



**SOUTH BURNETT**  
**REGIONAL COUNCIL**

Enquiries: Senior Planner - Sam  
Direct Telephone: 07 4189 9100  
Our Reference: OPW25/0004

12 June 2025

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C/- BNC Planning  
Po Box 5493  
TOWNSVILLE QLD 4810

**South Burnett Regional Council**

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Dear Sir/Madam

## Decision Notice

### Planning Act 2016

I refer to your application and advise that on 10 June 2025, Council's Delegated Authority decided to approve the application in full subject to conditions.

Details of the decision are as follows:

#### APPLICATION DETAILS

Application No: OPW25/0004  
Street Address: 23 Hoopers Road TAABINGA QLD 4610  
Real Property Description: Lot 5 on RP175686  
Planning Scheme: South Burnett Regional Council

#### DECISION DETAILS

Type of Decision: Approval  
Type of Approval: Development Permit for Operational Works for Two Advertising Devices (Billboard)  
Date of Decision: 10 June 2025

#### CURRENCY PERIOD OF APPROVAL

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

#### INFRASTRUCTURE

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	Ref No.	Rev.	Date
Untitled Location Plan	No author	No Ref.	-	No Date.
Plans and Front Elevation	Steve McKenzie	PS-06-03 S01	D	21.07.10
Jackout Frame Details & Perspective Views	Steve McKenzie	PS-06-03 S03	D	10.08.10

**Amendment:** Prior to commencement of the use, provide to Council an updated plan of the Untitled Location Plan which includes Drawing Title/Reference, Number/Revision and Date.

**Timing:** At all times.

### OPERATIONAL WORKS GENERAL

- OPW1. Where relevant, all conditions of this approval are to be satisfied prior to the use of the third party signs.
- OPW2. The third party signs are to be established and retained in the nominated location per the approved location plan (**Note:** The Untitled Location Plan is to be updated in accordance with Condition GEN1).
- OPW3. The third party signs shall not exceed peak heights specified in the approved elevations (PS-06-03 S01), dated 21.07.10.
- OPW4. The third party sign faces shall not exceed the dimensions specified in the approved elevations (PS-06-03 S01), dated 21.07.10.
- OPW5. The third party signs must be constructed in accordance with the approved structural notes or as required by other relevant standards, as determined by a suitably qualified professional.

### 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 of the third party signs 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.

## EROSION AND SEDIMENT CONTROL – GENERAL

- ENG6. 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.
- ENG7. 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
PS-06-03 S01	D	<i>Plans and Front Elevation</i> , prepared by Steve McKenzie.	21.07.10
PS-06-03 S03	D	<i>Jackout Frame Details &amp; Perspective Views</i> , prepared by Steve McKenzie.	10.08.10

The following plans require amendment prior to becoming Approved Plans for the development:

#### Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
No Ref.	-	<i>Untitled Location Plan</i> , prepared by No Author.	No Date.
Amendments	1. Prior to commencement of the use, provide to Council an updated plan of the Untitled Location Plan which includes Drawing Title/Reference, Number/Revision and Date.		

### 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 (Operational Work) shall be two (2) years starting the day the approval is granted or takes effect.

An applicant may request Council to extend the relevant period provided that such request is made in accordance with Section 86 of the *Planning Act 2016* and before the development approval lapses under Section 85 of the *Planning Act 2016*.

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.

## 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](http://www.southburnett.qld.gov.au), or at Council Offices.

Yours faithfully

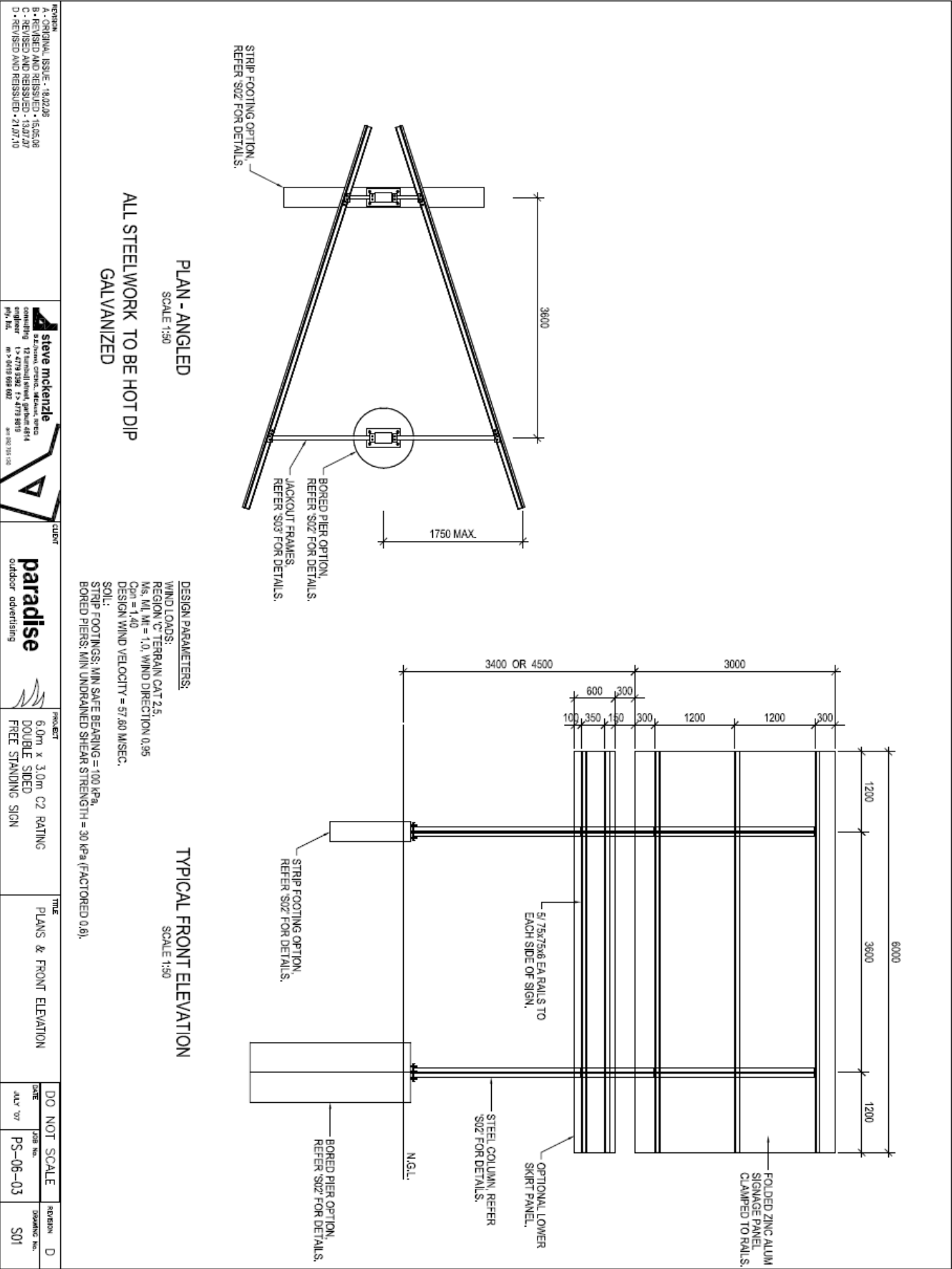


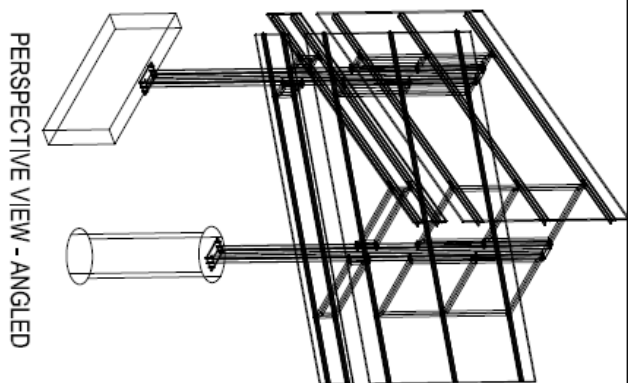
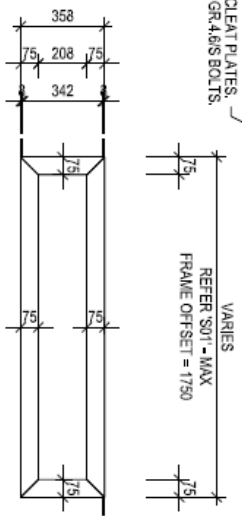
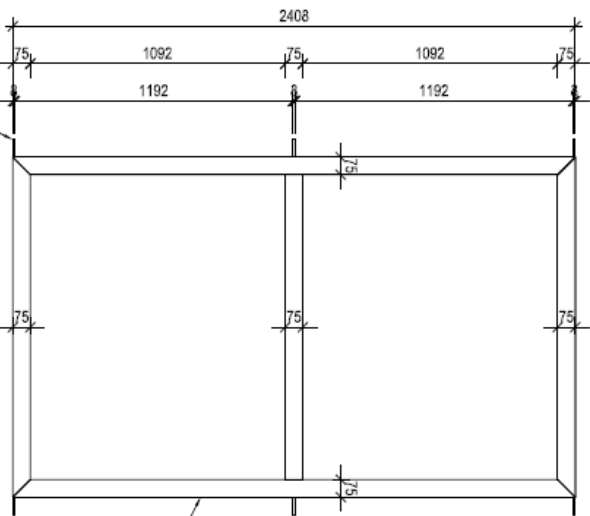
**DAVID HURSTHOUSE**  
**COORDINATOR DEVELOPMENT SERVICES**

Enc: Plans Requiring Amendment/Approved Plans  
Appeal Rights



Amendment: Prior to commencement of the use, provide to Council an updated plan of Unfitted Location Plan which includes Drawing Title/Reference, Number/Revision and Date.





# JACKOUT FRAME DETAILS

SCALE 1:20

## ALL STEELWORK TO BE HOT DIP GALVANIZED

REVISION		CLIENT	PROJECT	TITLE	DO NOT SCALE		REVISION
A	ORIGINAL ISSUE - 18.02.06				DATE	JOB NO.	
B	REVISED AND REISSUED - 15.05.06				JULY '07	PS-06-03	
C	REVISED AND REISSUED - 13.07.07						
D	REVISED AND REISSUED - 02.08.10						
<b>steve mckenzie</b> consulting 12 BROADWAY, GLENDALE NSW 1511 PH: 02 9413 889 MO: 02 9413 889		<b>paradise</b> outdoor advertising	6.0m x 3.0m C2 RATING DOUBLE SIDED FREE STANDING SIGN	JACKOUT FRAME DETAILS & PERSPECTIVE VIEWS			D S03



# 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.