

Council File Reference: 101920
Council Contact: Brett Walsh
Council Contact Phone: 07 4651 5625

27 November 2019

The Tree of Knowledge Development Committee Inc. T/A The Australian Workers
Heritage Centre
C/- Designtek
PO Box 3371
North Rockhampton QLD 4701
Email: glenn@designtek.com.au

Development Application

Development Permit for a Material Change of Use for a Tourist Facility and Catering Premises

Lot 125 on SP259545, Lot 15 on RY238 and Lot 16 on CP843148, 127 Oak Street
and 91 Ash Street, Barcaldine QLD 4725

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 Barcaldine Executive Office
on 07 4651 5621.

Yours faithfully



✓ **Steven Boxall**
Chief Executive Officer

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 20 November 2019, 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: 101920
Properly Made Date: 11 October 2019
Decision Date: 20 November 2019
Planning Scheme: Barcaldine Shire Planning Scheme 2006 (v2)

2. APPLICANT DETAILS

Name: The Tree of Knowledge Development Committee Inc. T/A The Australian Workers Heritage Centre
Postal Address: C/- Designtek
PO Box 3371
North Rockhampton QLD 4701
Email Address: glenn@designtek.com.au

3. PROPERTY DETAILS

Street Address: 127 Oak Street and 91 Ash Street,
BARCALDINE QLD 4725
Real Property Description: Lot 125 on SP259545, Lot 15 on RY238 and Lot 16 on CP843148
Local Government Area: Barcaldine Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for a Material Change of Use for a Tourist Facility and Catering Premises

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

1.0 PARAMETERS OF APPROVAL

- 1.1 The developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor or invitee of the developer at all times unless otherwise stated.
- 1.2 Where these conditions refer to "Council" in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council's satisfaction, unless otherwise stated.
- 1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise subject to separate agreement by Council.
- 1.5 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 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:

Plan/Document Name	Plan/Document Number	Revision	Date
Locality Plan & Existing Site Plan	MCU-01	A	25-09-2019
Proposed Site Plan	MCU-02	A	25-09-2019
Proposed Floor Plan	MCU-03	A	25-09-2019
Proposed Area Plans	MCU-04	A	25-09-2019
Proposed Elevations	MCU-05	A	25-09-2019
Concept Layout Plan	SK01	B	20-09-2019

- 2.2 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.

3.0 LAND USE

- 3.1 The Tourist Facility on Lot 125 on SP259545 must be necessarily associated and integrated with the Australian Workers Heritage Centre (AWHC) on Lot 15 on RY238 and Lot 16 on CP8423148.

Advisory Note: *The Tourist Facility on Lot 125 has been approved on the basis that it is ancillary to the Australian Workers Heritage Centre and relies on certain services and facilities (e.g. vehicle access and deliveries) of the Centre to operate. The Tourist Facility on Lot 125 cannot operate independent of the Australian Workers Heritage Centre.*

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 The development must be connected to Council's reticulated water network and sewerage network.
- 4.2 A grease trap must be installed to intercept waste associated with the catering premises.
- 4.3 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Water Supply (Safety and Reliability) Act, the Plumbing and Drainage Act and *Division 3 – Standards for Water Supply, Section 3.1* and *Division 4 – Standards for Sewerage, Section 4.1* of the *Barcaldine Shire Planning Scheme*.
- 4.4 Remove all redundant water supply and sewerage infrastructure, including but not limited to pipes and connection points.

5.0 TELECOMMUNICATION AND ELECTRICITY SUPPLY

- 5.1 Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.

6.0 ACCESS WORKS

- 6.1 Ensure changes of levels between Oak Street and the site boundary of Lot 125 on SP259545 allow access from the road onto the footpath and into the premises in accordance with *Australian Standard AS1428 – "Design for Access and Mobility"*.
- 6.2 The internal pathway and boardwalk on Lot 125 on SP259545, linking to Lot 15 on RY238, is designed and constructed as per the relevant Australian Standards, including *Australian Standard AS1428 – "Design for Access and Mobility"*.
- 6.3 The redundant vehicle crossover from Oak Street to the site must be removed and the footpath reinstated.

7.0 STORMWATER WORKS

- 7.1 Undertake the development such that all stormwater, with the exception of rainwater captured on-site in rainwater tanks, is to be drained from the site to a lawful point of discharge and carried without causing annoyance or nuisance to any person or property. All works must be designed in accordance with *Division 5: Standards for Stormwater Drainage, Section 5.1* of the *Barcaldine Shire Planning Scheme* and the *Queensland Urban Drainage Manual*.

8.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 8.1 Discharge all roof and allotment drainage such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure from the pre to the post-development condition.

9.0 SITE WORKS

- 9.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

10.0 SEWERAGE INFRASTRUCTURE

- 10.1 Prior to commencement of any building works, the existing sewer line and manhole must be removed, and a new sewer line reinstated to Council's satisfaction. A new sewer manhole must be installed no closer than 1.5 metres from centreline of manhole to eastern fence. Any building foundations located over or adjacent to the sewer main are to be certified by a RPEQ to ensure no loads are to be placed on the sewer main and to ensure the structural integrity of the building.

11.0 ENGINEERING CERTIFICATION

- 11.1 Prior to the commencement of any engineering works, submit to and have approved in writing by Council the detailed design documentation for the following engineering works:

- 11.1.1 Access works
- 11.1.2 Stormwater works
- 11.1.3 Earthworks
- 11.1.4 Water network connection
- 11.1.5 Sewerage network connection
- 11.1.6 Replacement of / building near sewer main and manhole

For the submission, a Registered Professional Engineer of Queensland (RPEQ) must certify the engineering drawings and specifications for the engineering work.

- 11.2 An Engineer's Certificate of Construction must be signed and submitted to Council by a RPEQ verifying that all works have been carried out in accordance with the relevant standards, drawings and conditions contained herein, and any specifications that result from the submission for engineering certification.

12.0 WASTE MANAGEMENT

- 12.1 Submit for Council's approval details of proposed waste management for the development, including but not limited to:
- 12.1.1 Location and screening of on-site waste storage area/s;
 - 12.1.2 How waste area will be drained and washed and any contaminants captured;
 - 12.1.3 Waste collection method and how the grease trap will be emptied.

13.0 CATERING PREMISES

- 13.1 Prior to applying for a Food Business Licence, submit to and have approved in writing by Council the detailed plans of the Catering Premises, including elevations, finishes and details of fixtures and fittings.
- 13.2 The kitchen area is to be fitted out in accordance with the requirements of *Australian Standard 4674-2004: Design, construction and fit-out of Food Premises* and *Food Safety Standard 3.2.3, Food Premises and Equipment*.
- 13.3 Kitchen exhaust points for the development must be located and operated in accordance with *Australian Standard 16682.2-2002: The use of ventilation and air-condition in buildings* (specifically Section 5.10 – Air discharges).

14.0 AMENITY – HOURS OF OPERATION

- 14.1 Undertake activities associated with the construction of the development between the hours of 6:30am and 6:30pm, Monday to Saturday. Construction works are not permitted to be carried out on Sundays or public holidays without the prior written approval of the Chief Executive Officer.
- 14.2 The uses are permitted to operate between the hours of 7am to 9pm seven days a week unless stated otherwise in another condition of this approval.
- 14.3 Loading, unloading and delivery activities associated with the operation of the uses only occur between the hours of 7:00am and 6:00pm, Monday to Saturday. Loading, unloading and delivery activities are not permitted to be carried out on Sundays or public holidays without prior approval of the Chief Executive Officer.

15.0 AMENITY - GENERAL

- 15.1 Undertake the uses so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products, grit, oil or otherwise.
- 15.2 Install and maintain suitable screening to all air conditioning plant and other services located on the top or external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.
- 15.3 Maintain outdoor lighting to comply with *AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”*.
- 15.4 The playground equipment and associated facilities must comply with *AS4685 - Australian Playground equipment and surfacing standards*.
- 15.5 Loading, unloading and delivery activities are not permitted via Oak Street.

16.0 LANDSCAPING

- 16.1 Establish, maintain and retain all landscaping generally in accordance with the approved plans. The landscaping must predominantly contain plant species that are endemic to the Central Queensland region due to their low water dependency.
- 16.2 Ensure the landscaped areas are subject to a water and maintenance plan during the establishment phase, and an ongoing maintenance and replanting programme.

17.0 CONSTRUCTION ACTIVITIES

- 17.1 The construction of all the works must be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provisions of the *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the *Barcaldine Shire Planning Scheme*.
- 17.2 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site for the duration of the works, and until such time all exposed soil areas are permanently stabilised (for example, turfed, hydro mulched, concreted, and landscaped). The ESCP must be available on-site for inspection by Council Officers during the works.
- 17.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site, unless otherwise approved in writing by Council.

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 1994* 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 and sale of food will require a Food Business Licence from Council prior to the commencement of the Catering Premises use. Food

handling in the kitchen may require a second-hand basin. A Food Safety Supervisor must be nominated by the applicant.

6. The Catering Premises is not restricted to serving only visitors of the AWHC. It can cater to any member of the public and can be operated by a third-party.
7. Oak Street is a State-controlled Road. Any proposed works in this road reserve may require a permit under the *Transport Infrastructure Act 1994*.

8. STATEMENT OF REASONS

8.1 Description of Development

The development application for a Development Permit for Material Change of Use for a Tourist Facility and Catering Premises

8.2 Assessment Benchmarks

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

Benchmark applying for the development	Benchmark reference
<ul style="list-style-type: none"> • Commercial Zone Code 	<i>Barcaldine Shire Planning Scheme 2006 (v2)</i>
<ul style="list-style-type: none"> • State interest for Planning for Infrastructure (Transport Infrastructure) 	<i>State Planning Policy July 2017</i>
<ul style="list-style-type: none"> • Part D – Regional activity centres network • Part E– Regional policies and land use strategies 	<i>Central West Regional Plan 2009</i>
<ul style="list-style-type: none"> • State Code 1: Development in a State-controlled Road Environment 	<i>State Development Assessment Provisions (v2.3)</i>

8.3 Compliance with Assessment Benchmarks

Benchmark reference	Reason for approval despite non-compliance with benchmark
Commercial Zone Code – Performance Criteria 14 Vehicle Access Performance Criteria 15 Vehicle Parking and Service Vehicle Provision	<p>The development site at 127 Oak Street does not include direct vehicle access from Oak Street or on-site parking. This is considered an acceptable outcome due to the town centre location of the site, where there is sufficient on-street parking. A new ramped access built into the pedestrian footpath will also facilitate access for disabled persons from on-street parking into the premises.</p> <p>Vehicle access, including service vehicles, is possible via the main AWHC site and is an acceptable outcome given the integrated nature of the development with this existing facility. Conditions have been imposed to enforce the above.</p>
Commercial Zone Code – Performance Criteria 15 Vehicle Parking and Service Vehicle Provision (refuse storage)	<p>Details about on-site refuse storage and collection via Oak Street have not been confirmed and depend on the detailed design of the development and ramped access works. Conditions have been imposed requiring the developer to confirm refuse management details prior to commencement of use for approval by Council.</p>

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:

- The development complies with, or has been conditioned to comply with, the applicable assessment benchmark (the Commercial Zone Code) under the Planning Scheme.
- The Tourist Facility and Catering Premises are supported land uses in the Commercial Zone and is within the reasonable development expectations for land in the Commercial Zone.
- Primarily functioning as the new entrance building to the Australian Workers Heritage Centre, the development will enhance the exposure of, and access to, this important tourism attraction in Barcaldine.
- The Tourist Facility and its linkage to the main AWHC site will improve the tourism experience, while the Catering Premises will diversify town centre services to the public, consistent with the Planning Scheme's intent to create an identifiable, vibrant and compact business core for the town and its visitors.
- The design of the new building is an acceptable contribution to the commercial streetscape and will enhance the mix of historic and contemporary buildings and renewal works along the main street.
- The layout and operation of the development, including outdoor spaces, landscaping and amenities, will create a high amenity environment and will not adversely impact surrounding uses.
- On-street parking and existing vehicle access and delivery methods associated with the main AWHC site via Ash Street and Elm Street, will be sufficient to support the development.
- The development will be connected to the full suite of reticulated town services, electricity and telecommunications.
- 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

The Department of State Development, Manufacturing, Infrastructure and Planning was a referral agency for the application:

PLANNING REGULATIONS 2017	FOR AN APPLICATION INVOLVING	NAME OF AGENCY	STATUS	ADDRESS
Material change of use of premises near a State transport corridor				

Schedule 10, Part 9, Division 4, Subdivision 2, Table 4	Development application for a material change of use, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection	The Chief Executive Department of State Development, Manufacturing, Infrastructure and Planning	Concurrence Agency	Department of State Development, Manufacturing, Infrastructure and Planning Mackay Isaac Whitsunday Region Office PO Box 257 MACKAY QLD 4740 Ph: (07) 4898 6888 Email: MIWSARA@dilgp.qld.gov.au MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/suite/
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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: 27/11/19

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

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

OAK STREET

EXISTING CROSS OVER



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REV	DATE	DESCRIPTION	BY	CAD STATUS
A	22/09/2019	DA EAP MCU		

AMENDMENTS

CLIENT:
 Australian Workers Heritage Centre
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 www.australianworkersheritagecentre.com.au

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 QLD 4760
 PO Box 3371, Red Hill,
 North Rockhampton,
 QLD 4761
 Phone: 07 469 222800
 Email: mol@designstek.com.au

apac BDAG MEM. NO. R0000761
 www.designstek.com.au

SITE: 127 OAK STREET, BARCALDINE QLD 4775
PROJECT: AUSTRALIAN WORKERS HERITAGE CENTRE - PROPOSED NEW ENTRY BUILDING
DISCIPLINE: BUILDING DESIGN SERVICES
TITLE: LOCALITY PLAN & EXISTING SITE PLAN

DATE: 25/09/2019	SCALE: As indicated on A1	DESIGNED BY: AS INDICATED ON A1
PROJECT MANAGER:	DRAWN BY:	APPROVED BY:
CAD FILE NAME:	APPROVER:	

PROJECT NO: 1806-07	SHEET NO: 01 of 08
DRAWING NO: MCU-01	REVISION: A



1 LOCALITY PLAN

DRAWING SCHEDULE - MCU	
MCU-01	LOCALITY PLAN & EXISTING SITE PLAN
MCU-02	PROPOSED SITE PLAN
MCU-03	PROPOSED FLOOR PLAN
MCU-04	PROPOSED AREA PLANS
MCU-05	PROPOSED ELEVATIONS
MCU-06	PROPOSED 3D VIEWS
MCU-07	PROPOSED 3D VIEWS
MCU-08	PROPOSED PERSPECTIVES

BARCALDINE REGIONAL COUNCIL

DIGITALLY STAMPED
 APPROVED PLAN

Development Application: Development of a site for National Change of Use - Tourist Facility and Cafeteria premises, Unit 2/127 Oak Street, Barcaldine, QLD 4775. Reference to Barcaldine Regional Council's Land Use Map.

Approval Date: 28 November 2019
 Application Number: DA 10751/19

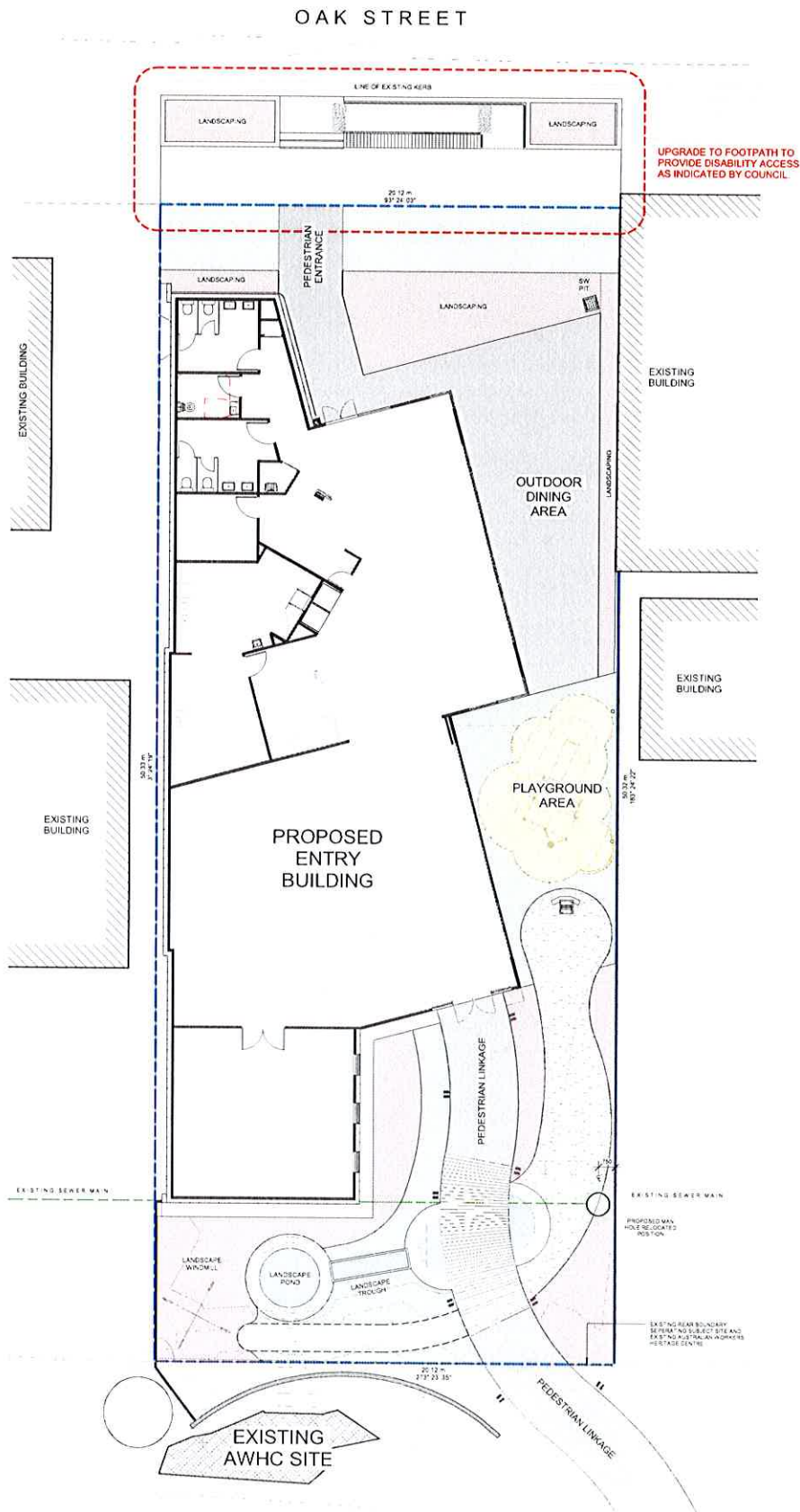
3 2. EXISTING SITE PLAN

SCALE 1:100

BARCALDINE REGIONAL COUNCIL
 DIGITALLY STAMPED
 APPROVED PLAN

Development Application: Development Permit for Material Change of Use - Tourist Facility and Catering Premises
 Lot 125 on SP239545, Lot 15 on RP238 and Lot 16 on CR83248
 Referred to Council Decision Notice

Approval Date: 20 November 2019
 Application Number: DA 101510



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AMENDMENTS					
REV	DATE	DESCRIPTION	DRN	EXP	STAGE
1	25/09/2019	DA FOR MCU			

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 North Rockhampton,
 QLD 4701
designtek
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 Email: email@designtek.com.au

cbcc BDAQ MEM NO #0000761
 www.designtek.com.au

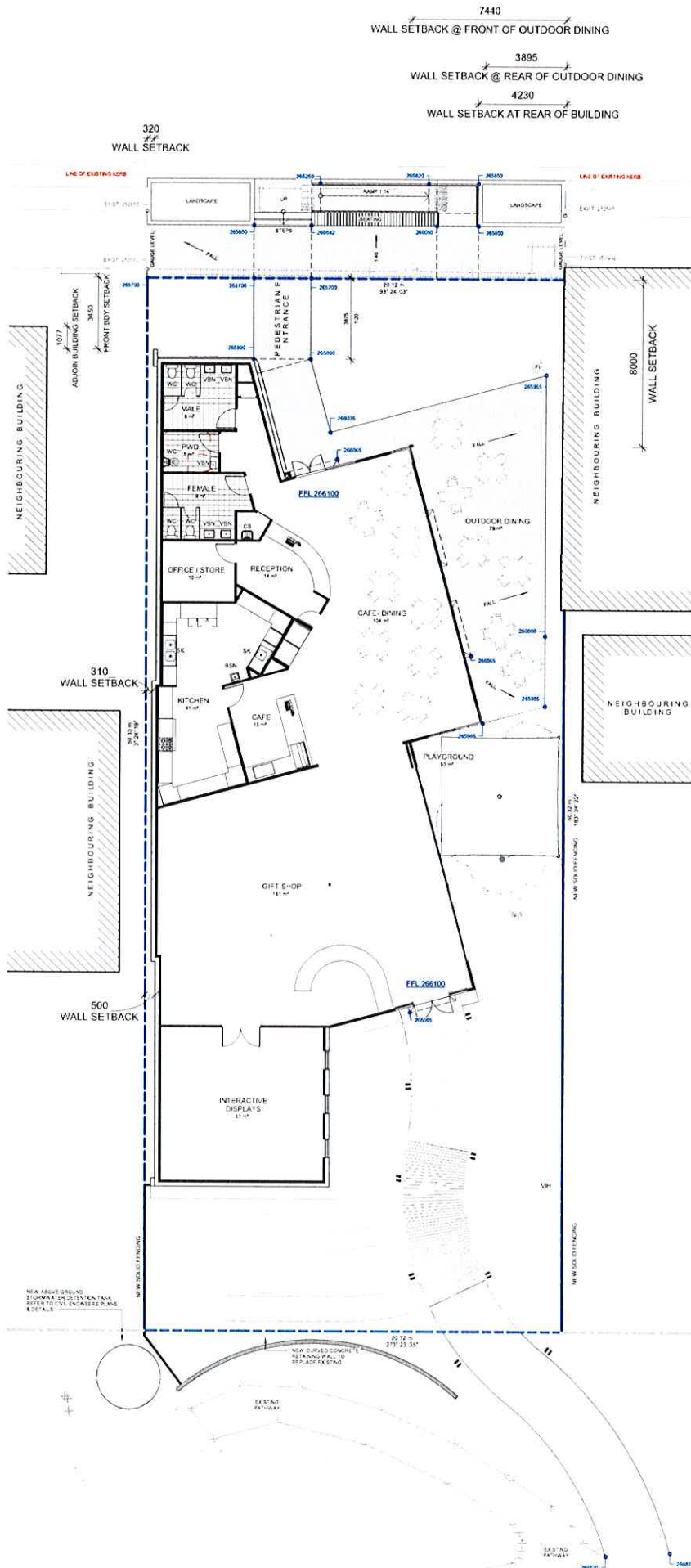
SITE: 127 OAK STREET, BARCALDINE QLD 4725
 PROJECT:
AUSTRALIAN WORKERS HERITAGE CENTRE - PROPOSED NEW ENTRY BUILDING

DISC PLANE:
BUILDING DESIGN SERVICES

TITLE:
PROPOSED SITE PLAN

DATE: 25/09/2019	SCALE: 1:100 (NAT)	DESIGNED BY: gt
PROJECT MANAGER:		DRAWN BY: gt
CAD FILE NAME:		APPROVED BY: Approver
PROJECT NO: 1806-07		SHEET NO: 02 of 08
DRAWING NO: MCU-02		REVISION: A

2 PROPOSED SITE PLAN
 WCL-06 1:100



BARCALDINE REGIONAL COUNCIL
 DIGITALLY STAMPED
 APPROVED PLAN

Development Application, Development Permit for Material Change of Use - Tourist Retail and Catering Premises
 Lot: Lot 125 on SP259545, Lot 15 on RP218 and Lot 16 on CP484518
 Referenced in Council's Decision Notice

Approval Date: 25 November 2019
 Application Number: DA 101920

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AMENDMENTS

REV	DATE	DESCRIPTION	DRN	CHKD	STATUS
4	25/09/2019	DA FOR MCU			

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SITE: 127 OAK STREET, BARCALDINE QLD 4725
 PROJECT:
AUSTRALIAN WORKERS HERITAGE CENTRE - PROPOSED NEW ENTRY BUILDING

DISCIPLINE:
BUILDING DESIGN SERVICES

TITLE:
PROPOSED FLOOR PLAN

DATE: 26/09/2019	SCALE: 1:100 CNA1	DESIGNED BY: jt
PROJECT MANAGER:		DRAWN BY: jt
CAD FILE NAME:		APPROVED BY: Approver

PROJECT NO: 1806-07	SHEET NO: 03 of 08
DRAWING NO: MCU-03	REVISION: A

1 PROPOSED FLOOR PLAN
 1:100

NOTES
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REV	DATE	DESCRIPTION	BY	CHKD
A	25/09/2019	DA TOP MCLU		

AMENDMENTS	

CLIENT:
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 Phone: 0749 222880
 Email: mol@designitek.com.au
 BDAQ MEM. NO #0000761
 www.designitek.com.au

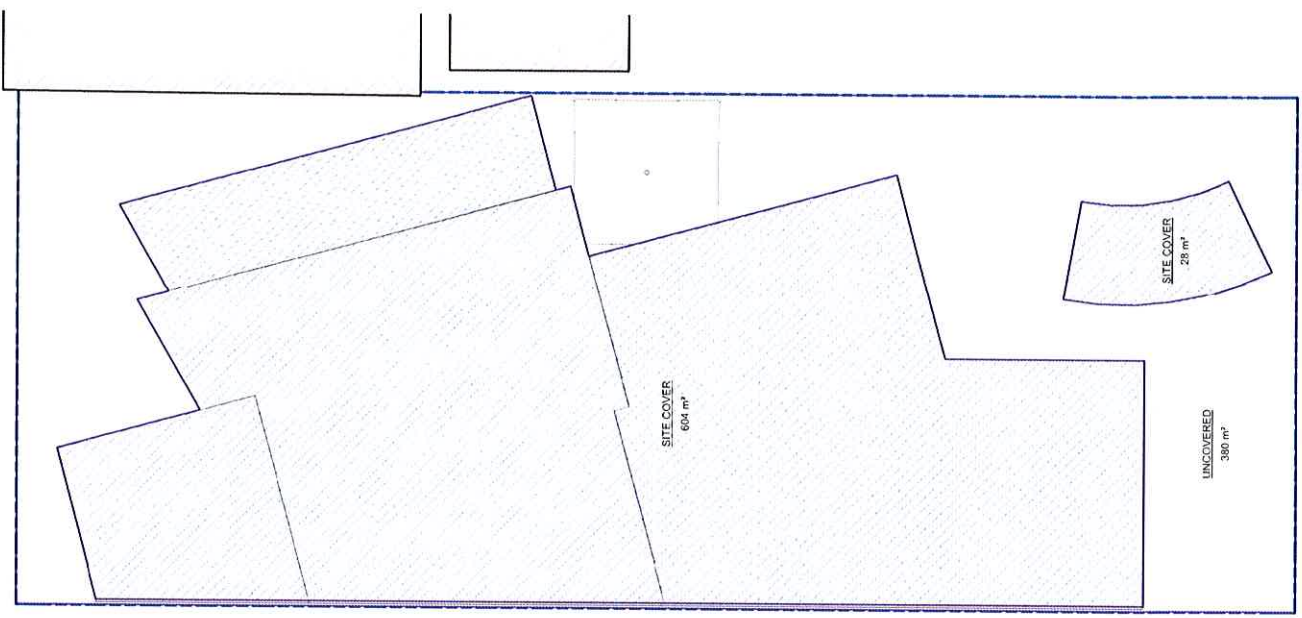
SITE: 127 OAK STREET, BALCALDINE QLD 4725			
PROJECT: AUSTRALIAN WORKERS HERITAGE CENTRE - PROPOSED NEW ENTRY BUILDING			
DISCIPLINE: BUILDING DESIGN SERVICES			
TITLE: PROPOSED AREA PLANS			
DATE: 25/09/2019	SCALE: 1:100	ORIENT: gt	DESIGNED BY:
PROJECT MANAGER:	DRAWN BY:	GT	GT
CAD FILE NAME:	APPROVED BY:	Approver	
PROJECT NO: 1806-07	SHEET NO: 04 of 08	REVISION: A	
DRAWING NO: MCLU04			

SITE COVER	
SITE COVER	604 m ² 60%
SITE COVER	28 m ² 3%
UNCOVERED	380 m ² 38%
UNCOVERED	1012 m ² 100%

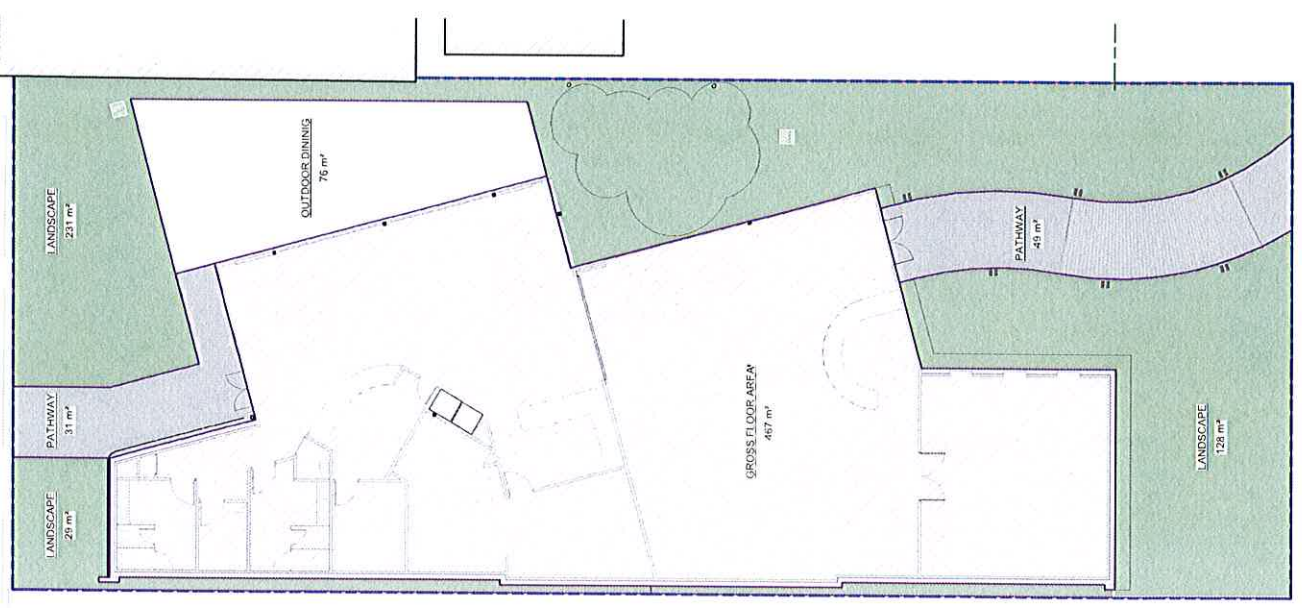
GROSS FLOOR AREA	
GROSS FLOOR AREA	467 m ² 46%
LANDSCAPE	231 m ² 23%
LANDSCAPE	29 m ² 3%
LANDSCAPE	128 m ² 13%
OUTDOOR DINING	76 m ² 8%
PATHWAY	31 m ² 3%
PATHWAY	49 m ² 5%
PATHWAY	1012 m ² 100%

- GROSS FLOOR AREA
- LANDSCAPE
- OUTDOOR DINING
- PATHWAY
- SITE COVER

BALCALDINE REGIONAL COUNCIL
 DIGITALLY STAMPED
 APPROVED PLAN
 Development Application: Development for use for Material Change of Use - Tourist Facility and Catering Premises
 CPW 13/14 - 10/1/2019, Lot 15 on RT 28 and Lot 15 on RT 28
 Approval Date: 20 November 2019
 Application Number: DA 181926



2 SITE COVER AREA PLAN
 SCALE: 1:100



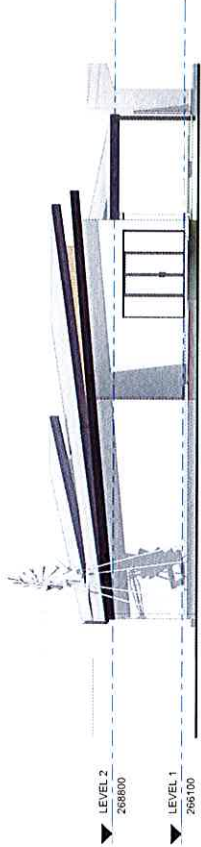
1 AREA PLAN
 SCALE: 1:100

REV	DATE	DESCRIPTION	DRN	QCD	STAGE
A	29/09/2019	(M FOR WLU)			

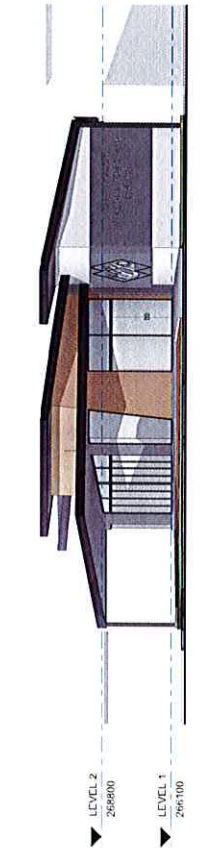
AMENDMENTS	

NOTES	
VERIFY ALL DIMENSIONS AND CHECK LEVELS ON SITE BEFORE CONSTRUCTION. THIS DRAWING IS THE PROPERTY OF DESIGNINTEK PTY LTD. ANY REUSE OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF DESIGNINTEK PTY LTD IS STRICTLY PROHIBITED.	

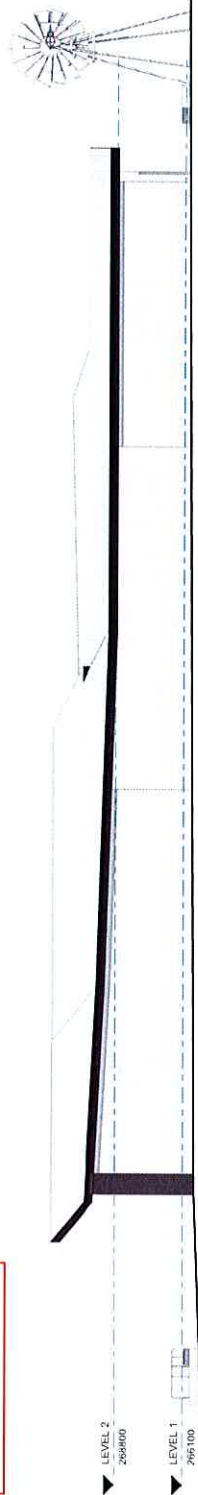
CLIENT: Australian Workers Heritage Centre Ash Street Bargaldine QLD, 4775 www.australianworkersheritagecentre.com.au	designitek Shop 3/10 Denmark St, Bargaldine, QLD 4700 PO Box 3371, Red Hill, Windsor Shire Council, QLD 4701 Phone: 0745 222880 Email: mail@designitek.com.au
PROJECT: AUSTRALIAN WORKERS HERITAGE CENTRE - PROPOSED NEW ENTRY BUILDING	DISCIPLINE: BUILDING DESIGN SERVICES
TITLE: PROPOSED ELEVATIONS	
DATE: 25/09/2019	SCALE: 1:100
DESIGNED BY: GK	ON A1: GK
PROJECT MANAGER:	DRAWN BY: GK
CAD FILE NAME:	APPROVED BY: Approver
PROJECT NO.: 1806-07	SHEET NO.: 05 of 08
DRAWING NO.: MCGU-05	REVISION: A



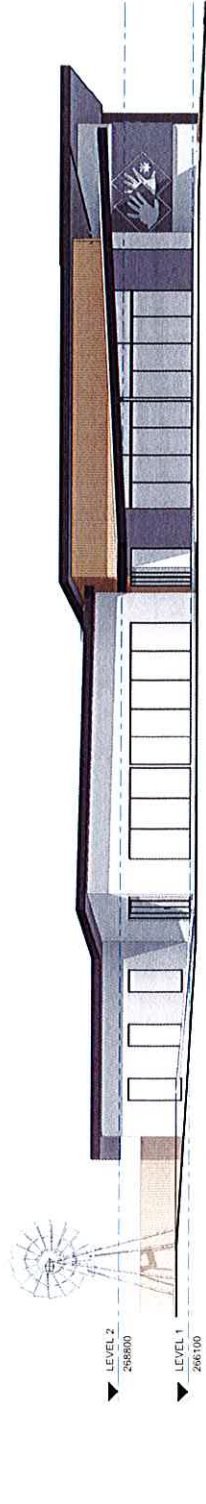
2 NORTH ELEVATION
1:100



3 SOUTH ELEVATION
1:100



4 WEST ELEVATION
1:100



1 EAST ELEVATION
1:100

BARCALDINE REGIONAL COUNCIL
DIGITALLY STAMPED
APPROVED PLAN
Development Application: Development Permit for Material Change of Use
1806-07-05 (M FOR WLU) 29/09/2019, Lot 13, Ash Street, Bargaldine QLD 4775
CPR815248 Referenced to any Council's Extension Number
Approval Date: 29/09/2019
Registration Number: 1806-07-05



DAVEY ENGINEERING SOLUTIONS

CAPRICORN COAST
23 DUNE CIRCLE
LAMMERMOOR
Queensland 4703
Telephone: +61 419 872 040
Email: jeff@daveyeng.com.au

REVISION / ISSUE REGISTER

No.	DATE	REMARKS
A	08/19	PRELIMINARY
B	09/19	ADDITION OF PLAYGROUND

DESIGN		DRAWN	
TB	NAME	TB	NAME
	J. DAVEY		J. DAVEY
	SIGNATURE		SIGNATURE
	R.P.E.O. 8388		R.P.E.O. 8388

for & on behalf of Davey Engineering Solutions Pty Ltd

SCALES:

0 1:25 5.0m 1:250

DATUM: AHD
COORDINATES: GDA94

AUSTRALIAN WORKERS
HERITAGE CENTRE

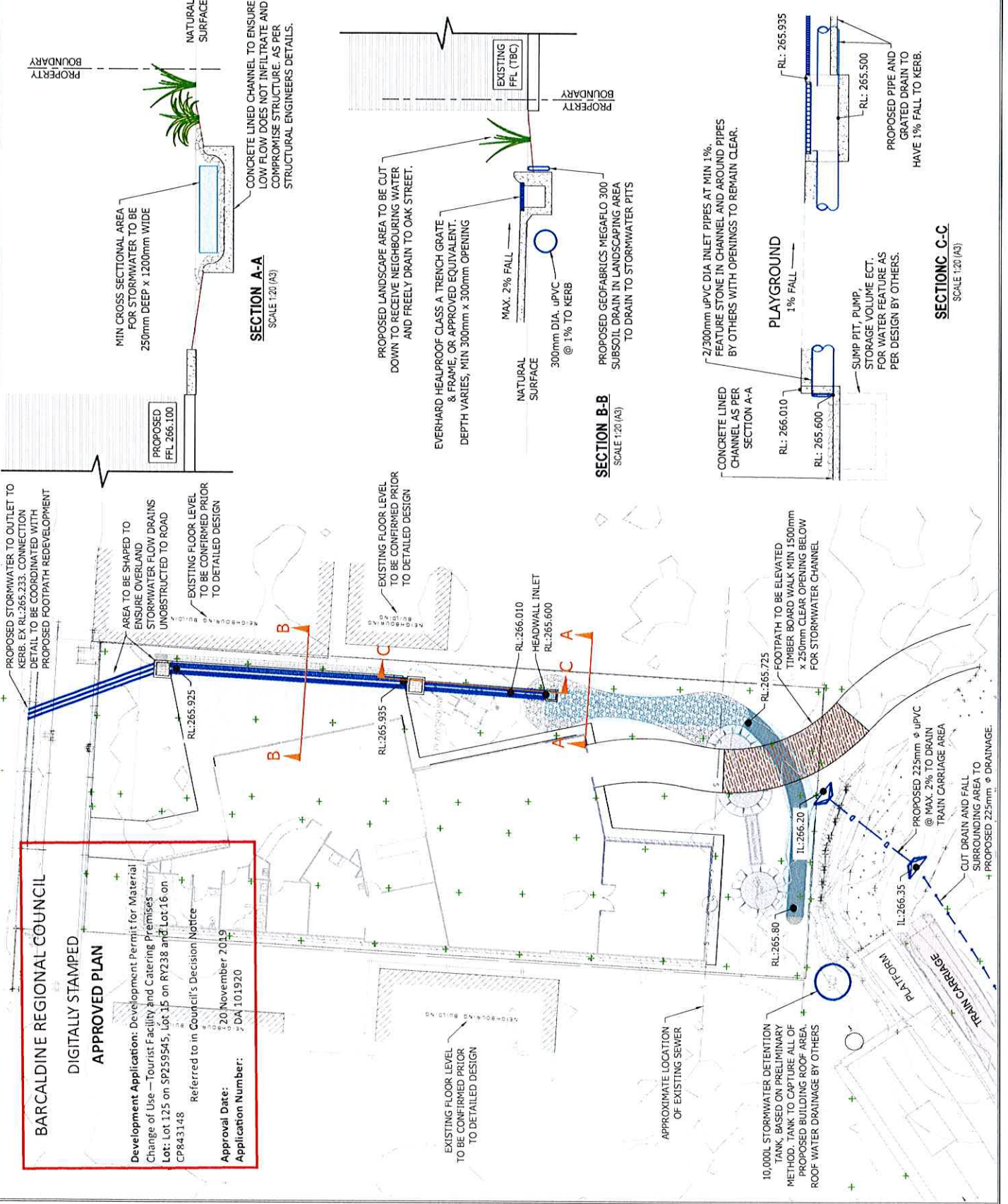
PROPOSED ENTRY BUILDING
127 OAK STREET, BARCALDINE

CONCEPT LAYOUT PLAN

FILE No. 1864

DWG No. SK01

PLOT DATE: 20/9/2019 5:49:11 PM
DO NOT SCALE - IF IN DOUBT ASK



PROPERTY BOUNDARY

MIN CROSS SECTIONAL AREA FOR STORMWATER TO BE 250mm DEEP x 1200mm WIDE

SECTION A-A SCALE 1:20 (A3)

CONCRETE LINED CHANNEL TO ENSURE LOW FLOW DOES NOT INFILTRATE AND COMPROMISE STRUCTURE. AS PER STRUCTURAL ENGINEERS DETAILS.

PROPOSED LANDSCAPE AREA TO BE CUT DOWN TO RECEIVE NEIGHBOURING WATER AND FREELY DRAIN TO OAK STREET.

EVERHARD HEALPROOF CLASS A TRENCH GRATE & FRAME, OR APPROVED EQUIVALENT. DEPTH VARIES; MIN 300mm x 300mm OPENING.

SECTION B-B SCALE 1:20 (A3)

PROPOSED GEOFABRICS MEGAFLO 300 SUBSOIL DRAIN IN LANDSCAPING AREA TO DRAIN TO STORMWATER PITS

2/300mm uPVC DIA. INLET PIPES AT MIN 1% FEATURE STONE IN CHANNEL AND AROUND PIPES BY OTHERS WITH OPENINGS TO REMAIN CLEAR.

SECTION C-C SCALE 1:20 (A3)

CONCRETE LINED CHANNEL AS PER SECTION A-A

SUMP PIT, PUMP, STORAGE VOLUME ECT. FOR WATER FEATURE AS PER DESIGN BY OTHERS.

PROPOSED PIPE AND GRATED DRAIN TO HAVE 1% FALL TO KERB.

PROPOSED STORMWATER TO OUTLET TO KERB. EX RL:265.233. CONNECTION DETAIL TO BE COORDINATED WITH PROPOSED FOOTPATH REDEVELOPMENT

AREA TO BE SHARED TO ENSURE OVERLAND STORMWATER FLOW DRAINS UNOBSTRUCTED TO ROAD

EXISTING FLOOR LEVEL TO BE CONFIRMED PRIOR TO DETAILED DESIGN

EXISTING FLOOR LEVEL TO BE CONFIRMED PRIOR TO DETAILED DESIGN

EXISTING FLOOR LEVEL TO BE CONFIRMED PRIOR TO DETAILED DESIGN

APPROXIMATE LOCATION OF EXISTING SEWER

10,000L STORMWATER DETENTION TANK. BASED ON PRELIMINARY METHOD. TANK TO CAPTURE ALL OF PROPOSED BUILDING ROOF AREA. ROOF WATER DRAINAGE BY OTHERS

FOOTPATH TO BE ELEVATED TIMBER BOARD WALK MIN 1500mm x 250mm CLEAR OPENING BELOW FOR STORMWATER CHANNEL

PROPOSED 225mm uPVC @ MAX. 2% TO DRAIN TRAIN CARRIAGE AREA

CUT DRAIN AND FALL SURROUNDING AREA TO PROPOSED 225mm uPVC DRAINAGE.

BARCALDINE REGIONAL COUNCIL

DIGITALLY STAMPED APPROVED PLAN

Development Application: Development Permit for Material Change of Use - Tourist Facility and Catering Premises
Lot: Lot 125 on SP259545, Lot 15 on RY238 and Lot 16 on CP843148
Referred to in Council's Decision Notice
20 November 2019
Application Number: DA101920

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



Department of
**State Development,
 Manufacturing,
 Infrastructure and Planning**

SARA reference: 1910-13666 SRA
 Council reference: 101920
 Applicant reference: 1806-07

6 November 2019

Chief Executive Officer
 Barcaldine Regional Council
 71 Ash Street
 BARCALDINE QLD 4725
 council@barc.qld.gov.au

Attention: Mr Brett Walsh

Dear Mr Walsh

SARA response—127 Oak Street, Barcaldine; 91 Ash Street, Barcaldine

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 17 October 2019.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	6 November 2019
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Material Change of Use - Tourist Facility and Catering Premises
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017).	
	Development application for a Material Change of Use within 25m of a State transport corridor.	

SARA reference: 1910-13666 SRA
Assessment Manager: Barcaldine Regional Council
Street address: 127 Oak Street, Barcaldine and 91 Ash Street, Barcaldine
Real property description: Lot 125 on SP259545, Lot 16 on CP843148 and Lot 15 on RY238
Applicant name: The Tree of Knowledge Development Committee Inc.
T/A The Australian Workers Heritage Centre
Applicant contact details: c/- Designtek
PO Box 3371
NORTH ROCKHAMPTON QLD 4701
glenn@designtek.com.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Madison Harper-McErlean, Planning Officer, on (07) 4898 6812 or via email MIWSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Patrick Ruettjes
Manager (Planning)
Mackay Isaac Whitsunday Regional Office

cc The Tree of Knowledge Development Committee Inc. T/A The Australian Workers Heritage Centre,
glenn@designtek.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Material change of use		
10.9.4.2.4.1 – Material change of use of premises near a State transport corridor or a future State controlled road —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	a) Stormwater management of the development must ensure no worsening or actionable nuisance to the State-controlled road. b) Any works on the land must not: <ol style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the State-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the State-controlled road; iii. surcharge any existing culvert or drain on the State-controlled road; 	a) At all times. b) At all times.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v2.5]. If a word remains undefined it has its ordinary meaning.
2.	Any advertising sign must be located within the property boundaries and comply with the requirements in accordance with the Department of Transport and Main Roads' Roadside Advertising Manual, Edition 2, dated October 2017.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the department's decision are:

- The proposed development is for a Material Change of Use – Tourist Facility and Catering Premises.
- The subject site is within 25m of Oak Street, which is classified as a State-controlled road.
- Assessment of the proposed development identified that the potential impacts on the State-controlled road can be suitably managed through conditions.
- The proposed development complies with the relevant provisions of the State Development Assessment Provisions State code 1: Development in a State-controlled road environment.
- The department supports the proposed development, subject to conditions.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.5), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 4—Change representation provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Attachment 3

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

Attachment 3

Extract of Appeal Provisions

The following is an extract from the *Sustainable Planning Act 2009* (Chapter 7)

MATERIAL CHANGE OF USE, RECONFIGURING A LOT & OPERATIONAL WORKS

Division 8 Appeals to court relating to development applications and approvals

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.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—

- (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
- (b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—

- (a) the giving of a development approval;
- (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—

- (a) withdraws the submission before the application is decided; or

(b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—

(a) development for an aquacultural ERA; or

(b) development that is—

(i) a material change of use of premises for aquaculture; or

(ii) operational work that is the removal, damage or destruction of a marine plant.

(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—

(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;

(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

(1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

(1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—

(a) if the responsible entity for making the change is the assessment manager for the application—

(i) the person who made the request; or

(ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;

(b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.

(2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.

(3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

(1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given.