



**City Planning & Sustainability
Development Services**

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Dedicated to a better Brisbane

20 November 2024

Bcg Pty Ltd Atf Sr Family Trust
C/- Wolter Consulting Group
PO Box 436
NEW FARM QLD 4005

ATTENTION: Chelsea Evans

Application Reference: A006632373
Address of Site: 2371 MOGGILL RD BROOKFIELD QLD 4069

Dear Chelsea

RE: Decision notice pursuant to section 83 of the *Planning Act 2016*

I am pleased to inform you that your change application has been approved as indicated in the attached decision notice. This approval must be carried out in accordance with the attached development approval package and the previously issued package should now be disregarded.

In addition to this approval you may also be required to obtain a water approval from the Central SEQ Distributor Retailer trading as Queensland Urban Utilities.

You are advised that Brisbane City Council has amended the infrastructure charges notice for transport, public parks and land for community facilities and stormwater trunk infrastructure networks. The amended infrastructure charges notice has been attached to the decision notice.

The Central SEQ Distributor Retailer Authority trading as Queensland Urban Utilities may amend the infrastructure charges notice for sewerage and water supply. An amended infrastructure charges notice for the sewerage and water supply trunk infrastructure networks is not attached to this decision notice. Queensland Urban Utilities may issue this infrastructure charges notice following this decision notice.

Included is a table of appeal rights under the *Planning Act 2016* advising you of appeal rights to the Planning and Environment Court or a tribunal.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Angela Bazzana
Urban Planner
Planning Services North
Phone: (07) 3407 0886
Email: angela.bazzana@brisbane.qld.gov.au
Development Services
Brisbane City Council

Decision Notice – Change Application

(Section 83 (Notice of decision) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given for a decision for a change application pursuant to section 83 of the *Planning Act 2016*. The decision to approve the application on **20 November 2024** was made by the Principal Urban Planner as the delegate appointed by the Council to determine the application.

NATURE OF CHANGES

The Council's delegate amended the original application as follows:

- Increase of 19m² GFA to the Garden Centre addition at the southeast corner of the site, from an approved 160m² GFA to 179m² GFA.
- Change in the construction material from shipping containers to colorbond steel with grooved cladding.
- Minor reduction in the approved front setback from 6m to 4.8m
- Changes to the PWD access ramp to the approved Garden Centre addition to improve its alignment and function.

APPLICATION DETAILS

Application Reference Number: A006632373
Application Made Date: 17 October 2024
Properly Made Date: 17 October 2024

DESCRIPTION OF THE DEVELOPMENT

Aspect of Development: DA - SPA - Carry out Building Work (ref DABW264843012)
Nature Application: Preliminary Approval under s241
Activity: Extension, Garden Centre, Restaurant and Function Facility
Description of Proposal: Request to change the development approval under s81 of the Planning Act 2016

Aspect of Development: DA - SPA - Material Change of Use (ref DAMC264843112)
Nature Application: Development Permit
Activity: Extension, Garden Centre, Restaurant and Function Facility
Description of Proposal: Request to change the development approval under s81 of the Planning Act 2016

APPLICANT DETAILS

Name of Applicant: Bcg Pty Ltd Atf Sr Family Trust
Applicant Address: Bcg Pty Ltd Atf Sr Family Trust
C/- Wolter Consulting Group

PO Box 436
NEW FARM QLD 4005

SITE DETAILS

Address of Site: 2371 MOGGILL RD BROOKFIELD QLD 4069
Real Property Description: L7 RP.234239
City Plan Area Classification: CP-RU,QPP-RR
Owner: S R Family Trust
Ward: Pullenvale

TYPE OF APPROVAL

Carry Out Building Work – Preliminary Approval under s241 (ref DABW264843012)

Material Change of Use – Development Permit (ref DAMC264843112)

Please note that this Preliminary Approval for Carrying Out Building Work (ref DABW264843012) does not include assessment against the Building Code of Australia.

CURRENCY PERIOD FOR THE DEVELOPMENT APPROVAL

The currency period for this development approval is taken to be the period set by the original development approval granting the development to occur. This period may be changed from time to time by subsequent activities including a negotiated decision notice, or further extension period as issued under the Act.

FURTHER DEVELOPMENT PERMITS

The following development permit/s are required to carry out the development:

- Carry Out Building Work – Development Permit

ASSESSMENT OF CONDITION COMPLIANCE

Assessment of compliance with conditions that require a document and/or works to be approved by Council must be actioned by the submission of form CC11018: Request for Assessment of Compliance with Conditions (available on Council's website).

The form should be submitted by electronic lodgement to dalodgement@brisbane.qld.gov.au. A fee quote will be generated upon receipt of the request and forwarded for payment prior to assessment of the request. A separate request must be made for each condition or part condition as appropriate.

REFERRAL AGENCIES

The original approval triggered referral to SARA, a copy of the referral response has been included in the decision documents for this application.

It is recommended that the applicant seek an updated response from SARA.

CONDITIONS

This approval is subject to conditions included in the attached development approval package which includes:

- conditions imposed by Council as assessment manager

SUBMISSIONS

No properly made submissions were received for this application.

APPEAL RIGHTS

In accordance with the *Planning Act 2016*, the rights of appeal must be stated for the applicant and any submitters. Attached is a table of appeal rights under the *Planning Act 2016* that details your appeal rights and the appeal rights of any submitters.

Decision Notice – Infrastructure Charges

(Section 121(3) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given pursuant to section 121(3) of the *Planning Act 2016*. The decision to give an amended infrastructure charges notice on **20 November 2024** was made by the Principal Urban Planner as the delegate appointed by Council to determine the application.

APPLICATION DETAILS

Application Reference Number: A006632373
Application Made Date: 17 October 2024
Properly Made Date: 17 October 2024

APPLICANT DETAILS

Name of Applicant: Bcg Pty Ltd Atf Sr Family Trust
Applicant Address: Bcg Pty Ltd Atf Sr Family Trust
C/- Wolter Consulting Group
PO Box 436
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