



SOUTH BURNETT
REGIONAL COUNCIL

Project Lead: Senior Planner – Sam
Direct Telephone: 07 4189 9100
Our Reference: MCU24/0037

11 February 2025

Like Home Early Learning Pty Ltd
C/- ONF Surveyors
PO Box 896
KINGAROY QLD 4610

South Burnett Regional Council

ABN 89 972 463 351

PO Box 336

Kingaroy QLD 4610

☎ 1300 789 279 or (07) 4189 9100

☎ (07) 4162 4806

✉ info@southburnett.qld.gov.au

🌐 www.southburnett.qld.gov.au

Dear Sir/Madam

Decision Notice

Planning Act 2016

I refer to your application and advise that on 7 February 2025, Council decided, via delegated authority, to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: MCU24/0037
Street Address: 104 Brisbane Street NANANGO QLD 4615
Real Property Description: Lot 21 on RP815765
Planning Scheme: South Burnett Regional Council

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Material Change of Use – Childcare Centre (Extension)
Date of Decision: 7 February 2025

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 approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Drawing Title	Prepared by	Job No.	Sheet	Rev.	Date Drawn
Cover Page	Designer Planning	23-046	A000	1A	07-09-2022
Site Plan	Designer Planning	23-046	A001	1A	07-09-2022
Floor Plan	Designer Planning	23-046	A002	1A	07-09-2022
Elevations	Designer Planning	23-046	A003	1A	07-09-2022

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 approved development is a Material Change of Use - Childcare Centre (Extension), as shown on the Approved Plans and does not infer approval to use the premises for other land uses.

COMPLIANCE, TIMING AND COSTS

- GEN4. 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.
- GEN5. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

MAINTAINANCE

- GEN6. The development (including landscaping, parking, driveway and other external spaces) shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.
- GEN7. Maintain the site in a clean and orderly state at all times.
- GEN8. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.

CHILDCARE CENTRE OPERATION

- MCU1. The Childcare centre is limited to a maximum of fifty-four (54) children.

MECHANICAL PLANT

- MCU2. Mechanical plant (air conditioning, refrigeration equipment and pumps) must comply with the *Environmental Protection Act 1994*. Air conditioning and refrigeration equipment must achieve no more than 3dB(A) above the background level from 10pm to 7am and no more than 5dB(A) above the background level from 7am to 10pm when measured at an affected building. Pumps (including heat pumps) must not be audible from 10pm to 7am, no more than 5dB(A) above the background level from

7am to 7pm and no more than 3dB(A) above the background level from 7pm to 10pm when measured at an affected building.

WASTE STORAGE COLLECTION

- MCU3. Provision must be made for the storage and removal of waste in accordance with the Waste Reduction and Recycling Regulation 2023.
- MCU4. 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) if facing either the street frontage or adjoining properties, screened by a 1.8m high fence around the full perimeter.

FENCING

- MCU5. Construct fencing internal to the site in accordance with the Approved Plans.

ENGINEERING WORKS

- ENG1. 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.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG3. 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

- ENG4. 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.
- ENG5. 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

- ENG6. 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.

WATER SUPPLY

- ENG7. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

- ENG8. Connect the development to Council's existing reticulated sewerage system via a single connection.

PARKING AND ACCESS - GENERAL

- ENG9. Ensure access to car parking spaces and driveways remain unobstructed and available for their intended purpose during the hours of operation.
- ENG10. Provide one car parking space for persons with disability (PWD). Design & construct all PWD car parking spaces in accordance with AS2890.6.

ELECTRICITY AND TELECOMMUNICATION

- ENG11. Connect the lot to electricity and telecommunication services.

EROSION AND SEDIMENT CONTROL - GENERAL

- ENG12. 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.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
23-046 – Sheet A000	1A	<i>Cover Page</i> , prepared by Designer Planning.	07-09-2022
23-046 – Sheet A001	1A	<i>Site Plan</i> , prepared by Designer Planning.	07-09-2022
23-046 – Sheet A002	1A	<i>Floor Plan</i> , prepared by Designer Planning.	07-09-2022
23-046 – Sheet A003	1A	<i>Elevations</i> , prepared by Designer Planning.	07-09-2022

REFERENCED DOCUMENTS

Not Applicable.

ADVISORY NOTES

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

STANDARD ADVICE

- ADV1. The **relevant period** for the development approval (Material Change of Use) shall be four (6) years starting the day the approval is granted or takes effect. In accordance with Section 85(1)(a) of the *Planning Act 2016 (PA)*, the development approval for Reconfiguring a Lot lapses if a plan for the Reconfiguration that is required to be given to a local government is not given.

An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 86 of *PA* and before the development approval lapses under Section 85 of the *PA*.

- 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 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 to Appeal Rights.
- ADV4. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2025. Eligible development under this scheme is required to be completed by 31 December 2025. For further information or application form please refer to the rules and procedures available on Council’s website.
- ADV5. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

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
 Appeal Rights

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT:	Like Home Early Learning Pty Ltd C/-ONF Surveyors PO Box 896 KINGAROY QLD 4610	
APPLICATION:	Material Change of Use - Child care centre (Addition to Existing Child Care Centre of 92sqm of Gross Floor Area in a separate building) - Impact Assessable	
DATE:	7/2/2025	
FILE REFERENCE:	MCU24/0037	
AMOUNT OF THE LEVIED CHARGE: (Details of how these charges were calculated are shown overleaf)	\$9,384.00	Total
	\$4,508.00	Water Supply Network
	\$2,484.00	Sewerage Network
	\$2,208.00	Transport Network
	\$0.00	Parks and Land for Community Facilities Network
	\$182.00	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 21 on RP815765	
SITE ADDRESS:	104 Brisbane Street, Nanango	
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
Education facility	92	m ² GFA,	\$49.00	CR Table 2.2	\$4508.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	-	-	\$0.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Education facility	92	m ² GFA,	\$27.00	CR Table 2.2	\$2484.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	-	-	\$0.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Education facility	92	m ² GFA,	\$24.00	CR Table 2.2	\$2208.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	-	-	\$0.00

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Education facility	92	m ² GFA,	\$0	CR Table 2.2	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	-	-	\$0.00

Stormwater**Adopted Charges**

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Education facility	92	m2 GFA,	\$2.00	CR Table 2.2	\$184.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	-	-	\$0.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Education facility (Child care centre)	\$4508.00	\$2484.00	\$2208.00	\$0.00	\$184.00	\$9,384.00
Total	\$4508.00	\$2484.00	\$2208.00	\$0.00	\$184.00	\$9,384.00

** 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@sbrc.qld.gov.au</p>

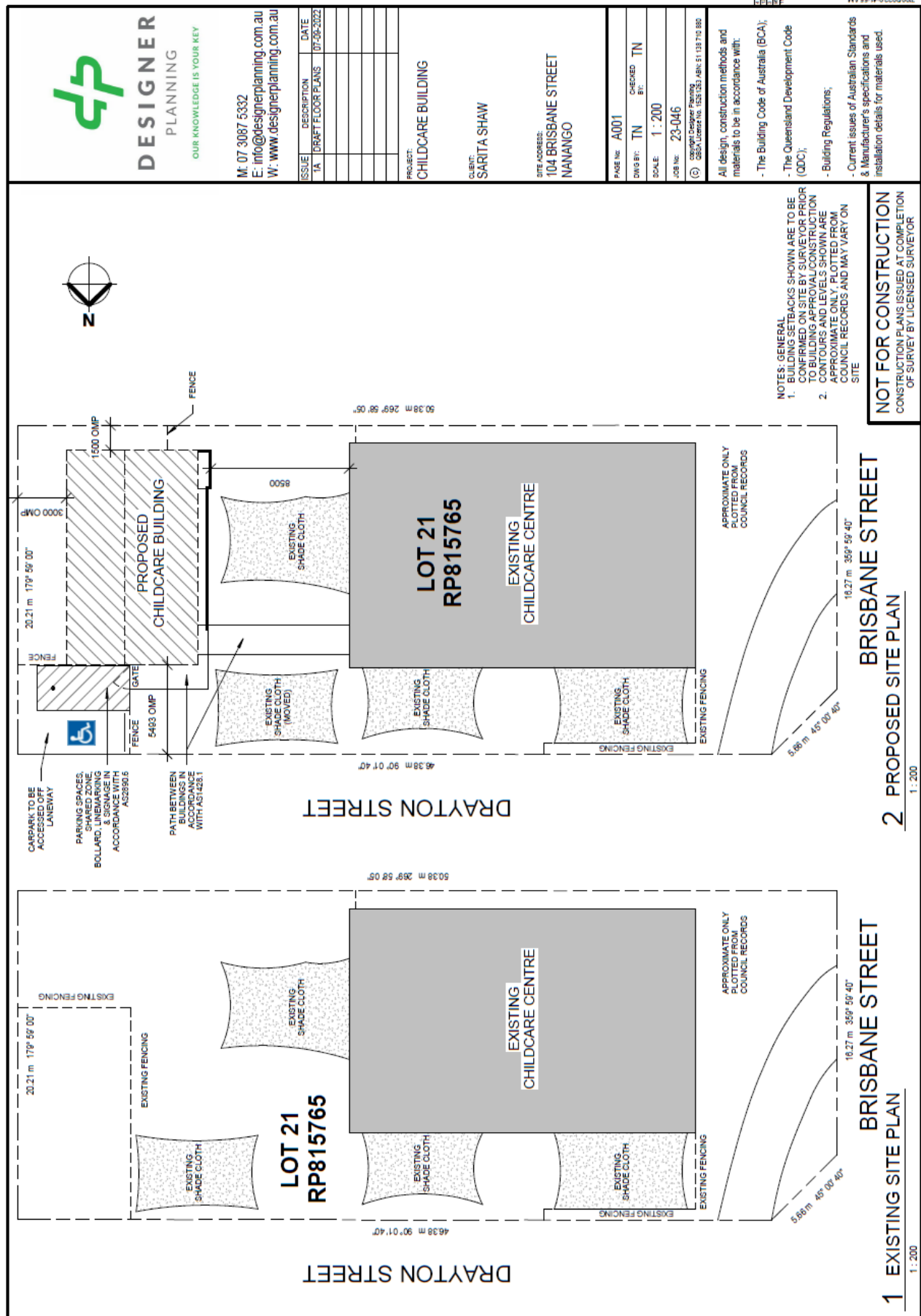
¹ 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge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



Architectural drawings for the Childcare Building, showing four elevations: Western, Northern, Eastern, and Southern. Each elevation includes dimensions and a scale of 1:100. The drawings are labeled with issue numbers 1 through 4. The Western Elevation (1) shows a building with a gabled roof and a concrete ramp. The Northern Elevation (2) shows a building with a gabled roof and a concrete ramp. The Eastern Elevation (3) shows a building with a gabled roof and a concrete ramp. The Southern Elevation (4) shows a building with a gabled roof and a concrete ramp. The drawings are labeled with issue numbers 1 through 4. The Western Elevation (1) shows a building with a gabled roof and a concrete ramp. The Northern Elevation (2) shows a building with a gabled roof and a concrete ramp. The Eastern Elevation (3) shows a building with a gabled roof and a concrete ramp. The Southern Elevation (4) shows a building with a gabled roof and a concrete ramp.

COMPLIANCE NOTES:

1. Slates are to comply with BCA V2 Part 3.9.1.
2. Handrails/balustrades to comply with BCA V2 Part 3.9.2.
3. WC Doors to comply with BCA V2 QLD 3.8.3.
4. All areas to comply with BCA V2 Part 3.8.3.
5. Lighting to comply with BCA V2 Part 3.8.3.1.
6. Ventilation to comply with BCA V2 Part 3.8.3.5.
7. Termite protection to comply with BCA V2 Part 3.1.3.
8. Masonry Construction to comply with BCA V2 Part 3.3.
9. All construction to comply with the Australian Standards and the Building Code of Australia.
10. All glazing in building to comply with the requirements of Part 3.6 BCA Housing Provision and AS 1288/1994. A glazing certificate must be provided on completion.
11. Toilet swing doors are to be open outwards or be fitted with lift off hinges in accordance with Part 3.6.3.3 of BCA Housing Provision.

4 WESTERN ELEVATION
1: 100

5 NORTHERN ELEVATION
1: 100

6 EASTERN ELEVATION
1: 100

7 SOUTHERN ELEVATION
1: 100

NOT FOR CONSTRUCTION
CONSTRUCTION PLANS ISSUED AT COMPLETION
OF SURVEY BY LICENSED SURVEYOR

DESIGNER
PLANNING
OUR PASSION IS YOUR KEY

Designer Planning
M: 07 3087 5332
E: info@designerplanning.com.au
W: www.designerplanning.com.au

ISSUE
1A
DRAFT FLOOR PLANS

DATE
07-09-2022

AUTHOR
TN

PROJECT
CHILDRENS BUILDING

PAGE NO.
A003

DWG BY
TN

CHECKED BY
TN

SCALE
1: 100

JOB NO.
23-046

CLIENT
SARITA SHAW

SITE ADDRESS
104 BRISBANE STREET
NANANGO

© COPYRIGHT DESIGNER PLANNING
DESIGNS ARCH. 51 138 710 880

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.