



## Longreach Regional Council

Ilfracombe Isisford Longreach Yaraka

Address all correspondence to:  
Chief Executive Officer  
PO Box 472, Longreach QLD 4730  
Tel: (07) 4658 4111 | Fax: (07) 4658 4116  
Email: council@longreach.qld.gov.au  
ABN: 16 834 804 112

20 May 2024

Charles Fairlane & Karen Coleman and Peter & Denise Dexter  
59 Gull St,  
Longreach QLD 4730

Sent via email: [eviebaby67@gmail.com](mailto:eviebaby67@gmail.com)

Dear Charles, Karen, Peter and Denise,

### DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 15 May 2024, 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 23/24-006

**Properly Made Date:** 01 May 2024

**Decision Date:** 15 May 2024

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

#### 2. APPLICANT DETAILS

**Name:** Charles Fairlane & Karen Coleman and Peter & Denise Dexter

**Postal Address:** 59 Gull St  
Longreach QLD 4730

**Email Address:** [eviebaby67@gmail.com](mailto:eviebaby67@gmail.com)

#### 3. PROPERTY DETAILS

**Street Address:** 31 Stork Road, Longreach

**Real Property Description:** Lot 2 on SP328016

**Local Government Area:** Longreach Regional Council

#### 4. DECISION DETAILS

The following type of approval has been issued:

- Preliminary Approval for Building Work for two sheds

#### 5. CURRENCY PERIOD

The currency period for this development approval is two (2) 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 | Issue | Date                       |
|-------------------------------|----------------------|-------|----------------------------|
| Site Plan (as amended in red) | DA23/24-006          |       | 01/05/2024 (Received date) |
| Layout                        | WSS240581 – 3        |       | 09/04/2024                 |
| Layout                        | WSS240582 – 3        |       | 10/04/2024                 |



- 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.
- 3.2 All stormwater must drain to the 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.

### **4.0 AMENITY**

- 4.1 Any proposed outdoor lighting must comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting.

### **5.0 EROSION AND SEDIMENT CONTROL**

- 5.1 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.
- 5.2 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.

### **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).
- 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.

### **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.

## 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

- Preliminary Approval for a Building Works for two sheds as per Decision Notice DA 23/24-006.

### 7.2 Assessment Benchmarks

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

| Benchmark applying for the development         | Benchmark reference                                 |
|--|---|
| • Section 6.2.6 (Low Density Residential Code) | <i>Longreach Regional Planning Scheme 2015 (v2)</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 not required.

### 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 development in the Low Density Residential Zone.
- (b) The sheds will not detract from the residential amenity and character of the neighbourhood.
- (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**

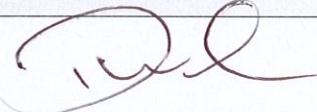
Where required, permits and approvals for building work, plumbing and any other related works should be obtained prior to commencement of the works authorised by this permit.

## **10. OTHER DETAILS**

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 [council@longreach.qld.gov.au](mailto:council@longreach.qld.gov.au).

## **11. DELEGATED PERSON**

**Name:** David Wilson

**Signature:** 

**Date:** 20 May 2024

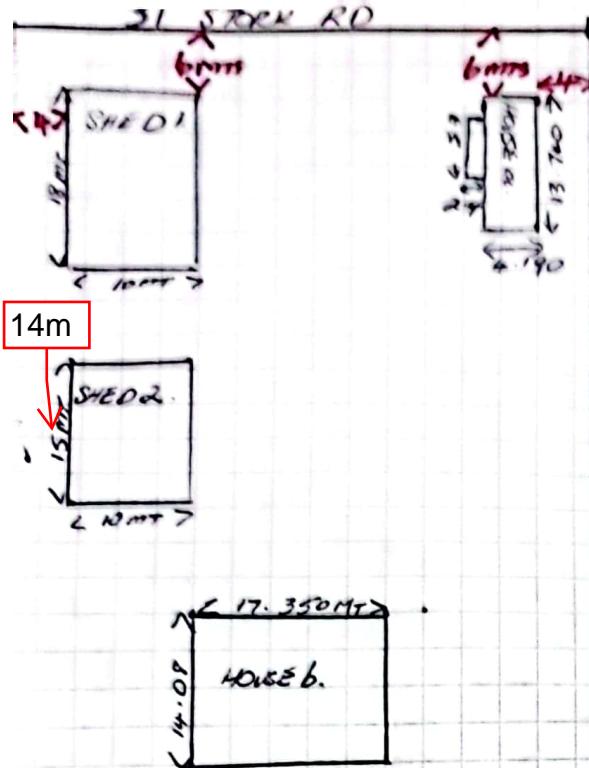
**Encl:** Attachment 1 – Approved Plans  
Attachment 2 – Appeal Rights



## **Attachment A – Approved Plans**



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



PETER & DENISE DEXTER  
SHED 1 HOUSE a.

CHARLES & KAREN COLEMAN  
SHED 2 HOUSE b.

Each box  $\square$  is equal to  
350 UHR2 METER

Amended in red  
07/05/2024

LONGREACH REGIONAL COUNCIL  
DIGITALLY STAMPED  
APPROVED PLAN

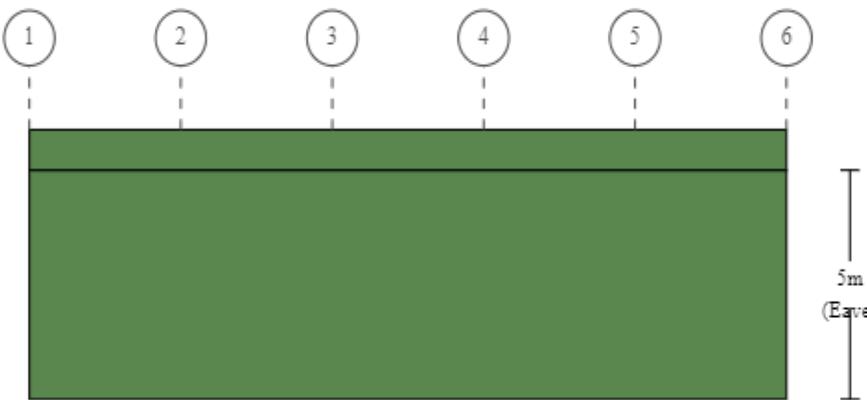
**Development Application:** Preliminary Approval for Building Work for two sheds

**Address and RP Description:** 31 Stork Road, Longreach (Lot 2 on SP328016)

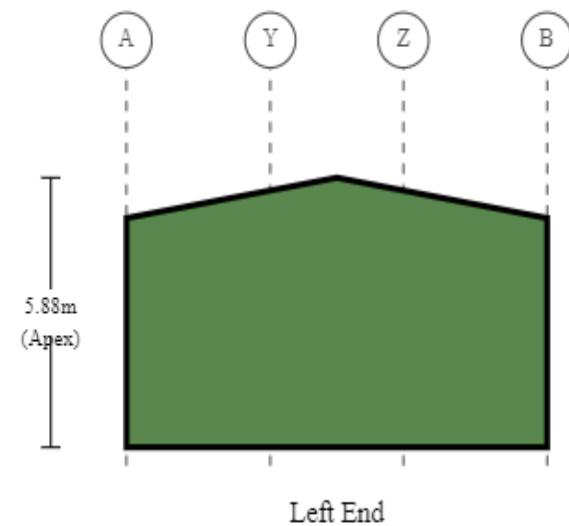
Referred to in Council's Decision Notice

**Approval Date:** 16 May 2024  
**Application Number:** DA 23/24-006

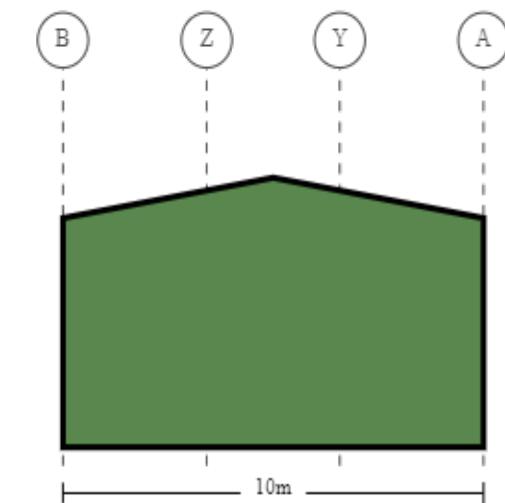
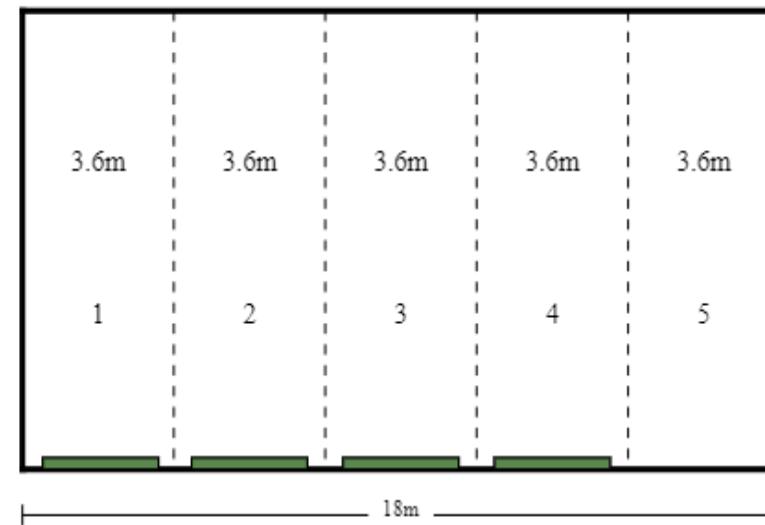
EASEMENT



Left Side



Left End



**LONGREACH REGIONAL COUNCIL**  
**DIGITALLY STAMPED**  
**APPROVED PLAN**

**Development Application:** Preliminary Approval for Building Work for two sheds

**Address and RP Description:** 31 Stork Road, Longreach (Lot 2 on SP328016)

Referred to in Council's Decision Notice

**Approval Date:** 16 May 2024  
**Application Number:** DA 23/24-006



Right Side

Purchaser Name: Peter Dexter

Site Address: 31 Stork Rd Longreach QLD 4730 Australia

Drawing # WSS240581 - 3

Print Date: 09/04/24

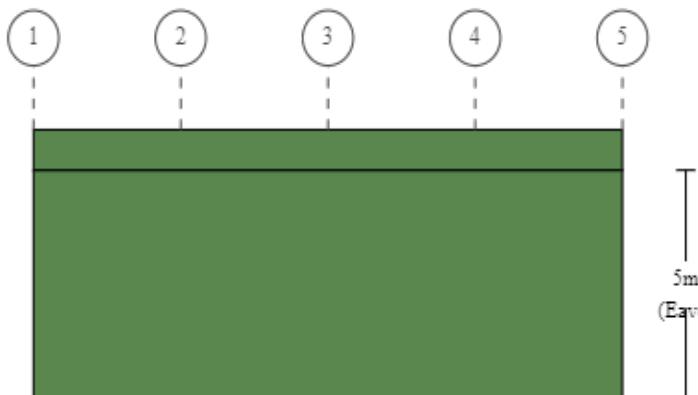
**Layout**  
**NOT FOR CONSTRUCTION**  
 Not to Scale  
 © Copyright SteelxIP Pty Ltd

Seller: Wide Span Sheds Pty Ltd  
 Wide Span Sheds Pty Ltd  
 Phone: 07 5657 8888  
 Fax 07 5657 8899  
 Email: admin@sheds.com.au

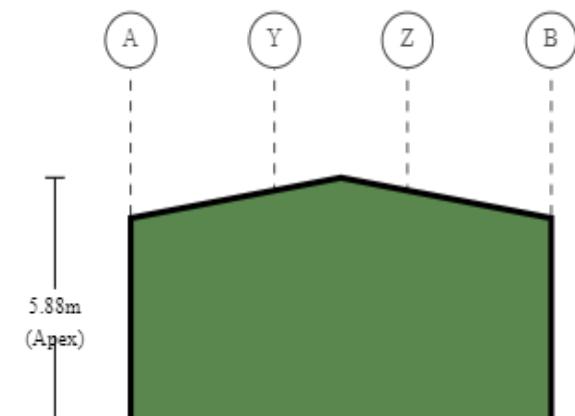
Apex Engineering Group  
 ACN 632 588 562  
 ME Aust. (Registered)  
 QLD: RPEQ No. 2422  
 Practising Professional

Signature:

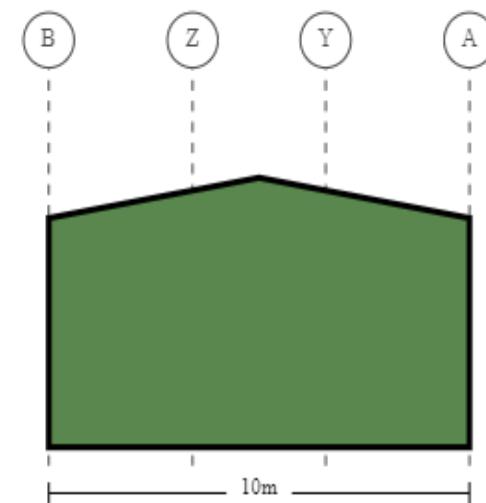
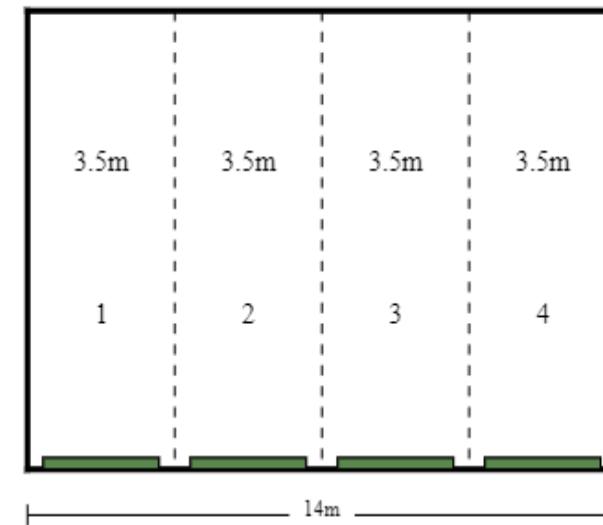
John Ronaldson  
 Date: 09/04/24



Left Side



Left End



Right End



Right Side

|  |                      |
|--|----------------------|
| Purchaser Name: Charles Coleman                        |                      |
| Site Address: 31 Stork Rd Longreach QLD 4730 Australia |                      |
| Drawing # WSS240582 - 3                                | Print Date: 10/04/24 |

**Layout**  
**NOT FOR CONSTRUCTION**  
 Not to Scale  
 © Copyright SteelxIP Pty Ltd

Seller: Wide Span Sheds Pty Ltd  
 Wide Span Sheds Pty Ltd  
 Phone: 07 5657 8888  
 Fax 07 5657 8899  
 Email: admin@sheds.com.au

Apex Engineering Group  
 ACN 632 588 562  
 ME Aust. (Registered N  
 QLD : RPEQ No. 24223  
 Practising Professional

Signature: 

**LONGREACH REGIONAL COUNCIL**

**DIGITALLY STAMPED  
APPROVED PLAN**

**Development Application:** Preliminary Approval for Building Work for two sheds

**Address and RP Description:** 31 Stork Road, Longreach (Lot 2 on SP328016)

Referred to in Council's Decision Notice

**Approval Date:** 16 May 2024  
**Application Number:** DA 23/24-006

Date: 10/04/24

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
  - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
  - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
  - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
  - (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note*—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—
  - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
  - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and

- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
  - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
  - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

## 231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

***decision*** includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

***non-appealable***, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

## 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.