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ABN: 23 439 388 197

5 April 2019

Our Reference: 52/19

Bruce Serisier  
JB Serisier Surveyors  
58 Lyons Street  
MUNDUBBERA QLD 4626

via email: [jbs.surv@bigpond.net.au](mailto:jbs.surv@bigpond.net.au)

Dear Bruce,

**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT—BOUNDARY REALIGNMENT—AIRPORT ROAD AND 904 AIRPORT ROAD, THREE MOON, ON LAND DESCRIBED AS LOT 256 ON RW804 AND LOT 51 ON RW98**

Thank you for your above-mentioned development application for a development permit, lodged with Council on 20 March 2019. Please find attached the Decision Notice.

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 any appeal, after the appeal has ended.

Please quote Council's application number 52/19 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 department on 1300 696 272.

Yours sincerely,

  
Gary Rinehart  
Chief Executive Officer

## 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 2 October 2018. The North Burnett Regional Council has assessed your application and decided it as follows:

### 1. Applicant's details

Name: JB Serisier Surveyors  
 Postal Address: 58 Lyons Street  
 MUNDUBBERA QLD 4626  
 Email: [jbs.surv@bigpond.net.au](mailto:jbs.surv@bigpond.net.au)  
 Phone No.: 0428 769 224

### 2. Location details

Street address: Airport Road and 904 Airport Road  
 THREE MOON QLD 4630  
 Real property description: Lot 256 on RW804 and Lot 51 on RW98  
 Local government area: North Burnett Regional Council

### 3. Decision

Application number: 52/19  
 Date of decision: 5 April 2019  
 Decision details: Approved in full subject to 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.

### 4. Details of proposed development

	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 – <i>Reconfiguring a lot—Boundary realignment</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 5. Approved plans

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Copies of the following plans are enclosed in Attachment 3.

Drawing title	Prepared by	Date	Rev.	Reference
Proposed Reconfiguration	J B Serisier Surveyors	12/3/19	n/a	19001/01

## 6. Conditions

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This approval is subject to the conditions in Attachment 1 as imposed by the assessment manager.

## 7. Further development permits

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No further development permits are required to be obtained before the development can be carried out.

## 8. Properly made submissions

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

## 9. Referral agencies for this application

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Not applicable—no part of the application required referral.

## 10. 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* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sec.85>).

Council can provide a hard copy upon request.

## 11. 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-pt.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>).

Appeal provisions 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-pt.1>) and schedule 1 of the *Planning Act 2016* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>).

Council can provide a hard copy upon request.

## 12. When the development approval has effect

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A development approval starts to have effect and may start in accordance with sections 71 and 72 of the *Planning Act 2016* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sec.71> and <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sec.72>).

Council can provide a hard copy upon request.

All references and links provided to the *Planning Act 2016* are current at time of preparation of this document.

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

Yours faithfully

  
Gary Rinehart  
Chief Executive Officer

Enc: Attachment 1—Conditions imposed by the assessment manager  
Attachment 2—Approved plans

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

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### **General**

- 1) Carry out the approved development generally in accordance with the approved plan identified in section 5 “Approved plans” and Attachment 2 of this Decision Notice, except as modified by the conditions of this approval as relevant.
- 2) Where there is any conflict between conditions of this Decision Notice approval and details shown on the approved plans, these 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 approval of plan of subdivision, unless otherwise stated within this Decision Notice.
- 5) Design and construct any new driveway crossover in accordance with Planning Scheme Policy SC6.2 *Design and construction standards for non-trunk infrastructure works*. All constructed access and roadworks, including driveways, must be fully contained within a dedicated road reserve and the boundaries of the lot they serve, or included within an easement where containment within the lot is not possible.
- 6) Ensure all existing and proposed utility services and connections are wholly located within the lot they serve, or included within an easement where containment within the lot is not possible.
- 7) Boundary clearances of existing buildings remaining on site are to comply with the relevant provisions of the planning scheme and the *Building Act 1975*, unless varied by this Decision Notice.
- 8) All existing effluent disposal areas are to be 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.
- 9) Reinstate survey marks where required and install new survey marks in their correct position in accordance with the approved plan. The Subdivision Plan is to be endorsed in accordance with the *Survey and Mapping Infrastructure Act 2003* and *Surveyors Act 2003* and associated regulations and standards.

### **Advice to the applicant**

- A. 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 plan**



