



Your Reference:  
Our Reference: DA21/22-013  
Contact: Kelli Doyle

29 March 2022

Madjali Pty Ltd  
PO Box 328  
Longreach QLD 4730

Attention: Jamie & Patsy Worland

Sent via email: [pworland@mercbiz.com.au](mailto:pworland@mercbiz.com.au)

Dear Jamie & Patsy

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## **DECISION NOTICE APPROVAL**

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*PLANNING ACT 2016, SECTION 63*

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I refer to your application and advise that on 24 March 2022, Longreach Regional Council decided to approve the application in full, subject to conditions. Details of the decision are as follows:

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### **1. APPLICATION DETAILS**

<b>Application Number:</b>	DA 21/22-013
<b>Properly Made Date:</b>	28 February 2022
<b>Decision Date:</b>	24 March 2022
<b>Planning Scheme:</b>	<i>Longreach Regional Planning Scheme 2015 (v2.1)</i>

### **2. APPLICANT DETAILS**

<b>Name:</b>	Madjali Pty Ltd
<b>Postal Address:</b>	PO Box 328 Longreach QLD 4730
<b>Email Address:</b>	<a href="mailto:pworland@mercbiz.com.au">pworland@mercbiz.com.au</a>

### 3. PROPERTY DETAILS

**Street Address:** 136 Eagle Street, Longreach  
**Real Property Description:** Lot 1, 2 and 3 on RP601219  
**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 an Extension to a Shop.

### 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 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 use and to Council's satisfaction, 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	Plan/Document Number	Revision	Date
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Proposed Site Plan	DA-01	-	17/02/22 (Received date)
Proposed Site Plan Magpie Lane	DA-02	-	17/02/22 (Received date)

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 ROOF AND ALLOTMENT DRAINAGE WORKS**

3.1 All roof and allotment drainage must be discharged 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.

### **4.0 ASSET MANAGEMENT**

4.1 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.

### **5.0 AMENITY**

5.1 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, vibration, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products, grit, oil or otherwise.

5.2 Outdoor lighting must comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting.

5.3 Sufficient waste containers and services are to be provided to cater for the containment and removal of all waste generated on the site.

### **6.0 CONSTRUCTION ACTIVITIES**

6.1 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.

6.2 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 Policies No. 1 – Works Planning Scheme policy under Schedule 5 of the Longreach Regional Planning Scheme 2015 (v2.1).

6.3 All construction materials, waste, waste skips and machinery must be located and stored or parked within the development site, unless otherwise approved in writing by Council.

## ADVISORY NOTES

1. Permits and approvals for building work, plumbing and any other related works should be obtained prior to commencement of the building works authorised by this permit.
2. Lodgement of documentation associated with an application for a development permit for Building work is to include a suitable method of fire separation as per the National Construction Code 2019.
3. 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.
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 an Extension to a Shop as per Decision Notice DA 21/22-013.

### 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"><li>• 6.2.1 Centre Zone Code</li><li>• 7.2.1 Airport Environs Overlay Code</li><li>• 8.3.2 Works Code</li><li>• 8.3.3 Landscape Code</li></ul>	<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 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 proposed development is a consistent use in the Centre Zone
- b) The proposed development will be of a scale and alignment that is consistent with surrounding development
- c) The development complies with all applicable assessment benchmarks of the Planning Scheme
- d) 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

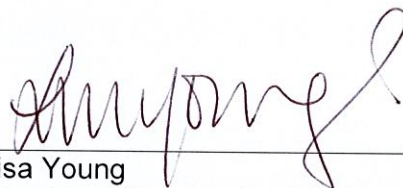
Should you require further assistance in relation to this matter, please do not hesitate to contact Kelli Doyle, Support Services Officer, on (07) 4658 4111.

Sincerely



Scott Mason  
A/Chief Executive Officer

30/3/22



Lisa Young  
Director of Community & Cultural Services

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