



Your Reference:
Our Reference: DA21/22-006
Contact: Kelli Doyle

27 October 2021

Outback Aussie Tours Pty Ltd
C/- Land Development Strategies
24 Price Lane
Buderim QLD 4556

Attention: Peter Fowler

Dear Peter

**DECISION NOTICE
APPROVAL (MINOR
CHANGE)**

PLANNING ACT 2016, SECTION 83

I refer to your application and advise that on 21 October 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:	DA 21/22-006
Properly Made Date:	4 October 2021
Decision Date for previous Development Application (Change Application):	15 July 2021
Decision Date for Change Application:	21 October 2021
Planning Scheme:	<i>Longreach Regional Planning Scheme 2015 (v2.1)</i>

2. APPLICANT DETAILS

Name:	Outback Aussie Tours Pty Ltd
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Postal Address: C/- Land Development Strategies
24 Price Lane
Buderim QLD 4556

Email Address: peter@peterfowler.com.au

3. PROPERTY DETAILS

Street Address: 95 Eagle Street, Longreach

Real Property Description: Lot 1651 on SP309934

Local Government Area: Longreach Regional Council

4. DECISION DETAILS

The following type of approval has been amended on 21 October 2021:

- Development Permit (Minor Change) D20/21-011 for Material Change of Use for Low Impact Industry and Transport Depot

5. CURRENCY PERIOD

In accordance with section 85 of the Planning Act 2016, this approval lapses at the end of the period stated for each stage of development:

- Stage 1 (**including Stage 1A**) will lapse if the first change of use does not happen within six (6) years after the approval starts to have effect.
- ~~Stages 2, 3 and 4~~ **Stages 2, 3, 4, 5 and 6** will lapse if the change of use does not happen within eight (8) years after the approval starts to have effect.

6. NATURE OF THE CHANGES

The nature of the changes are:

- Amendment to the Currency Period
- Amendment to Condition 2.1 (Approved Plans and Documents)
- Amendment to Conditions 3.1, 3.2 and 3.3
- Amendment to Condition 4.1.1 and 4.1.2
- Amendment to Condition 6.4
- Inclusion of Condition 6.5
- Amendment to Condition 7.1 and amendment of the Advisory Note
- Amendment to Conditions 11.1 and 11.1.2.2
- Amendment to Condition 13.2.2

Changes are summarised as follows:

- The approved four stages of development have been further divided into six stages. The six stages are reflected in the currency period (section 5 above) and the approved plans and associated conditions that reference staging.
- The previous approved plans showed two storage rail lines (A and B). Now only storage line A is proposed and has been re-positioned to suit rail line geometry (Stage 1A).

- Stage 1A can be built at any time. All other stages must be undertaken and completed in consecutive order as per previous approval.
- Three temporary on-site car parks are provided as part of Stage 1, to service users of the site. These car parks will be replaced by the administration building car park (13 spaces) in Stage 3.
- The Sandpiper Street vehicle access will be built as part of Stage 1 instead of Stage 3, however it will not be used by construction vehicles, to minimise vehicle activity adjacent to the school. The construction of this access has been brought forward to support bus movement through the site.
- Driveways for bus movement through the site are now shown as being sealed as part of Stage 1. This will minimise the risk of dust nuisance throughout the lifetime of development.
- The landscape plan will be provided prior to the commencement of use for Stage 1, instead of at the time of lodging the operational works application (which has already been approved under DA 21/22-007).

7. 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 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, unless otherwise stated.
- 1.4 The cost of all works associated with the 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.
- 1.5 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.
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

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
Master Site Plan	CP1.01	A	29-06-2021
Master Site Plan Staging	CP1.02	A	29-06-2021
Concept Site Plan Stage 1	CP1.03	A	29-06-2021
Concept Site Plan Stage 2	CP1.04	A	29-06-2021
Concept Site Plan Stage 3	CP1.05	A	29-06-2021
Concept Site Plan Stage 4	CP1.06	A	29-06-2021
Concept Floor Plan New Admin Building Stages 1 and 2	CP2.01	A	29-06-2021
Concept Floor Plan New Admin Building Stage 1	CP2.02	A	29-06-2021
Concept Elevations New Admin Building Stages 1 and 2	CP2.03	A	29-06-2021
Concept Design New Maintenance Shed and Buspark	CP3.01	A	29-06-2021
Concept Design New Display Shelter	CP4.01	A	29-06-2021
Master Site Plan	CP1.01	B	27-09-21
Master Site Plan Staging	CP1.02	B	29-09-21
Concept Site Plan Stage 1 + Stage 1A	CP1.03	B	27-09-21
Concept Site Plan Stage 2	CP1.04	B	27-09-21
Concept Site Plan Stage 3	CP1.05	B	27-09-21
Concept Site Plan Stage 4	CP1.06	B	27-09-21
Concept Site Plan Stage 5	CP1.07	B	29-09-21
Concept Site Plan Stage 6	CP1.08	B	29-09-21
Concept Floor Plan New Admin Building Stages 3 and 4	CP2.01	B	04-10-21
Concept Floor Plan New Admin Building Stage 3	CP2.02	B	04-10-21
Concept Elevations New Admin Building Stages 3 and 4	CP2.03	B	04-10-21
Concept Design New Maintenance Shed and Buspark	CP3.01	B	04-10-21
Concept Design New Display Shelter	CP4.01	B	04-10-21
Stormwater Management Plan	060-19-20	A	28-02-2020
Traffic Impact Assessment	060-19-20		28-02-2020

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 DEVELOPMENT STAGES

- 3.1 Development is to be undertaken in ~~four (4)~~ **six (6)** stages, generally in accordance with the approved plans.
- ~~3.2 The stages must be undertaken in chronological order unless the stages are undertaken at the same time.~~
- 3.2 **The stages, except for Stage 1A, must be undertaken and completed in chronological order unless the stages are undertaken at the same time. Stage 1A (being the rail storage line only) can occur at any time.**
- 3.3 Unless otherwise expressly stated, the conditions must be read as being applicable to ~~both~~ **all** stages.

4.0 TOWN CENTRE AMENITY

- 4.1 The southern façade of the maintenance shed and adjacent storage facility must contribute to an attractive streetscape by incorporating:
- 4.1.1 Public artwork, to be established within two (2) years of the commencement of use for Stage 1 (maintenance shed) and ~~Stage 4~~ **Stage 6** (storage facility); or
 - 4.1.2 A densely planted landscape strip for the length of the shed, to be established prior to the commencement of use for Stage 1 (maintenance shed) and ~~Stage 4~~ **Stage 6** (storage facility).

Advisory Note: Due to the interface between the site and the Longreach town centre, development must positively contribute to an attractive streetscape in accordance with the Industry Zone Code and Landscape Code of the Longreach Regional Council Planning Scheme (v2.1).

- 4.2 Where involving public artwork on the southern façade of the maintenance shed, conceptual drawings must be provided to Council for written approval prior to commencement of artwork.

5.0 ROAD WORKS

- 5.1 Prior to the commencement of use for Stage 1, design and construct kerb and channel for the section of the site's frontage between the approved Kite Street crossover to the intersection with Sandpiper Street where there is existing kerb and channel.

6.0 ACCESS AND PARKING WORKS

- 6.1 Design, construct and maintain all parking and access works generally in accordance with the approved plans, *Australian Standard AS2890 "Parking Facilities", Manual of Uniform Traffic Control Devices (Queensland), and Planning Scheme Policy 1 – Works.*
- 6.2 Construct and maintain vehicular accesses in accordance with the *Institute of Public Works Engineering Australia Standard Drawing No. RS-051 (vehicle crossing for industrial driveway).*
- 6.3 All vehicles must enter and exit the site in a forward gear.

~~6.4 A minimum of 13 car parking spaces must be provided on-site at the completion of Stage 1. Car parking must include a parking space for persons with disability.~~

6.4 A minimum of three (3) temporary car parking spaces must be provided on-site prior to the commencement of use for Stage 1.

6.5 A minimum of 13 car parking spaces (replacing the three (3) temporary car parking spaces on Condition 6.4) must be provided on-site prior to the commencement of use for Stage 3. Car parking must include a parking space for persons with disability.

7.0 STORMWATER WORKS

7.1 The approved Stormwater Management Plan provides for the ultimate development (Stages 1 to 4 to 6). If the stages are undertaken separately, stormwater works must be apportioned per stage in the engineering drawings submitted for the subsequent Development Application for Operational Work.

Advisory note: While the approved Stormwater Management Plan reflects the original site layout (DA 19/20-006), the recommendations are still relevant to the current approved plans and future detailed design per stage, due to the similar extent of new impervious area.

7.2 All stormwater must drain to a demonstrated lawful point of discharge 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.

8.0 SERVICES

8.1 The premises must be connected to Council's reticulated water and sewerage networks. The water and sewerage connections must be provided prior to the commencement of use for Stage 1.

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

9.0 ENGINEERING CERTIFICATION

9.1 Prior to commencement of any engineering works, a Development Permit for Operational Work must be obtained, where required, for the following engineering works:

9.1.1 Roadworks

9.1.2 Access and parking works

9.1.3 Stormwater works

9.1.4 Site works / Earthworks

9.1.5 Reticulated water supply and sewerage connection

9.1.6 Any work associated with the rail siding

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.

Advisory Note: Works associated with the design and construction of the rail siding may constitute assessable operational work under the Planning Scheme unless legislation states otherwise. The developer must determine the appropriate approval pathway for the rail siding in consultation with Queensland Rail. To remove any doubt, the rail siding forms part of this approval for material change of use, as conceptually shown on the approved plans.

- 9.2 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.

10.0 ENVIRONMENTAL AND PUBLIC HEALTH

- 10.1 The approved uses are operated as follows:
- 10.1.1 operations must have no significant impact on the amenity of the surrounding area due to the emission of noise, light or dust;
 - 10.1.2 traffic movements and heavy vehicle usage occur generally in accordance with the approved Traffic Impact Assessment;
 - 10.1.3 industrial activities are primarily undertaken indoors; and
 - 10.1.4 the use generally operates during the day.
- 10.2 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, dust, vibration, odour, fumes, smoke, vapour, steam, soot, waste water, waste products, oil or otherwise.
- 10.3 To investigate any genuine complaint of nuisance caused by noise, noise monitoring must be undertaken and recorded within three (3) months, if requested by Council. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2008*.
- 10.4 For the compacted gravel area in Stage 1 and any other unsealed areas within the site, suitable dust suppressant measures must be applied to prevent dust from leaving the site, as required.
- 10.5 Within the setback area between development and its frontage to Sandpiper Street, the following are provided prior to the commencement of use for Stage 1:
- 10.5.1 a minimum 1.8m high solid fence; or
 - 10.5.2 a densely planted landscape strip having a minimum width of two (2) metres.
- 10.6 Maintain lighting to comply with *AS4282 Control of Obtrusive Effects of Outdoor Lighting*.
- 10.7 In accordance with the Environmental Protection (Waste Management) Regulations, all waste storage areas must be kept in a clean, tidy condition, and sufficient waste containers and services are to be provided to cater for the containment and removal of all waste generated on the site. Waste must be removed to a lawful landfill.

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- 10.8 All site works must be constructed such that they do not at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
 - 10.9 The washdown area must be equipped with an oil/chemical separator to avoid hazardous materials entering the stormwater system. The washdown area must be sufficiently bunded and drained.
 - 10.10 Areas for storage of chemicals, fuel or other hazardous materials must be sufficiently bunded.
 - 10.11 Any spillage of environmentally hazardous liquids or other materials must be cleared as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
 - 10.12 Contaminants such as oils or chemicals must not be released into unsealed surface areas (i.e. exposed soil or landscaped areas).
 - 10.13 Security fencing must be constructed to prohibit public access to the development.

11.0 LANDSCAPING

- 11.1 ~~At the time of lodging the Operational Works application for engineering works~~ **Prior to the commencement of use for Stage 1**, submit to and have approved in writing by Council a landscaping plan that identifies:
 - 11.1.1 Landscape specification of sufficient detail so that landscape works can be carried out.
 - 11.1.2 The type and location of all proposed plant species, including the nominal height and density attained by these species in two years and at maturity, which must be:
 - 11.1.2.1 For the landscaping strip between the development and its frontage to Sandpiper Street, at least 1.8 metres in height and having the same screening effect as a solid fence.
 - 11.1.2.2 For the landscaping strip along the southern façade of the maintenance shed **and storage facility**, at least 1.8 metres in height and densely planted.
 - 11.1.2.3 For the establishment of street trees in the road reserve, mature height must be consistent with the existing trees in the Sandpiper Street reserve.
 - 11.1.2.4 For landscaping at the southern end of the car park, of high quality and offers shade, to improve the presentation of the car park area.
 - 11.1.3 Conceptual layout of the irrigation system for plant watering.
- 11.2 Establish and retain all landscaping generally in accordance with the approved plans. The landscaping must predominantly contain species that are endemic to the region due to their low water dependency.
- 11.3 Ensure the landscaped areas are subject to water and maintenance during the establishment phase, and an ongoing maintenance and replanting programme as required.

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- 11.4 Open landscaping areas as shown on the approved plans must be maintained in a grassed state and must not be used for industrial activities such as outdoor storage unless otherwise approved in writing by Council.

12.0 AIRPORT ENVIRONS

- 12.1 Construct and operate the approved development such that it does not involve:
- 12.1.1 Straight parallel lines of lighting 500m to 100m long;
 - 12.1.2 Lighting that extends more than three (3) degrees above the horizon;
 - 12.1.3 Flare plumes;
 - 12.1.4 Buildings with reflective cladding;
 - 12.1.5 Upward shining lights;
 - 12.1.6 Flashing lights; or
 - 12.1.7 Sodium lights.

13.0 CONSTRUCTION ACTIVITIES

- 13.1 During the construction phase for Stage 1, vehicle access via Sandpiper Street is not permitted, unless otherwise approved in writing by Council.

Advisory Note: Vehicle access is restricted due to safety concerns associated with proximity to the school to the north of the site. There is a school crossing on Sandpiper Street.

- 13.2 The applicant must submit a Construction and Environmental Management Plan (CEMP) to Council for review and approval prior to commencement of construction activities. The CEMP must be prepared by a suitably qualified professional and must adequately address the following matters:
- 13.2.1 Identify how traffic and parking generated during construction activities and works will be managed to minimise impacts on the surrounding amenity;
 - 13.2.2 Identify how vehicle access via Sandpiper Street for ~~Stage 3~~ **Stage 2 to Stage 6** will be managed to address safety concerns due to proximity to school and school crossing;
 - 13.2.3 Identify how potential adverse impacts associated with dust, noise and lighting emissions will be mitigated; and
 - 13.2.4 Implement best practice waste management strategies during the construction phase.
- 13.3 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site for the duration of any works, and until such time 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.
- 13.4 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)*.
- 13.5 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.
- 13.6 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.

ADVISORY NOTES

1. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for operational work, building work and plumbing and drainage work, as required under relevant legislation for this work.
2. Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
3. The design, approval and construction of the proposed rail siding is a matter for the Department of Transport and Main Roads. A Development Permit may be required from Council where works are assessable under the Planning Scheme.
4. 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.
5. 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.
6. 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").

8. STATEMENT OF REASONS

8.1 Description of Development –

Development Permit for Material Change of Use for *Low Impact Industry and Transport Depot* as originally approved under Decision Notice DA 19/20-006 and subject to the first minor change under Decision Notice DA 20/21-011.

8.2 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 6.2.4 (Industry Zone Code)• Section 7.2.1 (Airport Environs Overlay Code)• Section 8.3.2 (Works Code)• Section 8.3.3 (Landscape Code)	<i>Longreach Regional Planning Scheme 2015 (v2.1)</i>
<ul style="list-style-type: none">• Planning for Infrastructure (State Interest for transport infrastructure and airport facilities)	<i>State Planning Policy July 2017</i>
<ul style="list-style-type: none">• Part D – Regional activity centres network• Part E – Regional policies and land use strategies	<i>Central West Regional Plan 2009</i>

<ul style="list-style-type: none"> • State Code 1: Development in a state-controlled road environment • State Code 2: Development in a railway environment 	<i>State Development Assessment Provisions (v2.6)</i>
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8.3 Relevant Matters

There are no relevant matters for this application.

8.4 Matters Raised in Submission

Public notification was not required for this development application.

8.5 Reason for Decision

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

- The proposal is consistent with the intent of the Industry Zone Code, which supports low impact industry and transport depot uses at the scale proposed.
- Operations will not detract from the amenity of nearby sensitive land uses or the effectiveness and vitality of the Longreach town centre in Eagle Street.
- The development is well designed to provide a safe, accessible and landscaped environment. It will enhance the character of the site as a landmark facility in Longreach.
- The development complies with the other relevant assessment benchmarks of the Planning Scheme. Importantly, the development will have adequate stormwater management measures, vehicle access and parking facilities, and connections to reticulated water supply and sewerage.
- The development does not compromise the relevant elements of the Central West Regional Plan and State Planning Policy.

9. REFERRAL AGENCIES

PLANNING REGULATION 2017	NAME OF AGENCY	STATUS	ADDRESS
Material Change of Use of Premises Near a State Transport Corridor			
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4	The Chief Executive Department of State Development, Manufacturing, Infrastructure and Planning	Concurrence Agency	Department of State Development, Manufacturing, Infrastructure and Planning Fitzroy and Central Regional Office PO Box 113 Rockhampton QLD 4700 Email: rockhamptonSARA@dsmip.qld.gov.au MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/suite/

10. FURTHER DEVELOPMENT PERMITS REQUIRED

The following further development permits are required for:

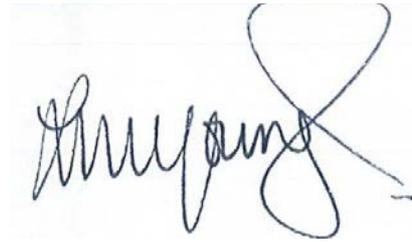
- Operational Work;
- Building Work; and
- Plumbing and Drainage Work.

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 – Referral Agency Response
Attachment 3 – Appeal Rights