

Your reference
Our reference 16204/2021.MCU
Contact Officer Grant Johnson
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Ipswich City Council

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Craig Harte
RPS Australia East Pty Ltd
Email: craig.harte@rpsgroup.com.au

24 November 2021

Dear Craig

Re: IDRП Application Material and Council Recommendation
Application No: 16204/2021/MCU
Proposal: Material Change of Use – Business Use Extension to (Hotel)
Property Location: 5 Union Place, and 8 Bell Street, IPSWICH QLD 4305

I refer to your correspondence dated 29 October 2021. Thank you for confirming your availability as a chairperson for the Independent Decision Review Panel (IDRP). The purpose of this letter is to provide you with the draft Council recommendation for development application 16204/2021/MCU and direct you to the application material for the application.

Application material can be reviewed by using Council's ePathway service by following the link below and searching for Application Reference Number 16204/2021/MCU.

https://www.ipswich.qld.gov.au/services/searches-and-enquiries/application_enquiry

The draft Council recommendation for development application 16204/2021/MCU is also attached.

It is requested that you review the Council proposed recommendation and formulate a view prior to finalising its recommendation report to the General Manager (Planning and Regulatory Services) by 30 November 2021.

The attached report template allows for a selection of one of three options:

- IDRП agrees with officer recommendation (either approval or refusal);
- IDRП agrees with officer recommendations, subject to change or inclusion of additional conditions or reasons for refusal;
- IDRП disagrees with officer recommendations.

Where the IDRP disagree with the proposed Council recommendation, a detailed discussion detailing the grounds for the differing view must be submitted to the General Manager (Planning and Regulatory Services).

If you have any queries regarding this letter, please contact Grant Johnson on the telephone number listed above.

Yours faithfully

Mitchell Grant
DEVELOPMENT ASSESSMENT CENTRAL MANAGER

Encl.
Application Material
Council recommendation
IDRP report template

Doc ID No: A7725587

ITEM:

SUBJECT: DEVELOPMENT APPLICATION RECOMMENDATION - 16204/2021/MCU
MATERIAL CHANGE OF USE - 5 UNION PLACE & 8 BELL STREET, IPSWICH

AUTHOR: PRINCIPAL PLANNER (DEVELOPMENT)

DATE: 17 NOVEMBER 2021

EXECUTIVE SUMMARY

This is a report concerning an application seeking approval for a material change of use (extension to business use – hotel) to be undertaken on land located at 5 Union Place and 8 Bell Street, Ipswich (the ‘Commonwealth Hotel’ and ‘Bell Street Green’ sites), which form part of the redevelopment of the Nicholas Street precinct by Ipswich City Council.

The subject application requires determination by Full Council in accordance with the Framework for Development Applications and Related Activities Policy as the application has been made by Council and does not relate to the provision of standard local government infrastructure. Further, the application is considered a Sensitive Development Matter and has therefore been reviewed by an Independent Decision Review Panel, but there was no public hearing.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply as outlined below.

RECOMMENDATION/S

That Council approve Development Application No. 16204/2021/MCU being a Material Change of Use (extension to business use – hotel) subject to conditions as contained in Attachment 1 of this report.

RELATED PARTIES

The related parties to this application are:

- Ipswich City Council (Applicant and Landowner)
- Sinclair Town Planning Pty Ltd (Town Planning Consultant)
- Ranbury Management Group Pty Ltd (Project Manager)
- Tait Morton Johnston Architects (Architect)
- WSP Australia Pty Ltd (Acoustic Consultant)
- MRCagney Pty Ltd (Traffic Engineer)
- Queensland Government State Assessment Referral Agency (SARA) (Referral Agency)

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

SITE ADDRESS:	5 Union Place & 8 Bell Street, IPSWICH QLD 4305
APPLICATION TYPE:	Material Change of Use
PROPOSAL:	Business Use (Hotel)
ZONE:	CBD Primary Retail
OVERLAYS:	Character Places (Union Place Mall 'Commonwealth Hotel'), OV5 (adopted flood regulation line), OV7A (building height restriction area 45m & transitional surface) and OV7B (8km existing committed urban townships buffer)
APPLICANT:	Ipswich City Council
OWNER:	Ipswich City Council Program 31
EXISTING OR PROPOSED TRADING NAMES:	Commonwealth Hotel, temporarily known as Murphy's Pub
APPLICATION NO:	16204/2021/MCU
AREA:	2,506m ²
REFERRAL AGENCIES:	Queensland Government State Assessment Referral Agency (SARA)
EXISTING USE:	Hotel and Carpark
PREVIOUS RELATED APPROVALS:	3315/2017/OD - Building Work not associated with a Material Change of Use (Refurbishment of Commonwealth Hotel)
DATE RECEIVED:	27 September 2021
DECISION PERIOD START DATE:	17 November 2021
EXPECTED DETERMINATION DATE:	13 January 2021

SITE LOCATION:



Figure 1 - Site Locality



Figure 2 - Nicholas St Precinct Plan

SITE DETAILS AND SURROUNDING LAND USES:

The Nicholas Street Precinct consists of land bound by Bremer Parade to the north, Bell Street to the east, Brisbane Street to the south and Ellenborough Street to the west. This area is currently under redevelopment by Ipswich City Council and includes the new Ipswich Central Library, Administration Building, Tulmur Place and refurbished areas for entertainment, dining, retail and recreational type uses. The subject application relates to the recently refurbished Commonwealth Hotel building and the adjacent Bell Street Green site (corner of Bell Street and Bremer Street).

Notably, the Commonwealth Hotel building as it currently exists on the site has recently undergone extensive restoration and refurbishment to bring the building up to contemporary standards to enable its continued commercial use.

PROPOSAL:

The application is for a material change of use – extension to business use (hotel), involving works internal to the restored Commonwealth Hotel building, extensions external to the historic building at ground level, and extensions into the Bell Street Green site at both ground and basement levels. The proposed hours of operation are 24 hours a day, 7 days per week, though trading hours may vary.

The proposal involves the following floor areas:

- Basement 2 used for general storage purposes;
- Basement 1 used for kitchen storage purposes;
- Lower Ground Level (Service / Bell Street Green Level) used for loading and servicing area, Hotel entry from Bell Street and the car parking area for staff and customers, keg room and spirit store, a designated outdoor smoking area and access and circulation areas to other levels of the Hotel.
- Upper Ground Level (Main Hotel Level) used for kitchen and bar service, beer garden area, amenities, dining areas within and along the Union Street veranda of the historic Commonwealth Hotel building, a designated outdoor smoking area, and the Union Place front entry for the Hotel.
- Upper Floor Level comprises areas for amenities, dining area and ancillary office space. A part of the existing void area will be infilled to provide additional dining area. The Main Hotel Level and Upper Floor Level will be connected by two sets of stairs: one located within the Hotel building; and the other located adjacent to the eastern Hotel building elevation. A lift will also connect the Main Hotel Level and the Upper Floor Level.

The proposed hotel will have a total Gross Floor Area (GFA) of 1,768m², which is an additional 854m² from that which existed when the building was known as 'Murphy's Pub' prior to major renovation and restoration works occurring from 2016. It is noted that the existing, refurbished historic building is to be left largely the same, and the new works are to occur outside of this footprint, to ensure it is fit for use by a commercial hotel operator. The historic building footprint is proposed to be used principally as a dining room and function

space, and the kitchens, toilets and other patron areas will be accommodated in new buildings. The proposed alterations to the existing building are summarised as follows:

- Provision of a doorway on the ground floor, eastern elevation to allow toilet access. The doorway will be formed in an existing window opening requiring only the removal of brickwork below the sill. This window was replaced in the recent refurbishment and is therefore not of heritage significance.
- Provision of a doorway on the upper floor, eastern elevation to allow access to the lift and toilets. In contrast to the lower floor, the first three upper floor windows were once French doors. These doors were changed to windows when the verandah on the east was partially demolished in the 80's.
- Construction of an appropriate stair in the location of the current temporary stairs
- Infill of part of the void on the western side of the building to allow for more dining space.
- Installation of a new window in the newly installed wall on the ground floor, northern elevation.

All other proposed works are external and separate to the existing structure and have been positioned and scaled to ensure they are sympathetic to the Commonwealth Hotel and its architectural form.

Car parking for the development will be provided via the existing street level car park on the Bell Street Green with access via the existing crossover in Bell Street. This car park was originally constructed to service the uses as part of the previous redevelopment of the precinct in the late 1980's and was disconnected through the construction of the administration building. A total of 42 parking spaces are available in this space however only 18 are required to be provided in order to comply with the Parking Code requirements of one space per 50m² of GFA for the additional floor area proposed as part of this application. Dedicated loading/services areas for the development will be provided within the car parking area. It is considered that the existing parking and servicing arrangements are sufficient to service the proposed development and the building is well serviced by bus and rail facilities and in a city centre environment, where many customers are likely to access uses on foot and undertake single trip, multi-purpose activities.

Hours of operation proposed for the use are 24 hours a day, 7 days a week, though trading hours may vary from this. The hours of operation proposed are not expected to create detrimental acoustic amenity impact on sensitive receivers and acoustic aspects of the operation of the hotel will be regulated via the liquor licence. The qualitative acoustic assessment has used 2019 background monitoring to establish whether the predicted noise emissions from sources such as car park, deliveries, waste collection and building services (i.e. air conditioning and refrigeration) will exceed the acoustic quality objectives or background creep criteria. This report anticipates the emissions will achieve the criteria outlined in the report without the need for additional acoustic controls. The report identifies that further analysis will be required to satisfy the liquor licence provisions for the assessment of entertainment noises typical of a hotel.

ASSESSMENT BENCHMARKS:

The application is Code Assessable and has been assessed against the assessment benchmarks set out by the categorising instruments in accordance with section 45(3)(a) of the *Planning Act 2016*.

The relevant assessment benchmarks which have been applied for the purposes of this assessment are as follows:

Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10, version current as at 27 September 2021	Part 8, division 1, subdivision 2 – Local heritage places
State Planning Policy July 2017, Part E	Planning for liveable communities and housing Planning for economic growth Planning for environment and heritage Planning for safety and resilience to hazards Planning for infrastructure
Ipswich Planning Scheme 2006	City Centre Code (Part 5) Character Places Overlays Code (Part 11, division 3) Development Constraints Overlays Code (Part 11, division 4) Commercial and Industrial Code (Part 12, division 7) Parking Code (Part 12, division 9) Character Code (Part 12, division 10)

The application was found to comply with the assessment benchmarks applying to the development.

OTHER MATTERS GIVEN REGARD:

The assessment has given regard to the relevant matters identified in section 27 of the *Planning Regulation 2017* and in accordance with section 45(3)(b) of the *Planning Act 2016*.

The assessment has given regard to the following matters:

Relevant matter	Assessed against or had regard to
Planning Regulation 2017, Schedule 10	Part 8, division 1, subdivision 2 – Local heritage places
Planning Regulation 2017, s27(1)(d)	(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

	(ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme.
Planning Regulation 2017, s27(1)(f)	any development approval for, and any lawful use of, the premises or adjacent premises; and
Planning Regulation 2017, s27(1)(g)	the common material.

OTHER RELEVANT INFORMATION:

Heritage Impact

The Commonwealth Hotel is listed in Schedule 2 Character Places. The existing building has been subject to significant refurbishment whereby the largely derelict and unsafe building was dismantled and reconstructed to bring the building up to contemporary standards to enable its continued commercial use. In support of the proposal the applicant submitted a heritage impact assessment which concludes that based on the low physical impact on the Commonwealth Hotel and the careful attention to the separation of old and new form, the proposal allows the continued use of this 110 year old hotel, respects its heritage values and allows new work to be completed to allow the hotel to function as a contemporary hotel for many years to come.

Development Constraints

The subject site is partially affected by the adopted flood regulation line (AFRL). Although the vehicle access to the existing parking area from Bell Street is located below the AFRL, alternative flood free access is provided via Union Place. Recommended conditions of approval require the applicant to submit certification demonstrating compliance with the overlays code.

With regard to the State Planning Policy, the proposal is considered to comply with the interim assessment benchmarks relating to hazards, risk and resilience on the basis that proposed use areas within the risk area form part of the existing car park structure and will be fully enclosed. It is considered that the recommended conditions of approval sufficiently mitigates any risk to an acceptable or tolerable level.

Stormwater

The proposed development involves the utilisation of land which is already impervious and therefore, roof water discharge will utilise existing stormwater arrangements.

NOTICE ABOUT THE DECISION (STATEMENT OF REASONS):

In accordance with section 63 of the *Planning Act 2016*, a 'notice about the decision' is required for this application. Accordingly, a Statement of Reasons is included with this decision. This Statement of Reasons provides the justification for Council's decision (refer Attachment 3).

INFRASTRUCTURE CHARGES AND INFRASTRUCTURE AGREEMENTS:

The site is identified within a deemed demand area pursuant to the Ipswich Adopted Infrastructure Charges Resolution. In accordance with Schedule 5 – Deemed Demand for the Deemed demand Area of the *Ipswich Adopted Infrastructure Charges Resolution (No. 1) 2021*, when a site is located within the CBD Primary Retail Zone, the credit is calculated in accordance with the Commercial (retail) category at a rate of 40,000m² GFA per hectare of site area.

The deemed demand for the proposed use does not exceed the calculated deemed credit and therefore infrastructure charges for Council's infrastructure networks are not applicable to the proposed development.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

A risk to Council exists should the proposal not be determined in accordance with legislative requirements. The assessment and subsequent recommendations have been prepared to minimise the risk.

As Council is both the applicant and the assessment manager in relation to this application there is a risk of influence on decision making via a potential conflict of interest. In order to mitigate this risk and as part of the establishment of the new governance framework for processing development applications and development related activities, the draft recommendation was referred to the Independent Decision Review Panel in accordance with the related policy and procedure. The External Consultation section of the report discusses the results of this review in detail.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
	Human Rights Impact Assessment
(a) What is the Act/Decision being made?	Decision to approve development application 16204/2021/MCU.
(b) What human rights are affected?	The applicant is a company and therefore does not have human rights under the <i>Human Rights Act 2019</i> . The application is subject to code assessment and therefore, public notification is not applicable to the development pursuant to the Planning Act.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting	Not applicable

the relevant rights? Is the limitation fair and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

This reports relates to Council acting in its capacity as the assessment manager for development applications. The development application fee was paid to cover Council's costs in this regard and as such, there are no financial or resource implications associated with this report.

COMMUNITY AND OTHER CONSULTATION

The development application is code assessable, and was therefore not required to follow the public notification process pursuant to the Planning Act. Notwithstanding, all relevant application material is accessible via Council's ePathway Service. Council as assessment manager did not receive any written submissions in relation to the application.

REFERRAL AGENCY

The Queensland Government State Assessment Referral Agency (SARA) are a referral agency for the application, owing to be the site being located adjacent to a state transport corridor (Ipswich Railway Line). The department provided a response dated 17 November 2021 with no requirements in relation to this application (refer to Attachment 4).

INTERNAL CONSULTATION

The application and common material was presented to Council's Initial Development Assessment Panel (consisting of various representatives from across the organisation) for review upon lodgement. The comments made by the panel have been considered in drafting the recommendation.

EXTERNAL CONSULTATION

The development application is classified as a Sensitive Development Matter and therefore requires review by an Independent Decision Review Panel prior to being determined, in accordance with the Council policy titled Framework for Development Applications and Related Activities. The Independent Decision Review Panel has been selected in accordance with the related procedure, and contains only one member, being Craig Harte (Town Planner, employed as a Planning Manager (Ipswich) by RPS Australia East Pty Ltd). In this instance, it was considered appropriate to select only one member for the panel, as the application utilises predominantly existing buildings and infrastructure, and there are therefore limited technical aspects associated with the proposal which require additional input.

CONCLUSION

An assessment of the proposed material change of use for a business use (hotel) at 5 Union Place and 8 Bell Street, Ipswich has been undertaken and it has been determined that the proposed development generally complies with the assessment benchmarks or can be

conditioned to comply as outlined in the attached Statement of Reasons. It is therefore recommended that this development application be decided in accordance with the recommendations and attachments of this report.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Draft Decision Notice
2.	Draft DA Plans Approved
3.	Draft Statement of Reasons
4.	Referral Agency Response (Queensland Government - SARA)

Grant Johnson

PRINCIPAL PLANNER (DEVELOPMENT)

I concur with the recommendations contained in this report.

Mitchell Grant

DEVELOPMENT ASSESSMENT CENTRAL MANAGER

I concur with the recommendations contained in this report.

Anthony Bowles

MANAGER, DEVELOPMENT PLANNING

I concur with the recommendations contained in this report.

Peter Tabulo

GENERAL MANAGER, PLANNING AND REGULATORY SERVICES

“Together, we proudly enhance the quality of life for our community”

Your reference
Our reference
Contact Officer
Telephone

16204/2021/MCU:GJ
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Ipswich City Council
C/- Sinclair Planning Pty Ltd
Leisa.Sinclair@sinclairplanning.com.au

December 2021

Dear Leisa

Re: Development Application – Approval
Application No: 16204/2021/MCU
Proposal: Material Change of Use - Business Use (Hotel)
Property Location: 5 Union Place & 8 Bell Street, IPSWICH QLD 4305

I refer to the above development application which was decided on [decision date].

Enclosed with this letter is the Decision Notice, including:

- Attachment A – Assessment Manager's Conditions
- Attachment B – Approved Plans
- Attachment C – Referral Agency Responses
- Appeal Rights

If you have any queries regarding this application, please contact Grant Johnson on the telephone number listed above.

Yours faithfully

Mitchell Grant
DEVELOPMENT ASSESSMENT CENTRAL MANAGER

Urban Utilities
development@urbanutilities.com.au

Queensland Government State Assessment Referral Agency (SARA)
ipswichSARA@dsdmip.qld.gov.au

December 2021

DECISION NOTICE APPROVAL
(Given under section 63(2) of the *Planning Act 2016*)

Applicant details

Applicant name: Ipswich City Council C/- Sinclair Planning Pty Ltd
Applicant contact details: Leisa.Sinclair@sinclairplanning.com.au

Application details

Application number: 16204/2021/MCU
Application type: Material Change of Use
Description of proposed development: Extension to Business Use (Hotel)
Date application received: 27 September 2021

Site details

Property location: 5 Union Place & 8 Bell Street, IPSWICH QLD 4305
Real property description: Lot 1 RP 2677 & Lot 3 SP 307972

Decision

Date of decision: **[Decision date]**
Decision Authority: Full Council

1. Decision Details:

Development	Approval Type	Decision	Currency Period
Material Change of Use – Extension to Business Use (Hotel)	Development Permit	Approved in full subject to the conditions set out in Attachment A	6 years*

This development approval has been issued during the COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to a further extension of time under section 275R of the Planning Act.

2. Conditions of Assessment Manager (Ipswich City Council)

Refer to Attachment A for Assessment Manager conditions.

3. Approved Plans Specifications and Drawings

The approved plans, specifications and drawings for this development approval are:

- (a) The plans and documents referred to in the table below; and
- (b) Where the amended version of the plans and documents referred to in the table below have been approved by the Assessment Manager, the amended version of those plans and documents.

The plans referenced below are included as Attachment B of this decision notice.

APPROVED PLANS				
Reference No.	Description & Revision No.	Prepared By	Date	Amendments Required
Aspect of development: material change of use				
1444-2 A102	Site Plan Revision DA03	Tait Morton Johnston Architects	22 September 2021	N/A
1444-2 A103	Service Basements Revision DA03	Tait Morton Johnston Architects	22 September 2021	N/A
1444-2 A104	Lounge/Service Level Revision DA03	Tait Morton Johnston Architects	22 September 2021	N/A
1444-2 A105	Main Hotel Level Revision DA03	Tait Morton Johnston Architects	22 September 2021	N/A
1444-2 A106	Upper Floor/Roof Revision DA03	Tait Morton Johnston Architects	22 September 2021	N/A
1444-2 A107	Union Street and Western Elevation	Tait Morton Johnston Architects	13 October 2021	N/A

	Revision DA04			
1444-2 A108	Southern and South Eastern Elevation Revision DA04	Tait Morton Johnston Architects	13 October 2021	N/A

4. Referral Agencies

The referral agencies for this application are:

Referral Agency	Referral Role	Aspect of Development Requiring Referral	Address
Queensland Government State Assessment Referral Agency (SARA)	Concurrence	- State Transport Corridors and Future State Transport Corridors	Ipswich SARA Office Post: PO BOX 129, IPSWICH QLD 4305 Email: IpswichSARA@dsdm ip.qld.gov.au Ph: 07 3432 2413

Refer to Attachment C for Referral Agency conditions.

5. Variation Approval

Not applicable to this decision.

6. Further Development Permits

Further development permits, as required by the *Planning Act 2016*, must be obtained before the development can be carried out in respect of any operational works, building works and plumbing works in relation to this approval prior to the commencement of works pursuant to the *Planning Act 2016*.

7. Environmental Authority

Not applicable to this decision.

8. Properly Made Submissions

Not applicable to this decision.

9. Currency period for the approval (section 85 of the *Planning Act 2016*)

The currency period for this approval is as outlined in part 1 – ‘decision details’ of this decision notice, starting the day the approval takes effect. Unless the currency period is extended by the Assessment Manager pursuant to section 87 of the *Planning Act 2016*, this development approval lapses in accordance with section 85 of the *Planning Act 2016*.

This development approval has been issued during the COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to a further extension of time under section 275R of the Planning Act.

10. When approval lapses if development started but not completed— variation approval

Not applicable to this decision.

11. Other requirements under section 43 of the *Planning Regulation 2017*

Not applicable to this decision.

12. Trunk Infrastructure

Not applicable to this decision.

13. Infrastructure Charges

- (a) No infrastructure charges have been levied by Council for the proposed development.
- (b) From 1 July 2014, the Central SEQ Distributor-Retailer Authority (QUU) will issue all Infrastructure Charges Notices for charges relating to water and wastewater. For further information, it is recommended that you contact QUU's developer customer service team on (07) 3432 2200.

14. Submitting Change Representations to Request a Negotiated Decision Notice

In accordance with section 75 of the Planning Act 2016, the applicant may submit change representations to request a negotiated decision notice, during the applicant's appeal period, about changing a matter in the development approval (other than a matter stated because of a referral agency response or a development condition imposed under a direction by the Minister).

The applicant's appeal period is 20 business days, and any change representations must be submitted and assessed during this time, unless the applicant suspends the appeal period. To ensure both the applicant and the assessment manager have sufficient time to consider the change representations, it is recommended that the applicant suspend the appeal period (refer to section 75(2) of the Planning Act 2016) prior to submitting their change representations. This will allow an additional 20 business days for the applicant to submit their change representations, if required, and up to 20 business days for the assessment manager to consider the representations from the date the change representations are received.

Ipswich City Council does not charge an application fee for the submission of change representations.

For more information, please refer to the State Government's fact sheet on Change Representations: <https://dilgpprd.blob.core.windows.net/general/factsheet-change-representations.pdf>.

15. Appeal Rights

Applicant's appeal rights

You have appeal rights in relation to this decision. An appeal may be made against, as applicable:

- the refusal of part of the development application; or
- a provision of the development approval; or
- if a development permit was applied for, the decision to give a preliminary approval.

An appeal must be started within 20 business days after this notice is given to you.

An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee.

An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal.

Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* sets out further information about appeal rights.

An extract from the *Planning Act 2016* about appeal rights is attached to this decision notice.

Attachment A
Assessment Manager's Conditions
File No: 16204/2021/MCU
Location: 5 Union Place & 8 Bell Street, IPSWICH QLD 4305
Proposal: Material Change of Use - Business Use (Extension to Hotel)

Assessment Manager (Ipswich City Council) Conditions
Conditions applicable to this approval under the Planning Act 2016

No.	Condition	The time by which the condition must be met, implemented or complied with
1.	Basis of Approval	
	<p>This approval incorporates as a condition, the applicant's common material (as defined in Schedule 24 – Dictionary of the <i>Planning Regulation 2017</i> for the application and adherence to all relevant Council Local Laws and/or the <i>Ipswich Planning Scheme</i> (including Planning Scheme Policies) unless otherwise varied by this approval or varied by a condition of this approval.</p> <p>Note: Any variation in the development from that approved herein may constitute assessable development pursuant to the <i>Planning Act 2016</i>.</p>	From the commencement of the construction of the development and at all times thereafter.
2.	Minor Alterations	
	Notwithstanding the requirements detailed in this approval, any other minor alterations accepted in writing by the assessment manager will suffice.	At all times after the approval is granted.
3.	Development Plans	
	The applicant must undertake the development generally in accordance with the approved plans outlined in Part 3 - Approved Plans Specifications and Drawings of this development permit.	From the commencement of the construction of the development and at all times thereafter.
4.	Hours of Construction	
	Unless otherwise approved in writing by the assessment manager, construction works must only occur within the hours as defined in <i>Planning Scheme Policy 3 – General Works Part 5, Section 5.1.3</i> .	At all times during construction of the development.
5.	Hours of Operation	
	Subject to the <i>Trading (Allowable Hours) Act 1995</i> and any liquor licence issued in relation to the development, the applicant is permitted to conduct work or business from the premises 24 hours a day, seven (7) days a week. The applicant must ensure there is no noise nuisance or disturbance caused in	From the commencement of the use and at all times thereafter.

	connection with the operation of the development.	
6.	Amalgamation of Lots	
	The applicant must, by subdivision plan, amalgamate all lots the subject of this approval into one lot.	Prior to the commencement of the use.
7.	Particular Use	
	The applicant must not use any of the structures associated with the business use (hotel), inclusive of car parking and any associated outdoor areas on the premises, for any other purpose, unless, in the written opinion of the assessment manager, such use is ancillary and incidental to the predominant use of the premises for a business use (hotel).	From the commencement of the construction of the development and at all times thereafter.
8.	Separate Agreements (Sale Agreements, Tenancy Agreements, Lease Agreements, Community Management Statements, Developer Covenants etc.)	
(a)	The applicant must ensure any separate agreements (including but not limited to sale agreements, tenancy agreements; lease agreements; community management statements; developer covenants etc.) require the development to be conducted/operated in accordance with: <ul style="list-style-type: none"> (i) this development approval (and any subsequent amendments/changes to this approval) (ii) any related or consequential approvals (e.g. material change of use, reconfiguring a lot, operational works or building works) 	From the commencement of the use and at all times thereafter.
(b)	The applicant must ensure a copy of all approvals referred to in (a) above are: <ul style="list-style-type: none"> (i) appropriately referenced in such agreements; and (ii) provided to all parties of such agreements. 	At the time an agreement is presented to the relevant parties.
9.	Activation of Buildings	
(a)	Unless otherwise approved in writing by the assessment manager, all windows and building entries fronting Union Place are to remain visually permeable at all times during the operation of the development. To this end, all windows and entry points are to remain transparent and must not be covered with advertising, screening or opaque tinting of any kind.	Prior to the commencement of any use along the relevant frontage and at all times thereafter.
(b)	Unless otherwise approved in writing by the assessment manager, advertising signage is not permitted to be located on windows and entry doors of	From the commencement of the use and at all times thereafter.

	the buildings.	
10.	Visual Treatment of Plant and Equipment	
(a)	The applicant must ensure all plant and equipment (inclusive of tanks, air conditioning units, compressors, generators, ducting, ventilation and the like): <ul style="list-style-type: none"> (i) is not located between any building and the dedicated road/railway reserve/adjoining premises including the civic area precinct; or (ii) is appropriately screened (and ventilated) from view from the dedicated road, railway reserve and the adjoining premises including the civic area precinct. 	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must, where screening is required pursuant to (a), submit for written approval by the assessment manager details of the screening method or device. All screening must be of materials similar in appearance and specification to those used in the construction of buildings on the premises and adjacent premises.	Prior to the lodgement of the application for building work.
(c)	The applicant must construct and maintain all screening in accordance with the approval issued by the assessment manager.	Prior to the commencement of the use and at all times thereafter.
(d)	Rooftop areas must be designed to conceal and disguise rooftop machinery and service equipment. Any additional screening must be strictly in accordance with the approved plans outlined in Part 3 of this development permit unless otherwise approved in writing by the assessment manager.	Prior to the commencement of the use and at all times thereafter.
13.	Building Finishes	
	The applicant must obtain written approval from the assessment manager for a schedule of colour(s) and external finishes for any new building work.	Prior to the commencement of the use.
14.	Landscaping	
(a)	The applicant must submit streetscape landscape plans for the parts of the Bell Street and Bremer Street frontages of the site that are identified on the approved plans outlined in Part 3 of this development permit in accordance with the Ipswich Streetscape Design Guideline 2013 and Ipswich Regional Centre Strategy – Streetscape Materials Specifications. All landscaping and streetscape works must appropriately tie in to adjacent works on Union Place, Bell Street and Bremer Street.	In conjunction with the lodgement of the application for operational works.
(b)	The applicant must provide streetscape landscape	Prior to the commencement of

	works in accordance with the approved plans.	the use and at all times thereafter.
(c)	The applicant must submit to the assessment manager a Certificate of Compliance for streetscape landscape Works completed by a qualified landscape designer stating the works have been completed in accordance with requirements of the approved plans.	Prior to the commencement of the use.

15.	Lighting	
	Lighting used to illuminate any areas of the premises (ie security or flood lighting) must be designed, constructed, located and maintained to the satisfaction of the assessment manager so as not to cause nuisance to the occupants of nearby properties or passing traffic. All lighting must be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways and does not cause extraneous light to be directed or reflected upwards.	Prior to the commencement of the use and at all times thereafter.

11.	Customer Toilets	
	The applicant must provide customer toilet facilities in accordance with the provisions of the Building Code of Australia, which must remain open for access at all times during the operation of the development	From the commencement of the use and at all times during the approved hours of operation thereafter.

12.	Access for People with a Disability	
	The applicant must provide adequate access for people in wheelchairs by means of an unimpeded continuous path of travel from any adjacent roadway, other public lands and from any car parking bay allocated for use by people with a disability, to all parts of the development which are normally open to the public.	Prior to the commencement of the use and at all times thereafter.

13.	Loading and Unloading	
(a)	The applicant must undertake all loading and unloading at the approved location detailed on the approved plans outlined in part 3 of this development permit.	From the commencement of the use and at all times thereafter.
(b)	The applicant must undertake all loading and unloading within the confines of the subject site.	From the commencement of the use and at all times thereafter.

14.	Trade Materials, Products and Plant	
	The applicant must store all trade materials, products and plant within the confines of the building and/or approved storage areas.	From the commencement of the use and at all times thereafter.

15.	Waste Storage and Collection	
(a)	The applicant must locate waste storage at the approved location detailed on the approved plans outlined in Part 3 of this development permit.	From the commencement of the use and at all times thereafter.

(b)	The applicant must ensure all wash down waters from bin cleansing performed on the site is either: <ul style="list-style-type: none"> (i) Appropriately treated and discharged to sewer subject to a Trade Waste approval; or (ii) The services of a refuse bin cleaning company are engaged. 	From the commencement of the use and at all times thereafter.
(c)	The applicant must ensure waste bins are collected on the site and there is no road-side collection.	From the commencement of the use and at all times thereafter.

16.	Car Parking – Use and Maintenance	
(a)	The applicant must provide a minimum of 18 car parking spaces for the development.	Prior to the commencement of the use and at all times thereafter.
(b)	The applicant must ensure all parking areas are: <ul style="list-style-type: none"> (i) Kept exclusively for parking for the development; (ii) Used exclusively for parking for the development; (iii) Accessible to both staff and customers during any approved hours of operation (unless otherwise indicated on the approved plans); (iv) Appropriately signposted at the entry/entries to the car park (eg "Staff and Customer Parking") in accordance with AS1742; and (v) Maintained in perpetuity. 	Prior to the commencement of the use and at all times thereafter.
(c)	Provision must be made for parking spaces for persons with a disability in accordance with the Parking Code (Part 12, division 9) of the <i>Ipswich Planning Scheme</i> .	Prior to the commencement of the use and at all times thereafter.

17.	Access, Parking and Manoeuvring Areas	
(a)	The applicant must construct all parking, access and manoeuvring areas of concrete.	From the commencement of the use and at all times thereafter.
(b)	The applicant must restrict access to the development to 'left-in/left out' movements only, <u>via</u> the <u>installation of</u> suitable signage and line marking.	From the commencement of the use and at all times thereafter.
(c)	The applicant must line-mark all parking, access and manoeuvring areas in accordance with the relevant Australian Standard.	From the commencement of the use and at all times thereafter.
(d)	The applicant must provide suitable signage and line marking to provide for 'one- way' movement through the car park.	From the commencement of the use and at all times thereafter.
(e)	The applicant must make provision for all vehicles to	From the commencement of the

	enter and exit the site in forward gear.	use and at all times thereafter.
(f)	The applicant must remove the existing driveway cross over on Bremer Street and reinstate concrete kerb and channel to match the existing profile. The footpath must be provided in accordance with condition	Prior to the commencement of the use.

18.	Flooding	
(a)	Unless otherwise approved in writing by the assessment manager, the proposed development must comply with the requirements of the <i>Ipswich Planning Scheme 2006</i> , Part 11, division 4, section 11.4.7 (1)(d) and the State Planning Policy insofar as it relates to Natural Hazards, Risk and Resilience.	Prior to the commencement of the use and at all times thereafter
(b)	The applicant must submit to the assessment manager for approval a flood risk management plan.	Prior to the commencement of use.
(c)	The applicant must implement the approved flood risk management plan as required by (b) above.	From the commencement of the use and at times thereafter.

19.	Stormwater Quantity Management	
	The applicant must discharge stormwater runoff from all impervious areas to the existing stormwater system.	Prior to the commencement of the use and at all times thereafter.

20.	Sediment & Erosion Management - Construction & Operational Phases	
	The applicant must provide for all unpaved and disturbed areas sufficient grass or equivalent cover to prevent both rill and sheet erosion.	Prior to commencement of the use and during the period that the approved use is being carried out on the development site.

21.	Further Works	
(a)	The applicant must take due regard of all existing services when undertaking works associated with this development.	During the construction of the development and prior to commencement of use.
(b)	The applicant must alter any services when the relevant authority or assessment manager determines that works associated with this development has an impact upon any existing services.	During the construction of the development and prior to commencement of use.

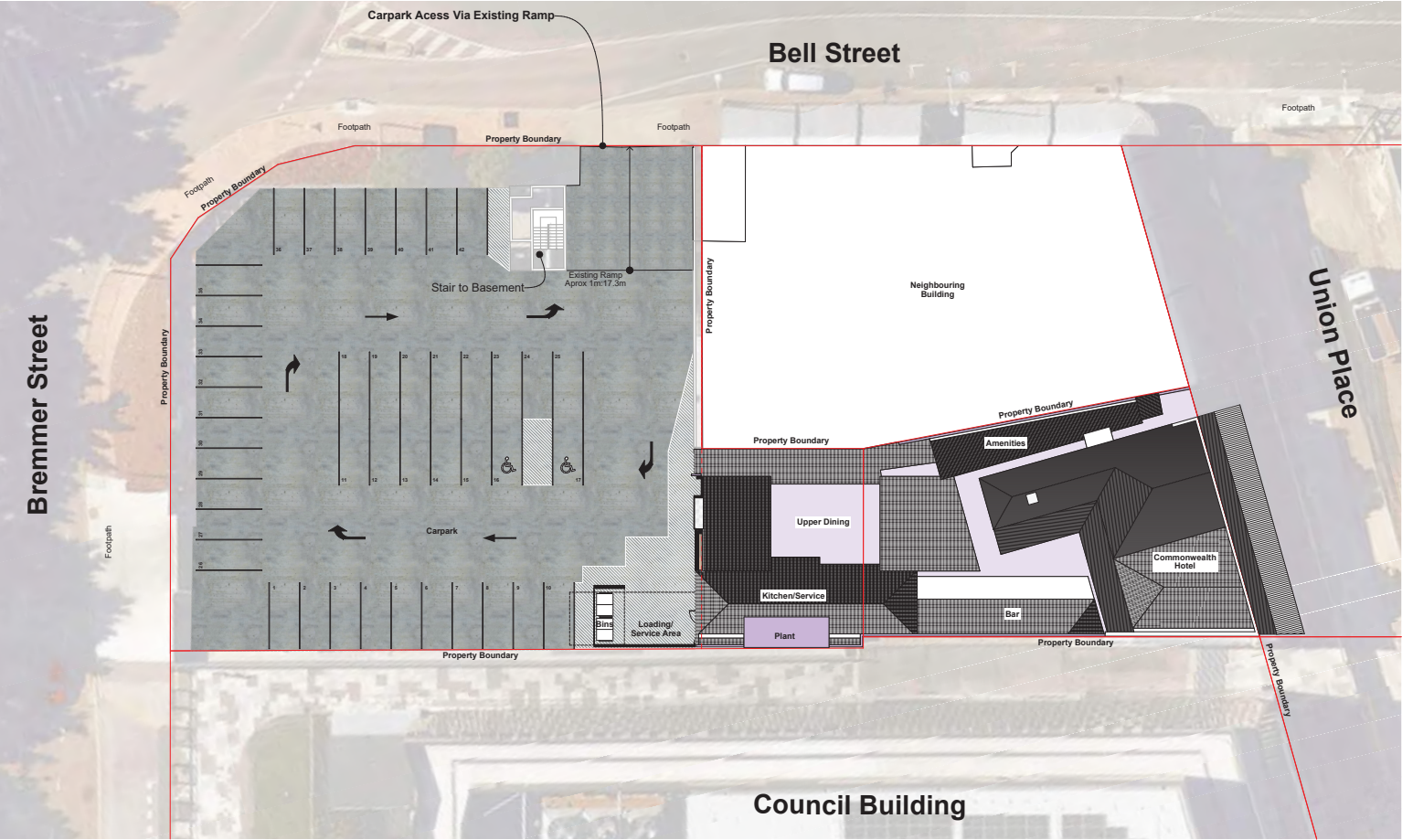
Assessment Manager (Ipswich City Council) Advice

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval.

1.	Advertising Signage	
	Unless any advertising devices associated with the proposed use meets the exempt criteria set out in Schedule 9 of the <i>Ipswich Planning Scheme 2006</i> , such signage would require submission to Council of a code assessable development application for operational works – placing an advertising device on premises. For further information please contact the Planning and Development Department on (07) 3810 6888.	

2.	Fire Ants
(a)	In accordance with the <i>Biosecurity Act 2014</i> and the <i>Biosecurity Regulation 2016</i> , the State of Queensland has implemented movement controls in areas (Fire Ant Biosecurity Zones) of Queensland where the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) has been detected.
(b)	It is a legal obligation to report any sighting or suspicion of Fire Ants within 24 hours to Biosecurity Queensland on 13 25 23 (24hrs). It should be noted that works involving movements of all materials associated with earthworks (import and export) within a fire ant biosecurity zone is subject to movement controls and failure to comply with the regulatory provisions is an offence under the Biosecurity Act 2014. The Fire Ant Biosecurity Zones, as well as general information can be viewed on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/fireants .
(c)	The land over which you have made a development application is within a Fire Ant Biosecurity Zone. The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact Biosecurity Queensland to investigate the site and for you to implement any necessary matters required prior to the commencement of any works.
3.	Portable Long Service Leave
	<p>Where the proposed works (civil and landscaping) are valued at \$150,000 or more and match the definition of Building and Construction Industry, the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i> requires that evidence of payment of the Portable Long Service Leave (QLeave) Levy be received by Council as a condition of issuing a development permit for building works, operational works and plumbing and drainage works applications, as defined under the <i>Planning Act 2016</i>.</p> <p>If you require clarification in regard to the <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i>, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.</p>
4.	<i>Local Government Regulation 2012</i>
	This property may be subject to the provision of Section 116 of the <i>Local Government Regulation 2012</i> . This section of the regulation limits any increase in rates to a predetermined percentage. In accordance with Council's budget and rating resolutions, if the property is sold or reconfigured in any way (eg subdivision, dedication or partial dedication, amalgamation) this benefit will no longer apply. For further information please contact the Ipswich City Council Customer Contact Centre on (07) 3810 6666.
5.	Section 73 of the <i>Planning Act 2016</i>
	Pursuant to section 73 of the <i>Planning Act 2016</i> , a development approval including any conditions of approval is binding on the owner, the owner's successor in title and any occupier of the land.
6.	Trade Waste
	Waste water directed to sewer must only be carried out in compliance with an approved Trade Waste Permit for the site. All associated water treatment equipment (if any) must be covered by the permit, where released to sewer. Enquiries regarding Trade Waste requirements can be made by contacting Queensland Urban Utilities on telephone number 13 26 57.

7.	Food Licence
	Where food is sold, served and or produced on the site there may be a need to hold a licence to do so under the <i>Food Act 2006</i> . Please contact Council for advice regarding this matter by ringing 3810 6666.
8.	Entertainment Venue
	The Applicant / Operator may be required to hold a permit for an Entertainment Venue under Council's Local Law 3. The applicant is advised to contact the Planning and Regulatory Services Department of Ipswich City Council for advice regarding this matter on (07) 3810 6666.
9.	Outdoor/Footpath Dining
	The Applicant / Operator may be required to hold a permit for outdoor/footpath dining under Council's Local Law 3 and 7. The applicant is advised to contact the Planning and Regulatory Services Department of Ipswich City Council for advice regarding this matter on (07) 3810 6666.
10.	Liquor Licence
	If the Applicant / Operator proposes to sell alcohol a liquor licence may be required. For information on liquor licensing please contact the Office of Liquor and Gaming Regulation on 13QGOV.



PROPERTY DESCRIPTION

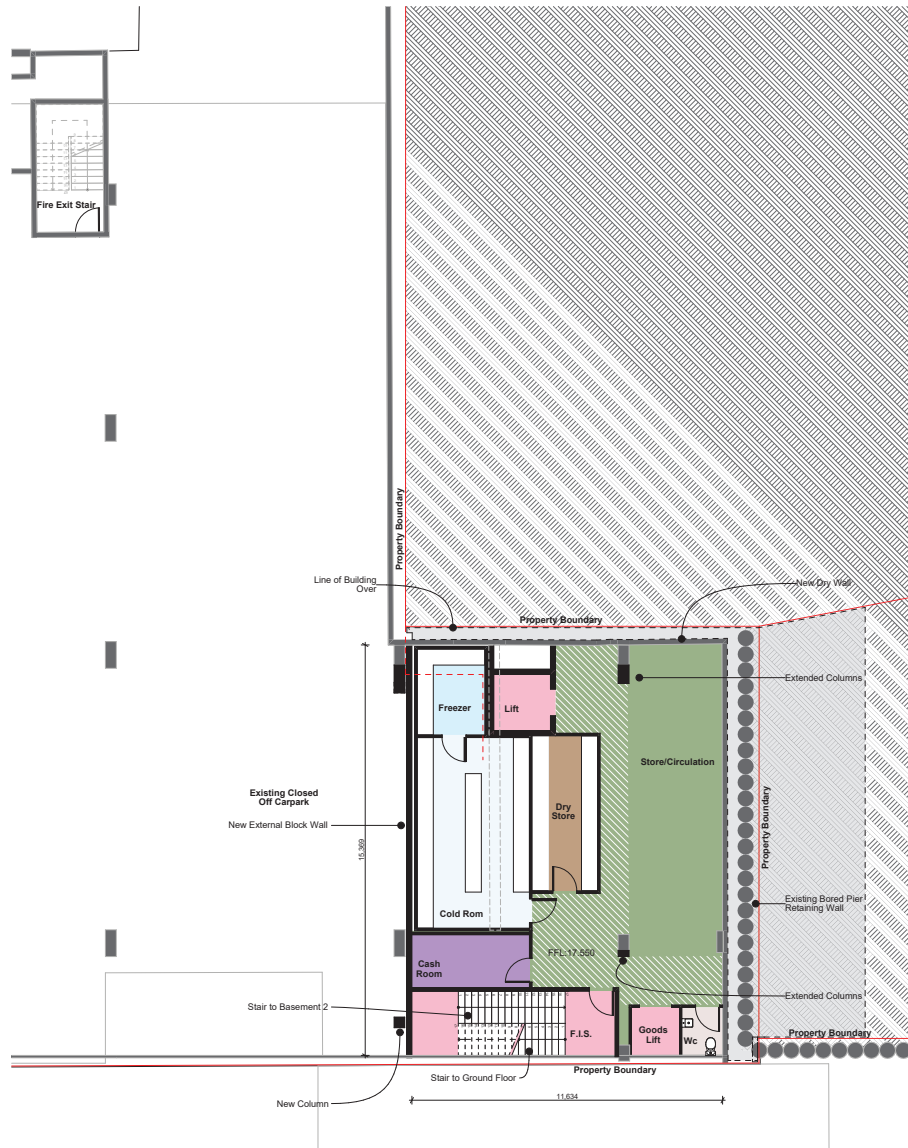
ADDRESS: 5 Union Place, Ipswich, QLD

RP DESCRIPTION:
LOT Lot 1 RP 2677
Division/Division 3
ZONING:
CBD Primary Retail

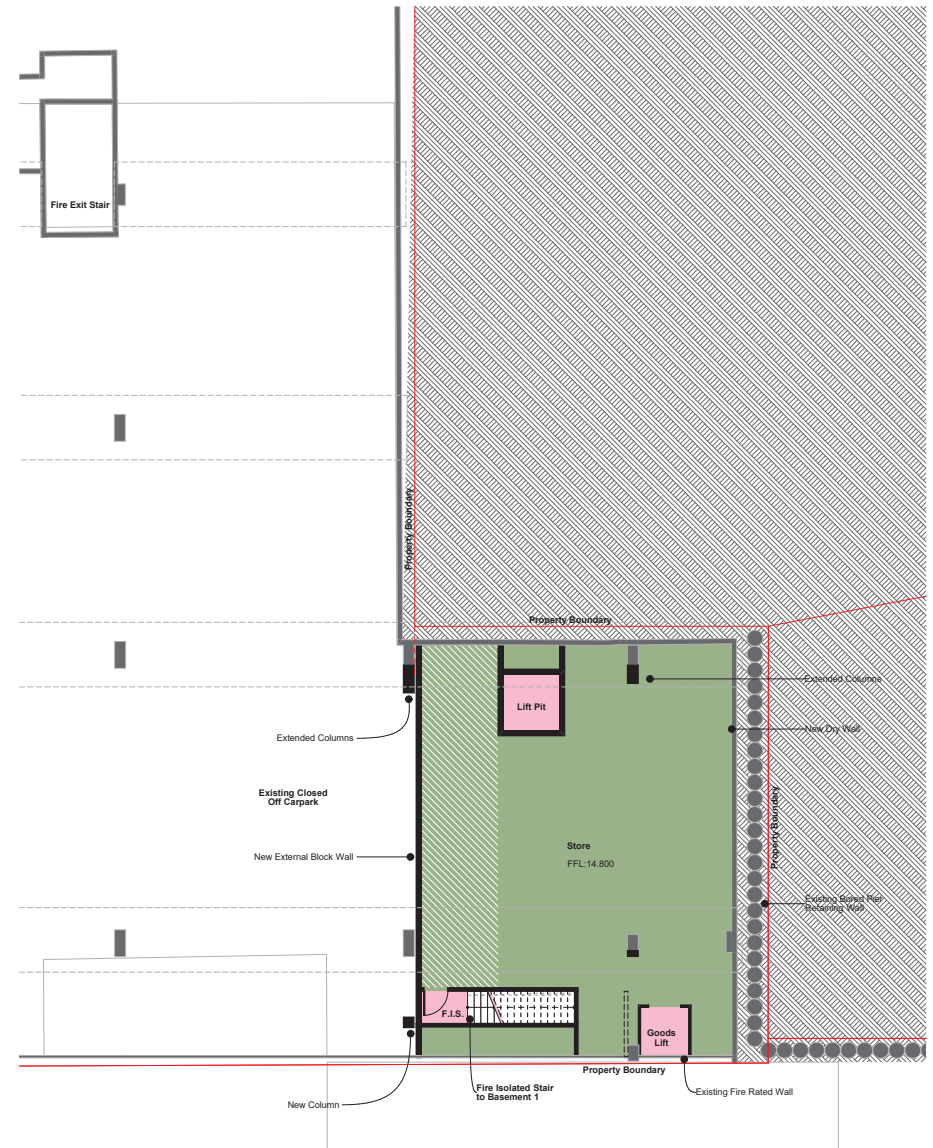
Site
Scale @ A1 - 1:200



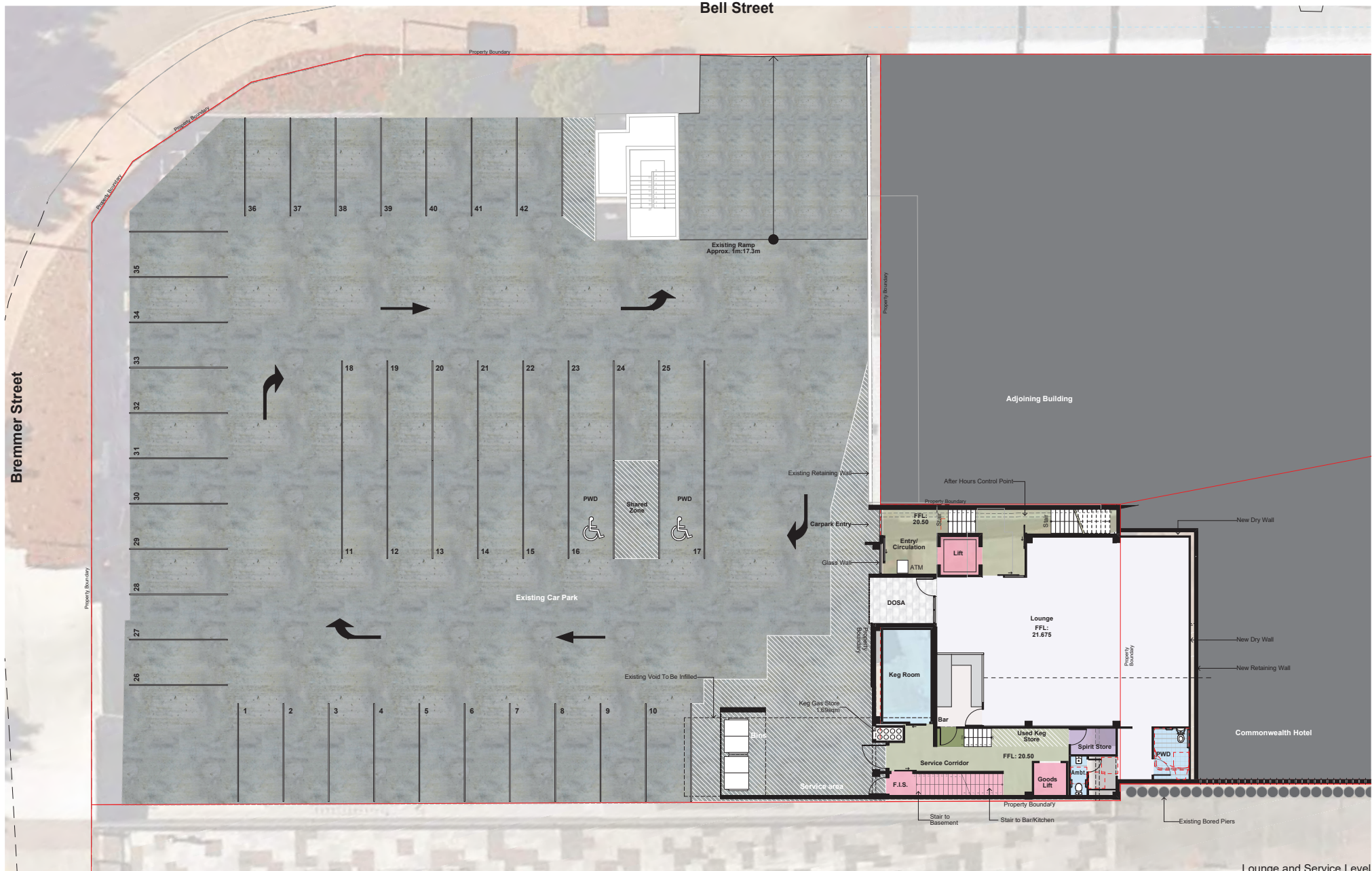
	Proposed GFA 2021	Existing GFA 2015
Upper Floor/ Roof	267.33sqm	288.96 sqm
Main Hotel Floor	844sqm	624.71 sqm
Lounge/Services	280.83 sqm	N/A
Basement 1	187.82 sqm	N/A
Basement 2	187.82 sqm	N/A
Total	1767.80 sqm	913.67 sqm



Basement 1 - Kitchen Storage
Scale @ A1 - 1:100

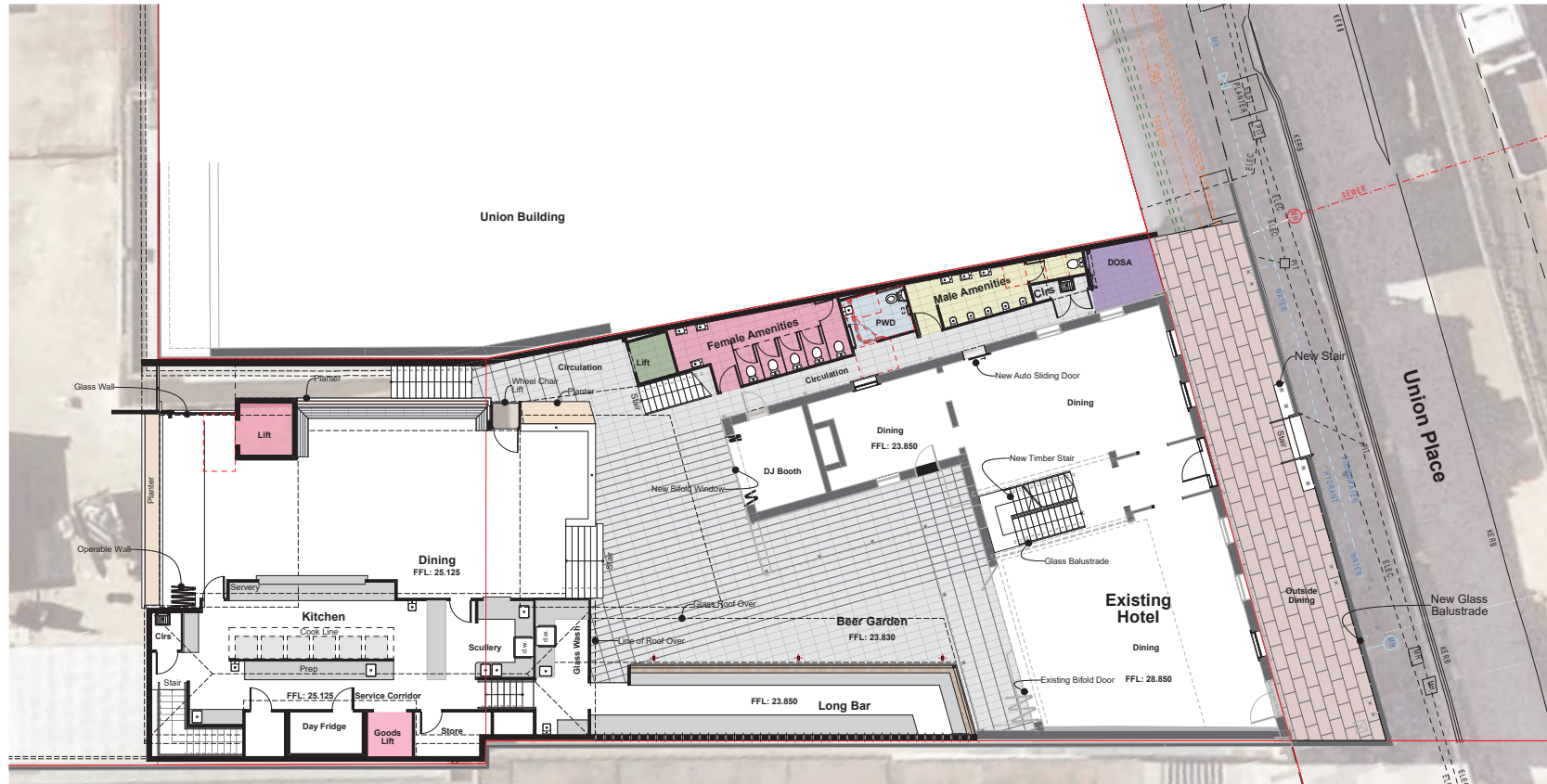


Basement 2 - General Storage
Scale @ A1 - 1:100



Lounge and Service Level
Scale @ A1 - 1:100

<div>General Note</div> <div>The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. The drawings shall not be used for construction purposes until issued for construction. Do not scale drawings.</div> <div>© TAIT MORTON JOHNSTON Pty Ltd</div>	PROPOSED	FOR																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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MAIN HOTEL LEVEL
Scale @ A1 - 1:100



<div>General Note</div> <div>The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect.</div> <div>Drawings shall not be used for construction purposes until issued for construction. Do not scale drawings.</div> <div>© TAIT MORTON JOHNSTON Pty Ltd</div>		<div>PROPOSED</div> <div>Proposed Extension of Commonwealth Hotel</div> <div>Union Street Ipswich</div>		<div>FOR</div>		<table><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td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Existing Commonwealth Hotel to
Remain Unchanged

Toughened Glass Balustrade

+28.925
7 Roof

+25.425
6 Main Hotel Floor

+24.150
5 Kitchen

Stainless Steel Balustrade

Glass Atrium Roof

Chamferboard Cladding

Glass Atrium Roof

+28.925
7 Roof

+25.425
6 Main Hotel Floor

+24.150
5 Kitchen

Union Place Elevation
Scale @ A1 - 1:100

Union Building Behind

Existing Commonwealth Hotel

Existing Commonwealth Hotel

Acoustic Louvers to A/C Plant

Block Fire Wall Render Finish

Colorbonf Roof Sheetting
Fall @ 30°

Existing Block Wall to
Existing Service Corridor

Toughened Glass Balustrade

Block Fire Wall Brick Face

Lift Shaft, Chamferboard Cladding

Brick Parapet

Extrusions in Brick Wall

Existing Block Wall to
Existing Service Corridor

+28.925
7 Roof

+25.425
6 Main Hotel Floor

+24.150
5 Kitchen

+21.675
4 Ground Floor

+20.500

Western Elevation
Scale @ A1 - 1:100

General Notes
The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Drawings shall not be used for construction purposes until issued for construction. Do not scale drawings.
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PROPOSED
Proposed Extension of Commonwealth Hotel
AT
Union Street Ipswich

FOR

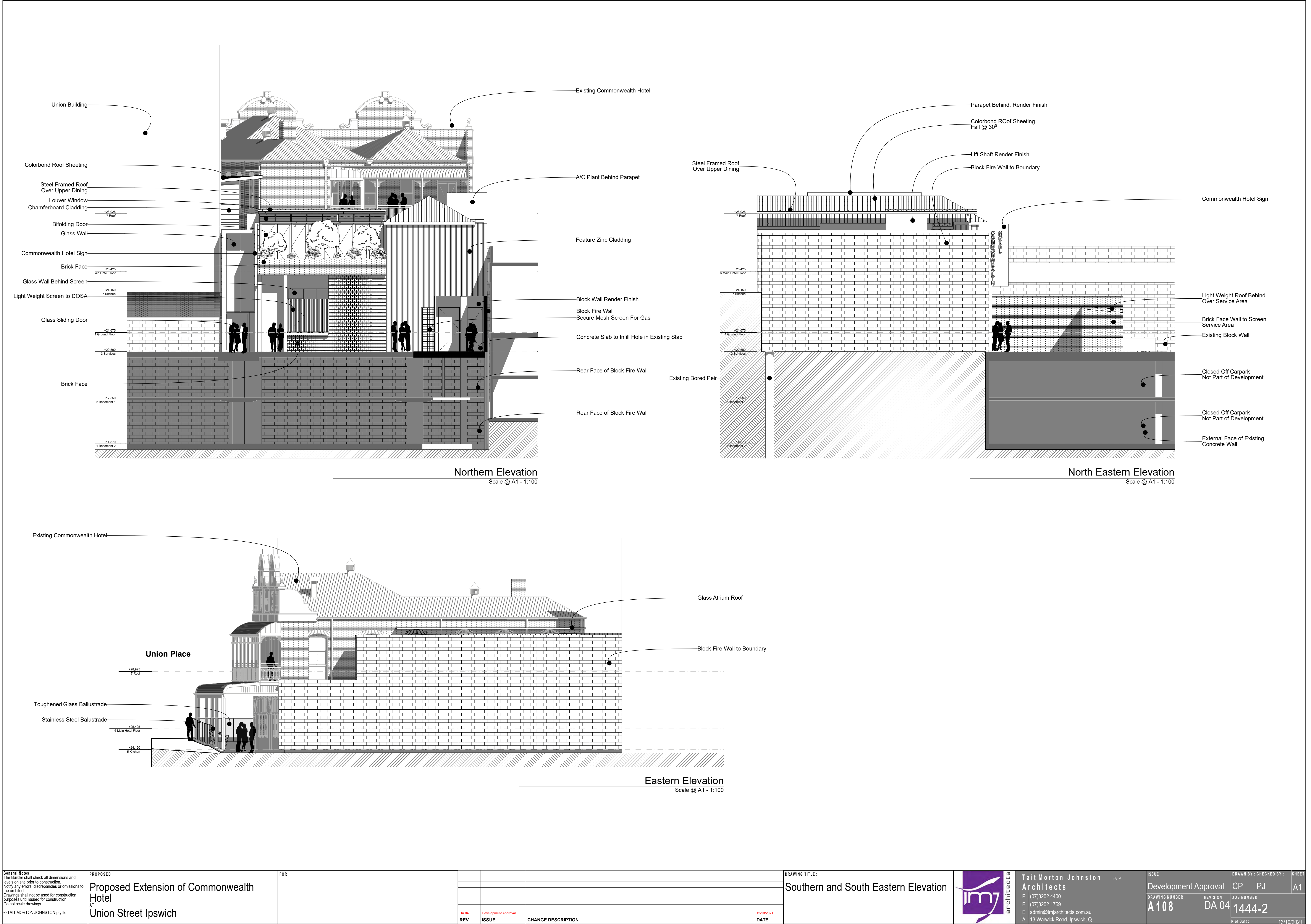
REV	ISSUE	CHANGE DESCRIPTION	DATE
P012	Preliminary		13/09/2021
DA 02	Development Approval		21/09/2021
DA 03	Development Approval		22/09/2021
DA 04	Development Approval		13/10/2021

DRAWING TITLE:
Union Street and Western Elevation



Tait Morton Johnston Architects
P 07/3202 4400
F 07/3202 1769
E admin@tmjarchitects.com.au
A 13 Warwick Road, Ipswich, Q

ISSUE	Development Approval	CP	PJ	A1
DRAWING NUMBER	A107	REVISION	DA 04	JOB NUMBER
				1444-2
				Plot Date: 13/10/2021



STATEMENT OF REASONS

(Notice about the decision given under section 63(4) of the *Planning Act 2016*)

APPLICANT DETAILS

Applicant name: Ipswich City Council C/- Sinclair Planning Pty Ltd

APPLICATION DETAILS

Application number: 16204/2021/MCU
Application type: Material Change of Use
Approval sought: Development Permit
Description of proposed development: Business Use (Extension to Hotel)
Level of Assessment: Code

SITE DETAILS

Street address: 5 Union Place & 8 Bell Street, IPSWICH QLD 4305
Real property description: Lot 1 RP 2677 & Lot 3 SP 307972

DECISION

Date of decision: [TBC]
Decision: Approved in full with conditions
Decision Authority: Full Council

1. Reasons for the Decision

The reasons for this decision are:

- The application was properly made and followed the Development Assessment Rules in effect.
- The application was assessed against the applicable Assessment Benchmarks.
- The assessment manager, after carrying out the assessment, found that the development complied with the relevant Assessment Benchmarks applicable to the development, or resolved a conflict between the benchmarks, or resolved a conflict between the benchmarks and a referral agency's response.
- The development was not prohibited development under a categorising instrument or local categorising instrument.

2. **Assessment Benchmarks**

The following are the assessment benchmarks applying for this development:

Categorising Instrument	Assessment Benchmarks
Planning Regulation 2017, Schedule 10	Part 8, division 1, subdivision 2 – Local heritage places
State Planning Policy July 2017, Part E	Planning for liveable communities and housing Planning for economic growth Planning for environment and heritage Planning for safety and resilience to hazards Planning for infrastructure
Ipswich Planning Scheme 2006	City Centre Code (Part 5) Character Places Overlays Code (Part 11, division 3) Development Constraints Overlays Code (Part 11, division 4) Commercial and Industrial Code (Part 12, division 7) Parking Code (Part 12, division 9) Character Code (Part 12, division 10)

3. **Compliance with Benchmarks**

The application was found to comply with the assessment benchmarks applying to the development.

4. **Relevant matters**

The application was given regard to, the following matters:

Relevant matter	Assessed against or had regard to
Planning Regulation 2017, Schedule 10	Part 8, division 1, subdivision 2 – Local heritage places
Planning Regulation 2017, s27(1)(d)	(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme.
Planning Regulation 2017, s27(1)(f)	any development approval for, and any lawful use of, the premises or adjacent premises; and
Planning Regulation 2017, s27(1)(g)	the common material.

5. **Other Relevant Matters for development subject to impact assessment**

Not applicable.

6. **Matters raised in submissions for development subject to impact assessment**

Not applicable.



SARA reference: 2110-25348 SRA
Council reference: 16204/2021/MCU

17 November 2021

Chief Executive Officer
Ipswich City Council
PO Box 1559
Ipswich Qld 4305
development@ipswich.qld.gov.au

Attention: Mr Grant Johnson

Dear Mr Johnson,

SARA response—5 Union Place and 8 Bell Street, Ipswich

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 15 October 2021.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	17 November 2021
Advice:	Advice to the applicant is in Attachment 1 .
Reasons:	The reasons for the referral agency response are in Attachment 2 .

Development details

Description:	Development permit	Material Change of Use - Business Use (Hotel)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) Development application for a material change of use within 25m of a railway corridor	
SARA reference:	2110-25348 SRA	
Assessment Manager:	Ipswich City Council	

Street address: 5 Union Place and 8 Bell Street, Ipswich
Real property description: Lot 1 on RP2677 and Lot 3 on SP307972
Applicant name: Ipswich City Council
Applicant contact details: C/- Sinclair Planning Pty Ltd
PO Box 130
LUTWYCHE QLD 4030
leisa.sinclair@sinclairplanning.com.au

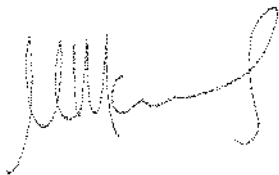
Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 30 of the Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Dash D'Brant, Planning Officer, on (07) 3432 2423 or via email IpswichSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Ursula McInnes
Planning Manager

Enc Attachment 1 - Advice to the applicant
 Attachment 2 - Reasons for referral agency response
 Attachment 3 - Representations provisions

cc Ipswich City Council C/- Sinclair Planning Pty Ltd, leisa.sinclair@sinclairplanning.com.au

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) version 2.6. If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

The proposed development complies with the purpose and performance outcomes of State Code 2: Development in a railway environment of the State Development Assessment Provisions; in particular:

- development does not create a safety hazard for users of a railway;
- development does not compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works;
- development does not result in a worsening of the physical condition or operating performance of railways and the rail network;
- development does not compromise the state's ability to construct railways and future railways, or significantly increase the cost to construct railways and future railways;
- development does not compromise the state's ability to maintain and operate railways, or significantly increase the cost to maintain and operate railways.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system.

Attachment 3—Change representation provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.