

Officer: Senior Planner - Sam
Direct Telephone: 07 4189 9100
Our Reference: MCU25/0020

15 October 2025

Pandanas Qld Pty Ltd (Shane Harris)
C/-Precinct Urban Planning
14-16 Hill Street
TOOWOOMBA QLD 4350

Dear Sir/Madam

Decision Notice

Planning Act 2016

I refer to your application and advise that on 13 October 2025, Council Delegated Authority decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: MCU25/0020
Street Address: 34 William Street, KINGAROY
Real Property Description: Lot 100 on SP153314
Planning Scheme: South Burnett Regional Council

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Other Change to Development Permit MCU21/0009 & MCU18/0013 for Material Change of Use – 20 x two storey units across 4 buildings in a single stage
Date of Decision: 13 October 2025

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is 6 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

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “**necessary infrastructure condition**” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

ADMINISTRATION

- ADM1.** All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- ADM2.** All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- ADM3.** Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines and standards.
- ADM4.** All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland. Any concurrence agency conditions will apply in addition to these standard conditions.

PLANNING

- PLN1.** The development must be completed generally in accordance with the approved plans and documents (as amended in red) and any amendments arising through conditions to this development approval.

Plan No.	Rev.	Plan Name	Date
17-2477-SPY Sheet S1	-	Staging Plan	9/08/2021

PLANS

Drawing/ Document Title	Prepared By	Plan No.	Rev.	Date
Overall Site Plan	Sims White Architects	DA.01.01	P2	15.07.2025
Proposed External Works	Sims White Architects	DA.01.02	P3	15.07.2025
Floor Plan – Building 1	Sims White Architects	DA.02.01	-	09.07.2025
Floor Plan – Buildings 2	Sims White Architects	DA.02.02	-	09.07.2025
Floor Plan – Building 3	Sims White Architects	DA.02.03	-	09.07.2025
Roof Plan	Sims White Architects	DA.02.04	-	09.07.2025
Elevations – Sheet 1	Sims White Architects	DA.04.01	-	09.07.2025
Elevations – Sheet 2	Sims White Architects	DA.04.02	-	09.07.2025

APPROVED DOCUMENT

Document Title	Prepared By	Version	Date
Preliminary Stormwater Management Report	ATC Consulting Engineers	1.0	30 June 2025

PLN2. Maintain the approved development in accordance with the approved drawings and documents and any relevant subsequent approvals required by the conditions herein.

PLN3. Following the installation of all mechanical plant and equipment (e.g. air conditioning, mechanical ventilation and refrigeration equipment and heat pump hot water systems), submit to Development Assessment certification that the plant and equipment is adequately noise- attenuated and is in accordance with the Environmental Protection Act or higher standard for noise attenuation.

Timing: Prior to issue of Certificate of classification/ final inspection certificate or prior to commencement of the use, whichever comes first, and then to be maintained.

PLN4. Provide a roofed and screened waste enclosure to accommodate the type and quantity of bulk waste/recycling bins required to service the development. Bins must be located in an area which allows them to be manoeuvred from the bin storage area to the designated internal collection point.

PLN5. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically damped to prevent environmental nuisance.

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

~~PLN6. Carry out the approved development in accordance with the approved changed staging plan dated 9th August 2021, Reference 17-2477-SPY, and all other approved plans and documents Council Ref MCU 18-0013. The Stage 1 and all specified works must occur first~~

STAGE 4

ENGINEERING WORKS

ENG1. Submit to Council, an Operational Work application for all civil works including earthworks (if applicable).

ENG2. Complete all works required by the conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.

ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, Australian Standards.

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

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

ENG5. Be responsible for the location and protection of, and full cost of any alterations necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the

development or from road and drainage works required in connection with the development.

- ENG6. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development

STORMWATER MANAGEMENT

- ENG7. Provide stormwater management generally in accordance with the ~~Stormwater Management Report prepared by AT Consulting Engineers and Project Managers, Version 3.0, dated 6/6/19~~ **Preliminary Stormwater Management Report prepared by AT Consulting Engineers and Project Managers, Version 1.0, dated 30 June 2025**, subject to detailed design and subject to and modified by any condition of this development approval. ~~Attenuation requirements may be altered to accommodate staging of the development.~~
- ENG8. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG9. Stormwater from sealed areas and overflow pipes from stormwater detention structures and/or tanks installed for the stormwater system is required to be piped to the kerb and channel.
- ENG10. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

LAWFUL POINT OF DISCHARGE

- ENG11. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

WATER SUPPLY

- ENG12. ~~Connect the development to Council's reticulated water supply system via a single connection.~~ **Connect each premises or premises group within the development to Councils reticulated water supply network via a single connection, in accordance with the WBBROC Water Services Design and Construction Code and Queensland Plumbing and Wastewater Code.**

- ENG12A. Each meterable premises shall have its own water meter as per the requirements of the Queensland Plumbing and Wastewater Code.**

Comment: For the avoidance of doubt, the development shall have a master meter, with each unit having its own sub-meter.

SEWERAGE

- ENG13. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Water & Wastewater Section.
- ENG14. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

ENG15. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).

ENG16. Maintain a minimum of a 3-metre wide corridor to be maintained for maintenance/upgrade purposes.

ENG17. Ensure that a clear level area of a minimum of a 2.5-metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.

ENG18. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

PARKING AND ACCESS - GENERAL

ENG19. The access shall be constructed in accordance with SBRC Std Dwg 00048, with a minimum width of 6m.

ENG20. Design all access driveways, and car parking spaces in accordance with Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking.

ENG21. Design and construct all driveway and parking areas with sealed surface (concrete, asphalt or a two-coat bitumen seal).

ENG22. Provide a minimum one (1) car space per unit, and a minimum of ~~two (2)~~ **four (4)** visitor car parking spaces including a minimum of one (1) person with disability (PWD) car parking spaces.

ENG23. Design & construct all PWD car parking spaces in accordance with AS2890.6.

ENG24. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

ENG25. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.

ENG26. Construct any new crossover in the location(s) shown on the approved plan(s) of development such that the edge of the crossover must be no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

~~ENG27. The internal driveway shall be constructed to the extents indicated for Stage 1 on Blueprint Dwg 17-2477-SPY-S1 dated 9 August 2021.~~

REDUNDANT CROSSOVERS

ENG28. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to the standard immediately adjacent along the frontage of the site.

~~ELECTRICITY AND TELECOMMUNICATION~~

~~ENG29. Connect the development to electricity and telecommunication services.~~

~~ENG30. Remove all redundant telecommunication connections and reinstate the land.~~

~~ENG31. Remove all redundant electrical connections and reinstate the land.~~

TELECOMMUNICATION

ENG29. Provide telecommunications to the development.

ELECTRICITY

ENG30. Provide electricity supply to the development to comply with Ergon Energy's requirements.

ENG31. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

EARTHWORKS - GENERAL

ENG32. Earthworks per site involving cut or fill greater than 1m, or a nett quantity of material greater than 50m³, requires an Operational Work application.

ENG33. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EARTHWORKS - RETAINING STRUCTURES AND BATTERS

ENG34. Ensure retaining walls and earthworks batters designs do not adversely affect adjoining properties or services within the vicinity.

ENG35. Ensure batters do not exceed a maximum slope of 25% (1 in 4).

ENG36. Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

EROSION AND SEDIMENT CONTROL - GENERAL

ENG37. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

ENG38. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

STAGE 2

ENGINEERING WORKS

~~ENG1. Submit to Council, an Operational Work application for all civil works including earthworks (if applicable).~~

~~ENG2. Complete all works required by the conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.~~

~~ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, Australian Standards.~~

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

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

- ENG5. Be responsible for the location and protection of, and full cost of any alterations necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
- ENG6. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT

- ENG7. Provide stormwater management generally in accordance with the Stormwater Management Report prepared by AT Consulting Engineers and Project Managers, Version 3.0, dated 6/6/19, subject to detailed design and subject to and modified by any condition of this development approval. Attenuation requirements may be altered to accommodate staging of the development.
- ENG8. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG9. Stormwater from sealed areas and overflow pipes from stormwater detention structures and/or tanks installed for the stormwater system is required to be piped to the kerb and channel.
- ENG10. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

LAWFUL POINT OF DISCHARGE

- ENG11. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

WATER SUPPLY

- ENG12. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

- ENG13. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Water & Wastewater Section.
- ENG14. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG15. Do not build works within 1.5metres from the centre of any existing sewer pipe work or within the Zone of Influence, whichever is the greater(measured horizontally).
- ENG16. Maintain a minimum of a 3-metre wide corridor to be maintained for maintenance/upgrade purposes.

~~ENG17. Ensure that a clear level area of a minimum of a 2.5-metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.~~

~~ENG18. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.~~

~~ENG19. Design all access driveways, and car parking spaces in accordance with Australian Standard 2890.1 Parking Facilities Off Street Car Parking.~~

~~ENG20. Design and construct all driveway and parking areas with sealed surface (concrete, asphalt or a two-coat bitumen seal).~~

~~ENG21. Provide a minimum one (1) car space per unit, and a minimum of two (2) visitor carparking spaces including a minimum of one (1) person with disability (PWD) carparking spaces.~~

~~ENG22. Design & construct all PWD car parking spaces in accordance with AS2890.6.~~

~~ENG23. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.~~

~~ENG24. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.~~

~~ENG25. The internal driveway shall be constructed to the extents indicated for Stage 2 on Blueprint Dwg 17-2477-SPY-S1 dated 9 August 2021.~~

~~ELECTRICITY AND TELECOMMUNICATION~~

~~ENG26. Connect the development to electricity and telecommunication services.~~

~~ENG27. Remove all redundant telecommunication connections and reinstate the land.~~

~~ENG28. Remove all redundant electrical connections and reinstate the land.~~

~~EARTHWORKS - GENERAL~~

~~ENG29. Earthworks per site involving cut or fill greater than 1m, or a nett quantity of material greater than 50m³, requires an Operational Work application.~~

~~ENG30. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.~~

~~EARTHWORKS - RETAINING STRUCTURES AND BATTERS~~

~~ENG31. Ensure retaining walls and earthworks batters designs do not adversely affect adjoining properties or services within the vicinity.~~

~~ENG32. Ensure batters do not exceed a maximum slope of 25% (1 in 4).~~

~~ENG33. Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).~~

~~EROSION AND SEDIMENT CONTROL - GENERAL~~

~~ENG34. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.~~

~~ENG35. Remove and clean up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.~~

STAGE 3

ENGINEERING WORKS

~~ENG1. Submit to Council, an Operational Work application for all civil works including earthworks (if applicable).~~

~~ENG2. Complete all works required by the conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.~~

~~ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, Australian Standards.~~

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

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

~~ENG5. Be responsible for the location and protection of, and full cost of any alterations necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.~~

~~ENG6. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.~~

STORMWATER MANAGEMENT

~~ENG7. Provide stormwater management generally in accordance with the Stormwater Management Report prepared by AT Consulting Engineers and Project Managers, Version 3.0, dated 6/6/19, subject to detailed design and subject to and modified by any condition of this development approval. Attenuation requirements may be altered to accommodate staging of the development.~~

~~ENG8. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.~~

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LAWFUL POINT OF DISCHARGE

~~ENG11. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).~~

WATER SUPPLY

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SEWERAGE

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~~ENG17. Ensure that a clear level area of a minimum of a 2.5-metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.~~

~~ENG18. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.~~

~~ENG19. Design all access driveways, and car parking spaces in accordance with Australian Standard 2890.1—Parking Facilities—Off Street Car Parking.~~

~~ENG20. Design and construct all driveway and parking areas with sealed surface (concrete, asphalt or a two-coat bitumen seal).~~

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~~ENG22. Design & construct all PWD car parking spaces in accordance with AS2890.6.~~

~~ENG23. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.~~

~~ENG24. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.~~

~~ENG25. The internal driveway shall be constructed to the extents indicated for Stage 1 on Blueprint Dwg 17-2477-SPY-S1 dated 9 August 2021.~~

ELECTRICITY AND TELECOMMUNICATION

~~ENG26. Connect the development to electricity and telecommunication services.~~

~~ENG27. Remove all redundant telecommunication connections and reinstate the land.~~

~~ENG28. Remove all redundant electrical connections and reinstate the land.~~

EARTHWORKS – GENERAL

~~ENG29. Earthworks per site involving cut or fill greater than 1m, or a nett quantity of material greater than 50m³, requires an Operational Work application.~~

~~ENG30. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.~~

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~~ENG31. Ensure retaining walls and earthworks batters designs do not adversely affect adjoining properties or services within the vicinity.~~

~~ENG32. Ensure batters do not exceed a maximum slope of 25% (1 in 4).~~

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EROSION AND SEDIMENT CONTROL – GENERAL

~~ENG34. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.~~

~~ENG35. Remove and clean up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.~~

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
DA.01.01	P2	<i>Overall Site Plan</i> , prepared by Sims White Architects	15.07.25
DA.01.02	P3	<i>Proposed External Works</i> , prepared by Sims White Architects	15.07.25
DA.02.01	-	<i>Floor Plan – Building 1</i> prepared by Sims White Architects	09.07.25
DA.02.02	-	<i>Floor Plan – Buildings 2</i> prepared by Sims White Architects	09.07.25
DA.02.03	-	<i>Floor Plan – Building 3</i> prepared by Sims White Architects	09.07.25
DA.02.04	-	<i>Roof Plan</i> – prepared by Sims White Architects	09.07.25
DA.04.01	-	<i>Elevations – Sheet 1-</i> prepared by Sims White Architects	09.07.25
DA.04.02	-	<i>Elevations – Sheet 2</i> – prepared by Sims White Architects	09.07.25

REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
-	1.0	<i>Preliminary Stormwater Management Report</i> , prepared by ATC Consulting Engineers	30 June 25

ADVISORY NOTES

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

ADV1. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

Developer Incentive

ADV2. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and ~~30 June 2022~~ **31 December 2027**. Eligible development under this scheme is required to be completed by ~~30 June 2022~~ **31 December 2027**.

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

Heritage

ADV3. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "*A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage.*" Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

Appeal Rights

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

ADV5. Section 85(1)(b) of the *Planning Act 2016* provides that if this approval is not acted upon within a period of six (6) years the approval will lapse.

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Operational Works Application for Earthworks.

SUBMISSIONS

Not Applicable.

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: Adopted Infrastructure Charge Notice
 Approved Plans/Documents
 Appeal Rights

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT: Tyson Acquisitions Pty Ltd
C/- Precinct Urban Planning
PO Box 3038
Toowoomba QLD 4350

APPLICATION: Other Change to MCU21/0009 - Increase unit development from 9 x one storey units to 20 x two storey units across 4 buildings in a single stage

DATE: 13 October 2025

FILE REFERENCE: MCU25/0020

AMOUNT OF THE LEVIED CHARGE: **\$253,313.00** **Total**
(Details of how these charges were calculated are shown overleaf)

\$136,382.00	Water Supply Network
\$75,137.00	Sewerage Network
\$33,406.00	Transport Network
\$27,839.00	Parks and Land for Community Facilities Network
\$5,549.00	Stormwater Network

AUTOMATIC INCREASE OF LEVIED CHARGE: The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

LAND TO WHICH CHARGE APPLIES: Lot 100 on SP153314

SITE ADDRESS: 34 William Street, Kingaroy

PAYABLE TO: **South Burnett Regional Council**

WHEN PAYABLE: Material Change of Use – When the change happens.
(In accordance with the timing stated in Section 122 of the Planning Act 2016)

OFFSET OR REFUND: Not Applicable.

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

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Use (3 or more bed)	2	dwelling	\$9,842.00	CR Table 2.1	\$19,684.00
Residential Use (2 bed)	18	dwelling	\$7,030.00	CR Table 2.1	\$126,540.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Vacant land	1	Allotments	\$9,842.00	CR Table 2.3	\$9,842.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Use (3 or more bed)	2	dwelling	\$5,423.00	CR Table 2.1	\$10,846.00
Residential Use (2 bed)	18	dwelling	\$3,873.00	CR Table 2.1	\$69,714.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Vacant land	1	Allotments	\$5,423.00	CR Table 2.3	\$5,423.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Use (3 or more bed)	2	dwelling	\$2,410.00	CR Table 2.1	\$4,820.00
Residential Use (2 bed)	18	dwelling	\$1,722.00	CR Table 2.1	\$30,996.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Vacant land	1	Allotments	\$2,410.00	CR Table 2.3	\$2,410.00

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Use (3 or more bed)	2	dwelling	\$2,009.00	CR Table 2.1	\$4,018.00
Residential Use (2 bed)	18	dwelling	\$1,435.00	CR Table 2.1	\$25,830.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Vacant land	1	Allotments	\$2,009.00	CR Table 2.3	\$2,009.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Use (3 or more bed)	2	dwelling	\$401.00	CR Table 2.1	\$802.00
Residential Use (2 bed)	18	dwelling	\$286.00	CR Table 2.1	\$5,148.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Vacant land	1	Allotments	\$401.00	CR Table 2.3	\$401.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Residential Use (Total)	\$136,382.00	\$75,137.00	\$33,406.00	\$27,839.00	\$5,549.00	\$253,313.00
Total	\$136,382.00	\$75,137.00	\$33,406.00	\$27,839.00	\$5,549.00	\$253,313.00

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

INFORMATION NOTICE

Authority and Reasons for Charge	This Infrastructure Charges Notice has been given in accordance with section 119 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.
Appeals	Pursuant to section 229 and Schedule 1 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.
Automatic Increase Provision of charge rate (\$)	<p>An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.</p> <p>However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.</p>
GST	The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2016</i> are GST exempt.
Making a Payment	<p>This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.</p> <p>To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.</p> <p>An Itemised Breakdown may be requested by emailing info@southburnett.qld.gov.au</p>

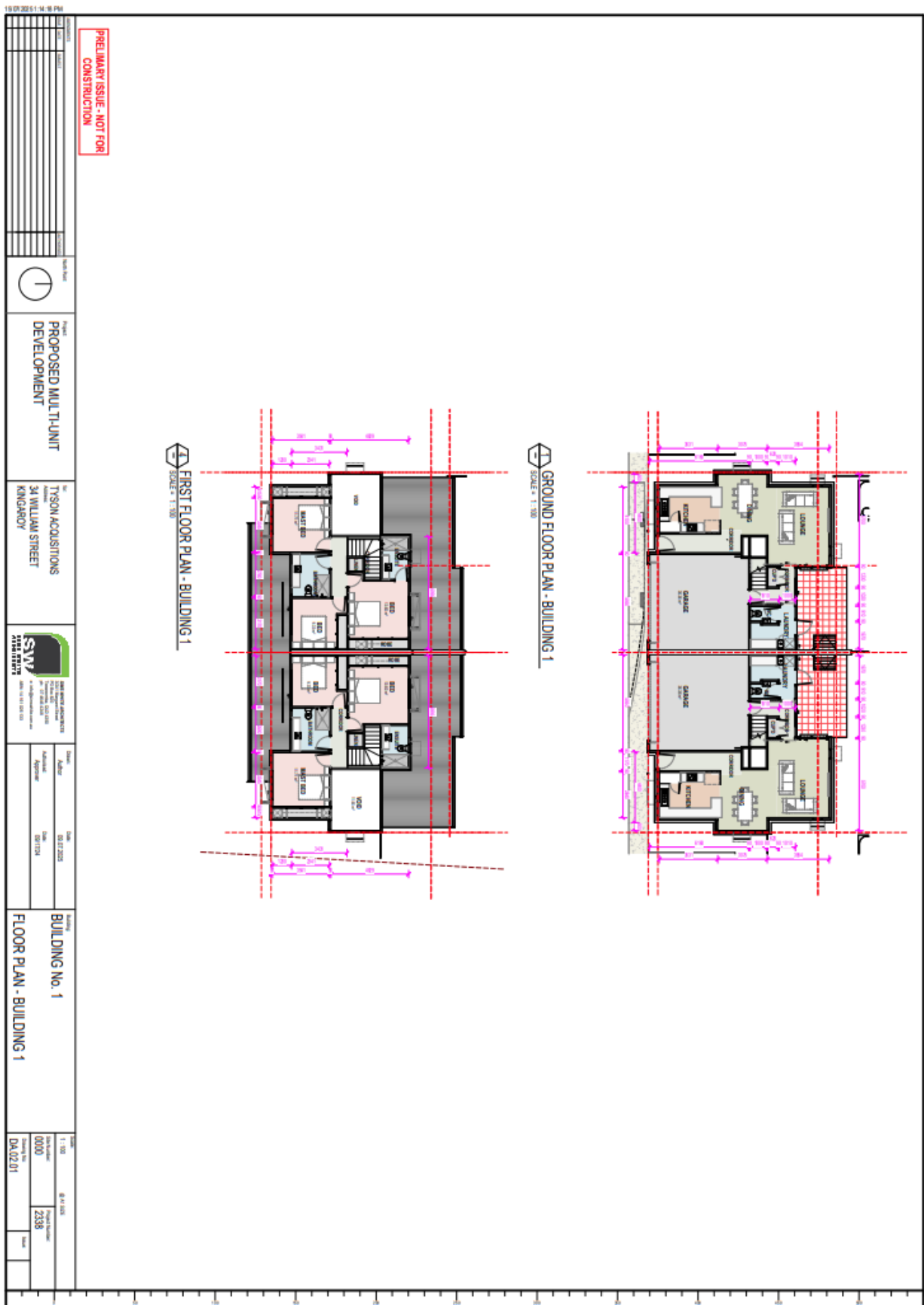
¹ 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

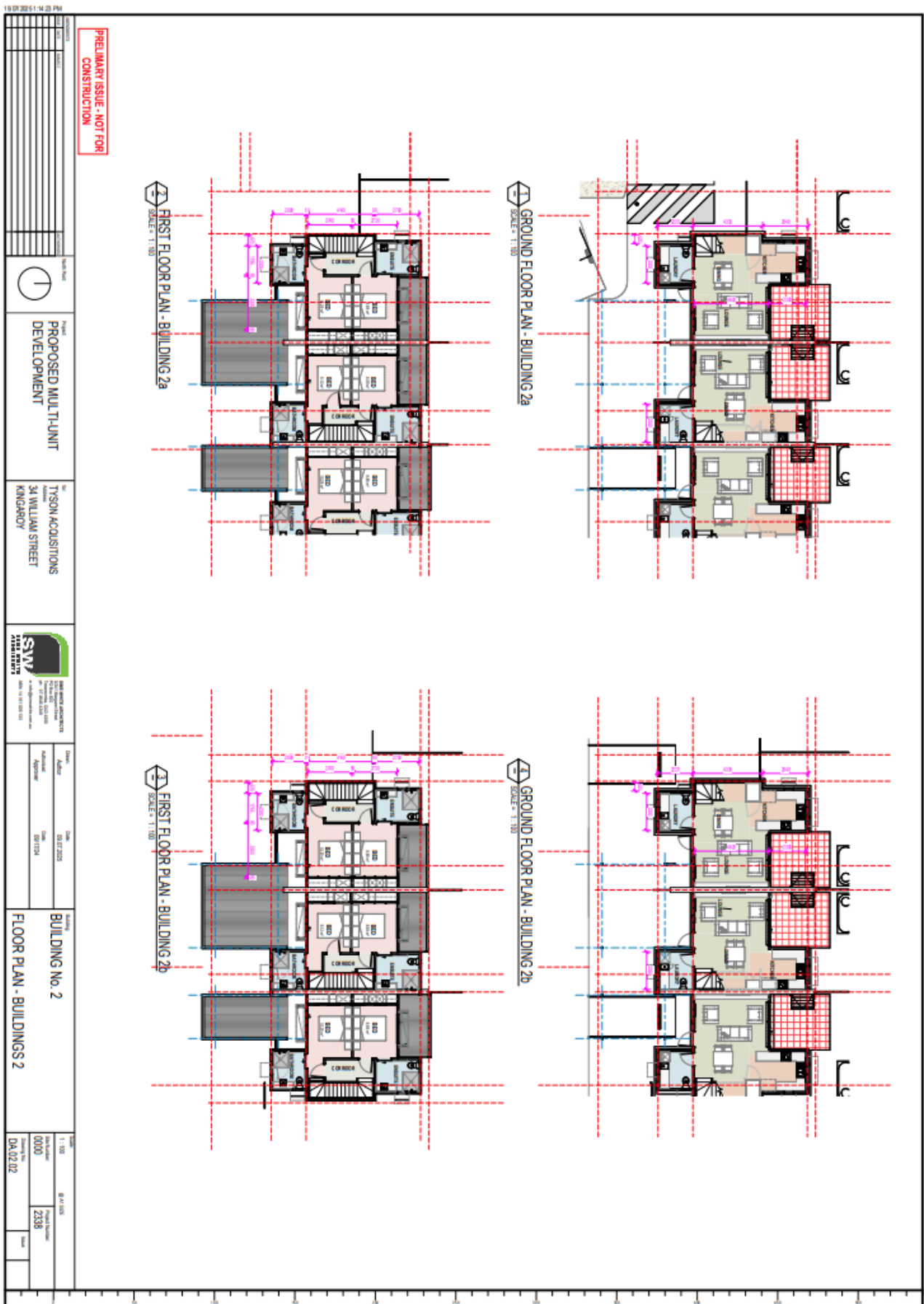
Payment can be made at any of the following South Burnett Regional Council Offices:

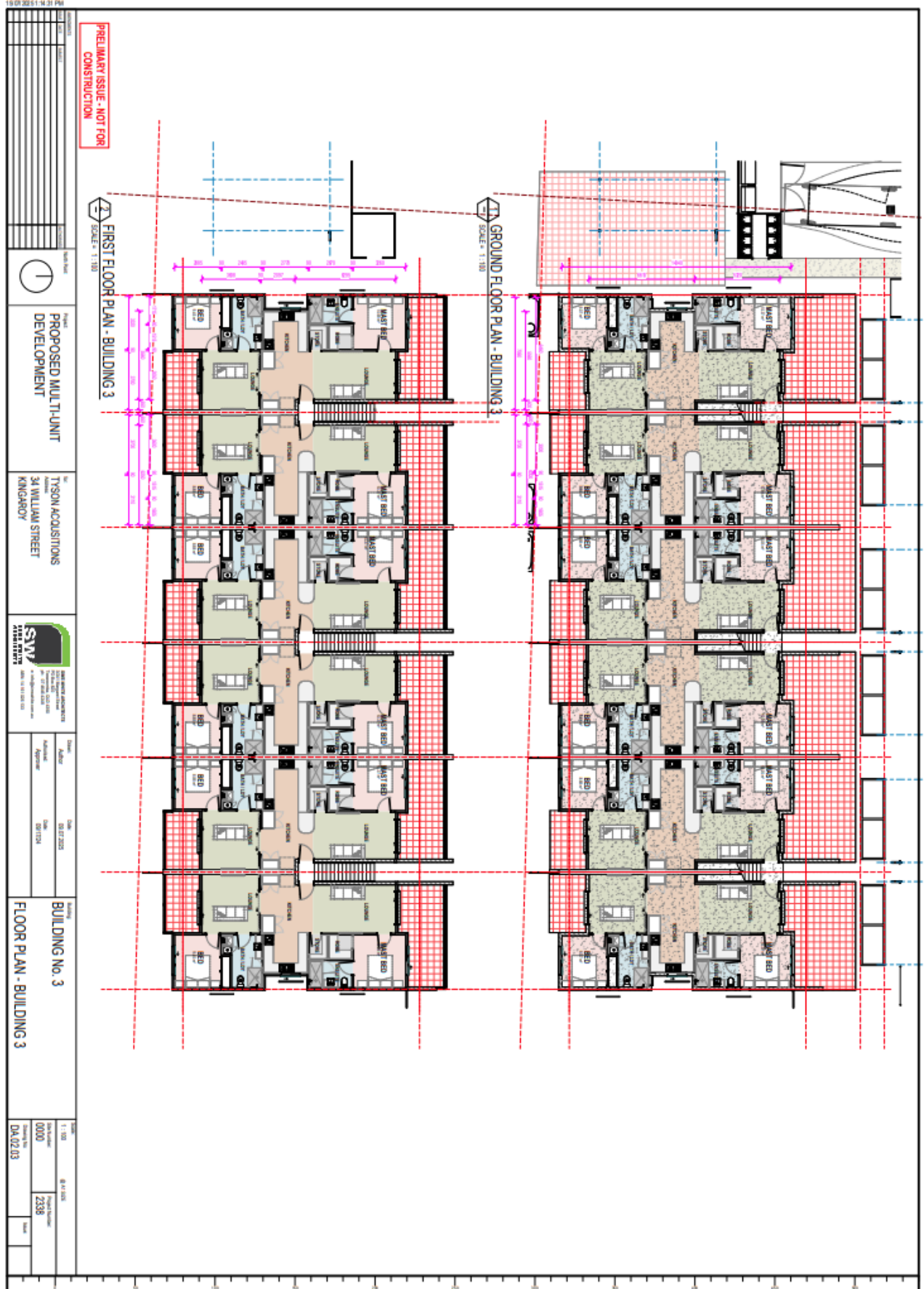
- 69 Hart Street, Blackbutt, 4314;
- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

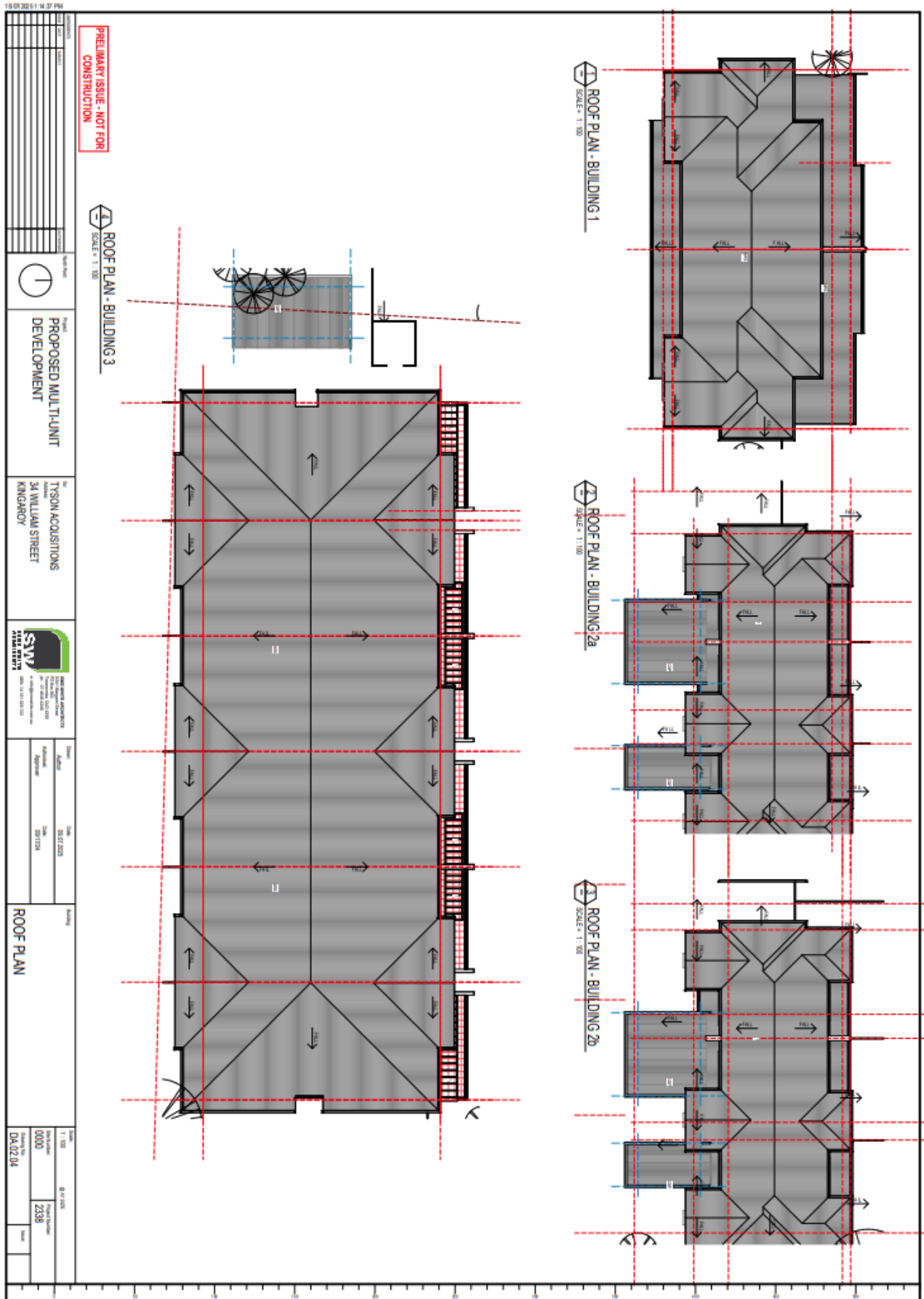
Enquiries

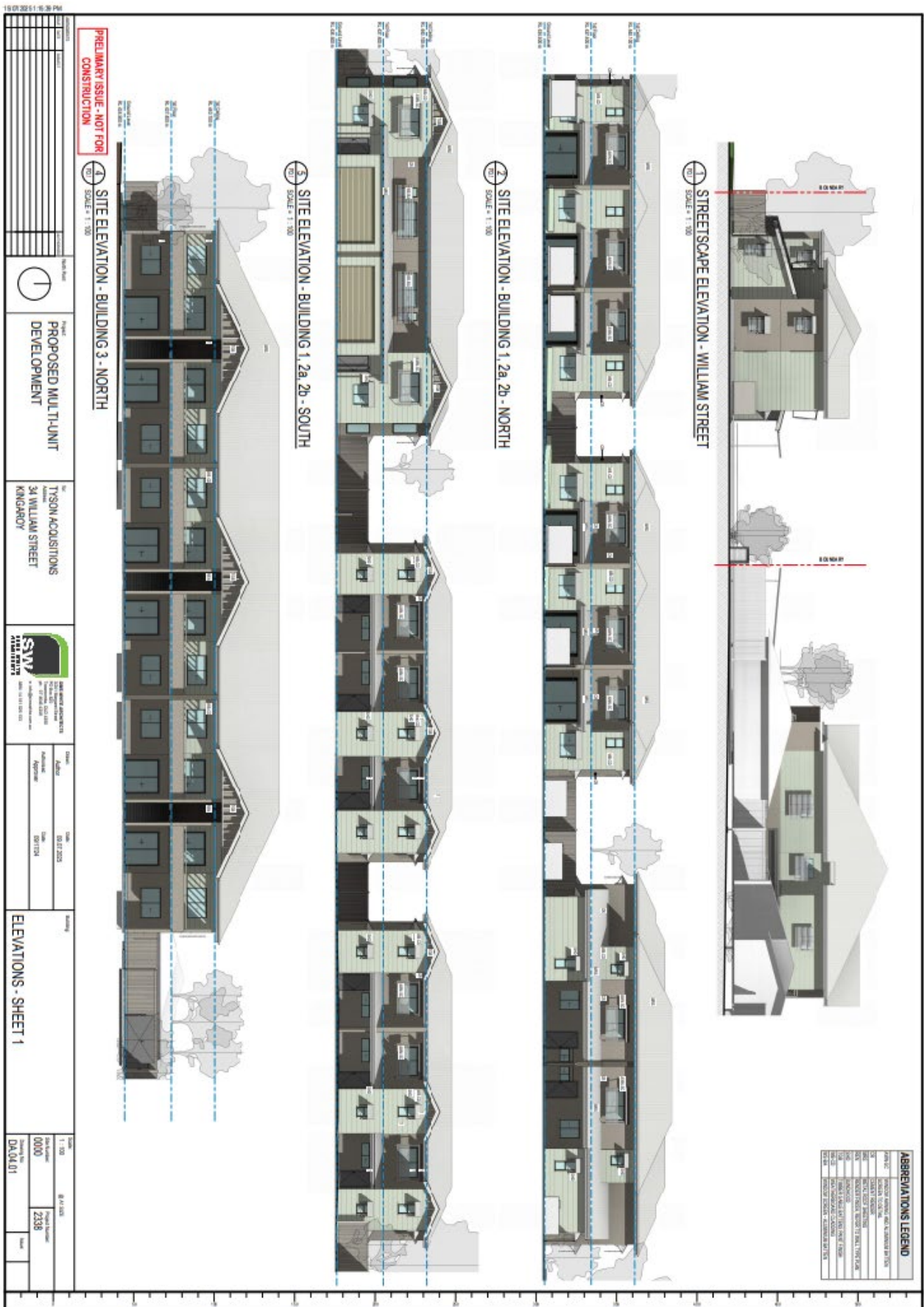
Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Finance & Liveability, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@sbrc.qld.gov.au











ABBREVIATIONS LEGEND	
1/8"	1/8" = 1'-0"
1/4"	1/4" = 1'-0"
3/8"	3/8" = 1'-0"
1/2"	1/2" = 1'-0"
3/4"	3/4" = 1'-0"
1"	1" = 1'-0"
1 1/2"	1 1/2" = 1'-0"
2"	2" = 1'-0"
3"	3" = 1'-0"
4"	4" = 1'-0"
6"	6" = 1'-0"
8"	8" = 1'-0"
12"	12" = 1'-0"
18"	18" = 1'-0"
24"	24" = 1'-0"
36"	36" = 1'-0"
48"	48" = 1'-0"
60"	60" = 1'-0"
72"	72" = 1'-0"
84"	84" = 1'-0"
96"	96" = 1'-0"
108"	108" = 1'-0"
120"	120" = 1'-0"
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Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (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)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) 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 is 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
 - (f) 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.

Note –

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) 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.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment 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

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) 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
 - (b) 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 an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any 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
 - (b) otherwise – 10 business days after the appeal is started.
 - (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
 - (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.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) 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.
- (4) In this section –

decision includes-

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

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

 - (a) is final and conclusive; and
 - (b) 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
 - (c) 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

- (1) 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.