

**Your Reference:**

**Our Reference:** CW: RR: mw: 21-03 (FID87784, EC007-20/21, 12166-00000-000, ID1627431)

**Contact:** enquiries@banana.qld.gov.au

26 May 2021

Paul Kelly  
PO Box 3038  
TOOWOOMBA QLD 4350

Dear Paul,

**Exemption Certificate**

*(Given under section 46 of the Planning Act 2016)*

**Exemption Certificate for:** Vehicle Showroom Extension

**Site Address:** 5-9 Dawson Highway, Biloela

**Lot & Plan Details:** Lot 101 on SP125764

I wish to advise that an exemption certificate has been granted on 26 May 2021 for development for *Vehicle Showroom Extension*. This exemption certificate attaches to the subject land and must be provided to future owners and successors of title.

**1. Description of the development to which this certificate relates**

The following development is exempt under this certificate:

<b>Assessable development under the Banana Shire Planning Scheme 2005</b>	<b>Scheme reference</b>
Vehicle Showroom	Part 4, Division 4, Table 4.1.1(1)

**2. Reasons for giving exemption certificate**

The development is exempt under this certificate under *Section 46(3)(b)(i)* of the *Planning Act 2016* for the following reason:

- The effects of the development would be minor or inconsequential considering the circumstances under which the development was categorised as assessable development.

Development for Material Change of Use for Vehicle Showroom is categorised as Accepted Development if in the Town Zone, Highway Precinct subject to requirements. The proposed extension does not meet all the accepted development requirements of the current and proposed Planning Schemes for Banana Shire, particularly with respect to landscaping requirements. In this regard and with respect to the *Banana Planning Scheme 2005*, the development will not

satisfy the accepted development requirements of the Commercial Code AO1.2(RAD) reproduced as follows:

**AO1.2(RAD)**

*A landscaped area with size not less than 30% of the total site area is provided in accordance with the Part 6 Division 7-Development Standards Code – Landscaping.*

Given the site has been historically developed at a time when these requirements were not imposed and given the proposed development will improve streetscape amenity for this prominent highway site whilst maintaining the number of on-site carparks and existing access arrangements; the proposed development is not considered to have any permanent or significant consequences on the provision of the highway precinct as the extensions do not impact on the character of the area.

**3. When exemption certificate ceases to have effect**

This exemption certificate has effect for two years from the day after the date of this certificate.

Should you require further assistance in relation to this matter, please do not hesitate to contact Council's Development and Environmental Services Department, on (07) 4992 9500.

Yours sincerely



Chris Welch

**DIRECTOR COUNCIL SERVICES**