

AGENDA

BANANA SHIRE COUNCIL SPECIAL MEETING

Meeting Date: Wednesday, 17 December 2025
Venue: Council Chambers, 62 Valentine Plains Road, Biloela
Time: 2:00 pm

1.0 Opening of Meeting

Council recognises that this meeting is held on the Land of the Gaangalu Nation and that the Banana Shire also includes land of the Iman People, Wulli Wulli People, Wadja People, Auburn Hawkwood People and Darumbal People.

2.0 Attendance including Apologies & Leave of Absence

3.0 National Anthem

4.0 Declaration of Interest on Matters on the Agenda

5.0 MCU003-25/26 – Development Application – Material Change of Use – Warehouse (Storage Yard) – Impact Assessment located at Burnett Highway, Dululu described as Lot 243 on D6741

6.0 Close of Meeting

1.0 Opening of Meeting

2.0 Attendance including Apologies & Leave of Absence

3.0 National Anthem

4.0 Declaration of Interest on Matters on the Agenda

5.0 MCU003-25/26 – DEVELOPMENT APPLICATION REQUEST FOR DECISION – MATERIAL CHANGE OF USE – WAREHOUSE (STORAGE YARD) – IMPACT ASSESSABLE – LOCATED AT BURNETT HIGHWAY, DULULU – DESCRIBED AS LOT 243 ON D6741

Date: 11 December 2025
Author: Director Council Services
File ID: MCU003-25/26
Letter ID:
Attachments: Attachment 1 – Assessment Manager Conditions – ID2006296
Attachment 2 – Location Map – ID2006297
Attachment 3 – Approved Plans – ID2006298
Attachment 4 – Rural Zone Code assessment – ID2006299
Attachment 5 – Development Design Code assessment – ID2006300
Attachment 6 – State Assessment and Referral Agency response – ID2006301
Minute No:

Recommendation:

That Development Permit Application MCU003-25/26 for a Material Change of Use for Warehouse (Storage Yard), situated at Burnett Highway, Dululu described as Lot 243 on D6741 be approved subject to the conditions contained in Attachment 1.

AND

Issue the relevant Decision Notice under the Planning Act 2016.

REPORT

Applicant: Qantac Pty Ltd
c/- Reel Planning
Owner/s: Qantac Pty Ltd
Subject Site: Burnett Highway, Dululu
Lot 243 on D6741
Application Lodged: 10 September 2025, properly made 11 September 2025
Planning Scheme: *Banana Shire Planning Scheme 2021*
Zone and Overlays: Rural Zone
Agricultural Land Overlay, Biodiversity Overlay, Infrastructure Overlay,
and Water Resources Overlay
Applicable Codes: Rural Zone Code
Development Design Code
Referral Agencies: State Assessment and Referral Agency (SARA)
Submissions: 2 properly made submissions
Summary: The proposal is consistent with the overall intent and provisions of the
Banana Shire Planning Scheme 2021 and the *Planning Act 2016*

BACKGROUND

Proposal

This report considers a Development Application for a Development Permit for a Material Change of Use for a Warehouse (Storage Yard) at Burnett Highway, Dululu. The site is in the Rural Zone of the *Banana Shire Planning Scheme 2021* (Planning Scheme).

The site has frontage and vehicle access to the Leichhardt Highway via an unformed service road located within the road reserve of the Burnett Highway. The purpose of the proposed development is to establish a Warehouse (Storage Yard) to store relocatable accommodation buildings. A fenced yard area containing a formed pad of approximately 40,000m² will be established for the storage of the buildings and equipment to load and unload trucks transporting the buildings to various locations throughout Banana Shire and the Central Queensland Region.

The site has frontage to the Leichhardt Highway and the Burnett Highway, however access is from the Leichhardt Highway via an unconstructed service road, being a gravel track located within the road reserve of the Burnett Highway.

No vehicle parking is proposed as the applicant contends that the development will not be used on a daily basis and that 'adequate area' exists to park employees vehicles away from the storage and loading area when on site. The submitted application material states that only 2 or 3 employees will be onsite when trucks will need to be unloaded or loaded.

The development site is not within Council's water supply and sewerage network areas. It is not proposed to provide amenities for employees on site stating that the nearby Dululu township provides such amenities. No indication has been provided as to how the development will provide for a firefighting water supply.

The site has previously had all vegetation removed, the proposed 40,000m² pad and the storage of relocatable buildings will increase stormwater runoff. No details have been provided as to how this will be managed.

Table 5.10.1 of the Planning Scheme identifies Warehouse as a defined unlisted use within the Rural Zone and therefore requires Impact assessment.

Subject site and surrounding land uses

The site is located at the intersection of the Burnett Highway and Leichhardt Highway and is in the Rural Zone of the Planning Scheme.

Adjoining properties to the north and east are utilised for agricultural production (grazing). Adjoining the site to the west are two small lots each with an occupied Dwelling. The applicant has proposed the development is to be located as far east on the site as possible to manage impacts on the adjoining dwellings.

Planning history

There is no relevant planning history.

KEY ISSUES

The proposed development has been assessed against the following:

- *Banana Shire Planning Scheme 2021*
 - Strategic Framework
 - Rural Zone Code
 - Development Design Code
 - Infrastructure Charges
- *Temporary Local Planning Instrument No.1 of 2024 - Workforce Accommodation*
- State Planning Policy
- *Central Queensland Regional Plan 2013*

These assessments are summarised below.

Banana Shire Planning Scheme 2021

Strategic Framework

The Strategic Framework supports non-rural development within Rural Zone where it can be demonstrated that potential impacts can be suitably mitigated and managed. The proposed Warehouse (Storage Yard) use satisfies the strategic and specific outcomes of the applicable Strategic Framework themes:

- Settlement pattern

The proposed Warehouse (Storage Yard) is located on an existing lot outside any township area. The development does not involve subdivision or creation of additional lots, and will not expand the urban footprint of the Shire. It will not generate additional permanent residents nor increase demand for community services or infrastructure in urban-growth towns — consistent with the Strategic Framework's intent that growth be concentrated in the Shire's principal towns (Biloela, Moura, Taroom and Theodore), while preserving the rural character and economic values of non-urban areas.

Given that the use is industrial/rural in nature, the proposal supports, rather than undermines, Council's objective to maintain a *"fair, orderly and sustainable pattern of development"* by reinforcing the rural/industrial economic function outside urban centres, without compromising rural amenity or the Shire's settlement hierarchy.

Consequently, the proposed development is consistent with the Settlement pattern theme and supports the intent for dispersed industrial and service industries to operate within appropriate rural locations without affecting township growth patterns.

- Natural systems and hazards

The development site is identified by the Planning Scheme Water Resource Overlay Maps OM-0801 to OM-0804 as being located within the Dee and Don Groundwater Management Area. The proposal involves the construction of a large hardstand pad. These works have the potential to affect natural infiltration and groundwater values. However, the proposed development can be conditioned to incorporate appropriate stormwater management and erosion and sediment controls to ensure that runoff quality and infiltration are maintained to the extent practicable. Operational measures can be conditioned to ensure no adverse impacts on surrounding land or underlying groundwater resources through construction erosion, altered drainage paths or contaminants.

The site is not identified by the Planning Scheme as being affected by any mapped natural hazards such as flood, bushfire or landslide hazard. Accordingly, while the proposal involves works within a mapped groundwater management area, it can be designed and conditioned to maintain the natural systems outcomes intended by the Strategic Framework and does not result in intensification of development within natural hazard areas.

- Strong economy

The development contributes to the Shire's economy by supporting employment and industrial activity in a manner that complements, rather than competes with, the established town centres. The Warehouse (Storage Yard) supports economic diversification and provides servicing capacity to rural, agricultural or resource-related operations typical of the Banana Shire economy. The proposal is an appropriate non-urban industrial development that improves economic productivity without attracting additional population or requiring centre-based land or services.

- Infrastructure and servicing

The proposed development is located outside of Council's service areas for reticulated water and sewerage infrastructure. The proposed Warehouse (Storage Yard) will not be permanently staffed, and the site will only be accessed on an as-needed basis for loading and unloading of the accommodation buildings, resulting in minimal demand for urban services.

On-site servicing arrangements, including provision of a dedicated fire-fighting water supply, can be conditioned to ensure that essential operational requirements are met without generating

demand for new Council infrastructure or the extension of existing networks. Therefore it is considered that the proposed development maintains the intent of the Strategic Framework to avoid unplanned infrastructure extensions and to ensure that non-urban development is appropriately serviced through self-sufficient on-site solutions.

Rural Zone Code

The proposed development is for a Warehouse (Storage Yard), which is a non-rural use. The purpose and overall outcomes for the Rural Zone envisage that non-rural development may be supported where it can be demonstrated that the character, amenity and environmental values of the locality are not adversely affected, and any potential impacts are appropriately mitigated.

The submitted application material identifies the operational nature of the use and has addressed potential amenity and environmental impacts associated with traffic, noise, earthworks and stormwater. With the imposition of appropriate conditions, the development can be designed and operated in a manner that maintains the rural character of the locality and ensures that amenity and environmental values are suitably protected.

On this basis, the proposed development is considered to achieve compliance with the intent and overall outcomes of the Rural Zone Code and applicable performance outcomes.

A detailed assessment against the Rural Zone Code is available in Attachment 4 (ID2006299).

Development Design Code

The proposed development is located on a prominent corner adjoining the Burnett Highway and the Leichhardt Highway. The applicant acknowledges that the use is not rural in character and has proposed vegetative screening to assist in integrating the development with the surrounding landscape. Notwithstanding this, it is noted that the site has recently been cleared of all vegetation, including vegetation along the boundary adjoining existing dwellings, which reduces the effectiveness of screening in the short term. It is considered that appropriate landscape conditions, including reinstatement of boundary vegetation and screening treatments, will be necessary to ensure the development presents acceptably to both highway frontages and to adjoining sensitive land uses.

Vehicle access has been satisfactorily addressed in the application material. The requirement for a Stormwater Management Plan can be conditioned, with that plan being required to be submitted as part of an Operational Works application.

On balance, and subject to suitable landscaping, screening and ongoing amenity management conditions, the proposed development can be considered to generally comply with the outcomes sought by the Development Design Code and applicable performance outcomes.

A detailed assessment against the Development Design Code is available in Attachment 5 (ID2006300).

Infrastructure Charges

Council's *Charges Resolution (No. 2) 2025* is not applicable as the proposed development is not within an identified Priority Infrastructure Area.

Temporary Local Planning Instrument No.1 of 2024 - Workforce Accommodation

The development site is located within an area identified by the Temporary Local Planning Instrument (TLPI) for Workforce Accommodation. However, the proposal does not involve development for Workforce Accommodation or activities associated with temporary housing of construction workforces.

The proposed Warehouse (Storage Yard) therefore does not activate or rely upon the specific policy intent or assessment considerations of the TLPI and can be assessed on its merits against the applicable provisions of the Planning Scheme as discussed above.

Summary

The proposed development is generally in accordance with requirements of relevant assessment benchmarks of the Planning Scheme or can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance. It is recommended the development application be approved subject to reasonable and relevant conditions as identified in Attachment 1 (ID2006296).

State Planning Policy

The Minister has determined that the State Planning Policy has been appropriately integrated into the Planning Scheme.

No specific state interest has been identified, consequently the provisions of the State Planning Policy are not required to be separately assessed.

Central Queensland Regional Plan 2013

The Minister has determined that the *Central Queensland Regional Plan 2013* (Regional Plan) has been integrated into the Planning Scheme. Consequently, the provisions of the Regional Plan are not required to be separately assessed.

There are no specific requirements for this development because of the Regional Plan.

REFERRAL AGENCIES

The development application required referral to the State Assessment and Referral Agency (SARA) in accordance with Schedule 10 of the *Planning Regulation 2017*.

Planning Regulation Reference	Referral Trigger	Agency
<i>State transport infrastructure</i>		
Schedule 10 Part 9 Division 4 Subdivision 2 Table 4 Item 1	Material change of use of premises within 25m of a state transport corridor.	SARA / DTMR Concurrence

The application was properly referred to SARA on 1 October 2025.

The SARA referral agency response dated 30 October 2025, Attachment 6 states the development is supported with conditions addressing heavy vehicle access to the premises and the Leichardt Highway.

INTERNAL REFERRAL COMMENTS

The application was referred internally for comments on 18 September 2025 and conditions on 1 October 2025.

Infrastructure Services

- 24 September 2025 – Advising further information is required concerning vehicle access, earthworks, and stormwater management
- 23 October 2025 – Advising of recommended conditions addressing vehicle access location and design, loading and unloading of vehicles, and stormwater management.

Environmental Health

- 2 October 2025 – Advising no comments or conditions required.

Environmental Sustainability

- 9 October 2025 – Advising of recommended conditions addressing environmental nuisance (air, noise and lighting), biosecurity, erosion and sediment control, rehabilitation, stormwater management, vegetation management, and landscaping.

Water and Sewerage Services

- 26 September 2025 – Advising of no comments.
- 1 October 2025 – Advising no conditions required as site is not within a water supply or sewer serviced area.

Building and Plumbing

- 1 October 2025 - Advising no comments or conditions required as there is no building or plumbing proposed.

Having considered the submitted application material and the received internal referral comments Council issued an information request to the applicant on 23 September 2025. The information request sought clarification and additional information on various matters:

- Rural Zone Code
 - Lighting
 - Dust nuisance
 - Servicing (water, waste water, firefighting water supply)
 - Groundwater management area
- Development Design Code
 - Vehicle access
 - Stormwater management
- Town Planning Report
 - Clarification of information indicated on the submitted site plan.

The applicant responded to the information request on 26 September 2025.

Comments, conditions and advice received during internal referral, and the applicant's response to the information request have been considered in the decision-making process and conditions of approval applied where applicable.

PUBLIC NOTIFICATION

The Notice of Compliance was received by Council on 13 November 2025. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The Notice of Compliance states the public notification included:

- Publishing a notice in the CQ Today on 18 October 2025;
- Placing a notice on the land from 16 October 2025 until 10 November 2025; and
- Notifying owners of all land adjoining the site on 17 October 2025

A site inspection on 22 October 2025 confirmed the required public notices were in place at that time.

Two (2) properly made submissions were received during the public notification period.

The submissions raised various concerns relating to potential impacts from the movement of heavy vehicles accessing the premises on an unformed service road and manoeuvring on an unpaved site resulting in dust, noise and other pollutant impacts on the productivity of adjacent farmland and dwellings. The safety of the proposed access to the Leichhardt Highway in proximity to the intersection with the Burnett Highway was also raised particularly as this location is a known black spot. Copies of the submissions can be made available on request.

The grounds of submission and Council's response are provided in the following table:

Grounds of Submission	Council Response
Nuisance – Noise, dust, and lighting	
The proposed development has the potential to generate noise, dust and light nuisance to adjoining properties from vehicle movements along the service road, on site during loading and unloading, idling trucks and equipment and headlights and lighting if operating at night.	This report recommends conditions be imposed to ensure compliance during construction and operation of the proposed Warehouse (Storage Yard) regarding managing potential impacts of noise, dust, other pollutants and lighting.
Hours of operation	
Introduction of a non-rural use into a rural area that involves frequent truck and equipment movement will negatively impact the amenity of the area.	<p>This report recommends conditions be imposed to limit the hours of operation to manage the potential impacts to adjoining dwellings and the locality in general.</p> <p>Limiting the hours of operation will also mitigate some concerns about site access safety from the Leichhardt Highway to the service road.</p>
Site access / safety	
<p>The development will generate a considerable increase in heavy vehicle traffic along the unconstructed/informal service road, which is not designed to accommodate high volumes of large truck movements. This raises safety concerns for local residents, pedestrians, and other road users.</p> <p>The access point also presents sight distance and turning issues that have not been adequately addressed in the application for what is already a well-known black spot.</p>	<p>Access to the site is via the Burnett Highway and Leichhardt Highway and an unformed service road in the road reserve of the Burnett Highway.</p> <p>These roads are State-controlled roads and as such Council has no jurisdiction to impose conditions regarding access design requirements.</p> <p>The application was referred to SARA as a concurrence referral agency and assessed against the State Development Assessment Provisions, State Code 1: Development in a State-controlled Road Environment. The SARA response imposes conditions that Council <u>must</u> include in an approval. The conditions proposed by SARA specify location and design requirements for heavy vehicle access, including upgrades to a portion of the service road.</p> <p>The access and upgrade works must be completed to the satisfaction of SARA (DTMR) prior to the commencement of the use.</p>
An inappropriate industrial use in the Rural Zone	
<p>The establishment of a large storage yard, with associated heavy vehicle movements, security fencing, lighting, and visual clutter, would substantially alter the existing character and amenity of the area.</p> <p>More suitable industrial land exists elsewhere within appropriately zoned areas that are better equipped and intended to accommodate such uses.</p>	<p>The proposed development is for a Warehouse (Storage Yard), which is a non-rural use. The Planning Scheme envisages that non-rural development may be supported where it can be demonstrated that the character, amenity and environmental values of the locality are not adversely affected, and any potential impacts are appropriately mitigated.</p> <p>This report recommends conditions be imposed requiring landscaped buffers to screen the proposed development, an Operational Works</p>

	application for the required earthworks and stormwater management, and limiting the hours of operation.
Stormwater management	
The proposed development will result in soil compaction, stormwater runoff, and potential contamination if buildings are stored on an unsealed surface. The application does not appear to include adequate stormwater management or erosion and sediment control measures.	<p>This report recommends conditions be imposed requiring an Operational Works application for the required earthworks to form the pad and internal roads/driveways.</p> <p>It is noted that the applicant has already unlawfully commenced development of the site by carrying out earthworks for the access and the storage pad area.</p>
Vegetation management / screening	
Stacks of relocatable buildings, fencing, lighting, and associated works will create an unattractive visual impact visible from surrounding properties and public roads. The absence of sufficient landscaping or screening measures will further degrade local amenity and scenic values.	This report recommends conditions be imposed requiring landscaped buffers to screen the proposed development from the adjoining dwellings and to mitigate the potential for dust and light nuisance and maintain visual amenity.

The submissions have been considered in this assessment and appropriate conditions addressing the concerns raised in the submissions have been incorporated in the recommended approval.

OTHER RELEVANT MATTERS

Section 45(5)(b) of the *Planning Act 2016* states that Impact assessment may be carried out against or have regard to any other relevant matter.

No matters have been identified as an 'other relevant matter' in accordance with section 45(5)(b) of the *Planning Act 2016* in this instance.

CONCLUSION

The proposed development has been assessed against all relevant matters, including the assessment benchmarks from the entire Planning Scheme (to the extent relevant), *State Planning Policy July 2017*, *Central Queensland Regional Plan* and the matters raised in the submissions.

The proposed development generally complies with the assessment benchmarks, is considered appropriate having regard to matters raised in the submissions and is considered acceptable subject to conditions. Accordingly, the proposed development is recommended to be approved subject to the conditions identified in Attachment 1.

DELEGATIONS / AUTHORISATIONS

The Chief Executive Officer of Banana Shire Council is delegated the power to issue a Decision Notice Approval pursuant to the relevant sections of the *Planning Act 2016*.

The Chief Executive Officer of Banana Shire Council delegated power to the Director Council Services, and Manager Development & Regulatory Services to act as an 'Assessment Manager' under the relevant sections of the *Planning Act 2016*, under which this application was processed, and under which the Decision Notice will be issued.

Under normal operating procedures, applications with submissions or involving policy sensitive matters (as determined by the Director Council Services) are considered by Council for determination.

Submissions were received for this application, therefore the application must be decided at a Council meeting.

COMMUNICATION

The applicant and submitters will be advised of Council's decision in accordance with the requirements of the *Planning Act 2016*.

CONSIDERATIONS

1. Corporate Plan
Ensure development aligns with community sentiment, through effective and efficient assessment, against the Planning Scheme, planning instruments, codes, and legislation.
2. Policy and Legal Implications
The recommendation to approve the development application subject to reasonable and relevant conditions is consistent with the relevant provisions of the *Planning Act 2016*. The applicant or a submitter to the application may appeal any decision by the Assessment Manager under the relevant provisions of the *Planning Act 2016*.
3. Financial and Resource Implications
There are no identified financial and resource implications.
4. Risk Assessment
This report makes a recommendation to approve the development application subject to reasonable and relevant conditions. The recommendation is based on the assessment of the proposed development against all applicable assessment matters including the assessment benchmarks, properly made submissions and other relevant matters.

It is noted that the proposal is acceptable and generally complies with relevant assessment benchmarks or can be conditioned to comply.

Attachment 1

Part A - Assessment Manager Conditions

Development Permit – Material Change of Use – Warehouse (Storage yard)

PLANNING

Approved development, plans, and documents

1. The development must be carried out generally in accordance with the Approved Plans and documents listed below, subject to the conditions of this Development Approval and any amendments listed below:

Plan/Document number	Plan/Document name	Date
15-24C – SK-01 – E No. E	Site Plan prepared by Andre Melville Building Design <ul style="list-style-type: none"> • As amended by Banana Shire Council on 9 December 2025 	8 September 2025 (Received by Banana Shire Council 26 September 2025)

Approved use

2. Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
3. This development approval is for a Material Change of Use for Warehouse (Storage Yard) for the storage of relocatable accommodation buildings only. Storage of other items, including any hazardous substances is prohibited.
4. This Development Approval does not imply or comprise an approval for any use or associated work other than that listed in Condition 3.
5. The approved development and all associated uses and activities including construction, storage and laydown activities must only occur on that portion of Lot 243 on D6741 identified as 'Proposed Zone of Laydown / Storage Area' on the approved Site Plan as amended by Banana Shire Council 9 December 2025. Development or associated uses and activities including construction and laydown activities must not occur outside of this area.
6. All goods, and materials stored within the outdoor storage area must not exceed a height of 5 metres above the finished ground level of the approved storage area at any point.

Carry out and maintain development

7. The applicant must comply with all conditions of this Development Approval prior to the commencement of the use, unless otherwise stated within this Decision Notice, and maintain compliance for the duration of the approved use.

Council approval of building and plumbing works

8. The applicant must obtain a development permit for any future building work and plumbing and drainage work associated with this approval prior to the commencement of any building, plumbing and drainage work.

WORKS

9. Prior to commencing any of the following construction activities the applicant/developer must obtain a development permit for Operational Works:
 - Internal road and hardstand works;
 - Earthworks;
 - Stormwater drainage;
 - Erosion and sediment control; and
 - Landscaping

Access

10. Written approval from the Department of Transport and Main Roads for the final design of the road works required by Condition 2 of the SARA response for the Leichhardt Highway must be provided to Council prior to the commencement of construction.
11. The service road must be sealed to a Rural Minor Access standard from the end of the seal required by Condition 2 of the SARA response to the shared boundary with Lot 276RN1601 to prevent dust nuisance and maintain trafficability to the neighbouring residence. This seal shall be maintained for the operational life of the development to Council's satisfaction at the developer's cost.
12. The remainder of the service road, as far as the site entry, shall be maintained to the developer's satisfaction and at the developer's cost, to prevent dust nuisance and maintain sediment generation compliance in accordance with Section 440ZG of the *Environmental Protection Act 1994*.
13. All vehicles must enter and exit the site in a forward gear.

Vehicle loading and unloading

14. Adequate space suitable to accommodate a 19m semi-trailer must be provided within the proposed fenced area of the site.

15. The loading and unloading of vehicles and trucks including construction material and equipment must be confined to Lot 243 on D6741. All loading and unloading of vehicles must occur onsite only and not within adjoining road reserves.

Stormwater drainage

16. Stormwater runoff must discharge to a legal point of discharge. A detailed Stormwater Management Plan (SWMP), including associated engineering drawings, must be submitted to Council for approval as part of the Operational Works application and must comply with the requirements of the Capricorn Municipal Development Guidelines. The SWMP must confirm whether the proposed development at natural surface involves the importation of new material and identify any potential impacts on stormwater drainage and overland flow, with any required mitigation measures addressed within the SWMP to the satisfaction of Council prior to commencement of construction.
17. All stormwater infrastructure must be designed and constructed, prior to the commencement of use, in accordance with the requirements of the Stormwater Management Plan.
18. All stormwaters being discharged from the site must meet the requirements of the Capricorn Municipal Development Guidelines and the Queensland Water Quality Guidelines 2009.
 - 18.1. Contaminated water must not be directly or indirectly released from the premises onto the ground or into the groundwater at the premises.
 - 18.2. Releases to stormwater must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible scum, litter or floating oil.

Erosion and Sediment Control

19. A detailed Erosion Control and Sediment Management Plan, and associated engineered drawings, must be provided to Council as part of the Operational Works application and in accordance with development guidelines. This Plan must comply with the Capricorn Municipal Development Guidelines.

Suitably Qualified Person

20. For the purposes of Conditions 14 and 16 the required documents and plans must be prepared and certified by a Registered Professional Engineer of Queensland – Civil (RPEQ).

Servicing

- 21.** The development must be provided with a water storage reservoir having a minimum 10,000 litres of water for emergency firefighting purposes. Such storage must be provided within the area identified as 'Proposed Zone of Laydown / Storage Area' on the approved Site Plan as amended in red by Banana Shire Council on 9 December 2025.
- 22.** A hard stand area must be provided within 6 metres of the water storage reservoir to ensure accessibility for fire fighting vehicles.

ENVIRONMENT AND AMENITY

Landscaping

- 23.** Landscaped buffers are to be provided as follows:
 - 23.1** A minimum of 5 metres wide and for a length of 100 metres immediately adjacent to and outside of the western alignment of the identified fenced area as shown on the approved Site Plan, as amended in red by Banana Shire Council on 9 December 2025.
 - 23.2** A minimum of 3 metres wide and for the full length immediately adjacent to and outside of the southern alignment of the identified fenced area as shown on the approved Site Plan, as amended by Banana Shire Council 9 December 2025.
 - 23.3** Selected species must include a mixture of plants capable of providing ground cover and forming a mid-storey and an over-storey reaching a minimum mature height of 5 metres.
- 24.** Detailed plans of the planting (including species) and maintenance schedule for the required landscape buffers must be prepared by a suitably qualified person and submitted to Council for endorsement prior to commencement of construction of the approved use.
- 25.** For the purpose of this condition a suitably qualified person is considered to be a Registered Landscape Architect or Landscape Designer with a minimum of 3 years experience in the field of landscape design.
- 26.** The required landscape buffers are to be planted and established prior to commencement of the approved use and maintained by the applicant/developer while the approved use is occurring.

Environmental nuisance

- 27. Construction and operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise, dust or odour.
- 28. No incineration or open burning shall be carried out on site.
- 29. When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance, as determined by Council, caused by noise, light, dust or odour. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

Lighting

- 30. Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with Australian Standard *AS4282 Control of the obtrusive effects of outdoor lighting*.

Hours of operation

- 31. All vehicle and equipment movements (including loading and unloading) associated with the approved use must not occur outside the hours of 7AM to 6PM Monday to Saturday and not at all on Sundays and Public Holidays.

Biosecurity Plan

- 32. The applicant/developer must prepare and submit for Council endorsement, prior to the commencement of use, a Biosecurity Plan to address potential biosecurity impacts from moving the relocatable buildings to and from the premises.

Rehabilitation of site

- 33. Upon the cessation of the approved use, the site must be rehabilitated to ensure that the site can be used for an agricultural use.

Fencing

- 34. Perimeter and security fencing is to be in the form of chain-wire mesh fencing. To maintain rural amenity, colorbond-type fencing is not permitted.

END OF CONDITIONS

Attachment 1

Part B - Assessment Manager Notes

- A. The conditions of this Development Approval require submission of plans to Council for endorsement.

Please address the plans for endorsement to Council's Development and Regulatory Services branch with the Reference No. MCU003-25/26, and send to enquiries@banana.qld.gov.au

- B. The approved development must also comply with Council's current Local Laws under the *Local Government Act 2009*.
- C. Failure to ensure ongoing compliance with the conditions of this Development Approval including conditions relating to the ongoing use of the premise, and the design and layout of the development may constitute an offence under the *Planning Act 2016*.
- D. The applicant is responsible for ensuring Queensland Fire Services requirements are met with respect to this development which may include but not be limited to the installation/upgrade of holding tanks or pumps as necessary to meet flow and pressure requirements.
- E. Where further development is proposed it is the applicant's/developer's responsibility to ensure further approvals are obtained as required by the *Banana Planning Scheme 2021*.
- F. Pursuant to section 75 of the *Local Government Act 2009*, Council's written approval is required to carry out works on a road or interfere with a road or its operation. This requirement applies to all Council-controlled roads within its local government area. The process for obtaining approval is set out in Council's *Local Law No. 1 (Administration) 2011*. Approval must be obtained prior to the commencement of the works.

General Environmental Duty

- G. The *Environmental Protection Act 1994* lists obligations and duties to prevent environmental harm, nuisances and contamination. Two primary duties apply to everyone in Queensland:
- **general environmental duty** – which means a person must not carry out any activity that causes or is likely to cause environmental harm, unless measures to prevent or minimise the harm have been taken; and
 - **duty to notify of environmental harm** – which means you must inform the administering authority and landowner or occupier when an incident has occurred that may have caused or threatens serious or material environmental harm.

Environmental Nuisance

- H.** It is an offence under section 440 of the *Environmental Protection Act 1994* to cause environmental nuisance to adjacent premises or other property during construction work. Environmental nuisance includes unreasonable interference caused by noise, dust, fumes, odour, smoke, aerosols, particles or light.
- I.** It is the developer's responsibility to ensure compliance with the *Environmental Protection Act 1994*, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays and Public Holidays.

Mosquito breeding

- J.** Under the *Public Health Regulation 2018*, the site is required to be appropriately drained, and equipment appropriately maintained so that water is not allowed to accumulate or pond in a manner that may allow mosquito breeding.

Water

- K.** It is an offence under section 440ZG of the *Environmental Protection Act 1994* to discharge sand, silt, mud and other prescribed water contaminants to a stormwater drain, roadside gutter or a watercourse.

END OF NOTES



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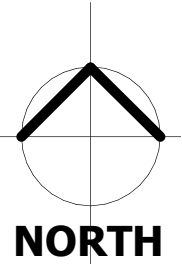
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Banana Shire Council - Agenda of Special Meeting - 17 December 2025

0 100 metres

Scale 1 : 2,415 (A4 Original Size)
Transverse Mercator projection, GDA94, MGA Zone 56





SITE INFO

LOT 243 ON D6741
SITE AREA 73350m²
BUILDING TOTAL AREA 0m²
TOTAL SITE COVER 0%

VACANT LAND

Landscape buffers to be established in accordance with Condition 23.

PROPOSED ZONE OF LAY DOWN/ STORAGE AREA 40,000m² approx.

SPEED REDUCTION FROM 100 TO 60kph SIGN LOCATION

ADJOINING RESIDENCE

New fence denoted by blue dotted line

VACANT LAND

SPEED REDUCTION FROM 100 TO 60kph SIGN LOCATION

EXISTING UNFORMED ROAD

EXISTING POWER POLE LOCATION

PROPOSED NEW SITE ENTRY

6m wide Rural type access

LEICHARDT HIGHWAY

BURNETT HIGHWAY

Bert Peacock Park

CP-SITE PLAN
1 : 2000@A3

Site Plan amended by Banana Shire Council
9 December 2025

NOT FOR CONSTRUCTION

NOTE:
- VERIFY ALL DIMENSIONS ON SITE
- NOTED DIMENSIONS TAKE PRESEDENT OVER SCALED DIMENSIONS
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PROJECT : PROPOSED NEW LAY DOWN/ STORAGE AREA
CLIENT : QANTAC
LOCATION: LOT 243 ON D6741, BURNETT HIGHWAY, DUNDULU, QLD 4702

QANTAC PTY LTD

QBCC No. 1222804
ABN No. 37 155 932 675

ANDRE MELVILLE BUILDING DESIGN & DRAFTING SERVICES
P.O BOX 8, LABRADOR, QLD 4814
Ph: 0498 001 535
E-MAIL: admin@ambd.com.au
www.ambd.com.au

ENDORSED
Sustainable Building Designer
Townsville - Brisbane - Goldcoast

No.	Description	Date	DESIGNED	AM	SITE PLAN
A	CLIENT ISSUE	25/08/25	DRAWN	AM	1524 of 63 20 of 63 - E
B	REVISED CLIENT ISSUE	26/08/25	DATE	NOV 2016	
C	REVISED CLIENT ISSUE - SECOND ENTRY OPTION	29/08/25	SCALE	A3 As indicated	
D	REVISED CLIENT ISSUE - NEW LAY DOWN YARD AREA AND PROPOSED FENCE	05/09/25	ISSUED	08/09/25	
E	REVISED CLIENT ISSUE	08/09/25			

Banana Shire Planning Scheme 2021

5.10.2 Rural Zone Code

5.10.2.1 Application

(1) This code applies to development where the code is identified as applicable in the Categories of Assessment Table. When using this code, reference should be made to Section 1.5.2 and, where applicable, Section 1.6.1.

5.10.2.2 Purpose

(1) The purpose of the Rural Zone Code is to:

- (a) provide for rural uses and activities; and
- (b) provide for other uses and activities that are compatible with:
 - (i) existing and future rural uses and activities; and
 - (ii) the character and environmental features of the Zone; and
- (c) maintain the capacity of rural land for rural uses and activities by protecting and managing significant natural resources and processes;

(2) The purpose of the Code will be achieved through the following overall outcomes:

- (a) intensive animal industries minimise or avoid adverse impacts on surrounding land uses;
- (b) development is sensitive and responsive to the rural character and scenic amenity and maintains vegetation cover in significant areas;
- (c) development, having regard to its location and design, protects people and premises from natural hazards and contamination;
- (d) extractive industries and associated processing occur in a way that significant environmental impacts are contained within the site and provides for the effective site rehabilitation;
- (e) development adjacent to an extractive resource or transport route permits the efficient extraction of the entire resource, the safe and efficient transport of materials to and from the site and provides effective and on-going separation of extractive industry activity from any sensitive uses;
- (f) non-resident workforce accommodation is incompatible with the purpose of the Rural Zone and are located in a more suitable zone;
- (g) tourism uses only locate where they have a nexus with the surrounding rural activities or places with high environmental values;
- (h) infrastructure is provided at a standard normally expected in rural locations and is allowed to operate safely and efficiently without interference by incompatible uses or works;
- (i) development is separated from existing and potential industry land uses located in rural areas including established uses identified in the Special Industry Zone;
- (j) and where affected by an overlay for:
 - (i) agricultural land:
 - (A) the productive viability of agricultural land is not reduced due to the intrusion of incompatible land uses or unnecessary fragmentation or alienation;
 - (B) development is compatible with the viability, integrity, operation and maintenance of the stock route network;
 - (ii) biodiversity:
 - (A) adverse impacts on ecological features and processes are avoided or minimised through the location, design and management of development and activities;
 - (B) development retains the biodiversity and ecological connectivity functions of natural features such as waterways, wetlands and bushland;
 - (C) areas of significant ecological and environmental value are protected from the intrusive impacts of adjacent development;
 - (D) development includes effectual biosecurity management practices;
 - (iii) bushfire or flood risk:
 - (A) the use and works support and do not unduly burden disaster management response or recovery activities, providing for access for evacuation resources and efficient evacuation of sites during emergency events;
 - (B) development minimises the exposure of people or property to unacceptable risk from exposure to natural hazards and environmental constraints affecting the land through consideration of location, siting, design, construction and operation;
 - (C) development that intensifies occupancy of a site in Theodore responds to the elevated flood risk hazard by ensuring that emergency management plans allow appropriate responses to emergency measures having consideration to the numbers and capabilities of existing and future users of the development;
 - (D) works do not contribute to an increase in the severity of natural hazard events and are designed, located and operated to minimise risk to people and damage to property, disruption to development function and re-establishment time following an event;
 - (E) development involving the manufacture or storage in bulk of hazardous materials does not adversely impact on public safety or the environment;
 - (F) works retain the natural processes and protective function of landforms and vegetation in natural hazard areas;
 - (iv) extractive or mining resources:
 - (A) the establishment, continuation and productivity of mining tenements and designated Key Resource Areas is facilitated and protected from irreversible alienation;
 - (B) uses and works for extractive industry are located, designed and managed to contain significant environmental impacts within the site, maintain safety on and off the site, avoid significant adverse effects on the natural environment and minimise impacts on existing incompatible uses in the surrounding area;
 - (C) development for mining tenements or extractive resources provides access from transport infrastructure of a standard suitable to the volume and weight of traffic generated by the development;

- (D) existing or future development of mining tenements and within designated Key Resource Areas and their identified transport routes is not prejudiced by the intrusion of incompatible uses;
- (E) land used for extractive industry is effectively rehabilitated on cessation of extraction activities, so the environmental, social and economic value of the land is restored;
- (v) heritage:
 - (A) the cultural heritage values, the context and setting of a heritage place are conserved and (where feasible) enhanced;
 - (B) development on a heritage place facilitates the appropriate use (including adaptive reuse) of the place;
 - (C) demolition of identified buildings and structures only occurs where there is no prudent and feasible alternative to the demolition or removal;
 - (D) development adjoining a heritage place is sympathetic to the cultural heritage significance of that place and does not have an adverse impact in terms of visibility, public accessibility or physical change;
- (vi) historical subdivisions:
 - (A) land included in the Historic Subdivisions Overlay remains undeveloped for non-rural purposes where it is unable to access a reasonable level of service without direct intervention from Council;
- (vii) infrastructure:
 - (A) the viability of essential community infrastructure is protected by requiring onsite buffering and separation of new development on adjoining sites that could limit the on-going operation of existing infrastructure;
 - (B) an appropriate level of amenity is maintained for development in the vicinity of identified infrastructure;
 - (C) the interaction between transport infrastructure and sensitive land uses is managed to maintain the efficiency of the transport network and to protect community health and amenity;
- (viii) water resources:
 - (A) water supply catchments are protected from activities that may endanger the quality of drinking water supplies and the groundwater management areas;
 - (B) development does not adversely impact on the recharge capacity of the groundwater management areas;
- (k) for land in the Muirs Road Precinct:
 - (i) development does not result in an increase to unacceptable risk to people or property as a result of exposure to flood hazard associated with Callide Dam water releases;

5.10.2.2 Requirements for accepted development or assessment benchmarks

Table 5.10.3 For accepted development		
Performance Outcomes	Applicant's response	Council's comment – Council use only
General		
Built form		
PO1 Development maintains the rural character of the locality. and	Not applicable <i>No buildings or structures are proposed.</i>	Complies PO1 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve the permanent placement of any buildings or structures. The transportable/relocatable buildings to be stored on the site are not considered to contribute to the 'built form' of the development as they are goods being stored. It is noted the applicant has setback the proposed storage area from all adjacent property boundaries to mitigate the visual impact when viewed from private and public lands. It is recommended that conditions be applied to limit the height of goods stored on the site by not allowing stacking above a single storey/level, i.e. approx. 5m.
PO2 Vegetation clearing is limited to the immediate development area, vehicle accesses and maintenance trails.		Complies PO2 The proposed development is for Warehouse (Storage yard) within the Rural Zone. It is noted that the site is cleared of all vegetation and construction of the hard stand area and access from the service road has commenced unlawfully. This is subject to a compliance investigation.

		<p>While earthworks have occurred without approval, it is recommended that landscape buffers be established along the western and southern fence lines as proposed.</p> <p>These landscaped buffers will facilitate replacement of the lost vegetation and act as buffers to the adjoining dwellings, provide visual relief from the development when viewed from a public place and assist in stormwater management.</p>
Amenity		
PO3 Light spill from the premises does not create a nuisance outside the site. and	<p>Complies <i>The proposal does not involve outdoor lighting. The outdoor storage of accommodation units will not impact air quality or create noise above levels set out in the Environmental Protection policies.</i></p> <p>Information request response <i>PO3 No outdoor lighting or security lighting is proposed. All removal and storage will be carried out during business hours and therefore lighting is not required.</i></p> <p><i>PO4 Truck movements and forklift movements will be infrequent and only required when buildings are either transported to the site or removed from the site. All buildings will be stored on rails (please see below images) and placed around the boundary of the fenced area to provide a further buffer to ensure dust is not emitted to surrounding properties. Vehicle manoeuvring areas and forklift movement areas will be of a gravel surface to limit dust emissions.</i></p> <p><i>PO5 Truck movements and forklift movements will be infrequent and only required when buildings are either transported to the site or removed from the site. All removal and storage works will be carried out between 7am – 6pm to avoid impacting adjoining uses.</i></p>	<p>Complies PO3 This response to PO3, PO4 and PO5 contains no detail to demonstrate the applicant’s claim of compliance. An information request was issued on 23 September 2025 seeking further detail.</p> <p>Information request response To ensure compliance it is recommended that conditions be imposed limiting the hours of operation as per the applicant’s response.</p> <p>This will facilitate mitigation of potential impacts on the adjoining dwellings from noise impacts occurring during the evening or early morning and a low likelihood of causing a light nuisance because of head lights.</p>
PO4 The air quality objectives of the <i>Environmental Protection (Air) Policy 2019</i> are maintained for the ongoing operation of the use. and		<p>Complies PO4 > PO5 This response to PO4 and PO5 contains no detail to demonstrate the applicant’s claim of compliance. An information request was issued on 23 September 2025 seeking further detail.</p> <p>Information request response Conditions will be imposed addressing hours of operation, landscaping, stormwater management and dust suppression which will facilitate compliance with the <i>Environmental Protection (Air) Policy 2019</i> and <i>Environmental Protection (Noise) Policy 2019</i>.</p>
PO5 The acoustic objectives of the <i>Environmental Protection (Noise) Policy 2019</i> are maintained for the ongoing operation of the use.		
Servicing		
PO6 Development has access to water supply, including fire-fighting, and approved wastewater disposal to a standard that meets the demonstrated demand of the proposed use.	<p>Complies <i>The proposal does not require potable water or wastewater services as the use is unmanned.</i></p> <p><i>Access to the site will be via a service road.</i></p> <p>Information request response No staff will be stationed at the site. The only personal that will be present onsite sporadically are truck drivers who deliver and remove the buildings. Each truck is provided with its own facilities and truck drivers can use nearby establishments and facilities where needed.</p> <p>A 5,000 litre water tank fitted with firefighting fittings can be provided onsite.</p>	<p>Complies PO6 The response to PO6 was not clear on what the actual staffing/operational arrangements would be and the frequency of attendance at the site. An information request was issued on 23 September 2025.</p> <p>Information request response The site is not located within a water supply area. Considering the applicant’s claim that the site will only be attended during loading and unloading it is agreed the requirement for staff facilities is not warranted. The proposed development does not involve any other use or activity that would require water and or a wastewater disposal system.</p> <p>It is recommended that the firefighting water storage for the site be conditioned to a minimum of 10,000 litres. This is the absolute minimum recommended as a supplementary source for this type of land use without access to reticulated water. This will be used as an emergency “initial attack” reserve allowing on-site crews or a small pump to operate briefly and maybe control a very small/incipient fire until the brigade arrives or a larger supply is established.</p>

		It is noted that 10,000 litres of firefighting water supply is not only used to suppress a fire on site but also to defend the site from fires occurring off site.
Site suitability		
PO7 Development is not exposed to risk from natural hazard relating to landslide. and	Complies with Performance Outcomes The site is not susceptible to landslide and is not on the CLR or EMR.	Complies PO7 > PO8 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development on land or adjacent to land susceptible to land slide hazard or listed on the Contaminated Land Register or Environmental Management Register.
PO8 Development of sites on the Contaminated Land Register or Environmental Management Register do not expose sensitive land uses to any health risks associated with the previous or current use of the land.		
Separation distances		
PO9 New sensitive land uses are separated from agricultural production uses and activities so that they: (a) do not result in any loss of agricultural productivity in the Rural Zone; (b) are not exposed to impacts associated with chemical spray drift, noise, dust, odours, or other emissions; and (c) do not represent a biosecurity risk to agriculture; and	Not Applicable The proposal is not a sensitive land use.	Not applicable PO9 > PO10 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of a sensitive land use.
PO10 The siting of new sensitive uses protects the ongoing operation of special or extractive industries operating in the Rural or Special Industry Zones and any associated transport routes.		
Contamination		
PO11 Development prevents the introduction to or departure from the site of species identified as invasive biosecurity matters. and	Not Applicable The proposal does not include potentially contaminating substances. No dangerous goods are required for the operation of the use, nor will they be stored on site. Information request response A Biosecurity Plan has not yet been prepared; however it is the intention to do so. It is requested that Council impose a condition requiring the preparation of a Biosecurity Plan prior to the commencement of the use.	Complies PO11 The proposed development is for Warehouse (Storage yard) within the Rural Zone and involves the movement of vehicles and transportable/relocatable buildings to and from various locations within the region. This poses a potential biosecurity risk. An information request was issued on 23 September 2025 seeking additional detail. Information request response The response to the information request does not address the immediate biosecurity risk. It is recommended that a condition be imposed requiring the biosecurity plan be prepared and submitted to Council for endorsement within 30 business days from the date of issue of a Decision Notice for approval and prior to commencement of construction.
PO12 Areas where potentially contaminating substances are stored or used are covered and bunded. and		Complies PO12 > PO14 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve the use, storge or handling of potentially contaminating substances nor uses or activities likely to generate liquid or solid wastes.
PO13 Provision is made for spills to be controlled on-site for removal and disposal by an approved means. and		It is recommended that conditions imposed limiting the storage to only relocatable buildings and that the storage of any other items including any hazardous substances be expressly prohibited.
PO14		

Liquid or solid wastes are not discharged directly to land or waters		
Specific uses		
Residential uses (other than a dwelling house)		
PO15 Residential development has a direct connection with and does not compromise the operational integrity of the rural use of the land. and	Not Applicable <i>The proposal is for outdoor storage and landscaping is not required.</i>	Not applicable PO15 > PO19 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of a residential use.
PO16 Residential development retains the rural amenity and character of the area. and		
PO17 Home-based businesses support the economic viability of existing lawful commercial and industrial uses in the Centre, Industry, Mixed Use and Township zones. and		
PO18 Development for a rural dwelling does not create any additional traffic hazard potential or exacerbate any existing traffic hazard. and		
PO19 Development for a rural dwelling establishes adequate residential privacy and amenity and maintains the rural character of the area.		
Extractive industry		
PO20 Extractive industry operations: (a) do not increase the potential for landslip; (b) restrict vegetation clearing to the nominated extraction area; (c) are located outside natural drainage features, except where extracting sand or other riverine materials; (d) avoid impacts on groundwater recharge and discharge areas; (e) design internal movement areas to: (f) divert stormwater runoff away from disturbed areas and provide sediment basins and other runoff controls; (g) manage discharge from washing plants, maintenance and cleaning areas to allow holding and treatment prior to release to settlement ponds; (h) harvest water for re-use on-site; (i) dispose of sewage, oil, grease and solvents to an approved disposal system; and	Not Applicable <i>The proposal is for outdoor storage and landscaping is not required.</i>	Not applicable PO20 > PO26 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of an Extractive industry.
PO21 Operation of the use has no negative visual or acoustic impact on existing sensitive land uses within 1km of the site. and		
PO22		

<p>Blasting, crushing, screening, and loading activities do not create a public safety risk or disturb the early morning, late evening, or public holiday amenity of the locality.</p> <p>and</p> <p>PO23</p> <p>Extractive industries are designed, implemented, and operated to promote the efficient extraction of economic resources in a responsible manner through an approved site-based management plan that includes, but is not limited to:</p> <ul style="list-style-type: none">(a) a description of the nature, location and extent of the resource, site access and proposed internal roads, stockpiling areas, water detention/treatment areas and the location of other services and infrastructure;(b) details of any proposed staging, geological and geotechnical information, the amount of material to be extracted (both total and annual tonnage), method of extraction and on-site processing and transportation method and frequency of trips;(c) amenity impacts and method of amelioration, including noise, hours of operation, lighting and landscaping;(d) processes for monitoring the environmental impacts on water quality objectives, management of waste water, overland flows and stormwater controls, vegetation clearing and weed management;(e) assessment of risks and hazards;(f) rehabilitation plans; <p>and</p>		
<p>PO24</p> <p>The transportation of materials from the site utilises, or provides access to, a transport route that is constructed and maintained to a standard capable of carrying heavy vehicles.</p> <p>and</p>		
<p>PO25</p> <p>Site access provides a safe vehicle operating environment on the adjoining road.</p> <p>and</p>		
<p>PO26</p> <p>The design, operation and staging of the extractive industry incorporate a plan for the progressive rehabilitation of the site to provide for the optimal future land use and form following cessation of the extraction operations.</p>		
<p>Intensive animal industry</p>		
<p>PO27</p> <p>Intensive animal industries are located and designed:</p> <ul style="list-style-type: none">(a) to protect the amenity and environmental impacts on the surrounding area;(b) with effective separation of emissions generating activities from site boundaries, public roads, sensitive land uses, water courses, drainage lines, supply catchments, wells and bores and other natural features;	<p>Not Applicable</p> <p><i>The proposal is for outdoor storage and landscaping is not required.</i></p>	<p>Not applicable PO27 > PO31</p> <p>The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of an Intensive animal industry.</p>

<div>(c) to achieve sustainable stocking rates that contribute to animal welfare and minimisation of land degradation and other impacts;</div> <div>(d) with effective bio-security and disease risk management practices;</div> <div>(e) allow for regular maintenance and cleaning;</div> <div>(f) maintain a sustainable portion of the land for other ongoing agricultural production and associated activities;</div> <div>and</div>		
<div>PO28</div> <div>Intensive animal industries are:</div> <div>(a) located on slopes that facilitate ventilation and environmental management;</div> <div>(b) free of weeds, pest animals, disease or significant land degradation;</div> <div>(c) supplied with a reliable, good quality water supply;</div> <div>(d) utilise, or provide access to, a transport route that is constructed and maintained to a standard capable of carrying heavy vehicles;</div> <div>(e) serviced by site access that provides a safe vehicle operating environment on the adjoining road;</div> <div>and</div>		
<div>PO29</div> <div>Intensive animal industries are located within areas of the site which are of the lowest agricultural quality.</div> <div>and</div>		
<div>PO30</div> <div>On farm processing facilities have no negative impact on existing sensitive land uses within 500m of the site.</div> <div>and</div>		
<div>PO31</div> <div>Following cessation of the intensive animal industry:</div> <div>(a) all disused buildings, enclosures and infrastructure are removed from the site;</div> <div>(b) all waste is removed from the land or recycled onsite;</div> <div>(c) effluent ponds are filled or rehabilitated to provide water quality of a standard that can support aquatic vertebrates and invertebrates;</div> <div>(d) contaminated soil is remediated or removed from the land;</div>		
Renewable energy facility		
<div>PO32</div> <div>The proposal demonstrates that the capacity of the electricity infrastructure network is sufficient to accommodate the design electricity output to be generated by the facility.</div> <div>and</div>	Not Applicable <i>The proposal is for outdoor storage and landscaping is not required.</i>	Not applicable PO32 > PO38 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of a Renewable energy facility.
<div>PO33</div> <div>The development is designed to include provision for the location of a battery storage component, either as part of the current proposal or in the future.</div> <div>and</div>		

PO34 Renewable energy facilities do not create a glare nuisance potential above the Low Potential for After-Image category for a sensitive land use or transport operations external to the site. and		
PO35 Operations do not disturb the early morning or late evening amenity of the locality. and		
PO36 Renewable energy facilities: (a) restrict vegetation clearing to the nominated operation area; (b) design internal movement areas to: (i) avoid running parallel to waterways; (ii) cross waterways by bridging at right angles; (iii) drain tracks using erosion resistant table and cross drains; (iv) incorporate dust-suppression techniques; (c) divert stormwater runoff away from disturbed areas; and		
PO37 Following cessation of the renewable energy facility, all associated infrastructure is removed, the disturbed area of land is revegetated, and the land is returned to agricultural use. and		
PO38 Rehabilitation of the site does not result in any increase in waste being deposited at a Council landfill facility.		
Permanent plantations		
PO39 Permanent plantations do not result in any loss of agricultural productivity.	Not Applicable <i>The proposal is for outdoor storage and landscaping is not required.</i>	Not applicable PO39 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of a Permanent plantation.
For development affected by one or more overlays		
Agricultural land		
PO40 An agricultural sustainability report prepared by a qualified agronomist demonstrates that: (a) the proposed development sustains or improves the productivity and viability of agricultural land identified on Overlay Map OM-01; and (b) the proposed development is financially viable, requiring a viability assessment that includes capital costs, operational costs, sustainable yields to support a family, climate, soils, and geological factors affecting crop growth, nutrients, salinity, topography, susceptibility to flooding and erosion and an assessment of market robustness (both recent and projected) and alternative practices in the event of failure. and	Complies with Performance Outcome <i>The proposal is not for a rural use of activity, and it is noted that the site is mapped as Agricultural Land Classification – Class A and B.</i> <i>The site is a relatively small parcel for a rural site which lends itself to not being a viable parcel of land for agricultural activities. The surrounding rural activities are predominantly low scale grazing uses. The proposed use will be carried out on the natural surface to ensure agricultural land is not alienated and that if the use ceases a rural activity could proceed if desired.</i> <i>The site has limited environmental, or character features widely seen in the Rural zone. The site is not identified as being subject to the biodiversity overlay and the site is completely cleared.</i>	Complies PO40 The proposed development is for Warehouse (Storage yard) within the Rural Zone and is identified as Agricultural Land on Agricultural Land Overlay Maps OM-0101 – OM-0104. The applicant claims that the use will be carried out on the ‘ <i>natural surface</i> ’ is incorrect. The proposed use involves the formation of a 40,000m ² storage pad which requires significant earthworks to level, fill, grade and compact the area to make it stable and suitable for storage and vehicle movement. The natural fall of the land will need to be and has been significantly modified. It is noted that the applicant commenced these earthworks in November 2025 unlawfully without the required Material Change of Use or Operational Works approvals. This matter is subject to a compliance investigation.

	<p><i>The use involves outdoor storage that will not cause amenity impacts to existing or future rural uses. Also existing rural activities are unlikely to cause reverse amenity impacts as the site is unmanned.</i></p> <p><i>Access to the site and the fencing proposed will not impact the operation of the stock route.</i></p>	<p>Once constructed and in use the probability of the site having any viable agricultural value is unlikely. It is recommended that conditions be imposed that limit the impacts of the proposed development to adjacent and surrounding agricultural lands. These conditions will address such matters as:</p> <ul style="list-style-type: none"> • vegetation; • stormwater management; • erosion and sediment control; • hours of operation; and • earthworks
<p>PO41 Development for non-agricultural purposes does not constrain agricultural land being used for production of broadacre or horticultural crops on land identified on Overlay Map OM-01. and</p>		<p>Complies PO42 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not have a specific locational requirement to be situated on agricultural land. The proposed development is not associated with rural/agricultural production.</p> <p>The site has been chosen due its highway access providing a somewhat suitable location with which to store and distribute the applicant's product service in the Banana Shire region.</p> <p>It is recommended that conditions be imposed that limit the impacts of the proposed development to adjacent and surrounding agricultural lands. These conditions will address such matters as:</p> <ul style="list-style-type: none"> • vegetation; • stormwater management; • erosion and sediment control; • hours of operation; and • earthworks • rehabilitation post use to reinstate agricultural capacity
<p>PO42 Uses and works that do not have a specific locational requirement to be situated on agricultural land do not cause adverse impacts on such areas. and</p>		
<p>PO43 Development maintains the operational efficiency and ongoing integrity and function of stock routes.</p>		<p>Complies PO43 The development site is immediately adjacent to an identified stock route (Burnett Highway). It is considered that the proposed development will not impact upon the function of the stock routes in this locality.</p> <p>Traffic movements will be low frequency, during daylight hours, and slow moving. Furthermore, the site will be securely fenced to ensure livestock cannot enter the site.</p>
<p>For reconfiguring a lot only PO44 Lot reconfigurations maintain the opportunity for agricultural production on agricultural land. and</p>		<p>Not applicable PO44 > PO46 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve or require reconfiguring of lot.</p>
<p>PO45 Subdivision: (a) results in a more productive use and management of agricultural land for agricultural use; (b) does not lead to increased fragmentation of agricultural land; (c) does not increase the potential conflict between agricultural and non-agricultural land uses;</p>		

(d) does not result in any loss of flexibility in the way landholdings are used for agricultural production or		
PO46 Boundary realignment: (a) results in consolidation of agricultural land and maximisation of agricultural utility of the site (b) provides improved land management; (c) does not give rise to, or worsen, land use conflicts between agricultural and incompatible land uses		
Biodiversity		
PO47 Development avoids land containing matters of environmental significance or provides protection for the values associated with those areas. and	Not Applicable <i>The proposal is not mapped within this overlay.</i>	Not applicable PO47 > PO51 The proposed development is for Warehouse (Storage yard) within the Rural Zone and is not identified as containing an area of regulated vegetation as identified on Biodiversity Overlay Maps OM-020 – OM-0204.
PO48 Development establishes and maintains effective buffers to significant vegetation and wildlife habitat. and		
PO49 Development protects ecological linkages between potential habitat areas to facilitate unimpeded, safe, and effective movement of fauna. and		
PO50 Development retains, maintains, and enhances the environmental and biodiversity values, hydrological characteristics, water quality objectives, habitat and visual amenity values of watercourses and wetlands. and		
PO51 The development prevents the incursion or spread of species identified as invasive biosecurity matters.		
Bushfire risk		
PO52 Development avoids any areas mapped on Overlay Maps OM 0301 - OM-0304 as a Bushfire Prone Area, does not increase the extent or severity of bushfire or exposure to the identified risk, taking into consideration: (a) vegetation type; (b) slope; (c) aspect; (d) bushfire history; (e) ecological values of the site; (f) ongoing maintenance; and (g) on-site and off-site fire hazard implications; and	Not Applicable <i>The proposal is not mapped within this overlay.</i>	Not applicable PO52 > PO59 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development or use of land identified by Bushfire Hazard Overlay Maps OM-0301 - OM-0304 within a bushfire hazard area.
PO53 Essential community infrastructure in any area mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area is		

able to function effectively during and immediately after bushfire events. and		
PO54 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk. and		
PO55 Adequate water storage is provided for firefighting purposes that is safely located, accessible at all times and fitted with the standard rural fire brigade fittings. and		
PO56 Bushfire hazard mitigation avoids impacts on matters of environmental significance such as fragmentation, habitat loss and edge effects.		
For reconfiguring a lot by subdivision only PO57 Subdivision design incorporates a perimeter road that: (a) is located between the boundary of the proposed lots and the bushfire hazard area; (b) has a minimum cleared width of 20m and a constructed minimum road width of 6m; (c) has a maximum gradient of 12.5%; (d) is constructed to an all-weather standard and ensures any culverts and bridges have a minimum load bearing of 15 tonnes; and		
PO58 Fire trails are provided to: (a) mitigate against bushfire hazard; (b) enable access for fire fighters, residents, and equipment; and (c) allow access for hazard reduction management programs; and		
PO59 Development does not create additional lots in any areas mapped on Overlay Maps OM-0301 - OM-0304 as a Bushfire Prone Area.		
Extractive and mining resources		
PO60 The long term availability of the extractive or mining resource for extraction or processing is maintained. and	Not Applicable <i>The proposal is not mapped within this overlay.</i>	Not applicable PO60 > PO64 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development or use of land identified by Extractive Mining Resources Overlay Maps OM-0901 - OM-0904.
PO61 Development does not increase the number of people living in the separation areas for the Key Resource Areas identified on Overlay Map OM-09. and		

<p>PO62 Extractive industry development maintains the function and integrity of the Key Resource Areas separation areas as an efficient and effective buffer between extractive/processing operations and incompatible uses beyond the separation area. and</p>		
<p>PO63 Development does not adversely affect the safe and efficient operation of vehicles transporting extractive materials along identified transport routes. and</p>		
<p>PO64 Development in the vicinity of mining tenements:</p> <ul style="list-style-type: none">(a) does not compromise the utilisation of mining resources and transport routes or access routes to the mining resources;(b) does not adversely affect the safe and efficient operation of the mining related activities;(c) is sited, designed or of a nature that ensures that the use is not sensitive to the potential impacts of mining related activities such as noise and dust emissions; and(d) makes provision for adequate buffers between the mining resources and new development.		
Flood risk		
<p>For development in the Muirs Road Precinct PO65 Development only includes:</p> <ul style="list-style-type: none">(a) animal husbandry if for grazing on open pasture; or(b) cropping; or(c) permanent plantation; <p>and</p>	<p>Not Applicable <i>The proposal is not mapped within this overlay.</i></p>	<p>Not applicable PO65 > PO66 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development or use of land within the Muirs Road Precinct.</p>
<p>PO66 Building work or extensions to existing buildings are:</p> <ul style="list-style-type: none">(a) small scale; and(b) (b) not for habitable use or occupation by people or animals; <p>Editor’s Note: Buildings should not be used for storage of expensive equipment or livestock that would be subject to risk in the event of a flood.</p>		
<p>Elsewhere PO67 Development does not result in any increase in exposure to flood risk for all flood events up to and including the defined flood event. and</p>		<p>Not applicable PO67 > PO70 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve uses or activities increasing the exposure to flood risk of people or property on land identified on Flood Hazard Area Overlay Maps OM-0401 - OM-0404.</p>
<p>PO68 Siting and layout provides safe pedestrian and vehicular access and egress for all flood events up to and including the defined flood event. and</p>		
<p>PO69</p>		

Development directly, indirectly, and cumulatively avoids any increase in water flow depth, duration or velocity and does not increase the potential for flood damage either on site or on other properties. and		
PO70 Public safety and the environment are protected from the detrimental impacts of the release of hazardous materials into floodwaters. and		
PO71 Essential community infrastructure in any area mapped on Overlay Maps OM-0401 - OM-0404 as Flood Hazard Area is able to function effectively during and immediately after flood. and		
For reconfiguring a lot only PO72 The number of lots exposed to flood risk for all flood events up to and including the defined flood event is not increased.		Not applicable PO72 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve or require reconfiguring a lot.
Heritage		
PO73 Development of a heritage place conforms to a conservation management plan for the site prepared in accordance with <i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance</i> . and	Not Applicable <i>The proposal is not mapped within this overlay.</i>	Not applicable PO73 > PO79 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development on land or adjacent to land identified on Heritage Overlay Map OM-05.
PO74 All alterations to a heritage place are documented by a suitably qualified person. and		
PO75 New buildings or structures and extensions to new buildings and structures incorporate but do not replicate the valued architectural features of the heritage place. and		
PO76 Demolition of significant components of a heritage place only occurs where options for the restoration of the existing building have been investigated and deemed to be impractical. and		
PO77 Reconfiguring a lot does not: (a) reduce public access to the heritage place; (b) result in the heritage place being obscured from public view; (c) obscure or destroy the following elements relating to the heritage place: (i) established pattern of subdivision; (ii) the landscape setting; and		
PO78		

Works conserve the features and values that contribute to the significance of the heritage place and are visually unobtrusive in the setting of the heritage place. and		
PO79 Development adjoining a heritage place is designed, sited and constructed so that the cultural heritage significance of the heritage place, including its context, setting, appearance and archaeology is not adversely affected.		
Historic Subdivisions		
PO80 A site in the Historic Subdivisions Overlay is not developed for a non-rural use where: <div><div>(a) the site characteristics, including impacts from natural hazards, make it unsuitable for development; and</div><div>(b) infrastructure, including water, sewerage, stormwater, and roads are not adequate or result in environmental harm.</div></div> <div>Note: This does not apply to outbuildings and extensions to an existing house.</div>	Not Applicable <i>The proposal is not mapped within this overlay.</i>	Not applicable PO80 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development on land or adjacent to land identified on Historic Subdivision Overlay Map OM-06.
Infrastructure		
Water treatment, wastewater treatment and waste disposal facilities PO81 Separation distances are established between solid waste management facilities, water or sewerage treatment plants and incompatible land uses that protects the ongoing operation of the facility and the amenity for occupants or users of nearby premises. and	Not Applicable <i>The proposal is not mapped within this overlay.</i> Information request response PO90 Noted. The access has been located to avoid the power pole, and the transmission line is of height that trucks entering and exiting the site will not impact it. Please see below image showing the clearance to the transmission line.	Not applicable PO81 > PO85 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development on land or adjacent to lands identified on Infrastructure Overlay Maps OM-07A01 - OM-07A05 as containing solid waste management facilities, water or sewerage treatment plants, and road or rail corridors.
Roads and railway PO82 Development on premises with a frontage to the road corridors shown on Infrastructure Overlay Maps OM-07A01 - OM-07A05 mitigates the potential adverse impacts of the road corridor including traffic noise, headlights, and streetlights. and		
PO83 Sensitive land uses on land with a frontage to the road corridors shown on Infrastructure Overlay Maps OM-07A01 - OM-07A05 achieve a level of amenity consistent with the intended use. and		
PO84 Development provides protection for site users from unreasonable interference associated with rail operations noise. and		
PO85 Development protects rail corridors from intrusion of incompatible land use by incorporating separation distances consistent with the intended use. and		

<p>Coal load-out facility and haul route PO86 Uses are protected from adverse noise, vibration, air emissions and traffic safety impacts associated with the intensive haulage of coal along a Coal Train Load-Out Facility Haul Route and operation of a Coal Train Load-Out Facility identified on Overlay Map OM-07B01. and</p>		<p>Not applicable PO86 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land identified on Infrastructure Overlay Maps OM-07B01 – OM-07B04 containing a Coal Train Load-Out Facility Haul Route and operation of a Coal Train Load-Out Facility.</p>
<p>Oil and gas pipelines PO87 Separation distances between petroleum and natural gas pipeline infrastructure and people, property and hazardous materials establishes a low risk of harm or damage to people, property, and the infrastructure. and</p>		<p>Not applicable PO87 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land identified on Infrastructure Overlay Maps OM-07B01 – OM-07B04 containing an oil or gas pipeline.</p>
<p>Power station PO88 Separation distance between sensitive land uses and the power station protects the safety and amenity for occupants or users of nearby premises and the continued and unimpeded operation of the power station. and</p>		<p>Not applicable PO88 > PO89 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land identified on Infrastructure Overlay Maps OM-07C01 – OM-07C07 as containing a power generation facility or power generation facility buffer.</p>
<p>PO89 There is no increase in the number of lots in the separation area associated with the power station as identified on Infrastructure Overlay Map OM-07C05. and</p>		<p>Not applicable PO90 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land identified on Infrastructure Overlay Maps OM-07C01 – OM-07C07 as containing major electricity infrastructure.</p> <p>However, it is noted the site does contain a <132kV transmission line and buffer which is not defined as Major electricity infrastructure. It is intended for the proposed development to construct a vehicle access over and through the area of the transmission line and buffer area.</p> <p>An information request was issued on 23 September 2025 seeking additional detail.</p> <p>Information request response The proposed access is clear of the existing power pole. Clearance to the power lines for vehicles and equipment entering the site will need to comply with the electricity supply entities requirements. It is suggested that the applicant contact the entity and install appropriate markers/identifiers on the overhead power lines in accordance with requirements of the entity.</p>
<p>PO91 Development dedicates part of the site to establish landscaping which screens or otherwise softens the visually obtrusive impacts of electricity infrastructure.</p>		<p>Not applicable PO91 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land</p>

		identified on Infrastructure Overlay Maps OM-07C01 – OM-07C07 as containing major electricity infrastructure.
Water resources		
<p>PO92 Development within the Callide and Kroombit Dam Water Resource Catchment Areas or the weir buffers shown on Overlay Map OM-08 protects the quality and availability of raw water for consumption, as determined by a suitably qualified water quality expert. and</p>	<p>Not Applicable <i>The proposal is not mapped within this overlay.</i></p> <p>Information request response PO93 Noted. The proposal does not involve land disturbing works other than the construction of the access, filling and levelling any holes created by the tree clearing process that has already occurred and smoothing and rolling the existing surface to enable the buildings to be placed on level ground. The natural fall of the land in its current state requires no alteration or any proposed changes to groundwater characteristics.</p>	<p>Not applicable PO92 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land within the Callide and Kroombit Dam Water Resource Catchment Areas or the weir buffers as identified on Water Resources Overlay Maps OM-0801- OM-0804.</p>
<p>PO93 Stormwater releases and development discharges do not compromise the achievement of water quality objectives of receiving waters, including the groundwater management areas identified on Overlay Map OM-08. and</p>		<p>Complies PO93 The proposed development is for Warehouse (Storage yard) within the Rural Zone and is located within the Dee and Don GMA as identified on Water Resources Overlay Maps OM-0801- OM-0804. The applicant response is incorrect.</p> <p>An information request was issued on 23 September 2025 requesting an actual correct answer to this PO.</p> <p>Information request response The information request response is incorrect. The formation of the 40,000m² storage pad requires significant earthworks to level, fill, grade and compact the area to make it stable and suitable for storage and vehicle movement. The natural fall of the land will need to be and has been significantly modified. It is noted that the applicant commenced these earthworks in November 2025 unlawfully without the required Material Change of Use or Operational Works approvals. This matter is subject to a compliance investigation.</p> <p>It is recommended conditions be applied to ensure stormwater management occurs in a manner that mitigates potential impacts on and off site, specifically in relation to stormwater quality of receiving waters including groundwater. To ensure this occurs Council Infrastructure Services Officers have recommended a stormwater management plan must be submitted with an Operational Works application to ensure site works and the post development condition of the site demonstrates compliance with PO93. Operational Works approval must be obtained prior to any further construction/earthworks including the creation of the vehicle access from the service road and the required upgrades to access from the Leichardt Highway.</p> <p>The reinstatement of vegetation/landscaped buffers recommended on PO2 above will also assist in mitigating groundwater impacts from the large area hard stand.</p>
<p>PO94 Development does not deteriorate the quality of water supplies obtainable from a town water supply bore identified on Overlay Map OM-08.</p>		<p>Not applicable PO94 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land containing a town water supply bore as identified on Water Resources Overlay Maps OM-0801- OM-0804.</p>

Banana Shire Planning Scheme 2021

6.3.1 Development Design Code

6.3.1.1 Application

This code applies to assessing a material change of use, reconfiguring a lot or operational works where the code is identified as an assessment benchmark in the Categories of Assessment Table. When using this code, reference should be made to Section 1.6.1.

6.3.1.2 Purpose

- (1) The purpose of this code is to provide for:
- (a) the efficient supply of non-trunk development infrastructure that supports the intended use of the site, integrates with existing networks and maintains or enhances the environment, public safety and visual amenity;
 - (b) the control of operational works;
- (2) The purpose of the Code will be achieved through the following overall outcomes:
- (a) infrastructure services development in a cost-effective, safe, efficient and co-ordinated manner to a standard ordinarily expected in the locality;
 - (b) development is planned, designed, constructed and operated to manage stormwater and wastewater in ways that protect environmental values and achieve water quality objectives;
 - (c) safe and functional transport networks meet the reasonable demands generated by development;
 - (d) development is serviced by a suitable standard of vehicle access, parking, servicing and manoeuvring areas that enhance streetscape appeal and character and discourage crime and anti-social behaviour;
 - (e) landscaping enhances visual amenity, integrates the built and natural environments, maximises water efficiency, minimises soil loss, provides shade in large paved areas and does not adversely impact on infrastructure;
 - (f) filling or excavation maintains the safety, amenity and health of the community and environment;
 - (g) infrastructure responds to the environmental constraints and avoids or safely manages the adverse impacts of floodwaters to mitigate the effects of a natural hazard event;
 - (h) generated waste is stored in an environmentally friendly and nuisance free manner;

6.3.1.3 Requirements for accepted development or assessment benchmarks

Table 6.3.2 For assessable development		
Performance Outcomes	Applicant’s response	Council’s comment – Council use only
Vehicular access and driveway crossovers		
PO1 Access arrangements protect the efficient functioning of the transport network and provide safe access to development in direct response to the demonstrated demand of the development. and	Complies with Performance Outcomes <i>The proposal will include access in accordance with the CMDG (Capricorn Municipal Development Guidelines).</i> Information request response PO1 <i>The access will be a 6m wide Rural type access in accordance with the Capricorn Municipal Development Guidelines Rural Property Access (Standard drawing CMDG-R-040).</i> PO2 <i>The access has been located to avoid the power pole, and the transmission line is of height that trucks entering and exiting the site will not impact it.</i>	Complies PO1 The response to PO1 does not demonstrate compliance nor acknowledge that the access location is within a state controlled road reserve. An information request was issued on 23 September 2025 requiring additional details. Information request response Access to the site is via the Burnett Highway and Leichhardt Highway and an unformed service road in the road reserve of the Burnett Highway. These roads are State-controlled roads and as such Council has no jurisdiction to impose conditions regarding access design requirements. The application was referred to SARA as a concurrence referral agency and assessed against the State Development Assessment Provisions, State Code 1: Development in a State-controlled Road Environment. The SARA response imposes conditions that Council must include in an approval. The conditions proposed by SARA specify location and design requirements for heavy vehicle access, including upgrades to a portion of the service road.

		<p>The access and upgrade works must be completed to the satisfaction of SARA (DTMR) prior to the commencement of the use.</p>
<p>PO2</p> <p>There is no damage to or interference with the location, function, or access to any utility infrastructure.</p>		<p>Complies PO2</p> <p>The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve development of land or adjacent to land identified on Infrastructure Overlay Maps OM-07C01 – OM-07C07 as containing major electricity infrastructure.</p> <p>However, it is noted the site does contain a <132kV transmission line and buffer which is not defined as Major electricity infrastructure. It is intended for the proposed development to construct a vehicle access over and through the area of the transmission line and buffer area.</p> <p>An information request was issued on 23 September 2025 seeking additional details.</p> <p>Information request response</p> <p>The proposed access is clear of the existing power pole. Clearance to the power lines for vehicles and equipment entering the site will need to comply with the electricity supply entities requirements. It is suggested that the applicant contact the entity and install appropriate markers/identifiers on the overhead power lines in accordance with requirements of the entity.</p>
Filling and excavation		
<p>PO3</p> <p>Any off-site impact from earthworks is minimised and acceptable having regard to:</p> <ul style="list-style-type: none"> (a) the environment in which the earthworks are located; (b) the measures proposed to mitigate any off-site impact; (c) any compensation measures for an impact that are proposed by the applicant; <p>and</p>	<p>Complies</p> <p><i>No earthwork are proposed.</i></p> <p>Information request response</p> <p><i>The access will be a 6m wide Rural type access in accordance with the Capricorn Municipal Development Guidelines Rural Property Access (Standard drawing CMDG-R-040).</i></p>	<p>Complies PO3 > PO9</p> <p>The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does involve significant earthworks to establish the storage yard area and construct the access. Stating that ‘<i>No earthworks are proposed</i>’ is incorrect. An information request was issued on 23 September 2025 seeking additional details.</p> <p>Information request response</p> <p>The applicant’s information request response does not address the PO or provide the information requested.</p> <p>The formation of the 40,000m² storage pad requires significant earthworks to level, fill, grade and compact the area to make it stable and suitable for storage and vehicle movement. The natural fall of the land will need to be and has been significantly modified. It is noted that the applicant commenced these earthworks in November 2025 unlawfully without the required Material Change of Use or Operational Works approvals. This matter is being addressed through a compliance investigation.</p> <p>It is recommended conditions be applied to ensure earthworks occur in a manner that mitigates potential impacts on and off site. To ensure this occurs Council Infrastructure Services Officers have recommended conditions be imposed requiring that an earthworks plan must be submitted with an Operational Works application to ensure site works and the post development condition of the site demonstrates compliance with PO3 to PO9. Operational Works approval must be obtained prior to any further construction/earthworks including the creation of the vehicle</p>
<p>PO4</p> <p>The earthworks are safe and stable.</p> <p>and</p>		
<p>PO5</p> <p>Community safety is ensured in the event that Category 3 earthworks fail.</p> <p>and</p>		
<p>PO6</p> <p>Retaining walls protect the visual amenity of development on adjoining premises.</p> <p>and</p>		
<p>PO7</p> <p>Fill material provides support for the proposed development in accordance with certified geotechnical engineering requirements.</p> <p>and</p>		
<p>PO8</p> <p>Filling or excavation does not result in the contamination of land or water bodies, wetlands, and waterways.</p>		

and		access from the service road and the required upgrades to access from the Leichardt Highway.	
PO9 Filling or excavation does not cause environmental nuisance impacts.			
Roads			
PO10 Road infrastructure is: (a) of a width and standard as detailed in Table 6.3.4 - Provision of Infrastructure; or (b) of a width and standard as detailed in an infrastructure agreement; and (c) designed and constructed in accordance with the relevant part of the CMDG;	Not Applicable <i>The proposal does not include new roads.</i>	Complies PO10 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve or require the construction of new roads. However, it is noted that access is proposed from the Leichhardt Highway to the site is via an existing unconstructed service road/track within the Burnett Highway road reserve. A referral to SARA/TMR was required. Access to the site is via the Burnett Highway and Leichhardt Highway and an unformed service road in the road reserve of the Burnett Highway. These roads are State-controlled roads and as such Council has no judgement to impose conditions regarding access design requirements. The application was referred to SARA as a concurrence referral agency and assessed against the State Development Assessment Provisions, State Code 1: Development in a State-controlled Road Environment. The SARA response imposes conditions that Council must include in an approval. The conditions proposed by SARA specify location and design requirements for heavy vehicle access, including upgrades to a portion of the service road. The access and upgrade works must be completed to the satisfaction of SARA (DTMR) prior to the commencement of the use.	
Onsite parking and movement			
PO11 The development provides car parking spaces to accommodate the demonstrated demand generated by the use. and		Complies with Performance Outcomes <i>The proposal is for outdoor storage only and car parking spaces are not required as no customer will visit the site. There is ample room on site for any parking required.</i>	Complies PO11 > PO14 The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve or require daily attendance of staff. Table 6.3.3 of the Planning Scheme requires the proposed development to provide 200 parking spaces. It is considered that given the nature of the proposed development 200 parking spaces is not warranted.
PO12 The site provides safe and convenient movement areas for pedestrians and persons in wheelchairs. and			
PO13 The movement of vehicles on to and from the site does not create a traffic hazard. and			
PO14 Vehicle parking areas protect the character of surrounding development.			
Landscaping			
PO15 Landscaping does not interfere with motorists’ sightlines. and	Not Applicable The proposal does not include landscaping.	Complies PO15 > PO21 The proposed development is for a Warehouse (Storage yard) within the Rural Zone. It is noted that construction of the hard stand area and access	
PO16			

Landscaping provides buffering and screening, shades activity areas and allows casual surveillance of the street. and		from the service road have commenced unlawfully. This is the subject a compliance investigation.
PO17 Landscaped areas with species selected to suit the streetscape are provided adjacent to all road frontages (excluding crossover and pedestrian access). and		Notwithstanding that earthworks have occurred without the required approval before commencing construction, it is recommended that conditions be imposed to establish landscape buffers along the western and southern fence lines as proposed.
PO18 Landscaping provides shading for the majority of spaces in outdoor parking areas. and		These landscaped buffers will facilitate replacement of the lost vegetation and act as buffers to the adjoining dwellings, provide visual relief from the development when viewed from public place and assist in stormwater management.
PO19 Landscaping does not pose a potential risk to the ongoing operation of public infrastructure. and		
PO20 Plant species used in landscaping are suited to the local climate and proposed purpose and do not increase the risk of pest species infestation. Editor’s Note: Schedule 5.3 provides assistance in the selection of suitable species. and		
PO21 Existing native vegetation that already contribute to these requirements are retained where their removal is not required to site the use.		
Street lighting and street signs		
PO22 If reconfiguring a lot –street lighting is provided to meet public safety needs in compliance with Australian best practice standards, methodology and design. and	Not Applicable <i>The proposal does not include street lighting or street signs.</i>	Not applicable PO22 > PO23 The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve or require the installation of street lighting or street signs.
PO23 If reconfiguring a lot – street signage identifies street names in compliance with Australian best practice standards, methodology and design.		
Water supply infrastructure		
If in a water supply area PO24 The reticulated water supply has sufficient capacity and water quality to meet the development demand for potable use, operational use and emergency purposes without interfering with supply to existing development. and	Complies <i>The site will be unamend and it is not intended to provide a water connection.</i>	Not applicable PO24 > PO25 The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve land within a water supply area.
PO25 The installation and location of water meters allows lawful access by the relevant authority.		
If outside a water supply area PO26		Complies PO26

A water supply is provided to meet the development demand of the intended use.		<p>The proposed development is for a Warehouse (Storage yard) within the Rural Zone and is located outside of a water supply area.</p> <p>Considering the applicant’s claim that the site will only be attended during loading and unloading it is agreed the requirement for staff facilities is not warranted. The proposed development does not involve any other use or activity that would require water supply.</p> <p>It is recommended that the firefighting water storage for the site be conditioned to a minimum of 10,000 litres. This is the absolute minimum recommended as a supplementary source for this type of land use without access to reticulated water. This will be used as an emergency “initial attack” reserve allowing on-site crews or a small pump to operate briefly and maybe control a very small/incipient fire until the brigade arrives or a larger supply is established.</p>
Sewerage infrastructure		
If in a reticulated sewerage area PO27 The reticulated sewerage has sufficient capacity to meet the development demand of the proposed use without interfering with supply to existing development.	Not Applicable <i>The proposal does not include sewerage infrastructure.</i>	Not applicable PO28 The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve land within a reticulated sewerage area.
In all circumstances PO28 The disposal of effluent and other wastewater protects public health and safety and the environment.		Complies PO28 The proposed development is for a Warehouse (Storage yard) within the Rural Zone and is located outside a reticulated sewerage area. Considering the applicant’s claim that the site will only be attended during loading and unloading it is agreed the requirement for staff facilities is not warranted. The proposed development does not involve any other use or activity that would require a wastewater disposal system. There are also public toilets located a short distance away from the site beside the Rural Fire Brigade building.
Developments accessed by common private title		
PO29 Development is located on streets where fire hydrants are provided at no more than: (a) 90m intervals for non-residential streets; or (b) 120m intervals for residential streets; and (c) at each street intersection; or	Not Applicable <i>The proposal does not include common private title.</i>	Not applicable PO29 > PO32 The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve or require access by common private title.
PO30 Development provides internal fire hydrants at intervals no less than as identified in PO29. and		
PO31 Fire hydrants are identified by reflective blue road surface markers or reflective marker posts. and		
PO32 Road access minimum clearances of 3.5m width and 4.8m height are provided.		

Stormwater drainage		
<p>PO33</p> <p>Stormwater drainage:</p> <ul style="list-style-type: none">(a) detains, collects, reuses or otherwise manages stormwater without adversely affecting upstream or downstream premises;(b) directs stormwater to one or more legal points of discharge or to downstream properties, subject to the consent of the affected landowners;(c) protects the efficiency of downstream drainage;(d) protects and maintains environmental values and quality of downstream water by removing or reducing sediment, nutrients and other pollutants; <p>and</p>	<p>Complies with Performance Outcomes</p> <p><i>No impervious areas are proposed, and existing stormwater arrangements and characteristics will not change.</i></p> <p>Information request response</p> <p>In the current economic climate, it is estimated there will be a maximum of 50 buildings on the site. The buildings will not be stored onsite for extended periods of time.</p> <p>It is noted that the buildings will increase the overall roofed area for short periods of time, however due to the size of the site and the direction of the existing natural fall it is considered that stormwater runoff can sheet flow across the site without impacting adjoining properties.</p>	<p>Complies PO33 > PO36</p> <p>The applicant’s response to this PO contradicts other statements made in their application which claim that stormwater will be altered due to the storage of relocatable buildings increasing the impervious area of the site. Given that the site will and has undergone significant reforming and grading to construct the storage area pad, it is safe to say the ‘<i>existing stormwater characteristics</i>’ will differ significantly from the pre-development to the post development characteristics.</p> <p>An information request was issued on 23 September 2025 seeking additional details or an explanation about how stormwater was proposed to be managed.</p>
<p>PO34</p> <p>Development has no significant impact on the concentration or discharge rate of surface water flows from a development site.</p> <p>and</p>		<p>Information request response</p> <p>The formation of the 40,000m² storage pad requires significant earthworks to level, fill, grade and compact the area to make it stable and suitable for storage and vehicle movement. The natural fall of the land will need to be and has been significantly modified. It is noted that the applicant commenced these earthworks in November 2025 unlawfully without the required Material Change of Use or Operational Works approvals. This matter is subject to a compliance investigation.</p>
<p>PO35</p> <p>Works effectively control onsite erosion and the release of sediment or sediment-laden stormwater from the site.</p> <p>and</p>		
<p>PO36</p> <p>Works do not result in an increased risk to people and property from the effects of stormwater drainage or containment structure failure.</p>		<p>It is recommended conditions be applied to ensure stormwater management occurs in a manner that mitigates potential impacts on and off site, specifically in relation to stormwater quality of receiving waters including groundwater. To ensure this occurs Council Infrastructure Servies Officers have recommended that a stormwater management plan must be submitted with an Operational Works application to ensure site works and the post development condition of the site demonstrates compliance with PO33 to PO36. Operational Works approval must be obtained prior to any further construction/earthworks including the creation of the vehicle access from the service road and the required upgrades to access from the Leichardt Highway.</p> <p>The reinstatement of vegetation/landscaped buffers recommended above (PO15 to PO21) will also assist in mitigating groundwater impacts from the large area of hard stand.</p>
Parks		
<p>PO37</p> <p>The design and construction of parks and park infrastructure is in accordance with current Australian standards.</p> <p>and</p>	<p>Not Applicable</p> <p><i>The proposal does not include parks.</i></p>	<p>Not applicable PO37 > PO38</p> <p>The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve or require the construction and dedication of public parkland.</p>
<p>PO38</p> <p>No land is dedicated open space recreation parkland that is subject to inundation during a 2% AEP rainfall event.</p>		
Waste		
<p>PO39</p> <p>Waste generated by the development is collected and stored in a manner that:</p> <ul style="list-style-type: none">(a) prevents the intrusion of vermin;	<p>Not Applicable</p> <p><i>The proposal does not require waste management.</i></p>	<p>Not applicable PO39 > PO41</p> <p>The proposed development is for a Warehouse (Storage yard) within the Rural Zone and does not involve use or activities likely to generate solid waste.</p>

(b) does not create an odour nuisance; (c) contains all litter and refuse; (d) is kept clean; (e) screens the storage area and waste receptacles from view from external to the site; (f) does not result in any contamination of the environment; and		
PO40 The development utilises waste management systems that promote recycling, reuse and reduction of waste being disposed of to landfill. and		
PO41 The discharge of trade waste protects: <ul style="list-style-type: none"> (a) the health and safety of people working in and around the sewerage system; (b) receiving environments from harmful substances; (c) the sewerage treatment plants and sewage systems from damage from harmful substances; (d) assists treatment plants to process sewage and produce recycled water and bio-solids of a guaranteed quality. 		Not applicable PO41 The proposed development is for Warehouse (Storage yard) within the Rural Zone and does not involve or require discharge of trade waste to Council's sewerage system. It is noted the development site is not located within a reticulated sewerage area.

Table 6.3.3 Vehicle parking rates		
Development	Parking space rate	Service vehicle provision
Warehouse	1 per 200m ² of total use area	1 HRV

Table 6.3.4 Provision of infrastructure						
Zone	Roads			Off-street parking	Water reticulation	Sewerage reticulation
	Width	Kerb & channel	Seal	Seal		
Rural	Refer to CMDG	Yes	Yes	Yes	No, except for Banana, Baralaba, and Thangool	No

SARA reference: 2509-48412 SRA
Council reference: MCU003-25/26

30 October 2025

Chief Executive Officer
Banana Shire Council
PO Box 412
Biloela QLD 4715
enquiries@banana.qld.gov.au

Attention: Tarnya Fitzgibbon

Dear Tarnya,

SARA referral agency response—Burnett Highway, Dululu QLD 4702

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 1 October 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	30 October 2025
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material Change of Use - Warehouse (Storage yard)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017)	
	Development application for a material change of use within 25m of a state-controlled road	

SARA reference: 2509-48412 SRA

Assessment manager: Banana Shire Council

Street address: Burnett Highway, Dululu QLD 4702

Real property description: Lot 243 on D6741

Applicant name: Qantac Pty Ltd

Applicant contact details: C/- Reel Planning
1/9 Camford Street
Milton QLD 4064
tim@reelplanning.com

State-controlled road access permit: This referral included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. Below are the details of the decision:

- Approved
- Reference: TMR25-047720
- Date: 28 October 2025

If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at Central.Queensland.IDAS@tmr.qld.gov.au.

Human Rights Act 2019 considerations: Consideration of the *Human Rights Act 2019* sections 15 to 37 has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

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 (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Andy Wray, Planner, on (07) 3882 8481 or via email DARTsupport@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Nikki Brock
A/Manager

cc Qantac Pty Ltd
C/- Reel Planning Pty Ltd - tim@reelplanning.com

enc Attachment 1 - Referral agency conditions
 Attachment 2 - Advice to the applicant
 Attachment 3 - Reasons for referral agency response
 Attachment 4 - Representations about a referral agency response provisions
 Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material Change of Use near a state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads 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.	<ul style="list-style-type: none"> (a) Road access is located generally in accordance with Site Plan, reference 15-24C-SK-01-E, Revision E, as amended in red by SARA. (b) Provide road access works, (at the road access location referred to in part (a) of this condition) generally in accordance with the Department of Main Roads Standard Drawing 'Rural Property Access – Type C' reference 1807 and revision C. (c) Design and construct the road access works, referred to in part (b) of this condition, in accordance with the Department of Transport and Main Roads' <i>Standard Drawings Roads</i>. 	Prior to the commencement of use
2.	<ul style="list-style-type: none"> (a) Provide road works comprising Basic Right Turn / Basic Left Turn at the intersection of Leichhardt Highway (Westwood - Taroom) and service road (Ch. 25.58km). (b) Design and construct the road works, required in part (a) of this condition in accordance with: <ul style="list-style-type: none"> i. the Department of Transport and Main Roads' Road Planning and Design Manual, 2nd Edition ii. the Department of Transport and Main Roads' Policies and Technical Specifications iii. Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections iv. A minimum 20m of the service road from the edge of the traffic lane of the Leichhardt Highway must be sealed. 	Prior to the commencement of use

Attachment 2—Advice to the 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 3.3). If a word remains undefined it has its ordinary meaning.
2.	<p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road. Please contact the Department of Transport and Main Roads at FitzroyDistrict@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve.</p> <p>The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

- SARA assessed the development against the following code of the State Development Assessment Provisions (SDAP), version 3.3:
 - State code 1: Development in a state-controlled road environment.
- The development complies with the assessment benchmarks of State code 1 of SDAP, subject to the approved conditions. Specifically, the proposed development:
 - does not adversely impact the structural integrity or physical condition of the state-controlled road
 - does not adversely impact the function and efficiency of the state-controlled road
 - maintains access to active transport infrastructure.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (v3.3), as published by SARA
- the Development Assessment Rules (v3.0)
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*.

Attachment 4—Representations about a referral agency response provisions

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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.

Attachment 5—Documents referenced in conditions

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SITE INFO

LOT 243 ON D6741
SITE AREA 73350m²
BUILDING TOTAL AREA 0m²
TOTAL SITE COVER 0%

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE



SARA ref: 2509-48412 SRA

Date: 30 October 2025

Amended in red by SARA on
30 October 2025

NORTH

VACANT LAND

VACANT LAND

SPEED REDUCTION
FROM 100 TO 60kph
SIGN LOCATION

EXISTING UNFORMED ROAD

EXISTING POWER POLE
LOCATION

PROPOSED NEW SITE
ENTRY

NOT FOR CONSTRUCTION

CP-SITE PLAN
1 : 2000@A3

Provide road works as per
condition 2 of SARA
referral response

Locate and provide site
access as per condition 1
of SARA referral response

PROPOSED ZONE OF LAY
DOWN/ STORAGE AREA
40,000m² approx.

SPEED REDUCTION
FROM 100 TO 60kph
SIGN LOCATION

ADJOINING RESIDENCE

Our ref TMR25-047720
Your ref
Enquiries Jason Giddy



28 October 2025

Department of
Transport and Main Roads

Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number MCU003-25/26, lodged with Banana Shire Council involves constructing or changing a vehicular access between Lot 243D6741, the land the subject of the application, and 26A Leichhardt Highway (Westwood - Taroom) (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address Qantac Pty Ltd
1/9 Camford Street
Milton QLD 4064

Application Details

Address of Property Burnett Highway, Dululu QLD 4702
Real Property Description 243D6741
Aspect/s of Development Development Permit for Material Change of Use for Storage Yard

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	<p>The permitted road access location, is to be located generally in accordance with Site Plan prepared by Andrew Melville Building Design, dated 8 September 2025, reference 15-24C-SK-01-E and revision E.</p> <p><i>Note:</i></p> <ul style="list-style-type: none"><i>The access is located at approximate coordinates Lat: - 23.844629; Long: 150.262519; and</i><i>The permitted access location provides access into an existing service road.</i>	At all times.

¹ Please refer to the further approvals required under the heading 'Further approvals'

No.	Conditions of Approval	Condition Timing
2	The road access works shall be constructed and maintained in accordance with 'Rural Property Access – Type C', prepared by Department of Transport and Main Roads, dated March 2024, reference 1807 and revision C.	Prior to commencement of use.
3	The road access is to be constructed and maintained at no cost to the department in accordance with section 64(a) & (b) of the <i>Transport Infrastructure Act 1994</i> .	At all times.
4	The applicant shall be responsible for all maintenance works for the access in accordance with Module 9 of the Local Government Association of Queensland document 'TMR/Local Government Cost Sharing Arrangement', 2022-2027..	At all times.
5	All vehicles entering or exiting the property via the permitted access must travel in a forward direction only.	At all times.
6	Reasonable steps are taken to ensure that the permitted road access is used by others in accordance with these conditions.	At all times.
7	Use of the access is limited to a 19m semi trailer.	At all times.

Reasons for the decision

The reasons for this decision are as follows:

- a) To provide a suitable and safe means of access from the existing service road; and
- b) To protect the state-controlled road from increased maintenance costs at the service road intersection by requiring sealing of the intersection.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - a) starts to have effect when the development approval has effect; and
 - b) stops having effect if the development approval lapses or is cancelled; and
 - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may

apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.

3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

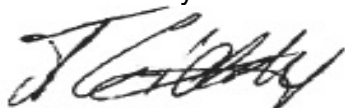
Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Mr Jason Giddy, Senior Town Planner should be contacted by email at Central.Queensland.IDAS@tmr.qld.gov.au or on (07) 4931 1686.

Yours sincerely



Jason Giddy
Senior Town Planner

Attachments: Attachment A - Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions
Attachment D - Permitted Road Access Location Plan

Attachment A

Decision Evidence and Findings

Findings on material questions of fact:

- Planning application (council ref: MCU003-25.26; SARA ref 2509-48412 SRA) was referred to the Department of Transport and Main Roads (TMR) in accordance with Schedule 10 of the *Planning Regulation 2017*.
- The application is a material change of use for a storage yard. The planning application is taken to be an application for a permitted access location in accordance with section 62(A) of the *Transport Infrastructure Act 1994* (TIA).
- The department assessed the application in accordance with the State Development Assessment Provisions v3.3, the provisions of the *Transport Infrastructure Act 1994* and the TMR Vehicular Access Policy (VAP).
- The proposal seeks to obtain access the the subject site (Lot 243D6741) via an existing service road which obtains access from an intersection off 26A Leichhardt Highway (Westwood - Taroom) at ~Ch. 25.58km. The use involves storing and letting temporary buildings which will be hauled to and from the site on 19m semi trailers.
- The existing intersection is not designed to cater for 19 semi trailers. It currently services two residential dwellings. The intersection is not sealed and has no turning treatments to enable vehicles to safely pass.
- The department has recommended conditions on the development application to upgrade the intersection to include basic right and left turn treatments at the intersection in addition to sealing 20m of the service road to avoid material entering the roadway. The access from the land into the service road has been conditioned on the development approval to construct a standard rural property access in accordance with TMR's standard drawing 1807, with a layout suitable for articulated vehicles.
- The section 62 decision under the TIA addresses the access between the land and the service road. The access at the state-controlled road junction is considered to be part of a service road based on the commentary in Module 9 of the TMR/Local Government Cost Sharing Arrangement.

Evidence or other material on which findings were based:

- *Transport Infrastructure Act 1994*.
- *Planning Act 2016*.
- *Planning Regulation 2017*.
- TMR Vehicular Access Policy.
- TMR / Local Government Cost Sharing Arrangement 2022-2027.

Attachment B

Section 70 of TIA

Transport Infrastructure Act 1994

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
 - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

(b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

(5) The court may order—

(a) the appeals to be heard together or 1 immediately after the other; or

(b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

(a) if the reviewed decision may be reviewed by QCAT—QCAT; or

(b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

(a) if a decision notice is given to the person—28 days after the notice was given to the person; or

(b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

(a) the decision notice did not state the reasons for the decision; and

(b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

6.0 Close of Meeting
