

# Decision Notice

*Planning Act 2016*

**Address all communications to  
The Chief Executive Officer**

PO Box 974, Ayr Qld 4807

**T** (07) 4783 9800

**E** [planning@burdekin.qld.gov.au](mailto:planning@burdekin.qld.gov.au)

**[www.burdekin.qld.gov.au](http://www.burdekin.qld.gov.au)**

Enquiries to: Planning and Development  
Our Reference: RAL26/0001  
Your Reference: 57283-001-01

11 May 2026

Michael Roncato  
C/- Brazier Motti Pty Ltd  
595 Flinders Street  
Townsville QLD 4810  
Via email: [Emma.staines@braziermotti.com.au](mailto:Emma.staines@braziermotti.com.au)

**Attention: Emma Staines, Town Planner**

Dear Emma,

**Development Application: RAL26/0001**

**Decision Notice – Development Application for a Development Permit for Reconfiguring a Lot – Subdivision (Four Lots into Five Lots) on land located at 42 and 66 Pelican Road, Mona Park (Lots 1 and 2 on SP247149, Lot 21 on RP748252, and Lot 20 on RP748251)**

I refer to your development application made on behalf of Michael Roncato, seeking a Development Application for a Development Permit for Reconfiguring a Lot – Subdivision (Four Lots into Five Lots), on land as described above.

Your development application was assessed by relevant officers, and Council approved the proposed development on **7 May 2026**, subject to reasonable and relevant conditions. Council's Decision Notice is **enclosed**.

This notice outlines the development's conditions of approval, currency period, approved plans, and includes relevant extracts from the *Planning Act 2016*. These extracts contain information relating to the making of representations regarding conditions, the suspension of the appeal period, negotiated decisions, and the lodgement of an appeal, should you wish to do so.

Yours sincerely,



James Stewart  
Director Infrastructure, Planning and Environmental Services

**Encl: Attachment A – Conditions of Approval  
Attachment B – Approved Documentation  
Attachment C – Infrastructure Charges Notice**

## Decision Notice

Section 63 of the Planning Act 2016

### Application Details

This Decision Notice relates to the below Development Application:

|                                   |                                                                                                                                                                                                      |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b>        | RAL26/0001                                                                                                                                                                                           |
| <b>Applicant Details:</b>         | Michael Roncato<br>C/- Brazier Motti Pty Ltd<br>595 Flinders Street<br>Townsville City QLD 4810<br>Via email: <a href="mailto:Emma.staines@braziermotti.com.au">Emma.staines@braziermotti.com.au</a> |
| <b>Owner Details:</b>             | Michael Roncato                                                                                                                                                                                      |
| <b>Street Address:</b>            | 44 and 66 Pelican Road, Mona Park                                                                                                                                                                    |
| <b>Real Property Description:</b> | Lots 1 and 2 on SP247149, Lot 21 on RP748252, and Lot 20 on RP748251                                                                                                                                 |
| <b>Proposal:</b>                  | Reconfiguring a Lot - Subdivision                                                                                                                                                                    |
| <b>Planning Scheme:</b>           | <i>Burdekin Shire Planning Scheme 2022</i>                                                                                                                                                           |
| <b>Level of Assessment:</b>       | Code                                                                                                                                                                                                 |

### Decision Details

The information below outlines the specifics of any approval or refusal issued by the Assessment Manager resulting from development assessment as per the provision of the *Planning Act 2016*.

|                          |                                                                                                  |
|--------------------------|--------------------------------------------------------------------------------------------------|
| <b>Type of Decision:</b> | Approval with conditions                                                                         |
| <b>Date of Decision:</b> | 7 May 2026                                                                                       |
| <b>Decision Type:</b>    | Development Permit                                                                               |
| <b>Deemed Approval:</b>  | The Development Permit is not a deemed approval under Section 64 of the <i>Planning Act 2016</i> |

### Conditions of Approval

The Conditions of Approval are set out in **Attachment A** of this Decision Notice.

### Approved Plans and Documents

The approved development must be completed and maintained generally in accordance with the approved plans and documents, except as amended by the conditions of this permit. The approved plans are included in **Attachment B** of this Decision Notice.

### Referral Agencies

Not applicable.

### Further Approvals Required

As listed in the Advice section of the Conditions of Approval at **Attachment A**.

### Infrastructure Charges

The proposal is a development type that triggers infrastructure charges to be applied, as per Council's Charges Resolution. The Infrastructure Charges Notice is included at **Attachment C**.

### Rights of Appeal

The rights of an Applicant to appeal to 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*. There may also be the right to make an application for a declaration by Tribunal (refer Chapter 6, Part 2 of the *Planning Act 2016*).

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.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*. A copy of the relevant appeal provisions from the *Planning Act 2016* is **enclosed**.

### Approval Currency Period

Pursuant to Section 85 of the *Planning Act 2016*, the Reconfiguring a Lot component of the Development Approval will lapse four (4) years after the approval starts to have effect, unless otherwise conditioned. The currency period can only be extended if the request is received before the approval lapses.

## Notice About Decision – Statement of Reasons

This notice is prepared in accordance with Section 63(5) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a development application. The purpose of the notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the planning scheme and assessment benchmarks against which the application was assessed; and
- any other information, documents or material Council was either required, or able, to consider in its assessment.

All terms used in this notice have the meanings given them in the *Planning Act 2016*.

### Assessment Benchmarks

The following assessment benchmarks applied to the proposed development:

- Development Works Codes
- Rural Zone Code
- Reconfiguring a Lot Code
- Bushfire Hazard Overlay Code
- Environmental Significance Overlay Code
- Flood Hazard Overlay Code

### Compliance with Assessment Benchmarks and Reasons for the Decision

The proposed development was assessed against all assessment benchmarks listed above and complies. Council exercises its discretion to approve the application even though the development may not strictly comply with an aspect of the assessment benchmarks, as the proposed development complies, or can be conditioned to comply with the outcomes sought by the relevant parts of the planning scheme and the intent of the relevant codes that apply including the Development Works Code, Rural Zone Code, Reconfiguring a Lot Code, Bushfire Hazard Overlay Code, Environmental Significance Overlay Code and Flood Hazard Overlay Code.

# Appeal Rights

*Planning Act 2016 and Planning Regulation 2017*

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

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

- (1) Schedule 1 of the *Planning Act 2016* 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.

(Refer to Schedule 1 of the *Planning Act 2016*)

- (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 a decision of the Minister, under [chapter 7, part 4](#), to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under [section 269A\(2\)\(a\)](#); or
  - (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (f) 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
  - (g) for an appeal relating to the [Plumbing and Drainage Act 2018](#)—
    - a. for an appeal against an enforcement notice given because of a belief mentioned in the [Plumbing and Drainage Act 2018, section 143\(2\)\(a\)\(i\), \(b\) or \(c\)](#)—5 business days after the day the notice is given; or
    - b. for an appeal against a decision of a local government or an inspector to give an action notice under the [Plumbing and Drainage Act 2018](#)—5 business days after the notice is given; or
    - c. for an appeal against a failure to make a decision about an application or other matter under the [Plumbing and Drainage Act 2018](#)—at anytime after the period within which the application or matter was required to be decided ends; or
    - d. otherwise—20 business days after the day the notice is given; or
  - (h) 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.

#### 230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to –
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and

- (c) for an appeal about a development application under [schedule 1, section 1](#), table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under [schedule 1, section 1](#), table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court – the chief executive; and
  - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
- (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
  - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- a. if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - b. otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, [section 316\(2\)](#), [schedule 1](#) and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The [Judicial Review Act 1991, part 5](#) applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the [Judicial Review Act 1991](#) in relation to the decision or matter, may apply under [part 4](#) of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
  - decision* includes–
    - (a) conduct engaged in for the purpose of making a decision; and
    - (b) other conduct that relates to the making of a decision; and
    - (c) the making of a decision or failure to make a decision; and
    - (d) a purported decision; and
    - (e) a deemed refusal.
  - non-appealable*, for a decision or matter, means the decision or matter–
    - (a) is final and conclusive; and
    - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
    - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

### 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

## Attachment A – Conditions of Approval

| Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Reason                                                                                                                    | Timing        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------|
| <p><b>1 General and Administration</b></p> <p><u>Compliance with Conditions</u></p> <p>1.1 The Applicant (and any contractor, agent, employee or invitee of the Applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with:</p> <p>1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports.</p> <p>1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering.</p> <p>1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail.</p> <p>1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.</p> <p><u>Works – Applicant's Responsibility/Expense</u></p> <p>1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the Applicant, at no cost to the Council.</p> <p>1.5 The Applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.</p> <p><u>Infrastructure Conditions</u></p> <p>1.6 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i>, should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.</p> |                                                                                                                           | At all times. |
| <p><b>2. Approved Plans and Documents</b></p> <p><u>Approved Plans &amp; Documents</u></p> <p>2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified below, except as otherwise specified and/or amended by any condition of this approval.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The development must comply with all planning scheme requirements as approved and conditioned by this development permit. | At all times. |

## Attachment A – Conditions of Approval

| Condition                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                           | Reason                                                                                                       | Timing                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 2.2                                                                                                                                                                                                        | The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines. |                                                                                                              |                                                                                    |
| 2.3                                                                                                                                                                                                        | Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.                                                                                                                                   |                                                                                                              |                                                                                    |
| Approved Plans                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |
| Drawing Title                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                           | Drawing/Revision                                                                                             | Date                                                                               |
| Proposed Reconfiguration<br>Lots 3 and 4 and Emt B in Lot 2 on SP247149                                                                                                                                    |                                                                                                                                                                                                                                                                                                           | 57283/001 C                                                                                                  | 2 April 2026                                                                       |
|                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |
| 3. Payment of Rates, Charges and Expenses                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                           | Confirmation to be provided to Council prior to the release of the Plan of Survey.                           |                                                                                    |
| 3.1 Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.                               |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |
| 3.2 Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.                                                               |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |
| 4. Services and Infrastructure                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                           | To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction. | Prior to Council approval of the Plan of Subdivision.                              |
| 4.1 Each lot must be provided with a reliable on-site water supply.                                                                                                                                        |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |
| 5. Confirmation of Existing Services                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                           | To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction. | Confirmation to be provided to Council prior to the release of the Plan of Survey. |
| 5.1 The existing services for each lot must be contained within the individual allotments unless otherwise conditioned.                                                                                    |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |
| 6. Access                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                           | To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction. | Confirmation to be provided to Council prior to the release of the Plan of Survey. |
| 6.1 Prior to the sealing of the Plan of Survey, the Applicant must demonstrate that each proposed lot has lawful and practical vehicular access, to the satisfaction of the Assessment Manager, by either: |                                                                                                                                                                                                                                                                                                           |                                                                                                              |                                                                                    |

## Attachment A – Conditions of Approval

| Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Reason | Timing |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|
| <p>6.1.1 <u>Continued Use of Existing Sunwater Access</u><br/>         Providing written confirmation from Sunwater Limited that the existing access crossings over Lot 21 on RP748252 and Lot 20 on RP748251, may lawfully continue to be used to provide ongoing vehicular access to Proposed Lot 3 and Proposed Lot 4 from Pelican Road. The confirmation must demonstrate that the access arrangements are authorised and may be used for the intended purpose of servicing the proposed lots and that the access will remain available on an ongoing basis.</p> <p>OR</p> <p>6.1.2 <u>Alternative Direct Access to Road Reserve</u><br/>         Where written confirmation from Sunwater Limited is not provided, the Applicant must demonstrate that each proposed lot has lawful and practical vehicular access directly to an existing road reserve, including but not limited to Doohan Road and/or Sexton Road, by way of suitably designed access arrangements located wholly within the relevant lot or road reserve.</p> |        |        |

## Advice

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>1. Infrastructure Charges</b><br/>         An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the development permit is attached for your information.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>2. Compliance with Conditions</b><br/>         Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>3. Limitation of Approval</b></p> <p><b>3.1</b> The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the Applicant.</p> <p><b>3.2</b> The Council and its officers rely upon the Applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the Applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the Applicant agrees to indemnify and save the council harmless in respect of any claim so arising.</p> |

## Attachment A – Conditions of Approval

### 4. Waterway Crossing – Proposed Lot 4

The Applicant is advised that the existing culvert crossing providing access to Proposed Lot 4 traverses a mapped waterway and is not constructed to any recognised engineering standard. Furthermore, there is no evidence that the crossing has been lawfully authorised as waterway barrier works under the *Fisheries Act 1994* (Qld).

Any future upgrade, replacement, or modification of this crossing may require:

- (a) Approval for waterway barrier works from the Department of Primary Industries (Fisheries Queensland); and
- (b) Relevant operational works approvals from the local government, where applicable.

This information will be recorded as a notation against the property in Council's rates records to inform current and future landowners of the potential approval requirements associated with the waterway crossing.

### 5. Acid Sulfate Soils

Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.

### 6. Amenity Impacts

Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the *Environmental Protection Act 1994*.

### 7. Earthworks

Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.

### 8. Miscellaneous

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

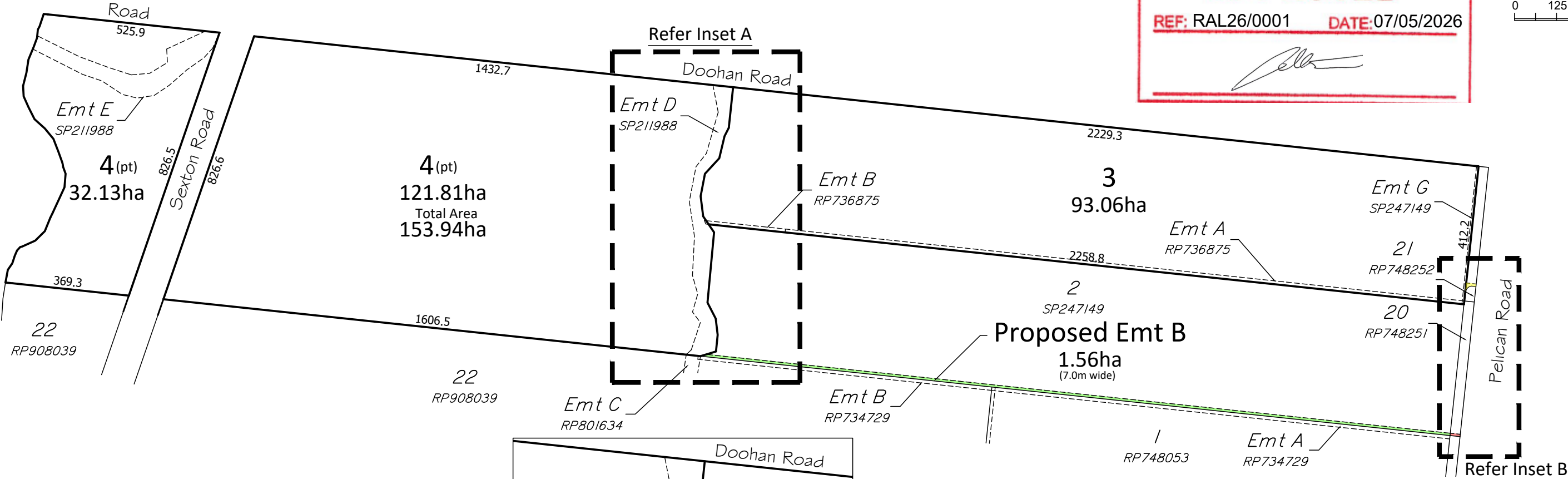
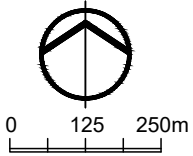
If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

PROPOSED RECONFIGURATION

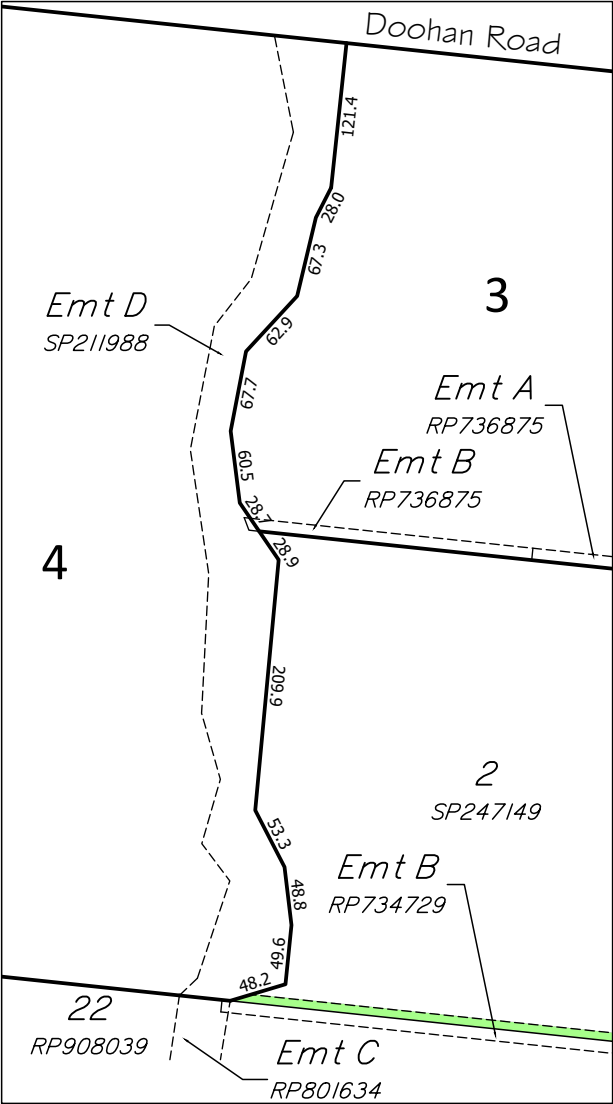
Lots 3 and 4 and Emt B in Lot 2 on SP247149  
Cancelling Lot 1 on SP247149

APPROVED

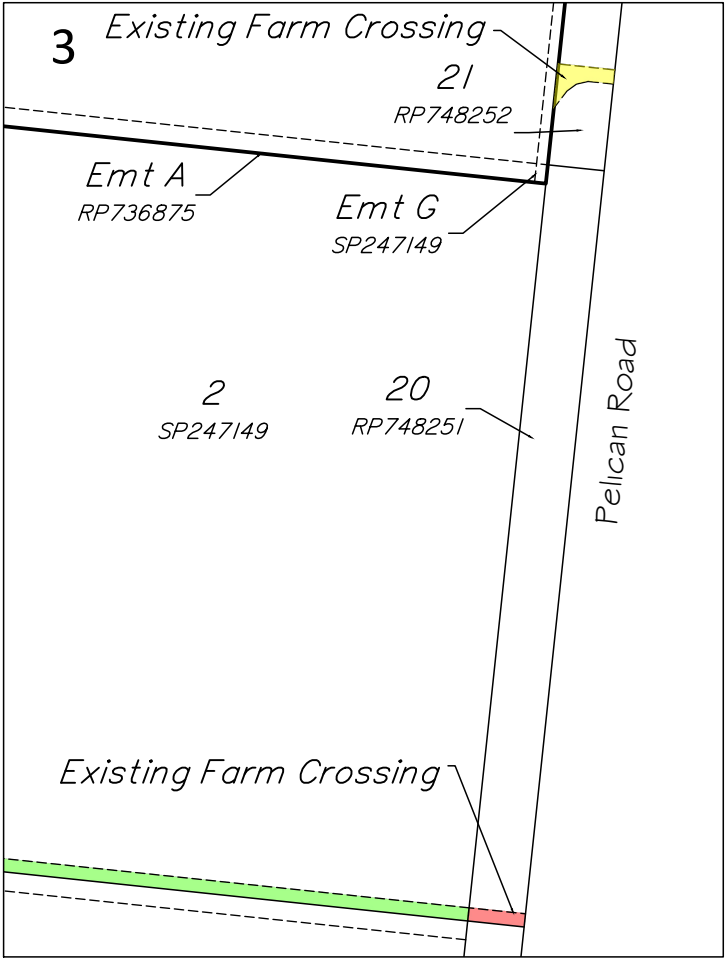
REF: RAL26/0001    DATE: 07/05/2026



- Legend
- Existing Farm Crossing in Lot 20 on RP748251
  - Proposed Emt B in Lot 2 on SP247149 - 7m Wide
  - Existing Farm Crossing in Lot 21 on RP748252



INSET A - 1:5000



INSET B - 1:4000

|                        |             |
|------------------------|-------------|
| Date: 02nd April, 2026 |             |
| Scale: 1:12500         | A3          |
| Drawn: MJM             |             |
| Job No: 57283/001-01   |             |
| Plan No:               | 57283/001 C |

braziermotti.com.au

SURVEYING  
TOWNPLANNING  
PROJECTMANAGEMENT  
MAPPING&GIS



brazier motti

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

## INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

|                                                                                                             |                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICANT:</b>                                                                                           | Michael Roncato                                                                                                                                                                       |
| <b>APPLICATION:</b>                                                                                         | Reconfiguring a Lot (3 lots into 4 lots)                                                                                                                                              |
| <b>Notice Number:</b>                                                                                       | ICN2026-007                                                                                                                                                                           |
| <b>DATE:</b>                                                                                                | 7 May 2026                                                                                                                                                                            |
| <b>FILE REFERENCE:</b>                                                                                      | RAL26/0001                                                                                                                                                                            |
| <b>AMOUNT OF THE LEVIED CHARGE:</b><br>(Details of how these charges<br>were calculated are shown overleaf) | \$2,500.00 Total                                                                                                                                                                      |
|                                                                                                             | \$0.00 Water Supply Network                                                                                                                                                           |
|                                                                                                             | \$0.00 Sewerage Network                                                                                                                                                               |
|                                                                                                             | \$2,500.00 Transport Network                                                                                                                                                          |
|                                                                                                             | \$0.00 Public Parks and Community Land Network                                                                                                                                        |
|                                                                                                             | \$0.00 Stormwater Network                                                                                                                                                             |
| <b>AUTOMATIC INCREASE OF LEVIED CHARGE:</b>                                                                 | The amount of the levied charge is subject to an automatic increase. Refer to the General Information attached to this notice for more information on how the increase is worked out. |
| <b>LAND TO WHICH CHARGE APPLIES:</b>                                                                        | Lots 1 and 2 on SP247149, Lot 21 on RP748252 and Lot 20 on RP748251                                                                                                                   |
| <b>SITE ADDRESS:</b>                                                                                        | 42 and 66 Pelican Road, Mona Park                                                                                                                                                     |
| <b>PAYABLE TO:</b>                                                                                          | <b>Burdekin Shire Council</b>                                                                                                                                                         |
| <b>WHEN PAYABLE:</b><br>(In accordance with the timing stated in<br>Section 122 of the Planning Act 2016)   | Reconfiguring a Lot – prior to Council endorsing a plan of survey                                                                                                                     |
| <b>OFFSETS OR REFUNDS:</b>                                                                                  | Not Applicable.                                                                                                                                                                       |

This charge is made in accordance with Council's **Charges Resolution (No. 2) 2018**

#### DETAILS OF CALCULATION

##### Water Supply

##### Adopted Charges

| Development Description     | Number of Units | Units of Measure | Charge Rate | Reference    | Amount      |
|-----------------------------|-----------------|------------------|-------------|--------------|-------------|
| Rural – Reconfiguring a Lot | 4               | Lots             | \$2,500.00  | CR Table 2.3 | \$10,000.00 |

##### Discounts\*

| Description         | Number of Units | Units of Measure | Discount Rate | Reference    | Amount     |
|---------------------|-----------------|------------------|---------------|--------------|------------|
| Existing lawful use | 3               | Lots             | \$2,500.00    | CR Table 2.3 | \$7,500.00 |

##### Levied Charges

| Development Description     | Water Supply  | Sewerage      | Transport         | Public Parks & Land for Community Facilities | Stormwater    | Total             |
|-----------------------------|---------------|---------------|-------------------|----------------------------------------------|---------------|-------------------|
| Rural – Reconfiguring a Lot | \$0.00        | \$0.00        | \$2,500.00        | \$0.00                                       | \$0.00        |                   |
| <b>Total</b>                | <b>\$0.00</b> | <b>\$0.00</b> | <b>\$2,500.00</b> | <b>\$0.00</b>                                | <b>\$0.00</b> | <b>\$2,500.00</b> |

*\* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at Council's discretion.*

Yours faithfully,



James Stewart

Director Infrastructure, Planning and Environmental Services

## INFORMATION NOTICE7

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Authority and Reasons for Charge</b>                 | This Infrastructure Charges Notice has been given in accordance with section 119 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Appeals</b>                                          | Pursuant to section 229 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Automatic Increase Provision of charge rate (\$)</b> | <p>An infrastructure charge levied by Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI Index applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI Index average<sup>1</sup>. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.</p> <p>However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Council could have levied for the development at the time the charge is paid.</p> |
| <b>GST</b>                                              | The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2009</i> are GST exempt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>To whom the charge must be paid</b>                  | <p>Payment of the Charge must be made payable to BURDEKIN SHIRE COUNCIL, PO Box 974, Ayr, Qld 4807.</p> <p>The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.</p>                                                                                                                                                                                                                                                                                                                                                                            |

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<sup>1</sup> 3-yearly PPI index average is defined in section 114 of the *Planning Act 2016* and means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

It is requested that you contact Council's Town Planning Department to confirm that amount payable prior to making payment.

**Payment**

This notice is due and payable by the due time shown. Property owners will be liable for any dishonour fees.

**Overseas Payees**

Please forward your infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

**Method of Payment****PAYMENT AT COUNCIL OFFICES**

Confirm the current Infrastructure Charge applicable.

Present written confirmation of charges with your payment to Burdekin Shire Council Chambers, 145 Young Street, Ayr.

**PAYMENT MADE BY CREDIT CARD**

Credit Cards accepted: Mastercard or Visa

**Enquiries**

Enquiries regarding this Infrastructure Charges Notice should be directed to the BURDEKIN SHIRE COUNCIL, Town Planning Department, during office hours, Monday to Friday by phoning (07) 4783 9800 or email at [planning@burdekin.qld.gov.au](mailto:planning@burdekin.qld.gov.au)

## Schedule 1 Appeals

section 229

### 1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
  - (a) the P&E court; or
  - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
  - (a) the refusal, or deemed refusal of a development application, for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court;or
  - (b) a provision of a development approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court;or
  - (c) if a development permit was applied for—the decision to give a preliminary approval for—
    - (i) a material change of use for a classified building; or
    - (ii) operational work associated with building work, a retaining wall, or a tennis court;or
  - (d) a development condition if—
    - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
    - (ii) the building is, or is proposed to be, not more than 3 storeys; and
    - (iii) the proposed development is for not more than 60 sole-occupancy units; or
  - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
  - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
  - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
  - (h) a decision to give an enforcement notice—
    - (i) in relation to a matter under paragraphs (a) to (g); or
    - (ii) under the Plumbing and Drainage Act; or
  - (i) an infrastructure charges notice; or
  - (j) the refusal, or deemed refusal, of a conversion application; or
  - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
  - (a) for a matter in subsection (2)(a) to (d)—
    - (i) a development approval for which the development application required impact assessment; and
    - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or

- (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
- column 1 states the appellant in the appeal; and
  - column 2 states the respondent in the appeal; and
  - column 3 states the co-respondent (if any) in the appeal; and
  - column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—  
*storey* see the Building Code, part A1.1.

**Table 1**  
**Appeals to the P&E Court and, for certain matters, to a tribunal**

| <p><b>4. Infrastructure charges notices</b></p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds –</p> <p>(a) The notice involved an error relating to –</p> <ol style="list-style-type: none"> <li>The application of the relevant adopted charge; or</li> </ol> <p><i>Examples of errors in applying an adopted charge –</i></p> <ul style="list-style-type: none"> <li>The incorrect application of gross floor area for a non-residential development</li> <li>Applying an incorrect ‘use category’, under a regulation, to the development</li> </ul> <p>(i) The working out of extra demand, for section 120; or</p> <p>(ii) An offset or refund; or</p> <p>(b) There was no decision about an offset or refund; or</p> <p>(c) If the infrastructure charges notice states a refund will be given – the timing for giving the refund; or</p> <p>(d) For an appeal to the P&amp;E Court – the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p> |                                                                  |                                       |                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|---------------------------------------|---------------------------------------------------|
| Column 1<br>Appellant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Column 2<br>Respondent                                           | Column 3<br>Co-respondent<br>(if any) | Column 4<br>Co-respondent by<br>election (if any) |
| The person given the infrastructure charges notice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The local government that gave the infrastructure charges notice | -                                     | -                                                 |