

03.11.2021

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Web: [www.northburnett.qld.gov.au](http://www.northburnett.qld.gov.au)  
ABN: 23 439 388 197

Your Reference: Nil  
Our Reference: DA210036

Burnett Country Certifiers  
12/58 Newton Street  
MONTO QLD 4630

Dear Sir / Madam

**RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR SERVICE INDUSTRY AT 50 LEICHHARDT STREET, MUNDUBBERA; LAND DESCRIBED AS LOT 8 ON M589.**

Thank you for the above-mentioned development application lodged with the North Burnett Regional Council on 17 September 2021 and taken to be properly made on 17 September 2021.

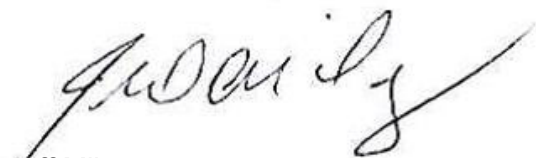
Please find attached the Decision Notice for the above-mentioned development application.

Sections 71 and 72 of the Planning Act 2016 identifies when a development approval has effect and the development may start. In summary, a development approval generally has immediate effect, except when—

- if there is an appeal, after the appeal has ended;
- if there is no appeal but there was a submitter, all submitters have notified the Council that they will not appeal the decision, or when the last appeal period ends.

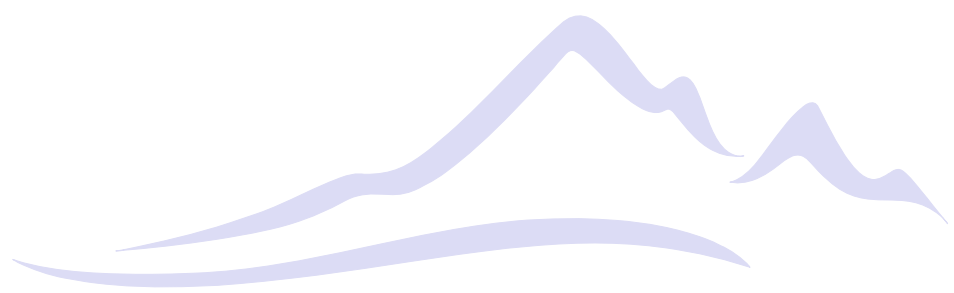
Please quote Council's application number: DA210036 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact Council's Development Services team on telephone 1300 696 272.

Yours faithfully



Jeff Miles  
**Planning & Environment Manager**

Enc: Decision notice  
Approved plans



## Decision notice — approval (with conditions)

(Given under section 63 of the Planning Act 2016)

Thank you for your development application detailed below which was properly made on 17 September 2021 The North Burnett Regional Council has assessed your application and decided it as follows—

### Applicant's Details

Name: Burnett Country Certifiers  
 Postal Address: 58 Newton Street  
 Monto, QLD 4630  
 Email: [rick@burnettcc.com.au](mailto:rick@burnettcc.com.au)  
 Phone No.: 07 4166 3108  
 Mobile No.: 0428 456 372

### Location details

Street address: 50 Leichhardt Street, Mundubbera  
 Real property description: Lot 6 on M589: PAR MUNDOWRAN  
 Local government area: North Burnett Regional Council

### Application details:

Application number: DA210036  
 Approval sought: Material Change of Use  
 Description of development proposed: Service Industry (Electrical contractor's workshop and depot and incidental and subordinate display and sales)

### Decision

Date of decision: 3 November 2021  
 Decision details: Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.  
 This application is taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

	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"/>

## Approved plans and specifications

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Copies of the following plans, specifications and/or drawings are enclosed in attachment 2—

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Site Plan	Anthony Nelson Building Designer	August 2021	PC/1031/21	Received under BCC letter dated 30/9/21
Elevations	Anthony Nelson Building Designer	August 2021	PC/1031/21	Submitted with the application

## Conditions

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This approval is subject to the conditions in Attachment 1.

## Further development permits

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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

## Referral agencies for the application

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Not applicable—This application did not require referral to a concurrence agency.

## Currency period for the approval

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This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*—refer <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sec.85>. A hard copy of section 85 of *Planning Act 2016* can be provided upon request

## Conditions about infrastructure

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No conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*

## Rights of appeal

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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* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6>) and Schedule 1 of the *Planning Act 2016* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>). 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* – <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6-pt.2>). A hard copy of the appeal rights extracted from the *Planning Act 2016* can be provided upon request.

Should you require any further assistance in process, please contact Council's Development Services Department on 1300 696 272.

Yours faithfully

  
Jeff Miles  
**Planning & Environment Manager**

Enc: Attachment 1-conditions imposed by assessment manager  
Attachment 2-approved plans  
Attachment 3-appeal rights

## **Attachment 1 – Conditions Imposed by Assessment Manager**

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### **General**

- 1) Carry out the approved development in accordance with the approved plans and documents identified in section 5 “Approved plans” of the decision notice approval, except as modified by the conditions of this approval as relevant.
- 2) Where there is any conflict between conditions of this approval and details shown on the approved plans and documents, the conditions prevail.
- 3) Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
- 4) Comply with all the conditions of this development permit prior to commencement of the use, and maintain compliance whilst the use continues.
- 5) The display and sale of electrical fittings, air conditioning or the like is to remain ancillary (incidental and subordinate) to the electrical contractor’s workshop and depot.
- 6) As advised in the Burnett Country Certifiers letter dated 30 September 2021, clad the building’s walls with Colorbond Birch Grey, or an alternative design approved by the Council’s delegate.

### **Construction management**

- 7) Unless otherwise approved in writing by the Assessment manager, do not carry out building work in a way that makes audible noise—
  - a) on a business day or Saturday, before 6:30am or after 6:30pm
  - b) on any other day, at any time.
- 8) Contain all litter, building waste, and sediment on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or public spaces.
- 9) Remove any spills of soil or other material from the road or gutter upon completion of each day’s work, during construction.

### **Erosion and sediment control**

- 10) Implement and maintain an erosion and sediment control (ESC) plan on-site for the duration of the operational and building works, and until all exposed and disturbed soil areas are permanently stabilised, to prevent the release of sediment or sediment laden stormwater from the site.

### **Services and Infrastructure**

- 11) Locate and protect any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- 12) Connect the premises to the reticulated water supply and sewerage systems, and provide internal infrastructure as required to satisfy the demands of the development. Infrastructure

design and construction must be in accordance with the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for development works policy*.

- 13) Connect the premises to the reticulated electricity network. Infrastructure design and construction meets the design, construction and operational standards of the current service provider.
- 14) Connect the premises to telecommunication services in accordance with the design, construction and operational standards of the relevant provider.
- 15) Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of work associated with the development.

### **Vehicle access and car parking**

- 16) Design and construct off-street parking, access, and manoeuvring areas in accordance with the approved plans and the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works*. Car parking, access, and manoeuvring areas must be generally in accordance with the approved plans and—
  - a) provide a minimum of six parking spaces;
  - b) be designed, constructed, and delineated in accordance with AS2890 Parking facilities;
  - c) provide parking spaces for people with a disability in accordance with the Building Code of Australia and AS2890.6;
  - d) provide on-site loading and unloading for all necessary service and delivery vehicles;
  - e) be designed to effectively manage site stormwater drainage as required;
  - f) be constructed and sealed with concrete, pavers or asphalt;
  - g) provide sufficient manoeuvring to enable all vehicles to enter and leave the site in a forward direction; and,
  - h) provide sign posted to indicate entry/exit points, as well as line marking to indicate the traffic flow through the site in accordance Queensland Department of Main Roads *Manual of Uniform Traffic Control Devices*.
- 17) Operate all vehicles so that they enter via the designed entry and exit via the designated exit—both in a forward direction.

### **Stormwater**

- 18) Prior to the commencement of the use, submit to Council for approval a stormwater management plan, prepared by a Registered Professional Engineer Qld (RPEQ), that details connection to the lawful point of discharge in accordance with the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works*.
- 19) The stormwater drainage is to be designed so that no restriction to existing stormwater flow or ponding of stormwater occurs as a result of the development.

### **Waste management**

- 20) Provide an impervious area for the storage of waste and recycling bins in accordance with the following—
  - a) in the location shown on the approved plans;
  - b) designed so as to prevent the release of contaminants into the environment;

- c) sufficiently sized to accommodate all waste and recycling bins;
  - d) screened from the road frontage or other public space by landscaping or constructed screening;
  - e) a suitable hose cock (with backflow prevention) and hoses must be provided at the bin storage area, and wash down to be drained to the sewer and fitted with an approved stormwater diversion valve arrangement;
  - f) always maintained in a clean and sanitary condition.
- 21) Maintain and operate an adequate waste storage, collection and disposal service, including the maintenance of waste bins and associated storage areas so as not to cause an environmental nuisance.

### **Landscaping**

- 22) Prior to the commencement of the use, submit to Council for approval a landscape plan. The landscape plan must have regard to conditions of this approval and include—
- a) the area or areas set aside for landscaping, including the ‘vacant’ areas along the southern and western boundaries as shown in the approved plans;
  - b) a plan and schedule of all proposed trees, shrubs and ground covers which identifies:
    - i) the types of planting in accordance with Council’s landscaping policy;
    - ii) the location and sizes at planting and at maturity of all plants, including those with an expected minimum mature height of three metres;
    - iii) shade trees within or adjacent to the parking area at the rate of one tree per six car parking spaces—two shade trees to be provided in the landscaping between the Leichhardt Street frontage and the parking area.
  - c) the location of all areas to be covered by turf or other surface material including pavement and surface treatment details;
  - d) measures to ensure pedestrian surfaces are slip-resistant and trafficable in all weather conditions;
  - e) measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
  - f) water conservation measures appropriate to the site;
  - g) details of any landscaping structures.
  - h) details of cutting and filling and all retaining structures and fences and associated finishes;
  - i) contours or spot levels if appropriate;
  - j) root barriers if appropriate;
  - k) inclusion of a controlled underground or drip irrigation system—any such system is to be fitted with an approved backflow water prevention device;
  - l) location of any drainage, sewerage and other underground services and any overhead power lines;
  - m) wheel stops, bollards, kerbs or other barriers must be provided along the boundaries between landscape areas and parking, manoeuvring and utility space 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 car parking areas;

- 23) 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.

### **Nuisance**

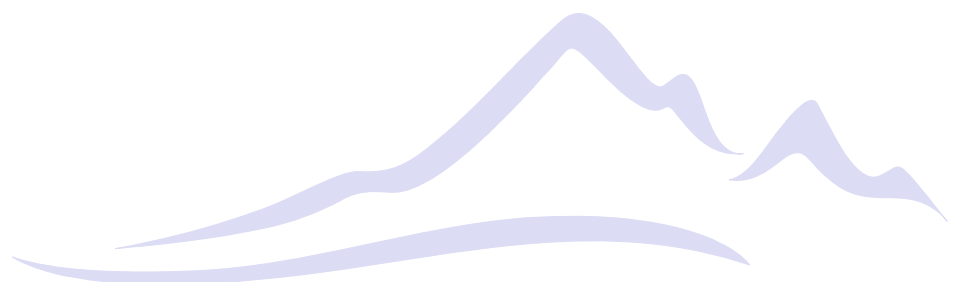
- 24) Air conditioning and refrigeration units locate at least 5 metres from any adjoining premises containing a sensitive land use, and be enclosed to minimise noise emissions.

### **Lighting**

- 25) Lighting to be used within the development is to be designed and installed in accordance with AS4282-1997: "Control of the Obtrusive Effects of Outdoor Lighting".
- 26) The vertical illumination resulting from direct or indirect light from the premises is eight (8) lux or less when measured at ground level at any point 1.5 metres outside the site, so as not to cause nuisance to occupants, nearby residents or passing motorists.
- 27) Direct or screen the proposed security lights away from sensitive land uses.

### **Advice to the applicant**

- This approval relates to development requiring approval under the Planning Act 2016 only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website ([www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)). For information about State and Commonwealth requirements please consult with these agencies directly.
- The proposed building appears to be located away from Council's sewer but will still have to meet the requirements of the QDC MP1.4 Building over or near relevant infrastructure.
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

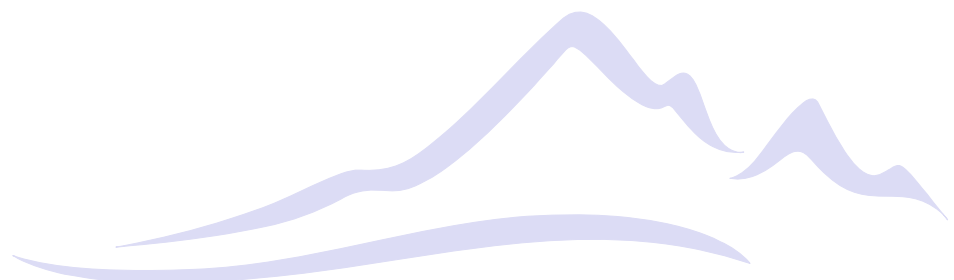


## **Attachment 2 – Approved Plans**

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**Please refer to the following pages for approved plans.**

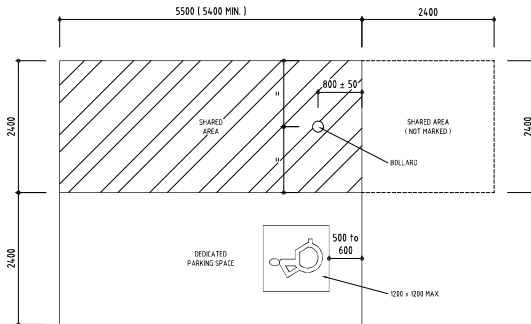




### DISABLED CARPARK LAYOUT

(SCALE 1:50)

DISABLED CARPARKING TO COMPLY WITH AS 2890.6-2009.



RP DESCRIPTION:  
LOT 8 ON M. 589  
PARISH OF MUNDOWRAN  
COUNTY OF YARROL  
AREA OF 2023sqm

AREAS:  
WAREHOUSE: 300.0sqm  
OFFICES: 180.0sqm  
AWNING: 19.5sqm  
TOTAL: 499.5sqm

SITE COVER OBTAINED: 4.99.5sqm  
24.7%  
LANDSCAPING REQUIRED: 202.3sqm  
10.0%  
LANDSCAPING OBTAINED: 732.1sqm  
36.2%  
CARPARKING OBTAINED: 7 CARS

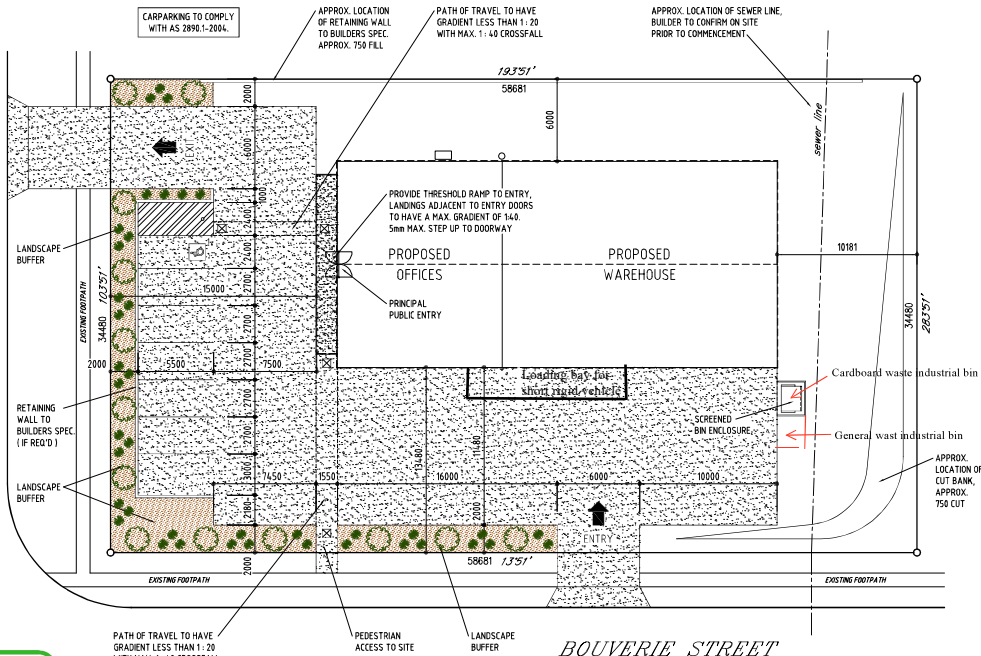
NOTES:  
- BUILDER TO CONFIRM ALL LEVELS ON SITE PRIOR TO COMMENCEMENT.  
- SITE IS NOMINALLY FLAT AS PER INFORMATION SUPPLIED BY OWNER.  
- LOCATION OF DOWNPIPES TO HYDRAULIC ENGINEERS PLANS AND SPECIFICATIONS.

NOTE:  
PROVIDE DISABLED ACCESS TO THE BUILDING FROM THE ALLOTMENT BOUNDARY AT THE MAIN POINTS OF ENTRY, FROM ANY ACCESSIBLE CARPARKING SPACE & FROM ANY ADJACENT AND ASSOCIATED BUILDINGS ON THE ALLOTMENT.

TYPE B TACTILE INDICATORS LOCATED IN ACCORDANCE WITH NCC D.3.8 AND INSTALLED IN ACCORDANCE WITH AS 1428.4.

☒ INDICATES TYPE B TACTILE INDICATORS

LEICHHARDT STREET



### SITE PLAN

(SCALE 1:200)



**PROJECT:**  
**Proposed Warehouse & Offices**  
**For Adam Rhind Electrical**  
**at Lot 8 (50) Leichhardt Street,**  
**Mundubbera.**

Areas:

Warehouse:	300.0 sqm
Offices:	180.0 sqm
Awning:	19.5 sqm
<b>Total:</b>	<b>499.5 sqm</b>

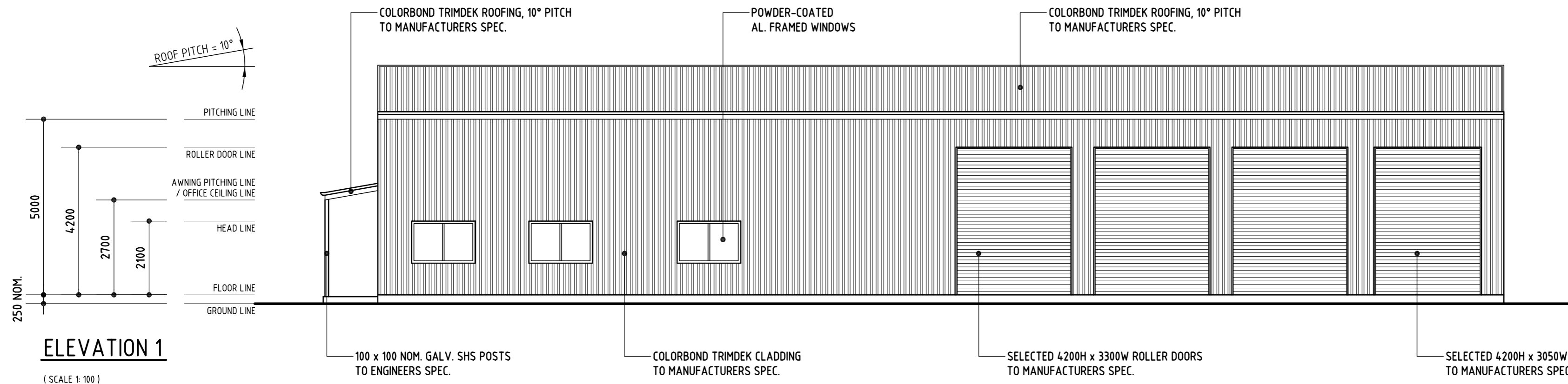
**DOCUMENTS BY:**  
**Anthony Nelson**  
BUILDING DESIGNER  
QBCC Lic. No 72999



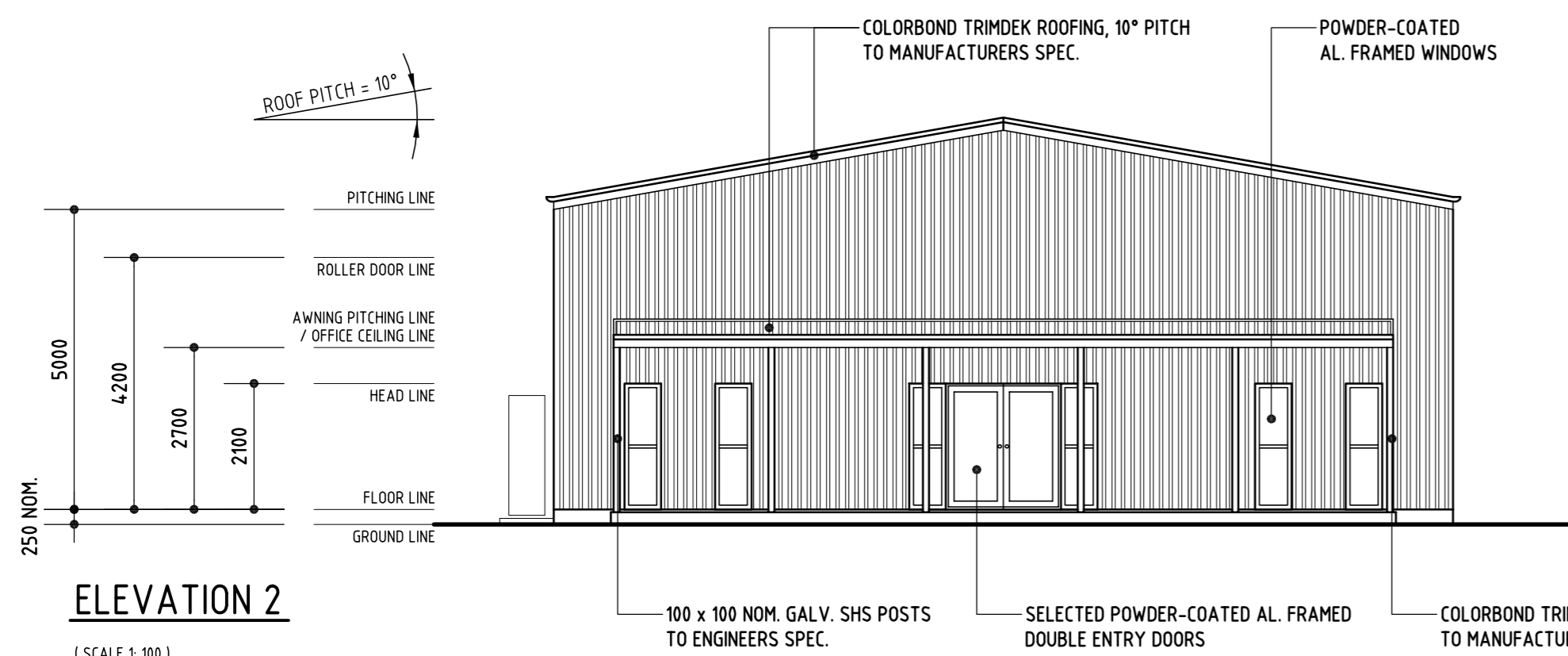
Shop 9  
12 Nissen Street, Pialba  
Hervey Bay, QLD 4655  
hbdg@bigpond.net.au  
www.hbdesigngroup.com.au  
Ph : (07) 41 241 561



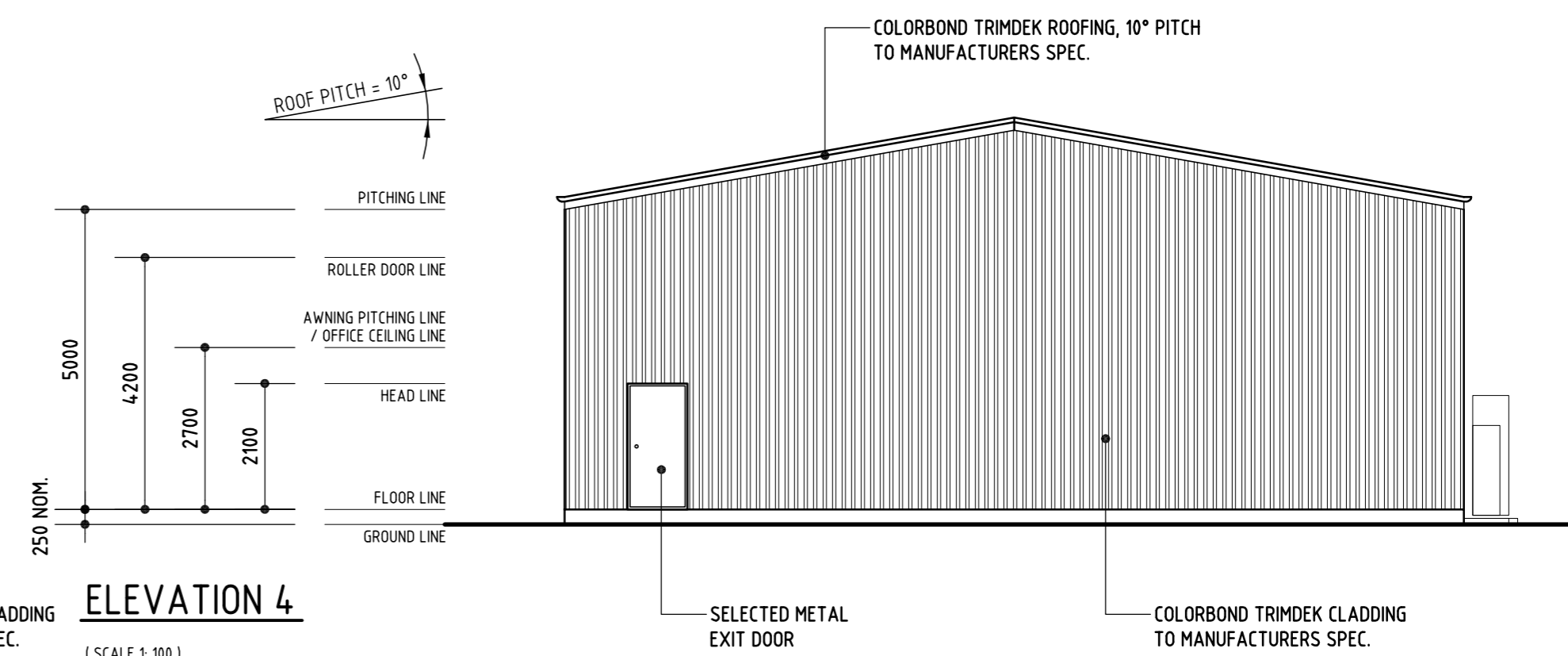
DRAWN	B.Y.	JOB No.	PC / 1031 / 21
DATE	AUG '21	SHEET	1 of 6 (A2)
CHECKED	A.N.	Approved:	



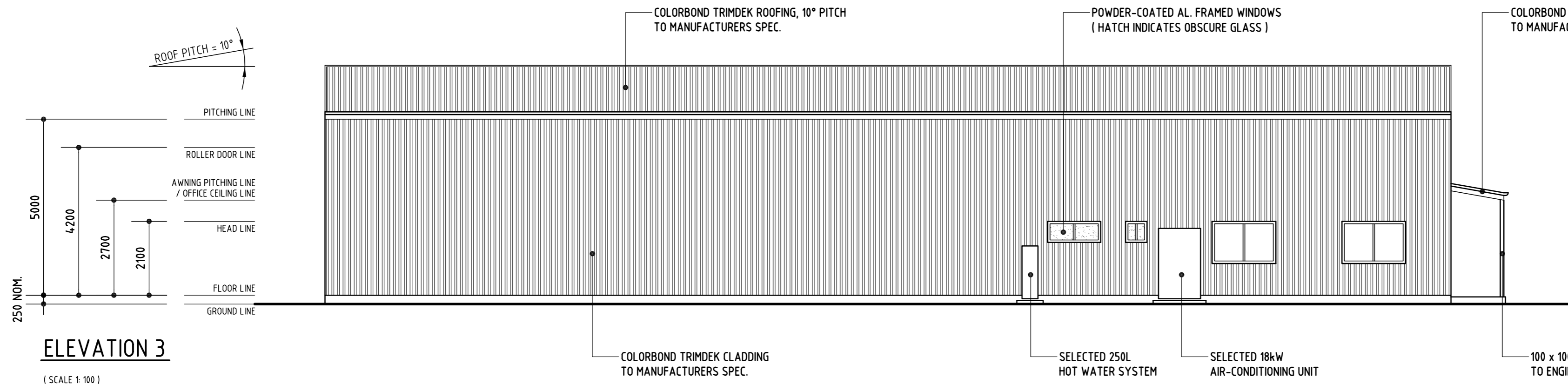
**ELEVATION 1**  
(SCALE 1:100)



**ELEVATION 2**  
(SCALE 1:100)



**ELEVATION 4**  
(SCALE 1:100)



**ELEVATION 3**  
(SCALE 1:100)



NOT TO SCALE WHEN PRINTED ON A3

ELEVATIONS  
1 : 100

PROPOSED WAREHOUSE & OFFICES  
ADAM RHIND ELECTRICAL  
LOT 8 (50) LEICHHARDT STREET, MUNDUBBERA

DRAWN B.Y.  
DATE AUG '21  
CHECKED A.N.

JOB No. PC/1031/21  
SHEET 4 (A2)  
Amdt. -

## **Attachment 3 – Appeal Rights Planning Act 2016**

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**Please refer to attached document or**

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6>

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>

