



29 September 2023

Longreach Regional Council C/- Murray & Associates (Qld) Pty Ltd
PO Box 665
Emerald QLD 4720

Sent via email: andrewb@mursurv.com

Dear Andrew

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 21 September 2023, 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 23/24-001
Properly Made Date: 18 August 2023
Decision Date: 21 September 2023
Planning Scheme: *Longreach Regional Planning Scheme 2015 (v2.1)*

2. APPLICANT DETAILS

Name: Longreach Regional Council C/- Murray & Associates (Qld) Pty Ltd
Postal Address: PO Box 665
Emerald QLD 4720
Email Address: andrewb@mursurv.com

3. PROPERTY DETAILS

Street Address: 22-24 Flinders Street, Ilfracombe

Real Property Description: Lot 801 on I4173

Local Government Area: Longreach Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Reconfiguring a Lot (1 lot into 2 lots)

5. CURRENCY PERIOD

In accordance with section 85 (1) (b) (ii) of the *Planning Act 2016*, this development approval lapses if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within 4 years after the approval starts to have effect.

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, except where amended by the conditions of this approval:

| Plan/Document Name | Plan/Document Number | Revision | Date |
|---|----------------------|----------|------------|
| Proposal Plan of Lots 1 and 2 Cancelling Lot 801 I4173 | 23085 | 1 | 25/07/2023 |

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans, 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 (where required);
- (b) A statement demonstrating compliance with all conditions attached to this development approval has been submitted to Council (where required); and
- (c) All outstanding rates and charges relating to the site have been paid.

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.

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. 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. 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.
4. 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 Reconfiguring a Lot (1 lot into 2 lots) as per Decision Notice DA 23/24-001.

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 6.2.12 (Township 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 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:

- The reconfiguration will create lots that complement the local character and that are capable of accommodating existing residential uses.
- Both new lots will have all necessary services.
- 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

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.

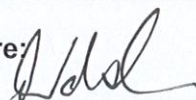
10. OTHER DETAILS

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:

Signature:




Date: 29 September 2022

Brett Walsh
Chief Executive Officer



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

Attachment A – Approved Plan



Attachment B – Extract of Appeal Provisions (Chapter 6, Part 1 of the *Planning Act 2016*)