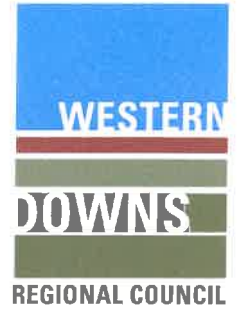


Customer Contact  
**1300 COUNCIL** (1300 268 624)  
**07 4679 4000**

[www.wdrc.qld.gov.au](http://www.wdrc.qld.gov.au)

OUR COMMUNITIES | OUR FUTURE



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

[info@wdrc.qld.gov.au](mailto:info@wdrc.qld.gov.au)

## DECISION NOTICE - APPROVAL

*Given under Section 282 of the Planning Act 2016 for a Decision Notice (Approval) under Section 63(2) of the Planning Act 2016*

Application Number:	035.2018.471.001
File References:	A30421, A30422 and LG7.9.1
Council Contact:	Dominic Bradley PLANNING OFFICER DEVELOPMENT ASSESSMENT
Officer's Contact Details:	Ph: (07) 4679 4331 Email: <a href="mailto:dominic.bradley@wdrc.qld.gov.au">dominic.bradley@wdrc.qld.gov.au</a>
Date of Decision Notice:	26 November 2018
Applicant's Name:	Western Downs Regional Council ATTENTION: Trevor Cameron
Applicant's Postal Address:	PO Box 551 DALBY QLD 4405
Applicant's Email Address:	<a href="mailto:trevor.cameron@wdrc.qld.gov.au">trevor.cameron@wdrc.qld.gov.au</a>

Dear Sir

**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (BOUNDARY REALIGNMENT) ON LAND DESCRIBED AS LOT 1 ON T56423 AND LOT 4 ON CP896592, SITUATED AT MILNE STREET, TARA**

On 20 November 2018 it was decided to issue a Development Permit for the above Development Application.

This application was approved in full, with conditions (refer to the conditions attached).

### 1. Approved Plan

The following Approved Plan for this development approval is attached:

Plan No.	Title and Details	Dated
10199 - 12 (Survey Plan No. 190736)	Survey Plan, Prepared by Cottrell, Cameron and Steen Surveys	12/10/2018

### 2. Currency Period for the Approval (Section 85)

This development approval will lapse at the end of the period set out in Section 85 of the *Planning Act 2016*.

- For Reconfiguring a Lot -

This approval lapses if the plan for the reconfiguration is not given to Council within **four (4) years** of the date of this Notice.

**3. 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*).

The Appeal Rights are attached to this Decision Notice.

Should you have any queries regarding this matter, please contact Council's Planning Officer Development Assessment, Dominic Bradley via email [dominic.bradley@wdrc.qld.gov.au](mailto:dominic.bradley@wdrc.qld.gov.au) or telephone (07) 4679 4331.

Yours faithfully

A handwritten signature in black ink, appearing to read 'K Swepson', with a long horizontal flourish extending to the right.

Kate Swepson  
**A/PRINCIPAL PLANNER**

Encl

# SCHEDULE OF CONDITIONS

## APPROVED PLAN

1. The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

Plan No.	Title and Details	Dated
10199 - 12 (Survey Plan No. 190736)	Survey Plan, Prepared by Cottrell, Cameron and Steen Surveys	12/10/2018

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

## APPROVED DEVELOPMENT

3. The approved development is for Reconfiguring a Lot (Boundary Realignment) as shown on the Approved Plan.

## COMPLIANCE, TIMING AND COSTS

4. All conditions of the approval shall be complied with before the change occurs (prior to endorsement of the Plan of Survey) and while the use continues, unless otherwise noted within these conditions.
5. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.
6. The Plan of Survey shall not be executed until a letter of compliance is received demonstrating the development's compliance with all conditions of this approval.

## FEES AND CHARGES

7. All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

## MAINTENANCE

8. The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan subject to and modified by any conditions of this approval.

## LOT NUMBERING

9. The numbering of all approved lots shall remain as indicated on the Approved Plan (unless otherwise amended/approved by Council).

## LANDSCAPING - MISCELLANEOUS

10. All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all time during the course of the development works and any ensuing defects liability period.
11. Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land shall be retained where possible, and action taken to minimise disturbance during construction work.

## ENGINEERING

### SERVICES - EXISTING CONNECTIONS

12. Ensure that all services provided to the existing houses on proposed Lot 1 and Lot 4 are wholly located within the lot it serves.

## ACCESS

13. Ensure all existing vehicular property accesses are maintained in accordance with Council's Planning Scheme.

## ADVISORY NOTES

### NOTE 1 - Currency Period

A part of a development approval lapses at the end of the Currency Period. The standard Currency Period for Reconfiguring a Lot (**4 years** after the approval starts to have effect) as stated in Section 85 of the *Planning Act 2016* applies to this approval.

### NOTE 2 - 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"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

### NOTE 3 - General Environmental Duty

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.

### NOTE 4 - General Safety of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

### NOTE 5 - Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

### NOTE 6 - Duty to Notify of Environmental Harm

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

## APPEAL RIGHTS

### "Chapter 6 Dispute Resolution

#### Part 1 Appeal Rights

#### 228 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 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."

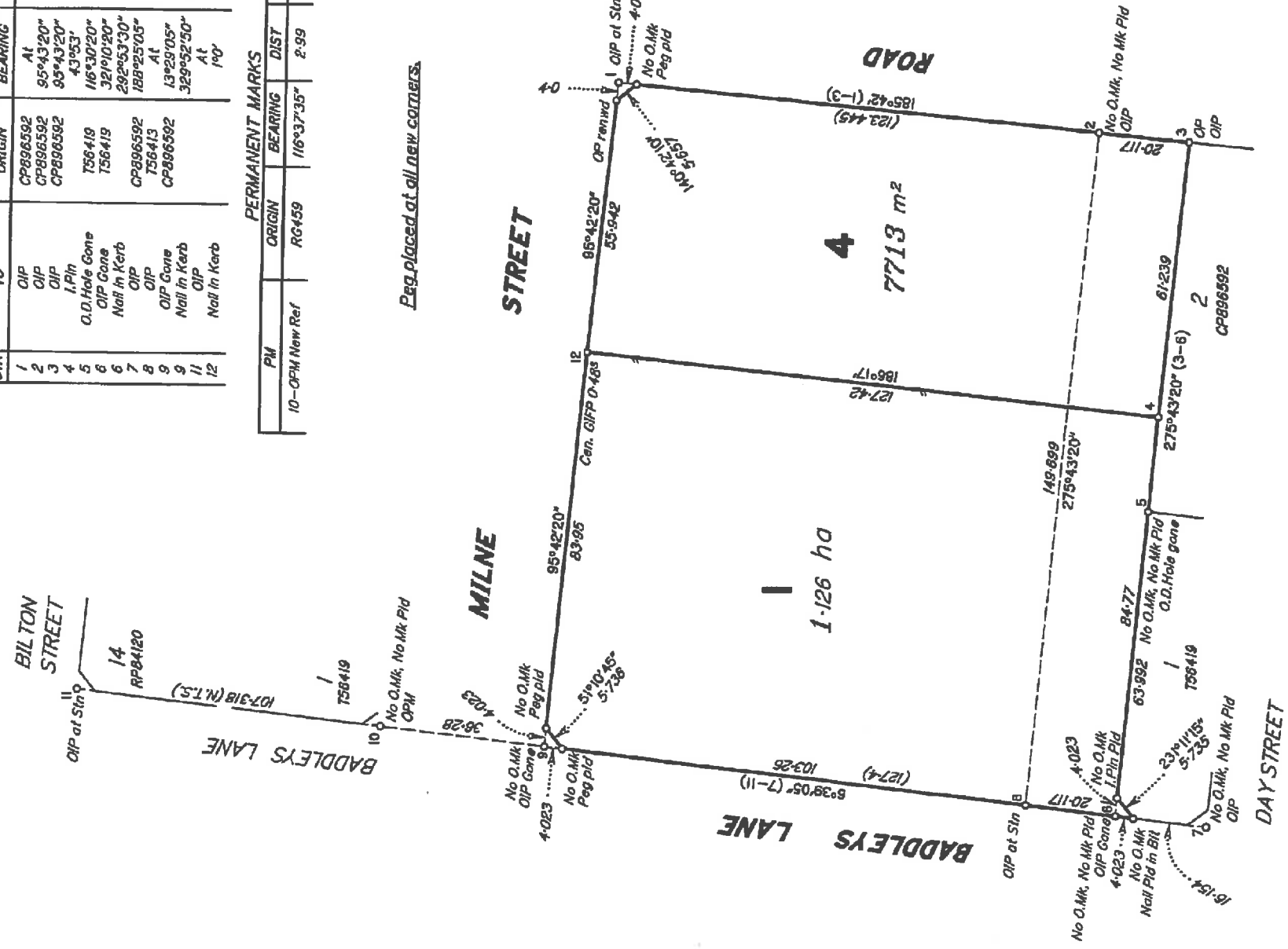
STN	TO	ORIGIN	BEARING	DIST
1	CP896592		At	Stn
2	CP896592		95°43'20"	1-0
3	CP896592		89°43'20"	0-98
4	CP896592		43°53'	6-377
5	T56419		16°30'20"	1-456
6	T56419		32°10'20"	1-41
7	CP896592		29°53'30"	14-863
8	T56413		188°25'05"	3-015
9	CP896592		At	Stn
10	CP896592		13°29'05"	0-88
11	CP896592		329°52'50"	23-83
12	CP896592		At	Stn

0-4 Deep

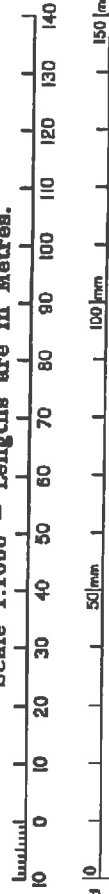
PM	ORIGIN	BEARING	DIST	NO	TYPE
10-OPM New Ref	RG459	116°37'35"	2.99	1608	

PERMANENT MARKS

Peg placed at all new corners.



Scale 1:1000 - Lengths are in Metres.



Plan of Lots 1 & 4

Cancelling Lot 1 on T56423 and Lot 4 on CP896592

Scale: 1:1000  
Format: STANDARD

SP190736

LOCAL GOVERNMENT: WESTERN DOWNS REGIONAL LOCALITY: TARA

Meridian: MGA (Zone 56) by RTK GNSS

Survey Records: No

COTTELL CAMERON & STEEN SURVEYS PTY LTD (ABN 91 059 375 010) hereby certify that the land comprised in this plan was surveyed by the corporation, by David Peter NEVELL, cadastral surveyor, for whose work the corporation accepts responsibility, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 12/10/2018.

Director

Date

WESTERN DOWNS REGIONAL COUNCIL  
APPROVED  
20 NOV 2018  
PER *K. Kemp*

## COMPLIANCE - RECONFIGURING A LOT CONDITIONS

<b>Planning Approval</b>	035.2018.471.001
<b>Date of Approval</b>	20 November 2018
<b>Approved Development</b>	Reconfiguring a Lot (Boundary Realignment)
<b>Location</b>	Milne Street, Tara
<b>Property Description</b>	Lot 1 on T56423 and Lot 4 on CP896592

I am hereby notifying you of my compliance with the conditions of my Reconfiguring a Lot approval, on

\_\_\_\_\_ (insert date)

I have read the conditions of the above Decision Notice and believe that all the applicable conditions have been complied with, and now request my Survey Plan to be endorsed by Council.

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Contact Telephone No.

\_\_\_\_\_  
**SIGNATURE OF APPLICANT**

Date: \_\_\_\_\_

