



31/05/2022

Mailing Address: PO Box 390, Gayndah Qld 4625
Street Address: 34-36 Capper Street, Gayndah Qld 4625
Telephone: 1300 696 272
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Web: www.northburnett.qld.gov.au
ABN: 23 439 388 197

Your Reference: S219813
Our Reference: DA220022

Vanessa Meyer
C/-JB Serisier Surveyors & Planners
PO Box 540
PIALBA QLD 4655

Dear Sir / Madam

**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT - 1 INTO 2 LOTS AT 27
BOYD STREET, GAYNDAH ON LAND DESCRIBED AS LOT 6 ON SP185997**

Thank you for the above-mentioned development application lodged with the North Burnett Regional Council on 7 April 2022 and taken to be properly made on 13 April 2022.

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: DA220022 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 sincerely,


John Fraser
Development & Building Services Stream Leader

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 13 April 2022 The North Burnett Regional Council has assessed your application and decided it as follows—

Applicant's Details

Name: Vanessa Meyer
 Postal Address: C/-JB Serisier Surveyors & Planners
 PO Box 540
 PIALBA QLD 4655
 Email: surveying@cullenc.com.au
 Phone No.: 07 4124 7054
 Mobile No.:

Location details

Street address: 27 Boyd Street, Gayndah
 Real property description: Lot 6 on SP185997
 Local government area: North Burnett Regional Council

Application details:

Application number: DA220022
 Approval sought: Development Permit
 Description of development proposed: Reconfiguring a lot — 1 lot into 2 lots

Decision

Date of decision: 31 May 2022
 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.

	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

Copies of the following plans, specifications and/or drawings are enclosed in attachment 3—

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Proposed reconfiguration Lots 6 & 7 Cancelling Lot 6 on SP185997	J B Serisier Surveyors	12/12/2013	13047/01	-

Conditions

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

Further development permits

Not applicable

Properly made submissions

Not applicable — No part of the application required public notification.

Referral agencies for the application

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

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*—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

Conditions regarding infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*

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* (<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



John Fraser

Development & Building Services Stream Leader

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

Attachment 1 – Conditions Imposed by Assessment Manager

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 the submission of the request for the approval of a Plan of Subdivision, unless otherwise explicitly identified

Survey

- 5) Lodge a Plan of Subdivision with Council in accordance with *Schedule 18 of the Planning Regulation 2017* on or before the end of the currency period.

Existing Services and Structures

- 6) Ensure all existing and proposed utility services and connections (e.g. electricity, telecommunications, water, and sewerage) are wholly located within the lot they serve.
- 7) Certification must be submitted to the council from a cadastral surveyor which certifies that:
 - (a) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975* (unless varied by this development approval), where boundary clearances for buildings other than class 1 or 10 buildings are to be determined by a building certifier
 - (b) all existing and proposed utility services and connections are wholly located within the lot they service or alternatively within easements;
 - (c) all existing effluent disposal areas are wholly located within the lot they serve and comply with the boundary setback requirements of the *Plumbing and Drainage Act 2002* and associated codes and requirements, as determined by a building certifier or other suitably qualified professional.
 - (d) all dams (including ponded water, dam walls and associated spillway structures) are wholly located within the boundaries of a single lot.

Infrastructure

- 8) Design and implement a stormwater drainage system connecting to a 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*.
- 9) Connect the premises to the reticulated water supply and sewerage systems, and provide internal infrastructure as required to satisfy the demands of the development.
- 10) Extend sewerage infrastructure in accordance with the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works* to connect proposed Lot 6 to the reticulated sewerage system.

(Note: WBBROC codes referenced in SC6.2 *Design and construction standards for non-trunk infrastructure works policy* are now WBBUWA codes.)

- 11) At the time of building residential premises, the relevant lot is to be provided with connection to the reticulated electricity network
- 12) Provide an electricity connection to proposed Lot 6 to the requirements of the relevant authority.
- 13) The applicant must submit to Council, either:
 - a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or
 - b) a certificate of supply that the applicant has entered into an agreement with the authorised electricity supplier, Ergon, to provide electricity services to the proposed Lot 6, payment has been received and the connection will be completed at a date in the future.

Vehicle access

- 14) At time of building construct a new vehicular access crossing to proposed Lot 6 in accordance with the North Burnett Regional Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works*.

Advice to the applicant

- Unless otherwise explicitly identified, all conditions of this development permit must be completed to Council's satisfaction prior to the Subdivision of Plan being endorsed by Council.
- 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. For information about State and Commonwealth requirements please consult with these agencies directly.
- 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.
- Operational work associated with the reconfiguring is assessable development under the planning scheme. It would therefore be appropriate for the applicant to consult with Council in relation to its design and construction requirements, especially in relation to the construction of sewerage infrastructure and the driveway.
- All rates, charges or any expenses levied by Council over the land must be paid prior to the Subdivision Plan being endorsed by Council.

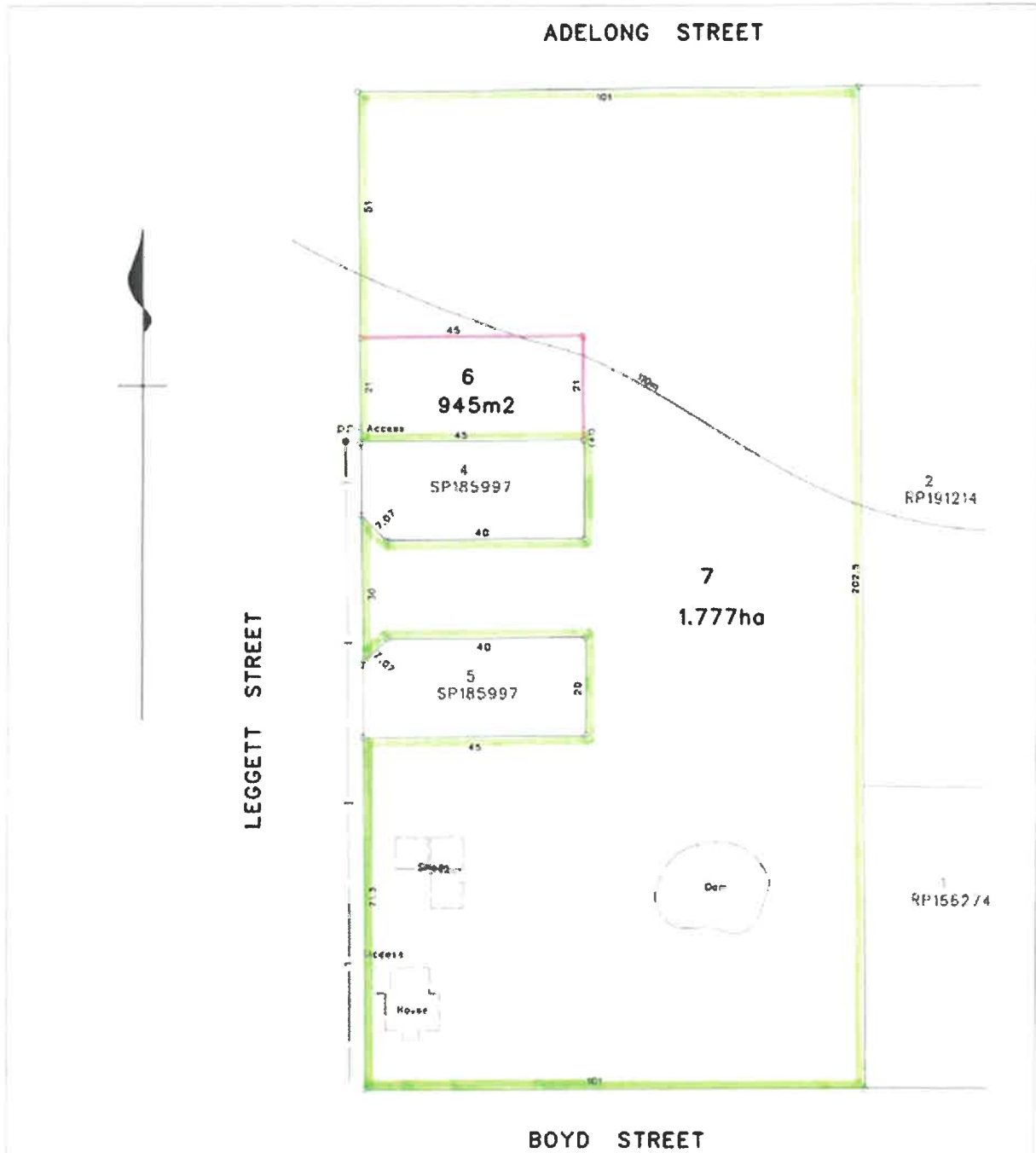


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Attachment 2 – Approved Plans

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Please refer to the following pages for approved plans.



<p>J B SERISIER SURVEYORS 58 LYONS STREET MUNDUBBERA Q4626 Telephone: (07)41654468 Fax: (07)41654614 email: jbs.surv@bigpond.net.au Mob: 0428 769224</p>	<p>PROPOSED RECONFIGURATION LOTS 6 & 7 Cancelling Lot 6 on SP185997 PARISH OF TAUGHBOYNE County of Bowen Locality of Gayndah North Burnett Reg. Council</p>	<p>CLIENT: B & V MEYER FILE NO: 13047 DWG NO: 13047/01 DATE: 12/12/2013 DRAWN: JBS SCALE: 1 : 750</p>	<p>NOTE 1: Contours shown on this plan are approximate and indicative only. They have been prepared for this application only and should not be used for any other purpose. NOTE 2: This plan has been prepared for a development application only and should not be used for any other purpose. Dimensions and areas are approximate only and may differ from the final survey figures. This plan should not be altered or used for any other purpose without the authority of J B Serisier Surveyors.</p>
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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>