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Sent: Tue, 6 Feb 2024 16:05:47 +1000
To: "RES - Mailbox - Planning" <Planning@burdekin.qld.gov.au>
Subject: MCU24-0001 - Development Application - Material Change of Use - Low Impact Industry (Electrical Engineering Workshop and Food Processing) at 208-218 Wickham St, Ayr
Attachments: DA060-23_IMCU_v1.0_060224.pdf

BNC Planning acting on behalf of the applicant submits the attached development application to the Burdekin Shire Council in accordance Chapter 3, Part 2 of the *Planning Act 2016*. The development application is seeking a development permit for a material change of use at **208-218 Wickham Street, Ayr**.

Please contact me to confirm receipt of this development application and to confirm the assessment manager application fee amount and payment options.

Kind regards,

Benjamin Collings
Director



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BNC Ref. DA060-23
IMPACT: MCU

>> 6 February 2024

ASSESSMENT MANAGER
BURDEKIN SHIRE COUNCIL
PO BOX 974
AYR QLD 4807
Attention: Planning

Dear Assessment Manager,

**RE: LODGEMENT OF A DEVELOPMENT APPLICATION UNDER CHAPTER 3, PART 2 OF THE *PLANNING ACT 2016*
DEVELOPMENT PERMIT FOR AN IMPACT ASSESSABLE MATERIAL CHANGE OF USE
208-218 WICKHAM STREET, AYR QLD 4807 (RPD: 46 ON GS177)**

BNC Planning acting on behalf of the applicant submit the attached development application in accordance Chapter 3, Part 2 of the *Planning Act 2016*. The development application is seeking a development permit for a material change of use to facilitate a new Low impact industry use (Electrical engineering workshop and Food processing facility) over the above referenced address.

This development application is being made to the Burdekin Shire Council as the relevant assessment manager under the *Planning Regulation 2017* and has been made in the *approved form* as required under s51 of the *Planning Act 2016*. The common material making up the development application include:

- Relevant development application forms and written consent of the landowner(s), as required.
- A detailed planning report and the relevant site detail.
- Development plans and other relevant supporting information.

Please contact me to confirm receipt of this development application and to confirm the assessment manager application fee amount and payment options. I trust this information is sufficient for acceptance of the development application as *properly made* subject to payment of the application fee. Please contact me should there be any issues or if you require any further information.

Kind regard,



Benjamin Collings, Director
BNC Planning Pty Ltd



BNC PLANNING

town planning & property development consultants



DEVELOPMENT APPLICATION *PLANNING ACT 2016*

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE

at

208-218 WICKHAM STREET

AYR QLD 4807

RPD: Lot 46 on GS177



BNC PLANNING
town planning & property development consultants

PLANNING REPORT

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT
PLANNING ACT 2016

IMPACT ASSESSABLE MATERIAL CHANGE OF USE

208-218 WICKHAM STREET, AYR QLD 4807
being
LOT 46 ON GS177
for
LOW IMPACT INDUSTRY USE

Report Matrix

APPLICATION SUMMARY	
Applicant:	Lennox Group (QLD) Pty Ltd C/- BNC Planning
Application Type:	Development Application for a Development Permit
Development Type:	Material Change of Use
Category of Development (Level of Assessment):	Impact Assessable
Development Description:	Electrical engineering workshop and Food processing facility
Assessment Manager:	Burdekin Shire Council
Referral Agencies:	NA
CATEGORISING INSTRUMENTS	
Planning Scheme:	Burdekin Shire Planning Scheme 2022
Planning Scheme Defined Uses/Works:	Low Impact Industry
Zoning:	Rural Zone
Precincts/Sub-Precincts:	NA
Overlays:	Bushfire Hazard and Flood Hazard Overlay
SITE DESCRIPTION	
Property Address:	208-218 Wickham Street, Ayr QLD 4807
Real (Legal) Property Description:	Lot 46 on GS177
Site Area:	12,140m ²
Landowner:	Alexander Michael Lennox
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Burdekin Shire Council
Road Frontage:	Wickham Street

DOCUMENT CONTROL

Prepared by	Client	Report
BNC Planning	Lennox Group (QLD) Pty Ltd	Report No. DA060-23-PR

Version	Date	Author
1.0	February 2024	SSM:BNC

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1.0 EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use to facilitate a Low Impact Industry use. The subject premises is addressed as 208-218 Wickham Street, Ayr QLD 4807 more particularly described as Lot 46 on GS177. The premises is within the Rural Zone under the Burdekin Shire Planning Scheme 2022 (the planning scheme) and is currently vacant.

For the purpose of this development application *BNC Planning* act on behalf of the applicant *Lennox Group (QLD) Pty Ltd*.

Following a detailed assessment of the proposal against the applicable assessment benchmarks it has been determined that the development proposal is consistent with all applicable codes and policies. The development application therefore warrants approval in accordance with rules of impact assessment as established under the Act, subject to the imposition of reasonable and relevant conditions and any referral agency responses. A summary of the development application is provided below:

Table 1.0: Development application summary

APPLICATION SUMMARY	
Applicant:	Lennox Group (QLD) Pty Ltd C/- BNC Planning
Application Type:	Development Application for a Development Permit
Development Type:	Material Change of Use
Category of Development (Level of Assessment):	Assessable Development – Impact Assessable
Development Description:	Electrical engineering workshop and Food processing facility
Assessment Manager:	Burdekin Shire Council
Referral Agencies:	NA
CATEGORISING INSTRUMENTS	
Planning Scheme:	Burdekin Shire Planning Scheme 2022
Planning Scheme Defined Uses/Works:	Low Impact Industry
Zoning:	Rural Zone
Precincts/Sub-Precincts:	NA
Overlays:	Bushfire hazard and Flood hazard overlays
SITE DESCRIPTION	
Property Address:	208-218 Wickham Street, Ayr QLD 4807
Real (Legal) Property Description:	Lot 46 on GS177
Site Area:	12,140m ²
Landowner:	Alexander Michael Lennox
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Burdekin Shire Council

2.0 INTRODUCTION

BNC Planning Pty Ltd has been commissioned by Lennox Group (QLD) Pty Ltd (the Applicant) to prepare this town planning assessment report to support a development application which seeks Burdekin Shire Council (Council) approval for a Material Change of Use for Low impact industry use.

The land subject of this development application is addressed as 208-218 Wickham Street, Ayr 4807 (the Site).

This report addresses the merits of the development with regard to the provisions of the Burdekin Shire Planning Scheme 2022 (the Planning scheme) and relevant sections of the Planning Act 2016 (the Act) and Planning Regulation 2017 (the Regulation).

This report is to be read in conjunction with the maps, plans, drawings, and other supporting information accompanying this development application.

The assessment of the application is to be undertaken in accordance with Section 45(53) of the Act and Sections 30 and 31 of the Planning Regulation 2017. This report provides the Applicant's assessment of the proposed development against these provisions.

3.0 SITE AND LOCALITY

The subject premises is a standard Freehold lot addressed as 208-218 Wickham Street, Ayr QLD 4807 more particularly described as Lot 46 on GS177. The premises is within the Rural Zone under the planning scheme and is currently vacant of use and built form. Despite the zoning, the site clearly forms part of the urban fringe of Ayr with proximal access to the Bruce Highway and is within 300m of urban zoned land. The site is also on the local heritage register (Ray Northwood & Sons Building) and borders on to Plantation Park.

Any pertinent existing approvals which may affect the assessment of the proposal are identified in the table below:

APPLICATION REF.	DECISION AND DATE	ASSESSMENT MANAGER
NA	NA	NA

The following table describes the key characteristics of the site:

Table 2.0: Site characteristics

SITE AND LOCALITY DESCRIPTION	
Property Address:	208-218 Wickham Street, Ayr QLD 4807
Real (Legal) Property Description:	Lot 46 on GS177
Site Area:	12,140m ²
Landowner:	Alexander Michael Lennox
Tenure:	Freehold
Relevant Encumbrances:	NA
Local Government Area:	Burdekin Shire Council
Zoning:	Rural Zone
Precincts/Sub-Precincts:	NA
Existing Use of Land:	Vacant

Road Frontage:	Wickham Street
Significant Site Features:	The site is vacant of built form
Topography:	The site is fully developed and is generally flat with supporting landscaping features.
Surrounding Land Uses:	Industrial and Rural

4.0 PROPOSAL SUMMARY

The applicant is proposing to invest in the site by establishing an Electrical engineering workshop and Food processing facility. The development will establish a single, small building to encompass both of the proposed activities, noting that they will operate separately within the building. The electrical engineering workshop will operate as a personal workshop for a single electrical engineer. The food processing facility provides approximately 81.2m² of GFA for food preparation and is intended to produce hobby non-perishable foods for local sale. Food products will not be sold on premise and the use will not generate demand for customers or non-employees to frequent the site. All activities will occur indoors. Both of the proposed activities are described within the definition of a Low impact industry use, and is defined in Schedule 1 of the planning scheme as follows:

Low Impact Industry : *The use of premises for an industrial activity—*

- (a) *that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and*
- (b) *that a local planning instrument applying to the premises states is a low impact industry; and*
- (c) *that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.*

The following table describes the key characteristics of the proposed development:

Table 3.0: Proposal summary

ELEMENT	PROPOSED
Use rights:	Low Impact Industry
Building height/ storeys:	<7.5m
Boundary Setbacks:	Wickham Street Setback: 33.5m Plantation Park Access Road Setback: 14m
Site cover:	2.66%
Gross floor area:	Electrical engineering workshop: 201.6m ² Food processing facility: 126m ²
Car parking:	Two (2) on site car parking spaces.

5.0 ASSESSMENT

The proposed Low Impact Industry use is identified as *impact assessable* in the material change of use table of assessment for the Rural Zone. There are no other components of the planning scheme or *Planning Regulation 2016* which effect the level of assessment for the proposal. The development application is therefore subject to an unbound assessment against the planning scheme as a whole, as well as any applicable State Assessment benchmarks.

The development application does not trigger referral agency assessment.

5.1 Assessment Benchmarks Pertaining to State Planning Instruments

Matters Prescribed by Regulation

There are no relevant assessment benchmarks prescribed by Regulation which are relevant to the assessment of this development application.

State Planning Policy

Burdekin Shire Planning Scheme 2022 confirms in section 1.2.1 State planning policy that it has ministerial approval as having adequately integrated the State Planning Policy July 2017 into the planning scheme. There are no stand-alone components of the State planning policy which are relevant to the assessment of this development application.

Regional Plan

There are no stand-alone components of the North Queensland Regional Plan which are relevant to the assessment of this development application.

State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application does not trigger referral agency involvement.

5.2 Assessment Benchmarks Pertaining to Local Planning Instruments

The applicable planning scheme for the application is the Burdekin Shire Planning Scheme 2022 and there are no other identified applicable local planning instruments.

Burdekin Shire Planning Scheme 2022

The Burdekin Shire Planning Scheme 2022 (the planning scheme) includes tables of assessment which nominate the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for assessable development and the requirements for accepted development. The applicable tables of assessment for this development application are:

- *Categories of development and assessment – Material change of use; and*
- *Categories of development and assessment – Overlays.*

Local Government Infrastructure Plan

The development will not impact on the delivery of any planned trunk infrastructure in the immediate locality.

Assessment Benchmarks Summary

A summary of the relevant local level assessment benchmarks is provided in the table below:

Local Planning Instrument	
Planning Scheme	The planning scheme as a whole Rural code Works code Bushfire hazard overlay code Flood hazard overlay code

The development application has been assessed against each of the applicable local level assessment benchmarks and found to be:

- compliant with the purpose and applicable outcomes from the relevant codes; and
- consistent with the strategic framework for the planning scheme.

Any pertinent issues arising from the assessment against the local level assessment benchmarks are addressed below. For clarity, any codes or outcomes not specifically addressed below or in the proposal justification report are considered to be objectively satisfied.

5.2.1 Strategic Framework

1. Indicative to the strategic outcomes of the economic growth theme, non-rural activities occur where there are no conflicts created with existing and intended rural activities, no impact to potential increase of agricultural production, no adverse impacts to water or soil quality or landscape and natural values, amenity of nearby sensitive land uses are maintained, and the local road network has the capacity for the development. The below points demonstrate alignment of the development with strategic outcomes of the economic growth.
2. The proposed development is highly compatible with rural activities, as it proposes a built form similar to that of a rural supportive building, maintains a rural amenity of a low building footprint and dominate landscape character. Additionally, the proposed use is of a low scale, and will be occupied by no more than a typical number of people standard to a dwelling house.
3. The proposed built form is compatible with the future use of the site for agricultural production and a large majority of the site will remain undeveloped, providing land available for future agricultural production, if and when the proposed use is to cease.
4. The provided flood impact assessment demonstrates no adverse impacts to stormwater runoff quality. The proposed activities do not produce hazardous materials nor produce emissions that may impact soil or water quality.
5. The development does not produce emissions, nor produce hazardous materials that may impact the amenity of nearby sensitive land uses. As the development is low in scale, it will not produce light, noise or dust impacts greater than that of a standard dwelling house.
6. As the development maintains a small building footprint, and does not produce emissions nor hazardous materials, the landscape and natural values of the site are maintained.
7. The development proposes a low scale in intensity, comparable to that of a dwelling house, which the existing local road network has the capacity to support.
8. As the site is significantly smaller than typical rural lots, and is actually of comparable size of a standard large industry lot, the site characteristics of the site demonstrate it is more appropriate for industry activities, rather than rural activities.
9. Appropriate separation is provided between the proposed built form and nearby buildings on adjoining lots.
10. The development will have no adverse impact regarding flood hazard impacts onto adjoining land, as demonstrated in the attached flood impact assessment.
11. An onsite water supply and sewerage treatment system is provided.
12. The development provides a function for a vacant lot, advancing the site's contribution to the local community.

The Strategic Intent and the Strategic Framework (the Framework) are a set of high order strategic outcomes and land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning scheme i.e. zones, codes and policies. The Framework is split into themes which cover the main aspects of land use planning and development governance. Given the level the Framework operates at, it is difficult to provide a direct, site specific assessment of the proposal against its many components. However, a proposal that satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies, etc. inherently satisfies the intent of the Framework.

The tables below demonstrate how the proposal satisfies the most applicable lower order components of the planning scheme. This justification demonstrates how the proposal is a good land use outcome for the site and how it has been designed to adequately address any environmental, economic or social impacts. Each code has been satisfied by addressing each Acceptable Outcome individually. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the “Purpose” of the code was inherently satisfied, as is the Strategic Framework for the planning scheme as a whole.

5.2.2 Rural Zone Code

Purpose

The fundamental purpose of the Rural zone is to provide for rural uses and activities, other uses and activities compatible with existing and future rural uses and activities and the character and environmental features, while maintaining the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes. Relevant to the development proposal, the purpose of the zone is achieved to the following overall outcome:

- (j) industries which may establish in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) include only:*
 - (i) rural industries;*
 - (ii) industries processing agricultural products which require a rural location:*
 - A. for proximity to the produce being processed; or*
 - B. to ensure a clean environment separate from general industrial activities; or*
 - C. to secure a lot size larger than lots available within industrial zoned land;*
 - (iii) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain, or their biproducts;*
 - (iv) extractive industries and other industries that require separation from urban or rural residential areas; and*
 - (v) renewable energy facilities*

While the development does not align with the above overall outcome, constraints in the site characteristics limit the viability of rural uses, or the above industry activities, particularly because the lot is considerably smaller than a standard, functional rural lot. Its size cannot support intensive horticulture, cropping or plantation, or is it in close proximity to support agricultural production or extractive industries.

The proposed use is appropriate for the site, as it is appropriately separated from sensitive uses while producing no adverse emissions that may impact the rural landscape values. As the site is on the fringes of Ayr, there is a distinct geographical advantage to be achieved through having direct access to urban infrastructure, services and the associated population demand i.e. need for electrical services and food goods.

Pertaining to the purpose of the zone, the development supports the future transition of the site to rural activities or rural industries. The proposed built form of the workshop is small in size relative to the site area and is in a form that can easily transition to support a future rural use. Noting that the land does not lend itself to any form of sustainable or cost effective rural activities. The small building footprint maintains the landscape dominate values of the site, which maintains land availability for agricultural activities. The small development footprint and operating scale of the use means there will be little if any tangible effects on the rural character and amenity of the locality.

This supports the purpose of the zone, as the development is compatible with rural uses, maintains the capacity of the land for rural uses, and protects the local natural resources and processes.

There are a number of outcomes within the code which are either objectively satisfied or not applicable. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:

Performance outcomes	Acceptable outcomes	Justification
Site Layout		
PO1 Any non-residential buildings, structures and open use areas are setback from site boundaries to ensure that the amenity of adjoining land and the rural character of the locality are maintained.	AO1 Non-residential buildings, structures and open use areas are setback not less than: (a) 20m from any road frontage of the site; (b) 10m from all other site boundaries; and (c) 100m from any existing dwelling on an adjacent property.	The development proposes the following setbacks and separations: <ul style="list-style-type: none"> Wickham Street: 33.5m Plantation Park Access Road: 14m Over 10m from all other boundaries Within approximately 70m of existing building on adjoining Lot 47 As the site is significantly smaller than typical rural lots, the benchmarked setbacks and separations are not unreasonable to achieve. The proposed setbacks and separations maintain the amenity of the adjoining land and rural character, considering the significant separations from buildings on adjoining lots. Complies with PO1.
Infrastructure		
PO3 Premises have a level of infrastructure that allows for the efficient functioning of the use while not impacting on nearby land uses or the environment.	AO3.1 Premises are connected to a reliable supply of potable water.	An onsite supply of potable water is provided. Complies with AO3.1.
	AO3.2 Premises are provided with an on-site sewerage treatment and disposal system	An onsite sewerage treatment and disposal system is provided. Complies with AO3.2.
	AO3.3 Premises have a legal access to a constructed road.	The site has direct and legal access to Wickham Street. Complies with AO3.3.
Protecting rural production		
PO16 Other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss to agricultural production. <small>Editor's note—A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant reduction in the supply of raw product or altering resources necessary to maintain the function of the land.</small>	No acceptable outcome is nominated.	The site is not positioned within the priority agricultural area. Complies with PO16.
PO17 Development occurs on the least productive part of the site.	No acceptable outcome is nominated.	The area proposed for development is not of higher productive land compared to any other area of the site. Complies with PO17.
PO18 Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.	No acceptable outcome is nominated.	The development proposes a low building footprint, maintaining a high availability of land for future farming activities if the proposed use were to cease. The proposed building is also of a

		standard dwelling house or rural industry built form and can support future farming activities. Complies with PO18.
PO19 Development is buffered so nuisance from normal farming practices such as spray drift, odour, noise and the like are avoided.	No acceptable outcome is nominated.	The site is buffered with landscaping and separation from uses on adjoining sites to minimise the impacts of farming activities. Complies with PO19.
Industrial activities		
PO25 Other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, industries in the rural zone include only: (a) rural industries; (b) industries processing agricultural products which require a rural location: i. for proximity to the produce being processed; or ii. to ensure a clean environment separate from general industrial activities; or iii. (iii) to secure a lot size larger than lots available within the industrial zoned land; (c) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain; (d) extractive industries and other industries that require separation from urban or rural residential areas; and (e) renewable energy facilities.	No acceptable outcome is nominated.	The development proposes a low impact industry use of comparable intensity to a dwelling house and homebased business. At its highest capacity, the site will be occupied by no more than a typical number of people standard to a dwelling house. The development is accompanied by a caretaker's residence, which will provide residence for the sole electrical engineer. Pertaining to the purpose of the zone, the development supports the future transition of the site to rural activities or rural industries. The proposed built form of the workshop is of standard size to support rural activities, while providing a functional workshop to support these activities. The low building footprint maintains the landscape dominate values of the site, which maintains land availability for agricultural activities. The low building footprint also maintains the rural character of the locality. This supports the purpose of the zone, as the development is compatible with rural uses, maintains the capacity of the land for rural uses, and protects the local natural resources and processes. Complies with the Purpose of the code.
Rural amenity and character		
PO39 Development maintains the visual amenity and landscape character of the locality.	No acceptable outcome is nominated.	In line with the character of rural locality, the development provides a low site coverage and a low built form comparable to a standard dwelling house or rural industry building. This maintains a landscape dominate visual amenity. Complies with PO39.
PO40 Development minimises the loss of existing vegetation and earthworks on the site.	AO40 Development is conducted within an existing cleared area.	The proposed built form is positioned on already cleared land. Complies with AO40.
PO41 Development minimises impacts on the natural environment and maintains habitat areas and corridors.	No acceptable outcome is nominated.	The proposed site is already considerably cleared. As low impact industry, the development will have no adverse impacts on the vegetated areas on adjoining lots, which the site is significant separated form. Complies with PO41.
PO42	No acceptable outcome is nominated.	Existing landscaping is provided along all road frontages and along boundaries of adjoining lots.

Landscaping is provided to screen views from surrounding roads and neighbouring sites.		Complies with PO42.
PO44 Development does not create significant impacts as a result of noise, odour, dust, volume of traffic generated or other cause.	No acceptable outcome is nominated.	The proposed activities do not generate any adverse impacts regarding noise, odour, dust or traffic. Complies with PO44.
PO45 Development does not impact on public health or safety.	No acceptable outcome is nominated.	The proposed activities do not generate any adverse impacts on public health or safety. Complies with PO45.

As demonstrated by the above assessment, the development is able to objectively satisfy the outcomes of the zone code. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development.

5.2.2 Development Codes

Works code

The development has been designed with detailed consideration given to the management of elements such as sewer and water supply, electricity and telecommunications services, stormwater drainage, landscaping outcomes and parking and access facilities. The proposed material change of use is for a low scale operation that will involve very low infrastructure demand. The site will be occupied at a similar to a standard to a dwelling house, and a such will only require on-site services reflective of this scale and intensity. Given design solutions are easily achievable, it is appropriate for the formalisation of the specifics of these servicing outcomes to be addressed through standard conditions of approval.

Accordingly, the development is able to objectively satisfy the outcomes and purpose of the development codes. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development, the need to maintain the existing standards of servicing for the site and, where necessary, for additional design solutions to be provided at operational works stage i.e. stormwater management.

5.2.3 Overlay Codes

Flood hazard overlay code

The outcomes from this overlay code are primarily drafted to manage the design and siting of built form to avoid flood hazards as well as limiting changes to hydrology. The new building and site works are minor in scale relative to the size of the property and are located well away from any adjoining property boundaries. As such, the hydrological regime for the site and locality will not change to the extent that there is any risk of unacceptable afflux on adjoining properties.

The proposal does not involve habitable floor space, residential uses, accommodation uses and is not a vulnerable community service. Despite being located within the medium and low hazard areas, the built form and site access can be designed and constructed to provide sufficient immunity, functionality and refuge during a defined flood event. Given the extent to which the proposal objectively satisfies the overlay code, a direct assessment against the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the codes can be ensured

through the imposition of standard conditions of approval requiring development to occur in accordance with the plans of development and nomination of required finished floor levels.

Bushfire hazard overlay code

The outcomes from the overlay code are either not applicable or are objectively satisfied. Only a small portion of the site contains an area of Medium Potential Bushfire Intensity, and the proposed development is setback considerably from this bushfire hazard area. In this way, the development mitigates the potential adverse impacts of bushfire on people, property, economic activity and the environment. The proposed development is able to objectively satisfy the outcomes and purpose of the bushfire hazard overlay code. Given the nature of the development and the extent to which the proposal objectively satisfies the code, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance.

5.3 Public Notification

The application is impact assessable and will be subject to public notification pursuant to Part 4 of the Development Assessment Rules.

6.0 CONCLUSION

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use to facilitate a new Low Impact Industry use. The subject premises is addressed as 208-218 Wickham Street, Ayr QLD 4807 more particularly described as Lot 46 on GS177. The premises is within the Rural Zone under the Burdekin Shire Planning Scheme 2022 (the planning scheme) and is currently used for commercial activities.

An assessment of the proposal was undertaken against the applicable assessment benchmarks which confirms that it is consistent with the provisions of the applicable planning instruments, specifically the local government planning scheme. Council is therefore required to approve the development application pursuant to the rules of impact assessment established under the Act, and issue a development permit subject to the imposition of reasonable and relevant conditions and any referral agency responses.

STATEMENT OF REASONS

Subject to the imposition of reasonable and relevant conditions, the development is able to comply with the following applicable assessment benchmarks against which the application was required to be assessed.

Sufficient justification has been provided and satisfactory grounds have been established to conclude that the proposed development remains consistent with the strategic intent and overall outcomes of the planning scheme. In substantive terms, this conclusion is based on the following reasons:

- The development allows the site to better contribute to the achievement of the Strategic Framework.
- The proposed land use outcome directly aligns with the Purpose of the zone code.
- The development outcome reflects community expectation for land use and development as established by the planning scheme and past development decisions.
- The development can be adequately serviced.

- The development will maintain the existing level and standard of servicing provided by the relevant infrastructure networks.
- The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure constraints.
- The development does not increase the susceptibility of people or property to natural hazards or other health risks.
- The proposal addressed an established planning need for the development.
- The proposal does not undermine the planning scheme.
- The proposal does not establish precedence that could result in the future undermining of the planning scheme.

APPENDIX 1

DEVELOPMENT APPLICATION FORMS

DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) 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)	Lennox Group Pty Ltd C/- BNC Planning
Contact name (only applicable for companies)	Benjamin Collings
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	Australia
Contact number	(07) 4724 1763 or 0438 789 612
Email address (non-mandatory)	enquire@bncplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA060-23

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" 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
		208-218	Wickham Street	Ayr
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	46	GS177	Townsville
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

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? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input checked="" type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Low Impact Industry use – Electrical Engineer Workshop and Food Processing Facility
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> 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? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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 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)
Electrical Engineering Workshop	Low Impact Industry Use		201.6m ²
Food Processing Facility	Low Impact Industry Use		126m ²
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" 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?	
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 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)
12.2) What is the reason for the boundary realignment?			

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
Townsville City 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
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – 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: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <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 Transport Infrastructure Act 1994: <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)

- ☐ Yes – provide details below or include details in a schedule to this development application
☒ 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)

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ 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
☒ 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?

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

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 *Environmental Protection Act 1994*?

- ☐ 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
☒ No

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.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

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.dsdmip.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.dsdmip.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:	
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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			

**Landowner's consent to the making of a change application under the
*Planning Act 2016***

I,

Alexander Lennox

Being the owner of the premises identified as follows:

208 Wickham Street, AYR QLD 4807
being Lot 46 on GS177

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

BNC Planning Pty Ltd

on the premises described above for:

Material Change of Use

.....
Signature/s

.....
Date

The *Planning Act 2016* is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

Applicant template 11.0
Version 1.0—3 July 2017

APPENDIX 2

SITE DETAILS

Aerial

208-218 Wickham Street, Ayr

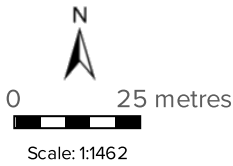
19°35'10"S 147°24'1"E 19°35'10"S 147°24'10"E



19°35'18"S 147°24'1"E 19°35'18"S 147°24'10"E



Legend located on next page



Printed at: A4
Print date: 18/1/2024
Not suitable for accurate measurement.
Projection: Web Mercator EPSG 102100 (3857)

For more information, visit
<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>



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Land parcel

 Parcel

Land parcel - gt 1 ha

 Parcel

Land parcel - gt 10 ha

 Parcel

Easement parcel



Strata parcel



Volumetric parcel



Land parcel - gt 1000 ha

 Parcel

Land parcel label

Land parcel label - gt 1 ha

Land parcel label - gt 10 ha

Land parcel label - gt 1000 ha

Places: Search Results

 46GS177

Railway



Railway station



Green bridges



Bridges



Tunnels




















Cities and Towns

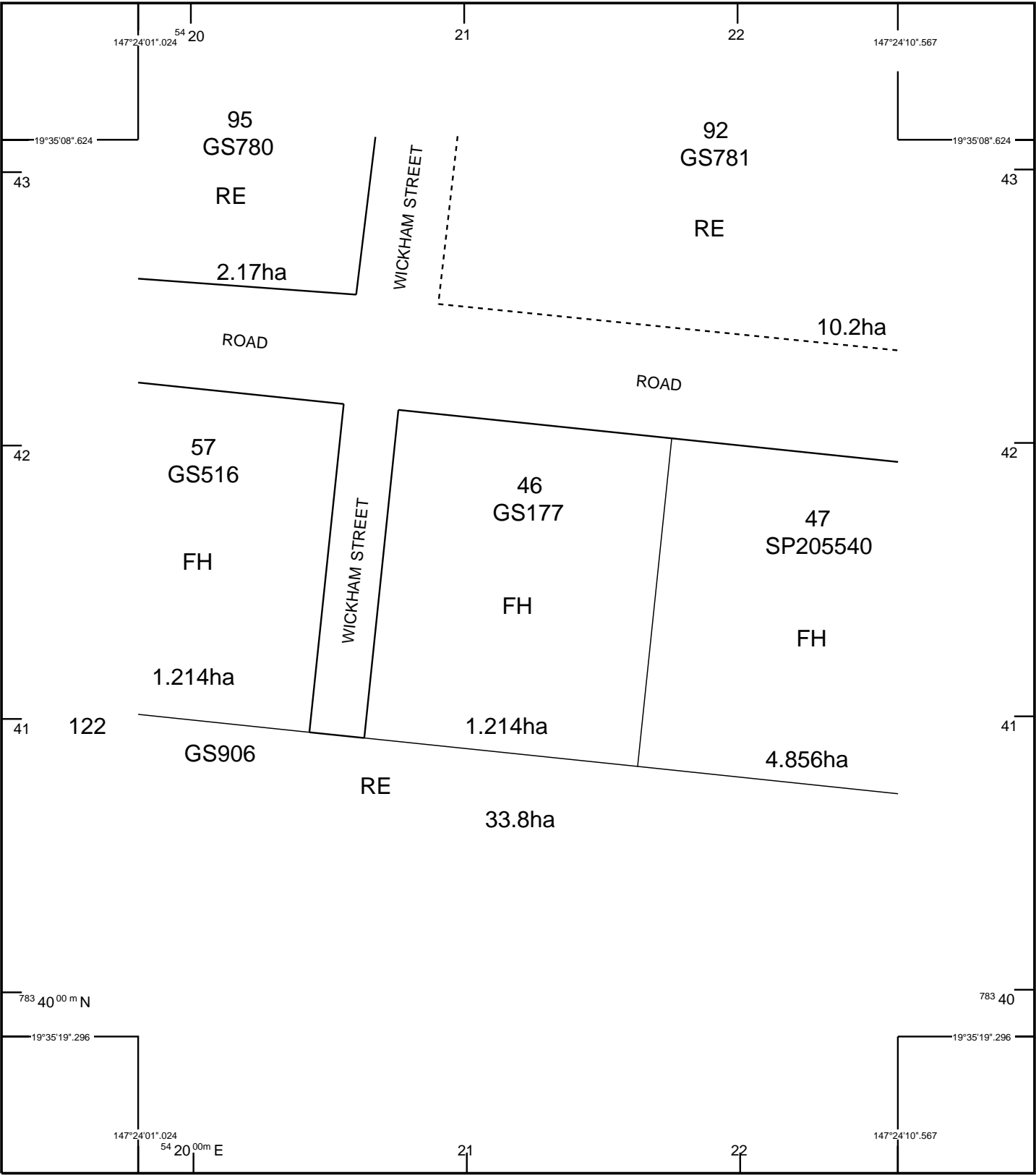


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Roads and tracks

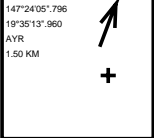
-  Motorway
-  Highway
-  Secondary
-  Connector
-  Local
-  Restricted Access Road
-  Mall
-  Busway
-  Bikeway
-  Restricted Access Bikeway
-  Walkway
-  Restricted Access Walkway
-  Non-vehicular Track
-  Track
-  Restricted Access Track
-  Ferry
-  Proposed Thoroughfare



STANDARD MAP NUMBER
8358-11342



MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	46/GS177
Area/Volume	1.214ha
Tenure	FREEHOLD
Local Government	BURDEKIN SHIRE
Locality	AYR
Segment/Parcel	37002/6

CLIENT SERVICE STANDARDS

PRINTED 18/01/2024
DCDB 17/01/2024
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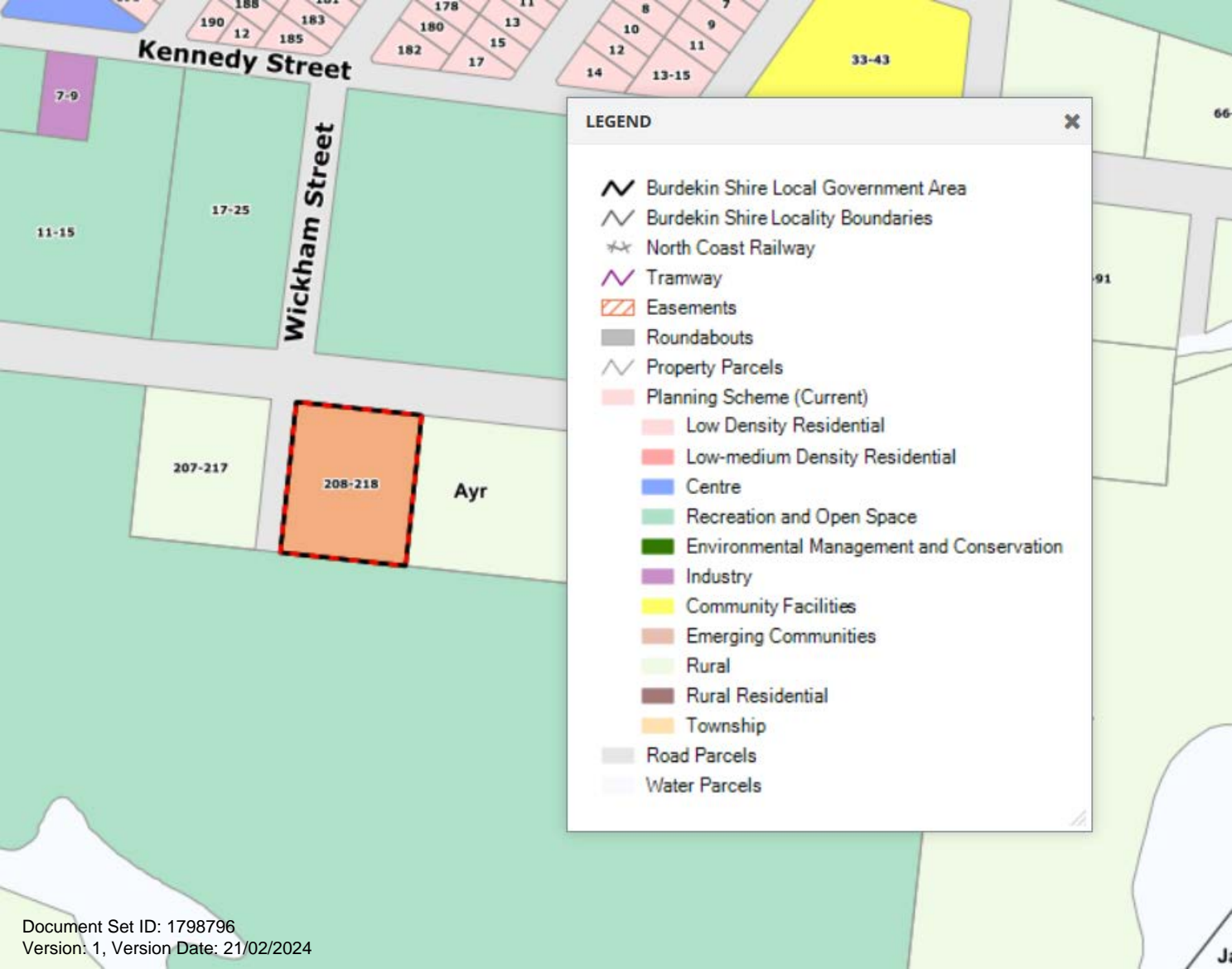
SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



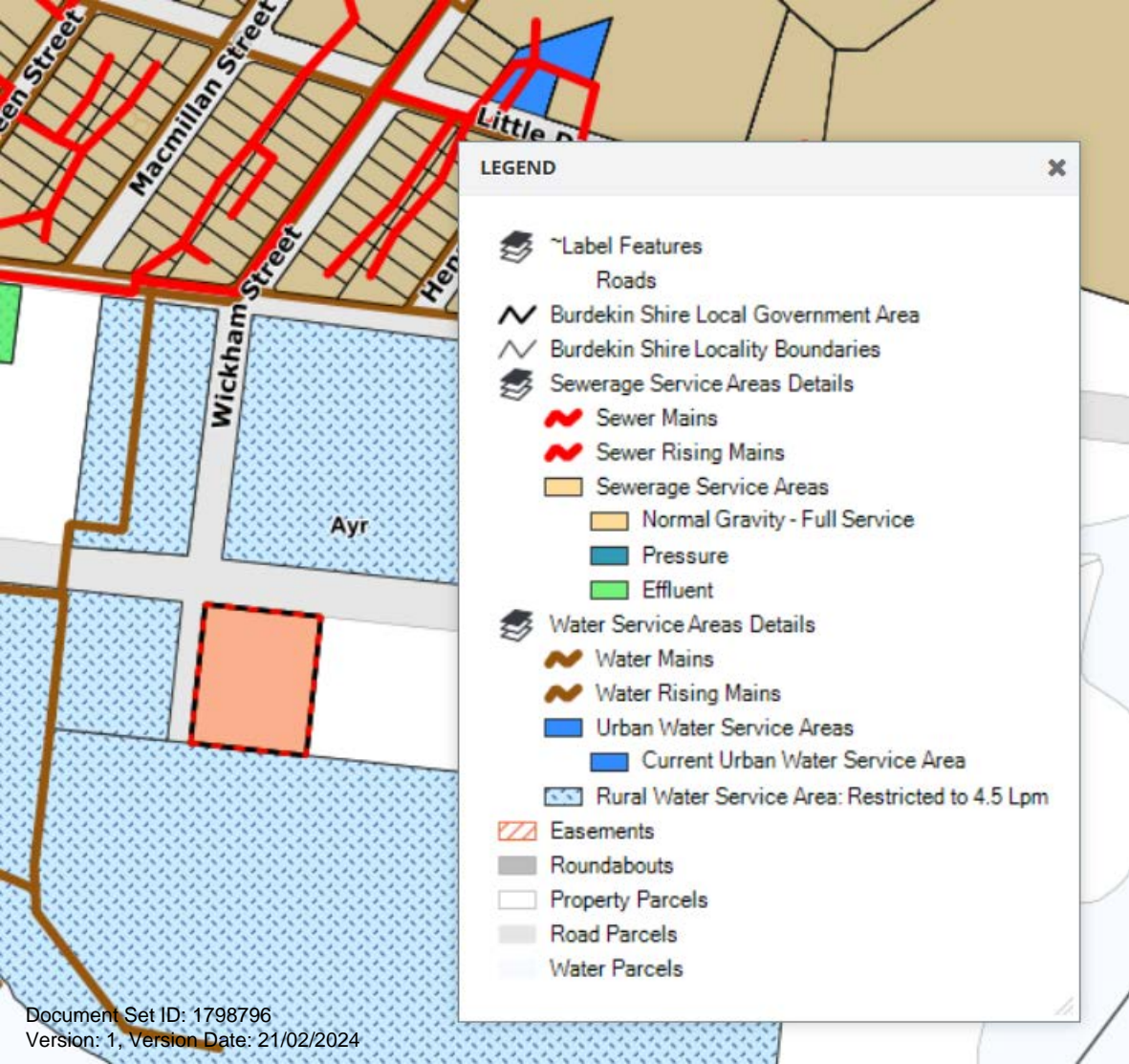
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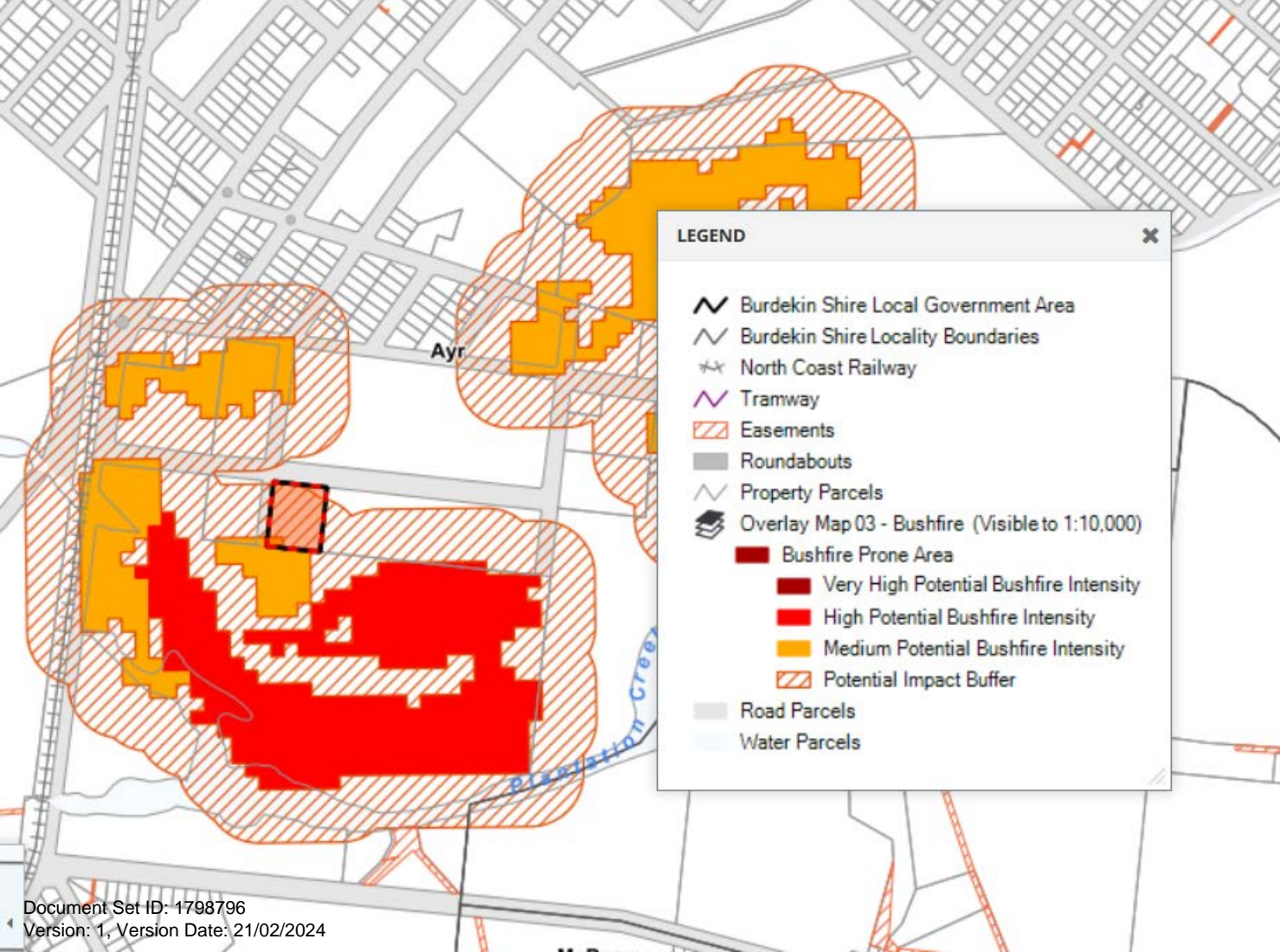



















LEGEND

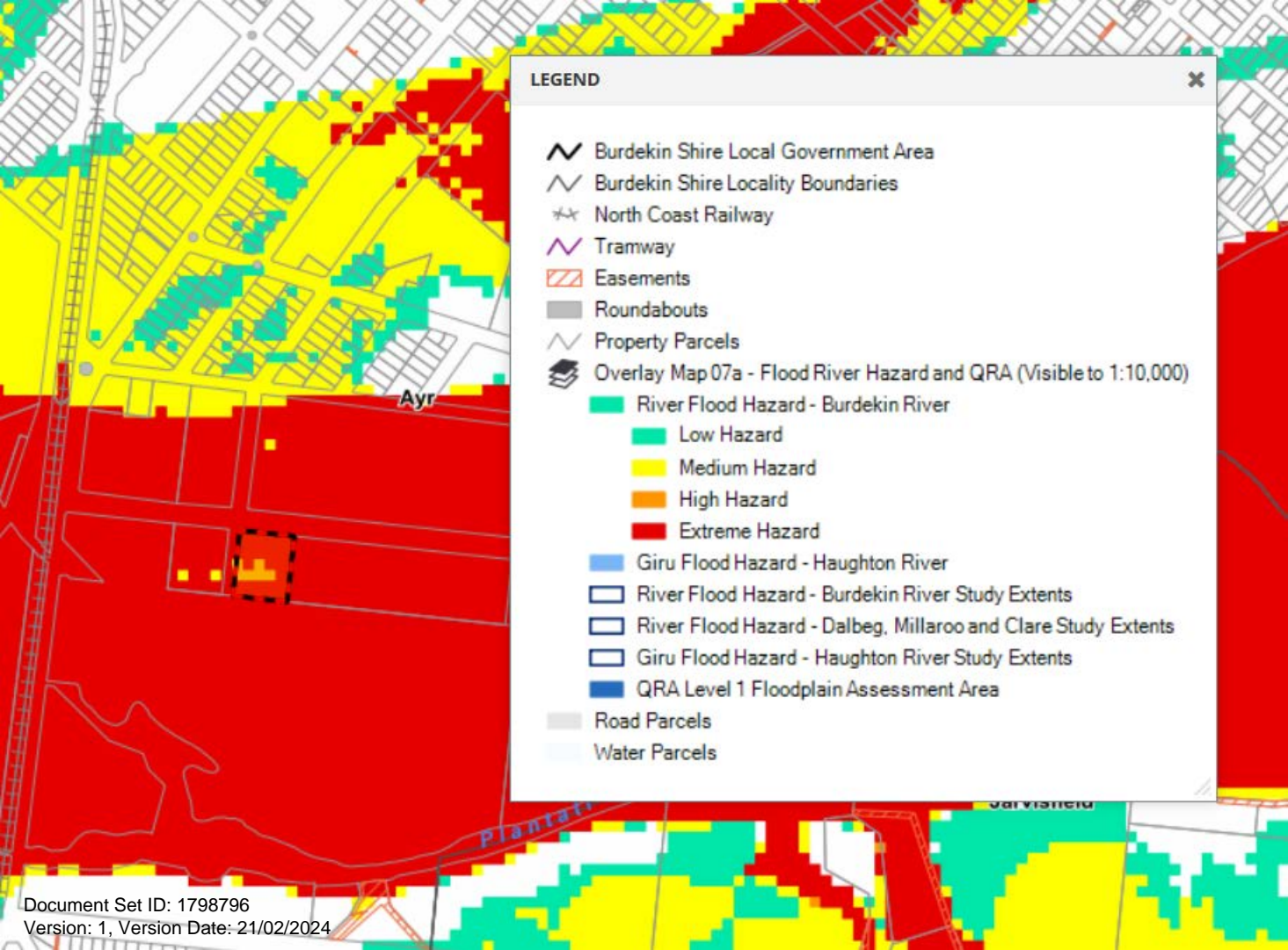
- Burdekin Shire Local Government Area
- Burdekin Shire Locality Boundaries
- North Coast Railway
- Tramway
- Easements
- Roundabouts
- Property Parcels
- Planning Scheme (Current)
 - Low Density Residential
 - Low-medium Density Residential
- Centre
- Recreation and Open Space
- Environmental Management and Conservation
- Industry
- Community Facilities
- Emerging Communities
- Rural
- Rural Residential
- Township
- Road Parcels
- Water Parcels





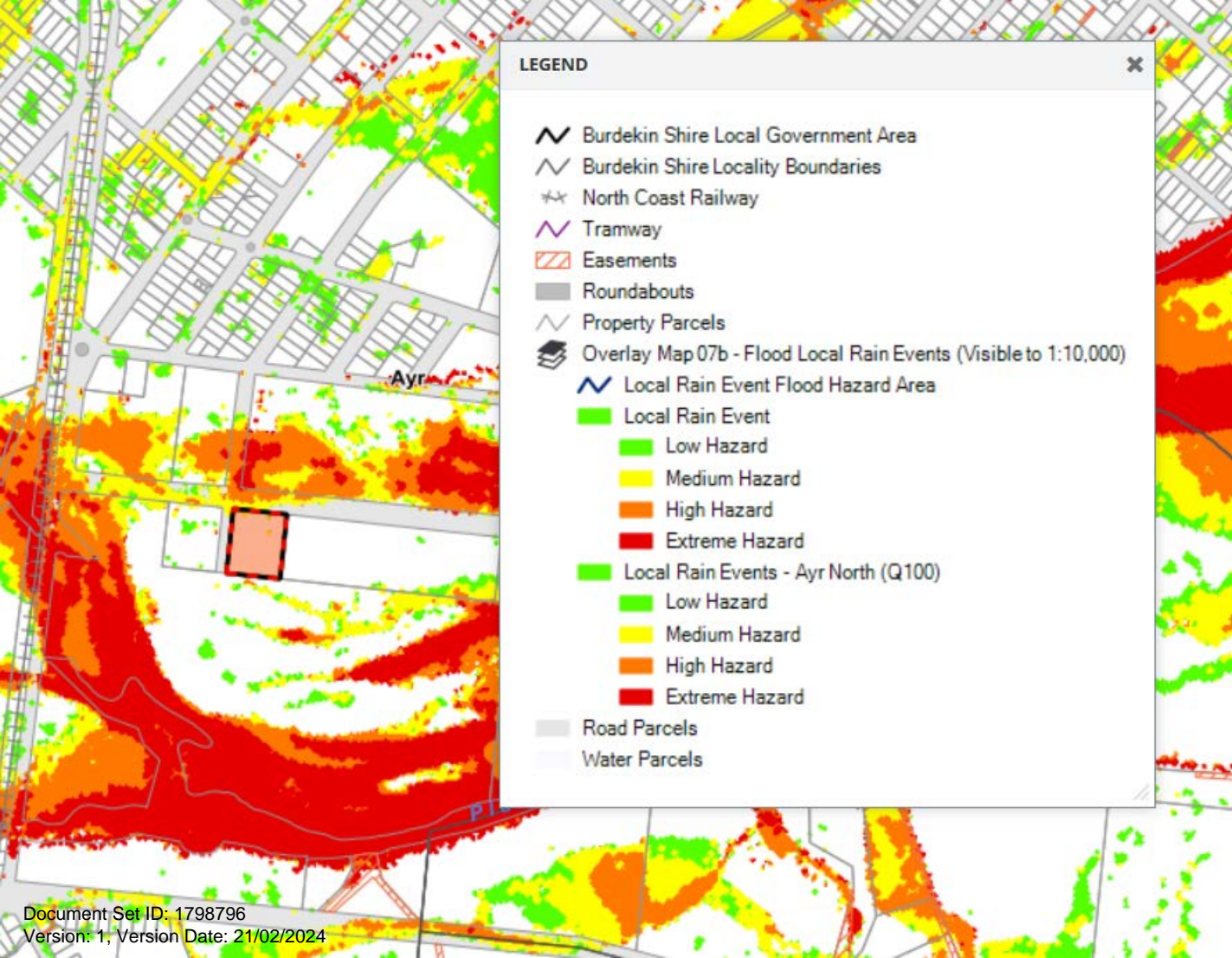
LEGEND

-  Burdekin Shire Local Government Area
-  Burdekin Shire Locality Boundaries
-  North Coast Railway
-  Tramway
-  Easements
-  Roundabouts
-  Property Parcels
-  Overlay Map 03 - Bushfire (Visible to 1:10,000)
-  Bushfire Prone Area
 -  Very High Potential Bushfire Intensity
 -  High Potential Bushfire Intensity
 -  Medium Potential Bushfire Intensity
 -  Potential Impact Buffer
-  Road Parcels
-  Water Parcels



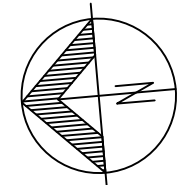
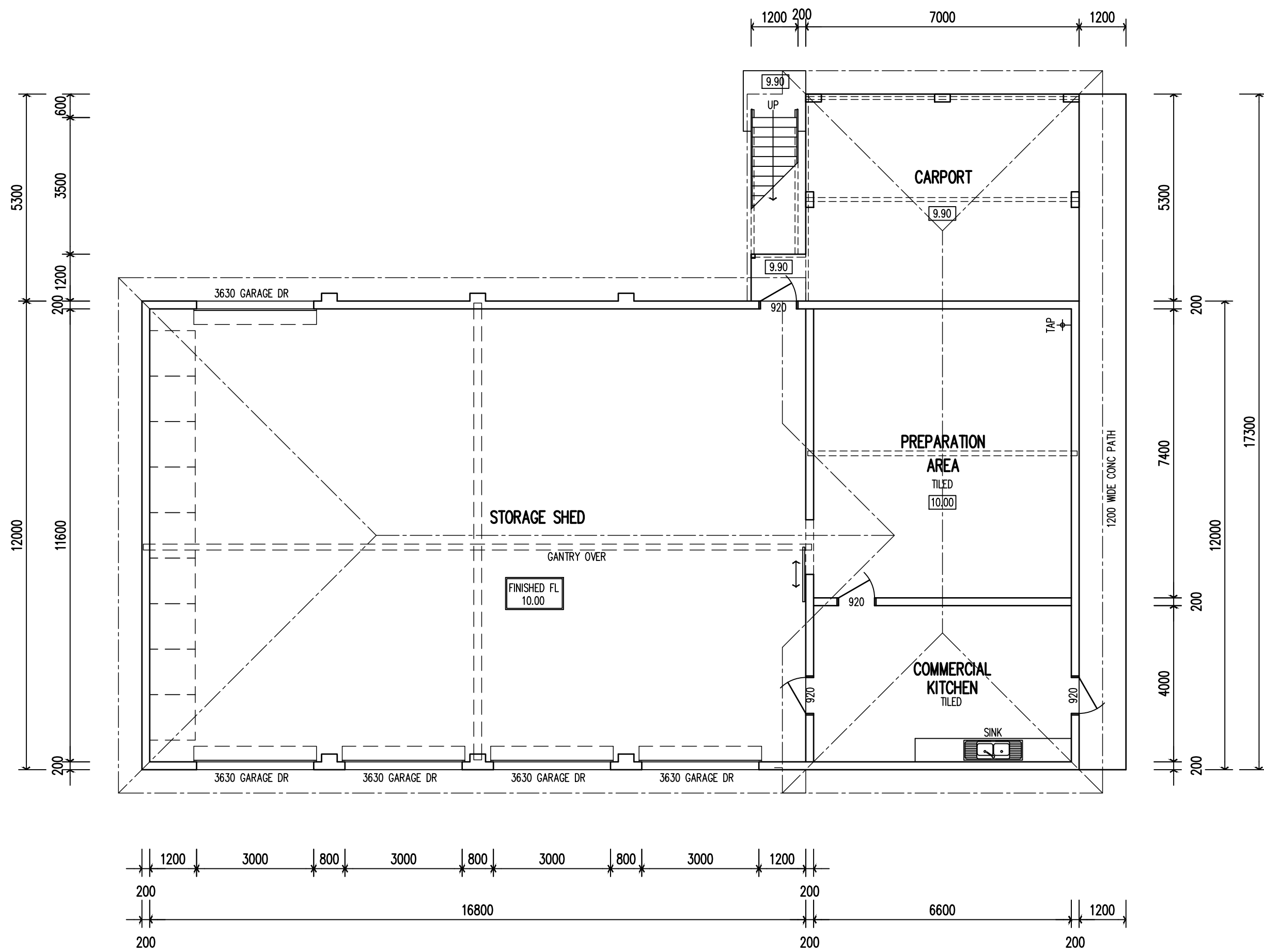
LEGEND

- Burdekin Shire Local Government Area
- Burdekin Shire Locality Boundaries
- North Coast Railway
- Tramway
- Easements
- Roundabouts
- Property Parcels
- Overlay Map 07a - Flood River Hazard and QRA (Visible to 1:10,000)
 - River Flood Hazard - Burdekin River
 - Low Hazard
 - Medium Hazard
 - High Hazard
 - Extreme Hazard
 - Giru Flood Hazard - Haughton River
 - River Flood Hazard - Burdekin River Study Extents
 - River Flood Hazard - Dalbeg, Millaroo and Clare Study Extents
 - Giru Flood Hazard - Haughton River Study Extents
 - QRA Level 1 Floodplain Assessment Area
- Road Parcels
- Water Parcels



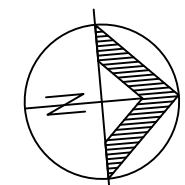
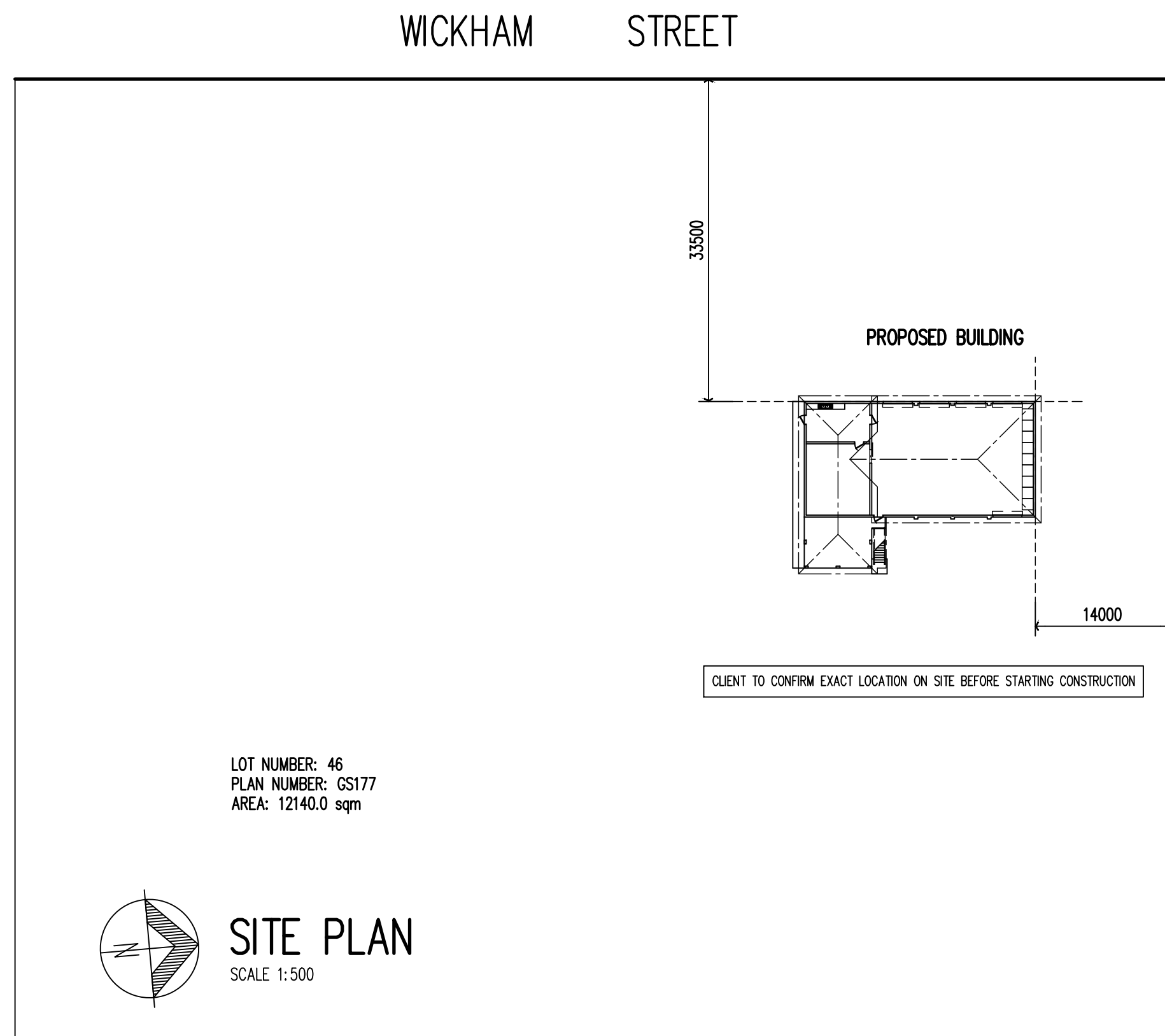
APPENDIX 3

PLANS OF DEVELOPMENT



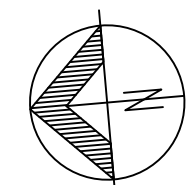
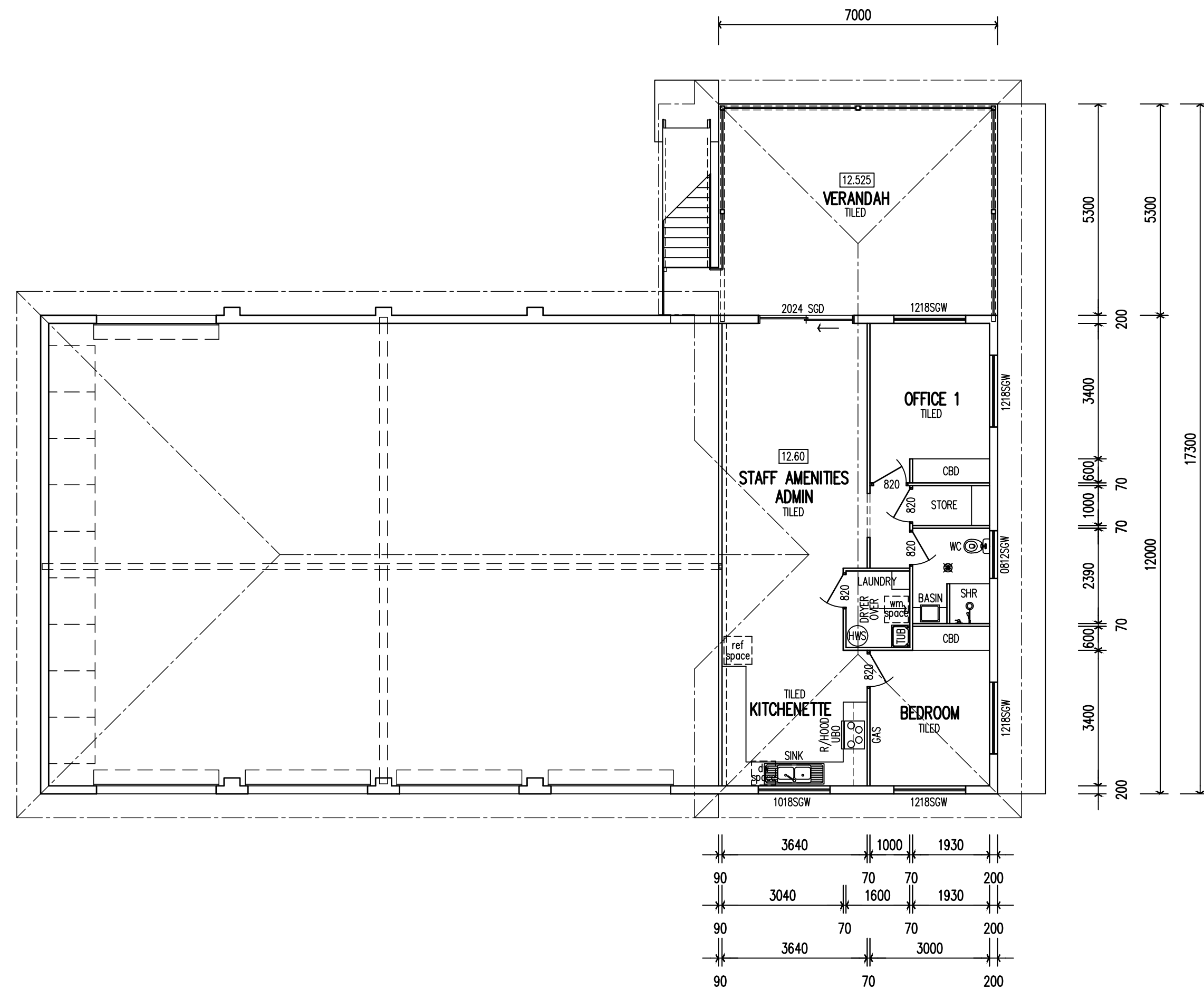
PROPOSED GROUND FLOOR PLAN

SCALE 1:100



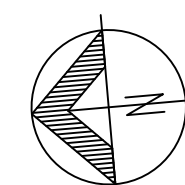
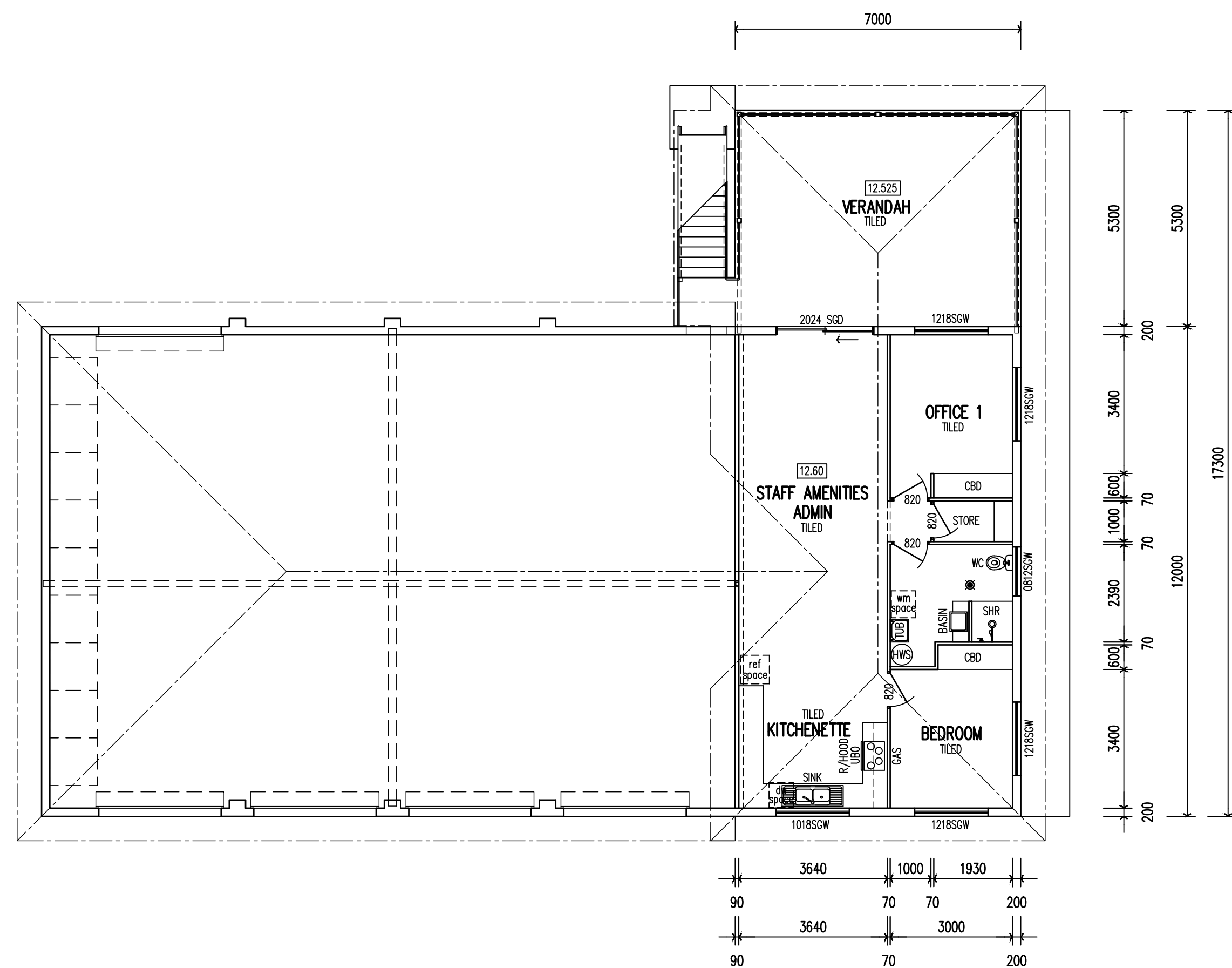
SITE PLAN

SCALE 1:500



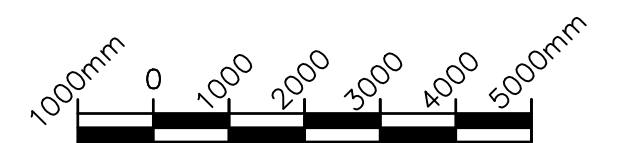
OPTION 1 PROPOSED FIRST FLOOR PLAN

SCALE 1:100



OPTION 2 PROPOSED FIRST FLOOR PLAN

SCALE 1:100



ISSUE	DESCRIPTION	DATE	AUTH
P3	PRELIMINARY	14.11.2023	AJF
P2	PRELIMINARY	07.06.2023	AJF
P1	PRELIMINARY	31.05.2023	AJF

NOTE:
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2. VERIFY ALL ON SITE DIMENSIONS BEFORE COMMENCING ANY FABRICATION.
3. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
4. ALL WORK TO COMPLY WITH LOCAL AUTHORITY REQUIREMENTS, THE STANDARD BUILDING BY-LAWS, THE BUILDING CODE OF AUSTRALIA AND RELEVANT AUSTRALIAN STANDARDS.
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Tony Ferraris
CONSULTING
building design

building design
queensland inc
MEMBER

QBCC Lic No 75885
Building Design : Medium Rise
Ph 07 4783 5556
Mob 0417 634 891
E tony.ferraris@bigpond.com
44 Gibson St Ayr Qld 4807
ABN 91 059 514 708

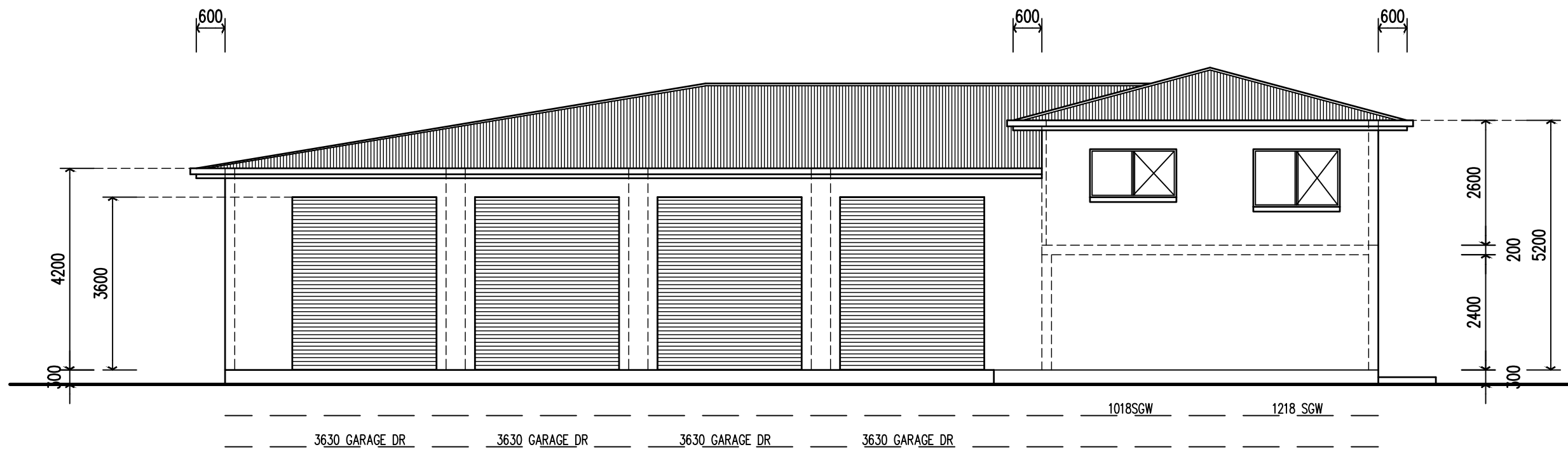
PROJECT:
**NEW SHED, WORK AREA
AND OFFICE**
AT:
**LOT 46 GS177
WICKHAM STREET AYR**

CLIENT:
A. LENNOX

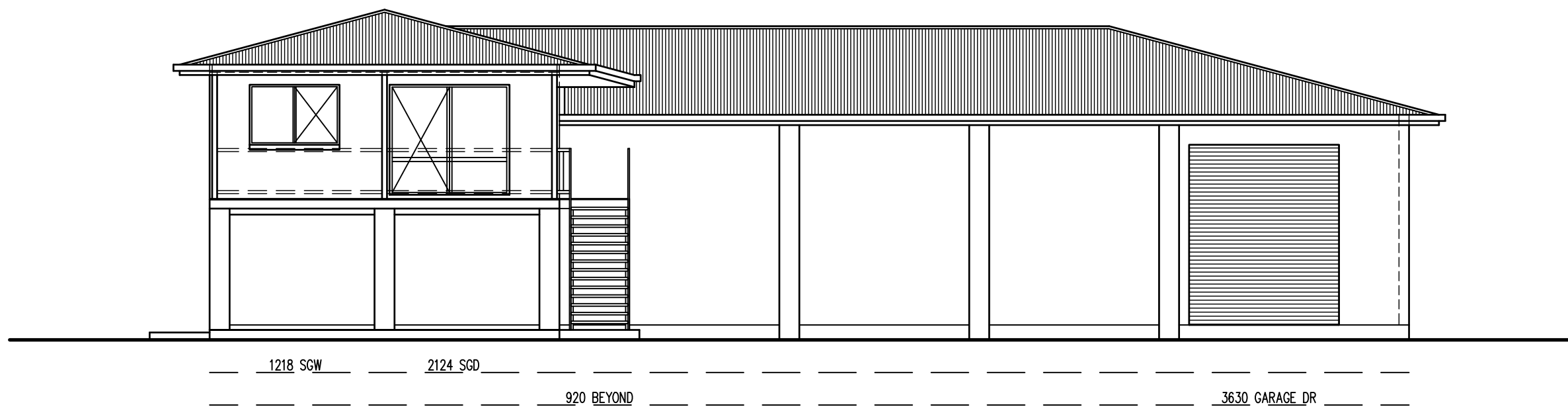
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DRAWN	AJF	
CHECKED	AJF	
DATE	31.05.2023	

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PRELIMINARY DRAWINGS

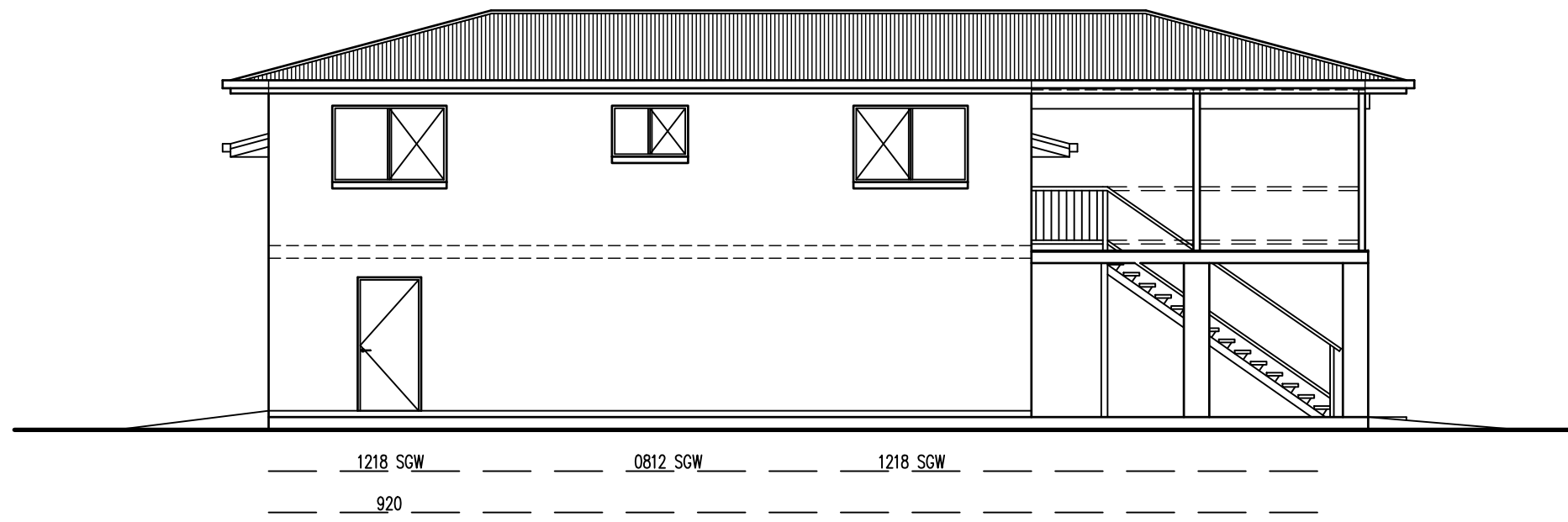
JOB No. TFB-23008 DWG No. A01 ISSUE No. P3



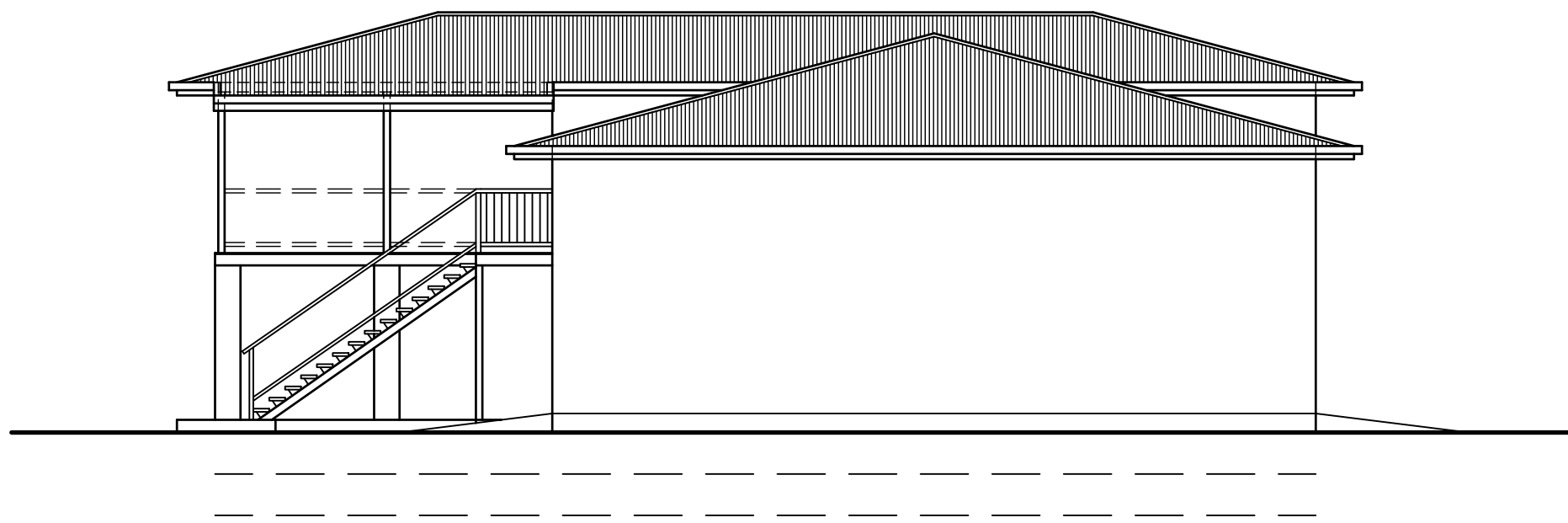
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SCALE 1:100



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

ISSUE	DESCRIPTION	DATE	AUTH
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building design

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queensland inc
MEMBER

QBCC Lic No 75885
Building Design : Medium Rise

Ph 07 4783 5556
Mob 0417 634 891
E tony.ferraris@bigpond.com

44 Gibson St Ayr Qld 4807
ABN 91 059 514 708

PROJECT:
NEW SHED, WORK AREA
AND OFFICE

AT:
LOT 46 GS177
WICKHAM STREET AYR

CLIENT:
A. LENNOX

DESIGN	AJF	APPROVED
DRAWN	AJF	
CHECKED	AJF	
DATE	31.05.2023	

DRAWING TITLE

PRELIMINARY DRAWINGS

JOB No.
TFBD-23008

DWG No.
A02

ISSUE No.
P3

Enquiries to: Planning Department
Your reference: 23.5122
Our reference: MCU23/0011

6 March 2024

Lennox Group Pty Ltd
C/- BNC Planning
PO Box 5493
Townsville QLD 4810
Via Email: enquire@bncplanning.com.au

Attention: Benjamin Collings, Director

Dear Ben,

Action Notice

Planning Act 2016

I refer to your application received on 21 February 2024 and advise that the application is not properly made pursuant to the *Planning Act 2016*.

Application Details	
Application No:	MCU24/0001
Proposal:	Material Change of Use – Low Impact Industry (Electrical Engineering Workshop and Food Processing Facility)
Street Address:	208-218 Wickham street, Ayr
Real Property Description:	Lot 46 on GS177
Planning Scheme:	Burdekin Shire Council Planning Scheme December 2022

Actions Required

The reason(s) why the application is not properly made, and the action(s) required to make the application properly made, are provided below:

1. The application states it is not for residential or accommodation type uses however the proposal plans depict a bedroom.
Please either address the application to include this residential use or amend the proposal plans accordingly.

Pursuant to the Development Assessment Rules, the applicant must take the actions identified above within 20 business days of this notice or otherwise, the application will be taken to have not been made.

If you have any further queries in relation to the above, please do not hesitate to contact the Planning Department on the above number.

Yours faithfully



Kellie Galletta
MANAGER – PLANNING & DEVELOPMENT

From: "Ben Collings - BNC Planning" <bnc@bncplanning.com.au>
Sent: Wed, 6 Mar 2024 19:22:08 +1000
To: "RES - Mailbox - Planning" <Planning@burdekin.qld.gov.au>
Subject: RE: MCU24/0001 - Action Notice - Low Impact Industry at 208-218 Wickham St, Ayr - Lennox Group Pty Ltd
Attachments: Plans (1).pdf

In response to the Action notice issued for the above Development Application, please find attached updated plans clarifying that the proposal does not involve any residential uses.

Kind regards,

Benjamin Collings
Director



Office 7 / Ground Floor / 41 Denham Street TOWNSVILLE CITY QLD 4810
PO BOX 5493 TOWNSVILLE QLD 4810 T. (07) 4724 1763 M. 0438 789 612 E. bnc@bncplanning.com.au

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From: RES - Mailbox - Planning <Planning@burdekin.qld.gov.au>
Sent: Wednesday, March 6, 2024 4:36 PM
To: BNC Planning Enquiries <enquire@bncplanning.com.au>
Cc: RES - Mailbox - Planning <Planning@burdekin.qld.gov.au>
Subject: MCU24/0001 - Action Notice - Low Impact Industry at 208-218 Wickham St, Ayr - Lennox Group Pty Ltd

Good Afternoon Ben,

Please find attached Councils Action Notice for MCU24/0001 – Material Change of Use - Low Impact Industry at 208-218 Wickham St, Ayr - Lennox Group Pty Ltd.

If you could please respond with the amended plans as discussed today, I can then issue the Confirmation Notice and potential RFI in this week.

Regards
Town Planning

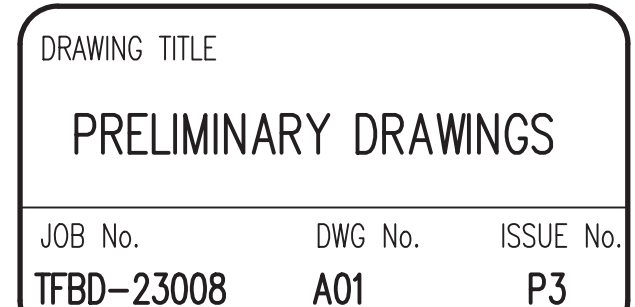
Burdekin Shire Council

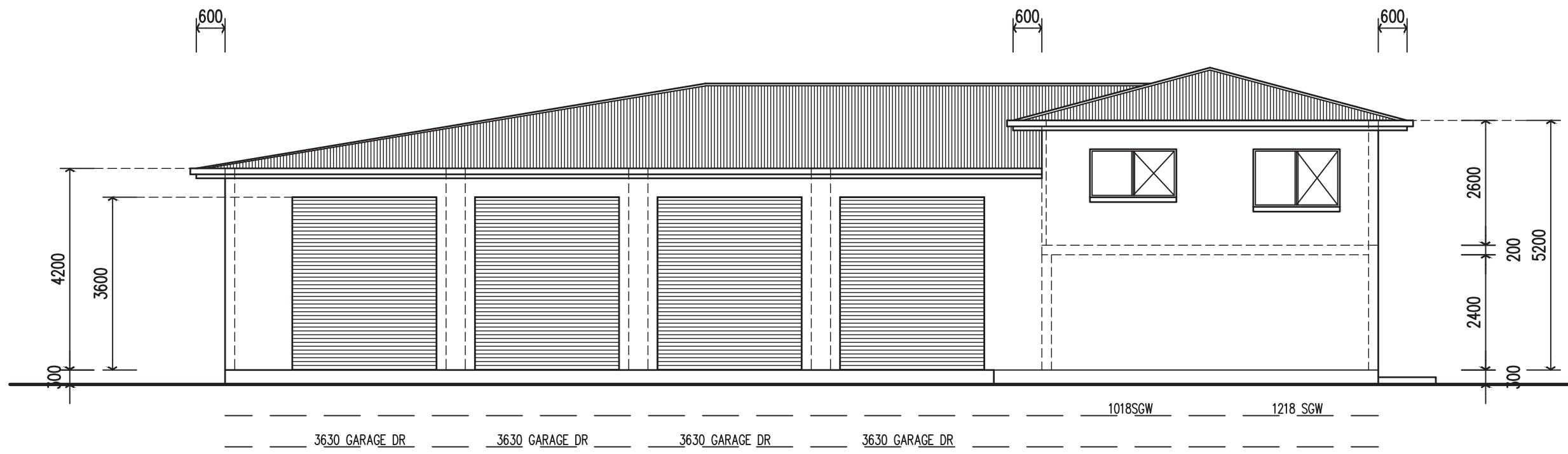
T (07) 4783 9800
145 Young St | PO Box 974 | Ayr Qld 4807
planning@burdekin.qld.gov.au | www.burdekin.qld.gov.au



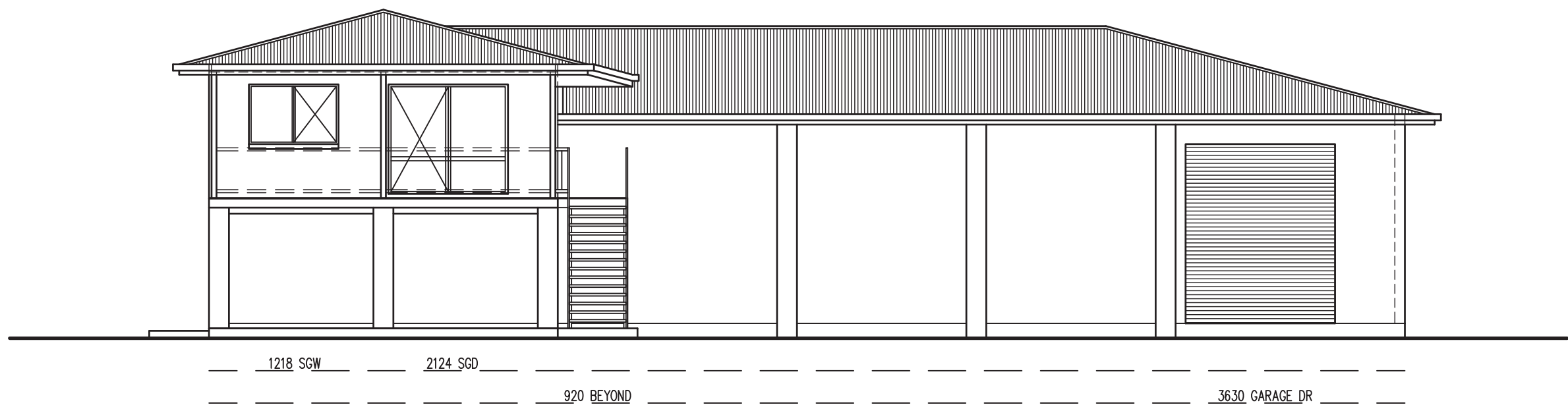
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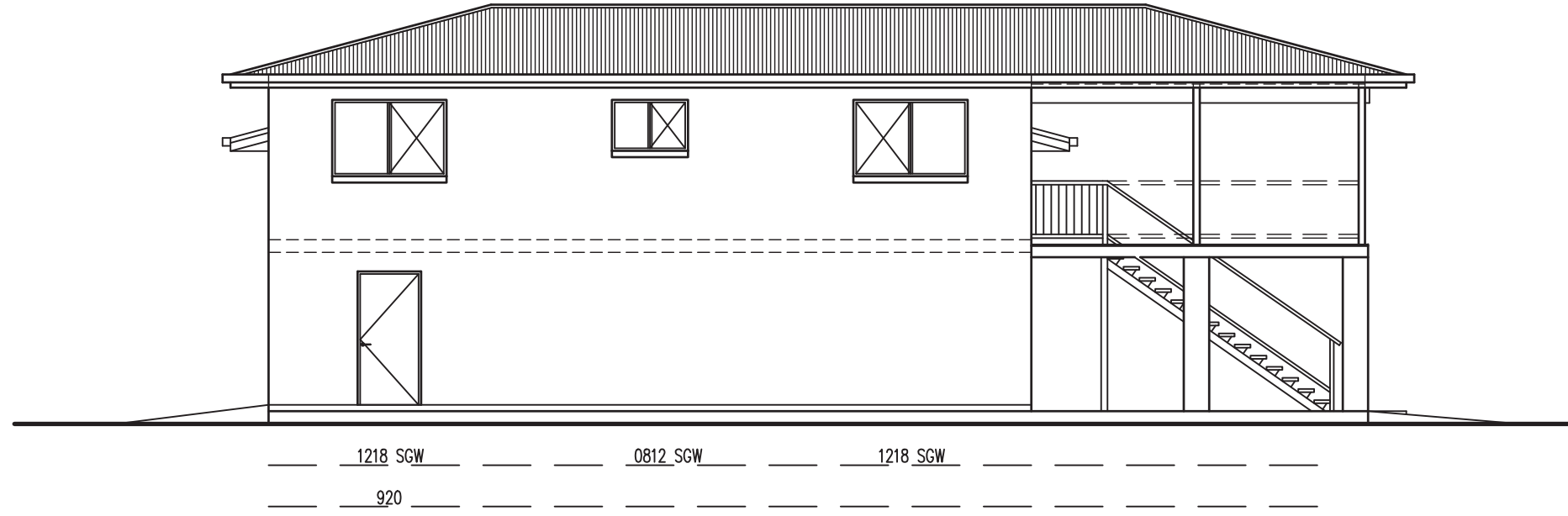




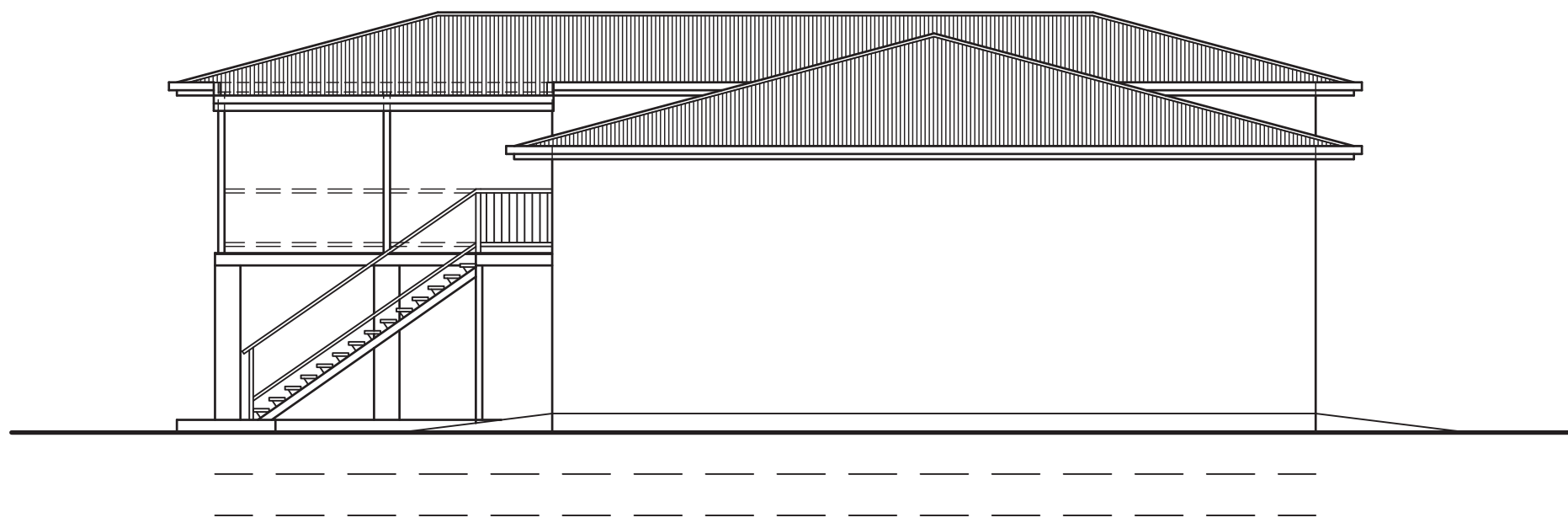
WEST ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

ISSUE	DESCRIPTION	DATE	AUTH
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CONSULTING

building design

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building design
queensland inc
MEMBER

QBCC Lic No 75885
Building Design : Medium Rise

Ph 07 4783 5556
Mob 0417 634 891
E tony.ferraris@bigpond.com

44 Gibson St Ayr Qld 4807
ABN 91 059 514 708

PROJECT:
NEW SHED, WORK AREA
AND OFFICE

AT:
LOT 46 GS177
WICKHAM STREET AYR

CLIENT:
A. LENNOX

DESIGN	AJF	APPROVED
DRAWN	AJF	
CHECKED	AJF	
DATE	31.05.2023	

DRAWING TITLE

PRELIMINARY DRAWINGS

JOB No.
TFBD-23008

DWG No.
A02

ISSUE No.
P3

Confirmation Notice

Planning Act 2016

Address all communications to
The Chief Executive Officer

PO Box 974, Ayr Qld 4807
T (07) 4783 9800 | F (07) 4783 9999
planning@burdekin.qld.gov.au
www.burdekin.qld.gov.au

Enquiries to: Planning Department
Our Reference: MCU24/0001
Your Reference: DA060-23

7 March 2024

Lennox Group Pty Ltd
C/- BNC Planning
PO Box 5493
Townsville QLD 4810
Via Email: enquire@bncplanning.com.au

Attention: Benjamin Collings, Director

Dear Ben,

Council acknowledges receipt of your application, which has been determined as properly made on 7 March 2024.

This Confirmation Notice has been prepared in accordance with the Development Assessment Rules and contains information relevant to the processing and assessment of the application. The following details are confirmed:

Application Details

Application No:	MCU24/0001
Proposal:	Material Change of Use – Low Impact Industry (Electrical Engineering Workshop and Food Processing Facility) plus Caretakers Accommodation
Street Address:	208-218 Wickham Street, Ayr
Real Property Description:	Lot 46 on GS177
Planning Scheme:	Burdekin Shire Planning Scheme December 2022

Type of Development

The application seeks development approval for: Material Change of Use – Low Impact Industry (Electrical Engineering Workshop and Food Processing Facility).

Superseded Planning Scheme

Is the application for development under the Superseded Planning Scheme? No

Code Assessment

Will Code Assessment be required? No

Impact Assessment

Will Impact Assessment be required? Yes

Referral Agencies

Not Applicable

Public Notification Details

Is Public Notification Required?

Yes

Refer to the enclosed Explanatory Note for Public Notification Procedures. Please ensure all public notices published in the newspaper, placed on the land, and given to adjoining land owners clearly state:

- (a) written submissions may be made electronically; and
- (b) electronic submissions are to be sent to planning@burdekin.qld.gov.au and
- (c) all submissions, including individual submitter's particulars, will be published on Council's website and therefore will be accessible to internet search engines.

Information Request

Has the applicant advised on the approved form that the applicant does not agree to accept an Information Request? No

Note: Regardless of this advice, any referral agency for the application may make an Information Request.

Should the assessment manager not make an Information Request within the timeframes specified in the Development Assessment Rules, the applicant can proceed to the next part of the development assessment process.

Other Details

You can follow the progress of this application online at:

<https://www.burdekin.qld.gov.au/current-development-applications>

Should you have any further queries in relation to the above, please do not hesitate to contact Council's Town Planning Section.

Yours faithfully



Kellie Galletta

MANAGER – PLANNING & DEVELOPMENT

Introduction

The purpose of this Explanatory Note is to provide guidance to applicants on the public notification requirements under Section 53 of the *Planning Act 2016* (the Act) and under the Development Assessment Rules (the Rules). The Act and the Rules, set out the requirements for the giving of public notice. These guidelines quote much of the material contained within the Act and the Rules.

If there is doubt about a particular public notification aspect, the applicant should refer to the Act and the Rules or have the public notice procedures undertaken by a consultant who is familiar with the public notice requirements.

Whilst every care has been taken in preparation of this explanatory note, ultimately it is the applicant's responsibility to ensure that the procedures are correctly followed. Council will not accept any responsibility for incorrect giving of public notice.

Overview of Public Notification Procedures (Public Notice)

There are three distinct tasks to be undertaken when carrying out public notice:

1. Publishing a notice in a local newspaper.
2. Placing a notice or notices on the premises.
3. Giving notice to adjoining owners.

After the notification period has ended, the applicant must give the assessment manager notice of compliance with the public notice requirements.

One key aspect to note is that an application **automatically lapses** if public notification does not start within 20 business days of the completion of the relevant preceding part. Furthermore, the application also **automatically lapses** if applicant does not give the assessment manager the notice of compliance with the public notice requirements within 10 business days from the day after the last day on which a submission may be made.

When Notification Part Starts

Part 4 of the Rules states when the public notification part starts. The following is an extract from Part 4.

16. When this part starts

16.1. If there are no referral agencies for the application and part 3 does not apply because:

- (a) the applicant has advised that it does not wish to receive an information request and it is not an application mentioned in section 11.3; or
- (b) the assessment manager states in the confirmation notice that it does not intend to make an information request; public notification must start within 20 days of the day after the confirmation notice is given to the applicant.

16.2. If—

- (a) the applicant has advised that it does not wish to receive an information request; and
- (b) it is not an application mentioned in section 11.3; and
- (c) there are referral agencies; public notification must start within 20 days after the day the last referral assessment period for any referral agency has started.

16.3. If sections 16.1 and 16.2 do not apply, public notification must start within 20 days of the day after part 3 has ended.

16.4. For a changed application, where public notification is required to be undertaken again from its beginning, public notification must commence within 20 days—

- (a) if both part 2 and part 4 are relevant to the application as a result of the changed application, the day after part 3 has ended;
- (b) otherwise, the day after the day notice is given under section 26.2(a) or 26.2(c).

What is Public Notice

The following is extracted from Part 4 of the Rules.

17. Public notice requirements

17.1. The applicant, or the assessment manager acting under section 53(10) of the Act, must give public notice by—

- (a) publishing a notice at least once in a newspaper circulating generally in the locality of the premises the subject of the application; and
- (b) placing notice on the premises the subject of the application that must remain on the premises for the period of time up to and including the stated day; and
- (c) giving notice to the adjoining owners of all lots adjoining the premises the subject of the application.

17.2. The applicant must give notice to the assessment manager of the intended start date of public notification.

17.3. Schedule 3 prescribes the way in which public notice must be given.

17.4. All public notice requirements under section 17.1 and 17.2 must be undertaken within the period prescribed under section 16.

18. Notice of compliance

18.1. If the applicant gives public notice, it must, within 10 days from the day after the last day on which a submission may be made, or a further period agreed between the applicant and the assessment manager, give the assessment manager notice of compliance with the public notice requirements.

Public Notification Period

Section 53 of the Act states the required public notification period. The following is an extract from Section 53.

53(4) The notice must state that—

- (a) a person may make a submission about the application to the assessment manager; and
- (b) any submission must be made by a stated day that is at least—
 - (i) for an application that includes a variation request—30 business days after the notice is given; or
 - (ii) for an application of a type prescribed by regulation—the period, of more than 15 business days after the notice is given, prescribed for the application; or
 - (iii) for any other application—15 business days after the notice is given.

53(5) However, if the development assessment rules require the notice to be given in more than 1 way, the period mentioned in subsection (4)(b) starts on the day after the day when the last notice is given.

Please ensure that all public notices that are published in the newspaper, placed on the land, and given to adjoining land owners clearly state that:

- (a) written submissions may be made electronically; and
- (b) electronic submissions are to be sent to planning@burdekin.qld.gov.au
- (c) all submissions, including individual submitter's particulars, will be published on Council's website and therefore will be accessible to internet search engines.

Address all communications to
The Chief Executive Officer

PO Box 974, Ayr Qld 4807
T (07) 4783 9800 | F (07) 4783 9999
planning@burdekin.qld.gov.au

Enquiries to: Planning Department
Your reference: DA060-23
Our reference: MCU24/0001

21 March 2024

Lennox Group Pty Ltd
C/- BNC Planning
PO Box 5493
Townsville Qld 4810
Email: enquire@bncplanning.com.au

Attention: Ben Collings, Director

Dear Ben,

Information Request
Planning Act 2016

I refer to your application and advise that Council requires further information to satisfactorily assess the proposal.

Application Details

Application No:	MCU24/0001
Proposal:	Material Change of Use – Low Impact Industry (Electrical Engineering Workshop and Food Processing Facility)
Street Address:	208-218 Wickham Street, Ayr
Real Property Description:	Lot 46 on GS177
Planning Scheme:	<i>Burdekin Shire Council Planning Scheme December 2022</i>

INFORMATION REQUIRED

1. Operational Details

Please provide details on the operations proposed to be undertaken on site that allows Council to appropriately understand and assess the type of services and scale of activity proposed. Additional details to be provided include (but are not limited to):

- Details and scale of the of activities and/or service proposed to be undertaken on site including days and times.
- The type of food product being produced on site.
- Number and frequency of staff and any other persons etc proposed to be engaged to undertake or provide services, which will be on site at any one time.
- Details of anticipated deliveries to site and any other anticipated service vehicles (number, frequency, purpose, set down areas), expected on site at any other time.

2. Full Planning Report

Please provide amended and/or additional reporting and proposal plans that address all relevant requirements of the *2022 Burdekin Shire Council Planning Scheme* including assessment against the requirements of the Development Works Code, Flood Hazard Overlay Code and the Bushfire Hazard Overlay Code.

3. Access, Traffic, Flooding

Please provide the following further details to allow Council to appropriately assess the proposal in terms of access, traffic and flooding matters.

- 3.1 Access and Traffic – to be provided by a suitably qualified traffic engineer.
 - a. Provide location and details of property access off Wickham Street.
- 3.2 Manoeuvrability and Surface Treatment
 - a. A revised plan showing all turning movements for a delivery vehicle, demonstrating that all access and egress from the site is in a forward direction.
 - b. Details of all property access/crossovers including a cross section 1:50 scale of all driveways, existing and design levels, and proposed widths for the crossovers.
 - c. Details on treatment for all car parking and manoeuvring surface areas.
- 3.3 Flooding
 - a. Provide a Flood Impact Assessment by a suitable qualified Civil Engineer. Assessment to include but not limited to:
 - i. Hydrological and hydraulic calculations for all stormwater flows exiting the development site.
 - ii. Comparison of pre and post development stormwater flows exiting the development site.
 - iii. Effects of any increased flows on Council's existing stormwater infrastructure.

4. Water Supply

Please provide further details on potable water supplied to site.

End of Information Request

Under the provisions of the *Development Assessment Rules 2017*, you have three options available in response to this Information Request. You may give the assessment manager (in this instance Council):

- (a) all of the information requested; **or**
- (b) part of the information requested; **or**
- (c) a notice that none of the information will be provided.

For any response given in accordance with items (b) and (c) above, you may also advise Council that it must proceed with its assessment of the development application.

Please be aware that under the *Development Assessment Rules 2017*, the applicant is to respond to any Information Request within **3 months** of the request.

If you do not respond to the Information Request within this time period, or, within a further period agreed between the applicant and Council, it will be taken that you have decided not to provide a response.

In the event of no response being received, Council will continue with the assessment of the application without the information requested.

Council prefers that all of the information requested be submitted as one package.

If any additional matters arise as a result of the information submitted, or, as a result of public notification (where applicable), you will be advised accordingly.

Should you have any further queries in relation to the above, please do not hesitate to contact Council.

Yours faithfully



Kellie Galletta
Manager Planning and Development