

Council File Reference: 202021
Council Contact: Brett Walsh
Council Contact Phone: 07 4651 5625

28 July 2021

Cheryl Thompson
C/- Murray & Associates (QLD) Pty Ltd
PO Box 665
EMERALD QLD 4720

Email: andrewb@mursurv.com

Dear Cheryl,

Development Application

**Development Permit for a Material Change of Use for Visitor Accommodation
(64 Campsites, 20 Cabins, Manager's Residence and Associated Buildings and
Structures)**

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



for
Brett Walsh
Acting Chief Executive Officer

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 21 July 2021, 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: DA-202021
Properly Made Date: 4 December 2021
Decision Date: 21 July 2021
Planning Scheme: Barcaldine Shire Planning Scheme 2006 (v2)

2. APPLICANT DETAILS

Name: Cheryl Thompson
Postal Address: C/- Murray & Associates (QLD) Pty Ltd
PO Box 665
EMERALD QLD 4720
Email Address: andrewb@mursurv.com

3. PROPERTY DETAILS

Street Address: 42, 44 and 53 Yarran Road, Barcaldine
Real Property Description: Lot 6 on RY69
Lot 911 on RY190
Lot 910 on RY 190
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 Visitor Accommodation (64 Campsites, 20 Cabins, Manager's Residence and Associated Buildings and Structures)

5. CURRENCY PERIOD

- Stage 1 will lapse if the first change of use does not happen within six (6) years after the approval starts to have effect.
- Stages 2, 3 and 4 will lapse if the first change of use approved for each stage does not happen within eight (8) years after the approval took effect.

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 All conditions, works, and requirements of this development approval must be undertaken and completed prior to commencement of the use and maintained at all times thereafter, unless otherwise stated.
- 1.3 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.
- 1.4 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 stated in a development condition.
- 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 by Council to create a hazard to the community, it must be repaired immediately.
- 1.6 All development conditions contained in this development approval about *infrastructure* under Chapter 4 of the *Planning Act 2016* (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.
- 1.7 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	Drawing Number	Revision	Date
Overall Site	SK-002	6	11-09-2020
Part Site Plan 1	SK-003	6	11-09-2020
Part Site Plan 2	SK-004	6	11-09-2020
Stage 1 Site Plan	SK-005	6	11-09-2020
The Gathering – Concept Plan	AK-001	6	11-09-2020
The Gathering – Concept Elevations	AK-002	6	11-09-2020
The Studio – Concept Plan	ST-001	6	11-09-2020
The Studio – Concept Elevations	ST-003	6	11-09-2020

The Studio – Concept Elevations	ST-004	6	11-09-2020
Traffic Engineering Report	DA RFI – V 01	V01	April 2021
Bushfire Hazard Assessment and Management Plan	PR21133_BMP_Yarran Road, Barcaldine	A	02-06-2021

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.

2.3 Submit to and have approved in writing by Council elevation and floor plans for all buildings and structures shown on the approved Overall Site Plan prior to applying for a Development Permit for Carrying Out Building Work assessable under the Building Act.

3.0 LIMITATION OF USE

3.1 All activities approved within each stage of the development are limited to use by bona-fide visitors of the Visitor Accommodation Use and are not available for use by the general public. All activities are limited to being ancillary to the Visitor Accommodation use at all times, and in each stage.

4.0 STAGING OF DEVELOPMENT

4.1 Development is to be undertaken in four (4) stages, generally in accordance with the approved plans.

4.2 The stages must be undertaken and completed in chronological order unless the stages are undertaken at the same time.

Advisory: Any conditions requiring works or actions to be undertaken as part of a stage must be completed prior to commencement of the proceeding stage.

4.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.4 The development stages must be necessarily associated and operate as an integrated land use across the lots.

5.0 ROAD WORKS

5.1 Prior to the commencement of Stage 1 of the approved development, design and construct:

5.1.1 Jacaranda Road from its intersection with Plumb Road to Lancewood Drive to achieve a minimum formation width of 7.5 metres comprising a 3.5 metre wide single lane gravel all- weather carriageway with two (2) metre shoulders.

5.1.2 Lancewood Drive from its intersection with Jacaranda Road to Beefwood Road to achieve a minimum formation width of 7.5 metres comprising a 3.5 metre wide single lane gravel all- weather carriageway with two (2) metre shoulders.

- 5.1.3 Beefwood Road from its intersection with Lancewood Drive to Yarran Road to achieve a minimum formation width of 5.5 metres comprising a 3.5 metre wide single lane gravel all- weather carriageway with one (1) metre shoulders.
- 5.1.4 That part of Yarran Road the site has frontage to, to its intersection with Beefwood Road to achieve a minimum formation width of 5.5 metres comprising a 3.5 metre wide single lane gravel all- weather carriageway with one (1) metre shoulders.
- 5.2 Prior to the commencement of Stage 2 of the approved development, design and construct:
- 5.2.1 Beefwood Road from its intersection with Lancewood Drive to Yarran Road to achieve a minimum formation width of 6.5 metres comprising a 3.5 metre wide single lane gravel all- weather carriageway with 1.5 metre shoulders.
- 5.2.2 That part of Yarran Road the site has frontage to, to its intersection with Beefwood Road to achieve a minimum formation width of 5.5 metres comprising a 3.5 metre wide single lane gravel all- weather carriageway with 1.5 metre shoulders.
- 5.3 Design and construct the roads required by conditions 5.1 and 5.2 in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.1(1) or as otherwise updated, under the *Barcaldine Shire Planning Scheme 2006 (V.2)*.
- 5.4 Submit to and have approved in writing by Council design drawings and specifications, certified by a Registered Professional Engineer of Queensland, that demonstrates to Council's satisfaction compliance with conditions 5.1, 5.2 and 5.3 and engineering best practice, prior to the commencement of any road works.
- 5.5 An Engineer's Certificate of Construction must be signed and submitted to Council by a Registered Professional Engineer of Queensland verifying that all road works have been carried out in accordance with the approved design drawings and specifications, and any specifications that result from the submission for engineering certification.

6.0 ACCESS WORKS

- 6.1 Design, construct and maintain the vehicular crossovers in accordance with the *Institute of Public Works Engineering Australia Standard Drawing No. RS-56 (Vehicle Crossings Rural Driveways)*, Schedule 1, Division 2, Section 2.3 (2)(a) of the *Barcaldine Shire Planning Scheme 2006 (V.2)* and approved plans. The vehicle crossover to Lot 911 on RY190 must be constructed prior to the commencement of Stage 1. The vehicle crossover to Lot 6 on RY69 must be constructed prior to the commencement of any Stage 2 or Stage 3 works, whichever occurs first, on that lot.
- 6.2 Vehicular access to/from Yarran Road is only permitted at the crossover locations shown on the approved plans (Condition 2.1). Vehicles are not permitted to enter/exit the site in any other location.

- 6.3 An Engineer's Certificate of Construction must be signed and submitted to Council by a Registered Professional Engineer of Queensland verifying that all access works have been carried out in accordance with Condition 6.1, and any specifications that result from the submission for engineering certification.

7.0 INTERNAL ACCESS AND PARKING WORKS

- 7.1 Design, construct and maintain all on-site vehicle parking and manoeuvring areas to an all-weather standard suitable for two-wheel drive vehicles.
- 7.2 Install and maintain directional signage within the site to ensure the orderly and efficient movement of vehicles.
- 7.3 Provide dedicated visitor car parking areas generally in accordance with the approved plans (Condition 2.1).
- 7.4 Provide a minimum of one (1) dedicated on-site car parking space per 'Ensuite Cabin'. Car parking spaces must be provided within the curtilage of each 'Ensuite Cabin' as shown on the approved plans (Condition 2.1).
- 7.5 All internal car parking and manoeuvring areas are to be designed, constructed and maintained in accordance with Schedule 1, Division 2, Section 2.2 (1) (b) of the *Barcaldine Shire Planning Scheme 2006 (V.2)*.

8.0 ROOF AND ALLOTMENT DRAINAGE

- 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 STORMWATER WORKS

- 9.1 Submit to and have approved in writing by Council a Stormwater Management Plan that demonstrates stormwater drainage is provided in accordance with Schedule 1, Division 5, Section 5.1 of the *Barcaldine Shire Planning Scheme 2006 (V.2)* and *State Planning Policy July 2017*, prior to applying for a Development Permit for Carrying Out Building Work assessable under the Building Act.
- 9.2 Design, construct and maintain all stormwater works in accordance with the approved Stormwater Management Plan.

10.0 ON-SITE SEWAGE TREATMENT AND DISPOSAL AND POTABLE WATER SUPPLY

- 10.1 Design, construct and maintain on-site sewage treatment and disposal for each stage of the development in accordance with the approved plans, *Queensland Plumbing and Wastewater Code, AS/NZ 1547:2012 On-site domestic wastewater management, AS/NZ 3500.1.2003 Plumbing and drainage- waste services, AS/NZ 3500.2.2003 plumbing and drainage - Sanitary plumbing and drainage* and the *BCA: National Construction Code Series 2014, Volumes Three – Plumbing Code of Australia*, unless otherwise altered by an Environmental Authority for Environmentally Relevant Activity 63.

- 10.2 Construct and maintain the 'Amenities Block (Asset Cabins)' shown as part of Stage 1 on the approved plans, including a sewage dump point with a capacity commensurate with demand generated by the approved "off-grid" camp sites. The Amenities Block must be constructed and operational prior to the commencement of Stage 1. The Amenities Block and sewage dump point must be always available for use by guests.
- 10.3 On-site potable water must be made available for use and consumption by guests associated with Stage 1 of the approved development, commensurate with demand reasonably and practicably generated by guests.
- 10.4 The premises must be connected to Council's reticulated potable water supply network in accordance with the Schedule 1, Division 3, Section 3.1 of the *Barcaldine Shire Planning Scheme 2006 (V.2)*, or other appropriate standards otherwise agreed to in writing by Council, prior to the commencement of Stage 2.
- 10.5 Submit to and have approved in writing by Council design drawings and specifications, certified by a Registered Professional Engineer of Queensland which demonstrates to Council's satisfaction compliance with Condition 9.4 and engineering best practice, prior to the commencement of any reticulated water works.
- 10.6 An Engineer's Certificate of Construction must be signed and submitted to Council by a Registered Professional Engineer of Queensland verifying that all reticulated water works have been carried out in accordance with the approved design drawings and specifications, and any specifications that result from the submission for engineering certification.

11.0 TELECOMMUNICATION AND ELECTRICITY SUPPLY

- 11.1 The premises must be connected to electricity and telecommunication services in accordance with the standards and requirements of the relevant service provider.

12.0 WASTE MANAGEMENT

- 12.1 Submit to and have approved in writing by Council a Waste Management Plan that details the following:

- 12.1.1 The location and design of waste storage areas.
- 12.1.2 Wash down areas and/ or cleaning arrangements.
- 12.1.3 Access and manoeuvrability of refuse collection vehicles to waste storage areas.
- 12.1.4 The contractor engaged to collect waste, and the disposal location.

- 12.2 Implement and maintain compliance with the approved Waste Management Plan.

13.0 AMENITY AND ENVIRONMENTAL HEALTH

- 13.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, odour, fumes, smoke, vapour, steam soot, ash, wastewater, waste products, oil or otherwise

- 13.2 Install and operate all outdoor lighting to comply with AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”.

14.0 LANDSCAPING

- 14.1 Establish and maintain landscaping generally in accordance with the approved plans, except where altered by the recommendations of the approved Bushfire Hazard Assessment and Management Plan.

- 14.2 Provide a landscape buffer along the northern boundary of Lot 910 and 911 on RY190 that:

- 14.2.1 Is wholly located within the premises.
- 14.2.2 Is a minimum width of 10 (10) metres
- 14.2.3 Includes vegetation with a minimum height, at maturity, of five (5) metres
- 14.2.4 Achieves and maintains a porosity of at least 50%
- 14.2.5 Includes vegetation capable of reaching full maturity within 36 months of planting

- 14.3 Submit to and have approved in writing by Council a Landscaping Plan of the existing and required landscaping, required by Conditions 14.1 and Condition 14.2 that identifies:

- 14.3.1 Landscape specification of sufficient detail so that landscape works can be carried out.
- 14.3.2 The type and location of all proposed plant species, including the nominal height and density attained by these species at maturity.
- 14.3.3 Conceptual layout of the irrigation system for plan watering.

- 14.4 Undeveloped stages must be maintained in a grassed or natural vegetated state and must not be used for unapproved activities such as outdoor storage or overflow parking unless otherwise approved in writing by Council.

15.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL

- 15.1 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.

- 15.2 Prepare and implement an Erosion and Sediment Control Strategy (ESCS) in accordance with the standards contained in *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the *Barcaldine Shire Planning Scheme 2006*.

- 15.3 Implement the ESCS for the duration of the construction phase and until such time all exposed soils areas are permanently stabilised (for example, turfed, hydro mulched, concreted or landscaped).

16 AIRPORT ENVIRONS

- 16.1 Construct and operate the approved development such that it does not involve:

- 16.1.1 Straight parallel lines of lighting 500m to 100m long;
 - 16.1.2 Lighting that extends more than three (3) degrees above the horizon;
 - 16.1.3 Flare plumes;
 - 16.1.4 Buildings with reflective cladding;
 - 16.1.5 Upward shining lights;
 - 16.1.6 Flashing lights; or
 - 16.1.7 Sodium lights.
- 16.2 Building and structures within 100 metres of the boundary of the Barcaldine airport must not exceed 7.5 metres height in any point above natural ground level.

17.0 ASSET MANAGEMENT

- 17.1 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.

7. ADVISORY NOTES

1. The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
2. 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.
3. 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.
4. 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.
5. 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").

8. STATEMENT OF REASONS

8.1 Description of Development

The development application for a Development Permit for Material Change of Use Visitor Accommodation.

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"> Industrial Zone Code 	<i>Barcaldine Shire Planning Scheme 2006 (v2)</i>
<ul style="list-style-type: none"> State interest for Planning for Infrastructure (Transport Infrastructure – State-controlled Road and Planning for Environment and Heritage – Cultural Heritage) 	<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>
State Code 6: Protection of state transport networks	<i>State Development Assessment Provisions (2.5)</i>

8.3 Relevant Matters

9 The approved development will improve and increase the short-term accommodation offering and stock in Barcaldine, which will contribute towards the attractiveness and vibrancy of the town.

8.4 Matters Raised in Submission

Matter Raised	Council's Response
The proposed development does not appropriately conserve or consider Aboriginal cultural heritage to support the requirements of the <i>Aboriginal Cultural Heritage Act 2003</i> .	An independent assessment completed by a cultural heritage consultant, following a review of the application material, site inspection and meeting with the Applicant, made the following conclusions: <ul style="list-style-type: none"> There is no evidence that the premises contains any values for Aboriginal or historic cultural heritage, which would be relevant to Council's assessment of the development application. The Applicant appears to have acted reasonably to all 'sensitivities' surrounding Family's connection to the premises, including consultation with a reasonable cross section of family members who previously lived there. The views of the objectors appear to be family related and should remain a private matter for those people to resolve.
The scale of the development is not compatible with surrounding lots.	The premises and surrounding land is zoned Industrial under the <i>Barcaldine Shire Planning Scheme 2006</i> . The scale of approved development is generally consistent with that which the Planning Scheme contemplates for the Industrial zone.
The scale of development will cause traffic and parking problems on the gravelled Yarran Road putting safety of lot owners	Conditions of approval, informed by a Traffic Impact Assessment and assessment by Council's Chief Engineer, have been

and road users at risk.	included requiring the Applicant to undertake upgrades to the local road network at different stages of the development to ensure the safety and efficiency of the local road network is not compromised. Conditions of approval have also been included requiring the provision of on-site car parking for guests and visitors.
-------------------------	--

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:

- a) The development complies with, or can be conditioned to comply with, the applicable assessment benchmark (the Industrial Zone Code) under the Planning Scheme.
- b) Despite the land being zoned Industrial, there is no established industrial development in the immediately surrounding area that establishes an industrial scale, intensity, form, or character that the approved development would compromise.
- c) Conditions of approval have been included requiring a vegetation buffer to be established between the premises and northern adjoining industrial zoned land to reduce reverse amenity impacts on future industry development.
- d) The approved development will improve and increase the short-term accommodation offering and stock in Barcardine, which will contribute towards the attractiveness and vibrancy of the town.
- e) There is no evidence that the premises contains any values for Aboriginal or historic cultural heritage, which would be relevant to Council's assessment of the development application.
- f) The development does not compromise the relevant elements of the Central West Regional Plan and State Planning Policy.

9. PROPERLY MADE SUBMISSIONS

- John D Anderson
PO Box 5584, STAFFOD HEIGHTS QLD 4053
- Russell Thompson
154 Cherryfield Road, GRACEMERE QLD 4702
kasella@southernphone.com.au
- David A Thompson
48/17 Fleet Street, BROWNS PLAINS QLD 4118
dat4730@gmail.com

10. REFERRAL AGENCIES

Referral Trigger	Referral Agency and Address	Referral Status	Response
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4	Department of State Development, Infrastructure, Local Government and Planning	Concurrence Agency	The Department provided their concurrence agency response with conditions on 6 May 2021. A

	Mackay Isaac Whitsunday Region Office PO Box 257 MACKAY QLD 4740		copy of their response is attached, reference 2012-20374 SRA.
--	---	--	--

11. FURTHER DEVELOPMENT PERMITS REQUIRED

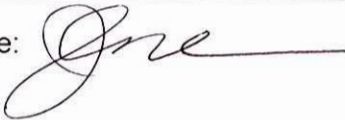
Please be advised the following development permits may be required to be obtained before the development can be carried out:

- Development Permit for Operational Work
- Development Permit for Plumbing and Drainage Work
- Development Permit for Building Work

12. APPEAL RIGHTS

A copy of the relevant appeal provisions is attached.

13. DELEGATED PERSON

Name: Brett Walsh Signature:  Date: 28 July 2021

For
ACTING CHIEF EXECUTIVE OFFICER

Enc:

Attachment 1 – APPROVED PLANS

Attachment 2 – SARA REFERRAL AGENCY RESPONSE

Attachment 3 – EXTRACT OF APPEAL PROVISIONS

Attachment 1

APPROVED PLANS

Attachment 2

SARA REFERRAL AGENCY RESPONSE

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

ARAMAC OFFICE
Phone: 07 4652 9900
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 9900
Fax: 07 4652 9990

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