

DECISION NOTICE
(Section 334 of the *Sustainable Planning Act 2009*)

Council File Reference: DA 10/1617
Council Contact: Geoff Rintoul
Council Contact Phone: (07) 4652 9999

Development Application

**Development Permit – Material Change of Use for “Park” and “Tourist Facility” –
Muttaborrasaurus Interpretation Centre**

Lot 1 on RP603773 and Lot 2 on RP603773

9 – 11 Bruford Street, Muttaborra

Pursuant to section 335 of the *Sustainable Planning Act 2009* (SPA):

(1) DATE OF DECISION

On 21 December 2016 Barcaldine Regional Council decided the development application seeking:

Development Permit – Material Change of Use for “Park” and “Tourist Facility” –
Muttaborrasaurus Interpretation Centre

(2) APPLICANT DETAILS

Name: Barcaldine Regional Council
Postal Address: c/- Campbell Higginson Town Planning
PO Box 692
ASHGROVE QLD 4060
Attention: Rachel Campbell
Phone No.: (07) 3366 1700
Email: chp@bigpond.com

(3) SUBJECT SITE – PROPERTY DESCRIPTION

RPD and Lot 1 on RP603773 and Lot 2 RP603773
Street Address: 9 and 11 Bruford Street, Muttaborra

(4) REFERRAL AGENCIES

Pursuant to sections 250(a) and 251(a) of the *Sustainable Planning Act 2009* (SPA) and *Schedule 7 Referral Agencies and their Jurisdictions of the Sustainable Planning Regulation 2009* (SP Reg), the following referral agency was prescribed for the development application.

Referral Agency Name and Type	Referral Agency Address
Department of Infrastructure, Local Government and Planning— as concurrence agency – Department of Transport and Main Roads (DTMR) with Jurisdiction	<u>Via Post:</u> State Assessment and Referral Agency Mackay Isaac Whitsunday Regional Office Level 4, 44 Nelson Street PO Box 257 MACKAY QLD 4740 <u>Via Email:</u> MIWSARA@dilgp.qld.gov.au <u>Via MyDAS:</u> www.dilgp.qld.gov.au

Refer to Attachment B for Department of Infrastructure, Local Government and Planning, Amended Concurrence Agency Response (dated 15 December 2016).

(5) DECISION

The development application has been assessed and is:

- Approved in Full
- Approved in Part
- Approved in Full, with Conditions
- Approved in Part, with Conditions
- Refused

(6) APPROVAL UNDER SECTION 331

Pursuant to section 331 of SPA, the development application has not been deemed to be approved.

(7) **DETAILS OF APPROVAL**

Aspect of Development	Development Permit	Preliminary Approval
Carrying out Building Work	<input type="checkbox"/>	<input type="checkbox"/>
Carry out Operational Work	<input type="checkbox"/>	<input type="checkbox"/>
Making a Material Change of Use for "Park" and "Tourist Facility" – Muttaborrasaurus Interpretation Centre	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reconfiguring a Lot	<input type="checkbox"/>	<input type="checkbox"/>

(8) **CONFLICT WITH A RELEVANT INSTRUMENT AND REASONS FOR THE DECISION DESPITE THE CONFLICT**

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(9) **SUBMISSIONS**

Not applicable.

(10) **APPROVED PLANS**

The approved plans for this Development Permit for Material Change of Use for "Park" and "Tourist Facility" – Muttaborrasaurus Interpretation Centre are listed in the table below. Refer to Attachment A for a copy of the approved plans.

Reference Description: Amendments:	13013 EX-100 ISSUE A "EXISTING SITE PLAN", Brian Hooper Architect, dated AUG'16 Nil
Reference Description: Amendments:	13013 WD-100 ISSUE B "PROPOSED SITE PLAN", Brian Hooper Architect, dated AUG'16 Nil
Reference Description: Amendments:	13013 WD-101 ISSUE B "PROPOSED PLAN", Brian Hooper Architect, dated AUG'16 Nil
Reference Description: Amendments:	13013 WD-200 ISSUE A "NORTH & SOUTH ELEVATIONS", Brian Hooper Architect, dated AUG'16 Nil
Reference Description: Amendments:	13013 WD-201 ISSUE A "EAST AND WEST ELEVATIONS", Brian Hooper Architect, dated AUG'16 Nil

(11)

ASSESSMENT MANAGER'S CONDITIONS

Development Approval – Development Permit for Material Change of Use for:
 “Park” and “Tourist Facility” – Muttaborrasaurus Interpretation Centre

NO.	CONDITION
Approved Use	
1.	Approval is granted for the purpose of Material Change of Use for “Park” and “Tourist Facility” – Muttaborrasaurus Interpretation Centre
Approved Plans	
2.	The development shall be undertaken generally in accordance with supporting information supplied by the applicant with the development application and the approved plans listed in Item 10 (above) of this Decision Notice.
Operating Hours	
3.	Operation of the use shall occur generally between the hours of 8:00 am and 6:00 pm.
Refuse	
4.	Provision shall be made for the on-site collection of general refuse in covered waste containers with a capacity sufficient for the use. At all times while the use continues, waste containers shall be maintained in a clean and tidy state and shall be emptied and the waste removed from the site on a regular basis.
Lighting	
5.	Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties or the operational safety of the State-controlled road (Cramsie Muttaborra Road).
Noise	
6.	All external plant and equipment, including air-conditioning units, shall be acoustically screened and treated to ensure compliance with <i>Environmental Protection (Noise) Policy 2008</i> .
Vehicle Access	
7.	The existing vehicle crossover to Lot 1 on RP603773 shall be retained, as shown on approved plan 13013 WD-100 Issue B “Proposed Site Plan”, Brian Hooper Architect, dated AUG'16 “.
8.	The existing vehicle crossover to Lot 2 on RP603773, as shown on approved plan 13013 WD-100 Issue B “Proposed Site Plan”, Brian Hooper Architect, dated AUG'16 “, shall be closed and the kerb and channel reinstated.
Water Supply	
9.	The existing connection from Lot 2 on RP603773 to the reticulated water supply system shall be retained and upgraded if necessary, in accordance with Schedule 1,

NO.	CONDITION
	Division 3: Standards for Water Supply of the Aramac Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
Electricity	
10.	Lot 2 on RP603773 shall be connected to the reticulated electricity supply in accordance with relevant standards required by the service provider.
Stormwater	
11.	The site shall be adequately drained and all stormwater shall be disposed of in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1 of the Aramac Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
Erosion Control	
12.	Best practice soil erosion control techniques shall be used at the location of all works to be completed on the site in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1 of the Aramac Shire Planning Scheme or to other accepted and Council endorsed engineering standards, and <i>State Planning Policy</i> , April 2016, Part H, Appendix 3 – <i>SPP Code: Water Quality</i> , Table A: <i>Construction phase – stormwater management design objectives</i> . Soil erosion controls shall remain in place for the duration of construction.
13.	No construction shall take place until the appropriate erosion control and silt collection measures are in place as required by Condition 34 (above). Such erosion control and silt collection measures shall remain on-site throughout the construction period.
Amalgamation of Lots	
14.	Lots 1 and 2 on RP603773 shall be amalgamated.
15.	A Plan of Survey of the amalgamation of Lots 1 and 2 on RP603773, prepared by a licensed surveyor, shall be lodged with the Registrar of Titles for registration and issuing of Title in respect of the amalgamated Lot.
Timing of Works	
16.	All works required by the conditions of approval for closure of crossover, water supply connection, electricity supply connection and stormwater drainage shall be completed prior to the commencement of the use.
Cost of Works and Services	
17.	The cost of carrying out works and providing services to the premises, as required by the conditions of approval, shall be at the expense of the applicant.
Payment of Rates and Charges	
18.	All outstanding rates and charges shall be paid to Council prior to the commencement of the use.
Compliance with Conditions	
19.	All conditions of this Approval shall be complied with prior to commencement of the use and shall be maintained at all times while the use continues.

(12) **CONCURRENCE AGENCY CONDITIONS**
(Department of Infrastructure, Local Government and Planning)

Pursuant to section 335(1)(e)(ii) of SPA, the following condition is a Concurrence Agency condition imposed by the Department of Infrastructure, Local Government and Planning (as Concurrence Agency) which must form part of this Development Approval – Decision Notice.

NO.	CONDITION	TIMING
1.	<i>The development must be carried out generally in accordance with the following plans: Proposed Site Plan prepared by Brian Hooper Architect dated 12 October 2016, reference WD-100 and revision B.</i>	<i>Prior to the commencement of use and to be maintained at all times.</i>

Refer to Attachment B for a copy of the Department of Infrastructure, Local Government and Planning's Concurrence Agency Response (dated 15 December 2016).

(13) **CODES FOR SELF-ASSESSABLE DEVELOPMENT**

Not applicable.

(14) **OTHER DEVELOPMENT PERMITS OR COMPLIANCE PERMITS REQUIRED**

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out

- Carrying out Building Work
- Carry out Operational Work
- Making a Material Change of Use of premises
- Reconfiguring a Lot

(15) **RIGHTS OF APPEAL FOR APPLICANT**

Refer to Attachment C for a copy of the relevant extracts of SPA which detail your appeal rights regarding this decision.

(16) **NOTES**

The Relevant Period

Pursuant to section 341 of the *Sustainable Planning Act 2009*, this approval shall lapse if the use under this Approval has not commenced within four (4) years from the day the approval takes effect.

Aboriginal Cultural Heritage

This approval in no way removes the duty of care responsibility of the applicant under the *Aboriginal Cultural Heritage Act 2003*. Pursuant to Section 23(1) 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").

(17)

ASSESSMENT MANAGER

Name: Barcaldine Regional
Council

Signature  Date:

Attachment A – Approved Plans

Attachment B – Referral Agency Response

Attachment C – SPA Extracts relating to Appeal Rights

Attachment A

Approved Plans

Development Permit for Material Change of Use for “Park” and “Tourist Facility” – Muttaborrasaurus Interpretation Centre

Reference:	13013 EX-100 ISSUE A
Description:	“EXISTING SITE PLAN”, Brian Hooper Architect, dated AUG’16
Amendments:	Nil
Reference:	13013 WD-100 ISSUE B
Description:	“PROPOSED SITE PLAN”, Brian Hooper Architect, dated AUG’16
Amendments:	Nil
Reference:	13013 WD-101 ISSUE B
Description:	“PROPOSED PLAN”, Brian Hooper Architect, dated AUG’16
Amendments:	Nil
Reference:	13013 WD-200 ISSUE A
Description:	“NORTH & SOUTH ELEVATIONS”, Brian Hooper Architect, dated AUG’16
Amendments:	Nil
Reference:	13013 WD-201 ISSUE A
Description:	“EAST AND WEST ELEVATIONS”, Brian Hooper Architect, dated AUG’16
Amendments:	Nil

development data

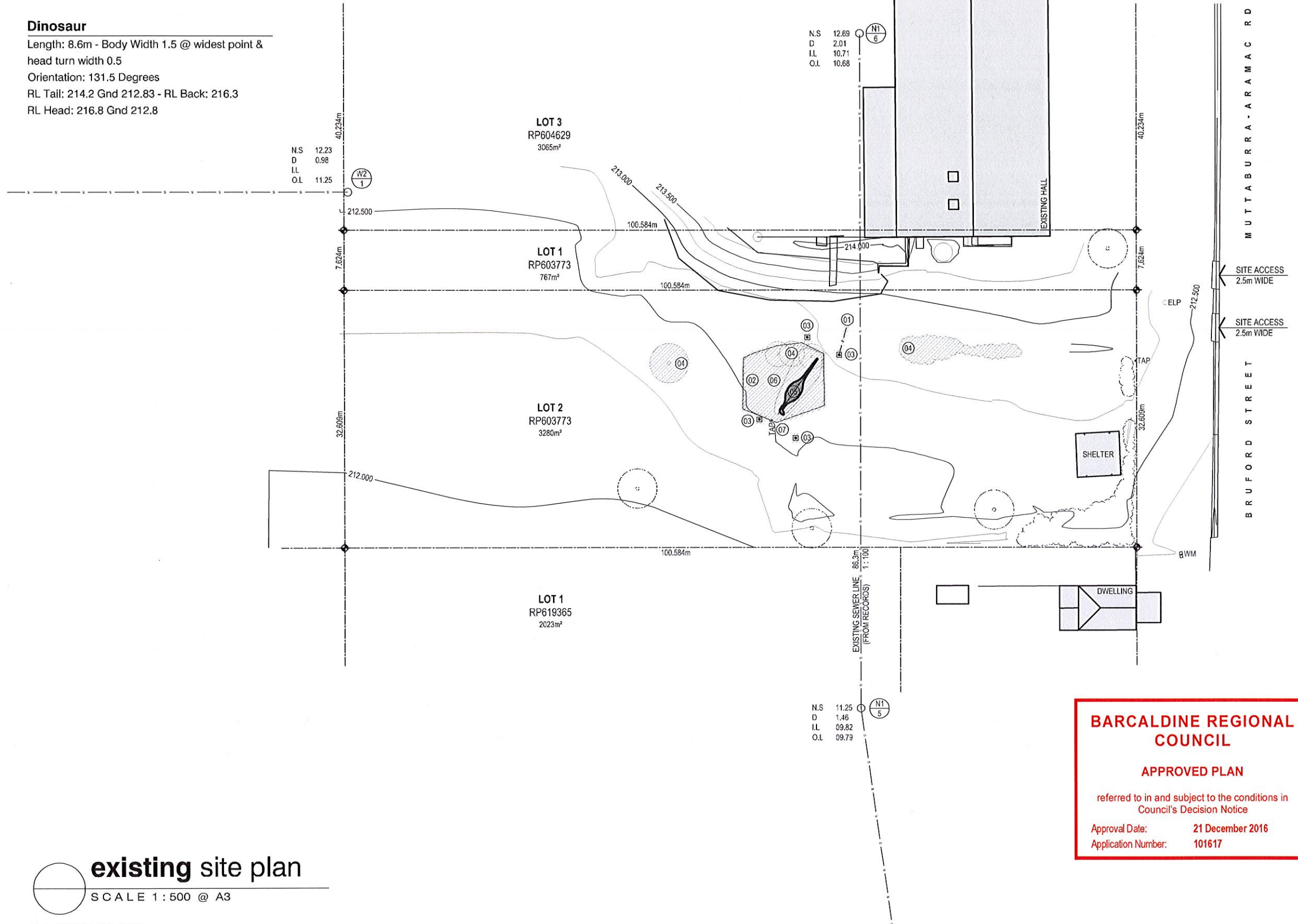
site address 9 bruford street, muttaburra
 registered plan lots 1 & 2 RP603773
 site area lot 1 767m², lot 2 3280m²
 combined area 4047m²
 local authority barcaldine regional council

legend

sewer line (from records) - - - - -
 underground electricity cable - - - - -
 (to be determined on site)

Dinosaur

Length: 8.6m - Body Width 1.5 @ widest point & head turn width 0.5
 Orientation: 131.5 Degrees
 RL Tail: 214.2 Gnd 212.83 - RL Back: 216.3
 RL Head: 216.8 Gnd 212.8



NOTES

All works to be in accordance with all relevant government legislation, codes and acts as noted herein but not limited to the following; Local Authority by-laws, Building Code of Australia 2005 (Volume Two), Australian Standards, Qld Building Act 1996, Workplace Health & Safety Act.

Ensure structural integrity of building during construction, use props, stays and bracing as required.

Demolition work & breaking out shall be done in a careful manner in accordance with best trade practice. Contractor to confirm all materials to be retained by proprietor prior to commencement. Make good to existing structure to receive new works.

These dwgs to be read in conjunction with structural, electrical & mechanical engineers documentation.

DEMOLITION SCHEDULE

- 01 Locate and disconnect electricity supply, strip out all redundant electrical equipment and services and dispose off site. Make safe underground supply and consult electrical engineer as to whether the supply can be re-used. Refer electrical consultants details.
- 02 Carefully remove existing fence panels and hand over to council clerk of works. Break out existing concrete footings and steel fence posts and dispose off site.
- 03 Carefully remove existing steel shade structure columns and hand over to council clerk of works. Break out existing concrete footings and dispose off site.
- 04 Remove existing tree / vegetation including root system / stump and dispose off site
- 05 Carefully remove existing Dinosaur and store for re-use. Contractor to agree with council clerk of works suitable storage location and method. Contractor to provide method statement for safe removal and storage of dinosaur prior to commencement of works. Break out and dispose off site existing dinosaur footing.
- 06 Break up pond and surrounding rock landscaping and dispose off site.
- 07 Locate and disconnect water supply, strip out all redundant plumbing and dispose off site.

NOT FOR CONSTRUCTION

A	TENDER ISSUE	07/10/16
Issue	revision	date
<ul style="list-style-type: none"> • The contractor shall confirm all levels, dimensions, and setout prior to commencing construction. Do not scale off drawings. • Schedule of works to be read in conjunction with these drawings. • Contractor to notify Architect of any omissions or discrepancies in drawings and schedules. • These designs and Plans are the copyright of Brian Hooper Architect and cannot be reproduced in whole or in part without written permission. 		

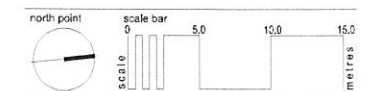
brian hooper architect

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 p: 07 4925 0750 f: 07 4939 3668 m: 0413 024757 e: bhooper@bhqppond.com

client
 BARCALDINE REGIONAL COUNCIL

project
 MUTTABURRASAUROUS INTERPRETATION CENTRE

drawing
 EXISTING SITE PLAN



scale	drawn	checked	date
1:500	AKA	BBH	AUG'16
project no.	drawing no.	issue	
13013	EX-100	A	

BARCALDINE REGIONAL COUNCIL
APPROVED PLAN
 referred to in and subject to the conditions in Council's Decision Notice
 Approval Date: 21 December 2016
 Application Number: 101617

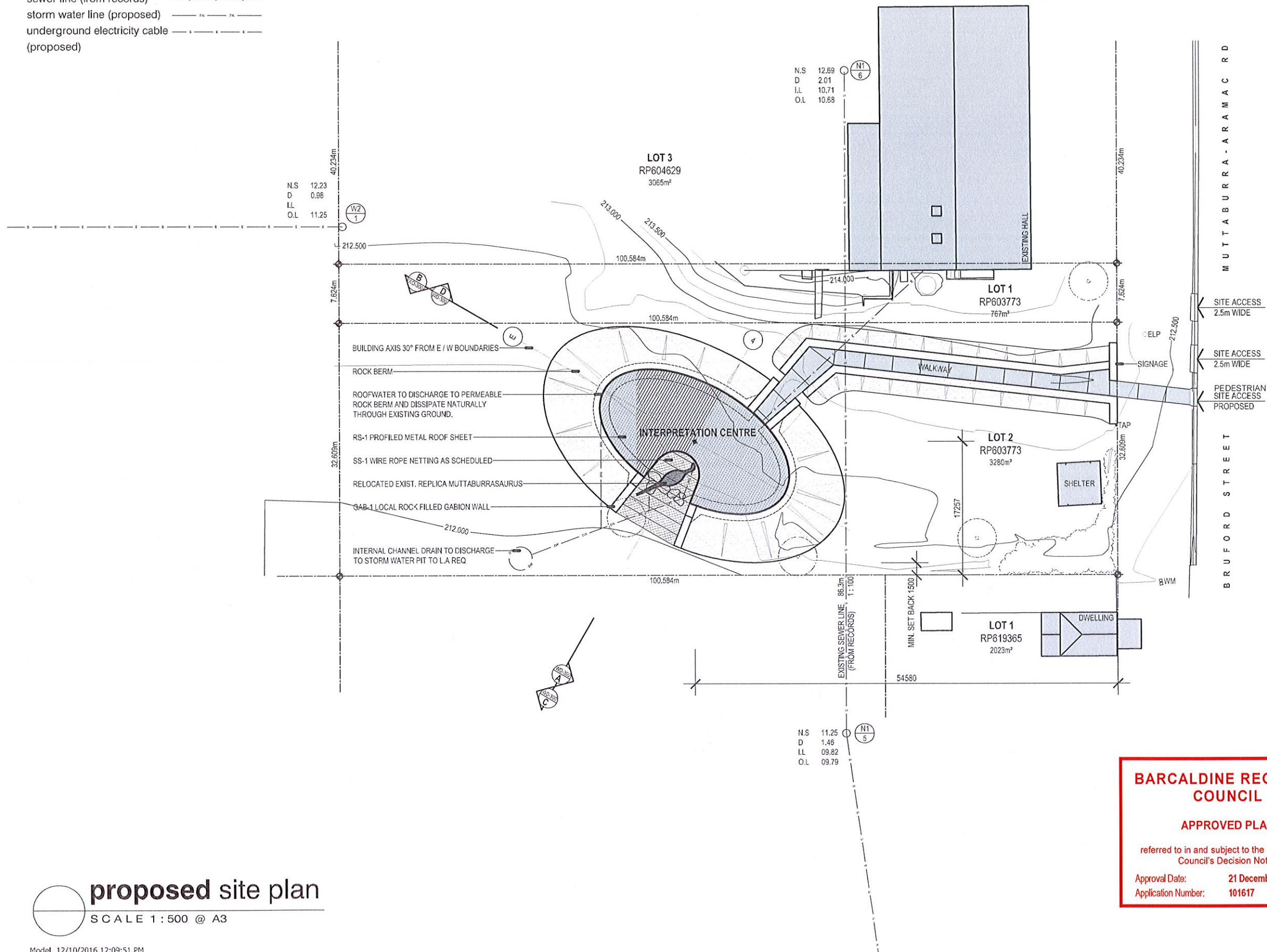
existing site plan
 SCALE 1 : 500 @ A3

development data

site address 9 bruford street, muttaburra
 registered plan lots 1 & 2 RP603773
 site area lot 1 767m², lot 2 3280m²
 combined area 4047m²
 local authority barcaldine regional council

legend

sewer line (from records) ————
 storm water line (proposed) ————
 underground electricity cable (proposed) ————



NOTES

All works to be in accordance with all relevant government legislation, codes and acts as noted herein but not limited to the following; Local Authority by-laws, Building Code of Australia 2005 (Volume Two), Australian Standards, Qld Building Act 1996, Workplace Health & Safety Act.

Ensure structural integrity of building during construction, use props, stays and bracing as required.

Demolition work & breaking out shall be done in a careful manner in accordance with best trade practice. Contractor to confirm all materials to be retained by proprietor prior to commencement. Make good to existing structure to receive new works.

These dwgs to be read in conjunction with structural, electrical & mechanical engineers documentation.

NOT FOR CONSTRUCTION

Issue	revision	date
B	BUILDING REPOSITIONED TO CLEAR SEWER	12/10/16
A	TENDER ISSUE	07/10/16

- The contractor shall confirm all levels, dimensions, and setbacks prior to commencing construction. Do not scale off drawings.
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brian hooper architect

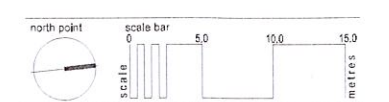


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client
BARCALDINE REGIONAL COUNCIL

project
MUTTABURRASAUROS INTERPRETATION CENTRE

drawing
PROPOSED SITE PLAN



scale	drawn	checked	date
1:500	AKA	BBH	AUG'16

project no.	drawing no.	issue
13013	WD-100	B

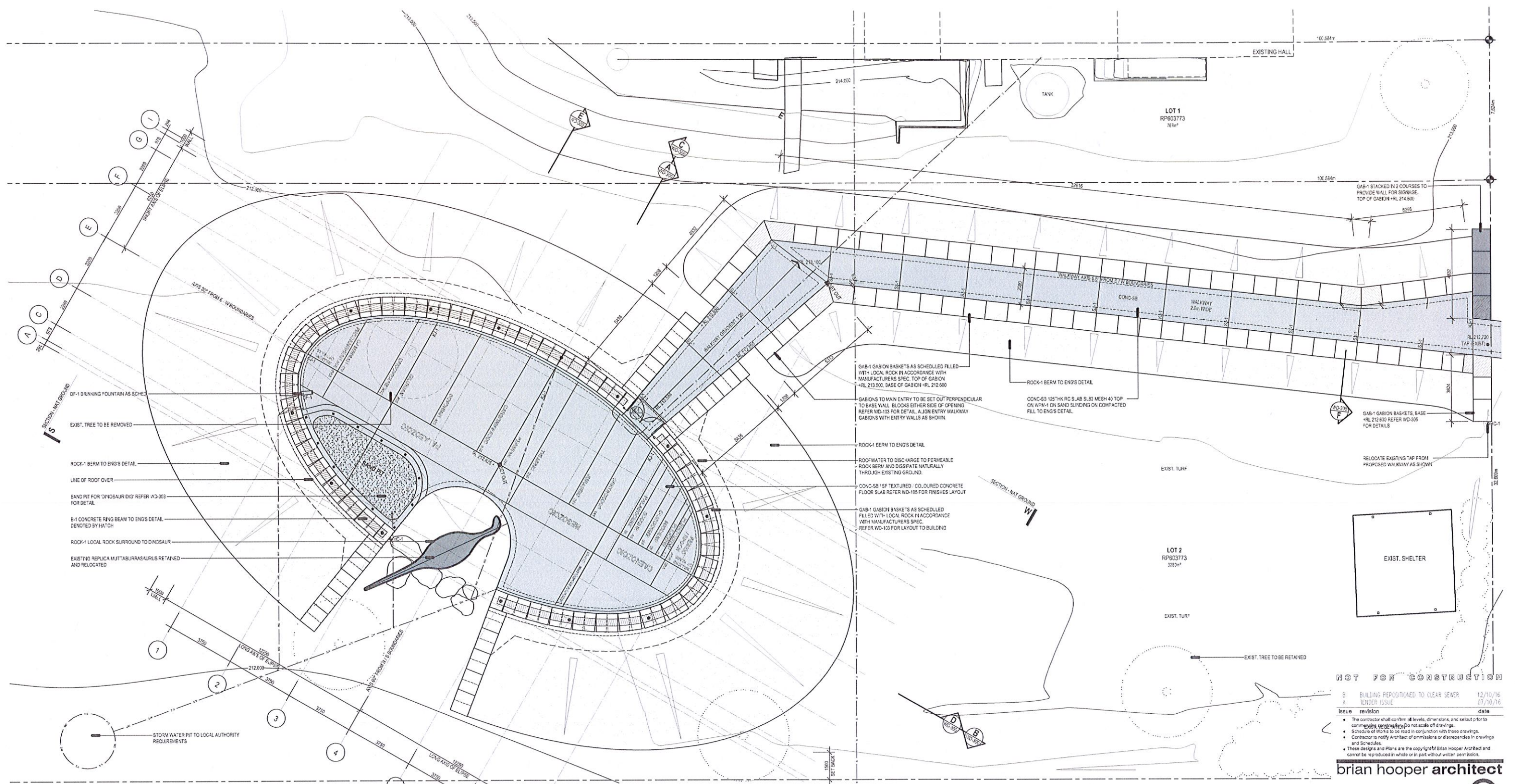
BARCALDINE REGIONAL COUNCIL

APPROVED PLAN

referred to in and subject to the conditions in Council's Decision Notice

Approval Date: **21 December 2016**
 Application Number: **101617**

proposed site plan
 SCALE 1:500 @ A3



development data
 site address 8 bruno's street, muttaburra
 registered plan lots 1 & 2 RP603773
 site area lot 1 767m², lot 2 3280m²
 combined area 4047m²
 local authority barcaldine regional council

NOTES
 ALL WORKS TO BE IN ACCORDANCE WITH ALL RELEVANT GOVERNMENT LEGISLATION, CODES AND ACTS AS NOTED HEREIN BUT NOT LIMITED TO THE FOLLOWING: LOCAL AUTHORITY BY-LAWS, BUILDING CODE OF AUSTRALIA 2003, WORKS ACT 1999, AUSTRALIAN STANDARD AS 1554 BUILDING ACT 1999, WORKPLACE HEALTH & SAFETY ACT.
 ENSURE STRUCTURAL INTEGRITY OF BUILDING DURING CONSTRUCTION, USE PROPS, STAYS AND BRACING AS REQUIRED.
 THESE DWGS TO BE READ IN CONJUNCTION WITH STRUCTURAL, ELECTRICAL & MECHANICAL ENGINEERS DOCUMENTATION.
 CONTRACTOR SHALL BE RESPONSIBLE FOR SECURITY FENCING OF SITE.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURATE SETTING OUT OF THE WORKS AND SHALL PREPARE AND MAINTAIN ALL NECESSARY BECH-MARKS, PROFILES AND DATUMS DURING THE PROGRESS OF THE WORK. CONTRACTOR TO ENGAGE A REGISTERED SURVEYOR FOR SETTING OUT AND NOTIFY ARCHITECT AT TIME OF SETTING OUT TO DISCUSS DETAILS AFFECTING EXACT POSITIONING OF STRUCTURAL ELEMENTS.

proposed plan
 SCALE 1:100 @ A1 - 1:200 @ A3
 Model, 12/10/2016 12:13:04 PM

BARCALDINE REGIONAL COUNCIL
APPROVED PLAN
 referred to in and subject to the conditions in Council's Decision Notice
 Approval Date: 21 December 2016
 Application Number: 101617

NOT FOR CONSTRUCTION
 B BUILDING REPOSITIONED TO CLEAR SEWER 12/10/16
 A RENDER ISSUE 07/10/16
 Issue revision date
 • The contractor shall confirm all levels, dimensions, and setout prior to commencing operations. Do not scale drawings.
 • Schedule of Works to be read in conjunction with these drawings.
 • Contractor to notify Architect of omissions or discrepancies in drawings and Schedule.
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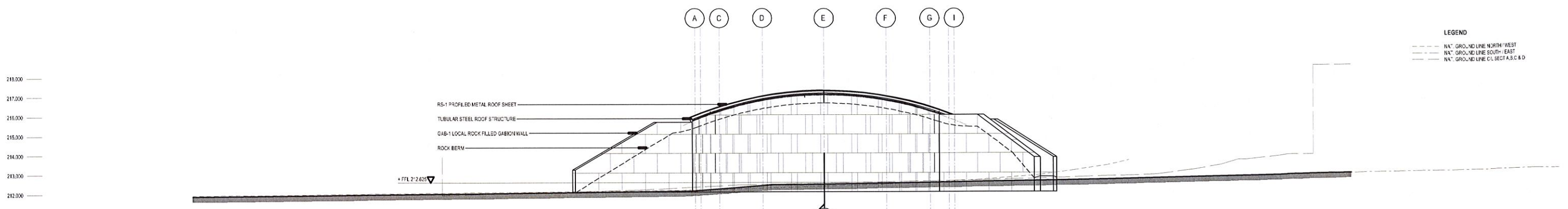
brian hooper architect

5 Normanby Street Yeppoon Q. 4703
 p: 07 4925 0750 f: 07 4939 3868 m: 0413 024757 e: bharch@bhpond.com

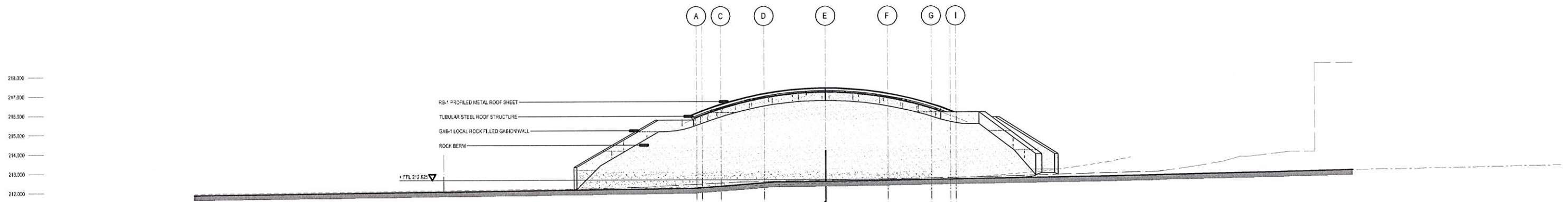
client
BARCALDINE REGIONAL COUNCIL
 project
MUTTABURRASAUROS INTERPRETATION CENTRE
 drawing
PROPOSED PLAN

LEGEND - WALKWAY GABIONS
 1200x1000x1000 GABION BASKET
 CUSTOM 1x1000x1000 TAPERED GABION BASKET
 GABIONS STACKED IN 2 COURSES TO PROVIDE WALL FOR SIGNAGE

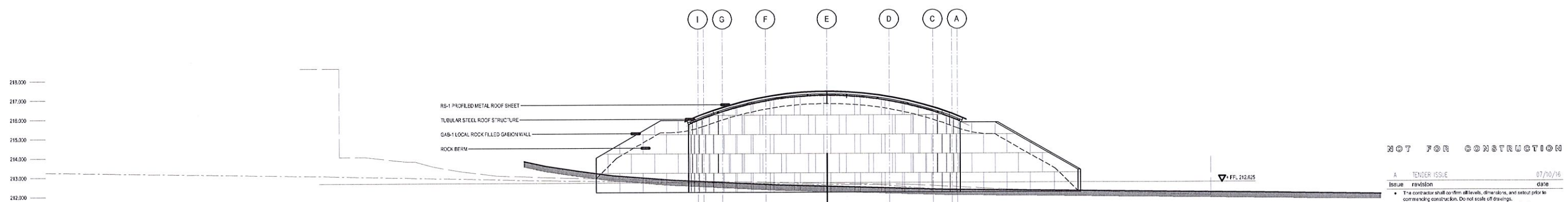
LOT 1 RP615355 2022m²
 north point
 scale bar 0 2.0 4.0 6.0 METRES
 scale 1:100
 drawn AKA checked BBH date AUG'16
 project no. 13013 drawing no. WD-101 issue B



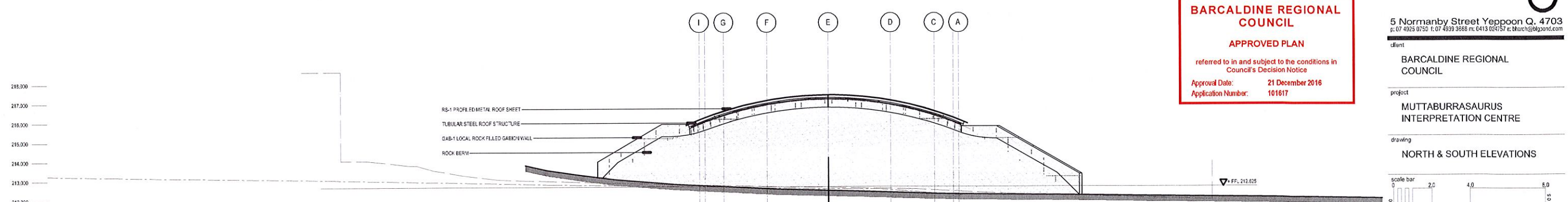
north elevation - structure
SCALE 1:100 @ A1 - 1:200 @ A3



north elevation
SCALE 1:100 @ A1 - 1:200 @ A3



south elevation - structure
SCALE 1:100 @ A1 - 1:200 @ A3



south elevation
SCALE 1:100 @ A1 - 1:200 @ A3

Model, 7/10/2016 12:34:52 PM

BARCALDINE REGIONAL COUNCIL
APPROVED PLAN
referred to in and subject to the conditions in Council's Decision Notice
Approval Date: 21 December 2016
Application Number: 101617

NOT FOR CONSTRUCTION

Issue	revision	date
A	TENDER ISSUE	07/10/16

- The contractor shall confirm all levels, dimensions, and select prior to commencing construction. Do not scale off drawings.
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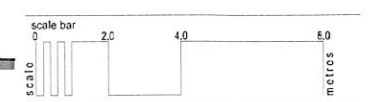
brian hooper architect

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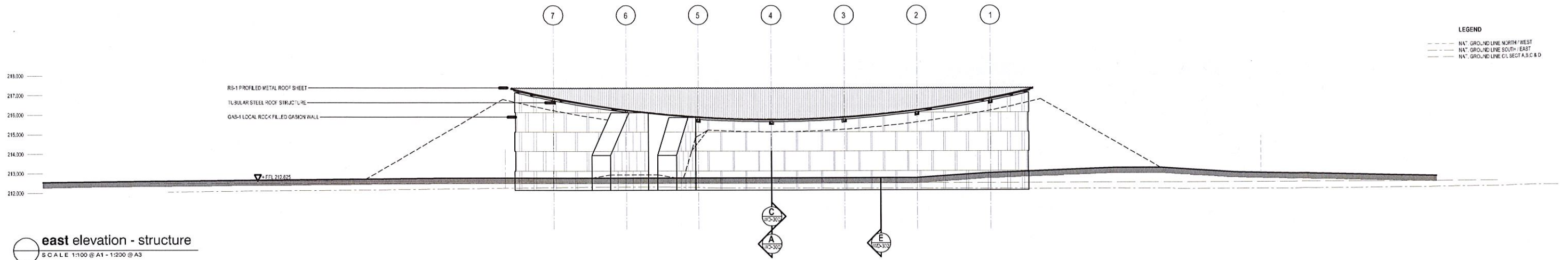
client
BARCALDINE REGIONAL COUNCIL

project
MUTTABURRASURUS INTERPRETATION CENTRE

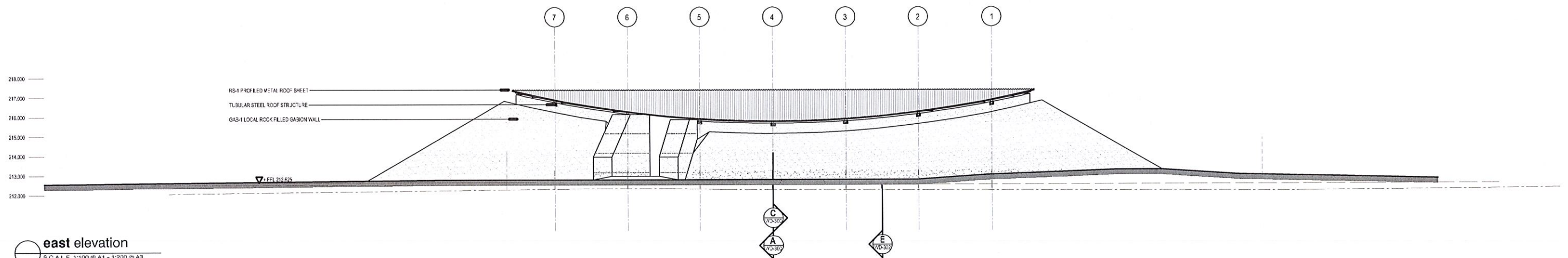
drawing
NORTH & SOUTH ELEVATIONS



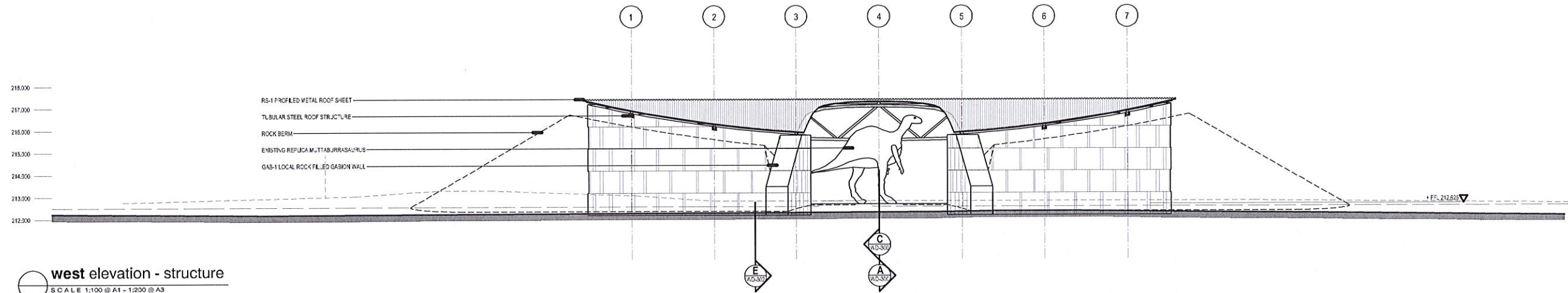
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project no.	drawing no.	issue	
13013	WD-200	A	



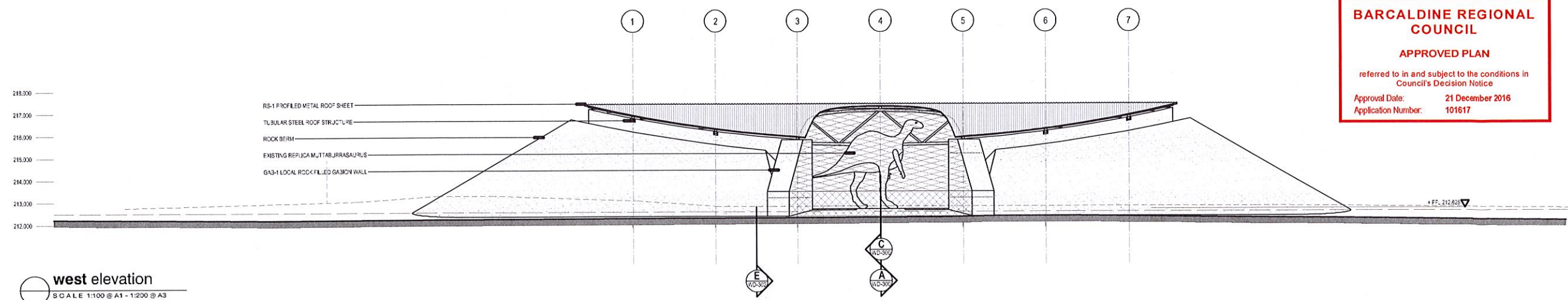
east elevation - structure
SCALE 1:100 @ A1 - 1:200 @ A3



east elevation
SCALE 1:100 @ A1 - 1:200 @ A3



west elevation - structure
SCALE 1:100 @ A1 - 1:200 @ A3



west elevation
SCALE 1:100 @ A1 - 1:200 @ A3

Model, 7/10/2016 12:35:40 PM

LEGEND
 --- NAT. GROUND LINE NORTH / WEST
 --- NAT. GROUND LINE SOUTH - EAST
 --- NAT. GROUND LINE C-1 SECT A,B,C & D

NOT FOR CONSTRUCTION

Issue	revision	date
A	TENDER ISSUE	07/10/16

- The contractor shall confirm all levels, dimensions, and colour prior to commencing construction. Do not scale off drawings.
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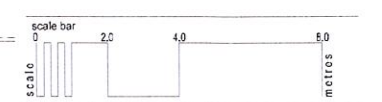
brian hooper architect

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client
 BARCALDINE REGIONAL COUNCIL

project
 MUTTABURRASAUUS INTERPRETATION CENTRE

drawing
 EAST & WEST ELEVATIONS



scale	drawn	checked	date
1:100	AKA	BBH	AUG'16
project no.	drawing no.	issue	
13013	WD-201	A	

BARCALDINE REGIONAL COUNCIL
APPROVED PLAN
 referred to in and subject to the conditions in Council's Decision Notice
 Approval Date: 21 December 2016
 Application Number: 101617

Attachment B

Referral Agency Response

Referral Agency	Date of Response
The Department of Infrastructure, Local Government and Planning (DILGP) — as a Concurrence Agency.	15 December 2016



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0916-033815

Your reference: 101617

15 December 2016

Chief Executive Officer
Barcaldine Regional Council
PO Box 191
Barcaldine QLD 4725

Attention: Brett Walsh

Dear Mr. Walsh,

Amended Concurrence agency response—given under section 290(1)b(ii) – with conditions given under section 285 of the *Sustainable Planning Act 2009* for Development Permit - Material Change of Use for “Park” and “Tourist Facility” - Muttaborrasaurus Interpretation Centre over Lot 1 and Lot 2 on RP603773 at 9 and 11 Bruford Street, Muttaborra QLD 4732

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 22 September 2016.

The Department of Infrastructure, Local Government and Planning issued a concurrence agency response under section 285 of the *Sustainable Planning Act 2009* on 12 October 2016.

On 12 December 2016, the department received advice that the application had been changed in response to an information request. As a result, the department provided notice that it proposed to amend its response. The department has now changed its concurrence agency response, the details of which are attached.

Applicant details

Applicant name:	Barcaldine Regional Council c/- Campbell Higginson Town Planning
Applicant contact details:	PO Box 692 Ashgrove Queensland 4060 chp@bigpond.com

Site details

Street address: 9 & 11 Bruford Street, Muttaborra QLD 4732
 Lot on plan: Lot 1 on RP603773; Lot 2 on RP603773
 Local government area: Barcaldine Regional Council

Application details

Proposed development: Development Permit - Material Change of Use for "Park" and "Tourist Facility" - Muttaborrasaurus Interpretation Centre

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger Schedule 7, Table 3, Item 1 – State Controlled Road

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Approved plans and specifications

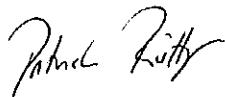
The department requires that the following plans and specifications set out below and in Attachment 3 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material change of use				
Proposed Site Plan	Brian Hooper Architect	12 October 2016	WD-100	Issue B

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

For further information, please contact Vivian Luxton, Planning Officer, SARA Mackay Isaac Whitsunday (07) 4898 6815, or email viv.luxton@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Patrick Ruettjes

Manager (Planning) – Mackay Isaac Whitsunday Regional Office

cc: Barcaldine Regional Council, chp@bigpond.com
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Approved Plans and Specifications

Our reference: SDA-0916-033815

Your reference: 101617

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit - Material Change of Use for "Park" and "Tourist Facility" – Muttaburrasaurus Interpretation Centre		
Schedule 7, Table 3, Items 1—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the <i>Sustainable Planning Act 2009</i> nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Proposed Site Plan prepared by Brian Hooper Architect dated 12 October 2016, reference WD-100 and revision B. 	Prior to the commencement of use and to be maintained at all times.

Our reference: SDA-0916-033815

Your reference: 101617

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.

development data

site address 9 bruford street, muttaburra
 registered plan lots 1 & 2 RP603773
 site area lot 1 767m², lot 2 3280m²
 combined area 4047m²
 local authority barcaldine regional council

legend

sewer line (from records) — — — — —
 storm water line (proposed) — — — — —
 underground electricity cable (proposed) — — — — —

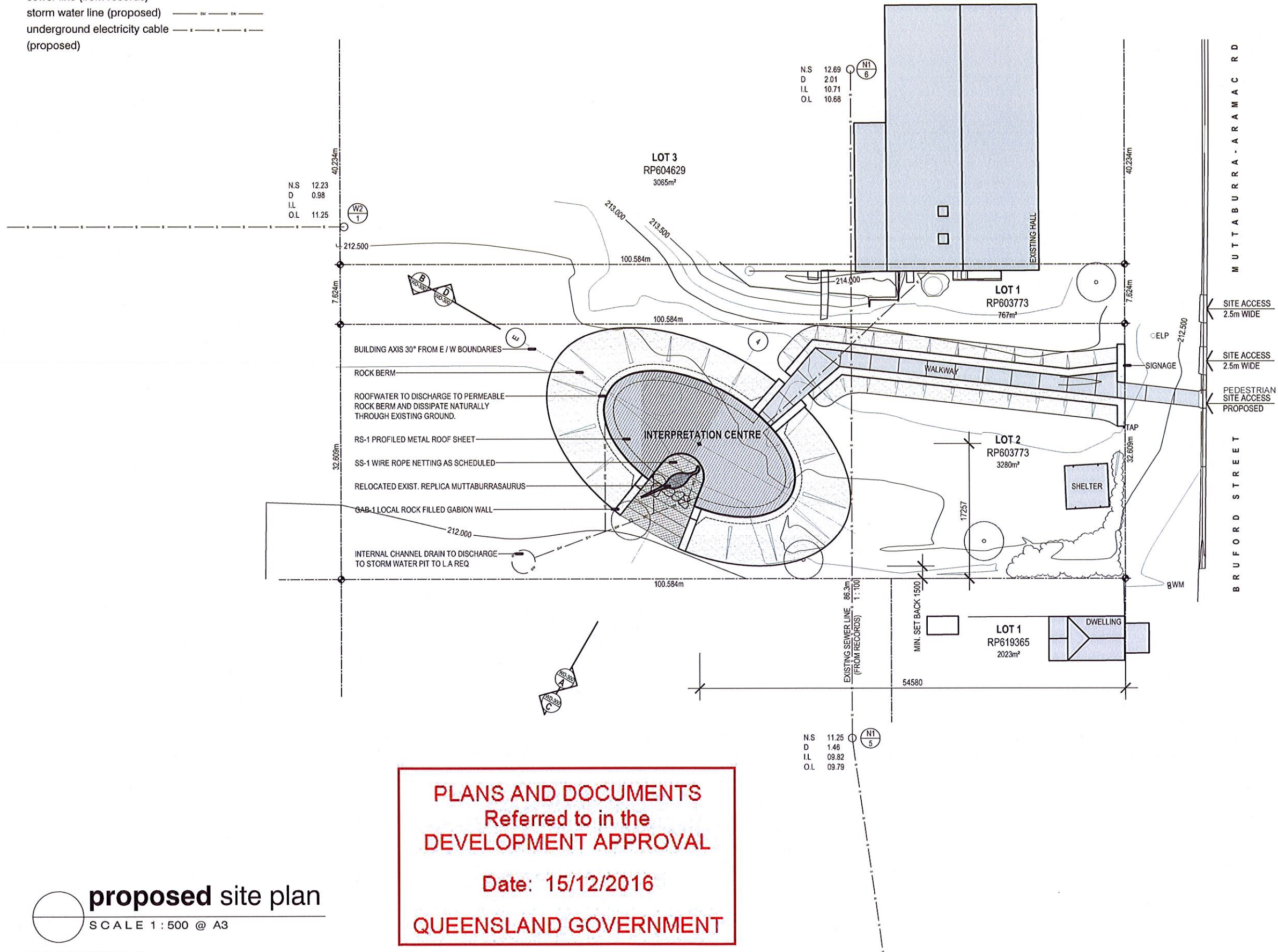
NOTES

All works to be in accordance with all relevant government legislation, codes and acts as noted herein but not limited to the following; Local Authority by-laws, Building Code of Australia 2005 (Volume Two), Australian Standards, Qld Building Act 1996, Workplace Health & Safety Act.

Ensure structural integrity of building during construction, use props, stays and bracing as required.

Demolition work & breaking out shall be done in a careful manner in accordance with best trade practice. Contractor to confirm all materials to be retained by proprietor prior to commencement. Make good to existing structure to receive new works.

These dwgs to be read in conjunction with structural, electrical & mechanical engineers documentation.



PLANS AND DOCUMENTS
Referred to in the
DEVELOPMENT APPROVAL

Date: 15/12/2016
QUEENSLAND GOVERNMENT

NOT FOR CONSTRUCTION

Issue	Revision	Date
B	BUILDING REPOSITIONED TO CLEAR SEWER	12/10/16
A	TENDER ISSUE	07/10/16

- The contractor shall confirm all levels, dimensions, and setbacks prior to commencing construction. Do not scale off drawings.
- Schedule of Works to be read in conjunction with these drawings.
- Contractor to notify Architect of omissions or discrepancies in drawings and Schedules.
- These designs and Plans are the copyright of Brian Hooper Architect and cannot be reproduced in whole or in part without written permission.

brian hooper architect

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client
BARCALDINE REGIONAL COUNCIL

project
MUTTABURRASAUROS INTERPRETATION CENTRE

drawing
PROPOSED SITE PLAN

north point	scale bar	0	5.0	10.0	15.0
scale	1:500	drawn	AKA	checked	BBH
date	AUG'16	project no.	13013	drawing no.	WD-100
issue	B				

proposed site plan
 SCALE 1:500 @ A3

Attachment C

Extracts from the *Sustainable Planning Act 2009* Relating to Appeal Rights

Part 1	Appeals to Court Relating to Development Applications and Approvals	Chapter 7, Part 1, Division 8 (Part of)
Part 2	Making an Appeal to Court	Chapter 7, Part 1, Division 11 (Part of)

**PART 1 – APPEALS TO COURT RELATING TO DEVELOPMENT
APPLICATIONS AND APPROVALS**
Chapter 7, Part 1, Division 8 (Part of)

461 Appeals by applicants

- (1) *An applicant for a development application may appeal to the court against any of the following—*
 - (a) *the refusal, or the refusal in part, of the development application;*
 - (b) *any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;*
 - (c) *the decision to give a preliminary approval when a development permit was applied for;*
 - (d) *the length of a period mentioned in section 341;*
 - (e) *a deemed refusal of the development application.*
- (2) *An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the applicant's appeal period) after—*
 - (a) *if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or*
 - (b) *otherwise—the day a decision notice was required to be given to the applicant.*
- (3) *An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.*

PART 2 – MAKING AN APPEAL TO COURT
Chapter 7, Part 1, Division 11 (Part of)

481 How appeals to the court are started

- (1) *An appeal is started by lodging written notice of appeal with the registrar of the court.*
- (2) *The notice of appeal must state the grounds of the appeal.*
- (3) *The person starting the appeal must also comply with the rules of the court applying to the appeal.*
- (4) *However, the court may hear and decide an appeal even if the person has not complied with subsection (3).*