

ATTACHMENTS UNDER SEPARATE COVER

ITEM ATTACHMENT DETAILS

2 Development Application (4650/2023/MCU) Recommendation - Material Change Of Use - Business Use (Cafe and Ancillary Gift Shop)

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Your reference
Our reference 4650/2023/MCU: LM
Contact Officer Lachlan Mossom
Telephone 07 3810 6298



Ipswich City Council

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Baird & Hayes Surveyors and Town Planners
(Attn: Liam Henry)
Email: bhplanning@bairdandhayes.com.au

**** February 2024**

Dear Liam,

Re: Development Application – Approval
Application No: 4650/2023/MCU
Proposal: Material Change of Use - Business Use (Cafe and Ancillary Gift Shop)
Property Location: 50 Beduhns Road, HAIGSLEA QLD 4306

I refer to the above development application which was decided on **** February 2024**.

Enclosed with this letter is the Decision Notice, including:

- Assessment Manager's Conditions
- Approved Plans
- Infrastructure Charges Notice
- Appeal Rights

If you have any queries regarding this application, please contact Lachlan Mossom on the telephone number listed above.

Yours faithfully

Mitchell Grant
DEVELOPMENT ASSESSMENT CENTRAL MANAGER

Our Reference 4650/2023/MCU: LM
Contact Officer Lachlan Mossom
Telephone 07 3810 6298



**** February 2024**

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

Applicant details

Applicant name: Baird & Hayes Surveyors And Town Planners
Applicant contact details: bhplanning@bairdandhayes.com.au

Application details

Application number: 4650/2023/MCU
Application type: Material Change of Use
Description of proposed development: Material Change of Use - Business Use (Cafe and Ancillary Gift Shop)
Date application received: 18 May 2023

Site details

Property location: 50 Beduhns Road, HAIGSLEA QLD 4306
Real property description: Lot 1 on RP35697

Decision

Date of decision: **** February 2024**
Decision Authority: Growth, Infrastructure and Waste Committee

1. Decision Details:

Development	Approval Type	Decision	Currency Period
Material Change of Use - Business Use (Cafe and Ancillary Gift Shop)	Development Permit	Approved in full subject to the conditions set out in Attachment A	6 years

2. Conditions of Assessment Manager (Ipswich City Council)

Attachment A Material Change of Use - Business Use (Cafe and Ancillary Gift Shop)

3. Approved Plans Specifications and Drawings

The approved plans, specifications and drawings for this development approval are:

- (a) The plans and documents referred to in the table below (including the amendments that are required to be made to those plans and documents); and
- (b) Where the amended version of the plans and documents referred to in the table below have been approved by the Assessment Manager, the amended version of those plans and documents.

The plans referenced below are included as Attachment B of this decision notice.

APPROVED PLANS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
14475 PO3-01a	Site Development Plan Revision a	Baird & Hayes Surveyors and Town Planners	26 October 2023	<ul style="list-style-type: none"> · The applicant must ensure car parking areas are constructed in accordance with Condition 9 - Car Parking – Use and Maintenance and Condition 10 - Access, Parking and Manoeuvring Areas. · The applicant must construct the driveway crossover in accordance with the requirements of Condition 10(d) – Access, Parking and Manoeuvring Areas. · The applicant must provide landscaping between the Claus Road boundary and the car

				park in the hatched location and in accordance with the requirements of Condition 16 – Landscaping.
14475 PO3-02a	Elevation Plan Page 1 of 2 Revision a	Baird & Hayes Surveyors and Town Planners	9 November 2023	· The applicant must submit an amended version of this plan for endorsement by the assessment manager which incorporates the proposed awning, and which includes appropriate plan references and a title block.
14475 PO3-03a	Elevation Plan Page 2 of 2 Revision a	Baird & Hayes Surveyors and Town Planners	9 November 2023	· The applicant must submit an amended version of this plan for endorsement by the assessment manager which incorporates the proposed awning, and which includes appropriate plan references and a title block.

Note: Amended plans or documents must be submitted for endorsement by the Assessment Manager prior to the submission of a building works application.

4. Referral Agencies

Not applicable to this decision.

5. Variation Approval

Not applicable to this decision.

6. Further Development Permits

Further development permits, as required by the *Planning Act 2016*, must be obtained before the development can be carried out in respect of any building works and plumbing works in relation to this approval prior to the commencement of use pursuant to the *Planning Act 2016*.

7. Environmental Authority

Not applicable to this decision.

8. Properly Made Submissions

There were twenty-nine (29) properly made submissions about the application received from the following submitters:

Name of principal submitter	Residential or business address	Electronic address (if provided)
Ray Barton	46 Claus Road, Haigslea, QLD 4306	Bartong1@bigpond.com
Tracy Bales	31 Claus Road, Haigslea, QLD 4306	Tracy.l.bales@gmail.com
Kim Bales	31 Claus Road, Haigslea, QLD 4306	Bales.family@outlook.com
Matthew Bales	31 Claus Road, Haigslea, QLD 4306	m.bales743@hotmail.com
Marilyn Fish	29 Claus Road, Haigslea, QLD 4306	Marilynfish50@gmail.com
Betina Barton	46 Claus Road, Haigslea, QLD 4306	tbartong@gmail.com
Karen Abraham	166 Linnings Road, Haigslea, QLD 4306	zoeaxe@bigpond.com
Mark Abraham	166 Linnings Road, Haigslea, QLD 4306	zoeaxe@bigpond.com
Trent Abraham	90 Linnings Road, Haigslea, QLD 4306	trentntracey@bigpond.com
Matthew Kirgis	88 Linnings Road, Haigslea, QLD 4306	mjcakirgis@gmail.com
Candace Kirgis	88 Linnings Road, Haigslea, QLD 4306	Groovy_candy7@hotmail.com
Peter Allen	88 Linnings Road, Haigslea, QLD 4306	Peterallen6@bigpond.com
Carol Allen	88 Linnings Road, Haigslea, QLD 4306	Peterallen6@bigpond.com
Tracey Abraham	90 Linnings Road, Haigslea, QLD 4306	traceygld@hotmail.com
Bradley Schmidt and Desmond Schmidt	95 Linnings Road, Haigslea, QLD 4306	bradschmidtaus@gmail.com
Lieuwne Willemse	341 Claus Road, Haigslea, QLD 4306	lieuwne@gmail.com

Graeme Day	259 Junction Road, Karalee, QLD 4306	gday@floatingimages.com.au
Candice Laps	751 Thagoona Haigslea Road, Haigslea, QLD 4306	dzerner@me.com
Daniel Zerner	751 Thagoona Haigslea Road, Haigslea, QLD 4306	dzerner@me.com
Deborah Pye	106 Holdsworth Road, North Ipswich, QLD 4305	Pye05@live.com.au
Helen Hall	225 Linnings Road, Haigslea, QLD 4306	Helenhall225@outlook.com
Glennis Schmidt	95 Linnings Road, Haigslea, QLD 4306	Dlpearthmoving@bigpond.com
David Payne and Leanne Payne	112 Claus Road, Haigslea, QLD 4306	Dlpearthmoving@bigpond.com
Gillian Willemse	341 Claus Road, Haigslea, QLD 4306	Gwillemse7@gmail.com
Anita Maguire	190 Linnings Road, Haigslea, QLD 4306	Anita_maguire@hotmail.com
Michael Wright	190 Linnings Road, Haigslea, QLD 4306	Mwright_ipswich@hotmail.com
Christine Zerner	178 Linnings Road, Haigslea, QLD 4306	czerner@icloud.com
Ashley Zerner	178 Linnings Road, Haigslea, QLD 4306	zerners@outlook.com
Kristie Burkin	91 Beduhns Road, Haigslea, QLD 4306	kristieburkin@bigpond.com

9. Currency period for the approval (section 85 of the *Planning Act 2016*)

The currency period for this approval is as outlined in part 1 – ‘decision details’ of this decision notice, starting the day the approval takes effect. Unless the currency period is extended by the Assessment Manager pursuant to section 87 of the *Planning Act 2016*, this development approval lapses in accordance with section 85 of the *Planning Act 2016*.

10. When approval lapses if development started but not completed— variation approval

Not applicable to this decision.

11. Other requirements under section 43 of the *Planning Regulation 2017*

Not applicable to this decision.

12. Trunk Infrastructure

Not applicable to this decision.

13. Infrastructure Charges

- (a) Council will give an infrastructure charges notice for this development pursuant to section 119 of the *Planning Act 2016*.
- (b) From 1 July 2014, the Central SEQ Distributor-Retailer Authority (QUU) will issue all Infrastructure Charges Notices for charges relating to water and wastewater. For further information, it is recommended that you contact QUU's developer customer service team on (07) 3432 2200.

14. Submitting Change Representations to Request a Negotiated Decision Notice

In accordance with section 75 of the *Planning Act 2016*, the applicant may submit change representations to request a negotiated decision notice, during the applicant's appeal period, about changing a matter in the development approval (other than a matter stated because of a referral agency response or a development condition imposed under a direction by the Minister).

The applicant's appeal period is 20 business days, and any change representations must be submitted and assessed during this time, unless the applicant suspends the appeal period. To ensure both the applicant and the assessment manager have sufficient time to consider the change representations, it is recommended that the applicant suspend the appeal period (refer to section 75(2) of the *Planning Act 2016*) prior to submitting their change representations. This will allow an additional 20 business days for the applicant to submit their change representations, if required, and up to 20 business days for the assessment manager to consider the representations from the date the change representations are received.

Ipswich City Council does not charge an application fee for the submission of change representations.

For more information, please refer to the State Government's fact sheet on Change Representations: <https://dilgpprd.blob.core.windows.net/general/factsheet-change-representations.pdf>.

15. Appeal Rights

Applicant's appeal rights

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- the refusal of part of the development application; or
- a provision of the development approval; or
- if a development permit was applied for, the decision to give a preliminary approval.

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the

approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Submitter's appeal rights

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- the decision to give a development approval; or
- the decision to give an approval for a change application; or
- a provision of a development approval; or
- a failure to include a provision in the development approval.

An appeal may be made to the extent that the decision or matter relates to, as applicable:

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

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 2 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

An extract from the *Planning Act 2016* about appeal rights is attached to this decision notice.

*Attachment A
Assessment Manager's Conditions
File No: 4650/2023/MCU
Location: 50 Beduhns Road, HAIGSLEA QLD 4306
Proposal: Material Change of Use - Business Use (Cafe and Ancillary Gift Shop)*

<i>Assessment Manager (Ipswich City Council) Conditions Conditions applicable to this approval under the Planning Act 2016</i>		
No.	Condition	The time by which the condition must be met, implemented or complied with
1.	Basis of Approval	
	<p>This approval incorporates as a condition, the applicant's common material (as defined in <i>Schedule 24 – Dictionary of the Planning Regulation 2017</i>) for the application and adherence to all relevant Council Local Laws and/or the <i>Ipswich Planning Scheme</i> (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval.</p> <p>Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the <i>Planning Act 2016</i>.</p>	<p>From the commencement of the construction of the development and at all times thereafter.</p>
2.	Minor Alterations	
	<p>Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.</p>	<p>At all times after the approval is granted.</p>
3.	Development Plans	
	<p>The applicant must undertake the development generally in accordance with the approved plans outlined in part 3 of this development permit.</p>	<p>From the commencement of the construction of the development and at all times thereafter.</p>
4.	Hours of Construction	
	<p>Unless otherwise approved in writing by the assessment manager, construction works must only occur within the hours as defined in <i>Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3</i>.</p>	<p>At all times during construction of the development.</p>
5.	Particular Use	
	<p>The applicant must not use any of the structures associated with the Business Use (Café and Ancillary Gift Shop), inclusive of any associated car parking areas on the premises, for any other purpose, unless, in the written opinion of the assessment manager, such use is ancillary and incidental to the predominant use for a Business Use (Café and Ancillary Gift Shop).</p>	<p>From the commencement of the construction of the development and at all times thereafter.</p>

6.	Hours of Operation	
	<p>The applicant must not conduct work or business from the premises outside of the following hours:</p> <p style="padding-left: 40px;">Wednesday to Friday 7:00am to 11:00am Saturday 8:00am to 12:00pm</p> <p>Work or business must not be conducted from the premises on Sunday to Tuesday.</p> <p>In addition, work or business must not be conducted from the premises if inconsistent with the provisions of the <i>Trading (Allowable Hours) Act 1990</i> or subsequent legislation or policy with respect to public holidays.</p>	<p>From the commencement of the use and at all times thereafter.</p>
7.	Visual Treatment of Plant and Equipment	
(a)	<p>The applicant must ensure all plant and equipment (inclusive of tanks, air conditioning units, compressors, generators, ducting, ventilation and the like):</p> <p style="padding-left: 40px;">(i) is <u>not</u> located between any building and the dedicated road reserve or adjoining properties; or</p> <p style="padding-left: 40px;">(ii) is appropriately screened (and ventilated) from view from the dedicated road reserve or adjoining premises as applicable.</p>	<p>Prior to the commencement of the use and at all times thereafter.</p>
(b)	<p>The applicant must, where screening is required pursuant to (a), submit for written approval by the assessment manager details of the screening method or device. All screening must be of materials similar in appearance and specification to those used in the construction of buildings on the premises and adjacent premises.</p>	<p>Prior to the lodgement of the application for building work.</p>
(c)	<p>The applicant must construct and maintain all screening as required by (a) in accordance with the approval issued by the assessment manager.</p>	<p>Prior to the commencement of the use and at all times thereafter.</p>
8.	Lighting	
	<p>Lighting used to illuminate any areas of the premises (i.e., security or flood lighting) must be designed, constructed, located and maintained to the satisfaction of the assessment manager so as not to cause nuisance to the occupants of nearby properties or passing traffic. All lighting must be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways and does not cause extraneous light to be directed or reflected upwards. All lighting must be switched off while the use is not operating.</p>	<p>Prior to the commencement of the use and at all times thereafter.</p>

9.	Car Parking – Use and Maintenance	
(a)	The applicant must provide a minimum of 14 car parking spaces for the development.	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must ensure all parking areas are: <ul style="list-style-type: none"> (i) Kept exclusively for parking for the development; (ii) Used exclusively for parking for the development; (iii) Accessible to both staff and customers during any approved hours of operation (unless otherwise indicated on the approved plans); (iv) Appropriately signposted at the entry/entries to the car park (e.g., "Staff and Customer Parking") in accordance with AS1742; and (v) Maintained in perpetuity. 	Prior to the commencement of the use and at all times thereafter.
(c)	With the exception of waste collection vehicles, commercial vehicles undertaking deliveries associated with the Business Use (Café and Ancillary Gift Shop) and emergency service vehicles, the applicant must ensure no vehicle having a Gross Vehicle Mass (GVM) of 4.01 tonnes (t) or more is to access the car parking area identified on the approved plans identified in Part 3 of this approval.	From the commencement of the use and at all times thereafter.

10.	Access, Parking and Manoeuvring Areas	
(a)	The applicant must construct all parking, access and manoeuvring areas of asphalt, concrete or compacted gravel pavement not less than 150mm deep and either sealed with 25mm of asphaltic concrete or hot sprayed bitumen chip seal consisting of a prime and two seal coats.	From the commencement of the use and at all times thereafter.
(b)	The applicant must line-mark all parking, access and manoeuvring areas in accordance with the relevant Australian Standard.	From the commencement of the use and at all times thereafter.
(c)	The applicant must make provision for all vehicles to enter and exit the site in forward gear.	From the commencement of the use and at all times thereafter.
(d)	The applicant must provide a driveway crossover: <ul style="list-style-type: none"> (i) At the point of access to the development from the edge of the Claus Road bitumen to the property boundary, ensuring that there is no level difference between the edge of the crossover and the gravel passing lane area; 	From the commencement of the use and at all times thereafter.

	<p>(ii) A minimum of 4m wide; and</p> <p>(iii) Constructed of asphalt, bitumen or compacted gravel pavement not less than 150mm deep and either sealed with 25mm of asphaltic concrete or hot sprayed bitumen chip seal consisting of a prime and two seal coats.</p> <p>(iv) In accordance with Council Standard Drawing SR.15 or SR.16 (whichever is most suitable).</p>	
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11.	Acoustic Management	
(a)	The applicant must ensure the use of outdoor public address systems is restricted to emergency use only.	From the commencement of the use and at all times thereafter.
(b)	The applicant must ensure amplified music or live music is not played outdoors.	From the commencement of the use and at all times thereafter.
(c)	The applicant must ensure all metal grilles, metal plates or similar infrastructure that is subject to vehicular traffic is acoustically damped to prevent environmental nuisance.	Prior to the commencement of the use and at all times thereafter.
(d)	In the event acoustic enclosures are required for external mechanical plant and equipment (including but not limited to air conditioning units, compressors, generators and the like) the applicant must ensure the enclosure is suitably ventilated and visually screened.	Prior to the commencement of the use and at all times thereafter.

12.	Trade Materials, Products and Plant	
	The applicant must store all trade materials, products and plant within the confines of the building.	From the commencement of the use and at all times thereafter.

13.	Demolition of Existing Building(s)	
	<p>The applicant must remove the existing buildings/structures in the location of the proposed use unless relevant approvals are obtained to relocate them to an alternative location on site.</p> <p>Note: shipping containers on or abutting residential land are subject to a referral application for Amenity and Aesthetics.</p>	Prior to the lodgement of the application for building work.

14.	Limits to Approval	
	Unless otherwise approved in writing by the assessment manager, all activities associated with the Business Use (Café and Ancillary Gift Shop) must be carried out underneath the approved awning structure or within the approved building.	From the commencement of the use and at all times thereafter.

15.	Utility Services	
(a)	The applicant must connect the development to reticulated water supply and overhead electricity supply utilities.	Prior to commencement of the use.
(b)	The applicant must provide to the assessment manager written evidence (e.g., connection certificate) from each particular service provider stating that the development has been connected to applicable utility service.	Prior to commencement of the use.
(c)	The applicant must obtain Plumbing Approval for an appropriate onsite sewer treatment system for the toilet facilities associated with the development. The applicant must construct the system in accordance with the approval and must ensure the system is maintained and operated in compliance with this approval and does not cause any discernible odour impacts outside of the property boundary. The toilet facilities must be available at all times during the operation of the development.	Prior to commencement of the use and at all times thereafter.

16.	Landscaping	
(a)	In order to screen the car park from views from Claus Road and soften the visual impact of the building, the applicant must submit, for written approval by the assessment manager, landscape plans incorporating landscaping in the location hatched in red on the approved plans identified in Part 3 of this approval and generally in accordance with section 12.9.4 (32) of the Parking Code and section 12.7.4 (11) of the Commercial and Industrial Code of the <i>Ipswich Planning Scheme 2006</i> utilising only native, non-invasive, plant species.	Prior to commencement of the use.
(b)	The applicant must provide landscaping in accordance with the approved landscape plans as required by (a) above.	Prior to the commencement of the use and at all times thereafter.
(c)	The applicant must submit to the assessment manager a Certificate of Compliance for Landscape Works completed by a qualified landscape designer stating the works have been completed in accordance with requirements of the approved landscape plan.	Prior to the commencement of the use.

17.	Waste Storage and Collection	
(a)	The applicant must ensure that waste generated by the Business Use (Café and Ancillary Gift Shop) is regularly removed and disposed of to a proper and appropriately licenced waste disposal facility such that it does not cause an odour nuisance to adjoining residential uses.	From the commencement of the use and at all times thereafter.
(b)	The applicant must ensure all waste is stored within a secure, screened area until such time as it is removed from site.	From the commencement of the use and at all times thereafter.

18.	Stormwater	
	The applicant must discharge stormwater runoff from all impervious areas associated with the Business Use (Café and Ancillary Gift Shop) to ensure no ponding, concentration, or redirection of any stormwater runoff onto any adjoining lots as a result of the proposed development.	Prior to the commencement of the use and at all times thereafter.

19.	Sediment & Erosion Management	
	The applicant must provide for all unpaved and disturbed areas sufficient grass or equivalent cover to prevent both rill and sheet erosion.	Prior to the commencement of use and at all times thereafter.

20.	Further Works	
(a)	The applicant must take due regard of all existing services when undertaking works associated with this development.	During the construction of the development and prior to commencement of use.
(b)	The applicant must alter any services when the relevant authority or assessment manager determines that works associated with this development has an impact upon any existing services.	During the construction of the development and prior to commencement of use.
(c)	The applicant must reinstate all disturbed verge areas with turf.	Prior to commencement of use.

Assessment Manager (Ipswich City Council) Advice

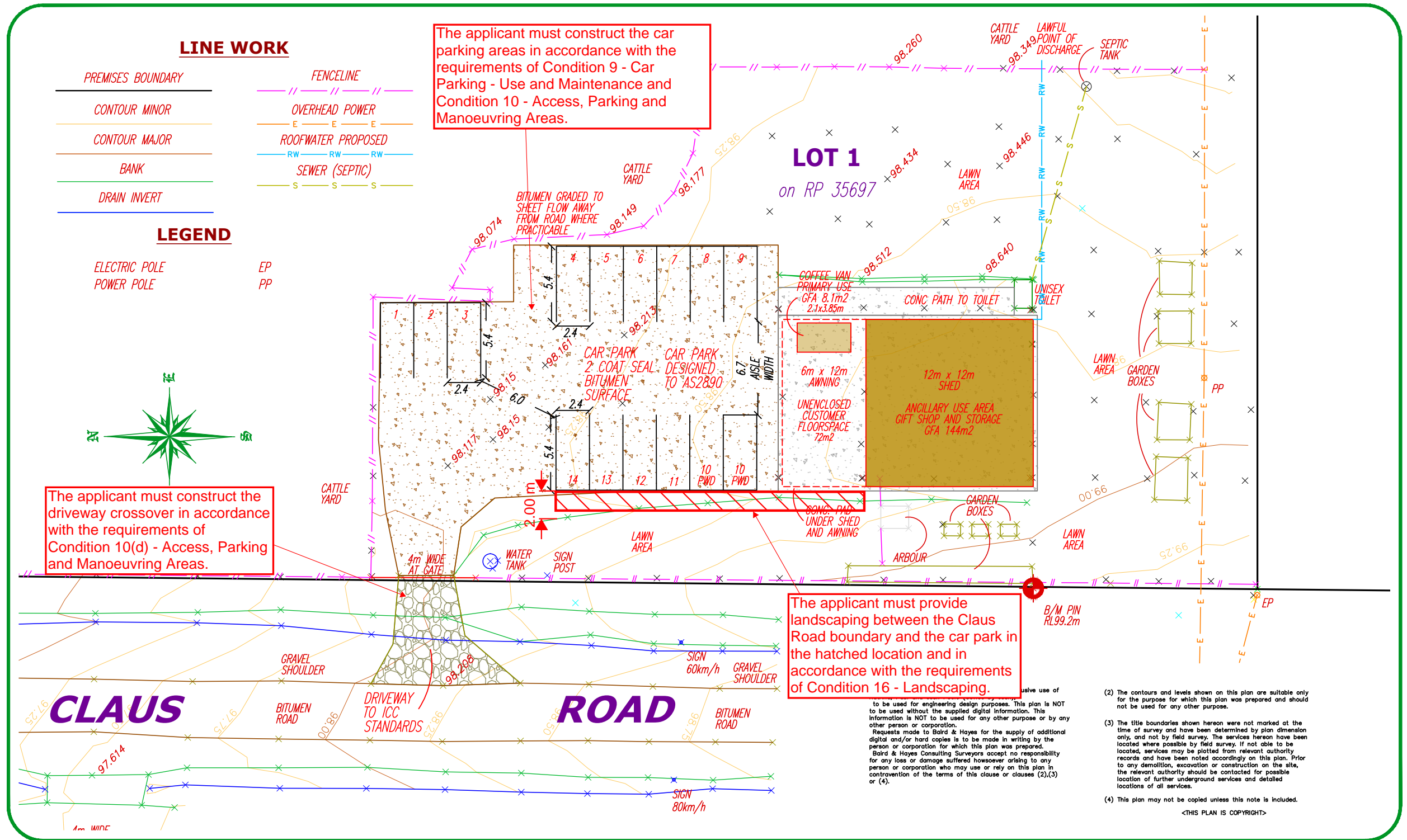
The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

1.	Acronyms and Terms	Acronyms and terms used in this notice have the following meanings:
(a)	RPEQ - A Registered Professional Engineer of Queensland suitably qualified and experienced in the particular area of expertise required.	
(b)	UU – Urban Utilities – trading name of the Central SEQ Distributor-Retailer Authority, providing water services to Ipswich City under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> .	
(c)	DSMP – Dispersive Soil Management Plan which is prepared in accordance with Council Implementation Guideline # 28 and certified by RPEQ.	
(d)	E&SCP – Erosion & Sediment Control Management Plan which is prepared in accordance with Council Planning Scheme Policy 3 and certified by RPEQ.	
(e)	PSP 3 – Council Planning Scheme Policy 3	
(f)	QUDM – The <i>Urban Drainage Manual</i> , produced by the Queensland Department of Environment and Natural Resources	
(g)	MUTCD - <i>The Manual of Uniform Traffic Control Devices</i> , published by DTMR	
(h)	DTMR - Department of Transport and Main Roads	
(i)	DES – Department of Environment and Science	
(j)	DNRME – Department of Natural Resources, Mines and Energy	
(k)	DSDMIP – Department of State Development, Manufacturing, Infrastructure and Planning	
(l)	AEP – Annual Exceedance Probability - used to define flood frequency and severity	
(m)	AHD - Australian Height Datum (m)	

(n)	Internal works - works performed within private property and includes but is not limited to, earthworks, driveways and stormwater management systems.
(o)	External municipal works - works external to the development and located in dedicated public areas, for example existing road or drainage reserve, or private property not owned by the applicant.
2.	Fire Ants
(a)	In accordance with the <i>Biosecurity Act 2014</i> and the <i>Biosecurity Regulation 2016</i> , the State of Queensland has implemented movement controls in areas (Fire Ant Biosecurity Zones) of Queensland where the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) has been detected.
(b)	It is a legal obligation to report any sighting or suspicion of Fire Ants within 24 hours to Biosecurity Queensland on 13 25 23 (24hrs). It should be noted that works involving movements of all materials associated with earthworks (import and export) within a fire ant biosecurity zone is subject to movement controls and failure to comply with the regulatory provisions is an offence under the Biosecurity Act 2014. The Fire Ant Biosecurity Zones, as well as general information can be viewed on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/fireants .
(c)	The land over which you have made a development application is within a Fire Ant Biosecurity Zone. The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact Biosecurity Queensland to investigate the site and for you to implement any necessary matters required prior to the commencement of any works.
3.	Local Government Regulation 2012
	This property may be subject to the provision of Section 116 of the <i>Local Government Regulation 2012</i> . This section of the regulation limits any increase in rates to a predetermined percentage. In accordance with Council's budget and rating resolutions, if the property is sold or reconfigured in any way (e.g., subdivision, dedication or partial dedication, amalgamation) this benefit will no longer apply. For further information please contact the Ipswich City Council Customer Contact Centre on (07) 3810 6666.
4.	<i>Section 73 of the Planning Act 2016</i>
	Pursuant to <i>Section 73 of the Planning Act 2016</i> , a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.
5.	Advertising Signage
	Unless any advertising devices associated with the proposed use meets the exempt criteria set out in Schedule 9 of the <i>Ipswich Planning Scheme 2006</i> , such signage would require submission to Council of a code assessable development application for operational works – placing an advertising device on premises. For further information please contact the Planning and Development Department on (07) 3810 6888.
6.	Portable Long Service Leave
	Where the proposed works (civil and landscaping) are valued at \$150,000 or more and match the definition of Building and Construction Industry, the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i> requires that evidence of payment of the Portable Long Service Leave (QLeave) Levy be received by Council as a condition of issuing a

	<p>development permit for building works, operational works and plumbing and drainage works applications, as defined under the <i>Planning Act 2016</i>.</p> <p>If you require clarification in regard to the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i>, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6844.</p>
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7.	<p>Indigenous Cultural Heritage</p> <p>The Applicant is advised to ensure that any development obligations pursuant to the provisions of the Aboriginal Cultural Heritage Act 2003, the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i> are complied with in respect to the proposed development. Applicants, developers and landowners have a duty of care under the legislation where items of cultural heritage significance are located, even if those items have not been previously recorded in a database.</p> <p>For more information, the applicant may seek information from the relevant Registered Aboriginal Cultural Heritage Body for the Ipswich Region the cultural heritage database, or seek the advice of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs.</p>
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Level Datum:	A.H.D. vide PSM 51853
Bench Mark Location:	WARREGO HIGHWAY
Adopted Level:	118.036m AHD
Contour Interval:	.25m AHD
© A3 SHEET AT SCALE	

BAIRD & HAYES
(Established 1946)
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For ALL your Land Development Needs:
SUBDIVISION DESIGN
DEVELOPMENT APPLICATIONS
LAND SURVEYS
ENGINEERING SURVEYS

SURVEYED: S.P.V.
DRAWN: L.H.
CREATED: 26.10.2023
SCALE: 1 : 250

DWG. TITLE
SITE DEVELOPMENT PLAN
MCU - Business Use (Cafe)
Over part of
50 Beduhs Road,
HAIGSLEA QLD 4306
(Lot 1 on RP35697)

BAIRD & HAYES
SURVEYORS • TOWN PLANNERS
P.O. Box 867, Ipswich, 4305.
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PROJECT
Coffee By Josh

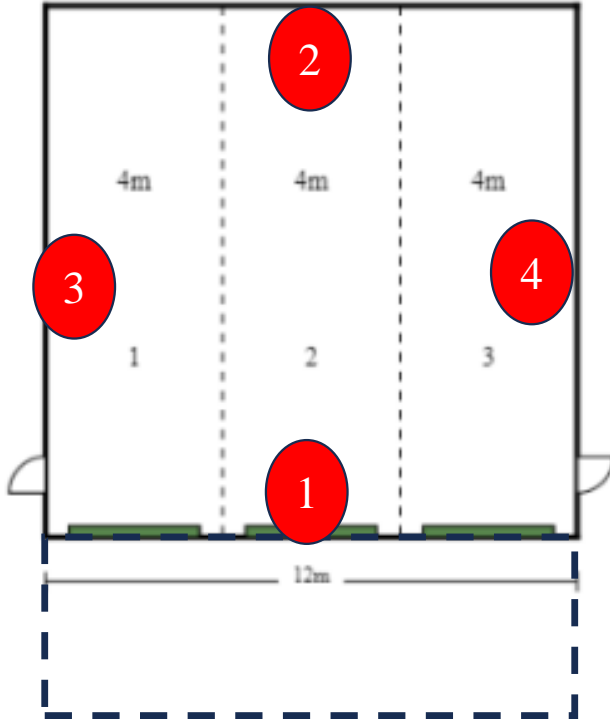
REF NO.
14475

DWG. NO. Rev.
P03-01a

PROUDLY EST. 1946 IN IPSWICH, QLD



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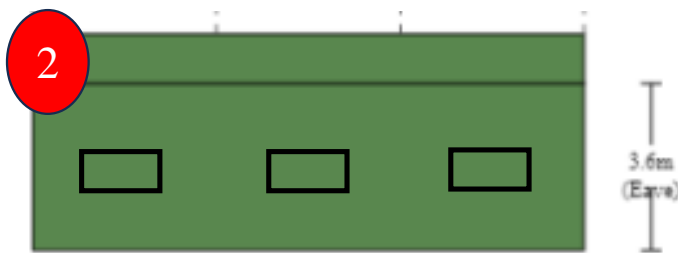
Reference No: 14475 PO3-03a
Description: Elevation Plan Page 1 of 2, revision a
Prepared by: Baird & Hayes Surveyors and Town Planners
Date: 9 November 2023

The applicant must submit an amended version of this plan for endorsement by the assessment manager which incorporates the proposed awning, and which includes appropriate plan references and a title block.

FLOOR PLAN - 12m x 12m Shed with 6m wide awning (not to scale)



ELEVATION 1 – NORTHERN – 12m wide – 3 door opening, 6m wide awning over (not to scale)

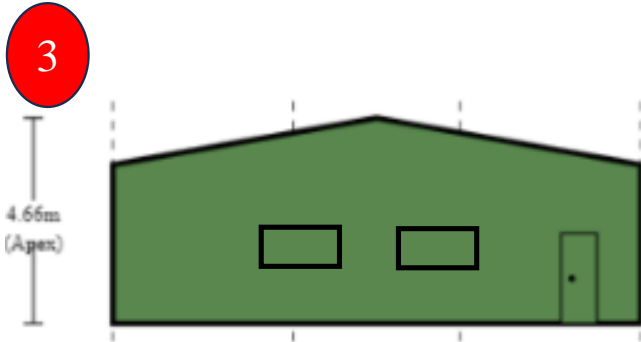


ELEVATION 2 – SOUTHERN – 12m wide – 3 x window openings (not to scale)

PROUDLY EST. 1946 IN IPSWICH, QLD

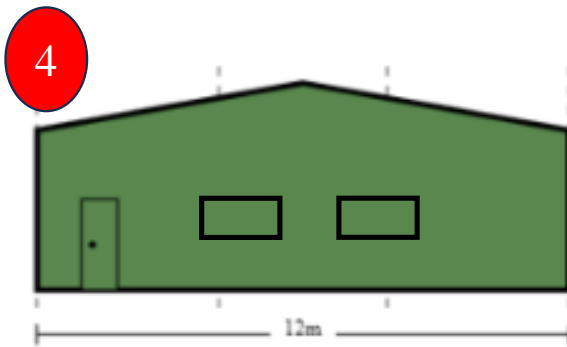


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Reference No: 14475 PO3-03a
Description: Elevation Plan Page 2 of 2, revision a
Prepared by: Baird & Hayes Surveyors and Town Planners
Date: 9 November 2023

ELEVATION 3 – EASTERN – 12m wide – 2 x window openings (not to scale)



The applicant must submit an amended version of this plan for endorsement by the assessment manager which incorporates the proposed awning, and which includes appropriate plan references and a title block.

ELEVATION 4 – WESTERN – 12m wide – 2 x window openings (not to scale)

Our Reference 4650/2023/MCU: LM
Contact Officer Lachlan Mossom
Telephone 07 3810 6298



STATEMENT OF REASONS
(Notice about the decision given under section 63(4) of the *Planning Act 2016*)

APPLICANT DETAILS

Applicant name: Baird & Hayes Surveyors And Town Planners

APPLICATION DETAILS

Application number: 4650/2023/MCU
Application type: Material Change of Use
Approval sought: Development Permit
Description of proposed development: Material Change of Use - Business Use (Cafe and Ancillary Gift Shop)
Level of Assessment: Impact

SITE DETAILS

Street address: 50 Beduhns Road, HAIGSLEA QLD 4306
Real property description: Lot 1 on RP35697

DECISION

Date of decision: ** February 2024
Decision: Approved in full with conditions
Decision Authority: Growth Infrastructure and Waste Committee

1. Reasons for the Decision:

The reasons for this decision are:

- The application was properly made and followed the Development Assessment Rules in effect.
- The application was assessed against the applicable Assessment Benchmarks.
- The assessment manager, after carrying out the assessment, found that the development complied with the Assessment Benchmarks applicable to the development, with the exception of those set out in Part 3 – Compliance with Benchmarks.
- The development was not prohibited development under a categorising instrument or local categorising instrument.

2. Assessment Benchmarks

The following are the assessment benchmarks applying for this development:

Categorising Instrument	Assessment Benchmarks
State Planning Policy July 2017, Part E	Planning for liveable communities and housing Planning for economic growth Planning for environment and heritage Planning for safety and resilience to hazards Planning for infrastructure
<i>South East Queensland Regional Plan 2017 (ShapingSEQ)</i>	Chapter 3, Part A: Goals, elements and strategies Chapter 3, Part C: Sub-regional directions
<i>Ipswich Planning Scheme 2006</i>	Desired Environmental Outcomes and Performance Indicators (Part 3) Rural Areas Code (Part 10) – particularly the specific outcomes for the Rural C (Rural Living) Zone (division 6) Commercial and Industrial Code (Part 12, division 7) Parking Code (Part 12, division 9) Local Government Infrastructure Plan (Part 13)

3. Compliance with Benchmarks

The following are the reasons why the application was approved despite the development not complying with the following assessment benchmarks:

Categorising Instrument, Assessment benchmark	Reasons for approval despite non-compliance
<p><i>Ipswich Planning Scheme 2006, Part 10 – Rural Areas, division 6 – Rural C (Rural Living) Zone, Section 10.19:</i></p> <p><i>The following are consistent uses, use classes and other development categories in the Rural C (Rural Living) Zone ...</i></p> <p><i>(3) The following uses, use classes and other development categories are inconsistent with the outcomes sought and are not located within the Rural C (Rural Living) Zone; and constitute undesirable development which is unlikely to be approved –</i></p> <ul style="list-style-type: none"> <i>(a) Aviation uses, unless a helipad;</i> <i>(b) Business use, unless farm produce stall or veterinary clinic;</i> <i>(c) Carpark;</i> <i>(d) Community use, unless child care centre, community hall, emergency services depot, meeting rooms, neighbourhood centre, place of worship or school; ...</i> 	<p>The proposed development is identified as being a use which is inconsistent with the outcomes sought by the Rural C (Rural Living) Zone.</p> <p>In this particular instance, the outcomes of the code are maintained by the small-scale nature of the proposed use having no material impact on adjoining residential uses and no impact on current or future agricultural uses in the zone, which can be managed through the imposition of reasonable and relevant conditions.</p> <p>Further to this, since the adoption of the current version of the <i>Ipswich Planning Scheme 2006</i>, Council has introduced a policy which supports the establishment of small scale rural tourism activities, which the development has been found to comply with.</p> <p>In this instance, it is considered appropriate to support the development despite the conflict with the relevant assessment benchmark based on the contemporary policy intent adopted by Council and the scale and nature of the proposed use.</p>
<p><i>Ipswich Planning Scheme 2006, Part 12 - Assessment Criteria for Development for a Stated Purpose or of a Stated Type, division 7 – Commercial and Industrial Code, Section 12.7.4 Effects of Development – General Commercial and Industrial Provisions:</i></p> <p><i>Specific Outcome (2):</i></p> <p><i>An existing dwelling on the site of a commercial or industrial use is removed prior to the commencement of the commercial or industrial use, unless –</i></p> <ul style="list-style-type: none"> <i>(a) The building is listed as a Character Place in Schedule 2; or</i> 	<p>The applicant proposes to retain the existing Single Residential use on site. Given that the proposed café will have no detrimental impact on the existing Single Residential use (nor any adjoining residential use), it is considered unreasonable to require the removal of the existing dwelling in this instance.</p>

<p><i>(b) Approval has been obtained from the local government to use the building for a non-residential use.</i></p>	
<p><i>Ipswich Planning Scheme 2006, Part 12 - Assessment Criteria for Development for a Stated Purpose or of a Stated Type, division 7 – Commercial and Industrial Code, Section 12.7.5 Effects of Development – General Commercial Provisions:</i></p> <p><i>Specific Outcome (8):</i></p> <p><i>(a) Buildings address the street frontage or frontages rather than being aligned at right angles or diagonal to the street.</i></p>	<p>The proposed development incorporates a shed and affixed awning which does not address the Claus Road frontage, from which it will be visible. Despite this specific outcome, it is considered that the benefit that the proposed alignment will have in so far as conserving rural amenity by locating the unenclosed customer seating areas as far as practical from the closest sensitive receiver, while still maintaining clearly distinguishable entrances, provides an outcome consistent with the identified overall outcomes of the <i>Ipswich Planning Scheme 2006</i>.</p>
<p><i>Ipswich Planning Scheme 2006, Part 12 – Assessment Criteria for Development for a Stated Purpose or of a Stated Type, division 9 – Parking Code, Section 12.9.4 Parking Design and Construction Standards:</i></p> <p><i>Specific Outcome (9)(a):</i></p> <p><i>Pedestrian Routes are separated from vehicular circulation to allow protected access for pedestrians via the shortest practical route from the parking area to the use.</i></p>	<p>The proposed development does not provide separate pedestrian pathways from the parking area to the proposed use as identified in the Specific Outcome. Importantly, the proposed use is of a small-scale and the associated parking area is not expected to have a high turn-over nor does the design of the carpark promote high speed vehicle movements. It is not expected that pedestrian safety when moving from the carpark to the use will be impacted by the lack of a separate pathway considering the specific factors of the application at hand.</p>

4. Relevant matters

The assessment had regard to, the following matters:

Relevant matter	Given regard to
<i>Planning Regulation 2017, s31(1)(a)</i>	The matters stated in Schedule 10 for the development.
<i>Planning Regulation 2017, s31(1)(d)</i>	i). The regional plan for the region; and ii). The State Planning Policy.
<i>Planning Regulation 2017, s31(1)(f)</i>	Any development approval for, and any lawful use of, the premises or adjacent premises.
<i>Planning Regulation 2017, s31(1)(g)</i>	The common material.

5. Other Relevant Matters for development subject to impact assessment

The assessment was carried out against to the following matters:

Relevant matter	Assessed against or had regard to
<p>The current relevance of the assessment benchmarks in the light of changed circumstances; and</p> <p><i>The Rural Tourism Development Fee Relief Policy.</i></p>	<p>Specifically, the <i>Rural Tourism Development Fee Relief Policy</i>, adopted at Council's ordinary meeting dated 24 March 2022, indicates support for the incorporation of small-scale tourism activities into rural areas where appropriate. In this instance, and given the scale of the development, the proposal is considered consistent with the latest policy intent, and this has been considered as a relevant matter in the assessment.</p>

6. Matters raised in submissions for development subject to impact assessment

The following is a description of the matters raised in any submissions and how they were dealt with:

Matter raised	How matters were dealt with in reaching a decision
Land Use	
<p>The proposed development conflicts with the Overall Outcomes for the Rural C (Rural Living) Zone (Part 10, division 6 of the <i>Ipswich Planning Scheme 2006</i>) in that the development will have a negative impact on the rural amenity of residents living in proximity to the use.</p>	<p>Although the proposed development is not representative of a rural living opportunity as envisaged by the zone code, the small scale nature of the proposed Business Use (Café and Ancillary Gift Shop) will have limited material impact on adjoining land which will be further managed by conditions included in the decision notice which limit the hours of operation, and which seek to manage ongoing operation of the use.</p> <p>The adoption of the Ipswich City Council 'Rural Tourism Development Fee Relief Policy' further encourages this type of small-scale, rural tourism activity.</p> <p>It is considered that the development is a suitable small-scale use of the site which will not have a detrimental amenity impact, subject to compliance with the conditions imposed.</p>
<p>The proposed development will result in additional visual clutter on the Claus Road frontage by way of advertising and marketing material.</p>	<p>A minor change was made to the proposed development prior to the public notification process to amend the built form of the use to be commensurate with that of a rural shed with an affixed awning, under which the coffee van is to be parked. Additional plan mark-ups have been included to further reduce the visibility of outdoor customer areas to further reduce the impact on adjoining properties and road users. Given the low-rise nature of the proposed shed, the setback proposed will not result in the built form dominating the streetscape and conditions requiring further vegetation to reduce the visual impact of parking areas has been</p>

	<p>incorporated.</p> <p>Advertising and marketing material visible from the front boundary may be subject to additional Operational Works approvals for Advertising Devices. An advice note has been included in the decision package to notify the applicant that where advertising devices do not meet the exempt criteria set out in Schedule 9 of the <i>Ipswich Planning Scheme 2006</i>, such signage would be subject to a separate planning approval.</p>
<p>The development will have the potential to change the zoning of the property.</p>	<p>The applicant has not proposed to amend the zoning of the subject site nor the zoning of surrounding land. Any future application over the subject site or other land within the local area would be subject to an additional and separate development assessment process.</p>
<p>Traffic and carparking</p>	
<p>The proposed development will result in an exacerbation of issues relating to the usage of Claus Road (i.e., congestion, dust generation, queueing and parking/overtaking on the road shoulder).</p>	<p>Given the small scale nature of the proposed development, a minor increase in the number of vehicles utilising Claus Road between the hours of operation only is expected. This minor increase is not expected to have a significant impact on the safety of road users travelling on Claus Road given that the position of the development site allows for significant sightlines to both the north and south to allow both vehicles exiting the site to see approaching vehicles but also allows road users to see vehicles slowing to enter the subject site.</p> <p>As a part of the proposal, the applicant is to provide a sealed carpark to the north of the proposed use containing a total of fourteen (14) parking spaces, including one (1) PWD space, to service the development. This on-site parking provision is expected to fully service the parking demands of the proposal and not result in additional on-street parking on Claus Road.</p> <p>Matters raised in the submission relating to</p>

	<p>safety largely relate to the existing construction standard of Claus Road. It is considered, given the small scale nature of the proposal and the limited operating hours, any condition requiring the upgrading of the road in association with the development would be unreasonable and therefore could not be lawfully imposed.</p> <p>Appropriate access and car parking conditions have been included in the decision notice to ensure a sealed parking area and a Council compliant crossover, as well as to regulate the size of vehicles which may access the development.</p>
Noise	
<p>The proposed development will generate additional noise as a result of day-to-day operation of the proposed use.</p>	<p>Given the small-scale nature of the proposed use, the limited operating hours and the substantial setbacks to any existing residential uses, it is not expected that the use will generate noise at a level which would cause nuisance nor diminish the rural amenity for residents on adjoining properties</p> <p>The proposed use is largely screened from adjoining residential uses or setback from nearby sensitive receivers. Noise generation as a result of the operation of the coffee van will be mitigated as this operation occurs within a partly enclosed space and the gift shop operation is wholly enclosed.</p> <p>Noise associated with vehicle movements will be managed by the construction and ongoing management of sealed parking areas.</p> <p>Conditions have been included in the Decision Notice to manage the potential noise impacts generated by the use such as the screening and enclosure of plant and equipment and the restriction on the use of noise amplification equipment and public address systems.</p>

Public Notification	
<p>The public notice available via Council's Development.i website is deceptive as it identifies several additional properties which are not relevant to the application and identifies the subject site as 50 Beduhns Road when it is advertised as operating from 47 Claus Road.</p>	<p>Council's Development.i website identifies a total of four (4) associated properties for the application due to historic property data. This is a Council system issue and Council has been working with software providers in an attempt to have this data removed. It is noted that despite this, the application material submitted correctly identifies the property address as 50 Beduhns Road, Haigslea only, and the lot and plan descriptions on Development.i are correct. Whilst it is acknowledged that signage has been installed on the Claus Road frontage which identifies an alternative address, this is not formally recognised and therefore the notification of the application has been undertaken consistent with the requirements of the DA Rules.</p>
<p>The applicant has not directly notified adjoining landowners.</p>	<p>The applicant has provided photographic evidence identifying that adjoining property owners were contacted in relation to the application via registered prepaid ExpressPost which tracking has shown was delivered prior to the commencement of the Public Notification part in accordance with the requirements of the DA Rules and Section 53 of the <i>Planning Act 2016</i>. Council has not been informed by an adjoining property owner to advise that they were not directly notified in accordance with the relevant requirements, and it is noted that this matter may have been raised based on a misunderstanding of the definition of an 'adjoining property' given that the submitter who has raised this matter is separated by a road from the subject site.</p>
Amenity Impacts	
<p>Location of toilet facilities servicing the café will/does impact on adjoining properties by way of odour generation.</p>	<p>Further development permits are required for the toilet facilities to ensure that they are installed and managed in compliance with legislative standards. If installed and managed correctly, no odour should be</p>

	released, and conditions have been included to reflect this.
The proposed development will generate additional litter.	Appropriate conditions have been included to provide for suitable waste storage and collection arrangements for the development. It is not possible to regulate the behaviours of customers departing the use/development and should littering occur it will need to be managed separately by the relevant authorities.
The proposed development will conflict with other uses on property, namely the keeping of animals in close proximity food and drink preparation areas.	The proposed use will be subject to food licencing by Council prior to lawful operation which will ensure safe and hygienic conditions are in place to operate the use.

A further two (2) matters were identified in the submission material relating to unlawful uses on site and the attendance of creditors and their usage of noise projecting equipment, however, these matters do not relate to the application at hand and as such have not been addressed in the table above.



DECISION NOTICE - INFRASTRUCTURE CHARGES

Decision Date: As stated on the Decision Notice for the development application 4650/2023/MCU

Council gives this infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

Appeal Rights

You have appeal rights in relation to this notice. An appeal may be made against an infrastructure charges notice on one (1) or more of the following grounds:

- (a) the notice involved an error relating to:
(i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge:

- the incorrect application of gross floor area for a non-residential development
 - applying an incorrect 'use category', under a regulation, to the development
- (ii) the working out of extra demand, for section 120 of the *Planning Act 2016*; or
(iii) an offset or refund; or

- (b) there was no decision about an offset or refund; or
(c) if the infrastructure charges notice states a refund will be given – the timing for giving the refund; or
(d) for an appeal to the Planning and Environment Court – the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

To remove any doubt, the *Planning Act 2016* declares 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 local government infrastructure plan; or
(ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

An appeal must be started within 20 business days after the infrastructure charges notice is given to you.

An appeal may be made to the Planning and Environment Court or to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

Attached is an extract from the *Planning Act 2016* about appeal rights.

Your reference
Our reference 4650/2023/MCU
Contact Officer Customer Service Unit
Telephone 07 3810 6888



Baird & Hayes Surveyors And Town
Planners

Ipswich City Council

1 Nicholas Street
PO Box 191
IPSWICH QLD 4305

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ipswich.qld.gov.au

Infrastructure Charges Notice

This Infrastructure Charges Notice is issued by Council and relates to charges for the purposes of local government trunk infrastructure networks (transport, public parks and community facilities).

Not released for issue.

Application Number:	4650/2023/MCU
Infrastructure Charges Notice Number:	ICN-004225
Application Type:	Material Change of Use
Stage Name:	N/A
Real Property Description:	1RP35697
Property Address:	50 Beduhns Road, HAIGSLEA QLD 4306
Secondary Address:	Not Applicable
Development Approval Details:	In accordance with Development Approval 4650/2023/MCU
Relevant Infrastructure Charges Resolution:	Adopted Infrastructure Charges Resolution (No. 1) 2023
Related Infrastructure Agreements:	Not Applicable
Maximum Adopted Charge:	Refer Attachment 1 – Applied adopted charge (AC) (including the automatic increase)
Offsets:	No offsets apply.
Refunds:	No refund applies.
Levied Charge:	\$10,846.25



Applied Adopted Charge:	Details of how the levied charge and any charges reductions, other adjustments, offsets and refunds have been worked out are provided in Attachment 1 to this notice.
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Details of Payment

Payment details:	<p>Payment of the infrastructure charges must be made to Ipswich City Council.</p> <p>Cash (including Electronic Funds Transfer) and Bank Cheques are the only acceptable forms of payment. Credit cards, personal and/or company cheques are not accepted for the payment of infrastructure charges. The payee must quote the development application reference number when making payment.</p> <p>Prior to paying, an invoice must be produced. Please complete the Request an Infrastructure Charges Invoice webform to commence this process.</p> <p>For further information on infrastructure charges, please visit - https://www.ipswichplanning.com.au/infrastructure-charges-and-contributions</p>
Due date for payment:	<p>Payment of the levied charges is required—</p> <ul style="list-style-type: none"> (i) if the charge applies for the reconfiguring of a lot - when Council approves a plan for the reconfiguration; (ii) if the charge applies for a material change of use - when the change happens; (iii) if the charge applies for building work - prior to the issue of a final inspection certificate for the building work or the certificate of classification for the building is given <p>unless otherwise stated in an infrastructure agreement.</p>
Automatic increases of infrastructure charges contained in this advice:	<p>The levied charges outlined in this notice will be automatically increased, from the date of the charges notice to the date of the payment, by the lesser of the following amounts—</p> <ul style="list-style-type: none"> (i) the difference between the levied charge and the maximum adopted charge Council could have levied for the development when the charge is paid; (ii) the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the levied charge is levied and ending on the day it is paid. <p>‘3-yearly PPI average’ and ‘PPI’ have the meanings given in the <i>Planning Act 2016</i>.</p>

General Information

GST:	GST does not apply to payments or contributions made by developers to Government which relate/s to an application for the provision, retention, or amendment of a permission, exemption, authority or licence (however described) under the <i>Planning Act 2016</i> .
Authority for the charge:	The levied charges in this notice are payable in accordance with the <i>Planning Act 2016</i> .
How the charge is calculated:	<p>The levied charge for the development is to be worked out by Council as follows:</p> $LC = ((AC \times AD) - LCR) - D$

	<p>Where: LC is the levied charge for the development, which cannot be less than zero. AC is the applied adopted charge for the development. AD is the additional demand for the development. LCR is the levied charge relief for the development. D is the discount for the prescribed financial contribution.</p>
Offsets and refunds:	<p>The following apply if a trunk infrastructure contribution services or is planned to service premises other than premises the subject of the relevant approval and an adopted charge applies to the development the subject of the approval:</p> <ul style="list-style-type: none"> • an offset—where the cost for the trunk infrastructure contribution calculated in accordance with Section 28 of the Adopted Infrastructure Charges Resolution (No. 1) 2023 is equal to or less than the levied charge; and • a refund—where the cost for the trunk infrastructure contribution calculated in accordance with Section 28 of the Adopted Infrastructure Charges Resolution (No. 1) 2023 is more than the levied charge. <p>Calculation of an offset / refund for work pursuant to Section 28(1)(d) of the Adopted Infrastructure Charges Resolution (No. 1) 2023 will be used when the details provided in accordance with section 29(1)(b) of the AICR evidence that the actual cost is less than the establishment cost for work calculated pursuant to section 28(1)(a) of the IAICR.</p> <p>The establishment cost for the trunk infrastructure, is to be determined in accordance with Section 23 of the Adopted Infrastructure Charges Resolution (No. 1) 2023 and is set out in Attachment 2.</p> <p>Notwithstanding, any application of an offset / refund is restricted only to works which are in accordance with the desired standards of service as set out in the priority infrastructure plan extrinsic material and the conditions of the Development Approval and any subsequent operational works approval.</p> <p><i>Note: To avoid doubt, an offset / refund will not apply in the event that the trunk infrastructure contribution identified in Section 11 of Development Decision Notice are carried out or provided by another entity including but not limited to Council or another developer in association with a separate development approval.</i></p>
Appeals:	<p>Pursuant to chapter 6, part 1 and schedule 1 of the <i>Planning Act 2016</i> a person may appeal against an infrastructure charges notice.</p>
When this notice stops having effect:	<p>In accordance with section 119(11) of the <i>Planning Act 2016</i>, this notice stops having effect to the extent the development approval stops having effect.</p>
Infrastructure charges notice advice:	<p>This Infrastructure Charges Notice does not include the levied charges payable for water supply and sewerage networks to be levied by the Central SEQ Distributor-Retailer Authority (trading as Urban Utilities), which are in a separate infrastructure charges notice.</p>

ATTACHMENT 1 - INFRASTRUCTURE CHARGES CALCULATION METHODOLOGY

Additional demand (AD)

Category	Demand Unit	Development Demand (DD)	Demand Credit (DC)	Additional Demand (AD = DD - DC)
Food and Drink Outlet - Other	GFA (m2)	152.1	0	152.1

Applied adopted charge (AC) including the automatic increase

Charge Category	Adopted Charge Rate (\$/unit)	Indexed Adopted Rate (\$/unit)	Capped Charge Rate (\$/unit)	Applied Adopted Charge (AC) (\$/unit)
Community Facilities - SIW5				
Food and Drink Outlet - Other	\$0.00	\$0.00		\$0.00
Parks - PKW5				
Food and Drink Outlet - Other	\$0.00	\$0.00		\$0.00
Transport - RD51				
Food and Drink Outlet - Other	\$71.31	\$71.31		\$71.31

Applied adopted charge

Network / Charge area	Demand Unit	Net Demand (units)	Applied Adopted Charge (\$/unit)	Charge (\$)
Community Facilities - SIW5				
Food and Drink Outlet - Other	GFA (m2)	152.1	\$0.00	\$0.00
Parks - PKW5				
Food and Drink Outlet - Other	GFA (m2)	152.1	\$0.00	\$0.00
Transport - RD51				
Food and Drink Outlet - Other	GFA (m2)	152.1	\$71.31	\$10,846.25

Applied discount

Description	Value of Prescribed Financial Contribution (\$)	Existing Demand Credit (\$)	Applied Discount (\$)
Total discount			\$0.00

No levied charge relief applies.

No other adjustments apply.



Levied charge	
Total charge (\$)	\$10,846.25
Total prescribed financial contribution (\$)	\$0.00
Total levied charge relief (\$)	\$0.00
Total other adjustments (\$)	\$0.00
Levied Charge (\$)	\$10,846.25

Charge rule - AICR (No.1) 2023 - RD51, PKW5, SIW5, WT13
Instrument - Adopted Infrastructure Charges Resolution (No. 1) 2023



ATTACHMENT 2 - OFFSETS AND REFUNDS

No offsets for trunk infrastructure apply.

No refunds apply.