

## NOTICE ABOUT DECISION - STATEMENT OF REASONS

*The following information is provided in accordance with Section 63(5) of the Planning Act 2016*

The development application for:

Proposed Development:	Request to Change an Existing Development Approval for a Material Change of Use to establish a Major Shopping Centre	
Application No:	050.2017.382.001	File Refs: A1626 & LG7.6.1
Street Address:	Cunningham Street, Dalby	
Real Property Description:	Lot 99 on SP188012	

On 3 October 2017, the above request to change application was:

approved in full, with conditions.

### 1. Reasons for the Decision

PROPOSED DEVELOPMENT	
<b>Name of Applicant</b>	Dalby ShoppingWorld Pty Ltd
<b>Type of Application</b>	Change Application (Minor Change) under Section 78 of the <i>Planning Act 2016</i>
<b>Proposed Development</b>	<p>Changes to the Conditions of Development Approval D271-04/05 for a Material Change of Use to establish a Major Shopping Centre.</p> <p>The proposed change relates to amending the access arrangements to the development to improve the efficiency of parking area use. As a result of the new proposal plans, the following conditions with respect to the approval required amendment:</p> <p><b>Condition 1.0    Approved Plans</b></p> <p><b>Condition 3.0    Footpaths</b></p> <p><b>Condition 4.0    Frontage to Cunningham Street</b></p> <p><b>Condition 5.0    External Roadworks</b></p> <p><b>Condition 6.0    Vehicle Manoeuvring</b></p> <p><b>Condition 7.0    Car Parking</b></p> <p><b>Condition 13.0   Landscaping</b></p>
<b>Level of Assessment</b>	Code

<b>Decision</b>	<p>It was decided that the applicant's Change Application be approved. The reasons for this decision are:</p> <ul style="list-style-type: none"> <li>• The proposed change to the approved plans reflects the new access arrangements and does not increase the Gross Floor Area or Net Lettable Area of the Shopping Centre.</li> <li>• The proposed change to the minimum car parking requirements is significantly above the minimum requirements if the application was made under the current Planning Scheme.</li> <li>• The proposed change to access locations is not considered to result in adverse traffic impacts and an Operational Work application will be required to ensure the level of construction of all crossovers meets all relevant standards.</li> </ul>
<b>Decision Date</b>	3 October 2017

## 2. Assessment Benchmarks

The following are the benchmarks applying to this development:

ASSESSMENT MATTERS											
<b>Assessment Benchmarks</b>	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>▪ <i>Planning Act 2016</i> <ul style="list-style-type: none"> <li>• Section 81</li> </ul> </li> <li>▪ Development Assessment Rules <ul style="list-style-type: none"> <li>• Schedule 1</li> </ul> </li> <li>▪ Town of Dalby Planning Scheme 1995 <ul style="list-style-type: none"> <li>• Comprehensive Development Designation</li> </ul> </li> <li>▪ State Planning Policy <ul style="list-style-type: none"> <li>• Part E - Water Quality</li> </ul> </li> <li>▪ Western Downs Planning Scheme 2017 <ul style="list-style-type: none"> <li>• Major Centre Zone Code</li> <li>• Airport Environs Overlay Code</li> <li>• Flood Hazard Overlay Code</li> <li>• Natural Resources Overlay Code</li> <li>• Stormwater Overland Flow Path Overlay Code</li> <li>• Waterway Corridors Overlay Code</li> <li>• Transport, Access and Parking Code</li> <li>• Infrastructure Services Code</li> </ul> </li> </ul>										
<b>Reasons for Decision</b>	<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #cccccc;">Assessment Benchmark</th> <th style="background-color: #cccccc;">Reasons for the Approval Despite Non-compliance with Benchmark</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="background-color: #cccccc;"><b>Development Assessment Rules</b></td> </tr> <tr> <td style="background-color: #cccccc;"><b>Schedule 1, 4(g)</b> <i>"introduces new impacts or increases the severity of known impacts."</i></td> <td>On balance, the proposed change is not considered likely to increase the severity of known impacts. The proposed changes are intended to better facilitate vehicle movements accessing the site.</td> </tr> <tr> <td colspan="2" style="background-color: #cccccc;"><b>Town of Dalby Planning Scheme 1995</b></td> </tr> <tr> <td colspan="2">Any conflict with the Scheme as a result of the original application is considered to have been resolved as part of the original Development Approval. No additional areas of non-compliance occur as a result of the proposed change.</td> </tr> </tbody> </table>	Assessment Benchmark	Reasons for the Approval Despite Non-compliance with Benchmark	<b>Development Assessment Rules</b>		<b>Schedule 1, 4(g)</b> <i>"introduces new impacts or increases the severity of known impacts."</i>	On balance, the proposed change is not considered likely to increase the severity of known impacts. The proposed changes are intended to better facilitate vehicle movements accessing the site.	<b>Town of Dalby Planning Scheme 1995</b>		Any conflict with the Scheme as a result of the original application is considered to have been resolved as part of the original Development Approval. No additional areas of non-compliance occur as a result of the proposed change.	
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**Western Downs Planning Scheme 2017**

***Transport, Access and Parking Code***

***"AO1.3***

*A maximum of two (2) vehicle crossovers per lot where the frontage exceeds 15 metres."*

The subject site has frontage to five streets, with crossovers constructed to Roche Street, Marble Street and Patrick Street. The proposed change includes a second crossover to Marble Street, which has a frontage length of 200 metres. The proposed new crossover will ensure the safety of pedestrians along Marble Street is maintained and will not interfere with the function or operation of Marble Street.

