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# Attachment A

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## Approved Document

**Development Permit for Material Change of Use for:**

**“Community Oriented Activity” – “Public Utility”  
– Waste Management Facility**

APPROVED DOCUMENT		
1.	<b>Reference:</b>	1187_314
	<b>Title:</b>	<i>Town Planning Report (Version 2) (State Agency Assessment), Development Application: Material Change Of Use “Public Utility” – Waste Management Facility, Campbell Higginson Town Planning, September 2017.</i>

Refer to Attached Approved Document:

- Part 1 - Town Planning Report Version 2
- Part 2 - Appendices A to J
- Part 3 - Appendices K and L
- Part 4 - Appendix M
- Part 5 - Appendices N to P

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# Attachment B

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## Referral Agency Response

Referral Agency	Date of Response
Department of Infrastructure, Local Government and Planning	19 September 2017



Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0517-039562  
Your reference: DA421617

19 September 2017

Chief Executive Officer  
Barcaldine Regional Council  
71 Ash Street  
Barcaldine QLD 4725

**Attention: Des Howard**

Dear Mr. Howard,

**Concurrence agency response—with conditions**

100 Yellowjack Drive, Barcaldine QLD 4725 over Lot 1 on SP223525  
(Given under section 285 of the *Sustainable Planning Act 2009*)

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 31 May 2017.

**Applicant details**

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

**Site details**

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Street address: 100 Yellowjack Drive Barcaldine 4725  
Lot on plan: Lot 1 on SP223525  
Local government area: BARCALDINE REGIONAL COUNCIL

**Application details**

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Proposed development: Development Permit for Material Change of Use (Public Utility) – Waste Management Facility

**Referral triggers**

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

Referral triggers: Schedule 7, Table 2, Item 1 – Environmentally Relevant Activity  
 Schedule 7, Table 3, Item 1 – State-controlled Road  
 Schedule 7, Table 3, Item 2 – Aspect of Development in Schedule 9  
 Schedule 7, Table 3, Item 10 – Clearing Native Vegetation

### 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 imposing conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for imposing 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
<b>Aspect of development: material change of use</b>				
Waste Facility Vegetation Management Plan	GBA Consulting Engineers	07/04/2017	140010-3/01	Revision C as amended in blue by DILGP 18 September 2017

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

For further information, please contact Dylan Brown, A/Senior Planning Officer, SARA Mackay Isaac Whitsunday on (07) 4898 6812, or email MIWSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Patrick Ruetjjes

**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-0517-039562

Your reference: DA421617

### Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
<p>Schedule 7, Table 3, Item 10—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i>, the chief executive administering the Act nominates the Director-General of the Department of Natural Resources and Mines 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(s):</p>		
1.	<p>The development for the proposed Stage 1 must be carried out generally in accordance with the following plan:</p> <ul style="list-style-type: none"> <li>• 'Waste Facility Vegetation Management Plan', Drawing No. 140010-3/01, Date 07/04/2017, Rev C, by GBA Consulting Engineers, as amended in red by the Department of Local Government Infrastructure and Planning 19 September 2017.</li> </ul>	At all times.

Our reference: SDA-0517-039562

Your reference: DA421617

## **Attachment 2—Reasons for decision to impose conditions**

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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, specifically related to remnant vegetation clearing.

Our reference: SDA-0517-039562

Your reference: DA421617

**Attachment 3—Approved plans and specifications**

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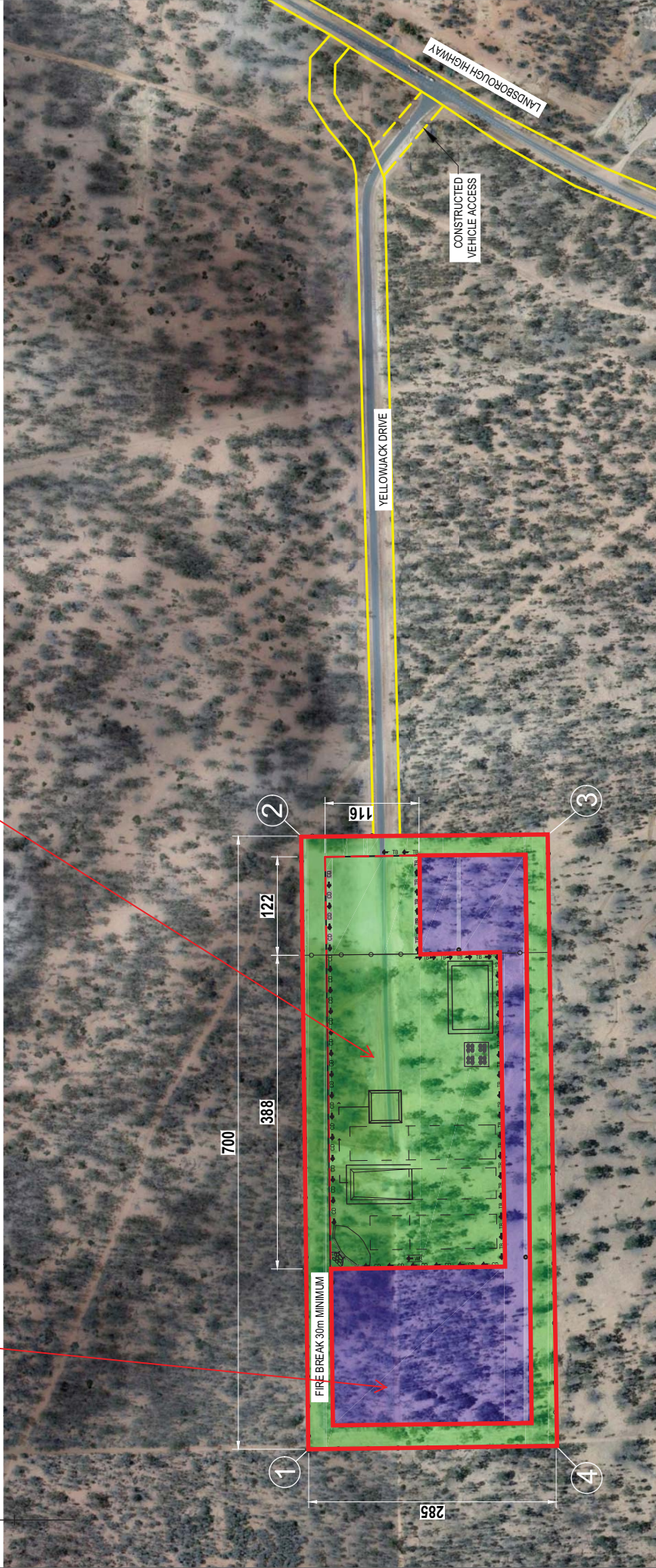
**PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE**

SARA ref: ..... SDA-0517-039562

Date: 19 September 2017

Development limited to the area shown in green

Not part of this response



**COORDINATE BASE POINTS FOR VEGETATION CLEARING**

ID	LATITUDE	LONGITUDE	GRID REFERENCE
1	-23435'06.42"	145615'46.52"	MGA-55
2	-23435'06.21"	145616'11.22"	MGA-55
3	-23435'15.49"	145616'11.31"	MGA-55
4	-23435'15.71"	145615'46.62"	MGA-55

**LEGEND:**

- STAGE 1 VEGETATION CLEARING (1-20yrs)
- STAGE 2 FUTURE VEGETATION CLEARING (+20yrs)
- LOT BOUNDARY
- CONSTRUCTED VEHICLE ACCESS BOUNDARY
- FIRE BREAK
- EXISTING FENCE LINE

**NOTES:**

ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE

Clearing in 'Stage 2' not part of this response

As amended in red by the Department of Infrastructure Local Government and Planning 19 September 2017

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Rev.	Revision Description	By	Date
C	Town Planner Revisions	BD	07/04/2017
B	Added 30m perimeter fire break to drawing	BD	15/02/2017
A	Original Issue	DW	12/01/2016

**GBA CONSULTING ENGINEERS**

Drawn: DW  
Checked: SB  
Approved: S.J. Bourne (RPEC 1513)

George Bourne & Associates  
67 St. Street, PO Box 1681, Brisbane, Qld 4725  
Phone: 07 4651 2177 Fax: 07 4651 1587  
Email: admin@gbasoc.com.au

Client: BARCALDINE REGIONAL COUNCIL  
Project: WASTE MANAGEMENT FACILITY  
Title: WASTE FACILITY VEGETATION MANAGEMENT PLAN  
DOC ID 245004  
APPENDIX B

Category: ENGINEERING  
Drawing No: 140010-3/01  
Rev: C  
Scale: 1:5000  
Size: A3



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# Attachment C

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## 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).*