



Your Reference:
Our Reference: DA21/22-008
Contact: Kelli Doyle

1 February 2022

Alexander and Sally Graham
17277 Thomson Development Road
'Langdale Station'
Longreach QLD 4730

Sent via email: grahamas@bigpond.com

Dear Sir/Madam

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 27 January 2022, Longreach Regional Council decided to approve the application in full, subject to conditions. Details of the decision are as follows:

1. APPLICATION DETAILS

Application Number:	DA 21/22-008
Properly Made Date:	13 December 2021
Decision Date:	27 January 2022
Planning Scheme:	<i>Longreach Regional Planning Scheme 2015 (v2.1)</i>

2. APPLICANT DETAILS

Name:	Alexander and Sally Graham
Postal Address:	17277 Thomson Development Road 'Langdale Station' Longreach QLD 4730
Email Address:	grahamas@bigpond.com

3. PROPERTY DETAILS

Street Address: Thomson Development Road, Longreach
Real Property Description: Lot 1 on PD242 and Lot 4 on PD5
Local Government Area: Longreach Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Reconfiguring a Lot (Access Easement)

5. CURRENCY PERIOD

This development approval will lapse at the end of the period set out in section 85(1)(b)(ii) of the *Planning Act 2016*.

6. ASSESSMENT MANAGER CONDITIONS

1.0 PARAMETERS OF APPROVAL

- 1.1 The developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.
- 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.
- 1.3 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out for the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.
- 1.4 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.5 All conditions, works, or requirements of this development approval must be undertaken and completed prior to the sealing of the survey plan for the Reconfiguring a Lot, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Drawing Number	Revision	Date
Plan of Easement B in Lot 1 on plan PD242	Sheet 1 of 4	-	08-10-2021

Plan of Easement B in Lot 1 on plan PD242	Sheet 3 of 4	-	08-10-2021
Plan of Easement B in Lot 1 on plan PD242	Sheet 4 of 4	-	08-10-2021

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 ENDORSEMENT OF SURVEY PLAN

3.1 Council will not endorse or release the survey plan for this development until such time as:

- (a) All conditions of this development approval for Reconfiguring a Lot have been fully satisfied;
- (b) A statement demonstrating compliance with all conditions attached to this development approval has been submitted to Council; and
- (c) All outstanding rates and charges relating to the site have been paid.

4.0 EASEMENTS

4.1 An easement for the purposes of access is to be registered as follows:


- (a) Burdening Lot 1 on PD242 and benefiting Lot 4 on PD5, for the purposes of access shown as Easement B on Plan of Easement B in Lot 1 on plan PD242, Sheet 1 of 4 and dated 8-10-2021.

5.0 ASSET MANAGEMENT

5.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

ADVISORY NOTES

1. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.
2. General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
3. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").

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4. This approval is issued under the *Planning Act 2016* and does not include an assessment against the *Building Act 1975*. Alterations may be required to existing buildings to ensure compliance with the building assessment provisions. The developer should seek advice from a suitably qualified person before proceeding with the development.

7. STATEMENT OF REASONS

7.1 Description of Development

- The development application is for a Development Permit for Reconfiguring a Lot (Access Easement) approved as per Decision Notice DA 21/22-011.

7.2 Assessment Benchmarks

The following are the benchmarks that are applicable to this development:

Benchmark applying for the development	Benchmark reference
<ul style="list-style-type: none">• Section 6.2.9 (Rural Zone Code)• Section 8.3.1 (Reconfiguring a Lot Code)• Section 8.3.2 (Works Code)• Section 8.3.3 (Landscape Code)	<i>Longreach Regional Planning Scheme 2015 (v2.1)</i>

7.3 Relevant Matters

There are no relevant matters for this application.

7.4 Matters Raised in Submission

Public notification of the application was not required.

7.5 Reason for Decision

The development application is approved and the reasons for the decision are based on findings on material questions of fact:

- The development formalises an existing access arrangement and does not require any physical works or vegetation clearing.
- The development does not create any additional lots and will not impact existing utilities or infrastructure.
- The development complies with all applicable assessment benchmarks of the Planning Scheme.
- The development does not compromise the relevant elements of the Central West Regional Plan and State Planning Policy.

8. REFERRAL AGENCIES

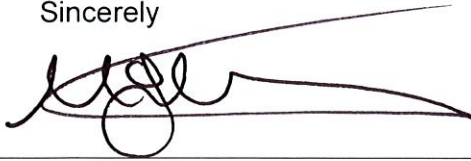
Nil

9. FURTHER DEVELOPMENT PERMITS REQUIRED

Nil

Should you require further assistance in relation to this matter, please do not hesitate to contact Kelli Doyle, Support Services Officer, on (07) 4658 4111.

Sincerely



Mitchell Murphy
Chief Executive Officer



Lisa Young
Director of Community & Cultural Services

Encl: Attachment 1 – Approved Plans
Attachment 2 – Appeal Rights