

PO Box 3130 Bundaberg QLD 4670 E ceo@bundaberg.qld.gov.au ABN 72 427 835 198

17 May 2019

Bundaberg Regional Council

via email: erin.clark@bundaberg.qld.gov.au

Attention: Erin Clark

Dear Mrs Clark

RE: – Change Application for Minor Change - Aerospace Precinct at Airport Drive, Kensington; land described as Lot 36 on SP283978;

Thank you for your Change Application for Minor Change - Aerospace Precinct at Airport Drive, Kensington; land described as Lot 36 on SP283978 lodged with Council on 15 April 2019.

Please find attached the Decision Notice for the above-mentioned Change Application.

Please quote Council's application number: 526.2019.120.1 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact Sarah Watts on telephone 1300 883 699.

Yours sincerely

Richard Jenner
Manager Development Assessment

ENCL.

- DECISION NOTICE Change Application
- APPROVED PLANS



Decision notice — change application

(Given under section 83 of the Planning Act 2016)

Thank your for your Change Application made under section 78 of the *Planning Act 2016* received by the Bundaberg Regional Council on 15 April 2019 for the development approval dated 21 March 2013. Please be aware the Bundaberg Regional Council has assessed your application and decided it as follows:

1. Applicant's details

Name: Bundaberg Regional Council

Postal Address: PO Box 3130

BUNDABERG CENTRAL QLD 4670

Email: erin.clark@bundaberg.qld.gov.au

Phone No.: (07) 4130 4001

2. Location details

Street address: Airport Drive, Kensington

Real property description: Lot 36 on SP283978

Local government area: Bundaberg Regional Council

3. Details of Original Approval

Combined Application for:

- Preliminary Approval for a Material Change of Use for a Thirty-three (33) allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development";
- Development Permit to Reconfigure a Lot Thirty-three (33) lot plus balance lot (airport land) subdivision in five (5) stages;
- Preliminary Approval for Operational Works for Civil and Landscaping Works and Estate Signage

Date of Approval: 21 March 2013 Application Number: 325.2009.25525.1

4. Details of the proposed development

Change Application (Minor Change) for:

- Preliminary Approval for a Material Change of Use for a Thirty-two (32) allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development";
- Development Permit to Reconfigure a Lot Thirty-two (32) lot plus balance lot (airport land) subdivision in five (5) stages;
- Preliminary Approval for Operational Works for Civil and Landscaping Works and Estate Signage

5. Decision for change application

Decision details: The Bundaberg Regional Council has decided to:

Make the change and amend existing conditions. Please refer to

Schedule 1.

The changes agreed to are:

The approved changes are set out as follows:

Amend Section 8 (Approved Plan) to read as follows:

| Plan/Document number | Plan/Document name | Date |
|----------------------|--|--------------|
| 26408 H | Preliminary Lot Layout | 5 April 2019 |
| 26412 F | Plan of Development- Stage Plan Area | 5 April 2019 |
| 31543 E | Plan of Development- Defined Usage Zones | 03/2019 |
| 31666 E | Sewer Reticulation Overall Layout | 03/2019 |
| 31675 E | Reticulation Main Overall Layout | 03/2019 |

Amend Condition 2 (Table of Assessment) to read as follows:

This approval varies the affect of the Bundaberg City Planning Scheme to the extent that future development on proposed Lots 1-15, Lots 17-26 and Lots 28-34 must be undertaken in accordance with the tables of assessment included in the approved Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development;

Amend Condition 5 (Approved Plans) to read as follows:

The Developer is to lodge a Plan of Survey, for each respective stage, for Councils endorsement;

| Stage | Summary of works |
|----------|---|
| Stage 2 | Four (4) Southern Commercial allotments (proposed lots 31-34) |
| Stage 2a | One (1) allotment (including one general business lots - proposed lot 17) |

| Stage 3 | Seven (7) allotments (including three airside access allotments and five general business lots- proposed lots 8-9, 25-26 and 28-30) and proposed airside route taxiway for airside access allotment |
|---------|---|
| Stage 4 | Eight (8) allotments (including two airside access allotments and six general business lots proposed lots 5-7, 10-12 and 23-24) and proposed airside route taxiway for airside access allotment. |
| Stage 5 | Seven (7) allotment (including three airside access allotments and four general business lots proposed lots 3-4, 13-14 and 20-22) and proposed airside route taxiway for airside access allotment |
| Stage 6 | Five (5) allotments (including two airside access allotments and 3 general business lots proposed lots 1-2, 15 and 18-19) and proposed airside route taxiway for airside access allotment. |

The development of the POD area must be undertaken sequentially in the stage order, however may be sub-staged to allow the release of any or all allotments in a particular stage, provided all necessary and relevant infrastructure is provided with that Stage or as required by the conditions of this approval.

Amend Condition 6 (Water – All Stages) to read as follows:

The Developer must provide for the reticulation of water supply to proposed Lots 1-15, Lots 17-26 and Lots 28-34 by supplying all necessary materials and works including structures and equipment and performing all necessary works at the expense of the Developer. The works will include all necessary upgrades of Council infrastructure to ensure that downstream properties are note adversely affected by the increased demand of the proposed development. Works must include network modelling with main sizing to be finalised in association with Operational Works approval;

Amend Condition 11 (Sewerage – All Stages) to read as follows:

The Developer must provide for the reticulation of sewerage to proposed 1-15, Lots 17-26 and Lots 28-34 by supplying all necessary materials and works including structures and equipment, and performing all necessary works at the expense of the Developer;

6. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are included in Schedule 2.

SCHEDULE 1 EXISTING APPROVAL INCORPORATING CHANGES

This Decision Notice includes change approved on 17 May 2019. Changes are in **bold italics**.

18 September 2015

Bundaberg Regional Council C/- Erin Clark PO Box 3130 BUNDABERG QLD 4670

Notice

Request to Change a Development Approval

Sustainable Planning Act 2009 s.376

Thank you for your Request to Change a Development Approval for:

- Preliminary Approval for a Material Change of Use for a thirty-four (34) allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development";
- Development Permit to Reconfigure a Lot Thirty- four (34) lot plus balance lot (airport land) subdivision in five (5) stages;
- Preliminary Approval for Operational Works for Civil and Landscaping Works and Estate Signage

at Airport Drive, Kensington; land described as Lot 1 on SP254546, lodged with Council on 20 August 2015 and originally approved on 21 March 2013. I wish to advise that Council determined the above Request on 20 August 2015. Details of the Council's decision are:

DECISION

Approved in full subject to conditions

The approved changes are set out as follows:

Amend Section 8 (Approved Plan) to read as follows:

| Plan/Document number | Plan/Document name | Date |
|----------------------|--|-------------|
| 26408 F | Preliminary Lot Layout | August 2015 |
| 26412 E | Plan of Development- Stage Plan Area | - |
| 31543 D | Plan of Development- Defined Usage Zones | August 2015 |
| 31666 D | Sewer Reticulation Overall Layout | August 2015 |
| 31675 D | Reticulation Main Overall Layout | August 2015 |

Amend Condition 2 (Table of Assessment) to read as follows:

This approval varies the affect of the Bundaberg City Planning Scheme to the extent that future development on proposed Lots 1-15 and Lots 17-34 must be undertaken in accordance with the tables of assessment included in the approved Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development;

Amend Condition 5 (Approved Plans) to read as follows:

The Developer is to lodge a Plan of Survey, for each respective stage, for Councils endorsement;

| Stage | Summary of works |
|----------|---|
| Stage 2 | Four (4) Southern Commercial allotments (proposed lots 31-34) |
| Stage 2a | One (1) allotment (including one general business lots - proposed lot 17) |
| Stage 3 | Eight (8) allotments (including three airside access allotments and five general business lots- proposed lots 8-9 and 25-30) |
| | and proposed airside route taxiway for airside access allotment |
| Stage 4 | Eight (8) allotments (including two airside access allotments and six general business lots proposed lots 5-7, 10-12 and 23-24) and proposed airside route taxiway for airside access allotment |
| Stage 5 | Seven (7) allotment (including three airside access allotments and four general business lots proposed lots 3-4, 13-14 and 20-22) and proposed airside route taxiway for airside access allotment |
| Stage 6 | Five (5) allotments (including two airside access allotments and 3 general business lots proposed lots 1-2, 15 and 18-19) and proposed airside route taxiway for airside access allotment. |

The development of the POD area must be undertaken sequentially unless otherwise approved in writing by the Assessment Manager.

Amend Condition 6 (Water – All Stages) to read as follows:

The Developer must provide for the reticulation of water supply to proposed Lots 1-15 and Lots 17-34 by supplying all necessary materials and works including structures and equipment and performing all necessary works at the expense of the Developer. The works will include all necessary upgrades of Council infrastructure to ensure that downstream properties are note adversely affected by the increased demand of the proposed development. Works must include network modelling with main sizing to be finalised in association with Operational Works approval;

Amend Condition 11 (Sewerage – All Stages) to read as follows:

The Developer must provide for the reticulation of sewerage to proposed Lots 1-15 and Lots 17-34 by supplying all necessary materials and works including structures and equipment, and performing all necessary works at the expense of the Developer;

APPEAL RIGHTS

Appeal Rights are set out in Schedule 2.

If you wish to discuss this matter further, please contact Merinda Honor on the above telephone number.

Yours sincerely

Richard Jenner
Manager Development Assessment

SCHEDULE 1-Original Decision Notice SCHEDULE 2-SPA extract on appeal rights

21 March 2013

Bundaberg Regional Council PO Box 3130 BUNDABERG QLD 4670

Dear Mr Kelly

- Preliminary Approval for a Material Change of Use for a thirty-four (34) allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/Industrial Estate Plan of Development";
 - Development Permit to Reconfigure a Lot Thirty- four (34) lot plus balance lot (airport land) subdivision in five (5) stages;
 - Preliminary Approval for Operational Works for Civil and Landscaping Works and Estate Signage;
 - Planning Scheme for Bundaberg City.

I refer to the above-described development application, lodged at Council on 23 August 2012. This application has been assessed by Council and approved under delegation by the Planning Committee on the 18 March 2013.

Attached hereto please find the signed Decision Notice.

Please quote Council's application number: 325.2009.25525.1 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact Grant Barringer on phone 1300 883 699.

Yours faithfully

Peter Byrne
Chief Executive Officer



Schedule 1 - Decision Notice

Decision Notice Approval Sustainable Planning Act 2009 s.335

This Decision Notice includes changes approved on 18 September 2015. Changes are in **bold italics**.

Applicant's Ref: Nil

Council Ref: 325.2009.25525.1

Contact Officer: G J Barringer

Contact Number: 1300 883 699

21 March 2013

Bundaberg Regional Council PO Box 3130 BUNDABERG QLD 4670

I acknowledge receipt of your Development Application for:

- Preliminary Approval for a Material Change of Use for a *Thirty-two (32)* allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/Industrial Estate Plan of Development";
- Development Permit to Reconfigure a Lot *Thirty-two (32)* lot plus balance lot (airport land) subdivision in five (5) stages;
- Preliminary Approval for Operational Works for Civil and Landscaping Works and Estate Signage;

for a Commercial & Industrial Subdivision at 2 Childers Road KENSINGTON; land described as Lot 102 on SP219167, County Cook, Parish Bundaberg lodged with Council on 23 August 2012. The above development application has been assessed by Council and <u>approved in full with conditions under delegation by the Planning Committee on 18 March 2013.</u>

The conditions of this approval are set out in **Attachment 1**. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

Approval under s331

This application has not been deemed to be approved under section 331 of the *Sustainable Planning Act 2009* (SPA).

Details of the approval

The following approvals are given:

| | | Development Permit | Preliminary Approval |
|---|-------------------------|-----------------------|---|
| Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies | | | Image: Control of the |
| Reconfiguring a lot | Part 1, table 3, item 1 | Ø | |
| Operational work assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies | | | ☑ |

Preliminary approval affecting the planning scheme.

A preliminary approval to which section 242 of the SPA applies is given and the assessment manager has approved a variation to the local planning instruments:

• Adoption of the Bundaberg Regional Aviation and Aerospace Precinct Plan Commercial/ Industrial Estate Plan of Development (Attached)

Other necessary development permits and/or compliance permits.

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out:

- Operational Works Assessable against the Planning Scheme for Bundaberg City.
- Material Change of Use- Assessable against the Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development.

Details of any compliance assessment required for documents or work in relation to the development.

Compliance assessment is required under chapter 6, part 10 of SPA for the following documents or works in relation to the development

| Documents or works requiring compliance assessment | Matters or things against which the document or work must be assessed | Compliance assessor | When the request for compliance assessment must be made |
|--|---|-------------------------------|---|
| Subdivision Plan | The matters or things listed in Schedule19, Table 1 of the Sustainable Planning | Bundaberg Regional Council | In the time stated in Schedule 19, Table 1 of the Sustainable Planning Regulation |
| | Regulation 2009 | | 2009 |

Submissions.

There was one (1) properly made submission about the application.

The name and address of the principal submitter for each properly made submission are as follows:

| Name of principal submitter | Address |
|-----------------------------|--------------------------------------|
| 1. John F Pressler O.A.M | PO Box 6182, Bundaberg East QLD 4670 |

Conflict with a relevant instrument and reasons for the decision despite the conflict

The assessment manager does consider that the assessment manager's decision conflicts with a relevant instrument.

| Details of the conflict with the relevant instrument | Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict |
|---|---|
| The proposed POD seeks to introduce uses under different levels of assessment to the Local Area 2- Southern Industrial (Community Airport Precinct 2d) Table of Assessment. | The proposed POD's levels of assessment seek to promote and encourage uses that support the surrounding facilities, businesses, industry and the greater Bundaberg Region. The proposed POD meets the DEOs and Planning Strategies of the Bundaberg City Plan in that it: Supports development proposals that can enhance the use of the airport facility. |
| | Protects the operations of the Airport and, where possible, enhances it. The operational need of this facility is intended to be protected from encroachment by incompatible forms of development. Development, which can enhance use of this facilities are supported |

Referral agencies.

The referral agencies for this application are:

| | J | Advice agency or concurrence agency | |
|---|--------------------|---|---|
| Rail Safety and Efficiency MCU in relation to public passenger transport | Transport and Main | Agency | Wide Bay/Burnett Region (Bundaberg) Locked Bag 486 BUNDABERG QLD |
| passenger transport | | | 4670 |

| ROL on premises within 100m of a State-controlled Road or future State-controlled Road | | | |
|--|---------------------|-----------------------|----------------------------------|
| MCU not located within 100m of a State-controlled Road that exceeds a threshold identified with schedule 11 of the SPR 2009. | | | |
| MCU on premises within 100m of a State-controlled Road or future State- controlled Road | | | |
| Sustainable Planning Regulation 2009- Schedule | | Concurrence Agency | Administration Officer |
| 1 - | Heritage Protection | Дувноу | Permit and Licence Management |
| | | | Implementation and Support Unit |
| | | | GPO Box 2454 |
| | | | BRISBANE QLD 4001 |

Approved plans.

The approved plans and/or documents for this development approval are listed in the following table:

| Plan/Document number | Plan/Document name | Date |
|----------------------|--|--------------|
| 26408 H | Preliminary Lot Layout | 5 April 2019 |
| 26412 F | Plan of Development- Stage Plan Area | 5 April 2019 |
| 31543 E | Plan of Development- Defined Usage Zones | 03/2019 |
| 31666 E | Sewer Reticulation Overall Layout | 03/2019 |
| 31675 E | Reticulation Main Overall Layout | 03/2019 |

When approval lapses if development not started (s.341)

This development approval will lapse as per set out by Section 341 of the *Sustainable Planning Act 2009* and any condition attached to this notice, unless otherwise approved by Council.

When approval lapses if development started but not completed—preliminary approval to which section 242 of the SPA applies (s.343).

Appeal rights

Appeals by applicants

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

- the refusal, or refusal in part of the development application
- any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 of SPA
- the decision to give a preliminary approval when a development permit was applied for
- the length of a period mentioned in section 341
- a deemed refusal of the development application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 461(2) of SPA.

Applicants may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, see SPA, chapter 7, part 2.

Appeals by submitters

A submitter for a development application may appeal to the Planning and Environment Court against:

- the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment
- the part of the approval relating to the assessment manager's decision under section 327.

Details about submitter appeal rights for the Planning and Environment Court are set out in sections 462, 463 and 464 of SPA.

Submitters may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, see SPA, chapter 7, part 2.

Attachment 2 is an extract from SPA which details the applicant's appeal rights and the appeal rights of any submitters regarding this decision.

If you wish to discuss this matter further, please contact Grant Barringer on the above telephone number.

Peter Byrne

Chief Executive Officer

Attachment 1—Conditions of the approval

Part 1—Conditions imposed by the assessment manager

Part 2—Concurrence agency conditions

Attachment 2-SPA extract on appeal rights

Attachment 1 - Conditions of the Approval

| Council Reference: | 325.2009.25525.1 | |
|---------------------------|---|--|
| Development Permit | 18 March 2013 | |
| Date: | | |
| Applicant: | Bundaberg Regional Council | |
| Real Property | Lot 102 on SP219167, County Cook, Parish Bundaberg | |
| Description: | | |
| Location: | 2 Childers Road, Kensington | |
| Approval Detail: | Preliminary Approval for a Material Change of Use for a Thirty-two (32) allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development"; | |
| | Development Permit to Reconfigure a Lot - Thirty-three (33) plus balance lot (airport land) subdivision in five (5) stages; | |
| | Preliminary Approval for Operational Works - for Civil and Landscaping Works and Estate Signage; | |

Preliminary Approval for a Material Change of Use for a *Thirty-two (32)* allotment Commercial / Industrial subdivision (including Commercial, Airside Access, and General Business allotments) on vacant surplus land associated with the Bundaberg Airport to change the affect of the local planning instrument (Bundaberg City Plan V.2.0) by assessing future development against the proposed "Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development";

Part 1(a). Conditions Imposed by the Assessment Manager

General

This approval lapses fifteen (15) years from the date it takes effect or from one (1) year
after the day that Council adopts a new Planning Scheme that reflects the approval,
whichever occurs sooner.

Table of Assessment

2. This approval varies the affect of the Bundaberg City Planning Scheme to the extent that future development on proposed Lots 1-15, Lots 17-26 and Lots 28-34 must be undertaken in accordance with the tables of assessment included in the approved Bundaberg Regional Aviation and Aerospace Precinct Commercial/ Industrial Estate Plan of Development;

<u>Development Application for Development Permit for Reconfiguring a Lot (32 Industrial/ Commercial Lots + balance land (being the airport and drainage reserve) into five (5) stages</u>

General

- All works are to be undertaken at the Developer's expense;
- 4. The Developer must comply with all of the conditions of this Development Permit prior to the submission of a Plan of Survey for each respective stage, unless otherwise stated within this notice:

Approved Plans

5. The Developer is to lodge a Plan of Survey, for each respective stage, for Councils endorsement;

| Stage | Summary of works |
|----------|---|
| Stage 2 | Four (4) Southern Commercial allotments (proposed lots 31-34) |
| Stage 2a | One (1) allotment (including one general business lots - proposed lot 17) |
| Stage 3 | Seven (7) allotments (including three airside access allotments and five general business lots- proposed lots 8-9, 25-26 and 28-30) and proposed airside route taxiway for airside access allotment |
| Stage 4 | Eight (8) allotments (including two airside access allotments and six general business lots proposed lots 5-7, 10-12 and 23-24) and proposed airside route taxiway for airside access allotment. |
| Stage 5 | Seven (7) allotment (including three airside access allotments and four general business lots proposed lots 3-4, 13-14 and 20-22) and proposed airside route taxiway for airside access allotment |
| Stage 6 | Five (5) allotments (including two airside access allotments and 3 general business lots proposed lots 1-2, 15 and 18-19) and proposed airside route taxiway for airside access allotment. |

The development of the POD area must be undertaken sequentially in the stage order, however may be sub-staged to allow the release of any or all allotments in a particular stage, provided all necessary and relevant infrastructure is provided with that Stage or as required by the conditions of this approval.

<u>Water</u>

All Stages

- 6. The Developer must provide for the reticulation of water supply to proposed Lots 1-15, Lots 17-26 and Lots 28-34 by supplying all necessary materials and works including structures and equipment and performing all necessary works at the expense of the Developer. The works will include all necessary upgrades of Council infrastructure to ensure that downstream properties are note adversely affected by the increased demand of the proposed development. Works must include network modelling with main sizing to be finalised in association with Operational Works approval;
- 7. A fire hydrant and sluice valve must be provided at the termination of reticulation at the Stage boundaries;
- 8. The Developer must provide a water main with direct frontage to each lot to enable a future water service connection to be made without the need for further road crossings;
- 9. The Developer must provide fire hydrants within the development at a locations that comply with the Bundaberg City Engineering Design Planning Scheme Policy;

 The Developer is required to ensure that all internal water supply pipework and fittings connected to or in use by the existing Airport facilities are clear of the proposed allotments;

Sewerage

All Stages

- 11. The Developer must provide for the reticulation of sewerage to proposed Lots 1-15, Lots 17-26 and Lots 28-34 by supplying all necessary materials and works including structures and equipment, and performing all necessary works at the expense of the Developer;
- 12. Except where perpendicular to or intersecting with a property boundary, a sewer main must not be situated closer than 1.5 metres to a property boundary (fenceline), unless otherwise approved by Council's Director, Planning and Development Services;
- 13. Sewerage works performed on live sewerage infrastructure, namely breaking into the existing sewer manhole adjacent to proposed Lot 31 and provision of points of connection to proposed lots 31 to 34 will be undertaken by Council at the Developer's expense. A quotation for works will be issued following return of the Application for Water & Sewer forms (and payment of the quote fee) that is provided in the Operational Works process. The Application for Water & Sewer forms is to be accompanied by plans marked "For Construction";
- 14. Dedication of three (3) metre wide sewerage easements in favour of Bundaberg Regional Council to contain the sewer reticulation where it traverses the lots created from property boundary to property boundary including the balance area. The Easements must be located to provide a minimum distance of One (1) metre between the easement boundary and the sewerage reticulation. The easement documentation must be acceptable to Council and be prepared at the full cost of the Developer;

Stormwater Drainage

All Stages

- 15. Stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, i.e., a piped system with a capacity to cater for Q10ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI less piped flow;
- 16. The surface of each Lot must be shaped to drain directly to either a Road or Drainage Reserve, as no inter-allotment drainage will be permitted, unless it can be demonstrated that Lot filling, shaping, retaining walls or other methods are not physically able to be constructed. Should inter-allotment drainage be accepted for use by Council, inter-allotment drainage (with inlet pits in each allotment if underground drainage) of sufficient capacity to convey up to Q100 ARI, flows or lesser ARI as directed by Development Assessment Development Engineering, is to be designed and constructed in accordance with the Queensland Urban Drainage Manual to cater for the stormwater from upstream lots. The drainage specifics is to be determined at the Operational Works Stage;
- 17. The Developer must not block any drainage paths through or into the development without providing stormwater drainage infrastructure and concordant easements. The easements must be a minimum three (3) metre wide, or such greater width as is required to contain the Q100 ARI overland stormwater flow, in favour of either Bundaberg Regional Council where the stormwater infrastructure and overland flows traverse the subject land from upstream lots. Such easements must extend from property boundary to property boundary or part thereof.

Easement documentation is to be acceptable to Bundaberg Regional Council and be prepared at no cost to Bundaberg Regional Council;

- 18. Dedication of minimum three (3) metre wide combined Stormwater and Sewer Easements, where applicable, in favour of Bundaberg Regional Council are to be provided to contain the combined infrastructure where it traverses each lot from property boundary to property boundary. The Easements are to be located to provide a minimum distance of one (1) metre between the Easement Boundary and the Sewer Infrastructure. Easement documentation is to be acceptable to Bundaberg Regional Council and be prepared at no cost to Bundaberg Regional Council;
- 19. For each Lot draining to the street frontage, the Developer must provide a point of connection directly to the underground drainage network capable of conveying a minimum of the Q10 ARI flows;
- 20. Detention storage is required to be provided to cater for increased stormwater runoff as a result of this development. Stormwater discharge from the subject land is to be limited to pre-development generated peak levels up to and including Q100 ARI flows via the provision of detention storage. The detention storage must be visually integrated into the surrounding landscape and designed with a high level of visual amenity;
- 21. Where an overland component of the Q100 ARI flows is to be conveyed by an open drain, such open drains must
 - 21.1 Have capacity for Q100 flows from the existing upstream catchments and this development with a minimum 150 mm freeboards;
 - 21.2 Have a maximum batter slopes 1V: 6H;
 - 21.3 Have a maintainable invert;
 - 21.4 Be contained within easements or reserves which must be of sufficient width to transport Q100 ARI flows. Easement documentation is to be acceptable to Bundaberg Regional Council and be prepared at no cost to Bundaberg Regional Council;;

Water Sensitive Urban Design

- 22. The drainage system for the development is to incorporate Stormwater Quality Improvement which could include Devices (SQID) and measures to remove pollutants, including sediment, nutrients, metals and trash in accordance with the State Planning Policy for Healthy Waterways (2009) and the Bundaberg Regional Council Stormwater Management Strategies. At the Operational Works Stage, the Developer must submit and obtain an approval of a Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan outlining how the Stormwater Quality Improvements in both the construction and operational phases will be achieved;
- 23. Bioretention extended detention depth must not be greater than 300 mm, unless approved by Development Assessment Senior Development Engineer- Development Assessment:

Roadworks

All Stages

- 24. The Developer must construct new industrial roads (roadways) to service all proposed lots. The roadways must be contained within road reserves which must be a minimum dedicated width of twenty (20) metres and must be paved to a width of eleven point one (11.1) metres measured from lip of kerb line to lip of kerb line;
- 25. All roadways are to be sealed with asphaltic concrete:

- 26. Concrete kerb and channelling is to be provided on each side of all roadways to the standard adopted by Council from time to time in its Statement of Policy;
- 27. The proposed roads are to be designed both in layout and structural strength to cope with the frequencies and weights of traffic likely to use it, as determined by Council. The design must be carried out by a Chartered Professional Engineer in accordance with the methods detailed Austroads P-T36/06 Pavement Design for Light Traffic: A Supplement to Austroads Pavement Design Guidelines;
- 28. The Developer must modify the lot layout of proposed Lot 1 and 2 to ensure that the adjacent T-intersection complies with safe intersection sight distance criteria outlined in Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections;
- 29. The Developer must provide truncations to all street intersection types to a minimum of six (6) metre three (3) chord configuration. The truncation areas must be included in road reserve and dedicated free of cost to Council;
- 30. The Developer must supply and erect all necessary street signs and posts. The Developer is to liaise with the Bundaberg Regional Council for determination of the names for new development roadways;
- 31. A temporary sealed turn-around is to be provided for at the end of each internal roadway at the development stage boundaries. The temporary turn-around must provide with a minimum twenty (20) metre turning circle measured from the edge of pavement;
- 32. The Developer must provide a 1.5 metre (minimum) concrete ribbon pathway and pram ramp(s) along one frontage of the Airport Drive and the internal new road generally in accordance with Council's drawing 13977;
- 33. All pathways must be free from inundation during a 1% AEP local flood event;

Electricity & Telecommunications

- 34. The Developer must provide for the supply of underground electricity to each proposed lot. Arrangements for electricity supply and overhead street lighting to the development must be made by liaison for installation of the required works and entering into an agreement with the local Energy Provider;
- 35. Padmount transformer locations, where possible, are to be located within the road reserve fronting proposed or existing parkland or drainage reserves;
- 36. Electrical crossings are generally to be to the opposite lot boundary to water service crossings;
- 37. Street lighting to new roads, multi-modal pathways and intersections must comply with the following:
 - 37.1 The Guidelines for Lighting in the Vicinity of Airports Advice to Designers (Civil Aviation Safety Authority), or its successor documents,
 - 37.2 Must not exceed the maximum intensity of light source provided in Map 4.2 of the Planning Scheme of Bundaberg Light Control Zones, and
 - 37.3 Must not be configured into straight parallel lines 500m to 1000m long;
- 38. The Developer is to be responsible for the provision of telecommunications to all proposed lots by liaison for installation of the required works and entering into an agreement with the Telecommunications Authority or Cable Service Provider (whichever is applicable).

Evidence that an agreement has been reached with any authorised telephone/cable service provider, on the provision of telephone/cable services, must be produced before the completion of the development;

39. Telecommunication conduits (ducts) and pits, including trenching and design, must be provided to service the development in accordance with 'Fibre-Ready' standards or the NBN Co Installing Pit and Conduit Infrastructure - *Guidelines for Developers* provided to the satisfaction of the Senior Development Engineer- Development Assessment;

Part 1(b). Assessment Manager's Advices

Infrastructure Charges Notice

A. Please find attached the Infrastructure Charges Notice (Register No: 331.2013.478.1) applicable to the approved development.

Further Development Permits Required

Operational Works – Assessable against the Planning Scheme for Bundaberg City Plan (Version 2.00)

Operational Work

The following conditions list the requirements to obtain a Development Approval for Operational works for this development. The conditions promulgate the necessity to have plans prepared and certified by engineers that are registered with the Board of Professional Engineers of Queensland.

Advices

- B. Plans and specifications for Operational Work must be prepared and certified by a Professional Engineer registered with the Board of Professional Engineers of Queensland;
- C. Prior to both commencement of use and sealing of a survey plan, plans and specifications for Operational Work must be approved by Council;
- D. Prior to both commencement of use and sealing of a survey plan, Operational Work must be certified by an Engineer registered with the Board of Professional Engineers of Queensland:
- E. An Engineer registered with the Board of Professional Engineers of Queensland must supervise the Operational Works.

Sewerage

CCTV

- Prior to the commencement of the maintenance period all sewerage infrastructure must be inspected with CCTV Unit and an Infrastructure Condition Report prepared for Council approval;
- All sewerage infrastructure, or such lesser number of lines as agreed by the Senior Development Engineer- Development Assessment, must be inspected with a CCTV unit and an infrastructure condition report prepared for Council approval prior to the conclusion of the maintenance period. All costs associated with the inspections must be borne by the Developer;

Stormwater

CCTV

- Prior to the acceptance of the works on maintenance all Stormwater infrastructure is to be inspected with a CCTV Unit and an infrastructure condition report prepared for Council approval. All costs associated with this inspection are to be borne by the Developer;
- All Stormwater infrastructure, or such lesser number of lines as agreed by the Manager Sustainable Development, must be inspected with a CCTV unit and an infrastructure condition report prepared for Council approval prior to the conclusion of the maintenance period. All costs associated with the inspections must be borne by the Developer;

Water Sensitive Urban Design

 Bioretention measures will have a maintenance period of 24 months. The maintenance period will be after the completion of the last stage of the development to direct water to the measures;

Part 2. Concurrence Agency's Conditions

The Department of Transport and Main Roads (DTMR) and the Department of Environment and Heritage Protection (DEHP), by letter dated 7 November 2012 and the 12 October 2012 respectively (copy letter attached for information).

SCHEDULE 2 – PA EXTRACT ON APPEAL RIGHTS

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

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

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and
- (b) each co-respondent for the appeal; and
- (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
- (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
- (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The service period is—

- if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

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

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

Extract of Schedule 1 of the Planning Act 2016

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal 2. Change applications An appeal may be made against— (a) a responsible entity's decision for a change application, other than a decision made by the P&E court; or (b) a deemed refusal of a change application. Column 1 Column 2 Column 3 Column 4 Appellant Respondent Co-Co-respondent by election (if any) respondent (if any) The 1 The applicant If an affected 1 A concurrence agency for the development responsible entity starts Application 2 If the responsible entity the appeal is 2 If a chosen assessment manager is the entity the the applicant respondent—the prescribed assessment manager assessment manager-an 3 A private certifier for the development application affected entity 4 Any eligible advice agency for the change that gave a preapplication request notice or response notice 5 Any eligible submitter for the change application

Note:

Attached is a Rights of Appeal Waiver form (Schedule 3). Please complete and return this form if you are satisfied with the approval and agree to the conditions contained therein and you wish to waiver the 20 day appeal period available under the *Planning Act 2016*.

SCHEDULE 3 – RIGHT OF APPEAL WAIVER



Mail To: Bundaberg Regional Council

Email Address: development@bundaberg.qld.gov.au

Attention: Development Assessment

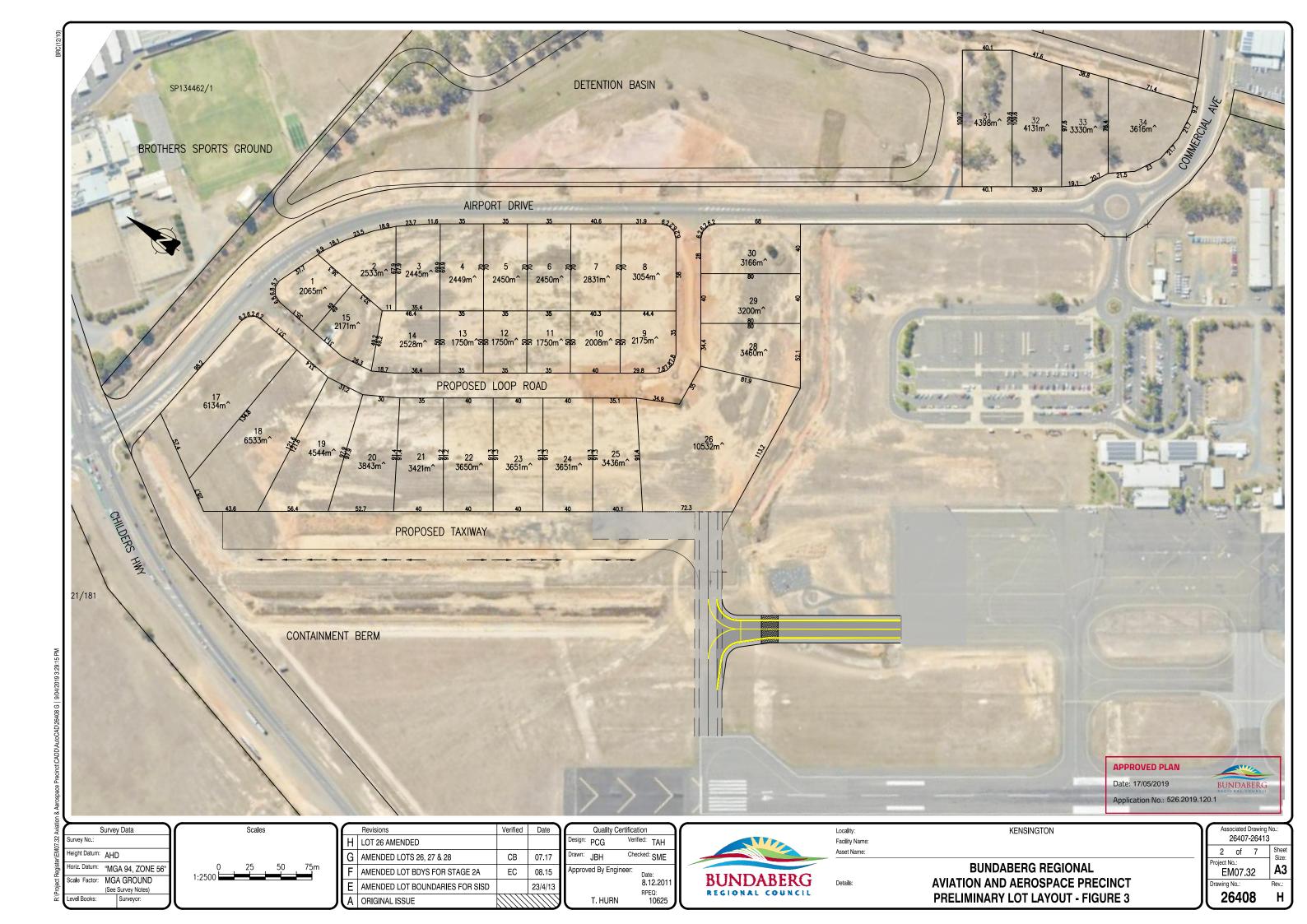
RE:

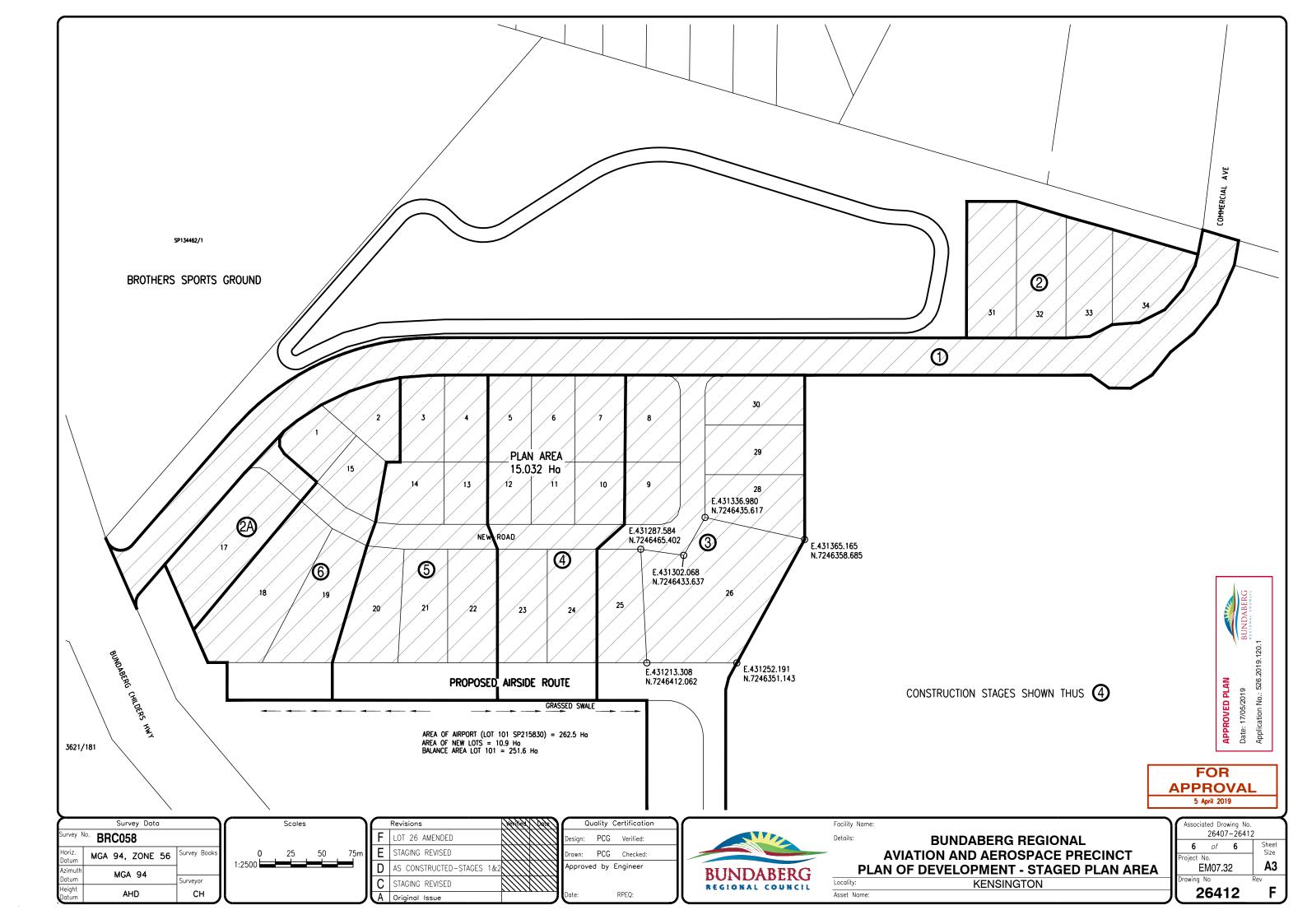
Council reference: 526.2019.120.1

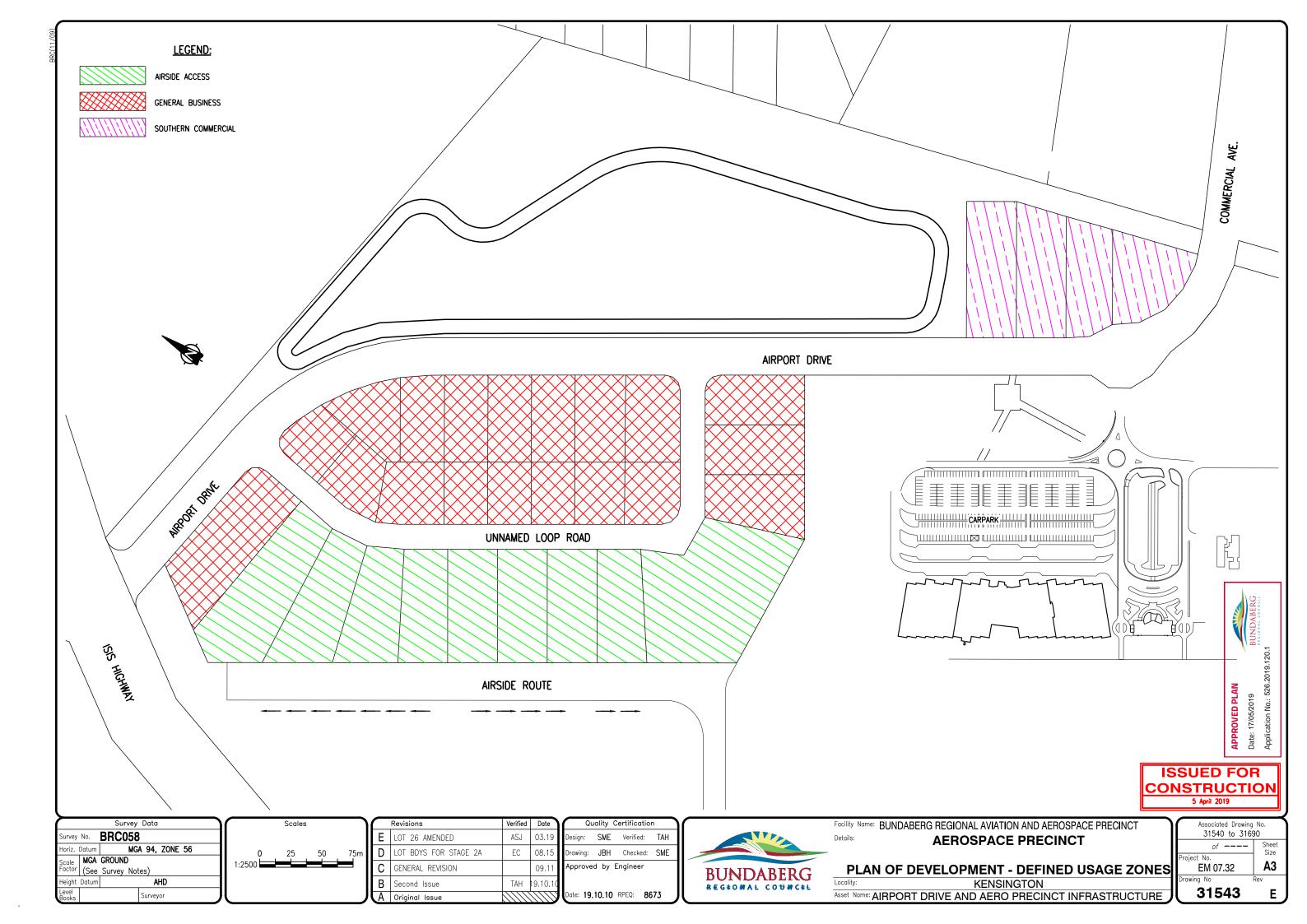
Property Address: Airport Drive, Kensington; land described as Lot 36 on SP283978

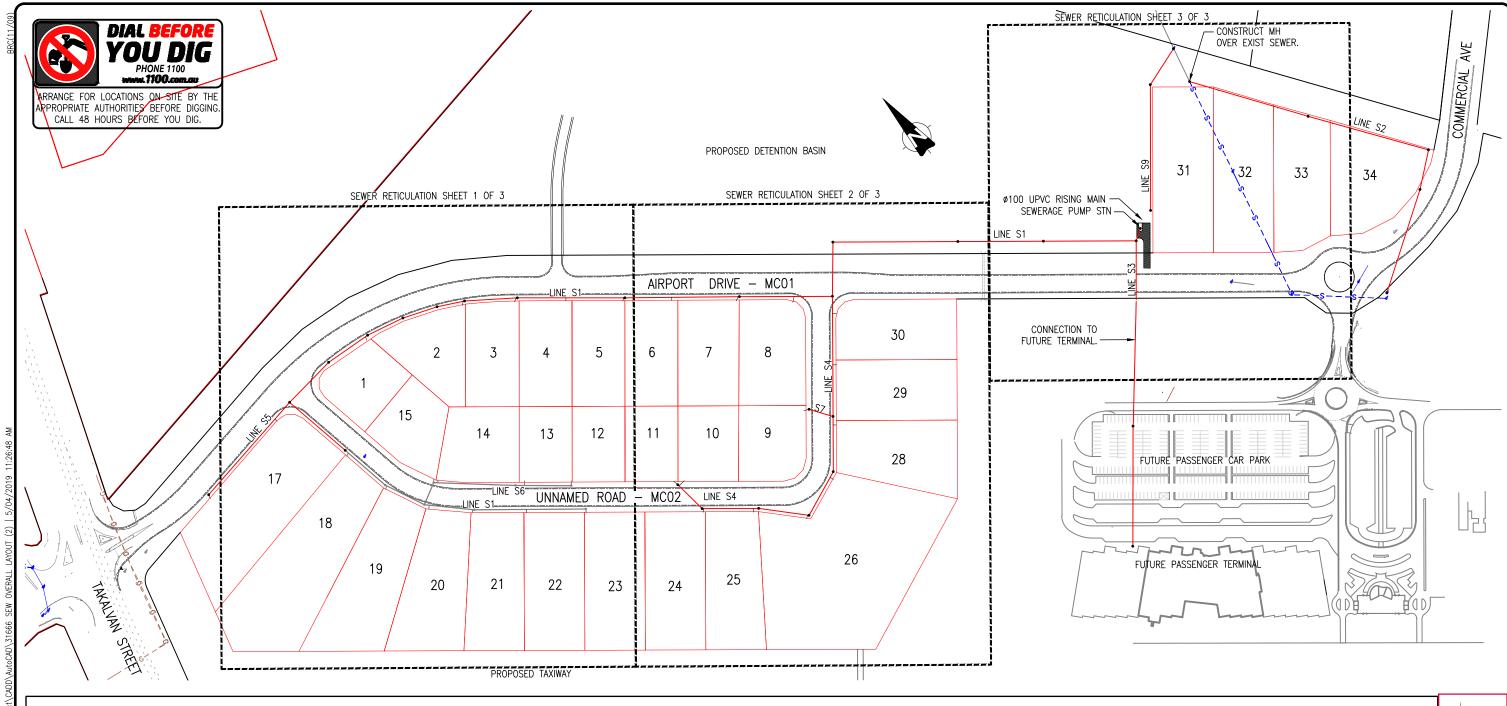
This advice is to confirm that I/We have received the above approval and agree to the conditions contained therein. I/We hereby waiver My/Our appeal rights available under the *Planning Act 2016.*

| Applicants Name: | |
|------------------|------|
| Signature: | |
| Date : | |









GRAVITY SEWER RETICULATION NOTES

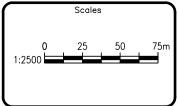
- 1. ALL PIPES TO BE 150mm DIA. UNLESS OTHERWISE SHOWN.
- 2. ALL GRAVITY MAINS IN THE FORMER BSC PLANNING SCHEME TO BE uPVC (RRJ) OF CLASS S.N.8. UNLESS NOTED OTHERWISE.
- 3. ALL GRAVITY MAINS IN THE FORMER BUCC PLANNING SCHEME TO BE VITRIFIED CLAY PIPE COMPLYING WITH AS1741 UNLESS NOTED OTHERWISE.
- 4. A HOUSE CONNECTION JUNCTION SHALL BE CONSTRUCTED TO SERVE EACH LOT (REFER IPWEAQ DWG NO. S-0030A). THE JUNCTION TYPES ARE SHOWN ON THE SEWER LONG SECTIONS.
- 5. EACH HOUSE CONNECTION SHALL EXTEND FROM THE MAIN INTO ITS SUBJECT ALLOTMENT FOR A MINIMUM DISTANCE OF 1m.
- 6. ABOVE GROUND MARKERS WILL BE REQUIRED TO INDICATE THE FINAL POSITION OF THE DEVELOPMENT JUMP-UPS. THE CONTRACTOR IS TO FIX 4mm PLASTIC COATED HEAVY DUTY GALVANISED OR STAINLESS STEEL WIRE TO THE CAPPED END OF THE SEWERAGE PIPE AND PLACE OVER THE WIRE A LENGTH OF TUBING. TUBING SHALL BE A MINIMUM 40mm/MAXIMUM 50mm CONDUIT AND SHALL EXTEND A MINIMUM OF 900mm ABOVE THE FINISHED GROUND LEVEL. THE WIRE IS TO FINISH AT GROUND LEVEL OR A MAXIMUM OF 100mm BELOW GROUND LEVEL.

- 7. DEPTH SHOWN ON THE LONGITUDINAL SECTIONS IS THE DIFFERENCE BETWEEN THE INVERT OF THE PIPES AT MANHOLES AND THE DESIGN SURFACE LEVEL.
- 8. THE SCHEDULED DEPTHS FOR PAYMENT OF EXCAVATION AND BACKFILLING OF TRENCHES ARE BASED ON THE AVERAGE OF THE TWO PIPE INVERT DEPTHS BELOW THE DESIGN SURFACE LEVELS AT ADJACENT
- 9. ALL SEWERAGE WORKS SHALL BE CARRIED OUT UNDER THE SUPERVISION OF BUNDABERG REGIONAL COUNCIL AND THE COUNCIL'S NOMINATED ENGINEER WHO IS TO BE CONTACTED 24 HOURS PRIOR TO THE CONTRACTOR COMMENCING WORK AND REACHING HOLD POINTS.
- 10. 'AS CONSTRUCTED' INFORMATION TAKEN BY THE CONTRACTOR REGARDING THE LOCATION OF SEWER STUBS IS TO BE VERIFIED BY A COUNCIL OFFICER PRIOR TO THE BACK FILLING OF WORKS. SUCH VERIFICATION IS TO BE MADE BEFORE FINAL INFORMATION IS GIVEN TO COUNCIL.
- 11. THE DESIGN SURFACE SHOWN ON THE SEWER LONG SECTIONS IS THE FINISHED SURFACE BESIDE THE MANHOLE. IN GRASSED AREAS THE TOP OF MANHOLE IS TO BE FINISHED 50mm ABOVE THE GENERAL GRASSED LEVEL IN THE VICINITY, ALTHOUGH TRIPPING HAZARDS SHOULD BE REMOVED. IN ROADS MANHOLES SHALL FINISH FLUSH WITH THE ROAD LEVEL. THE CONTRACTOR SHALL CONFIRM THE FINISHED LEVELS PRIOR TO CONSTRUCTION.

- 12. MANHOLE COVERS SHALL BE STENCILED WITH THE WORD 'SEWER' OR 'SANSEW'.
- 13. ALL MANHOLE LIDS WITHIN ROAD RESERVES ARE TO BE HEAVY DUTY CAST IRON CLASS D IN ACCORDANCE WITH AS3996-1992.
- 14. BACKFILL MATERIAL FOR SEWER TRENCHES TO BE SOIL APPROVED BY COUNCIL, AND COMPACTED TO A DENSITY OF AT LEAST 95% MDD (OR 98% MDD WITHIN 300mm OF PAVEMENTS) AS DETERMINED USING THE STANDARD COMPACTION TEST (FOR COHESIONLESS SOILS MINIMUM DENSITY INDICES 65 OR 80 APPLY RESPECTIVELY). FREQUENCY OF COMPACTION TESTING OF TRENCHES TO BE IN ACCORDANCE WITH AS3798 (GUIDELINES ON EARTHWORKS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENTS — TABLE 8.1). IF A COMPACTION METHODOLOGY CAN BE ESTABLISHED THAT CONSISTENTLY EXCEEDS THE REQUIRED COMPACTION STANDARD, THE CONTRACTOR AND COUNCIL REPRESENTATIVE MAY TOGETHER AGREE TO REDUCE THE FREQUENCY OF TESTING.
- 15. CONNECTION TO THE EXISTING SEWER MAINS SHALL BE MADE BY BUNDABERG REGIONAL COUNCIL. THE TOTAL COST OF THESE SERVICES SHALL BE BORNE BY THE CONTRACTOR.

ISSUED FOR CONSTRUCTION 5 April 2019

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| šrg.c | Scale | MGA | GROUND Survey No | |
| gp | Factor | (See | Survey No | tes) |
| pnuc | Height | Datum | | AHD |
| \geq | Level | | | Suprovor |



| 1 | | Revisions | Verified | Date |
|---|---|-----------------------|----------|----------|
| | Е | LOT 26 AMENDED | ASJ | 03.19 |
| | D | LOT BDYS FOR STAGE 2A | EC | 08.15 |
| | С | NOTES ADDED | | 09.11 |
| | В | Second Issue | TAH | 19.10.10 |
| I | Α | Original Issue | | |

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| Drawing: | PCG | Check | ed: | TAH | _ | - |
| Approve | d by E | nginee | r | | | |
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| Date: 19. | 10.10 | RPEQ: | 867 | 73 | 儿 | |



Locality:

Facility Name: BUNDABERG REGIONAL AVIATION AND AEROSPACE PRECINCT AEROSPACE PRECINCT

SEWER RETICULATION OVERALL LAYOUT KENSINGTON

Asset Name: AIRPORT DRIVE AND AERO PRECINCT INFRASTRUCTURE

| of Project No. | Sheet Size |
|----------------|---------------|
| EM 07.32 | A3 |
| | Rev |
| Drawing No | 1/CA |

