



**Longreach
Regional Council**
Ilfracombe Isisford Longreach Yaraka

Address all correspondence to:
Chief Executive Officer
PO Box 144, Ilfracombe QLD 4727
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ABN: 15 334 304 112

22 February 2022

Sopharr Pty Ltd
PO Box 404
Longreach QLD 4730

Attention: George Kent
Sent via email: kentconstruction@bigpond.com

Dear George

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 17 February 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 21/22-012
Properly Made Date: 9 February 2022
Decision Date: 17 February 2022
Planning Scheme: *Longreach Regional Planning Scheme 2015 (v2.1)*

2. APPLICANT DETAILS

Name: Sopharr Pty Ltd
Postal Address: PO Box 404
Longreach QLD 4730
Email Address: kentconstruction@bigpond.com

3. PROPERTY DETAILS

Street Address: 38 Lark Street, Longreach
Real Property Description: Lot 27 on L35712

Local Government Area: Longreach Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for Low Impact Industry and Warehouse

5. CURRENCY PERIOD

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" 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 cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.
- 1.4 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed by Council to create a hazard to the community, it must be repaired immediately.
- 1.5 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council's satisfaction, and to be maintained at all times thereafter, unless otherwise stated.

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 approval:

Plan/Document Name	Plan/Document Number	Revision	Date
Locality Plan	DA-01	-	08/02/22 (Received date)
Site Plan	DA-02	-	08/02/22 (Received date)

Public Path + Parking Plan	DA-03	-	08/02/22 (Received date)
Landscaping Plan	DA-04	-	08/02/22 (Received date)
Lark Street Crossover	DA-05	-	08/02/22 (Received date)
Foundation Plan and Member Layout	Sheet 1 of 6	-	20/01/22
Sidewall and Endwall Exterior Elevations	Sheet 6 of 6	-	20/01/22
Foundation Plan and Member Layout	Sheet 1 of 8	-	20/01/22
Sidewall and Endwall Exterior Elevations	Sheet 8 of 8	-	20/01/22
Foundation Plan and Member Layout	Sheet 1 of 7	-	21/01/22
Sidewall and Endwall Exterior Elevations	Sheet 7 of 7	-	21/01/22
Foundation Plan and Member Layout	Sheet 1 of 7	-	21/01/22
Sidewall and Endwall Exterior Elevations	Sheet 7 of 7	-	21/01/22

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 prevail.

3.0 LIMITATION OF USE

3.1 The site and associated buildings are permitted to be used for the following purposes as defined in the *Longreach Regional Planning Scheme 2015*:

- Low impact industry
- Warehouse.

3.2 Any proposed Office is not to exceed 150m² in gross floor area and is to remain ancillary to any use listed in condition 3.1.


3.3 The Caretaker's accommodation shown on the Locality Plan with reference DA-01 and dated 8 February 2022 (Received date) is provided for a caretaker of a non-residential use on the same premises only.

4.0 VEHICLE ACCESS AND PARKING

4.1 Provide and maintain a minimum of thirty-eight (38) car parking spaces on-site with a minimum five (5) spaces to be provided for people with disabilities. All car parking spaces must be clearly delineated by either line-marking or signage.

4.2 Construct and maintain all car parking spaces and vehicle manoeuvring areas associated with the approved development to a concrete or two coat bitumen seal standard.

4.3 Design, construct and maintain all car parking and access works generally in accordance with the approved plans, *Australian Standard AS2890 "Parking Facilities"* (Parts 1 to 6) and *Manual of Uniform Traffic Control Devices (Queensland)*.

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- 4.4 Construct and maintain the vehicular accesses in accordance with the *Institute of Public Works Engineering Australia Standard Drawing No. RS-051 (Vehicle Crossing Heavy Duty)*.

Advisory Note: *In accordance with section 5.7 and specifically Table 5.7.1 (Operational Work) of the Planning Scheme, Operational Work for a driveway crossover is prescribed as 'Accepted subject to requirements.' The requirements are the Works Code of the Planning Scheme.*

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 5.1 Discharge all roof and allotment drainage such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure from the pre- to the post-development condition.
- 5.2 All stormwater must drain to the lawful point of discharge, being the open drain on Lark Street and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.


6.0 FLOOD

- 6.1 Maintain and implement a current Flood Evacuation Plan for the approved use.
- 6.2 The Flood Evacuation Plan must consider:
- 6.2.1 Trigger conditions for evacuation;
 - 6.2.2 Flood free or low flood hazard access, by way of trafficable roads to facilitate evacuation or provision of supplies;
 - 6.2.3 Location of local evacuation centres; and
 - 6.2.4 Roles and responsibilities of the manager/employees in implementing the Flood Evacuation Plan.
- 6.3 Make available a copy of the Flood Evacuation Plan in each approved use onsite.
- 6.4 The finished floor level for all buildings is to be a minimum 185.35m AHD with the exception of the Caretaker's accommodation which is to have a minimum finished floor level of 185.9m AHD.

7.0 SERVICES

- 7.1 The premises must be connected to Council's reticulated water and sewerage networks in accordance with the standards prescribed in Table SC5.1.2.6 (Water and Sewer Standards) of *Planning Scheme Policy 1 – Works*.

Advisory Note: *In accordance with section 5.7 and specifically Table 5.7.1 (Operational Work) of the Planning Scheme, Operational Work for water and sewerage connections are prescribed as 'Accepted subject to requirements.' The requirements are the Works Code of the Planning Scheme.*

- 7.2 Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.
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8.0 LANDSCAPING

- 8.1 Establish and retain all landscaping generally in accordance with the Landscaping Plan with reference DA-04 and dated 8 February 2022 (Received date). The landscaping must predominantly contain species that are endemic to the region due to their low water dependency.
- 8.2 Ensure the landscaped areas are subject to water and maintenance during the establishment phase, and ongoing maintenance and replanting as required.

9.0 ENVIRONMENTAL HEALTH


- 9.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, odour, wastewater, waste products, dust or otherwise.
- 9.2 Maintain outdoor lighting to comply with AS4282 – 1997 “Control of Obstructive Effects of Outdoor Lighting”.
- 9.3 All waste storage areas must be kept in a clean, tidy condition, and must be screened from view from Lark Street. Sufficient waste containers and services are to be provided to cater for the containment and removal of all waste generated on the site.

10.0 EROSION AND SEDIMENT CONTROL

- 10.1 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site for the duration of the works, and until such time as all exposed soil areas are permanently stabilised (for example, turfed, hydro mulched, concreted, and landscaped). The ESCP must be available on-site for inspection by Council Officers during the works.
- 10.2 The Erosion and Sediment Control Plan must be prepared in accordance with the Best Practice Erosion and Sediment Control document from the International Erosion Control Association, as updated from time to time.
- 10.3 Where any component of the works is to be undertaken during the wet season (October to May), the Erosion and Sediment Control Plan must be submitted to Council for approval, prior to commencement of the works.

Advisory note: Schedule 5.1.2.5 of the Longreach Regional Council Planning Scheme (v2.1) references the Director of Infrastructure Services to undertake the assessment of the ESCP.

11.0 CONSTRUCTION ACTIVITIES

- 11.1 Construction activity and noise must be limited during earthworks and construction of the approved development to the hours of 06:30 to 18:30 Monday to Saturday, with no work to occur on Sundays or public holidays.
 - 11.2 The construction of any works must be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the relevant provisions of Planning Scheme Policy No. 1 – Works Planning Scheme Policy under Schedule 5 of the Longreach Regional Planning Scheme 2015 (v2.1).
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- 11.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site, unless otherwise approved in writing by Council.

12.0 ASSET MANAGEMENT

- 12.1 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. Prior to commencing any construction activities, the applicant/developer may be required to obtain further development permits for operational work (for example, for the relocation of the sewer line if this is required), building work, and plumbing and drainage work, as required under relevant legislation for this work.
2. 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.
3. Compliance must be achieved with any relevant Civil Aviation Safety Authority requirements. The development and operation of the use must not conflict with or adversely impact the operational requirements of the Longreach Airport.
4. 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.
5. 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").

7. STATEMENT OF REASONS

7.1 Description of Development

- Development Permit for Material Change of Use for Low Impact Industry and Warehouse as per Decision Notice DA 21/22-012.

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"> • 6.2.4 Industry Zone Code • 7.2.1 Airport Environs Overlay Code • 7.2.2 Flood Hazard Overlay Code • 8.3.2 Works Code • 8.3.3 Landscape Code 	<p><i>Longreach Regional Planning Scheme 2015 (v2.1)</i></p>

7.3 Relevant Matters

There are no relevant matters for this application.

7.4 Matters Raised in Submission

Public notification of the application was required, however no properly made submissions were received.

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:

- a) The development is an acceptable land use in the Industry zone
- b) The development provides adequate parking and landscaping and can be connected to all required infrastructure and services
- c) The development has been conditioned to provide finished floor levels to address flooding impacts
- d) The development will be of a scale consistent with surrounding development
- e) The development complies with all applicable assessment benchmarks of the Planning Scheme
- f) 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

Where required, permits and approvals for building work, plumbing and any other related works should be obtained prior to commencement of the works authorised by this permit.

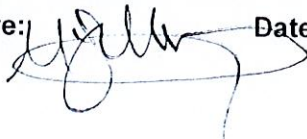
10. OTHER DETAILS

If you find any inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Longreach Regional Council on (07) 4658 4111 or via email assist@longreach.qld.gov.au.

11. DELEGATED PERSON


Name: Mitchell
Murphy

Signature:



Date: 22 February 2022

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



Attachment A – Approved Plans