

MISS JESSICA REISER (MARANOVA REGIONAL COUNCIL)

Our Ref: MCU177

23 July 2020

Rough Family Investments
C/- Brandon & Associates Pty Ltd
Geoff Broadbent (PATS Consulting)
113 Ramsay Street
Centenary Heights QLD 4350

Email: geoff_broadbent@hotmail.com

Dear Geoff

Amended decision notice approval

(Given under section 63(2) of the *Planning Act 2016*)

Amended Decision Notice to correct administrative error in condition referencing incorrect lot number.

I refer to your application and advise that Council's Chief Executive Officer under delegation decided to approve the application in full subject to conditions. This notice replaces the Decision Notice issued on 17 July 2020. Details of the decision are as follows;

The development application described below was properly made to the Balonne Shire Council on 14 April 2020.

Applicant details

| | |
|----------------------------|----------------------------------------------------------------------------------------------------------------|
| Applicant name: | Rough Family Investments C/- Brandon & Associates Pty Ltd Geoff Broadbent (PATS Consulting) |
| Applicant contact details: | geoff_broadbent@hotmail.com 0420 705 400 |

Application details

| | |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application number: | MCU177 |
| Approval sought: | Development Permit |
| Details of proposed development: | Development Application for Material Change of Use – “Health Care Services” (Dental Clinic), “Caretaker’s Accommodation” and Reconfiguring a Lot (Creation of Access Easement) |

Location details

Street address: 112-114 & 116 Alfred Street, St George QLD 4487
Real property description: Lot 5 on SP276756
Lot 4 on SP276756

Decision

I wish to advise that, on 16 July 2020, the above development application was **approved in full** subject to conditions by Council. (Refer to the conditions contained in **Attachment 1**)

Details of the approval

This application is not taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

The following approvals are given:

| | <i>Planning Regulation 2017</i> reference | Development Permit | Preliminary Approval |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-------------------------------------|----------------------|
| Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval - material change of use - reconfiguration of a lot | N/A | <input checked="" type="checkbox"/> | |

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- Development Permit – Building Work

Properly made submissions

There were no properly made submissions in relation to the application.

Referral agencies for the application

The referral agencies for the application are:

| For an application involving | Name and address of referral agency | Advice agency or concurrence agency |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| State Transport Corridor <i>Development application for material change of use, other than an excluded material change of use that is assessable development under a local categorising instrument, if all or part of the premises-</i> <i>(a) are within 25m of a State transport corridor; or</i> <i>(b) are a future State transport corridor; or</i> <i>(c) are-</i> <i>(i) adjacent to a road that intersects with a State-controlled road; and</i> <i>(ii) within 100m of the intersection.</i> | Department of State Development, Manufacturing, Infrastructure and Planning PO Box 825 Toowoomba QLD 4350 | Concurrence Agency |

The Department of State Development, Manufacturing, Infrastructure and Planning has advised by letter dated 7 May 2020 that they have no requirements for the development.

Approved plans, specifications and drawings

Copies of the following approved plans, specifications and/or drawings are enclosed.

| Plan/Document Number | Plan/Document Name | Date |
|-------------------------------|--------------------------------------|------------|
| SK01 Number 01 of 08 Issue P5 | Locality Map | 24/03/20 |
| SK02 Number 02 of 08 Issue P5 | Existing Site Plan | 24/03/20 |
| SK03 Number 03 of 08 Issue P6 | Proposed Site Plan | 26/05/20 |
| SK04 Number 04 of 08 Issue P5 | Existing and Proposed Lot Boundaries | 24/03/20 |
| SK05 Number 05 of 08 Issue P6 | Concept SWMP and SWEPT Paths | 26/05/20 |
| SK06 Number 06 of 08 Issue P5 | Existing Floor Plan | 24/03/20 |
| SK07 Number 07 of 08 Issue P5 | Proposed Floor Plan | 24/03/20 |
| SK08 Number 08 of 08 Issue P5 | Existing and Proposed Elevations | 24/03/20 |
| Job No. 202087 Issue A | Infrastructure Connection Report | 24/03/2020 |

Currency period for the approval (s.85 of the Planning Act)

For Material Change of Use - This approval lapses if the first change of use does not happen within 6 years after the approval starts to have effect.

For Reconfiguration of a Lot – This approval lapses if a plan for the reconfiguration that under the Land Title Act 1994 is required to be given to a local government for approval is not given within 4 years.

Appeal Rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6,

part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

Appeal by an eligible submitter

An eligible submitter for a development application may appeal to the Planning and Environment Court against the decision to approve the application, to the extent the decision relates to:

- any part of the development application that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

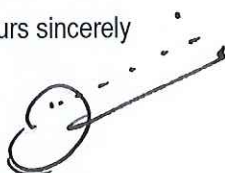
Attachment 2 is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit:

<https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

For further information please contact Jessica Reiser, Planning Officer Maranoa Regional Council, on 1300 007 662 or via email planning@maranoa.qld.gov.au who will be pleased to assist.

Yours sincerely



Matthew Magin

Chief Executive Officer

Enc: Attachment 1—Assessment Manager Conditions of Approval (Balonne Shire Council)
Attachment 2—Appeal provisions
Attachment 3—Statement of Reasons
Attachment 4—Approved plans and specifications

ATTACHMENT 1 – ASSESSMENT MANAGER CONDITIONS OF APPROVAL (BALONNE SHIRE COUNCIL)

Preamble

- i. The relevant planning scheme for this development is *Balonne Shire Planning Scheme 2019*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.

- ii. Under the *Balonne Shire Planning Scheme 2019*:

Health care services means:

Premises for medical, paramedical, alternative therapies and general health care and treatment of persons that involves no overnight accommodation.

Examples include: Dental clinics, medical centres, natural medicine practices, nursing services, physiotherapy clinic

Caretaker's accommodation means:

A dwelling provided for a caretaker of a non-residential use on the same premises.

- iii. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- iv. All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- v. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- vi. An Operational works application will be required to be submitted to and approved by Council for:
 - a) Operational works that is excavation and/or filling where there would be a change 1m or more in the level of any part of the land or where any drainage path is affected; or
 - b) Operational works for urban purposes that involve disturbing more than 2,500m² of land.
- i. This approval lapses if a plan for the reconfiguration is not given to the Council within four (4) years of the approval taking effect.

The plan for the reconfiguration must be duly signed by the registered proprietor of the land and the surveyor, and submitted to Council for approval in a form acceptable to Council within the relevant period.

Unless otherwise stated all conditions shall be completed prior to the Council endorsing the relevant plan of survey.

- vii. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved

plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

CONDITIONS APPLICABLE TO THE HEALTH CARE SERVICES (DENTAL CLINIC), CARETAKER'S ACCOMMODATION AND RECONFIGURING A LOT

Use

1. The approved development is a Material Change of Use - "Health Care Services" (Dental Clinic), "Caretaker's Accommodation" and Reconfiguring a Lot (creating an easement giving access to a lot from constructed road) as defined in the Planning Scheme, *Planning Act 2016* and as shown on the approved plans.
2. The approved development is to be carried out generally in accordance with the following approved plans/documents and subject to approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

| Plan/Document Number | Plan/Document Name | Date |
|-------------------------------|--------------------------------------|------------|
| SK01 Number 01 of 08 Issue P5 | Locality Map | 24/03/20 |
| SK02 Number 02 of 08 Issue P5 | Existing Site Plan | 24/03/20 |
| SK03 Number 03 of 08 Issue P6 | Proposed Site Plan | 26/05/20 |
| SK04 Number 04 of 08 Issue P5 | Existing and Proposed Lot Boundaries | 24/03/20 |
| SK05 Number 05 of 08 Issue P6 | Concept SWMP and SWEPT Paths | 26/05/20 |
| SK06 Number 06 of 08 Issue P5 | Existing Floor Plan | 24/03/20 |
| SK07 Number 07 of 08 Issue P5 | Proposed Floor Plan | 24/03/20 |
| SK08 Number 08 of 08 Issue P5 | Existing and Proposed Elevations | 24/03/20 |
| Job No. 202087 Issue A | Infrastructure Connection Report | 24/03/2020 |

Stormwater Drainage

3. Stormwater drainage is to be provided in accordance with:
 - a) Conceptual Stormwater Management Plan, Approved Plan SK05 Issue P6, dated 26/05/20, Prepared by Brandon and Associates
 - b) Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013;
 - c) Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987; and
 - d) Class 1 and Class 10 buildings – National Construction Code, Volume 2.

Earthworks and Construction

4. During construction, erosion controls and silt collection measures are to be put in place to protect environmental values and mitigate potential impacts to adjoining properties and roadway/s.

Applicable Standards

5. All works must comply with:

- a) the development approval conditions;
- b) any relevant provisions in the Planning Scheme;
- c) Balonne Shire Council Private Property Entrance Policy 2010;
- d) any relevant Australian and Austroads Standards and the National Construction Code that applies to that type of work; and
- e) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Development works

6. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
7. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).

Compliance inspection

8. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted in these conditions.
9. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

No Cost to Council

10. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

Latest versions

11. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

Application Documentation

12. It is the developer's responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing 'Council Approval'.

**CONDITIONS APPLICABLE TO THE HEALTH CARE SERVICES (DENTAL CLINIC), CARETAKER'S
ACCOMMODATION**

Waste Management

13. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
14. Adequate refuse storage areas and facilities must be provided on the site to service the approved development. Refuse storage facilities are to be screened from view at the street frontage and from adjoining properties.
15. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

Avoiding Nuisance

16. No nuisance is to be caused to adjoining properties and occupiers by the way of noise smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.
17. Dust emanating as result of activities carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks and nearby properties and sensitive land uses.
18. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
19. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
20. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.
21. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the *Environmental Protection (Noise) Policy 2008*.
22. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the *Environmental Protection (Air) Policy 2008*.

Provision of Services

23. The development must be connected to Council's reticulated water supply network in accordance with the applicable standards and policies.
24. The development must be connected to Council's reticulated sewerage supply network the applicable standards and policies.
25. The development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).

26. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).

Access, Car Parking and Manoeuvring

27. The developer shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. Should any damage be caused at the approved access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
28. The existing vehicle access on Lot 4 from Alfred Street is to be upgraded to a minimum width of 5.8 metres as shown on approved plan SK03 Issue P6 – 'Proposed Site Plan', dated 26/05/20. The crossover is to be designed generally in accordance with *Balonne Shire Council's Private property Entrance Policy* dated 15 January 2010 ensuring no damage to the kerb and channel and roadway.
29. The existing crossover located on Lot 5 from Alfred Street is to be replaced with Kerb and Channel. The Kerb and Channel must match the existing profile along Alfred Street.

Note: A Council Property and Infrastructure Application will be required for any works undertaken within Council's road reserve.

30. Vehicle crossovers must be located a minimum distance of one metre from any power poles, street signage, street lights, manholes, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.
31. A minimum of four (4) car parking spaces, including one (1) car parking space for persons with disabilities, are to be provided within the development site area for the exclusive use of the approved "Health Care Services" (Dental Clinic) generally in accordance with the approved development plans. Car parking areas must be clearly delineated and/or signposted.
32. A minimum of one (1) car parking space is to be provided within the development site area for the exclusive use of the resident caretaker. This car park must be clearly marked/signed to distinguish it from health care services parking.
33. Car parking areas are to be designed in accordance with:
- AS2890.1 – Parking Facilities
 - Austrroads AP-34/95 - Design Vehicles and Turning Path Templates
 - The Access to Premises Standard' (Vol 1 of the National Construction Code).
 - Vehicle access, car parking and manoeuvring areas are to be sealed with impervious surface.
34. Vehicle movements within the site are to be clear of proposed parking areas, buildings. Vehicle access, parking and manoeuvring areas are to be clearly delineated from pedestrian access ways within the site through the use of linemarking, signage, bollards or similar.
35. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.

Landscaping

36. A minimum of 10% of the development site shall be landscaped with a majority of the landscaping to be provided the along the Alfred Street and Grey Street road frontages. Landscape plantings shall include a mix of trees, shrubs and ground covers to enhance the visual appeal of the development and soften the appearance of the built form.
37. Site landscaping is to be irrigated during an establishment period of two years.
38. All site landscaping is to be maintained throughout the duration of the approved use. Any dead and/or unhealthy plants are to be promptly removed and replaced.
39. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
40. Landscaping must not interfere with site lines at access driveways for vehicle traffic.

CONDITIONS APPLICABLE TO THE CARETAKER'S ACCOMMODATION

Use

41. The "Caretaker's Accommodation" is for the exclusive use of persons having responsibility for the security, maintenance and/or management of the premises. It must not be occupied by any other member of the public, including any guest, contractor or associate of the occupant at any time.

Note: Immediate family members of the resident caretaker are permitted to reside at the "Caretaker's Accommodation".

CONDITIONS APPLICABLE TO RECONFIGURING OF A LOT (CREATING AN EASEMENT GIVING ACCESS TO A LOT FROM A CONSTRUCTED ROAD)

42. The approval holder is to provide documentation to Council showing that an access easement has been created burdening Lot 4 on SP27656, in favour of Lot 5 on SP276656, in location shown on approved plan SK04 Issue P5, dated 24/03/20, prepared by Brandon and Associates. The easement document must be registered simultaneously with the plan of survey.
43. The easement document and plan of survey must be registered prior to the commencement of use of the approved "Health Care Services" (Dental Clinic).

ATTACHMENT 2 – PLANNING ACT EXTRACT APPEAL RIGHTS

Chapter 6 Dispute resolution Part 1 Appeal rights

228 Appeals to tribunal or P&E Court

(1) Schedule 1 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.

(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.

229 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
 - (d) schedule 1, table 1, item 1—each principal submitter for
 - (e) the development application; and
 - (f) for an appeal about a change application under
 - (g) schedule 1, table 1, item 2—each principal submitter for
 - (h) the change application; and
 - (i) each person who may elect to become a co-respondent
 - (j) for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (k) for an appeal to the P&E Court—the chief executive; and
 - (l) 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 is 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.

230 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 the 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.

231 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 rules of the P&E Court.

ATTACHMENT 3 — STATEMENT OF REASONS

The following information is provided in accordance with section 63 of the *Planning Act 2016*.

| | |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description of Development | Material Change of Use – “Health Care Services” (Dental Clinic), “Caretaker’s Accommodation” and Reconfiguring a Lot (Creation of Access Easement) |
| Assessment benchmarks | <p>The proposed development was assessed against the following Assessment benchmarks:</p> <ul style="list-style-type: none"> • Maranoa-Balonne Regional Plan; • <i>Darling Downs Regional Plan</i>; • <i>State Planning Policy</i>; and • <i>Balonne Shire Planning Scheme 2019</i> <ul style="list-style-type: none"> • Part 3 Strategic Framework • Part 4 Local Government Infrastructure Plan • Part 5 Tables of assessment • Part 6 Zones <ul style="list-style-type: none"> ▪ Part 6.2.2 General Residential zone code • Part 7 Development Codes <ul style="list-style-type: none"> ▪ Part 7.3.1 General development code ▪ Part 7.4.2 Reconfiguration of a lot code |
| Relevant matters | The relevant matters are the Assessment benchmarks. |
| Matters raised in submissions | No submissions were received during the public notification period. |
| Reasons for decision | The development was assessed against all of the Assessment benchmarks listed above and complies with all of these Assessment benchmarks or has otherwise been conditioned to achieve compliance. |

ATTACHMENT 4 — APPROVED PLANS AND SPECIFICATIONS



LEGEND

DENOTES SUBJECT SITE



LOTS 4 and 5 ON SP 276756
 LOCALITY of ST GEORGE
 PARISH of ST GEORGE
 COUNTY of BELMORE
 BALONNE SHIRE COUNCIL

LOCALITY MAP

BALONNE SHIRE COUNCIL
APPROVED PLANS / AMENDED PLANS
 that accompanies a decision notice under the SPA 2009
 Number MCU 177/RL104
 Date of Approval 16.07.20
 Assessment Mgr / CEO Steve

CHINCILLA (HEAD OFFICE):
 8 Colamba Street, Chinchilla Qld. 4413
 Telephone: (07) 4668 9351
 Fac: (07) 4668 9851

ROMA:
 24 Quirin Street, Roma Qld. 4455
 Telephone: (07) 4622 3789
 Fac: (07) 4622 2041

TOOWOOMBA:
 112/8 Arize Avenue, Toowoomba Qld. 4350
 Telephone: (07) 4622 4110
 Fac: (07) 4622 4390

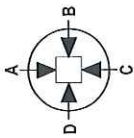


ROUGH FAMILY INVESTMENTS
ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION
112-114 ALFRED STREET, ST GEORGE
LOT 5 ON SP276756

| | | | |
|------------|---------------|---------------------|-----------------------|
| Designated | Checked | LOCALITY MAP | |
| Drawn | CDW/ | Job Number | Drawing Number |
| Approved | REVIEW | 202087 | SK01 |
| | | Number 01 of 08 | Drawings Full Size A3 |
| | | | Issue P5 |

| Issue Status/Amendment | Date |
|------------------------|----------|
| P5 SWEPT PATHS ADDED | 24/03/20 |
| P2 REVISED LOT 4 | 01/20 |
| P1 FOR REVIEW | 01/20 |

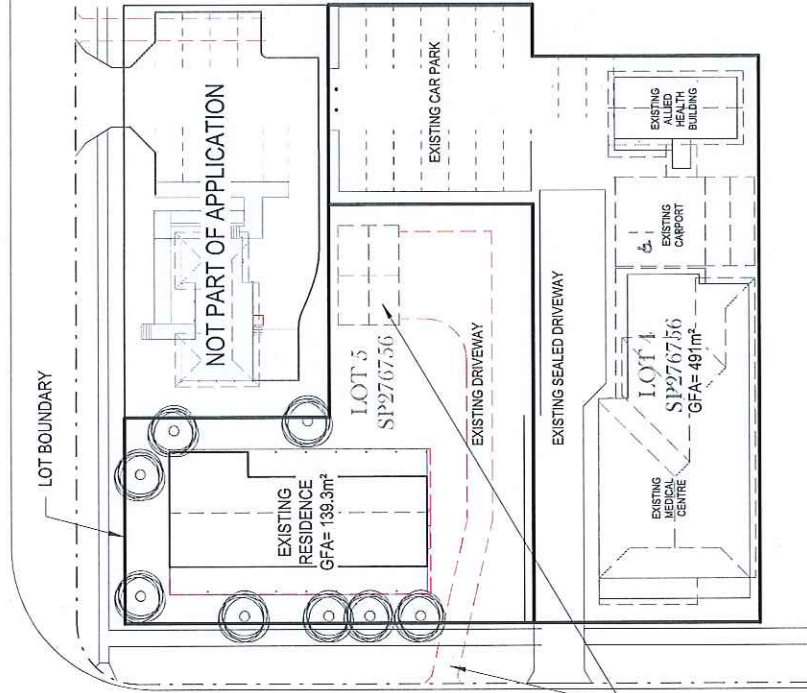
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ELEVATION KEY



~ GREY STREET ~



~ ALFRED STREET ~

REMOVE EXISTING CONCRETE CROSSOVER, DRIVEWAY AND REAR CARPORT

LOTS 4 and 5 ON SP 276756
 LOCALITY of ST GEORGE
 PARISH of ST GEORGE
 COUNTY of BELMERE
 BALONNE SHIRE COUNCIL

EXISTING SITE PLAN

BALONNE SHIRE COUNCIL

APPROVED PLANS / AMENDED PLANS

That accompanies a decision notice under the SPA 2009

File Number MCU177/RL104

Date of Approval 16.07.20

Assessment Mgr / CEO [Signature]

ROUGH FAMILY INVESTMENTS
 ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION
 112-114 ALFRED STREET, ST GEORGE
 LOT 5 ON SP276756

CHINCHILLA HEAD OFFICE:
 8 Colamba Street, Chinchilla Qld. 4413
 Telephone: (07) 4668 9351
 Fax: (07) 4668 9651

ROCKS:
 24 Quirin Street, Roma Qld. 4455
 Telephone: (07) 4622 2789
 Fax: (07) 4622 2041

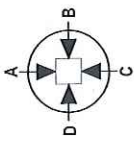
TOOWOOMBA:
 121B Anzac Avenue, Toowoomba Qld. 4350
 Telephone: (07) 4638 4110
 Fax: (07) 4638 4330



| Issue Status/Amendment | Date |
|------------------------|----------|
| P5 SWEPT PATHS ADDED | 24/03/20 |
| P2 REVISED LOT 4 | 01/20 |
| P1 FOR REVIEW | 01/20 |

| Designated | Checked |
|------------|----------|
| Drawn CDW | Checked |
| Approved | REVIEWED |

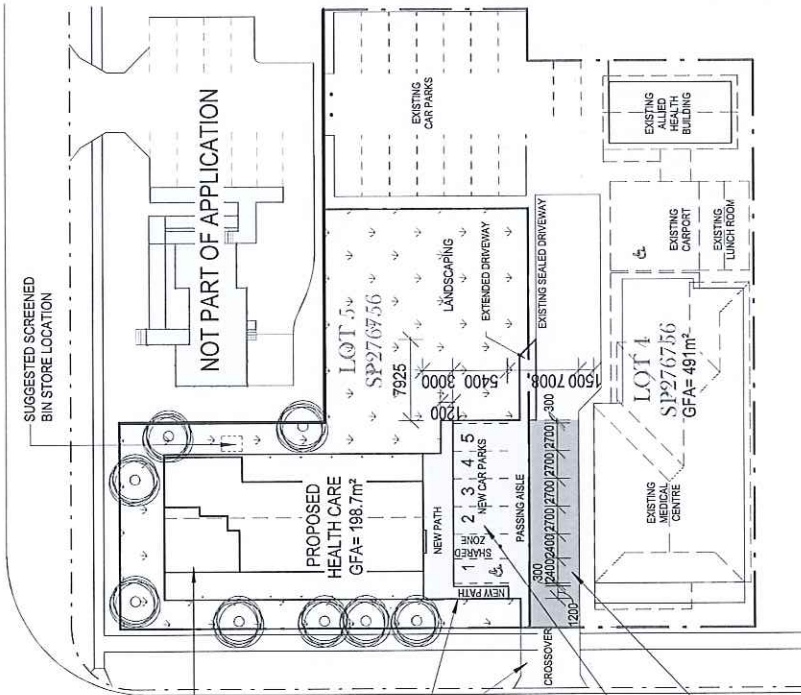
| EXISTING SITE PLAN | | Issue |
|--------------------|----------------|--------------|
| Job Number | Drawing Number | P5 |
| 202087 | SK02 | |
| Number 02 | of 08 Drawings | Full Size A3 |



ELEVATION KEY



~ GREY STREET ~



PROPOSED SITE PLAN

SUMMARY OF CAR PARKING
 GFA OF ADJACENT PROPERTY (LOT 4) = 491m²
 @ 1 CAR PARK PER 30m² OF GFA = 16.4 (17 CAR PARKS REQUIRED)

REQUIRED NEW CAR PARKING
 GFA OF HEALTH CARE PREMISES = 198.7m²
 @ 1 CAR PARK PER 50m² OF GFA (COMMERCIAL USE) = 3.97 (4 CAR PARKS REQUIRED)
 GFA OF CARETAKERS RESIDENCE IS 40.6m² = 1 REQUIRED
 TOTAL NEW CAR PARKS REQUIRED = 5.

AREA CALCULATIONS
 EXISTING SITE COVERAGE = 421.2m²
 PROPOSED SITE COVERAGE = 383.6m² (57.6m² REDUCTION)
 EXISTING IMPERVIOUS AREA = 213.5m²
 PROPOSED IMPERVIOUS AREA = 177m² (36.5m² REDUCTION)
 GREEN / LANDSCAPED SPACE = 691m²

BALONNE SHIRE COUNCIL
APPROVED PLANS / AMENDED PLANS
 That accompanies a decision notice under the SPA 2009
 File Number MCU177/RL104
 Date of Approval 16.07.20
 Assessment Mgr / CEO *[Signature]*



| Issue Status/Amendment | Date |
|------------------------|----------|
| P6 CROSSOVER AMENDED | 26.05.20 |
| P5 SWEEP PATHS ADDED | 24/03/20 |
| P4 REVISED EASEMENT B | 02/20 |
| P3 REVISED LOT 4 | 01/20 |
| P2 FOR REVIEW | 01/20 |
| P1 CLIENT REVIEW | 12/19 |

ROUGH FAMILY INVESTMENTS
 ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION
 112-114 ALFRED STREET, ST GEORGE
 LOT 5 ON SP276756

brandon & ASSOCIATES
 ENGINEERING CONSULTANTS
personal, professional, practical.

SYDNEY HEAD OFFICE:
 501 Pitt Street, Sydney, NSW 1510
 Telephone: (07) 4658 9351
 Fax: (07) 4658 9351

ROMA:
 24 Orlin Street, Roma Qld. 4455
 Telephone: (07) 4622 3799
 Fax: (07) 4622 2041

TOWOOMBA:
 1212 Anzacs Avenue, Towoomba Qld. 4350
 Telephone: (07) 4636 4100
 Fax: (07) 4636 4300

| PROPOSED SITE PLAN | |
|-------------------------------------------|-------------------------------|
| Drawn CDW | Checked |
| Approved | Reviewed |
| Job Number 202087 | Drawing Number SK03 |
| Number 03 of 08 Drawings | Issue P6 |
| Full Size A3 | |

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LOTS 4 and 5 ON SP 276756
 LOCALITY of ST GEORGE
 PARISH of ST GEORGE
 COUNTY of BELMORE
 BALONNE SHIRE COUNCIL

NEW ON-SITE CAR PARKING. REFER SK07 FOR DETAILED DIMENSIONS IN ACCORDANCE WITH AS2890

NEW SITE ACCESS FROM EXISTING LOT 4 DRIVEWAY

CARETAKER GFA= 40.6m²

~ ALFRED STREET ~

NEW 1200 PATH
 WIDEN CROSSOVER TO SUIT

5800

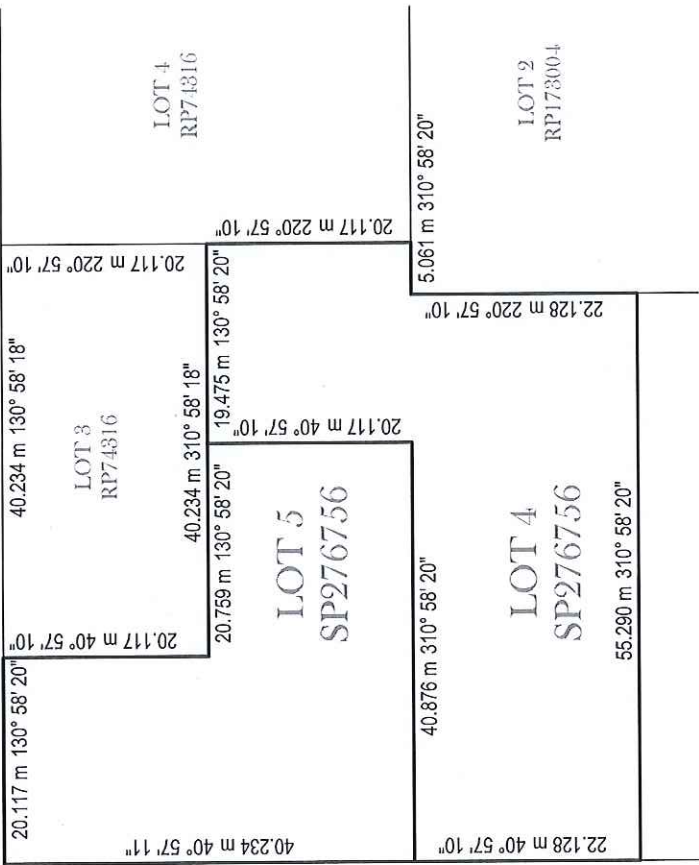
EXISTING HEALTH BUILDING
 EXISTING CHIROP
 EXISTING LUNCH ROOM
 EXISTING MEDICAL CENTRE

EXISTING CAR PARKS
 LANDSCAPING
 EXTENDED DRIVEWAY
 EXISTING SEALED DRIVEWAY

LOT 4 SP276756 GFA= 49m²
 LOT 5 SP276756 GFA= 198.7m²



~ GREY STREET ~



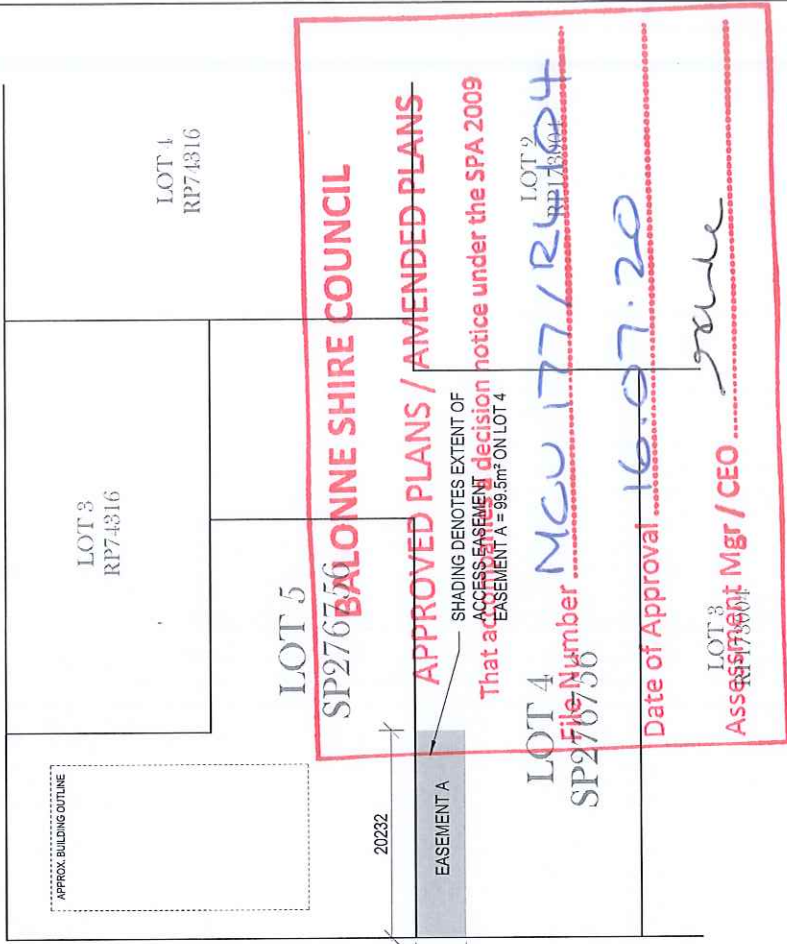
LOTS 4 and 5 ON SP 276756
 LOCALITY OF ST GEORGE
 PARISH OF ST GEORGE
 COUNTY OF BELMORE
 BALONNE SHIRE COUNCIL

EXISTING LOT BOUNDARIES

SCALE 1 : 500



~ GREY STREET ~



PROPOSED EASEMENT PLAN

SCALE 1 : 500

| Issue Status/Amendment | Date |
|------------------------|----------|
| P5 SWEEP PATHS ADDED | 24/03/20 |
| P3 REVISED EASEMENT B | 02/20 |
| P2 REVISED LOT 4 | 01/20 |
| P1 FOR REVIEW | 01/20 |

brandon & ASSOCIATES
 ENGINEERING CONSULTANTS
personal professional practical

BRONNIE
 1213, 1223 Avenue, Toowoomba Qld. 4350
 Telephone: (07) 4636 4100
 Fax: (07) 4636 4300

BRONNIE
 1213, 1223 Avenue, Toowoomba Qld. 4350
 Telephone: (07) 4632 3799
 Fax: (07) 4632 2041

BRONNIE
 1213, 1223 Avenue, Toowoomba Qld. 4350
 Telephone: (07) 4636 4331
 Fax: (07) 4636 4351

ROUGH FAMILY INVESTMENTS
 ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION
 112-114 ALFRED STREET, ST GEORGE
 LOT 5 ON SP276756

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| Designed | Drawn | Checked | Issue |
|----------------|-------|---------|--------------|
| Approved | CDW | Checked | 202087 |
| Job Number | | | SK04 |
| Drawing Number | | | SK04 |
| Number | | | 04 of 08 |
| Drawings | | | Full Size A3 |
| Issue | | | P5 |

EXISTING AND PROPOSED LOT BOUNDARIES

BALONNE SHIRE COUNCIL

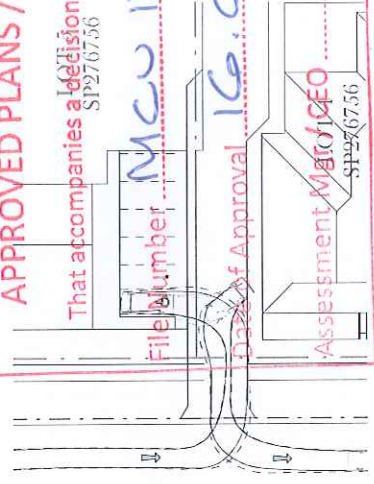
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That accompanies a decision notice under the SPA 2009
SP276756

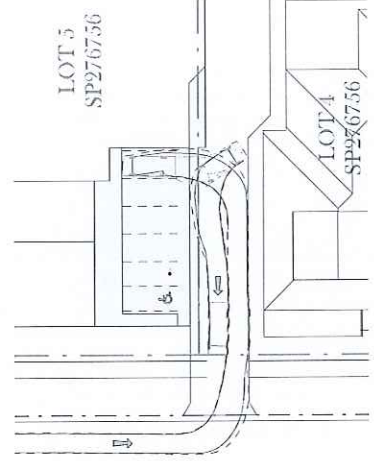
File Number MCU 177 / RL104

Date of Approval 16.07.20

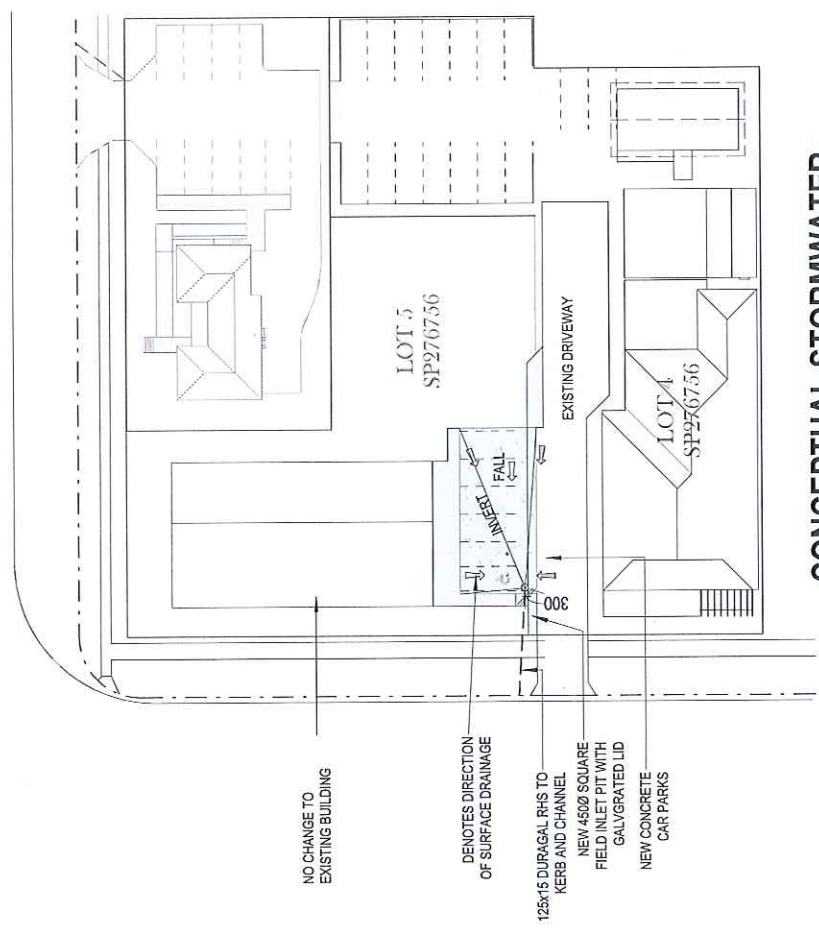
Assessment Manager JM



SWEPT PATHS A



SWEPT PATHS B



**CONCEPTUAL STORMWATER
MANAGEMENT PLAN**

CHINCHILLA HEAD OFFICE:
51 Main St. 4413
Telephone: (07) 4688 8351
Fax: (07) 4688 8951

BRN:
32 Collins Street, Roma Qld. 4455
Telephone: (07) 4622 3799
Fax: (07) 4622 2041

TOOWOOMBA:
1213 Anzac Avenue, Toowoomba Qld. 4350
Telephone: (07) 4638 4100
Fax: (07) 4638 4300



ENGINEERING CONSULTANTS
personal professional practice

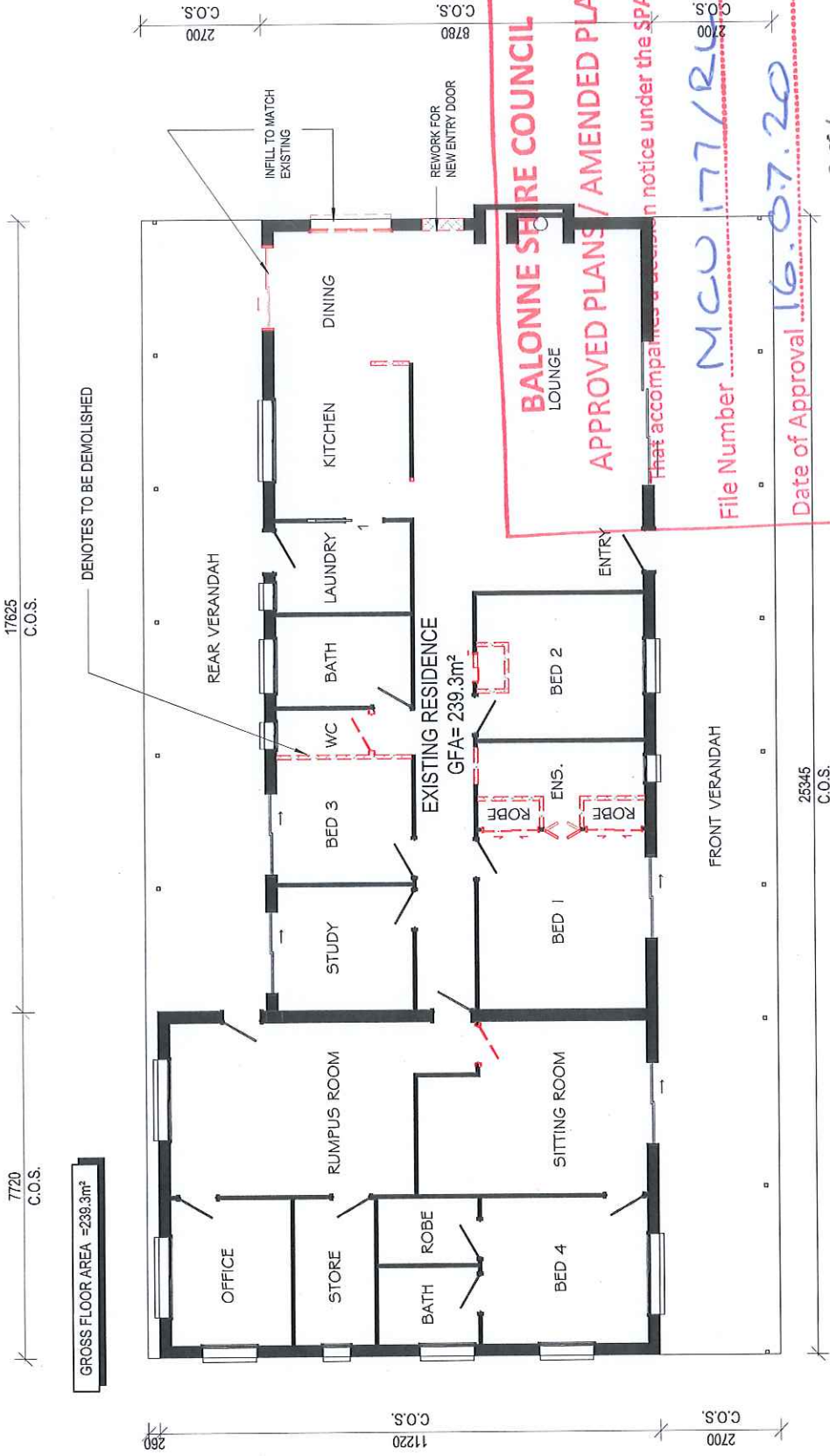
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|------------------------|----------|
| P6 CROSSOVER AMENDED | 26.05.20 |
| P5 SWEPT PATHS ADDED | 24/03/20 |
| P2 REVISED LOT 4 | 01/20 |
| P1 FOR REVIEW | 01/20 |

ROUGH FAMILY INVESTMENTS
ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION
112-114 ALFRED STREET, ST GEORGE
LOT 5 ON SP276756

| Designed | Checked |
|--------------|---------|
| Drawn CDW | Checked |
| Approved | REVIEW |

| CONCEPT SWMP & SWEPT PATHS | | Issue |
|----------------------------|--------|--------------|
| Job Number | 202087 | SK05 |
| Number | 05 | of 08 |
| Drawing Number | SK05 | Full Size A3 |
| | | P6 |

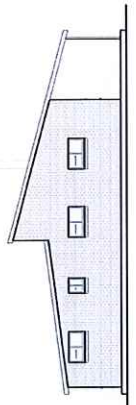
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EXISTING FLOOR PLAN

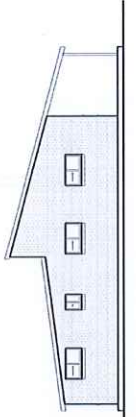
| | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------|
| <p>brandon ENGINEERING CONSULTANTS & ASSOCIATES personal, professional, practical.</p> <p>BRANDON ENGINEERING CONSULTANTS & ASSOCIATES 1218 Anzac Avenue, Toowoomba Qld. 4352 Telephone: (07) 4636 4100 Fax: (07) 4636 4300</p> | <p>CHINCHILLA (HEAD OFFICE) 100 Ross Street, Chinchilla Qld. 4413 Telephone: (07) 4668 9351 Fax: (07) 4668 9351</p> | <p>ROCKHAMPTON 200 Ross Street, Roma Qld. 4465 Telephone: (07) 4622 3799 Fax: (07) 4622 2041</p> | <p>TOOWOOMBA 1218 Anzac Avenue, Toowoomba Qld. 4352 Telephone: (07) 4636 4100 Fax: (07) 4636 4300</p> | <p>ROUGH FAMILY INVESTMENTS ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION 112-114 ALFRED STREET, ST GEORGE LOT 5 ON SP276756</p> | <p>Designed: [] Drawn: CDW Approved: [] Checked: []</p> | <p>EXISTING FLOOR PLAN</p> |
| | <p>Issue Status/Amendment</p> | <p>Date</p> | <p>Job Number 202087</p> | <p>Drawing Number SK06</p> | <p>Issue P5</p> | |
| <p>P5 SWEEP PATHS ADDED</p> | <p>24/03/20</p> | <p>Number 06</p> | <p>Drawings 08</p> | <p>Full Size A3 P5</p> | | |
| <p>P1 FOR REVIEW</p> | <p>01/20</p> | <p>Assessment Mgr / CEO</p> | <p>File Number MCV 177 / R48104</p> | <p>Date of Approval 16.07.20</p> | | |

APPROX. O/A HEIGHT
4700

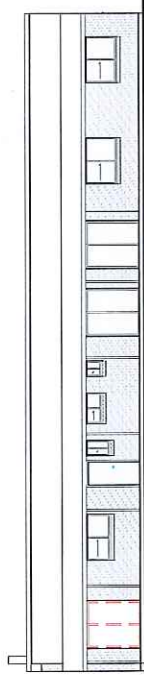


EXISTING ELEVATION A
(GREY STREET FRONTAGE)

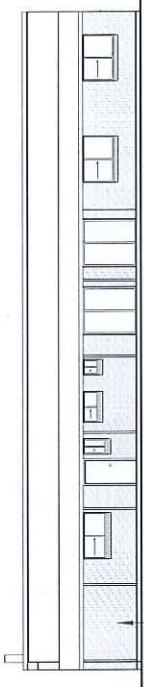
APPROX. O/A HEIGHT
4700



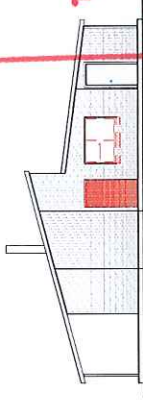
PROPOSED ELEVATION A
(GREY STREET FRONTAGE)



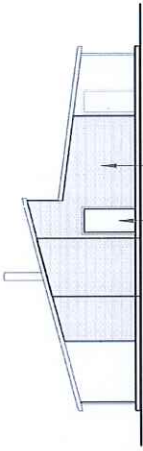
EXISTING ELEVATION B



PROPOSED ELEVATION B



EXISTING ELEVATION C



PROPOSED ELEVATION C

INFILL DOOR TO MATCH EXISTING

BALONNE SHIRE COUNCIL

APPROVED PLANS / AMENDED PLANS

That accompanies a decision notice under the SPA, 2009

File Number **MC0177/RL104**

Date of Approval **16.07.20**

Assessment Mgr / CEO **JAN**

EXISTING ELEVATION D
(ALFRED STREET FRONTAGE)

PROPOSED ELEVATION D
(ALFRED STREET FRONTAGE)

| | | |
|------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Issue Status/Amendment | Date | <p>CUNNINGHAM & ASSOCIATES 8 Columbia Street, Churchville Qld. 4413 Telephone: (07) 4638 9351 Fax: (07) 4668 8851</p> <p>BRMA: 24 Ogilvie Street, Roma Qld. 4455 Telephone: (07) 4822 3799 Fax: (07) 4822 2041</p> <p>TOOWOOMBA: 17219 Anzac Avenue, Toowoomba Qld. 4350 Telephone: (07) 4636 4100 Fax: (07) 4638 4300</p> |
| P5 SWEEP PATHS ADDED | 24/03/20 | <p>brandon & ASSOCIATES</p> <p>ENGINEERING CONSULTANTS</p> <p>personal, professional, practical.</p> |
| P1 FOR REVIEW | 01/20 | |

ROUGH FAMILY INVESTMENTS

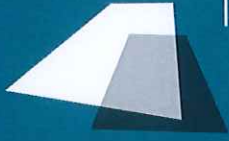
ST GEORGE HEALTHCARE CENTRE - MCU APPLICATION

112-114 ALFRED STREET, ST GEORGE

LOT 5 ON SP276756

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| | | |
|--------------------------------------------------|---------|------------------------------------------------------------------------------------------------------|
| Designed | Checked | REVIEW |
| Drawn | CDW | |
| Approved | | |
| <p>EXISTING & PROPOSED ELEVATIONS</p> | | <p>Job Number 202087</p> <p>Drawing Number SK08</p> <p>Issue P5</p> |
| Number | of | Drawings |
| 08 | 08 | |
| Full Size A3 | | |



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File Number MCU 177/R2104

Date of Approval 16.07.20

Assessment Mgr / CEO gen

ST GEORGE DENTAL
TOWN PLANNING APPLICATION

Infrastructure Connection Report

Job No. 202087

www.brandoneng.com

CHINCHILLA 4668 9351 | ROMA 4622 3799 | TOOWOOMBA 4636 4100

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DOCUMENT ISSUE STATUS

Origin of Document

Toowoomba

File Reference

Infrastructure Services Report 150320

| ISSUE | ISSUE DATE | DETAILS | PREPARED BY | AUTHORISATION | |
|-------|------------|---------|--------------|----------------------------|----------------------------------------------------------------------------------------------------|
| | | | | NAME/POSITION | SIGNATURE |
| A | 24/03/2020 | FINAL | C. Lattimore | C. Lattimore / Engineer |  22/03/17/15 |
| | | | | | |
| | | | | | |
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APPENDIX A – SERVICES SCHEMATIC DRAWING

1 Purpose of Report

Brandon and Associates had been engaged by Rough Family Investments to prepare an Infrastructure Connection Report in support of a development application for a material change of use and reconfiguring a lot to facilitate the establishment of a Dental Clinic and Caretaker's Residence at 112-114 Alfred Street, St. George.

This report will address:

- o Method of stormwater control and discharge
- o Establish the method of water supply to the site
- o Establish the method of sewer connection to the site
- o Method of power supply to the site

2 Project Background

The development site consists of a land parcel at the corner of Alfred Street and Grey Street and is described as Lot 5 on SP276756. The proposal lot is 0.1223Ha (1,223m²) in size. The proposed development will make no changes to the existing building footprint, with minor changes to the internal building floor plan layout.

The proposed development will also include five (5) new parking bays, including one (1) disabled parking bay, at the south of the existing building. It is proposed that the parking bays will be accessed through an existing driveway located within the neighbouring medical centre on Lot 4 of SP276756 via the establishment of an access easement over Lot 4 of SP276756 in favour of Lot 5 SP276756.

3 Stormwater Methodology

Stormwater from the proposed development will be collected, conveyed and discharged as follows:

- Surface water over the proposed parking bays and landscape areas will be directed to the Alfred Street kerb and channel through a new RHS and inlet pit
- Roof water collection and discharge of the existing building will remain unchanged
- Surface water over landscaped areas around the proposed GLA Building will similarly discharge to the south to the balance of lot, whereby the water will continue by sheet flow to the oval as above.

As the changes to surface conditions are minimal, no allowance has been made for stormwater quality or quantity measures in the detail design of the stormwater methodology described above.

4 Water Supply Methodology

Water Demand - General

The existing domestic water meter connection will be sufficient to service the proposed dental clinic and caretaker's residence with no upgrades required. The proposed development will include the relocation of the toilet facilities from the centre of the existing building to the southern end and will have no increase to the existing water demand.

Fire Fighting Requirements

According to Part E1 the Building Code of Australia, as the existing building is below 500 m² in floor area, no fire hydrant nor fire hose reel is required.

5 Sewer Connection

The development site has a gravity sewer main along its southwest boundary. While the internal toilet facility is proposed to be relocated from the centre of the building to the southern end, no changes to the existing sewer main connection is required as sanitary drainage loads remain unchanged.

6 Power Connection

Power to the site is provided via an overhead connection from the transformer on the southern side of Alfred Street. The proposed development will involve no additional power demand, with no new power connection to the street required. Therefore, the existing overhead connection will remain unchanged.