



Your Reference:  
Our Reference: DA21/22-004  
Contact: Kelli Doyle

13 December 2021

Gavin Ballard  
C/- Murray & Associates (QLD) Pty Ltd  
PO Box 665  
Emerald QLD 4720

Attention: Andrew Bell  
Sent via email: [andrewb@mursurv.com](mailto:andrewb@mursurv.com)

Dear Sir/Madam

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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 9 December 2021, 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**

**Application Number:** DA 21/22-004  
**Properly Made Date:** 25 August 2021  
**Decision Date:** 9 December 2021  
**Planning Scheme:** *Longreach Regional Planning Scheme 2015 (v2.1)*

### **2. APPLICANT DETAILS**

**Name:** Gavin Ballard  
**Postal Address:** C/- Murray & Associates (QLD) Pty Ltd  
PO Box 665  
Emerald QLD 4720  
**Email Address:** [andrewb@mursurv.com](mailto:andrewb@mursurv.com)

### 3. PROPERTY DETAILS

<b>Street Address:</b>	106 Falcon Street, Longreach
<b>Real Property Description:</b>	Lot 101 and Lot 102 on SP249558
<b>Local Government Area:</b>	Longreach Regional Council

### 4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for Short-Term Accommodation (seven units)

### 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 development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.
- 1.6 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.

## 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 approval:

Plan/Document Name	Plan/Document Number	Revision	Date
Elevations, Typical Floor Plan and Perspective	Sheet Number 2	-	17-08-2021
Three Bay Carport Plan, BBQ Recreation Hut Plan and Perspectives	Sheet Number 3	-	17-08-2021
Site Plan	Sheet Number 4	-	17-08-2021
Site Level Plan	Sheet Number 5	-	17-08-2021

- 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 VEHICLE ACCESS AND PARKING

- 3.1 Provide and maintain a minimum of fifteen (15) car parking spaces on-site. All car parking spaces must be clearly delineated by either line-marking or signage.
- 3.2 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.
- 3.3 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)*.
- 3.4 Construct and maintain the vehicular accesses in accordance with the *Institute of Public Works Engineering Australia Standard Drawing No. RS-049 (vehicle low density residential) Plan 1 and 2*.

**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.

## 4.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 4.1 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.
- 4.2 All roof water must be discharged to the open drain at the rear of the property. Alternatively, roof water may be captured in rainwater tanks for use on-site.
- 4.3 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.

## **5.0 FLOOD**

- 5.1 Maintain and implement a current Flood Evacuation Plan for the approved use.
- 5.2 The Flood Evacuation Plan must consider:

- 5.2.1 Trigger conditions for evacuation;
- 5.2.2 Flood free or low flood hazard access, by way of trafficable roads to facilitate evacuation or provision of supplies;
- 5.2.3 Location of local evacuation centres; and
- 5.2.4 Roles and responsibilities of the manager/employees in implementing the Flood Evacuation Plan.
- 5.2.5 Make available a copy of the Flood Evacuation Plan in each approved unit and any communal areas.

## **6.0 SERVICES**

- 6.1 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.*

- 6.2 Building over the sewer line within the site is not permitted, unless approved in writing by Council.

***Advisory Note:*** *The sewer line that traverses the site may need to be realigned by the developer at no cost to Council, should proposed buildings or structures encroach over the sewer line.*


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

## **7.0 LANDSCAPING**

- 7.1 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.
- 7.2 Ensure the landscaped areas are subject to water and maintenance during the establishment phase, and ongoing maintenance and replanting as required.

## **8.0 ENVIRONMENTAL HEALTH**

- 8.1 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.

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- 8.2 Maintain outdoor lighting to comply with AS4282 – 1997 “Control of Obstructive Effects of Outdoor Lighting”.
  - 8.3 All waste storage areas must be kept in a clean, tidy condition, and must be screened from view from Falcon Street and the Childcare Facility at the rear of the property. Sufficient waste containers and services are to be provided to cater for the containment and removal of all waste generated on the site.

## **9.0 EROSION AND SEDIMENT CONTROL**

- 9.1 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.
- 9.2 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.
- 9.3 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.*

## **10.0 CONSTRUCTION ACTIVITIES**

- 10.1 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.
- 10.2 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).
- 10.3 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.

## **11.0 ASSET MANAGEMENT**

- 11.1 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**

- The development application is for a Development Permit for Material Change of Use for Short-Term Accommodation (seven units) approved as per Decision Notice DA 21/22-004.

**7.2 Assessment Benchmarks**

The following are the benchmarks that are applicable to this development:

<b>Benchmark applying for the development</b>	<b>Benchmark reference</b>
<ul style="list-style-type: none"> <li>• 3.3.1 Strategic Outcomes</li> <li>• 3.3.2 Tourism Activities (Longreach)</li> <li>• 3.4.4 Natural Hazards</li> <li>• 6.2.6 Low Density Residential Code</li> <li>• 7.2.1 Airport Environs Overlay Code</li> <li>• 7.2.2 Flood Hazard Overlay Code</li> <li>• 8.3.2 Works Code</li> <li>• 8.3.3 Landscaping Code</li> </ul>	<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 proposed development will advance the Strategic Framework's intent for a variety of short-term accommodation options in Longreach and will meet a community need for such facilities.
- (b) The Low-Density Residential Zone anticipates a range of accommodation activities where compatible with local amenity and character. The proposed development is appropriately located and designed to achieve local amenity and character outcomes.
- (c) The proposed built form with ample open space and landscaped areas is aesthetically pleasing and not at odds with the scale of surrounding development.
- (d) The flood hazard risk of the site can be managed to an acceptable level through the achievement of adequate finished floor levels of each unit, and the implementation of a current Flood Evacuation Plan, in accordance with the Flood Overlay Code.
- (e) The development is appropriately serviced by reticulated services, vehicle access and parking, and can achieve a lawful point of discharge for stormwater.
- (f) The development complies or can be conditioned to comply, with the relevant assessment benchmarks of the Planning Scheme.
- (g) The development does not compromise the relevant elements of the Central West Regional Plan or State Planning Policy.

#### 8. REFERRAL AGENCIES

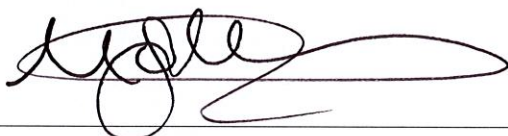
Nil

#### 9. FURTHER DEVELOPMENT PERMITS REQUIRED

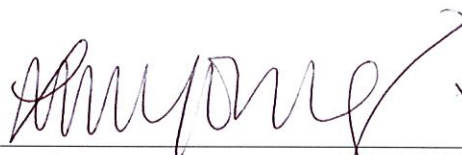
Permits and approvals for building work, plumbing and any other related works should be obtained prior to commencement of the building works authorised by this permit.

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