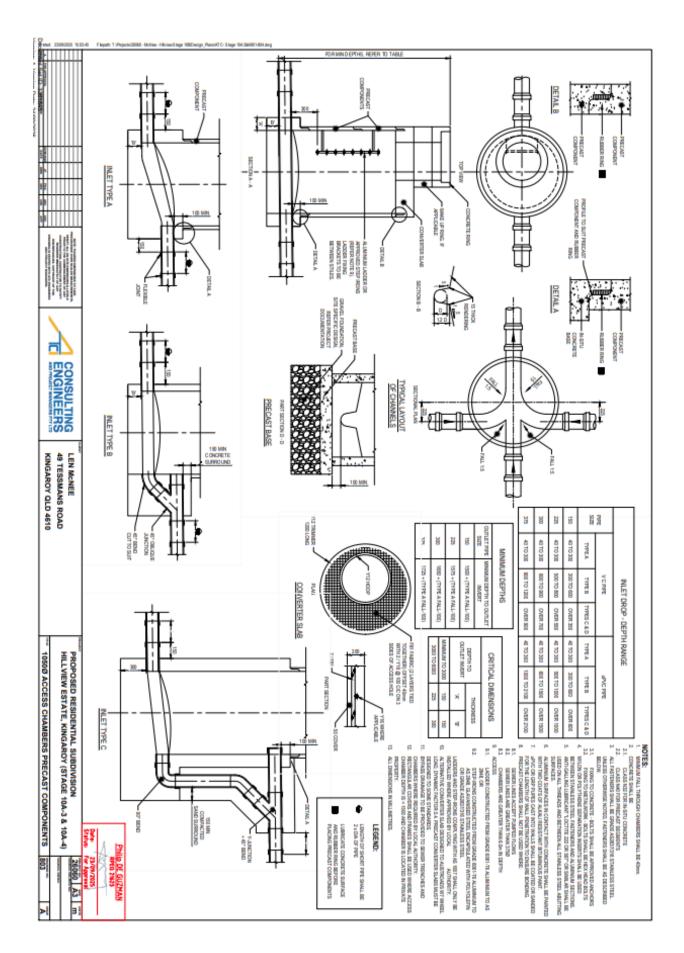




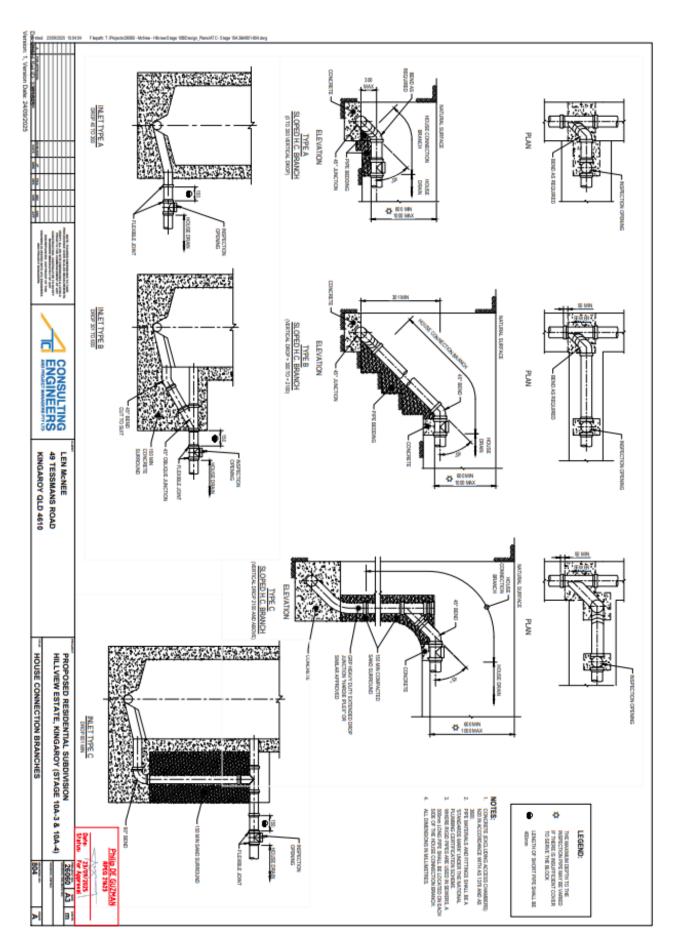


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Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- Schedule 1 of the Planning Act 2016 states -
 - Matters that may be appealed to
 - either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - only the P&E Court; and (iii)
 - (b) The person
 - who may appeal a matter (the appellant); (i)
 - (ii) who is a respondent in an appeal of the matter: and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- An appellant may start an appeal within the appeal period.
- The appeal period is
 - for an appeal by a building advisory agency 10 business days after a decision notice for the decision is given to the agency; or
 - for an appeal against a deemed refusal at any time after the deemed refusal happens; or
 - for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises - 20 business days after a notice us published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice - 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given - 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - for any other appeal 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

See the P&E Court Act for the court's power to extend the appeal period.

- Each respondent and co-respondent for an appeal may be heard in the appeal.
- If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about
 - the adopted charge itself; or
 - for a decision about an offset or refund-(b)
 - establishment (i) the cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that
 - is in the approved form; and
 - succinctly states the grounds of the appeal. (b)
- The notice of appeal must be accompanied by the required
- The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to
 - (a) the respondent for the appeal; and
- Customer Service Centryes each co-respondent for the appeal; and

- (c) for an appeal about a development application under schedule 1, table 1, item 1 - each principal submitter
- for the development application; and

 (d) for and appeal about a change application under schedule 1, table 1, item 2, reach principal submitter for the change application; and
- each person who may $\mathrm{elect}^{\mathrm{AB}}\mathrm{to}^{\mathrm{89}}\mathrm{BFC}\mathrm{com}^{\mathrm{251}}\mathrm{a}$ corespondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d), and or 1300 789 279 for an appeal to the P&E Colling of the Chief executive; and
- (f)
- for an appeal to a tribunal underbamother wort any (g) other person who the registrar considers appropriate.
- (4) The service period is -
 - (a) if a submitter or advice agency started the appeal in the P&E Court - 2 business days after the appeal has started: or
 - otherwise 10 business days after the appeal is started.
- A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- In this section -

decision includes-

- conduct engaged in for the purpose of making a (a) decision: and
- other conduct that relates to the making of a decision;
- the making of a decision or failure to make a decision; (c) and
- a purported decision; and
- a deemed refusal. (e)

non-appealable, for a decision or matter, means the decision or matter-

- is final and conclusive; and
- may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal. However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

Blackbutt 69 Hart Street Kingaroy 45 Glendon Street Murgon 42 Stephens Street West Nanango 48 Drayton Street Proston 34 Blake Street Wondai Cnr Scott & Mackenzie Streets