

In the Planning and Environment
Court
Held at: Maroochydore

No. D129 of 2025

Between: **MARK AND JULIANNE GRUNSKÉ**

Appellant

And: **FRASER COAST REGIONAL COUNCIL**

Respondent

Certificate Pursuant to Section 251 of the *Local Government Act 2009*

I, Mica Martin, Chief Executive Officer of the Fraser Coast Regional Council (**Council**), provide this certificate pursuant to section 251 of the *Local Government Act 2009* (Qld) and certify that the following facts appear from the records of the Fraser Coast Regional Council.

Land

1. The land the subject of the proceeding is situated at Lot 51 Wilkinson Road, Tuan in the State of Queensland and is more particularly described as Lot 51 on MCH567 (**Land**). The Land is included within the boundary of the Council's local government area.

Infrastructure Charge and Development Approval

2. On 21 February 2025, the Council issued a decision notice to approve a development application for a development permit to reconfigure a lot (1 lot into 5) (**Decision Notice**). **Attachment 1** to this certificate is a true copy of the Decision Notice dated 21 February 2025 (**pages 1 - 24**).
3. At the same time as the Council gave the decision notice for the Development Approval to the Appellant, the Respondent also gave the Appellant an Infrastructure Contribution Notice 5138178 in the amount of \$54,720.00 (**ICN**) for the Development Approval, dated 21 February 2025. **Attachment 2** to this certificate is a true copy of the ICN dated 21 February 2025 (**pages 25 - 29**).
4. On or about 14 July 2025, the Appellant filed an appeal with the Development Tribunal against the Council's decision to give the

ICN, and the appeal was heard by the Development Tribunal on 19 August 2025. On 3 November 2025, the Development Tribunal decided to confirm the Council's decision to give the ICN (**Tribunal Decision**). **Attachment 3** to this certificate is a true copy of the Tribunal Decision dated 3 November 2025 (pages 30 - 40).

5. On 19 March 2025, the Appellant appealed the Development Approval to this Honourable Court. The appeal was allowed in part on 24 October 2025 (**Appealed Development Approval**). The Appealed Development Approval does not change the ICN. **Attachment 4** to this certificate is a true copy of the Judgment containing the Appealed Development Approval (pages 41 - 52).

Infrastructure Charges Resolution

6. The *Fraser Coast Regional Council Infrastructure Charges Resolution January 25025* was in effect for the Council's local government area when the ICN was given. **Attachment 5** to this certificate is a true copy of *Fraser Coast Regional Council Infrastructure Charges Resolution January 2025* (pages 53 - 78).

Planning Scheme

7. The Development Application required assessment against the *Fraser Coast Planning Scheme 2014*.
8. The *Fraser Coast Planning Scheme 2014* took effect on 28 January 2014.
9. Version 11 of the Fraser Coast Planning Scheme 2014:
 - (a) was adopted on 28 August 2019 and took effect on 9 September 2019;
 - (b) is currently in effect; and
 - (c) was in force when the Development Application was treated as properly made on 8 December 2021.
10. Version 11 of the *Fraser Coast Planning Scheme 2014* identifies the Land as being:
 - (a) included in the Low Density Residential Zone;
 - (b) included in a Priority Infrastructure Area; and

- (c) affected by the following overlays:
 - (i) Acid Sulfate Soils (Area 1 (Land at or below 5m AHD));
 - (ii) Agricultural Land overlay;
 - (iii) Biodiversity Areas, Waterways & Wetlands overlay (Local Wetlands Buffer);
 - (iv) Bushfire Hazard overlay (Bushfire Prone Area, Bushfire Hazard Potential Impact Buffer and Medium Bushfire Hazard Area); and
 - (v) Coastal Protection overlay (Coastal Management District and Erosion Prone Areas).

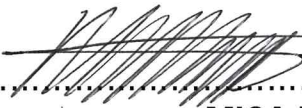
11. **Attachment 6** to this certificate is a true copy of the following parts of version 11 of the *Fraser Coast Planning Scheme 2014* that appear in the Council's records:

- (a) Zone map ZM-003 (page 79);
- (b) Acid Sulfate Soils overlay map OM-001.2 (page 80)
- (c) Agricultural Land overlay map OM-002.2 (page 81);
- (d) Biodiversity Areas overlay maps OM-004.5 (W) (page 82);
- (e) Bushfire Hazard overlay map OM-005.2 (page 83);
- (f) Coastal Protection overlay OM-006.2 (page 84); and
- (g) Priority Infrastructure Area Map PIA-004 (page 85)

12. **Attachment 7** to this certificate is a true copy of the following documents obtained from the Council's interactive mapping facility showing the mapping referred to paragraphs 10(a)-(f) but at an enlarged scale to better depict the land and the applicable designations:

- (a) Zone map ZM-003 (pages 86 - 87);
- (b) Acid Sulfate Soils overlay map OM-001 (pages 88 – 89);

- (c) Agricultural Land overlay map OM-002 (pages 90 - 91);
- (d) Biodiversity Areas overlay maps OM-004 (W) (pages 92 - 93);
- (e) Bushfire Hazard overlay map OM-005 (pages 94 - 95);
- (f) Coastal Protection overlay OM-006 (pages 96 - 97); and
- (g) Priority Infrastructure Area Map PIA-004 (page 98 - 99)



.....

MICA MARTIN
FRASER COAST REGIONAL COUNCIL
Dated: 29/01/2025

Attachment 1



Your Reference: 21153

21 February 2025

M and J Grunske
C/- Urban Planet Town Planning Consultants
Attention: Ward Veitch
PO Box 232
HERVEY BAY QLD 4655

PO Box 1943
Hervey Bay Qld 4655

T 1300 79 49 29
F (07) 4197 4455
E enquiry@frasercoast.qld.gov.au
www.frasercoast.qld.gov.au

Dear Sir/Madam

Decision Notice *Planning Act 2016*

I refer to your application and advise that on 21 February 2025, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: RAL21/0138
Proposal: Reconfiguring A Lot - One (1) Lot into Five (5) Lots
Street Address: Wilkinson Road TUAN QLD 4650
Real Property Description: Lot 51 MCH 567

DECISION DETAILS

Type of Decision: Approved in full with conditions
Type of Approval: Development Permit – Reconfiguring a lot – One Lot into Five Lots

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:

| | Planning Regulation 2017 reference | Development Permit | Preliminary Approval |
|--|------------------------------------|-------------------------------------|--------------------------|
| Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval | | <input checked="" type="checkbox"/> | <input 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:

- Plan of subdivision (Plan Sealing)
- Operational Works (Civil works)

REFERRAL AGENCIES FOR THE APPLICATION

The referral agencies for this application are:

| For an application involving | Name of referral agency | Advice or concurrence agency | Address & Email Address |
|--|--------------------------------------|------------------------------|--|
| 10.17.3.5.1 - Reconfiguring a lot in a coastal management district | State Assessment and Referral Agency | Concurrence | Wide Bay Burnett regional office Level 1, 7 Takalvan Street, Bundaberg PO Box 979, Bundaberg QLD 4670 WBBSARA@dsdilgp.qld.gov.au |
| 10.20.4.2.1 Reconfiguring a lot in a wetland protection area | State Assessment and Referral Agency | Concurrence | Level 1, 7 Takalvan Street, Bundaberg Level 1, 7 Takalvan Street, Bundaberg PO Box 979, Bundaberg QLD 4670 WBBSARA@dsdilgp.qld.gov.au |

A copy of conditions required by the referral agency is attached.

PROPERLY MADE SUBMISSIONS

Not applicable

APPROVED PLANS AND DOCUMENTS

The following plans/documents are Approved plans for the development:

| Plan/Document No. | Rev. | Plan Name | Prepared by | Date |
|-------------------|------|---|--|--|
| 21153-02 | - | <i>Proposed Reconfiguring a Lot Wilkinson Road Tuan</i> (as amended in red by SARA on 21 November 2024) | Urban Planet Town Planning Consultants | August 2024 Amended by SARA 21 November 2024 |

REFERENCED DOCUMENTS

Not applicable

CURRENCY PERIOD FOR THE APPROVAL

The currency period for this development approval is four (4) 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*.)

INFRASTRUCTURE

Except where specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

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”.

OTHER DETAILS

If you wish to obtain more information about Council’s decision, electronic copies are available online at www.frasercoast.qld.gov.au or at Council Offices.

Yours faithfully



Emily Burke
SENIOR PLANNER

Enc: Adopted Infrastructure Charge Notice
Conditions of Approval
Referral Agency Response/s
Approved Plans/Documents
Appeal Rights

Phone: 07 4197 4367

Docs Reference: 5138177

Applicant Email: ward@urbanplanet.com.au

Developer Email: mudcrabsdirect@gmail.com

cc: Department of State Development Infrastructure, Local Government and Planning

| Conditions | Condition Timing |
|--|--|
| Administrative | |
| <p>This approval is subject to the following conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water (WBW) unless specified in any particular condition.</p> | |
| 1. Carry out the development in accordance with the approved plans unless otherwise approved in writing by the Assessment Manager. | At all times. |
| 2. Meet the costs of all works associated with this development including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations. | Prior to the approval of the subdivision plan |
| 3. All works associated with this development must be accepted by Council as being 'on maintenance' prior to the approval of the subdivision plan unless approved otherwise by Assessment Manager. | Prior to the approval of the subdivision plan |
| 4. Pay any outstanding rates and charges due to Council. <i>Note: please contact Council's Property Rating Department at rates@frasercoast.qld.gov.au and Development Department at development@frasercoast.qld.gov.au prior to payment to confirm any outstanding rates and charges amounts.</i> | Prior to the lodgement of the subdivision plan |
| 5. Submit to Council, a plan identifying the locations of all buildings, services, structures, water bodies/dams, effluent disposal areas and other improvements on the land in relation to the proposed new and existing boundaries and the distances there from. The plan must contain the following certification duly completed by the surveyor:- <i>"I..... being a cadastral surveyor hereby certify as follows:-</i> <i>(a) The information contained in this plan is accurate at the time of survey and may be relied on by Council.</i> <i>(b) The distances from the proposed new boundaries of all buildings and structures shown hereon generally conform to the boundary clearance requirements for side and rear boundaries as specified the Building Act 1975 and Council's Planning Scheme.</i> <i>(c) All services to the existing dwelling from the reticulation mains are contained wholly within the subject lot.</i> <i>..... (Signature)"</i> | Prior to the approval of the subdivision plan |

| Conditions | Condition Timing |
|---|--|
| 6. Submit a Subdivision Plan Compliance Report and supporting documentation to Council demonstrating compliance with each condition of this approval. | Prior to the approval of the subdivision plan |
| 7. All new lot boundaries must be set out and surveyed by a Cadastral Surveyor and identified by pegs marked with lot numbers as identified on the approved plan. | Prior to the lodgement of the subdivision plan |
| Operational Works | |
| 8. Submit an Operational Works application to Council detailing all earthworks access works and stormwater management and drainage work within and external to the site and any other works as required by conditions of this approval. The design of these works must be approved by Council before any works commence on the site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use. All final designs must be designed, supervised and certified by a Registered Professional Engineer of Queensland (RPEQ). | Prior to the commencement of works. |
| SITE WORKS | |
| Construction and Environmental Management | |
| 9. Prepare and submit to Council in conjunction with an Operational Works application a Construction and Environmental Management Plan (CEMP) for the development in accordance with the Planning Scheme Policy for Development Works SC6.3. | Prior to the approval of Operational Works |
| Erosion and Sediment Control | |
| 10. Submit to Council as part of an Operational Works application, a Site-Specific Erosion and Sediment Control Plan. This Plan must be designed in accordance with Planning Scheme Policy for Development Works SC6.3, and the International Erosion Control Association (Australasia) Best Practice Erosion and Sediment Control Guidelines (Current Edition). | Prior to approval of Operational Works |
| Stormwater Management | |
| 11. Design the stormwater drainage such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties, including road reserves, occurs as a result of the development, as set out in Schedule 6.3 – Planning scheme policy for development works. | Prior to the lodgement of the subdivision plan |
| 12. Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties. | At all times. |
| 13. Any stormwater works associated with the development must not cause adverse effects external to the subject site arising from | At all times. |

| Conditions | Condition Timing |
|--|--|
| any increase in velocity, volume and/or redirection of flow; or an increase in the duration of inundation outside the site where such increased inundation could cause loss or damage. | |
| Flood Immunity | |
| 14. Submit to Council as part of an Operational Works application, design details of filling works to provide appropriate flood immunity to proposed Lots 1 and 2 to reach the Storm-Tide Level for this site as to be 2.40m AHD. | Prior to the approval of Operational Works |
| 15. Submit documentation, as part of the Request for Approval of the Subdivision Plan Application from a Registered Professional Engineer of Queensland (RPEQ), which certifies that each completed allotment will achieve flood immunity as per Condition 16. | Prior to the lodgement of the subdivision plan |
| Vehicle Access | |
| 16. Construct a sealed access driveway to each allotment within the allotment's road frontage, from the edge of the road pavement to the property boundary, in accordance with the Planning Scheme and standard drawing No FC-230-03 – Type A – Invert Crossing. The access driveway for proposed Lot 4 is to be located at least 10.0m away from the existing 375mm stormwater pipe and concrete head wall. | Prior to the lodgement of the subdivision plan |
| Property Damage & Council Infrastructure | |
| 17. Any existing Council infrastructure or private property (including but not limited to, services, concrete structures, pits, channels, pavement, RCP's, RCBC's, etc.) damaged due to the proposed works is to be rectified or replaced at the applicant's expense prior to the issue of a Subdivision Certificate. The applicant must notify Council Development Engineering Unit immediately of the affected infrastructure. If damage occurs and is not replaced by the client/contractor, Council has the right to undertake the works and charge the landowner accordingly. | Prior to the approval of the subdivision plan |
| Location of Services and Structures | |
| 18. Relocate all services and structures as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement. | Prior to the approval of the subdivision plan |
| Telecommunications | |
| 19. Enter into an agreement with a licensed telecommunication provider to ensure that a telecommunication connection will be available to each proposed allotment under standard tariff conditions and without further capital contributions. These services are to be positioned wholly within the allotment which they are to serve. Provide a Telecommunications Infrastructure Provisioning letter as evidence of such an agreement to Council. | Prior to the approval of the subdivision plan |

| Electricity | |
|---|--|
| <p>20. Each lot of this approval is to be provided with a reticulated power connection and supply under standard tariff conditions.</p> <p>In this regard, the developer is to enter into an agreement with an approved electricity provider, prior to the approval of the subdivision plan, to ensure that electricity will be available to each allotment under standard tariff conditions and without further capital contributions. Evidence of such an agreement must be:</p> <ol style="list-style-type: none"> 1. Provision of a Certificate of Supply, or 2. Provision of a Certificate of Acceptance, or 3. Provision of a Negotiated Connection Establishment Contract, and evidence of the following; <ol style="list-style-type: none"> i. substantial commencement of the internal electrical work, and ii. evidence of contract with electrical contractor; and iii. evidence of the ability to fund the contract value of the electrical works. | Prior to the approval of the subdivision plan |
| Water Supply | |
| 21. Submit as part of a building application, details associated with the on-site collection, storage and treatment of a potable water supply. | As part of a building application |
| Wastewater Treatment | |
| 22. Each lot must install Advanced Secondary Treatment with Nutrient Reduction to Surface irrigation in accordance with the Qld Plumbing and Wastewater Code and relevant Australian Standards. | Prior to the commencement of use |
| Granting Easements | |
| 23. Grant the following easement(s), as part of the registration of the survey plan where required: <ol style="list-style-type: none"> (i) Easements for stormwater, electricity and telecommunications services as may be required to service the development. | Prior to the lodgement of the subdivision plan |
| Infrastructure and Services | |
| 24. All existing services shall be relocated as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement. Any alteration of services to provide for the development shall be undertaken at no cost to Council. | Prior to the approval of the subdivision plan. |
| 25. All damage to Council infrastructure (including pavement and drainage damage) as a result of the development works is to be rectified to the satisfaction of Council prior to the issuing of the | Prior to the approval of the subdivision plan. |

| | |
|--|--------------|
| certificate of practical completion or approval of the plan of survey. | |
| Disclosures to future purchasers | |
| 26. Include in any Contract of Sale for the lots, a copy of Conditions 21, 22 and 26 of the approval. | At all times |
| 27. Include in any Contract of Sale for lot 5, a copy of the State Assessment and Referral Agency response, 2212-26497 SRA and dated 21 November 2024. | At all times |

| | |
|----------------------------|---|
| <u>Advice Notes</u> | |
| 1. | <i>This development is subject to Infrastructure Charges. Please refer to the accompanying Adopted Infrastructure Charges Notice.</i> |
| 2. | <i>Where future residential uses are provided with on-site treatment and disposal of wastewater the system must be in accordance with the Qld Plumbing and Wastewater Code and relevant Australian Standards</i> |
| 3. | <i>Prior to the approval of the subdivision plan: (i) All water supply and sewerage (pressure main) works must be completed and connected to Council's network; (ii) All stormwater drainage works must be completed; (iii) Electricity must be connected or certificate of supply provided; (iv) As-constructed information of the completed works must be submitted to Council; (v) All required works within the proposed lots must be completed; (vi) Any outstanding works must be secured by a bond in accordance with section 6.3.13.5 of Planning Scheme Policy for Development Works SC6.3</i> |
| 4. | <i>Council, if it considers that the maintenance obligations are not being met may undertake any works necessary, if the developer fails to rectify the fault within 14 days of notice given by Council for routine items; or 24 hours' notice in an emergency situation, to ensure compliance under this development permit. Council may also recover costs from any maintenance or security bonds held for this development. The developer must also be responsible for any additional costs incurred by Council in undertaking these obligations.</i> |
| 5. | <i>Council accepts no responsibility for the accuracy of the survey information, the design or any information or detail contained in the approved drawings and specifications. The approval is issued with reliance upon the Engineer's certification and that any aspect of the design not specified by Council policy has been undertaken with due professional diligence to accepted industry standards.</i> |
| 6. | <i>Council's approval of the design does not grant approval to enter private property or private easements to undertake works.</i> |
| 7. | <i>This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.' Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage can be obtained from the Department of Aboriginal and Torres Strait Islander Partnerships.</i> |
| 8. | <i>All residential lots created as a result of this permit are to be serviced by a Domestic Vehicle Crossover. Vehicle crossovers are to be constructed in accordance with Councils standard drawing FC-230-01 and to Councils specifications prior to the occupation of a dwelling, and failure to provide a suitable vehicle crossing is a breach of the Fraser Coast planning scheme. Prior to the commencement of works to construct a Domestic Vehicle Crossover in a Council</i> |

controlled road, a Local Law Permit is required. To obtain this permit, a formal application and support drawings should be prepared and lodged with the prescribed fee. Full details on the application and specifications for a domestic crossover are available from Councils website.



Received by FCRC

RAL21/0138
21 November 2024

Our reference: 2112-26497 SRA
Your reference: RAL21/0138
Applicant reference: 21153

21 November 2024

The Chief Executive Officer
Fraser Coast Regional Council
PO Box 1943
HERVEY BAY QLD 4655
enquiry@frasercoast.qld.gov.au

Attention: Ms Emily Burke

Dear Ms Burke

Changed referral agency response—with conditions

(Given under section 28 of the Development Assessment Rules)

On 23 October 2024, SARA received representations from the applicant requesting SARA change its referral agency response. The SARA has considered the representations and now provides this changed referral agency response which replaces the response dated 17 October 2024.

Applicant details

| | |
|----------------------------|--|
| Applicant name: | M and J Grunske |
| Applicant contact details: | C/- Urban Planet Town Planning Consultants PO Box 232 HERVEY BAY QLD 4655 ward@urbanplanet.com.au |

Location details

| | |
|----------------------------|-------------------------------|
| Street address: | Wilkinson Road, TUAN |
| Real property description: | Lot 51 on MCH567 |
| Local government area: | Fraser Coast Regional Council |

Application details

| | |
|--------------------|--|
| Development Permit | Reconfiguring a lot for Reconfiguring A Lot - Reconfiguring a Lot (RAL) – 1 Lot into 5 Lots |
|--------------------|--|

Referral triggers

The development application was referred to the SARA under the following provisions of the Planning Regulation 2017:

- 10.17.3.5.1 Reconfiguring a lot in a coastal management district
- 10.20.4.2.1 Reconfiguring a lot in a wetland protection area

Conditions

Under section 56(1)(b)(i) of *Planning Act 2016*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

SARA must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the applicant

SARA offers advice about the application to the applicant—see Attachment 3.

Approved plans and specifications

SARA requires that the plans and specifications set out below and enclosed must be attached to any development approval.

| Drawing/report title | Prepared by | Date | Reference no. | Version/issue |
|--|--|-------------|---------------|---------------|
| Reconfiguring a Lot (RAL) – 1 Lot into 5 Lots | | | | |
| <i>Proposed Reconfiguring a Lot Wilkinson Road Tuan</i> (as amended in red by SARA on 21 November 2024) | Urban Planet Town Planning Consultants | August 2024 | 21153-02 | - |

A copy of this response has been sent to the applicant for their information.

For further information please contact Peter Mulcahy, Principal Planning Officer, on (07) 3307 6152 or via email WBBSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Luke Lankowski
Manager, Planning – Wide Bay Burnett

cc M and J Grunske
C/- Urban Planet Town Planning Consultants
ward@urbanplanet.com.au

enc Attachment 1—Changed conditions to be imposed
Attachment 2—Changed reasons for decision to impose conditions
Attachment 3—Changed advice to the applicant
Attachment 4—Approved plans and specifications

Attachment 1—Changed conditions to be imposed

| No. | Conditions | Condition timing |
|--|---|--|
| Development Permit for Reconfiguring a Lot (RAL) – 1 Lot into 5 Lots | | |
| Schedule 10, Part 17, Division 3, Table 5, Item 1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment, Tourism, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions: | | |
| 1. | The reconfiguring a lot must be undertaken generally in accordance with the following plans: <ul style="list-style-type: none"> • <i>Proposed Reconfiguring a Lot Wilkinson Road Tuan</i> prepared by Urban Planet Town Planning Consultants, Reference 21153-02, and dated August 2024 as amended in red by SARA on 17 October 2024 21 November 2024 | Prior to submitting the Plan of Survey to the local government for approval. |
| 2. | Maintain the development in accordance with the plan referenced in Condition No. 1 and the requirements of any condition included in this referral agency response. | At all times. |
| 3. | Ensure proposed Lots 1 and 2 are created with a minimum finished surface level of at least the level of Highest Astronomical Tide (HAT) plus 0.8m vertical elevation. | Prior to submitting the Plan of Survey to the local government for approval. |
| 4. | For the works referenced within Condition No. 3, only use clean materials which are free from prescribed water contaminants. | For the duration of the works. |
| 5. | Development must prevent the release of sediment to tidal waters by installing and maintaining erosion and sediment control measures in accordance with the <i>Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)</i> . | For the duration of the works. |
| Schedule 10, Part 20, Division 4, Table 2, Item 1 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment, Tourism, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions: | | |
| 6. | The reconfiguring a lot must be undertaken generally in accordance with the following plans: <ul style="list-style-type: none"> • <i>Proposed Reconfiguring a Lot Wilkinson Road Tuan</i> prepared by Urban Planet Town Planning Consultants, Reference 21153-02, and dated August 2024 as amended in red by SARA on 17 October 2024 21 November 2024 | Prior to submitting the Plan of Survey to the local government for approval. |
| 7. | Maintain the development in accordance with the plan referenced in Condition No. 6 and the requirements of any condition included in this | At all times. |

| No. | Conditions | Condition timing |
|-----|--|--|
| | referral agency response. | |
| 8. | Erosion and sediment control measures which are in accordance with the <i>Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)</i> are to be installed and maintained to prevent the release of sediment to the wetland. | For the duration of the works. |
| 9. | <p>(a) Provide a 50 metre wide buffer for the purpose of maintained and protecting the wetland environmental values as shown on <i>Proposed Reconfiguring a Lot Wilkinson Road Tuan</i> prepared by Urban Planet Town Planning Consultants, Reference 21153-02, and dated August 2024 as amended in red by SARA on 17 October 2024 21 November 2024.</p> <p>(b) Provide buffer elements in the locations shown on <i>Proposed Reconfiguring a Lot Wilkinson Road Tuan</i> prepared by Urban Planet Town Planning Consultants, Reference 21153-02, and dated August 2024 as amended in red by SARA on 17 October 2024 21 November 2024 to achieve the purposes set out in the <i>Queensland Wetland Buffer Planning Guideline 2011</i>.</p> <p>(c) Written evidence from an appropriately qualified person(s)* that (a) and (b) have been fulfilled is to be provided to palm@des.qld.gov.au or mailed to:</p> <p style="text-align: center;">Department of Environment, Tourism, Science and Innovation Permit and Licence Management PO Box 2454 BRISBANE QLD 4001</p> <p><i>Note: Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills and experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.</i></p> | <p>(a) Prior to survey plan endorsement.</p> <p>(b) Prior to survey plan endorsement.</p> <p>(c) Prior to survey plan endorsement.</p> |

Attachment 2—Changed reasons for decision to impose conditions

The reasons for the SARA's decision are:

- the proposed development is considered to achieve compliance with State Code 8: Coastal development and tidal works and State Code 9: Great Barrier Reef wetland protection areas as the proposed development is considered to minimise adverse impacts on the wetland protection area, High Ecological Significance (HES) wetland and tidal waters via the application of conditions related to:
 - erosion and sediment control measures
 - finished surface levels for proposed Lots 1 and 2
 - development free area within proposed Lot 5 associated with the mapped erosion prone area
 - requirement for a 50 metre wide development free buffer to the mapped HES wetland
 - provision of buffer elements in accordance with the *Queensland Wetland Buffer Planning Guideline 2011*

Material used in the assessment of the application:

- the development application material
- Fraser Coast Regional Council (FCRC) correspondence dated 9 September 2024 (Assessment Manager confirmation of changed application)
- written representations (received by SARA on 23 October 2024)
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- SARA SPP Mapping system
- Section 58 of the *Human Rights Act 2019*.

Evidence or other material on which the findings were based

- development application material
- written representations received by SARA on 31 October 2024
- State Development Assessment Provisions published by the State Assessment and Referral Agency (SARA)
- *Planning Act 2016*
- Planning Regulation 2017

Attachment 3—Changed advice to applicant

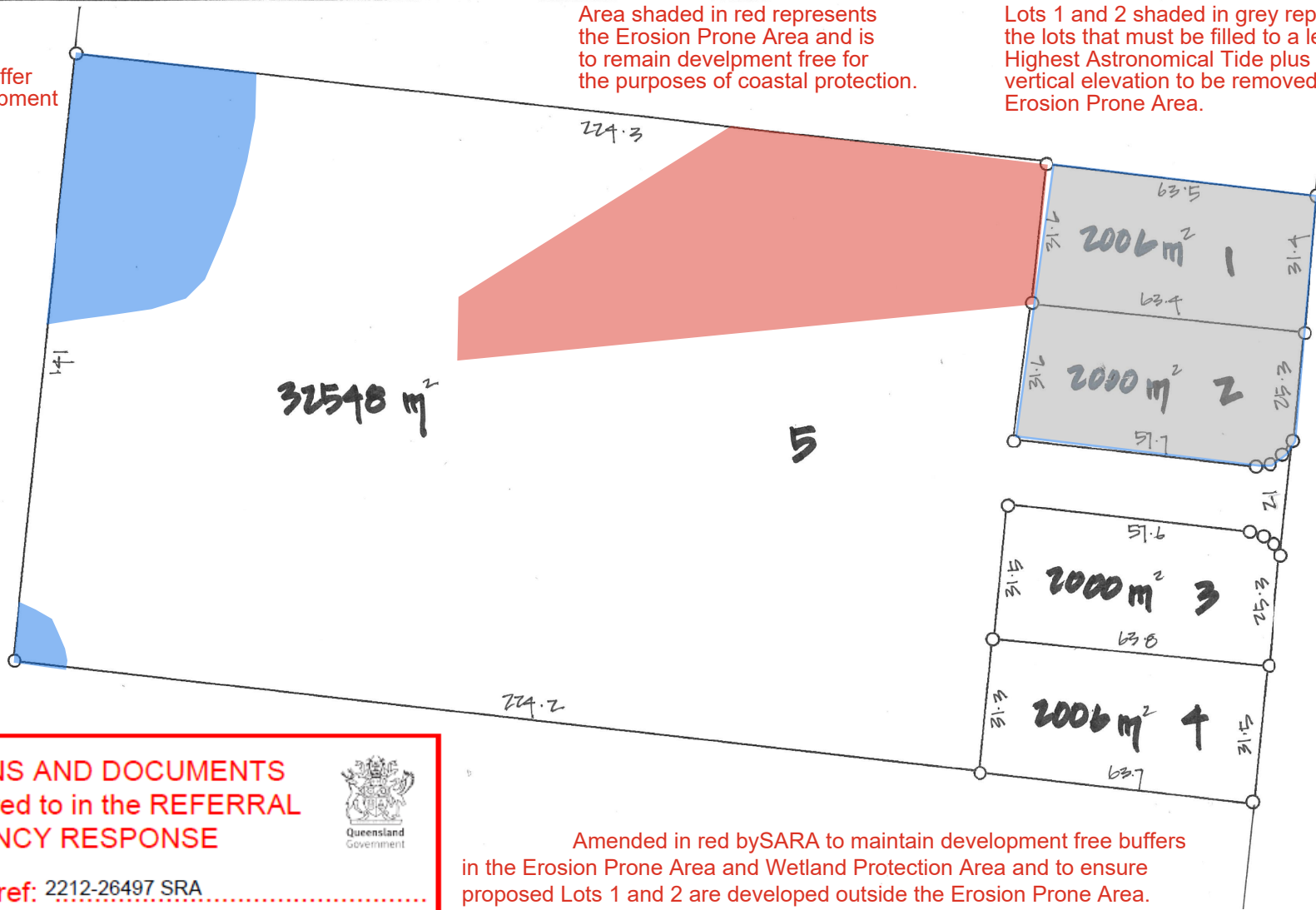
| General advice | |
|---------------------------|--|
| 1. | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning. |
| SARA approved plan | |
| 2. | <p>The following clarification is provided to assist the applicant in interpretation of the SARA approved plan:</p> <ul style="list-style-type: none"> - the blue shaded area within proposed Lot 5 on the SARA approved plan indicates the 50 metre buffer from the mapped High Ecological Significance (HES) wetland - the red shaded area within proposed Lot 5 represents the mapped erosion prone area - all SARA conditions only relate to the subject site and have no bearing on any adjoining allotments |

Attachment 4—Approved plans and specifications

Areas shaded in blue represents the Wetland Protection Area 50m buffer and is to remain development free for the purposes of protecting the wetland environmental values.

Area shaded in red represents the Erosion Prone Area and is to remain development free for the purposes of coastal protection.


Lots 1 and 2 shaded in grey represent the lots that must be filled to a level of Highest Astronomical Tide plus 0.8m vertical elevation to be removed from the Erosion Prone Area.



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2212-26497 SRA

Date: 21 November 2024



Amended in red by SARA to maintain development free buffers in the Erosion Prone Area and Wetland Protection Area and to ensure proposed Lots 1 and 2 are developed outside the Erosion Prone Area.

Amended in red by SARA on 21 November 2024



AREAS AND DISTANCES ARE APPROXIMATE ONLY AND SUBJECT TO SURVEY

PROPOSED RECONFIGURING A LOT WILKINSON ROAD TIAN

21153-02 AUGUST 24 SCALE 1:1000 @ A3

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

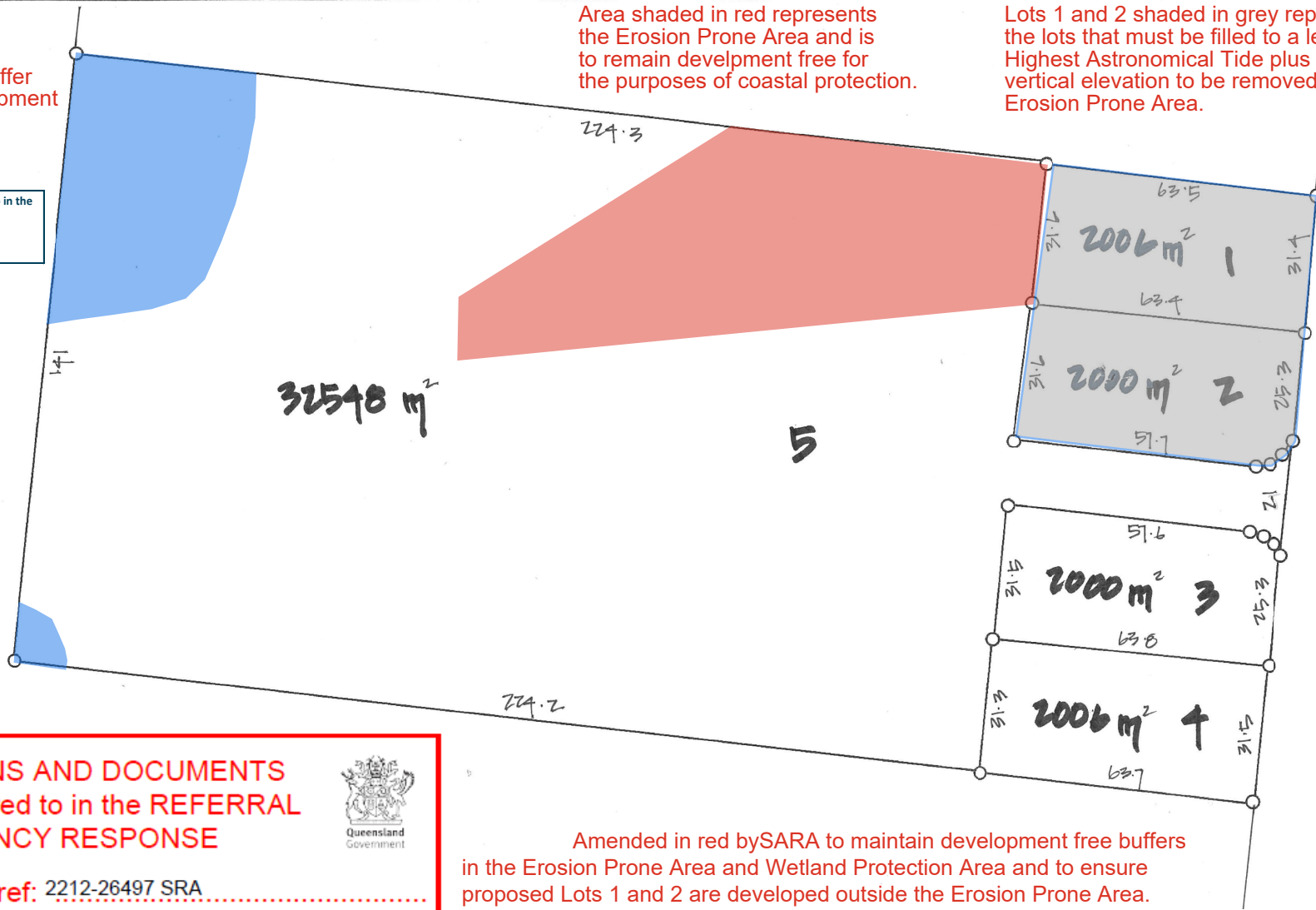
³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Areas shaded in blue represents the Wetland Protection Area 50m buffer and is to remain development free for the purposes of protecting the wetland environmental values.

Area shaded in red represents the Erosion Prone Area and is to remain development free for the purposes of coastal protection.

Lots 1 and 2 shaded in grey represent the lots that must be filled to a level of Highest Astronomical Tide plus 0.8m vertical elevation to be removed from the Erosion Prone Area.

These are the plans referred to in the Decision Notice No. RAL21/0138 21 February 2025



WILKINSON ROAD

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE
SARA ref: 2212-26497 SRA
Date: 21 November 2024



Amended in red by SARA to maintain development free buffers in the Erosion Prone Area and Wetland Protection Area and to ensure proposed Lots 1 and 2 are developed outside the Erosion Prone Area.

Amended in red by SARA on 21 November 2024



AREAS AND DISTANCES ARE APPROXIMATE ONLY AND SUBJECT TO SURVEY

PROPOSED RECONFIGURING A LOT WILKINSON ROAD TIAN

21153-02 AUGUST 24 SCALE 1:1000 @ A3

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 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.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is –

- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against a decision of the Minister, under chapter 7, part 4, to amend the registration of premises to include additional land in the affected area for the premises – 20 business days after the day a notice is published under section 269A(2)(a); or
- (e) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (f) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (g) for an appeal relating to the *Plumbing and Drainage Act 2018*-
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c) – 5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018* – 5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018* – at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise – 20 business days after the day the notice is given; or
- (h) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

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

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

230 Notice of appeal

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

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section –

decision includes-

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or failure to make a decision; and
- (d) a purported decision ; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

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

Attachment 2



PO Box 1943
Hervey Bay Qld 4655

T 1300 79 49 29
F (07) 4197 4455
E enquiry@frasercoast.qld.gov.au

www.frasercoast.qld.gov.au

Fraser Coast Regional Council Infrastructure Charges Incentives

Preliminary assessment has determined that in accordance with Council's Infrastructure Charges Incentives Policy March 2022, the development may be eligible for the following incentives.

| Incentive | The maximum amounts of subsidy available for each category are as follows: |
|--|---|
| Incentive 1 – Residential Delayed Payment | Delayed payment of Reconfiguring a Lot Infrastructure charges until the sale of the lots created or 2 years whichever is earlier, subject to agreement to the terms and conditions. |

Please refer to Council's website for specific details on the eligibility criteria for each incentive.

Relevant fact sheet/s are attached for your information. For further details please also refer to Council's website: <http://www.frasercoast.qld.gov.au/infrastructure-charges-incentives>.

Approved:  25

NOTICE DETAILS

Issued To: M and J Grunske
 Date of Notice: 21 February 2025
 Approval Number: RAL21/0138
 Docs Reference: 5138178

DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

The adopted infrastructure charge applies to the following development type: RAL-Reconfiguring a Lot

LAND TO WHICH THE INFRASTRUCTURE CHARGE APPLIES

Site Address: Wilkinson Road TUAN QLD 4650
 Real Property Description: Lot 51 MCH 567

AMOUNT OF THE ADOPTED INFRASTRUCTURE CHARGE

The infrastructure charge has been calculated in accordance with an adopted infrastructure charges resolution under the *Planning Act 2016*. Please refer to <http://www.frasercoast.qld.gov.au/infrastructure-charges-incentives> for a copy of this document.

The amount of the adopted infrastructure charge is to be escalated in accordance with relevant legislation from the date of the notice to the date of payment.

NET CHARGE **\$54,720.00**

Residential Charge Calculation - Transport, Stormwater, Community Facilities & Parks

| | Qty | | Rate | Charge Amount |
|---|-----|---|---------------------|--------------------|
| Residential ROL with single detached dwelling entitlement | 5 | @ | 13,680.00 | \$68,400.00 |
| | | | Total Charge | \$68,400.00 |

Charge Calculation - Credits

| | Qty | | Rate | Credit Amount |
|---|-----|---|----------------------|--------------------|
| Residential ROL with single detached dwelling entitlement | 1 | @ | 13,680.00 | \$13,680.00 |
| | | | Total Credits | \$13,680.00 |

Charge Calculation - Offsets

| | | Offset Amount |
|---|----------------------|---------------|
| Water, Sewer, Transport, Parks & Stormwater | | \$0.00 |
| | Total Offsets | \$0.00 |

Basis Of Credit: Credit existing lot, no water, no sewer.

Offset Information: Not applicable to this development.

DUE DATE FOR PAYMENT

RAL-Prior to Approval of Plan of Subdivision.

Approved: 
26

1. PAYMENT

This notice is due and payable by the due date in accordance with the permit type. Cheques and money orders should be made payable to Fraser Coast Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Alternatively contact Council for details to make a bank transfer directly from your account.

PAYMENT OF THE ADOPTED INFRASTRUCTURE CHARGE

- The adopted Infrastructure Charge is payable in accordance with the Planning Act 2016.
- The due date for payment of the adopted Infrastructure Charge is: RAL-Prior to Approval of Plan of Subdivision
- The charge is to be paid to Fraser Coast Regional Council. Please contact the Planning and Growth Department on 1300 79 49 29 prior to making payment, to confirm amount payable.
- Compound annual interest at 8% calculated daily is to be applied on an overdue charge.

2. ADOPTED INFRASTRUCTURE CHARGES TAKEN TO BE A RATE

An adopted infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*. This means:

- An adopted infrastructure charge may be recovered by court action for a debt;
- An adopted infrastructure charge may be recovered from the person for the time being owning the relevant land, regardless of who was the owner or other person upon whom the charges was imposed;
- Interest is payable on overdue amounts; and
- If charges are unpaid for 3 years, the land can be sold to recover the outstanding charges.

Note: Any unpaid charges after due date for payment will be transferred to the property as an outstanding rate.

3. INTEREST

Compound interest at the rate of **8% per annum calculated daily** is payable on all infrastructure charges outstanding after the due date shown on this charges notice. The compound interest rate will be adjusted to the amount adopted in the budget resolution, in accordance with the *Local Government Regulation 2012 s133*.

4. GOODS AND SERVICES TAX

The federal government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this infrastructure charges notice.

5. ADOPTED INFRASTRUCTURE CHARGE IS SUBJECT TO PRICE VARIATION

The amount of the adopted infrastructure charge is subject to escalation in accordance with relevant legislation and/or Council Policy from the date of the notice until the date the payment is made.

PLEASE CONTACT COUNCIL'S PLANNING AND GROWTH DEPARTMENT BEFORE MAKING PAYMENT TO ENSURE THE AMOUNT PAYABLE LISTED ON THIS NOTICE IS STILL CURRENT, OR REQUIRES RE-CALCULATION IN ACCORDANCE WITH CURRENT LEGISLATION OR POLICY.

6. INFRASTRUCTURE CHARGES ENQUIRIES

Enquiries regarding this infrastructure charges notice should be directed to Council's Planning and Growth Department by telephoning 1300 79 49 29 during office hours, or via e-mail to: development@frasercoast.qld.gov.au.

| METHODS OF PAYMENT | | |
|--|---|---|
| PAYMENT BY MAIL | PAYMENT AT COUNCIL OFFICES | PAYMENT BY BANK TRANSFER |
| Cheque; Bank Cheque; Postal Order Confirm the current applicable Infrastructure Charge, then mail payment immediately to: Planning and Growth Fraser Coast Regional Council PO Box 1943 HERVEY BAY QLD 4655 | Cheque; Bank Cheque; Postal Order, Credit Card Confirm the current applicable Infrastructure Charge, then present this notice to Fraser Coast Regional Council Customer Service immediately with an advice notice (email or letter) confirming the current applicable Infrastructure Charge. | Contact the Planning and Growth Team for bank details. Confirm the current applicable Infrastructure Charge; then arrange immediate bank transfer. |

CHAPTER 4 Infrastructure
Part 2 Provisions for local governments
Division 2 Charges for trunk infrastructure
Subdivision 5 Changing charges during relevant appeal period
124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
 - (a) agrees with a representation; and
 - (b) decides to change the infrastructure charges notice; the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a negotiated notice) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
 - (a) must be in the same form as the infrastructure charges notice; and
 - (b) must state the nature of the changes; and
 - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

126 Suspending relevant appeal period

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

Schedule 1 Appeals

Section 229

1. Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or

- (1) *a matter prescribed by regulation.*
- (3) *Also, table 1 does not apply to a tribunal if the matter involves—*
- (a) *for a matter in subsection (2)(a) to (d)—*
- (i) *a development approval for which the development application required impact assessment; and*
- (ii) *a development approval in relation to which the assessment manager received a properly made submission for the development application; or*
- (b) *a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.*
- (4) *Table 2 states the matters that may be appealed only to the P&E Court.*
- (5) *Table 3 states the matters that may be appealed only to the tribunal.*
- (6) *In each table—*
- (a) *column 1 states the appellant in the appeal; and*
- (b) *column 2 states the respondent in the appeal; and*
- (c) *column 3 states the co-respondent (if any) in the appeal; and*
- (d) *column 4 states the co-respondents by election (if any) in the appeal.*
- (7) *If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.*

Attachment 3



Development Tribunal – Decision Notice

Planning Act 2016, section 255

| | |
|-----------------------|--|
| Appeal Number: | 25-021 |
| Appellant: | Mark and Julieanne Grunske |
| Respondent: | Fraser Coast Regional Council |
| Site Address: | Wilkinson Road, Tuan Qld 4650 and described as Lot 51 on MCH 567 |

Appeal

Appeal under section 229 and schedule 1, table 1, item 4(a) of the *Planning Act 2016* against an infrastructure charges notice given by the Fraser Coast Regional Council on the grounds the notice involved an error relating to the application of the relevant adopted charge or the working out of extra demand.

| | |
|----------------------------------|---|
| Date and time of hearing: | 19 August 2025 at 10:00am |
| Place of hearing: | Online via video |
| Tribunal: | Travis Schmitt – Chair Stewart Somers – Member |

Decision:

The Development Tribunal, in accordance with section 254(2)(a) of the *Planning Act 2016*, confirms the decision of the Council to give the infrastructure charges notice in the amount of \$54,720.

Background

1. The Appellants made a development application to the Fraser Coast Regional Council (**the Council**) for the reconfiguration of a lot (1 lot into 5 lots) at a property at Wilkinson Road, Tuan.
2. That application was approved, and an infrastructure charges notice was issued by the Council on 21 February 2025 (**the ICN**).
3. The ICN detailed the infrastructure charge applicable to the approved development as follows:

| | | | | |
|---|------------|---|----------------------|----------------------|
| NET CHARGE | | | \$54,720.00 | |
| Residential Charge Calculation - Transport, Stormwater, Community Facilities & Parks | | | | |
| | Qty | | Rate | Charge Amount |
| Residential ROL with single detached dwelling entitlement | 5 | @ | 13,680.00 | \$68,400.00 |
| | | | Total Charge | \$68,400.00 |
| Charge Calculation - Credits | | | | |
| | Qty | | Rate | Credit Amount |
| Residential ROL with single detached dwelling entitlement | 1 | @ | 13,680.00 | \$13,680.00 |
| | | | Total Credits | \$13,680.00 |
| Charge Calculation - Offsets | | | | |
| | | | | Offset Amount |
| Water, Sewer, Transport, Parks & Stormwater | | | | \$0.00 |
| | | | Total Offsets | \$0.00 |

4. That charge was purportedly calculated pursuant to the Council's *Infrastructure Charges Resolution January 2025 (the Charges Resolution)*.
5. On or about 9 April 2025, the Appellants made representations to the Council concerning the ICN. The Council did not agree with those representations and issued a notice about its decision to confirm the ICN on 17 June 2025.
6. In this appeal the Appellants argue that in levying the charge the Council has failed to comply with section 120 of the *Planning Act*, insofar as it only permits a charge for "extra demand placed on trunk infrastructure that will be generated by the development the subject of the approval." The Appellants also argue that the ICN involves an error as to the application of the relevant adopted charge.
7. The Council opposes the relief sought and says the ICN should be confirmed.

Conduct of appeal

8. The Tribunal convened to hear the appeal via video link on 19 August 2025. The Appellants appeared and were represented by Warren Bolton. The Council was represented by its officer James Cockburn.
9. The Tribunal has considered the following material in determining the appeal:
 - (a) Form 10 – Notice of Appeal and attachments:
 - (i) Appellants' submissions dated 12 July 2025
 - (ii) Decision Notice for Infrastructure Charges Notice Representations dated 11 June 2025 (and covering email serving that notice on the Appellants on 17 June 2025)
 - (iii) Infrastructure Charges Notice dated 21 February 2025
 - (iv) Representations prepared by Mr Bolton dated 9 April 2025
 - (v) Extracts from the *Fraser Coast Planning Scheme 2014*
 - (vi) *Toowoomba Regional Council v Wagner Investments Pty Ltd* [2020] QCA 191
 - (vii) *Wagner Investments Pty Ltd v Toowoomba Regional Council* [2019] QPEC 24

- (b) *Infrastructure Charges Resolution January 2025*
- (c) Appellants' supplementary written submissions dated 17 August 2025
- (d) Council's written submissions provided 19 August 2025 and attachments:
 - (i) Decision Notice for Reconfiguring a Lot RAL21/0138
 - (ii) *Toowoomba Regional Council v Wagner Investments Pty Ltd* [2020] QCA 191
 - (iii) *Allen-Co Holdings Pty Ltd v Gympie Regional Council* [2021] QPEC 64
- (e) Appellants' final written submissions dated 25 August 2025

The parties' contentions

The Appellants

10. The Appellants have filed with the Tribunal three sets of written submissions. Those submissions are lengthy and detailed. In its written submissions, the Council offered the following summary of the Appellants' arguments:

The Appellants assert that the ICN is flawed and should be withdrawn for the reason that the Respondent "...failed to undertake the necessary assessment required by section 120(1) of PA16 [the Planning Act 2016] to determine if extra demand on existing trunk infrastructure actually existed and thereby required for the issuing of the ICN". The Appellants also appear to raise a concern that the Land may not be located within an area identified by the *Infrastructure Charges Resolution January 2025* ("the Charges Resolution") for the application of an adopted charge.

...

Whilst unclear and not articulated with precision, the Appellants' submissions raises only two potential grounds of appeal:

- a. under item 4(a)(i) of schedule 1, table 1 of the Planning Act (i.e., that the ICN involved an error relating to the application of the relevant adopted charge), on the basis that no adopted charge applied to the development because the Land is not a "rural township"; and
- b. under item 4(a)(ii) of schedule 1, table 1 of the Planning Act (i.e., that the ICN involved an error relating to the working out of extra demand for section 120 of the Planning Act), on the basis that the Respondent "...failed to undertake the necessary assessment required by section 120(1) of PA16 to determine if extra demand on existing trunk infrastructure actually existed".

11. At the hearing of the appeal on 19 August 2025, the Appellants generally accepted that summary as being accurate. In their final written submissions dated 25 August 2025, the Appellants, in response to the above portion of the Council's summary, also submitted:

While I cannot comment on the clarity and articulation of the Submission that supported the Appeal I would have thought that the 3 Premises identified and highlighted in green in that document and the 2 Position highlighted in Supplementary, clearly go to the ground to be considered in the appeal.

They are repeated here for convenience.

Premise 1. In order to levy an infrastructure charge for a particular development, the assessment manager must establish that the development will generate extra demand upon trunk infrastructure.

Premise 2. LGIP are essential in managing infrastructure decisions.

Premise 3. A development for Reconfiguring a lot does not of itself generating a demand on infrastructure.

And the supplementary

Position 1. If a development does not generate a USE, prescribed in Column 1 of Schedule 16, it is not a development prescribed under Section 112 of PA16 as being a development to which an adopted charge can be levied by a local authority, even if the development is responsible for generating extra demand on trunk infrastructure.

Position 2.

The Appellant contention is that:

1.-A particular development in order to attract the facility of being the subject of infrastructure charge must be one that delivers a USE as defined within the parameters of those prescribed in Schedule 16 Column 1

RAL21-0138 is not a USE development and, of itself, does not indicate a USE defined within Schedule 16 of PR17.

There is no argument that in the future that lots, the consequence of the subdivision may attract a development with a USE prescribed within the regulations but the Appellants other contention is that the legislation does not provide the facility for an assessment manager to 'guess the future' and this is exactly what an assessment manager would be required to do in order to apply a USE as prescribed by the regulations to RAL21-0138.

The other contention is that:

2.-The circumstance that would also need to be overcome, in order to apply a charge to RAL21-0138 is that the charge itself would need to be a charge provided for by the regulations which sets the **maximum** for that particular charge, based on use.

There is no use within Schedule 16 that can correctly be applied to RAL21-0138

The final contention is that:

3.-A zone under planning scheme of itself does not constitute a USE under the terms of Schedule 16 of the regulations and accordingly relying on a permitted zone use in a planning context. For a zone is clearly not the mechanism chosen by the legislator for applying infrastructure charges to a USE for a particular development application.

This opinion is supported by the construction of the documents that provide for assessment, calculation, and application of infrastructure charges, where the charges are required to directly relate to the resources that are required to be provided by the developer to address specific extra demands placed on trunk infrastructure by a particular development approval, as is demonstrated in Schedule 16 by the prescribed amounts relevant to a defined USE

OUTCOME Accordingly, under the correct interpretation of the legislation, RAL21-0138 is not lawfully subjected to the imposition of an Infrastructure Charge Notice and if that is not the case, then the imposition of infrastructure charges would offend the Purpose of PA16.

12. Having considered the Appellants' written submissions in full, the Tribunal accepts the above summaries as an accurate representation of the Appellants' contentions.

The Council

13. The Council submits that the Tribunal has limited jurisdiction and that the appeal, properly construed, may only be about an error in the ICN relating to “the application of the relevant adopted charge” or “the working out of extra demand, for section 120”.¹ The Council also submits the appeal may not be about the adopted charge itself.²
14. In regard to the Council’s power to give the ICN, the Council submits:³

Section 119 of the Planning Act requires the Respondent to give an ICN where:

- (a) a development approval been given; and
- (b) an adopted charge applies to providing trunk infrastructure for the development.

However, pursuant to section 120 of the Planning Act, the levied charge under the ICN may only be for extra demand placed on trunk infrastructure that the development will generate.

What compliance with section 120 of the Planning Act requires, is that:

- a. there is relevant trunk infrastructure for the development; and
- b. there is additional demand placed on that trunk infrastructure by the development.

If these requirements are satisfied, the adopted charge for the appropriate development category in the Charges Resolution is applied to calculate the levied charge. There is no requirement to calculate the levied charge by reference to actual additional demand generated by the development.

All that is required for the levying of the adopted charge is that there will be some additional demand placed on the trunk infrastructure network as a consequence of the development. The adopted charge in the Charges Resolution is, for the purposes of the appeal, immutable and beyond challenge.

It is irrelevant that, in a technical sense, the mere reconfiguration (as opposed to the further use of the lots so created) does not give rise to additional demand. It is enough if the further use of the lots so created gives rise to the additional demand, in order for section 120 to be satisfied. As the Court of Appeal observed:

“It was not to the point that, technically, the mere reconfiguration of a lot did not result in any change to the demand on infrastructure networks (as observed by the primary judge at [98] of the reasons). What was relevant was that the reconfiguration of a lot is one of the trigger points for the issuing of an ICN in relation to that development.”

15. The Council submits that the Charges Resolution applied an adopted charge to the development the subject of the reconfiguration approval. In particular, the Charges Resolution applied an adopted charge of \$19,000 per lot within “Rural Townships” and \$32,000 per lot within Hervey Bay.
16. To the point the Appellants argue that the subject land may not be within a Rural Township, the Council says the Charges Resolution applies to the whole of its local

¹ *Planning Act 2016*, Schedule 1, Table 1, Items (4)(a)(i) and (ii).

² *Planning Act 2016*, s.229(6).

³ Footnotes omitted. The Tribunal notes the Council’s references to *Allen-Co Holdings Pty Ltd v Gympie Regional Council* [2021] QPEC 64 and *Toowoomba Regional Council v Wagner Investments & Anor* [2020] QCA 191.

government area and, therefore, one of the two adopted charges described above must apply. The Appellants have been charged the lesser of the two possible charges. In that premise, the Council says there is no error in the application of the adopted charge.

17. In response to the Appellants' arguments relating to the working out of extra demand for section 120 of the *Planning Act*, the Council submits that all that is required for compliance with that section is that there is relevant trunk infrastructure for the development, and there is additional demand placed on that trunk infrastructure by the development. The Council submits, in reference to the Court of Appeal's decision in *Toowoomba Regional Council v Wagner Investments & Anor* [2020] QCA 191, that:

Firstly, and as identified above, the Court of Appeal has made it clear that it is irrelevant that, in a technical sense, the mere reconfiguration of land (as opposed to the use that results from it) does not give rise to additional demand. It is enough for section 120 to be satisfied if the further use of the lots so created gives rise to additional demand.

...

Secondly, it is not necessary that the development generate demand "over and above" the capacity of currently existing trunk infrastructure. All that is required to satisfy section 120, is that the development generate some additional demand on relevant trunk infrastructure networks. The capacity of the existing trunk infrastructure to accommodate that additional demand is entirely irrelevant to that question, as is the extent of the additional demand generated.

18. The Council concludes by submitting that the Appellants have failed to discharge their onus in the appeal and that the Tribunal should confirm the Council's decision to give the ICN.

Jurisdiction

19. The Tribunal finds that the appeal was made within the appeal period prescribed by sections 125(7) and 229(3)(e) of the *Planning Act*.
20. As the Council has correctly submitted, the Tribunal has a limited jurisdiction. The Tribunal accepts, having had regard to the issues raised by the parties' contentions, that this appeal may only be about an error in the ICN relating to "the application of the relevant adopted charge" or "the working out of extra demand, for section 120".
21. The Tribunal also accepts that the appeal may not be about the adopted charge itself. To the extent the Appellants' submissions have been construed as challenging the adopted charge, the Tribunal has not considered those matters in determination of the appeal.
22. In the premises above and having had regard to the material and the parties' submissions, the Tribunal finds it has jurisdiction to hear the appeal pursuant to section 229 of the *Planning Act*.⁴
23. The appeal is by way of a reconsideration of the evidence that was before the Council.⁵ It is for the Appellants to establish that the appeal should be upheld.⁶
24. The Tribunal acknowledges that there is currently an appeal before the Planning and Environment Court concerning development conditions of the reconfiguration approval. The Tribunal is satisfied that the appeal to the Planning and Environment Court does not affect this appeal to the Tribunal or its outcome.

⁴ *Planning Act 2016*, Schedule 1, Table 1, Item 4(a).

⁵ *Planning Act 2016*, s.253(4).

⁶ *Planning Act 2016*, s.253(5).

Findings and reasons

25. Pursuant to section 119 of the *Planning Act* a local government must give an infrastructure charges notice to the applicant if a development approval has been given and an adopted charge applies to providing trunk infrastructure for the development. The levied charge is subject to section 120,⁷ which relevantly provides that “A levied charge under an infrastructure charges notice for a development approval may be for extra demand placed on trunk infrastructure that will be generated by the development the subject of the approval.”

Approval and adopted charge

26. It is common ground between the parties that a development approval (RAL21/0138) has been given to the Appellant.
27. Similarly, it is uncontroversial that the Council has adopted charges for providing trunk infrastructure for development by the Charges Resolution. That resolution took effect on 1 January 2025 and applied at the material time.
28. Paragraph 1.6 provides that the Charges Resolution applies to all the Council’s local government area and states that it adopts charges for providing trunk infrastructure for development, including reconfiguring a lot.
29. Paragraph 2.1 then provides that “The adopted charge for development is the applicable Infrastructure Charge for the development calculated on the approved use, in accordance with section 3, and at the time the decision is made.”
30. Paragraph 3.1 supplies the formula to be used in calculating the levied charge. Relevantly, the “Adopted Charge Rate” is that applicable to the development in Schedule 1, column 4 of the Charges Resolution.
31. Schedule 1, Table A applies to “Reconfigure a Base Charge Rate” [sic]:

Table A – Reconfigure a Base Charge Rate

| Column 1 Use Category | Column 2 Reconfigure a Lot Use | Column 3 (U) Charge Category | Column 3 (AC) Adopted Charge |
|---|--------------------------------------|---------------------------------|---------------------------------|
| Hervey Bay (inc. Burrum Heads, Toogoom, Booral and River Heads) - All Zones | New lot with development entitlement | \$ per lot | \$32,000 |
| Maryborough, Howard, Torbanlea, Tiaro and Rural townships - All zones | New lot with development entitlement | \$ per lot | \$19,000 |

32. The Appellants say the locality descriptions in Column 1 are imprecise. In particular, the Appellants submit that “The absence of a definition for *Rural townships* makes the application of the *Charge Resolution* unworkable and therefore defective as a document to achieve compliance with the statutory provision of the [*Planning Act*]”. This argument is addressed by the Tribunal under the heading “Rate of Charge” below.

⁷ *Planning Act 2016*, s.119(12)(a).

33. Having considered those provisions of the Charges Resolution, and for reasons further developed below, the Tribunal is satisfied that an adopted charge applies in respect of the approved development. In that premise, the Tribunal finds the Council was empowered by section 119 of the *Planning Act* to give the ICN.
34. To the extent the Appellant challenges the adopted charge itself, such matters are outside this Tribunal's jurisdiction. As the Planning and Environment Court has considered, the adopted charge is immutable.⁸ The Tribunal accepts the Council's submissions in that regard.

Extra demand

35. The levied charge under the ICN is subject to section 120 of the *Planning Act*. As was considered in *Toowoomba Regional Council v Wagner Investments Pty Ltd & Anor* [2020] QCA 191, a levied charge must satisfy two requirements:
 - (a) There must be demand on relevant trunk infrastructure as a consequence of the proposed development; and
 - (b) That demand must be over and above what the current uses of the subject land generate.
36. If those "pre-conditions" are satisfied, the amount of the charge must then be calculated by applying the methodology in the relevant charges resolution.
37. The Tribunal accepts the Council's submissions that there is no requirement to calculate the levied charge by reference to actual additional demand generated by the development. Moreover, the Tribunal accepts that it is irrelevant that, in a technical sense, the mere reconfiguration does not give rise to additional demand. In that regard, the Tribunal refers to the Court of Appeal's reasons at [115].
38. As section 120 of the *Planning Act* makes clear, in working out extra demand, the demand on trunk infrastructure generated by a "prescribed development" (defined to include "development that may be carried out on the premises without a development permit") may also be included. In this case, upon reconfiguration of the subject land, the new lots may be used for a variety of uses as "accepted development" under the Council's Planning Scheme.⁹
39. In that premise, the Tribunal is satisfied that there will be some demand on the relevant trunk infrastructure as a consequence of the approved development. The Tribunal finds that the first pre-condition is satisfied.
40. For the reasons developed above, and having regard to the nature of the approved development (an increase from 1 lot to 5 lots) the Tribunal is also satisfied that the approved development will place some extra demand on the relevant trunk infrastructure. The Tribunal finds that the second pre-condition is satisfied.
41. The Tribunal accepts the Council's submissions in that regard.

Rate of charge

42. As noted above, the Appellants contend that the locality descriptions in Column 1 of Schedule 1, Table A are imprecise, having the effect that the application of the Charges

⁸ *Allen-Co Holdings Pty Ltd v Gympie Regional Council* [2021] QPEC 64 at [4].

⁹ See *Fraser Coast Planning Scheme*, Part 5 Tables of Assessment, Table 5.5.1 Low Density Residential zone.

Resolution is unworkable. In this regard, the Appellants' challenge is to the Council's treatment of the subject land as being within the "Rural townships" described in row 2 of Table A. The Tribunal has considered the Appellants' detailed and lengthy submissions on this point in full.¹⁰

43. The Tribunal acknowledges that the phrase "Rural townships" is not defined in the Charges Resolution. The Tribunal therefore accepts that the absence of a definition does introduce some ambiguity as to the application of Schedule 1, Table A.
44. However, the Charges Resolution makes clear that it applies to all the Council's local government area, and that it adopts charges for development that is reconfiguring a lot. The Tribunal also accepts the Council's submission that there is no indication anywhere in the Charges Resolution that it is intended to exclude any part of the local government area from the application of the adopted charges. In that premise, the Tribunal is satisfied that the Charges Resolution applied to the approved development on the subject land.
45. It has not been argued by either party that the subject land falls within the localities described in row 1 of Table A. Similarly, it has not been argued by either party that the subject land falls within Maryborough, Howard, Tornanlea or Tiaro, as listed in row 2 of Table A. In circumstances where the Charges Resolution applies to the whole of the local government area and where the subject land is not contained in the localities otherwise described in Table A, the Tribunal is satisfied that "Rural townships" acts as a catchall to capture the other areas in the Council's local government area.
46. It follows that the Tribunal is satisfied that the subject land should be treated as being in a "Rural township" for the purposes of Schedule 1, Table A. In that premise, the Tribunal finds that the applicable adopted charge is \$19,000 per lot.
47. For completeness, the Tribunal observes that paragraph 3.6 of the Charges Resolution refers to the Poona and Maaroom townships. That paragraph contemplates some discounting to the adopted charge for certain development in those townships. Plainly, the Charges Resolution applies to Poona and Maaroom. However, those townships are not otherwise referred to in the Charges Resolution, particularly in Schedule 1. That the Charges Resolution applies to development in those townships, notwithstanding that they are not referred to Schedule 1, supports the Tribunal's above reasoning.

Calculation of charge

48. Being satisfied that the two "pre-conditions" have been satisfied, the amount of the infrastructure charge to be levied on the approved development must then be calculated by applying the methodology in the Charges Resolution.
49. In calculating the charge, the Council applied credits for the percentage of the adopted charge that the Charges Resolution apportions to the water supply and sewerage trunk infrastructure networks, being a combined 28%, which reduced the amount of the levied charge from \$19,000 per lot to \$13,680 per lot. That was done in circumstances where those networks do not service the subject land and having regard to paragraphs 2.3 of the Charges Resolution, which provides a notional proportional breakup of the adopted charge between the various trunk networks. No challenge was made by the Appellants to that credit.
50. The Council also applied a credit for the existing entitlement to use the subject land for one residential dwelling. That credit was adjusted in the same way the Council adjusted the adopted rate to account for the fact that the subject land is not serviced by all trunk

¹⁰ In particular, Appellants' final written submissions dated 25 August 2025, pages 4 to 7.

networks. The credit applied by the Council was \$13,680. Again, no challenge was made by the Appellants to that credit.

51. For the reasons developed above, the Tribunal calculates the infrastructure charge as \$54,720. That charge has been calculated using the formula at paragraph 3.1 of the Charges Resolution:

$$\$54,720 = [(\$13,680 \times 5) - \$13,680] \times 1$$

Disposition

52. The Appellants have not satisfied the Tribunal that the appeal should be allowed.
53. The decision of the Council to give the ICN in the amount of \$54,720 is confirmed.

Travis Schmitt
Development Tribunal Chair
Date: 3 November 2025

Appeal rights

Schedule 1, table 2, item 1 of the *Planning Act 2016* provides that an appeal may be made against a decision of a Tribunal to the Planning and Environment Court, other than a decision under section 252, on the ground of -

- (a) an error or mistake in law on the part of the Tribunal; or
- (b) jurisdictional error.

The appeal must be started within 20 business days after the day notice of the Tribunal decision is given to the party.

The following link outlines the steps required to lodge an appeal with the Court.

<http://www.courts.qld.gov.au/courts/planning-and-environment-court/going-to-planning-and-environment-court/starting-proceedings-in-the-court>

Enquiries

All correspondence should be addressed to:

The Registrar of Development Tribunals
Department of Housing and Public Works
GPO Box 2457
Brisbane Qld 4001

Telephone 1800 804 833

Email: registrar@epw.qld.gov.au



Attachment 4

In the Planning and Environment
Court
Held at: Maroochydore

No. 29 of 2025

Between: **MARK AND JULIANNE GRUNSKÉ** Appellant
And: **FRASER COAST REGIONAL COUNCIL** Respondent
And: **CHIEF EXECUTIVE, DEPARTMENT OF
STATE DEVELOPMENT, INFRASTRUCTURE
AND PLANNING** Co-
Respondent

JUDGMENT

Before His Honour Judge Cash

Date of Hearing: 24/10/2025

Date of Order: 24/10/2025

THIS MATTER HAVING on this day come on for hearing by way of appeal against the decision of the Respondent to approve a development application for reconfiguring a lot (1 lots into 5 lots) subject to conditions imposed by the Respondent and Co-Respondent (*"Development Application"*), with respect to land described at Wilkson Road, Tuan, more particularly described as Lot 51 on MCH567.

IT IS ORDERED THAT:

1. The appeal is allowed in part to the extent of imposing the amended conditions in the development approval package attached hereto as

JUDGMENT
Filed on behalf of the Respondent
Form No PEC-7

CONNOR O'MEARA
Solicitors
Level 22, 69 Ann Street
BRISBANE 4000
Phone: 3221 3033
Email: mail@connoromeara.com.au



Annexure "A" contained in pages 1 to 10 which includes the Approved Plan on page 10; and

2. Each party bears its own costs of the appeal.

Filed on 24/10/2025

Filed by: Connor O'Meara Solicitors
Service Address: Level 22, 69 Ann Street, Brisbane 4000
Telephone: (07) 3221 3033
Email: michaelconnor@connoromeara.com.au

.....
Registrar



"A"



Conditions of Approval Planning Act 2016

| Conditions | Condition Timing |
|--|--|
| Administrative | |
| This approval is subject to the following conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water (WBW) unless specified in any particular condition. | |
| 1. Carry out the development in accordance with the approved plans unless otherwise approved in writing by the Assessment Manager. | At all times. |
| 2. Meet the costs of all works associated with this development including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations. | Prior to the approval of the subdivision plan |
| 3. All works associated with this development must be accepted by Council as being 'on maintenance' prior to the approval of the subdivision plan unless approved otherwise by Assessment Manager. | Prior to the approval of the subdivision plan |
| 4. Pay any outstanding rates and charges due to Council. <i>Note: please contact Council's Property Rating Department at rates@frasercoast.qld.gov.au and Development Department at development@frasercoast.qld.gov.au prior to payment to confirm any outstanding rates and charges amounts.</i> | Prior to the lodgement of the subdivision plan |
| 5. Submit to Council, a plan identifying the locations of all buildings, services, structures, water bodies/dams, effluent disposal areas and other improvements on the land in relation to the proposed new and existing boundaries and the distances there from. The plan must contain the following certification duly completed by the surveyor:- <i>"I..... being a cadastral surveyor hereby certify as follows:-</i> <i>(a) The information contained in this plan is accurate at the time of survey and may be relied on by Council.</i> <i>(b) The distances from the proposed new boundaries of all buildings and structures shown hereon generally conform to the boundary clearance requirements for side and rear boundaries as specified the Building Act 1975 and Council's Planning Scheme.</i> | Prior to the approval of the subdivision plan |



| Conditions | Condition Timing |
|---|--|
| <p>(c) All services to the existing dwelling from the reticulation mains are contained wholly within the subject lot.</p> <p>..... (Signature)"</p> | |
| 6. Submit a Subdivision Plan Compliance Report and supporting documentation to Council demonstrating compliance with each condition of this approval. | Prior to the approval of the subdivision plan |
| 7. All new lot boundaries must be set out and surveyed by a Cadastral Surveyor and identified by pegs marked with lot numbers as identified on the approved plan. | Prior to the lodgement of the subdivision plan |
| Operational Works | |
| 8. An Operational Works application detailing all earthworks, access works and stormwater management and drainage work within and external to the site is to be: <ul style="list-style-type: none"> a) Designed, supervised and certified by a Registered Professional Engineer of Queensland (RPEQ). b) Include a Construction and Environmental Management Plan (CEMP) in accordance with the Planning Scheme Policy for Development Works SC6.3. c) Include a Site-Specific Erosion and Sediment Control Plan in accordance with Planning Scheme Policy for Development Works SC6.3, and the International Erosion Control Association (Australasia) Best Practice Erosion and Sediment Control Guidelines (Current Edition). | Prior to the commencement of works. |
| Stormwater Management | |
| 9. Design the stormwater drainage such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties, including directly adjoining road reserves, occurs as a result of the development, as set out in Schedule 6.3 – Planning scheme policy for development works. | Prior to the lodgement of the subdivision plan |
| 10. Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained so as not to cause nuisance on adjoining properties. | At all times. |
| 11. Any stormwater works associated with the development must not cause adverse effects external to the subject site arising from any increase in velocity, volume and/or redirection of flow; or an increase in the duration of inundation outside the site where such increased inundation could cause loss or damage. | At all times. |
| Flood Immunity | |
| 12. Submit to Council as part of an Operational Works application, design details of filling works to provide appropriate flood | Prior to the approval of Operational Works |



| Conditions | Condition Timing |
|--|--|
| immunity to proposed Lots 1 and 2 to reach the Storm-Tide Level for this site as to be 2.40m AHD. | |
| 13. Submit documentation, as part of the Request for Approval of the Survey Plan from a Registered Professional Engineer of Queensland (RPEQ) or Licenced Surveyor, which certifies that Lots 1 and 2 achieve flood immunity as per Condition 12. | Prior to the lodgement of the subdivision plan |
| Vehicle Access | |
| 14. Construct a sealed access driveway to each allotment within the allotment's road frontage, from the edge of the road pavement to the property boundary, in accordance with the Planning Scheme and standard drawing No FC-230-03 – Type A – Invert Crossing. The access driveway for proposed Lot 4 is to be located at least 10.0m away from the existing 375mm stormwater pipe and concrete head wall. | Prior to the lodgement of the subdivision plan |
| Location of Services and Structures | |
| 15. Relocate all services and structures as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement. | Prior to the approval of the subdivision plan |
| Telecommunications | |
| 16. Provide a Telecommunications Infrastructure Provisioning letter as evidence that ensures telecommunications will be available to each proposed allotment. | Prior to the approval of the subdivision plan |
| Electricity | |
| <p>17. Each lot of this approval is to be provided with a reticulated power connection and supply under standard tariff conditions.</p> <p>In this regard, the developer is to enter into an agreement with an approved electricity provider, prior to the approval of the subdivision plan, to ensure that electricity will be available to each allotment under standard tariff conditions and without further capital contributions. Evidence of such an agreement must be:</p> <ol style="list-style-type: none"> 1. Provision of a Certificate of Supply, or 2. Provision of a Certificate of Acceptance, or 3. Provision of a Negotiated Connection Establishment Contract, and evidence of the following; <ol style="list-style-type: none"> i. substantial commencement of the internal electrical work, and ii. evidence of contract with electrical contractor; <p>and</p> | Prior to the approval of the subdivision plan |



| Conditions | Condition Timing |
|---|--|
| iii. evidence of the ability to fund the contract value of the electrical works. | |
| Wastewater Treatment | |
| 18. Each lot must install Advanced Secondary Treatment with Nutrient Reduction to Surface irrigation, unless otherwise approved by council to an alternative standard, in accordance with the Qld Plumbing and Wastewater Code and relevant Australian Standards. | Prior to the commencement of use |
| Granting Easements | |
| 19. If required, grant the following easement(s), as part of the registration of the survey plan where required: (i) Easements for stormwater, electricity and telecommunications services as may be required to service the development. | Prior to the lodgement of the subdivision plan |
| Infrastructure and Services | |
| 20. All existing services shall be relocated as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement. Any alteration of services to provide for the development shall be undertaken at no cost to Council. | Prior to the approval of the subdivision plan. |

| Advice Notes | |
|---------------------|---|
| 1. | <i>This development is subject to Infrastructure Charges. Please refer to the accompanying Adopted Infrastructure Charges Notice.</i> |
| 2. | <i>Where future residential uses are provided with on-site treatment and disposal of wastewater the system must be in accordance with the Qld Plumbing and Wastewater Code and relevant Australian Standards</i> |
| 3. | <i>Prior to the approval of the subdivision plan: (i) All water supply and sewerage (pressure main) works must be completed and connected to Council's network; (ii) All stormwater drainage works must be completed; (iii) Electricity must be connected or certificate of supply provided; (iv) As-constructed information of the completed works must be submitted to Council; (v) All required works within the proposed lots must be completed; (vi) Any outstanding works must be secured by a bond in accordance with section 6.3.13.5 of Planning Scheme Policy for Development Works SC6.3</i> |
| 4. | <i>Council, if it considers that the maintenance obligations are not being met may undertake any works necessary, if the developer fails to rectify the fault within 14 days of notice given by Council for routine items; or 24 hours' notice in an emergency situation, to ensure compliance under this development permit. Council may also recover costs from any maintenance or security bonds held for this development. The developer must also be responsible for any additional costs incurred by Council in undertaking these obligations.</i> |
| 5. | <i>Council accepts no responsibility for the accuracy of the survey information, the design or any information or detail contained in the approved drawings and specifications. The approval is issued with reliance upon the Engineer's certification and that any aspect of the design not</i> |



| | |
|-----|---|
| | <i>specified by Council policy has been undertaken with due professional diligence to accepted industry standards.</i> |
| 6. | <i>Council's approval of the design does not grant approval to enter private property or private easements to undertake works.</i> |
| 7. | <i>This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.' Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage can be obtained from the Department of Aboriginal and Torres Strait Islander Partnerships.</i> |
| 8. | <i>All residential lots created as a result of this permit are to be serviced by a Domestic Vehicle Crossover. Vehicle crossovers are to be constructed in accordance with Councils standard drawing FC-230-01 and to Councils specifications prior to the occupation of a dwelling, and failure to provide a suitable vehicle crossing is a breach of the Fraser Coast planning scheme. Prior to the commencement of works to construct a Domestic Vehicle Crossover in a Council controlled road, a Local Law Permit is required. To obtain this permit, a formal application and support drawings should be prepared and lodged with the prescribed fee. Full details on the application and specifications for a domestic crossover are available from Councils website.</i> |
| 9. | <i>Include in any Contract of Sale for the lots, a copy of Condition 15 of the approval.</i> |
| 10. | <i>Include in any Contract of Sale for the lot 5, a copy of the State Assessment and Referral Agency response, 2212-26497 SRA and dated November 2024 or any superseding State Assessment and Referral Agency response.</i> |





**Referral Agency Response
7 October 2025**

| | |
|-----------------------------------|--|
| Development application: | Development permit for a reconfiguring a lot – 1 Lot into 5 Lots |
| Street address: | Wilkinson Road, Tuan |
| Real property description: | Lot 51 on MCH567 |
| Applicant: | Mark and Julianne Grunske C/- Mr Warren Bolton 558 Mooloo Road Mooloo QLD 4570 Via email: me@warrenbolton.com |
| SARA Ref: | 2112-26497 SRA |
| SARA trigger(s): | The development application required referral to SARA under the following provisions of the Planning Regulation 2017: <ul style="list-style-type: none"> • Schedule 10, Part 17, Division 3, Table 5, Item 1 – Reconfiguring a lot in a coastal management district |
| P&E Court Matter: | Grunske v Fraser Coast Regional Council & DSDIP – 29 of 2025 |
| Attachment(s): | Attachment 1 – Referral agency conditions Attachment 2 – Advice Attachment 3 – Plans and documents referred to in the referral agency response |



Attachment 1—Referral agency conditions

(The following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 3)

| No. | Conditions of Development Approval | Condition Timing |
|---|--|---|
| Development Permit for Reconfiguring a Lot (RAL) – 1 Lot into 5 Lots | | |
| Schedule 10, Part 17, Division 3, Table 5, Item 1 of the Planning Regulation 2017—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the the Department of Environment, Tourism, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions: | | |
| 1 | The reconfiguring a lot must be undertaken generally in accordance with the plan titled Proposed Reconfiguring a Lot Wilkinson Road Tuan, prepared by Urban Planet Town Planning Consultants, Reference 21153-02, and dated August 2024, as amended in red by SARA on 7 October 2025. | Prior to submitting the Plan of Survey to the local government for approval |
| 2 | Ensure proposed Lots 1 and 2 are created with a minimum finished surface level of at least the level of Highest Astronomical Tide (HAT) plus 0.8m vertical elevation. | Prior to submitting the Plan of Survey to the local government for approval |
| 3 | For the works referenced within Condition No. 2, only use clean materials which are free from prescribed water contaminants. | For the duration of the works |
| 4 | Development must prevent the release of sediment to tidal waters by installing and maintaining erosion and sediment control measures in accordance with the <i>Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)</i> . | For the duration of the works |



Attachment 2—Advice

| General advice | |
|----------------|--|
| 1 | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning. |



Attachment 3—Plans and documents referred to in the referral agency response

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State Assessment and Referral Agency

ORDER AS PER DRAFT
Initialed by His Honour, dated today's date and
lodged with the papers.

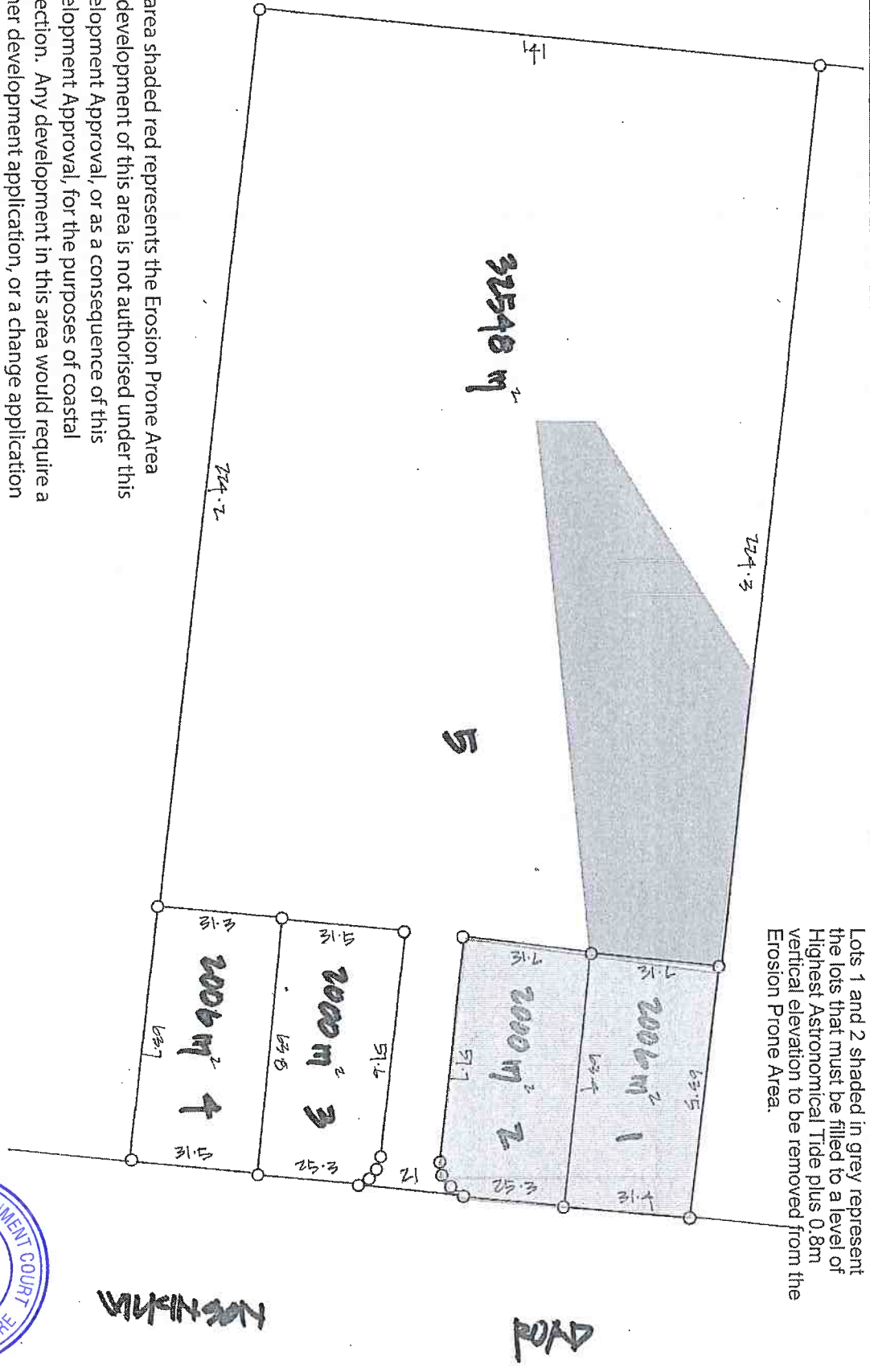
(Assoc)
N



The area shaded red represents the Erosion Prone Area and development of this area is not authorised under this Development Approval, or as a consequence of this Development Approval, for the purposes of coastal protection. Any development in this area would require a further development application, or a change application to this Development Approval.

ALL DIMENSIONS ARE APPROXIMATE ONLY AND SUBJECT TO SURVEY

Lots 1 and 2 shaded in grey represent the lots that must be filled to a level of Highest Astronomical Tide plus 0.8m vertical elevation to be removed from the Erosion Prone Area.



PROPOSED RECONFIGURING & LOT

WILKINSON ROAD TOWN

21153-07 AUGUST 24 SCALE 1:1000 @ A3



Urban planner
TOWN PLANNING CONSULTANTS

FRASER COAST REGIONAL COUNCIL

Infrastructure Charges Resolution January 2025

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1. Preliminary

1.1 This Document

This document (resolution) is a charges resolution made by Council under section 113 of the *Planning Act 2016*.

1.2 Citation

This resolution may be cited as the *Fraser Coast Regional Council Adopted Infrastructure Charges Resolution March 2025*.

1.3 Commencement

This resolution has effect on and from 1 January 2025.

1.4 Transitional Arrangements

Indexing will be capped per the Adopted Infrastructure Charges Resolution March 2022 rates for all development that is completed, and the Infrastructure Charges are paid in full within one (1) year from commencement of this resolution. In this regard, the entering into a Delayed Payment Infrastructure Agreement constitutes a paid infrastructure charge. E.g. an indexed lot charge under this arrangement will not exceed the \$28,000 maximum charge under the 2022 resolution if completed within 12 months of commencement of this resolution.

1.5 Definitions

Terms used in this resolution are defined in **section 6.1**.

1.6 Application

(a) This resolution applies to all of Council's local government area.

(b) As set out in **section 2**, this resolution adopts charges for providing trunk infrastructure for development, which are no more than the applicable maximum adopted charge, for development that is:

- i. reconfiguring a lot;
- ii. a material change of use; or
- iii. building work.

Editor's note – Section 112(3)(b) of the Planning Act 2016, in combination with section 52(3)(a) of the Planning Regulation 2017, allows Council to have an adopted charge for trunk infrastructure for development that is a material change of use, reconfiguring a lot, or building work.

(c) This resolution adopts a charge for particular development that is equal to or less than the *Planning Regulation*.

(d) To avoid any doubt, the adopted charge does not apply to development that section 113(3) of the *Planning Act* provides an adopted charge must not be for.

2. Adopted Charge

2.1 Adopted Charge

The adopted charge for development is the applicable Infrastructure Charge for the development calculated on the approved use, in accordance with **section 3**, and at the time the decision is made.

2.2 Relationship with maximum adopted charge

- (a) **Section 2.1** is intended to have the effect that, at any given time, the adopted charge under this resolution is no more than the maximum adopted charge.
- (b) If, in any case, this resolution would have the purported effect of adopting a charge that is higher than the maximum adopted charge, this resolution is to be construed and read down as necessary to ensure that the adopted charge is equal to the maximum adopted charge.

2.3 Trunk infrastructure networks

- (a) The adopted charge is a charge for providing trunk infrastructure for development for all trunk infrastructure networks in the Local Government Infrastructure Plan (LGIP), being the following networks:
water supply; sewerage; stormwater; transport (roads, pedestrian and cycle movement); and parks and land for community facilities.
- (b) The adopted charge is for trunk infrastructure for all of the above networks, and no part of the adopted charge is earmarked to any particular network. However, the notional proportional breakup of the adopted charge between these networks is as follows:
- i. water supply – 7%
 - ii. sewerage – 21%
 - iii. stormwater – 7.5%
 - iv. transport – 53%
 - v. parks and land for community facilities – 11.5%

3. Levied charges

3.1 Calculation of levied charges

The levied charge for development is to be calculated in accordance with the below formula:

$$LC = [(AC \times U) - C] \times I - EC$$

Where:

- LC = the levied charge for the development.
- AC = the Adopted Charge Rate for the development, in accordance with **Schedule 1, column 4**.
- U = is the unit of measure as identified in **Schedule 1, column 3**.
- C = the total value of any applicable Credits, determined in accordance with **section 3.2**.
- I = the sum of the percentage increases for each financial quarter since 1 July 2022 or in accordance with **section 3.5**, to the date the charge is levied.
Note – In this section, “percentage increases” has the meaning given in section 112(4) of the Planning Act.
- EC = the Establishment Cost of trunk infrastructure mentioned in **sections 3.3 or 3.4** (as applicable) and calculated in accordance with **section 4**.

Notes—

- 1 AC x I will be equal to the adopted charge under **section 2.1**.
- 2 All levied charges will be subject to automatic indexation in accordance with **section 3.5**.
- 3 If the above formula results in a negative value, a Refund may be payable under **section 3.4**. However, a Refund will not be payable merely because a Credit exceeds the applicable adopted charge.
- 4 The application of infrastructure charge discounts or incentives pursuant to Council policy at the time are to be applied to the net infrastructure amount. (i.e., the infrastructure charge less any applicable credits or offsets).

3.2 Credits

- (a) In accordance with section 120 of the *Planning Act*, the credit is to be calculated in accordance with Section 3.2 (c); and
- (b) a Credit will apply where the Credit for the premises is the greater of the following:
- i. The amount stated for an *adopted infrastructure charge* for reconfiguring a lot in **Schedule 1, Table A** for each existing residential lot within the premises; or
Note - Commercial and industrial lots where the adopted infrastructure charge was deferred to material change of use and/or building works stage as detailed on the development approval at time of approval shall not be eligible for this credit criteria.
 - ii. an existing use on the premises if the use is lawful and already taking place on the premises, the amount stated in **Schedule 1, Table B** for the lawful use; or
 - iii. the amount stated in **Schedule 1, Table B** for the lawful use; or
 - iv. a previous use that is no longer taking place on the premises if the use was lawful at the time it was carried out the amount stated in **Schedule 1, Table B** for the lawful use; or
 - v. other development on the premises if the development may be lawfully carried out without the need for a further development permit the amount stated in **Schedule 1, Table B** for the lawful use; or
 - vi. the monetary contributions for trunk infrastructure previously paid for the development of the premises, subject to Council being satisfied of appropriate evidence of payment.
- (c) If a Credit applies, the value of the Credit is to be calculated in accordance with the following formula:

$$C = (AC \times U) \times I$$

Where:

- C = the value of the Credit.
AC = the Adopted Charge Rate for the development, in accordance with **Schedule 1, column 4**.
U = is the unit of measure as identified in **Schedule 1, column 3**.
I = the sum of the percentage increases for each financial quarter since 1 July 2022 or in accordance with section 3.5, to the date the charge is levied.
Note – In this section, “percentage increases” has the meaning given in section 112(4) of the Planning Act.

- (d) Despite **section 3.2(b)**, a Credit will not apply for a use or development mentioned in section 3.2 if an infrastructure requirement that applies, or applied, to the use or development has not been complied with.

Note – In this section, “infrastructure requirement” has the meaning given in section 120(4) of the Planning Act.

- (e) Despite **section 3.2(b)**, if more than one type of use or development mentioned in **section 3.2** is relevant to the premises:

- i. to the extent that any such uses or developments are mutually incompatible – a Credit will only apply for the use or development that has the highest Infrastructure Charge; and

Examples –

- *If the relevant premises is a building that is currently being lawfully used for an office, but was historically lawfully used for a funeral parlour, a credit will only be available for the current office use (which has a higher Infrastructure Charge). Because the two uses concern the same building, they cannot occur simultaneously are mutually incompatible.*

- *If the relevant premises is a parcel of land containing multiple buildings, used for different purposes, multiple Credits may be available in respect of the uses of each building.*
- ii. otherwise, variable “AC” in the formula in **section 3.2(c)** is to be the sum of the Infrastructure Charges for all applicable Credits.

3.3 Offsets

- (a) In accordance with section 129(2) of the *Planning Act*, an Offset will apply if:
- i. the relevant development is subject to one or more necessary infrastructure conditions;
 - ii. the trunk infrastructure that is the subject of the necessary infrastructure condition/s services, or is planned to service, premises other than the subject premises; and
 - iii. the total Establishment Cost of the trunk infrastructure is equal to or less than the levied charge that would otherwise apply to the development.
- (b) If an Offset applies, the levied charge will be the difference between:
- i. the levied charge that would otherwise apply to the development; and
 - ii. the total Establishment Cost of the trunk infrastructure.

Note – This outcome is reflected in the formula in section 3.1.

3.4 Refunds

- (a) In accordance with section 129(3) of the *Planning Act*, a Refund will apply if:
- i. the relevant development is subject to one or more necessary infrastructure conditions;
 - ii. the trunk infrastructure that is the subject of the necessary infrastructure condition/s services, or is planned to service, premises other than the subject premises; and
 - iii. the total Establishment Cost of the trunk infrastructure is more than the levied charge that would otherwise apply to the development.
- (b) If a Refund applies:
- i. no levied charge is payable;
 - ii. Council will refund to the applicant the difference between:
 - A. the levied charge that would otherwise apply to the development; and
 - B. the total Establishment Cost of the trunk infrastructure.

Editor’s note – If a refund is payable, the relevant infrastructure charges notice will state when the refund will be given, in accordance with section 121(1)(f) of the Planning Act.

3.5 Automatic Indexation of levied charges

- (a) A levied charge will be automatically increased from the date that it is levied until the date of payment in accordance with section.
- (b) An automatic increase under this section is to be the lesser of the following:
- (a) the difference between the levied charge that the maximum adopted charge that Council could have levied for the development as per the Adopted Infrastructure Charges Resolution in place when the charge is paid; or
 - (b) the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the charge was levied, and ending on the day the charge is paid.

Note – In this section, “3-yearly PPI average” has the meaning given in section 114(6) of the Planning Act.

- (c) To avoid any doubt, this section is an automatic increase provision under the *Planning Act*.

3.6 Discounts

- (a) Table 1 below establishes the criteria and eligibility for discounts to Council’s adopted charge.

- (b) For development (or part of a development) that is eligible for a discount, the charge is the adopted charge identified in **Schedule 1** less any discount identified in **Table 1**.
- (c) All discounts in **Table 1** are subject to the following:
- i. Discounts are calculated on the amount of the adopted charge identified in Schedule 1;
 - ii. The amount of any discount cannot result in the development becoming eligible for a refund for the provision of trunk infrastructure. If the discount results in the development becoming eligible for a refund pursuant to section 129 of the *Planning Act* and / or through a conversion application or recalculation of the establishment cost of trunk infrastructure, the amount of the discount will be reduced such that the development is not eligible for a refund.
- (d) Charges levied under this resolution are not eligible for further discount under any previous infrastructure charges incentives package.

Table 1 – Criteria and eligibility for discounts to adopted charge

| Discount category | Criteria / areas covered | Amount of discount |
|--|--|--------------------|
| Health and Community care | Any “Health care service”, “Residential care facility”, “community care centre” or “Community residence” use | 20% |
| Education, Research and Community uses | Any “Educational establishment”, “Research and technology industry” or “Community use” use | 20% |
| Medium Impact Industry Zone (Tiaro & Howard) | Any accepted or code assessable use as defined in Table 5.5.9 Medium impact industry zone – Table of assessment located within Tiaro or Howard townships | 45% |
| District Centre Zone (Tiaro & Howard) | Any accepted or code assessable use (excluding Residential activities) as defined in Table 5.5.5 District centre zone – Table of assessment located within Tiaro or Howard townships | 45% |
| Neighbourhood Centre Zone (Torbanlea, Poona & Maaroom) | Any accepted or code assessable use (excluding Residential activities) as defined in Table 5.5.7 Neighbourhood centre zone – Table of assessment located within Torbanlea, Poona & Maaroom townships | 45% |
| Non-profit organisations’ | Development is not on land owned or controlled by Fraser Coast Regional Council | 50% |
| | Development is on land owned or controlled by Fraser Coast Regional Council | 100% |

3.7 Time of payment of an infrastructure charge

A levied infrastructure charge is payable at the following time:

- (a) if the charge applies for reconfigure a lot – when the local government that levied the charge approves a plan for the reconfiguration that, under the *Land Title Act 1994*, is required to be given to the local government for approval; or
- (b) if the charge applies for building work – when the final inspection certificate for the building work, or the certificate of classification for the building, is given under the *Building Act 1975*; or
- (c) if the charge applies for a material change of use – when the change happens; or
- (d) if the charge applies for other development – on the day stated in the infrastructure charges notice under which the charge was levied.

4. Method for Calculating Establishment Cost

4.1 Default position

By default, the Establishment Cost of trunk infrastructure is:

- (a) for trunk infrastructure that is the whole of an item in a table in Schedule 3, SC3.2 of the Planning Scheme – the establishment cost for the item stated in column 6 of the applicable table, increased using the PPI, adjusted according to the 3- yearly PPI average, for the period:
 - i. starting on the base date in the LGIP; and
Editor's note – As of the commencement of this resolution, the base date is 2013.
 - ii. ending on the date that the charge is levied.
- (b) for trunk infrastructure that is part of an item in a table in Schedule 3, SC3.2 of the Planning Scheme – a proportion of the amount described in **section 4.1(a)** for the relevant part; or
- (c) otherwise – an amount estimated by Council as reasonably reflecting the approximate costs of land acquisition, design and construction, for the infrastructure.

4.2 Recalculation of Establishment Cost

- (a) If an applicant disagrees with the default Establishment Cost under section 4.1, the applicant may give Council a notice under section 137 of the *Planning Act* requiring the Establishment Cost to be recalculated.
- (b) If a notice is given under section 137 of the *Planning Act* in relation to trunk infrastructure that is land, the Establishment Cost is to be recalculated in accordance with:
 - i. the method set out in **Schedule 2**; or
 - ii. another method agreed in writing between Council and the applicant.
- (c) If a notice is given under section 137 of the *Planning Act* in relation to trunk infrastructure that is works, the Establishment Cost is to be recalculated in accordance with:
 - i. the method set out in **Schedule 3**; or
 - ii. another method agreed in writing between Council and the applicant.
- (d) Where the Establishment Cost is recalculated under this section, the Establishment Cost is to be increased using the PPI, adjusted according to the 3- yearly PPI average, for the period (if any) between:
 - i. the date as at which the Establishment Cost is recalculated; and
 - ii. the date on which the amended infrastructure charges notice is given.
- (e) To avoid any doubt:
 - i. **Schedules 2 and 3** state this resolution's method for working out the cost of infrastructure that is the subject of an Offset or Refund, in accordance with section 116 of the *Planning Act*;
 - ii. for section 137(2) of the *Planning Act*, the method for recalculating establishment cost is set out in **Schedules 2 and 3**;
 - iii. if a notice is given under section 137 of the *Planning Act* in relation to trunk infrastructure that includes both land and works: **section 4.2(b)** applies to the extent that the trunk infrastructure is land; and **section 4.2(c)** applies to the extent that the trunk is works; and
 - iv. at any time, Council and an applicant may agree in writing that a stated amount is to be the recalculated Establishment Cost for the purposes of this section.

5. Conversion Criteria

5.1 Purpose of this section

- (a) This section sets out Council's conversion criteria for the purposes of section 117 of the *Planning Act*.
- (b) Prior to construction commencement an applicant may apply to convert non-trunk infrastructure to trunk infrastructure. The application must be made in writing using the prescribed form (the conversion application).
- (c) Non-trunk infrastructure that is the subject of a conversion must comply with all of the conversion criteria in **sections 5.2 to 5.10** in order to be converted to trunk infrastructure.

5.2 Capacity to service other development in accordance with desired standards of service

The infrastructure must have capacity to service other developments in the area, in accordance with the desired standard of service identified in the LGIP.

5.3 Infrastructure consistent with LGIP

The function and purpose of the infrastructure must be consistent with other trunk infrastructure identified in the LGIP.

5.4 Non consistent with non-trunk infrastructure

The infrastructure must not be consistent with non-trunk infrastructure for which a condition may be imposed under section 145 of the *Planning Act*. That is, the infrastructure must not be for any of the following:

- (a) a network, or part of a network, internal to premises;
- (b) connecting the premises to external infrastructure networks; or
- (c) protecting or maintaining the safety or efficiency of the infrastructure network of which the non-trunk infrastructure is a component.

Example – A condition is imposed requiring upgrade works to a trunk road, in order to maintain the safety and efficiency of the network as a result of a development. Although the works relate to a trunk road, they are non-trunk infrastructure and do not satisfy this criterion.

5.5 Cost-effectiveness

- (a) The type, size and location of the infrastructure must be the most cost-effective option for servicing multiple users in the area.
- (b) This criterion will be satisfied where the infrastructure is the least-cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standard of service identified in the LGIP.

5.6 No commencement of construction

Construction of the infrastructure must not have started.

*Editor's note – Separately from this criterion, if construction of the non-trunk infrastructure that is the subject of a conversion application commences after the application is made, this may affect the determination of the application. See *Planning Act*, section 138(b).*

5.7 Not for development incentive

The infrastructure must not have been proposed by the applicant for the purpose of obtaining:

- (a) an increase in height or density; or
- (b) any other concession or relaxation of a requirement under the Planning Scheme.

5.8 Not proposed as non-trunk infrastructure

The infrastructure must not have been proposed by the applicant on the basis that it would be non-trunk infrastructure (or would otherwise not be subject to an Offset or Refund).

5.9 Not to upgrade to service development inconsistent with LGIP assumptions

The infrastructure must not involve an upgrade of an existing trunk infrastructure item made necessary to service development that is inconsistent with the type, scale, location or timing of development assumed in the LGIP.

5.10 Services development consistent with LGIP assumptions

The infrastructure must service development that is consistent with the LGIP's assumptions about the type, scale, location and timing of development.

6. Defined Terms

6.1 Definitions

In this resolution, these terms have the following meanings:

| Term | Definition |
|-------------------------------|--|
| Infrastructure Charge | The infrastructure charge for development calculated in accordance with Schedule 1 . |
| Council | Fraser Coast Regional Council. |
| Credit | A credit calculated in accordance with section 3.2 of this resolution. |
| Establishment Cost | The establishment cost of trunk infrastructure, determined in accordance with section 4 . |
| LGIP | Council's local government infrastructure plan, being Part 4 of the Planning Scheme. |
| Maximum adopted charge | means the charge limit set out in the maximum charging framework established in the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> . |
| Offset | An offset under section 129(2) of the <i>Planning Act</i> . |
| Original Land | That land that is the subject of the overarching development approval guiding development of the land. <i>Example – If the land the subject of a specific development application is part of a larger parcel that is the subject of a variation approval, the Original Land will be the whole of the land the subject of the variation approval, regardless of whether or not the land is being developed in stages or by different developers.</i> |
| Planning Act | The <i>Planning Act 2016</i> (Qld). |
| Planning Reg | The <i>Planning Regulation 2017</i> (Qld). |
| Planning Scheme | Fraser Coast Regional Planning Scheme. |
| Refund | A refund under section 129(3)(b) of the <i>Planning Act</i> . |

6.2 Other Terms

A term that is used but not defined in this resolution will, unless the context otherwise requires, have the meaning give to it by (in the following order):

- (a) the *Planning Act*;
- (b) the Planning Reg;
- (c) the Planning Scheme;
- (d) the *Acts Interpretation Act 1954* (Qld); or
- (e) its ordinary meaning.

6.3 Construction

Unless expressed to the contrary, in this resolution:

- (a) “includes” means includes without limitation;
- (b) a reference to:
 - i. any legislation includes subordinate legislation under it and includes that legislation and subordinate legislation as modified or replaced;
 - ii. “\$” or “dollars” is a reference to Australian currency;
 - iii. this or any other document includes the document as novated, varied or replaced and despite any change in the identity of the parties;
 - iv. writing includes: any mode of representing or reproducing words in tangible and permanently visible form, including fax transmission; and words created or stored in any electronic medium and retrievable in perceivable form;
 - v. this resolution includes all schedules and annexures to it;
 - vi. a section, schedule or annexure is a reference to a section, schedule or annexure, as the case may be, of this resolution;
- (c) if the date on or by which any act must be done under this resolution is not a business day, the act must be done on or by the next business day; and
- (d) headings do not affect the interpretation of this resolution.

Schedule 1

Adopted Charge Rates

Notes –

1. The categories shown in Column 1 below are included only for convenience, and to align with schedule 16 of the Planning Reg.
2. Table A identifies the Adopted Charge rate for development that is reconfiguring a lot. Table B identifies the Adopted Charge rates for development that is a material change of use or building work.
3. If a development approval approves a material change of use for more than one use, and provides for an area that is able to be used for more than one use, or is common between two or more uses, the Adopted Charge applicable to that area is to be calculated based on the applicable use listed in the table below with the highest Adopted Charge rate.
4. For an existing lawful use to which a development application is seeking to expand the gross floor area of the facility, the infrastructure charge is only to be applied on the part of the development which is subject to intensification or extension.

Table A – Reconfigure a Base Charge Rate

| Column 1 Use Category | Column 2 Reconfigure a Lot Use | Column 3 (U) Charge Category | Column 3 (AC) Adopted Charge |
|--|--------------------------------------|---------------------------------|---------------------------------|
| Hervey Bay (inc. Burrum Heads, Toogoom, Booral and River Heads) - All Zones | New lot with development entitlement | \$ per lot | \$32,000 |
| Maryborough, Howard, Torbanlea, Tiaro and Rural townships - All zones | New lot with development entitlement | \$ per lot | \$19,000 |

Table B – Material Change of Use or Building Works Base Charge Rate

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|---|---------------------------|-----------------------------------|-------------------------|
| Residential Hervey Bay (inc Burrum Heads, Toogoom, Booral and River Heads) | Dwelling House | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$32,000 |
| | Dwelling Unit | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$28,000 |
| | Caretaker's accommodation | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$32,000 |
| | Multiple Dwelling | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$28,000 |

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|--|---|--|---------------------------|
| | Dual Occupancy | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ pe 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$28,000 |
| Residential Maryborough, Howard, Torbanlea, Tiaro and Rural townships | Dwelling House | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$19,000 |
| | Dwelling Unit | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$15,000 |
| | Caretaker's accommodation | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$19,000 |
| | Multiple Dwelling | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$15,000 |
| | Dual Occupancy | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ pe 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$15,000 |
| Accommodation (Short-term) Hervey Bay (Inc Burrum Heads, Toogoom, Booral and River Heads) | Hotel | \$ per 1 bedroom dwelling | \$6,000 |
| | | \$ per 2 bedroom dwelling | \$10,000 |
| | | \$ per 3 or more bedroom dwelling | \$14,000 |
| | Short-term accommodation | \$ per 1 bedroom dwelling | \$6,000 |
| | | \$ per 2 bedroom dwelling | \$10,000 |
| | | \$ per 3 or more bedroom dwelling | \$14,000 |
| | Tourist park – caravan or tent | \$ per unpowered tent site | \$2,500 |
| | | \$ per powered caravan site | \$4,500 |
| | | \$ per cabin site | \$6,000 |
| | Tourist park – self-contained recreational vehicle grounds | \$ per self-contained recreational vehicle (as defined in the <i>Fraser Coast Planning Scheme 2014</i>) | Nil |
| | Nature based tourism | \$ per unpowered tent site | \$2,500 |
| | | \$ per powered caravan site | \$4,500 |
| | | \$ per cabin site | \$6,000 |
| | Nature based tourism- self-contained recreational vehicle grounds | \$ per self-contained recreational vehicle (as defined in the <i>Fraser Coast Planning Scheme 2014</i>) | Nil |
| | Accommodation (Short-term) | Hotel | \$ per 1 bedroom dwelling |
| \$ per 2 bedroom dwelling | | | \$5,300 |
| \$ per 3 or more bedroom dwelling | | | \$7,500 |

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|---|--|--|-------------------------|
| Maryborough, Howard, Torbanlea, Tiaro and Rural townships | Short-term accommodation | \$ per 1 bedroom dwelling | \$3,200 |
| | | \$ per 2 bedroom dwelling | \$5,300 |
| | | \$ per 3 or more bedroom dwelling | \$7,500 |
| | Tourist park – caravan or tent | \$ per unpowered tent site | \$1,350 |
| | | \$ per powered caravan site | \$2,400 |
| | | \$ per cabin site | \$3,200 |
| | Tourist park – self-contained recreational vehicle grounds | \$ per self-contained recreational vehicle (as defined in the <i>Fraser Coast Planning Scheme 2014</i>) | Nil |
| | Nature based tourism | \$ per unpowered tent site | \$1,350 |
| | | \$ per powered caravan site | \$2,400 |
| | | \$ per cabin site | \$3,200 |
| Nature based tourism- self-contained recreational vehicle grounds | \$ per self-contained recreational vehicle (as defined in the <i>Fraser Coast Planning Scheme 2014</i>) | Nil | |
| Accommodation (Long-term) Hervey Bay (Inc Burrum Heads, Toogoom, Booral and River Heads) | Community residence | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$28,000 |
| | Rooming accommodation | \$ per 1 bedroom (< 6 beds per room) | \$12,200 |
| | | \$ per 1 bedroom (> 6 beds per room) | \$19,800 |
| | | \$ per 2 bedrooms in a suite | \$19,800 |
| | | \$ per 3 or more bedrooms in a suite | \$28,000 |
| | Relocatable home park | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$32,000 |
| | Retirement facility | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| | | \$ per 3 or more bedroom dwelling | \$32,000 |
| | Rural workers accommodation | \$ per 1 bedroom dwelling | \$12,200 |
| | | \$ per 2 bedroom dwelling | \$19,800 |
| \$ per 3 or more bedroom dwelling | | \$32,000 | |
| Accommodation (Long-term) Maryborough, Howard, Torbanlea, Tiaro | Community residence | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$15,000 |
| | Rooming accommodation | \$ per 1 bedroom (< 6 beds per room) | \$6,500 |

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|--------------------------------|--|---|-------------------------|
| and Rural Townships | | \$ per 1 bedroom (> 6 beds per room) | \$10,500 |
| | | \$ per 2 bedrooms in a suite | \$10,500 |
| | | \$ per 3 or more bedrooms in a suite | \$15,000 |
| | Relocatable home park | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$19,000 |
| | Retirement facility | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$19,000 |
| | Rural workers accommodation | \$ per 1 bedroom dwelling | \$6,500 |
| | | \$ per 2 bedroom dwelling | \$10,500 |
| | | \$ per 3 or more bedroom dwelling | \$19,000 |
| Places of Assembly | Community use (library) ¹ | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Community use (museum) ¹ | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Community use (hall) ¹ | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Community use (other) ¹ | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Function Facility | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Funeral parlour | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Place of worship | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| Commercial (bulk goods) | Agricultural supplies store | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Bulk landscape supplies | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Garden centre | \$ per m2 TUA plus \$10.00 per m2 impervious area | \$140 |
| | Hardware and trade supplies | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Outdoor sales (Indoor sales component) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |

¹ No Charge for uses on Council-controlled land

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|----------------------------|---|---|---|
| | Outdoor sales (Outdoor sales component) | \$ per m2 TUA plus \$10.00 per m2 impervious area | \$30 |
| | Showroom | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| Commercial (retail) | Adult store | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Food and drink outlet (fast food restaurant) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Food and drink outlet (fast food restaurant with drive through) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Food and drink outlet (other) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Service industry (Laundromat) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Service industry (other) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Service station (fuel pumps) | Nil charge | Nil |
| | Service station (shop component) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Service station (vehicle repair shop) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Service station (food and drink outlet) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Shop | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Shopping Centre | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$180 |
| | Commercial (office) | Office | \$ per m2 GFA plus \$10.00 per m2 impervious area |
| Sales office | | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| Education facility | Child care centre | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Community care centre | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Educational establishment | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| Entertainment | Bar | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$200 |

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|--|---|---|-------------------------|
| | Hotel (non-residential component) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$200 |
| | Nightclub entertainment facility | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$200 |
| | Theatre | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$200 |
| | Club | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$200 |
| Indoor sport and recreation¹ | Indoor sport and recreation (squash or other court areas) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$20 |
| | Indoor sport and recreation (other) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| Industry | Low impact industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Marine industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Medium impact industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Research and technology industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Rural industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Transport Depot | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Warehouse (self-storage facility) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| | Warehouse (other) | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$50 |
| High impact industry | High impact industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| | Special industry | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$70 |
| Low impact rural | Animal husbandry | Nil charge | Nil |
| | Cropping | Nil charge | Nil |
| | Permanent plantation | Nil charge | Nil |
| | Renewable energy facility | Nil charge | Nil |
| High impact rural | Aquaculture | \$ per m2 GFA for the high impact rural use | \$20 |
| | Intensive animal industry | \$ per m2 GFA for the high impact rural use | \$20 |

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|---------------------------|--|---|-------------------------|
| | Intensive horticulture | \$ per m2 GFA for the high impact rural use | \$20 |
| | Wholesale nursery | \$ per m2 GFA for the high impact rural use | \$20 |
| | Winery | \$ per m2 GFA for the high impact rural use | \$20 |
| Essential services | Detention facility | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Emergency services ² | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Health care services | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Hospital | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Residential care facility | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| | Veterinary services | \$ per m2 GFA plus \$10.00 per m2 impervious area | \$140 |
| Specialised uses | Air Services | As for Other uses, Column 1 | * |
| | Animal keeping | As for Other uses, Column 1 | * |
| | Brothel | As for Other uses, Column 1 | * |
| | Car wash | \$ per m2 GFA plus \$10.00 per m2 impervious area | Nil |
| | Parking Station | \$ per m2 GFA plus \$10.00 per m2 impervious area | Nil |
| | Crematorium | As for Other uses, Column 1 | * |
| | Extractive industry | As for Other uses, Column 1 | * |
| | Major electricity infrastructure | | |
| | Major sport, recreation and entertainment facility | As for Other uses, Column 1 | * |
| | Motor sport facility | As for Other uses, Column 1 | * |
| | Non-resident workforce accommodation | As for Other uses, Column 1 | * |
| | Outdoor sport and recreation ¹ | As for Other uses, Column 1 | * |
| | Port services | As for Other uses, Column 1 | * |
| | Resort complex | As for Other uses, Column 1 | * |
| Tourist attraction | As for Other uses, Column 1 | * | |

² No Charge for State Emergency Service facilities on Council-controlled land

| Column 1 Use Category | Column 2 Use | Column 3 (U) Charge Category | Column 3 (AC) Charge |
|--------------------------|--|---|-------------------------|
| | Utility installation | As for Other uses, Column 1 | * |
| Minor uses | Advertising device | Nil charge | Nil |
| | Cemetery | Nil charge | Nil |
| | Home based business | Nil charge | Nil |
| | Landing | Nil charge | Nil |
| | Market | Nil charge | Nil |
| | Outstation | Nil charge | Nil |
| | Park | Nil charge | Nil |
| | Roadside stall | Nil charge | Nil |
| | Substation | Nil charge | Nil |
| | Telecommunications facility | Nil charge | Nil |
| | Temporary uses | Nil charge | Nil |
| | Ancillary storage to sporting or community activity land uses. | Nil charge | Nil |
| Other uses | A use not otherwise listed in column | The maximum adopted charge is the charge (in column 3(A) and 3(B)) for a use category (in column 2) that appropriately reflects the use at the time of assessment | |

Schedule 2

Method for calculating Establishment Cost – Land

Where **section 4.2(b)** applies, the Establishment Cost of trunk infrastructure that is land is to be recalculated in accordance with the method set out in the below table, and subject to indexation as provided for in **section 4.2(d)**.

| Step | Description | Details | Timing |
|------|-------------|--|---|
| 1 | Valuation | <p>The applicant must, at its own cost, obtain and provide Council with a valuation of the land, which must:</p> <ul style="list-style-type: none"> (a) be prepared by a certified practicing valuer, who must act professionally and as a neutral and independent expert; (b) assess the market value of the land using a before-and-after methodology, by: <ul style="list-style-type: none"> i. determining the value of the Original Land, before any land is transferred to Council; ii. determining the value of the remaining land that will not be transferred to Council; and iii. subtracting the amount in (ii) from the amount in (i), with the value being the difference between those two amounts. (c) assess the value as at the following date, as applicable: <ul style="list-style-type: none"> i. if the land is identified in a table in Schedule 3, SC3.3 of the Planning Scheme – the day the development application which is the subject of the relevant necessary infrastructure condition first became properly made; or ii. otherwise – the day that the development application which is the subject of the relevant necessary infrastructure condition was approved; (d) include supporting information regarding the highest and best of use the land which the valuer has relied on to form an opinion about the value; (e) identify the area of land that is above the Q100 flood level and the area that is below the Q100 floor level; (f) identify and consider all other relevant constraints, including: vegetation protection; ecological values, including riparian buffers and corridors; stormwater or drainage corridors; slope; bushfire and landslide hazards; heritage; airport environs; coastal erosion; extractive resources; flooding; land use buffer requirement; tenure related constraints; and restrictions such as easements, leases, licences and other dealings, whether or not registered on title; and | <p>Within 10 business days after the applicant gives a notice under section 4.2.</p> |

| | | | |
|----------|--------------------------------------|---|---|
| | | (g) contain relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment. | |
| 2 | Response to valuation | Council must consider the valuation report provided under Step 1 and give the applicant a notice stating either: (a) that Council accepts the applicant’s valuation – in which case the Establishment Cost will be the amount stated in the valuation report provided under Step 1 ; or (b) that Council does not accept the applicant’s valuation – in which case, Step 3 applies. | Within 15 business days Step 1 . |
| 3 | Council valuation | Council must, at its own cost: (a) obtain a further valuation report for the land, in accordance with the parameters set out in Step 1 ; and (b) provide a notice to the applicant stating Council’s proposed valuation, and attaching a copy of Council’s valuation report. | Within 20 business days after Step 2 . |
| 4 | Response to Council valuation | The applicant must give a notice to Council stating either: (a) that the Applicant accepts Council’s valuation – in which case the Establishment Cost will be the amount stated in Council’s notice under Step 3 ; or (b) that the applicant does not accept the applicant’s valuation – in which case, Step 5 applies. | Within 10 business days after Step 3 . |
| 5 | Further valuation | Council must obtain a further valuation report in accordance with the parameters set out in Step 1 . The valuer is to be chosen by Council, in consultation with the applicant. Council and the applicant are to share equally in the costs of the valuation. If this step applies, the Establishment Cost will be the amount stated in the valuation report. | Within 20 business days after Step 4 . |

Schedule 3

Method for calculating Establishment Cost – Work

Where **section 4.2(c)** applies, the Establishment Cost of trunk infrastructure that is works is to be recalculated in accordance with the method set out in the below table, and subject to indexation as provided for in **section 4.2(d)**.

| Step | Description | Details | Timing |
|------|--|---|---|
| 1 | Scope of works | The applicant must, at its own cost, prepare and provide to Council a scope of works for the works which must include: (a) specifications for the works; (b) the standard to which the works are to be provided; and (c) the location of the works. | Within 10 business days after the applicant gives a notice under section 4.2 . |
| 2 | Approval of scope of works | Council must review the scope of works provided under Step 1 and give the applicant a notice stating either: (a) that Council approves the scope of works – in which case, Step 3 applies; or (b) that Council requires changes to the scope of works – in which case, the applicant must submit a revised scope of works under Step 1 . | Within 10 business days after Step 1 . |
| 3 | Bill of quantities and cost estimate | The applicant must, at its own cost, obtain and provide to Council the following, prepared by a suitably qualified person: (a) a bill of quantities for the design, construction and commissioning of the works, in accordance with the approved scope of works; and (b) a “first principles” estimate for the cost of designing, constructing and commissioning the works in accordance with that bill of quantities. | Within 15 business days after Step 2 . |
| 4 | Response to bill of quantities and cost estimate | Council must consider the bill of quantities and cost estimate provided under Step 3 and give the applicant a notice stating either: (a) that Council accepts the applicant’s bill of quantities and cost estimate – in which case, the Establishment Cost will be the amount stated in the applicant’s cost estimate; or (b) that Council does not accept the applicant’s bill of quantities and cost estimate and either: i. that the revised cost estimate process in Steps A1 to A3 is to apply; or ii. that the tender process in Steps B1 to B10 is to apply. | Within 10 business days after Step 3 . |

| Option A – Revised cost estimate process | | | |
|---|---|--|--|
| A1 | Council bill of quantities and cost estimate | Council must, at its own cost, obtain and provide to the applicant a revised bill of quantities and cost estimate, prepared by a suitably qualified person, in accordance with the parameters set out in Step 3 . | Within 20 business days after Step 4 . |
| A2 | Response to Council bill of quantities and cost estimate | The applicant must give a notice to Council stating either: (a) that the Applicant accepts Council’s bill of quantities and cost estimate – in which case the Establishment Cost will be the amount stated in Council’s cost estimate; or (b) that the applicant does not accept Council’s bill of quantities and cost estimate – in which case, Step A3 applies. | Within 10 business days after Step A1 . |
| A3 | Further bill of quantities and cost estimate | Council must obtain a bill of quantities and cost estimate, prepared by a suitably qualified person, in accordance with the parameters set out in Step 3 . The suitably qualified person is to be chosen by Council, in consultation with the applicant. Council and the applicant are to share equally in the costs of the suitably qualified person. If this step applies, the Establishment Cost will be the amount stated in the suitably qualified person’s cost estimate | Within 20 business days after Step A2 . |
| Option B – Tender process | | | |
| B1 | Submission of design material | The applicant must obtain and provide to Council designs and specifications for the works, which must comply with all relevant standards and be prepared by a suitably qualified person. | Within 20 business days after Step 4 . |
| B2 | Approval of design material | Council must give a notice to the applicant stating either: (a) that Council approves the applicant’s design material – in which case, Step B3 applies; or (b) that Council requires specified changes to the design material – in which case, the applicant must resubmit the design material under Step B1 . | Within 10 business days after Step B1 . |
| B3 | Submission of draft tender material | The applicant must prepare and provide to Council draft tender documentation for the works. | Within 20 business days after Step B2 . |
| B4 | Approval of draft tender material | Council must give a notice to the applicant stating either: (a) that Council approves the applicant’s draft tender material – in which case, Step B5 applies; or (b) that Council requires specified changes to the design material – in which case, the applicant must resubmit the design material under Step B3 . | Within 10 business days after Step B3 . |
| B5 | Conduct of tender and submission of recommendation | The applicant must: (a) conduct a tender process in accordance with the approved documentation, which must include a requirement that prospective tenders state a dollar value figure for the construction cost of the works, which must be exclusive of any costs for: | Within 20 business days after Step B4 . |

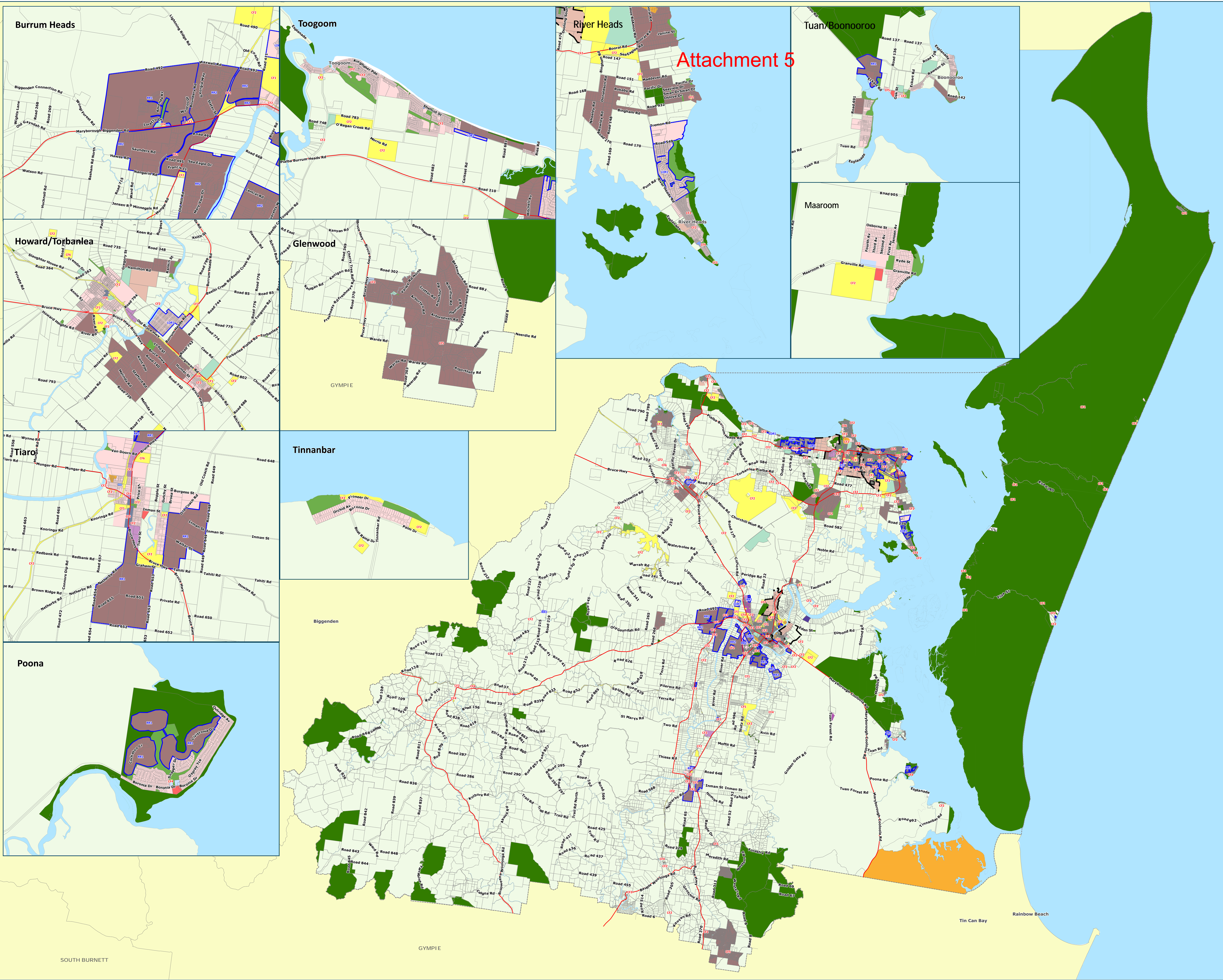
| | | | |
|-----------|-------------------------------------|---|---|
| | | <ul style="list-style-type: none"> i. project management services; ii. superintendent fees iii. planning; iv. construction administration; and v. supervision; <p><i>Note – for the approved tenderer, the dollar value figure stated under this paragraph will form part of the Establishment Cost, as specified in Step B10. The costs mentioned in sub-paragraphs (i) to (v) do not directly form part of the Establishment Cost, but are included in the allowance mentioned in paragraph (c) of Step B10.</i></p> <ul style="list-style-type: none"> (b) undertake an analysis of the properly submitted tenders; and (c) give Council a notice that states: <ul style="list-style-type: none"> i. the applicant’s recommendation as to the award of the works contract; ii. the tender documents distributed to prospective tenderers; iii. each tender submitted; iv. the applicant’s analysis of the tenders; and (v) any other relevant information. | |
| B6 | Approval tenderer of | <p>Council must give a notice to the applicant stating:</p> <ul style="list-style-type: none"> (a) that Council approves of the applicant’s recommendation as to the award of the works contract – in which case, the contractor is to be appointed in accordance with the applicant’s recommendation; or (b) that Council requires a different specified tenderer to be appointed – in which case, the contractor specified by Council is to be appointed. | Within 10 business days after Step B5 . |
| B7 | Notice proposed variation of | <p>If, during the course of the works contract, the contractor proposes a variation that will increase the cost of the works, the applicant must give a notice to Council that:</p> <ul style="list-style-type: none"> (a) describes the proposed variation; and (b) states a dollar value figure for the additional costs arising from the variation, which must be exclusive of any additional costs for: <ul style="list-style-type: none"> i. project management services; ii. superintendent fees; iii. planning; iv. construction administration; and v. supervision. <p><i>Note – if the variation is approved under Step B8, the dollar value figure stated under this paragraph will form part of the Establishment Cost, as specified in Step B10. The costs mentioned in sub-paragraphs (i) to (v) do not directly form part of the Establishment Cost, but are include in the allowance mentioned in paragraph (e) of Step B10.</i></p> | Within 5 business days of any variation being proposed by the contractor. |

| | | | |
|------------|---|---|--|
| B8 | Approval of proposed variation | Council must consider the proposed variation and give notice to the applicant stating either: (a) that Council approves the proposed variation; or (b) that Council does not approve the proposed variation, and the reasons why. | Within 5 business days of receiving a notice under Step B7 . |
| B9 | Request for confirmation of Establishment Cost | The Applicant must give a notice to Council requesting that Council confirm the Establishment Cost of the works. | Not before Step B6 , and within 10 business days after the works are completed. |
| B10 | Confirmation of Establishment Cost | Council must give the Applicant a notice stating the amount of the Establishment Cost, which is to be the sum of the following (each of which must also be stated in the notice): (a) the construction cost of the works, being the dollar value amount stated under paragraph (a) of Step B5 ; (b) the associated QLeave levy amount, being 0.575% of the amount in paragraph (a) above; (c) an allowance for project management, superintended, planning, construction administration and supervision costs, being: i. for works for the parks and land for community facilities infrastructure networks – 10.5% of the amount in paragraph (a) above; or ii. otherwise – 16% of the amount in paragraph (a) above; (d) the total additional costs for any approved variations, being the total of the amounts stated under paragraph (b) of Step B7 for all approved variations; and (e) an allowance for project management, superintended, planning, construction administration and supervision costs relating to approved variations, being 4% of the amount in paragraph (d) above. The Establishment Cost is to be the amount stated in Council’s notice. | Within 10 business days after Step B9 . |

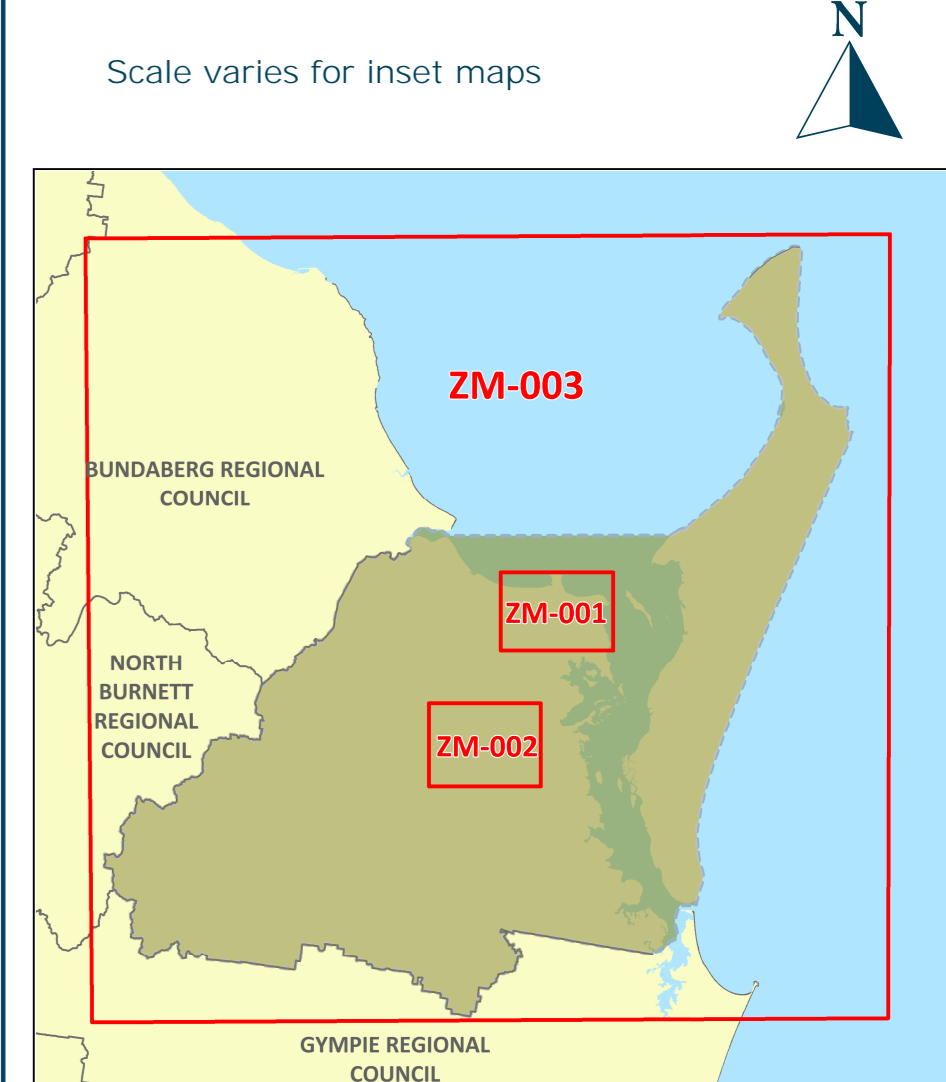
Attachment 5

Legend

- Planning Zones**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Principal Centre
 - Local Centre
 - Neighbourhood Centre
 - Low Impact Industry
 - Medium Impact Industry
 - High Impact Industry
 - Waterfront and Marine Industry
 - Sport and Recreation
 - Open Space
 - Environmental Management and Conservation
 - Community Facilities
 - CF1 - Education & Training Facilities
 - CF2 - Government Purpose & Public Utilities
 - CF3 - Hospitals & Medical Services Facilities
 - CF4 - Community & Cultural Facilities
 - CF5 - Telecommunication Facilities
 - CF6 - Cemetery
 - Emerging Communities
 - District Centre
 - Limited Development (Constrained Land)
 - Mixed Use
 - Rural
 - Rural Residential
 - Specialised Centre
- Zone Precincts**
- Local Plan Areas
 - Other Local Government Boundaries
 - Fraser Coast Regional Council Boundary
 - DCDB Land Parcels
 - DNRME Release 06/03/2018

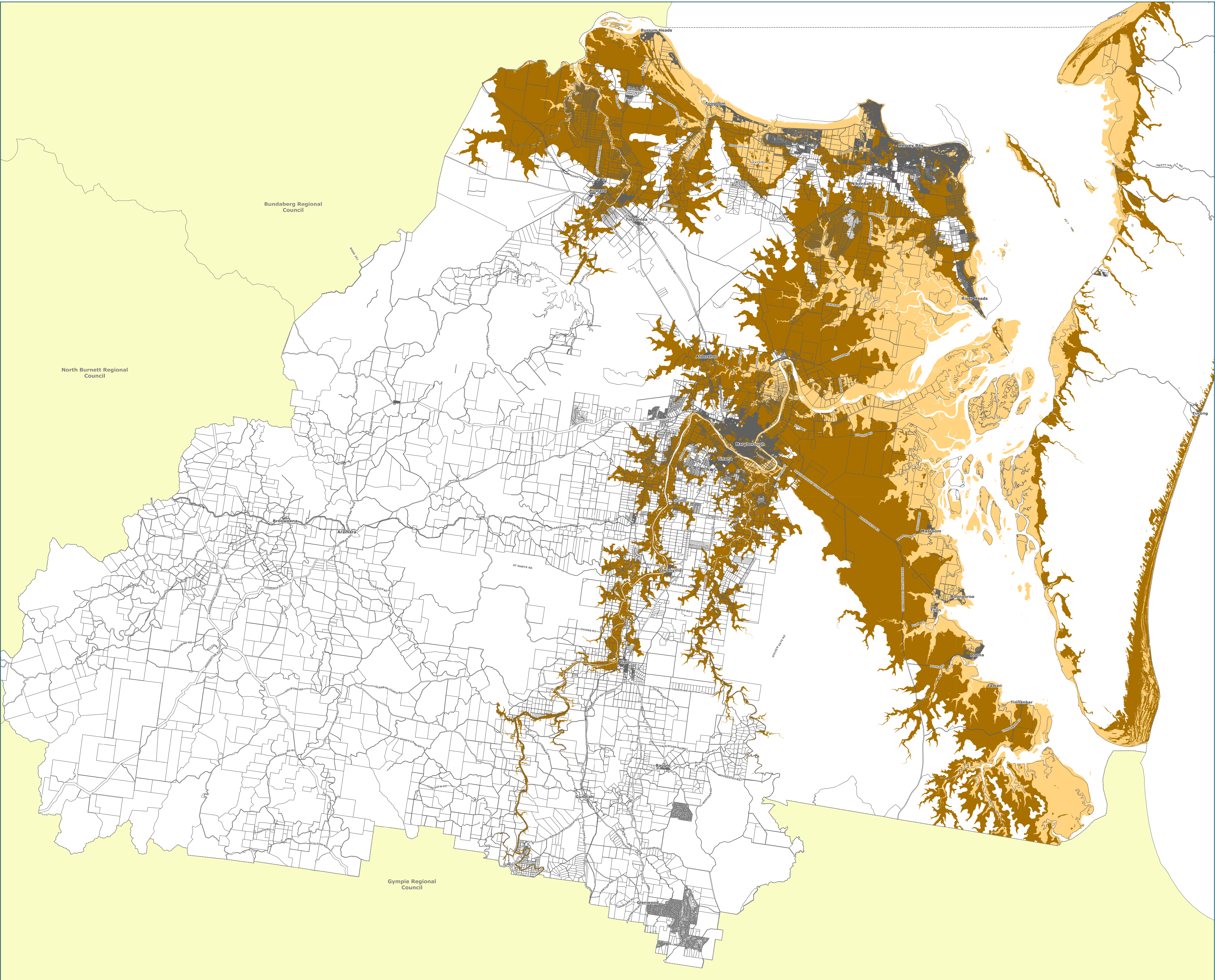


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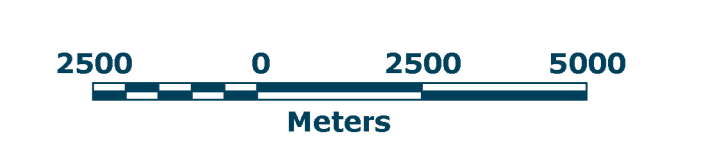


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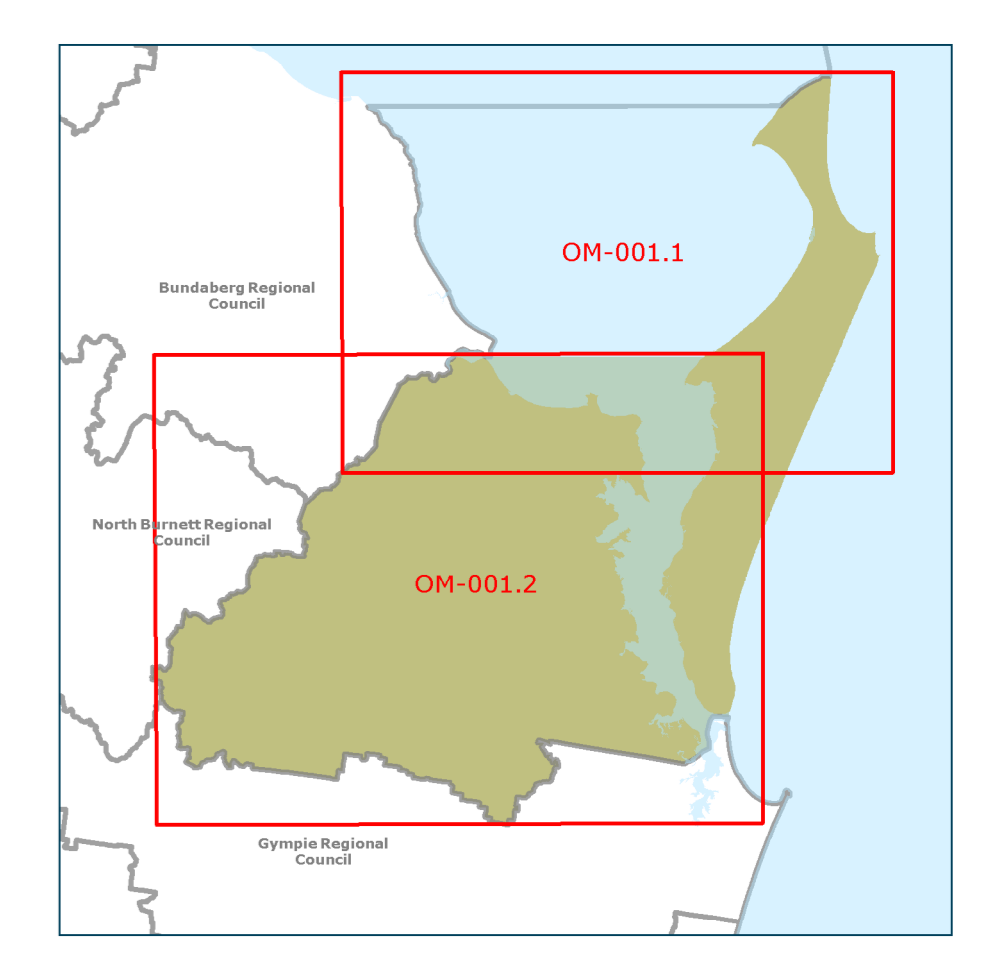
- Acid Sulfate Soils**
 - Area 1 (Land at or below 5m AHD)
 - Area 2 (Land above 5m AHD, but below 20m AHD)
- DCDB**
- Fraser Coast Regional Council Boundary**
- Other Local Government Boundaries**



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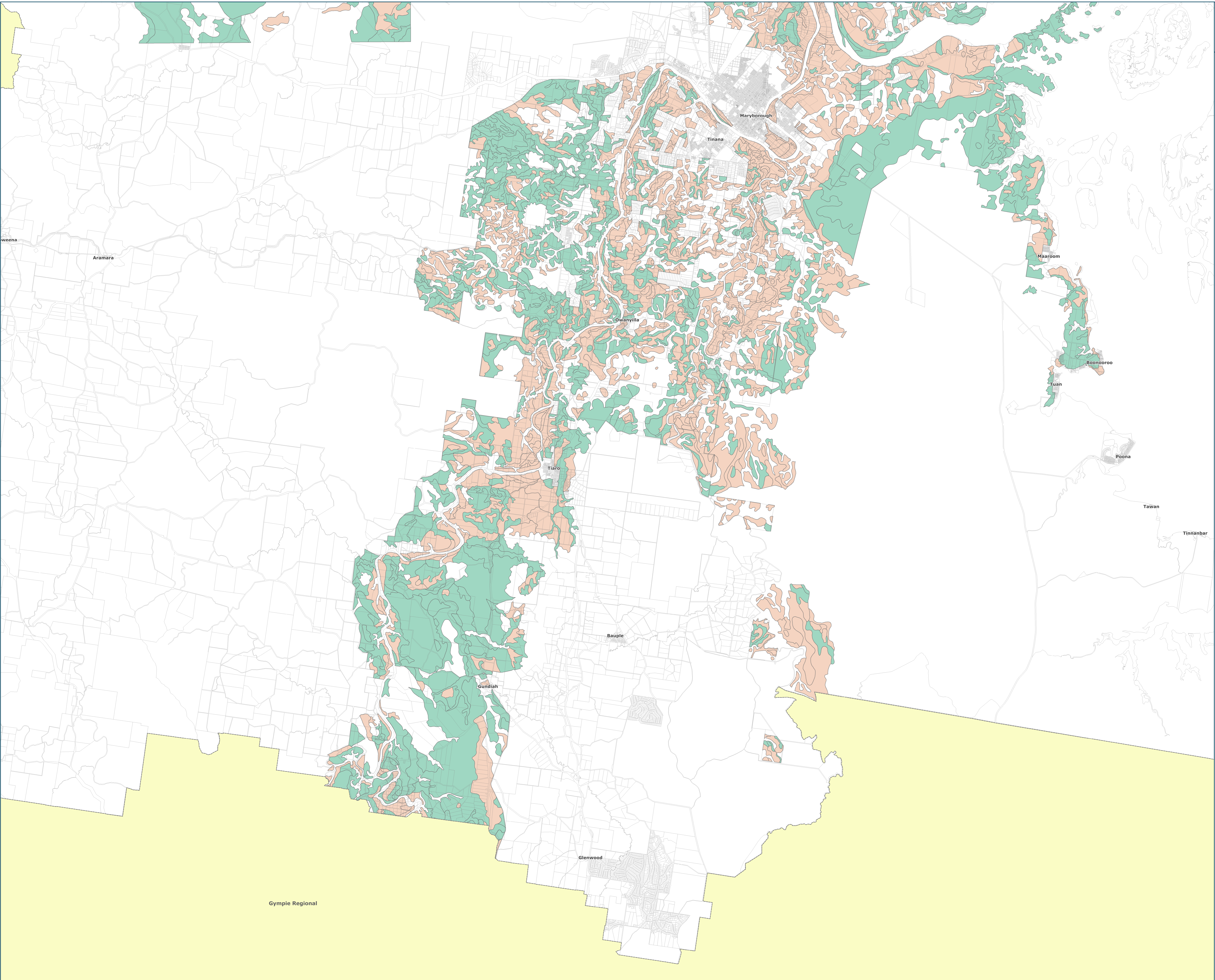
Approx Scale @ A0 1:115,000



Sheet Map Index

Legend

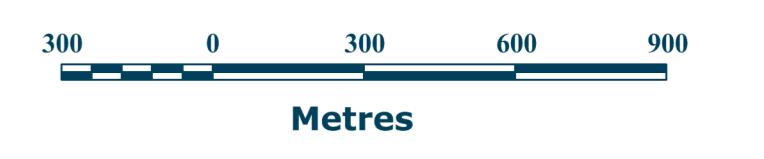
- Agriculture Land Classification**
- Class A Land
- Class B Land
- DCDB**
- Fraser Coast Boundary**
- Other Local Government Boundaries**



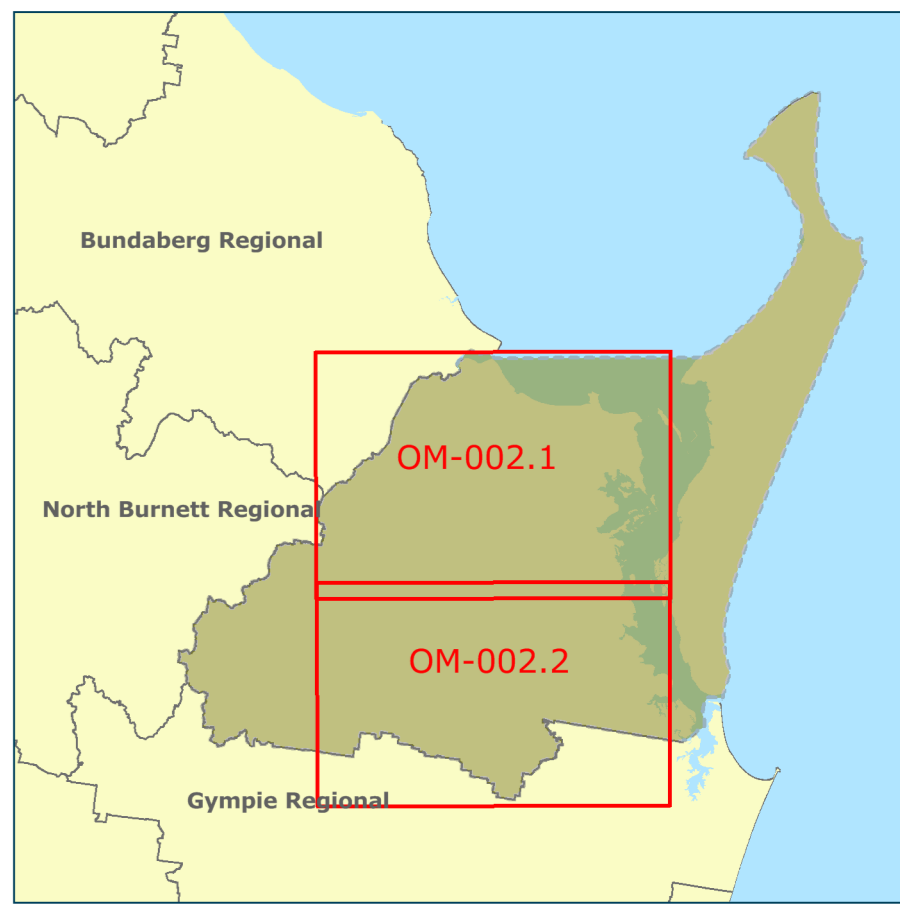
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Governing Datum of Australia 1994 (GD94)



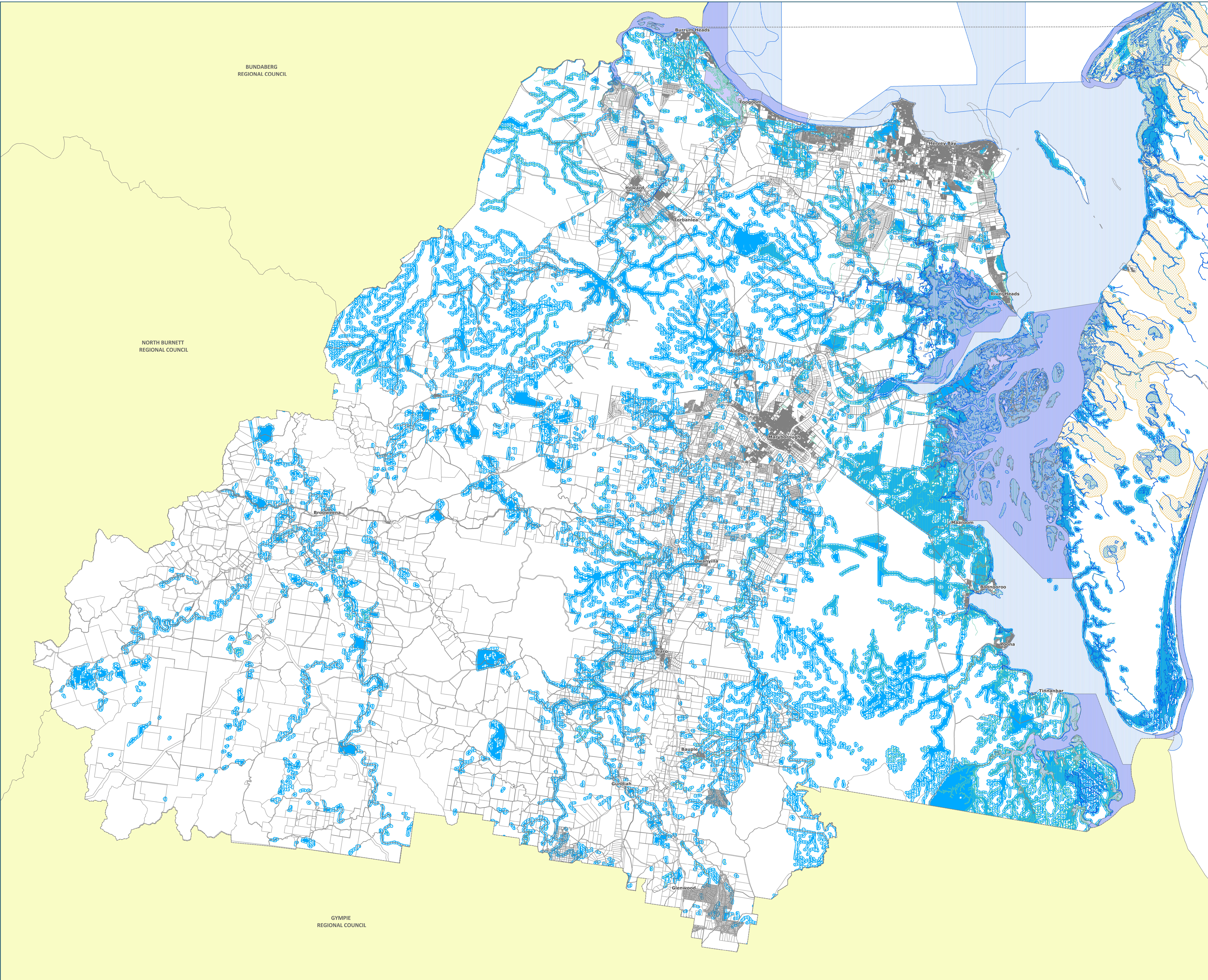
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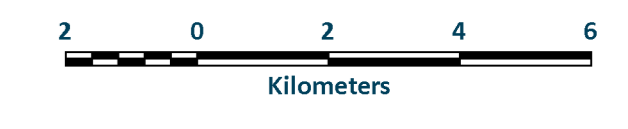
Sheet Map Index

Legend

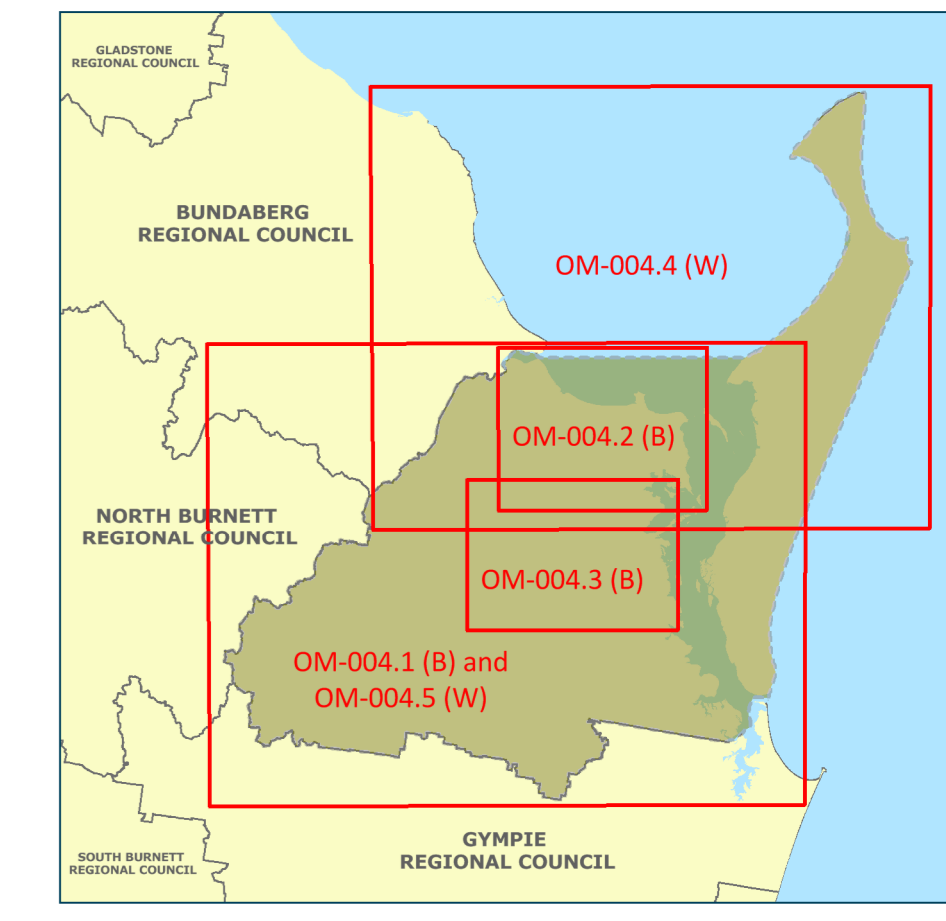
- MSES High Ecological Value Waters
 - Watercourse
- MSES High Ecological Significance Wetlands
- MSES Declared Fish Habitat Areas
- MSES High Ecological Value Waters
 - Wetland
- MSES Strategic Environmental Area
 - Designated Precinct
- Local Wetlands Buffer
- Local Wetlands
- DCDB
 - DWRME Release 06/03/2018
- Fraser Coast Boundary
- Other Local Government Boundaries



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 Geocentric Datum of Australia 1994 (GDA94)



Approx Scale @ A0 1:115,000



Sheet Map Index

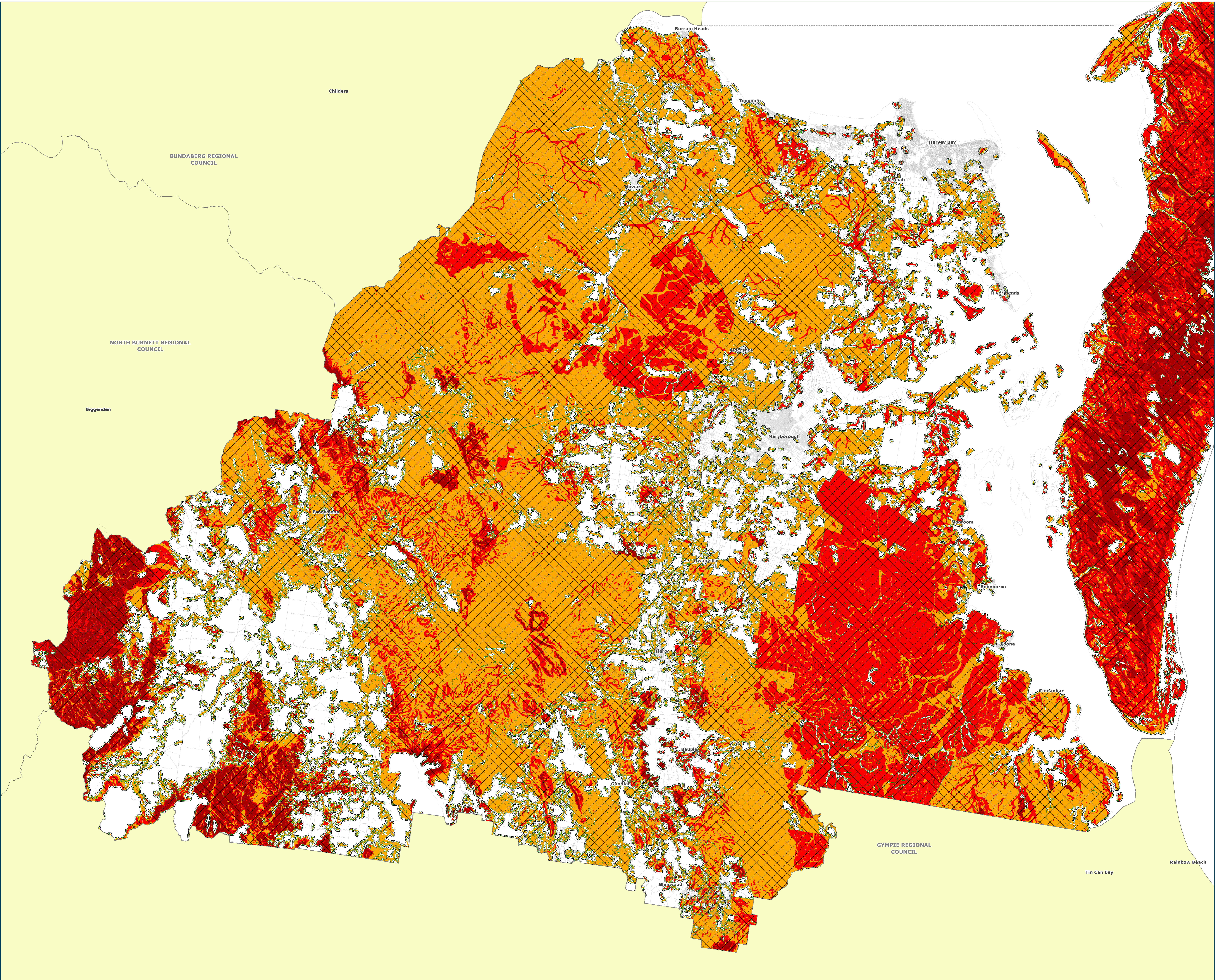
BUNDABERG
REGIONAL COUNCIL

NORTH BURNETT
REGIONAL COUNCIL

GYMPIE
REGIONAL COUNCIL

Legend

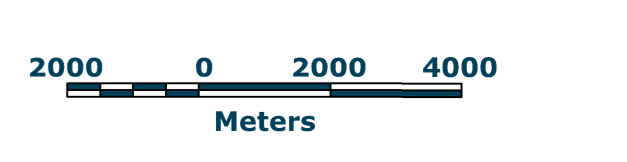
- Bushfire Hazard Area**
 - Very High Bushfire Hazard Area
 - High Bushfire Hazard Area
 - Medium Bushfire Hazard Area
- Bushfire Hazard Potential Impact Buffers**
 - Bushfire Hazard Potential Impact Buffers
- Bushfire Prone Area**
 - Bushfire Prone Area
- DCDB Land Parcel Boundaries**
 - DCDB Land Parcel Boundaries
 - DNRME Release 06/03/2018
- Other Local Government Boundaries**
 - Other Local Government Boundaries
- Fraser Coast Regional Council Boundary**
 - Fraser Coast Regional Council Boundary



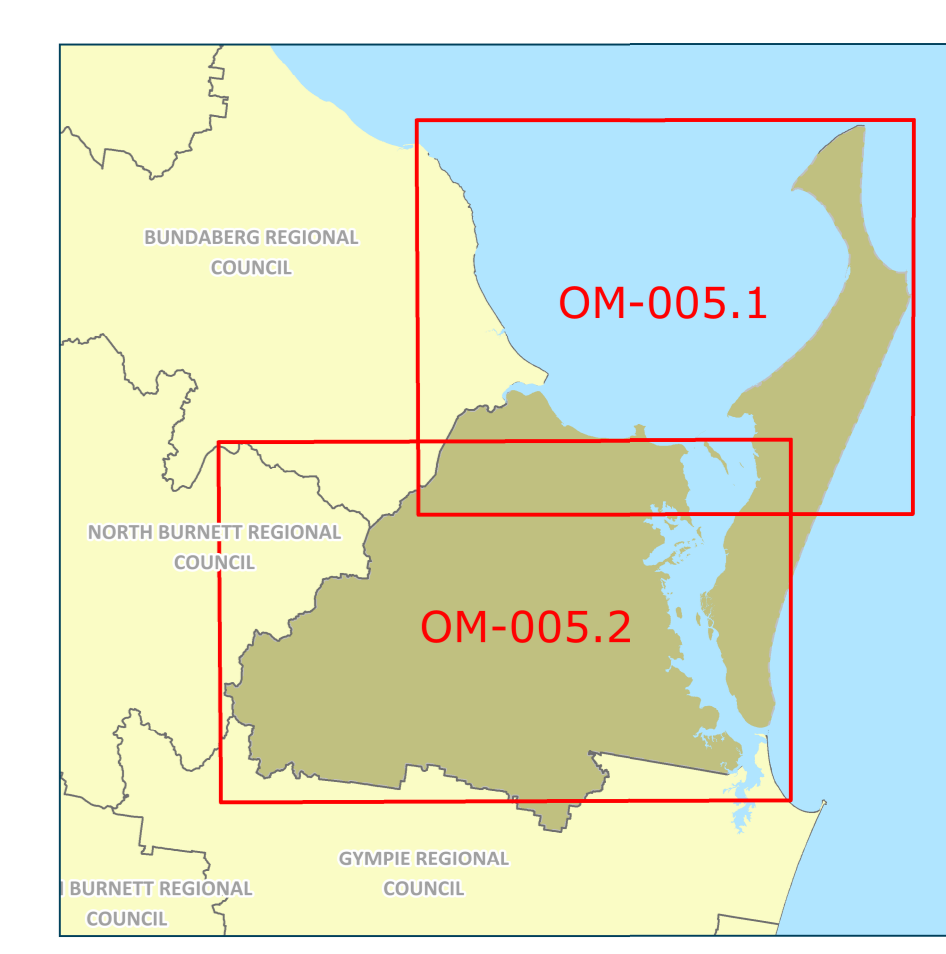
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 Geocentric Datum of Australia 1984 (GDA84)

13/06/2018



Approx Scale @ A0 1:115,000



Sheet Map Index

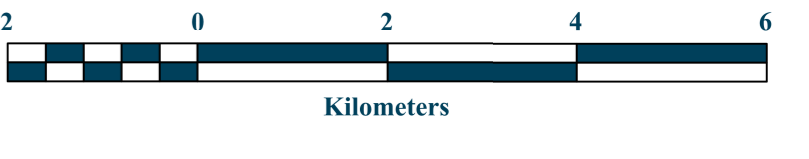
Legend

- Port Area
- Coastal Management District
- Coastal Building Lines
- Maritime Development Area
- Medium Hazard Storm Tide
- High Hazard Storm Tide
- Erosion Prone Area
- DCDB Parcel Boundaries
DNRM Release 06/03/2018
- Fraser Coast Regional Council Boundary
- Other Local Government Boundaries

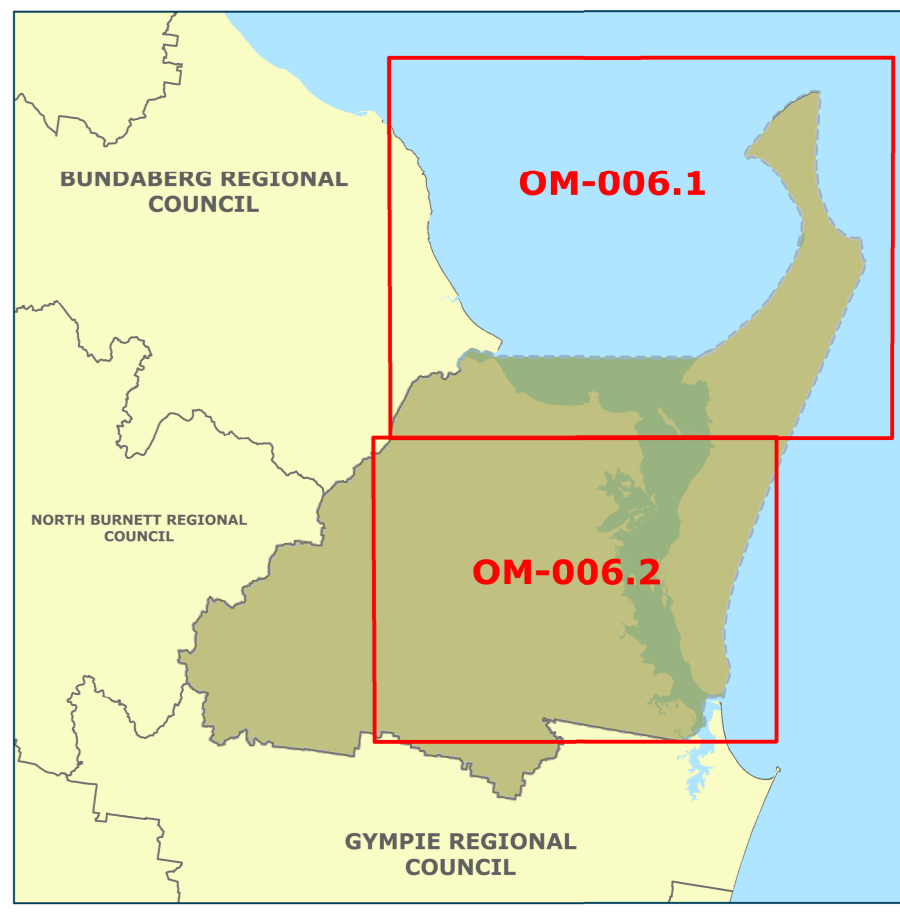
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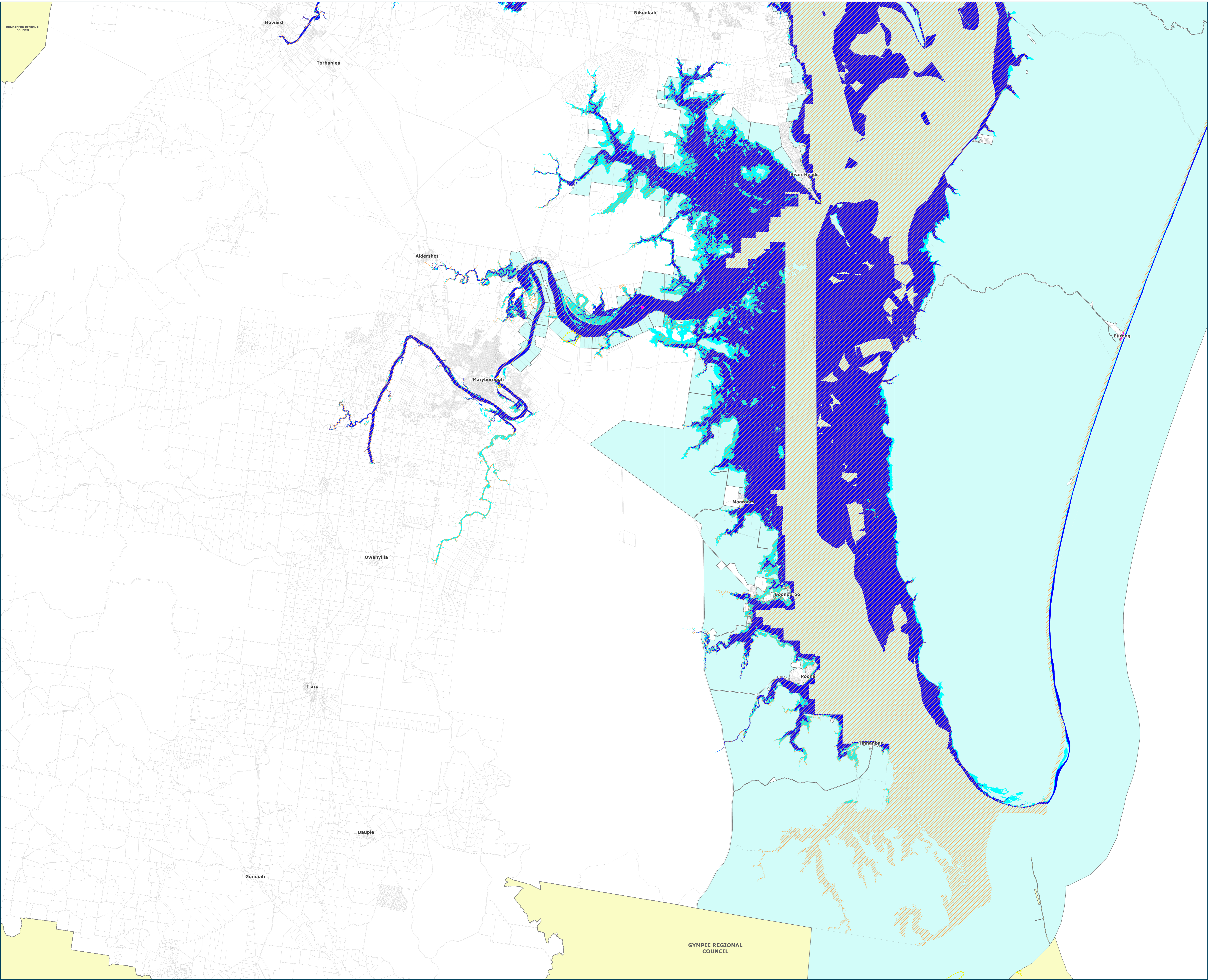
Geocoentric Datum of Australia 1994 (GDA94)



Approx Scale @ A0 1:80,000



Sheet Map Index



BUNDABERG REGIONAL COUNCIL

Howard

Torbanlea

Nikenbah

River Heads

Aldershot

Maryborough

Euroong

Maaroom

Boonboon

Poonah

Tinnabar

Owanyilla

Tiaro

Bauple

Gundiah

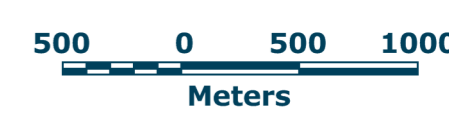
GYMPIE REGIONAL COUNCIL

Legend

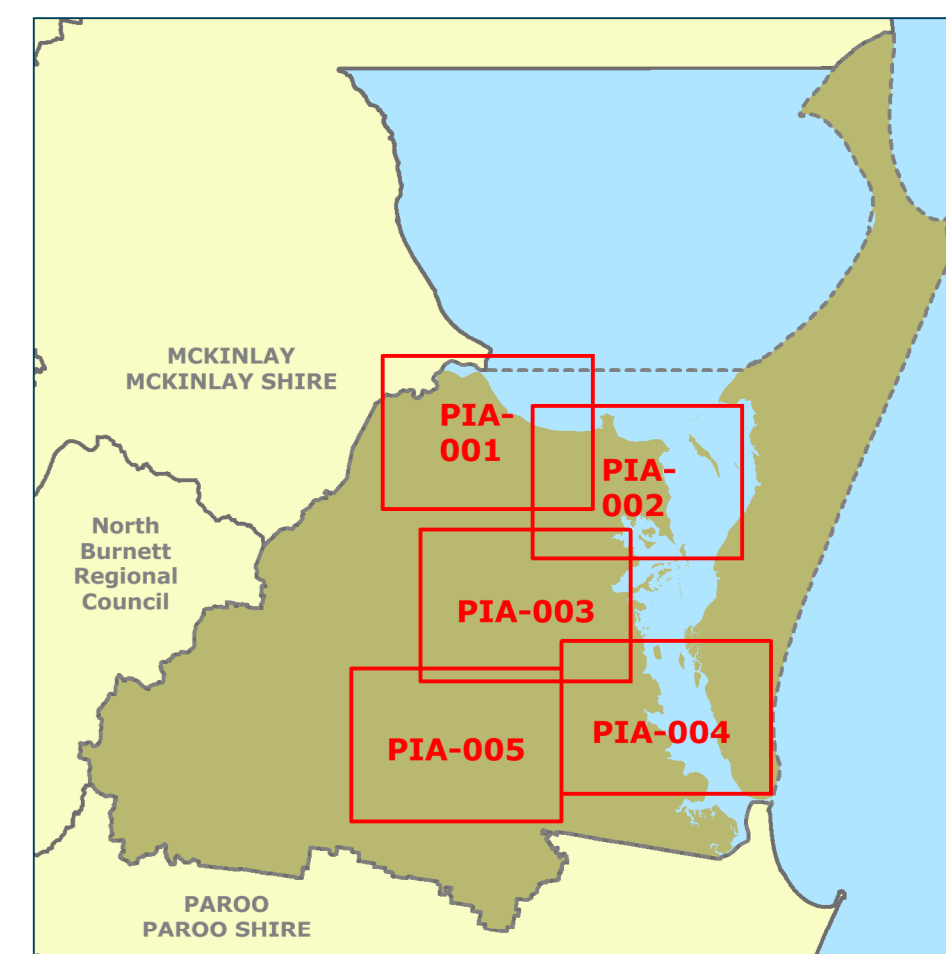
- Priority Infrastructure Area**
- Planning Zones**
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Principal Centre
- Local Centre
- Neighbourhood Centre
- Low Impact Industry
- Medium Impact Industry
- High Impact Industry
- Waterfront and Marine Industry
- Sport and Recreation
- Open Space
- Environmental Management and Conservation
- Community Facilities
- CF1 - Education & Training Facilities
- CF2 - Government Purposes & Public Utilities
- CF3 - Hospitals & Medical Services Facilities
- CF4 - Community & Cultural Facilities
- CF5 - Telecommunications Facilities
- CF6 - Cemetery
- Emerging Communities
- District Centre
- Limited Development (Constrained Land)
- Mixed Use
- Rural
- Rural Residential
- Specialised Centre
- DCDB**
- Other Local Government Boundaries**
- Ocean



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Datum: Datum of Australia 1994 (CGDA94)



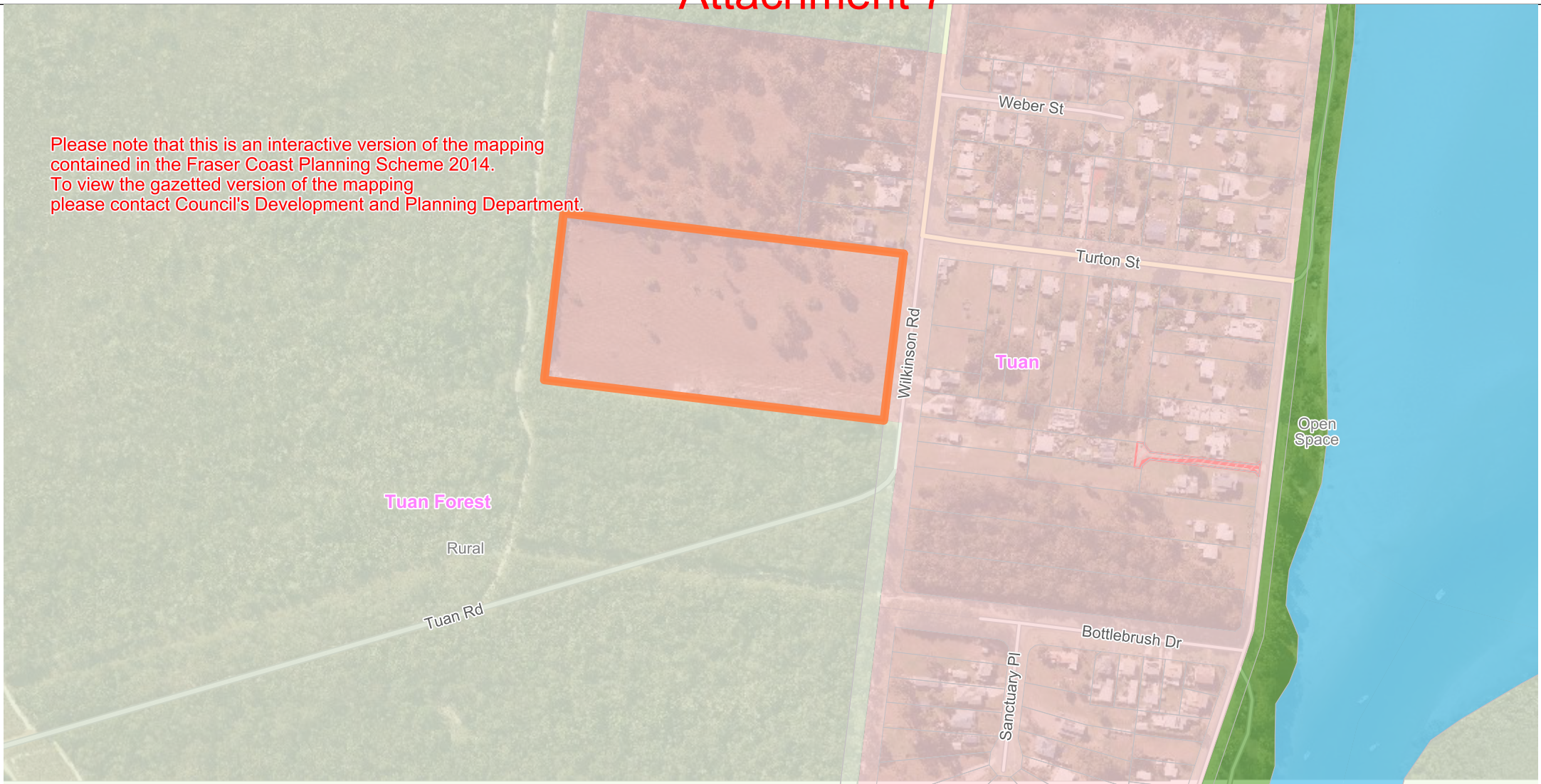
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Sheet Map Index

Attachment 7

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Projection: GDA2020 / MGA zone 56





Scale: 1:4514 (When printed @ A4)

Map created by: anonymous


Date: 28/01/2026

 LABELS General


-  Locality Suburb Labels
-  Detail
- Place Names


Az Road Labels - Regional

Az Road Labels


 Planning Zones & Precincts

Az Local Plan Area Labels


 Local Plan Precincts

 Local Plan Areas


Az Zone Precinct Labels

 Zone Precincts


Az Zone Sub-Precinct Labels


 Zone Sub-Precincts


Az Planning Zone Labels


 Planning Zones


-  Community Facilities
-  District Centre
-  Emerging Communities
-  Environmental Management and Conservation
-  High Density Residential
-  High Impact Industry
-  Limited Development (Constrained Land)
-  Local Centre
-  Low Density Residential
-  Low Impact Industry
-  Medium Density Residential
-  Medium Impact Industry
-  Mixed Use
-  Neighbourhood Centre
-  Open Space
-  Principal Centre
-  Rural
-  Rural Residential
-  Specialised Centre
-  Sport and Recreation
-  Waterfront and Marine Industry

 Base Map Layer

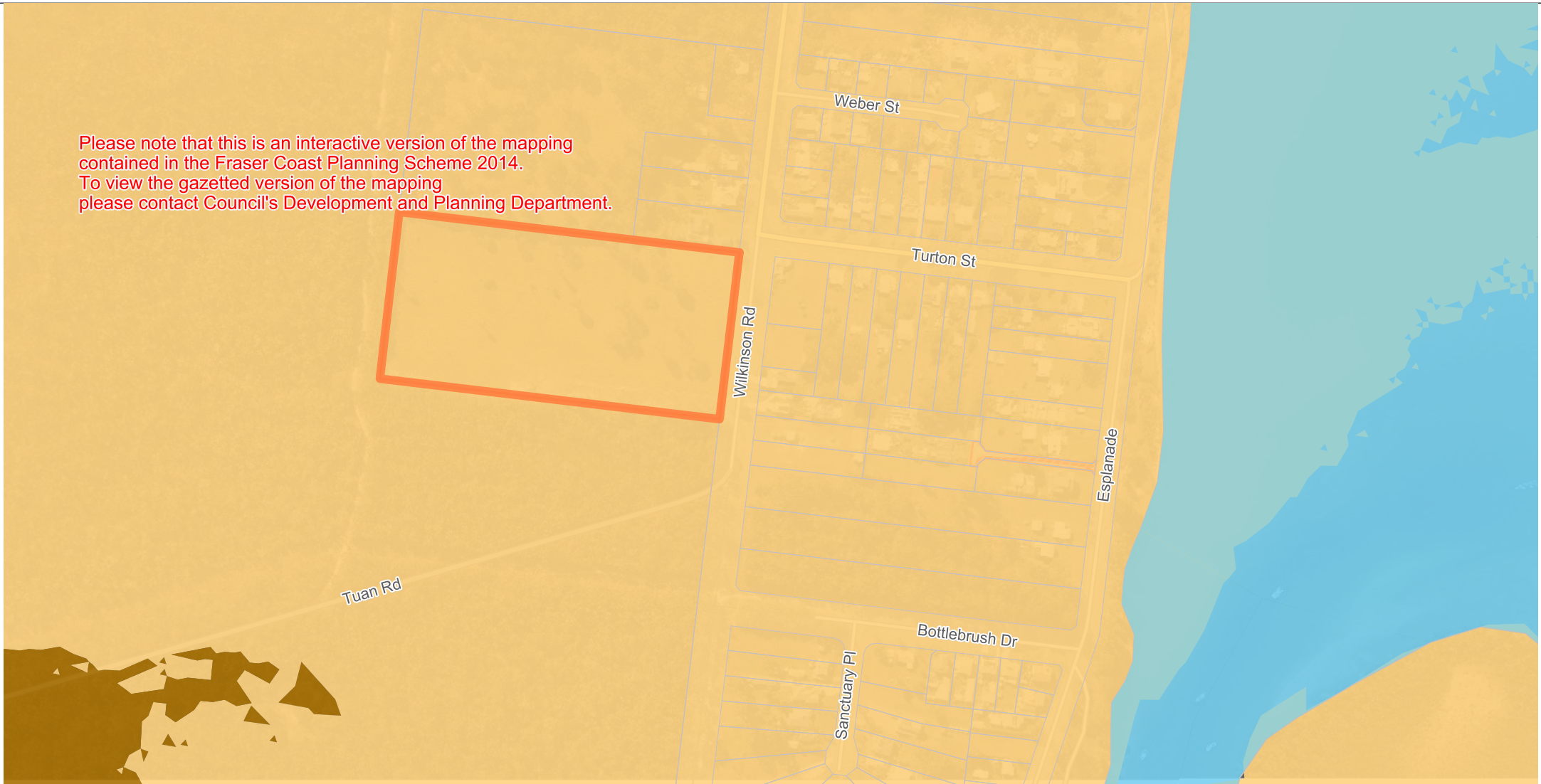
 Fraser Coast Boundary

 DCDB

 Roads bm

 TMR Roads

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Projection: GDA2020 / MGA zone 56



Scale: 1:4514 (When printed @ A4)

Map created by: anonymous

Date: 28/01/2026



Labels

Az Road Labels - Regional

· Place Names

Az Road Labels



OM-001 Acid Sulfate Soils Overlay

Acid Sulfate Soils

Area 1 (Land at or below 5m AHD)

Area 2 (Land above 5m AHD but below 20m AHD)



Base Map Layer

Fraser Coast Boundary

DCDB

Roads bm

TMR Roads

Major Roads

Rural Roads

Streets

Unformed Roads

Proposed Roads

Other

Easements DCDB

Road Casement

Road casements detailed

Ocean

Fraser Coast LGA Boundary

LGA detailed

Other LGA Boundaries

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Projection: GDA2020 / MGA zone 56



Scale: 1:4514 (When printed @ A4)

Map created by: anonymous

Date: 28/01/2026



LABELS General

Az Locality Suburb Labels

Az Detail

Place Names

Az Road Labels - Regional

Az Road Labels



OM-002 Agriculture Land Overlay

Az Agriculture Land Class A and B

Agriculture Land Class A and B2

Class A Land

Class B Land



Base Map Layer

Fraser Coast Boundary

DCDB

Roads bm

TMR Roads

Major Roads

Rural Roads

Streets

Unformed Roads

Proposed Roads

Other

Easements DCDB

Road Casement

Road casements detailed

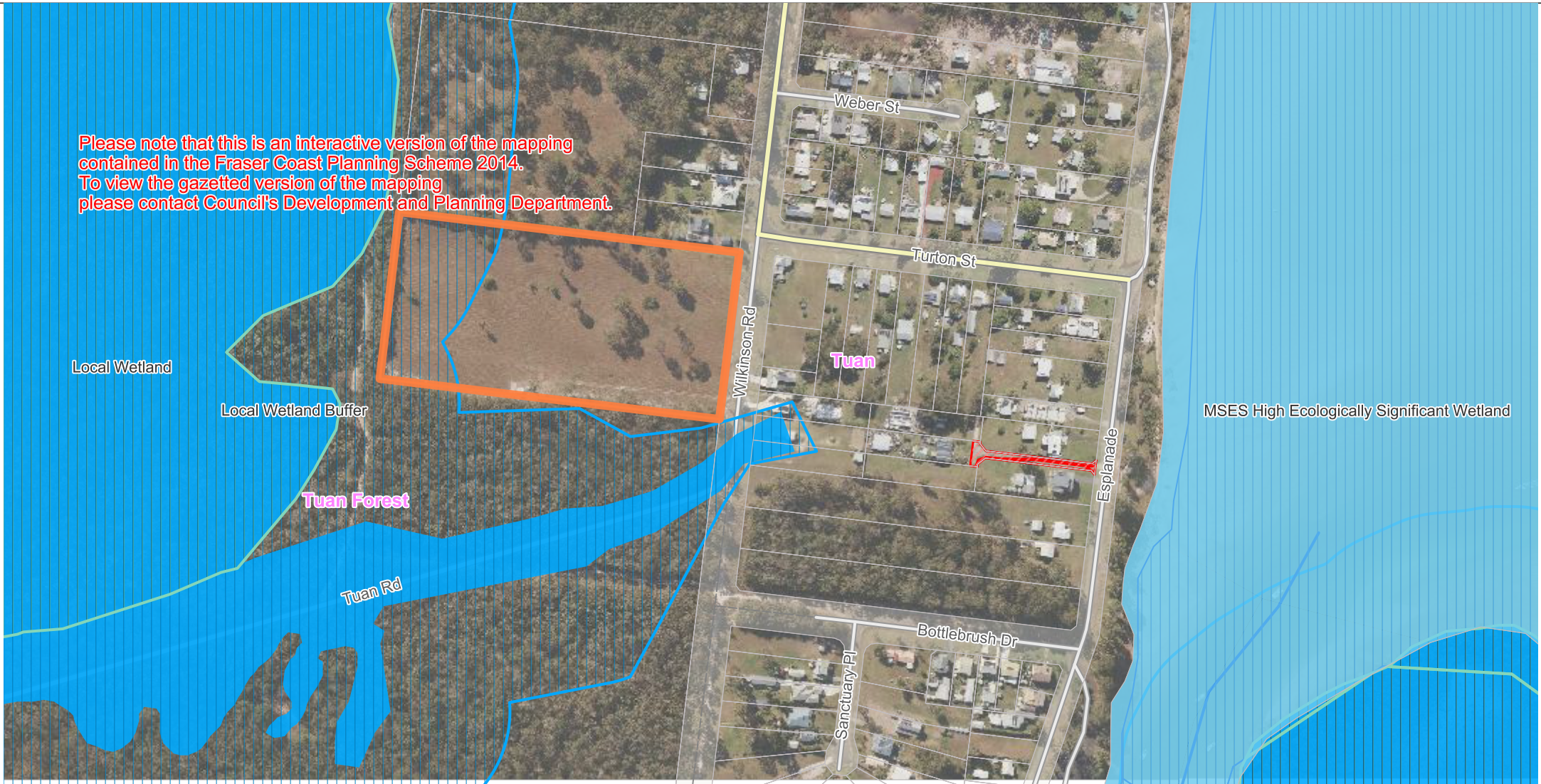
Ocean

Fraser Coast LGA Boundary

LGA detailed

Other LGA Boundaries

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Projection: GDA2020 / MGA zone 56





Scale: 1:4514 (When printed @ A4)

Map created by: anonymous

Date: 28/01/2026

 LABELS General


 Locality Suburb Labels


 Detail


· Place Names

AZ Road Labels - Regional


AZ Road Labels

 OM-004 W Biodiversity Areas, Waterways & Wetlands Overlay


 MSES High Ecological Value Waters (Watercourse)

 MSES High Ecological Significance Wetlands


AZ MSES High Ecological Significance Wetland Labels


 MSES Declared Fish Habitat Areas

AZ MSES Declared Fish Habitat Area Labels


 MSES High Ecological Value Waters (Wetlands)

AZ MSES Strategic Environmental Area Labels


 MSES Strategic Environmental Area (Designated Precinct)


 Local Wetlands Buffer


AZ Local Wetlands Buffer Labels


 Local Wetlands


AZ Local Wetland Labels


 Base Map Layer


 Fraser Coast Boundary


 DCDB


 Roads bm


 TMR Roads


 Major Roads


 Rural Roads


 Streets


 Unformed Roads


 Proposed Roads

 Other

 Easements DCDB


 Road Casement

 Road casements detailed

 Ocean

Fraser Coast LGA Boundary

LGA detailed

 Other LGA Boundaries

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





Projection: GDA2020 / MGA zone 56



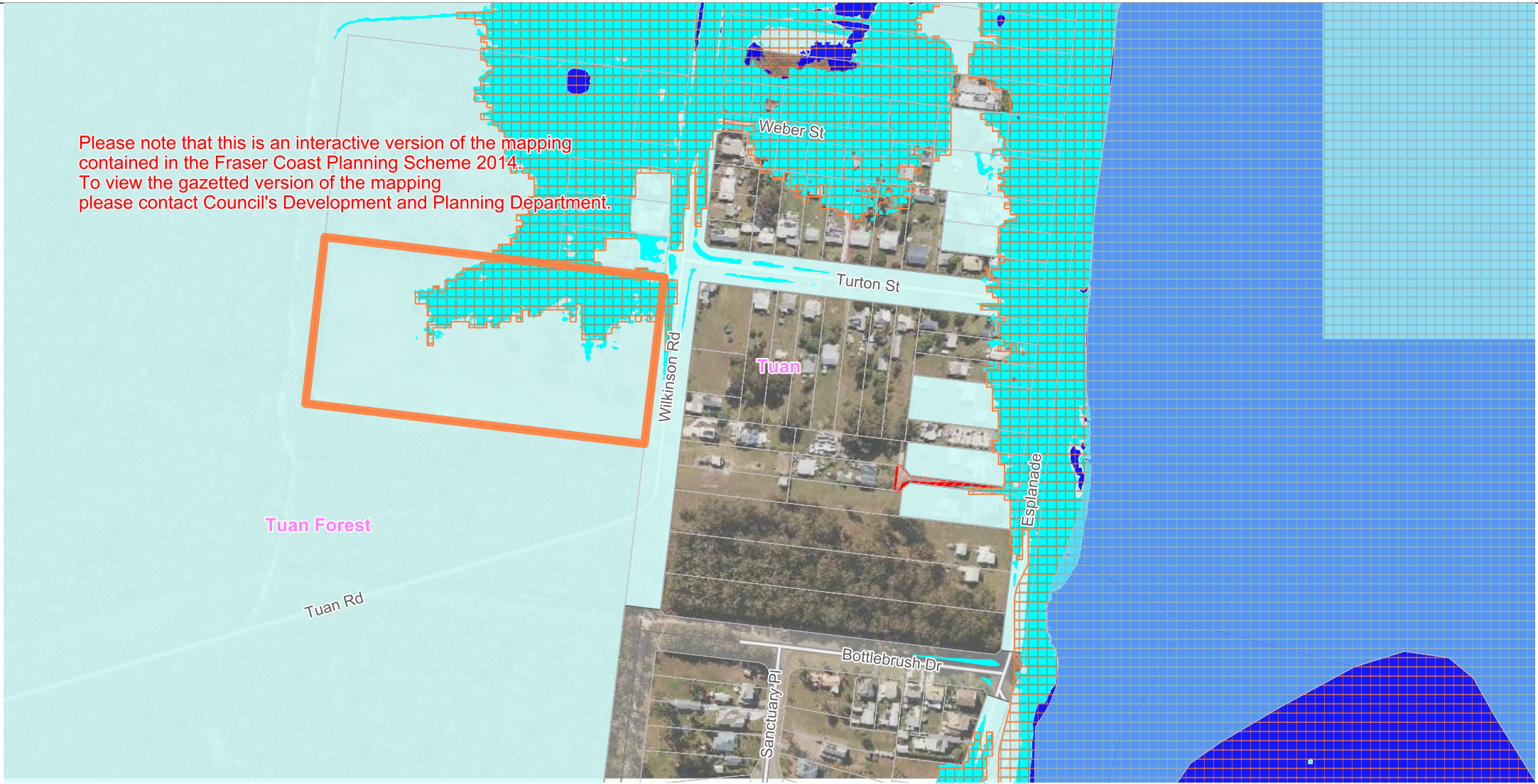
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Map created by: anonymous

Date: 28/01/2026

-  LABELS General
 -  Locality Suburb Labels
 -  Detail
 - Place Names
 - AZ Road Labels - Regional
 - AZ Road Labels
-  OM-005 Bushfire Hazard Overlay
 - AZ Bushfire Prone Area Labels
 -  Bushfire Prone Area
 - AZ Bushfire Hazard Potential Impact Buffer Labels
 -  Bushfire Hazard Potential Impact Buffers
 - AZ Very High Bushfire Hazard Area Labels
 -  Very High Bushfire Hazard Area
 - AZ High Bushfire Hazard Area Labels
 -  High Bushfire Hazard Area
 - AZ Medium Bushfire Hazard Area Labels
 -  Medium Bushfire Hazard Area
-  Base Map Layer
 -  Fraser Coast Boundary
 -  DCDB
 -  Roads bm
 -  TMR Roads
 -  Major Roads
 -  Rural Roads
 -  Streets
 -  Unformed Roads
 -  Proposed Roads
 -  Other
 -  Easements DCDB
 -  Road Casement
 -  Road casements detailed
 -  Ocean
 - Fraser Coast LGA Boundary
 - LGA detailed
 -  Other LGA Boundaries

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



Projection: GDA2020 / MGA zone 56



Scale: 1:4514 (When printed @ A4)

Map created by: anonymous

Date: 28/01/2026

-  LABELS General
- Az Locality Suburb Labels
- Az Detail
- Place Names
- Az Road Labels - Regional
- Az** Road Labels
- Port Area
-  Coastal Building Lines
-  Maritime Development Area
-  Erosion Prone Area
-  High Hazard StormTide
-  Medium Hazard Storm Tide
-  Coastal Management District
-  Base Map Layer
-  Fraser Coast Boundary
-  DCDB
-  Roads bm
-  TMR Roads
-  Major Roads
-  Rural Roads
-  Streets
-  Unformed Roads
-  Proposed Roads
-  Other
-  Easements DCDB
-  Road Casement
-  Road casements detailed
-  Ocean
- Fraser Coast LGA Boundary
- LGA detailed
-  Other LGA Boundaries

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Tuan Forest

Tuan

Open Space

Tuan Rd

Wilkinson Rd

Weber St

Turton St

Esplanade

Bottlebrush Dr



Fraser Coast
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Projection: GDA2020 / MGA zone 56



Scale: 1:4514 (When printed @ A4)

Map created by: anonymous

Date: 29/01/2026

 LABELS General


Az Locality Suburb Labels


Az Detail


· Place Names


Az Road Labels - Regional

Az Road Labels


 Cadastre


 Local Government Infrastructure Plan


 Priority Infrastructure Area


 Priority Infrastructure Area Boundary


Az Planning Zone Labels 2


 Planning Zones 2


 Community Facilities


 District Centre


 Emerging Communities


 Environmental Management and Conservation


 High Density Residential


 High Impact Industry


 Limited Development (Constrained Land)


 Local Centre


 Low Density Residential


 Low Impact Industry


 Medium Density Residential


 Medium Impact Industry


 Mixed Use


 Neighbourhood Centre


 Open Space


 Principal Centre


 Rural


 Rural Residential


 Specialised Centre


 Sport and Recreation


 Waterfront and Marine Industry


 Base Map Layer


 Fraser Coast Boundary


 DCDB


 Roads bm

 TMR Roads

 Major Roads

 Rural Roads

 Streets

 Unformed Roads