

Decision Notice

Planning Act 2016

29th April, 2022

Attention: Patrick Shannon
PK Shannon Properties Pty Ltd
PO Box 229
AYR. Q4807
Email: pat@firstinphysio.com.au

Dear Patrick,

I refer to your application and advise that Development Application **MCU22/0005** was assessed and approved in full subject to conditions. The decision was made by the Assessment Manager on the date below.

Details of decision are as follows:

Application Details

Application Number:	MCU22/0005
Street Address:	40 Queen Street, Ayr
Real Property Description:	Lot 1 on RP702339
Planning Scheme	Burdekin Shire Planning Scheme 2011

Decision Details

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for Material Change of Use – Staged Commercial Premise (Stage 1 Physio treatment rooms, Stage 2 New Rehab gym, exercise classroom, driveway and carparks)
Date of Decision:	26 th April, 2022

Currency Period of Approval

The currency period for this development approval is 6 years starting the day that this development approval takes effect. (Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*.)

Please note that in terms of the Planning Act, the currency period can only be extended if the request is received before the approval lapses. (see Section 85 “Lapsing of approval at end of currency period”)

Infrastructure

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “**necessary infrastructure condition**” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

Assessment Manager Conditions

See Attachment 1

Referral Agencies

Not Applicable

Approved Plans

The following plans are Approved plans for the development:

Drawing Title	Drawing/Revision	Date
Existing Site & Floor Plan	TFBD-21040 A01 Rev B	17.09.2021
Proposed Site & Floor Plan Driveways, Crossovers & Site Parking	TFBD-21040 A02 Rev B	17.09.2021
Stormwater, Driveway & Finished Levels Plan; External Slabs Set Out & Details	TFBD-21040 A03 Rev B	17.09.2021
Accessible WC Plan & Wall Elevations At 1:20 Scale; Crossover Section	TFBD-21040 A04 Rev B	17.09.2021

Referenced Documents

Not Applicable

Advisory Notes

See Attachment 1

Property Notes

Not Applicable

Variation Approval

Not Applicable

Further Development Permits Required

Development Permit for Building Work

Submissions

Not Applicable

Rights of Appeal

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

**Assessment Manager
Signature:**



Date: 29th April, 2022.

Enc: Appeal Rights

Attachment 1 – Conditions of approval

Attachment 2 - Approved Proposal Plan

Appeal Rights

Planning Act 2016 & The Planning Regulation 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and

- (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

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

232 Rules of the P&E Court

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

Statement of Reasons

Planning Act 2016 & The Planning Regulation 2017

This notice is prepared in accordance with s63(5) and s83(7) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a development application. The purpose of the notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

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

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

Assessment Benchmarks

The following assessment benchmarks applied to the proposed development:

- Retail and Commercial zone code

REASONS FOR THE DECISION

Following an assessment of the development application against the assessment benchmark listed above, it was determined the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity.

Attachment 1 – Assessment Manager Conditions of Approval

Condition	Reason	Timing
1. General and Administration		At all times.
1.1 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the applications supporting material, except where modified by the conditions of this Development Permit and any approval issued there under.		
1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.		
1.3 The proposed development must comply with all Planning Scheme requirements as applying at the date of this approval, except as otherwise specified by any condition.		
2. Approved Plans	The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and life of the development.
2.1 The proposed development must be completed and maintained generally in accordance with the drawing/ documents identified in the Table below, except as otherwise specified by any condition of this approval.		
2.2 One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.		
2.3 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.		
2.4 The proposed development must comply with all scheme requirements as applying at the date of this approval, except as otherwise specified by any condition of this approval.		
2.5 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.		

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Condition	Reason	Timing
Approved Plans		
Drawing Title	Drawing/Revision	Date
Existing Site & Floor Plan	TFBD-21040 A01 Rev B	17.09.2021
Proposed Site & Floor Plan Driveways, Crossovers & Site Parking	TFBD-21040 A02 Rev B	17.09.2021
Stormwater, Driveway & Finished Levels Plan; External Slabs Set Out & Details	TFBD-21040 A03 Rev B	17.09.2021
Accessible WC Plan & Wall Elevations At 1:20 Scale; Crossover Section	TFBD-21040 A04 Rev B	17.09.2021
3. Outstanding charges All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use		
4. Compliance with Conditions The proposed development must comply with all conditions of this development permit prior to the commencement of the use.	The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and life of the development.
5. Limitation of Approval This approval is limited to Commercial Premises – Medical Centre uses as defined by Schedule 1, Division 2 – Defined Uses and Use Classes of <i>Burdekin Shire IPA Planning Scheme</i> .	The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and life of the development.
6. Notice of Intention to Commence the Use Prior to the commencement of the use on the land the subject of the application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.		Prior to the commencement of the use.
7. Hours of Operation 7.1 Unless otherwise agreed in writing by council, the activities associated with the use must only be conducted at the following times:	To ensure the development does not have a detrimental impact on the amenity of the surrounding land in	At all times following the

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Condition	Reason	Timing
<p>Hours of operation are:</p> <p>Clinic:</p> <ul style="list-style-type: none"> ▪ 7am – 7pm, Weekdays. ▪ 8am to 1pm Saturdays. <p>Exercise/ gym:</p> <ul style="list-style-type: none"> ▪ 5am - 7am and 5pm - 7pm, Weekdays. ▪ 8am to 12pm Saturdays. <p>7.2 The use must not operate on a Sunday or a Public Holiday unless otherwise approved in writing by Council.</p>	<p>accordance with relevant code/s and policy direction.</p>	<p>commencement of the use.</p>
<p>8. Noise Level Restriction</p> <p>8.1 Noise including music or background noise is not to exceed 3 Db above background level, at any time during operation, between the hours of 10pm to 7am.</p> <p>8.2 Noise including music or background noise is not to exceed 5 Db above background level, at any time during operation, between the hours of 7am to 10pm.</p> <p>8.3 All exercise/ gym activities are to be held inside the nominated buildings.</p> <p>8.4 No outdoor exercise activity is to be undertaken.</p> <p>8.5 Should noise level exceed 5 Db, the operations will be required to cease immediately until it can be demonstrated that noise levels can be kept under 5 Db, in accordance with council's requirements and the relevant standards, to the satisfaction of the Chief Executive Officer.</p>	<p>To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.</p>	<p>At all times during operation, for the life of the development.</p>
<p>9. Build over sewer</p> <p>9.1 All structures are to be built in accordance with Council's "Erection of Structures Over or Adjacent to Sewers or Water Mains Policy".</p> <p>9.2 Sewer manhole must be raised or otherwise constructed to avoid infiltration by stormwater.</p> <p>9.3 Inspection openings on sewer connection points must be raised to surface and trafficable.</p>	<p>To ensure development is appropriately constructed in accordance with relevant code/s and policy direction.</p>	<p>Technical details are to be submitted to council as part of an application for Operational Work.</p>

Attachment 1 – Assessment Manager Conditions of Approval

Condition	Reason	Timing
10. Stormwater Drainage 10.1 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads. 10.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system. 10.3 Stormwater drainage must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer.	To convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction,	Technical details must be submitted to council as part of an application for Operational Work and to be maintained for the life of the development.
11. Landscaping A landscape design plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a landscape architect or other suitably qualified and experienced person detailing the following: <u>Onsite:</u> a) A minimum 3.0m wide landscaping strip is to be provided along the entire Queen Street frontage of the site, excepting existing pedestrian access. b) Identification of existing trees to be retained on the site. c) all proposed trees, shrubs and ground covers. d) The location of all areas, to be covered by turf or other surface material including paving and surface treatment details. <u>Other</u> e) Landscaping and irrigation must be constructed in accordance with the approved landscaping plan(s) and constructed to the relevant standards in accordance with council's specification.	To enhance the appearance of the development in accordance with Council's relevant code/s and policy direction.	Technical details must be submitted to council as part of an application for Operational Work. The landscaping must be provided in accordance with any approval issued and be maintained for the life of the development.

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Condition	Reason	Timing
f) Appropriate signage is to be erected to direct visiting vehicles to visitor car parking spaces within the development site.		
12. Street Enhancements <u>Pedestrian Pathway</u> a) The applicant must, at no cost to Council, design and construct a new minimum 1.8m wide footpath that provides a connection to the existing footpath, located within the road reserve along the Soper Street frontage for the entire length of the development site, in accordance with Council's requirements and the relevant standards. b) The pedestrian pathway design and location must be detailed as part the required Operational Works application. c) Construct and maintain the footpath at no cost to Council until the asset is accepted 'off maintenance' in accordance with Council's requirements and to the satisfaction of the Chief Executive Officer. <u>On Street Carparks</u> d) The applicant, at no cost to Council, design and construct a minimum of two (2) parallel car parking spaces adjacent to the Soper Street frontage of the development, in accordance with Council's requirements and the relevant standards. e) The design and location of the on street carparking spaces must be detailed as part the required Operational Works application. f) Construct and maintain the on street car parking spaces at no cost to Council, until the asset is accepted 'off maintenance' in accordance with Council's requirements and to the satisfaction of the Chief Executive Officer.	To achieve the desired streetscape character of the location in accordance with the relevant code/s and policy direction.	Technical details are to be submitted to council as part of an application for Operational Work.

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Condition	Reason	Timing
13. Roadworks and Traffic 13.1 All new crossovers on both Queen and Soper Streets, must be constructed to maintain a maximum 2.5% crossfall for the width of the existing concrete footpath. 13.2 The construction of any additional crossovers to give access to the land is to be the owner's responsibility and is to be constructed to the satisfaction of the Chief Executive Officer and Council's standards. 13.3 Vehicles must not exit the site nor cross the property boundary in reverse direction. 13.4 Accesses to the premises, car parking and manoeuvring areas must be constructed in an all-weather, suitably sealed, low glare paving (bitumen, asphalt, concrete) to the satisfaction of the Chief Executive Officer. 13.5 Any redundant crossover in the kerb and channel must be removed and replaced with new kerb and channel. 13.6 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards. 13.7 Line-marking and any signage associated with on-street parking bays on Queen and/ or Soper Street frontages of the site must be modified and re-instated as a result of the proposed crossover and driveway. 13.8 Roadworks Approval The developer is responsible for obtaining a Roadworks permit for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works.	To provide development with access in accordance with council standards.	Technical details are to be submitted to council as part of an application for Operational Work.

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Condition	Reason	Timing
<p>13.9 The application must indicate the following:</p> <ul style="list-style-type: none"> a) Completed Roadworks permit application form. b) Prescribed fee. c) Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 - Works on Roads. d) If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. <p>This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to council for a letter of 'no objection' prior to applying to the Queensland Police Service for the permit.</p> <p>The Traffic Management Plan will need to be included with the application to council.</p>		
<p>14. On Site Car Parking</p> <p>14.1 A minimum of four (4) car parking spaces (including a dedicated accessible space) must be provided on site and made available to serve the development.</p> <p>14.2 Dedicated accessible space to be relocated adjacent to the ramp.</p> <p>14.3 Parking space and layout must be designed in accordance with the provisions contained in the supporting material included in the plans submitted with the application.</p> <p>14.4 All on-site car parking facilities, associated ramps, driveways and manoeuvring areas must be designed and constructed in accordance with Council's requirements and the relevant Standards.</p> <p>14.5 All car parking facilities must be always maintained to a safe operating standard thereafter.</p>	<p>To ensure the development is appropriately serviced by car parking and access facilities in accordance with relevant code/s and policy direction.</p>	<p>Technical details are to be submitted to council as part of an application for Operational Work.</p> <p>At all times and maintained for the life of the development.</p>

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Condition	Reason	Timing
15. Building Materials The exterior surfaces of all buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level which does not cause excessive glare.	To ensure protection of matters of public safety and amenity in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
16. Property Numbering Legible property numbers must be erected at the premises and must be maintained. The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.	To allow the general public, service and emergency service providers to effectively identify the property.	Prior to the commencement of the use and maintained for the life of the development.
17. Relocation of Services or facilities Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to council.	To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.	Prior to the development achieving on maintenance or commencement of use.
18. Storage 18.1 Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. 18.2 Where storage of chemicals is required, a bunded area with a non-porous base is to be provided. 18.3 Any storage on site is required to be screened from view from all roads and adjacent properties.	To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.
19. Screen Fencing 19.1 A minimum 1.8m high acoustic fence is to be provided for the full length of the property boundaries adjoining residential uses, subject to the following:	To ensure the development does not have a detrimental effect on the amenity of the surrounding land and to address Crime Prevention through Environmental	Prior to the commencement of the use and maintained for

Attachment 1 – Assessment Manager Conditions of Approval

Condition	Reason	Timing
<p>Council will accept the existing iron fence located along the shared boundary with the adjoining <u>Queen Street neighbour</u>, provided it is:</p> <ul style="list-style-type: none"> - Acceptably treated with a low sheen/low paint product to the satisfaction of the Chief Executive Officer. <p><u>Soper Street</u></p> <p>19.2 Either</p> <ul style="list-style-type: none"> - a maximum 1.5m high timber paling (with max 10mm gap) or similar style fence is to be provided for the full length of the property boundary excepting pedestrian and vehicle access points. or - a minimum 1.0m wide landscaping strip planted with suitable vegetation with a mature growth height not more than 1.5m, is to be provided for the full length of the property boundary excepting pedestrian and vehicle access points. <p>19.2 The type and design of the fencing must be submitted and approved by the Chief Executive Officer as part of the Landscaping Plan.</p>	<p>Design principles in accordance with the relevant code/s and policy direction.</p>	<p>the life of the development.</p>
<p>20. Building Works</p> <p>A development permit for Building Works is to be obtained before any assessable building works are carried out on the land the subject of the approval.</p>		
<p>21. Screening of Plant and Utilities</p> <p>Unless otherwise agreed in writing by council, all plant and utilities must be screened or located so as not to be visible from the street.</p>	<p>To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.</p>	<p>Prior to the commencement of the use and maintained for the life of the development.</p>
<p>22. Soil Erosion Minimisation, Sediment Control</p> <p>Erosion and sediment control management including site specific stormwater treatment devices must be installed and maintained to the satisfaction of the Chief Executive Officer.</p>	<p>To ensure that receiving waters during construction of the development are managed from the effects of</p>	<p>At all times during the</p>

Attachment 1 – Assessment Manager Conditions of Approval

Condition	Reason	Timing
	increased sediment run-off in accordance with relevant code/s and policy direction.	construction phase.
23. Dust Management A dust management plan must be prepared and submitted to council for approval.	To mitigate potential adverse impacts of dust hazards.	Technical details are to be submitted to council as part of an application for Operational Work.
24. Refuse Facilities Refuse collection arrangements must be provided by the developer to the satisfaction of the Chief Executive Officer. In particular: <ul style="list-style-type: none"> a) The approved waste storage area is to be of sufficient size to house all garbage bins including recycling bins. b) Storage area is suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection, provided. c) All waste generated as a result of the construction of the development is to be effectively controlled and contained entirely within the boundaries of the site prior to disposal. d) All waste is to be disposed of in accordance with the Environmental Protection Regulation 2019 and council's waste management policy. 	To ensure the premises is appropriately serviced and to protect matters of public health and amenity in accordance with relevant code/s and policy direction.	Amended plans providing details for the refuse facilities are to be submitted to council as part of an application for Operational Work. Prior to commencement of the use and to be maintained for the life of the development.
25. Outdoor Lighting Any outdoor lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.	To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the Queensland Environmental Protection Act 1994 Section 440.	Prior to commencement of the use and to be maintained for the life of the development.

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Condition	Reason	Timing
26. Signage Any signage to be associated with the use must be designed to satisfaction of the Chief Executive officer. To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by council.	To maintain amenity for the adjoining properties.	Prior to the commencement of the use.

Advice	
1. Infrastructure Charges An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.	
2. General Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.	
3. Further Approvals Required a) Operational Work An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by council. Condition 9 – Build over sewer Condition 10 - Stormwater Drainage Condition 11 - Landscaping Condition 12 - Street Enhancements Condition 13 - Roadworks and Traffic Condition 14 – On Site Car Parking Condition 23 - Dust Management Condition 24 - Refuse Facilities All engineering, soil erosion and sediment control and landscaping designs and documentation associated with such an application must be prepared and, where necessary, certified by a suitably qualified/experience person.	

Attachment 1 – Assessment Manager Conditions of Approval

<p>b) Plumbing and Drainage Works.</p> <p>A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.</p> <p>c) Building Works</p> <p>A Development Permit for Building Works to carry out building works prior to works commencing on site.</p> <p>d) Road Works Permit</p> <p>A Roadworks permit for the construction of a driveway or access within the road reserve must be obtained.</p>	
<p>4. Further Inspections Required</p> <p>Compliance with Conditions</p> <p>The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval.</p> <p>Condition 15 - Building Materials</p> <p>Condition 16 - Property Numbering</p> <p>Condition 17 - Relocation of Services or facilities</p> <p>Condition 19 - Screen Fencing</p> <p>Condition 21 - Screening of Plant and Utilities</p> <p>Condition 22 - Soil Erosion Minimisation, Sediment Control</p>	
<p>5. Council Water Supply Connection</p> <p>The site is currently connected to Council's reticulated water supply.</p> <p>Should a larger connection or relocation of a water meter be required as result of the proposed development, a copy of this permit and the approved water reticulation design must be submitted to Council with the appropriate application form for connection to council's water supply.</p> <p>Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.</p>	
<p>6. Council Sewerage Connection</p> <p>The site is currently serviced by Council's reticulated sewerage infrastructure.</p> <p>Modifications proposed to the property's connection will be assessed as part of an application for Operational Work.</p> <p>A subsequent plumbing application will also be required to be submitted to council.</p>	

Attachment 1 – Assessment Manager Conditions of Approval

7. Storage of Materials and Machinery All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by council.	
8. Building Work Noise The hours of audible noise associated with construction and building work on site must be limited to between the hours of: <ul style="list-style-type: none"> 6.30 a.m. to 6.30 p.m. Monday to Saturday; with No work on Sundays or Public Holidays. 	To ensure compliance with the Environmental Protection Act 1994.
9. Dust Management Dust control measures should be implemented onsite during the construction phase to prevent an environmental nuisance from affecting the occupiers and users of nearby premises.	
10. Asbestos All asbestos removed from the site must be handled, transported and disposed of in accordance with the relevant legislation.	
11. Building Over/Adjacent to Services The developer is advised that should any proposed building structures be located over/adjacent to an existing service, an application to Council for consent under Section 191 of the Water Supply (Safety and Reliability) Act 2008 for building over or adjacent to services may be required.	
12. Clinical/Medical Waste Clinical and medical related waste is to be handled in accordance with the relevant Australian Standards.	
13. Waste Management All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on site and be available for viewing by an authorised officer.	
14. Plant and Utilities Noise All refrigeration equipment, pumps, compressors, air conditioning units and mechanical ventilation systems must be located, designed and installed to not exceed a maximum noise level of: <ul style="list-style-type: none"> 5dB(A) above background level between the times of 7am to 10pm; and 3 dB(A) above background level between the times of 10pm to 7am. 	To ensure the use does not have a detrimental effect on the amenity of nearby sensitive receptors in accordance with the Environmental Protection Act 1994.



DO NOT FABRICATE OR CONSTRUCT ANYTHING UNTIL ALL HEIGHTS,
DIMENSIONS & LEVELS HAVE BEEN CONFIRMED ON SITE

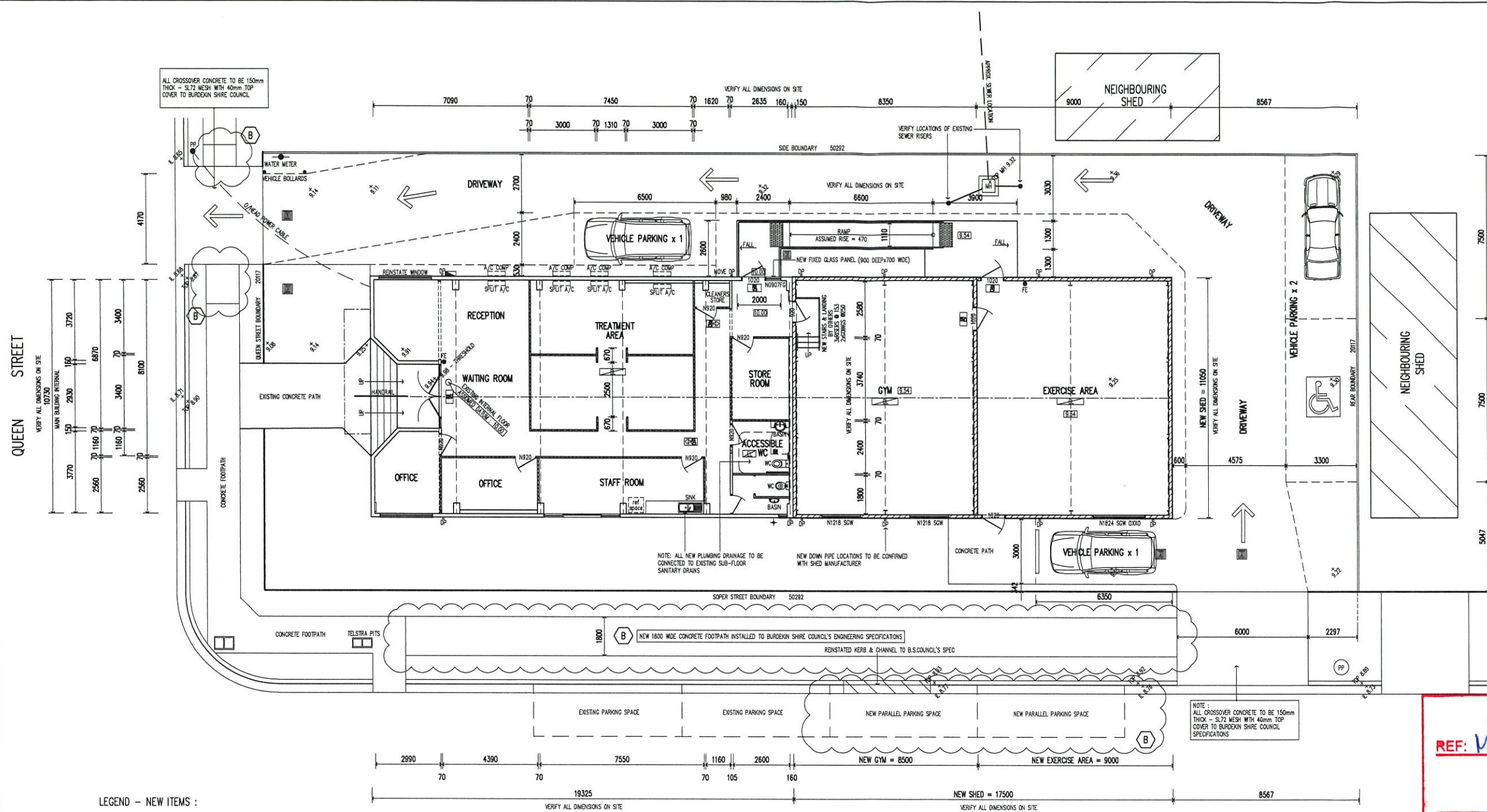
SCALE 1:100 @ A1 SIZE

*
CROWN 9.28

REF: MCH22/0005 DATE: 29.4.22



BSA Lic No 75885
Building Design : Medium Rise
Ph 07 4783 5556
Fax 07 4783 6063
Mob 0417 634 891
44 Gibson St Ayr Qld 4807
ABN 91 059 514 708



P4	PRELIMINARY - GENERAL CLIENT AMENDMENTS - TREATMENT ROOMS & HALLWAYS	14.01.2022	AJF
P3	PRELIMINARY - GENERAL CLIENT AMENDMENTS	29.11.2021	AJF
P2	PRELIMINARY - MOVE RAMP OUT FROM BUILDING	13.11.2021	AJF
P1 - REVIEW 04	PRELIMINARY - ADD RAMP	07.10.2021	-
P1	PRELIMINARY	28.09.2021	-
DATE	DESCRIPTION	DATE	AUTH

B	CONSTRUCTION - AMENDMENTS AS PER BSC MCI INFORMATION REQUEST	06.04.2022	AJF
A	CONSTRUCTION	24.02.2022	AJF
P4.2	PRELIMINARY - GENERAL CLIENT AMENDMENTS - TREATMENT ROOMS & HALLWAYS	11.02.2022	AJF
DATE	DESCRIPTION	DATE	AUTH

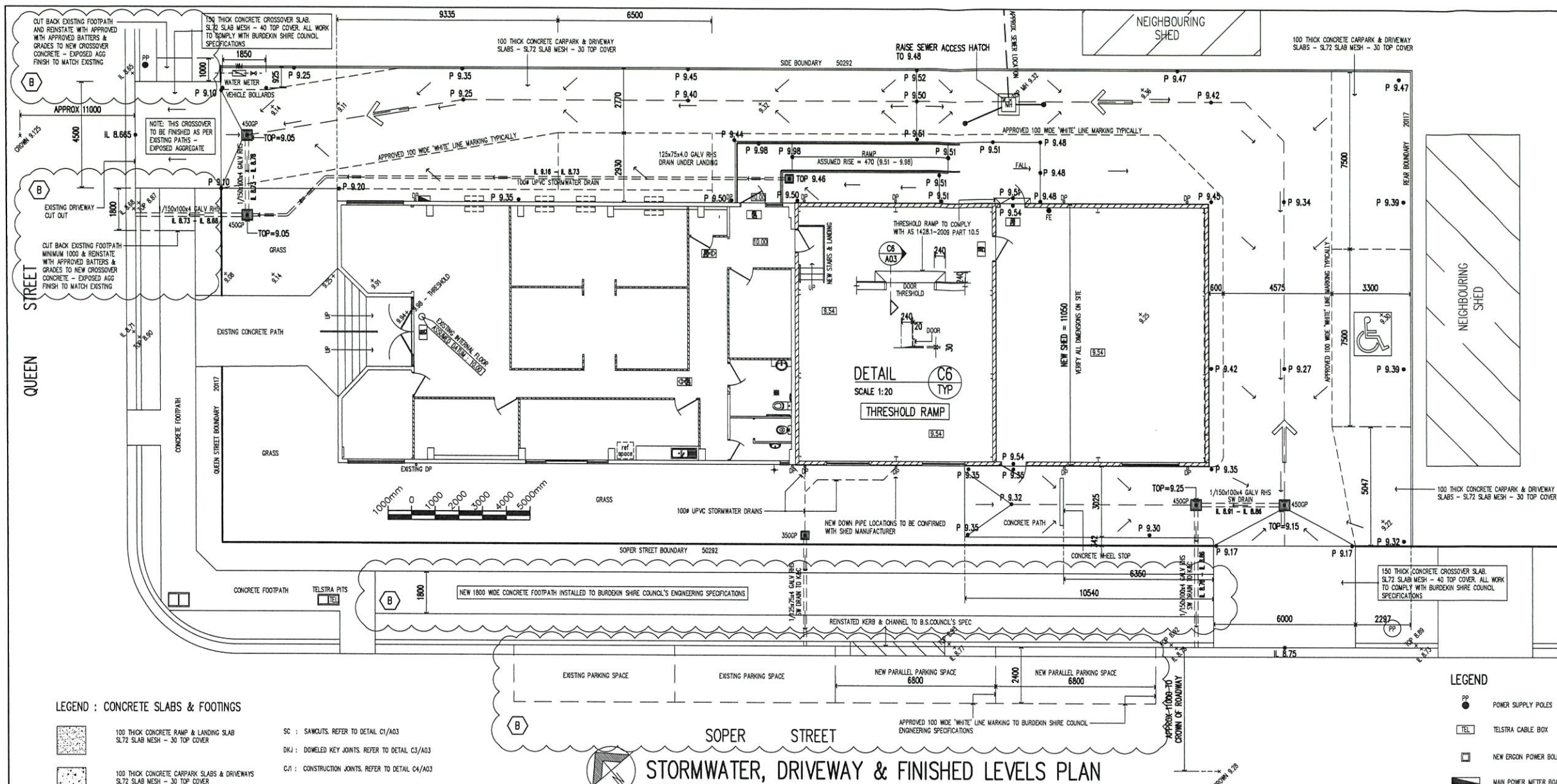
NOTE: 1. VERIFY ALL DIMENSIONS AND LEVELS BEFORE COMMENCING ANY WORK.
2. VERIFY ALL ON SITE DIMENSIONS BEFORE COMMENCING ANY FABRICATION.
3. FLOORED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
4. ALL WORK TO COMPLY WITH LOCAL AUTHORITY REQUIREMENTS, THE STANDARD BUILDING BY-LAWS, THE BUILDING CODE OF AUSTRALIA AND RELEVANT AUSTRALIAN STANDARDS.

DESIGN	AJF
DRAWN	AJF
CHECKED	-
APPROVED	-
DATE	17.09.2021

CLIENT: P.K. SHANNON PROPERTIES PTY LTD
PROJECT: EXTENSIONS & RENOVATIONS
AT: 40 QUEEN STREET AYR

DWG TITLE: PROPOSED SITE & FLOOR PLAN DRIVEWAYS, CROSSOVERS & SITE PARKING
JOB No: TFB0-21040
DWG No: A02
ISSUE: B

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ABN 91 059 514 708



LEGEND : CONCRETE SLABS & FOOTINGS

- 100 THICK CONCRETE RAMP & LANDING SLAB
SL72 SLAB MESH - 30 TOP COVER
- 100 THICK CONCRETE CARPARK SLABS & DRIVEWAYS
SL72 SLAB MESH - 30 TOP COVER
- 150 THICK CONCRETE CROSSOVER SLAB
SL72 SLAB MESH - 40 TOP COVER. ALL WORK TO COMPLY WITH BURDEKIN SHIRE COUNCIL SPECIFICATIONS

SC : SAWCUTS. REFER TO DETAIL C1/A03
DKJ : DOWELED KEY JOINTS. REFER TO DETAIL C3/A03
CJ1 : CONSTRUCTION JOINTS. REFER TO DETAIL C4/A03

STRUCTURAL NOTES

THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ATTACHED ENGINEERING & FOUNDATION NOTES

STORMWATER, DRIVEWAY & FINISHED LEVELS PLAN

SCALE 1:100 @ A1 SIZE

STRUCTURAL NOTES

THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ATTACHED ENGINEERING AND SITE FOUNDATION IMPROVEMENT NOTES

LEGEND

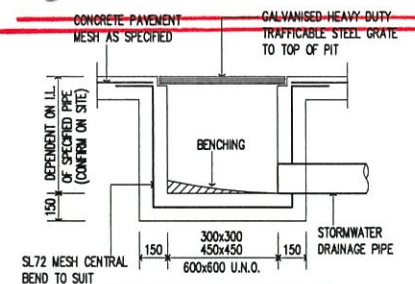
- PP POWER SUPPLY POLES
- TEL TELSTRA CABLE BOX
- NEW ERCON POWER BOLLARD
- MAIN POWER METER BOARD
VERIFY LOCATION ON-SITE
- WATER METER
VERIFY LOCATION ON-SITE
- EXTERNAL HOSE COCK
- DOWN PIPE - TO BE CONFIRMED BY SHED MANUF

SITE CLASSIFICATION :
ASSUMED SLIGHTLY REACTIVE "S"
TYPICAL SOIL DESCRIPTION :
SILTY SAND
CONCRETE STRENGTH GRADE :
N25

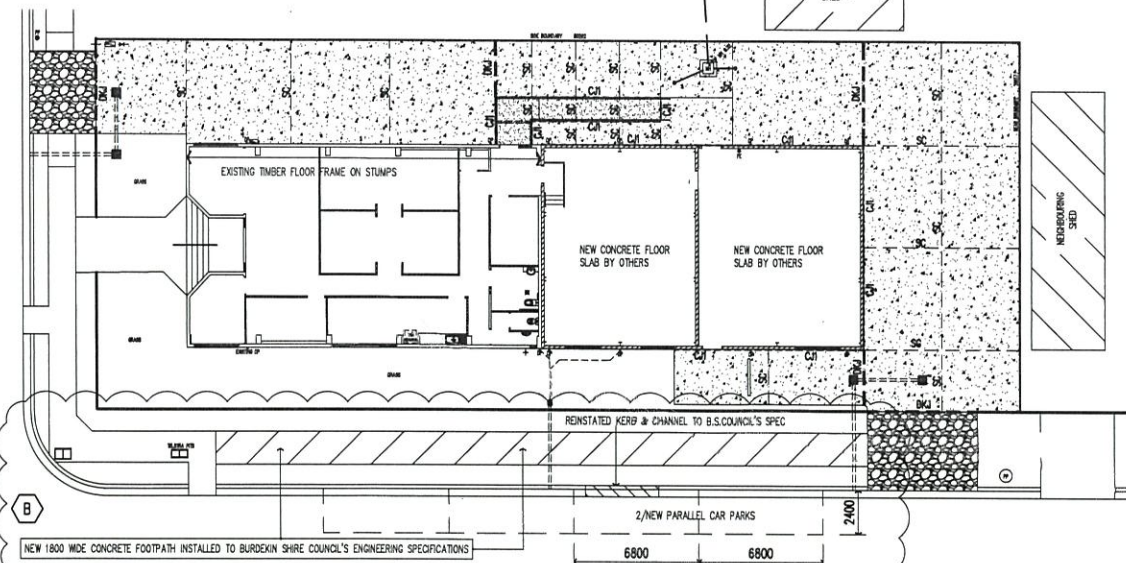
NOTES

- LEVEL DATUM
Datum for all levels is assumed 10.00 at existing main floor level.
- GENERAL NOTES
2.1.1 Grade evenly between levels shown.
2.1.2 If in doubt ask.
2.2 Dimensions
Refer to design drawings for additional dimensions.
2.3 Existing Kerb and Channel and Concrete Footpath
Contractor shall repair all kerbs and footpath which are presently damaged or missing (i.e. through existing invert crossing and the like) and repair all kerbs and footpaths damaged during the construction of the works.
- SERVICES AND UTILITIES
All existing services and utilities shall be protected from damage by the operations of the Contractor.
- SITE PREPARATION
3.1 Site Clearance - REFER TO ADDITIONAL SITE & FOUNDATION NOTES SUPPLIED BY STRUCTURAL ENGINEER
3.1.1 Strip the upper topsoil of unsuitable material from the building and paved areas. Stockpile suitable material as directed for reuse later. Dispose of unsuitable material and surplus material off site as directed.
3.1.2 Remove all existing buildings, fixtures and other structures from the site, if relevant, and dispose of as directed.
3.1.3 Proof-roll the exposed surface with at least 4 passes of a heavy 6 tonne flat-drum vibrating roller.
3.1.4 Remove any soft or deleterious material exposed by the stripping or proof rolling and replace with suitable engineered fill and construct the fill pod and subgrade to final levels using engineered fill.
3.1.5 All earthworks performed both prior to construction and subsequently should be carried out in a responsible manner in accordance with accepted building practices and Australian Standard AS 3798-2007 "Guidelines on Earthworks for Commercial and Residential Developments".
- PAVEMENT DATA
4.1 Concrete Paving (On Site)
4.1.1 Provisional pavement design is based on a minimum subgrade CBR under service conditions of 5. Pavement design stated here is subject to revision on basis of confirmatory soaked CBR tests at time of construction.
4.1.2 Excavate or fill as necessary 150mm below design finish levels. Compact surface exposed by surface stripping and by excavation to 95% Standard Relative Dry Density (SRDD) to a depth of at least 250mm. Compact fill to 95% SRDD in layers appropriate to the compaction plant employed. All fill shall be Class 2 gravel with minimum soaked CBR 10 at 100% SRDD.
4.1.3 Place 100mm, 120mm & 150mm thick concrete pavement with SL72 slab mesh to the following specification:
Concrete type : N25 @ 28 days
Max aggregate size : 20mm
Slump : 80 mm ± 15mm
Mesh : SL72, Cover as nominated on drawings
Bedding : 100mm Sub-base Type 2.3 Gravel
- 4.1.4 Construct concrete pavement after completion of building construction and/or after all construction is complete. If pavement is constructed prior to building construction, the pavement must be increased to approval of the structural engineer at the Contractor's expense.

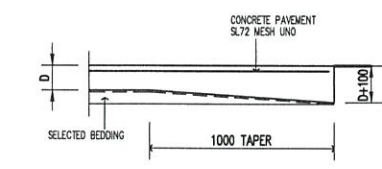
APPROVED
REF: MCL22/000 DATE: 29.4.22



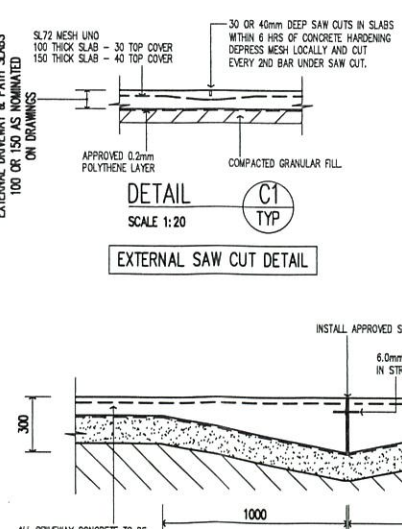
DETAIL C5 TYP
TYPICAL GRATED PIT DETAIL



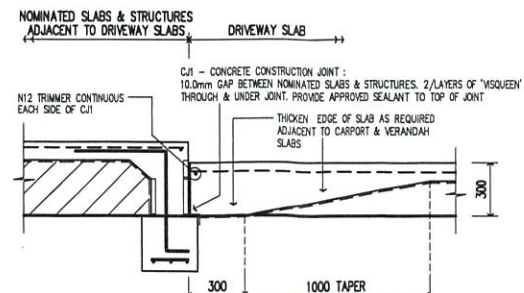
DETAIL C1 TYP
EXTERNAL SAW CUT DETAIL



DETAIL C2 TYP
TYPICAL SLAB EDGE DETAIL



DETAIL C3 TYP
DKJ : DOWELED KEY JOINT



DETAIL C4 TYP
CJ1 : CONCRETE CONSTRUCTION JOINT

DOWELED KEY JOINT/SAW CUT LAYOUT - EXTERNAL SLABS

SCALE 1:200 @ A1 SIZE



building designers
association of
queensland inc
MEMBER

NO	DESCRIPTION	DATE	AUTH
P4	PRELIMINARY - GENERAL CLIENT AMENDMENTS - TREATMENT ROOMS & HALLWAYS	14.01.2022	AJF
P3	PRELIMINARY - GENERAL CLIENT AMENDMENTS	29.11.2021	AJF
P2	PRELIMINARY - MOVE RAMP OUT FROM BUILDING	13.11.2021	AJF
P1	REVIEW 04 - PRELIMINARY - ADD RAMP	07.10.2021	-
P1	PRELIMINARY	28.09.2021	-
0000	DESCRIPTION		

NO	DESCRIPTION	DATE	AUTH
B	CONSTRUCTION - AMENDMENTS AS PER BSC MCJ INFORMATION REQUEST	06.04.2022	AJF
A	CONSTRUCTION	24.02.2022	AJF
PA2	PRELIMINARY - GENERAL CLIENT AMENDMENTS - TREATMENT ROOMS & HALLWAYS	11.02.2022	AJF
0000	DESCRIPTION		

NOTE:
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2. VERIFY ALL ON-SITE DIMENSIONS BEFORE COMMENCING ANY FABRICATION.
3. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
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DO NOT SCALE OFF DRAWING - IF IN DOUBT ASK.
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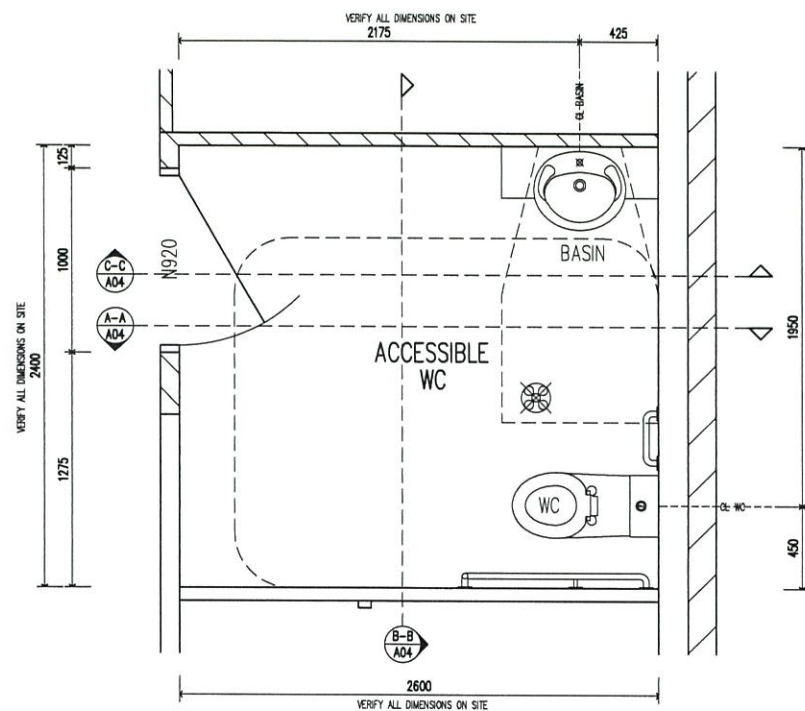
DESIGN	AJF
DRAWN	AJF
CHECKED	-
APPROVED	-
DATE	17.09.2021

CLIENT: P.K. SHANNON PROPERTIES PTY LTD
PROJECT: EXTENSIONS & RENOVATIONS
AT: 40 QUEEN STREET AYR

DWG TITLE: STORMWATER, DRIVEWAY & FINISHED LEVELS PLAN; EXTERNAL SLABS SET OUT & DETAILS
JOB No: TFB-21040
DWG No: A03
ISSUE: B

Tony Ferraris
CONSULTING
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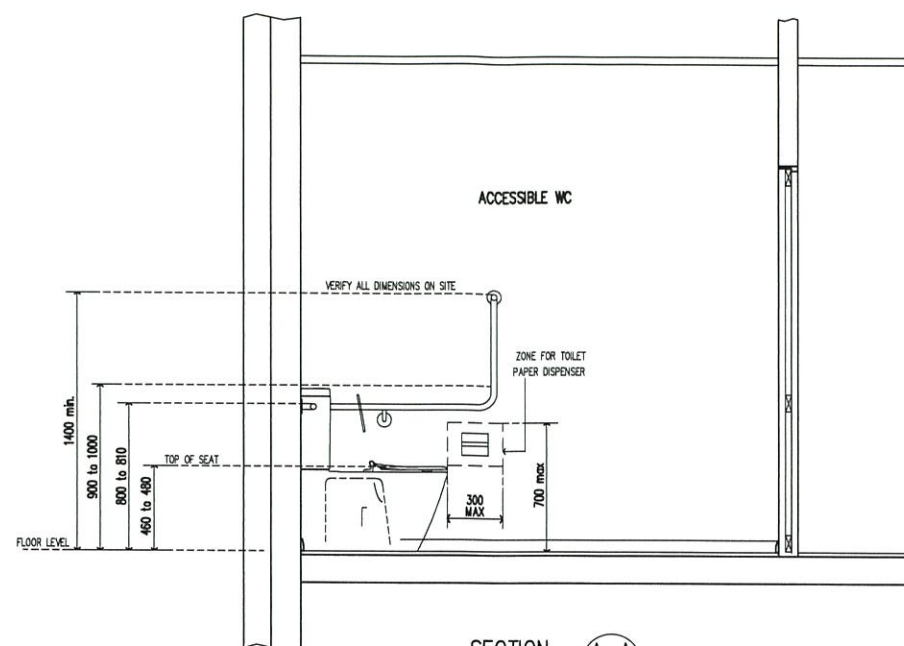


ACCESSIBLE & AMBULANT WC PLAN

SCALE 1:20 @ A1 SIZE

NOTE:
ALL DIMENSIONS & CONFIGURATIONS OF FITTINGS TAKEN FROM AS 1428.1-2009 DESIGN FOR ACCESS & MOBILITY PART 1: GENERAL REQUIREMENTS FOR ACCESS. REFER TO SECTIONS FOR RELEVANT WALL ELEVATIONS

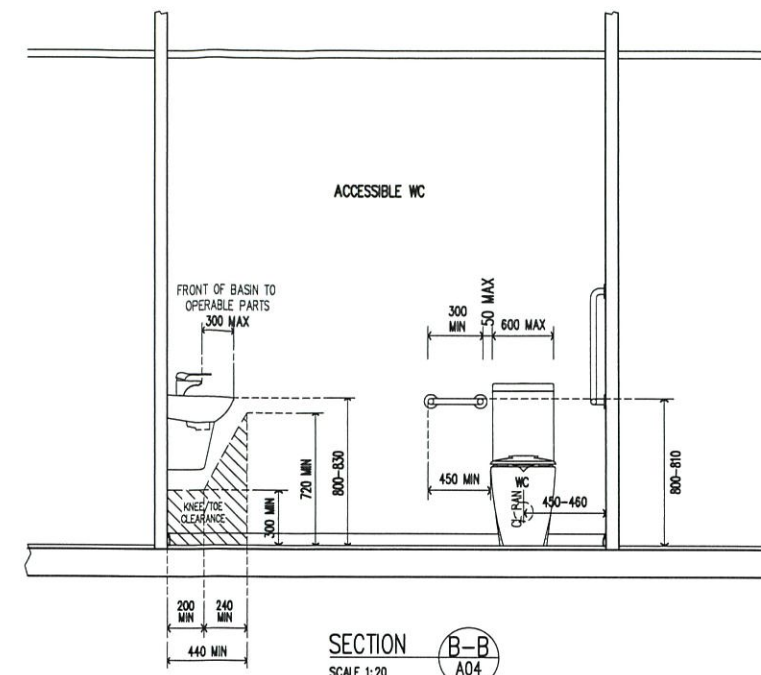
NOTE:
THESE BATHROOM DETAILS ARE TO BE USED AS A GUIDE ONLY. ALL FITTINGS, FIXTURES, GRABRAILS & DIMENSIONS MUST BE INSTALLED STRICTLY AS SPECIFIED IN AS1428.1-2009 DESIGN FOR ACCESS AND MOBILITY, PART 1: GENERAL REQUIREMENTS FOR ACCESS - NEW BUILDING WORKS, WITH PARTICULAR EMPHASIS ON PART 15 (SANITARY FIXTURES) & PART 17 (GRABRAILS)



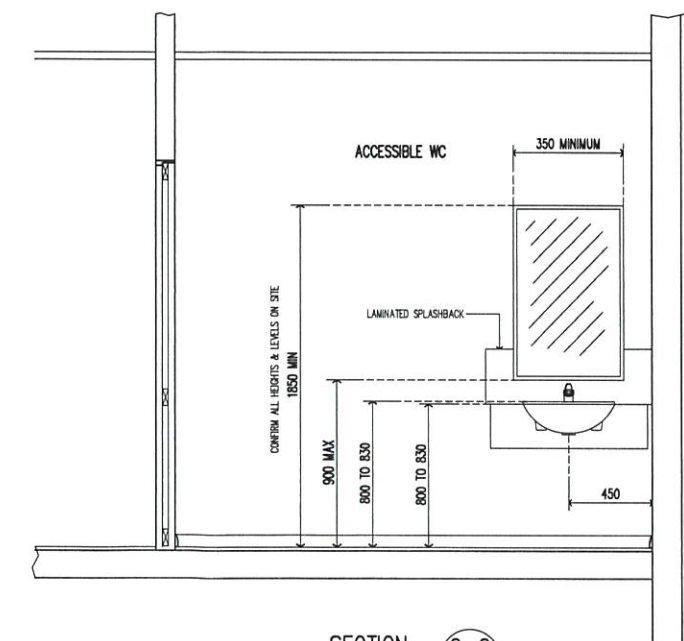
SECTION A-A
SCALE 1:20

NOTE: IF IN DOUBT PHONE THIS OFFICE ON 0417 634 891 OR 07 4783 5556

DO NOT FABRICATE OR CONSTRUCT ANYTHING UNTIL ALL HEIGHTS, DIMENSIONS & LEVELS HAVE BEEN CONFIRMED ON SITE

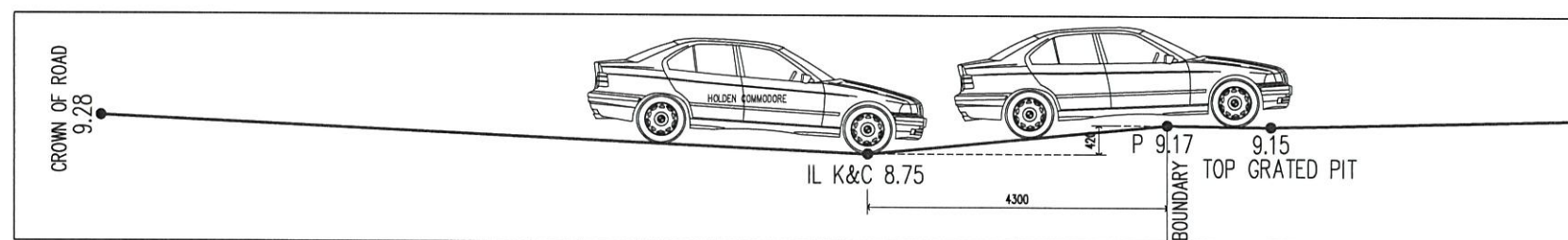


SECTION B-B
SCALE 1:20



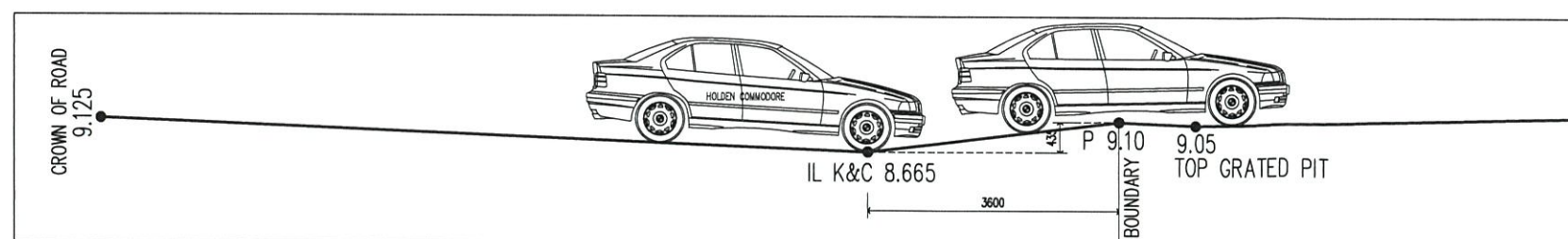
SECTION C-C
SCALE 1:20

APPROVED
REF: MCM22/0005 DATE: 29.4.22
[Signature]



**SECTION THROUGH CROSSOVER & DRIVEWAY
40 QUEEN STREET AYR (OFF SOPER STREET)**

SCALE 1:50



**SECTION THROUGH CROSSOVER & DRIVEWAY
40 QUEEN STREET AYR (OFF QUEEN STREET)**

SCALE 1:50



P4	PRELIMINARY - GENERAL CLIENT AMENDMENTS - TREATMENT ROOMS & HALLWAYS	14.01.2022	AJF
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B	CONSTRUCTION - AMENDMENTS AS PER BSC MCQ INFORMATION REQUEST	06.04.2022	AJF
A	CONSTRUCTION	24.02.2022	AJF
P4.2	PRELIMINARY - GENERAL CLIENT AMENDMENTS - TREATMENT ROOMS & HALLWAYS	11.02.2022	AJF
DATE	DATE	DATE	DATE

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DESIGN	AJF
DRAWN	AJF
CHECKED	-
APPROVED	-
DATE	17.09.2021

CLIENT: P.K. SHANNON PROPERTIES PTY LTD
PROJECT: EXTENSIONS & RENOVATIONS
AT: 40 QUEEN STREET AYR

DWG TITLE: ACCESSIBLE WC PLAN & WALL ELEVATIONS
AT 1:20 SCALE; CROSSOVER SECTION
JOB No: TFB-21040
DWG No: A04
ISSUE: B

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