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Web: www.northburnett.qld.gov.au
ABN: 23 439 388 197

26 August 2020

Our Reference: 133/20

William & Christine Wilson
c/- Wayne Say & Associates Pty Ltd
PO Box 91
CHILDERS QLD 4660
via email: admin@waynesay.com.au

Dear William and Christine,

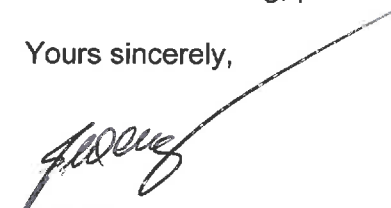
RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT—SUBDIVISION (1 LOT INTO 5 LOTS)—AT EUREKA ROAD, GOLDEN FLEECE ON LAND DESCRIBED AS LOT 37 ON CK2495

Thank you for your above-mentioned development application for a development permit, lodged with Council on 26 June 2020. 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 133/20 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,



Jeff Miles
Planning & Environment Manager

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 26 June 2020. The North Burnett Regional Council has assessed your application and decided it as follows:

1. Applicant's details

Name: William & Christine Wilson
 Contact details: c/- Wayne Say & Associates Pty Ltd
 PO Box 91
 CHILDERS QLD 4660
 Email: admin@waynesay.com.au
 Phone: 4126 2555
 Reference number: Wilson16017

2. Location details

Street address: Eureka Road
 GOLDEN FLEECE QLD 4621
 Real property description: Lot 37 on CK2495
 Local government area: North Burnett Regional Council

3. Decision

Application number: 133/20
 Date of decision: 25 August 2020
 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</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Approved plans

Copies of the following plans are enclosed in Attachment 2.

Drawing title	Prepared by	Date	Rev.	Reference no.
Development Application Plan— Building Exclusion Zone Plan— Proposed Survey of Lots 60 to 64 Cancelling Lot 37 on CK2495	Wayne Say and Associates Pty Ltd	13/01/2017	n/a	Wilson 16017 DA Plan – Drwg 2

6. 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.

7. Further development permits

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

8. Properly made submissions

There were no properly made submissions about the application.

9. Referral agencies for this application

Not applicable.

10. 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— <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

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*

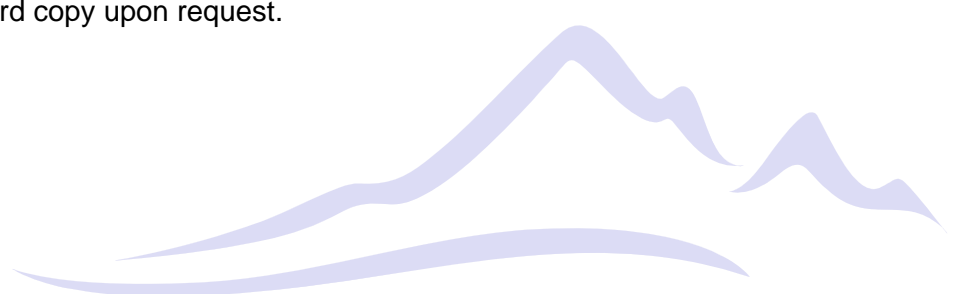
(<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6-pt.1>) and schedule 1 of the *Planning Act 2016* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>)

Council can provide a hard copy upon request.

12. When the development approval has effect

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 the time of preparation of this document.

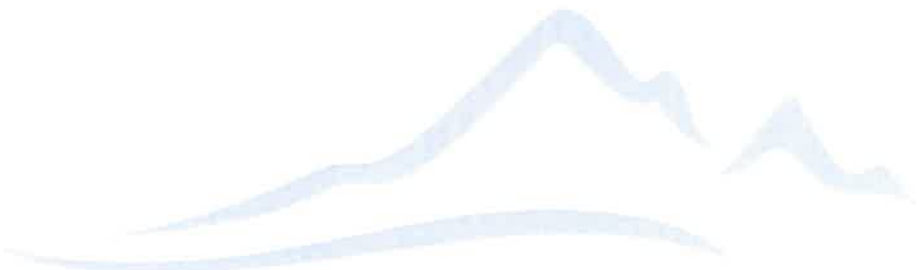
Should you require any further assistance in process, please contact Council's Development Services department on 1300 696 272.

Yours faithfully



Jeff Miles
Planning & Environment Manager

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



Attachment 1 - Conditions Imposed by Assessment Manager

General

- 1) Carry out the approved development generally in accordance with the approved plan identified in Section 5 "Approved plans" of the decision notice approval, except as modified by the conditions of this approval if and as relevant.
- 2) Where there is any conflict between conditions of this approval and details shown on the approved plans, 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) Pay to the Council all rates and charges or any expenses being a charge over the subject land.
- 5) 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.
- 6) New lots 60 to 63 have a minimum individual lot size of 100 hectares. The left over balance of existing lot 37 is to be included in new lot 64.

Infrastructure

- 7) Construct a double access to Lots 60 and 61 and to Lots 62 and 63 in accordance with Council Standard Drawings NBRC-1012, or NBRC-1.13 as applicable, at the locations nominated by *Development Application Plan – Building Exclusion Zone Plan – Proposed Survey of Lots 60 to 64 cancelling Lot 37 on CK2495 (Wilson 16017 DA Plan – Drwg 2)*.

Building

- 8) All buildings must be located outside the building exclusion zone shown on *Development Application Plan – Building Exclusion Zone Plan – Proposed Survey of Lots 60 to 64 cancelling Lot 37 on CK2495 (Wilson 16017 DA Plan – Drwg 2)*.

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.

- B. 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 Science registered fauna management spotter-catcher who will be responsible for dealing with native fauna present as required under the Queensland Nature Conservation Act 2002.
- C. 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.
- D. 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.

PROPERTY NOTES

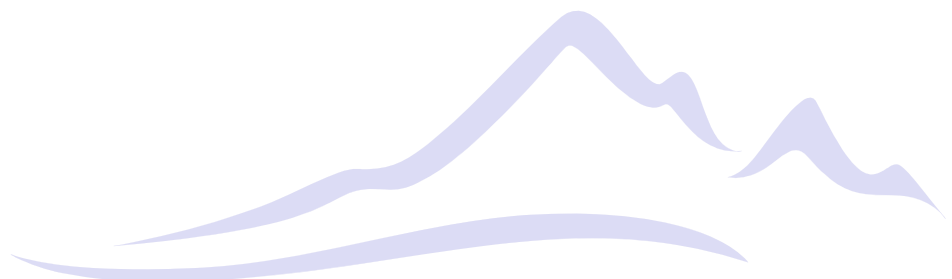
- A. Development Approval 133/20 – Building exclusion zone
The following notation applies to approved Lots 60 to 64. All buildings must be located outside the building exclusion zone as shown on *Development Application Plan – Building Exclusion Zone Plan – Proposed Survey of Lots 60 to 64 cancelling Lot 37 on CK2495 (Wilson 16017 DA Plan – Drwg 2)*.
- B. Development Approval 133/20 – Electricity supply and telecommunications connection
The following notation applies to approved Lots 60 to 64. Electricity supply and telecommunications connections may not be available to service the property.



Attachment 2 – Approved Plans

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Please refer to the following pages for approved plans

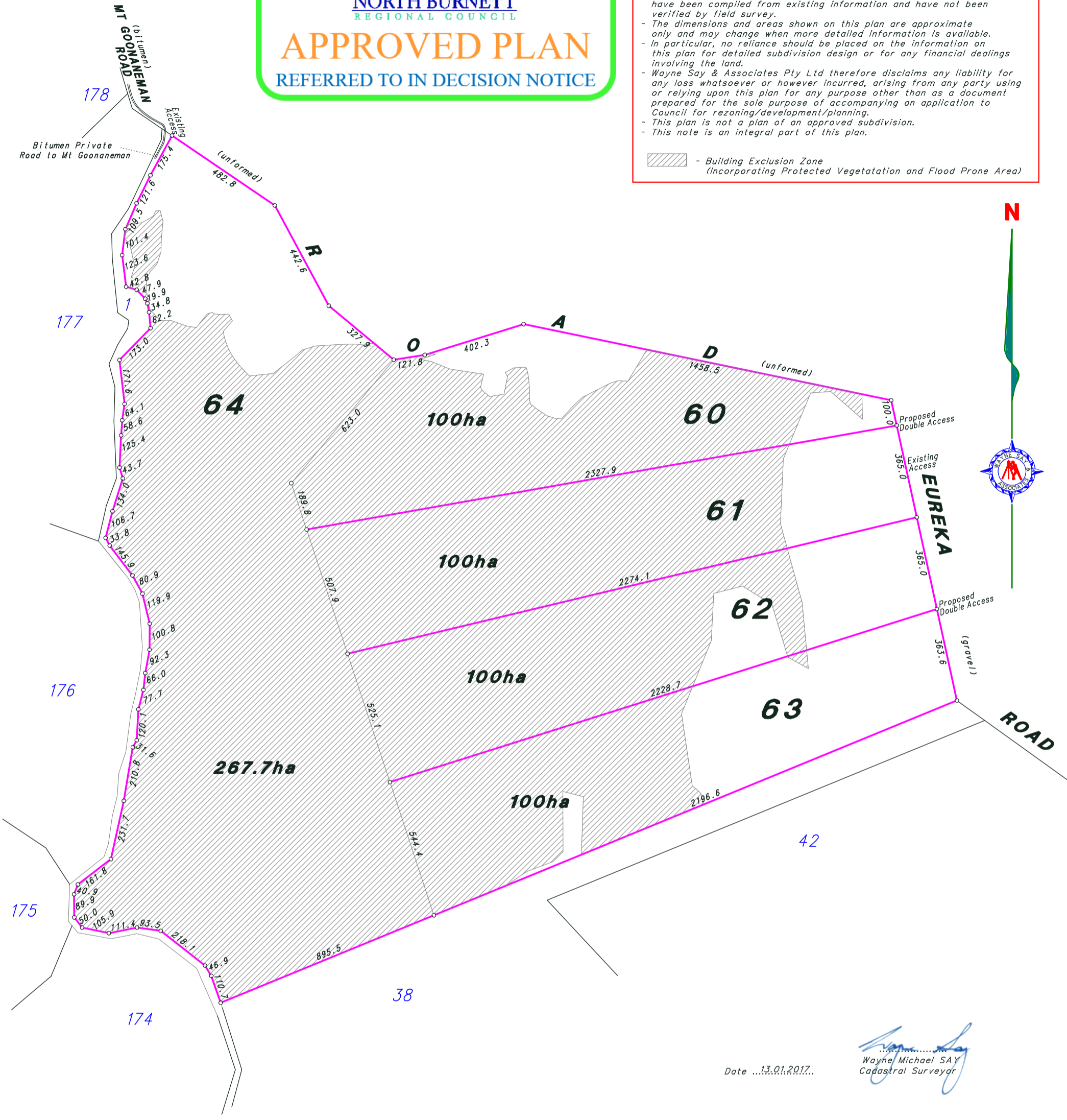




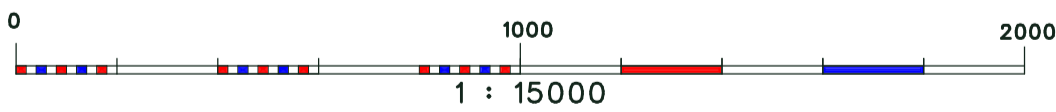
APPROVED PLAN
REFERRED TO IN DECISION NOTICE

- This plan was prepared for the applicant as an indicative subdivision design to accompany a rezoning/development/planning application lodged with the North Burnett Regional Council.
- The information shown on this plan is not suitable for any other purpose.
- The property dimensions, contours and any other physical features have been compiled from existing information and have not been verified by field survey.
- The dimensions and areas shown on this plan are approximate only and may change when more detailed information is available.
- In particular, no reliance should be placed on the information on this plan for detailed subdivision design or for any financial dealings involving the land.
- Wayne Say & Associates Pty Ltd therefore disclaims any liability for any loss whatsoever or however incurred, arising from any party using or relying upon this plan for any purpose other than as a document prepared for the sole purpose of accompanying an application to Council for rezoning/development/planning.
- This plan is not a plan of an approved subdivision.
- This note is an integral part of this plan.

- Building Exclusion Zone
(Incorporating Protected Vegetation and Flood Prone Area)



Date ...13.01.2017...
Wayne Michael SAY
Cadastral Surveyor



WAYNE SAY & ASSOCIATES P/L.
CONSULTING SURVEYORS.

'The Bellevue'
47 Churchill Street, CHILDERS

Ph. (07) 41 262 555
(Mobile) 0427 062714

admin@waynesay.com.au

DEVELOPMENT APPLICATION PLAN						
BUILDING EXCLUSION ZONE PLAN						
PROPOSED SURVEY OF LOTS 60 TO 64						
Cancelling Lot 37 on CK2495						
ORIGINAL PORTION: 37 LOCALITY: GOLDEN FLEECE						
PARISH: BROOMFIELD COUNTY: COOK						
APPLICANT W.T. WILSON			OWNER C.F. & W.T. WILSON			
MERIDIAN MGA approx.	MAP REF. 9347-33112	DRAWING Wilson16017 DA Plan - Drwg 2	REFERENCE 16017	DATE 13.01.2017	SCALE 1:15000 (A3)	LOCAL GOVERNMENT North Burnett Regional Council

Draft:- W.M.S.
Mmts:- W.M.S.
Calcs:- W.M.S.
Check:- W.M.S.