



3/11/2022

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ABN: 23 439 388 197

Your Reference:
Our Reference: DA220037

Gen2 Farming Pty Ltd
PO Box 20
Gayndah QLD 4625

Dear Sir / Madam

RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - RURAL WORKERS ACCOMMODATION AT 308 GAYNDAH MUNDUBBERA ROAD, GAYNDAH; LAND DESCRIBED AS 15 ON MCK3799

Thank you for the above-mentioned development application properly made with the North Burnett Regional Council on 13 October 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: DA220040 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

for 

Skye Price
Interim General Manager Corporate & Community

Enc: Decision notice
Approved plans



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.
Site Plan	TR & SL Roper Building Design and Drafting		22-714-1
Floor Plan (upper & lower)	TR & SL Roper Building Design and Drafting		22-714-2
Elevations	TR & SL Roper Building Design and Drafting		22-714-3

Conditions

This approval is subject to the conditions in [Attachment 1 and 2](#). These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work

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

No conditions about 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



Skye Price

Interim General Manager Corporate & Community

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 commencement of the use, and maintain compliance whilst the use continues.

Use

- 5) No more than 12 persons are to reside in the structure at any one time.
- 6) The class 1a structure is to be reclassified as a class 1b structure.
- 7) The dwelling (class 1b) structure is not to be used as a “Backpackers” or “Party House”.
- 8) Bulk storage of hazardous materials of 50 litres or more of chemicals of class C1 or C2 combustible liquids under Australian Standard AS1940 occurs—
 - a) outside the flooding and inundation area identified on overlay map OM-FH-015; or
 - b) above the flood level of a 1 per cent AEP flood event; and
 - c) outside of medium and high bushfire risk areas.
- 9) No reasonable and sustained 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 during or after the establishment of the approved development.

Waste management

- 10) Provide a bin storage area for the storage of refuse bins in accordance with the following—
 - a) designed so as to prevent the release of contaminants into the environment;
 - b) sufficiently sized to accommodate all refuse bins;
 - c) screened from the road frontage or other public space by landscaping or constructed screening; and
 - d) must be maintained in a clean and sanitary manner.
- 11) Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause an environmental nuisance.

Pest Management

- 12) Existing pest species to be controlled by adopting pest management practices that provide for long-term ecological integrity.

Infrastructure

- 13) 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*.
- 14) Design, install, operate and maintain an on-site effluent disposal and treatment system that—
 - a) prevents a risk to public health;
 - b) prevents environmental damage, including to land, soil, groundwater and surface water; and
 - c) protects community amenity.
- 15) The development must be provided with an onsite-water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance, fire-fighting purposes and also a potable water supply sufficient to meet the needs of residents and visitors to the site.
- 16) The development must be provided with an adequate supply of electricity. If such a supply cannot be achieved through efficient design, alternative energy technologies or portable generators, a connection to a reticulated electricity network must be available.

Vehicle access, parking and manoeuvring

- 17) Design and construct on-site car 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—
 - a) limit direct access to the development to the existing access crossover servicing the site from Gayndah Mundubbera Road;
 - b) provide a minimum of 4 parking spaces;
 - c) provide on-site loading and unloading for all necessary service and delivery vehicles; and
 - d) provide sufficient on-site manoeuvring to enable all vehicles to enter and leave the site in a forward direction. Vehicle movements in this regard are to be totally contained within the development site boundaries.

Lighting

- 18) 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" so as not to cause nuisance to occupants, nearby residents or passing motorists.

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). 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.

- Inspect the vegetation prior to clearing for the presence of nesting birds, koalas, and other fauna, including habitat hollows. No clearing of vegetation which may disturb nesting birds is permitted until the birds have fledged and left the nest. Removal of trees with koalas and other fauna must be carried out under the supervision of a Department of Environment and Heritage Protection registered fauna management spotter-catcher who will be responsible for dealing with native fauna present as required under the Queensland Nature Conservation Act 2002.
- Vegetation clearing for the purposes of infrastructure must comply with the "Accepted Development Vegetation Clearing Code – Clearing for Infrastructure" document by the Department of Natural Resources, Mines and Energy or otherwise a formal application for Operational Works is required to be submitted to SARA for assessment. Please note that some aspects of the vegetation clearing works may be required to be notified to DNRME as part of the Accepted Development requirements.
- Development that is considered to be constructing or raising waterway barrier works must be undertaken in accordance with the "Accepted Development Requirements for Operational Work that is Constructing or Raising Waterway Barrier Works" document by the Department of Agriculture and Fisheries, otherwise a formal application for Operational Works is required to be submitted to SARA for assessment.
- The use has been approved in an area that is not currently connected to a reticulated water supply. In accordance with the *Public Health Act 2005*, the development must be provided with a safe, adequate and potable water supply. Tank water must be treated to a potable standard and fitted with an appropriate sanitation system such that water is safe to drink. It is recommended that prior to commencement of use, testing certification be undertaken in order to ensure water is safe for consumption.



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Attachment 2 – Approved Plans

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Please refer to the following pages for approved plans.

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>