



# ORDINARY MEETING LATE ITEMS AGENDA

Tuesday 20 February 2024  
commencing at 9:30 AM

Quilpie Shire Council Boardroom  
50 Brolga Street, Quilpie

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## Ordinary Meeting of Council

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19 February 2024

The Mayor and Council Members  
Quilpie Shire Council  
QUILPIE QLD 4480

Dear Members

Reference is hereby made to the Ordinary Meeting of the Quilpie Shire Council scheduled to be held at the Council Chambers, on **Tuesday 20 February 2024**, commencing at **9:30 AM**.

An agenda for the Ordinary Meeting was forwarded to all Members on 13 February 2024. In addition to the agenda, please find attached a summary of "Late Items".

Yours faithfully

Justin Hancock  
Chief Executive Officer





ORDINARY MEETING OF  
COUNCIL  
AGENDA

Tuesday 20 February 2024  
Quilpie Shire Council Boardroom  
50 Brolga Street, Quilpie

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**16 LATE ITEMS****16.1 DEVELOPMENT APPLICATION - TRUSS****IX: 246994****Author: Janelle Menzies, Manager Governance and Compliance****Attachments:**  
1. Development Plans  
2. Concurrency Agency Response  
3. Referral Response**KEY OUTCOME****Key Outcome:** 1. Great Place to Live**Key Initiative:** 1.1 Well-planned and highly liveable communities**EXECUTIVE SUMMARY**

The purpose of this report is for Council to decide the Development Application for a Material Change of Use to establish a "Warehouse", "Transport Depot" and "Caretaker's Accommodation" on land situated at Diamantina Developmental Road, Quilpie, formally described as Lot 6 on SP273738.

**RECOMMENDATION***That Council*

1. receive this report; and
2. Council issues a decision notice to the applicant approving the Development Application for a Material Change of Use to establish a "Warehouse", "Transport Depot" and "Caretaker's Accommodation" on land situated at Diamantina Developmental Road, Quilpie, formally described as Lot 6 on SP273738, subject to the following conditions:

**General Advice**

I. The relevant planning scheme for this development is the *Quilpie Shire Planning Scheme*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to this planning scheme.

II. In the Planning Scheme:

**Warehouse means** "Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards. The use may include sale of goods by wholesale where ancillary to storage. The use does not include retail sales from the premises or industrial uses".

**Transport Depot means** *“Premises used for the storage, for commercial or public purposes, of more than one motor vehicle. The use includes premises for the storage of taxis, buses, trucks, heavy machinery, and uses of a like nature. The term may include the ancillary servicing, repair and cleaning of vehicles stored on the premises.”*

**Caretakers Accommodation means** *“A dwelling provided for a caretaker of a non-residential use on the same premises.”*

- III. All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- IV. 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 operation of the approved works are to adhere to their ‘general environmental duty’ to minimise the risk of causing environmental harm to adjoining premises.
- V. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans to the relevant authorities for the approved use.
- VI. In completing an assessment of the proposed development, council has relied on the information submitted in support of the development application as true and correct. any change to the approved plans and documents may require a new or changed development approval. it is recommended that the applicant contact council for advice in the event of any potential change in circumstances.

### **Development Conditions**

#### **Use**

- 1. The approved development is a Material Change of Use – “Warehouse”, “Transport Depot” and “Caretaker’s Accommodation” as defined in the Planning Scheme and as shown on the approved plans.
- 2. A development permit for building works must be obtained prior to commencing construction of the use.

#### **Compliance inspection**

- 3. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted within these conditions.

4. Prior to the commencement of use, the applicant shall contact Council and arrange a development compliance inspection.

### Approved plans and documents

5. All works and operations are to be carried out generally in accordance with the approved plans listed in the following table. Where the approved plans conflict with the Assessment Manager's conditions, the Assessment Manager's conditions shall take precedence.

Plan/Document Number	Plan/Document Name	Date
+	Site Plan – Lot 6 Anzac Drive	n.d.
Truss016188	Front & Rear Elevation	13 May 2019
Truss016188	Left & Right Elevation	13 May 2019
Truss016188	Floor Plan	13 May 2019
H/13/045-01	Proposed Residence Removal	18.11.2013
H/13/045-02	Proposed Residence Removal	18.11.2013

### Development works

6. During the course of construction, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
7. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).
8. All works on or near roadways shall be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".

### Applicable Standards

9. All works must comply with:
  - a) the development approval conditions;
  - b) any relevant Acceptable Solutions of the applicable codes of the planning scheme for the area;
  - c) Council's standard designs for such work where such designs exist;
  - d) any relevant Australian Standard that applies to that type of work.

Despite the requirements of paragraphs a-d above, Council may agree in writing to an alternative specification. This alternative specification prevails over those specified in paragraphs a-d in the event of any inconsistency.

The developer must also ensure that any works do not conflict with any requirements imposed by any concurrence lawful requirements outside those stated above.

### **Stormwater drainage**

10. Stormwater drainage is to be provided in accordance with:
  - a) Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013;
  - b) Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987; and
11. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed. The developer shall ensure that in all cases, discharge of stormwater runoff from the development drains freely to the legal point/s of discharge for the development.
12. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed.
13. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

### **Avoiding nuisance**

14. No nuisance is to be caused to adjoining properties and occupiers by the way of noise smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time.
15. Dust emanating as result of activities carried out onsite (both during construction and post construction) must be continually monitored and suppressed in order to prevent any dust drifting onto road networks and nearby properties and sensitive land uses.
16. All lighting shall be directed or shielded to ensure that no glare directly affects nearby properties.
17. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.

18. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.
19. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the Environmental Protection (Noise) Policy 2008.
20. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the Environmental Protection (Air) Policy 2008.

### **Landscaping**

21. A minimum of 10% of the development site shall be landscaped with a majority of the landscaping to be provided along the Anzac Drive road frontage. Landscape plantings shall include a mix of trees, shrubs and ground covers to enhance the visual appeal of the development and soften the appearance of the built form.
22. A Landscaping Plan is to be submitted to and approved by Council prior to the submission of a Building Application. The Landscaping Plan must include details of the location and species of plants and the irrigation system. Plants are to be drought hardy and must not include weed species. Root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

### **Waste Management**

23. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
24. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

### **Refuse storage**

25. Adequate refuse storage areas and facilities must be provided on the site to service the approved development.
26. At all times while the use continues, waste containers shall be provided on the site and maintained in a clean and tidy state and emptied, and the waste removed from the site on a regular basis. All waste containers are to be located in a convenient and unobtrusive position and shielded from the view of users of the premises, travelling public and neighbours, and accessible by the vehicles used by Council, its agents and/or others.
27. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

**Access and manoeuvring**

28. All access points, from the edge of the existing bitumen from Anzac Drive to the property boundary, shall be constructed to a sealed industrial standard to the satisfaction of and at no cost to Council.
29. One (1) covered car parking space must be provide adjacent to the Caretaker's Accommodation use.
30. No access is permitted to Diamantina Developmental Road.
31. The landowner is responsible for the construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. Should any damage be caused at the approved access locations, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
32. All vehicle movements within the site are to be clear of proposed parking areas, buildings, and landscape treatments. Vehicle parking bays must not encroach into swept paths for vehicle movements onsite.
33. All vehicles entering and exiting the development site must be able to enter and leave in forward direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.
34. Car parking and manoeuvring areas are to be designed in accordance with:
  - a) AS2890.1 – Parking Facilities;
  - b) Austroads AP-34/95 - Design Vehicles and Turning Path Templates; and
  - c) The 'Access to Premises Standard' (Vol 1 of the National Construction Code).

**Earthworks and Construction**

35. During construction, erosion controls and silt collection measures are to be put in place to protect environmental values and mitigate potential impacts to adjoining properties and roadways.

**Provision of services**

36. The development must be provided with an adequate supply of water in accordance with the applicable standards and policies.
37. Connect the development to an on-site effluent disposal system, in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2; Standards for On-site Sewerage, AS1547 and the Queensland Plumbing and Wastewater Code. Make provision for adequate on-site disposal areas as required.



38. The development must be connected to an adequate electricity supply system in accordance with the relevant building standards, requirements, and specifications (as relevant).
39. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements, and specifications (as relevant).
40. All services installation connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such design exist, (iv) any relevant Australian Standard that applies to that type of work and (v) any alternative specifications that Council has agreed to in writing and which the development must ensure do not conflict with any requirements imposed by any applicable laws and standards.

### **Advertising signage**

41. Any advertising signage associated with the approved use must be fully contained within the development site boundaries and must not encroach on adjoining properties or roads.
42. Any free-standing advertising signage or structure constructed on the subject site shall be designed by an RPEQ (Structural) Engineer and certification provided for both design and construction.

### **No cost to Council**

43. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

### **Latest versions**

44. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the time the first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, unless a regulation or law requires otherwise.

### **Application documentation**

45. It is the developer's responsibility to ensure all entities associated with this Development Approval have a legible copy of the Decision Notice and the Approved Plans and Approved Documents bearing 'Council Approval'.

**INDIVIDUALS OR ORGANISATIONS TO WHICH THE REPORT APPLIES:**

Council's decision regarding this matter is likely to affect the applicant and landowner of the premises and the adjacent properties.

**Context:**

The development application was subject to Code Assessment. Determination of development applications generally sits outside the scope of officer delegations and a decision is required to be made by Council resolution.

**Proposal:**Characteristics of the Site

The site is currently vacant and forms part of a subdivision undertaken by Council. The site is located within the Township Zone (Industrial Precinct) under the Quilpie Shire Planning Scheme.

The site has frontages to Diamantina Development Road and Anzac Drive on the northern and southern boundaries of the site respectively.

Proposed Development

The proposed development application seeks to establish a Warehouse, Transport Depot and Caretaker's Accommodation onsite, as shown below in Figure 1.

Site Plan – Lot 6 Anzac Drive

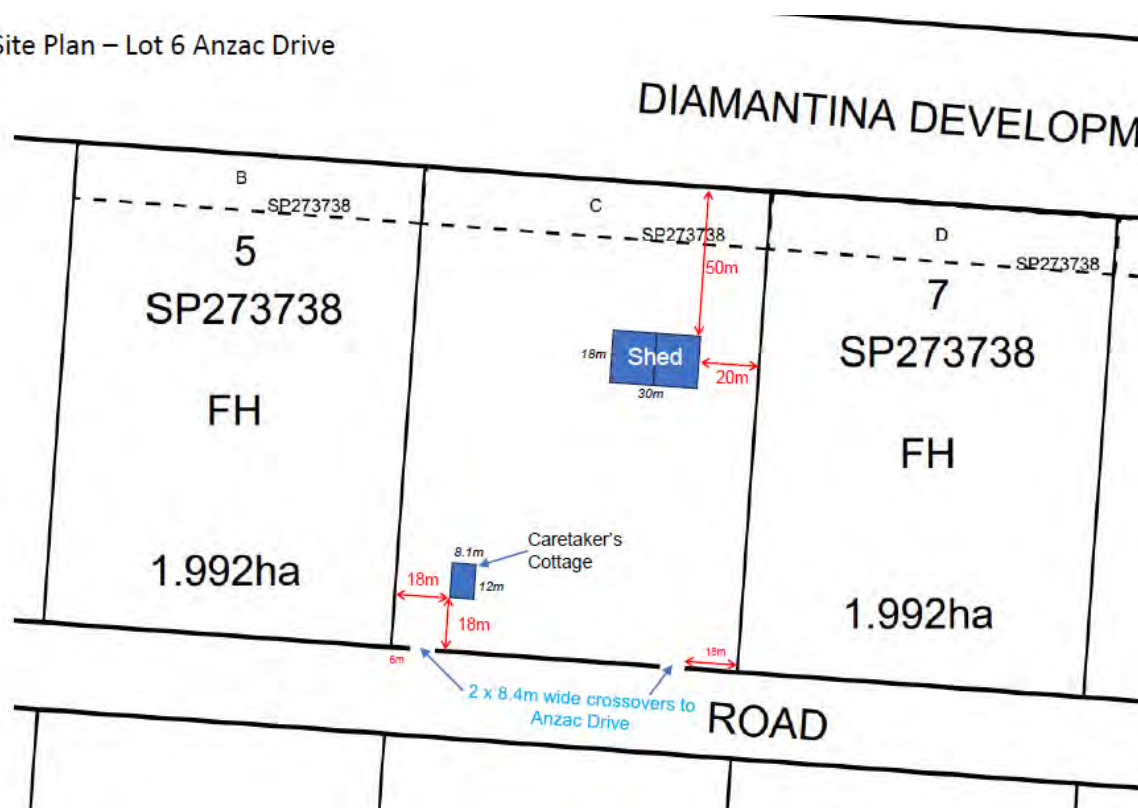


Figure 1 - Site Plan

The applicant states that there will be machinery stored onsite with basic maintenance to be performed from time to time within the proposed shed. In general, no more than 3 prime movers are proposed to be stored onsite at one time. Car parking and heavy vehicle parking and manoeuvring will also be available onsite.

The site will operate generally from 6am to 5pm, with up to four staff employed onsite.

Access to the site be via Anzac Drive.

### **Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

The proposal constitutes a Material Change of Use as defined under the *Planning Act 2016* being the intensification of a new use of the premises. The proposed use is defined as a Warehouse, Transport Depot and Caretaker's Accommodation in the Quilpie Shire Planning Scheme.

**Warehouse means** *"Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards. The use may include sale of goods by wholesale where ancillary to storage. The use does not include retail sales from the premises or industrial uses"*

**Transport Depot means** *"Premises used for the storage, for commercial or public purposes, of more than one motor vehicle. The use includes premises for the storage of taxis, buses, trucks, heavy machinery and uses of a like nature. The term may include the ancillary servicing, repair and cleaning of vehicles stored on the premises."*

**Caretakers Accommodation means** *"A dwelling provided for a caretaker of a non-residential use on the same premises."*

Under Table 5.5.4 of the Quilpie Shire Planning Scheme, a Material Change of Use to establish the above uses is subject to Code assessment in the Township Zone (Industrial Precinct). The proposed use requires a development permit to be issued by Council prior to the commencement of use.

Assessment of a Code assessable application must be carried out against the Assessment benchmarks prescribed by the *Planning Regulation 2017*.

The Assessment Benchmarks applicable to the development assessment are:

- the Regional Plan (i.e. *South West Regional Plan*);
- the *State Planning Policy*; and
- the *Quilpie Shire Planning Scheme*.

### **Regional Plan & State Planning Policy**

The *Quilpie Shire Planning Scheme*, specifically the strategic framework, appropriately advances the *South West Regional Plan 2009* and the *State Planning Policy* as they apply in the planning scheme area. Therefore, an independent assessment of the proposal against the state planning instruments is not required.

**Council Policies or Asset Management Plans:**

The Quilpie Shire Planning Scheme is applicable to the assessment of the Development Application. The relevant sections of the planning scheme are:

- Part 6 Zones
  - Part 6.2.4 Township Zone Code
- Part 7 Development Codes
  - Part 7.3.1 General Development Code

Part 6.2.4 Township Zone Code

The proposed development complies with the Purpose and Overall Outcomes of the Township zone because;

- The proposed development will facilitate economic development through the establishment of a new industrial use in the industrial precinct;
- The proposal is compatible with the scale and character of the industrial precinct.
- The proposal is not located in close proximity to sensitive land uses;
- The proposal does not compromise the safety or efficiency of the road network;
- The proposal is serviced by QSC infrastructure or on-site infrastructure where reticulated infrastructure is not available.

The proposed development has also been assessed against the Performance and Acceptable Outcomes of the Township Zone Code. The proposed development generally complies with the relevant assessment benchmarks as:

- The proposal is for an Industrial use that is not expected to impact any sensitive land uses outside the industrial precinct.
- The proposed shed is generally consistent with other development approvals issued along Anzac Drive.
- The proposal has frontage to Diamantina Developmental Road however no accesses are proposed and therefore the use will not impact the safety and efficiency of the State-controlled road network.
- The proposal is an industrial use that will not be impacted by the operation of the state-controlled road network.

Performance outcomes	Response
<b>For assessable development</b>	
<b>PO3</b> Sensitive land uses are not established within or adjacent to the industrial precinct.	<b>Performance Solution</b> While the development includes Caretaker's Accommodation, which is defined as a sensitive land use, the proposal will not compromise the viability of existing or future industrial activities as the residential component is ancillary to the industrial activities occurring on site.

Part 7.3.1 General Development Code

The proposed development complies with the Purpose and Outcomes of the Industry zone because;

- The proposed development will not adversely impact any areas of state environmental significance;
- The proposal has a safe and efficient site layout;
- The proposal will not detract from the Shire's unique building design;
- An appropriate level of servicing infrastructure will be provided to the development;
- No earthworks are proposed on site that would impact natural drainage paths; and
- The development does not conflict with the ongoing operation of the stock route network.

The proposed development has also been assessed against the Performance and Acceptable Outcomes of the General Development Code. The proposed development complies with all relevant assessment benchmarks, with exceptions outlined below:

Performance outcomes	Response
<b>For assessable development</b>	
<b>PO2</b> Landscaping is provided to enhance the visual appeal of the development and soften the appearance of the built form. The majority of landscaping is to be undertaken on the principal street frontage of the development.	<b>Condition to Comply</b> The submitted site plan does not show any areas of landscaping on the site. In accordance with the Acceptable Outcome, a condition is recommended that requires a minimum of 10% of the site to be landscaped.
<b>AO10</b> Car parking is provided at rates as per table 7.3.1.2	<b>Alternative Solution</b> The submitted proposal plan does not show any specific areas for car parking. Table 7.3.1.2 requires 1 space per 50m <sup>2</sup> of Gross Floor Area for Industrial Uses and 1 covered space for residential premises.  Given the nature of the use, it is not considered that formalised car parking spaces for the Warehouse and Transport Depot uses are required. There is sufficient area on the site for all light vehicles and service (heavy) vehicles to enter and exit in a forward gear and load/unload without queuing onto Anzac Drive.  A condition has been applied requiring the covered car parking space be provided adjacent to the caretaker's accommodation use.

### Input into the Report & Recommendation:

The Officer's recommendation has been informed by Council's resolution to approve similar developments in the region and an absence of adverse impacts.

**Funding Bodies:**

**N/A** – The project is a private development that will be funded by an external party.

**This Financial Year's Budget:**

The costs of fulfilling and development approval obligations, financial or otherwise, remains the sole responsibility of the operators and landowner/s. There is potential for Council to incur costs only in the event that a decision regarding the application is appealed to the Court.

**Future Years' Budget:**

As above.

**Risks:**

Potential risks associated with the proposal can be addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

As with any planning decision reached by Council, there is a risk that the applicant can appeal any aspect of the decision to the Planning and Environment Court (the Court).

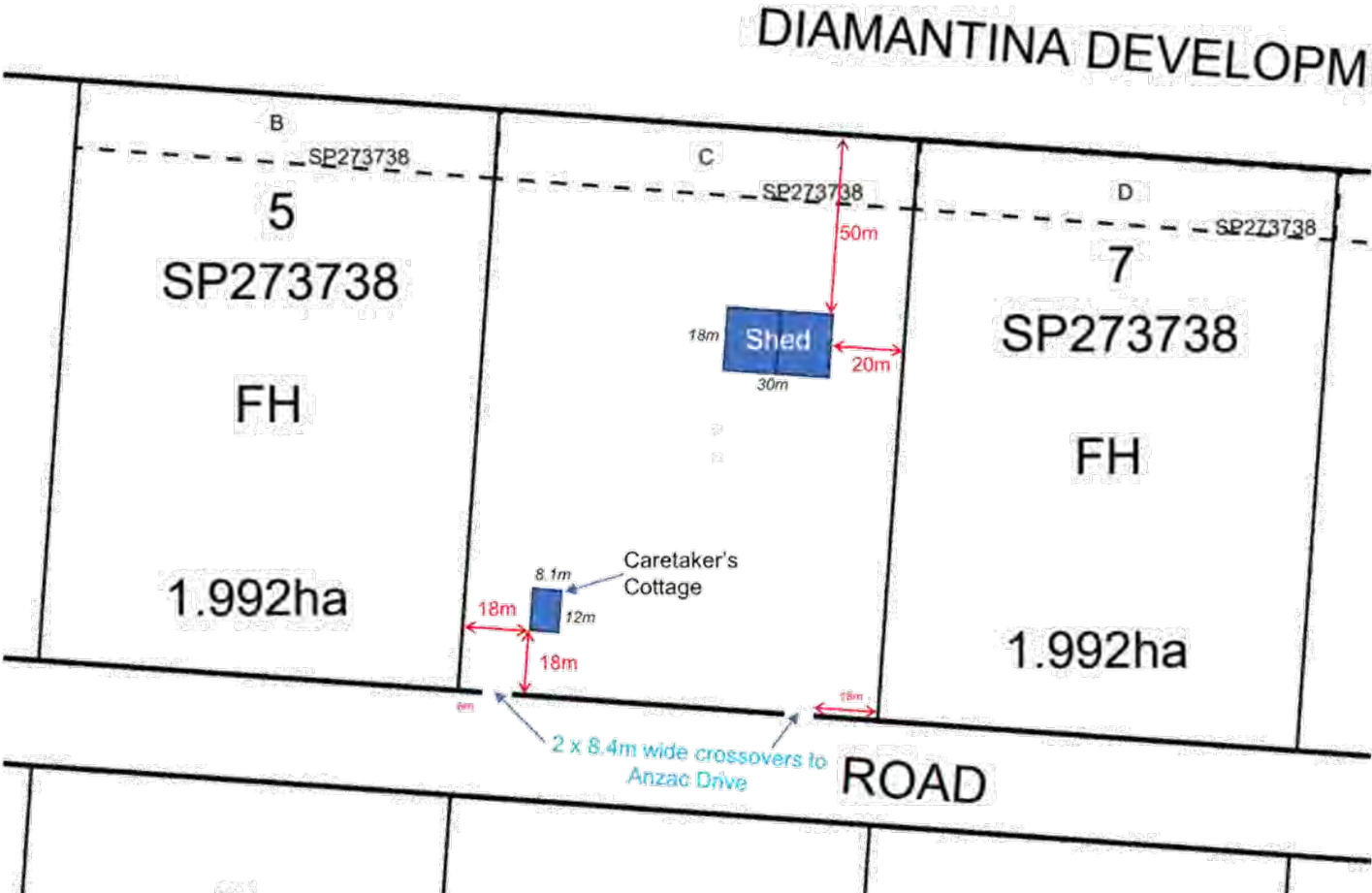
**Note:** The likelihood of an appeal by any party is not a valid planning consideration and must not be used to inform Council's decision on any planning matter.

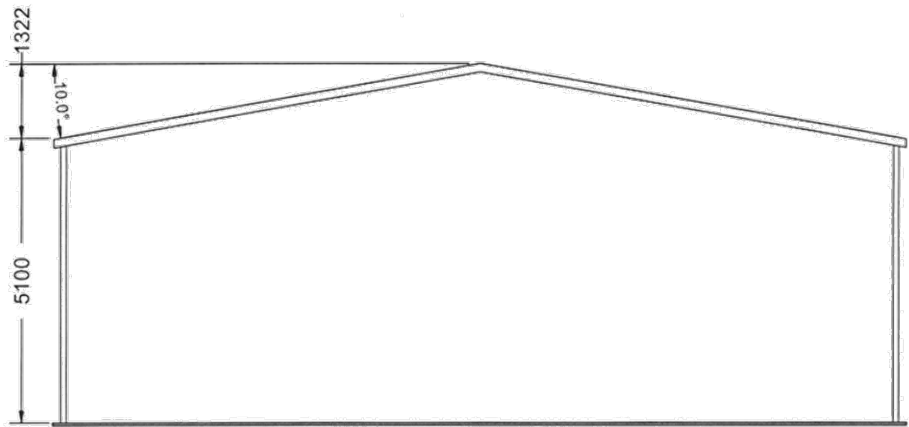
**Advice to Council:**

It is considered that the proposed development presents no significant conflict with the applicable assessment benchmarks. Development conditions have been recommended to ensure compliance to the greatest extent possible. Any residual inconsistency with the assessment benchmarks has been considered against the following relevant matters:

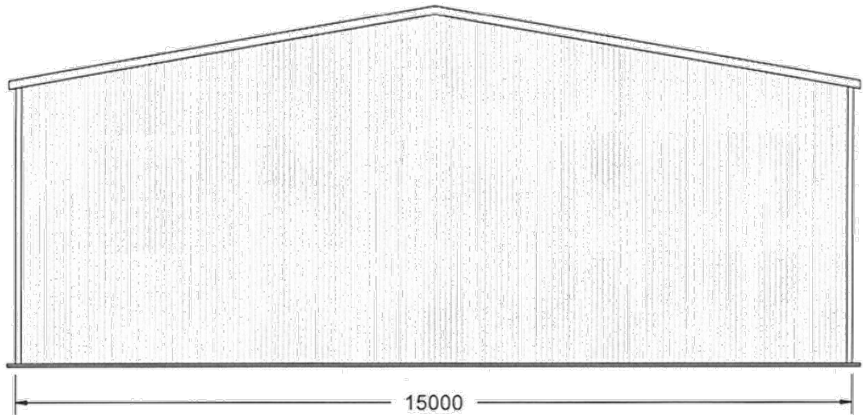
- the development is an industrial use within the industrial precinct of Quilpie;
- the proposal supports the role of Quilpie as a key south-western service centre;
- the proposed caretaker's accommodation will not impact the viability of nearby industrial uses;
- the development has been conditioned to ensure it does not generate noise, dust or any other environmental nuisance; and
- there is an absence of any significant impacts that result from the development.

Site Plan – Lot 6 Anzac Drive






FRONT ELEVATION

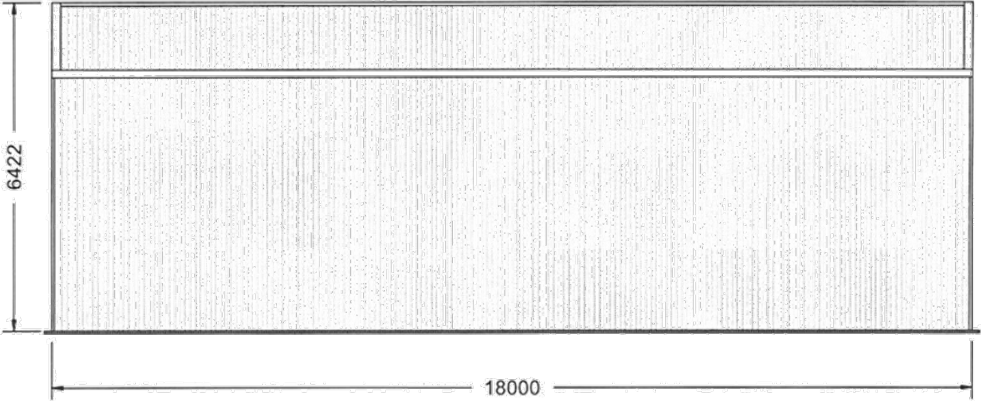


REAR ELEVATION

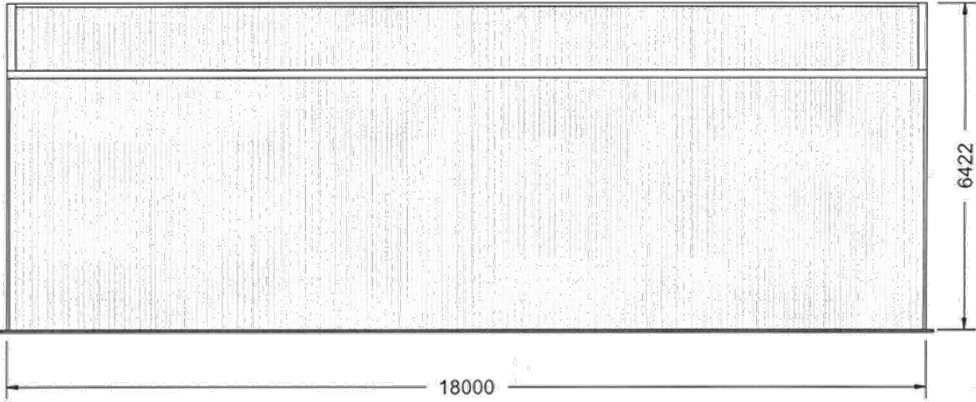
13 MAY 2019  
George Zuev  
RPEQ 7551

PLANS DRAWN BY	JOB DETAILS	DRAWING DETAILS
<div> <small>Australia's Leading Wholesale Shed Company</small> P 1300 553 779 F 1300 554 882 E john@nowbuildings.com.au www.nowbuildings.com.au</div>	<p>Proposed Project: 15m x 18m x 5.1m - Open End Building</p> <p>Customer: Bulloo Aviation, Alan Truss</p> <p>Site: Lot 2 276 Old Adavale Rd, Quilpie, QLD, 4480</p>	<p>Quote: Truss016188</p> <p>Drawing No.: Quote</p> <p>Drawing Type: Architectural Drawings</p> <p>Drawing Scale: 1:109</p>






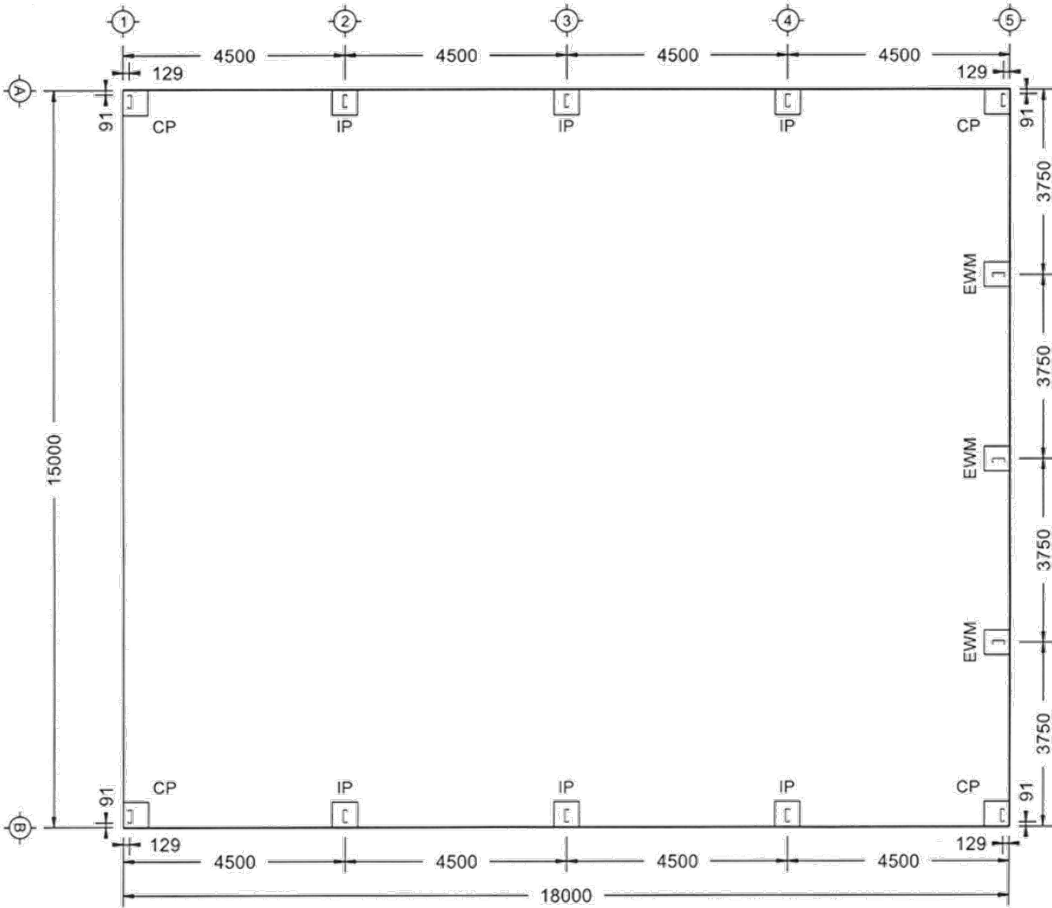
LEFT ELEVATION



RIGHT ELEVATION

13 MAY 2019  
George Zuev  
RPEQ 7551

PLANS DRAWN BY	JOB DETAILS	DRAWING DETAILS
 <small>Australia's Leading Wholesale Shed Company</small> P 1300 553 779 F 1300 554 882 E <a href="mailto:john@nowbuildings.com.au">john@nowbuildings.com.au</a> <a href="http://www.nowbuildings.com.au">www.nowbuildings.com.au</a>	<b>Proposed Project:</b> 15m x 18m x 5.1m - Open End Building <b>Customer:</b> Bulloo Aviation, Alan Truss <b>Site:</b> Lot 2 276 Old Adavale Rd, Quilpie, QLD, 4480	<b>Quote:</b> Truss016188 <b>Drawing No.:</b> Quote <b>Drawing Type:</b> Architectural Drawings <b>Drawing Scale:</b> 1:111

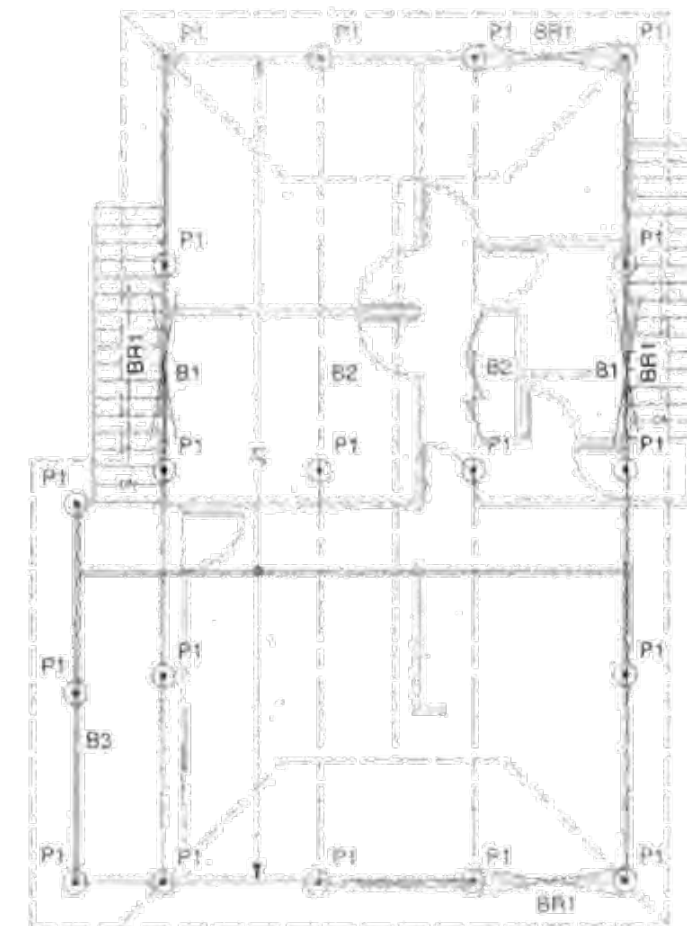
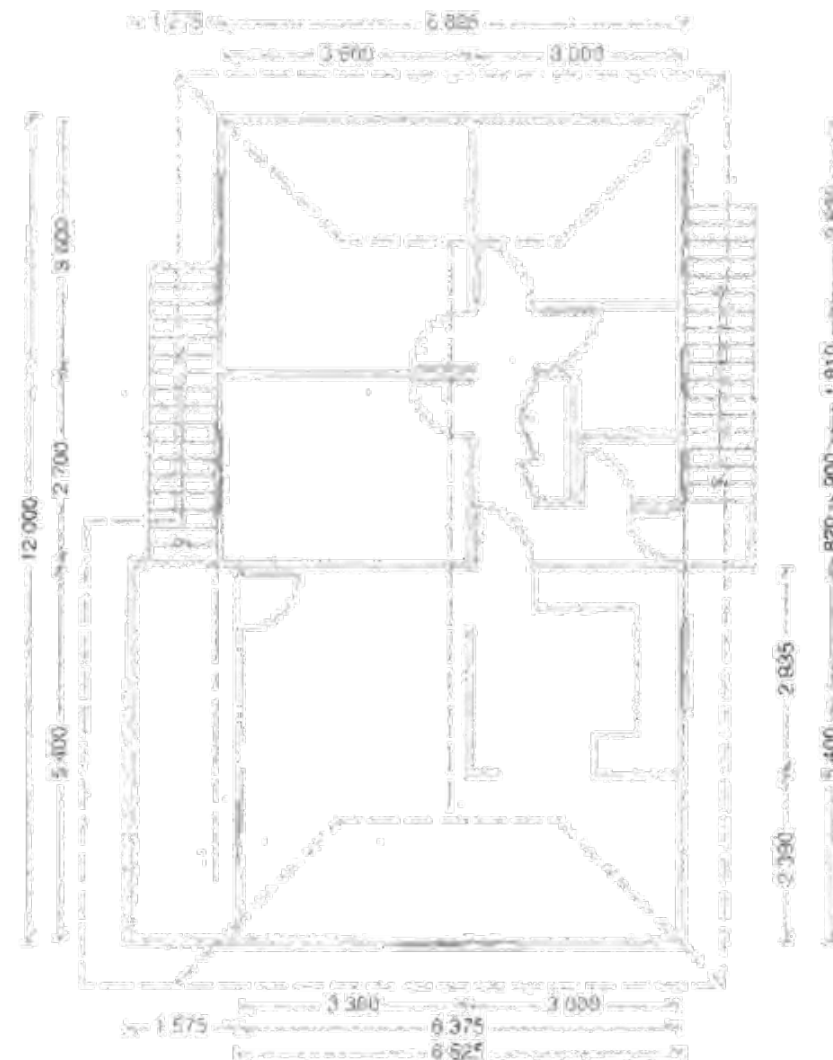


FLOOR PLAN

EWM	
Col Size	C25024
Peir Size	Ø 450 X 1500
CP	
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Peir Size	Ø 450 X 1500
IP	
Col Size	C25024
Peir Size	Ø 450 X 1500

13 MAY 2019  
George Zuev  
RPEQ 7551

PLANS DRAWN BY	JOB DETAILS	DRAWING DETAILS
 Australia's Leading Wholesale Shed Company P 1300 553 779 F 1300 554 882 E john@nowbuildings.com.au www.nowbuildings.com.au	Proposed Project: 15m x 18m x 5.1m - Open End Building Customer: Bulloo Aviation, Alan Truss Site: Lot 2 276 Old Adavale Rd, Quilpie, QLD, 4480	Quote: Truss016188 Drawing No.: Quote Drawing Type: Engineering Drawing Drawing Scale: 1:124



### FLOOR FRAMING SCHEDULE

P1	350 Dia x 1200 DEEP CONCRETE PIERS WITH 75 x 3 SHS ADJUSTABLE STEEL POSTS
B1	EXISTING TIMBER BEARER
B2	EXISTING TIMBER BEARER REPLACED WITH 200UB21
B3	EXISTING TIMBER BEARER
J1	EXISTING TIMBER FLOr JOISTS AT 440CS
BR1	M12 ROD BRACING

ALL WORKS TO BE CONSTRUCTED IN  
ACCORDANCE WITH THE BCA STANDARD  
BUILDING REGULATION 2013 & AS 1684.2  
RESIDENTIAL TIMBER FRAMED CONSTRUCTION

Verify All Dimensions On Site. Do Not Scale From Plans. Please.  
This Design in Part or Whole is Subject to Copyright.

**P.R. WILKES & ASSOCIATES**

10-11-1964

CERTIFIED BY

*[Signature]*

Wind loading: N2

Local authority

Zoning Residential

PROPOSED	PROPOSED REMOVAL RESIDENCE
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100	100

FOR MICHAEL WORSLEY

AT: 9 JABIRU STREET, QUILPIE, QLD 4480

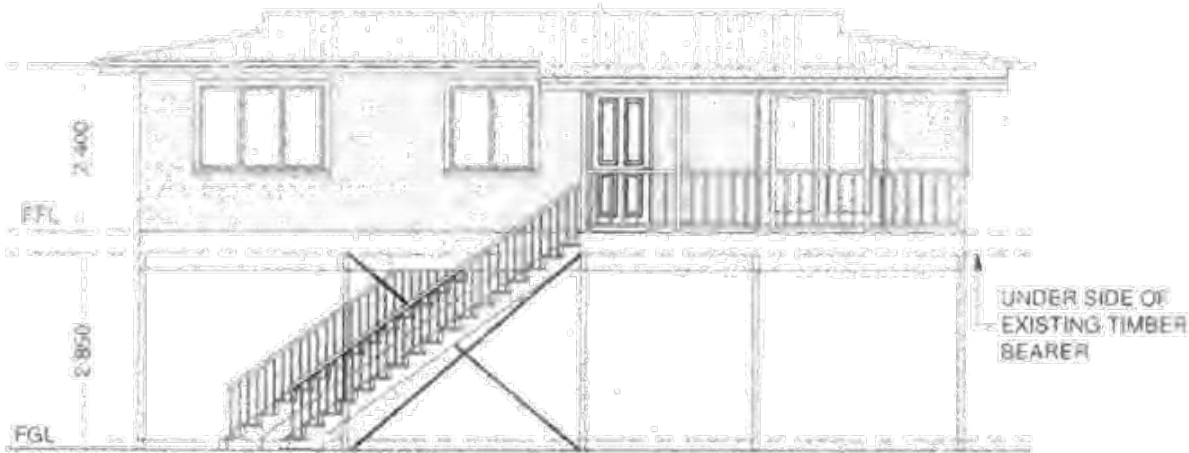
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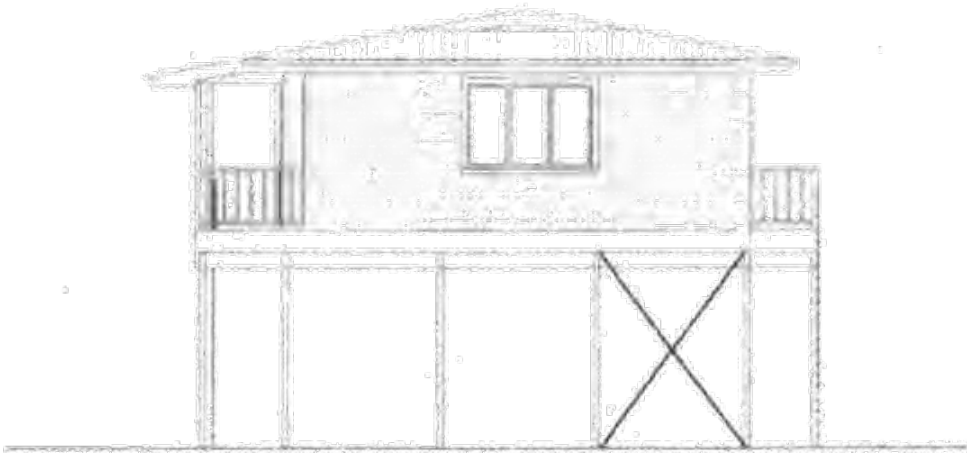
DATE: 28/11/13

PLAN No

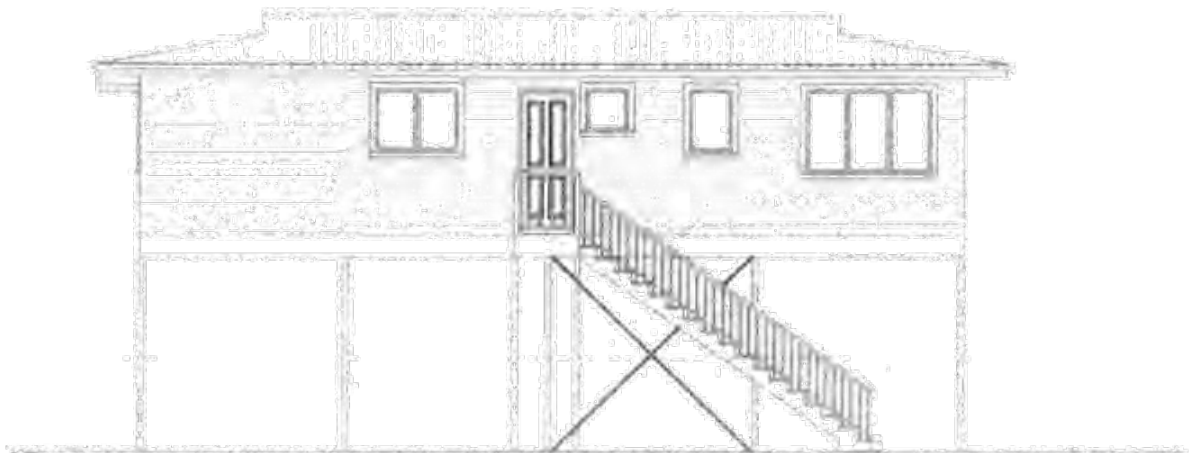
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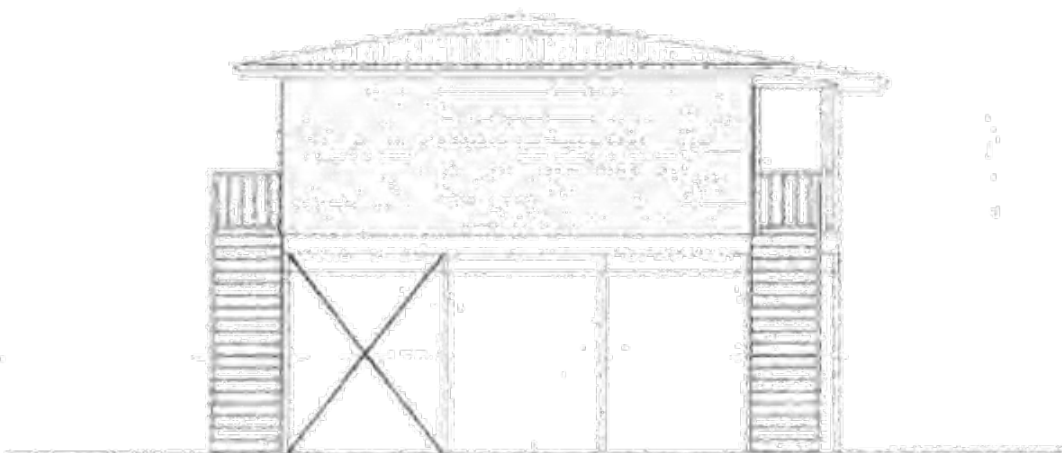
ELEVATION TO SOUTH



ELEVATION TO EAST



ELEVATION TO NORTH



ELEVATION TO WEST

ALL WORKS TO BE CONSTRUCTED IN  
ACCORDANCE WITH THE BCA STANDARD  
BUILDING REGULATION 2013 & AS 1684.2  
RESIDENTIAL TIMBER FRAMED CONSTRUCTION  
Verify All Dimensions On Site. Do Not Scale From Plan Please  
This Design in Part or Whole is Subject to Copyright

**P.R WILKES & ASSOCIATES**

10 WEST ST TOWNSVILLE QLD 4282  
PH: 07 4639 1111 FAX: 07 4639 1112  
WWW.PRWILKES.COM.AU

CERTIFIED BY

Wind loading: N2

Local authority:

Zoning: Residential

PROPOSED: PROPOSED REMOVAL RESIDENCE

FOR: MICHAEL WORSLEY

AT: 9 JABIRU STREET, QUILPIE, QLD 4480

SCALE 1:100  
DRAWN: ARW

DATE: 28/10/13

1/1  
A Preliminary

28/10/13  
28/10/13

PLAN No

**H/13/045-02**



## Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

### Part 6: Changes to the application and referral agency responses

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#### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

## Part 7: Miscellaneous

### 30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

RA9-N



SARA reference: 2401-38743 SRA  
Council reference: DA04 23-24 246040

5 February 2024

Chief Executive Officer  
Quilpie Shire Council  
PO Box 57  
QUILPIE QLD 4480  
admin@quilpie.qld.gov.au

Dear Mr Hancock

## SARA referral agency response—Diamantina Developmental Road, Quilpie

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 24 January 2024.

### Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	5 February 2024
Advice:	Advice to the applicant is in <b>Attachment 1</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b>

### Development details

Description:	Development permit	Material change of use – Warehouse, Transport Depot and Caretakers Accommodation.
SARA role:	Referral agency	
SARA trigger:	Schedule 10, part 9, division 4, subdivision 2, table 4, item 1 (Planning Regulation 2017) - Development near a state transport corridor or that is a future state transport corridor	
SARA reference:	2401-38743 SRA	
Assessment manager:	Quilpie Shire Council	
Street address:	Diamantina Developmental Road, Quilpie	
Real property description:	Lot 6 on SP273738	

Page 1 of 5

Darling Downs South West regional office  
128 Margaret Street, Toowoomba  
PO Box 825, Toowoomba QLD 4350

2401-38743 SRA

Applicant name: Alan Truss

Applicant contact details: PO Box 289  
Quilpie QLD 4480  
alantruss@live.com.au

*Human Rights Act 2019* considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 30 of the Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 3**.

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

For further information please contact Stephanie Brannock, Planning Officer, on (07) 3432 2414 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Kieran Hanna  
Manager (Planning)

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations about a referral agency response provisions

cc Alan Truss, alantruss@live.com.au



2401-38743 SRA

**Attachment 1—Advice to the applicant**

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**General advice**

- |    |   |
|----|---|
| 1. | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP), (version 3.0). If a word remains undefined it has its ordinary meaning. |
|----|---|

2401-38743 SRA

**Attachment 2—Reasons for referral agency response**

(Given under section 56(7) of the *Planning Act 2016*)

The development complies with State code 1: Development in a state-controlled road environment of the SDAP version 3.0. Specifically, the development:

- does not increase the likelihood or frequency of accidents, fatalities, or serious injury for users of a state-controlled road
- does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
- does not adversely impact the function efficiency of state-controlled roads or future state-controlled roads
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, future state-controlled roads or road transport infrastructure
- does not significantly increase the cost to plan, construct, upgrade or maintain state-controlled roads, future state-controlled roads or road transport infrastructure
- does not adversely impact the state's ability to operate public passenger services on state-controlled roads
- protects community amenity from significant adverse impacts of environmental emissions generated by road transport infrastructure or vehicles using state-controlled roads.

**Material used in the assessment of the application:**

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version 3.0, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

2401-38743 SRA

**Attachment 3— Representations about a referral agency response provisions**

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**16.2 DEVELOPMENT APPLICATION BONSEY****IX: 247079****Author: Janelle Menzies, Manager Governance and Compliance****Attachments:**  
1. Additional Development Plans  
2. Existing Approval**KEY OUTCOME****Key Outcome:** 1. Great Place to Live**Key Initiative:** 1.1 Well-planned and highly liveable communities**EXECUTIVE SUMMARY**

The purpose of this report is for Council to decide the Minor Change application to an existing Development Permit for a "New Industrial Shed" on land situated at 35 Sommerfield Road, Quilpie, formally described as Lot 53 on NK95.

**RECOMMENDATION***That Council*

1. *receive this report; and*
2. Council issues a change decision notice to the applicant approving the Minor Change to an existing Development Permit for a "New Industrial Shed" 35 Sommerfield Road, Quilpie, formally described as Lot 53 on NK95, reflecting the following changes:

**Schedule E – New Conditions to added:****Stage 2**

12. *All works and operations associated with Stage 2 are to be carried out generally in accordance with the approved plans listed in the following table. Where the approved plans conflict with the Assessment Manager's conditions, the Assessment Manager's conditions shall take precedence.*

<i>Plan/Document Number</i>	<i>Plan/Document Name</i>	<i>Date</i>
-	<i>Jake Bonsey Transport Pty Ltd</i>	<i>n.d.</i>
<i>AP36727</i>	<i>Front &amp; Rear Elevation</i>	<i>05/12/2023</i>
<i>AP36727</i>	<i>Left &amp; Right Elevation</i>	<i>05/12/2023</i>
<i>AP36727</i>	<i>Floor Plan</i>	<i>05/12/2023</i>

13. *A building setback of three (3) metres from the northern boundary must be observed.*
14. *Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed. The developer shall ensure that in all cases, discharge of stormwater runoff from the development drains freely to the legal point/s of discharge for the development.*
15. *No nuisance is to be caused to adjoining properties and occupiers by the way of noise smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time.*
16. *The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.*
17. *A minimum of 10% of the site shall be landscaped with a majority of the landscaping to be maintained the along the Sommerfield Road frontage.*
18. *During construction, erosion controls and silt collection measures are to be put in place to protect environmental values and mitigate potential impacts to adjoining properties and roadways.*

**Individuals or Organisations to which the report applies:**

Council's decision regarding this matter is likely to affect the landowner and the applicant – Jake Bonsey.

**Context:**

Determination of a Change Application sits outside the scope of officer delegations and a decision is required to be made by Council resolution.

**Proposal:**Characteristics of the Site

The subject site, Lot 53 on NK95, forms part of a larger industrial use located at 35 Sommerfield Road, Quilpie. The subject site has an area of 9,713m<sup>2</sup>, with the entire site having an area of 3.48ha. The site contains existing industrial sheds and outdoor storage and manoeuvring areas.

The site has frontage to Sommerfield Road on the eastern boundary and a large rural parcel of land along the western boundary. Access to the site will be via the existing industrial crossover.

Proposed Development

The original development approval was for a new industrial shed to be constructed on the site. The site has been used for industrial purposes for a number of years and is considered to have existing lawful use rights.

The proposed development is to construct a new 45m x 15m shed (675m<sup>2</sup>) on the site, behind the existing shed. The proposed site layout is shown below in Figure 1.

The applicant has advised that the proposed shed is to provide covered and secure storage associated with the existing activities on site. No new uses or intensification of the existing uses will occur.



**Figure 1 – Toilet location Plan**

### **Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

The proposal constitutes a Minor Change to an existing Material Change of Use approval as defined under the *Planning Act 2016*.

The assessment manager must assess a minor change application in accordance with Section 81 of the *Planning Act 2016*, having regard to the matters that were considered when assessing the original development application.

The proposed development has been submitted as a minor change application and is required to be assessed against:

- Schedule 2 on the *Planning Act 2016*
- Schedule 2 of the Development Assessment Rules
- Quilpie Shire Planning Scheme 2018

Assessment against the assessment benchmarks is provided below.

Schedule 2 of the Planning Act and Schedule 1 of the Development Assessment Rules

Provision	Response
<p>(b) for a development approval -</p> <p>(i) would not result in substantially different development; and</p> <p><i>A change may be considered to result in a substantially different development if any of the following apply to the proposed change:</i></p> <p>(a) involves a new use; or</p> <p>(b) results in the application applying to a new parcel of land; or</p> <p>(c) dramatically changes the built form in terms of scale, bulk and appearance; or</p> <p>(d) changes the ability of the proposed development to operate as intended; or</p> <p>(e) removes a component that is integral to the operation of the development; or</p> <p>(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</p> <p>(g) introduces new impacts or increase the severity of known impacts; or</p> <p>(h) removes an incentive or offset component that would have balanced a negative impact of the development; or</p> <p>(i) impacts on infrastructure provisions.</p>	<p><b>Complies</b></p> <p>The proposed change is not considered to be substantially different development as:</p> <ul style="list-style-type: none"> <li>the change does not involve a new use on the premises;</li> <li>the change does not apply to a new parcel of land.</li> <li>The proposed new shed is not considered to dramatically change the built form as it will be located behind the existing shed on site.</li> <li>The proposed new shed will not change the ability of the development to operate as intended.</li> <li>The proposed change does not remove a component that is integral to the development.</li> <li>The proposed change will not increase the amount of traffic accessing the site. The change does not increase the scale or intensity of the use.</li> <li>The proposed change is not considered to introduce any new impacts on surrounding land uses.</li> <li>No incentives or offsets were applied to the original development.</li> <li>The proposed changes will not impact the infrastructure provisions for this lot.</li> </ul>
<p>(ii) if a development application for the development, including the change, were made when the change application is made would not cause—</p> <p>(A) the inclusion of prohibited development in the application; or</p>	<p><b>Complies</b></p> <p>The proposed change does not include any prohibited development.</p>
<p>(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or</p>	<p><b>Complies</b></p> <p>The proposed change does not trigger referral to any external agencies.</p>
<p>(C) referral to extra referral agencies, other than to the chief executive; or</p>	<p><b>Complies</b></p>

Provision	Response
	The proposed change does not trigger referral to any external agencies.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or	<b>Complies</b> The proposed change does not require assessment by any referral agencies.
(E) public notification if public notification was not required for the development application.	<b>Complies</b> If the application were to be submitted as a new development, the use would be defined as a Transport Depot. A Transport Depot is Code Assessable in the Industrial Precinct.

### Council Policies or Asset Management Plans:

The use of the site has been approved in accordance with the policies in place at the time. Any perceived conflict is considered to have been resolved as part of the original development approval.

The below assessment will only consider the proposed changes to the development against the current scheme provisions.

### Part 6.2.4 Township Zone Code

The proposed development complies with the Purpose and Overall Outcomes of the Township zone because;

- The proposed development will facilitate economic development through supporting the ongoing operation of an existing industrial use in the industrial precinct;
- The proposal is compatible with the scale and character of the industrial precinct.
- The proposal does not compromise the safety or efficiency of the road network;
- The proposal is serviced by QSC infrastructure or on-site infrastructure where reticulated infrastructure is not available.

The proposed development has also been assessed against the Performance and Acceptable Outcomes of the Township Zone Code. The proposed development generally complies with the relevant assessment benchmarks as:

- The proposal is for an Industrial use that is not expected to impact any sensitive land uses outside the industrial precinct.
- The proposed shed is generally consistent with existing development on the site.



Part 7.3.1 General Development Code

The proposed development complies with the Purpose and Outcomes of the Industry zone because;

- The proposed development will not adversely impact any areas of state environmental significance;
- The proposal has been designed to be consistent with existing buildings on site;
- An appropriate level of servicing infrastructure will be provided to the development;
- No earthworks are proposed on site that would impact natural drainage paths; and
- The development does not conflict with the ongoing operation of the stock route network.

The proposed development has also been assessed against the Performance and Acceptable Outcomes of the General Development Code. The proposed development complies with all relevant assessment benchmarks, with exceptions outlined below:

Performance outcomes	Response
<b>For assessable development</b>	
<b>AO10</b> Car parking is provided at rates as per table 7.3.1.2	<b>Alternative Solution</b> The submitted proposal plan does not show any specific areas for car parking. Table 7.3.1.2 requires 1 space per 50m <sup>2</sup> of Gross Floor Area for Industrial Uses.  Given the proposed new shed will not generate additional staff or customers attending the site, it is considered that all existing car parking areas are adequate to cater for the use of the site.

**Input into the Report & Recommendation:**

The Officer's recommendation has been informed by Council's Planning Scheme policy settings.

**Funding Bodies:**

**N/A** – The project is a private development that will be funded by an external party.

**This Financial Year's Budget:**

The costs of fulfilling and development approval obligations, financial or otherwise, remains the sole responsibility of the operators and landowner/s. There is potential for Council to incur costs only in the event that a decision regarding the application is appealed to the Court.

**Future Years' Budget:**

As above.

**Risks:**

Potential risks associated with the proposal can be addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

As with any planning decision reached by Council, there is a risk that the applicant can appeal any aspect of the decision to the Planning and Environment Court (the Court).

**Note:** The likelihood of an appeal by any party is not a valid planning consideration and must not be used to inform Council's decision on any planning matter.

The original application was Impact Assessable and public notification was undertaken in accordance with the Development Assessment Rules. No submissions were received during the public notification process. There is therefore no risk of a submitter appeal to Council's decision.

**Advice to Council:**

It is considered that the proposed change presents no significant conflict with the applicable assessment benchmarks. Development conditions have been amended to reflect the changed development and to ensure compliance to the greatest extent possible. Any residual inconsistency with the assessment benchmarks has been considered against the following relevant matters:

- the development is a minor change to an existing use that does not constitute substantially different development;
- the change remains generally consistent with the relevant outcomes of the current Quilpie Shire Planning Scheme 2018;
- the development supports the ongoing operation of an existing industrial business in the Quilpie Shire;
- there is an absence of any significant impacts that result from the development.





George Zuev 05 DEC 2023  
RPOC 7551

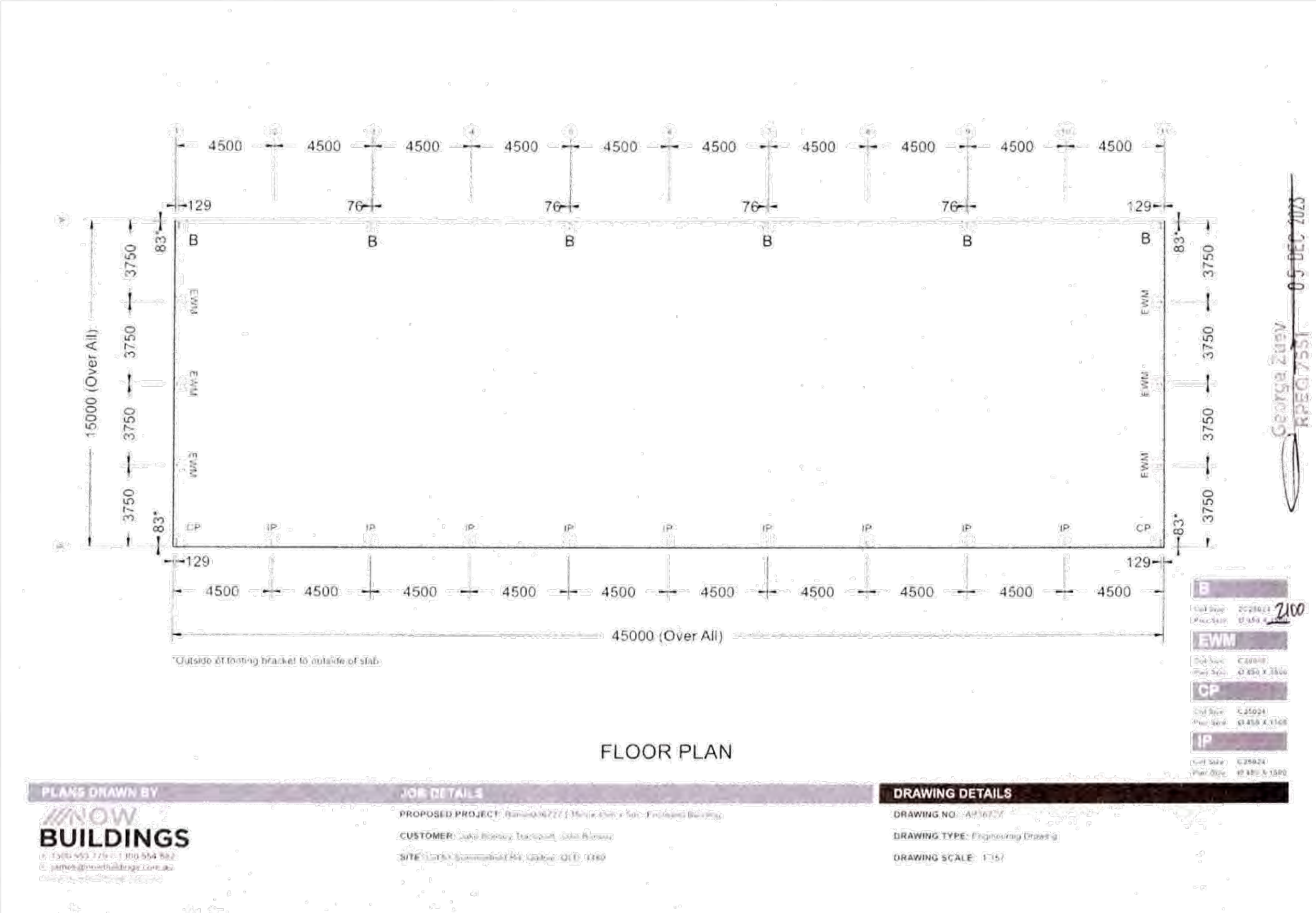
Plans Drawn By	Job Details	Drawing Details
 <p> <b>NOW BUILDINGS</b>            T: 1 800 563 779 F: 1 300 554 662            E: <a href="mailto:info@nowbuildings.com.au">info@nowbuildings.com.au</a> </p>	<p><b>PROPOSED PROJECT</b> Removable / Temporary / Mobile / Portable / Portable / Portable</p> <p><b>CUSTOMER</b> John Doe / Transport / John Doe</p> <p><b>SITE</b> 123 Main Street / 123 Main Street / 123 Main Street</p>	<p><b>DRAWING NO.</b> AP12345</p> <p><b>DRAWING TYPE</b> Architectural Drawings</p> <p><b>DRAWING SCALE</b> 1:1</p>





George Zuev  
RPEQ 7551  
05 DEC 2025

35 | Page







## Quilpie Shire Council

All Correspondence  
To be addressed to:  
Chief Executive Officer  
PO Box 57  
Quilpie 4480

50 Brolga Street  
Quilpie 4480  
Telephone: (07) 4656 1133  
Facsimile: (07) 4656 1441

Our Ref: DA12/99  
DEVELOPMENT PERMIT

Your Ref:

### DEVELOPMENT PERMIT DA12/99

## DEVELOPMENT APPLICATION DECISION NOTICE

INTEGRATED PLANNING ACT 1997

*Section 3.5.15*

*Date of Approval 2 JUNE 1999*

To Steve Bonsey Transport  
P.O. Box 83  
QUILPIE, Qld 4480

Dear Sir,

You are advised that the Development Application DA12/99 submitted by you has been assessed and approved by Council, subject to conditions as set out in the following schedules, which form part of this Development Permit.

This development permit is a combined preliminary approval and development permit. The conditions of approval and the requirements of the Integrated Planning Act 1997 are detailed in the schedules listed below:-

- ◆ The Company or Person(s) authorised by this Development Permit to carry out the work specified by this Approval are in **Schedule A**;
- ◆ The property to which this Development Permit applies is in **Schedule B**;
- ◆ Referral Agencies contacted are in **Schedule C**;
- ◆ The type of Development Activity approved/ approved subject to conditions/refused is described in **Schedule D**;
- ◆ The Assessment Managers conditions of approval for this Development Permit are in **Schedule E**;
- ◆ Codes, Standards and Acts to be observed are in **Schedule F**;
- ◆ The reason/s for Council's decision are in **Schedule G**;
- ◆ The Concurrence Agency/Agencies conditions of approval for this Development Permit are in **Schedule H**;

*Home of the Boulder Opal*

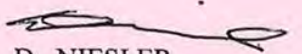
- ◆ Your Rights of Appeal if you are the Applicant are in **Schedule I**;
- ◆ Your Rights of Appeal if you are a Submitter are in **Schedule J**;
- ◆ The date of receipt and approval are in **Schedule K**;

You are advised that **Building Work and Plumbing And Drainage Work** approved by this Development Permit is valid for a period of Twelve (12) months, and after work commences is to be completed Eighteen (18) months from the approval date of this Development Permit (see schedule E, condition 1). Where this Development Permit is for **Approval to Carry Out Operational Works, Make A Material Change Of Use or Reconfigure A Lot** this approval is valid for a period of two (2) years from the date of issue of this Development Permit. Should the proposed development not be started or completed within the time specified you will need to apply to Council requesting an extension of time. Any request is to be in writing, submitted at least one (1) month before the expiry date and detailing reasons why Council should grant the extension of time to the Development Permit.

Where further information of a technical nature is required by Council and has not been requested prior to this Development Permit being issued, the information sought is specified in Schedule G. Unless otherwise stated, any additional information is to be supplied to Council prior to any development work, including building work, commencing.

Should you have any questions or enquires with regard to this Development Permit please contact Council's Building Department.

Yours faithfully

  
D. NIESLER  
Chief Executive Officer



**SCHEDULE A**

The Company or Person's authorised by this Development Permit:-

**APPLICANT**                      **Name**                      : Steve Bonsey Transport  
   **Address**                      : PO Box 83 Quilpie Qld 4480  
   **Phone No.**                      :

**OWNER:**                      **Name**                      : APPLICANT  
   **Address**                      :  
   **Phone No.**                      :

**BUILDER:**                      **Name**                      : APPLICANT  
(if applicable)                      **Address**                      :  
   **Phone No.**                      :  
   **Registration No.:**

**SCHEDULE B**

The property to which this Development Permit Applies is:-

**SITE ADDRESS:**                      **Street No**      SOMMERFIELD      Road  
   **Town**              Quilpie                      **Post Code** 4480

**REAL PROPERTY DESCRIPTION:** **Lot No.** 53/NK95      **Description**  
   **Parish**      WOORBIL  
   **Assessment No.** 447/60000

**SCHEDULE C**

Referral Agencies:-

**CONCURRENT AGENCIES** **Name** : N/A  
   **Address** :

**ADVICE AGENCIES**                      **Name** : N/A  
   **Address** :

**SCHEDULE D**

Type of Development Permits/Activity Approved/Refused :-

APPLICATION AND APPROVAL TYPES		DEVELOPMENT PERMIT	PRELIMINARY APPROVAL
1.	CARRY OUT BUILDING WORK	YES	NO
2.	CARRY OUT PLUMBING OR DRAINAGE WORKS	YES	NO
3.	CARRY OUT OPERATIONAL WORKS	NO	NO
4.	MAKE A MATERIAL CHANGE OF USE OF THE PREMISES	NO	NO
5.	RECONFIGURE A LOT	NO	NO

**DESCRIPTION OF DEVELOPMENT WORK APPROVED****1. BUILDING OPERATIONS:**

Type of Building : New industrial shed;  
 Class Of Building (Classification) : Seven (7b);  
 Rise in Stories : One (1);  
 Type of Construction : Type C;  
 Estimated Cost (Value of all labour and materials): \$ 26,400.

**2. PLUMBING WORK:**

Plumbing and Drainage Work approved (Stormwater disposal).

**3. CARRY OUT OPERATIONAL WORKS:**

No Operational Works Approved.

**4. MAKE A MATERIAL CHANGE OF USE OF THE PREMISES**

No Material Change Of Use Of The Premises Approved.

**5. RECONFIGURE A LOT**

No reconfiguring of a lot has been approved.



**SCHEDULE E****ASSESSMENT MANAGER'S DEVELOPMENT PERMIT CONDITIONS OF APPROVAL:**

1. This approval will be void if the construction authorised by this approval is not substantially commenced within Twelve (12) months of the date of issue and completed within Eighteen (18) months.
2. The building/Structure being built in conformity with the attached approved plans, including compliance with any amendments shown in red and endorsed on the approved plans.
3. Inspections required by Quilpie Shire Council:
  - a) Prior to the placing of any concrete or covering or filling any excavation.
  - b) Upon completion of the frame prior to fixing of any cladding
  - c) Brick and brick veneer wall tie inspection
  - d) When the building is completed prior to being occupied.Notice must be given to the Council not more than 48 hours prior to the completion of the above work or stage of construction so that an inspection of those works or stage of construction may be arranged.
4. A copy of this approval must be retained on site and produced on request to the Building Surveyor at any time during the course of construction
5. No building is to be occupied until a 'Certificate of Classification' is issued. Class 1a and 10a buildings excepted.
6. SURFACE DRAINAGE
  - a) The floor slab being a minimum of 225mm above the height of the finished ground level with the ground adjacent to the building being graded away from the building at a minimum slope of 1:20 for a minimum distance of 900mm.
  - b) Provision of a system of drainage approved by Council to shed stormwater drainage away from the building or a particular area of the site.
7. NEW BUILDING: temporary closet accommodation is to be provided by the employer in accordance with the provisions of the Sanitary Convenience and Night soil Disposal Regulations 1976 and the requirements of the Code of Practice Workplace Amenities.
8. The area beside the footway in Sommerfield Road is to be kept clear of all goods, items, materials or waste products at all times.
9. The building meeting the requirements for wind loading in Terrain Category 3, W41, Australian Standard 1170, Pt. 2, The appropriate "Tradac" manual and the BCA.
10. A building setback of six (6) metres being observed from Sommerfield Road.
11. This approval is for a partly enclosed building. A separate development application will be required to fully enclose the building.

**SCHEDULE F**

The Codes, Standards and Acts to be observed, where required, are:-

**IPA 1997 (INTEGRATED PLANNING ACT 1997 AND REGULATIONS);**

**BCA (BUILDING CODE OF AUSTRALIA);**

**AS 3500 – NATIONAL PLUMBING CODE, and**

**APPROPRIATE AUSTRALIAN STANDARDS AS CALLED UP BY THE  
BUILDING CODE OF AUSTRALIA, and the**

**WORKPLACE HEALTH AND SAFETY ACT 1989**

Owners are reminded that under this Act they have full responsibility for safety on this project unless they appoint a Principal contractor as prescribed. Contact your nearest office of the division of Workplace Health and Safety for information.

**SCHEDULE G**

Reason for approval, approval subject to conditions or refusal are:-

Approved or Approved Subject to conditions as Council actively encourages the further residential and/or commercial and /or industrial development of the Shire of Quilpie.

**SCHEDULE H****CONCURRENCE AGENCY CONDITIONS**

No Concurrence Agency conditions apply



***SCHEDULE I*****APPEALS BY APPLICANTS**

Should you wish to appeal against a decision of Council or a condition placed on this Development Permit by Council where an approval has been given for permission to carry out **Building Work** and/or **Plumbing and Drainage Work**, you have the right of appeal to the **Building Appeals tribunal** or to the **Planning and Environment Court**.

Should you wish to appeal against a decision of Council or a condition placed on this Development Permit by Council where an approval has been given for permission to carry out **Operational Works**, **Make a Material Change of Use** or **Reconfigure a Lot** you have the right of appeal to the **Planning and Environment Court**.

***SCHEDULE J*****APPEALS BY SUBMITTERS (OBJECTORS)**

If you have made a "*properly made submission (s 4.1.28)*" you have the right of appeal to the Planning and Environment Court.

***SCHEDULE K***

**Date of Application** : 31 MAY 1999

**Date of Approval** : 15 JUNE 1999

**Development Application Number** : DA12/99

**Building Permit Approval Number** : DA12/99

END OF SCHEDULES

**16.3 ROAD RESERVE - MAINTENANCE REQUEST****IX: 247085****Author: Justin Hancock, Chief Executive Officer****Attachments: Nil****KEY OUTCOME**

**Key Outcome:** 2. Flourishing Economy

**Key Initiative:** 2.3 Maintain safe and efficient transport networks

**EXECUTIVE SUMMARY**

For Council to consider a request to substitute a heavy formation grade maintenance works with the supply of gravel for small causeways on the road reserve between the Diamantina Developmental Road to Lot 2 W524.

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**RECOMMENDATION**

1. That Council:
  - (a) Withhold on undertaking a heavy formation grade on the road reserve between the Diamantina Development Road and the boundary of Lot 2 W524 for a period of 12 months; and
  - (b) Alternatively supply gravel to small causeways within the road reserve between the Diamantina Development Road and the boundary of Lot 2 W524.

**BACKGROUND**

At the Council meeting held on 15 January 2024, Council resolved the following:

**RESOLUTION NO: (QSC001-01-24)**

*Moved: Cr Bruce Paulsen*

*Seconded: Cr Roger Volz*

*That Council:*

- 1. Commence the design of the intersection and upgrade to the floodway;*
- 2. Consult with relevant parties relating to the construction of the intersection and upgrade to the floodway;*
- 3. Undertake a heavy formation grade in the road reserve; and*
- 4. Provide Council with a report for future budget consideration once items 1 & 2 have concluded.*

5/0

A copy of the resolution was sent to the owners of Lot 2 W524 on 16 January 2024 advising that Council will undertake a heavy formation grade inside of the road reserve (up to the boundary of Lot 2 W524) prior to the 18th of April.

A response was received on 20 January 2024 advising the following:

*'At present, besides a couple of very small sections where the water runs across the road, the road is in good condition and does not need grading.*

*In the past after that road gets a fresh grade and the more black type soil gets pulled up onto the road it becomes very sticky & slippery after rain.*

*While the road is still in a reasonable condition instead of doing a heavy formation grade would it be possible for council to put some gravel on the small sections where water runs across the road?*

## PRIOR RESOLUTIONS

### Resolution No: (15-12-16)

Moved by: Cr Jenn yHewson

Seconded by: Cr Bruce Paulsen

*That Council) apply for road opening to Lot 2 W524 for public purposes via the Diamantina Development Road and through private property described as Lot 3 NK100 subject to the approval of the owner of Lot 3 on NK100. This application will be made subject to the owners of Lot 2 W524 paying all legal, survey and infrastructure costs and obtaining all permits and approvals required associated with the road opening.*

5/0

### RESOLUTION NO: (QSC145-08-22)

Moved: Cr Roger Volz

Seconded: Cr Lyn Barnes

That Council resolve to:

- 1. support the previous conditions set for a road opening to Lot 2W524 as per resolution 15-12-16; and*
- 2. consider support towards infrastructure costs associated with intersection and road upgrades if required by Transport and Main Roads and Council.*

### RESOLUTION NO: (QSC002-01-24)

Moved: Cr Bruce Paulsen

Seconded: Cr Roger Volz

That Council:

- 1. Commence the design of the intersection and upgrade to the floodway;*
- 2. Consult with relevant parties relating to the construction of the intersection and upgrade to the floodway ;*
- 3. Undertake a heavy formation grade in the road reserve; and*
- 4. Provide Council with a report for future budget consideration once items 1 & 2 have concluded.*

5/0

**OPTIONS**Option 1 – Recommended

1. That Council:
  - (a) Withhold on undertaking a heavy formation grade on the road reserve between the Diamantina Development Road and the boundary of Lot 2 W524 for a period of 12 months; and
  - (b) Alternatively supply gravel to small causeways within the road reserve between the Diamantina Development Road and the boundary of Lot 2 W524.

Option 2

1. That Council:
  - (a) Does not supply gravel to small causeways within the road reserve between the Diamantina Development Road and the boundary of Lot 2 W524; and
  - (b) Proceeds to undertake a heavy formation grade on the road reserve between the Diamantina Development Road and the boundary of Lot 2 W524.

**CONSULTATION (Internal/External)**

Director Engineering Services – Peter See

Works Manager – Brian Weeks

**LEGAL IMPLICATIONS**

N/A

**POLICY AND LEGISLATION**

Local Government Act 2009

Local Government Regulation 2012

**FINANCIAL AND RESOURCE IMPLICATIONS**

Council's works department estimates that the substitution of a heavy formation grade with the inclusion of gravel into some small waterways would be near cost neutral.

**RISK MANAGEMENT IMPLICATIONS**

Low Risk