

EXEMPTION CERTIFICATE

PLANNING ACT 2016, SECTION 46

Council wish to advise that an exemption certificate has been granted on 4 November 2021 for development comprising of the following.

1. DETAILS OF EXEMPTION

Exemption Number:	EXC004-2021
Address of Premises:	39 Hospital Road, Emerald Qld 4720
Real Property Description:	Lot 1 on SP135567
Applicant:	Patricia Skinner
Issuing Authority:	Central Highlands Regional Council
Exempt Development:	Material change of use – Showroom (Vehicle showroom)
Description of Exempt Development:	Re-establishment of use of the premises for a Vehicle Showroom which does not involve any building or operational works.

2. DESCRIPTION OF THE DEVELOPMENT TO WHICH THIS CERTIFICATE RELATES

The following development is exempt under this certificate:

Material change of use – Development Permit for a Showroom

There is no proposed building works or operational works necessary to undertake the use. A plan has been provided by the applicant and is attached to this Exemption Certificate.

3. REFERRAL AGENCIES

The request for exemption was referred to the Department of State Development, Infrastructure, Local Government and Planning as the application would otherwise be referred to the state due to the following provisions under the Planning Regulation 2017:-

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Material change of use of premises near a State transport corridor or that is a future State transport corridor)

In correspondence dated 28 October 2021 the Department agreed to council issuing an exemption certificate. A copy of their response is attached to this certificate.

4. REASONS FOR GIVING EXEMPTION CERTIFICATE

The development is exempt under this certificate under section 46(3)(b) of the *Planning Act 2016* for the following reason:

- The effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development.

Further

- There is no evidence of an increase in scale or intensity from what previously operated from the site prior to the abandonment of use.
- The development is the reuse of an existing building.
- The Commercial office use which resulted in the abandonment of use of the Vehicle showroom, only operated for approximately 3 months.
- The premises has operated as a Showroom without issue for approximately 9 years.
- At the time of re-establishing the abandoned use, the development would have been code assessment and would have not been subject to public notification. Whilst the granting of an exemption certificate would prevent any submitter rights for a now impact assessable application, it is unlikely that the development would attract public submission given the site has operated as a Showroom, on-and-off for over a decade.

5. WHEN EXEMPTION CERTIFICATE CEASES TO HAVE EFFECT

This exemption certificate has effect for two years from the day after the day it is given, and the development must be completed within this time.

6. OTHER INFORMATION

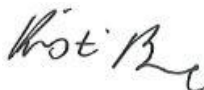
You are further advised that the truth and accuracy of the information provided in relation to the development is relied on when assessing and deciding to issue this exemption certificate. If you find an inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Council's Development Assessment Unit on ☎ 1300 242 686.

Note: Please ensure you provide details of the application number and assessment manager when contacting council in relation to this application.

7. DELEGATED PERSON

Name: **Kirstin Byrne**

Signature:



Date 4 November 2021

MANAGER PLANNING AND ENVIRONMENT

Enc: Referenced Plan

Cc: Department of State Development, Infrastructure, Local Government and Planning



Our ref: WR21/33058

28 October 2021

Central Highlands Regional Council
PO Box 21
EMERALD QLD 4720
tplanning@chrc.qld.gov.au

Attention: Mr Joseph Kirkwood

Dear Sir,

Request to agree to exemption certificate

The Department of State Development, Infrastructure, Local Government and Planning (the department) received your request to agree to an exemption certificate being given for the development described below on 7 October 2021.

Under section 46(3)(a) of the *Planning Act 2016*, the department advises it agrees to the Central Highlands Regional Council issuing an exemption certificate for the development described below.

Applicant details

Applicant name: Patricia Skinner
Applicant contact details: PO Box 435
EMERALD QLD 4720

Premises details

Street address: 39 Hospital Road, Emerald
Real property description: Lot 1 on SP135567
Local government area: Central Highlands Regional Council

Development details

Material change of use for a Showroom (vehicle showroom)

As described above in accordance with the following plans/specifications.

Plans/specifications	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material change of use				
USES	-	No date	-	-

Referral triggers

The request to agree to exemption certificate being given relates to the following provisions of the Planning Regulation 2017:

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Material change of use of premises near a State transport corridor or that is a future State transport corridor)

For further information please contact Thomas Gardiner, Principal Planning Officer, on (07) 4924 2916, or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
A/Regional Director (North)
Planning and Development Services