

REPORT TITLE	Assessment of Change Application (Minor Change) for a Material Change of Use – Impact – Dwelling House located at 1F Alderley Street, RANGEVILLE QLD 4350
AUTHOR	Planning Officer (Davis Uhlmann)
Application No.	MCUI/2019/3145/B

## PURPOSE OF REPORT

To consider a Change Application regarding a Development Approval for Material Change of Use – Impact – Dwelling House located at 1F Alderley Street, RANGEVILLE QLD 4350.

## EXECUTIVE SUMMARY

This report considers a Change Application regarding a Development Approval for a Material Change of Use – Impact – Dwelling House on land at 1F Alderley Street, Rangeville.

The original application for Material Change of Use – Impact – Dwelling House was approved on 5 November 2019, with a Decision Notice issued 11 November 2019 (dated 8 November 2019). A subsequent Change Application which sought to increase the floor area and building height, and move the location of the dwelling footprint toward the rear boundary, was approved on 7 August 2023 with a Decision Notice issued 8 August 2023.

This Change Application proposes an extension to the approved Dwelling House through the construction of a freestanding, single-storey pavilion building with a total floor area of 84m<sup>2</sup>. The pavilion building is positioned approximately 9.5 metres north of the approved dwelling and is accessed via a concrete pedestrian pathway off the main driveway.

The proposed pavilion is sited to avoid areas of elevated landslide and bushfire risk, positioned at the northern end of the driveway within close proximity to the main building. The approved Geotechnical Investigation and Bushfire Management Report remain relevant to the proposed development, and continue to provide an appropriate framework to ensure the landslide and bushfire hazards are appropriately managed in accordance with the requirements outlined in the Landslide Hazard Overlay Code and Bushfire Hazard Overlay Code.

The proposed changes are considered to constitute a 'minor change' under Section 81 of the *Planning Act 2016*. Following an assessment of the proposed changes against all relevant matters, it is recommended that the changes be approved.

## RECOMMENDATION

**APPROVED** – Change Application regarding Development Approval MCUI/2019/3145/B for Material Change of Use – Impact – Dwelling House, pursuant to the provisions of Section 81 and 81A of the *Planning Act 2016* and subject to the amendments listed below.

An amended Infrastructure Charges Notice will be issued in relation to the changes to the development approval.

## ASSESSMENT MANAGER CONDITIONS

### PLANNING

#### APPROVED USE

1. This Development Approval is for a material change of use for a Dwelling House.

#### CARRY OUT & MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they are not varied by this Development Approval.

3. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
4. Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Works approval.
5. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

### APPROVED PLANS

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

~~Plan No: 190036 Sheet A.001 Rev 1~~

~~Description: Site Plan, prepared by Building Design Professionals and dated 29 April 2019~~

~~Amendments: Nil~~

~~Plan No: 190036 Sheet A.100 Rev 1~~

~~Description: Proposed Floor Plan – Basement Plan, prepared by Building Design Professionals and dated 29 April 2019~~

~~Amendments: Nil~~

~~Plan No: 190036 Sheet A.101 Rev 1~~

~~Description: Floor Plan, prepared by Building Design Professionals and dated 29 April 2019~~

~~Amendments: Nil~~

~~Plan No: 190036 Sheet A.200 Rev 1~~

~~Description: West and South Elevations, prepared by Building Design Professionals and dated 29 April 2019~~

~~Amendments: Nil~~

~~Plan No: 190036 Sheet A.201 Rev 1~~

~~Description: East and North Elevations, prepared by Building Design Professionals and dated 29 April 2019~~

~~Amendments: Nil~~

~~Plan No: 1099.21035-001, Issue 5~~

~~Description: Site Plan, prepared by VHD Studio and dated 30 May 2023~~

~~Amendments: Nil~~

**Plan No: 260019-001, Issue A**

**Description: Site Plan, prepared by Ikai Design and dated 11 May 2026**

**Amendments: Amended in red as follows:**

- **Labels describing “existing” site features struck through.**

**Plan No: 1099.21035-101, Issue 5**

**Description: Basement Floor Plan, prepared by VHD Studio and dated 30 May 2023**

**Amendments: Nil**

~~Plan No: 1099.21035-102, Issue 8~~ **102, Issue 6**

~~Description: Ground Floor Plan, prepared by VHD Studio and dated 30 May 2023~~ **17 December 2024**

~~Amendments: Nil~~

~~Plan No: 1099.21035-103, Issue 7~~ **103, Issue 6**

~~Description: Upper Floor Plan, prepared by VHD Studio and dated 30 May 2023~~ **17 December 2024**

~~Amendments: Nil~~

**Plan No:** ~~1099-21035-401, Issue 5~~ **401, Issue 4**  
**Description:** Building Elevations, prepared by VHD Studio and dated ~~30 May 2023~~ **17 December 2024**  
**Amendments:** Nil

**Plan No:** **260019-101, Issue A**  
**Description:** **Floor Plan, prepared by Ikai Design and dated 11 May 2026**  
**Amendments:** **Amended in red as follows:**

- **Labels describing “existing” site features struck through.**

**Plan No:** **260019-401, Issue A**  
**Description:** **Elevations, prepared by Ikai Design and dated 11 May 2026**  
**Amendments:** **Amended in red as follows:**

- **Labels describing “existing” site features struck through.**

## APPROVED DOCUMENT

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

**Document:** Bushfire Management Report, Issue 3.  
**Description:** Assessment of Bushfire Attack Levels and mitigation measures, prepared by Designconxion and dated 04/09/2019.  
**Amendment:** Nil.

~~Document: Landslide Risk Assessment – 1F Alderley Street Rangeville, Project 97226.00, R.001 Revision 0~~  
~~Description: Geotechnical Report, prepared by Douglas Partners and dated 29 August 2019~~  
~~Amendments: Amend in accordance with Conditions 8 and 9~~

**Document:** Geotechnical Investigation, 1-24866, 2022-03-02, BR VER 1, Version 2  
**Description:** Geotechnical Investigation – Proposed Residence, prepared by Soil Surveys Engineering Pty Limited and dated 10 May 2023  
**Amendments:** Nil

8. ~~Provide an updated Geotechnical Report prepared by an RPEQ which assesses land stability for the proposed development. The Geotechnical Report must address the requirements for Geotechnical Reports as outlined in Planning Scheme Policy SC6.1 PSP No. 1 Development Application Requirements SC6.1.6 Additional Information Required by Development and Overlay Codes and includes the following information:~~

~~8.1 Conduct the further investigative drilling noted in section 4.3.1 of the submitted geotechnical report and include any findings and recommendations resulting from this investigation.~~

~~8.2 Provide an assessment of the proposed (or required) earthworks (excavation and filling) and retaining walls.~~

~~8.3 Provide an assessment of the stormwater impacts of the proposed development on slope stability, and of the proposed stormwater design in minimising the impact on slope stability.~~

~~8.4 Provide an assessment of the landscaping and/or erosion and sediment control measures proposed on site.~~

~~8.5 Provide an assessment of the impacts the proposed development would have on the stability of the site and adjacent land (this should also include an assessment of the future driveway crossover).~~

~~8.6 Detail any requirements that must be incorporated into the development to reduce the level of risk to people and property to an acceptable or tolerable level.~~

~~8.7 Include the registration number of the certifying RPEQ.~~

9. ~~Documents to be amended must only incorporate the amendments listed within this Development Approval and must be resubmitted to Council for approval prior to lodgement of an Operational Works application, the issue of any Building Works approval or Council's approval of plumbing and drainage works, or prior to the commencement of works on the subject land, whichever occurs first.~~

### **COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORKS)**

10. Prepare and submit applications to Council and obtain Operational Works approval for the following:
- 10.1 Driveway Crossover;
  - 10.2 Bulk Earthworks (if required, refer to Conditions 14 and 38);
  - 10.3 Stormwater Infrastructure; ~~and~~
  - 10.4 Water Infrastructure; and
  - 10.5 Land Stability Rectification Works.

### **AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS**

11. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during earthworks and construction.

### **COMMENCEMENT OF USE**

12. Submit to Council a Notice of Intention to Commence the approved use. The notice must be provided to the Manager, Development Services, as follows:
- 12.1 Provide to the Manager, Development Services a minimum of ten (10) business days prior to commencement of the approved use;
  - 12.2 The notice must nominate the day the approved use is intended to commence; and
  - 12.3 The notice must include evidence (i.e. copies of decision notice(s), photographic proof, and statement(s) of compliance with the conditions of this approval from suitably qualified persons) which demonstrates that all conditions of this approval have been complied with.

## **DEDICATIONS, AGREEMENTS & CONTRIBUTIONS**

### **EASEMENTS**

13. Unless consistent with the terms of the easement and authorised under this Development Approval, any permanent works or structures must be kept clear of any existing or proposed easements on the subject land.

## **DEVELOPMENT CONSTRAINTS**

### **LANDSLIDE MITIGATION**

14. Unless otherwise approved by Council in an Operational Works approval for bulk earthworks, works involving filling or excavation within land identified as a landslide hazard area on the Landslide Hazard Overlay must not:
- 14.1 Involve a total change in site levels of more than 1.5m relative to natural ground level at any point;
  - 14.2 Involve filling or excavation within 1.5m of any site boundary other than filling or excavation associated with access and services infrastructure serving the premises;

14.3 Necessitate the construction of retaining walls exceeding 1.2m in height; or

14.4 Exceed 50m<sup>3</sup> of cut, 50m<sup>3</sup> of fill or 50m<sup>3</sup> of cut and fill in total.

### **BUSHFIRE MANAGEMENT - GENERAL**

15. The development must be carried out in accordance with Section 4, 5 and Appendix 2 of the Bushfire Management Report listed within this Development Approval.

16. A copy of the approved Bushfire Management Plan must be provided to the nearest fire authority.

### **BUSHFIRE MANAGEMENT - SUPPLY OF WATER**

17. Where water storage is provided by way of rainwater tank, separate water storage for firefighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:

17.1 The domestic take off from the tank is at or above the 10,000 litre point; and

17.2 Standard rural fire brigade fittings (a 50mm male camlock coupling and ball valve) are fitted to the tank outlet for access by four wheel drive rural services vehicles.

18. The development must be provided with an auxiliary power supply such as a petrol driven fire fighter pump (or generator), together with a hose of sufficient length to easily reach around to all sides of the dwelling.

19. A hard stand area within 6m of the water storage reservoir must be provided to ensure accessibility for fire fighting vehicles.

### **BUSHFIRE MANAGEMENT - ASSET PROTECTION ZONE**

20. The asset protection zones outlined in Section 5 and Appendix 2 of the Bushfire Management Report listed within this Development Approval must be prepared and maintained for the life of this development.

## **WORKS**

### **ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS**

21. Plans and specifications for all works associated with, stormwater drainage, water infrastructure, slope stability, earthworks, retaining walls, or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).

22. A RPEQ must submit to Council a copy of the:

22.1 Design Certificate prior to commencement of the works; and

22.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.

23. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.

24. Where any condition refers to, or requires, an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000, A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

### **STORMWATER DRAINAGE**

25. All stormwater infrastructure necessary to convey run-off from roof and developed surface areas, and any run-off onto the subject land from adjacent areas, must be provided in accordance with an Operational Works approval.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

26. Prior to the commencement of any works on the subject land, an Operational Works application must be submitted to and be approved by Council for the internal and any external stormwater infrastructure. The design and the construction of the works must be certified by a RPEQ – Civil.
27. As part of the Operational Works application submit to Council for approval, a Detailed Stormwater Management Plan prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) in accordance with the relevant standards in *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No.2) demonstrating the following:
  - 27.1 Stormwater is conveyed to a lawful point of discharge in accordance with the stormwater discharge conditions of this Development Approval;
  - 27.2 That the post development peak flows do not exceed the capacity of downstream infrastructure;
  - 27.3 That stormwater from the proposed development will not have negative impacts on slope stability;
  - 27.4 That the stormwater impacts of the proposed internal driveway and driveway crossover have been appropriately considered; and
  - 27.5 That there is a “non-worsening” effect or actionable nuisance as a result of this development on upstream, downstream, or adjoining properties.
28. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

#### **STORMWATER DISCHARGE**

29. Stormwater from new roofed areas (including overflow pipes from rainwater tanks) is permitted to be discharged within the subject land, a minimum of 3 metres clear of any building foundations and any adjoining property boundary.
30. The act of on-site stormwater discharge must not cause erosion and scouring and must utilise appropriate control devices at outlets to prevent such erosion and scouring.
31. The act of on-site stormwater discharge must not compromise slope stability.
32. Stormwater must be dispersed as sheet flow.
33. Design and construction of all internal stormwater drainage works must comply with each applicable section of *Australian and New Zealand Standard AS/NZS 3500 - Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

#### **GEOTECHNICAL STABILITY**

34. ~~The approved use must be carried in accordance with the Geotechnical Report, prepared by Douglas Partners and dated 29 August 2019 listed within this Development Approval, with the addition of the following:~~
  - 34.1 ~~The report must be amended in accordance with Condition A and submitted to Council for approval.~~

The design of earthworks, retaining walls, access driveway, platform to provide access to heavy machinery and vehicles to the site, stormwater drainage works, any other site works and the removal of identified uncontrolled fill must be in accordance with the Approved Geotechnical Investigation listed within this Development Approval.
35. ~~The amended Geotechnical Report must be approved by Council prior to commencement of any site works or earthworks.~~

36. The approved Geotechnical ~~Report~~ Investigation listed within this Development Approval must be implemented and the requirements met and maintained during the design, and subsequent to site works or earthworks and post construction phase.
37. An RPEQ experienced in geotechnical engineering, or engineering geology, must supervise the construction of the development to ensure that the works are undertaken in accordance with the approved Geotechnical ~~Report~~ Investigation listed within this Development Approval.
  - 37.1 All executed works must be detailed by an RPEQ experienced in geotechnical engineering, on a Certificate of Supervision.
- 37A. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for Land Stability Rectification Works. The design and the construction of the works must be certified by a RPEQ – Civil.
- 37B. As part of a Development Application for a Development Permit for Operational Work (Land Stability Rectification Works) submit to Council for approval, a design to rectify the failure to the west of the platform as identified in Section 3.5.2 of the approved Geotechnical Investigation listed within this Development Approval.
- 37C. Where required rectification works require entry onto land not forming part of this Development Approval, submit to Council as part of a Development Application for a Development Permit for Operational Work, the written consent of any impacted property owner.
- 37D. As part of a Development Application for a Development Permit for Operational Work (Land Stability Rectification Works) submit to Council an estimation of the volume of uncontrolled fill to be removed from the premises as recommended within the approved Geotechnical Investigation listed within this Development Approval.
- 37E. As part of a Development Application for a Development Permit for Operational Work (Land Stability Rectification Works) submit to Council plans/documents detailing the following:
  - 37E.1 Proposed transport routes for the haulage of material from the uncontrolled fill at the subject site and a receiving site;
  - 37E.2 Truck sizes for the carting of material; and
  - 37E.3 Number of trips required to remove material from the site.
- 37F. Land Stability Rectification Works must be undertaken in accordance with a Development Permit for Operational Work.

## **BULK EARTHWORKS**

38. Where earthworks are not assessed as part of a Building Works application, prior to the commencement of any earthworks on the subject land, an Operational Works application must be submitted to and be approved by Council.

## **EROSION & SEDIMENT CONTROL**

39. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
40. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
41. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused

must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.

42. All disturbed areas must be mulched or turfed as soon as possible during construction.
43. Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to minimize site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and, where applicable the ensuing 'on-maintenance' period.

#### **DAMAGE TO SERVICES & ASSETS**

44. Protect Council and public utility services and assets during construction of the development.
45. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
  - 45.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
  - 45.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
46. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
47. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

*Note: Council must be notified of any damage to water and sewer immediately 131 872.*

#### **AIR QUALITY IMPACT MITIGATION**

48. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2008* as measured at any sensitive place or commercial place must not be released to the atmosphere during building work and throughout the life of this development .
49. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during building works do not exceed the following levels when measured at any sensitive place or commercial place:
  - 49.1 Dust deposition of 120 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulate matter - Deposited matter - Gravimetric method*.

#### **CONSTRUCTION WASTE MANAGEMENT & STORAGE**

50. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.
51. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2008*.
52. Fires are not to be lit to dispose of demolition or construction waste.
53. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:

- 53.1 Elsewhere within this Development Approval;
  - 53.2 In accordance with an associated Operational Works approval;
  - 53.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
  - 53.4 In accordance with either a general or specific approval of a resource for beneficial use (otherwise known as a beneficial use approval) issued under the *Waste Reduction and Recycling Act 2011*; or
  - 53.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2008* relating to the depositing or disposal of general waste from a premises not serviced by Council.
54. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

### CONSTRUCTION NOISE IMPACT MITIGATION

55. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30am and 6:30pm Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

### SERVICES & UTILITIES

#### WASTEWATER INFRASTRUCTURE (GENERAL)

56. The development must be connected to Council's existing wastewater reticulation system {existing Council maintenance hole S2482M08 in western property boundary} in accordance with Council Waste Water Infrastructure Policy 2.04 at no cost to Council.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

*Note: Applicant is to investigate whether a compliant gravity connection could be achieved during detail design stage. Otherwise a private low pressure sewerage system must be provided.*

57. Any compensation or costs associated with obtaining agreement from owners or trustees of properties affected by the construction of the works must be at no cost to Council.
58. Any connection to or modification of Council's live wastewater infrastructure must be undertaken by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

*Note: Please note any new connection or reconnection to a Council wastewater system requires a Form 1 Plumbing approval prior to house drainage being installed.*

*Note: To arrange for a private works quotation for the required works contact Council's Water & Wastewater Department on Ph 131 872.*

- 58A. Maintenance hole (MH) lids located in driveways must be upgraded to a heavy duty trafficable system. This may include replacement of the MH (or part of) structure. Any such works must be undertaken by Council at no cost to Council.
- 58B. Maintenance Holes (MH) are to be fully protected during the full construction period of the development. Protection must include spanning slabs or beams and matting to ensure direct loads from all heavy plant during construction are not transmitted onto the MH structure.
- 58C. Structural protection for Council's wastewater infrastructure and clearance around maintenance holes must be incorporated for all designs in accordance with *the Queensland Development Code, Mandatory Policy 1.4 - Building Over or Near Relevant Infrastructure*.

*Note: A Development Application for a Development Permit for Building Work will require referral to Council as a Concurrence Agency under the Planning Regulation 2017. RPEQ certified design plans for the structural protection for the wastewater system must be submitted to Council for approval as part of a Building Over or Near Water/Sewer/Stormwater Services application prior to the commencement of works for the development.*

- 58D. Any alterations or adjustments required to wastewater maintenance holes to comply with the finished levels for the development must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

## **WATER SUPPLY**

59. The development must be connected to Council's reticulated water supply in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

60. Council's existing reticulation main must be extended in accordance with the following at no cost to Council:

60.1 A DN100 water main extension must be constructed from the existing water main in Alderley Street up to the south-western property boundary of development site in accordance with Council Water Infrastructure Policy 2.03.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

61. Prior to the commencement of any works on the subject land an Operational Works application must be submitted and be approved by Council for water reticulation works in accordance with the approved plans and documents of this Development Approval.
62. All water main fittings, services and meters must be located 1m clear of the proposed driveway footpath crossover. Any relocation of fittings clear of driveways must be undertaken by Council.
63. Any works on Council's 'live' water supply must be carried out by Council. A Private Works Quotation must be requested from Council, payment made for the works, and the works completed by Council.

## **TRANSPORT, VEHICULAR ACCESS & PARKING**

### **ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY**

64. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

*Note: Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.*

65. Safe pedestrian access along Council's footpaths must be maintained at all times.

*Note: Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.*

### **REMOVAL OR MODIFICATION OF COUNCIL TRAFFIC SIGNS OR PARKING BAYS**

66. Obtain the written approval of Council's Coordinator Traffic Management for any works involving the removal or modification of existing Council traffic signs or parking bays prior to the works commencing. Where approved by Council such works are to be undertaken at no cost to Council.
67. The installation or modification of any street signs or line marking must be in accordance with the Manual of Uniform Traffic Control Device (MUTCD).

## PROVISION OF VEHICULAR ACCESS

68. The vehicle access from the subject land to Alderley Street must be sealed from the kerb and channel to the property boundary. The access must be designed by a Registered Professional Engineer Queensland (RPEQ) – Civil and must include the provision of adequate access width and flares to suit the proposed entry and exit manoeuvres. Such works must be constructed as required below:
- 68.1 The vehicle access must be located as shown on the Approved Plans listed within this Development Approval;
  - 68.2 The vehicle access (crossing the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia *Drawings RS-049 Residential Driveways Plan 1 of 2 and RS-050 Residential Driveways Plan 2 of 2*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;
  - 68.3 The vehicle access (crossing of the verge) must align neatly on both sides with the pedestrian footpath and verge with a maximum cross fall of 2.5%. Where there is an existing pedestrian path, the existing footpath in the vicinity of the driveway must be saw cut, removed and replaced by the driveway crossover. The driveway is to be graded at not steeper than 2.5% for the width of the footpath;
  - 68.4 The vehicle access (crossing of the verge) must be located a minimum 1 metre clear of existing maintenance holes, fire hydrants, power poles, streetlights, or signage (unless otherwise approved herein);
  - 68.5 Undertake any necessary relocation of all existing services clear of the access (crossing of the verge) that will serve the subject land and contact all relevant service authorities and comply with their requirements in relation to these works; and
  - 68.6 The vehicle access must be constructed to a minimum width of 3.0 metres extending into the subject land generally in accordance with the Approved Plans listed within this Development Approval.

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

## ENVIRONMENT & WASTE

### WASTE MANAGEMENT (GENERAL)

69. All waste generated on the subject land must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

### WASTE MANAGEMENT (BIN PROVISION & STORAGE)

70. Refuse storage facilities must be provided generally in accordance with the Approved Plans listed within this Development Approval and the following:
- 70.1 Provision of 1 x 240L wheelie bin for general waste and 1 x 240L wheelie bin for recyclable waste for the dwelling;
  - 70.2 Provision of a hardstand impervious area within the curtilage of each dwelling for the permanent storage location of wheelie bins, having minimum dimensions of 0.36 m<sup>2</sup> (600mm x 600mm) per wheelie bin and located no closer than 2m to any fresh air intake of a habitable room;
  - 70.3 Refuse storage facilities must be screened from public vantage points with a minimum 1.5m high built enclosure or solid screen fencing;
  - 70.4 Wheelie bin carting routes must allow bins to be easily maneuvered, devoid of steps and steep rises and not extend through any habitable room or other room of a building other than a garage; and

- 70.5 Bins must be kept in a clean state and in good repair and fitted with tight-fitting lid assemblies designed to prevent ingress of pests and water.

## WASTE MANAGEMENT (REMOVAL)

71. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:
- 71.1 Collection by a refuse vehicle from the kerbside;
  - 71.2 Provision of a level area at the kerbside for the temporary storage of wheelie bins on collection days having minimum dimensions of 1m<sup>2</sup> (1,000mm x 1,000mm) per wheelie bin;
  - 71.3 Bins must be located in a manner that allows the refuse vehicle to pick them up automatically without the driver having to relocate them; and
  - 71.4 The waste collection method must ensure that waste is adequately managed to prevent escape of contamination.

## GENERAL ADVICES

### ~~RESUBMISSION OF DOCUMENTS REQUIRING AMENDMENT~~

- 1) ~~The conditions of this Development Approval require resubmission of documents to Council with amendments. Please address the amended plans and documents to Council's Development Services Branch with the Reference No. MCUC/2018/3560, and send to [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au).~~

## INFRASTRUCTURE CHARGES

- 2) Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

## OTHER LAWS & REQUIREMENTS

- 3) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 4) Any works impacting outside the property boundary will require a permit under Subordinate Local Law 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011. Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au).
- 5) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

## WHEN APPROVAL STARTS TO HAVE EFFECT

- 6) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

## WHEN APPROVAL LAPSES

- 7) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

## STREET TREE DISTURBANCE & REMOVAL APPROVAL

- 8) This Development Approval does not infer or give approval to the owners or occupiers of the subject land to disturb or remove street trees. A separate Street Tree Disturbance or Removal Approval is required where a street tree is expected to be disturbed or removed. Please contact Council's Parks and Recreation Branch via Council's Customer Service Centre for further information in respect of street trees.

## FIRE ANTS

- 9) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Plant Protection Act 1989* apply, compliance with statutory provisions must be achieved.

## EXCAVATION & FILLING

- 10) The *Toowoomba Regional Planning Scheme* (TRPS) declares excavation and filling activity involving less than 50m<sup>3</sup> of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m<sup>3</sup> or more of fill is deposited on, or 50m<sup>3</sup> or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Works approval from Council before commencing site works.

## WATER POLLUTION

- 11) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

## BUILDING APPROVAL REQUIRED FOR CERTAIN FENCES & RETAINING WALLS

- 12) A Development Approval for Building Works is required for the following:
- 12.1 Fences where:
    - The fence is part of a pool fence; or
    - The fence is over 2m in height (from natural ground level); or
    - The fence is attached to a retaining wall and the combined mean height is over 2.4m in height from natural ground level;
  - 12.2 Retaining walls where:
    - The wall is retaining fill having a height greater than 1m in height above the wall's natural ground surface; or
    - The wall is located within 1.5m of a building or another retaining wall; or
    - There is a load or surcharge imposed above the retaining wall (i.e. driveway, batter, building or the like); and
  - 12.3 Retaining walls and/or fences are sited within 1.5m of a property boundary line and the combined height of the structures exceeds 2m (including where the retaining wall is less than 1m).
- 13) A siting discretion may be required from Council where a fence is proposed to be built atop the retaining wall and the combined height of the structure exceeds 2 m above natural ground level.

## BUILDING OVER, OR NEAR, COUNCIL INFRASTRUCTURE

- 14) Any construction carried out near or over existing Council services should be in accordance with Council's adopted Policy (Queensland Development Code NMP 1.4 – Excavation and Piling Near Sewers, Stormwater Drains and Water Mains) and Council's Planning Scheme Policy SC4.4 PSP No. 4 – Development Near Utility Services. A Concurrence Agency referral of the Building Works Application to Council's Water and Waste Water Services Branch may be required.

**REASONS FOR RECOMMENDATION**

The change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

A Statement of Reasons is not required to be published for a minor change application, in accordance with Section 83(8) of the *Planning Act 2016*.

**DELEGATE'S DECISION:**

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the request be approved subject to the conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Richard Green  
Lead Senior Planner, Planning Branch

Decision Date: 25 June 2026

## CORPORATE PLAN REFERENCE

**Strategic Action 2.3.3**

Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

## BACKGROUND

SITE DETAILS				
Site Address	1F Alderley Street, RANGEVILLE QLD 4350			
Real Property Description	Lot 62 CC555			
Site Area	1.975 hectares			
Owner	Dash House Pty Ltd			
SITE CHARACTERISTICS				
Current Land Use	Vacant Land			
Site Frontage/s	Alderley Street (25m) and Unnamed Road 801911 (242m)			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Alderley Street	Local	40.5m	8m	Asphalt
Unnamed Road 801911	Local	41m	Unformed	Unformed
Easements	Easement B on RP229522			
Existing Structures	Nil.			
Infrastructure	Sewer main intersects the site.			
Topography	The site has a slope of 14-60% that falls from west to east.			
Street Trees	N/A			
Other Features	Nil.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28 November 2022
Zone	Limited Development (Constrained Land) Zone			
Precinct	Nil.			
Overlays	Airport Environs Overlay <ul style="list-style-type: none"> <li>• 13km Wildlife Hazard Buffer Zone</li> </ul> Environmental Significance Overlay <ul style="list-style-type: none"> <li>• Areas of Ecological Significance</li> <li>• Areas of Ecological Significance Buffer</li> <li>• Biodiversity Corridors</li> </ul> Bushfire Hazard Overlay <ul style="list-style-type: none"> <li>• Bushfire Hazard – High Fire Risk</li> <li>• Bushfire Hazard – Medium Fire Risk</li> </ul> Landslide Hazard Overlay			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: August 2025
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Vacant land	Limited Development (Constrained Land) Zone		
East	Vacant land (fire trail / bushland reserve)	Sport & Recreation Zone		
South	Dwelling Houses	Open Space Zone and Rural Residential Zone (4,000m <sup>2</sup> minimum Precinct)		

<b>West</b>	Dwelling Houses	Community Facilities Zone / Government Precinct and Rural Residential Zone (4,000m <sup>2</sup> minimum Precinct)	
APPLICATION HISTORY			
<i>Application No.</i>	<i>Description</i>	<i>Decision Date</i>	<i>Decision</i>
MCUI/2019/3145	Material Change of Use – Impact – Dwelling House	5 November 2019	Approved
MCUI/2019/3145/A	Request to Change (Minor Change) Material Change of Use – Impact – Dwelling House	7 August 2023	Approved
OW/2024/5967	Operational Works – Stormwater Water Infrastructure Drainage Work Earthworks Driveway Crossover	16 December 2024	Approved
OW/2024/5967/A	Request to Change Approval Operational Works – Stormwater Water Infrastructure Drainage Work Earthworks Driveway Crossover	25 March 2025	Approved

APPROVED DEVELOPMENT	
<b>Type of Approval</b>	Development Permit for a Material Change of Use
<b>Approved Development</b>	Dwelling House
<b>Variations Sought</b>	Not applicable
<b>Level of Assessment</b>	Impact
<b>Gross Floor Area</b>	Approximately 969m <sup>2</sup>
<b>Car Parking Spaces</b>	Three (3)
<b>Submissions Received</b>	Objection: Nil
	Support: Nil
<b>Decision Notice Issued</b>	8 August 2023 (Former Change Application – MCUI/2019/3145/A)

CHANGE APPLICATION	
<b>Applicant Name</b>	Dash House Pty Ltd
<b>Type of Application</b>	Change Application
<b>Type of Change</b>	Minor Change
<b>Public Notification</b>	Not required for a Minor Change.
<b>Application Received</b>	21 May 2026

## CONSULTATION UNDERTAKEN

### Internal Referrals

<b>Internal Referral Partner</b>	<b>Referral / Response</b>
Development Engineering and Plumbing	Recommended requested changes be approved.
Development Services Environmental	Recommended requested changes be approved.
Infrastructure Charges Unit	Prepared an updated infrastructure charges notice.

### Public Notification

Public notification was carried out for the original application. During the notification period, no submissions were accepted by the assessment manager and considered during the assessment of the application.

## ISSUES, RISKS AND RESPONSES – ASSESSMENT

### Assessment Framework

Section 81 of the *Planning Act 2016* establishes the following parameters in relation to the assessment of change applications for minor changes:

- (2) *In assessing the change application, the responsible entity must consider—*
  - (a) *the information the applicant included with the application; and*
  - (b) *if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*
  - (c) *any pre-request response notice or response notice given in relation to the change application; and*
  - (d) *if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*
  - (da) *if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and*
  - (e) *another matter that the responsible entity considers relevant.*
- (3) *Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da), consider—*
  - (a) *a statutory instrument; or*
  - (b) *another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*
- (4) *The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.*
- (5) *However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to—*
  - (a) *the statutory instrument or other document as in effect when the change application was made; or*
  - (b) *if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided—the amended or replacement instrument or document; or*
  - (c) *another statutory instrument—*
    - (i) *that comes into effect after the change application is made but before it is decided; and*
    - (ii) *that the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.*

### Assessment of Proposed Changes – Change to Development Approval

Changes to the development approval, not being changes to the conditions of the approval, have been proposed by the applicant. The following table identifies the proposed changes, the relevant representations made by the applicant and the officer's assessment of the proposed changes.

## Assessment of Proposed Changes – Change to Development Approval

<p><b>Proposed Change</b></p> <p>An extension to the approved Dwelling House through the construction of a new freestanding, single-storey pavilion building with a total floor area of 84m<sup>2</sup>.</p>
<p><b>Representations</b></p> <p>The applicant provided commentary against ‘key planning matters’ relevant to the assessment of the proposed change:</p> <p><i>“The proposed changes, comprising the addition of a new 84m<sup>2</sup> single storey pavilion, is not anticipated to materially alter the previously approved development, being a dwelling house, as defined under the planning scheme. The pavilion is an extension to the approved land use and will not operate in isolation, for commercial purposes or as a secondary dwelling.</i></p> <p><i>The proposed changes remain substantially consistent in nature and positioning with the previously approved development and does not increase the severity of bushfire or landslide risk affecting the development.</i></p> <p><i>The new structure is proposed generally within the same approved building envelope and does not extend further east toward the identified bushfire hazard area. The proposed pavilion will be situated within a relatively cleared portion of the site capable of accommodating an appropriate asset protection zone. Importantly, the previous approval identified that the predominant fire run affecting the site approaches from the east. The proposed pavilion does not intensify exposure in this direction and is located within an already disturbed and managed portion of the site.</i></p> <p><i>Further, the pavilion is positioned outside constrained hazard areas and remains capable of being managed through the same asset protection and construction measures contemplated under the existing approval conditions and technical recommendations (including those outlined in the approved Bushfire Management Report). Accordingly, the proposed amendment does not materially alter the bushfire risk profile of the approved development, and the findings of the approved Bushfire Management Report remain applicable.</i></p> <p><i>Similarly, the previously approved Geotechnical Report demonstrated the suitability and feasibility of accommodating a dwelling house within the approved development area. The findings and recommendations of the approved Geotechnical Report remain relevant to the amended proposal including the location of the pavilion on the site, and the existing conditions of approval continue to provide an appropriate framework to ensure landslide hazards are appropriately managed.</i></p> <p><i>The previously approved Ecological Assessment identified that the development footprint is located predominantly within a cleared and maintained portion of the site, outside the mapped extent of regulated vegetation. Although the proposed changes include an increase in gross floor area within the mapped area, the expanded footprint is located predominantly to the north within the cleared area and approved dwelling envelope, outside of true environmentally constrained areas. The proposed changes remain generally consistent with the approved siting and development extent previously assessed and does not introduce any substantial encroachment into environmentally significant areas or regulated vegetation.</i></p> <p><i>The approved Geotechnical Report identified the land to the east as containing steeper slopes and areas of fill with increased landslide sensitivity. The proposed pavilion does not extend into these constrained eastern portions of the site and is instead located within an area previously identified as suitable for development. As identified within the approved Geotechnical Report, the portion of the site where the proposed works are anticipated is categorised as Zone A. Provided that Zone B is appropriately managed and any slumping is controlled to prevent migration, the area is identified as having a Very Low likelihood hazard rating,</i></p>

corresponding to a Likelihood Descriptor of “Barely Credible”. Accordingly, Zone A is considered to present a low level of landslide risk under the current site conditions. It is noted, however, that if slumping within Zone B is not appropriately managed, the likelihood hazard rating for this area may increase over time. Accordingly, the proposal remains consistent with the outcomes sought under the Bushfire Hazard Overlay Code and the Landslide Hazard Overlay Code of the planning scheme, particularly where the proposed changes:

- avoid intensifying development within areas of elevated landslide and bushfire risk;
- maintains development within areas demonstrated as low bushfire risk and geotechnically suitable for construction;
- does not increase instability risks through inappropriate excavation, filling or loading; and
- is capable of complying with the recommendations of the endorsed Geotechnical Report, Bushfire Management Report and associated engineering measures.

*In this regard, the proposed amendment is considered to satisfy the intent of the Bushfire Hazard Overlay Code and the Landslide Hazard Overlay Code by ensuring the development does not result in adverse impacts on bushfire risk, slope stability, risk to property or surrounding land, while remaining responsive to the physical constraints of the site.”*

#### **Officer’s Assessment**

##### **Consistency of Approved Development and Proposed Changes with Planning Instrument**

The original development application was assessed against Version 19 of the Planning Scheme. No relevant changes to the relevant assessment benchmarks have occurred between Versions 19 and 28 (the current version of the Planning Scheme at the time of lodgement of this Change Application).

An assessment of the key changes proposed against the current assessment benchmarks have been undertaken as follows:

##### Land Use

A Dwelling House is an inconsistent land use in the Limited Development (Constrained Land) Zone and this was noted in the original assessment of the approved Dwelling House at this site. The original assessment determined that the approved development is a low intensity use that is appropriate at this location where other environmental constraints (bushfire and landslide hazard) can be appropriately managed.

The proposed change represents a minor increase in the intensity in the scale of development (increase in floor area), however this has no bearing on the appropriateness of the land use within the Limited Development (Constrained Land) Zone. A Dwelling House is considered appropriate at this location where environmental constraints (bushfire and landslide hazard) can be appropriately managed.

##### Bushfire Hazard

The approved Bushfire Management Report noted that the fire run approaches the development from the east. The proposed changes extend the dwelling to the north, rather than toward the identified bushfire hazard. Further, the proposed pavilion building will be subject to the same asset protection and construction measures recommended in the original approval. As such, the proposed change does not materially alter the bushfire risk profile of the development. Council’s Environmental Officer has confirmed the suitability of the existing approved Bushfire Management Report to remain as an approved document for the changed

development.

#### Ecological Impact

Council's Environmental Officer has confirmed the change, being located within an existing disturbed/cleared area, does not result in a material increase in ecological impact or clearing.

#### Landslide Hazard and Geotechnical Stability

Council engineers consider that the application material appropriately demonstrates that the proposed development would maintain the safety of people and property from the risk of landslide, and confirmed the suitability of the existing approved Geotechnical Investigation to remain as an approved document for the changed development.

#### Conclusion

Based on the above assessment, it is recommended that the proposed changes be approved.

**Assessment of Proposed Changes – Change to Conditions of the Development Approval**

Changes to the conditions of approval have been proposed by the applicant. The following table identifies the relevant condition of approval, the applicant's proposed changes, any relevant representations made by the applicant, the officer's assessment of the proposed amendments and any recommend amendments to the condition.

**Assessment of Proposed Changes – Change to Conditions of the Development Approval**

No.	Original Condition	Proposed Amended Condition	Relevant Representation	Officer's Assessment	Condition to be Recommended
6	<p>The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval:</p> <p><del>Plan No: 190036 Sheet A.001 Rev 1</del>  <del>Description: Site Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.100 Rev 1</del>  <del>Description: Proposed Floor Plan Basement Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.101 Rev 1</del>  <del>Description: Floor Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.200 Rev 1</del>  <del>Description: West and South Elevations, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.201 Rev 1</del>  <del>Description: East and North Elevations, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><b>Plan No:</b> 1099.21035-001, Issue 5  <b>Description:</b> Site Plan, prepared by VHD Studio and dated 30 May 2023  <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-101, Issue 5  <b>Description:</b> Basement Floor Plan, prepared by VHD Studio and dated 30 May 2023  <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-102, Issue 8  <b>Description:</b> Ground Floor Plan, prepared by VHD Studio and dated 30 May 2023</p>	<p>The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval:</p> <p><del>Plan No: 190036 Sheet A.001 Rev 1</del>  <del>Description: Site Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.100 Rev 1</del>  <del>Description: Proposed Floor Plan Basement Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.101 Rev 1</del>  <del>Description: Floor Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.200 Rev 1</del>  <del>Description: West and South Elevations, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.201 Rev 1</del>  <del>Description: East and North Elevations, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><b>Plan No:</b> 1099.21035-001, Issue 5  <b>Description:</b> Site Plan, prepared by VHD Studio and dated 30 May 2023  <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-101, Issue 5  <b>Description:</b> Basement Floor Plan, prepared by VHD Studio and dated 30 May 2023  <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-102, Issue 8  <b>Description:</b> Ground Floor Plan, prepared by VHD Studio and dated 30 May 2023</p>	<p>The Applicant submits:</p> <p>"The proposed changes require amendments to the list of approved drawings and documents."</p>	<p>The proposed changes to Condition 6 are recommended for approval.</p> <p>The Approved Plans referenced in Condition 6 are required to be amended to reflect the proposed changes to the development to extend the approved Dwelling House through the construction of a new freestanding, single-storey pavilion building with a total floor area of 84m<sup>2</sup>.</p> <p>It is further noted that amended plans were submitted to Council on 7 April 2025 and determined to be generally in accordance with the Approved Plans by Council on 9 April 2025. Further consequential changes are required to Condition 6 to reference the most recent Approved Plans.</p>	<p>The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval <b>and the amendments listed below:</b></p> <p><del>Plan No: 190036 Sheet A.001 Rev 1</del>  <del>Description: Site Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.100 Rev 1</del>  <del>Description: Proposed Floor Plan Basement Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.101 Rev 1</del>  <del>Description: Floor Plan, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.200 Rev 1</del>  <del>Description: West and South Elevations, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><del>Plan No: 190036 Sheet A.201 Rev 1</del>  <del>Description: East and North Elevations, prepared by Building Design Professionals and dated 29 April 2019</del>  <del>Amendments: Nil</del></p> <p><b>Plan No:</b> 1099.21035-001, Issue 5  <b>Description:</b> Site Plan, prepared by VHD Studio and dated 30 May 2023  <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 260019-001, Issue A  <b>Description:</b> Site Plan, prepared by Ikai Design and dated 11 May 2026  <b>Amendments:</b> Amended in red as follows:</p> <ul style="list-style-type: none"> <li>• Labels describing "existing" site features struck</li> </ul>

<p><b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-103, Issue 7 <b>Description:</b> Upper Floor Plan, prepared by VHD Studio and dated 30 May 2023 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-401, Issue 5 <b>Description:</b> Building Elevations, prepared by VHD Studio and dated 30 May 2023 <b>Amendments:</b> Nil</p>	<p><b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-103, Issue 7 <b>Description:</b> Upper Floor Plan, prepared by VHD Studio and dated 30 May 2023 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 1099.21035-401, Issue 5 <b>Description:</b> Building Elevations, prepared by VHD Studio and dated 30 May 2023 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 260019-101, Issue A <b>Description:</b> Floor Plan (Pavilion), dated 11 May 2026 <b>Amendments:</b> Nil.</p> <p><b>Plan No:</b> 260019-401, Issue A <b>Description:</b> Elevations (Pavilion), dated 11 May 2026 <b>Amendments:</b> Nil.</p>			<p><b>through.</b></p> <p><b>Plan No:</b> 1099.21035-101, Issue 5 <b>Description:</b> Basement Floor Plan, prepared by VHD Studio and dated 30 May 2023 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> <del>1099.21035-102, Issue 8</del> <b>102, Issue 6</b> <b>Description:</b> Ground Floor Plan, prepared by VHD Studio and dated <del>30 May 2023</del> 17 December 2024 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> <del>1099.21035-103, Issue 7</del> <b>103, Issue 6</b> <b>Description:</b> Upper Floor Plan, prepared by VHD Studio and dated <del>30 May 2023</del> 17 December 2024 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> <del>1099.21035-401, Issue 5</del> <b>401, Issue 4</b> <b>Description:</b> Building Elevations, prepared by VHD Studio and dated <del>30 May 2023</del> 17 December 2024 <b>Amendments:</b> Nil</p> <p><b>Plan No:</b> 260019-101, Issue A <b>Description:</b> Floor Plan (Pavilion), prepared by Ikai Design and dated 11 May 2026 <b>Amendments:</b> Amended in red as follows:  <ul style="list-style-type: none"> <li>Labels describing "existing" site features struck through.</li> </ul> </p> <p><b>Plan No:</b> 260019-401, Issue A <b>Description:</b> Elevations, prepared by Ikai Design and dated 11 May 2026 <b>Amendments:</b> Amended in red as follows:  <ul style="list-style-type: none"> <li>Labels describing "existing" site features struck through.</li> </ul> </p>
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## FINANCIAL / RESOURCE IMPLICATIONS

There is no financial or resource implication associated with this decision.

A revised infrastructure charges notice will be issued for the development in conjunction with a decision regarding the change application.

## Human Rights Act 2019 CONSIDERATIONS

The *Human Rights Act 2019* provides that it is unlawful for a public agency to act or make a decision in a way that is not compatible with human rights, or to fail to give proper consideration to a human right. This necessitates understanding the human rights that are protected. When making decisions or taking actions, consideration needs to be given to how that may impact on a person's human rights. Where there is a restriction on a person's human rights the restriction must be no greater than is justifiable to protect the rights of others or the community at large.

In assessing this application consideration has been given to the following sections of the *Human Rights Act 2019*:

Section 15 – Recognition and equality before the law  
Section 25 – Privacy and reputation

It is the opinion of the decision maker that no human rights have been limited.

## CONCLUSION

The change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

A Statement of Reasons is not required to be published in accordance with Section 83(8) of the *Planning Act 2016*.

## ATTACHMENT/S

Attachment	1	of	3	Aerial Imagery
Attachment	2	of	3	Current Approved Plans
Attachment	3	of	3	Proposed Approved Plans

**ATTACHMENTS**

**Attachment 1 of 3 Aerial Imagery**

























