



Your Reference:
Our Reference: DA20/21-007 ROL
Contact: Kelli Doyle

2 June 2021

Martyn Smith
C/- Andrews Town Planning
47 St Johns Avenue
ASHGROVE QLD 4060

Attention: Frank Andrews

Dear Frank

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 27 May 2021, 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: DA20/21-007

Properly Made Date: 9 March 2021

Decision Date: 27 May 2021

Planning Scheme: *Longreach Regional Planning Scheme 2015 (v2.1)*



2. APPLICANT DETAILS

Name: Martyn Smith

Postal Address: C/- Andrews Town Planning
47 St Johns Avenue
ASHGROVE QLD 4060

Email Address: Frank@andrewstownplanning.com.au

3. PROPERTY DETAILS

Street Address: 116 Eagle Street, Longreach

Real Property Description: Lot 313 on L3571

Local Government Area: Longreach Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Reconfiguring a Lot (One (1) into Two (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 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 PLAN

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

Plan	Plan Number	Date
Plan of Proposed Subdivision Lots 11 & 12 Cancelling Lot 313 on L3571 prepared by VSB Surveys Pty Ltd	1274-01	20/01/2021

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plan, 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 STORMWATER WORKS

- 4.1 All stormwater must drain to a demonstrated lawful point of discharge for each lot 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.
- 4.2 Where the lawful point of discharge for each lot is via inter-allotment drainage, easements must be provided in favour of Council to convey stormwater to the road.

5.0 SERVICES

- 5.1 Each lot must be connected to Council's reticulated water network and each connection point must be wholly contained within the respective lot boundary.
- 5.2 Electricity and telecommunication services must be provided to each lot in accordance with the standards and requirements of the relevant service provider. Each connection point must be wholly contained within the respective lot boundary.
- 5.3 Any service connection to an existing building that traverses a lot boundary is to be:
- (a) removed; or
 - (b) relocated so that it does not traverse a lot boundary; or
 - (c) covered by an easement.

6.0 ENGINEERING CERTIFICATION

- 6.1 Prior to commencement of any engineering works, a Development Permit for Operational Work must be obtained, where required, for the following engineering works:
- (a) Service connections
 - (b) Stormwater works

For the submission, detailed design documentation must be provided and a Registered Professional Engineer of Queensland (RPEQ) must certify the engineering drawings and specifications for the engineering work.

- 6.2 An Engineer's Certificate of Construction must be signed and submitted to Council by a RPEQ verifying that all works have been carried out in accordance with the relevant standards,



drawings, the development permit for operational works, and any specifications that result from the submission for engineering certification.

7.0 ASSET MANAGEMENT

- 7.1 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.

8.0 CONSTRUCTION ACTIVITIES

- 8.1 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site, in accordance with the *IECA 2008 Best Practice Erosion and Sediment Control* document (as amended) for the duration of the works, and until such time all exposed soil areas are permanently stabilised. The ESCP must be available on-site for inspection by Council Officers during the works.
- 8.2 The construction of any works must be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provisions of any relevant Planning Scheme Policies under the *Longreach Region Planning Scheme 2015 (v2.1)*.
- 8.3 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.
- 8.4 Construction activity and noise must be limited to the hours of 06:30 to 18:30 Monday to Saturday, with no work to occur on Sundays or public holidays.

<h2>7. ADVISORY NOTES</h2>

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”).
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.

8. REFERRAL AGENCIES

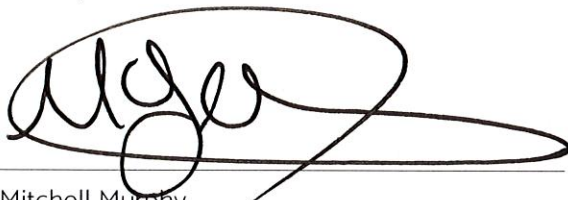
Nil.

9. FURTHER DEVELOPMENT PERMITS REQUIRED

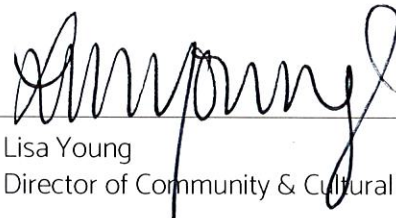
Nil.

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