



**City Planning & Sustainability
Development Services**

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Dedicated to a better Brisbane

28 July 2023

Light Dreaming
C/- Place Design Group Pty Ltd
PO Box 419
FORTITUDE VALLEY QLD 4006

ATTENTION: Nick Holt

Application Reference: A006083027

Address of Site: 152 MT COOT-THA RD MOUNT COOT-THA QLD 4066

Dear Nick

RE: Decision notice pursuant to section 63 of the *Planning Act 2016*

I am pleased to inform you that your development application has been approved as indicated in the attached decision notice. This approval must be carried out in accordance with the attached development approval package.

In addition to this approval, you may also be required to obtain a water approval from the Central SEQ Distributor Retailer trading as Urban Utilities.

Infrastructure charges notices have been issued for the approved development pursuant to the *Brisbane Infrastructure Charges Resolution (No. 12) 2023*, as detailed below:

- Brisbane City Council has not levied infrastructure charges. There will be no infrastructure charges notice attached to the decision notice.

An infrastructure charges notice for the sewerage and water supply trunk infrastructure networks is not attached to this decision notice. Urban Utilities may issue this infrastructure charges notice following this decision notice.

Included is a table of appeal rights under the *Planning Act 2016* advising you of appeal rights to the Planning and Environment Court or a tribunal.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Ashleigh Coombes
Senior Urban Planner
Planning Services City West
Phone: (07) 3403 1937
Email: Ashleigh.Coombes@brisbane.qld.gov.au
Development Services
Brisbane City Council

Decision Notice

(Section 63 (Notice of decision) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given pursuant to section 63 of the *Planning Act 2016*. The decision to approve the application on **28 July 2023** was made by the Principal Urban Planner as the delegate appointed by Council to determine the application.

APPLICATION DETAILS

Application Reference Number: A006083027
Application Made Date: 30 August 2022
Properly Made Date: 30 August 2022

DESCRIPTION OF THE DEVELOPMENT

Aspect of Development: DA - PA - Material Change of Use (ref DAMC426340722)
Nature Application: Development Permit
Activity: Environment Facility and Tourist Attraction
Description of Proposal: Tourist Attraction and Environment Facility

APPLICANT DETAILS

Name of Applicant: Light Dreaming
Applicant Address: Light Dreaming
C/- Place Design Group Pty Ltd
PO Box 419
FORTITUDE VALLEY QLD 4006

SITE DETAILS

Address of Site: 152 MT COOT-THA RD MOUNT COOT-THA QLD 4066,
170 MT COOT-THA RD MOUNT COOT-THA QLD 4066
Real Property Description: L6 SP.266267, L1 SP.266267
City Plan Area Classification: QPP-OS, QPP-OS1, QPP-OS3, QPP-OS, QPP-OS1, QPP-OS2, QPP-OS3
Owner: Brisbane City Council, Brisbane City Council
Ward: Pullenvale

TYPE OF APPROVAL

Material Change of Use – Development Permit (ref DAMC426340722)

CURRENCY PERIOD FOR THE DEVELOPMENT APPROVAL

The currency period for this development approval may be affected by the declaration of an applicable event by the Minister under Part 4B, Chapter 7 of the *Planning Act 2016*.

The currency period for this development approval (inclusive of all of its parts) will end on **27 October 2029**.

This development approval (inclusive of all of its parts) lapses at midnight on the above stated date if:

- for a material change of use, the first change of use does not happen;
- for reconfiguring a lot, the plan of subdivision for the reconfiguration is not given to Council; or
- for any other development (including building work, operational work and any early referral agency response), the development does not substantially start; or
- for any development approval made up of two or more different parts, each part which does not fulfil the measures stated above for material change of use, reconfiguring a lot, or any other development.

The currency period is determined by Council pursuant to section 85 of the *Planning Act 2016*.

FURTHER DEVELOPMENT PERMITS

The following development permit/s are required to carry out the development:

- Carry Out Operational Work – Development Permit

ASSESSMENT OF CONDITION COMPLIANCE

Assessment of compliance with conditions that require a document and/or works to be approved by Council must be actioned by the submission of the [Operational Works/Compliance Assessment Application Form](#) (available on [Council's website](#)).

REFERRAL AGENCIES

A 'Referral agency response – no requirements' was issued by SARA on 28 October 2022 and is attached.

CONDITIONS

This approval is subject to conditions included in the attached development approval package which includes:

- conditions imposed by Council as assessment manager
- requirements imposed by a concurrence agency

SUBMISSIONS

Submissions were received for this application. A list of the name, residential or business address and electronic address of each principal submitter is attached. The appeal period for a submitter of a properly made submission does not commence until the applicant's appeal period has ended or the applicant gives to the Council written notice that the applicant does not intend to make change representations about the conditions of the development approval.

If, within 1 year after a development application (the original application) lapses or is withdrawn, another development application that is not substantially different from the original application (the later application) is made, any properly made submission for the original application is taken to be a properly made submission for the later application.

An eligible submitter for a development application, or a change application, is entitled to appeal this decision or elect to become a co-respondent by election for an appeal in circumstances described in Schedule 1 of the *Planning Act 2016*.

Pursuant to section 71 of the *Planning Act 2016*, this development approval does not take effect until the submitters' appeal period has ended or, if an appeal about the approval is started and subject to the outcome of the appeal – approval starts to have effect when the appeal ends.

APPEAL RIGHTS

In accordance with the *Planning Act 2016*, the rights of appeal must be stated for the applicant and any submitters. Attached is a table of appeal rights under the *Planning Act 2016* that details your appeal rights and the appeal rights of any submitters.