

Council File Reference: 181920  
Council Contact: Brett Walsh  
Council Contact Phone: 07 4651 5625

14 February 2020

Ms Cheryl Thompson  
C/- Murray and Associates (QLD) Pty Ltd  
PO Box 665  
Emerald QLD 4720

Email: [andrewb@mursurv.com](mailto:andrewb@mursurv.com)

### Development Application

#### A Development Permit for a Material Change of Use for:

- Educational Establishment (Secondary School) at 69 Acacia Street, Barcardine; and
- Accommodation Building (Student Hostel involving 29 student rooms, seven (7) house parent rooms and an ancillary manager's residence and administration office) at 103 and 105 Boree Street, Barcardine.

---

We refer to the assessment of the abovementioned development application.

Pursuant to section 83 of the *Planning Act 2016*, please find enclosed the **Decision Notice**.

If you have any queries please contact Brett Walsh at the Barcardine Executive Office on 07 4651 5621.

Yours faithfully



**Steven Boxall**  
Chief Executive Officer

---

# DECISION NOTICE APPROVAL

---

PLANNING ACT 2016, SECTION 83

---

I refer to your application and advise that on 14 February 2020, Barcaldine Regional Council decided to approve the application in full, subject to conditions. Details of the decision are as follows:

## 1. APPLICATION DETAILS

**Application Number/Type:** DA181920 Change Application (Other Change)

**Details of proposed:** Material change of use (Code assessment) for an Accommodation Building (Student Hostel) and Educational Establishment (Secondary School)

**Properly Made Date:** 7 January 2020

**Decision Date:** 14 February 2020

**Planning Scheme:** Barcaldine Shire Planning Scheme 2006 (v2)

## 2. APPLICANT DETAILS

**Name:** Ms Cheryl Thompson

**Postal Address:** C/- Murray and Associates (QLD) Pty Ltd  
PO Box 665  
Emerald QLD 4720

**Email Address:** [andrewb@mursurv.com](mailto:andrewb@mursurv.com)

## 3. PROPERTY DETAILS

**Street Address:** 103 and 105 Boree Street and 69 Acacia Street,  
BARCALDINE QLD 4725

**Real Property Description:** Lot 3 on SP226894, Lot 300 on SP266037 and  
Lot 1 on RP614457

**Local Government Area:** Barcaldine Regional Council

## 4. DECISION DETAILS

A Development Permit for a Material Change of Use has been issued for an:

- Educational Establishment (Secondary School) at 69 Acacia Street, Barcaldine; and
- Accommodation Building (Student Hostel involving 29 student rooms, seven (7) house parent rooms and an ancillary manager's residence and administration office) at 103 and 105 Boree Street, Barcaldine.

---

**ALPHA OFFICE**

Phone: 07 4985 1166

Fax: 07 4985 1162

**ARAMAC OFFICE**

Phone: 07 4652 9999

Fax: 07 4652 9990

**BARCALDINE OFFICE**

Phone: 07 4651 5600

Fax: 07 4651 1778

## 5. CURRENCY PERIOD

This development approval will lapse at the end of the period set out in section 85(1)(a) of the *Planning Act 2016*.

## 6. ASSESSMENT MANAGER CONDITIONS

In accordance with section 83(4) of the *Planning Act 2016*, changes are shown to the development conditions by strikethrough of text (indicating deletion of a condition or part thereof) and emboldened underlined text (indicating an amendment to a condition or an extra condition).

*Note: Any changes to the Student Hostel component of the development conditions have been made for administrative purposes and/or ease of reference.*

### GENERAL

1. Approval is granted for the purpose of Material Change of Use for “Residential Activity” ~~— Student Hostel: “Accommodation Units”~~ **Accommodation Building (Student Hostel):** 29 Student Rooms and 7 House Parent Rooms and ancillary Manager’s Residence, Administration Office and Recreation ~~Centre~~ **Educational Establishment (Secondary School).**
- ~~2. The development shall be undertaken generally in accordance with supporting information supplied by the applicant with the development application, including the Approved Plans listed in Item 10 (above) of this Decision Notice. The plans and document listed in Item 11 of this Decision Notice must be amended in accordance with Conditions 3 and 4 of this Decision Notice and submitted to Council for endorsement prior to the commencement of the use.~~
- 2. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:**

#### **Student Hostel – Accommodation Units:**

<b><u>Plan Reference</u></b>	<b><u>Plan Name and Date</u></b>
<b><u>2014-001/01 – C</u></b>	<b><u>“Town of Barcaldine Boree Street Hostel Existing Site Plan”, prepared by George Bourne and Associates, dated 15/02/16</u></b>
<b><u>2014-001/02 – D</u></b>	<b><u>“Town of Barcaldine Boree Street Hostel Existing Unit 3 Floor Plan and Ramp Detail”, prepared by George Bourne and Associates, dated 15/02/16</u></b>
<b><u>2014-001/03 – C</u></b>	<b><u>“Town of Barcaldine Boree Street Hostel Existing Unit 3 Elevations”, prepared by George Bourne and Associates, dated 13/10/15</u></b>
<b><u>2014-001/04 – A</u></b>	<b><u>“Town of Barcaldine Boree Street Hostel Toilet Details”, prepared by George Bourne and Associates, dated 15/01/14</u></b>
<b><u>2014-001/05 – A</u></b>	<b><u>“Town of Barcaldine Boree Street Hostel Existing Unit 1 &amp; 2 Floor Plan”, prepared by George Bourne and Associates,</u></b>

	<u>dated 15/02/16</u>
<u>2014-001/06 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Existing Elevations – Unit 1”, prepared by George Bourne and Associates, dated 15/02/16</u>
<u>2014-001/07 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Existing Elevations – Unit 2”, prepared by George Bourne and Associates, dated 15/02/16</u>
<u>2014-001/08 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Proposed Site Plan”, prepared by George Bourne and Associates, dated 15/02/16</u>
<u>2014-001/09 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Proposed Units 4, 5, 6, 7 Floor Plans”, prepared by George Bourne and Associates, dated 15/02/16</u>
<u>2014-001/10 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Proposed Elevations – Unit 7”, prepared by George Bourne and Associates, dated 15/02/16</u>
<u>2014-001/11 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Proposed Elevations – Units 4 and 5”, prepared by George Bourne and Associates, dated 15/02/16</u>
<u>2014-001/12 – A</u>	<u>“Town of Barcaldine Boree Street Hostel Proposed Elevations – Unit 6”, prepared by George Bourne and Associates, dated 15/02/16</u>

#### Student Hostel – Ancillary Manager’s Residence and Administration Office

<u>Plan Reference</u>	<u>Plan Name and Date</u>
<u>140146-1/01 – P1</u>	<u>“103 Boree Street Manager’s Residence Stage 2 Floor Plan”, prepared by George Bourne and Associates, dated 21/09/15</u>

#### Educational Establishment – Secondary School

<u>Plan Reference</u>	<u>Plan Name and Date</u>
<u>140146-2/03 – P1</u>	<u>“Town of Barcaldine 69 Acacia Street Recreation Centre Existing Floor Plan”, prepared by George Bourne and Associates, dated 22/02/16</u>
<u>DA01 Rev: P1</u>	<u>“Proposed Site Plan” by Ceccato Hall + Associates Architects, dated 17/01/20</u>
<u>DA02 Rev: P1</u>	<u>“Proposed Floor Plan” by Ceccato Hall + Associates Architects, dated 17/01/20</u>
<u>140146-2/01 – P1</u>	<u>“Town of Barcaldine 69 Acacia Street Car Park Plan”, prepared by George Bourne and Associates, dated 22/02/16 (as amended)</u>
<u>140146-2/02 – P1</u>	<u>“Town of Barcaldine 69 Acacia Street Swept Path”, prepared by George Bourne and Associates, dated 22/02/16 (as amended)</u>
<u>140146-2/05 – P1</u>	<u>“Town of Barcaldine 69 Acacia Street Elevations 1”, prepared by George Bourne and Associates, dated 22/02/16</u>
<u>140146-2/06 – P1</u>	<u>“Town of Barcaldine 69 Acacia Street Elevations 2”, prepared by George Bourne and Associates, dated 22/02/16</u>

**3. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.**

**PLAN AMENDMENT REQUIRED**

- ~~3. Prior to the commencement of the use, a new site plan/s, drawn to scale, of the Recreation Centre shall be prepared by a suitably qualified and experienced person and shall be submitted to and for the endorsement by Council. The new site plan/s must incorporate:~~
- ~~— boundary bearings and dimensions of Lot 1 in accordance with Survey Plan RP614457~~
  - ~~— the true and correct location of the existing building in relation to the lot boundaries (The existing fence may not be located on the true boundary and therefore cannot be used as the basis for location of the building.)~~
  - ~~— minimum of 5 carparking spaces, as required by Condition 24, configured and designed in accordance with AS2890 (Carparking spaces may be provided in tandem.)~~
  - ~~— vehicle manoeuvring areas as required by Condition 20~~
  - ~~— landscaping areas as required by Condition 43~~

**DOCUMENT AMENDMENT REQUIRED – SITE OPERATIONS PLAN**

4. Prior to the commencement of the use, the document titled “Site Operations Plan”, prepared by George Bourne and Associates, dated 25/02/2016 **(or similar document)** shall be amended to provide details of:
- i) Provision of Meals
    - identify the local catering business (and its operation) associated with the preparation, transportation and serving of meals to the Recreation Centre **Educational Establishment**
    - include evidence of all necessary, current/effective use approvals, permits and licences associated with the preparation, transportation and serving of meals
  - ii) Emergency Contacts
    - identify emergency phone numbers (including manager, houseparents, carers, etc.)
  - iii) Movement of Students between Student Hostel and Recreation Centre **Educational Establishment**
    - include details of the way in which students will move between the Student Hostel and the Recreation Centre **Educational Establishment** to ensure maintenance of the local residential amenity through the minimisation of vehicle movements
  - iv) Complaint Procedures/Records

- include separate registers of all complaints received for both the Student Hostel (Lot 300 on SP266037) and the ~~Recreation Centre~~ **Educational Establishment** (Lot 1 on RP614457)
  - the registers of complaints must include but not limited to:
    - name and contact details of the complainant;
    - time, date and nature of complaint;
    - investigations undertaken;
    - immediate actions taken to resolve complaint; and
    - ongoing measures taken/implemented to minimise the likelihood of recurrence of similar complaints
5. All necessary use approvals, permits and licences associated with the preparation, transportation and serving of meals must be current/effective at all times while the use continues.
  6. The “Site Operations Plan” document required by Condition 4 (above) shall adequately and appropriately be consistent with and reflect the operation of the overall proposal as set out in all application material and shall be submitted to and for the endorsement by Council prior to the commencement of the use.
  7. At all times while the use continues, the use shall be operated in accordance with the Council endorsed “Site Operations Plan” document required by Condition 6.
  8. A minimum of one (1) copy of the endorsed “Site Operations Plan” document, required by Condition 6, shall be held and be made available for inspection by Council at each of the three (3) lots comprising the subject site.

<b>NATURE AND EXTENT OF APPROVED USE</b>
--

Student Hostel: “~~Accommodation Units~~” **Accommodation Building** – 29 Student Rooms and 7 House Parent Rooms – Lot 300 on SP266037

9. The Student Hostel shall provide accommodation only to bona fide students and carers/houseparents.
10. The Student Hostel accommodation shall be limited to a maximum of 61 high school students and 7 carers/houseparents.

Student Hostel: Ancillary Managers Residence and Administration Office – Lot 3 on SP226894

11. Operating hours for the Administration Office shall be limited to 9.00am to 5.00pm, Monday to Friday.

~~Student Hostel: Ancillary Recreation Centre~~ **Educational Establishment: Secondary School - Lot 1** on RP614457

- ~~12. Use of the Recreation Centre shall be used only by bona fide students, carers and the hostel manager of the Student Hostel.~~

- ~~13. The number of students utilising the Recreation Centre shall not exceed thirty (30) at any time, including school days, week ends and public holidays.~~
- ~~14. Operating hours for the Recreation Centre shall be limited to:~~
- ~~—— 6.30am to 9.30am and 3.00pm to 7.30pm, Monday to Friday~~
  - ~~—— 8.30am to 8.30pm, Saturday and Sunday~~
  - ~~—— Closed during school holidays~~
- 12. Approval is granted for an Educational Establishment, for the purpose of a secondary school, at 69 Acacia Street, Barcaldine described as Lot 1 on RP614457.**
- 13. The number of student enrolments must not exceed thirty (30) at any time.**
- 14. Hours of operation are generally limited to 8:00am to 5:00pm, Monday to Friday. Infrequent after-school events may occur outside the hours of operation between the hours of 7:00am and 6:00pm.**

**Advisory note: The Educational Establishment can function as a standalone, independent use and is not required to be ancillary to the student hostel where enrolments are open but not limited to students residing at the student hostel.**

## ENGINEERING

### Vehicle Access and Driveways

15. Lot 300 on SP266037 shall be provided with two (2) sealed vehicle crossovers from Boree Street, located generally as indicated on plan "Town of Barcaldine Boree Street Hostel Proposed Site Plan", reference no. 2014-001/08 – A, prepared by George Bourne and Associates, dated 15/02/16.
16. Lot 300 on SP266037 shall be provided with two (2) security gates located generally as indicated on plan "Town of Barcaldine Boree Street Hostel Proposed Site Plan", reference no. 2014-001/08 – A, prepared by George Bourne and Associates, dated 15/02/16 to restrict public access to the Hostel accommodation buildings.
17. Lot 3 on SP226894 shall be provided with one (1) sealed vehicle crossover from Boree Street.
18. Lot 1 on RP614457 shall be provided with one (1) sealed vehicle crossover from Beech Street, located generally as indicated on plan "Town of Barcaldine 69 Acacia Street Car Park Plan", reference no. 140146-2/01 – P1, prepared by George Bourne and Associates, dated 22/02/16.
19. The vehicle crossovers required by Conditions 15, 17 and 18, shall be designed and constructed in accordance with the Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section

2.3(1) of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.

20. Vehicle manoeuvring areas shall be provided within each of the three (3) lots comprising the subject site so that all vehicles associated with the use can enter and leave in a forward direction.
21. All internal driveways and areas where vehicles regularly manoeuvre and park shall be sealed or constructed of suitable material to facilitate all weather operation, and shall be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b) of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.

#### Car Parking

22. Carparking shall be provided within Lot 300 on SP266037, located generally as shown on plan "Town of Barcaldine Boree Street Hostel Proposed Site Plan", reference no. 2014-001/08 – A, prepared by George Bourne and Associates, dated 15/02/16 with a minimum of:
  - ten (10) carparking spaces (including two (2) PWD spaces) within the accommodation units' area
  - five (5) carparking spaces within the "public parking area".
23. The "public parking area" as indicated on plan "Town of Barcaldine Boree Street Hostel Proposed Site Plan", reference no. 2014-001/08 – A, prepared by George Bourne and Associates, dated 15/02/16, shall be appropriately signed at the vehicle entry point to ensure the parking area is used only for bone fide purposes associated with the Student Hostel.
24. Lot 1 on RP614457 shall be provided with a minimum of five (5) on-site carparking spaces (including one (1) PWD carparking space) and one (1) loading bay, located generally as indicated on plan "Town of Barcaldine 69 Acacia Street Recreation Centre Site Plan Car Park Plan", reference no. 140146-2/01 – P1, prepared by George Bourne and Associates, dated 22/02/16.
25. All car parking spaces and associated access driveways and manoeuvring areas required by Conditions 22 and 24 shall be designed and constructed in accordance with Australian Standard AS2890.

#### Water Supply

26. Each of the three (3) lots comprising the subject site shall be connected to Council's reticulated water supply system in accordance with Schedule 1, Division 3: Standards for Water Supply of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
27. Each accommodation unit on Lot 300 on SP266037 shall be connected internally to the reticulated water supply system in accordance with Schedule



1, Division 3: Standards for Water Supply, Section 3.1 of the Barcaldine Shire Planning Scheme or to other accepted and endorsed engineering standards.

#### Sewerage

28. Each of the three (3) lots comprising the subject site shall be connected to Council's reticulated sewerage system in accordance with Schedule 1, Division 4: Standards for Sewerage, Section 4.1 of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards.
29. Each accommodation unit on Lot 300 on SP266037 shall be connected internally to the reticulated sewerage system in accordance with Schedule 1, Division 4: Standards for Sewerage, Section 4.1 of the Barcaldine Shire Planning Scheme or to other accepted and endorsed engineering standards.

#### Electricity

30. Each of the three (3) lots comprising the subject site shall be connected to the reticulated electricity supply in accordance with relevant standards required by the service provider.
31. Each accommodation unit on Lot 300 on SP266037 shall be connected internally to the reticulated electricity supply in accordance with relevant standards required by the service provider.

#### Stormwater Drainage

32. Each of the three (3) lots comprising the subject 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 Barcaldine Shire Planning Scheme or to other accepted and endorsed engineering standards.

#### General Works

33. All works required by the conditions of approval for vehicle crossovers, parking, water supply connections (including internal connections), sewerage connections (including internal connections), stormwater drainage, landscaping, fencing, earthworks and electricity supply connections shall be completed prior to the commencement of the use, unless such works are bonded to the satisfaction of Council. All works required for erection of screen fencing, including acoustic screen fencing, shall be completed within sixty (60) days of the date of this decision notice.
34. Best practice soil erosion control techniques shall be used at the location of all works to be completed on the subject site in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1 of the Barcaldine Shire Planning Scheme or to other accepted and Council endorsed engineering standards, and shall remain in place for the duration of construction.

35. No construction shall take place until the appropriate erosion control and silt collection measures are in place as required by Condition 34. Such erosion control and silt collection measures shall remain on-site throughout the construction period.

#### STORMWATER MANAGEMENT

36. ~~Prior to carrying out any works or any aspect or component of the use, a detailed Stormwater Management Plan, prepared by a Registered Professional Engineer Queensland – Civil (RPEQ) or other suitably qualified and experienced person, shall be submitted to and for the endorsement of Council. The Stormwater Management Plan~~ **Stormwater management measures** shall address each of the three (3) lots comprising the subject site in respect of the following (but not limited to):
- Stormwater run-off, including any run-off from upstream areas, is conveyed to a lawful point of discharge
  - Discharges from the subject site will not cause damage external to the site
  - Appropriate control devices are installed to ensure no transport of sediment external to the subject site.
- ~~37. Stormwater works shall be constructed in accordance with the Stormwater Management Plan endorsed by Council, as required by Condition 36, and shall be maintained at all times while the use continues.~~
- 37. All Stormwater must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.**

#### AMENITY

##### Building Appearance

38. Battens (or similar screening) shall be provided between the finished floor level and ground level along the entire outer perimeter of each accommodation building within Lot 300 on SP266037.
39. The external building materials and colours of all accommodation buildings within Lot 300 on SP266037 shall accord with those indicated on plans: reference nos. 2014-001/10 – A, 2014-001/11 – A and 2014-001/12 – A, prepared by George Bourne and Associates, dated 15/02/16 and shall be maintained at all times while the use continues.

##### Fencing

40. A 1.8 m high acoustic screen fence, ~~designed and certified by an appropriately qualified and experienced acoustic engineer,~~ shall be erected along the eastern and southern boundaries of Lot 1 on RP614457, as indicated on plan

~~“Town of Barcaldine 69 Acacia Street Recreation Centre Site Plan Car Park Plan”, reference no. 140146-2/01 – P1, prepared by George Bourne and Associates, dated 22/02/16 and shall be maintained at all times while the use continues. The acoustic screen fence design shall be submitted to and for the endorsement of Council prior to construction.~~

41. A 1.8 m high screen fence shall be erected along the outermost eastern, southern and western boundaries of Lot 300 on SP266037, as indicated on plan “Town of Barcaldine Boree Street Hostel Proposed Site Plan”, reference no. 2014-001/08 – A, prepared by George Bourne and Associates, dated 15/02/16 and shall be maintained at all times while the use continues.

#### Landscaping

42. Landscaping within Lot 300 on SP266037 shall be provided along:
- the entire length of the two segments of the Boree Street frontage (other than vehicle access points), having a minimum width of one (1) metre;
  - the entire length of the inner boundary which adjoins the eastern boundary of Lot 3 on SP226894, having a minimum width of one (1) metre;
  - the entire length of the inner boundaries which adjoin the soother and western boundaries of Lot 3 on SP226894, having a minimum width of two (2) metres;
  - the entire length of the outermost eastern, southern and western boundaries, having a minimum width of two (2) metres.
43. Landscaping within Lot 1 on RP614457 shall be provided along:
- a. the entire length of the Acacia Street and Beech Street frontages (other than vehicle and pedestrian access points), having a minimum width of one (1) metre; and
  - b. the entire length of the eastern and southern boundaries, ~~having a minimum width of two (2) metres~~ **and can be grassed.**

~~44. A landscaping plan addressing the requirements of Conditions 42 and 43, shall be prepared by a suitably qualified and experienced person and shall be submitted to and for the endorsement of Council.~~

45. All landscaping areas shall be planted with screening and shade trees, shrubs and/or ground cover in accordance with the endorsed landscaping plan required by Condition 44 and shall be maintained at all times while the use continues.

#### Refuse

46. Provision shall be made for each of the three (3) lots comprising the subject 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

47. Lighting of each of the three (3) lots comprising the subject 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 adjoining roads.

#### Noise

48. The use shall be operated at all times in such a manner as to ensure compliance with the *Environmental Protection (Noise) Policy 2008*.

#### Dust

49. Dust and/or particulate matter resulting from activities on each of the three (3) lots comprising the subject site shall not be visible at the property boundary.
50. Appropriate dust suppression measures shall be incorporated into all site operations to ensure all site operations are conducted to appropriate standards relating to air quality. Measures may include the watering of driveway areas, where necessary.

### **ASSET MANAGEMENT**

51. **Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.**
52. **Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.**

### **7. ADVISORY NOTES**

1. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, as required under relevant legislation for this work.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council

may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.

3. General environmental duty under the *Environmental Protection Act 994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
4. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).
5. The preparation of food for consumption at either premises may require a Food Business Licence from Council prior to the commencement of use.

## **8. STATEMENT OF REASONS**

### **8.1 Description of Development**

A Development Permit for a Material Change of Use for an:

- Educational Establishment (Secondary School) at 69 Acacia Street, Barcaldine; and
- Accommodation Building (Student Hostel involving 29 student rooms, seven (7) house parent rooms and an ancillary manager’s residence and administration office) at 103 and 105 Boree Street, Barcaldine.

### **8.2 Assessment Benchmarks**

The following are the benchmarks that are applicable to this development:

<b>Benchmark applying for the development</b>	<b>Benchmark reference</b>
<ul style="list-style-type: none"><li>• Urban Zone Code</li></ul>	<i>Barcaldine Shire Planning Scheme 2006 (v2)</i>
<ul style="list-style-type: none"><li>• State Planning Policy</li></ul>	<i>State Planning Policy July 2017</i>
<ul style="list-style-type: none"><li>• Part D – Regional activity centres network</li><li>• Part E– Regional policies and land use strategies</li></ul>	<i>Central West Regional Plan 2009</i>

### **8.3 Compliance with Benchmarks**

The development complies with all assessment benchmarks.

### **8.4 Relevant Matters**

Not applicable to this application.

### **8.4 Matters Raised in Submission**

The development application did not require public notification.

### **8.5 Reason for Decision**

The development application is approved and the reasons for the decision are based on findings on material questions of fact:

- An educational establishment is a desirable adaptive re-use of the premises, which protects and enhances residential amenity, scale, intensity, form and character and provides a local service in accordance with the Planning Scheme's Urban Zone Code.
- The proposed school based on student enrolments is small scale and compatible with surrounding uses, such as community facilities.
- The site is serviced by all necessary utilities and access and parking is provided in accordance with Council standards.
- The site is not affected by any Land Characteristics Maps and will not result in off-site impacts that may affect these mapped local planning interests.
- The development does not compromise the relevant elements of the Central West Regional Plan and State Planning Policy.

#### 9. PROPERLY MADE SUBMISSIONS

The development application did not require public notification.

#### 10. REFERRAL AGENCIES

Note: The Change Application did not affect the original Concurrence Agency Response, which is included as Attachment 2.

Referral Agency Name and Type	Referral Agency Address
<p>The Department of Infrastructure, Local Government and Planning (DILGP) as Concurrence Agency</p> <p>– Department of Transport and Main Roads (DTMR) with Jurisdiction</p>	<p><u>Via Post:</u> State Assessment and Referral Agency North and Central West Regional Office PO Box 5666 TOWNSVILLE QLD 4810</p> <p><u>Via Email:</u> <a href="mailto:MountIsaSARA@dilgp.qld.gov.au">MountIsaSARA@dilgp.qld.gov.au</a></p> <p><u>Via MyDAS:</u> <a href="http://www.dilgp.qld.gov.au">www.dilgp.qld.gov.au</a></p>

#### 11. FURTHER DEVELOPMENT PERMITS REQUIRED

The following further development permits will be required:

- Building Work; and
- Plumbing and Drainage Work.

#### 12. RIGHTS OF APPEAL

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of

the *Planning Act 2016* (included in the attachment to this decision notice). For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

**13. DELEGATED PERSON**

**Name:** Brett Walsh

**Signature:**



**Date:** 14 / 02 / 2020

Encl: **Attachment 1** – Stamped Approved Plans

**Attachment 2** – Concurrence Agency Response

**Attachment 3** – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*)

# Attachment 1

Stamped Approved Plans



# Attachment 2

Concurrence Agency Response

---

**ALPHA OFFICE**  
Phone: 07 4985 1166  
Fax: 07 4985 1162

**ARAMAC OFFICE**  
Phone: 07 4652 9999  
Fax: 07 4652 9990

**BARCALDINE OFFICE**  
Phone: 07 4651 5600  
Fax: 07 4651 1778

# **Attachment 3**

Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of  
the *Planning Act 2016*)

---

**ALPHA OFFICE**

Phone: 07 4985 1166  
Fax: 07 4985 1162

**ARAMAC OFFICE**

Phone: 07 4652 9999  
Fax: 07 4652 9990

**BARCALDINE OFFICE**

Phone: 07 4651 5600  
Fax: 07 4651 1778