

**Your Reference:**

**Our Reference:** CW: RR: jw: 19-08 (FID85588, MCU005-18/19, 10442-00000-000, ID1460276, ID1497276, OM004468)

**Contact:** Chris Welch/Rentia Robertson

2 September 2019

Discovery Holiday Parks  
C/-Masterplan sa pTY ITD  
Attn: Peter Stanley  
2/68 Commercial Road  
NEWSTEAD QLD 4005

Dear Sir/Madam

**Decision Notice – Approval**  
(Given under section 63 of the Planning Act 2016)

**Application Number:** *MCU005-18/19*  
**Description:** *Extension to Existing Dining Hall and Addition of 10 Accommodation Buildings Comprising 40 Individual Units to Existing Cvan Park*  
**Level of Assessment:** *Impact Assessable*  
**Site Address:** *1-31 VALENTINE PLAINS ROAD, BILOELA*  
**Lot & Plan Details:** *Lot 1 on SP199261*

On 28 August 2019, at Council's Ordinary Meeting(OM004468), the above development application was approved in full subject to conditions. The conditions of this approval are set out in Attachment 1. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

**1. Details of Approval**

The following approval is given:

	<b>Planning Regulation 2017 reference</b>	<b>Development Permit</b>	<b>Preliminary Approval</b>
Making a Material Change of Use assessable under the planning scheme	s20	<input checked="" type="checkbox"/>	

**2. Approved Plans**

The approved plans for this development approval are listed in the following table:

Plan Document No	Plan Document Name	Date
PD7 (180902) Sheet 2 of 9	Proposed Site Plan	17 May 2019
PD7 (180902) Sheet 3 of 9	Proposed Site Plan	17 May 2019
PD7 (180902) Sheet 4 of 9	Proposed Car Park Plan	17 May 2019
DN180339/01 Revision D	Concept Layout Plan & Cross Section Details – MI Engineers (refer to amendment in red)	06/05/19
DN180339/02 Revision D	Concept Stormwater Management Plan - MI Engineers	06/05/19
PD5 (180902) Sheet 5 of 9	Existing Proposed Site Plans –Floor Plan (drawing number WVH-314 01- dated 20.10.08 by Atco Structures	20 Feb 2019
PD5 (180902) Sheet 6 of 9	Existing Proposed Plans – Dining Hall Alterations – Floor Plan Demo (15.02.19) drawing number 19-025-0 by Capricorn Engineering and Drafting Services	20 Feb 2019
PD5 (180902) Sheet 7 of 9	Existing Proposed Plans – (Dining Hall Alterations) Floor plan -proposed, Elevations, & 3D View 1 dated 15.02.19, Drawing number 19-025-0 by Capricorn Engineering and Drafting Services	20 Feb 2019
PD5 (180902)	Fire Hose Reel Proposed Site Plan by Green Hill Design (refer to amendment in red)	20 Feb 2019
PD5 (180902)	Fire Hydrant Proposed Site Plan by Green Hill Design (refer to amendment in red)	20 Feb 2019

### 3. Further Development Permits

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

- Operational Works
- Building Works
- Plumbing & Drainage

### 4. Conflict with relevant instrument and reasons for the decision despite the conflict.

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

## 5. Submissions

There were properly made submissions about the application.

The names and addresses of the principal submitters for each properly made submission are as follows:

Name of Principal Submitter/s	Address
Ben Petty	2 Hills Avenue, Biloela
William Kurtz	47 Valentine Plains Road, Biloela
Norman Grundy	39 Valentine Plains Road, Biloela
Sandra Seagrott	41 Valentine Plains Road, Biloela
Alison Ogle	2a Hills Avenue, Biloela
Neil Bawden	PO Box 579, Biloela
John Abell	3 Hills Avenue, Biloela
Darryl Gooch	1 Hills Avenue, Biloela
RA & EA Petty	37 Valentine Plains Road, Biloela
TJ Daly	6 Hills Avenue, Biloela

## 6. Referral Agencies

There were no referral agencies for this application.

## 7. Currency Period for the Approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*.

## 8. Statement of Reasons

<b>Description of the development</b>	Material change of use for an extension to existing dining hall and addition of 10 Accommodation Buildings comprising 40 individual units to existing Caravan park and car park.
<b>Assessment Benchmarks</b>	Town Zone Code Rural Zone Code Development Standards Code Accommodation Buildings Code Caravan Park and Workers Accommodation Code Natural Features and Conservation Areas Overlay Code Economic Resources Overlay Code

<b>Reasons for Decision</b>	<p><u>Town Zone Code -</u> The development complies or has been conditioned to comply with all applicable Acceptable Outcomes.</p> <p><u>Rural Zone Code -</u> The development complies or has been conditioned to comply with all applicable Acceptable Outcomes.</p> <p><u>Development Standards Code -</u> The development complies or has been conditioned to comply with all applicable Acceptable Outcomes.</p> <p><u>Caravan Park and Workers Accommodation Code -</u> The development complies or has been conditioned to comply with all applicable Acceptable Outcomes.</p> <p><u>Natural Features and Conservation Areas Overlay Code -</u> The development complies or has been conditioned to comply with all applicable Acceptable outcomes.</p> <p><u>Economic Resources Overlay Code -</u> Agricultural Land Class Overlay - Class A Crop Land - The development complies or has been conditioned to comply with all applicable Acceptable Outcomes.</p>
-----------------------------	--

## 9. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the Planning Act 2016. 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).

### Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the Planning Act 2016.

### Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the Planning Act 2016.

Attachment 2 is an extract from the Planning Act 2016 that sets down the applicant's appeal rights and the appeal rights of a submitter.

The Planning and Environment Court appeals database lists all the appeals lodged in the Planning and Environment Court since 15 March 2008, which the department has been notified of. It contains information about the appeal, including the appeal number, site address, local government area, and a copy of the appeal notice, including grounds for the appeal. The appeal database is an easy way for anyone to obtain information about an appeal or check if an appeal has been lodged for a specific development application or approval.

The appeal database is available at

<https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution>.

Should you require further assistance in relation to this matter, please do not hesitate to contact Council's Development Services section on (07) 4992 9500, quoting you application number of MCU005-18/19.

Yours Sincerely



Chris Welch

**MANAGER ENVIRONMENT & PLANNING**

Enc    Attachment 1 – Part A Conditions imposed by the Assessment Manager  
Attachment 1 – Part B Assessment Manager Notes  
Attachment 2 – Appeal Rights  
Attachment 3 – Approved Drawings  
Attachment 4 – Infrastructure Charges  
Attachment 5 – Environmental Obligations

# MCU005-18/19 Attachment 1

## Conditions of Approval

### *Part A - Conditions imposed by the Assessment Manager*

#### General

- The proposed Material Change of Use is to be completed and carried out generally in accordance with the following approved plans and reports submitted with the Development Application, except where modified by the conditions of this Development Approval –

<b>Plan/Document number</b>	<b>Plan/Document name</b>	<b>Date</b>
PD7 (180902) Sheet 2 of 9	Proposed Site Plan	17 May 2019
PD7 (180902) Sheet 3 of 9	Proposed Site Plan	17 May 2019
PD7 (180902) Sheet 4 of 9	Proposed Car Park Plan	17 May 2019
DN180339/01 Revision D	Concept Layout Plan & Cross Section Details – MI Engineers (refer to amendment in red)	06/05/19
DN180339/02 Revision D	Concept Stormwater Management Plan - MI Engineers	06/05/19
PD5 (180902) Sheet 5 of 9	Existing Proposed Site Plans –Floor Plan (drawing number WVH-314 01- dated 20.10.08 by Atco Structures	20 Feb 2019
PD5 (180902) Sheet 6 of 9	Existing Proposed Plans – Dining Hall Alterations – Floor Plan Demo (15.02.19) drawing number 19-025-0 by Capricorn Engineering and Drafting Services	20 Feb 2019

PD5 (180902) Sheet 7 of 9	Existing Proposed Plans – (Dining Hall Alterations) Floor plan -proposed, Elevations, & 3D View 1 dated 15.02.19, Drawing number 19-025-0 by Capricorn Engineering and Drafting Services	20 Feb 2019
PD5 (180902)	Fire Hose Reel Proposed Site Plan by Green Hill Design (refer to amendment in red)	20 Feb 2019
PD5 (180902)	Fire Hydrant Proposed Site Plan by Green Hill Design (refer to amendment in red)	20 Feb 2019

2. Comply with all of the conditions of this Development Approval prior to the commencement of the use, unless otherwise stated within this Decision Notice, and maintain compliance for the duration of the approved use.
3. Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
4. Alterations to public utilities, mains and services made necessary in connection with any of the works arising from this approval including works to restore and reinstate all roads are to be completed at no cost to Council.

#### **Approved Use**

5. The approved use of the premises is for an extension to existing dining hall, the addition of 10 accommodation buildings (40 individual accommodation units) and 43 car parks.
6. Prior to the construction of the accommodation buildings and carpark, Lot 1 on SP 199261 and Lot 3 on SP 199261 are to be amalgamated. Evidence of the amalgamation is to be provided to Council.

#### **Building works**

7. Obtain relevant Building approvals and referral agencies responses prior to commencement of any works defined as building work under the Building Act 1975.
8. Prior to the commencement of use, install such systems that are necessary to supply sufficient firefighting capacity to the satisfaction of Queensland Fire and Rescue Service and Council, and where necessary install on-site systems to

supplement the available supply and meet flow and pressure requirements. Where hydrants are installed the residual pressure in the council water mains are to be maintained at the rate as detailed in Australian Standard AS2419.1 section 2.2.3. Pressure and flow when tested at the required flow rates.

9. The applicant is required to meet the cost of installation of internal fire hydrants to ensure complete coverage of all residential units in accordance with the 'Fire Hydrant and Vehicle Access Guidelines for Residential, Commercial and Industrial Lots' published 2019 from the Queensland Fire and Emergency Services.
10. Prior to commencement of any plumbing or drainage works a development permit is to be in effect for the proposed works associated with this development.
11. The current Trade Waste permit issued for this site is to be amended to reflect the increase in quantity of effluent generated due to the upgrade of the dining facilities and increase in the maximum occupancy of the site. This amendment is to be undertaken through council's formal application process.
12. The applicant shall obtain a development permit for building work associated with the demolition/new work associated with the approval.
13. The applicant shall obtain a development permit for all plumbing and drainage work including the removal of redundant pipework.
14. All plant and equipment including compressors, air conditioners and the like are to be housed and screened to ensure that no harm or nuisance is caused to the adjoining residential use.

#### **Vehicle Parking and Manoeuvring Areas**

15. A minimum of 43 car parking spaces must be provided and marked on the site, and made available and accessible at all times while the use is open for business. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
  - (a) concrete pedestrian pathways so as to allow the ingress and egress of pedestrians to the site and allow for pedestrian access from the parking area to the proposed use;
  - (b) provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: Public Lighting Code;
  - (c) Three (3) disabled parking space(s) within the total number of car parking spaces delineated as per the requirements of the Manual of Uniform Traffic Control Devices (MUTCD); and
  - (d) cross falls and gradients in accordance with Australian Standard AS2890: Parking Facilities



16. Submit an amended proposed car park plan providing the required 43 car parking spaces for approval to Council as nominated in the supporting planning report.
17. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.
18. All vehicle car parking spaces that adjoin a landscaped area must include a 150mm high vertical concrete kerb or similar obstruction to prevent encroachment.
19. No vehicle storage or parking is permitted on the adjoining road reserve.
20. Adequate space suitable to accommodate a bus set down area is to be provided within the site.
21. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on site.
22. The car park area is to be sealed as indicated in Part 6: Division 7: Schedule A – Development Standards According to Zoning, and AS2890.1 as nominated in the Banana Planning Scheme 2005.

### **Pavement**

23. Pavement design to be determined post geotechnical investigation and submitted to and approved by Council at Operational Works application level of development approval.

### **Pedestrian Facilities**

24. Pedestrian facilities are to be provided for the development as per the requirements of the Capricorn Municipal Development Guidelines. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
  - a. pedestrian pathways between the proposed car parking area and the building(s);
  - b. adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;
  - c. signage and lighting at strategic locations to direct people to building entries and public toilet facilities;
  - d. pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways.

## **Lighting**

25. Any lighting or illuminations including driveway lighting, down lighting from the premises are to be designed in accordance with Australian Standard: AS 4282 Control of the obtrusive effects of outdoor lighting, to ensure that no nuisance is caused to adjoining or adjacent premises and to road users.
26. Internal roadway and pathway lighting for pedestrians must be provided as part of the development to ensure safety within the site, details to be provided with the Operational Works application.
27. Security and flood lighting is to be directed away from adjacent premises to minimise the protrusion of light outside the site.

## **Erosion and Sediment Control**

28. Detailed Erosion and Sediment Management Plan, and associated engineered drawings, is to be provided to Council as part of the Operational Works application and in accordance with development guidelines. Erosion and sediment control conditions will require the prevention of contaminants such as sediment and siltation from entering sensitive waterways. This Plan must comply with the Capricorn Municipal Development Guidelines.

## **Stormwater Drainage**

29. Stormwater Management is to be undertaken in general accordance with the submitted plans: Concept Layout Plan & Cross Section Details and Concept Stormwater Management Plan – prepared by MI Engineers dated 06/05/19. Detailed Stormwater Drainage Plan is to be provided to Council at Operational Works application stage.
30. Stormwater runoff is to discharge to Council's stormwater drainage system or a legal point of discharge. A detailed Stormwater Management Plan, and associated engineering drawings, is to be provided to Council, as part of an Operational Works application, for approval. This plan must comply with the requirements of the Capricorn Municipal Development Guidelines.
31. All stormwater infrastructure must be designed and constructed, prior to the commencement of use, as per the requirements of the Stormwater Management Plan.
32. Ponding of stormwater resulting from the development must not occur on adjacent properties.

33. The stormwater drainage system serving the site is to be designed so that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves.
34. Stormwater formerly flowing onto the site must not be diverted onto other properties.
35. All stormwater being discharged from the site is to meet the requirements of the Capricorn Municipal Development Guidelines.
  - a. Contaminated water must not be directly or indirectly released from the premises onto the ground or into the groundwater at the premises.
  - b. Releases to stormwater must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible grease, scum, litter or floating oil.

### **Flood Impacts**

36. Overflow relief gullies are to be fitted with popup grates of not less than 100mm. Such grates shall be finished at a height not less than 150mm below the lowest fixture or floor waste connected to the sanitary drainage system and not less than 75mm above the finished surface level. In declared flood hazard areas the overflow relief grate is to be finished at a height between 150mm and 250mm below the minimum habitable floor level.
37. The minimum habitable floor level of the units must be at least 500mm above the 1% AEP + climate change flood level for the site.  
Or  
Alternatively building works below 1% AEP + climate change flood level for the site are constructed of flood resilient material in accordance with the relevant building assessment provisions and all electrical work components are elevated above the 1% AEP + climate change flood level and all plumbing waste components are at a level that permits the requirements of condition 36 to have effect.

### **Flood Emergency Management Plan**

38. Prior to commencement of the approved use, prepare and submit for Council approval a Flood Emergency Management Plan prepared and certified by a RPEQ with experience in flood risk management.
39. Implement and maintain the approved Flood Emergency Management Plan.

## **Sewerage**

- 40.** Applicant to provide a report assessing the capacity of the existing private sewer pump station and rising main to accommodate the increase demand of the proposed development.
- 41.** The applicant is required to submit to Council for approval a report prepared by a Registered Professional Engineer Qld (RPEQ) that verifies that the existing private sewage pump station and rising main servicing the site are suitably sized and designed, are in sound condition and well maintained, and have capacity to accommodate the increase demand of the proposed development.
- 42.** The report is to incorporate a detailed assessment of the existing pump station and rising main components (eg switchboard, pump/s well, etc), actual measured pump capacity and detailed calculations that demonstrate the pump station and rising main are of sufficient capacity in accordance with the current Department of Energy and Water Supply (DEWS): Planning Guidelines for Water Supply and Sewerage (including storage capacity during extended power outages and wet weather design flows, etc). As a minimum requirement the pump station is to incorporate duty/standby pump arrangement, audible and visual alarms, provision for operation via back-up power supply during extended power outage.
- 43.** If there is insufficient capacity, the pump station and rising main are to be upgraded to meet the generated demand, to the cost of the developer.
- 44.** All taps and plumbing fixtures associated with the new cabins are to be installed and maintained with approved water saving devices (AAA rating or better). Council reserves the right to undertake random audit inspections to monitor ongoing compliance with this condition.
- 45.** The applicant is to engage a licensed surveyor to verify that the privately owned sewerage pump station and rising main (from the pump station to the approved discharge manhole in Callide Street) are located solely within the lot containing the existing caravan park. Any encroachments on the adjoining road reserve are to be rectified by lawful measures.
- 46.** An as-constructed plan detailing the location of the existing pump station and rising main from the pump station to discharge manhole including offsets from property boundaries is to be submitted to Council at the time of making application for building/plumbing compliance permit. This plan is to be prepared by a licensed surveyor.

47. The Property Owner shall remain responsible for all maintenance, repair and any necessary replacement of the privately owned sewerage rising main from the pump station to the discharge point located at the receiving sewerage manhole.
48. It shall remain the Property Owners responsibility to operate and maintain the privately owned sewerage pump station, rising main and all associated facilities in accordance with the Banana Shire Council and the Environmental Protection Agency requirements.
49. Construction works undertaken in the vicinity of Council's sewer infrastructure must not adversely affect the integrity of the infrastructure. The works associated with the repair, replacement and alteration of the infrastructure are to be completed at no cost to Council.
50. Redundant services are to be removed by the applicant and inspected by Council's plumbing inspector or nominated representative prior to backfilling.
51. The owner is responsible for maintenance of private sewer pipes within the site. Council's responsibility ends at the inspection opening (IO) close to the boundary.

#### **Water Reticulation**

52. Construction works undertaken in the vicinity of Council's water supply infrastructure must not adversely affect the integrity of the infrastructure. The works associated with the repair, replacement and alteration of the infrastructure are to be completed at no cost to Council.
53. The water connection shall be through a single water supply connection. Separate application is to be made to Council for any new or enlarged connection.

#### **Road work and access**

54. All traffic areas are to be constructed of asphalt or reinforced concrete. Detailed design shall be submitted with the Operational Works application for Council approval.
55. Where an existing driveway crossover is proposed to be replaced it is to be constructed in accordance with the Capricorn Municipal Development Guidelines and have a slope not exceeding 1 in 6.
56. Any damage to the existing road surface, services or furniture as a result of construction work is to be repaired to the pre-existing condition or better condition at no cost to Council.

## **Construction Phase Environmental Management Plan**

**57.** The applicant must prepare a detailed Construction Phase Environmental Management Plan identifying environmental management measures to be implemented during all construction works associated with the application. The construction Phase Environmental Management Plan must address the following as a minimum:

- (a) Erosion and Sediment Control
- (b) Stormwater Management / Water Quality and Surface Water Runoff (interim drainage plan during construction);
- (c) Air Quality Management (dust suppression)
- (d) Noise Management
- (e) Management of light spill and on-site lighting
- (f) Land Contamination (storage / use of fuel and chemicals)
- (g) Biosecurity Management (animal and plant pests)
- (h) Construction Waste Management
- (i) Flora and Fauna Impact Management
- (j) Storage and handling of fuel and other hazardous goods
- (k) Management of works near existing above ground and underground infrastructure
- (l) Statutory obligations and approvals, if applicable

**58.** During Construction, and for the proposed use of the site, the applicant is to undertake sedimentation and erosion control management as per the approved Construction and Operational Erosion and Sediment Management Plan.

### **Amenity and fencing**

**59.** A 2.1m high acoustic fence shall be constructed from the road reserve along the southern edge of the car park as indicated in red on the "Concept Layout Plan & Cross Section Details Plan" Drawing DN180339/01). Furthermore, the fence must be tapered to a height of 1.2 metres within six (6) metres of the front alignment.

60. A solid fence (1.8 metres high minimum, 2.1 metres maximum), is to be constructed along the entire length of the common boundary of the subject site with Lot 1 RP 616757 where acoustic fencing is not required.
61. Both fences required by conditions 60 and 61 must be 100mm of the natural ground surface to allow for overland flow.

### **Landscaping/Street scaping**

62. A detailed site landscaping plan prepared by a qualified person is to be submitted for approval as per the requirements of the Capricorn Municipal Development Guidelines. This plan is to show the following:
  - a) Extensive landscape planting to be installed along the common boundary with Lot 1 RP 616757 and around the car park area as indicated on the proposed Site Plan and proposed Car Park Plan.
  - b) Landscaped buffers to the minimum depth of 2m wide are proposed between the car park, the site boundary and the adjacent properties.
  - c) show the type and location of plant species, nominal height attained in two years and at maturity and details of soil improvement requirements, irrigation systems and maintenance schedules;
  - d) Details of vegetation retained and proposed to be removed;
  - e) Details of any irrigation system proposed.
63. The landscaping is to be maintained by the developer (i.e. watering, fertilising, mulching, weeding, and the like) at all times to the satisfaction of the Assessment Manager.
64. Any landscaping proposed to occur along a Road frontage, within 2m of the property boundary, is to be maintained or have a mature height no greater than 900mm.
65. Any proposed landscaped/streetscaping works within Council's Road Reserve must comply with the requirements of the Capricorn Municipal Development Guidelines (Standard Drawing CMDG-G-016).
66. All street trees and any existing significant on-site trees other than pest species, including QLD Bottle Trees, are to be retained and protected during construction unless removal is required to site the development.
67. The applicant must provide the Landscaping Plan for approval to Council at least 30 business days prior to commencement of construction.

## **Services**

68. Prior to the commencement of use, documentation is to be submitted to Council satisfactorily demonstrating that electricity, gas (if required) and telecommunication services have been provided to the proposed development as per the requirements of the relevant service provider.

## **Infrastructure Contributions**

69. Prior to the commencement of use, all infrastructure charges associated with this approval must be paid to Banana Shire Council.

Refer to the Adopted Infrastructure Charges Notice associated with this Development Permit for details of Infrastructure Contributions.

## **Waste Management**

70. Waste must not be burned at the premises.
71. Waste must be recycled where recycling services are feasibly available.
72. Waste collection vehicles must enter and exit the site in a forward gear.



# MCU005-18/19 Attachment 1

## Part B – Assessment Manager Notes

---

- A. The approval to which these conditions attach may also be subject to an *adopted infrastructure charges notice*. See s121 of the *Planning Act 2016*.
- B. In carrying out the activity or works associated with the development, all reasonable and practical measures are to be taken to minimise releases and the likelihood of releases of contaminants to the environment, except as otherwise provided by the conditions of this development approval.
- C. Pursuant to section 75 of the *Local Government Act 2009*, Council's written approval is required to carry out works on a road, or interfere with a road or its operation. This requirement applies to all Council-controlled roads within its local government area. The process for obtaining approval is set out in Council's *Local Law No. 1 (Administration) 2011*. Approval must be obtained prior to the commencement of the works.
- D. Please note the advice surrounding the applicants 'Environmental Obligations' contained in an attachment to the Decision Notice.
- E. The applicant and or owner/s of the land and the person/s responsible for the management of the premise is/are to ensure ongoing compliance with conditions of this Development Permit including Conditions relating to the ongoing use of the premise, and the design and layout of the development.
- F. Failure to ensure ongoing compliance with the conditions of this Development Approval including conditions relating to the ongoing use of the premise, and the design and layout of the development may constitute an offence under the Planning Act.
- G. Where further development is proposed it is the applicant's / developer's responsibility to ensure further approvals are sought as required by the Banana Planning Scheme.
- H. All works required pursuant to these conditions shall be undertaken and completed in accordance with Council's Standards (Capricorn Municipal Development Guidelines) at the Applicant's expense.
- I. Contact is to be made with "Dial Before You Dig" before construction of any of the work commences in order to determine the location of any underground services adjoining the premises. Any damage to any services are to be repaired at no cost to Council.

## **Engineering**

- A.** Prior to commencing any of the following construction activities the applicant/developer will be required to obtain a development permit for operational work:
- a) Internal roadworks;
  - b) external roadworks;
  - c) internal and external pathways;
  - d) earthworks;
  - e) stormwater drainage ;
  - f) erosion and sediment control;
  - g) electricity and communication layout;
  - h) internal and external lighting; and
  - i) landscaping
- B.** The approved development must also comply with Council's current Local Laws under the Local Government Act 2009.
- C.** All damage incurred to existing roads, footpaths, services or street furniture as a result of the proposed development shall be repaired within a reasonable period at the developer's expense.
- D.** All works required pursuant to these conditions shall be undertaken and completed in accordance with Council's Standards - Capricorn Municipal Development Guidelines ([www.cmdg.com.au](http://www.cmdg.com.au)) at the Applicant's expense.
- E.** Appropriate building measures are to be incorporated into the final design to cater for noise attenuation in accordance with the Queensland Development Code, the Building Code of Australia, the Environmental Protection Act 1994, and all relevant standards.
- F.** Any upgrades/amendments to the existing service connections that may be necessitated by this development shall be undertaken at the applicant's expense. Only one (1) water meter/connection and one sewer connection point is permitted per allotment.
- G.** All redundant services are to be removed by the applicant and inspected by Council's plumbing inspector or nominated representative prior to backfilling.

## **Food Business License requirements:**

- A.** During the last inspection of the kitchen on this premises that is licensed under the Food Act 2006, Council were advised that refurbishment of the kitchen was planned. You are advised that where other associated redevelopments or refurbishments are undertaken on site, such as an extension to the dining area, it is Council's expectation that the kitchen area is also refurbished to be fully compliant with relevant legislative requirements. If this is not addressed

during this development, further enforcement may be undertaken in the future under the Food Act 2006.

#### **Caravan Park Operator Permit requirements:**

- A. During the last inspection of the caravan park under the Caravan Park Operator Permit, a number of maintenance issues were identified within accommodation and associated facilities on this site. It is Council's expectation that these maintenance issues are addressed during any redevelopment or refurbishment is undertaken on site. If this is not addressed during this development, further enforcement may be undertaken in the future under Council's Local Law No. 1 (Administration) 2011.

#### **Waste Management:**

- A. With the introduction of a State Government waste levy and increased fees for disposal of unsorted waste to landfill from 1 July 2019, it is recommended that provision be made for the separation and storage of recyclable materials on site.
- B. All waste must be appropriately contained on site prior to removal. It is an offence under the Waste Reduction and Recycling Act 2011 to leave litter behind or allow litter to blow from site.
- C. All waste to be removed from site should be collected by a licensed contractor and taken to an approved waste disposal facility by an approved transporter.
- D. Trap Gully Landfill is the only approved waste facility within the Banana Shire for the disposal of commercial waste. No commercial waste is to be deposited at other Banana Shire landfills or transfer stations without prior written approval from Council.
- E. Council and it's contractors will not enter onto private property to service wheelie bins. Any bins to be serviced by Council will be required to be placed at the kerbside for collection.

#### **Cultural Heritage**

- 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.

### **Chemical Storage**

- A.** Any hazardous chemicals stored on site must be located above the 1% AEP + climate change flood level for Biloela

### **Pest Management**

- A.** A landowner has an obligation to take reasonable steps to keep their land free of invasive plants and animals in accordance with the Biosecurity Act 2014. Consideration should be given to appropriate treating of invasive plants, where necessary, in the construction and operational phases of the proposed development to meet the obligations under this Act.

### **Mosquito breeding**

- A** The site is required to be appropriately drained so that water is not allowed to accumulate or pond in a manner that may allow mosquito breeding, as required under the Public Health Regulation 2005.

# Attachment 2

## Planning Act 2016 Extract on Appeal Rights

---

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the appellant); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
- (a) For an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) For an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person. Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
- (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) The cost of infrastructure decided using the method included in the local government's charges resolution.

**Attachment 3**  
**Approved Drawings**

---

Convert existing en-suite into launches

New and augmented paved areas



ATCO 4 Unit VIP Accommodation  
 14.4m x 3.3m (10 blocks with 40 individual units  
 in total) (see next sheet for plans/elevations)

Remove existing non-en-suite cabins, en-suite, parking, and associated items in RED

Remove existing buildings (1) to be replaced with new buildings and parking / vegetation shown in RED

### Proposed Site Plan

Scale 1:250 @ A1 / 1:1000 @ A3  
 0 12.5

Site:	Discovery Parks - Biloela	Drawing Scale:	As shown	Sheet:	3 of 9
Address:	Valentines Plains Road, Biloela, QLD	Drawn:	DAO	Project No.:	180902
Project:	Park Development	Checked:	J.R.	Drawing Issue:	PD7
Drawing:	Existing/Proposed Site Plans	Sheet Size:	A1	Date Issue:	17 May 2019

copyright remains the property of the designer of all items  
 permission to use for  
 commercial construction

ISSUED FOR PLANNING APPROVAL

## Discovery Parks - Biloela

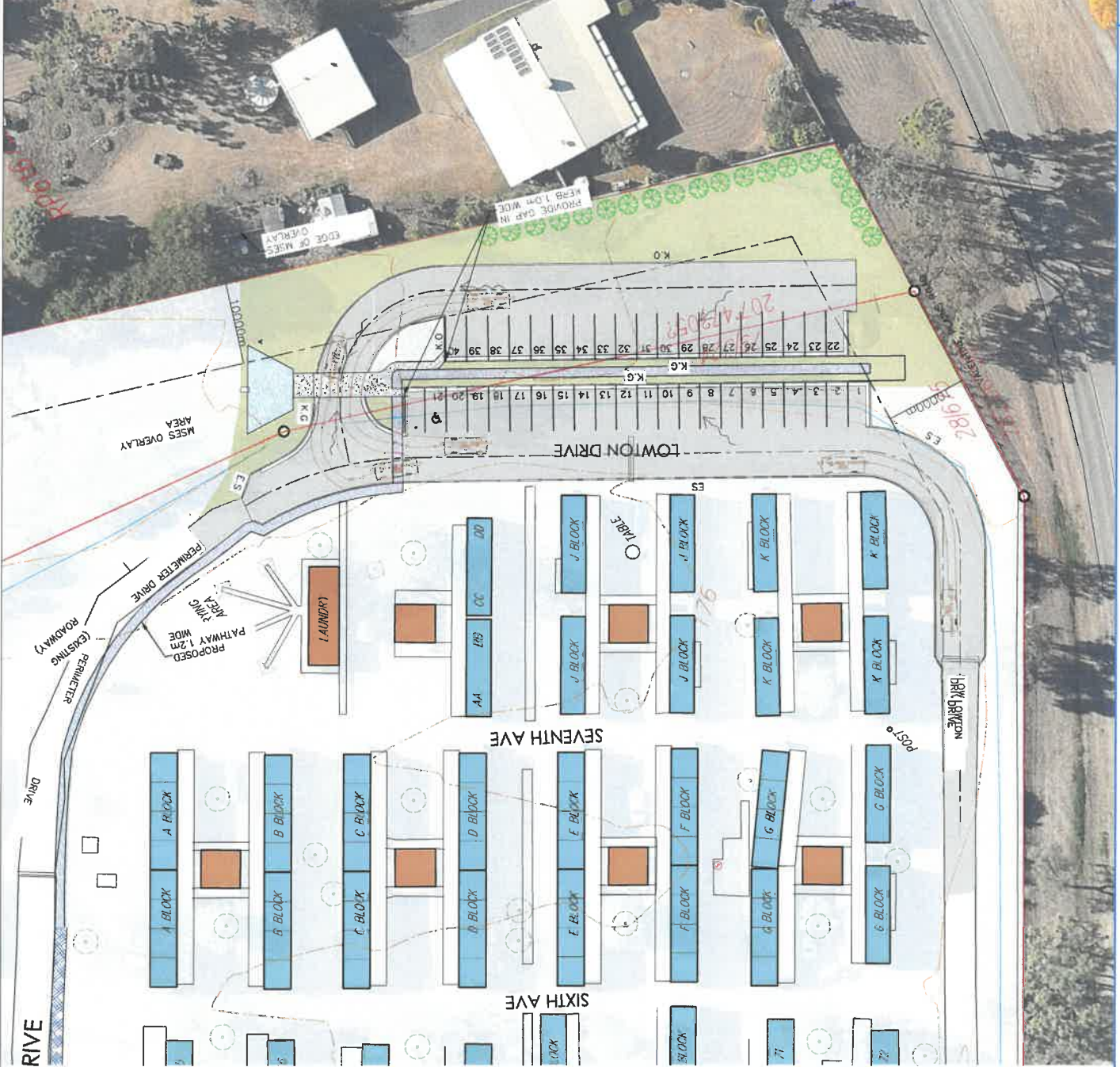


TOURIST PARK CONSULTANTS  
 e: [dpc@discoveryparks.com.au](mailto:dpc@discoveryparks.com.au)  
 ph: 0451 93762  
 PO Box 42, Highway SA 5089





Approx North



**LEGEND**

[Symbol]	PROPOSED NEW CAR PARK AND DRIVEWAY
[Symbol]	LANDSCAPE AREA
[Symbol]	FLOW DIRECTION
[Symbol]	CONCRETE DISH DRAIN
[Symbol]	TURFED SWALE DRAIN
[Symbol]	PROPOSED FOOTPATH (1.2m WIDE)
[Symbol]	ES
[Symbol]	K.G. KERB AND GUTTER
[Symbol]	K.O. KERB ONLY
[Symbol]	LANDSCAPE BUFFER

Planning Approval  
 28 AUG 2019

### Proposed Car Park Plan

Scale: 1:250 @ A1 / 1:1000 @ A3  
 0 12.5

Site:	Discovery Parks - Biloela	As Shown:	DAC	Sheet:	4	of	9
Address:	Voluntaries Plain Road, Biloela, QLD	Drawn:	J.R.	Project No.:	180902		
Project:	Park Development	Checked:	A1	Drawing Issue:	PD7		
Drawing:	Existing/Proposed Site Plans	Sheet Size:	A1	Date of Issue:	17 May 2019		

© copyright remains the property of the designer of all plans  
 not to be used or reproduced in any form without the written consent of the designer of all plans

ISSUED FOR PLANNING APPROVAL

## Discovery Parks - Biloela



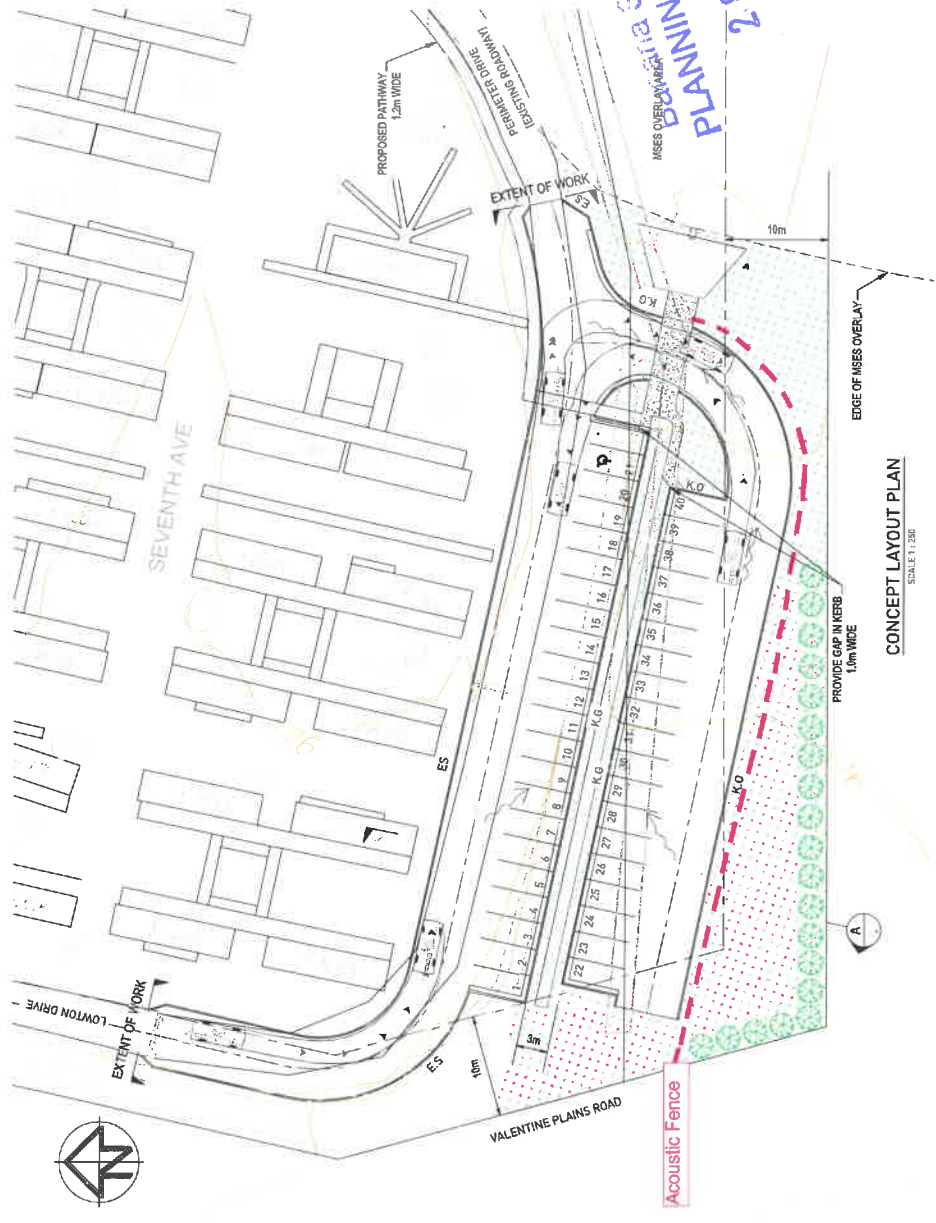
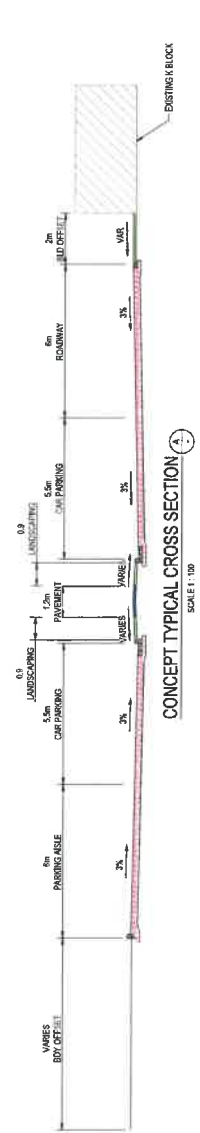
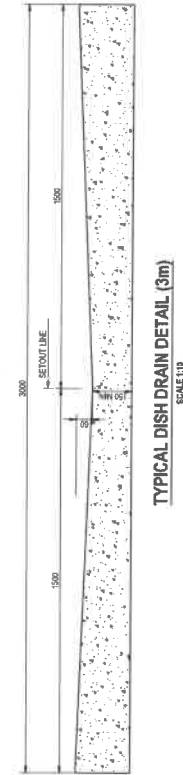
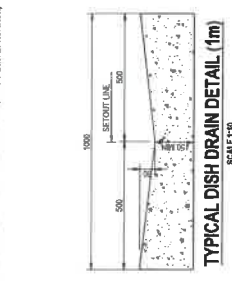
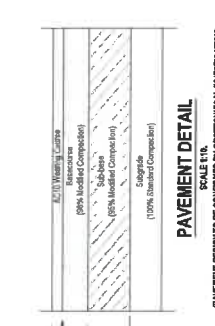
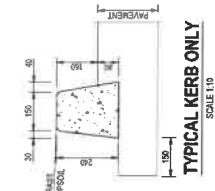
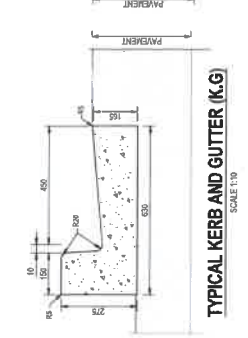
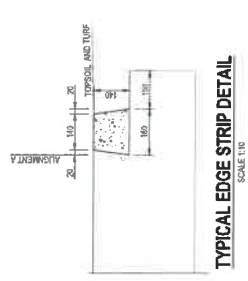
TOURIST PARK CONSULTANTS  
 t: 0451 98762  
 p: 0451 98762  
 PO Box 42 Highway SA 5089





**LEGEND**

[Symbol]	PROPOSED NEW CAR PARK AND DRIVEWAY
[Symbol]	LANDSCAPE AREA
[Symbol]	EXISTING TOURIST PARK AREA
[Symbol]	FLOW DIRECTION
[Symbol]	CONCRETE DISH DRAIN (1.0m AND 3.0m WIDE)
[Symbol]	PROPOSED PATHWAY (1.2m WIDE)
[Symbol]	LANDSCAPED BUFFER
[Symbol]	EDGE STRIP
[Symbol]	KERB AND GUTTER
[Symbol]	K.O. KERB ONLY



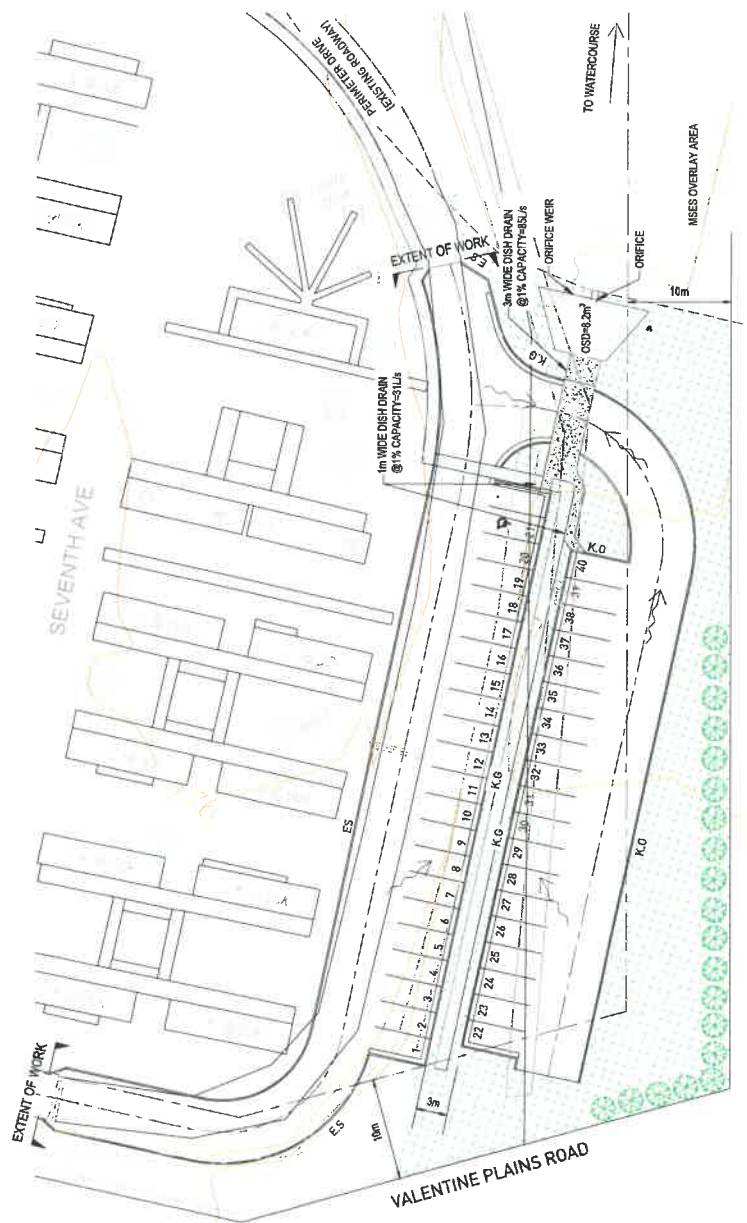
PLANNING APPROVAL  
28 AUG 2019

<b>REVISION</b> D C B A	ISSUE FOR APPROVAL DATE: 06/05/19	AMENDMENTS	CLIENT	PROJECT 1 <b>BILDELA CARAVAN PARK</b> <b>VALENTINE PLAINS ROAD, BILDELA</b> <b>CARPARK DESIGN</b>	DRAWN: M.Z CHECKED: M.W.R./M SCALE: A5 SHEET NO: A1	APPROVED: M.W DATE: 06/05/19		
	ISSUE FOR APPROVAL DATE: 22/07/19	DATE: 06/05/19 APPD: M.W DATE OF SURVEY: 30/04/19 ORIGIN: M.W HEIGHT OF DATUM: M.W	SYDNEY OFFICE 83 - 89 Renwick Street, Redfern NSW 2016 Tel: (02) 9376 6545 Fax: (02) 9576 6544	DRAWING NUMBER: DN180339/01 REVISION: D	PROJECT 1 <b>BILDELA CARAVAN PARK</b> <b>VALENTINE PLAINS ROAD, BILDELA</b> <b>CARPARK DESIGN</b>	DRAWN: M.Z CHECKED: M.W.R./M SCALE: A5 SHEET NO: A1	APPROVED: M.W DATE: 06/05/19	
	ISSUE FOR REVIEW DATE: 22/07/19	DATE: 22/07/19 APPD: M.W DATE OF SURVEY: 30/04/19 ORIGIN: M.W HEIGHT OF DATUM: M.W	SOUTH COAST OFFICE 47 Berry Street, Nowra NSW 2541 Tel: (02) 44 230 546 Fax: (02) 44 233 228	MIENGINEERS E: admin@miengineers.com W: www.miengineers.com	DRAWING NUMBER: DN180339/01 REVISION: D	PROJECT 1 <b>BILDELA CARAVAN PARK</b> <b>VALENTINE PLAINS ROAD, BILDELA</b> <b>CARPARK DESIGN</b>	DRAWN: M.Z CHECKED: M.W.R./M SCALE: A5 SHEET NO: A1	APPROVED: M.W DATE: 06/05/19
	ISSUE FOR APPROVAL DATE: 22/07/19	DATE: 22/07/19 APPD: M.W DATE OF SURVEY: 30/04/19 ORIGIN: M.W HEIGHT OF DATUM: M.W	MIENGINEERS E: admin@miengineers.com W: www.miengineers.com	PROJECT 1 <b>BILDELA CARAVAN PARK</b> <b>VALENTINE PLAINS ROAD, BILDELA</b> <b>CARPARK DESIGN</b>	DRAWING NUMBER: DN180339/01 REVISION: D	PROJECT 1 <b>BILDELA CARAVAN PARK</b> <b>VALENTINE PLAINS ROAD, BILDELA</b> <b>CARPARK DESIGN</b>	DRAWN: M.Z CHECKED: M.W.R./M SCALE: A5 SHEET NO: A1	APPROVED: M.W DATE: 06/05/19



**LEGEND**

[Symbol]	PROPOSED NEW CAR PARK AND DRIVEWAY
[Symbol]	LANDSCAPE AREA
[Symbol]	EXISTING TO AEST PARK AREA
[Symbol]	FLOW DIRECTION
[Symbol]	CONCRETE DISH DRAIN (1.0m AND 3.0m WIDE)
[Symbol]	PROPOSED PATHWAY (2.0m WIDE)
[Symbol]	LANDSCAPED BUFFER
[Symbol]	EDGE STRIP
[Symbol]	K.G. KERB AND GUTTER
[Symbol]	K.O. KERB ONLY



**STORMWATER DRAINAGE MANAGEMENT:**

IMPERVIOUS AREA (CAR PARK AND ROADWAY) INCREASE BY 1365m<sup>2</sup>

**PRE-DEVELOPMENT**  
 $Q_5=34.0$  L/s  
 $Q_{100}=58.4$  L/s

**POST-DEVELOPMENT**  
 $Q_5=85.5$  L/s  
 $Q_{100}=145.8$  L/s

**ON SITE DETENTION (OSD)**

**PERMISSIBLE SITE DISCHARGE (PSD)**  
 $PSD_5=34.0$  L/s  
 $PSD_{100}=58.4$  L/s

**SITE STORAGE REQUIREMENT (ISSR)**  
 $SSR_5=4.9$  m<sup>3</sup>  
 $SSR_{100}=8.2$  m<sup>3</sup>

**ON SITE DETENTION SIZE:**  
 PROVIDE OSD WITH AREA OF 45m<sup>2</sup>  
 AVERAGE DEPTH=200mm

**ORIFICE SIZING:**  
 5YR ORIFICE =  $\emptyset 149$ mm WITH ASSUMED HEAD 0.3m  
 100YR ORIFICE =  $\emptyset 118$ mm WITH ASSUMED HEAD 0.4m

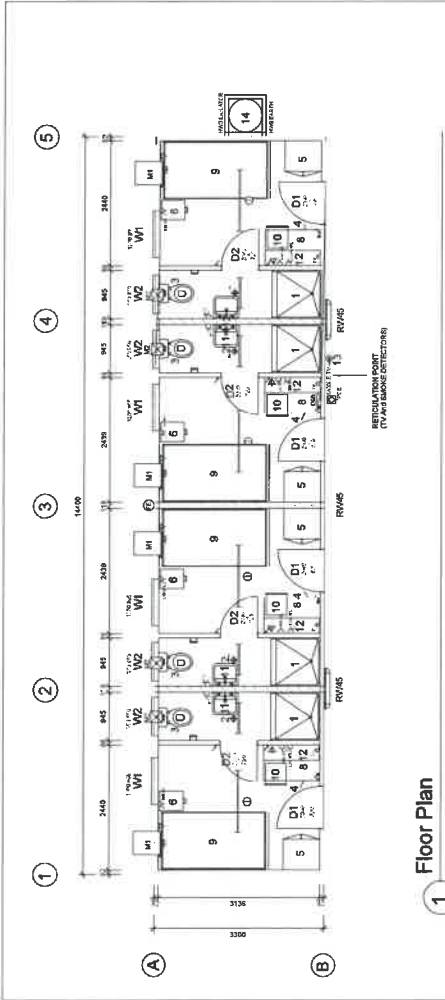
CONCEPT STORMWATER MANAGEMENT LAYOUT PLAN  
SCALE 1:250

Banana Shire Council  
PLANNING APPROVAL  
28 AUG 2019



REVISION	AMENDMENTS	DATE	APPD	ISSUED BY	CLIENT	
D	ISSUE FOR APPROVAL	06/05/19	M.W.	STONEY OFFICE	CLIENT: BILOELA CARAVAN PARK VALENTINE PLAINS ROAD, BILOELA CARPARK DESIGN DRAWING NAME: CONCEPT STORMWATER MANAGEMENT PLAN	
C	ISSUE FOR APPROVAL	06/05/19	M.W.	STONEY OFFICE		
B	ISSUE FOR APPROVAL	30/04/19	M.W.	SOUTH COAST OFFICE		
A	ISSUE FOR REMEDY	22/01/19	M.W.	47 BARRY STREET, NOWRA NSW 2541		
				STONEY OFFICE 82 - 87 Renwick Street, Redfern NSW 2014 Tel (02) 8376 6645 Fax (02) 8376 6564 SOUTH COAST OFFICE 47 Barry Street, Nowra NSW 2541 Tel (02) 44 230 546 Fax (02) 44 235 228 E: <a href="mailto:admin@miengineers.com">admin@miengineers.com</a> W: <a href="http://www.miengineers.com">www.miengineers.com</a>	PROJECT: BILOELA CARAVAN PARK VALENTINE PLAINS ROAD, BILOELA CARPARK DESIGN DRAWING NAME: CONCEPT STORMWATER MANAGEMENT PLAN	
					DESIGNED: M.W./R.M. M.W./R.M. SHEET SIZE: A1 SCALE: AS SHOWN DRAWING NUMBER: DN180339/02	APPROVED: M.W. M.Z. DATE: 06/05/19 REVISION: D

Banana Shire Council  
PLANNING APPROVAL  
2 8 AUG 2019



**1** Floor Plan  
1 : 50

**Notes**  
 - All Power Alarms Are Rectangular.  
 - Doors to 90° & 180° are shown. Switched off one switch.  
 - Door handle height to finish floor level - 1000mm for opening outside.

**Energy Efficiency Notes**  
 - This single drawing is compliant to BCA 2012 Part 1.4 for  
 windows, doors, walls, ceilings or floors in this zone will  
 be deemed to be compliant with the 6.5.5 energy efficiency  
 provisions of the National Construction Code 2012 & 2019  
 edition.

**Item List**

Code	Description	Quantity	Unit
D1	3045 x 1200 External Door - Standard - Hollow Core MC	4	Each
D2	2045 x 1750 Internal Door - Standard - Hollow Core	4	Each
D3	2045 x 1750 Internal Door - Standard - Hollow Core	4	Each
W1	1500 x 900 sliding Glass Window - Clear Glass - Clear	16	Each
W2	1500 x 1750 Sliding Glass Window - Clear Glass - Clear	4	Each
M1	2250mm PVC-UMC Mounted Air Conditioner	4	Each
AG	1000mm Recessed Exhaust Fan	4	Each
3	1000mm Recessed Exhaust Fan	4	Each
4	1000mm Recessed Exhaust Fan	4	Each

**Electrical Legend**

Symbol	Description
(A)	Common - Drive wire only
(B)	Common - Drive wire only
(C)	Common - Drive wire only
(D)	Common - Drive wire only
(E)	Common - Drive wire only
(F)	Common - Drive wire only
(G)	Common - Drive wire only
(H)	Common - Drive wire only
(I)	Common - Drive wire only
(J)	Common - Drive wire only
(K)	Common - Drive wire only
(L)	Common - Drive wire only
(M)	Common - Drive wire only
(N)	Common - Drive wire only
(O)	Common - Drive wire only
(P)	Common - Drive wire only
(Q)	Common - Drive wire only
(R)	Common - Drive wire only
(S)	Common - Drive wire only
(T)	Common - Drive wire only
(U)	Common - Drive wire only
(V)	Common - Drive wire only
(W)	Common - Drive wire only
(X)	Common - Drive wire only
(Y)	Common - Drive wire only
(Z)	Common - Drive wire only

**ATCO**  
 14.4 x 3.3m 4 Person VIP Accommodation  
 ATCO Structures  
 Work Force Housing

**Revision Table**

Rev No.	Description	Date	By
01			
02			
03			
04			
05			

**Project Information**

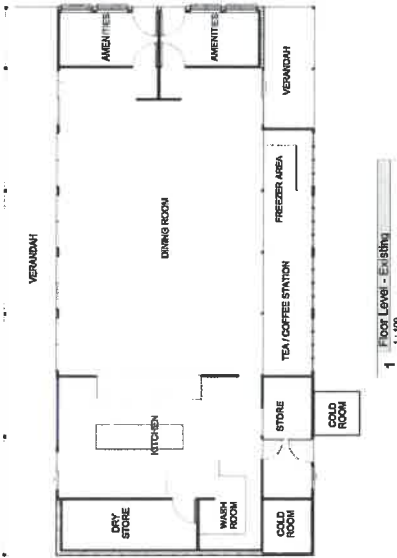
PROJECT NO: 14.4 x 3.3m 4 Person VIP Accommodation  
 DRAWING NO: W/H-3 M 01  
 DATE: 28.08.2019  
 DRAWING SCALE: A3



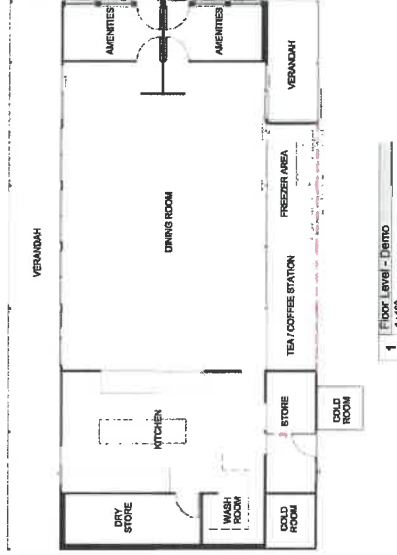
ATCO 4 Unit VIP Accommodation  
 14.4m x 3.3m (10 blocks with 40 individual units  
 in total)

**PRELIMINARY ONLY**  
NOT FOR CONSTRUCTION OR CONTRACT ADMINISTRATION

**PRELIMINARY ONLY**  
NOT FOR CONSTRUCTION OR CONTRACT ADMINISTRATION



PROJECT: Dining Hall Alterations at 131 Valentine Plains Road, Bloke  
DRAWING: Machinery Constructions  
DRAWING: Floor Plan - English  
DATE: 18.08.19  
CONCEPTUAL  
DRAWN BY: J.R.



PROJECT: Dining Hall Alterations at 131 Valentine Plains Road, Bloke  
DRAWING: Machinery Constructions  
DRAWING: Floor Plan - Demo  
DATE: 18.08.19  
CONCEPTUAL  
DRAWN BY: J.R.

**Barbara Shire Council  
PLANNING APPROVAL  
28 AUG 2019**

PROJECT: Dining Hall Alterations at 131 Valentine Plains Road, Bloke  
DRAWING: Machinery Constructions  
DRAWING: Floor Plan - Demo  
DATE: 18.08.19  
CONCEPTUAL  
DRAWN BY: J.R.

TOURIST PARK CONSULTANTS  
e: [dave@tremblideign.com.au](mailto:dave@tremblideign.com.au)  
ph: 0431 838732  
PO Box 42 Highbury SA 5088



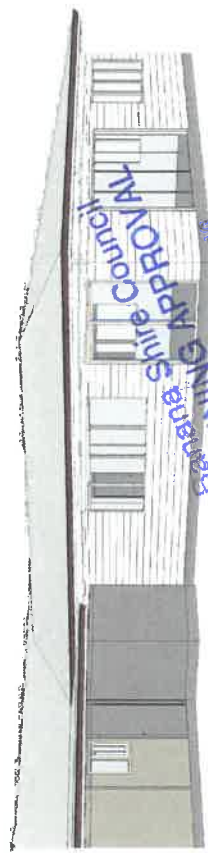
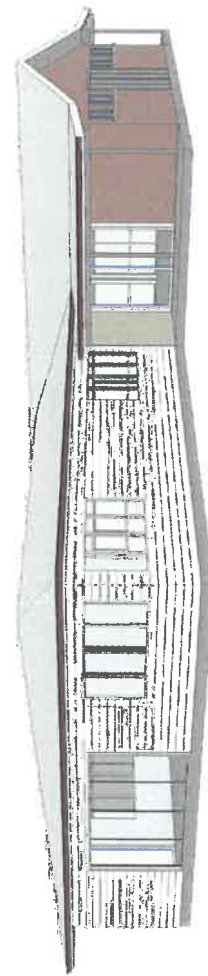
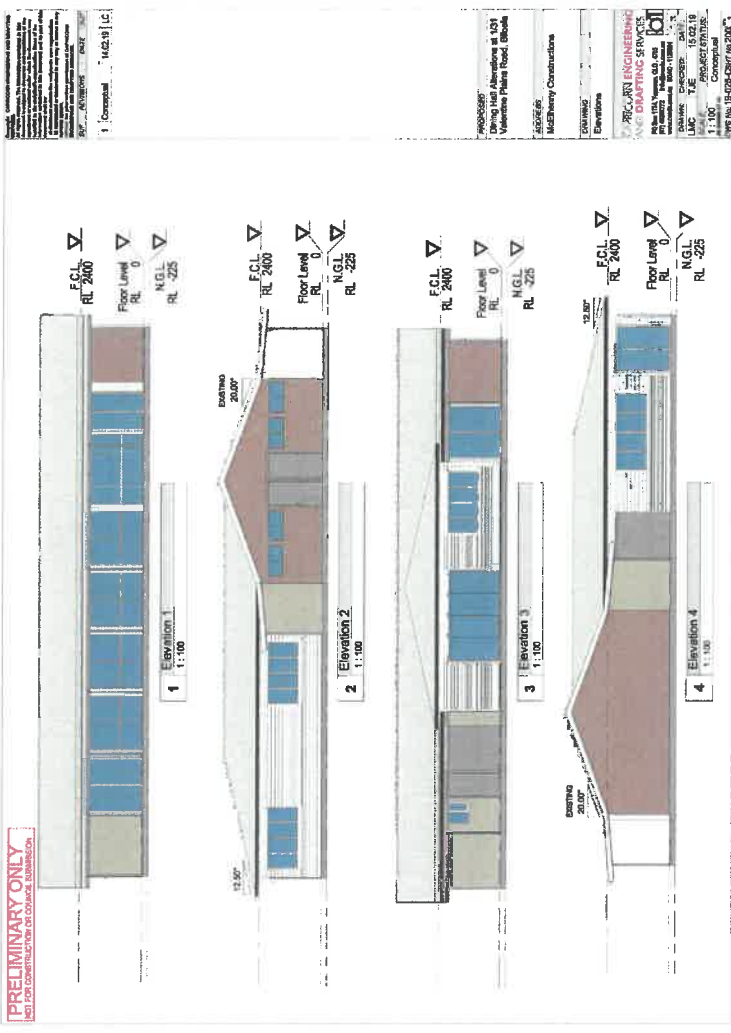
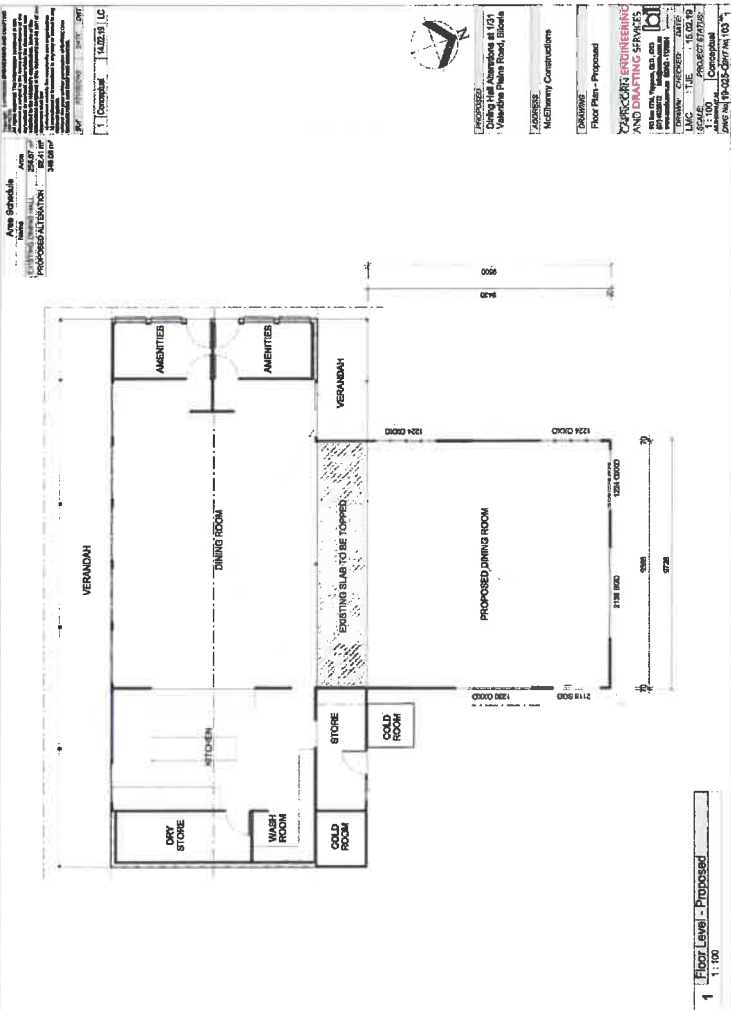
**Discovery Parks - Biloela**

ISSUED FOR PLANNING APPROVAL

not to be used in any way without the prior written consent of the designer of all plans

Site: Discovery Parks - Biloela  
Address: Valentines Plains Road, BILIELA, QLD  
Project: Park Development  
Drawing: Existing/Proposed Plans  
As Shown: DAO  
Drawn: J.R.  
Checked: J.R.  
Sheet Size: A1

Sheet 6 of 9  
Project No: 180002  
Drawing Issue: PDS  
Date of Issue: 20 Feb 2019



TOURIST PARK CONSULTANTS  
 e: [dave@greenhillsjpa.com.au](mailto:dave@greenhillsjpa.com.au)  
 p: 0431 888762  
 PO Box 42 Highbury SA 5088



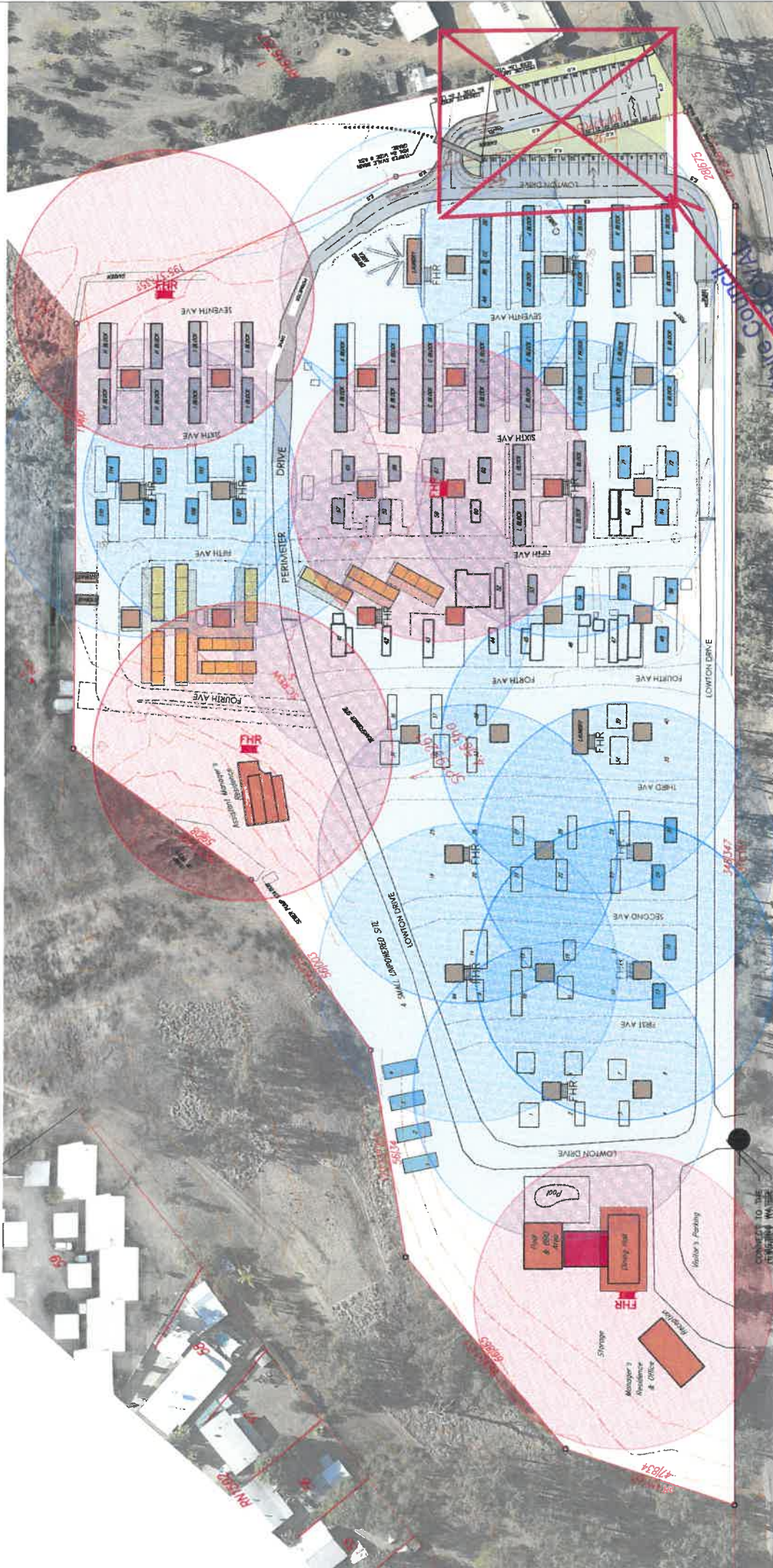
**Discovery Parks - Biloela**

ISSUED FOR PLANNING APPROVAL

designer of the  
 property of the  
 contractor to verify all  
 dimensions on the building  
 commencing construction

Site: Discovery Parks - Biloela  
 Address: Valleylink Plant Room: BILCELA\_CAD  
 Project: Park Development  
 Drawing: Existing/Proposed Plans

Sheet 7 of 9  
 Project No: 180902  
 Drawing Issue: PDS  
 Date of Issue: 20 Feb 2019



Approx North



**Fire Hose Reel  
Proposed Site Plan**  
Scale 1:500 @ A1 / 1:1000 @ A3

**Not Part of this Approach**

28 AUG 2019  
Barana Shire Council  
Planning Approval

TOURIST PARK CONSULTANTS  
t: 0843 838762  
e: dave@touristparks.com.au  
P.O. Box 42 Highbury SA 5089

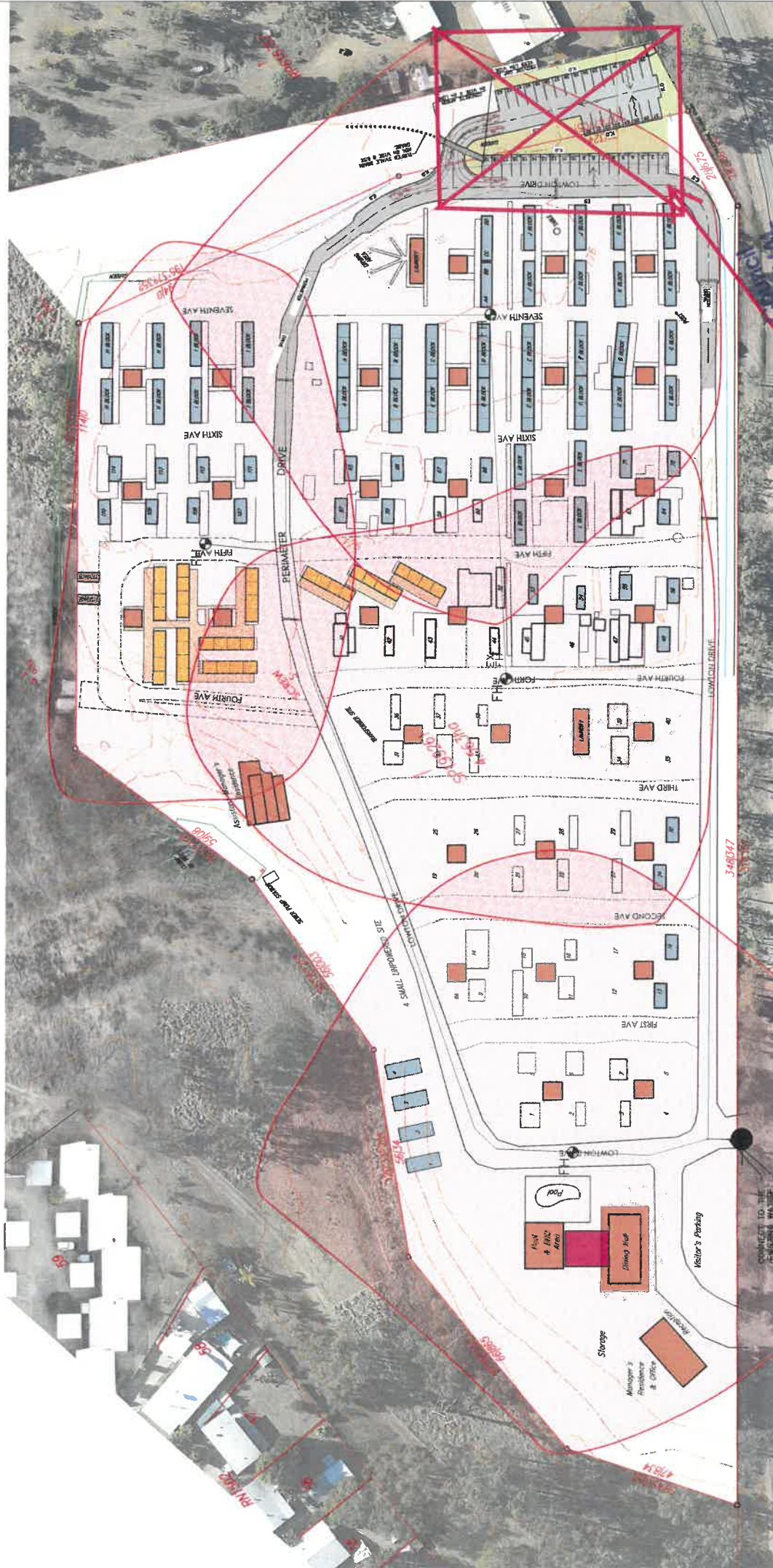


# Discovery Parks - Biloela

ISSUED FOR PLANNING APPROVAL

Not to be used for any other purpose without the written consent of the designer of all fires.

Site:	Discovery Parks - Biloela	As Shown	Sheet 8 of 9
Address:	Valentines Plains Road, BILOELA, QLD	DAC	Project No. 180902
Project:	Park Development	Drawn	Drawing Issue: PDS
Drawing:	Existing/Proposed Site Plans	J.R.	Date of Issue: 20 Feb 2019
		Sheet Size	



Not Part of this approval

PLANNING APPROVAL  
28 AUG 2019

## Fire Hydrant Proposed Site Plan

Scale: 1:500 @ A1 / 1:1000 @ A3  
Sheet Size: A1



<p>PROPOSED 100mm HDPE FIRE HYDRANT LINE</p> <p>PROPOSED FIRE HYDRANT</p> <p>EXISTING FIRE HYDRANT</p> <p>FIRE HYDRANT CATCHMENT AREA</p>	<p>WATER SUPPLY POINT</p> <p>EXISTING ROAD</p> <p>EXISTING CABINS</p>
---	---

**TOURIST PARK CONSULTANTS**  
 t: dave@reanultierdy.com.au  
 ph: 0431 83762  
 PO Box 42 Highview SA 5089

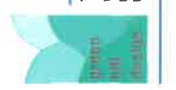


# Discovery Parks - Biloela

ISSUED FOR PLANNING APPROVAL

Site: Discovery Parks - Biloela  
 Address: Valentines Plains Road, BILOELA, QLD  
 Project: Park Development  
 Drawing: Existing/Proposed Site Plans

As Shown: DAC  
 Drawing Scrs: J.R.  
 Drawing Date: 20 Feb 2019  
 Sheet 9 of 9



**Attachment 4**  
**Infrastructure Charges**

---



## Attachment 4 Infrastructure Charges Notice

<b>ADOPTED INFRASTRUCTURE CHARGES NOTICE</b>			
<i>Planning Act 2016 and Local Government Act 2009</i>			
<b>TO:</b>			
<b>Applicant:</b>	Discovery Holiday Parks	<b>File Number:</b>	MCU005-18/19
<b>Address:</b>	1-35 Valentine Plains Road, Biloela	<b>Date of Issue:</b>	5 August 2019
<b>LAND TO WHICH THE INFRASTRUCTURE CHARGE APPLIES</b>			
Planning Scheme:	Banana Shire Council Planning Scheme 2005		
RPD:	Lot 1 SP199261 & Lot 3 SP199261		
<b>DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES</b>			
The adopted infrastructure charge applies to the following development type: Material Change of Use – Impact Assessment – Extension to Caravan Park (Extension to Existing Dining Hall (93m <sup>2</sup> ) & Additional 10 Accommodation Buildings comprising 40 individual units)			
<b>AMOUNT OF THE ADOPTED INFRASTRUCTURE CHARGE</b>			
The adopted infrastructure charge has been calculated in accordance with an adopted infrastructure charge under the <i>Planning Act 2016</i> .			
<b>Accommodation Building – Water and Sewerage</b>			
<b>Development Type</b>	<b>Units Payable</b>	<b>Current Unit Charge</b>	<b>Charge</b>
Dining Hall Extension (Food & Drink Outlet)	Per square metre (93m <sup>2</sup> )	\$58.99 (including PPI)	\$5,486.07
Accommodation Units (Tourist park – accommodation unit)	40	\$4,213.57 (including PPI)	\$168,542.80
<b>Offset – Water and Sewerage</b>			
<b>Development Type</b>	<b>Units Payable</b>	<b>Current Unit Charge</b>	<b>Charge</b>
Accommodation Units (Tourist park – accommodation unit)	17	\$4,213.57 (including PPI)	\$71,630.69
			<b>Total Infrastructure Charges:</b>
			<b>\$102,398.18</b>

## ADJUSTMENTS TO THE CHARGE

The charge rates included in this notice are valid until 30 June 2020, after which they will be subject to index adjustment. Please contact Banana Shire Council's Development & Environmental Services Department – Planning Section prior to payment for a review or reissue of this notice if applicable.

## DUE DATE FOR PAYMENT

Charges are payable as follows:

- (a) if the charge applies to reconfiguring a lot – prior to the signing of the Survey Plan;
- (b) if the charge applies to building work – prior to the issue of a certificate of classification; or
- (c) if the charge applies to a material change of use – before the change of use happens.

## PAYMENT DETAILS

Charges are payable to **Banana Shire Council**.

Payment can be made at Council's Chambers:

62 Valentine Plains Road, VALENTINE PLAINS, BILOELA

or by mail with your cheque or money order to **Banana Shire Council, PO Box 412, BILOELA QLD 4715**. Cheques must be made payable to Banana Shire Council and marked 'Not Negotiable'. Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

## GOODS AND SERVICES TAX

The Federal Government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this infrastructure charges notice.

## FAILURE TO PAY CHARGE


An adopted infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*. Compound annual interest at 11% calculated daily is to be applied to an overdue charge.

**This notice will lapse if the development approval stops having effect.**

## APPEAL RIGHTS

Attached is an extract from the *Planning Act 2016*, which details the appeal rights in relation to this notice.

Authorised by: \_\_\_\_\_

  
John McDougall

**DIRECTOR COUNCIL SERVICES**

**Chapter 4, Part 4, Division 2, Subdivision 5**

**124 Application of this subdivision**

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

**125 Representations about infrastructure charges notice**

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
  - (a) agrees with a representation; and
  - (b) decides to change the infrastructure charges notice;
 the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a **negotiated notice**) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
  - (a) must be in the same form as the infrastructure charges notice; and
  - (b) must state the nature of the changes; and
  - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

**126 Suspending relevant appeal period**

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

**Schedule 1, Table 1, Item 4**

**Infrastructure charges notices**

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

- (a) the notice involved an error relating to—
  - (i) the application of the relevant adopted charge; or**Examples of errors in applying an adopted charge—**
  - the incorrect application of gross floor area for a non-residential development
  - applying an incorrect ‘use category’, under a regulation, to the development
- (ii) the working out of extra demand, for section 120; or
- (iii) an offset or refund; or
- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—

**Attachment 5**  
**Environmental Obligations**

---

## ***Environmental Obligations***

### **SCHEDULE A – General**

- A1 The *Environmental Protection Act 1994* places a general environmental duty on everyone. Activity that causes or is likely to cause environmental harm must not be carried out unless all reasonable and practicable measures are taken to prevent or minimise the harm. Anyone becoming aware of serious or material environmental harm being caused or threatened by an activity they are involved in, has a duty to report that harm.
- A2 It is an offence under the *Environmental Protection Act 1994* to cause environmental nuisance. Environmental nuisance includes unreasonable interference caused by noise, dust, fumes, odour, smoke, aerosols, particles or light.
- A3 All reasonable precautions must be taken to avoid or minimise nuisance to adjacent premises or other property during construction work on the site, to the satisfaction of Council. Such precautions are to be discussed and agreed to by Council prior to construction commencing and will form part of any Construction Site Management Plan.

### **SCHEDULE B - Noise**

- B1 Activities must be managed such that noise emissions from the premises do not cause harm or nuisance to adjoining residents and comply with the requirements of the *Environmental Protection Act 1994* and *Environmental Protection (Noise) Policy 2019*.
- B2 Noise must not be emitted outside the hours specified below-

<b>Noise Source</b>	<b>Allowable Hours</b>
<b>Building work</b> <i>(Builders and owner-builders, including excavation. For home renovations or other uses refer to regulated devices)</i>	6:30am and 6:30pm Monday to Saturday, excluding public holidays.
<b>Regulated devices</b> <i>(eg mowers, power tools, compressors, leaf blowers, nail guns etc)</i>	7:00am to 7:00pm Monday to Saturday 8:00am to 7:00pm Sundays and public holidays
<b>Amplifier devices</b> <i>(other than indoor venues and open air events)</i>	7am to 10pm Business days 8am to 6pm Other days

- B3 All noise producing machinery and equipment (including air conditioners, compressors and cooling systems) are to be fitted with noise attenuation features so that noise at a sensitive receptor does not exceed the levels indicated in Schedule 1 of the *Environmental Protection (Noise) Policy 2019* as follows –

## Schedule 1 Acoustic quality objectives

Column 1 Sensitive receptor	Column 2 Time of day	Column 3 Acoustic quality objectives (measured at the receptor) dB(A)		
		L <sub>Aeq,adj,1hr</sub>	L <sub>A10,adj,1hr</sub>	L <sub>A1,adj,1hr</sub>
residence (for outdoors)	daytime and evening	50	55	65
residence (for indoors)	daytime and evening	35	40	45
	night-time	30	35	40
library and educational institution (including a school, college and university) (for indoors)	when open for business or when classes are being offered	35		
childcare centre or kindergarten (for indoors)	when open for business, other than when the children usually sleep	35		
childcare centre or kindergarten (for indoors)	when the children usually sleep	30		
school or playground (for outdoors)	when the children usually play outside	55		
hospital, surgery or other medical institution (for indoors)	visiting hours	35		
hospital, surgery or other medical institution (for indoors)	anytime, other than visiting hours	30		
commercial and retail activity (for indoors)	when the activity is open for business	45		
protected area or critical area	anytime	the level of noise that preserves the amenity of the existing area or place		
marine park	anytime	the level of noise that preserves the amenity of the existing marine park		
park or garden that is open to the public (whether or not on payment of an amount) for use other than for sport or organised entertainment	anytime	the level of noise that preserves the amenity of the existing park or garden		

## SCHEDULE C – Air and Light

C1 Air and light emissions must be appropriately managed to prevent environmental nuisance beyond the boundaries of the property during all stages of the development including earthworks and construction.

- C2 Suitable dust suppression should be used and/or screens or barriers should be erected, where required during excavation and building works, to reduce the emission of dust or other such emissions from the site.
- C3 All artificial illumination is to be designed and installed so as not to cause a nuisance to occupants of nearby premises and any passing traffic. Security and flood lighting is to be directed away from adjacent premises to minimise the protrusion of light outside the site.

#### **SCHEDULE D – Water and Stormwater**

- D1 It is an offence under the *Environmental Protection Act 1994* to discharge sand, silt, mud and other such contaminants to a stormwater drain, roadside gutter or a water course.
- D2 During construction, stockpiles and areas of bare soil or earth that are likely to become eroded must be adequately protected – by upslope surface water diversion, downslope sediment fencing and/or temporary surface coverings.
- D3 It is an offence under the *Environmental Protection Act 1994* to discharge oils, chemicals, cement or concrete, paint, thinner, degreaser, rubbish and other such contaminants to a stormwater drain, roadside gutter or a water course.
- D4 Any spills of oils, paints, chemicals etc must be contained and cleaned up as soon as possible.
- D5 Concrete, paint or thinner waste must not be washed out near a drain, gutter or anywhere waste could end up in a water course – appropriate containment and disposal should be used rather than discharging to the ground.

#### **SCHEDULE E – Waste Management**

- E1 It is an offence under the *Waste Reduction and Recycling Act 2011* to leave litter behind or allow litter to blow from site. All waste must be appropriately contained on site prior to removal.
- E2 All waste should be collected by a licensed contractor and taken to an approved waste disposal facility by an approved transporter.
- E3 Trap Gully Landfill is the only approved waste facility within the Banana Shire for the disposal of commercial waste. No commercial waste is to be deposited at other Banana Shire landfills or transfer stations without prior written approval from Council.
- E4 It is an offence under the *Environmental Protection Regulation 2019* to fail to comply with signage or directions at a waste facility.
- E5 Any building repairs involving asbestos material must be undertaken in accordance with Workplace Health and Safety requirements.
- E6 Regulated waste (including asbestos) is only to be disposed of at Trap Gully

Landfill and an application form must be completed and approved prior to disposal.

- E7 Council will not enter onto private property to service wheelie bins, any bins to be serviced by Council will be required to be placed at the kerbside for collection.

**SCHEDULE F – Land**

- F1 A landowner has an obligation to take reasonable steps to keep their land free of invasive plants and animals in accordance with the *Biosecurity Act 2014*. Consideration should be given to appropriate treating of invasive plants, where necessary, in the construction and operational phases of the proposed development to meet the obligations under this Act.