

Officer: Senior Planner - Vanessa
Direct Telephone: 07 4189 9100
Our Reference: MCU26/0009

10 July 2026

Mijah Pty Ltd
C/-ONF Surveyors
PO Box 896
KINGAROY QLD 4610

Dear Sir/Madam

Decision Notice

Planning Act 2016

I refer to your application and advise that on 9 July 2026, 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: MCU26/0009
Street Address: 58 Kingaroy Street KINGAROY QLD 4610
Real Property Description: Lot 1 on RP48338
Planning Scheme: South Burnett Regional Council

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for a Material Change of Use – Multiple Dwellings (5 Units)
Date of Decision: 9 July 2026

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (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

GENERAL

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

Drawing No.	Drawing Title	Project	Prepared By	Rev	Date
A000	3D Views	Residential Development	Newman Design and Drafting	1F	27/03/2026
A001	Site Plan	Residential Development	Newman Design and Drafting	1F	27/03/2026
A001	Floor Plan	Duplex Residence	Newman Design and Drafting	1E	05/03/2026
A002	Elevation Plans	Duplex Residence	Newman Design and Drafting	1E	05/03/2026
A001	Floor Plan	Duplex Residence	Newman Design and Drafting	1F	27/03/2026
A002	Elevation Plans	Duplex Residence	Newman Design and Drafting	1F	27/03/2026
A001	Floor Plan	New Residence	Newman Design and Drafting	1E	05/03/2026
A002	Elevation Plan	New Residence	Newman Design and Drafting	1E	05/03/2026
A003	Elevation Plan	New Residence	Newman Design and Drafting	1E	05/03/2026

Approved Document

Document No.	Document Title	Prepared By	Rev	Date
—	Preliminary Stormwater Management Report	ATC Consulting Engineers and Project Managers	1.0	09/01/2026

Where there is a conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.

Timing: At all times.

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

APPROVED USE

GEN3. The use of the premises is limited to a Multiple Dwellings (5 units), being one (1) two-bedroom unit and four (4) three-bedroom units, consistent with the definition of Multiple Dwelling in Schedule 1 of the South Burnett Regional Council Planning Scheme 2017 V2.0. This approval does not imply approval for other similar uses (e.g. Short term accommodation).

Timing: At all times.

BUILDING, PLUMBING AND DRAINAGE WORKS

- GEN4. The development herein approved may not start until the following development permits have been issued and complied with as required:
- Development Permit for Building Works; and
 - Permit for Plumbing and Drainage Works.

DEMOLISH STRUCTURES

- GEN5. Demolish and remove all structures not associated with the approved development.

Comment: Demolition/removal will likely require a Development Permit for Building Works for Demolition under the *Planning Act 2016* and issue of a Form 21 Final Inspection Certificate.

Timing: As part of building works.

COMPLIANCE, TIMING AND COSTS

- GEN6. All conditions of the approval shall be complied with before the change occurs (prior to commencement of the use) and while the use continues, unless otherwise noted within these conditions.
- GEN7. All works, including the repair or relocation of services is to be completed at no cost to Council.

UNIT DEVELOPMENT

- MCU1. Each dwelling unit is to be provided with external clothes drying facilities within the nominated open private space areas.
- MCU2. A letter box shall be provided on Kingaroy Street's alignment for each habitable Dwelling unit. Each box shall be distinguished with a number corresponding with the dwelling unit number.
- MCU3. Each dwelling unit is to be readily identified by number.
- MCU4. Prior to the commencement of the use, all plant and service equipment (including air conditioners, exhaust fans, lift motor rooms, refuse bins, telecommunication devices and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.

ENVIRONMENTAL MANAGEMENT

- MCU5. As part of Building Works, outdoor lighting must be provided along all along all footpaths, car parking areas and the driveway entry to support clear visibility, safe movement and wayfinding. All outdoor lighting must comply with Australian Standard *AS4282 – Control of the Obtrusive Effects of Outdoor Lighting*.
- MCU6. Prior to the commencement of the use, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining the sites.
- MCU7. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

MCU8. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.

FENCING

MCU9. Fence construction along the property boundaries, other than the road frontage, is to be solid screen fencing to a height of 1.8 metres. Where fencing along a side boundary exceeds 1.2 metres in height and connects to the road frontage, the fencing must be tapered to 1.2 metres in height over a length of 4 metres towards the road frontage. Where retaining walls are incorporated as part of the fencing, the overall combined height must not exceed 1.8 metres.

Timing: Prior to commencement of the use and to be maintained.

MCU10. Private open space screen fencing between each unit on ground level achieves a minimum height of 1.5m and not exceeding 1.8m.

Timing: Prior to commencement of the use and to be maintained.

MCU11. Fences or walls proposed along road frontages are to be maximum 1.2m in height.

WASTE STORAGE/COLLECTION

MCU12. Provision must be made for the storage and removal of waste in accordance with the *Waste Reduction and Recycling Regulation 2023*.

MCU13. Any areas that are dedicated for the collection and/or storage of solid waste on the premises are to be:

- a. level;
- b. provided with impervious hard stand and drained; and
- c. provided in a building or other enclosed structure screened to a minimum height of 0.2m above the height of the refuse receptacles.

LANDSCAPING

MCU14. Prior to commencement of use, submit to Council for endorsement a detailed Landscaping Plan generally in accordance with the approved Site Plan referenced in Condition GEN1. The Landscaping Plan must identify:

- a. The location, spacing and species of all proposed and existing trees and shrubs;
- b. How the landscaping will be established and maintained;
- c. Tiered frontage landscaping that softens the built form while maintaining sightlines and casual surveillance; and
- d. Plant species selected having regard to [Branching Out - Your Handy Guide to Tree Planting in the South Burnett](#) available from Council.

MCU15. Landscaped areas must be maintained for the life of the development. Any dead, damaged, diseased or removed plantings must be replaced with plantings of a similar species and maturity.

LAWFUL COMMENCEMENT

MCU16. Prior to the commencement of this use, submit to Council a Notice of Intention to Commence the Approved Use. The notice must:

- Be submitted to the Manager, Planning and Development with a minimum of ten (10) business days prior to the commencement of the approved use;
- Nominate the day the approved use is intended to commence;
- Include evidence (i.e. copies of decision notice(s), photographic proof, and statement(s) of compliance with the conditions of this approval which demonstrates that all conditions of this approval have been complied with.

Note: Council offers condition compliance inspections, which currently attracts a fee of \$453.50. However, the actual amount payable will be based on Council's Register of Fees & Charges and the rate applicable at the time of payment.

ENGINEERING WORKS

ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, access and parking.

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

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

ENG4. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

ENG5. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

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

REMOVAL OF EXISTING BUILDINGS

ENG7. Remove all existing buildings located on the property prior to construction.

STORMWATER MANAGEMENT

ENG8. Provide stormwater management generally in accordance with the approved Preliminary Stormwater Management Report prepared by ATC Consulting Engineers, Version 1.0, dated 09/01/2026, subject to detailed design and except as altered by conditions of this development approval.

ENG9. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

ENG10. 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. Lawful point of discharge for the development is Kingaroy Street.

ENG12. 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

ENG13. Connect the development to Council's reticulated water supply system via a single connection.

ENG14. Design and construct all works in accordance with Council's requirements as set out in the WBBUWA - Design and Construction Code, WSAA Guidelines and relevant development standards used by Council.

ENG15. 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

ENG16. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with WBBUWA, Council's standards and be approved by Council's Utility Services Section.

ENG17. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

ENG18. 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).

ENG19. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.

ENG20. 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.

ENG21. 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

ENG22. Design all access driveways, circulation driveways, parking aisles and car parking spaces in accordance with Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking.

ENG23. Design and construct all sealed areas with concrete, asphalt or a two-coat bitumen seal.

ENG24. Provide a minimum of one car parking space per dwelling unit and two visitor car parking spaces.

ENG25. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

ENG26. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

ENG27. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS

ENG28. Construct a residential crossover between the property boundary and the edge of the Kingaroy Street pavement, having a minimum width of 6 metres, generally in accordance with Council's Standard Drawing 00048.

ENG29. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

REDUNDANT CROSSOVERS

ENG30. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to Council's standards.

ELECTRICITY AND TELECOMMUNICATION

ENG31. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

ENG32. Earthworks per site involving cut or fill with 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.

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
Residential Development - A000	1F	3D Views, prepared by Newman Design and Drafting	27/03/2026
Residential Development - A001	1F	Site Plan, prepared by Newman Design and Drafting	27/03/2026
Duplex Residence - A001	1E	Floor Plan, prepared by Newman Design and Drafting	05/03/2026
Duplex Residence - A002	1E	Elevation Plans, prepared by Newman Design and Drafting	05/03/2026
Duplex Residence - A001	1F	Floor Plan, prepared by Newman Design and Drafting	27/03/2026
Duplex Residence - A002	1F	Elevation Plans, prepared by Newman Design and Drafting	27/03/2026
New Residence - A001	1E	Floor Plan, prepared by Newman Design and Drafting	05/03/2026
New Residence - A002	1E	Elevation Plan, prepared by Newman Design and Drafting	05/03/2026
New Residence - A003	1E	Elevation Plan, prepared by Newman Design and Drafting	05/03/2026

REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
-	1.0	Preliminary Stormwater Management Report, prepared by ATC Consulting Engineers and Project Managers	09/01/2026

ADVISORY NOTES

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

STANDARD ADVICE

- ADV1. Section 85 (1)(a) of the Planning Act provides that, if this approval is not acted upon within the period of six (6) years the approval will lapse.
- ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity 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.

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

INFRASTRUCTURE CHARGES NOTICE

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

DEVELOPER INCENTIVE

ADV5. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2027. Eligible development under this scheme is required to be completed by 31 December 2027.

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

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Works
- Development Permit for Plumbing and Drainage Works

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,



VANESSA GWASIRA
SENIOR PLANNING OFFICER

Enc: Adopted Infrastructure Charge Notice
 Approved Plans
 Approved Documents
 Appeal Rights

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT:	Mijah Pty Ltd C/- ONF Surveyors PO Box 896 KINGAROY QLD 4610	
APPLICATION:	Material Change of Use - Multiple Dwelling (5 Units) - Impact Assessable	
DATE:	9 July 2026	
FILE REFERENCE:	MCU26/0009	
AMOUNT OF THE LEVIED CHARGE: (Details of how these charges were calculated are shown overleaf)	\$74,601.00	Total
	\$36,556.00	Water Supply Network
	\$20,142.00	Sewerage Network
	\$8,952.00	Transport Network
	\$7,462.00	Parks and Land for Community Facilities Network
	\$1,489.00	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 1 on RP48338	
SITE ADDRESS:	58 Kingaroy Street, Kingaroy	
PAYABLE TO:	South Burnett Regional Council	
WHEN PAYABLE: (In accordance with the timing stated in Section 122 of the Planning Act 2016)	Material Change of Use – When the change happens.	
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 Uses (1 or 2 bedroom dwelling)	1	Dwelling	\$7,030.00	CR Table 2.1	\$7,030.00
Residential Uses (3 or more bedroom dwelling)	4	Dwellings	\$9,842.00	CR Table 2.1	\$39,368.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Residential Use (3 or more-bedroom dwelling)	1	Dwelling	\$9,842.00	CR Table 2.1	\$9,842.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Uses (1 or 2 bedroom dwelling)	1	Dwelling	\$3,873.00	CR Table 2.1	\$3,873.00
Residential Uses (3 or more bedroom dwelling)	4	Dwellings	\$5,423.00	CR Table 2.1	\$21,692.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Residential Use (3 or more-bedroom dwelling)	1	Dwelling	\$5,423.00	CR Table 2.1	\$5,423.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Uses (1 or 2	1	Dwelling	\$1,722.00	CR Table 2.1	\$1,722.00

bedroom dwelling)					
Residential Uses (3 or more bedroom dwelling)	4	Dwellings	\$2,410.00	CR Table 2.1	\$9,640.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Residential Use (3 or more-bedroom dwelling)	1	Dwelling	\$2,410.00	CR Table 2.1	\$2,410.00

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Uses (1 or 2 bedroom dwelling)	1	Dwelling	\$1,435.00	CR Table 2.1	\$1,435.00
Residential Uses (3 or more bedroom dwelling)	4	Dwellings	\$2,009.00	CR Table 2.1	\$8,036.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Residential Use (3 or more-bedroom dwelling)	1	Dwelling	\$2,009.00	CR Table 2.1	\$2,009.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Residential Uses (1 or 2 bedroom dwelling)	1	Dwelling	\$286.00	CR Table 2.1	\$286.00
Residential Uses (3 or more bedroom dwelling)	4	Dwellings	\$401.00	CR Table 2.1	\$1,604.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Existing Residential Use (3 or more-bedroom dwelling)	1	Dwelling	\$401.00	CR Table 2.1	\$401.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Multiple Dwellings (5 units)	\$36,556.00	\$20,142.00	\$8,952.00	\$7,462.00	\$1,489.00	\$74,601.00
Total	\$36,556.00	\$20,142.00	\$8,952.00	\$7,462.00	\$1,489.00	\$74,601.00

** 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 (\$)	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. 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.
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	This Infrastructure Charges Notice cannot be used to pay your infrastructure charges. 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. An Itemised Breakdown may be requested by emailing info@southburnett.qld.gov.au

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

RESIDENTIAL DEVELOPMENT
DARRIN KEFFORD
 30 KINGMAN STREET
 KINGMAN



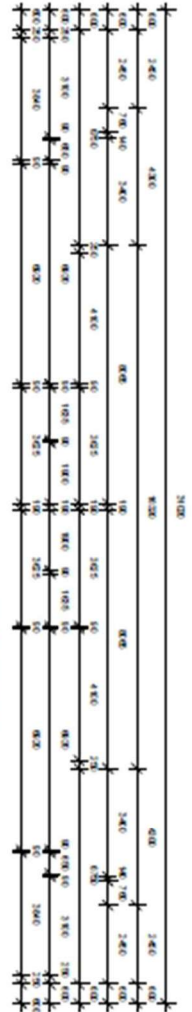


NEWMAN
 DESIGN & DRAFTING

Newman Design & Drafting		Sheet No. A000	
M: 060732205		Date: 1/1/2020	
E: info@newmandesignanddrafting.com.au		Drawn: 28/01/20	
W: www.newmandesignanddrafting.com.au		Checked: 1/1/2020	
Client	KEFFORD	Project	RESIDENTIAL DEVELOPMENT
Address	30 KINGMAN STREET	Location	KINGMAN
Scale	1:100	Notes	SEE PLAN

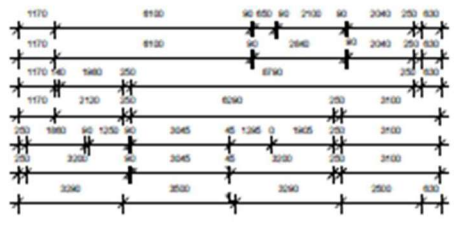
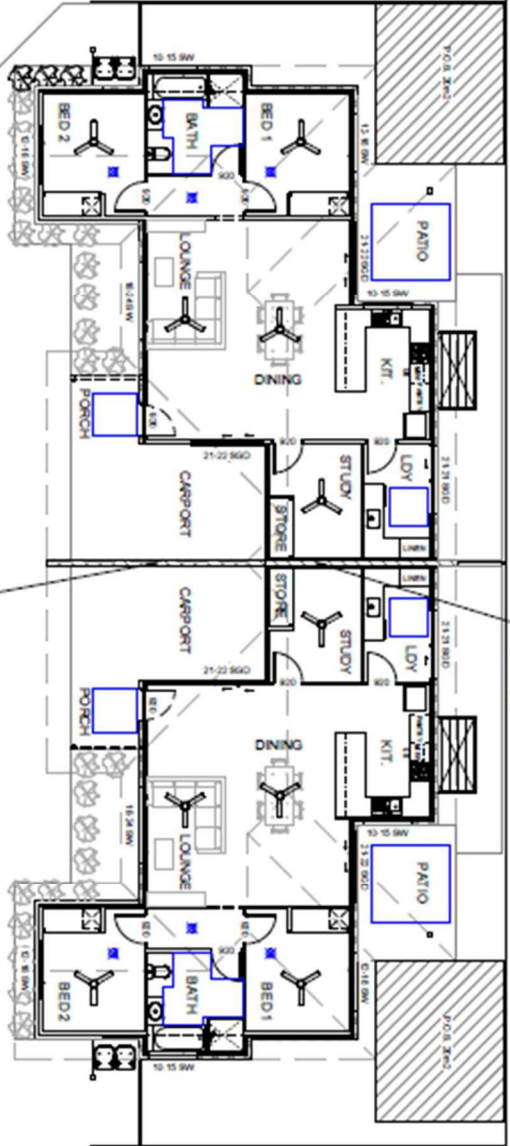
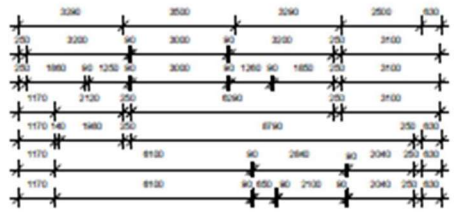
CONSTRUCTION NOTES:

1. All construction shall be in accordance with the latest edition of the National Building Code of Australia (NBC) and the relevant Australian Standards (AS).
2. The design is based on the following assumptions:
 - a. The building is a two-storey residential building.
 - b. The building is located in a residential zone.
 - c. The building is to be constructed on a level site.
 - d. The building is to be constructed on a concrete slab.
 - e. The building is to be constructed on a concrete foundation.
3. The design is based on the following assumptions:
 - a. The building is a two-storey residential building.
 - b. The building is located in a residential zone.
 - c. The building is to be constructed on a level site.
 - d. The building is to be constructed on a concrete slab.
 - e. The building is to be constructed on a concrete foundation.
4. The design is based on the following assumptions:
 - a. The building is a two-storey residential building.
 - b. The building is located in a residential zone.
 - c. The building is to be constructed on a level site.
 - d. The building is to be constructed on a concrete slab.
 - e. The building is to be constructed on a concrete foundation.



LEGEND:

- DIMENSION LINE
- CENTER LINE
- FINISH LINE
- REWORK WALL
- REWORK DOOR
- REWORK WINDOW
- REWORK FLOOR
- REWORK CEILING
- REWORK ROOF
- REWORK EXTERIOR
- REWORK INTERIOR
- REWORK FINISH
- REWORK MATERIAL
- REWORK COLOR
- REWORK TEXTURE
- REWORK PATTERN
- REWORK SHAPE
- REWORK SIZE
- REWORK QUANTITY
- REWORK PRICE
- REWORK TOTAL
- REWORK COMMENTS



FLOOR AREAS

Unit 1 Living Area	123.7 m²
Unit 2 Living Area	123.7 m²
Unit 1 Carport Area	22.7 m²
Unit 2 Carport Area	22.7 m²
Unit 1 Patio Area	13.3 m²
Unit 2 Patio Area	13.3 m²
Unit 1 Porch Area	4.2 m²
Unit 2 Porch Area	4.2 m²
Porch Area	4.1 m²
Grand Total	331.8 m²



1 FLOOR PLAN

1:100

NEWMAN
DESIGN & DRAFTING

Newman Design & Drafting
M: 0422 702 315
E: info@newmandesignanddrafting.com.au
W: www.newmandesignanddrafting.com.au

bdco
BUILDING DESIGN CONSULTANTS

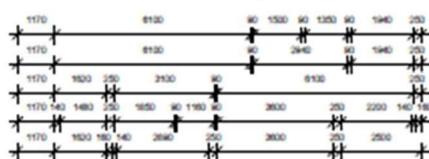
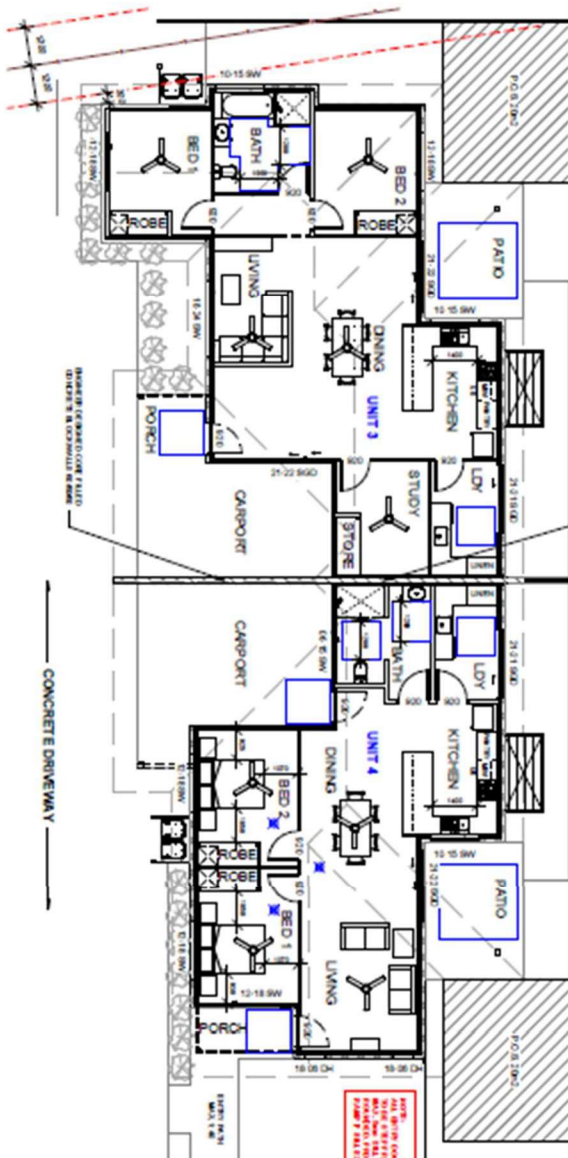
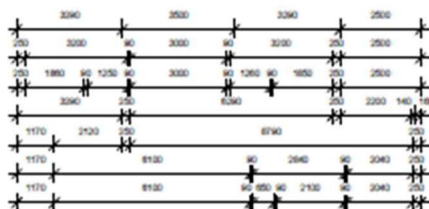
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THIS IS A PRELIMINARY DESIGN ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THE DESIGN SHALL BE MADE BY THE DESIGNER.

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FLOOR AREAS

Unit 5 Living Area	125.9 m ²
Unit 4 Living Area	104.3 m ²
Unit 4 Carport Area	29.3 m ²
Unit 3 Carport Area	22.1 m ²
Unit 3 Patio Area	13.3 m ²
Unit 2 Patio Area	13.3 m ²
Unit 4 Porch Area	5.1 m ²
Unit 3 Porch Area	4.4 m ²
Porch Area	4.1 m ²
Grand total	359.8 m²



CONCRETE DRIVEWAY —————

[illegible]

1 FLOOR PLAN

110



NEWMAN
DESIGN & DRAFTING

Northern Design & Writing
 M 0622 782 315
 E info@northerndesignwriting.com.au
 W www.northerndesignwriting.com.au



BDO
a member of the BDO network
of independent member firms affiliated with the
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THESE PLANS ARE CONFIDENTIAL, ONLY A MUST
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CONFIDENTIALITY NOTICE

FLOOR AREAS

 **SMOKE ALMS TO BE IN ACCORDANCE WITH AS 3706:2014**

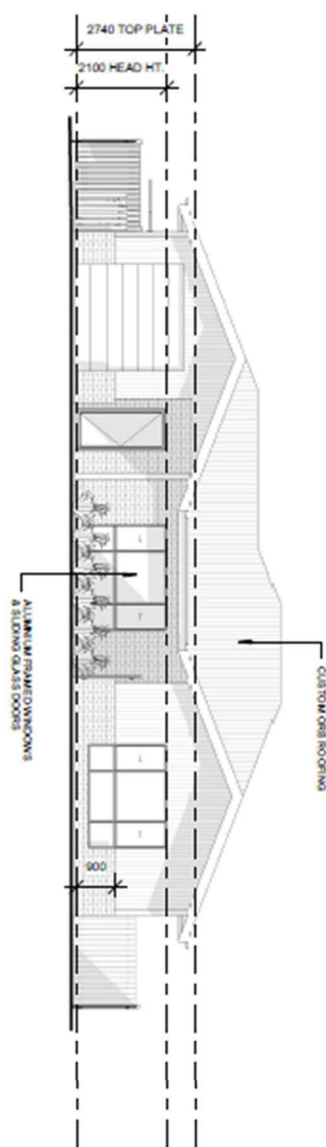


RELATING TO NOTE:
The National Construction Code (NCC), the Queensland Development Code (QDC), the Building Act 1975, current issues of Australian Standards, and other relevant codes of practice and regulations details for materials and products will

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 LVR LOUVER WINDOW
 FY FIXED WINDOW
 SLD SLIDING GLASS DOOR
 AW ALUMINUM WINDOW
 DM DOUBLE GLASS
 CG GLASS BRICKS
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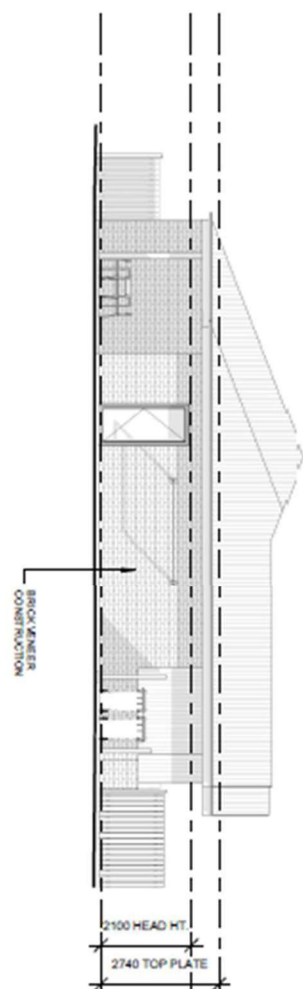
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COMPLIANCE NOTES	
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2.	Structural compliance with NCC - V2, Part 11.3 - Stairs and Escalators
3.	Structural compliance with NCC - V2, Part 11.4 - Roofs
4.	Roof and walls to comply with NCC - V2, Part 10.2 - Wind zone windproofing
5.	Lighting to comply with NCC - V2, Part 10.5 - Lighting
6.	Structural compliance with NCC - V2, Part 10.6 - Timber
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2 WESTERN ELEVATION

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3 NORTHERN ELEVATION

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DATE	DESCRIPTION	DATE	AUTHOR
10-03-2023	CONCEPTUAL PLANS	10-03-2023	TN

PROJECT: NEW RESIDENCE

CLIENT: DARRIN KEFFORD
SITE ADDRESS: 58 KINGSARROY STREET
KINGSARROY

SCALE: 1:100

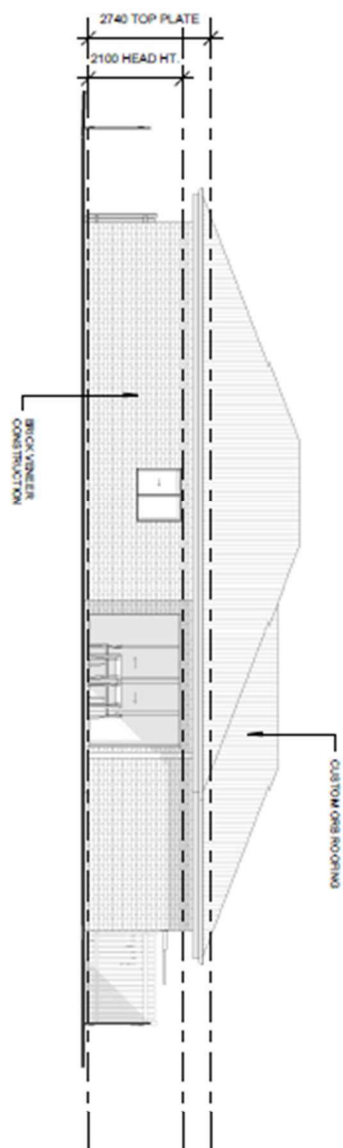
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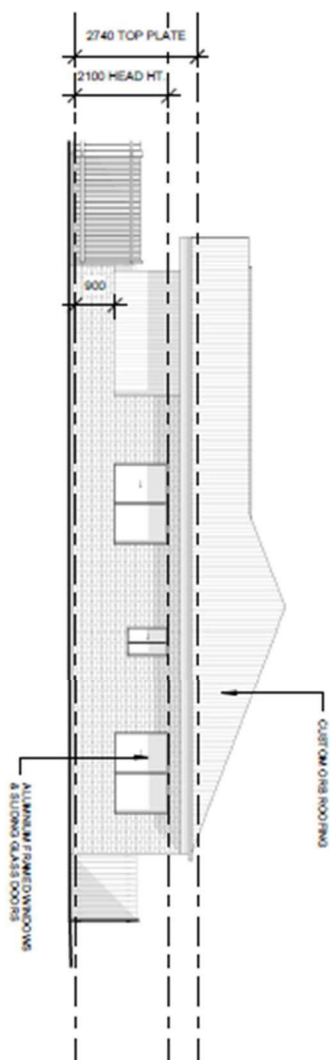
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THESE PLANS ARE CONCEPTUAL ONLY & MUST NOT BE USED FOR APPROVAL OR CONSTRUCTION PURPOSES



4 EASTERN ELEVATION

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5 SOUTHERN ELEVATION

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- COMPLY WITH THE:**
1. State Planning Act 2009 - Part 11.2 - Planning and Zoning
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		Newman Design & Drafting M 0422 782 315 E: info@newmandesignanddrafting.com.au W: www.newmandesignanddrafting.com.au				ISSUE: 1 DATE: 06/03/2020 TN: 1		PROJECT: NEW RESIDENCE		CLIENT: DARIN KEFFORD SITE: 58 KINGARROY STREET KINGARROY		DRAWN: 1 DATE: 06/03/2020 TN: 1		NOT FOR CONSTRUCTION THESE PLANS ARE CONCEPTUAL ONLY & MUST NOT BE USED FOR APPROVAL OR CONSTRUCTION PURPOSES	
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Preliminary Stormwater Management Report

Darrin Kefford

58 Kingaroy Street, Kingaroy, 4610

Lot 1 RP48338

Version	Authored By	Checked By	Approved By	Date
1.0	Jordan Picton	Philip De Guzman	Allen Christensen	09 January 2026
This version replaces all previous versions of this report.				

1. Introduction

This preliminary stormwater management plan forms part of the development requirements for a unit development application at 58 Kingaroy Street, Kingaroy, Queensland, 4610 (Lot 1 RP48338). The proposed development consists of 5 residential units (2-to-3-bedroom units), consisting of 2 x duplexes along the southern boundary and an additional unit at the rear (east) of the site. The development will have a communal access driveway along the northern boundary of the lot.

ATC Consulting Engineers and Project Managers have been engaged on behalf of the applicant to prepare a stormwater management plan for the proposed development. This report will address the pre- and post-development stormwater flows, and any detention requirements, to demonstrate that the post-development flows can be adequately managed without any additional impacts on other properties or infrastructure.

2. Site Characteristics

2.1. Pre-development site description

The site is located at 58 Kingaroy Street, Kingaroy, as shown in Figure 1.

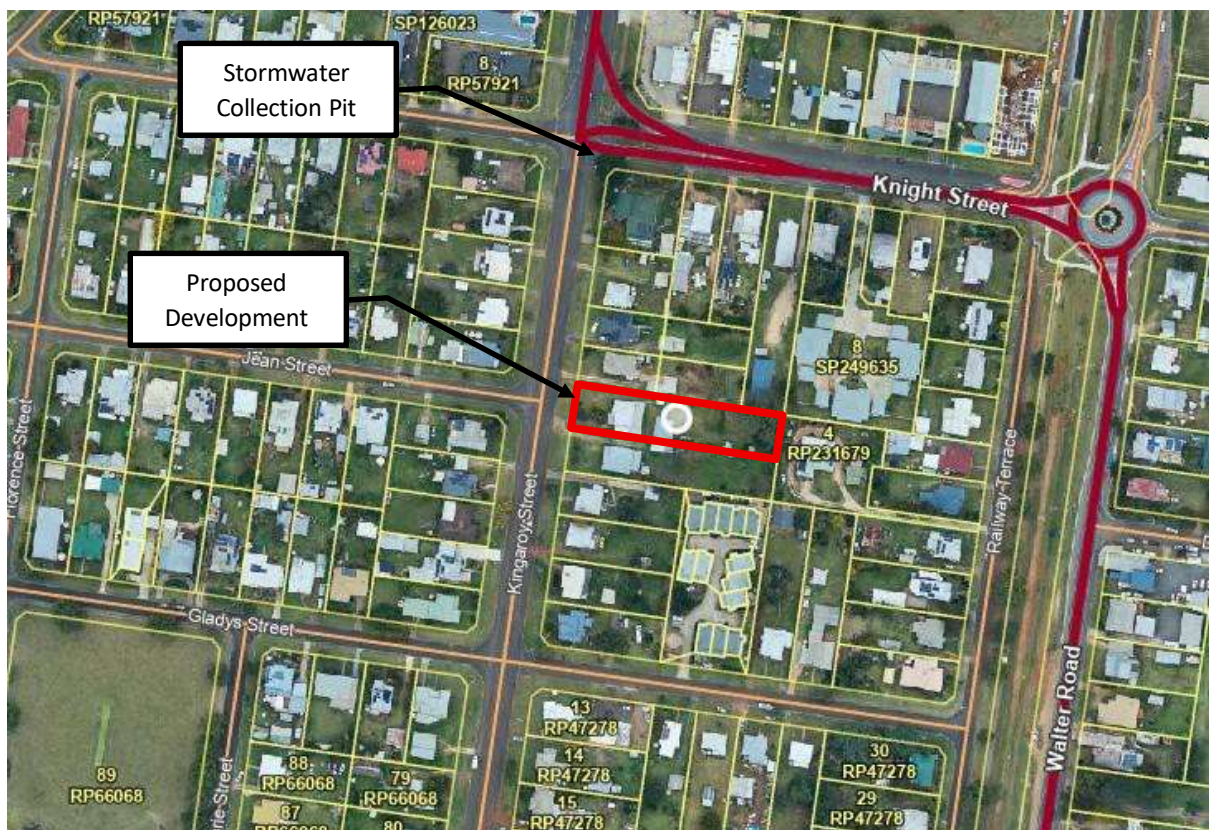


Figure 1 - Proposed Development Site 58 Kingaroy Street, Kingaroy (Lot 1 RP48338)

(Source: Queensland Globe)

- The site consists of an existing house, shed and two water collection tanks on a concrete slab, with the remainder of the property grassed.
- There is an approximate 1 to 2% (1m fall over 60 metre distance) fall towards the west and northwest towards the kerb and channel, and towards the neighbouring property on the northern side.
- The existing roof catchment feeds into a water tank, which overflows through a 90mm PVC underground pipe, discharging to kerb and channel on Kingaroy Street.
- There are no existing underground stormwater mains along the site frontage.
- The planned access to the development is from Kingaroy Street, at the western boundary of the lot.



Figure 2 – Aerial Image of Site (Source: Queensland Globe).

The existing lot is situated within a low-density, residential subdivision, as per the SBRC Planning Scheme zoning map as shown in Figure 3 below. The area consists primarily of low-density residential lots, with the majority of lots featuring individual houses.

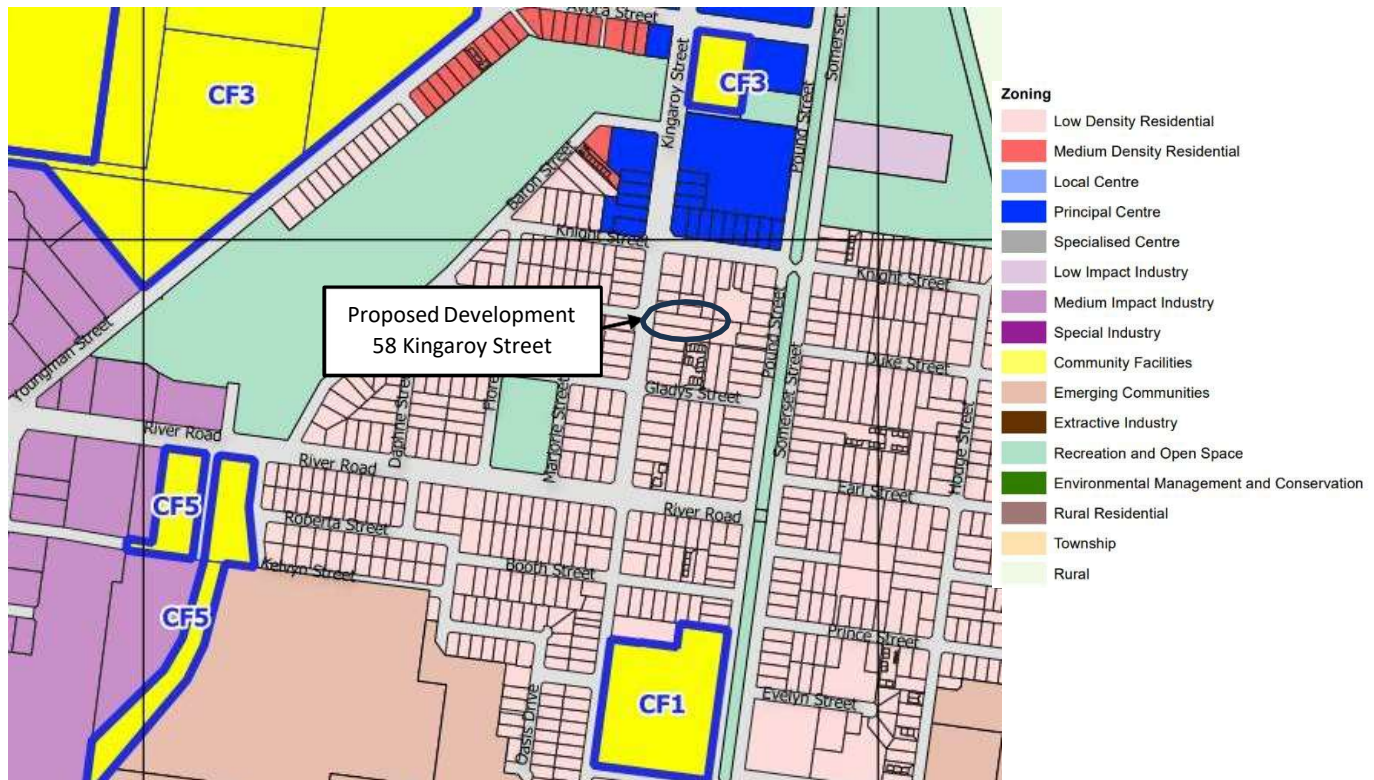


Figure 3 – Zoning Map of Site and Surrounds.

(Source: South Burnett Regional Council Planning Scheme: Zone Map – 02 Kingaroy).

2.2. Existing Stormwater Conditions

Stormwater discharges from the site to the barrier kerb and channel at the front of the site, where it is directed north along Kingaroy Street to an existing 600x900mm stormwater pit at the corner of Kingaroy and Knight Streets. The inlet grate to this pit was observed to have a buildup of debris causing considerable blockage at the time of the inspection.



Figure 4 – Site Photo of Kingaroy Street Kerb and Channel.



Figure 5 – Site Photo of Stormwater Inlet Pit at Corner of Kingaroy and Knight Streets.

There was no evidence of scouring or other erosion related issues during the site inspection undertaken on the 17th of December 2025. Some material deposits were seen at the rear of the site; however, these were predominantly organic in nature, consisting of leaf litter, grass clippings and other vegetation debris originating from on-site trees and grasses, and also potentially from the upstream property. As such, these deposits are not considered indicative of soil erosion or scouring. The site is characterised by gentle grades and the absence of defined overland flow paths. Sample site photographs are provided in Figures 6 to 8.



Figure 6 – Site Photo – From Northwest Corner of Lot



Figure 7 – Site Photo - From Rear of Lot.



Figure 8 – Site Photo – From Southeast Corner of Lot – Showing Material Deposits.

2.3. Pre-development site description

The proposed development site plan features a common driveway access to units along the northern boundary as shown in Figure 9, grassed private open space for each unit along the southern boundary and scattered landscaped areas (green areas) throughout the lot.

3. Stormwater Analysis

3.1 Point of Discharge

Pre-development

The existing stormwater flow paths are illustrated in Figure 10, where the blue arrows indicate the general flow of stormwater runoff for the development site and the surrounding areas. Stormwater runoff has a general flow towards the kerb and channel on Kingaroy Street. Stormwater discharges from the kerb and channel to an on-grade 900 × 600 mm kerb-inlet pit located at the corner of Kingaroy Street and Knight Street, approximately 105 m north of the site boundary.

Roof runoff from the house flows to a rainwater tank which overflows via a 90mm uPVC pipe to the Kingaroy Street kerb and channel. Roof runoff from the larger shed flows to a smaller rainwater tank which overflows directly to the ground from the tank to follow the natural falls of the land. All other smaller sheds are not connected to any rainwater tanks and discharge directly to the ground.



Figure 10: Pre-Development Catchment Plan.



Figure 11: Pre-Development Kerb and Channel Discharge Point.

Post-development

The point of discharge will remain the same in the post-development condition, with the ground areas to be piped or follow the ground slope towards the kerb and channel on Kingaroy Street. The kerb and channel falls towards the north, conveying stormwater within the channel to the existing stormwater pit at the corner of Knight Street, as illustrated in Figure 12.

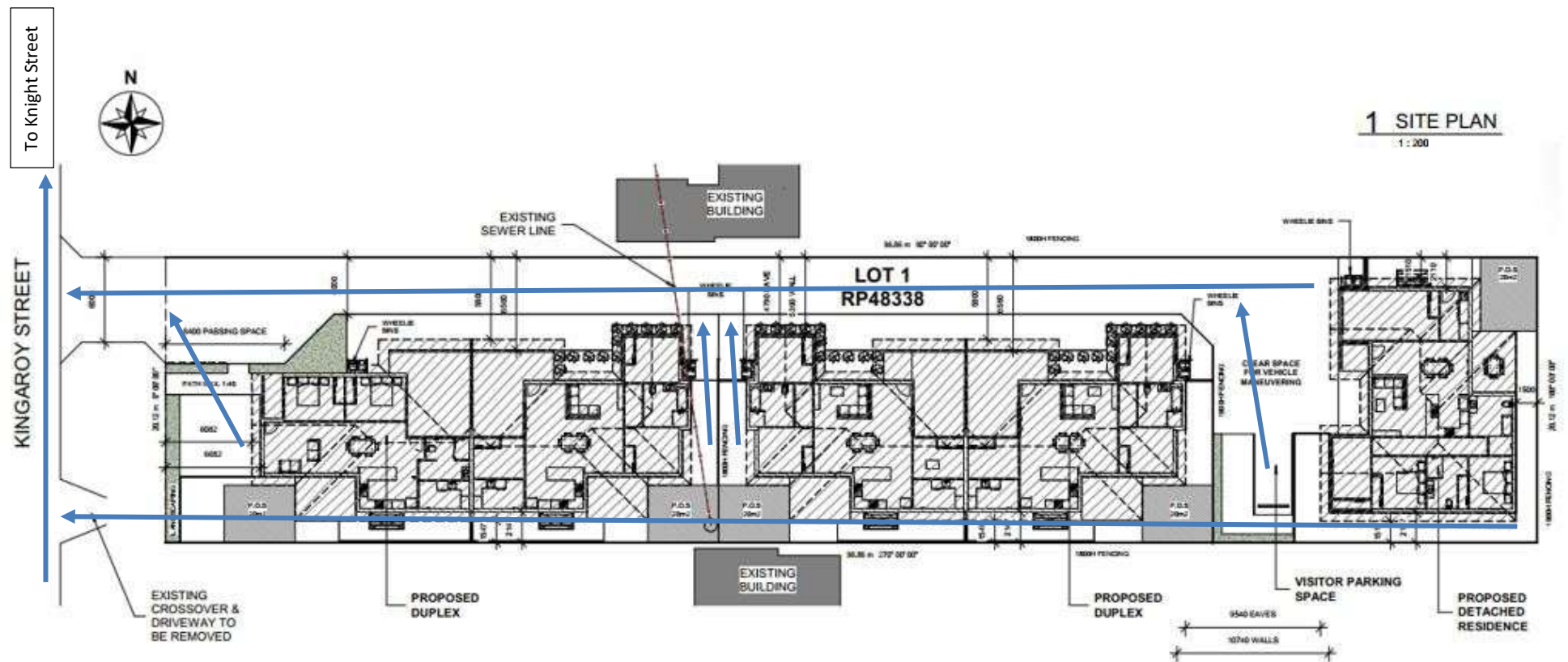


Figure 12: Post-Development Catchment Plan.

3.2. Flood Hazard Overlay

The site is not situated within a flood hazard area, as defined in the SBRC Flood Hazard Overlay Mapping (Figure 13). Therefore, specific flood mitigation measures are not required for this development.



Figure 13: Flood Hazard Overlay of Site Area (Source: SBRC Flood Hazard Overlay – Overlay Map 3.2).

3.3. Hydrologic Design

Peak Flow Volume

A hydrologic assessment to determine stormwater impacts of pre- and post-development conditions was undertaken using the DRAINS software package (Version 2025.01.9147.24925). An analysis was conducted to determine the peak runoff flows for the pre- and post-development conditions, and any potential detention requirements. 39.35% AEP minor and 1% AEP major storm events, with storm durations between 5 minutes to 4.5 hours, were used as part of the assessment. This does not consider any external impacts or overland flow conditions external to the site.

DRAINS Input

The inputs shown in Table 1 & 2 were used for the stormwater modelling process.

Table 1 - DRAINS Model Inputs.

Hydrological Model	ILSAX
Paved (impervious) area depression storage (mm)	1
Supplementary area depression storage (mm)	1
Grassed (pervious) area depression storage (mm)	5
Soil Type	3 (Slow Infiltration Rate)
Antecedent Moisture Condition	3 – Rather Wet

Catchment Information

The below areas and assumptions were used in the stormwater modelling process. The existing condition of the site will be used as the pre-development condition, being a conservative assumption compared to the 0.40 recommended fraction impervious as per Table 4.5.1 of QUDM. This value from QUDM is typically used in greenfield sites or areas serviced by trunk stormwater infrastructure.

As there are no stormwater mains within the subject section of Kingaroy Street, the fraction impervious as per the current site conditions / development will be used. Due to the blockage (potential) within the inlet main downstream, reducing the post-development stormwater flows to equal to or less than the existing condition is considered ideal for this site.

Table 2 – DRAINS Model Assumptions.

Catchment	Area	Impervious (Paved)	Supplementary	Grassed
Pre-development	1,948m ²	18.3% (356m ²)	1.2% (24m ²)	80.5% (1568m ²)
Post-development	1,948m ²	78.9% (1566m ²)	3.1% (62m ²)	18.0% (425m ²)

Note that supplementary areas refer to impervious areas which are not directly connected to the stormwater drainage system, being the smaller sheds which do not have guttering in the pre-development conditions, and concreted ground areas at the rear of units in the post-development condition.

Peak Flows

The peak flow rates for pre-development and post-development (with and without attenuation) are shown in Tables 3 & 4. Peak flow rates shown in the following tables may not be representative of the critical stormwater event under ARR guidelines.

Table 3 – Pre- and Post-Development (Unattenuated) Peak Flows.

Storm Duration	Peak Flow Discharges			
	Pre-development		Post-development	
	Minor 39.35% AEP (m3/s)	Major 1% AEP (m3/s)	Minor 39.35% AEP (m3/s)	Major 1% AEP (m3/s)
5 minutes	0.019	0.070	0.052	0.128
10	0.033	0.106	0.063	0.148
15	0.040	0.116	0.064	0.149
20	0.045	0.110	0.063	0.140
25	0.046	0.111	0.057	0.139
30	0.047	0.108	0.057	0.144
45	0.039	0.101	0.052	0.124
1 hour	0.037	0.092	0.050	0.112
1.5	0.036	0.069	0.042	0.077
2	0.026	0.061	0.053	0.072
3	0.027	0.053	0.031	0.055
4.5	0.019	0.034	0.023	0.044

The peak flow discharges in Table 3 demonstrate an increase in post-development (unattenuated) flow rates in critical storm events. With an increase greater than 5% for both minor and major storms, the development requires attenuation of peak flows leaving the site, with the following solution being proposed:

- Detention storage via 5 x 3,000L slimline attenuation tanks (one per unit), with a total detention volume of 12m³ within the planned rainwater tanks as shown in Appendix A.

The required height and orifice size of the low flow outlet pipe will be determined based on this tank size. The detention volume required within the proposed tanks requires the pipe invert to be 0.4m above the base of each tank.

The results from modelling this proposed solution in DRAINS can be seen in Table 4, with comparison to the total pre-development peak flows leaving the site.

Table 4 – Pre- and Post-development (Attenuated) Peak Flows.

Storm Duration	Peak Flow Discharges			
	Pre-development		Post-development (attenuated)	
	Minor 39.35% AEP (m3/s)	Major 1% AEP (m3/s)	Minor 39.35% AEP (m3/s)	Major 1% AEP (m3/s)
5 minutes	0.019	0.070	0.020	0.064
10	0.033	0.106	0.035	0.087
15	0.040	0.116	0.040	0.103
20	0.045	0.110	0.043	0.103
25	0.046	0.111	0.044	0.101
30	0.047	0.108	0.045	0.100
45	0.039	0.101	0.037	0.092
1 hour	0.037	0.092	0.038	0.082
1.5	0.036	0.069	0.033	0.064
2	0.026	0.061	0.033	0.064
3	0.027	0.053	0.030	0.051
4.5	0.019	0.034	0.021	0.036

Comparing total peak flow discharges from the site in Table 4, the model of the post-development site conditions with attenuation has a lesser volume of stormwater leaving the site in both minor and major storm events.

A summary of the pre-development and post-development peak flows are shown in Table 5.

Table 5 - Peak Flow Discharges Summary.

Discharge Reference	Kingaroy Street Kerb & Channel	
	Minor 39.35% AEP	Major 1% AEP
Pre-Development (m ³ /s)	0.047	0.116
Post-Development (m ³ /s)	0.064 (+36.2%)	0.149 (+28.5%)
Post-Development (with detention) (m ³ /s)	0.045 (-4.3%)	0.103 (-11.2%)

Note: Percentages shown in Table 5 represent the difference in post-development peak discharges compared to the pre-development site condition.

4. Stormwater Management Strategy

The results for the total stormwater runoff from the site demonstrate that the post-development flows lead to increases in stormwater discharges for both major and minor storm events, requiring attenuation of stormwater on-site to produce a non-worsening effect.

Therefore, the overall stormwater strategy is to:

- Adequately size all roof gutters for an AEP 5% storm event.
- Connect the downpipes from roofed areas to the proposed five (5) 3,000L slimline rainwater tanks (1 tank per unit), as per the “Proposed Drainage Layout” in Appendix B.
- Each tank is to have a 70mm orifice plate connected to a 100mm diameter low flow outlet pipe, with the invert located 0.4m maximum above the base of each tank (approximate 12m³ total detention storage volume). Larger tanks may be used to allow for greater retention storage for reuse by residents, ensuring the detention storage volume is equal to or greater than 12m³. See Appendix C for proposed detention tank diagram.
- Include five (5) new grated stormwater sag pits (one per unit) along southern boundary to capture stormwater from grassed areas. All pits are to be 450 x 450mm. See Appendix A for proposed locations. Nearby grassed areas of backyards should slope towards the new pit locations.
- Pipes between pits are to be sized as per the “Proposed Drainage Layout” in Appendix A. The outlet pipes between the final pit and the street should be 2 / 100x75 RHS pipes due to uPVC pipes having inadequate cover near the kerb outlet location.
- Direct discharge from the tanks to the new pit and pipe system towards Kingaroy Street kerb and channel.
- A low point (invert) should be provided in the centre of the driveway along its length to direct stormwater to Kingaroy Street via overland flow and prevent stormwater from being discharged to the western site boundary.

- Monitor for erosion and adequately maintain pits, pipe inlets/outlets, and discharge points.
- Minimum finished floor levels for all lots shall be 100mm minimum above the surrounding ground level (free-draining) or 50mm above surrounding impermeable (paved or concreted) areas that slope away from the building (50mm or 25mm in the first 1m, respectively, as per the National Construction Code).
- The concrete crossover is to be constructed in accordance with IPWEA Standard Drawing RSD-101 to achieve a high point of 250mm above the invert of kerb to ensure stormwater is contained within the road reserve as per QUDM requirements.
- Do not pond or direct water to adjacent properties.

A copy of the DRAINS Model is attached in Appendix B.

5. Design Assumptions

The assumptions made in calculating the on-site flows are:

1. All water up to the 1% AEP event can be safely discharged to the kerb and channel on Kingaroy Street without adverse impacts.
2. Stormwater will act generally in accordance with the assumptions made in the DRAINS model.
3. Dimensions of water tanks were based upon standard sizing; actual tank dimensions may vary. Differing tank dimensions will not greatly affect the findings of this report (e.g. height of outlet pipe above base of tanks).
4. All stormwater from roofed areas will be conveyed via downpipes to the proposed detention tanks.
5. Appropriate clearance can be achieved between the sewer manhole and the stormwater pipes.

6. Conclusions

In summary:

- The development will lead to increases in stormwater flow discharging from the site for the specified design storm events.
- The effects of the increased discharge may be adequately managed by use of the proposed stormwater drainage system, comprising of:
 - five 3,000L rainwater tanks, each connected to a 100mm diameter outlet pipe with a 75mm orifice plate at 0.4m above the base of each tank (12m³ minimum total detention volume), and,
 - five 450 x 450mm stormwater pits located in the grassed areas behind the units, with pipes sized as per the "Proposed Drainage Layout" in Appendix A.
- The existing kerb and channel on Kingaroy Street will be used as the legal point of discharge.
- Direct water falling on the driveway towards the Kingaroy Street kerb and channel via overland flow along the central invert of the driveway.

I believe that the above response satisfies the requirements of QUDM and South Burnett Regional Council requirements with respect to stormwater management – subject to the application of reasonable and relevant conditions.

Should you require further assistance or information, please feel free to contact ATC on

☎ 07 4162 2378 or email ✉ office@atcengineers.com.au.

Regards,



Philip De Guzman

Technical Services | Design Manager

BSCE *cum laude* MEng Phd RPEQ (Civil / Structural)

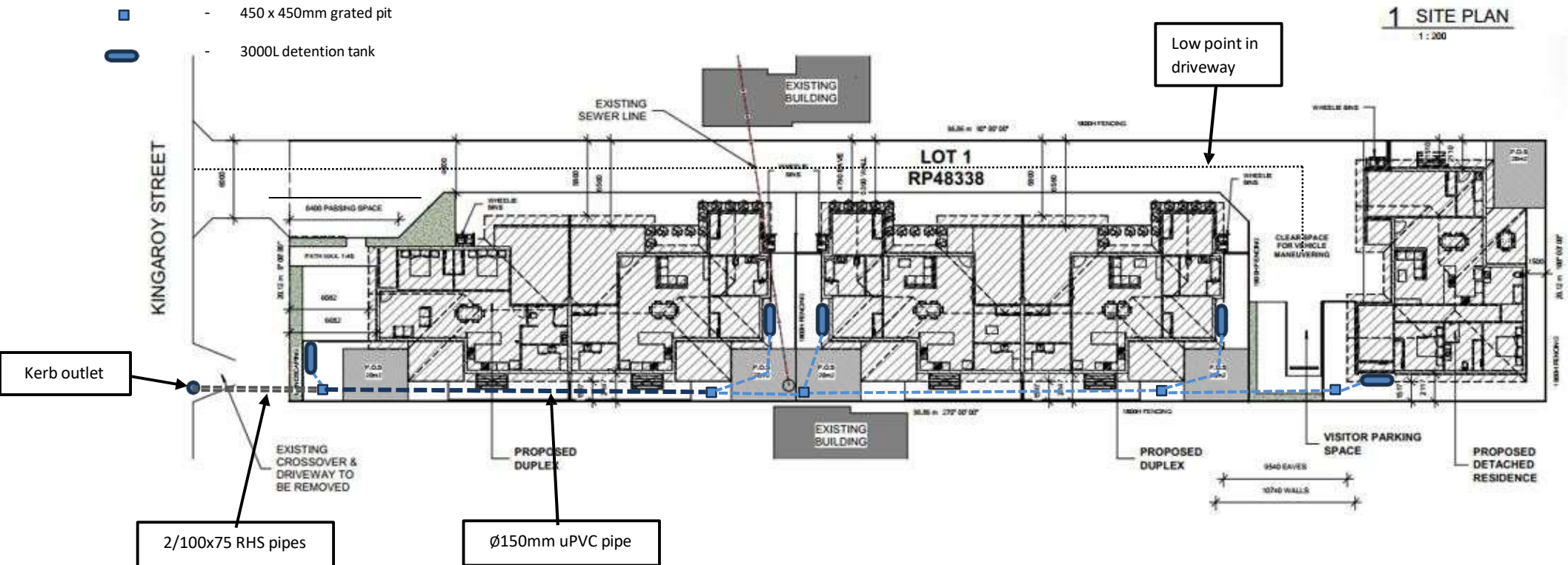
APPENDIX A

Proposed Drainage Layout – Schematic Only

Notes: Downpipe locations subject to roofwater drainage design.

Legend:

- - Ø100mm uPVC pipe
- - 450 x 450mm grated pit
- - 3000L detention tank



Notes:

- Downpipe locations subject to roofwater drainage design.
- All downpipes to connect into detention tanks before being directed towards pits.
- Tank locations shown are diagrammatical only and can be changed.

APPENDIX B

DRAINS Layout

Pre- & Post- Development

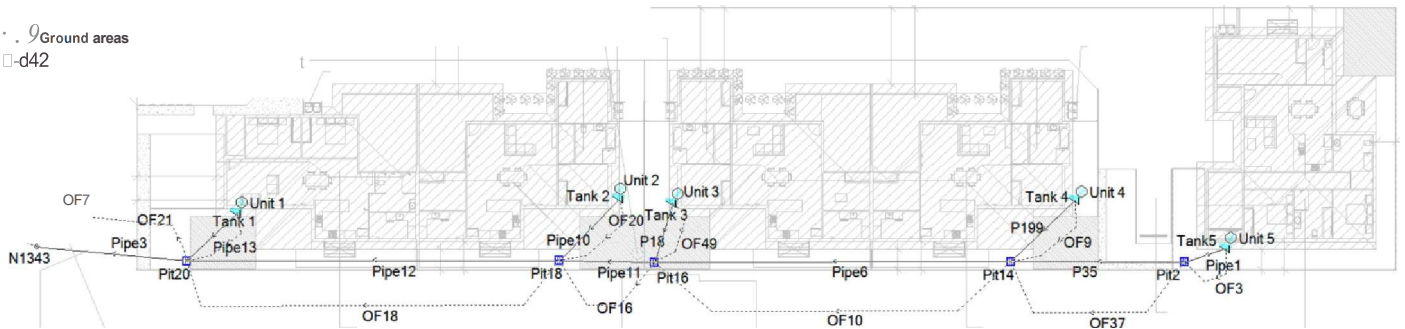
Pre-development
N1

Post-development
N12

Post- Development with Attenuation

combined

Ground areas
d42



DRAINS Critical Storm Results

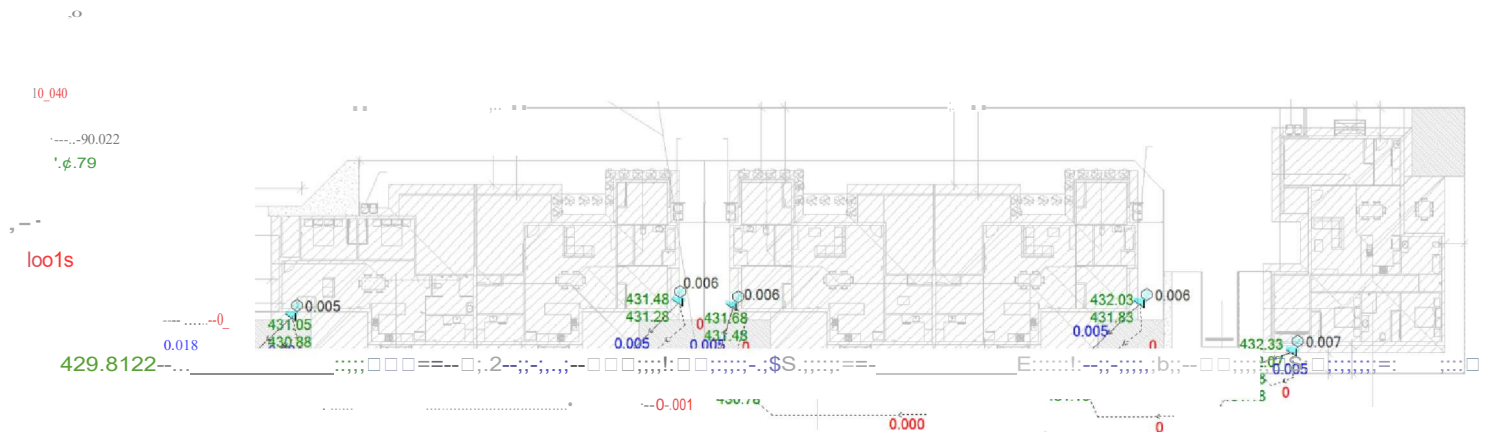
Minor (39.35% AEP)

Pre- & Post- Development

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Post- Development with Detention



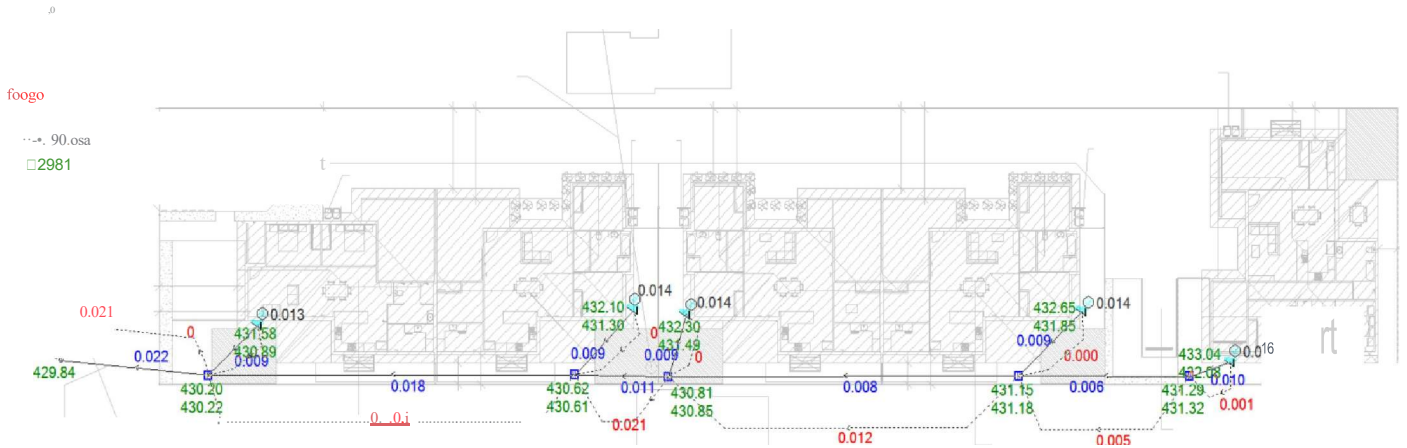
Major (1% AEP)

Pre- & Post- Development

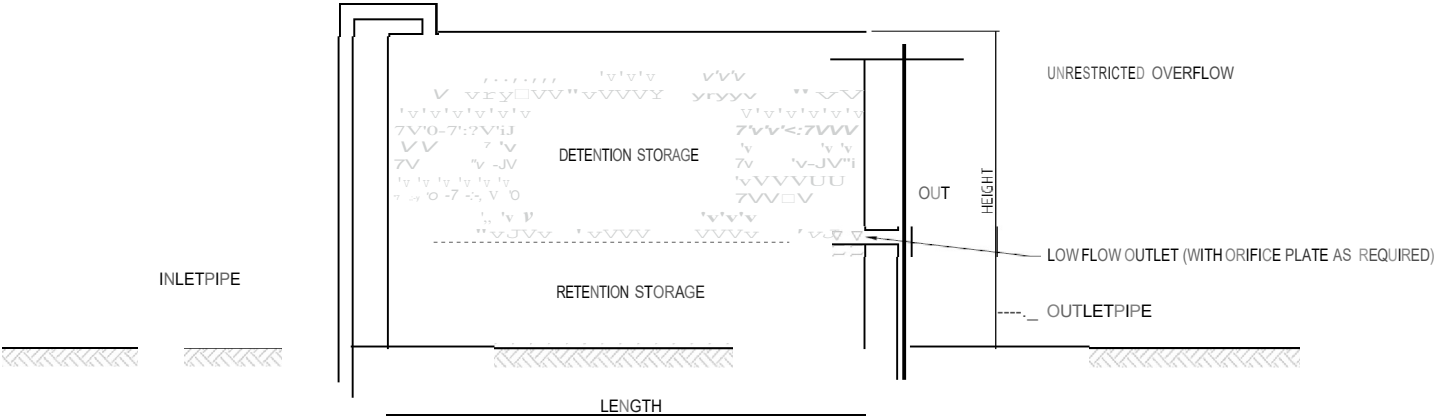
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Post- Development with Detention



APPENDIX C
Proposed Detention Tank Diagram



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 and 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.