

Development application—decision under delegated authority

Reconfiguring a Lot—Boundary Realignment (5 lots into 4 lots) at Cania Road and Youlambie Road, Three Moon on land described as Lot 86 on RP809461; Lot 87 on RW169; Lot 92 on RW555; Lot 93 on RW159 and Lot 1 on RP809461 and Building Works Not Associated With A Material Change of Use—Code assessable development application under the *Planning Act 2016*

Application reference: 169/19

1 Proposal summary

- (1) The applicant seeks a Development permit for Reconfiguring a Lot—Boundary Realignment (5 lots into 4 lots) at Cania Road and Youlambie Road, Three Moon on land described as Lot 86 on RP809461; Lot 87 on RW169; Lot 92 on RW555; Lot 93 on RW159 and Lot 1 on RP809461 and Building Works Not Associated With A Material Change of Use.
- (2) The existing 5 lots have an area of approximately 614ha. The proposed lots are to be configured as follows:
 - (a) Lot 92 rural zone – intensive agricultural precinct (190.5ha) – complies with minimum lot size of 100ha and minimum road frontage 100m.
 - (b) Lot 93 rural zone – intensive agricultural precinct (121.35ha) – complies with minimum lot size of 100ha and minimum road frontage 100m.
 - (c) Lot 87 rural zone – the portion that is west of Youlambie Road is within the intensive agricultural precinct and the larger part that is east of Youlambie Road is within the hinterland precinct (264ha about) – does not comply with minimum lot size of 400ha but this lot is will larger than existing size and amalgamating two lots together; complies with minimum road frontage of 200m.
 - (d) Lot 1 rural zone – hinterland precinct (38ha about). The lot is currently 5.64ha in size and is used as a quarry. The quarry has developed outside of the current lot boundary and the realignment of the boundary will encompass all of the quarry onto one lot even though it does not comply with minimum lot size of 400ha.
- (3) The application required referral to State Assessment Referral Agency as a new access point for lot 93 is proposed onto Cania Road, which is a state controlled road.
- (4) The new lot 93 is in the rural zone – intensive agricultural precinct and is identified in the flood hazard overlay. The new lot currently does not have a dwelling, and as such the application requires code assessment against the flood hazard overlay code.
- (5) The dwelling would be the only dwelling on the new allotment. The use will also include storage or car/s, onsite wastewater system and rainwater tanks.
- (6) The Council must assess the application against the assessment benchmarks, having regard to those matters set out in the *Planning Act 2016* and *Planning Regulation 2017*, and decide the application in accordance with the decision rules in s60(2) and s60(5). The attached Statement of Reasons sets out the rationale for deciding to approve the application.
- (7) Council can no longer issue a charges notice in accordance with its Charges Resolution (No. 2) 2015 as it did not make a Local Government Infrastructure Plan by 1 July 2018

2 Recommendations

- (1) That the Council or its delegate, having regard to the matters set out in the attached Statement of reasons, decide the application under s60(2) of the *Planning Act 2016* by approving all of it subject to conditions.
- (2) That the Council notify the applicant of its decision in accordance with the attached Notice of decision.
- (3) That the Council publish the Notice of decision, including the Statement of reasons, on its website.

3 Decision

I concur with the above recommendations—please issue the Notice of decision as recommended.



Jeff Miles
Planning and Environment Manager
(Delegate of North Burnett Regional Council)

6 November 2019

Date