

## 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 Approval for a Material Change of Use to establish an Industrial Activity	
Application No:	050.2018.404.001	File Refs: A20850 & LG7.6.1
Street Address:	Dawson Street, Miles	
Real Property Description:	Lot 152 on BWR846	

On 4 October 2018, the above development application was approved in full, with conditions.

### 1. Reasons for the Decision

The reasons for this decision are:

- The proposed new shed is to formalise an existing storage area associated with the established business which has operated from the site for some time. According to the Western Downs Planning Scheme 2017, the proposed development would be defined as a Low Impact Industry and is consistent with the Low Impact Industry Zone.
- The site is located within an established industrial area and the reduced setback is consistent with other development in the area. The proposed shed will be located behind the existing shed and therefore will not negatively impact on the Dawson Street frontage of the site.
- The Request to Change is to facilitate the construction of an additional shed for storage purposes for an established business on the site. It is an industrial use and therefore does not introduce any additional residents to a flood-prone site.

### 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>▪ Planning Scheme for Murilla Shire 2006<ul style="list-style-type: none"><li>• Industrial Zone Code</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>• Low Impact Industry Zone Code</li><li>• Flood Hazard Overlay Code</li><li>• Natural Resources Overlay Code</li></ul></li></ul>

	<ul style="list-style-type: none"> <li>• Transport, Access and Parking Code</li> <li>• Infrastructure Services Code</li> </ul>	
<b>Reasons for Decision</b>	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
	<b>Assessment Benchmark</b>	<b>Reasons for the Approval Despite Non-compliance with Benchmark</b>
	<b>Planning Scheme for Murilla Shire 2006</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.	
	<b>Western Downs Planning Scheme 2017</b>	
	<b>Low Impact Industry Zone Code</b>	
	<b>AO4.3</b> Buildings and structures have a minimum side boundary clearance of 3 metres.	<b>Alternative solution:</b> The proposed shed will have a 1m setback to the southern side boundary. The existing office which was approved as part of the previous Request to Change over the site is built to the southern side boundary. The site is located within an established industrial area and the reduced setback is consistent with other development in the area. The proposed shed will be located behind the existing shed and therefore will not negatively impact on the Dawson Street frontage of the site.
<b>Flood Hazard Overlay Code</b>		
Where for a Material Change of Use or Building Works <b>AO4.1</b> Buildings, including extensions to existing buildings are: (a) not located within an Extreme flood hazard area on Flood Hazard Overlay Maps (OM-004); or (b) elevated above the <i>defined flood level</i> ; and (c) elevated above the <i>defined flood level</i> plus 300mm freeboard where for habitable rooms within a dwelling	The Request to Change is to facilitate the construction of an additional shed for storage purposes for an established business on the site. It is an industrial use and therefore does not introduce any additional residents to a flood-prone site.	
<b>Scenic Amenity Overlay Code</b>		
<b>AO2.3</b> Buildings and structures are setback a minimum of 100 metres from Scenic Routes and waterway crossings identified on the Scenic amenity overlay maps (OM-011), unless for the following land uses: (a) Food and drink outlet; (b) Winery; (c) Tourist attraction; (d) Nature-based tourism; (e) Short-term accommodation.	<b>Alternative Solution:</b> The proposed shed will be located approximately 60m from the Leichhardt Highway, identified as a Scenic Route. The proposed shed will be located behind the existing building line established along the Scenic Route and is considered to comply with the outcomes sought for the Scenic Route.	