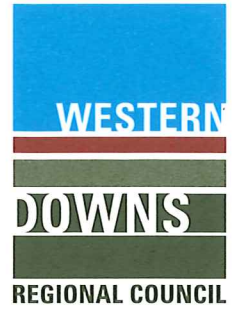


Customer Contact
1300 COUNCIL (1300 268 624)
07 4679 4000

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Address all correspondence
to the Chief Executive Officer
PO Box 551, DALBY, QLD 4405

info@wdrc.qld.gov.au

DECISION NOTICE - REFUSAL

Given under Section 83 of the Planning Act 2016

| | | |
|-----------------------------|---|----------------------------|
| Application No: | 050.2018.119.001 | File Refs: A7010 & LG7.6.1 |
| Council Contact: | Dominic Bradley, Planning Officer Development Assessment | |
| Officer's Contact Details: | Ph: (07) 4679 4331 Email: dominic.bradley@wdrc.qld.gov.au | |
| Date of Decision Notice: | 29 May 2018 | |
| Applicant's Name: | RLW Developments No. 5 Pty Ltd C/- Saunders Havill Group | |
| Applicant's Postal Address: | 9 Thompson Street BOWEN HILLS QLD 4006 Email: eddie.venturini@saundershavill.com | |

I acknowledge receipt of the above development application made under Section 86 of the *Planning Act 2016* on 27 March 2018 and confirm the following:

RE: REQUEST TO EXTEND THE CURRENCY PERIOD FOR AN APPROVAL FOR A MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING (173 DWELLING UNITS) AND ACCOMMODATION BUILDING (68 ACCOMMODATION UNITS) ON LAND DESCRIBED AS LOT 2 ON SP242884 AND EASEMENT A ON SP242884 SITUATED AT 30-50 WARREGO HIGHWAY, CHINCHILLA

Dear Sir

Please be advised that the abovementioned application was considered by Council at its meeting held on 23 May 2018, when it was resolved to refuse your Request to Extend the Currency Period of the Existing Approval on the following grounds:

- Council has already once provided an extension to the Currency Period that has not been acted upon;
- There is no need demonstrated by the applicant to justify an additional extension to the Currency Period, given that the applicant reports that it is not possible to develop the land under current economic conditions. Therefore, the development is unlikely to occur at the present time; and
- That there is limited commercial merit in the development.

DETAILS OF DEVELOPMENT APPROVAL FOR WHICH EXTENSION IS REQUESTED:

1. Type of Approval

Development Permit

2. Details of Approved Development

- (a) Material Change of Use to establish a Multiple Dwelling (196 Dwelling Units) and Accommodation Building (68 Accommodation Units) [Original Approval]
- (b) Material Change of Use to establish a Multiple Dwelling (173 Dwelling Units) and Accommodation Building (68 Accommodation Units) [Request to Change]

3. Reference Number of Development Approval

- (a) 030.2012.446.001 Original Development Permit
- (b) 050.2013.1630.001 Request to Change Application
- (c) 050.2016.46.001 Request to Extend the Relevant Period of Approval

4. Street Number and Address of Land to which the Approval Relates

30-50 Warrego Highway, Chinchilla

5. Property Description of the Land to which the Approval Relates

Lot 2 on SP242884 and Easement A on SP242884

6. Date the Original Development Application was Decided

- (a) 10 December 2012 030.2012.446.001 Original Development Permit
- (b) 23 December 2013 050.2013.1630.001 Request to Change Application
- (c) 17 March 2016 050.2016.46.001 Request to Extend the Relevant Period of Approval

DETAILS OF REQUEST FOR CHANGE:

7. Date Request for Change was Made

27 March 2018

8. Description of Requested Changes

Extension of the Relevant Period in accordance with Chapter 3, Part 5, Section 86 of the *Planning Act 2016*.

9. Responsible Entity for Deciding the Request

Assessment Manager, Western Downs Regional Council

10. Appeal Rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (refer Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an Applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

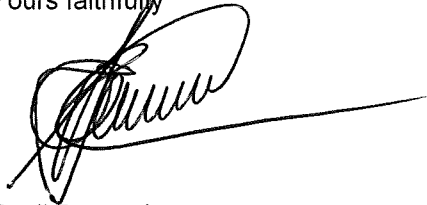
.3.

- the refusal of all or part of the development application;
- a provision of the development approval;
- the decision to give a Preliminary Approval when a Development Permit was applied for;
- a Deemed Refusal of the development application.

An applicant may also have a right to appeal to the Development Tribunal. For more information, refer to Schedule 1 of the *Planning Act 2016*.

If you should have any queries in regard to this matter, please contact Council's Senior Planner Development Assessment, Dominic Bradley, on telephone (07) 4679 4331 or via email dominic.bradley@wdrc.qld.gov.au

Yours faithfully

A handwritten signature in black ink, appearing to read 'Cecil Barnard', written over a horizontal line.

Cecil Barnard
PRINCIPAL PLANNER

Encl

C/c RLW Developments No. 5 Pty Ltd
105 Windmill Road
CHINCHILLA QLD 4413

Copy forwarded for your information
as owner of the land.