



**LATE AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 16 OCTOBER 2018, COMMENCING AT 10.00 AM**

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Development Assessment

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| K2 | Rowlands Road & Schleger Street, Burnett Heads - Material Change of Use for Relocatable Home Park (RV Village) and Operational Works for Advertising Devices (4 signs) | 2 |
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Item

16 October 2018

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| Item Number: | File Number: | Part: |
| K2 | 522.2018.56.1 | DEVELOPMENT ASSESSMENT |

Portfolio:

Planning & Development Services

Subject:

Rowlands Road & Schleger Street, Burnett Heads - Material Change of Use for Relocatable Home Park (RV Village) and Operational Works for Advertising Devices (4 signs)

Report Author:

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Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our Environment - 2.3 Sustainable built and natural environment - 2.3.3 Review and consistently enforce local laws, the planning scheme, and other associated environment and public health legislation to ensure they meet community standards.

Summary:

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| APPLICATION NO | 522.2018.56.1 |
| PROPOSAL | Material Change of Use for Relocatable Home Park (RV Village) and Operational Works for Advertising Devices (4 signs) |
| APPLICANT | RV Lifestyle Village Oceanside |
| OWNER | GJ Whalley & JA Whalley |
| PROPERTY DESCRIPTION | Lots 2 & 3 on RP7195 |
| ADDRESS | Rowlands Road & Schleger Street, Burnett Heads |
| PLANNING SCHEME | Bundaberg Regional Council Planning Scheme 2015 |
| ZONING | Emerging Community Zone |
| OVERLAYS | Acid sulfate soils, Agricultural land, Coastal protection, Flood hazard, Infrastructure overlays |
| LEVEL OF ASSESSMENT | Impact |
| SITE AREA | 34.022 ha total |
| CURRENT USE | Vacant, Grazing |
| PROPERLY MADE DATE | 4 June 2018 |
| STATUS | The 35 business day decision period ended on 1 October 2018 |
| REFERRAL AGENCIES | Department of State Development, Manufacturing, Infrastructure and Planning |
| NO OF SUBMITTERS | Forty-three (43) |
| PREVIOUS APPROVALS | Nil |

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| SITE INSPECTION CONDUCTED | 9 August 2018 |
| LEVEL OF DELEGATION | Level 3 |

1. INTRODUCTION

1.1 Proposal

Material Change of Use

The proposal seeks approval for a Material Change of Use for a Relocatable home park over Lots 2 and 3 on RP7195. It is described by the applicant as master planned community comprising 487 detached and duplex “RV homes” and significant community facilities.

The development will operate under the *Manufactured Homes (Residential Parks) Act 2003* with the following principles:

- the overall site would be owned and operated by the applicants;
- residents purchase and own their dwelling which is constructed/located on a particular site within the development;
- the operator is responsible for the provision of services to the resident;
- residents pay a site rental to the operator for occupation of the site and provision of services.

All homes are two-bedroom or three-bedroom single storey and are designed to specifically cater for accommodation of large RV vehicles and caravans. Of the total 487 homes, 357 of these will be detached dwellings with a further 130 homes in a duplex arrangement. Detached dwelling sites have a dimension of 17 m wide by 24 m deep and Duplex sites have a total dimension of 22 m wide (11 m per dwelling) by 24 m deep. A concept masterplan submitted by the applicant shows a relative distribution of the sites and how they fit in to the layout. It is requested by the applicant that the relative distribution should not be considered to be fixed but able to be rearranged as necessary to provide desired location outcomes as the project is constructed (excluding the first stage). Occupants can choose from a wide range of floor plan options and to provide the required flexibility, particularly with respect to building certification, approval is sought for building envelopes as shown on the proposal plans.

The first stage will comprise sites for 100 home sites and will contain all elements required to effectively service the development including sewer, water, power and telecommunications services. The upgrade of the Burnett Heads Road/Schleger Street intersection, and upgrades of Schleger Street and the Marshall Street entry will also be carried out with this initial stage. Additionally, a small portion of the communal facilities will be constructed as part of Stage 1, namely visitor parking, men’s shed, wash down area and maintenance shed and part of the management and reception building (such as port cochere, staff offices, meeting and multi-purpose rooms).

The site will be serviced from the Ergon network with all internal reticulation being underground. Solar power will be used extensively to supplement the Ergon network supply with all homes including 5.5 Kw photovoltaic installations and installations to supply community facilities.

Operational Works

In addition, an Operational Works permit is also sought for the proposed advertising devices, made up of one freestanding sign at corner of Burnett Heads and Stan Faulkner Road (measuring 6 m x 3 m) and three ground signs in the indicative locations shown on the proposal plans.

1.2 Site Description

Lots 2 and 3 on RP7195 (the site) are bound by Crossett Street to the west and south, Stan Faulkner Road to the south-east, Burnett Heads Road to the east, and Schleger and Marshall Streets and Lot 6 on RP7189 to the north. The total area of the two sites is 34.02 ha and frontages to constructed roads Schleger Street, Burnett Heads Road and Stan Faulkner Road are 225 m, 395 m and 425 m respectively. The site is bound by road apart from to its north in part by Lot 6 on RP7189 (145 Rowlands Road, Burnett Heads), which is currently used for rural residential use. Otherwise, the site is close to residential uses (dwelling houses at low density and rural residential scale) and rural uses (animal husbandry, cropping).

The site is fully cleared having been previously cultivated and exhibits gentle slopes from its perimeter to a drain traversing north-south with minimum ground levels of 3.37 m AHD and maximum levels of 5.39 m AHD.

The site is not currently serviced by reticulated services, however, these are proposed to be connected as part of this development application. Analysis presented concludes that this can be adequately achieved. Council’s reticulated water supply network locates adjacent to the site and provision of sewer infrastructure is possible, with an internal sewer network proposed. Intended electricity connections are listed above.

There is a historical cattle dip identified on the site and registered on the Environmental Management Register (Site: 11259).

2. ASSESSMENT PROVISIONS

2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

| Benchmarks applying for the development | Benchmark reference |
|---|---|
| Zone Code: Emerging Community Zone | Bundaberg Regional Council Planning Scheme 2015 |
| Overlay Code <ul style="list-style-type: none"> • Acid Sulfate Soils Overlay Code • Agricultural Land Overlay Code • Coastal Protection Overlay Code • Flood Hazard Overlay Code • Infrastructure Overlay Code • Steep Land (slopes > 15%) Overlay Code | Bundaberg Regional Council Planning Scheme 2015 |
| Use Code | Bundaberg Regional Council Planning Scheme 2015 |

| Benchmarks applying for the development | Benchmark reference |
|---|---|
| <ul style="list-style-type: none"> Relocatable Home Park and Tourist Park Code | |
| <p>Other Development Code</p> <ul style="list-style-type: none"> Advertising Devices Code Landscaping Code Nuisance Code Transport and Parking Code Works, Services and Infrastructure Code | Bundaberg Regional Council Planning Scheme 2015 |
| <p>Planning Scheme Policies</p> <ul style="list-style-type: none"> Planning Scheme Policy for Development Works Planning Scheme Policy for Waste Management | Bundaberg Regional Council Planning Scheme 2015 |
| <ul style="list-style-type: none"> Interim Development Assessment Requirements | State Planning Policy |

2.2. Relevant Matters

The following matters were given regard to or assessment carried out against, in undertaking the assessment of this development application.

Other relevant matters to the assessment of the development under section 45(5)(b)

1. Planning need for this type of use and context of available land in a relevant zone

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

In terms of compliance with the Bundaberg Regional Council Planning Scheme 2015 for this proposed development, it is considered that the proposal generally complies with all of the relevant provisions. As detailed further in the report, the proposed development can be appropriately serviced by reticulated infrastructure, roads and access and is considered to meet the intent for the area.

Central coastal urban growth area local plan

The proposed material change of use is subject to assessment against the local plan and the relevant codes to ensure that the propose use will achieve the intended character for the locality. An assessment was provided by the applicant, which articulated that the proposal is able to comply the local plan provisions.

With reference to Performance Outcome one (PO1) for the pattern of settlement and land use structure, Figure 7.2.1 of the Planning Scheme ('Structure plan concept') splits the development site in to a Residential and Rural and Landscape protection

area. The plan concept is designed to cater for a level of peripheral residential growth for Burnett Heads, whilst protecting the rural interface and would not necessarily have contemplated a single development of this proposed nature requiring a significant site area.

Also in compliance with the relevant sections of the Strategic Framework, the proposed RV Lifestyle Village area is contained within an urban area and proposed to be used for residential development as identified on Strategic Framework Map SFM-001. It is therefore considered to be within Council's preferred settlement pattern. The physical extent of the RV Lifestyle Village is wholly contained within a defined urban area and creates its own discrete community whilst still protecting and contributing to the diversity of Burnett Heads. Further, the part of the Rural and Landscape protection area of the 'structure plan concept' contained within the development site contains a requirement to consider buffer or interface treatment between the types of development. When considering this proposal as a standalone development with appropriate rural buffers in terms of solid fencing and substantial perimeter plantings (also physically separated by road reserves), it can appropriately protect the rural landscape, minimise conflicts and protect amenity in accordance with PO13 and PO14. This is achieved through measures listed above and by ensuring a definitive edge to the urban development and orderly planning of the Burnett Heads area consistent with the extent of development on the eastern side of Burnett Heads Road.

Further, the development site itself functions as an intra-urban break to deal with the interface between the residential and rural areas as identified on the 'structure plan concept', with potential impacts confined to residents of the development. Noting this and the requirements of the local plan, the proposed development is described by the applicant as essentially a self-contained community adding to the diversity of housing offering in the growth area, rather than a traditional extension of the Burnett Heads urban neighbourhood.

In terms of Performance Outcome two (PO2) relating to the movement network, the proposal is appropriately located adjacent to a state controlled road and will provide intersection and local street upgrades to provide required levels of amenity and safety and support the further establishment of an efficient and integrated network. Within the development itself, the movement of residents has been prioritised with internal pathways and access to communal open spaces and facilities.

Although the proposal is not strictly defined as a multi-unit residential development, it is considered appropriate to consider assessment against these provisions of the local plan (PO11). The development is considered to comply as it has high levels of accessibility to the external township by car and footpath due to its siting adjacent to a state controlled road, school and the coastal strip. The net residential density of the development (approximately 14.5 dwellings per hectare) is well below the stipulated 50 equivalent dwellings per hectare.

Emerging Communities Zone Code

The proposed development is located within the Emerging Community Zone. The purpose of this zone code is to identify land suitable for urban purposes and conserve land that may be suitable for urban purposes in the future. In addition, it is to manage the timely conversion of non-urban land to urban purposes, ensure land converted to urban purposes is developed in an efficient, coordinated and sustainable manner to facilitate the creation of complete and vibrant communities and prevent development

that is likely to compromise appropriate longer term uses. An assessment has been carried out against the performance outcome provisions of the code and the proposed development is considered to comply, or can be conditioned to comply, however it is also pertinent to note that the proposal is able to comply with these higher order provisions of the code. The proposed use is for urban residential purposes, which does not subdivide or prejudice the use of the lot in longer term given that the proposal provides for a plan of development for the whole of the emerging communities area. The proposal involves the provision of appropriate infrastructure and the residents are provided with the necessary supporting services and facilities.

In relation to Performance Outcome one (PO1) of the zone code, the proposed development is to occur in accordance with Council structure planning as above. Moreover, the proposed development provides diversity of housing (PO3) both detached and attached, targeting a discrete demographic (owners of large RVs and caravans) which is currently not offered to any significant degree in the Burnett Heads area.

When considering the layout and design of the development (PO4), it is considered that the proposal can provide for a sense of character, inclusion and a high level of amenity. The extensive communal areas and detailed permaculture (landscape) design that is included in the proposal demonstrates that aesthetically and functionally amenity is adequately considered. The applicant states that the development concept (secure gated residential community with significant community facilities) seeks to provide the outcomes sought.

The relevant acceptable outcomes of AO5 and AO6 have been met by the proposed development, relating to building height and density, being 8.5 m maximum and a net residential density between 12 and 15 dwellings per hectare respectively. All proposed homes are single storey to a maximum height of 5.2 m with community buildings also single storey to a maximum height of 6.6 m. Additionally, residential density is compliant at approximately 14.5 equivalent dwellings per hectare.

Performance Outcome seven (PO7) requires that development responds to scenic values and landscape character elements. The applicant has provided reasoning in response to this requirements stating that the site does not contain any scenic values or important landscape character elements and the development will enhance the landscape character through its low-rise form and significant landscaping including to the site's perimeter.

Relocatable Home Park and Tourist Park Code

The purpose of the Relocatable Home Park and Tourist Park Code is to ensure relocatable home parks are appropriately located and are designed in a manner which meets the needs of residents and visitors and protects the amenity of the surrounding premises. An assessment of the proposal against the applicable performance outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code.

Specifically, Performance Outcome one (PO1) relates to the design and layout of the proposal and ensuring that residents and guests are provided with a high quality living environment. As noted above, the proposal includes a good array of communal facilities and recreational opportunities, inclusion of siting considerations and buffer areas, along with an extensive landscape design including permaculture (agricultural ecosystems intended for that landscape to be sustainable and self-sufficient) will

ensure that the development provides for a high quality environment. It is noted that relevant standard conditions have been recommended to ensure compliance with PO11 with regards to waste management and storage.

In terms of broader location, site suitability and siting of the development within the community (PO2 and PO3), the development is located in the Burnett Heads township with access to a State controlled road providing access to nearby commercial, community and recreation facilities. The applicant details that public transport facilities (Duffy's Buses Route 5) travel within approximately 300 metres of the site frontage. Moreover, the site itself is considered to be of an appropriate size (area of 33.5 hectares and a frontage to constructed roads in excess of one kilometre) to accommodate the proposed scale of development, presenting a products that has a variety of choice and commensurate to this way of living.

Performance Outcome four (PO4) requires the consideration of the residential amenity and landscaping, particularly that the development does not impact on the amenity of the adjoining or nearby residential areas. In this regard, it is considered that the proposed use is of a residential nature, consistent with the current amenity of the existing area. Any additional traffic movements have been considered by Council's engineering officers and relevant upgrades to the road networks conditioned accordingly. The extensive landscaping and appropriate fencing also recommended within the included conditions will further ensure that the interface between the existing area and the proposed development is appropriate.

In terms of privacy and separation of the proposed dwelling sites, PO5 requires that provision of a reasonable level of privacy and separation to all residents. Detached dwelling sites are 408 m² in area with duplex sites being 264 m² with a minimum frontage of 17 m, meeting the provided acceptable outcome. It is considered that these areas are conducive to an acceptable level of privacy and separation. The applicant has clarified that window outlook is to be addressed by orientation of dwelling windows to adjacent RV garage elevation (with high level windows on these garage structures) on each adjoining lot to ensure there is no overlooking concerns. Each dwelling site also has the ability for the provision of fencing for separation where desired. Further to this, the proposal meets the acceptable outcome for residential density (PO6), being 30 sites per hectare, with a residential density (487 homes on 33.5 hectares) of approximately 14.5 sites per hectare. This ensures ample site area for the appropriate provision of separation and recreational areas and facilities for each dwelling site in excess of the acceptable outcomes related to PO7.

Access to the site (PO8) is discussed in detail in further sections, however, is proposed at a single point via a gated entry in the current Marshall Street road reserve. An emergency access/egress will be provided to Stan Faulkner Road. Significant visitor parking (13 standard parallel parks with additional recommended on the access road as part of conditions) is provided in the current Marshall Street road reserve to cater for "first time" visitors to the development. Further to this, internal access (PO9) generally comprises a series of 6 metre wide looped internal roadways designed to provide suitable access for large RV/caravan rigs and heavy rigid vehicles including waste collection and removal trucks. A further 1.5 metres separates the roadways from dwelling sites. Significant pedestrian footpaths between sites and through the landscaped communal areas are provided for the safe and convenient movement and access for pedestrians.

Landscaping Code

The purpose of the Landscaping Code is to ensure that landscaping is provided in a manner which is consistent with the desired character and amenity of the Bundaberg Region. An assessment of the proposal, included the submitted permaculture landscape design document against the applicable performance outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code. Accordingly, it is considered the proposal is consistent with the purpose of the code and therefore complies with this element of the assessment criteria. It is noted that a relevant condition requiring the submission of an overall masterplan in accordance with the submitted document and Council's standards is recommended. In addition, additional requirements for fencing treatments have been included in the recommended conditions to ensure passive surveillance to rear landscaped areas and public spaces.

Nuisance code

The purpose of the Nuisance Code is to maintain community wellbeing and protect environmental values by preventing or mitigating nuisance emissions from development adversely impacting on surrounding sensitive land use and the exposure of proposed sensitive land uses to nuisance emissions from surrounding development. An assessment of the proposal against the applicable performance outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code. Accordingly, it is considered the proposal is consistent with the purpose of the code and therefore complies with this element of the assessment criteria.

Specifically relating to the surrounding land uses, Performance Outcome six (PO6) requires the consideration of potential amenity impacts on the proposed sensitive land uses from the surrounding existing uses. In this regard a perimeter solid screen fence is recommended to be established (within conditions) with an associated dense buffer planting (4 m in width) to the front of this fence (within the site) to ensure any potential nuisance impacts from the existing rural activities to the south, west and north are mitigated. In addition, the majority of the agricultural activities to the south and west are further separated by the existence of three road reserves to these boundaries including a further 20 m (minimum) separation. In addition, the State controlled road to the east of the site is to buffer by an acoustic barrier as imposed by the State government as a concurrence agency to the process, further ensuring the amenity of future residents. A further consideration in this regard relates to the interface with the broader balance parcel upon commencement of development of the subject site. This was the included in Council's information request (dated 19 June 2018), to which in response the applicant invited a condition which required rural uses were not be carried out on the balance parcel upon the commencement of the first use. This relevant condition is included accordingly.

In relation to the requirement within the Nuisance Code to consider the impacts of development on turtle sensitive areas, to ensure compliance, the recommended condition relating to the development of an appropriate lighting plan has been included. The impacts of noise, dust, vibration and lighting during construction will be considered in any subsequent Operational Works application.

Sewerage

The Applicant submitted a Sewerage Assessment Report with the application. The report proposes to use a number low pressure sewerage pump stations within the development and a private rising main along Rowlands Road. The main would convey effluent to the existing 150 mm PVC main at the corner of Rowlands Road and Hermans Road.

Council's Water Services Branch intends to provide a regional pump station at the corner of Stan Faulkner Road and Burnett Heads Road. This pump station would then convey effluent to the existing main in Rowlands Road via its own main in Stan Faulkner Road/Crossett Street/Rowlands Road. To ensure the development can utilise this trunk infrastructure it will be conditioned to provide a 150 mm trunk pressure main in Rowlands Road and make provision to connect to the Stan Faulkner pump station in a manner that integrates with the construction of that infrastructure.

It is noted that for a period of time the development will be connected directly to Council's trunk infrastructure with a portion of private infrastructure. There is always a chance of failure in this regard and the Applicant will need to indemnify Council of risk should its system fail and cause damage within the development. This requirement will be built into an Infrastructure Agreement which will also contain the conditions for the conversion of the Marshall Street road reserve south of Schleger Street to the main entry.

Works Infrastructure and Services Code and Flood Hazard Overlay Code – Stormwater

The subject site has significant drainage issues. For clarity, the stormwater inflows are described as entering the subject site from the north-east and south (including south-east, south and south-west). The flows from the north-east could be considered as residential in nature and approach the subject site via the table drains in Marshall Street and Schleger Street, with the Marshall Street flows including overflows from the table drain in Rowlands Road. The flows drain through a section of Marshall Street south of Schleger Street that is proposed to become the main entry to the subject site after the roadway is converted to private property (the private road). Whilst formal consent has not yet been granted, it is anticipated by the applicant that Council will agree to the creation of a private road at the entry to the site, subject to the applicant agreeing to convey the stormwater from the north-east through the subject site via appropriate easements, with such agreement to be legally binding and finalised prior to commencement of use. To ensure that the transfer occurs to Council's satisfaction, it is also prudent that a condition is recommended that limits the Applicant from fencing that portion Marshall Street until the creation of the private road.

The catchment to the south of the subject site consists of a small portion of urban flows and major flows from rural lands. As the applicant intends to deliver the development over two stages then logically the drainage solutions will also be delivered over two stages. The first stage, detailed in drawing ref: 181008 Project: 13285, titled 'Infrastructure works – Stage 1' provides a solution that ensures that the development is provided in a manner that complies with the Flood Hazard Overlay Code, meaning no adverse impacts external to the subject site. The relevant features of the second stage drainage solution detailed in RMA engineering plan 'Infrastructure Works' dated 24 September 2018 are summarised as follows:

- The downstream outlet at Wallace Creek and near Moffatt Street has an overall increase in level of 4 mm. This increase is under adverse conditions of HAT (which is a theoretical maximum predicted flood that does not occur every year), under climate change, assumes the port sediment basin is full, and global warming;
- The proposed additional culvert upgrades in Hermans Road will be contained in the road reserve – with this requirement recommended to be controlled by a condition,
- The Rowlands Road drain will have a controlled manning's 'n' value of 0.03 (which makes the drain smoother and able to convey more flows than the drain in its current state with a manning's n value in the vicinity of 0.045) which is also recommended as part of the conditions,
- There is an isolated area of increased flood levels near the intersection of Crossett Street and Rowlands Road. This increase is due to an access bridge to 115 Rowlands Road and as such the values could be improved by upgrading that crossing. This requirement too will be recommended as a condition,
- Upstream of the subject site to the south shows increased levels of about 30 to 40 mm.

Given the second stage proposal does not meet the performance outcomes of the Flood Hazard Overlay Code, the proposal is required to meet the intent of the purpose and overall outcomes of that code. The theme through the purpose is that the proposal 'avoids or mitigates the potential adverse impacts of flood and storm tide inundation'. In this regard it is noted the increase at Wallace Creek is at a theoretical high tide (which will then reduce) and at peak flooding. Given this is a flood increase that will immediately subside and is calculated for events that are conservative, it is considered that the increase is not adverse. The increase near Crossett Street is primarily due to an existing crossing which is recommended for improvement as part of the conditions below. The other upstream effects are isolated to the rural areas (noting the residential areas to the south show an improvement). It is noted that the proposed works will allow flood waters to drain away more quickly reducing damage to crops and as such the increase in level is countered by the reduced times of inundation. Accordingly, it is argued the drainage solution is an improvement on the existing conditions and hence an advantage to rural areas. In addition, the proposed solution is demonstrated to lower the existing flood levels experienced by a number of properties to the southern end of Burnett Heads Road (near the intersection with Milton Street). In this regard the proposal, although having higher flood levels in parts (others lower), actually mitigates the potential adverse effects of flooding. Accordingly, the proposed drainage solution detailed in 'Infrastructure Works' approved plan meets the intent of the Flood Hazard Overlay Code.

Transport and Parking Code

The Transport and Parking Code seeks to provide a development that:

- does not interfere with the planned function, safety, capacity, efficiency and operation of the transport network;
- minimises adverse impacts on the local streetscape character and amenity of the surrounding area; and

- connects to and integrates with existing roads and other relevant facilities within and external to the land.

The above purpose is addressed through consideration of key performance areas summarised as follows:

- internal - circulation and parking issues internal to the development;
- interface – how the vehicle interface works at the Marshall Street and Schleger Street intersection; and
- external – how the proposed development affects the local government road network along key routes and at relevant intersections.

Performance Outcome one (PO1) provides guidance with the internal aspects of the development by ensuring that the internal on-site circulation system and parking provide:

- on-site parking sufficient to meet the needs of and anticipated demand generated by the development; and
- a road layout that limits potential conflict between service vehicles, other vehicles and pedestrians.

The acceptable parking rate given in Table 9.5.3.3.3 is listed as: 1 space (covered) per relocatable home site + 1 visitor space per two relocatable home sites + 1 manager space (covered) + boat and trailer storage area. The planning report states that the Applicant intends to provide as the first stage 100 homes and that *'construction of community facilities will also be carried out on a progressive basis as the village develops and in response to marked demand'*. It should be noted that the plans also show a vehicle parking area west of proposed units 83 to 86. In total 77 parking bays are proposed in the following parking areas:

- 12 bays adjacent to the main entrance road,
- 31 bays adjacent to the front of the community area;
- 22 bays on the eastern side of the community area; and
- 12 large bays west of proposed lots 84 to 86.

Each unit is provided with a garage that is sufficiently long to accommodate a large car and a reasonable sized caravan. In addition, the driveways have an indent that is sufficient to accommodate a vehicle at the front of each unit.

Given the Applicant proposes 487 units it would be necessary to provide 244 car parking spaces to meet the acceptable criteria; noting, only 77 car parking spaces are proposed for whole development. Observation of other complexes in the area note that parking rates are much lower than that given in the acceptable criteria. However, in most cases parking spaces surround the community areas, entrances and at the peripherals of each long street. Using this criteria it would be reasonable to condition additional car parking along the entry road and along at least one side of long rectangular blocks containing between 20 and 22 units and then both ends of blocks with greater than 22 units. In addition, it is suggested that there should also be car parking spaces along the entire eastern side of the main entrance. With the aforementioned additional controls the layout will reduce conflicts between pedestrians and on-site traffic and more closely accord with the intent of PO1.

Performance Outcome one (PO1) also provides guidance on vehicle access. It requires the access to the transport network to be provided in a manner that does not interfere with the planned function, safety and efficiency of that network. This requirement is reinforced by Performance Outcome seven (PO7) of the Nuisance Code whereby developments are required to ensure that lighting and glare does not have any significant adverse amenity impacts or create nuisance to surrounding premises. The aforementioned is achieved through providing driveways/accesses that are located and designed to minimise vehicle headlight impacts on any surrounding residential premises: in this case the bedroom windows of 48 Marshall Street are adjacent to the proposed intersection.

The development presents to the end of Schleger Street via a stub 125 m section of Marshall Street (stub road). It is the intention of the Applicant to close this stub road and provide a reverse priority T-intersection. This intention was articulated in a Traffic Impact Assessment (TIA) for the site. Further information was also provided in a response to Council's information request, however, the layout did not address the adequacy of the geometry of the access/intersection at Marshall/Schleger Street nor the effect of headlights on the adjacent dwellings. Accordingly, to make this intersection work adequately and comply with PO1 it will be necessary to amend the geometry of the intersection to accommodate the 50 km/h speed, provide concrete medians for the inclusion of traffic signs (on all legs) and adjust the exit location to ensure that lights do not shine directly into the adjacent residence.

Performance Outcome two (PO2) deals with the effect of the development on the external network. The outcome requires the Applicant's development to be designed in a manner that integrates with the existing external road network. For the purpose of this development there are three roads that would be considered to be the external road network. The first is Marshall Street which is four metres wide and falls generally into the subject land. The second is Schleger Street which also falls into the site (at a very flat slope of less than 0.2 percent). The final possible entry is via Stan Faulkner Road. The Applicant proposes to:

- upgrade Schleger Street to a Neighbourhood Collector Standard (constrained); and
- provide an emergency access to Stan Faulkner Road; and
- leave Marshall Street without any upgrades.

Schleger Street is currently a local access road. The Applicant proposes to upgrade the road to the Neighbourhood Collector type. The name for this road type has now changed to a Collector Street – Low Density (drawing R2003 Rev A). This type of road will accommodate up to 300 residential lots or more correctly a mid-block capacity of 3,000 vehicles per day (VPD). The TIA states that the mid-block traffic from the development would be in the vicinity of 1,800 VPD. By way of comparison the Department of Planning Transport and Infrastructure *Trip Generation Rates for Assessment of Development Proposals* (2014) provides a 95 % trip generation rate of 4.86 VPD for retirement-style developments. This gives a total mid-block of about 2,378 VPD from the development plus a background of less than 100 VPD. Meaning the proposed road is acceptable, however, it would be worthwhile restricting parking on the development site frontage to ensure that the road will have a 5.9 m clear lane with a parked vehicle on the residential site and thus will continue to operate as a two way road.

Marshall Street is currently a four metre wide local access street. The Applicant initially stated that all traffic would exit via and exclusively use Schleger Street. This assertion was challenged via an information request whereby the Applicant suggested that the amount of traffic that would use Marshall Street was negligible and hence no works were required in that area. Given the amenity of the area and the uncertainty with regard to the number of vehicle trips, it is suggested that the traffic from the development should be stopped from using Marshall Street though the use of traffic signs restricting the movement out of the development to right turn only, with the provision of a no right turn in from the Marshall Street/Schleger Street through the roadway.

Stan Faulkner Drive is currently four metres wide rural access type road. The Applicant proposes to connect the latter stage of development to this road and provide controls such as removable bollards to ensure that it is used during emergency situations only. Given the infrequent use of this roadway, the current formation is adequate subject to conditions that restrict the traffic use to emergency situations only.

Advertising Devices Code

The proposed advertising devices (four in total) have been assessed against the relevant requirements of the Advertising devices code within the scheme. It is considered that they generally comply with the benchmarks of the code or can be conditioned to comply.

The three ground signs are compliant with the stipulated requirements of Table 9.3.1.4.2 of the code particularly as they are to be mounted as freestanding structures in a landscaped environment, do not exceed a face area of 6 m², less than 1.8 m above ground level (1.25 m proposed) and not face an adjoining site located within 3 m from the site boundary. These signs could have been considered as 'Accepted', subject to requirements.

However, the proposed freestanding sign requires further assessment against the remainder of the code as it exceeds the maximum face area. The applicant has provided an assessment which states that the proposed freestanding sign is located at the periphery of the Burnett Heads urban area. It will have a maximum height of 3.8 m with a sign face area of 6 m x 3 m (18 m²) and will be positioned in front of a 2 metre high acoustic fence with adjacent landscaping including trees with a mature height of 6 m. The submitted assessment goes on to state that this will ensure that it is in a location and of a scale that does not dominate the visual landscape. The low height masonry/timber wall will contribute to aesthetics. It is considered that a sign of the nature (not for third party advertising) can be recommended as appropriate in the proposed location in accordance with the conditions included.

Public Notification

The following matters were raised by submitters:

| Matters raised in any submissions | Description of how matters were dealt with in reaching the decision |
|---|--|
| <p>Traffic impacts will be experienced off site in the streets immediately surrounding the development site. This is also related to a suggestion for the relocation of the entry to the development from Stan Faulkner Road and request for further consideration of Marshall Street. Broader comments are made about the proposed treatments to Burnett Heads Road and the impact on other uses on this road.</p> | <p>Any development of this site (which is zoned for emerging community) is likely to generate additional traffic. The developer will be required though recommended conditions to provide adequate road network upgrades to ensure the safe and efficient functioning of the network, including an amendment to the submitted design of the access point to the site at Schleger Street and minor work to ensure Marshall Street is not the preferred route Council's engineering officers have thoroughly assessed the proposal and consider that with the imposition of the recommended works, the road network perform within applicable standards. It is also noted that Burnett Heads Road is a State controlled road. All works associated with or affecting this road have been assessed by the Department of Transport and Main Roads as part of a concurrence agency referral. The development will also be subject to the relevant conditions imposed by the State in this regard.</p> |
| <p>The proposed development will cause flooding impacts.</p> | <p>Council's engineering officers have extensively assessed the anticipated stormwater impacts and proposed solutions for the development. It is considered that there will be no significant impacts from flooding offsite. Where there is an impact in rural areas, the duration of the flooding is reduced, meaning rural lands can drain quicker therefore meaning less damage to cropping. In the residential areas, the flood impacts have been either rectified in design solutions or are not adverse to properties as that experienced during an extreme event and not sustained for any duration. In addition, the existing flooding impacts experienced by residents at the southern end of Burnett Heads Road is proposed to be improved (decrease in levels) by the drainage solution presented by the applicant</p> |

| Matters raised in any submissions | Description of how matters were dealt with in reaching the decision |
|---|---|
| The development of land in Burnett Heads will have a positive impact on the local economy. | Although not directly related to the development assessment process, these comments are noted. |
| The capacity of local infrastructure network is insufficient to deal with the demand of the additional development. | The proposed development is appropriate when considering the zoning and structure planning applicable to the land. Council's engineering officers have thoroughly assessed the proposal and consider that the developer is able to provide all of the required infrastructure to an appropriate standard, including private infrastructure internal to the site. Conditions to this effect have been recommended for inclusion. |
| Potential impacts of the proposed development on the amenity of area, including noise, visual and safety impacts. | Amenity impacts have been extensively considered as part of the development assessment process. In particular, the development was assessed against the benchmarks of the Nuisance Code in order to determine if the proposal could maintain and protect environmental values by preventing or mitigating nuisance emissions from development adversely impacting on surrounding sensitive land uses. |
| The proposed development provides for a diversity and range in housing choice for the region. | Council officers concur that the proposed use type is in keeping with the requirements of the Strategic framework and higher order provisions of the Planning Scheme about the provision of the housing diversity. |
| A historical cattle dip is located on the site. | The applicant provided further information in response to this submission in the form of an Environmental Management Register reference and has provided amended DA Forms accordingly. |

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

| Internal department | Referral Comments Received |
|--------------------------------------|----------------------------|
| Development Assessment - Engineering | 10 October 2018 |
| Water and Wastewater | 12 June 2018 |
| Health and Regulation | 14 June 2018 |

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Referral Agency responses were received from the following State agencies:

| Agency | Concurrence/Advice | Date Received | Conditions Yes/No |
|---|--------------------|----------------|-------------------|
| Department of State Development, Manufacturing, Infrastructure and Planning | Concurrence | 12 August 2018 | Yes |

Any significant issues raised have been included in section 3 of this report.

5. PUBLIC NOTIFICATION

Pursuant to the *Planning Act 2016*, this application was advertised for 15 business days from 23 July 2018 until 13 August 2018. The Applicant submitted documentation on 14 August 2018 advising that public notification had been carried out in accordance with the *Planning Act 2016*. Council received 43 submissions in relation to this development application during this period, nine of these were in support of the development and 34 of these submissions were against the development, many of which were pro-forma format. Any significant issues raised have been included in section 3 of this report.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 11 October 2018.

The Applicant submitted representations to Council on 12 October 2018 relating to the following draft conditions:

- Condition 5 (Air conditioners)
- Condition 6 (Air conditioners)
- Condition 10b (Development in Stages)
- Condition 12 (Easements)
- Condition 13 (Easements)
- Condition 14 (Easements)
- Condition 15 (Fences)
- Condition 16 (Fences)
- Condition 21 (Landscaping)

- Condition 28(i)(i) (Car parking)
- Condition 29(a) and (f) (Roadworks and Access)
- Condition 30 (Roadworks and Access)
- Condition 31(b),(c),(d),(f)(h) (Roadworks and Access)
- Condition 34(b) (Sewerage)
- Condition 35 (Street trees)
- Condition 36(c) (Stormwater)
- Condition 37 (Stormwater)
- Condition 38(d)(ii),(iii) (Stormwater)
- Advice J (Operational Works)

After a review of the submitted representations, the following conditions have been amended:

- Condition 5 (Air conditioners) – Amended
- Condition 12 (Easements) – Amended
- Condition 15 (Fences) – Amended
- Condition 16 (Fences) – Amended
- Condition 21 (Landscaping) - Amended in part
- Condition 29(f) (Roadworks and Access) – Deleted
- Condition 30 (Roadworks and Access) – Amended
- Condition 31(f) (Roadworks and Access) – Amended
- Condition 35 (Street trees) – Amended
- Condition 36(c) (Stormwater) – Deleted
- Condition 38(c) (Stormwater) – Amended
- Condition 38(d)(ii),(iii) (Stormwater) – Amended
- New Advice K

The following conditions have remain unchanged:

- Condition 6 (Air conditioners)
- Condition 10b (Development in Stages)
- Condition 28(i)(i) (Car Parking)
- Condition 13 (Easements)
- Condition 14 (Easements)
- Condition 29(a) (Roadworks and Access)
- Condition 31(b),(c),(d),(h) (Roadworks and Access)
- Condition 34(b) (Sewerage)

- Condition 37 (Stormwater)
- Advice J (Operational Works)

7. REASONS FOR DECISION

The reasons for this decision are:

- The proposal is in the Emerging Community Zone.
- The proposed relocatable home park use is consistent with the intent of this zone.
- The development complies with, or can be conditioned to comply with, the relevant applicable assessment benchmarks of the planning scheme.
- The proposed development, through the inclusion of reasonable and relevant conditions, can comply with the requirements of the Flood Hazard Overlay Code to ensure that new development does not put people and property at risk of flooding and inundation.
- The development can be adequately serviced with all urban infrastructure.
- The proposed use is contained within an urban area and proposed to be used for residential development as identified in the Strategic Framework, consistent with the preferred settlement pattern.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1](#) Locality Plan
- [↓2](#) Site Plan
- [↓3](#) Approval Plans
- [↓4](#) Referral Agency Response
- [↓5](#) ICN

Recommendation:

That the Development Application 522.2018.56.1 detailed below be decided as follows:

1. Location details

Street address: Rowlands Road & Schleger Street, Burnett Heads
 Real property description: Lots 2 & 3 on RP7195
 Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Material Change of Use (Relocatable Home Park) and Operational Works (Advertising Devices)

3. Decision

Decision details: Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

| | Planning Regulation 2017 reference | Development Permit | Preliminary Approval |
|--|------------------------------------|-------------------------------------|--------------------------|
| Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

| Drawing/report title | Prepared by | Date | Reference no | Version/issue |
|--|----------------------------------|----------------------------|-----------------------------|---------------|
| Aspect of development: Material Change of Use | | | | |
| Concept Master Plan | Design Direct Building Designers | 03.10.18 | SD01 | D |
| Site Staging Plan | Design Direct Building Designers | 28.9.18 | SD02 | A |
| Illustrative Masterplan | Shane Thompson Architects | 12.10.2018 (As Amended) | 56-2A | - |
| Community facilities overall | Shane Thompson Architects | 12.10.2018 (As Amended) | 56-2A | - |
| Infrastructure Works – Stage 1 | RMA Engineers | 08.10.18 | 181008 Project: 13285 | A |
| Infrastructure works | RMA Engineers | 24.09.18 | 180924 Project: 13285 | - |

| | | | | |
|--|---------------------------|----------------------------|--------------|---|
| Excerpt of Overall Concept Plan | Insite SJC | 09.10.18 (As Amended) | 56-1A | - |
| Stage 1 Communal Facilities | Shane Thompson Architects | 09.10.18 (As Amended) | Drawing 0.02 | - |
| Roof plan | Shane Thompson Architects | 12.10.2018 (As Amended) | 0.04 | 2 |
| Sections | Shane Thompson Architects | 08.04.2018 | 0.05 | 2 |
| Perspectives – Sheet 1 | Shane Thompson Architects | 08.04.2018 | 0.06 | 2 |
| Perspectives – Sheet 2 | Shane Thompson Architects | 08.04.2018 | 0.07 | 2 |
| Dwelling Details | Shane Thompson Architects | 12.10.2018 (As Amended) | 56-AA | - |
| Building Footprint Plans | Shane Thompson Architects | 06.04.18 | 1.01 | 1 |
| Duplex | Shane Thompson Architects | 06.04.18 | 1.02 | 1 |
| Two bedroom house | Shane Thompson Architects | 06.04.18 | 1.03 | 1 |
| Three bedroom house | Shane Thompson Architects | 06.04.18 | 1.04 | 1 |
| Aspect of development: Operational Works | | | | |
| Site Signage – Indicative Elevations and Location Plan | Shane Thompson Architects | 06.04.18 | 0.08 | 1 |

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work
- All Plumbing and Drainage Work

- All Operational Work

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

| Name of principal submitter | Residential or Business Address | Electronic Address |
|-----------------------------|---|--|
| Maurice and Sheryl English | Unit 2/ 80 Burnett Heads Road, Burnett Heads, QLD, 4670 | mauriceandsheryl@netspace.net.au |
| Sandra & Perry Kent | 16 Baldry St, Burnett Heads, QLD, 4670 | sandrakent4670@yahoo.com.au |
| Ray & Joanne Schimke | 82 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Doug Anderson | 86 Burnett Heads Rd, Burnett Heads, QLD, 4670 | |
| Michael Haworth | 73 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Maurice English | Unit 2/80 Burnett Heads Road, Burnett Heads, QLD, 4670 | mauriceandsheryl@netspace.net.au |
| Sheryl English | Unit2/80 Burnett Heads Road, Burnett Heads, QLD, 4670 | mauriceandsheryl@netspace.net.au |
| Bruce McLellan | 71 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Ray Isackson | 69 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Jeffrey & Debbie Summers | 67 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Lois Tonks & Gary Judd | 66 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Vern & Barbara Lane | 13 Schleger St, Burnett Heads, QLD, 4670 | |
| Wayne & Villette Taylor | 11 Schleger Road, Burnett Heads, QLD, 4670 | |
| Zac Wilk | 3 Baldry Street, Burnett Heads, QLD, 4670 | |
| Christy Lydiard | 7 Baldry Street, Burnett Heads, QLD, 4670 | |
| Mat Loudon | 8 Baldry Street, Burnett Heads, QLD, 4670 | |

| | | |
|------------------------------------|--|--|
| Darren Moore | 12 Baldry Street, Burnett Heads, QLD, 4670 | |
| Sue & Bob Brown | 14 Baldry Street, Burnett Heads, QLD, 4670 | |
| Levi Kent | 16 Baldry Street, Burnett Heads, QLD, 4670 | |
| John & Christine Stibbard | 7 Schleger Street, Burnett Heads, QLD, 4670 | |
| Ken Graham | 5 Schleger Street, Burnett Heads, QLD, 4670 | |
| Brian Savidge | 9 Schleger Street, Burnett Heads, QLD, 4670 | |
| Elizabeth Franks | 3 Baldry Street, Burnett Heads, QLD, 4670 | |
| Ian Lawson | 3 Campbell Street, Burnett Heads, QLD, 4670 | |
| Charlotte Guenther | 3 Campbell Street, Burnett Heads, QLD, 4670 | |
| Vicki Selten | 1 Campbell Street, Burnett Heads, QLD, 4670 | |
| Dale & Cynthia Workman | 46 Marshall Street, Burnett Heads, QLD, 4670 | cynthiajk@bigpond.com |
| Britt M Portelli | 151 Rowlands Road, Burnett Heads, QLD, 4670 | |
| Glen Leslie | 60 Burnett Heads Road, Burnett Heads, QLD, 4670 | |
| Neil Phythian | 63 Burnett Heads Road, Burnett Heads, QLD, 4670 | nphythia@hotmail.com |
| Alex Stephen Casey C/- Shane Doran | 15 Schleger Street, Burnett Heads, QLD, 4670 | cracker@adam.com.au |
| Gavin Hales | 66 Zunker St, Burnett Heads, QLD, 4670 | lighthousehotel@bigpond.com |
| Ben Gilchrist | 15 Ocean Street, Burnett Heads, QLD, 4670 | gillyspropertyserv@gmail.com |
| Susanne Gilchrist | 15 Ocean Street, Burnett Heads, QLD, 4670 | bsgil@internode.on.net |
| Kay Tuck | 15 Scott Street, Burnett Heads, QLD, 4670 | kay@kaysrealestate.com.au |
| Sandra Kent | 16 Baldry Street, Burnett Heads, QLD, 4670 | |
| Kevin J & Katheryn J Robinson | 326 Mittelheusers Road, Burnett Heads, QLD, 4670 | kjrx2@bilpond.net.au |

| | | |
|-------------------|--|--|
| Val Watkins | C/- 9 Cook Street, SCONE, NSW, 2337 | val.watkins@bigpond.com |
| Gary Hodson | 10 Burns Street, Burnett Heads, QLD, 4670 | garyhodson1248@gmail.com |
| Tyrone Podberscek | PO Box 9175, Burnett Heads, QLD, 4670 | tyrone@burnettheads.biz |
| John Kemp | 3 Jones Street, Burnett Heads, QLD, 4670 | |

8. Referral agencies for the application

The referral agencies for this application are:

| For an application involving | Name of referral agency | Advice agency or concurrence agency | Address |
|---|---|-------------------------------------|---|
| <p>State-controlled road Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1</p> <p><i>Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises—</i></p> <p>(a) are within 25m of a State transport corridor; or</p> <p>(b) are a future State transport corridor; or</p> <p>(c) are—</p> <p>(i) adjacent to a road that intersects with a State-controlled road; and</p> <p>(ii) within 100m of the intersection</p> | Department of State Development, Manufacturing, Infrastructure and Planning | Concurrence Agency | <p>State Assessment and Referral Agency (SARA)</p> <p>E: WBBSARA@dsdmip.qld.gov.au</p> <p>P: PO Box 979 Bundaberg Qld 4670</p> |

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the *Planning Act 2016*

There are no agreements about these matters.

11. Conditions about infrastructure

The following conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*:

| Condition/s | Provision under which the condition was imposed |
|-------------------------------------|---|
| 28,29,30,31,32,33,36,37(b),38,39,46 | Section 145 – Non-trunk Infrastructure |
| 37(a) | Section 128 – Trunk Infrastructure |

12. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

ALL DEVELOPMENT

General

1. Meet the full cost of all works and any other requirements associated with this development, unless specified in a particular condition.
2. Where there is any conflict between Conditions of this Decision Notice and details shown on the Approved Plans, the Conditions prevail.
3. Comply with all of the conditions of this Development Permit prior to the commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

Amalgamation

4. Amalgamate Lot 3 on RP7195 and Lot 2 on RP7195 into one allotment. The Plan of Subdivision providing for the amalgamation must be registered prior to the commencement of the first use under this approval.

MATERIAL CHANGE OF USE

Air Conditioners

5. All air conditioning units or other mechanical equipment for each dwelling must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages or adjoining properties external to the site.
6. Air conditioning units must be designed, installed, maintained and operated so that noise emissions are within the limits imposed by the *Environmental Protection Act*, Regulations and Policies.

Construction Management

7. Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:
 - a. On a business day or Saturday, before 6.30 am or after 6.30 pm; or
 - b. On any other day, at any time.
8. Contain all litter, building waste and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or roads.
9. Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction. These material spills and accumulated sediment deposits must be managed in a way that

minimises environmental harm and/or damage to public and private property.

Development in Stages

10. Undertake and provide the following as part of the specified stage(s) of the development:
 - a. Stage one:
 - i. 100 dwelling sites generally in accordance with the approved plan ref: SD02 Rev A titled 'Site Staging Plan';
 - ii. Drainage works in accordance with RMA Engineers Drawing ref: 181008 Project: 13285, titled 'Infrastructure works – Stage 1'.
 - i. All of the facilities contained within the visitor parking area and utility area being the non-residential part of the development to the right of the main driveway entering the village annotated 1 on Plan ref: 56-1A, titled 'Excerpt of Overall Concept Plan'. This includes the men's shed, the visitor bays, the washdown shed and the maintenance shed; and
 - ii. Management and reception building, porte cochere, associated car park area and the adjoining service vehicle courtyard annotated 2 on Plan ref: 56-1A, titled 'Excerpt of Overall Concept Plan' and shown in detail on Plan ref: Drawing 0.02 titled 'Stage 1 Communal Facilities'. This includes the port cochere, lobby, managers & staff offices, meeting room, staff room, arts & craft room, library, and multi-purpose room.
 - b. Stage two (balance):
 - i. Remaining 387 dwelling sites generally in accordance with the approved plan ref: SD01 Rev D titled 'Concept Master Plan';
 - ii. Balance of site and community facilities generally in with the approved plan ref: 0.03 Issue 2, dated 06.04.18 by Shane Thompson Architects; and
 - iii. Drainage works generally in accordance with RMA Engineers Drawing ref: 180924 Project: 13285, titled 'Infrastructure works' and dated 24.09.18
11. Unless otherwise agreed to in writing by the Assessment Manager, upon commencement of the first use within the first stage of development, the balance of the subject site must not be used for rural or agricultural purposes.

Easements

12. Lodge for registration at the office of the Land Registry the following easement(s):

- a. a stormwater drainage easement having a minimum width as determined in an application for Operational Works to the benefit of Council that includes:
 - i. all stormwater overland flow paths traversing the land;
 - ii. At the first stage of development, future Q100 ARI (including global warming and climate change to 2100) stormwater overland flow paths traversing the site as identified on Approved Plan Infrastructure Works – Stage 1; and
 - iii. any underground stormwater main existing or proposed to traverse the land located within the easement and a minimum of one (1) metre from the easement boundary.
13. Draft easement documentation must be submitted to the Assessment Manager for endorsement. The content of the schedule attached to the Form 9 and 20 must be generally in accordance with Council's standard easement document.

Note: a copy of Council's standard schedule may be obtained by contacting development@bundaberg.qld.gov.au

14. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the grantee.

Fences

15. Where an acoustic barrier is not provided, provide a 1.8 metre high solid no-gap screen fence to the side and rear boundaries of Lots 3 on RP7195 and Lot 2 on RP7195 (or subsequent lot reference once amalgamation has been completed), commencing from the road frontage of the subject property. Fencing is to occur with the adjacent or relevant stage of development or dwelling being undertaken, meaning it can be staged. Fencing must not inhibit overland flow and must not be constructed until necessary stormwater infrastructure is in place.
16. Any fencing to the rear of the dwelling sites is to be a maximum height of 1.2 m, tapered from 1.8 m within 2 m from the rear boundary generally in accordance with Concept Plan Dwg 4A.2 v1 Apr 18 by Dragonfly Evolutions P/L (within permaculture landscape design document). The fencing must have a minimum of 50% transparency.

Nature and Extent of Approved Use

17. The maximum number of dwellings approved for the development is 487, comprising 357 detached dwellings and 130 attached dwellings (65 duplex sites).
18. All dwellings must be two or three bedrooms, high clearance RV garages and private outdoor living areas, generally in accordance with the design elements of Drawing number 1.02, 1.03, 1.04 by Shane Thompson Architects (indicatively demonstrated examples of duplex, two-bedroom house and three-bedroom house plans and elevations).
19. All dwellings must be single storey with a maximum height of 5.5 metres.

20. Accommodation Buildings (dwellings) must be situated within building envelopes as shown on 'Building footprint plans', Drawing number 1.01 by Shane Thompson Architects.

Landscaping

21. An overall landscape masterplan must be submitted to and approved by the Assessment Manager prior to the commencement of any landscaping works. The plan must be generally in accordance with the Approved Plans and the submitted 'Permaculture Landscape Design of the RV Lifestyle Village' by Dragonfly Evolutions Pty Ltd, received 24.05.18, have regard to the conditions of this approval and include, but not be limited to, the following features:
 - a. The area or areas set aside for landscaping;
 - b. Location and name of existing trees;
 - c. A plan and schedule of all proposed trees, shrubs and ground covers which identifies:
 - I. The location and sizes at planting and at maturity of all plants;
 - II. The utilisation of species indigenous to the area (the Plant Species List contained within Council's Landscaping Planning Scheme Policy is a guide to species selection; the botanical and common names of plants must be provided.). No exotic plants are to be specified;
 - d. The location of all areas to be covered by turf or other surface material including pavement and surface treatment details;
 - e. Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
 - f. Details of any landscaping structures, including entrance statements;
 - g. Details of cutting and filling and all retaining structures and fences and associated finishes;
 - h. Contours or spot levels if appropriate;
 - i. Fence size and materials;
 - j. Inclusion of a controlled underground or drip irrigation system. Maintenance of any such system will be a requirement of any body corporate or site management;
 - k. Location of any drainage, sewerage and other underground services and any overhead power lines;
 - l. Property boundary garden/landscape bed edge walls must be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls must be constructed to a height that is at or above the adjacent kerb or sealed area where appropriate;
 - m. One tree for each six car parking spaces;

- n. Vegetated screening of any electrical transformers, bin storage areas and the like from any external road frontage or communal area (i.e. within Community facility area);
 - o. A minimum 6.0 metre dense buffer planting to southern, western and northern boundaries;
 - p. Road plantings as shown on the Approved plans, including the end of dwelling 'blocks';
 - q. A 3.0 metre wide landscaping strip along the frontage of the dwellings (can include lawn);
 - r. Vegetated screening to the street frontage of any rear boundary fencing on Schleger Street, designed such that 50% of the fence will be screened at maturity. This is to be contained within the subject site;
 - s. A continuous 1.0 metre wide screening buffer must be planted in front of the acoustic barrier for its entire length. Where located on public land, works must be undertaken in accordance with an Operational Works approval and must incorporate sufficient plant foliage to soften its appearance and break its linear nature, with at least 75% of the barrier concealed from the street at maturity;
22. Complete landscaping shown on the endorsed plans prior to the commencement of the use and maintain all landscape works in accordance with the Approved Plan whilst the use continues.

Lighting

23. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.
24. A Lighting Plan must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The plan must demonstrate how lighting from the development will avoid or minimise impacts on turtle nesting areas. The plan must include, but not be limited to, the following features:
- a. The location, purpose, footprint, intensity and spectral composition of each light source;
 - b. Measures to avoid, mitigate or manage the impacts of each light source, including where possible the most energy efficient, dark sky compliant lighting (which prevents the light from escaping upward and direct light down and away from the beach) and amber lighting available in the National Electricity Market Load Tables for Unmetered Connection Points (AEMO 2015); and
 - c. Procedures to reduce the use of lighting during turtle season (October to March). There must be no use of decorative lighting during this period.

When approved, the Lighting Plan will form part of the Approved Plans for this development.

25. All lighting for the development must be designed, installed and maintained in accordance with the approved Lighting Plan, to the satisfaction of the Assessment Manager.

External Storage of Materials

26. Where related to the use of the communal facilities ensure goods, equipment, packaging material or machinery is not stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

Pedestrian and Bicycle Facilities

27. Pedestrian and bicycle facilities must be provided at the first stage of the development. The works must be undertaken in accordance with an Operational Works approval and must include:
 - a. A 1.5 metre (minimum) concrete ribbon pathway and pram ramps within the road verge for the entire length of the site's frontage to Schleger Street, generally in accordance with Council's drawing 13977; and
 - b. A 1.5 metre (minimum) concrete ribbon pathway and pram ramps within the road verge for the entire length of the Marshall Street to connect to the Rowlands Street pathway generally in accordance with Council's drawing 13977.

Car Parking

28. Provide off-street visitor car parking and vehicle manoeuvring areas generally in accordance with the Approved Plans. Such visitor car parking, access and manoeuvring areas must be generally in accordance with the Approved Plans and be:-
 - a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
 - b. line-marked into parking bays;
 - c. designed to include a manoeuvring areas to allow all vehicles to leave the site in a forward gear;
 - d. designed to include the provision of fill and/or boundary retaining walls to allow for the containment and management of site stormwater drainage as required;
 - e. sign posted to indicate entry/exit points, in addition to line marking, to indicate the traffic flow through the site;
 - f. drained to the relevant site discharge point;
 - g. be available free-of-charge to staff and customers during operating hours; and

- h. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking';
- i. include the provision of further parking spaces described as follows:
 - i. additional parking spaces along the eastern entry to provide continuous parallel parking between the entry and the community facility, and
 - ii. parallel parking spaces on at least on end of each rectangular block containing between 20 and 22 units; and
 - iii. parallel parking spaces on both ends of each rectangular block containing more than 22 units.

Roadworks and Access

- 29. Upgrade the Marshall Street/Schleger Street/Development intersection in accordance with Main Roads Road Planning and Design Manual and, where applicable, Austroads *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections* inclusive of, but not limited to, the following:
 - a. Provide raised medians at all legs;
 - b. Ensure that all regulatory signs are contained in the road reserve;
 - c. Provide a no left turn at the exit lane to the development;
 - d. Provide a no right turn at the Marshall Street leg;
 - e. Position the exit lane from the subject site to ensure that the low beam illumination pattern is clear of the dwelling on 48 Marshall Street;
 - f. provide keep left and pavement markings on all legs of the intersection; and
 - g. taper the constructed width of Marshall Street at not greater than 1 in 10.
- 30. At all times provide sight lines in accordance in accordance with Main Roads Road Planning and Design Manual and, where applicable, Austroads *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections* at the site access of Marshall Street and Schleger Street.
- 31. Provide a completely reconstructed Schleger Street from Burnett Heads Road to the Marshall Street intersection in accordance with, but not limited to; the following requirements:
 - a. Roadway must be sealed with asphaltic concrete;
 - b. Pavement to be designed of sufficient depth to accommodate the traffic loading in R2003 rev A or as agreed by the Assessment Manager;
 - c. Concrete kerb and channelling on each side of all roadways to the relevant standard;

- d. A Collector Street – Low Density cross section standard in accordance with R2003 Rev A;
 - e. No parking signage and linemarking on the southern (subject site frontage);
 - f. Street lighting to new road, pathways (in Schleger Street) and intersection in accordance with Australian Standard 1158:2005 to a P4 using aeroscreens (noting medians will need to be illuminated appropriately) for the length of the roadway;
 - g. The Street lighting must be the most energy efficient, dark sky compliant (which prevents the light from escaping upward and direct light down and away from the beach) and amber lighting available in the National Electricity Market Load Tables for Unmetered Connection Points (AEMO 2015). Ergon Rate 3 Lighting must only be used with the specific approval of the Assessment Manager; and
 - h. Provision of new driveways to the existing dwellings of a similar driveway standard to the existing with a minimum of concrete to the first crack control joint (1.2 metres from the kerb invert) refer Council standard drawings R1016.
32. The access to Stan Faulkner Road must be limited to emergency situations only unless otherwise approved by the Assessment Manager and as follows:
- a. The access must be controlled with removable bollards or equivalent; and
 - b. Must be provided at the earlier of the 120th unit or the stage of development that is south of the tennis courts and where its road is in a north south orientation.
33. The Marshall Street portion of the proposed internal roadway is not to be gated or fenced until that road tenure is transferred to the Applicant.

Sewerage

34. Provide a reticulated sewerage service to the subject site generally in accordance with the Sewer Assessment Report, Report (with internal infrastructure to be maintained at all times by the body corporate), with the exception of the following:
- a. At the first stage of development, provide a DN150 PVC – O trunk pressure main in Rowlands Road and connect directly to the Lutz St pressure main at the corner of Rowlands Road and Hermans Road on an alignment and with fittings, valves, storages, etc., provided to the satisfaction of Council;
 - b. connect the internal sewerage infrastructure, including decommissioning internal pressure mains as applicable, to the Stan Faulkner Road sewerage pump station (or equivalent) upon its completion. Discharge to the pump station is to be via a surge manhole (on site) and gravity main to the collector manhole.

The sewerage specifics must be determined as part of applications for Operational Work.

Street Trees

35. Provide street trees and tree surrounds within the Schleger Street road reserve at minimum 40 metre centres. Species indigenous to the area must be utilised (the Plant Species List contained within Council's Landscaping Planning Scheme Policy is a guide to species selection; the botanical and common names of plants must be provided.). No exotic plants are to be utilised. The specific dimensions for the surrounds are to be finalised as part of the Operational Works application.

Stormwater

36. At the first stage of development install a stormwater drainage system in Schleger Street connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual, and must include in particular:
 - a. Lateral underground drainage provided under the proposed new Schleger Street/Marshall Street intersection to a minimum standard of Q10 ARI;
 - b. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, ie, a piped system with a capacity to cater for Q5 ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI (including global warming and climate change to 2100) less piped flow; and
37. The Schleger Street drainage system for the development must incorporate Stormwater Quality Improvements in accordance with the State Planning Policy July 2017 and Bundaberg Regional Council Stormwater Quality Management Project Definition Study August 2013. A Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan, inclusive of long term maintenance measures, must be submitted as part of an application for Operational Works outlining how the Stormwater Quality Improvements in both the construction and operational phases of the development will be achieved.
38. At the commencement of works for the second stage of development install a stormwater drainage system connecting to a lawful point of discharge for the subject site as documented in RMA engineering plan 'Infrastructure Works' dated 24 September 2018. The works must be undertaken in accordance with an Operational Works approval and Queensland Urban Drainage Manual, and must include in particular:
 - a. the proposed 2/900 RCPs are contained in the road reserve;
 - b. a work method statement that documents how the manning's n value of 0.03 will be maintained in the Rowlands Road drain given Council's the maintenance schedule;

- c. upgrade work to the bridge crossing to 115 Rowlands Road to reduce the proposed afflux levels in the areas immediately north of the crossing, to the satisfaction of the Assessment Manager; and
 - d. Where an overland component of the Q100 ARI flows (including global warming and climate change to 2100) must be conveyed to or via an open drain through the subject site, such open drains must –
 - i. Have capacity for Q100 flows (including global warming and climate change to 2100) from the existing upstream catchments and this development with a minimum 300 mm to habitable floor height;
 - ii. Have a maximum batter slopes 1V : 6H;
 - iii. Have a maintainable invert (can be vegetated);
 - iv. Drain invert must meander within the general alignment to present a natural appearance; and
 - v. Be provided with a work method statement that documents how the manning's n values will be maintained during the intended use on the subject site;
39. The drainage system for the development must incorporate Stormwater Quality Improvements in accordance with the State Planning Policy July 2017 and as provided in the Stormwater Management Report by RMA dated 23 May 2018. A Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan, inclusive of long term maintenance measures, must be submitted as part of an application for Operational Works outlining how the Stormwater Quality Improvements in both the construction and operational phases of the development will be achieved.

Waste Management

40. An on-site Waste Management Plan must be submitted to and approved by the Assessment Manager. The plan must have regard to the conditions of this approval and include, but not be limited to, the following details:
 - a. the waste management process, including the type and size of receptacle/s to be utilised (eg 1 m³ bulk bins) for general waste and recycling;
 - b. the location of waste receptacle storage areas and collection points;
 - c. how waste collection vehicles will be able to safely and effectively access bins; and
 - d. how any caravan waste dump point is to be managed.
41. Carry out the use in accordance with the approved Waste Management Plan.

42. An impervious bin storage area (bin enclosure) for waste receptacles, must be provided in accordance with the following:
 - a. the bin storage area must be sufficient to accommodate all refuse containers required by the Assessment Manager for the scale of the development;
 - b. the bin storage area must be aesthetically screened from the road frontage and adjoining properties by landscaping or constructed screening;
 - c. a suitable hose cock (with backflow prevention) and hoses must be provided at the refuse container area, and wash down to be drained to sewer and fitted with an approved stormwater diversion valve arrangement.
43. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
44. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.
45. Contain all litter, building waste and sediments on the building site by the use of a skip bin and any other reasonable means during construction to prevent release to neighbouring properties or roads.

Water

46. The Developer is to make provision for a metered service, and internal infrastructure as required to satisfy the firefighting and water supply demands of the proposed development;

OPERATIONAL WORKS (ADVERTISING DEVICE) ONLY

47. This approval authorises the following signs as defined by the planning scheme and shown on the Approved Plans:
 - a. One freestanding sign
 - b. Three ground signs.
48. Position the sign wholly within the property boundaries of the subject site.
49. Approved signage must not to be utilised for third party advertising.
50. The positioning of the Approved ground sign at Location 1 must consider the alignment and requirements of the traffic intersection and any required roadworks for the site access. Where required, the sign is to be relocated to further within the development site.
51. The approved signs must not exceed the dimensions and sign areas as shown on the Approved Plans.
52. The approved signs must be positioned wholly within the property boundaries of the subject site, and must not be located within or across any easements.

53. All construction and maintenance work for the approved sign/s must be carried out completely within the property boundaries.
54. The approved signs must be maintained to a standard satisfactory to the Assessment Manager. Any structural damage must be made safe and repaired as soon as practical.
55. The approved signs must be maintained in a clean and tidy state.
56. The approved signs must not be illuminated in any way.
57. The approved signs must not include any flashing or moving lights.
58. The approved signs must be static and contain no moving elements.
59. All conduits, wiring, switches or other electrical apparatus installed on an advertising device must be concealed from general view.
60. The approved signs must not:
 - a. contain colour combinations that could result in it being mistaken for an official traffic sign; or
 - b. contain flashing red, blue or amber point light sources which, when viewed from a road, could give the appearance of an emergency service or other special purpose vehicles warning light/s.

PART 1B – ADVICE NOTES - ALL DEVELOPMENT

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Fencing

- B. Should any existing fence not comply with the requirements of this approval, the existing fence must be replaced in accordance with the requirements of this approval.

- C. Fencing should be undertaken in accordance with the provisions of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*. This includes appropriate mediation practices and agreements regarding the type of materials, location and retrieval of any materials for any fence removed.

Wash Down Facility

- D. All necessary permits to operate the vehicle wash down facility are to be obtained through the relevant authority prior to the commencement of the use.

Infrastructure Charges Notice

- E. Please find attached the Infrastructure Charges Notice (Register No: 331.2018.1031.1) applicable to the approved development.

Lighting

- F. When preparing a Lighting Plan for development within or adjacent to a turtle nesting area, the following measures to reduce light impact are recommended:
- a. Reduce the amount of lighting to the minimum level necessary to for human safety and avoidance of turtle disruption;
 - b. To reduce spillover from indoor lighting, move light fixtures away from windows, apply window tinting that has a transmittance value of 45% or fit curtains or blinds to windows and keep them closed after dark;
 - c. If lights are needed for safety, fit shrouds and direct light downwards onto the ground. Recessed light fixtures are also preferred to exposed ones;
 - d. Use down-lights close to the ground. The use of up-lights are also preferred to exposed ones;
 - e. External lights can be placed on timers so that they automatically switch off when no longer required;
 - f. Decorative lights should be avoided or, at a minimum, remain off during turtle season (October to March);
 - g. Use vegetation to screen light sources from the beach;
 - h. On pathways, use low profile lighting or low bollards with 180° shields on the beach side;
 - i. Where possible, use shielded motion detected lights, set for the shortest time setting; an
 - j. Use lighting of a wavelength less likely to cause nuisance to sea turtles or other fauna (e.g. amber lighting).

The *Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts*, prepared by the Environmental Protection Agency Western Australia, provides more detailed guidelines on how to reduce the impacts of lighting from development on turtles. The guideline can be accessed at the following address:-

http://www.dmp.wa.gov.au/documents/Turtle_Lighting_impacts_EPA_Guideline_5.pdf.

Nature and Extent of Approved Development

- G. This Decision Notice does not represent an approval to commence Building Works.

Environmental Health

- H. All operators of the approved use will be required to comply with the *Food Act 2006* and Council's minimum requirements for food premises. All necessary approvals should be obtained from the Environmental Health Services Section of Council prior to commencement of the approved use. For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.
- I. Should any of the replacement structures or equipment differ from the business's original approved plans, Council's Environmental Health Services Section must be notified to amend details concerning the license under the *Food Act 2006*. This will enable Council to maintain accurate records and ensure compliance. Copies of the original plans for the premises' food preparation areas can be obtained from Council. Plans detailing any proposed modifications should be provided to Council prior to construction. The operator is required to provide an expected completion date for any proposed work so that a pre-opening inspection can be arranged. For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.

Operational Works

- J. This Decision Notice does not represent an approval to commence Operational Works. Any Operational Works associated with this Material Change of Use or other engineering work proposed on the lot is subject to relevant assessment under the Bundaberg Regional Council Planning Scheme 2015 or the instrument in effect at the time of assessment. This can include works for on-site landscaping, internal vehicle circulation, manoeuvring and car parking areas, on-site stormwater management and access driveways.

Stormwater Easements

- K. Council would accept modification of its standard documentation to allow the provision of necessary infrastructure (eg sewer, footpaths) within the drainage easement.

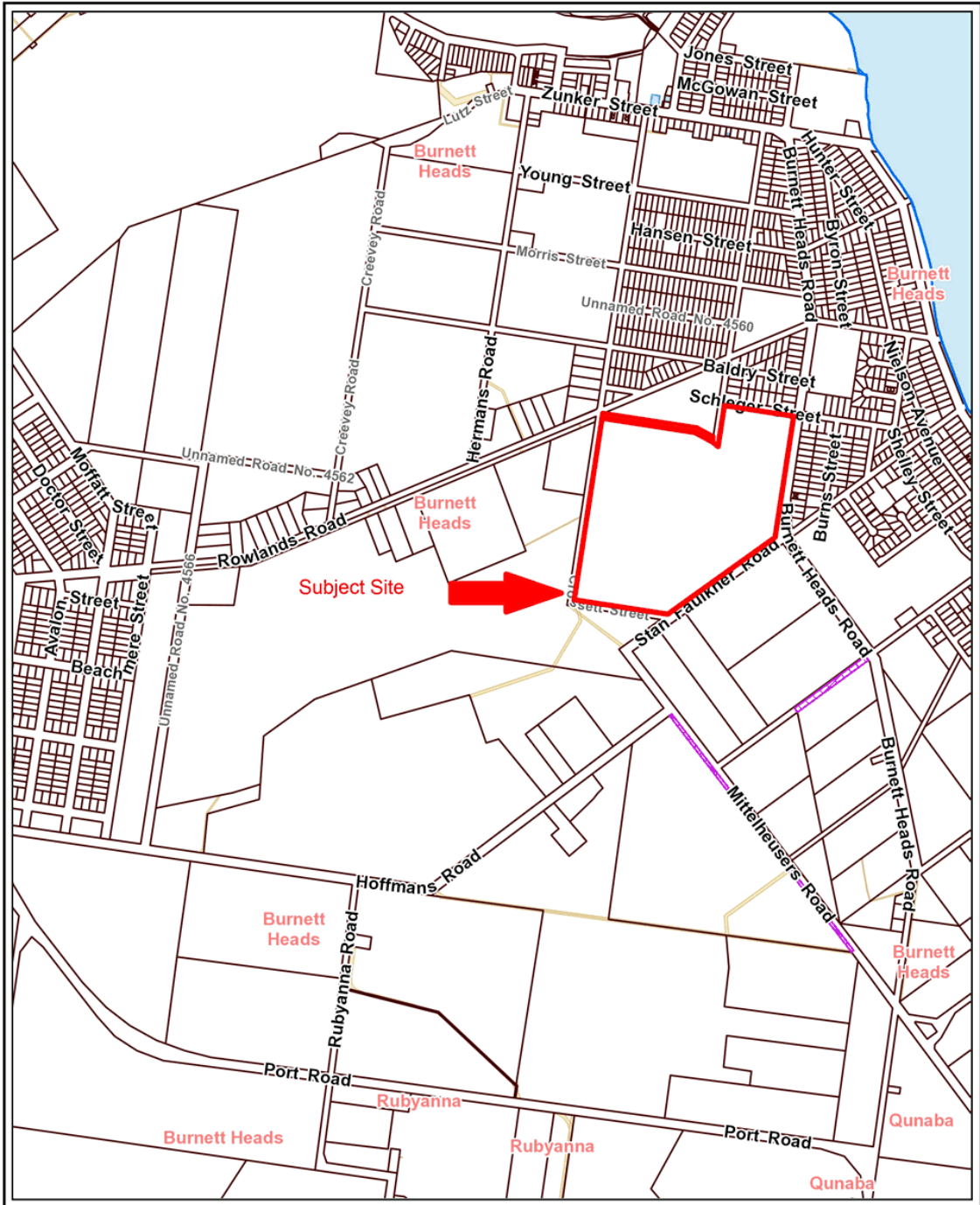
Water



- L. Water connection to Council infrastructure will not be granted until approval is issued from Service Provider;
- An application for water connection for proposed development is to be made to the Service Provider through any one of Council Service Centre's. Water & Wastewater Support Group Plumbing Section requests the following requirements to be lodged with application:

- Site plan;
 - Floor plan;
 - Hydraulic plans showing proposed meter locations and sizes;
 - All plans are to be scaled and at minimum size of A3.
- M. Sub-meters shall be installed in accordance with the relevant Acts and Codes.
- N. Arrangements for the installation of any metered service and sub-meters, or removal of an existing service, are to be made with Council's Operations Centre. All works are to be undertaken by Council at the Developer's expense;

PART 2—CONCURRENCE AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning, by letter dated 12 October 2018 (copy letter attached for information).



  **LOCALITY PLAN**
Rowlands Road & Schleger Street, Burnett Heads
522.2018.56.1




Projection: GDA_1994_MGA_Zone_56 Date: 12/10/2018 3:56 PM Scale 1 : 16,000.00 on A4 Sheet

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While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

320.00 0 160.00 320.00 Meters Author: Erin Clark



| | | | | | |
|---|--|---|--|--|--|
|  | |  | | SITE PLAN | |
| | | | | Rowlands Road & Schleger Street, Burnett Heads | |
| | | | | 522.2018.56.1 | |
| © The State of Queensland (Department of Natural Resources and Mines) 2018. Based on Cadastral Data provided with the permission of the Department of Natural Resources and Mines 2018. The information contained within this document is given without acceptance of responsibility for its accuracy. The Bundaberg Regional Council (and its officers, servants and agents), contract and agree to supply information only on that basis. | | Projection: GDA_1994_MGA_Zone_56 | | Date: 12/10/2018 3:50 PM | |
|  | | Author: | | Scale 1 : 5,600.00 on A4 Sheet | |
| | | | | <small>While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.</small> | |

PROPERTY DESCRIPTION:

LOT 2 ON RP1795
 PARISH OF BAROLIN
 COUNTY OF COOK
 SITE AREA - 33.5 HA

BUILDING SITES

| TYPE | SIZE | QTY |
|-------------|---|-----|
| HOUSE SITE | 17m x 24m (498m ² GENERALLY) | 337 |
| DUPLEX SITE | 22m x 24m (528m ² GENERALLY) | 65 |



LOCALITY PLAN
 SCALE 1:20000

PROJECT SITE



**FOR INFORMATION
 NOT FOR CONSTRUCTION**

| NO. | DESCRIPTION | DATE | BY |
|-----|--|---------|----|
| D | ROOF'S DOWNWATER DRAIN AND SITE LAYOUT ADJUSTED BY TALLNER RD | 2019/10 | TL |
| C | REPLACED SITE ALONG STAN FAULKNER RD WITH STORMWATER DETENTION | 2019/10 | TL |
| B | ORIGINAL PROPOSAL | 2019/11 | TL |
| A | REVISE NUMBER OF SITE'S COMMUNAL AREA ELEMENTS | 2019/11 | TL |
| T | ORIGINAL | 2019/10 | TL |
| REV | DESCRIPTION | DATE | BY |

| PROJECT |
|--|
| PROPOSED RV RESORT DEVELOPMENT |
| RV LIFESTYLE VILLAGE OCEANSIDE PTY LTD |

| LOCATION |
|----------------------------------|
| SCHLEGER STREET BURNETT HEADS |
| TITLE |
| CONCEPT MASTER PLAN |

| PLAN SHEET | SCALE | START DATE | DESIGNED |
|------------|--------------------|------------|----------|
| A1 | 1:1500, 1:20000 | 2019/10 | TL |
| REVISION | PROJECT NO. | DRAWING | REVISION |
| | 170905 | SD01 | D |



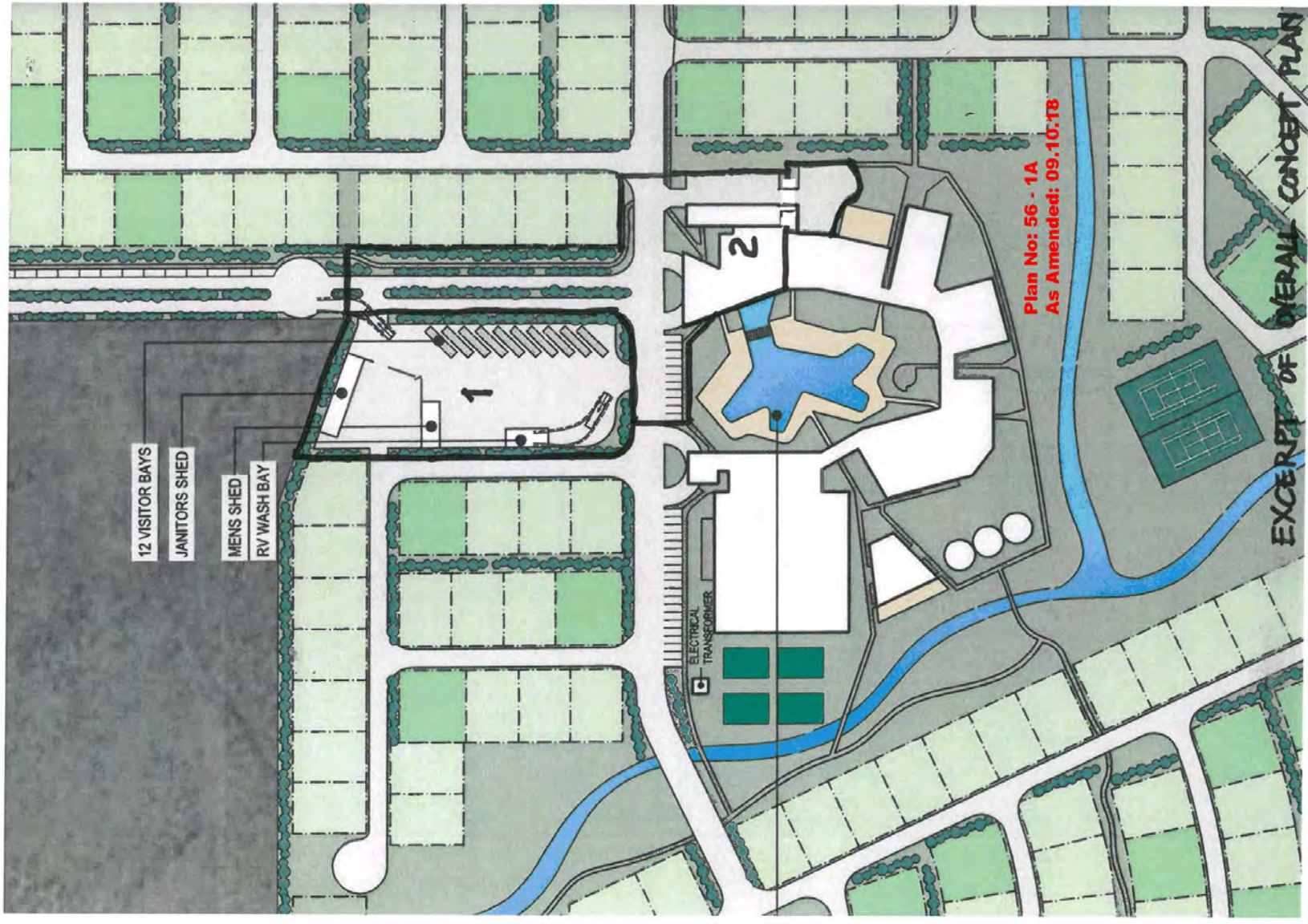
LEGEND:

STAGE 1 - 100 SITES

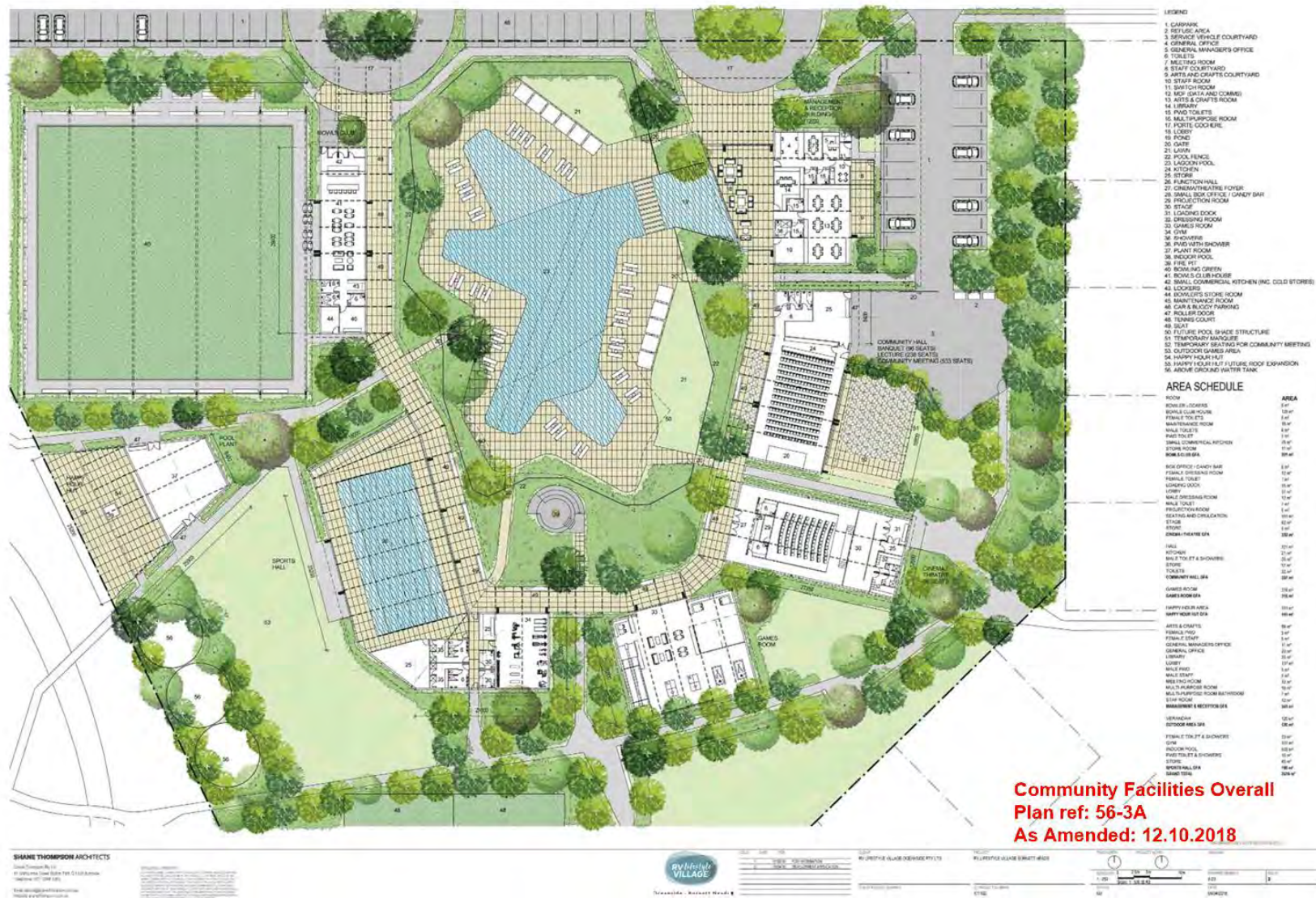
- RELEASE 1 - 19 SITES (1 - 19)
- RELEASE 2 - 20 SITES (20 - 39)
- RELEASE 3 - 19 SITES (40 - 58)
- RELEASE 4 - 20 SITES (59 - 79)
- RELEASE 5 - 21 SITES (80 - 100)

SITE STAGING PLAN
SCALE 1:1000

| | | | | | | | | |
|--|--|--|---|--|-------------------------|----------------------|----------------------------|----------------------|
| | | <p>FOR INFORMATION NOT FOR CONSTRUCTION</p> | <p>PROJECT: PROPOSED RV RESORT DEVELOPMENT</p> | <p>LOCATION: SCHLEGER STREET BURNETT HEADS</p> | <p>PAGE SIZE: A1</p> | <p>SCALE: 1:1000</p> | <p>DATE DATE: 17/09/20</p> | <p>DESIGNED: []</p> |
| | | | <p>CLIENT: RV LIFESTYLE VILLAGE OCEANSIDE PTY LTD</p> | <p>TITLE: SITE STAGING PLAN</p> | <p>REVISION: 170905</p> | <p>DRAWING: SD02</p> | <p>REVISION: A</p> | |











1 SITE SECTION
1:200

- LEGEND
- AFG ALUMINIUM FRAMED GLASS DOORS & WINDOWS
 - ASC ALUMINIUM SCREENING
 - CST COLORBOND STEEL ROOFING
 - PFC PAINTED FIBRE CEMENT UPPER WALLS
 - PRW PAINTED RENDERED MASONRY WALLS
 - PSF PAINTED STEEL STRUCTURAL FRAMING



2 SITE SECTION
1:200



3 SITE SECTION
1:200

SHANE THOMPSON ARCHITECTS

SHANE THOMPSON ARCHITECTS
 47 Adelaide Street East, Suite 200
 Melbourne VIC 3000
 Phone: +61 3 9615 1000
 Email: shane@shane-thompson.com.au
 Website: shane-thompson.com.au

PROJECT NO: 2019-001
 DRAWING NO: 2019-001-01
 DATE: 15/11/2019
 SCALE: 1:200
 SHEET NO: 1/1



RUSSELLS VILLAGE
 RUSSELLS VILLAGE (SHARABLE) PTY LTD
 10/100 RUSSELLS VILLAGE ROAD, RUSSELLS VILLAGE VIC 3105
 PHONE: 08 8378 1000
 EMAIL: info@russells-village.com.au

PROJECT NO: 2019-001
 DRAWING NO: 2019-001-01
 DATE: 15/11/2019
 SCALE: 1:200
 SHEET NO: 1/1

PROJECT NO: 2019-001
 DRAWING NO: 2019-001-01
 DATE: 15/11/2019
 SCALE: 1:200
 SHEET NO: 1/1

SECTION

| SECTION | SCALE | DATE |
|-----------|-------|------------|
| SECTION 1 | 1:200 | 15/11/2019 |
| SECTION 2 | 1:200 | 15/11/2019 |
| SECTION 3 | 1:200 | 15/11/2019 |



SHANE THOMPSON ARCHITECTS
 4000 West 10th Street
 4700 West 10th Street, Suite 200
 Denver, CO 80202
 Email: info@shane-thompson.com
 Website: www.shane-thompson.com



| NO. | DATE | DESCRIPTION | BY | FOR | PROJECT | SCALE | DATE | PROJECT NUMBER |
|-----|------------|-------------|-----|---------|---------|---------|---------|----------------|
| 1 | 08/12/2020 | PERMITS | STP | PERMITS | PERMITS | PERMITS | PERMITS | PERMITS |
| 2 | 08/12/2020 | PERMITS | STP | PERMITS | PERMITS | PERMITS | PERMITS | PERMITS |

| PERSPECTIVES - SHEET 1 | |
|------------------------|------------|
| DATE | 08/12/2020 |
| SCALE | AS SHOWN |
| DATE | 08/12/2020 |
| SCALE | AS SHOWN |



SHANE THOMPSON ARCHITECTS

Shane Thompson Pty Ltd
 47 Melbourne Street, Suite P44 2155 Humevale
 Victoria 3658 091 1322
 Email: shane@shanethompson.com.au
 Website: shanethompson.com.au

SHANE THOMPSON ARCHITECTS
 47 Melbourne Street, Suite P44 2155 Humevale
 Victoria 3658 091 1322
 Email: shane@shanethompson.com.au
 Website: shanethompson.com.au

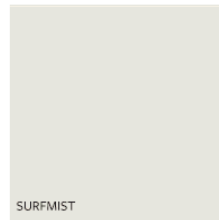
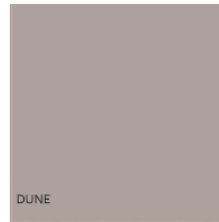
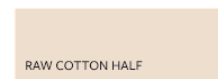
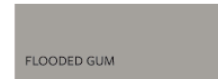
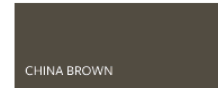


| NO. | DATE | DESCRIPTION |
|-----|------------|--------------------|
| 1 | 2024/08/01 | PRELIMINARY DESIGN |
| 2 | 2024/08/01 | PRELIMINARY DESIGN |
| 3 | 2024/08/01 | PRELIMINARY DESIGN |

| | |
|----------------|---------------------------------|
| CLIENT | RELIEF VILLAGE (DORMER) PTY LTD |
| PROJECT | RELIEF VILLAGE BURNETT HEADS |
| DESIGN NUMBER | RELIEF_VILLAGE_BURNETT_HEADS |
| DATE OF DESIGN | 2024/08/01 |

| | |
|----------------|------------------------------|
| DATE | 2024/08/01 |
| SCALE | AS SHOWN |
| PROJECT NUMBER | RELIEF_VILLAGE_BURNETT_HEADS |

| | |
|------------------------|------------------------------|
| PERSPECTIVES - SHEET 2 | |
| DATE | 2024/08/01 |
| SCALE | AS SHOWN |
| PROJECT NUMBER | RELIEF_VILLAGE_BURNETT_HEADS |

ROOF COLOURS**PAINT COLOURS****ALUMINIUM FRAME COLOURS****HOUSING PRINCIPLES**

The intent is to create a strong community without institutional overtones. The concept is for a diverse range of housing types, designs, external material combinations and colours. The following house designs represented consist of both single detached houses and semi detached duplexes all single level with attached garages.

The formula for creating diversity is for each house type to have two material palletes and two colour schemes available.

The proposed materials for use are as following:

- Rendered masonry
- Fibre cement cladding
- Aluminium framed doors and glazing
- Colorbond metal roof sheeting
- Metal window sunhoods
- Metal gutters and downpipes

EXTERIOR COLOUR THEME

"BUSH MEETS BEACH"

VARIATIONS OF EARTHY KHAKI COLOURS

Roofs - colorbond:

- Cove
- Dune
- Surfmist

Walls:

- The exterior walls are typically clad with two different cladding types separated at a common datum line
- The two different types of claddings are painted in contrasting or complimentary colours

Window and door Frames:

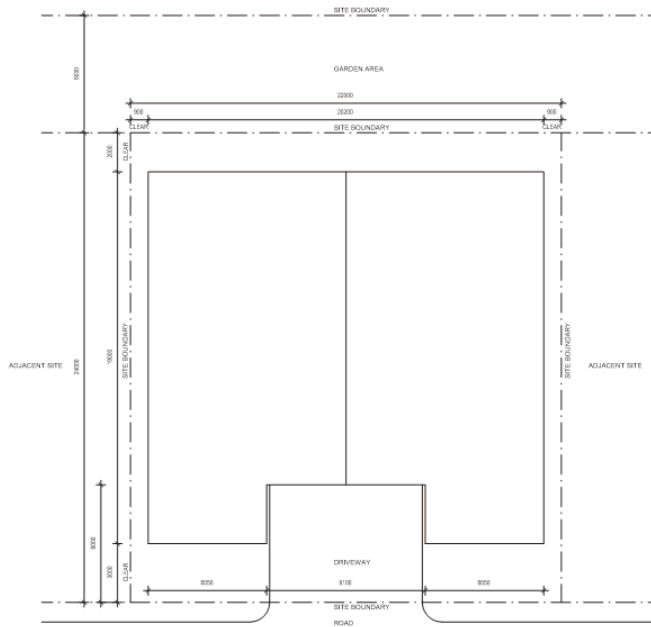
- Woodland grey

Title: Dwelling Details
Document ref: 56-AA
Date: As Amended 12.10.2018



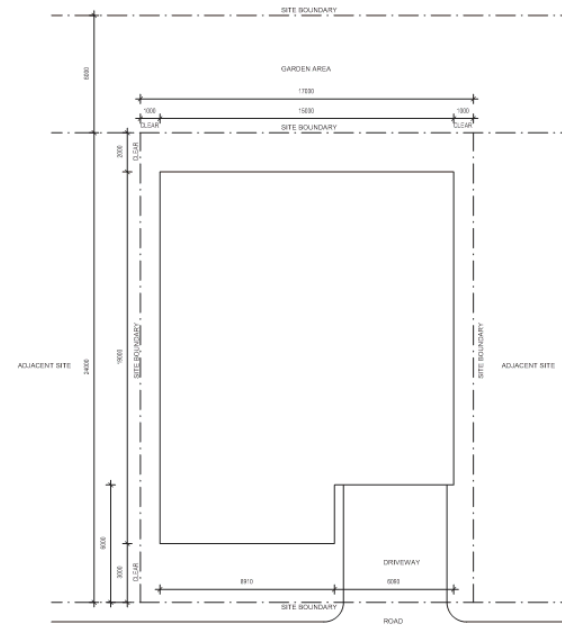
Oceanside - Burnett Head

SHANE THOMPSON ARCHITECTS



○ BUILDING FOOTPRINT PLAN - DUPLEX

| SITE DATA | |
|-----------------------------------|--------------------|
| TYPE | DUPLEX (2BA + 2DK) |
| TYPE NUMBER | DP100 (2017/10) |
| NOTES | |
| BUILDING ENVELOPE MAY BE MODIFIED | |



○ BUILDING FOOTPRINT PLAN - THREE BEDROOM HOUSE

| SITE DATA | |
|-----------------------------------|-----------------|
| TYPE | 3BR (2BA + 1DK) |
| TYPE NUMBER | 3B100 (2017/10) |
| NOTES | |
| BUILDING ENVELOPE MAY BE MODIFIED | |

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 27 High Street, Suite 101, Melbourne VIC 3000, Australia
 Telephone: +61 3 9419 1100
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 Website: www.shawthompson.com.au

APPROVALS
 APPROVED FOR THE CLIENT
 APPROVED FOR THE ARCHITECT
 APPROVED FOR THE ENGINEER
 APPROVED FOR THE PLANNING OFFICER
 APPROVED FOR THE COUNCIL

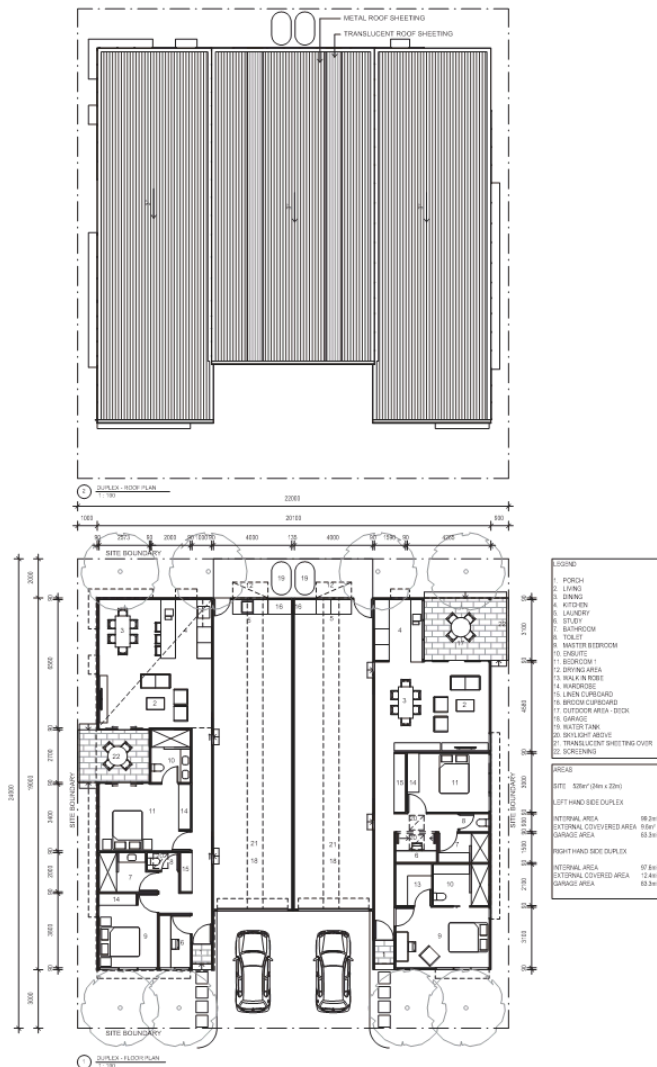


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|-----|------------|---------------------|
| NO. | DATE | DESCRIPTION |
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| 2 | 10/10/2017 | REVISED |
| 3 | 10/10/2017 | REVISED |
| 4 | 10/10/2017 | REVISED |
| 5 | 10/10/2017 | REVISED |
| 6 | 10/10/2017 | REVISED |
| 7 | 10/10/2017 | REVISED |
| 8 | 10/10/2017 | REVISED |
| 9 | 10/10/2017 | REVISED |
| 10 | 10/10/2017 | REVISED |

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|-----|------------|---------------------|
| NO. | DATE | DESCRIPTION |
| 1 | 10/10/2017 | ISSUED FOR APPROVAL |
| 2 | 10/10/2017 | REVISED |
| 3 | 10/10/2017 | REVISED |
| 4 | 10/10/2017 | REVISED |
| 5 | 10/10/2017 | REVISED |
| 6 | 10/10/2017 | REVISED |
| 7 | 10/10/2017 | REVISED |
| 8 | 10/10/2017 | REVISED |
| 9 | 10/10/2017 | REVISED |
| 10 | 10/10/2017 | REVISED |

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|-----|------------|---------------------|
| NO. | DATE | DESCRIPTION |
| 1 | 10/10/2017 | ISSUED FOR APPROVAL |
| 2 | 10/10/2017 | REVISED |
| 3 | 10/10/2017 | REVISED |
| 4 | 10/10/2017 | REVISED |
| 5 | 10/10/2017 | REVISED |
| 6 | 10/10/2017 | REVISED |
| 7 | 10/10/2017 | REVISED |
| 8 | 10/10/2017 | REVISED |
| 9 | 10/10/2017 | REVISED |
| 10 | 10/10/2017 | REVISED |

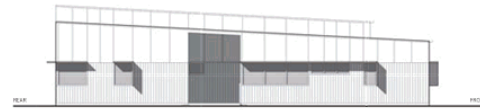
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| 4 | 10/10/2017 | REVISED |
| 5 | 10/10/2017 | REVISED |
| 6 | 10/10/2017 | REVISED |
| 7 | 10/10/2017 | REVISED |
| 8 | 10/10/2017 | REVISED |
| 9 | 10/10/2017 | REVISED |
| 10 | 10/10/2017 | REVISED |



1 DUPLEX - FRONT ELEVATION
1:100



2 DUPLEX - REAR ELEVATION
1:100



3 DUPLEX 1 & 2 SIDE ELEVATION
1:100

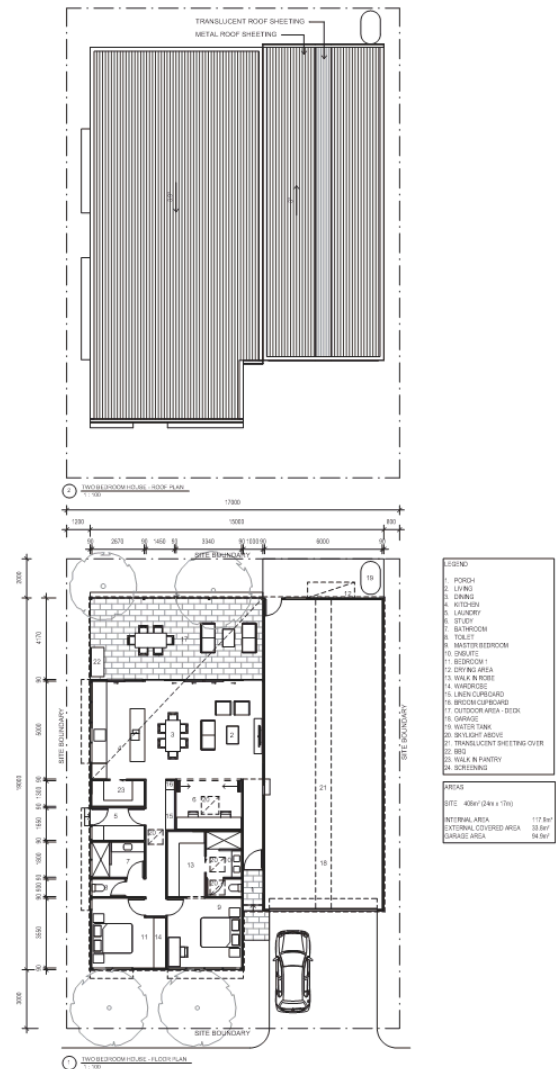


4 DUPLEX 1 & 2 SIDE ELEVATION 2
1:100

SHANE THOMPSON ARCHITECTS
 10/100 South Street
 47 Parkside Drive, Parkside, PA 15110
 412.261.1111
 Email: shane@starchitects.com
 Website: shane-thompson.com



| NO. | DATE | ISSUE | BY | FOR | PROJECT | SCALE | PROJECT NO. |
|-----|------------|------------------|-----|---------------------------------------|-------------------------------------|-------|-------------|
| 1 | 08/15/2018 | CONCEPT DRAWINGS | STP | RV LIFESTYLE VILLAGES OSAGE DEL STATE | RV LIFESTYLE VILLAGES BURNETT HEADS | 1:100 | 18010001 |
| 2 | 08/15/2018 | CONCEPT DRAWINGS | STP | RV LIFESTYLE VILLAGES OSAGE DEL STATE | RV LIFESTYLE VILLAGES BURNETT HEADS | 1:100 | 18010001 |
| 3 | 08/15/2018 | CONCEPT DRAWINGS | STP | RV LIFESTYLE VILLAGES OSAGE DEL STATE | RV LIFESTYLE VILLAGES BURNETT HEADS | 1:100 | 18010001 |
| 4 | 08/15/2018 | CONCEPT DRAWINGS | STP | RV LIFESTYLE VILLAGES OSAGE DEL STATE | RV LIFESTYLE VILLAGES BURNETT HEADS | 1:100 | 18010001 |
| 5 | 08/15/2018 | CONCEPT DRAWINGS | STP | RV LIFESTYLE VILLAGES OSAGE DEL STATE | RV LIFESTYLE VILLAGES BURNETT HEADS | 1:100 | 18010001 |
| 6 | 08/15/2018 | CONCEPT DRAWINGS | STP | RV LIFESTYLE VILLAGES OSAGE DEL STATE | RV LIFESTYLE VILLAGES BURNETT HEADS | 1:100 | 18010001 |

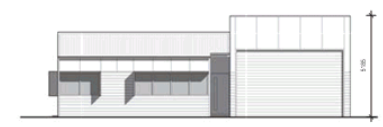


LEGEND

1. PORCH
2. LIVING
3. DINING
4. KITCHEN
5. LAUNDRY
6. STUDY
7. BATHROOM
8. MASTER BEDROOM
9. TOILET
10. BEDROOM
11. BEDROOM
12. LINEN CLOSET
13. WALK IN ROBE
14. WARDROBE
15. LINEN CUPBOARD
16. BEDROOM CUPBOARD
17. OUTDOOR AREA - DECK
18. GARAGE
19. WATER TANK
20. OVERLIGHT ABOVE
21. TRANSLUCENT SHEETING OVER
22. WALK IN PANTRY
24. SCREENING

AREAS

| | |
|-----------------------|-------------------|
| SITE | 400sq (24m x 17m) |
| INTERNAL AREA | 117 sqm |
| EXTERNAL COVERED AREA | 33 sqm |
| GARAGE AREA | 36 sqm |



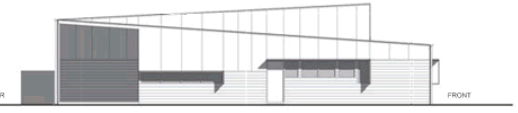
1 TWO BEDROOM HOUSE - FRONT ELEVATION



2 TWO BEDROOM HOUSE - REAR ELEVATION



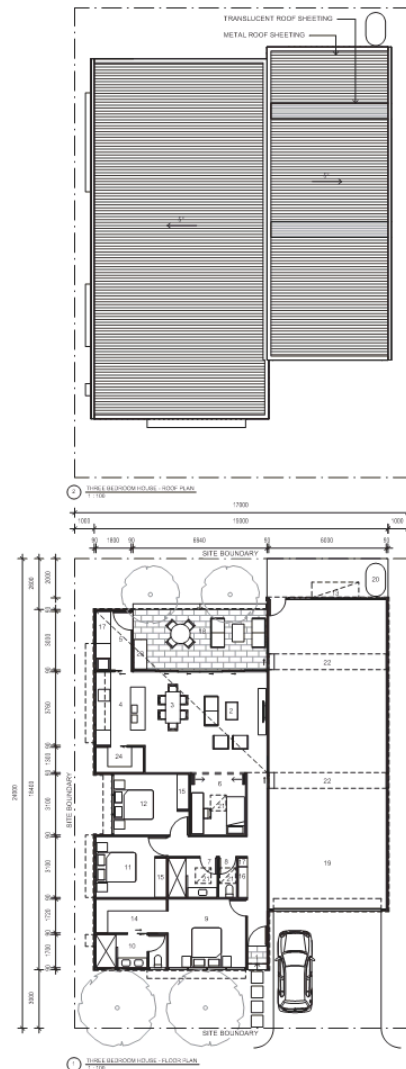
3 TWO BEDROOM HOUSE - SIDE ELEVATION



4 TWO BEDROOM HOUSE - SIDE ELEVATION

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 Website: shaneandshane.com.au

| | | | | | | | | | | | | | |
|--|------|------|------|------------|---------|--|------------|---------|---------------------------------------|------------|---------|---------------------------------------|------------|
| | DATE | 2024 | DATE | 19/09/2024 | PROJECT | RV LIFESTYLE VILLAGES - GARAGE DECK PT 1 & 2 | 15/09/2024 | PROJECT | RV LIFESTYLE VILLAGES - BARNETT HEADS | 20/09/2024 | PROJECT | RV LIFESTYLE VILLAGES - BARNETT HEADS | 20/09/2024 |
| | NO. | 100 | NO. | 100 | NO. | 100 | NO. | 100 | NO. | 100 | NO. | 100 | |
| | | | | | | | | | | | | | |



- LEGEND
- 1. PORCH
 - 2. LIVING
 - 3. DINING
 - 4. KITCHEN
 - 5. LAUNDRY
 - 6. STUDY
 - 7. BATHROOM
 - 8. TOILET
 - 9. MASTER BEDROOM
 - 10. BEDROOM
 - 11. BEDROOM 1
 - 12. BEDROOM 2
 - 13. DRYING AREA
 - 14. BACK PORCH
 - 15. WARDROBE
 - 16. MAIN COURTYARD
 - 17. BRICK COURTYARD
 - 18. OUTDOOR AREA - DECK
 - 19. GARAGE
 - 20. WATER TANK
 - 21. SKYLIGHT ABOVE
 - 22. TRANSLUCENT SHEETING OVER
 - 23. BRG
 - 24. BACK ENTRANCE
 - 25. SCREENING
- AREAS
- SITE 4084m² (20m x 17m)
 - INTERNAL AREA 131.3m²
 - EXTERNAL COVERED AREA 22.2m²
 - GARAGE AREA 34.8m²



THREE BEDROOM HOUSE - FRONT ELEVATION



THREE BEDROOM HOUSE - REAR ELEVATION



THREE BEDROOM HOUSE - SIDE ELEVATION



THREE BEDROOM HOUSE - SIDE ELEVATION

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ARCHITECT'S DECLARATION
 I, SHANE THOMPSON, ARCHITECT, HEREBY CERTIFY THAT I AM A REGISTERED ARCHITECT IN NEW ZEALAND AND THAT I AM THE AUTHOR OF THE ARCHITECTURAL DESIGN OF THE PROJECT DESCRIBED IN THESE PLANS.

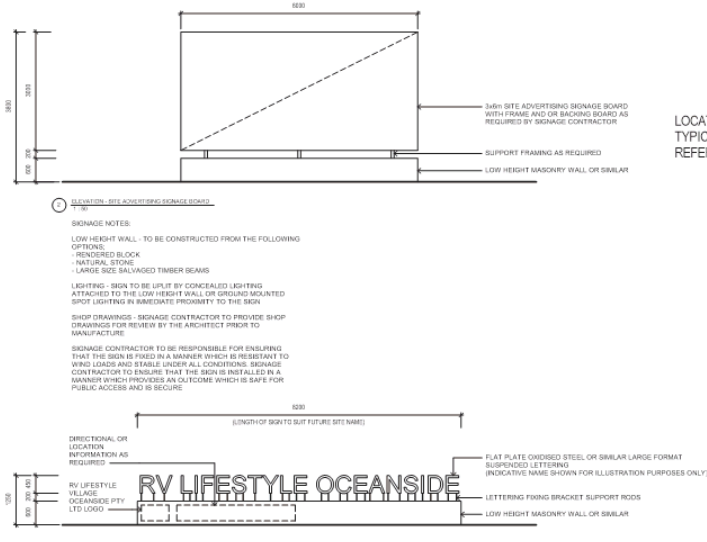


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|-----|------------|--------------------|
| NO. | DATE | DESCRIPTION |
| 1 | 11/10/2019 | PRELIMINARY DESIGN |
| 2 | 11/10/2019 | FINAL DESIGN |

| | |
|-------------|---------------------------------|
| OWNER | RYLISH VILLAGE OCCASIONALLY LTD |
| DESIGNER | RYLISH VILLAGE ARCHITECTS |
| PROJECT NO. | 101/12 |

| | |
|-------|------------|
| DATE | 11/10/2019 |
| SCALE | 1:100 |

| | |
|--------------|---------------------|
| PROJECT NAME | THREE BEDROOM HOUSE |
| PROJECT NO. | 101/12 |
| DATE | 11/10/2019 |



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 Mobile: 08 3232 8533

Rylands Village
Burrumbidgee - Burnett Heads

| | | | |
|------------|--------------------------------|-------------------------------------|-------------------------------|
| DATE | DESCRIPTION | BY | CHKD BY |
| 05/10/2023 | REVISED PER ARCHITECT COMMENTS | RYLANDS VILLAGE DEVELOPMENT PTY LTD | RYLANDS VILLAGE BURNETT HEADS |
| 15/10/2023 | REVISED PER ARCHITECT COMMENTS | RYLANDS VILLAGE DEVELOPMENT PTY LTD | RYLANDS VILLAGE BURNETT HEADS |

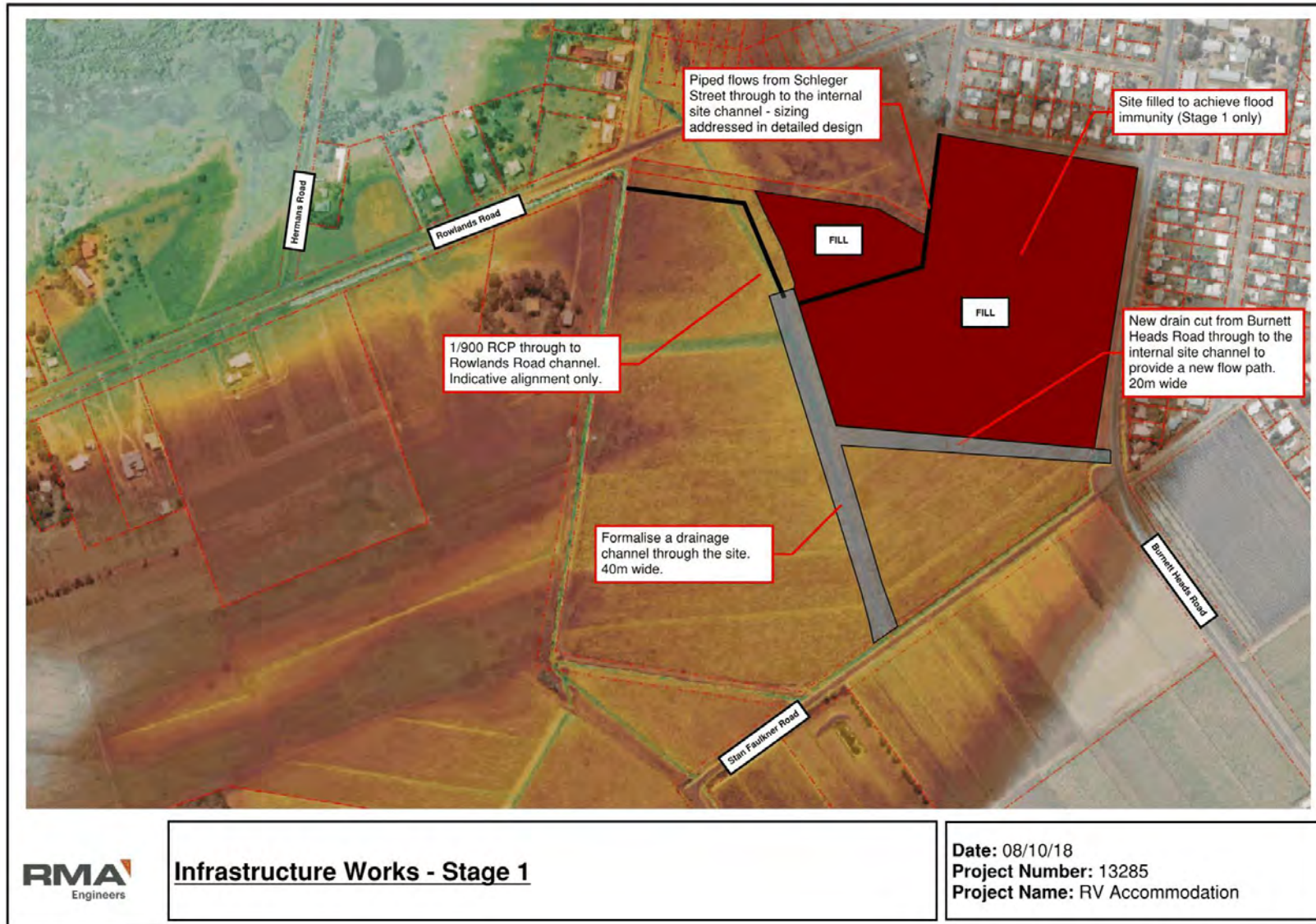
RYLANDS VILLAGE BURNETT HEADS

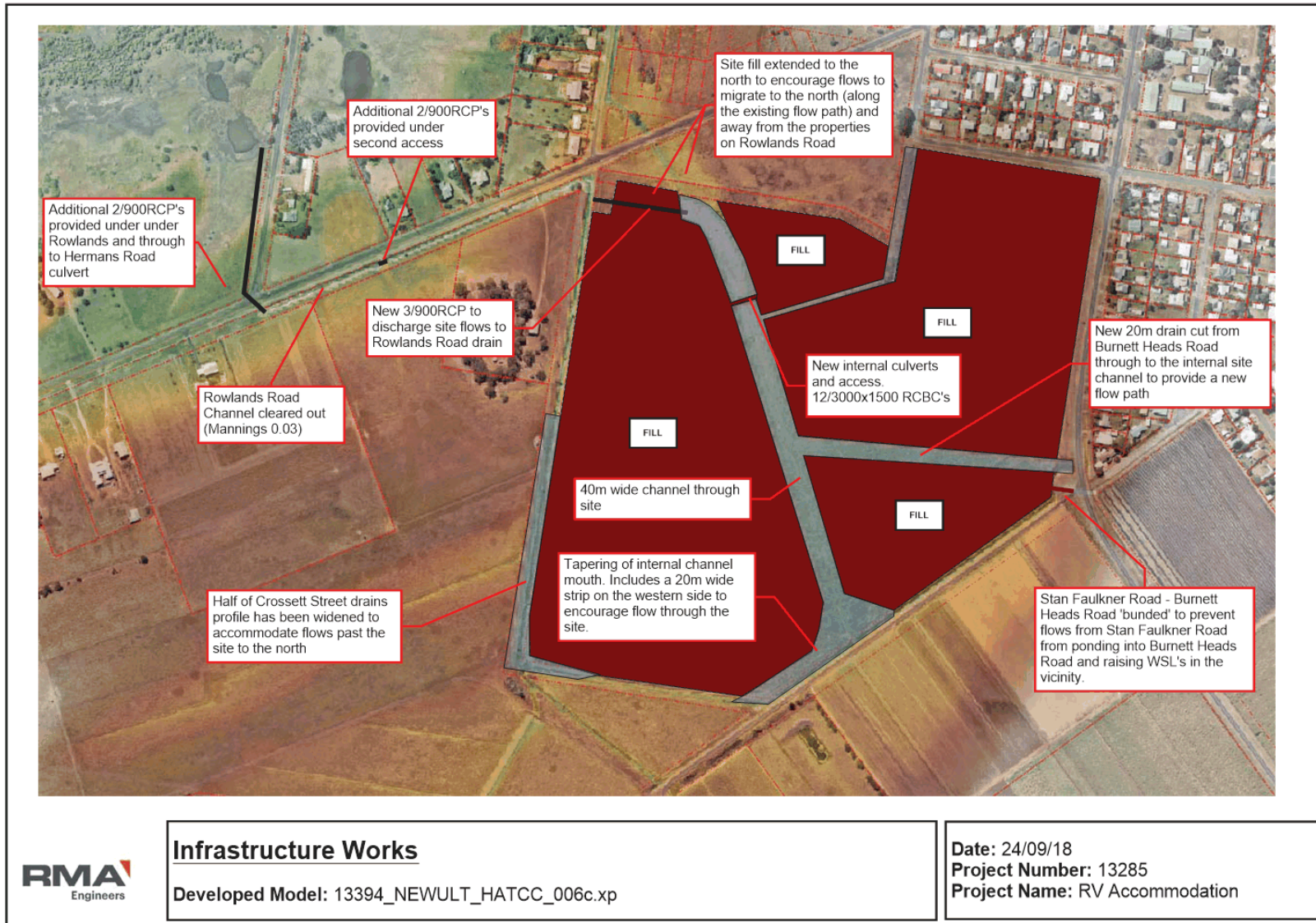
SITE SIGNAGE - INDICATIVE ELEVATIONS & LOCATION PLAN

DATE: 05/10/2023

SCALE: 1:1000

PROJECT NO: 230004







Department of
**State Development,
 Manufacturing,
 Infrastructure and Planning**

RAG-N
 Our reference: 1806-5675 SRA
 Your reference: 522.2018.56.1

12 October 2018

The Chief Executive Officer
 Bundaberg Regional Council
 PO Box 3130
 BUNDABERG QLD 4670
 development@bundaberg.qld.gov.au

Attention: Mr Steve Johnston

Dear Mr Johnston

Changed referral agency response—with conditions

(Given under section 28 of the Development Assessment Rules)

On 8 October 2018 the department received notice of a minor change to the development application described below. The department has now assessed the changes and now provides this changed referral agency response which replaces the response dated 10 August 2018.

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 7 June 2018.

Applicant details

| | |
|----------------------------|--|
| Applicant name: | RV Lifestyle Village Oceanside Pty Ltd |
| Applicant contact details: | 67 Barolin Street Bundaberg QLD 4670 evonne@insitesjc.com.au |

Location details

| | |
|----------------------------|--|
| Street address: | Rowlands Road and Schleger Street, Burnett Heads |
| Real property description: | Lot 2 and 3 on RP7195 |
| Local government area: | Bundaberg Regional Council |

Application details

| | |
|--------------------|---|
| Development permit | Material change of use for Relocatable home park - RV village |
|--------------------|---|

Referral triggers

The development application was referred to the department under the following provisions of the

1806-5675 SRA

Planning Regulation 2017:

- 10.9.4.1.1.1 Infrastructure - state transport infrastructure
- 10.9.4.2.4.1 State transport corridors and future State transport corridors

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the applicant

Under section 56(3) of the Act, the department offers advice about the application to the applicant—see Attachment 3.

Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

| Drawing/report title | Prepared by | Date | Reference no. | Version/issue |
|--|---------------|-----------------|---|---------------|
| Aspect of development: Material change of use | | | | |
| Concept Master Plan | Design Direct | September 2017 | Project Number 170905 Drawing Number SD02 | SD01 - C |
| Site Staging Plan | Design Direct | 6 October 2017 | Project Number 170905 Drawing Number SD02 | - |
| Acoustic Barrier Location | TMR Mark Up | 11 October 2017 | - | - |

A copy of this response has been sent to the applicant for their information.

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For further information please contact Shelley Jackson, Senior Planning Officer, on 0741220407 or via email WBBSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Luke Lankowski
Manager, Planning

cc RV Lifestyle Village Oceanside Pty Ltd, evonne@insitesjc.com.au

enc Attachment 1—Changed conditions to be imposed
Attachment 2—Changed reasons for decision to impose conditions
Attachment 3—Changed advice to the assessment manager
Approved plans and specifications

1806-5675 SRA

Attachment 1—Changed conditions to be imposed

| No. | Conditions | Condition timing |
|--|---|---|
| Material change of use | | |
| State transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s): | | |
| 1. | <p>The development's access strategy must be carried out generally in accordance with the Traffic Impact Assessment prepared by RMA Engineers Reference 13285 Revision 1 dated 23 May 2018, in particular:</p> <ul style="list-style-type: none"> • The development's primary access will be via Marshall street as generally shown in Figure 2-3 of the above referenced Traffic Impact Assessment; and • Measures are implemented to ensure that the development's access to Stan Faulkner Road (located about 280 metres west of Burnett heads Road) as generally shown in Figure 2-3 of the above referenced Traffic Impact Assessment is restricted to emergency access only. | At all times |
| 2. | <p>(a) Any excavation, filling/backfilling/compaction, retaining structures, and other works involving ground disturbance within the development site must not:</p> <p>(i) encroach upon or de-stabilise or cause damage to the state-controlled road or the land supporting this infrastructure or cause similar adverse impact;</p> <p>(ii) adversely impact on the state-controlled road through the addition or removal of lateral loads or additional surcharge load;</p> <p>(iii) damage the state-controlled road pavement caused by heavy vehicles hauling fill from external sources into the development site;</p> <p>(b) RPEQ certification (with supporting documentation) must be provided to the District Director (Wide Bay Burnett), Locked Bag 486, Bundaberg QLD 4670 or via email to WBB_IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads confirming that the development involving importation of fill material into the site has been designed in accordance with part (a) of this condition. The RPEQ certification must include a Traffic Impact Assessment prepared in accordance with the Department of Transport and Main Roads' Guide to Traffic Impact Assessments 2017 (GTIA) that addresses the following:</p> <p>(i) Confirm the total amount of material (in tonnes) that will be imported to fill the site;</p> <p>(ii) Confirm, via a haul route plan, what roads will be commonly used by haul vehicles associated with transportation of fill to/from the site;</p> <p>(iii) Confirm the type and configuration of heavy vehicle that will be used to haul the fill material to/from the site;</p> <p>(iv) Identify the sections of state-controlled road where the amount of fill in item (b)(i) will exceed 10,000 tonnes per annum on any section of state-controlled road</p> <p>(v) For the sections of state-controlled road identified in Item (b)(iv), determine whether the vehicles associated with filling the site will result in a 5% increase in Standard Axle Repetitions (SAR) on any</p> | <p>(a) At all times.</p> <p>(b) Prior to obtaining development approval for operational work or building work, whichever occurs first</p> <p>(c) Prior to the commencement of use</p> |

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| | | |
|----|--|--|
| | <p>state-controlled roads along the haul route specified in Item (b)(ii). Where there is an increase, in 5% of SAR's, identify any impacts associated with the increase and specify what measures will be implemented to ameliorate those impacts in accordance with the GTIA.</p> <p>(c) RPEQ certification (with supporting documentation) must be provided to the District Director (Wide Bay Burnett), Locked Bag 486, Bundaberg QLD 4670 or via email to WBB.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been constructed in accordance with part (a) of this condition.</p> | |
| 3. | <p>a) Carry out the development generally in accordance with the report Burnett Heads Road Traffic Noise Impact Assessment, prepared by NSA Acoustics dated 22 March 2018, and given Reference Report Mo. 704 Revision Number 1. In particular –</p> <p>i. Construct a 2.0 metre high noise barrier (with 6.0 metre returns) in the location shown on 'Noise Barrier Plan – Top Floor Contours' prepared by NSA Acoustics dated 22 March 2018, Reference Project No. 704 Figure 3</p> <p>i. Construct a 2.0 metre high noise barrier (with 6.0 metre returns) in the location shown on attached Sketch 1 – Acoustic barrier location.</p> <p>ii. The specific length, angle and location of the return at the southern end of the acoustic barrier is to be informed by an RPEQ Engineer with Acoustics experience. Details of the findings are to be provided within RPEQ certification for the acoustic barrier.</p> <p>iii. Acoustic barrier provision and design for the single lot identified to the south of the acoustic barrier is to be informed by an RPEQ Engineer with Acoustics experience. Details of the findings are to be provided with RPEQ certification for the acoustic barrier.</p> <p>b) The noise barrier must be wholly located within the subject land and be designed in accordance with:</p> <p>i. the Department of Transport and Main Roads' <i>Road Traffic Noise Management Code of Practice, Volume 1 and Chapter 5, Road Traffic Noise – November 2013</i>,</p> <p>ii. the Department of Transport and Main Roads' <i>Specifications and Standard Drawing Roads</i></p> <p>c) RPEQ certification must be provided to the District Director (Wide Bay Burnett) within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p> | <p>(a) and (b) At all times</p> <p>(c) Prior to the commencement of use.</p> <p>(a) At all times</p> <p>(a)(i),(ii), and (iii) Prior to commencement of use</p> <p>(b) At all times</p> <p>(c) Prior to the commencement of use.</p> |
| 4. | <p>(a) Road works comprising of a Channelised right turn treatment with short turn slot generally in accordance with Figure 7.6 of the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections 2010, to cater for right turn movements from Burnett Heads Road into Schleger Street, and a Rural Basic left turn</p> | <p>(a) and (b)</p> <p>Prior to the commencement of use.</p> |

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| | | |
|----|--|---|
| | <p>treatment generally in accordance with Figure 8.2 of the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections 2010, to cater for left turns from Burnett Heads Road into Schleger Street must be provided at the Burnett Heads Road/Schleger Street/Campbell Street intersection.</p> <p>AND</p> <p>(b) The road works must be designed and constructed in accordance with the Department of Transport and Main Roads' Road Planning and Design Manual 2nd Edition and the Department of Transport and Main Roads' Specifications and Standard Drawings Roads.</p> | |
| 5. | <p>(a) The development must be carried out generally in accordance with the Stormwater Management Report prepared by RMA Engineers, Stormwater Management Report (Reference Project No. 13285 Revision 0 dated 23 May 2018 and RMA's Engineers letter dated 19 July 2018, in particular:-</p> <ul style="list-style-type: none"> • Improve the profile and provide a consistent profile of the roadside drain between the development and the Burnett Heads Road carriageway; • (ii) Formalisation of an internal drainage channel along Stan Faulkner Road and through the development, as shown in Figure 9 of the RMA Stormwater management plan, dated 23 May 2018. <p>(b) Internal drainage channels, as shown on Concept Master Plan (reference no. 170905, Drawing no. SD01, revision D, dated 3/10/2018) must be formalised; such that, stormwater drains away from the Burnett Heads Road in accordance with the Stormwater Management Plan referred to in (a).</p> <p>(c) RPEQ certification (with supporting documentation) must be provided to the District Director (Wide Bay Burnett), Locked Bag 486, Bundaberg QLD 4670 or via email to WBB.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been constructed in accordance with part (a) of this condition.</p> | <p>(a) At all times.</p> <p>(b) Prior to the commencement of use for each stage of development.</p> |
| 6. | <p>Direct Access is not permitted between Burnett Heads Road and the subject site.</p> | <p>At all times</p> |

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Attachment 2—Changed reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application
- To ensure the development and its construction does not cause adverse structural impacts on state-transport infrastructure
- To minimise noise intrusions on a development from a state transport corridor
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road and that direct access to the state-controlled road is prohibited.

1806-5675 SRA

Attachment 3—Changed advice to the applicant

| | |
|---|---|
| General advice | |
| Public Passenger Transport Impacts | |
| 1. | Existing bus stops and bus routes may be impacted on by the roadworks associated with the development. Existing bus routes and bus stops must be able to function and pedestrian access to these facilities must be maintained during the construction of the development. Accordingly, if any temporary bus stop and pedestrian access arrangements are required, the applicant must reach agreement on suitable arrangements with the Department of Transport and Main Roads' TransLink Division prior to any construction or works commencing. For further information about this matter, please contact TransLink via email at bus_stops@translink.com.au or on (07) 3851 8700. |
| Further approvals required | |
| Filling and excavation works | |
| 2. | <p>Condition Number 2 of this response includes a requirement to assess pavement impacts associated with the filling and excavation works by preparing a Traffic Impact Assessment in accordance with the Department of Transport and Main Roads' Guide to Traffic Impact Assessments 2017. This document is available from the Department of Transport and Main Roads' website www.tmr.qld.gov.au</p> <p>Please ensure that any submission to the District Director (Wide Bay/Burnett) at the Department of Transport and Main Roads quotes TMR18-024750 and contains sufficient supporting information about pavement impacts relevant to the state-controlled road network.</p> <p>For any queries or further information about this matter, please contact the Department of Transport and Main Roads' Bundaberg Office on 4154 0200 or via email to WBB.IDAS@tmr.qld.gov.au and quote TMR18-024750.</p> |
| Managing Noise Impacts | |
| 3. | <p>Condition Number 3(c) of this response includes a requirement for the Applicant to provide RPEQ certification regarding the construction of an acoustic barrier within the development to address road traffic noise from the state-controlled road network.</p> <p>Please ensure that any submission to the District Director (Wide Bay/Burnett) at the Department of Transport and Main Roads quotes TMR18-024750 and contains sufficient supporting acoustic calculations/documentation/drawings certified by a RPEQ.</p> <p>For further information about this matter, please forward your enquiry to the Department of Transport and Main Roads' by email to WBB.IDAS@tmr.qld.gov.au and quote TMR18-024750.</p> |
| Road works approval in a state-controlled road | |
| 4. | <p>Condition Number 4 of this response includes a requirement for upgrade works on a state-controlled road, in particular at the Burnett Heads Road/Schleger Street/Campbell Street intersection. Under Section 33 of the Transport Infrastructure Act 1994, written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process will require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact the Department of Transport and Main Roads' as soon as possible to ensure that gaining approval does not delay construction.</p> <p>In regards to the cost for installation of the turning treatments generally illustrated in Figure 6-1 of RMA's Traffic report dated 23 May 2018, the Department of Transport and Main Roads have</p> |

1806-5675 SRA

| | |
|--------------------------------|---|
| | <p>advised that based on their current program of works listed in the Queensland Transport and Roads Investment Program 2018-19 2021-22, it has no planned or funded road upgrade works identified at the Burnett Heads Road/Schleger Street/Campbell Street intersection. Therefore, any road upgrade costs associated with providing the conditioned upgrade (including works to ensure safety of the intersection is not compromised) must be undertaken at no cost to the Department of Transport and Main Roads.</p> <p>With regards to the matters raised about the scope of upgrade road works (that is channelised right turn short lanes in Burnett Heads Road), this can be addressed directly with the Department of Transport and Main Roads under the road works approval process pursuant to Section 33 of the <i>Transport Infrastructure Act 1994</i>.</p> <p>For further information about this matter, please contact the Department of Transport and Main Roads' Bundaberg Office on 4154 0200 or via email to WBB.IDAS@tmr.qld.gov.au and quote TMR18-024750.</p> |
| Stormwater and drainage | |
| 5. | <p>Condition Number 5(c) of this response includes a requirement includes a requirement for the Applicant to provide RPEQ certification to the District Director (Wide Bay/Burnett) within the Department of Transport and Main Roads addressing stormwater drainage impacts from the development to the state-controlled road (Burnett Heads Road). Please ensure that any submission to the District Director (Wide Bay/Burnett) at the Department of Transport and Main Roads quotes TMR18-024750 and contains sufficient supporting hydraulic calculations/documentation to address stormwater management relative to the state-controlled road.</p> <p>For any queries or further information about this matter, please contact the Department of Transport and Main Roads' Bundaberg Office on 4154 0200 or via email to WBB.IDAS@tmr.qld.gov.au and quote TMR18-024750.</p> |

SKETCH 1 – Acoustic Barrier location



Sites to be protected by a 2m high acoustic barrier.
*The length of the acoustic barrier's southern return is to be informed by an RPEQ with Acoustics experience.

The extent of an acoustic barrier for this site is to be determined by an RPEQ with Acoustics experience.

PROPERTY DESCRIPTION:

LOT 2 ON RP1795
 PARISH OF BAROLIN
 COUNTY OF COOK
 SITE AREA - 33.5 HA

BUILDING SITES

| TYPE | SIZE | QTY |
|-------------|---|-----|
| HOUSE SITE | 17m x 24m (498m ² GENERALLY) | 353 |
| DUPLEX SITE | 22m x 24m (528m ² GENERALLY) | 64 |



LOCALITY PLAN
 SCALE 1:20000

PROJECT SITE



PLANS AND DOCUMENTS
 referred to in the REFERRAL
 AGENCY RESPONSE

SARA ref: 1806-5675 SRA
 Date: 10 August 2018

RV Lifestyle Village
 Oceanside - Burnett Heads

design direct
 BUILDING DESIGNERS

BUNDABERG
 1370 Baseline Street
 (07) 4154 2911

HERVEY BAY
 2422 Hervey Street
 www.designdirect.com.au
 (07) 4128 2911
 QRC No. 1192156

FOR INFORMATION
NOT FOR CONSTRUCTION

| NO. | DESCRIPTION | DATE | BY |
|-----|----------------------|----------|----|
| 1 | ISSUED FOR REFERRAL | 28/07/17 | TL |
| 2 | REVISED PER COMMENTS | 28/07/17 | TL |
| 3 | REVISED PER COMMENTS | 28/07/17 | TL |
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|---------|--|----------|-------------------------------|-----------|----|-------------|-----------------|------------|----------|----------|----|
| PROJECT | PROPOSED RV RESORT DEVELOPMENT | LOCATION | SCHLEGER STREET BURNETT HEADS | PAGE SIZE | A1 | SCALE | 1:1500, 1:20000 | START DATE | 28/07/17 | DESIGNED | TL |
| CLIENT | RV LIFESTYLE VILLAGE OCEANSIDE PTY LTD | TITLE | CONCEPT MASTER PLAN | REVISED | TL | PROJECT NO. | 170905 | DRAWING | SD01 | REVISION | C |

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 1806-5675 SRA
 Date: 10 August 2018



LEGEND:

STAGE 1 - 94 SITES

- RELEASE 1 - 19 SITES (1 - 19)
- RELEASE 2 - 20 SITES (20 - 39)
- RELEASE 3 - 19 SITES (40 - 58)
- RELEASE 4 - 20 SITES (59 - 79)
- RELEASE 5 - 15 SITES (80 - 94)

SITE STAGING PLAN
 SCALE 1:1000

| | | | | | | | | | | | | | | |
|--|--|--|---------|--|----------|-------------------------------|----------|--------|---------|--------|----------|----------|----------|----|
| | | <p>FOR INFORMATION NOT FOR CONSTRUCTION</p> | PROJECT | PROPOSED RV RESORT DEVELOPMENT | LOCATION | SCHLEGER STREET BURNETT HEADS | PHASE | A1 | SCALE | 1:1000 | DATE | 10/08/18 | DESIGNED | ML |
| | | | CLIENT | RV LIFESTYLE VILLAGE OCEANSIDE PTY LTD | TITLE | SITE STAGING PLAN | REVISION | 170905 | DRAWING | SD02 | REVISION | * | | |

Renee Dewhurst

From: Erin Clark
Sent: Friday, 12 October 2018 3:42 PM
To: Development
Subject: FW: Amended response with conditions for 1806-5675 SRA
Attachments: TMR Mark up for noting - Acoustic barrier location.pdf; DSDMIP_Response with conditions_1806-5675 SRA.PDF; Plan.pdf

Categories: Renee Working On

ERIN CLARK
 Principal Planner
 T 1300 883 699 M 0429 269 284
 E erin.clark@bundaberg.qld.gov.au



From: WBBSARA [<mailto:WBBSARA@dsmip.qld.gov.au>]
Sent: Friday, 12 October 2018 2:38 PM
To: Development; Erin Clark; Geoff Campbell; Andrea K McPherson; Adam Fryer (DTMR); 'evonne@insitesjc.com.au'
Cc: Luke Lankowski
Subject: Amended response with conditions for 1806-5675 SRA

Dear all

It is with much pleasure that I can provide you with the amended Referral Agency Response for 1806-5675 SRA RV Lifestyle Village Oceanside Burnett Heads. Please also find associated plans attached.

I just wanted to thank you all for the many discussions we have had to resolve this minor change in a positive, timely manner. This has been so very much appreciated. We did finally get there in the end.

Please do not hesitate to give me a call if you wish to discuss further.

Kind regards



**Queensland
Government**

Shelley Jackson
 Senior Planning Officer
Planning and Development Services
 Department of State Development,
 Manufacturing, Infrastructure and Planning

P 07 4122 0407
 123 Wharf Street, Maryborough QLD 4650
 PO Box 979, BUNDABERG QLD 4670
www.dsmip.qld.gov.au

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 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

INFRASTRUCTURE CHARGES NOTICE

Charges Resolution (No. 1) 2018

To: RV lifestyle Village Oceanside Pty Ltd
 PO Boc 1688 Bundaberg QLD 4670

Date of Issue: 11/10/2018

Register No.: 331.2018.1031.1

Land to which the Levied Charge applies

Address: Rowlands Road and Schleger Street Burnett Heads Q 4670

Property Description: RP7195/2 & 3

Development to which the Levied Charge applies

The adopted infrastructure charge applies to the following development type: Material Change of Use

Development Approval No.: 522.2018.56.1

Current amount of the Levied Charge

The levied charge has been calculated in accordance with the method outlined in the Bundaberg Regional Council Charges Resolution (No.1) 2018 and Chapter 4 of the *Planning Act 2016*.

| | |
|---|-----------------------|
| <i>Total Adopted Infrastructure Charge applicable to this development =</i> | \$8,682,600.00 |
| <i>Total Offset applicable to this development =</i> | \$112,500.00 |
| <i>Total Levied Charge (i.e., amount payable) =</i> | \$8,570,100.00 |

(as at date of issue)

Please see Schedule 1 of this notice for the detailed calculation of total amount payable and offset.

Refund

Please see Schedule 1 of this notice for the detailed calculation of any refund.

Total refund applicable to this development = n/a

Refund is to be paid no later than: n/a

Payment of Levied Charge

- The **due date for payment** of the *levied charge* is:
 - before the change of use happens for each stage.
- Interest at 11% per annum, calculated daily, will be applied to overdue payments.
- The levied charge is to be paid to **Bundaberg Regional Council**. Please contact Bundaberg Regional Council, Development Assessment Team, prior to making payment.
- Please include a copy of this Notice with payment.

Automatic Increase

The levied charge is subject to an automatic increase in accordance with Bundaberg Regional Council Changes Resolution (No.1) 2018. The levied charge is to automatically increase from the time the charge is levied to the time the charge is paid. As per section 114 of Planning Act 2016 this automatic increase provision is calculated as follows:

- If the duration of time between the date the charge is levied to the date the charge is paid is less than or equal to one calendar year, then there is no automatic increase. Therefore the charge payable is equal to the charge amount at the time the charge is levied; or
- If the duration of time between the date the charge is levied to the date the charge is paid is greater than one calendar year, then the automatic increase provision is an amount representing the increase in the PPI index. The increase in PPI index is calculated for the period starting on the day the charge is levied and ending on the day the charge is paid, adjusted by reference to the 3-yearly PPI index average. Where the 3-yearly PPI index average means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. Therefore the automatic increase provision is calculated as shown in equation 1 below:



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$$\text{automatic increase provision} = \frac{\text{Smoothed PPI (paid date)}}{\text{Smoothed PPI (levied date)}} \dots\dots\dots(1)$$

Where: *Smoothed PPI (paid date)* = 3 yearly smoothed PPI at time the charge is paid
 = average (12 previously published PPI figures relative to paid date)
Smoothed PPI (levied date) = 3 yearly smoothed PPI at time the charge is levied
 = average (12 previously published PPI figures relative to levied date)

The *levied charge* payable is equal to the charge amount at the time the charge is levied multiplied by the automatic increase provision amount as shown in equation 2 below:

$$\text{levied charge payable} = \text{levied charge} \times \text{automatic increase provision} \dots\dots\dots(2)$$

Finally, if after applying the automatic increase provision the *levied charge payable* is:

- (a) more than the maximum adopted charge that Council could have levied for the development at the time the charge is paid, then the *levied charge payable* is the maximum adopted charge for the development; or
- (b) less than the charge amount at the time the charge is levied, then the *levied charge* payable is the charge amount at the time the charge is levied.

Other Important Information**1. PAYMENT**

This notice is due and payable by the due date shown. Cheques, money orders or postal notes should be made payable to Bundaberg Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

2. GOODS AND SERVICES TAX

The federal government has determined that rates and utility charges levied by a local government will be GST exempt. Accordingly, no GST is included in this infrastructure charges notice.

3. INFRASTRUCTURE CHARGES ENQUIRIES

Enquiries regarding this infrastructure charges notice should be directed to Council’s Development Assessment Team on telephone 1300 883 699 during office hours or e-mail: duty_planner@bundaberg.qld.gov.au

Notice is hereby given under the *Planning Act 2016* and the *Local Government Act 2009* that the adopted infrastructure charges notice is levied by the Bundaberg Regional Council on the described land. The adopted infrastructure charge is DUE AND PAYABLE BY THE ABOVE DUE DATE. The adopted infrastructure charge plus any arrears and interest may be recovered by legal process without further notice if unpaid after the expiration of the DUE DATE as the charge is deemed to be overdue. STEPHEN JOHNSTON, CHIEF EXECUTIVE OFFICER

Richard Jenner
Development Assessment Manager



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 ABN 72 427 835 198

SCHEDULE 1 – Calculation of Levied Charge, Offsets and Refunds

Table 1 - Summary of Charges, Offsets and Refunds

| | |
|--|-----------------------|
| Register No: | 331.2018.1031.1 |
| Inside PIA: | No |
| Total Adopted Infrastructure Charges: | \$8,682,600.00 |
| Total Offsets: | \$112,500.00 |
| Total Extra Payment Condition: | n/a |
| Total Levied Charge (Amount Payable): | \$8,570,100.00 |

Table 2 - Details of Charges, Offsets and Refunds

| Stage | Type | Description | Discount | Quantity | Charge/Cost | Total |
|-------|-----------------|--|----------|----------|---|------------------------|
| 1 | New charge | MCU - Fully Serviced - Accommodation (long term) - Relocatable home park | 0% | 28 | \$15000 per 2 bedroom relocatable dwelling site | \$ 420,000.00 |
| 1 | New charge | MCU - Fully Serviced - Accommodation (long term) - Relocatable home park | 0% | 86 | \$19000 per 3 or more bedroom relocatable dwelling site | \$ 1,634,000.00 |
| 1 | Offset | TRUNK - Rowlands Main (if req'd) - Wastewater - Wastewater Pressure Main | 0% | 450m | -\$250 per m | \$ (112,500.00) |
| 1 | Existing credit | ROL - Fully Serviced - Lot | 0% | 2 | -\$25200 per lot | \$ (50,400.00) |
| | | | | | Stage 1 Levied Charge | \$ 1,891,100.00 |
| 2 | New charge | MCU - Fully Serviced - Accommodation (long term) - Relocatable home park | 0% | 102 | \$15000 per 2 bedroom relocatable dwelling site | \$ 1,530,000.00 |
| 2 | New charge | MCU - Fully Serviced - Accommodation (long term) - Relocatable home park | 0% | 271 | \$19000 per 3 or more bedroom relocatable dwelling site | \$ 5,149,000.00 |
| | | | | | Stage 2 Levied Charge | \$ 6,679,000.00 |
| | | | | | Total Levied Charge | \$ 8,570,100.00 |



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INFRASTRUCTURE CHARGES NOTICE INFORMATION NOTICE

1. REASON FOR DECISION

This notice has been issued pursuant to the Bundaberg Regional Council Charges Resolution (No. 1) 2018 and Chapter 4 of the Planning Act 2016.

2. APPEAL RIGHTS

The recipient of the infrastructure charges notice may appeal to the Planning and Environment Court and, for certain matters, to a tribunal in accordance with Chapter 6 of the *Planning Act 2016*.

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 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.
- (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.



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- (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 is 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.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—



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- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.



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- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Extract of Schedule 1, Table 1 of the Planning Act 2016

| Table 1 | | | |
|---|--|---------------------------------------|--|
| Appeals to the P&E Court and, for certain matters, to a tribunal | | | |
| <p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <ul style="list-style-type: none"> (i) the application of the relevant adopted charge; or <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development <p>(ii) the working out of extra demand, for section 120; or</p> <p>(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p> | | | |
| Column 1 Appellant | Column 2 Respondent | Column 3 Co-respondent (if any) | Column 4 Co-respondent by election (if any) |
| The person given the Infrastructure charges notice | The local government that gave the infrastructure charges notice | - | - |