

Council File Reference: 402021
Council Contact: Brett Walsh
Council Contact Phone: 07 4651 5625

1 April 2021

Pauline McCracken
PO Box 233
BARCALDINE QLD 4725

Sent via email: nanna53@gmail.com

Dear Pauline,

Development Application

A Development Permit for

- **Building Work (Extension to Hotel)**

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 5625.

Yours faithfully



for
Anna Scott
Chief Executive Officer

DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 1 April 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: 402021
Properly Made Date: 11 February 2021
Decision Date: 1 April 2021
Planning Scheme: Barcaldine Shire Planning Scheme 2006 (v2)

2. APPLICANT DETAILS

Name: Railway Hotel – Barcaldine
Postal Address: Pauline McCracken
PO Box 233
BARCALDINE QLD 4725
Email Address: nanna53@gmail.com

3. PROPERTY DETAILS

Street Address: 77 Oak Street, Barcaldine
Real Property Description: Lot 305 and Lot 306 on RY184
Local Government Area: Barcaldine Regional Council

4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Building Work (Extension to Hotel)

5. CURRENCY PERIOD

This development approval will lapse at the end of the period set out in section 85(1)(c) 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 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
Site Plan	-	-	-
Elevations	-	-	-
Floor Plan	-	-	-

- 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 STORMWATER WORKS

- 3.1 Undertake the development such that all stormwater, except for 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, constructed and maintained in accordance with *Division 5: Standards for Stormwater Drainage, Section 5.1* of the *Barcaldine Shire Planning Scheme 2006* and the *Queensland Urban Drainage Manual*.

4.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL

- 4.1 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.
- 4.2 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*.
- 4.3 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).

5.0 ASSET MANAGEMENT

- 5.1 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 Building Work (Extension to Hotel).

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 – State-controlled Road)	<i>State Planning Policy July 2017</i>
<ul style="list-style-type: none">Part D – Regional activity centres networkPart E– Regional policies and land use strategies	<i>Central West Regional Plan 2009</i>

8.3 Relevant Matters

Not applicable.

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, the applicable assessment benchmark (the Commercial Zone Code) under the Planning Scheme.
- The storeroom extension does not result in any external impacts such as access, servicing or hours of use;
- The storeroom is incidental to the use of the Hotel and will allow its ongoing operation without any impacts or alterations;
- The extension will not result in increased demand on any infrastructure networks and does not trigger any infrastructure charges contributions; and
- 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 development application did not require referral to any referral agencies.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

The following further development permits will be required:

- Building Work; and
- Plumbing and Drainage Work.

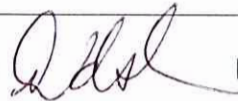
12. RIGHTS OF APPEAL

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: 1 April 2021

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

Attachment 2 – Extract of Appeal Provisions (Chapter 6, Parts 1 and 2, and Schedule 1 of the *Planning Act 2016*)

Attachment 1

Stamped Approved Plans

ALPHA OFFICE

Phone: 07 4651 5680
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 2

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

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