

APPLICATION FOR A DEVELOPMENT PERMIT

RECONFIGURATION OF A LOT (BOUNDARY
REALIGNMENT) & MATERIAL CHANGE OF USE FOR
INDOOR SPORT AND RECREATION (EXTENSION OF
EXISTING GYM)

on behalf of
Tonion Investments Pty Ltd

at
5 Little Drysdale Street & 177 Macmillan Street, Ayr

on
Lot 5 on RP882395 & Lot 32 on A26516





CONTENTS

1.0 INTRODUCTION	3
2.0 THE SUBJECT SITE	4
3.0 THE PROPOSAL	7
4.0 RELEVANT LEGISLATION	11
4.1 COMMONWEALTH LEGISLATION	
4.2 THE PLANNING ACT 2016	
4.3 STATE ASSESSMENT AND REFERRALS	
4.4 STATE PLANNING POLICY	
4.5 ASSESSMENT MANAGER AND PLANNING SCHEME	
4.6 PUBLIC NOTIFICATION	
5.0 THE PLANNING FRAMEWORK.....	12
5.1 THE BURDEKIN SHIRE PLANNING SCHEME 2022	
5.2 PLANNING SCHEME DESIGNATION	
5.3 LEVEL OF ASSESSMENT, ASSESSABLE BENCHMARKS AND APPLICABLE CODES	
5.4 ZONE CODE PROVISIONS	
5.5 DEVELOPMENT CODES	
5.6 OVERLAY CODES	
6.0 CONCLUSION	15

APPENDICES

Appendix A:	DA Form 1
Appendix B:	Certificates of Title and SmartMap
Appendix C:	Owner's Consent
Appendix D:	Letters of Support
Appendix E:	Response to State Code 1
Appendix F:	Planning Scheme Codes Assessment
Appendix G:	Reconfiguration Plans
Appendix H:	Design Plans



1.0 INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Tonion Investments Pty Ltd, in support of a development application seeking a Development Permit for the Reconfiguration of a Lot (Boundary Realignment) and Material Change of Use for Indoor Sport and Recreation (Extension of Existing Gym) on land at 5 Little Drysdale Street and 177 Macmillan Street, Ayr, formally described as Lot 5 on RP882395 and Lot 32 on A25616.

The proposal seeks to expand the floor area the existing gym by undertaking building works within the existing structure and establishment of a second structure behind the existing building by acquiring additional land from the adjoining property by the means of a boundary realignment.

To assist in Council's determination of this development application, this planning report covers the following matters:

- Section 2:- Subject site description.
- Section 3:- A detailed description of the development proposal.
- Section 4:- A review of the relevant legislation provisions.
- Section 5:- An assessment of the proposal against the relevant code provisions of the Burdekin Shire Planning Scheme 2022.
- Section 6:- Conclusion.

The development application is made in accordance with section 51 of the Planning Act 2016 and contains the mandatory supporting information specified in the applicable DA form, included in **Appendix A**. The application is subject to impact assessment and therefore public notification is required.



2.0 THE SUBJECT SITE

The subject site is located at 5 Little Drysdale Street and 177 Macmillan Street, Ayr, and can be precisely described as Lot 5 on RP882395 and Lot 32 on A26516. The subject land is contained within both the Centre Zone (Lot 5) and the Low-Density Residential Zone (Lot 32). The site is surrounded by existing Centre and Residential Activities, with extensive open space and commercial/retail uses contained within proximity.

Lot 5 contains an area of 701m², with Lot 32 containing 1,012m². Neither lot is encumbered by any easements or covenants.



Figure 1: The subject site. Source: QLD Globe.

The subject land is comprised of two separate lots, with a large shed contained within Lot 5, currently housing *The Shed NQ Health & Fitness*. The use of the existing gym has been established in accordance in the Development Permit for Material Change of Use (Health Care Centre) dated 28 October 2020, Council Ref: MCU20/0007. Lot 32 contains an existing dwelling and associated elements within the frontage, with the rear of the site clear of all permanent structures.

Both existing lots are connected to essential infrastructure utilities including reticulated water, electricity and telecommunications.



Figure 2 shows the frontage of the recently established Gym.



Figure 2: Frontage façade. Source: Provided.

The existing gym is contained within a shed and awning, with a total footprint of 486.18m².

Figure 3 shows the rear of existing Lot 32, directly adjacent to the rear of the existing Gym.



Figure 3: Subject land to the rear of the existing Gym. Source: Provided.



The Certificate of Title confirming ownership of Lot 5 on RP882395 by applicant, Tonion Investments Pty Ltd, is included in **Appendix B**. The Certificate of Title confirming ownership of Lot 32 on A25616 by J. Kilcullen is also included in **Appendix B**, along with the relevant SmartMap. The title further identifies that the subject land is not burdened by any easements or covenants. As the landowner of Lot 32 is not the Applicant, landowner's consent has been included in **Appendix C**.



3.0 THE PROPOSAL

The proposal seeks to extend the current Indoor Sport and Recreation use established in accordance the Development Permit for Material Change of Use (Health Care Centre) dated 28 October 2020, Council Ref: MCU20/0007. The proposed development consists of two component being for:

1. Material Change of Use – Expansion of Indoor Sport and Recreation over two (2) stages; and
2. Reconfiguring a Lot - Boundary Realignment (2 Lots into 2 Lots).

Details of the separate of components are detailed in sections 3.1 and 3.2 below.

3.1 MATERIAL CHANGE OF USE – INDOOR SPORT AND RECREATION

The proposal seeks to expand the existing infrastructure on site, throughout the following 2 Stages:

Stage 1 – Addition to building frontage, enclosure of the side awning and installation of a mezzanine floor

Stage 2 – Construction of new structure within the rear of the site

The increased floor area of the gym does not seek to increase intensity of the use, rather provide additional space for user comfort and operational efficiency. An increase in patron numbers will not occur. The patron numbers and operation aspects of the existing use of the site will continue to be that as currently approved under the existing Development Permit, Council Ref: MCU20/0007.

Figure 4 (otherwise included in **Appendix G**) provides an extract of the proposed site plan detailing the proposed works onsite associated with both Stage 1 & 2 of the development.

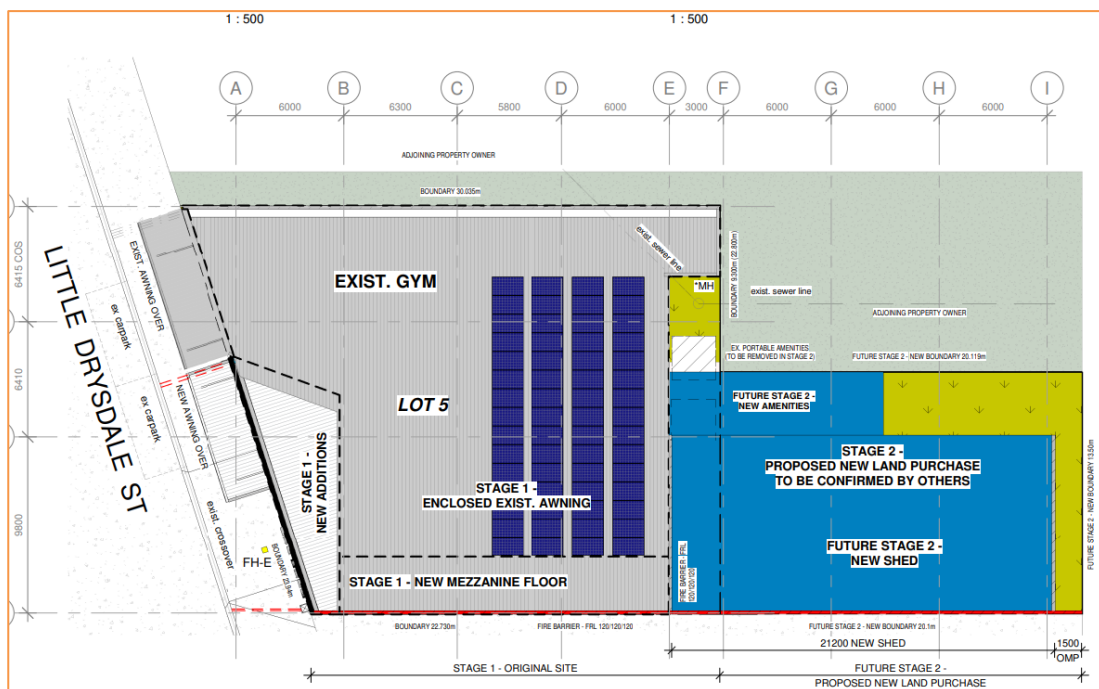


Figure 4: Proposed site plan. Source: Burdekin Building Design.



Stage 1 of the development seeks to expand the building within the frontage and enclose the current awning within the western façade of the existing building with the frontage awning also being extended. A mezzanine floor with a floor area of 56m² will be constructed within the westernmost part of the building for the provision of storage. On completion of the building works the floor area of the existing gym will increase to 598m². *Figure 5* below provides an extract of the floor plan for proposed works associated with both Stages 1 & 2.

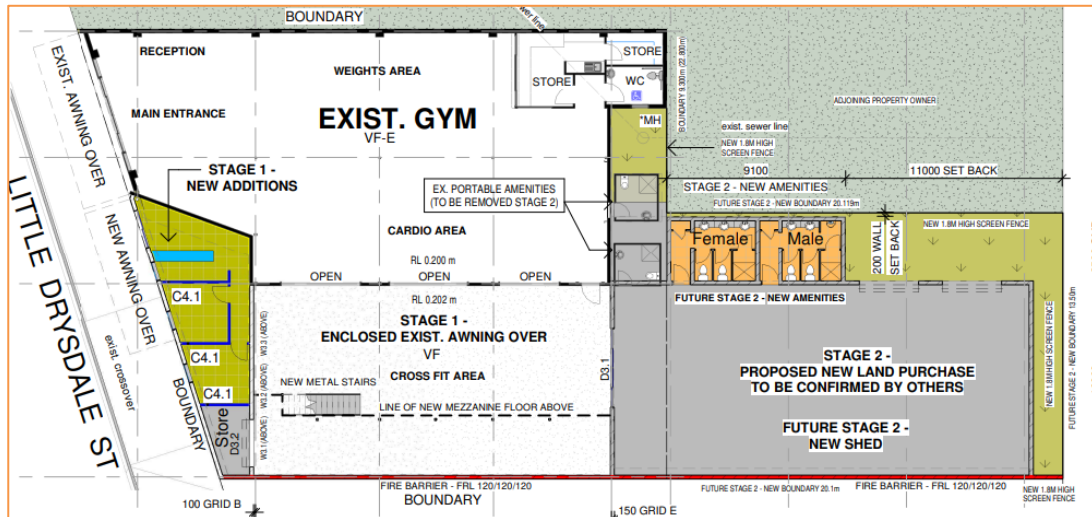


Figure 5: Master Floorplan. Source: Burdekin Building Design.

The frontage addition will include consultation rooms ancillary to the operation of the existing Gym, providing space for administration activities and consultations. The storeroom on the westernmost side of the building accessed via the existing gym area underneath the proposed mezzanine. As above, the mezzanine floor will be accessed via a set of metal stairs and will extend to the rear wall of the existing gym building.

As detailed in *Figure 6* below, the proposed additions do not increase the overall height of buildings within the parcel, with a fire wall proposed to extend to the current uppermost projection of the development. The additional frontage wall, windows and awning are in keeping with the established design of the building, and contribute to a legible, safe streetscape.

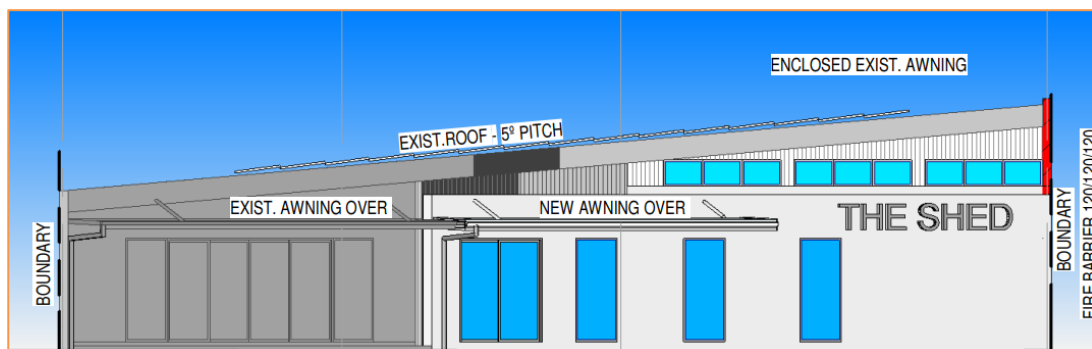


Figure 6: Elevation viewing from Little Drysdale Street Source: Burdekin Building Design.

As previously mentioned, building works will involve the existing floor area being fully enclosed. Enclosing of the floor area not only improves the operation of the site (dust and ash residues on equipment etc.) but also improves the noise emissions from the site.



Stage 2 of the development constitutes the implementation of further building to the rear of the existing gym as detailed in the Site and Master Plans previously depicted in *Figures 4 & 5* above. As specified in *Section 3.2*, a boundary realignment between the subject land and rear parcel will facilitate the additional area required for addition building.

Stage 2 predominantly involves the implementation of a second adjoining shed within the rear of the subject land. The shed is to contain a total area of 215m² and will be used for general gym activities. The Stage also relocates existing amenities, providing permanent structures connected to the new shed. Turf will be provided around the rear and partial side of the shed, with access gained via two roller doors. The entirety of the westernmost wall will be constructed in accordance with relevant fire safety provisions.

The proposed structure will be entirely enclosed, with roller doors provided to access turfed outdoor areas. It is noted that the new structure yields a setback of 1.5m to the common boundary with Lot 33 on A26516, a 3.5m from the proposed shed and 0.2m from the amenity block to the common boundary of proposed Lot 7.

The amenities structure also does not contain any open aspects (such as windows) to the adjoining residential land, reducing the chance of overlooking. A 1.8m high screen fence is proposed along all boundaries adjoining residential land, seeking to mitigate noise that may be emitted from use of the gym. It is important to note that the enclosure of the gym space will reduce the amount of noise emanating from the proposed gym space. The reduced setback produced by the additional structures, including the gym space and new amenities, are considered in keeping with the established setbacks, considering multiple elements within the easternmost area of Stage 1 are existing and built to boundary. The reduced setbacks produced by the proposed development are not considered to impede upon any matter of amenity within the adjoining residential lot, particularly given the location of the adjoining dwelling, and established setback character within the site.

Sufficient parking is available within both Little Drysdale Street and MacMillan Street, for use by patrons of the site. It is noted that Accounting for spaces within Little Drysdale Street (adjacent to the street frontage and those east of the Drysdale/Macmillan roundabout), a total of 78 car parks are provided within 170m of the site. Directly adjacent to the subject site (all within 40m of the site), 26 spaces are available.

The surrounding commercial area is characterized by businesses offering retail, sales and food and drink outlet. During typical business hours (9am to 5pm), patronage of the gym is not expected to be more than that required of normal businesses within the area, therefore parking during the business day will not place any undue pressure on the existing on-street parking available to the site or surrounding land uses. The increased demand for carparking will be between the hours of 5:30pm and 6:30pm, at which point most businesses and their associated patrons are not utilising the on-street parking.

While there is no patron parking on site, the abundance of on-street parking is considered entirely satisfactory to meet the demand generated by the proposed land use. Accordingly, there is no need to provide additional parking in association with the proposed gym due to the different peak operating hours of the businesses within vicinity of the site. As aforementioned, the implementation of the additional floor area does not seek to increase intensity of the use, rather provide additional space for user comfort and operational efficiency. An increase in patron numbers will not occur. Demand on parking is expected to remain as existing, requiring no extension of current carparking provisions. As demonstrated, on-street carparking facilities are



more than sufficient to service both the Indoor Sport and Recreation Use and surrounding commercial/retail lots.

The existing gym has been operating onsite from obtaining the relevant development permit from Council since 2020. Letter of support from surrounding landowners/business have been obtained and are included within **Appendix D**. The letters of support further reinforce that the proposed expansion will not have detrimental impacts on surrounding properties.

3.2 RECONFIGURATION OF A LOT – BOUNDARY REALIGNMENT

To facilitate the expansion of the floor area of the gym associated with Stage 2 of the development, the applicant and the landowner of Lot 32 on A26516 have come to an agreement acquire/dispose of an area of land totalling 272m² by the means of a boundary realignment. The proposed boundary realignment is depicted on Proposal Plan - 56940/001A as included within **Appendix G** and extract included within *Figure 7* below.

The boundary realignment will result in Proposed Lot 7 containing an area of 740m², retaining all existing residential structures within. It is noted that both resulting lot sizes are in accordance with both the surrounding locality, and the minimum lot size provisions of the *Reconfiguring a Lot Code* as defined by the Burdekin Shire Planning Scheme 2022.

Access is retained to both lots, with proposed Lot 6 continuing to utilise access from Little Drysdale Street, and proposed Lot 7 to retain direct access to Macmillan Street. Neither lot requires further connections to any Council services, or any new connection to Electricity and Telecommunications Infrastructure.



Figure 7: Extract from Proposal Plan 56940/001A Source: Brazier Motti.



4.0 RELEVANT LEGISLATION

4.1 COMMONWEALTH LEGISLATION

The application is not subject to assessment against Commonwealth legislation. It is not anticipated that development of this land will trigger assessment against the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC), as it is not anticipated that the development will significantly impact upon a matter of national environmental significance. The proposal is merely the conversion of the existing student accommodation to multiple dwelling units in an identified urban area.

4.2 THE PLANNING ACT 2016

The Planning Act 2016 provides the framework for coordinating local, regional and state planning. Given the nature of the development, the application requires assessment against this legislation.

4.3 STATE ASSESSMENT AND REFERRALS

<i>Issue</i>	<i>Statutory Trigger</i>
State Transport Infrastructure	Schedule 10, Part 9, Division 4 Subdivision 2, Table 4: <ul style="list-style-type: none">- Adjacent to a road that intersection with a State-controlled Road;- Within 100m of the intersection.

The abovementioned State Transport referral triggers assessment against State Code 1, refer to **Appendix E**.

4.4 STATE PLANNING POLICY

In accordance with section 2.1 – State Planning Policy of the planning scheme, the Minister has identified that all aspects of the SPP have been integrated into the planning scheme. Hence, for the purposes of this development, we consider that assessment of the proposal against the provisions of the SPP is not required, and all relevant matters will be dealt with under the provisions of the planning scheme.

4.5 NORTH QUEENSLAND REGIONAL PLAN

As detailed in section 1.2.2 of the Burdekin Shire Planning Scheme 2022 the Planning Minister has identified that the North Queensland Regional Plan is appropriately integrated into the Burdekin Council Planning Scheme in full. The proposed development does not impact of the relevant outcomes sought by the Regional Plan.

4.6 ASSESSMENT MANAGER AND PLANNING SCHEME

Burdekin Shire Council is nominated as the assessment manager for the application. The applicable planning scheme is the Burdekin Shire Planning Scheme 2022.

4.7 PUBLIC NOTIFICATION

The proposed development on the subject site requires public notification under the provisions of the Planning Act 2016.



5.0 THE PLANNING FRAMEWORK

5.1 THE BURDEKIN SHIRE COUNCIL PLANNING SCHEME – BURDEKIN SHIRE PLANNING SCHEME 2023

The planning scheme seeks to achieve outcomes through the identification of a number of overall outcomes, performance outcomes and acceptable solutions. Land identified within the planning scheme is divided into a number of zones. Zones are further identified within individual precincts and local plans. The planning scheme further identifies numerous overlay codes.

5.2 PLANNING SCHEME DESIGNATIONS

In accordance with the Burdekin Shire Planning Scheme 2022, the site is subject to the designations listed in the table below. These designations will assist in determining which Tables of Assessment are applicable to the proposed development on the subject site and therefore assist in the determination of the Category of assessment and the codes applicable to the proposed development.

Planning Scheme Designation

<i>Type of Designation</i>	<i>Designation and Applicability</i>
Zone	Centre Zone Low Density Residential Zone
Acid Sulphate Soils Overlay	Identified as having soil at 5-20m AHD
Flood Hazard Overlay	Identified within the Low and Medium Hazard Area
Transport Noise Corridor Overlay	Identified within Category 0

5.3 LEVEL OF ASSESSMENT, ASSESSABLE BENCHMARKS AND APPLICABLE CODES

The subject site is designated within the *Centre Zone* and *Low Density Residential Zone* and identified on three (3) *overlays*. The relevant tables of assessment within the Burdekin Shire Planning Scheme (2022) (Table 3.4.1 & 3.4.6) identify that the Material Change of Use for Indoor Sports and Recreation (Gym) and Reconfiguration of a Lot (Boundary Realignment) within the respective zones requires Impact Assessment.

Furthermore, the Assessment Tables identify that an application for Material Change of Use requires assessment against the planning scheme and hence the following Codes:

- Centre Zone Code
- Low-Density Residential Zone Code
- Development Works Code
- Reconfiguring a Lot Code
- Flood Hazard Overlay Code

A complete assessment of the proposal against the relevant provisions of the applicable Codes is discussed below:



5.4 ZONE CODE PROVISIONS

5.4.1 Centre Zone Code

In accordance with the Burdekin Shire Planning Scheme 2022 the site is contained within the Centre Zone, where a Material Change of Use for Indoor Sport and Recreation and Reconfiguration of a Lot (Boundary Realignment) are Code Assessable.

The purpose of the centre zone is to provide for a variety of uses and activities to service all or part of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.

Response

A detailed assessment against the zone code is provided in **Appendix D**.

5.4.2 Low Density Residential Zone Code

In accordance with the Burdekin Shire Planning Scheme 2022 the site is contained within the Low Density Residential Zone, where the Reconfiguration of a Lot (Boundary Realignment) is Code Assessable, however a Material Change of Use for Indoor Sport and Recreation is Impact Assessable.

As the Material Change of Use is located within the Low Density Residential Zone, the level of assessment for the entire application is Impact Assessable.

Response

A detailed assessment against the zone code is provided in **Appendix D**.

5.5 DEVELOPMENT CODES

5.5.1 Development Works Code

In accordance with the Burdekin Shire Planning Scheme 2022 table of assessment the development requires assessment against the Development Works Code.

The purpose of the code is to ensure that development provides services to a standard which is efficient, effective and reflects community expectations, enhances the lifestyle of the community, and minimises impacts on neighbours, the streetscape and the environment.

Response

The proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Development Works Code.

A detailed assessment against the code is provided in **Appendix D**.



5.5.2 Reconfiguring a Lot Code

In accordance with the Burdekin Shire Planning Scheme 2022 table of assessment the development requires assessment against the Reconfiguring a Lot Code.

The purpose of the code is to ensure that appropriate lot sizes are provided, supporting the uses intended for the zone. The code seeks to create safe, convenient and attractive neighbourhoods and commercial areas.

Response

The proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Reconfiguring a Lot Code.

A detailed assessment against the code is provided in **Appendix D**.

5.6 OVERLAY CODES

5.6.1 Flood Hazard Overlay Code

In accordance with the Burdekin Shire Planning Scheme 2022 the development requires assessment against the Flood Hazard Overlay Code.

The purpose of the code ensures that development in a flood hazard area otherwise occurs in the way intended in the relevant zone.

Response

The proposal seeks to implement an additional structure onsite. There will be no impact on the flood storage or safety of the users or surrounding properties.

A detailed assessment against the code is located in **Appendix D**.



6.0 CONCLUSION

This proposal has detailed a development application to the Burdekin Shire Council seeking a Development Permit for a Material Change of Use for Indoor Sports and Recreation (Extension of Existing Gym) and Reconfiguration of a Lot (Boundary Realignment), on land at 5 Little Drysdale Street and 177 Macmillan Street, Ayr, formally described as Lot 5 on RP882395 and Lot 32 on A26516.

In summary, the proposed development is recommended for approval based on the following reasons:

- The increased floor area of the gym does not seek to increase intensity of the use, rather provide additional space for user comfort and operational efficiency. An increase in patron numbers will not occur. The patron numbers and operation aspects of the existing use of the site will continue to be that as currently approved under the existing Development Permit, Council Ref: MCU20/0007.
- The proposal seeks to extend an existing use, and does not require any change to access or services;
- The proposal constitutes an established use that provides health services and assistance to the broad community;
- The reconfiguration yields lot sizes that are in accordance with the requirements of the Scheme;
- The proposal is in keeping with the mixed commercial and residential uses within the general locality;
- The use is adequately serviced by on-street carparking; and
- The proposal includes a use that is holistically consistent with the outcomes sought by the Centre & Low Density Zone Codes, and provides measures to ensure ongoing amenity for Low Density Residential uses.

Given the above facts and circumstances presented in this report, we recommend that Council approve the development subject to reasonable and relevant conditions.

APPENDIX A

brazier motti



DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Tonion Investments Pty Ltd c/- Brazier Motti
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	PO Box 1185
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	4054 0400
Email address (non-mandatory)	Cns.planning@braziermotti.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	56940-001-01

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
		5	Little Drysdale Street	Ayr
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	5	RP882395	Burdekin Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		177	Macmillan Street	Ayr
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	32	A26516	Burdekin Shire Council

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer
Name of water body, watercourse or aquifer:
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>
Lot on plan description of strategic port land:
Name of port authority for the lot:
<input type="checkbox"/> In a tidal area
Name of local government for the tidal area (if applicable):
Name of port authority for tidal area (if applicable):
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use ☒ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☒ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Reconfiguration of a Lot – Boundary Realignment

e) Relevant plans

Note: *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).*

- ☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☒ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☒ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Material Change of Use – Indoor Sport and Recreation (Extension of Existing Gym)

e) Relevant plans

Note: *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).*

- ☒ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Indoor Sport and Recreation	Indoor Sport and Recreation		797m ²
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?	
2	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input checked="" type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
5RP882395	601m ²	Proposed Lot 6	873m ²
32A26516	1,012m ²	Proposed Lot 7	740m ²
12.2) What is the reason for the boundary realignment?			
Facilitate extension of existing gym.			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Burdekin Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

- ☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☒ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i>
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?	
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No	

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i>?			
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000?**

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works?**

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
☒ No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title
- ☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

Note: See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

APPENDIX B

brazier motti



Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Lodger Code: PX 00210

RUDDY TOMLINS & BAXTER SOLICITORS
8 GREGORY ST
BOWEN QLD 4805

Title Reference:	50010967
Lodgement No:	5766309
Office:	PEXA

This is the current status of the title as at 09:05 on 24/04/2023

ESTATE AND LAND

Estate in Fee Simple

LOT 5 REGISTERED PLAN 882395
Local Government: BURDEKIN

REGISTERED OWNER

Dealing No: 722294517 16/02/2023

TONION INVESTMENTS PTY LTD A.C.N. 663 521 775 TRUSTEE
UNDER INSTRUMENT 722294517

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20348134 (ALLOT 1 SEC 61)
2. MORTGAGE No 722294518 16/02/2023 at 14:38
J & L MCCATHIE PTY LTD A.C.N. 167 228 382 TRUSTEE
UNDER INSTRUMENT 722294518

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

DEALINGS REGISTERED

722294517	TFR TO TTEE	MJB:DJE:A222184
722294518	MORTGAGE	MJB:DJE:A222184

Caution - Charges do not necessarily appear in order of priority

** End of Registration Confirmation Statement **

Registrar of Titles and Registrar of Water Allocations

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	20587037	Search Date:	05/04/2023 13:49
Date Title Created:	04/03/1960	Request No:	44064613
Creating Dealing:			

ESTATE AND LAND

Estate in Fee Simple

LOT 32 CROWN PLAN A26516

Local Government: BURDEKIN

REGISTERED OWNER

Dealing No: 706851416 01/08/2003

JASON ANTHONY KILCULLEN

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20587037 (ALLOT 2 SEC 61)
2. MORTGAGE No 706942868 01/09/2003 at 14:59
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141

ADMINISTRATIVE ADVICES

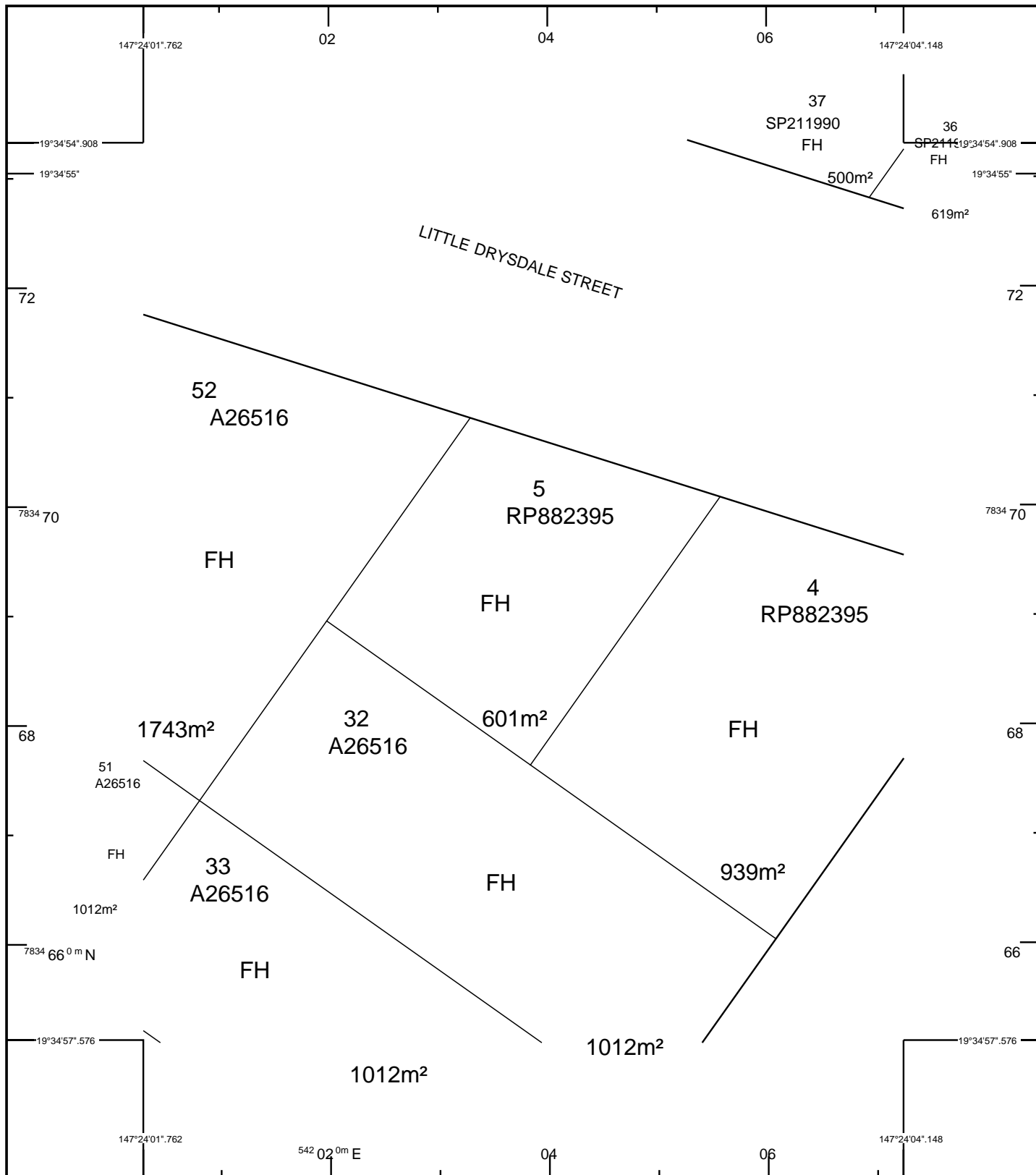
NIL

UNREGISTERED DEALINGS

NIL

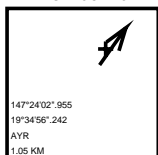
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **



STANDARD MAP NUMBER
8358-11342

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	5/RP882395
Area/Volume	601m ²
Tenure	FREEHOLD
Local Government	BURDEKIN SHIRE
Locality	AYR
Segment/Parcel	37003/140

CLIENT SERVICE STANDARDS

PRINTED 16/01/2023

DCDB 14/01/2023

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Resources best efforts, RESOURCES makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

For further information on SmartMap products visit
<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

SmartMap

An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base



**Queensland
Government**

(c) The State of Queensland,
(Department of Resources) 2023.

APPENDIX C

brazier motti



**Owner's consent for making a development application under the
*Planning Act 2016***

Jason Anthony Kilcullen

as owners of the premises identified as follows:

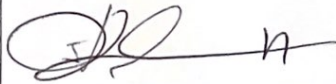
Lot 32 on A26516

consent to the making of a development application under the *Planning Act 2016* by:

TONION INVESTMENTS PTY LTD

on the premises described above for:

- Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) as detailed on Proposal Plan 56940/001A prepared by Brazier Motti;
- Material Change of Use – Indoor Sport and Recreation (Gym)



Jason Anthony Kilcullen

Date signed... 26-04-2023

APPENDIX D

brazier motti





FURNITURE PLUS

Phone: 07 4783 1470

ABN: 24 067 144 898
Fax: 07 4783 5098



Like us on
Facebook

262 Queen Street, Ayr 4807
Mobile - Kari: 0437 832 932
Email: kari@mccathiesfurnitureplus.com.au

11th May, 2023

Burdekin Shire Council
The Assessment Manager
Planning and Development
145 Young Street
Ayr Qld 4807

RE: 5 Little Drysdale Street, Ayr – Development Application

On behalf of McCathies Furniture Plus, I can confirm that we are fully supportive of the development application for the expansion of "The Shed NQ."

Our staff have been instructed to leave ample parking in front of the premises and to park in the allotted parking bays in the next block of Little Drysdale Street or in MacMillan Street if required.

We have no concerns regarding any existing or potential noise that may generate from "The Shed NQ."

We are excited to see the expansion of this great local business and wish the owner success in his endeavour.

Yours sincerely,

Kari Ravizza
Director/Manager

262 Queen Street , Ayr Qld 480

//T. 07 4783 1911

sales.mccathies@nh.com.au

rentals.mccathies@nh.com.au

www.burdekin.nutrienharcour

ABN 11 062 631 887

8th May, 2023



Burdekin Shire Council

145 Young Street

Ayr QLD 4807

Re: 5 Little Drysdale Street, Ayr – Extension Application

On behalf of McCathies Real Estate Pty Ltd, I can confirm that we are fully supportive of the expansion application for The Shed NQ to expand their current business across 5 Little Drysdale Street, Ayr. We are confident that there will be no issues with noise or parking. Our staff have been instructed to leave ample parking in front of the premises and to park in Macmillan Street if required. As you will recall the previous activity at these premises was an Auction Centre and parking was not an issue between all of the surrounding businesses. Not only did the Auction Centre draw a large crowd on auction day there was also the noise associated with the auction, microphone etc. We have had no issues with the current situation, since the opening of the gym, and believe that the expansion will benefit the Burdekin greatly.

We are excited to see what the Shed NQ has in store for the Burdekin and wish the owner success in his endeavor.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Mottin', written over a horizontal dashed line.

John Mottin

11th May 2023

Burdekin Shire Council
The Assessment Manager
Planning and Development
145 Young Street
Ayr QLD 4807

Dear Council,

I am writing to you in regards to the 24 hour gym that Josh Tonion is expanding behind my residential property on 5 Little Drysdale Street, Ayr.

From the moment Josh wanted to expand this business, he was nothing but understanding of his surroundings and approached me previously to ensure I was ok with the development going ahead. I had no concerns whatsoever and was appreciative that he had checked with me first.

Being the most affected in the way of noise, and sound I had no complaints with him operating.

It's great to see more development over this side of town, and I hope the council approves his application to go ahead.

Regards,

A handwritten signature in black ink, appearing to read 'J. Kilcullen', with a long horizontal stroke extending to the right.

Jason Anthony Kilcullen
177 Macmillan Street
AYR. QLD 4807

15th June 2023

Burdekin Shire Council

The Assessment Manager

Planning and Development

145 Young Street

Ayr QLD 4807

RE: 5 Little Drysdale Street, Ayr – Development Application


Dear Council,

I am writing to you in regard to the expansion of The Shed NQ near my house, expanding behind 177 Macmillan Street.

Josh has continued to demonstrate professional and understanding behavior while owning The Shed NQ and has recently approached me to propose the expansion of his gym. I have no concerns about this proposal and believe it will greatly benefit the Burdekin community.

It's great to see successful and supported businesses within the community, and even more so when they are contributing to the health and wellbeing of the town.

Regards,

Judy Bywaters


Rod and Judy Bywaters

175 Macmillan Street,

AYR. QLD 4807

APPENDIX E

brazier motti



State code 1: Development in a state-controlled road environment

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Complies AO1.1 The development is not located in a state controlled road. Complies AO1.2 The development does not access directly onto a state controlled road.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development is not located adjacent to the corridor.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Complies PO3 The development does not adversely impact the operating performance of the state-controlled road.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies PO4 Advertising devices will not contain illumination and will not create any safety hazard for users.
PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road .	AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials.	Complies AO5.1 All facades are made of non-reflective materials.

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.</p>	<p>Complies AO5.2 Facades do not direct or reflect point light.</p> <p>Complies AO5.3 No external lighting is directed into oncoming traffic.</p> <p>Complies AO5.4 No flashing or laser lights are proposed.</p>
PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road .	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	Not Applicable
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	<p>AO7.1 Landscaping is not located in a state-controlled road.</p> <p>AND</p> <p>AO7.2 Landscaping can be maintained without requiring access to a state-controlled road.</p> <p>AND</p>	<p>Not Applicable No landscaping is proposed in the state controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
	AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road .	
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Complies PO8 The proposal does not result in any changes to stormwater runoff or overland flow that would impose any negative effect to the state-controlled road.
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	See response to PO8
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	See response to PO8
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road . AND AO11.2 Development does not concentrate flows to a state-controlled road . AND AO11.3 Stormwater run-off is discharged to a lawful point of discharge . AND	See response to PO8

Performance outcomes	Acceptable outcomes	Response
	AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road .	
Flooding		
PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road .	<p>AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Not Applicable</p> <p>The development utilises an existing building and implements an open shed. No changes to flooding behaviour will occur.</p>
Drainage Infrastructure		
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	<p>AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge.</p> <p>AND</p> <p>AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road.</p>	<p>Not Applicable</p> <p>All drainage infrastructure is existing. No changes are proposed.</p>

Performance outcomes	Acceptable outcomes	Response
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No new or changed access proposed.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No new or changed access proposed.
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No new or changed access proposed.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Not Applicable No new or changed access proposed.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No new or changed access proposed.
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not Applicable No new or changed access proposed.

Performance outcomes	Acceptable outcomes	Response
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include public passenger transport or active transport.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include public passenger transport or active transport.
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include public passenger transport or active transport.
PO24 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable The development does not include public passenger transport or active transport.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies PO25 The proposal is for a material change of use (indoor sport and recreation) and the reconfiguration of a lot (boundary realignment). All access and surrounding transport infrastructure is existing. No new access is proposed. Safety of users of the state-controlled road network is not compromised.
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies PO26 See response to PO25
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Complies PO27 The site does not gain access directly from a state-controlled road. See response to PO25.

Performance outcomes	Acceptable outcomes	Response
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not Applicable
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Complies PO29 Development site does not connect directly to a state-controlled road. See response to PO25.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Complies PO30 See response to PO29.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable No excavation, building foundations or retaining structures proposed.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No excavation, building foundations or retaining structures proposed.
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No excavation, building foundations or retaining structures proposed.
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No excavation, building foundations or retaining structures proposed.
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable No excavation, building foundations or retaining structures proposed.
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not Applicable No excavation, building foundations or retaining structures proposed.

Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	<p>AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p>AO37.3 Development provides a solid gap-free fence or other solid gap-free structure along the</p>	<p>Not Applicable</p> <p>The proposal is for Material Change of Use for Indoor Sport and Recreation and Reconfiguration of a Lot (Boundary realignment). No new lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	full extent of the boundary closest to the state-controlled road .	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	<p>AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	<p>Not Applicable</p> <p>The proposal is for Material Change of Use for Indoor Sport and Recreation and Reconfiguration of a Lot (Boundary realignment). No new lots are proposed.</p>
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	<p>AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<p>2.2) for private open space at the ground floor level;</p> <p>2. in accordance with:</p> <ul style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.	<p>AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ul style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ul style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; 	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p>AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not Applicable
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	Not Applicable
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not Applicable
Material change of use (other uses)		

Performance outcomes	Acceptable outcomes	Response
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; in accordance with: <ol style="list-style-type: none"> Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. 	No acceptable outcome is provided.	Not Applicable
PO45 Development involving a childcare centre or educational establishment : <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); 	No acceptable outcome is provided.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
3. in accordance with: <ol style="list-style-type: none"> Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
PO46 Development involving: <ol style="list-style-type: none"> indoor education areas and indoor play areas; or sleeping rooms in a childcare centre; or patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	Not Applicable
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: <ol style="list-style-type: none"> a continuous solid gap-free structure or balustrade (excluding gaps required for 	No acceptable outcome is provided.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas .		
PO48 Development including: 1. indoor education areas and indoor play areas in a childcare centre or educational establishment ; or 2. sleeping rooms in a childcare centre ; or 3. patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	Not Applicable
Air, light and vibration		
PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road .	AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence , or other solid gap-free structure . OR AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence , or other solid gap-free structure .	Not Applicable

Performance outcomes	Acceptable outcomes	Response
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	<p>AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$.</p> <p>AND</p> <p>AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.</p>	Not Applicable
<p>PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not:</p> <ol style="list-style-type: none"> 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm). 	No acceptable outcomes are prescribed.	Not Applicable

Table 1.6: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	<p>AO52.1 Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p>AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<p>AO52.3 The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	Not Applicable
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	Not Applicable
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not Applicable
PO56 Development ensures that stormwater is lawfully discharged.	<p>AO56.1 Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p> <p>AO56.2 Development does not concentrate flows to a future state-controlled road.</p> <p>AND</p> <p>AO56.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road .	

APPENDIX F

brazier motti



4.2 Assessment benchmarks for zones

4.2.1 Centre zone code

4.2.1.1 Application

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3 in part 3.

4.2.1.2 Purpose and overall outcomes

- (1) The purpose of the centre zone is to provide for a variety of uses and activities to service all or part of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.

Editor's note—This purpose statement is required to be used for the zone under the regulated requirements set out in the Planning Regulation 2017.

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) land included in the centre zone in Ayr, Home Hill and Brandon accommodates a mix of uses, including commercial, community, government, entertainment and permanent and visitor accommodation activities;
 - (b) retail and commercial services in each centre are provided at a level commensurate with the population served by the centre;
 - (c) development assists in consolidating the centre zone in each town;
 - (d) development in the centre zone creates an active main street character along Edwards and Queen Streets in Ayr and Eighth Avenue in Home Hill, through:
 - (i) accommodating retail, café, personal service or other uses generating frequent visitation by pedestrians at street level;
 - (ii) buildings built to the street alignment with awnings over footpaths;
 - (iii) a high proportion of glazed or open building façade at street level;
 - (iv) minimising vehicle access points; and
 - (v) convenient pedestrian connections between blocks using arcades or laneways, where practical;
 - (e) on other streets, development prioritises pedestrian movement and safety, address the street and create a consistent building alignment;
 - (f) built form is of a height and scale consistent with surrounding development in the centre zone;
 - (g) development minimises impacts on the character and amenity of nearby land which is not included in the centre zone.

4.2.1.3 Specific benchmarks for assessment

Table 4.2.1.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	Response
Building scale and appearance		
PO1 Buildings have a height, scale and alignment consistent with the streetscape character, and create a safe, continuous and comfortable pedestrian environment at the street front.	AO1.1 Buildings are no more than 2 storeys above natural ground level.	Complies AO1.1 The proposal seeks to implement an additional structure in extension of the existing Sport and Recreation use. The additional building is one storey and contains a maximum height of 4 metres.

	AO1.2 The maximum site cover is 75%.	Complies PO1 The proposed extension yields a total site coverage of 79.4%, only 4% or 34.92m ² over the accepted provision. The proposed site coverage will not impede on the amenity or operation of any adjoining use.
	AO1.3 Buildings are built to the street alignment and provide an awning over the adjoining footpath.	Complies AO1.3 The site is located within two zones – the Centre Zone and the Low Density Residential Zone. The building and proposed extensions within the area identified as Centre Zone, are proposed for construction to the street alignment (in accordance with that which is existing), and provides an awning over part of the footpath.
	AO1.4 Car parking is provided to the side or the rear of the building but is not provided between the building and the street.	Complies AO1.4 The indoor sport and recreation use (gym) is partially existing, with all carparking provided within Little Drysdale and Macmillan Streets. Upon extension of the use, patrons will continue to utilise on-street car parking.
Car parking and access		
PO2 Development provides sufficient car parking on-site to accommodate the anticipated demand safely and efficiently.	AO2 Vehicle parking on-site and access and manoeuvring areas are in accordance with table 6.2.1.3€ - Vehicle parking rates and standards.	Not Applicable The site does not contain space for car parking, with on-street car parking utilized on Little Drysdale and Macmillan Streets. A total of 78 on-street parking spaces are provided within 170m of the subject site.
Lighting nuisance		
PO3 The operation of the activity does not cause undue disturbance to any person or activity because of the light it emits.	AO3 The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from the ground level up.	Complies AO3 All lighting will be installed in accordance with the relevant requirements so as to avoid any lighting nuisance.
Infrastructure provision		
PO4 Premises have an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	AO4.1 Premises are connected to a reticulated water supply.	Complies AO4.1 The premises contains an existing Gym, the site is connected to Council's reticulated water supply.
	AO4.2 Premises are connected to reticulated sewerage system.	Complies AO4.2 The premises contains an existing Gym, the site is connected to the reticulated sewerage system.

Uses		
PO5 Retail and commercial services are provided at a level commensurate with the population served by the centre and do not undermine the function of the centre zone in other towns.	No acceptable outcome is nominated.	Complies PO5 The proposal constitutes the extension of the existing Indoor Sports and Recreation (Gym), resulting in the realignment of the rear property boundary, and construction of an additional, connected structure on site. The proposed use promotes health, fitness and wellbeing within the community, and provides a largely beneficial service to the population. Extension of the Gym will not undermine any function of the centre zone within any other town.
PO6 Development facilitates a range of uses that contributes to the vibrancy of the centre and provides for a compatible mix of activities.	No acceptable outcome is nominated.	Complies PO6 The proposal constitutes the extension of an existing Gym. The use facilitates health, fitness and wellbeing, providing an extension of services within the town center.
Urban design-development fronting Edwards and Queen Streets in Ayr and Eighth Avenue in Home Hill		
PO7 Development maximises pedestrian activity and accessibility by accommodating retail, café, personal service or other uses generating frequent visitation by pedestrians at street level.	No acceptable outcome is nominated.	Not Applicable
PO8 Building incorporate extensive shop window glazing or other openings along the frontage.	No acceptable outcome is nominated.	Not Applicable
PO9 Convenient pedestrian connections between blocks using arcades or laneways are created where practical.	No acceptable outcome is nominated.	Not Applicable
PO10 Vehicle access points are minimised, and where possible, consolidated.	No acceptable outcome is nominated.	Not Applicable
Urban design – all parts of the zone		
PO11 Pedestrian entry points are easily identified and directly accessed from the street.	No acceptable outcome is nominated.	Complies PO11 The existing pedestrian entry point is clearly identified within the frontage of the site (frontage building is existing). The

		additional entryway for administration rooms is well identified and contains elements of design consistent with the existing façade.
PO12 Development does not create blank, unbroken walls along street frontages.	No acceptable outcome is nominated.	Complies PO12 The site contains an existing building, containing the gym. The structure does not contain blank, unbroken walls along the street frontage.
PO13 Building caps and rooftops create an attractive roofscape and screen plant and equipment.	No acceptable outcome is nominated.	Complies PO13 The existing building and proposed additional structure contain differentiation in rooftop angles.
PO14 Car parking, vehicular access and driveways do not detract from or dominate the street frontage.	No acceptable outcome is nominated.	Not Applicable No onsite car parking or vehicular access is proposed for implementation.
PO15 Development is designed to achieve safety for all users having regard to: (a) maximizing casual surveillance and sight lines; (b) avoiding personal concealment and entrapment locations; (c) exterior building design that promotes safety; (d) adequate lighting; (e) appropriate signage and wayfinding; and (f) clearly defined building entrances.	No acceptable outcome is nominated.	Complies PO15 The proposal seeks to extend the existing Gym use, implementing an additional structure within the rear of the site. The development contains appropriate lighting and visibility, is adequately signed and contains clearly defined building entrances. The development achieves safety for all users.
PO16 Landscaping is incorporated into the development and provides shade for pedestrians, enhances its appearance especially in parking and service areas and screens servicing components.	No acceptable outcome is nominated.	Complies PO16 Landscaping is provided within the site.
PO17 Landscaping provides for an attractive streetscape.	AO17 A minimum of 3m of dense planting is provided along the road frontage/s of the site, except where buildings are built to the street alignment.	Complies AO17 The building is built to the street alignment.
Amenity		
PO18 Development does not create significant impacts on the	No acceptable outcome is nominated.	Complies PO18 The proposal constitutes an extension of the existing Gym use

amenity of nearby land in a residential zone as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy or other cause.		to the rear of the site, within the Low-Density Residential Zone. The development does not create any significant impacts on the amenity of nearby sensitive uses. The additional structure is entirely enclosed and is further separated from adjoining uses by a 1.8m screen fence. See response to Low Density Residential Zone Code.
PO19 Development adjoining residential zoned land provides building setbacks which maintain the privacy of nearby dwellings and incorporate suitable screening.	AO19.1 Buildings have a minimum setback of: (a) 3m or half of the building height, whichever is greater, to the side boundary; and (b) 6m or half the building height, whichever is greater, to the rear boundary.	Complies PO19 The proposed structure (Stage 2) achieves a 3.5 setback from proposed Lot 7 and 1.5m setback from adjoining land. The proposed structure is single storey, fully enclosed and is further separated by a 1.8 screen fence. The proposal is considered to provide a privacy and screening to adjoining residential properties.
	AO19.2 A screen fence (minimum height of 1.8m and maximum gap of 10mm) is provided along the common site boundaries.	Complies PO19 1.8m solid screen fencing will be provided along all common site boundaries to maintain privacy to adjoining residential properties.
	AO19.3 Windows with a direct view into adjoining residential land are provided with fixed screening that is a maximum of 50% transparent to obscure views and maintain privacy for residents.	Complies AO19.3 1.8m solid screen fencing will be provided along all common site boundaries to maintain privacy to adjoining residential properties.
PO20 Development is designed to minimise overshadowing on adjoining residential zoned land.	AO20 Buildings do not cast a shadow over an adjoining residential lot between the hours of 9am and 3pm on the 22 June.	Complies AO20 The proposed additional structure is 4m in height, consistent with the height of adjoining residential premises. The building will not overshadow the adjoining residential lots.
PO21 Materials capable of generating air or odour impacts are wholly enclosed.	No acceptable outcome is nominated.	Not Applicable
PO22 All external areas are sealed, turfed or landscaped.	No acceptable outcome is nominated.	Complies PO22 All areas external to the additional structure will be turfed and sealed.

4.2.6 Low density residential zone code

4.2.6.1 Application

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3 in part 3.

4.2.6.2 Purpose and overall outcomes

- (1) The purpose of the low density residential zone is to provide for—
 - (a) a variety of low density dwelling types, including dwelling houses; and
 - (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.

Editor's note—This purpose statement is required to be used for the zone under the regulated requirements set out in the Planning Regulation 2017.

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) residential development in the low density residential zone consists of one and two storey dwelling houses and dual occupancies;
 - (b) non-resident workforce or rural workers' accommodation and rooming accommodation, do not establish in this zone;
 - (c) development creates a high level of residential amenity and convenient accessibility for pedestrians and cyclists;
 - (d) small scale non-residential uses occur within the zone where they provide a local community service or support the day-to-day needs of the immediate residential community and do not unreasonably detract from the residential amenity of the area. These uses may include a community use, community care centre childcare centre, a shop being a local convenience store and an office and health care service or veterinary service that is limited to a single practitioner;
 - (e) non-residential development:
 - (i) is of a height and scale consistent with surrounding development; (ii) is oriented to the street front;
 - (iii) maintains a consistent building alignment in the street;
 - (iv) accommodates parking to the side or rear of buildings; and
 - (v) minimises impacts on the amenity of nearby residential uses;
 - (f) home based businesses occur at a scale that is consistent with the amenity and character of the surrounding area;
 - (g) the function of the state controlled transport corridors is protected.

4.2.6.3 Specific benchmarks for assessment

Table 4.2.6.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	Response
Building height		
PO1 Building height is consistent with the existing low rise scale of the locality.	AO1 Buildings are no more than 2 storeys.	Complies AO1 The proposal seeks to extend the existing gym use on site, implementing an additional structure to the rear of the existing gym building. Both existing and proposed buildings are only one storey.

Lighting nuisance		
PO2 The operation of the activity does not cause undue disturbance to any person or activity because of the light it emits.	A02 The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any level from the ground level up.	Complies A02 All lighting is in accordance and will not result in disturbance of amenity.
Infrastructure provision		
PO3 Premises have an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	A03.1 Premises are connected to a reticulated water supply.	Complies A03.1 The site is connected to Council's reticulated water supply.
	A03.2 Premises are connected to reticulated sewerage system.	Complies A03.2 The site is connected to Council's reticulated sewerage system.
	A03.3 The premises have frontage to a sealed road with kerb and channelling.	Complies A03.3 The premises contains frontage to Little Drysdale and Macmillan Streets with kerb and channelling.
	A03.4 Roof water and surface water is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with AS/NZ3500.3.2. Where this is not possible, absorption trenches complying with AS/NZ3500.3.2 Parts 6.4 and 6.5 are installed at least 3m from any downstream boundary.	Complies A03.4 All water is conveyed to a lawful point of discharge.
Dwelling houses and dual occupancies		
PO4 Safe and efficient vehicle access is provided to dwellings.	A04.1 Dwellings are provided with driveways in accordance with the Burdekin Shire Council Driveway Requirements for Dwelling Houses in the Planning Scheme Policy for Development works.	Not Applicable
	A04.2 Where development has access to a state controlled or arterial road, the driveway design is such that vehicles can enter and exit the site in a forward gear. Note—the road hierarchy is illustrated in Figure 6.2.1.3 of the Development works code. Editor's note—All new or changed access from a state controlled road requires approval from the Department of Transport and Main Roads under	Not Applicable

	the <i>Transport Infrastructure Act 1994</i> .	
Dual occupancies		
PO5 Lots used for dual occupancies have a size and width to enable dwellings to be primarily oriented to the street and accommodate all ancillary components of the use.	AO5.1 The site has a minimum area of 800m ² .	Not Applicable
	AO5.2 The lot is rectangular in shape.	Not Applicable
PO6 Dwellings in a dual occupancy are sited to promote and encourage a sense of individuality.	AO6 Where a dual occupancy is to be erected on a corner allotment, each dwelling faces a different road frontage.	Not Applicable
PO7 Fencing is provided to protect the privacy and amenity of adjacent dwellings	AO7 A screen fence (minimum height of 1.8m and maximum gap of 10mm) is provided to the side and rear of the lot.	Not Applicable
Home based business – bed and breakfast		
PO8 Bed and Breakfast accommodation within residential areas is low key and small scale in nature such that the amenity of the locality is protected.	AO8.1 The activity is undertaken within a dwelling house in conjunction with a single household occupying the dwelling house.	Not Applicable
	AO8.2 Accommodation for visitors is limited to a maximum of two bedrooms within the dwelling house.	Not Applicable
	AO8.3 Bedrooms for visitors are in the same building as the kitchen, bathing and toilet facilities provided for the visitor.	Not Applicable
	AO8.4 Cooking facilities available to the visitor are only those within and normally associated with the dwelling house.	Not Applicable
	AO8.5 A maximum of four visitors (or one family) are accommodated on the site at any one time and not on a permanent basis.	Not Applicable
	AO8.6 A minimum of one but not more than two on-site car parking spaces are provided for the exclusive use of visitors in	Not Applicable

	addition to car parking provided for the owner and resident family.	
Home based business - other		
PO9 The home based business is compatible with the residential character of the area by maintaining the residential appearance of the dwelling and the street.	AO9 The home based business: <ul style="list-style-type: none"> (a) is carried out within a residential dwelling or in a separate building on the same land; (b) does not exceed 33% of the total floor area of the dwelling unit; and (c) is carried out by a permanent resident of the dwelling unit; and (d) does not involve public display of goods or the hiring out of any item. 	Not Applicable
PO10 Activities conducted do not interfere with the amenity of the neighborhood as a result of lighting, noise, radio or electrical interference, odours, vibration, emissions or waste.	AO10.1 The premises do not involve: <ul style="list-style-type: none"> (a) blacksmithing or welding; (b) cabinet making; (c) the repairing, servicing or loading of motor vehicles or agricultural machinery; or (d) the release of any contaminants from the site as defined by the <i>Environment Protection Act 1994</i>. 	Not Applicable
	AO10.2 Other than where for home based childcare, hours of operation are limited to 8am to 5pm Monday to Friday and 8am to 2pm Saturday.	Not Applicable
	AO10.3 Background noise levels at the boundary of the site are not increased.	Not Applicable
PO11 Premises do not generate traffic greater than reasonably expected in the surrounding residential area by: <ul style="list-style-type: none"> (a) maintaining the low traffic flows in the residential street; and (b) maintaining low demand for kerbside parking in the residential street such that it would not lead to a shortage of kerbside spaces at any time. 	AO11.1 Traffic flows in the residential street do not increase by more than 5 vehicular trips to and from the site per day.	Not Applicable
	AO11.2 There is parking of no more than 2 additional vehicles on the premises or any street frontage to the premises at any one time.	Not Applicable

PO12 Signage on the premises is small and unobtrusive.	AO12 Only one sign is provided on the site with a maximum fence area of 0.5m ² and containing only the name of the person carrying out the activity, the name of the business and the type of business.	Not Applicable
PO13 Premises do not impose a load on public utilities greater than would otherwise be reasonable from the same residential use of the premises.	AO13 Premises are serviced using existing infrastructure facilities including water supply, sewerage, stormwater drainage, waste collection and disposal.	Not Applicable

Table 4.2.6.3(b)–Benchmarks for assessable development only

Performance outcomes	Acceptable outcomes	Response
Non-residential uses		
PO14 Non-residential uses establish only where: <ul style="list-style-type: none"> (a) they are compatible with local character; (b) do not create significant impacts on residential amenity; (c) they are small scale, and where for a health care service or veterinary service, limited to a single practitioner; and (d) providing a local community service or supporting the day-to-day needs of the local community. 	No acceptable outcome is nominated.	<p>Complies PO14</p> <p>The proposal is for a Material Change of Use (Indoor Sport and Recreation) and Reconfiguration of a Lot (Boundary Realignment). The proposal seeks to extend the existing use on site by acquiring an area of land from Lot 32 on A26516. The proposal will result in the implementation of a second structure behind within contained within the Low Density Residential Zone.</p> <p>Stage 1 of the proposal will see the existing gym structure enclosed. The new structure associated with Stage 2 will be fully enclosed. The proposed structure (Stage 2) achieves a 3.5 setback from proposed Lot 7 and 1.5m setback from adjoining land.</p> <p>The proposed structure is single storey, fully enclosed and is further separated by a 1.8 screen fence. The proposal is considered to provide a privacy and screening to adjoining residential properties.</p> <p>The area is characterized by residential and commercial uses, containing both residential and centre zoning. The proposed extension of the use is in keeping with the character of the locality, and provides a local community</p>

		service focusing on health and wellbeing. The use provides extensive benefit to the surrounding population and does not impose any impacts on residential amenity.
PO15 Development: (a) is oriented to the street front and (b) maintains a consistent building alignment in the street; and (c) accommodates parking to the side or rear of buildings.	No acceptable outcome is nominated.	Complies PO15 The proposal results in the construction of an additional building behind the existing gym. No changes to the street frontage are proposed, for which orientation is existing and consistent. All parking will continue to be utilized within Little Drysdale and Macmillan Streets.
Residential lot area		
PO16 Residential buildings are provided with suitable site areas capable of accommodating the proposed use and maintaining the low density character of the zone.	AO16 Lots have a minimum area of 500m ² .	Not Applicable The development does not constitute a residential use.
All development – amenity and safety		
PO17 Development is designed to achieve safety for all users having regard to: (a) maximizing casual surveillance and sight lines; (b) avoiding personal concealment and entrapment locations; (c) exterior building design that promotes safety; (d) adequate lighting; (e) appropriate signage and wayfinding; and (f) clearly defined building entrances Editor's note—Applicants may find useful guidance in the Queensland Government's Crime Prevention through Environmental Design Guidelines for Queensland.	No acceptable outcome is nominated.	Complies PO17 The proposal results in the implementation of an additional structure behind the existing gym. The development will contain appropriate signage, way-finding and lighting, with all building entrances to remain as existing. No entrapment locations are created as a result of implementation. The development does not pose any risk to safety of users with regard to personal safety.
PO18 Landscaping is provided which provides shade, enhances the appearance of development and screens non-residential uses from adjoining dwellings.	No acceptable outcome is nominated.	Complies PO18 The existing site utilises turfed and paved areas around the additional rear building. Dense landscaping is not proposed so as to maximise the amount of open space available outdoors.

<p>PO19</p> <p>Development does not create significant impacts on the residential amenity of the locality as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy or other cause.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies PO19</p> <p>The use is conducted indoors, with appropriate fencing proposed along all adjoining boundaries. No significant impacts to the amenity are foreseen by way of noise, lighting, odour or dust. No changes in traffic volume are foreseen.</p>
<p>PO20</p> <p>Sensitive land uses are designed to minimise the impacts of surrounding land uses and activities (including rural, industry, community and centre activities) on residential amenity.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not Applicable</p> <p>The proposed use is not a sensitive land use.</p>

6.2.1 Development Works Code

6.2.1.3 Specific benchmarks for assessment

Table 6.2.1.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	Response
Earthworks		
PO1 Excavation and filling on land maintains the amenity and utility of adjoining land.	AO1 Excavation and filling is not carried out within 1.5m of any site boundary.	Not Applicable No excavation or filling is required to establish the additional structure (shed).
PO2 The carrying out of any excavation or filling does not contaminate any land.	AO2 No contaminated material or potential acid sulfate soil is used as fill.	Not Applicable No excavation or filling is required to establish the additional structure (shed).
PO3 The carrying out of any excavation does not create any land instability or public safety risk.	AO3 Earthworks and retaining structures are carried out in accordance with: (a) Australian Standard 3798: 1996-Guidelines on earthworks for commercial and residential development; and (b) section 3 of Australian Standard 4678:2002-Earth retaining structures.	Not Applicable No major earthworks are required to establish the additional structure. No retaining structures are required.
PO4 Earthworks do not: (a) Result in ponding on the site or on nearby land; (b) Adversely affect the flow of water through an overland flow path; and (c) Result in the loss of safety to users or uses of any other land.	No acceptable outcome is nominated.	Not Applicable No excavation or filling is required to establish the additional structure (shed). No ponding will occur.
PO5 Earthworks do not result in structures or changes to ground level within a pipeline easement without the consent of the pipeline licence holder. Editor's note—Refer to sections 806-807 of the Petroleum and Gas Act 2004.	No acceptable outcome is nominated.	Not Applicable No earthworks are required for construction of the new structure.
PO6 Earthworks maintain the visual amenity of surrounding land and do not compromise the privacy of adjoining property.	No acceptable outcome is nominated.	Not Applicable No earthworks are required for construction of the new structure.

<p>PO7</p> <p>The risk of erosion and sedimentation is minimised by:</p> <ul style="list-style-type: none"> (a) Progressive rehabilitation of disturbed areas within the site; (b) Avoiding long term stockpiling of soil; (c) Diverting drainage paths around disturbed areas; and (d) Preventing sediments from leaving the site. 	<p>No acceptable outcome is nominated.</p>	<p>Not Applicable</p> <p>No earthworks are required for construction of the new structure.</p>
<p>Excavation and/or filling in the rural zone</p>		
<p>PO8</p> <p>Excavation and/or filling do not:</p> <ul style="list-style-type: none"> (a) result in ponding on the premises or adjoining premises; (b) impede the flow of water through an overland flow path or drainage path on the site or adjoining premises; and (c) alter the location and/or flow rate of water discharge points from the premises. 	<p>No acceptable outcome is nominated.</p>	<p>Not Applicable</p>
<p>PO9</p> <p>Excavation and/or filling do not result in an increase to the volume or concentration of water:</p> <ul style="list-style-type: none"> (a) in an overland flow path or drainage path on the premises or adjoining premises; and (b) waterways and wetlands. 	<p>No acceptable outcome is nominated.</p>	<p>Not Applicable</p>
<p>PO10</p> <p>Excavation and/or filling do not adversely impact on waterways and wetlands.</p>	<p>AO10</p> <p>Excavation and/or filling do not occur within 15m of the:</p> <ul style="list-style-type: none"> (a) outer bank of a waterway; or (b) outer landward boundary of a wetland 	<p>Not Applicable</p>
<p>PO11</p> <p>Excavation and/or filling do not adversely impact on railway and road infrastructure.</p>	<p>AO11</p> <p>Excavation and/or filling do not:</p> <ul style="list-style-type: none"> (a) occur within 15m of railway and road infrastructure; and (b) alter the flow rate or velocity of water at discharge points from the premises to railway or road infrastructure. 	<p>Not Applicable</p>

Infrastructure		
<p>PO12</p> <p>Development in an urban zone (other than the township zone) or within the priority infrastructure area is connected to reticulated water, sewerage and stormwater.</p> <p>Note—Urban zone is defined in the Planning Regulation 2017. The priority infrastructure area is identified in the Local Government Infrastructure Plan in schedule 6.</p>	No acceptable outcome is nominated.	<p>Complies PO12</p> <p>The proposal constitutes a Material Change of Use for Indoor Sport and Recreation, and Reconfiguration of a Lot (Boundary Realignment), resulting in the implementation of an additional structure behind the existing gym. The site is already connected to reticulated water, sewerage and stormwater. No further connections are required.</p>
<p>PO13</p> <p>Development sites are provided with services in a way that is:</p> <ul style="list-style-type: none"> (a) safe and efficient; (b) maintains the integrity of the external network; (c) does not impose a load on external networks that exceed their capacity; and (d) can be safely, conveniently and cost effectively maintained. 	<p>AO13</p> <p>All infrastructure required to service the development is provided in accordance with Planning scheme policy – S.C5.2 – Development works.</p>	<p>Complies AO30</p> <p>All infrastructure is existing in accordance with the PSP.</p>
<p>PO14</p> <p>Where reticulated water supply is not available, development is provided with a reliable water supply that is sufficient for the demands generated on site.</p>	No acceptable outcome is nominated	Not Applicable
<p>PO15</p> <p>Where a reticulated sewerage service is not available, an on-site system of treatment and disposal is established that is sufficient for the level of waste water generated on the site.</p>	No acceptable outcome is nominated.	Not Applicable
<p>PO16</p> <p>Where provided on-site, water, waste water and stormwater infrastructure are established in a way that ensures public and environmental health, safety, water quality and amenity are maintained.</p>	<p>AO16.1</p> <p>In the rural residential zone, premises are provided with an on-site sewerage treatment and disposal system.</p>	Not Applicable
	<p>AO16.2</p> <p>Elsewhere, no acceptable outcome is nominated.</p>	Not Applicable
<p>PO17</p> <p>Premises are connected to an electricity supply approved by the relevant authority.</p>	<p>AO17</p> <p>The development is connected to electricity infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p>Complies AO17</p> <p>The site is connected to electricity infrastructure.</p>

Water management

Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.

PO18

Development is located, designed, constructed and operated to avoid adverse impacts on environmental values and water quality of groundwater, waterways and surface water storages arising from:

- (a) altered stormwater quality and hydrology;
- (b) waste water;
- (c) the creation or expansion of non-tidal artificial waterways; or
- (d) the release and mobilization of nutrients and sediments.

No acceptable outcome is nominated.

Complies PO18

The development site is not adjacent to any matters of environmental significance, and does not interfere with any matter of groundwater or waterways. Appropriate stormwater infrastructure is existing to service the existing gym, with further infrastructure proposed for the additional structure. No adverse impacts on environmental values are foreseen.

PO19

Development achieves the stormwater management design objectives outlined in tables 6.2.1.3(c) and 6.2.1.3.(d).

Editor's note—Urban purpose is defined in the *Planning Regulation 2017*.

No acceptable outcome is nominated.

Complies PO19

The gym use currently operates within an existing building. Both the existing building and additional structure will achieve stormwater management design objectives.

PO20

Wherever practical, development:

- (a) minimises clearing and earthworks;
- (b) utilises natural flow paths; and
- (c) minimises impervious surfaces and maximises opportunities for infiltration, capture and reuse.

No acceptable outcome is nominated.

Complies PO20

No clearing or earthworks is required to facilitate implementation of the additional structure. Turfed areas adjacent to the additional structure allow for infiltration and reuse.

PO21

Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that:

- (a) minimises risk to public safety and property;
- (b) provides a lawful point of discharge from each lot;
- (c) minimises ponding;
- (d) allows for risk associated with potential failures within the system; and
- (e) allows for practice al access for maintenance

No acceptable outcome is nominated.

Complies PO21

Stormwater drainage is existing and contains sufficient capacity to safely remove stormwater from the site.

Acid sulfate soils		
<p>PO22</p> <p>Within the areas identified as potential acid sulfate soils on overlay map OM1, the generation or release of acid and metal contaminants into the environment from acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not disturbing acid sulfate soils when excavating or otherwise removing soil or sediment, draining or extracting groundwater, excluding tidal water or filling land; or (b) where disturbance of acid sulfate soils cannot be avoided, development: <ul style="list-style-type: none"> (i) neutralises existing acidity and prevents the generation of acid and metal contaminants; and (ii) prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment. <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay map OM1 – Acid sulfate soils, the applicant is required to undertake an on-site acid sulfate investigation. The reason for undertaking an acid sulfate soils investigation is to determine the presence of acid sulfate soil in order to avoid disturbance. Where acid sulfate soils cannot reasonably be avoided, investigation results assist in the planning or treatment and remedial activities and must be undertaken in accordance with the Queensland Acid Sulfate Soil Technical Manual and relevant State Planning Policy. Applicants should also refer to the Guidelines for Sampling Analysis of Lowland Acid Sulfate Soils in Queensland, Acid Sulfate Soils Laboratory Methods Guidelines or Australian Standard 4969. It is highly recommended that the applicant develop a practical Acid Sulfate Soil Management Plan for use in monitoring and treating acid sulfate soils.</p>	<p>AO22.1</p> <p>Development does not:</p> <ul style="list-style-type: none"> (a) involve excavating or removing 100m³ or more of soil and sediment at or below 5m AHD; or (b) permanently or temporarily drain or extract groundwater or exclude tidal water resulting in the aeration of previously saturated acid sulfate soils; or (c) involve filling with 500m³ or more with an average depth of 0.5m or greater that results in: <ul style="list-style-type: none"> (i) actual acid sulfate soils being moved below the water table; or (ii) previously saturated acid sulfate soils being aerated. <p>OR</p> <p>AO22.2</p> <p>Development manages waters so that:</p> <ul style="list-style-type: none"> (a) all disturbed acid sulfate soils are adequately treated and/or management so that they can no longer release acid or heavy metals; (b) the pH of all sites, and any water including discharges and seepage to groundwater, is maintained between 6.5 and 8.5 (or an agreed pH in line with natural background); (c) waters on the site, including discharges and seepage to groundwater, do not contain elevated levels of soluble metals; (d) there are no visible iron stains, flocs or sums in discharge water; (e) all reasonable preparations and actions are undertaken to ensure that aquatic health is safeguarded; and (f) infrastructure such as buried services, pipes, culverts and bridges are protected from acid attack. 	<p>Complies AO22.1</p> <p>Development does not involve excavating or filling.</p>

Traffic and access		
<p>PO23</p> <p>The development is located on roads appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network, and the functions and characteristics of the road hierarchy.</p> <p>Note—The road hierarchy is illustrated in Figure 6.2.1.3 of the Development works code.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies PO23</p> <p>The development site is located on a road appropriate for the nature of traffic generated. Extension of the gym use is not expected to attract any major change in traffic generation. The surrounding transport network contains sufficient on-street parking that will continue to service the gym.</p>
<p>PO24</p> <p>Development maintains a safe environment for pedestrians, cyclists and vehicles on the site and external to the site.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies PO24</p> <p>No parking is located on site.</p>
<p>PO25</p> <p>Development has vehicle access and manoeuvring sufficient to accommodate the anticipated traffic demand and servicing requirements safely and efficiently</p>	<p>AO25</p> <p>Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.</p>	<p>Not Applicable</p> <p>No vehicle parking or maneuvering is located on site.</p>
<p>PO26</p> <p>Development (other than dwelling houses and dual occupancies) are designed to enable vehicles to enter and leave the site in a forward direction.</p>	<p>AO26</p> <p>Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.</p>	<p>Not Applicable</p> <p>The site does not contain any circulation areas, turning areas or driveways.</p>
<p>PO27</p> <p>Development provides sufficient parking on-site to accommodate the anticipated demand safely and efficiently.</p>	<p>AO27</p> <p>Vehicle parking is provided in accordance with table 6.2.1.3(e), no acceptable outcome is nominated.</p>	<p>Alternative Solution PO27</p> <p>The proposal seeks to extend the existing Indoor Sport and Recreation Use established on site, implementing a second structure to the rear of the existing building. The site does not contain space for car parking, with on-street car parking utilized on Little Drysdale and Macmillan Streets. A total of 78 on-street parking spaces are provided within 170m of the subject site.</p>
<p>PO28</p> <p>On-site parking is clearly defined, safe and easily accessible.</p>	<p>AO28</p> <p>Parking areas comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.</p>	<p>Not Applicable</p> <p>All on-street car parking is existing.</p>
<p>PO29</p> <p>Open parking spaces are designed and constructed to facilitate stormwater infiltration on-site.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not Applicable</p> <p>No parking spaces are included onsite.</p>

PO30 Transport noise impacts are managed by the siting and design of the development so that the need for acoustic screening is minimised.	No acceptable outcome is nominated.	Not Applicable The site receives no transport noise that would disrupt internal operation of the gym.
PO31 Where they are used, acoustic walls are designed to mitigate visual impacts.	No acceptable outcome is nominated.	Not Applicable Acoustic walls are not proposed.
PO32 Lighting is provided to ensure pedestrian and vehicle safety.	No acceptable outcome is nominated.	Complies PO32 Lighting is provided on site for pedestrian safety. No parking is provided on site.
Landscaping		
PO33 Landscaping is designed, established and maintained to: <ol style="list-style-type: none"> incorporate existing vegetation, where appropriate; reinforce existing streetscape character; provide effective shade and screening; be sustainable without undue reliance on irrigation; be suitable to the tropical climate. Editor's note—A landscaping plan may be required which should incorporate: <ul style="list-style-type: none"> a fully dimensioned site plan describing the existing landscape including the landscape and environmental significance of remnant vegetation; the location and depth of all existing services; natural drainage lines; existing levels and finished levels; a full schedule of plantings and materials including growing characteristics, quantities of each plant and other materials; and a drainage and irrigation plan. 	No acceptable outcome is nominated.	Complies PO33 The proposal includes landscaped/turfed area in the proximity of the adjoining residential properties. Landscaping accounts for 7.5% of the site cover. All proposed changes to the frontage of the site are in keeping with the established design of the gym, and therefore in accordance with the established streetscape character. Turfing will be utilized around the additional gym structure to retain outdoor open space.
PO34 Landscaping: <ol style="list-style-type: none"> is established using semi-advanced plants in conjunction with shrubs and ground covers; uses native and endemic species where possible; and does not utilise species which are noxious or poisonous or have drop limbs. 	No acceptable outcome is nominated.	Not Applicable See response to PO33.

Waste and pollutant management		
P035 Development provides on-site facilities for the storage and collection of solid wastes that are secure and avoid potential for nuisance.	No acceptable outcome is nominated.	Complies P035 The site is serviced by kerbside waste collection.
P036 Liquid wastes produced by development are managed and disposed of so no risk of nuisance or environmental harm is created.	No acceptable outcome is nominated.	Not Applicable No liquid wastes outside of stormwater runoff are produced.
P037 Development involving the handling of potential pollutants is designed and operated to ensure spills and on-site surface water are captured and treated prior to release to the environment.	No acceptable outcome is nominated.	Not Applicable
Fire hydrants in urban areas for buildings accessed by common private title Editor's note—This section will not apply where other legislation applies which mandates requirements for fire hydrants.		
P038 Development ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently.	No acceptable outcome is nominated.	Not Applicable
P039 Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied.	No acceptable outcome is nominated.	Not Applicable
P040 Fire hydrants are suitably identified so fire services can locate them at all hours.	No acceptable outcome is nominated.	Not Applicable

6.2.2 Reconfiguring a lot code

6.2.2.3 Specific benchmarks for assessment

Table 6.2.2.3(a)—Benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Neighbourhood design		
PO1 The layout for new neighbourhoods and subdivisions creates a strong and positive identity, and is responsive to site characteristics, setting, landmarks and views.	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.
PO2 Open space and movement networks are integrated internally within the development site and with surrounding areas, including: <ul style="list-style-type: none"> (a) a clear hierarchy of roads linking safely and directly with external roads; (b) an open space network linking with other existing or potential open space; (c) an urban drainage system integrated with the open space and pathway network and major streams; and (d) a pedestrian and bicycle path system integrated with the open space and road networks. 	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.
PO3 Vehicle, cyclist and pedestrian networks reduce need for local vehicle trips and ensures walking and cycling are prioritized.	No acceptable outcome is nominated	Not Applicable The proposal constitutes a Boundary Realignment.
PO4 The subdivision layout incorporates separation of sensitive land uses from potentially incompatible land uses or infrastructure within or external to the site.	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.
PO5 The reconfiguration is designed to maximise personal safety and minimise potential for antisocial behaviour and crime, including by establishing clear sight lines and creating opportunities for casual surveillance of streets, paths, parks and public spaces.	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.

PO6 Street and lot orientation facilitates energy-efficient building and site design by: (a) maximizing lot orientation to the north and minimizing orientation to the west; and (b) maximizing access to prevailing breezes.	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.
PO7 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.
PO8 The subdivision layout ensures development is setback from and protects the habitat values and ecological function values of waterways.	No acceptable outcome is nominated.	Not Applicable The proposal constitutes a Boundary Realignment.
Landslip hazard		
PO9 Reconfiguration does not occur on land vulnerable to landslip and erosion, unless it is in the form of a boundary alignment which improves the safety of people and property.	AO9 Development is not located on slopes greater than 15%.	Complies AO9 The site does not contain areas of slope.
Lot size and layout		
PO10 Reconfiguration results in lots that are: (a) of a size and dimension which complement the intended character of the zone in which the land is located; (b) are capable of accommodating uses intended in the zone in which the land is located; and (c) are sized and located to enable development to be primarily oriented to the street and accommodate all ancillary components of the use.	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	Complies AO10 Both resulting lots contain an area consistent with that sought by the relevant zone. The realignment does not result in any conflict with Table 6.2.2.3(b). Note: Proposed Lot 6 is located within both the Low Density Residential and Centre Zones.
PO11 Reconfiguration does not reduce the future development potential of land within the emerging community zone.	No acceptable outcome is nominated.	Not Applicable The subject land is not within the emerging community zone.

PO12 New lots are not created in the rural zone, other than where consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme.	No acceptable outcome is nominated.	Not Applicable The subject land is not within the rural zone.
PO13 Realignment of boundaries in the rural zone occurs only where this demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots.	No acceptable outcome is nominated.	Not Applicable The subject land is not within the rural zone.
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not Applicable The subject land is not within the environmental management or conservation zones.
Services		
PO15 All lots are provided with legal access to a constructed road. Note—A constructed road in an urban zone means a sealed road with kerbing and channelling. Elsewhere, this means a formed and trafficable road.	No acceptable outcome is nominated.	Complies PO15 Both lots will continue to utilise existing points of access.
PO16 Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that: <ul style="list-style-type: none"> (a) is efficient; (b) is adaptable to allow for future extensions and upgrades; (c) minimises the risk of adverse environmental or amenity related impacts; and (d) minimises whole-of-lifecycle costs for that infrastructure. 	No acceptable outcome is nominated.	Complies PO16 All services are existing with no amendments required.
PO17 Lots are provided with an electricity supply which minimises visual impacts on the locality.	AO17.1 Except for land in the Rural zone, electricity is connected to all new lots.	Not Applicable No new lots are proposed.
	AO17.2 Underground electricity service is provided to all new lots in an urban zone.	Not Applicable No new lots are proposed.

Road design		
PO18 The design features of each type of street are appropriate to the primary function of the street in the network.	AO18 The design of each new street or road complies with the approach taken in "Austroads Guide to Traffic Engineering Practice Manuals".	Not Applicable No new streets or roads are proposed.
PO19 Provision for safe on-street parking in appropriate locations.	No acceptable outcome is nominated.	Not Applicable No on-street carparking is proposed.
PO20 Intersections along streets are spaced to create safe and convenient pedestrian and vehicle movements and designed to provide safe sight lines and geometry for all road users.	AO20 The street or road networks complies with the approach taken in the "Austroads Guide to Traffic Engineering Practice Manuals".	Not Applicable No new streets or roads are proposed.
PO21 Road reserves are designed to accommodate co-location of infrastructure services.	No acceptable outcome is nominated.	Not Applicable No new streets or roads are proposed.
PO22 All new roads are constructed to standards appropriate to their intended use.	No acceptable outcome is nominated.	Not Applicable No new streets or roads are proposed.
PO23 All streets in an urban and rural residential zone are provided with street lighting.	AO23.1 Street lighting is provided in all new urban streets.	Not Applicable No new streets or roads are proposed.
	AO23.2 In all new development where an underground electricity service is provided, underground mains service street lighting.	Not Applicable No new streets or roads are proposed.
Environmental management		
Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO24 Development does not alter the hydrological regime external to the site.	No acceptable outcome is nominated.	Complies PO24 The proposal is for the realignment of an existing boundary. The realignment does not impact upon any hydrological regime.
PO25 Development maintains the environmental values and water quality of Burdekin Shire's groundwater, waterways and surface water storages.	No acceptable outcome is nominated.	Complies PO25 The proposal is for the realignment of an existing boundary. No impacts are foreseen to groundwater and waterways.
PO26	No acceptable outcome is nominated.	Complies PO26

<p>Development minimises erosion and sediment run-off by:</p> <ul style="list-style-type: none"> (a) minimizing clearing and earthworks; (b) not increasing the rate or volume of run-off; (c) utilizing natural flow paths; (d) minimizing impervious surfaces; (e) incorporating erosion and sediment control devices to detain and treat run-off to remove sediments and gross pollutants. 		<p>The proposal is for the realignment of an existing boundary. No erosion or sediment run-off will result.</p>
<p>PO27</p> <p>Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that:</p> <ul style="list-style-type: none"> (a) minimises risk to public safety and property; (b) provides a lawful point of discharge from each lot; (c) minimises ponding; (d) allows for risk associated with potential failures within the system; and (e) allows for practical access for maintenance requirements. 	<p>No acceptable outcome is nominated.</p>	<p>Complies PO27</p> <p>The proposal is for the realignment of an existing boundary. Appropriate stormwater drainage is provided to the existing house within Lot 7, with all required stormwater infrastructure existing within the current gym. Stormwater drainage elements will be provided to the additional building to be implemented as part of the associated Material Change of Use in Lot 6.</p>

5.2.5 Flood hazard overlay code

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3—Benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Compatible development		
PO1 Where land is included in an urban or rural residential zone, development does not increase the number of lots within the high or extreme flood hazard area.	AO1 No new lots are created.	Complies AO1 The subject land is contained within the Low and Medium Hazard Areas. The proposal constitutes a Material Change of Use for Indoor Sport and Recreation (extension of existing gym) and the Reconfiguration of a Lot (Boundary Realignment). No extra lots are proposed.
PO2 Development involving critical or vulnerable uses is not located within any flood hazard area, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Complies PO2 No vulnerable land uses are proposed.
PO3 Dual occupancies and more intensive residential uses do not establish in the rural, low density residential, township or emerging community zones where they fall within the extreme, high or medium hazard areas, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Not Applicable
PO4 Development involving worker or tourist accommodation uses do not establish in the rural, low density residential, township or emerging community zones where they fall within the extreme, high or medium hazard areas, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Not Applicable
PO5 Development involving an existing use mentioned in PO2, PO3 or PO4 does not substantially increase the number of people accommodated or requiring evacuation from the site.	No acceptable outcome is nominated.	Not Applicable

PO6 Critical uses are able to function effectively during and immediately after a flood hazard event.	No acceptable outcome is nominated.	Not Applicable The proposal does not include a critical use.
PO7 Where components of commercial or industrial uses are located below the level of the defined flood event, stock or facilities; (a) Are relocatable or readily replaced; (b) are not vital to the safe operation of the use during or after a flood event; and (c) are located or designed to avoid causing a risk to public safety in the event of a flood or impede the flow of flood water. Note—To demonstrate compliance with this performance outcome, applicants should prepare a flood response plan.	No acceptable outcome is nominated.	Complies PO7 The proposal results in the extension of an existing gym. All stock is easily relocatable or not subject to damage by floodwater. Stock/equipment is not vital, and do not pose any risk to the public.
PO8 Development either: (a) does not involve the manufacture or storage of hazardous materials within a flood hazard area; or (b) is designed to prevent the release of hazardous materials during a flood event.	No acceptable outcome is nominated.	Complies PO8 The proposal does not include the manufacture or storage of any hazardous materials.
PO9 Premises used for extractive industry, aquaculture, animal keeping or intensive animal husbandry are at low risk of inundation.	AO9 Development occurs on land which is above the defined flood event.	Not Applicable The proposal is for the extension of an existing gym.
Mitigation of flood hazard		
PO10 Development which occurs in areas subject to a flood hazard ensures new buildings or extensions are designed to remain structurally sound during the defined flood event.	No acceptable outcome is nominated.	Complies PO10 The proposal constitutes the implementation of an additional structure on site. The existing structure and proposed extension are both to be structurally sound and can withstand defined flood events.
PO11 Infrastructure likely to become a public asset is designed to withstand hydrodynamic forces of the defined flood event.	No acceptable outcome is nominated.	Not Applicable

PO12 Development involving the expansion of redevelopment of critical or vulnerable uses ensures new buildings or extensions are provided with a high level of flood immunity.	AO12 Floor levels are established at the level of the 0.5% AEP plus a freeboard of 500mm.	Not Applicable
PO13 Development involving the expansion or redevelopment of critical or vulnerable uses ensures effective provision is made for evacuating residents and users, or shelter in place in the event available response times prevent evacuation.	No acceptable outcome is nominated.	Not Applicable
PO14 Any new lots created provide for a building envelope to accommodate a dwelling house with floor levels above the defined flood level.	No acceptable outcome is nominated.	Not Applicable
PO15 Any new lots created provide for vehicular access between a building envelope and a public road free of high or extreme hazard.	No acceptable outcome is nominated.	Not Applicable
PO16 Development does not change inundation characteristics outside the subject site in ways that would: (a) result in loss of flood storage or loss of, or changes to, flow paths; (b) adversely change the depth of behaviour of the hazard; or (c) reduce warning times; or (d) increase the duration of the hazard.	No acceptable outcome is nominated.	Complies PO16 The proposal results in the implementation of an additional structure in extension of the existing gym. The structure is able to be opened via roller doors, and contains a concrete hardstand floor. The additional structure will cause negligible loss of flood storage.
PO17 Any structure or works intended to mitigate the risk or impacts of inundation on a development site are located wholly on private land.	No acceptable outcome is nominated.	Not Applicable No structures or works are proposed to mitigate risk or impacts of inundation.
PO18 Adequate provision is made for safe evacuation, response and recovery during a flood event.	No acceptable outcome is nominated.	Complies PO18 Adequate room for evacuation through the site frontage is provided in a flood event.

APPENDIX G

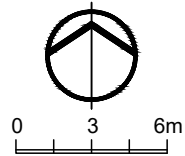
brazier motti



PROPOSED
RECONFIGURATION

Lots 6 & 7
Cancelling Lot 5 on RP882395
& Lot 32 on A26516

Locality of Ayr
Shire of Burdekin



Date: 8th May, 2023	
Scale: 1:300 @ A3	A3
Drawn: PLT	
Job No: 56940-001-01	
Plan No:	56940/001 A

braziermotti

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.

braziermotti.com.au

SURVEYING
TOWNPLANNING
PROJECTMANAGEMENT
MAPPING&GIS



APPENDIX H

brazier motti



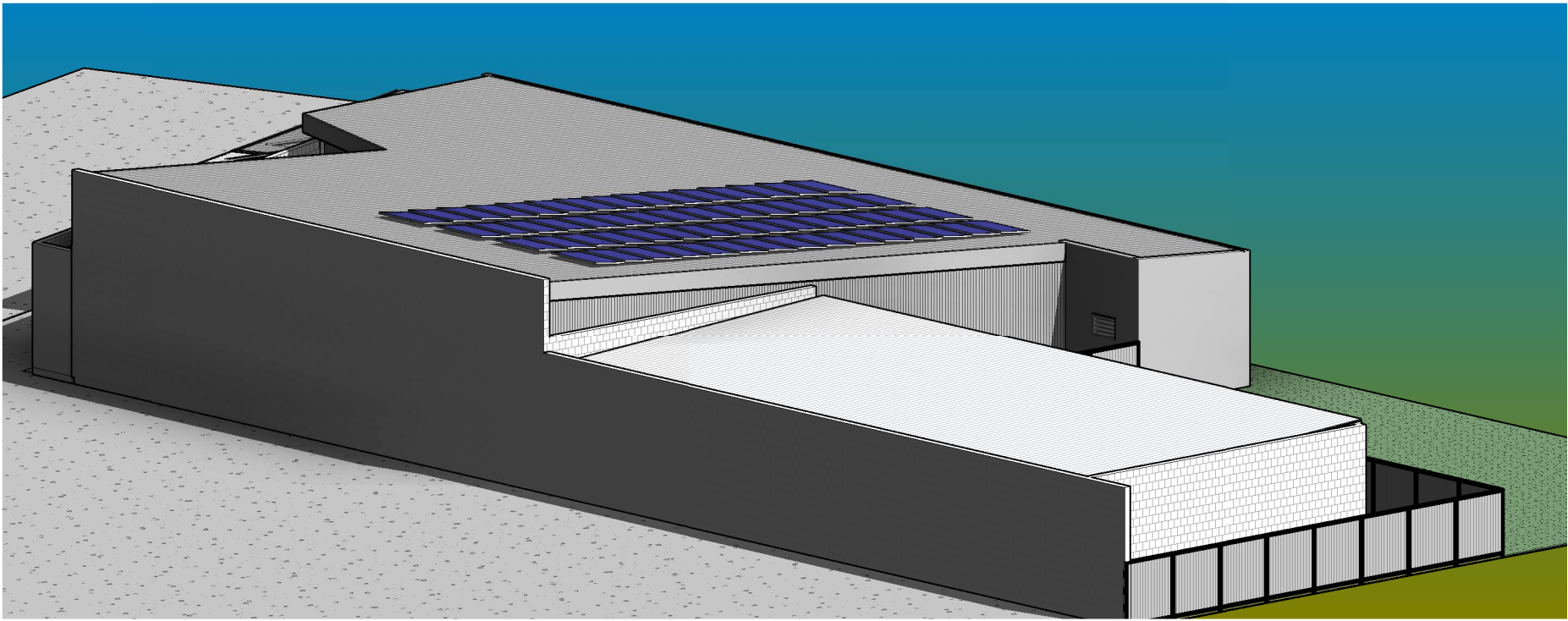


IMAGE 3

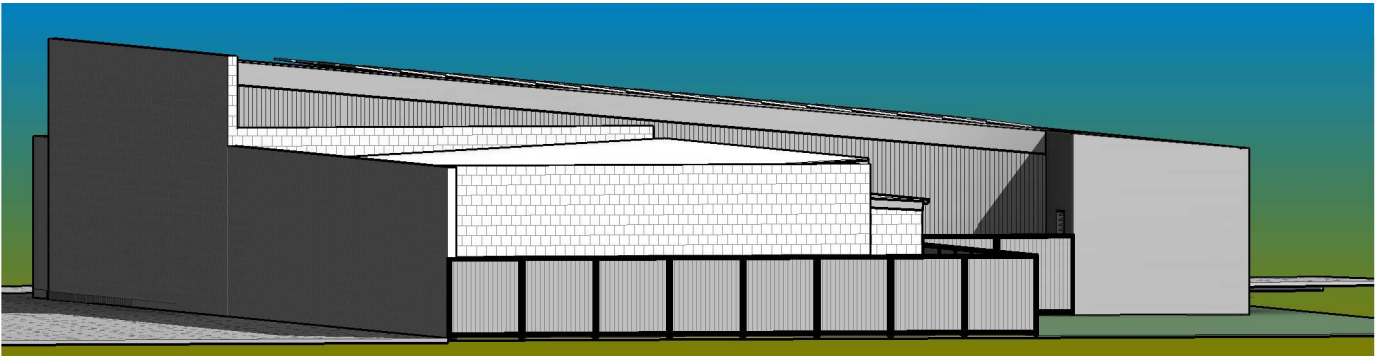


IMAGE 4

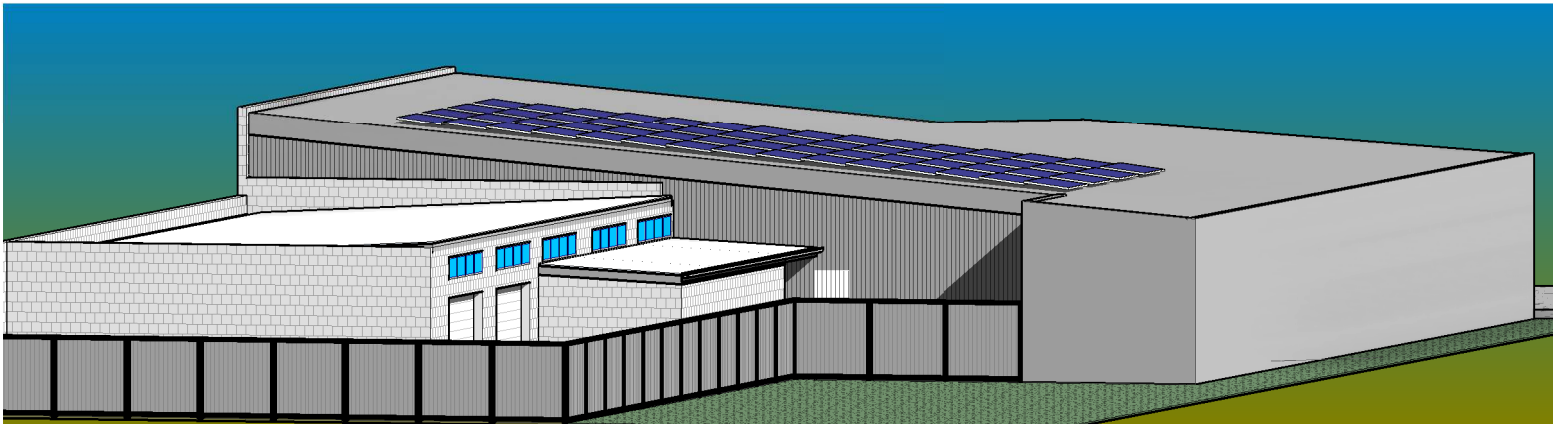


IMAGE 5

GENERAL NOTES
(i) VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING ANY WORKS.
(ii) FIGURED DIMENSION TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
(iii) NOTIFY THE BUILDING DESIGN OFFICE IMMEDIATELY OF ANY DISCREPANCIES.
(iv) ALL WORK TO COMPLY WITH CURRENT AND RELEVANT AUSTRALIAN STANDARDS, THE BUILDING CODE OF AUSTRALIA AND LOCAL AUTHORITY REQUIREMENTS.
(v) THESE DESIGNS AND DRAWINGS ARE COPYRIGHT AND MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT THE EXPRESS PERMISSION OF THE BURDEKIN BUILDING DESIGN PTY LTD.

B	Building Cert. Issue	05/23
A	Schematic Design	03/23
NO.	AMENDMENT	DATE



burdekin BUILDING DESIGN
A/N 11 686 746 112 QBSA Lic. No. 07910

building design
drafting service
project development
planning service

Ayr: 141 Mackenzie St. Ayr Qld 4807 E: burddrat@tpg.com.au	Brisbane: 10 Cleavue St. Geebung Q 4034 M: 0411425592
--	---

DESIGN R.S.	DESIGN VERIFICATION
DRAWN BY R.S.	DRAFTING CHECK

AUTHORISATION FOR ISSUE

CLIENT
**THE SHED NQ
HEALTH & FITNESS**

PROJECT
NEW GYM

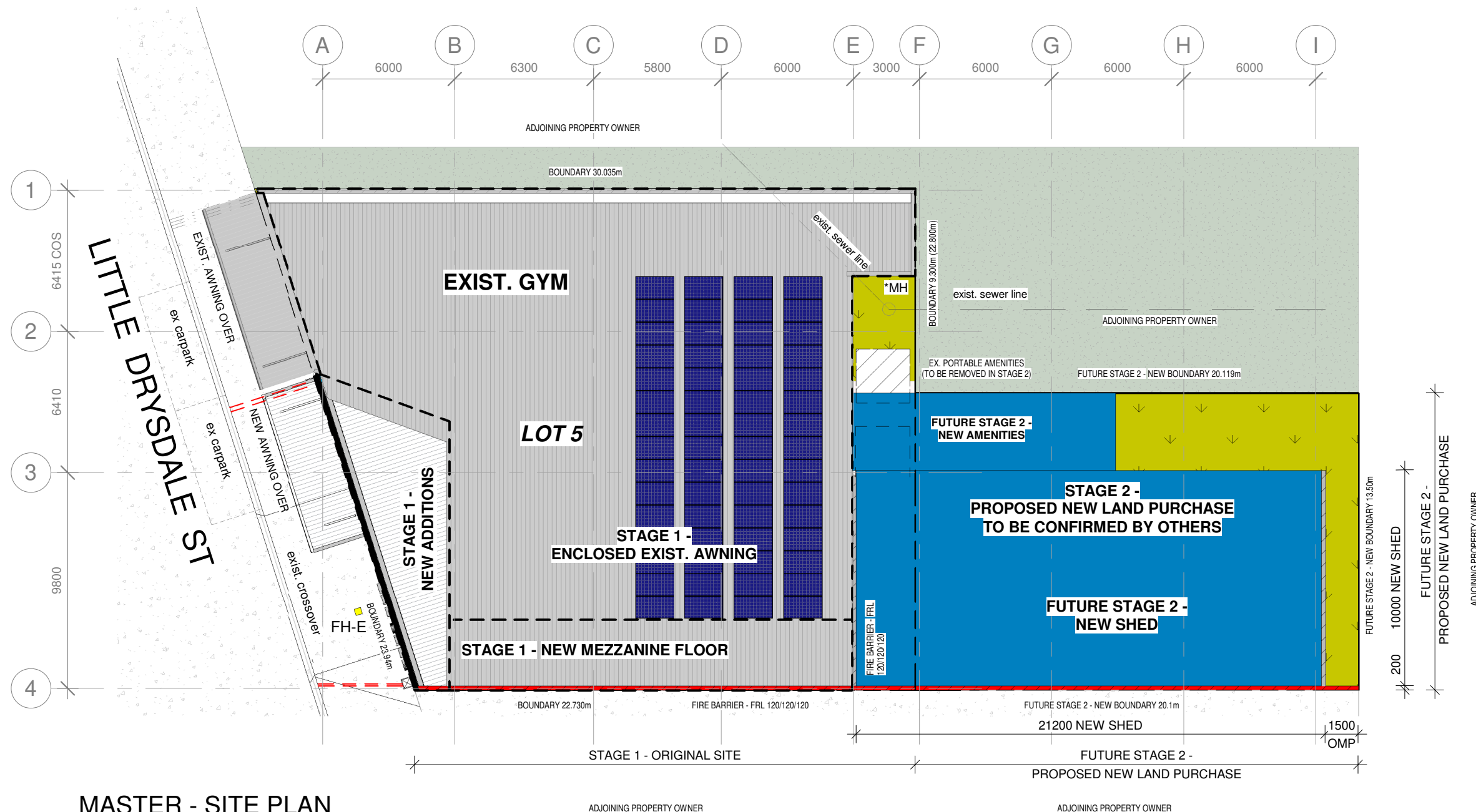
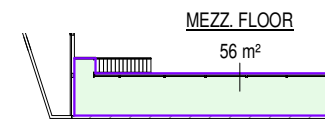
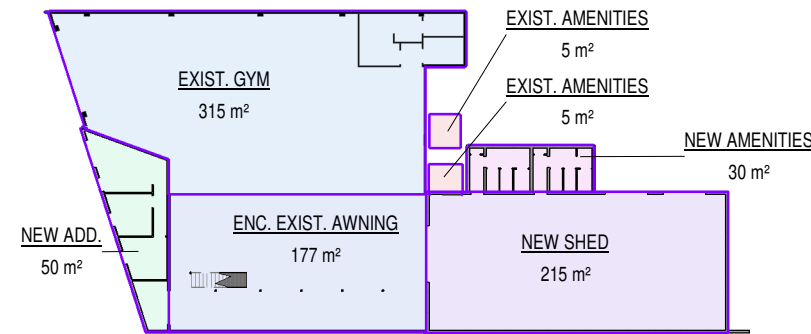
LOCATION
**5 Little Drysdale St
Ayr QLD 4807**

DRAWING
**MASTER -
ILLUSTRATIONS**

SCALE: AT A3 SIZE CAD ISSUE BA04

CLIENT REFERENCE NO.	ISSUE	SHEET NO.
BBD2100021	F	B002

PRELIMINARY
NOT FOR CONSTRUCTION PURPOSES



GENERAL NOTES

- (i) VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING ANY WORKS.
- (ii) FIGURED DIMENSION TAKE PRECEDENCE OVER SCALD MEASUREMENTS.
- (iii) NOTIFY THE BUILDING DESIGN OFFICE IMMEDIATELY OF ANY DISCREPANCIES.
- (iv) ALL WORK TO COMPLY WITH CURRENT AND RELEVANT AUSTRALIAN STANDARDS, THE BUILDING CODE OF AUSTRALIA AND LOCAL AUTHORITY REQUIREMENTS.
- (v) THESE DESIGNS AND DRAWINGS ARE FOR EIGHT AND NINE STOREY BUILDINGS PRODUCED IN WHOLE OR PART WITHOUT THE EXPRESS PERMISSION OF THE BURDEKIN BUILDING DESIGN PTY LTD.

PROPERTY DESCRIPTION:	
Lot 5 on	RP 882395
Parish:	Antill
County:	Gladstone
Exist. Site Area:	601.45m ²
New Site Area:	271.58m ²
TOTAL AREA:	873.03m²

BUILDING CLASSIFICATION:
Class 9b

SITE COVERAGE AREAS:	
Master GFA:	797.0m ²
Site Coverage:	91.29%

B	Building Cert. Issue	05/23
A	Schematic Design	03/23
NO	AMENDMENT	DATE



burdekin
BUILDING DESIGN

ABN 11 686 746 112 OBSA Lic. No. 07910

building design
drafting service
project development
planning service

Ayr:
141 Mackenzie St.
Ayr Qld 4807
E: burd@bdpg.com.au

Brisbane:
10 Cleavage St.
Geelong Q 4034
M: 041425592

DESIGN R.S.	DESIGN VERIFICATION
DRAWN BY R.S.	DRAFTING CHECK
AUTHORISATION FOR ISSUE	

CLIENT
THE SHED NQ
HEALTH & FITNESS

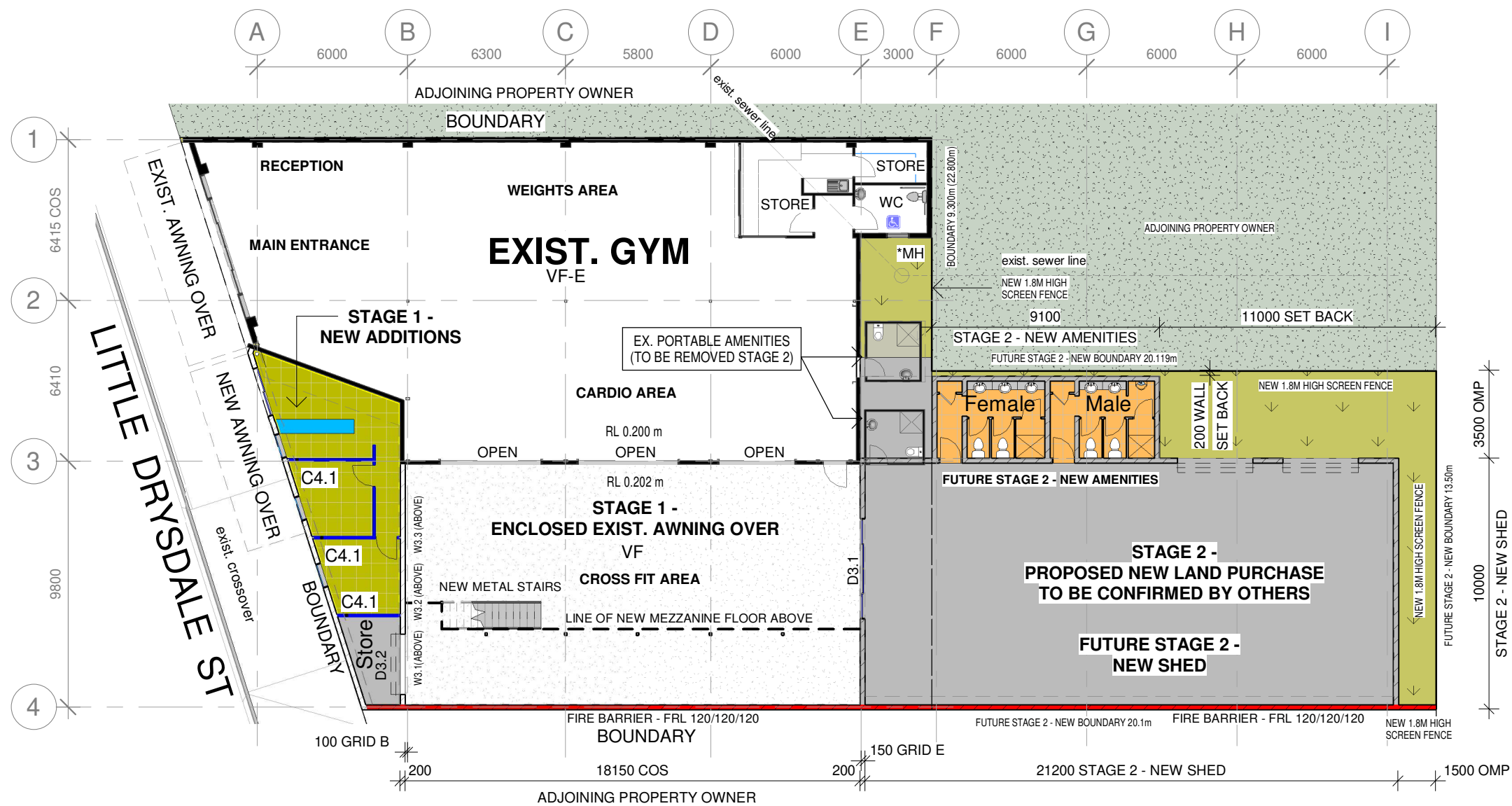
PROJECT
NEW GYM

LOCATION
5 Little Drysdale St
Ayr QLD 4807

DRAWING
MASTER - SITE PLAN

SCALE: As indicated		AT A3	CAD ISSUE BA04
CLIENT REFERENCE NO. BBD2100021	ISSUE F	SHEET NO. B101	

PRELIMINARY
NOT FOR CONSTRUCTION PURPOSES



MASTER - FLOOR PLAN
1 : 200

GENERAL NOTES
(i) VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING ANY WORKS.
(ii) FIGURED DIMENSION TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
(iii) NOTIFY THE BUILDING DESIGN OFFICE IMMEDIATELY OF ANY DISCREPANCIES.
(iv) ALL WORK TO COMPLY WITH CURRENT AND RELEVANT AUSTRALIAN STANDARDS, THE BUILDING CODE OF AUSTRALIA AND LOCAL AUTHORITY REQUIREMENTS.
(v) THESE DESIGNS AND DRAWINGS ARE COPYRIGHT AND MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT THE EXPRESS PERMISSION OF THE BURDEKIN BUILDING DESIGN PTY LTD.

B Building Cert. Issue 05/23
A Schematic Design 03/23
NO. AMENDMENT DATE



burdekin BUILDING DESIGN
ABN 11 686 746 112 CBQA Lic. No. 07910

building design
drafting service
project development
planning service

Ayr: 141 Mackenzie St.
Ayr Qld 4807
E: burddrat@tpg.com.au
Brisbane: 10 Cleavue St.
Geebung Q 4034
M: 0411425592

DESIGN R.S.
DRAWN BY R.S.
AUTHORISATION FOR ISSUE

DESIGN VERIFICATION
DRAFTING CHECK

CLIENT
THE SHED NQ
HEALTH & FITNESS

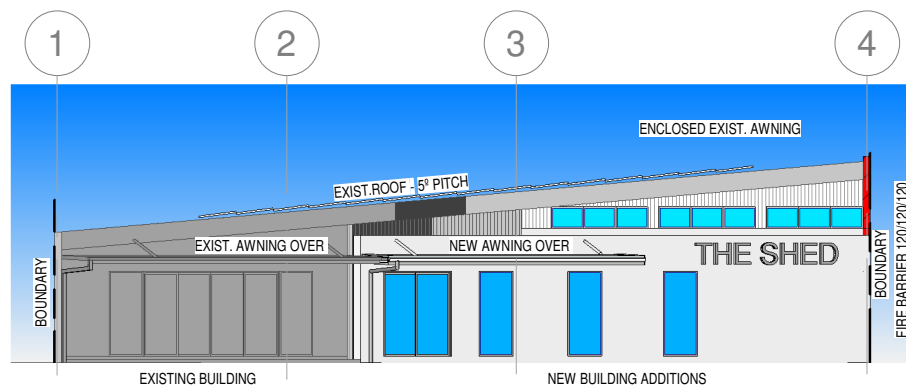
PROJECT
NEW GYM

LOCATION
5 Little Drysdale St
Ayr QLD 4807

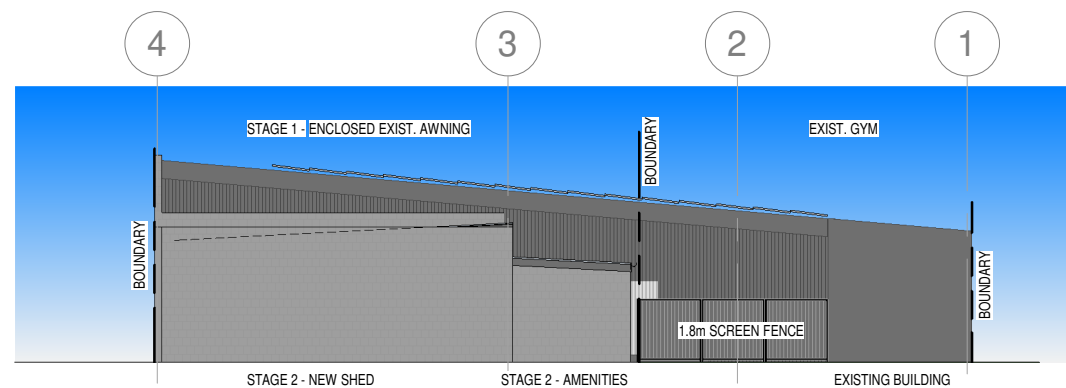
DRAWING
MASTER - FLOOR PLAN

PRELIMINARY
NOT FOR CONSTRUCTION PURPOSES

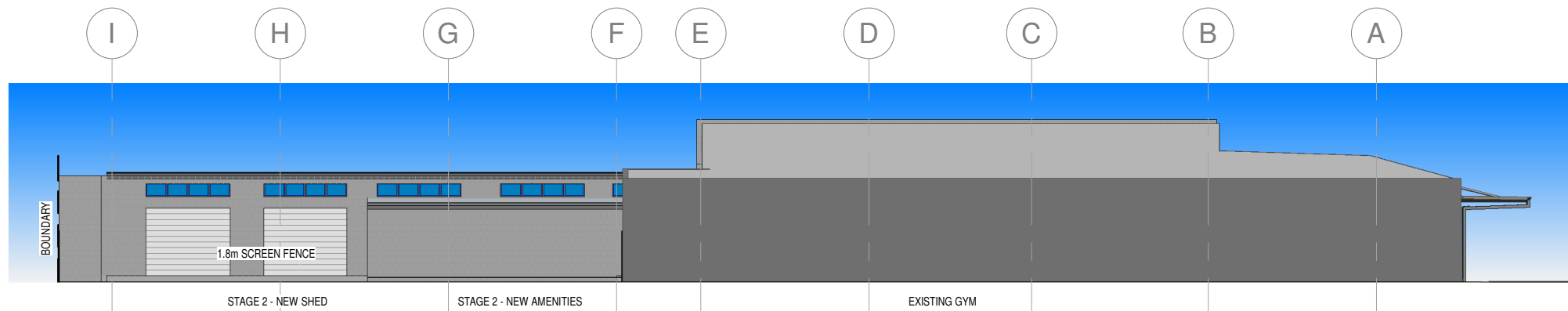
SCALE: 1 : 200 AT A3 SIZE CAD ISSUE BA04
CLIENT REFERENCE NO. BBD2100021 ISSUE F SHEET NO. B211



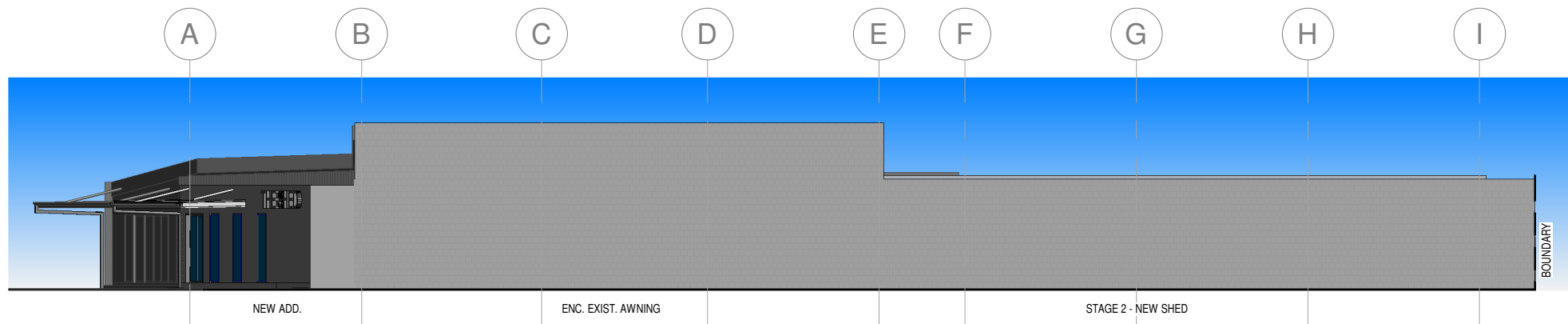
MASTER - NE ELEVATION
1 : 200



MASTER - SW ELEVATION
1 : 200



MASTER - SE ELEVATION
1 : 200



MASTER - NW ELEVATION
1 : 200

GENERAL NOTES
(i) VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING ANY WORKS.
(ii) FIGURED DIMENSION TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
(iii) NOTIFY THE BUILDING DESIGN OFFICE IMMEDIATELY OF ANY DISCREPANCIES.
(iv) ALL WORK TO COMPLY WITH CURRENT AND RELEVANT AUSTRALIAN STANDARDS, THE BUILDING CODE OF AUSTRALIA AND LOCAL AUTHORITY REQUIREMENTS.
(v) THESE DESIGNS AND DRAWINGS ARE COPYRIGHT AND MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT THE EXPRESS PERMISSION OF THE BURDEKIN BUILDING DESIGN PTY LTD.

B	Building Cert. Issue	05/23
A	Schematic Design	03/23
NO.	AMENDMENT	DATE



burdekin BUILDING DESIGN
ABN 11 686 746 112 CBQA Lic. No. 07910
building design
drafting service
project development
planning service
Ayr: 141 Mackenzie St. 10 Cleavue St.
Ayr Qld 4807 Geebung Q 4034
E: burddrat@tpg.com.au M: 0411425592

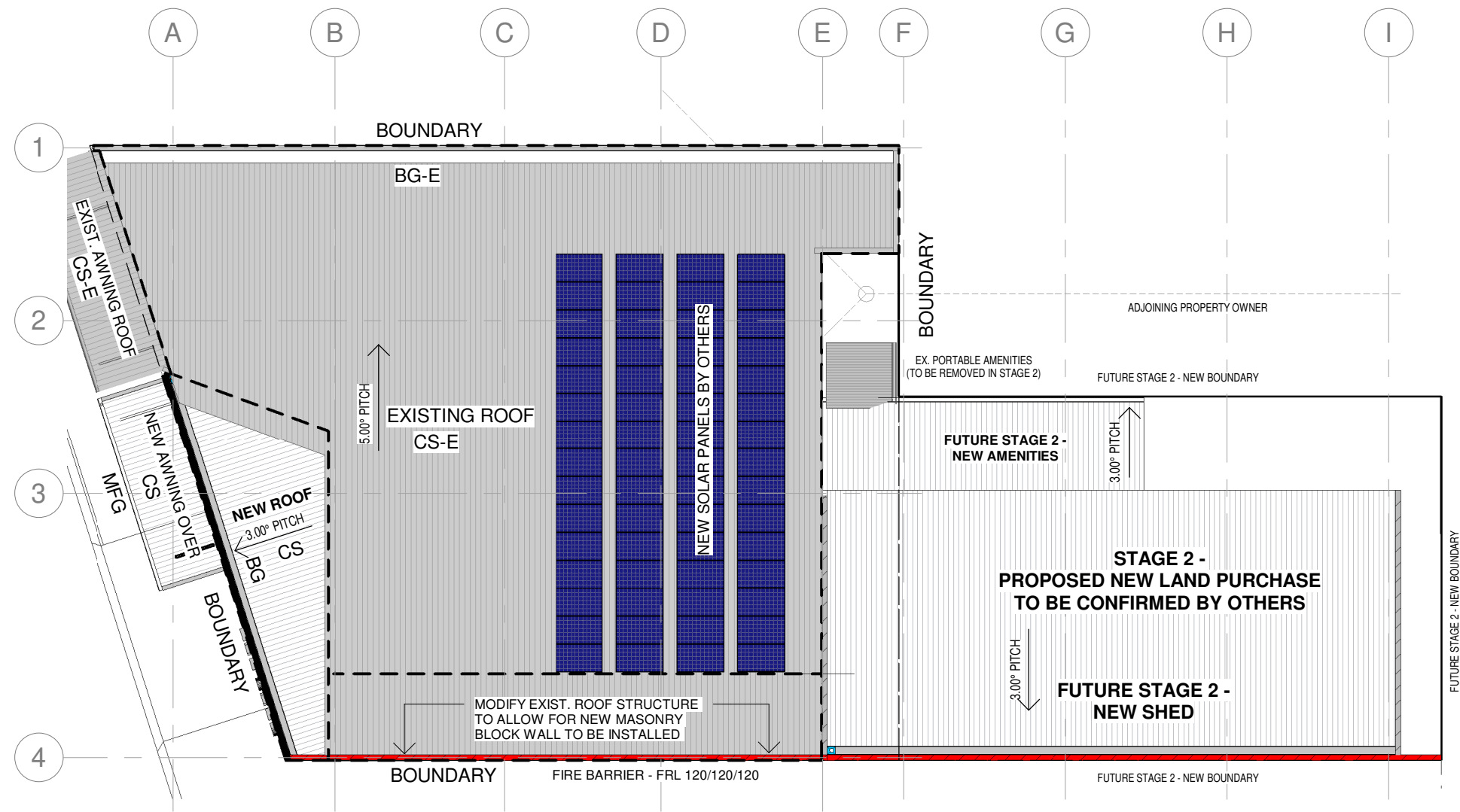
DESIGN R.S.	DESIGN VERIFICATION
DRAWN BY R.S.	DRAFTING CHECK
AUTHORISATION FOR ISSUE	

CLIENT
**THE SHED NQ
HEALTH & FITNESS**
PROJECT
NEW GYM
LOCATION
**5 Little Drysdale St
Ayr QLD 4807**

DRAWING
MASTER - ELEVATIONS

SCALE: 1 : 200	AT A3 SIZE	CAD ISSUE BA04
CLIENT REFERENCE NO. BBD2100021	ISSUE F	SHEET NO. B221

PRELIMINARY
NOT FOR CONSTRUCTION PURPOSES



MASTER - ROOF PLAN
1 : 200

GENERAL NOTES
(i) VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING ANY WORKS.
(ii) FIGURED DIMENSION TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
(iii) NOTIFY THE BUILDING DESIGN OFFICE IMMEDIATELY OF ANY DISCREPANCIES.
(iv) ALL WORK TO COMPLY WITH CURRENT AND RELEVANT AUSTRALIAN STANDARDS, THE BUILDING CODE OF AUSTRALIA AND LOCAL AUTHORITY REQUIREMENTS.
(v) THESE DESIGNS AND DRAWINGS ARE COPYRIGHT AND MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT THE EXPRESS PERMISSION OF THE BURDEKIN BUILDING DESIGN PTY LTD.

B	Building Cert. Issue	05/23
A	Schematic Design	03/23
NO.	AMENDMENT	DATE



burdekin BUILDING DESIGN
A BN 11 686 746 112 QBSA Lic. No. 07910
building design
drafting service
project development
planning service

Ayr:
141 Mackenzie St.
Ayr Qld 4807
E: burddrat@tpg.com.au

Brisbane:
10 Cleavue St.
Geebung Q 4034
M: 0411425592

DESIGN R.S.	DESIGN VERIFICATION
DRAWN BY R.S.	DRAFTING CHECK
AUTHORISATION FOR ISSUE	

CLIENT
**THE SHED NQ
HEALTH & FITNESS**

PROJECT
NEW GYM

LOCATION
**5 Little Drysdale St
Ayr QLD 4807**

DRAWING
MASTER - ROOF PLAN

PRELIMINARY
NOT FOR CONSTRUCTION PURPOSES

SCALE: 1 : 200	AT A3 SIZE	CAD ISSUE BA04
CLIENT REFERENCE NO. BBD2100021	ISSUE F	SHEET NO. B231