

Change application—decision under delegated authority

Change application for development approval 62/17 at 110 Macks Road, Monto on land described as Lot 125 on RW143—Change application under section 78 of the *Planning Act 2016*

Application reference: DA230039

1 Proposal summary

- (1) The applicant seeks approval for a ‘minor’ change to an existing development permit (Council ref: 62/17) for Material change of use— Intensive Animal Industry (piggery expansion from 5394 to 12,500 SPU) & Prescribed Environmentally Relevant Activity 3(c) keeping more than 8000 SPU at 110 Macks Road, Monto on land described as Lot 125 on RW143, approved by Council on 2 December 2019.
- (2) The change application proposes to—
 - (a) Update the approved plans in section 5 of the decision notice to refer to additions of a proposed site office (21m x 7.9m) in the southern complex of the premises.
- (3) The proposal meets the definition of *Minor change* under Schedule 2 of the *Planning Act 2016* as—
 - (a) The development, including the change, does not result in substantially different development than that approved already;
 - (b) The changes does not cause inclusion of prohibited development;
 - (c) The changes does not cause referral to any extra referral agencies; and
 - (d) No new public notification is required as the original development was impact assessable and already subject to public notification.
- (4) Regarding substantially different development, consideration has been made for individual circumstances of the proposed changes against potential examples detailed by Schedule 1 of the Development Assessment Rules. It is found that the proposed change is not substantially different development as it—
 - (a) Does not involve a new use;
 - (b) Does not apply to a new parcel of land;
 - (c) Does not dramatically change the built form in terms of scale bulk or appearance as the proposal involves only one additional demountable structure that is dramatically smaller than other approved buildings and structures established or proposed on the land by the development;
 - (d) Does not cause any change to the ability for the approved development to operate, rather it provides an additional office building to support the administrative function of the piggery’s southern complex and provides additional on-site staff amenities;
 - (e) Does not remove a component of development integral to its operation;
 - (f) Does not cause any change to traffic flow or transport network requirements of the development;
 - (g) Does not introduce any new impacts or severity of existing impacts, noting the proposed office building would be co-located with other approved buildings and buffered by an established landscape buffer;
 - (h) Does not remove any incentive or offset component; or
 - (i) Does not cause any new or increased infrastructure provision impacts noting that the proposal would continue to be managed with on-site services.

- (5) The Council must assess and decide the application under section 82 of the *Planning Act 2016*. The assessment is to be against the relevant assessment benchmarks of the planning scheme in the individual context of development approval 62/17.
- (6) On balance, the proposal would not introduce any new or increased severity impacts on the natural and built environment, provides one additional building that is reasonably smaller than other approved buildings that supports the administrative function of the use as an ancillary aspect and the proposal complies with relevant assessment benchmarks.

2 Recommendations

- (1) That the Council or its delegate decide the application under section 82 *Planning Act 2016* by approving it subject to conditions.
- (2) That the Council notify the applicant, any referral agency and properly made submitter of its decision.

3 Decision

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

for 

15/08/2023

Date

Kim Mahoney

**General Manager – Corporate and Community
(Delegate of North Burnett Regional Council)**