Our Ref: Z21133 Your Ref: DA/56/2021 Shaunte Farrington



GOLD COAST | GLADSTONE

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ABN 36 607 362 238

16 March 2022

The Chief Executive Officer Gladstone Regional Council PO Box 26 GLADSTONE QLD 4680

Via Email: <u>info@gladstone.qld.gov.au</u> shaunte.farrington@gladstone.qld.gov.au

Dear Shaunte,

CHANGE REPRESENTATIONS IN RELATION TO A DECISION NOTICE PLANNING ACT 2016 S75 (1) DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – EDUCATION ESTABLISHMENT, CARETAKERS ACCOMMODATION AND SHOP 4 JEFFREY COURT, AGNES WATER LOT 20 RP 613382

We act on behalf of our client, Inholoex Investments Pty Ltd (the Applicant), regarding the Decision Notice for DA/56/2021 issued by Gladstone Regional Council on 22 February 2021, relating to the abovementioned property.

The Decision Notice approved our application for the following aspects of development:

 Development Permit for a Material Change of Use – Educational Establishment, Caretakers Accommodation and Shop

The Decision Notice was received by the Applicant on 22 February 2022. In accordance with Section 229 (3) of the *Planning Act 2016*, the appeal period extends for 20 business days. On 7 March 2022, Zone Planning Group, on behalf of the Applicant, suspended the Applicant's Appeal Period for 20 business days, until 4 April 2022. The Applicant's Appeal Period will cease after 19 April 2022 (including the residual 10 business days remaining on the Appeal Period).

The Change Representations are therefore, made within the Applicant's Appeal Period.

SUPPORTING INFORMATION

The following supporting information is attached in support of this response:

- 1. Gladstone Regional Council Decision Notice dated 22 February 2022 (Attachment 1); and
- 2. Revised Proposed Floor Plan (Attachment 2)

Pursuant to Section 75(1)(a) of the *Planning Act 2016*, we provide written representations regarding the Decision Notice. We request that Council review these representations and issue a Negotiated Decision Notice to amend the items as detailed below:

CONDITION 1 : APPROVED DOCUMENTATION

Condition 1 currently reads:

 Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:

Drawing Number	Revision	Description	Author	Date
GD1781	С	Site Plan	Gladstone Drafting	23/07/2021
GD1781	С	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	С	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Elevations	Gladstone Drafting	23/07/2021
-	D	Landscape Concept Plan	LA3	December 2021
-	-	Operations Management Plan	Dive Spear and Sport Pty Ltd	-

Response

It is requested Condition 1 - Approved Plan - Proposed Floor Plan, Sheet 2 is updated to reflect the minor change of relocating the DDA Bathroom to behind the Compressor Shed. This will allow for free flow from the Training Room to the Verandah.

CONDITION 2 – APPROVED DOCUMENTATION

Condition 2 currently reads:

 Upon commencement of the use, hours of operation for the Educational Establishment and Shop are limited between 7am and 9pm and closed on public holidays.

<u>Response</u>

It is noted that Public Holidays within the Agnes Water region is peak tourist time, with visitors travelling for the long weekends to undertake activities within the region. The current imposed Condition 2 would have a negative impact on the revenue of the business and deter potential visitors to the region. This is a tourist business servicing the tourist industry. Prohibiting trading on public Holidays makes no sense in this context. Also being a mixed use zone intended for development with commercial activities such as proposed it would be expected trading on public holidays would be expected. As such, it is requested that Condition 5 be amended to read: 3. Upon commencement of the use, hours of operation for the Educational Establishment and Shop are limited between 7am and 9pm. and closed on public holidays.

CONDITION 6: BUILDING, PLUMBING AND DRAINAGE WORKS

Condition 6 currently reads:

6. Prior to the commencement of the use, the Applicant is to construct a defined entry statement/art piece depicting the Agnes Water region, located adjacent to the proposed crossover. The defined entry statement/art piece is to be visible from Jeffery Court Precinct, as per the approved plans in Condition 1. The design is to utilise a range of colours and materials and is to be incorporated into the landscaping along the front of the site to promote a visually attractive piece for the local area.

Response

It is requested Condition 6 is deleted. It is submitted that this condition is unreasonable and serves no purpose. The entry to the Jeffery Court Precinct is at the intersection of Agnes Street and Springs Road not the subject site. The subject site is not even at the entry to Jeffery Court but rather one allotment in. It is also submitted that no requirement exists in the planning scheme requiring an entry statement be constructed.

It is requested Condition 6 be deleted for the above reasons.

CONDITION 16: SEWERAGE

Condition 16 currently reads:

16. Prior to the commencement of the use, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the development site, before connection to Council's sewerage infrastructure. The location and size of the sewer service is to be determined in consultation with Council.

Response

It is requested Condition 16 is deleted as an additional maintenance hole is not required to be installed on the site. The Applicant has had a Licenced plumber attend to the site who has advised the existing plumbing in place is suitable to run the waste down to the existing Council's sewer main. It is noted, based on the proposed use usage, there will not be any excess water of concern, or any harsh chemical usage of any kind. The proposed condition will require the existing service to be re-routed and overcomplicate the existing sewer line.

Following an onsite meeting with the Council's Plumbing Inspector Bruce Sinclair on the 15 March 2022, it was determined the additional maintenance hole is not required as there is an existing one on site. Bruce Sinclair has advised he would speak with Shaunte Farrington regarding this matter.

As such, it is requested Condition 16 to be deleted.

CONDITION 22: TRANSPORTATION SERVICES

Condition 22 currently reads:

22. As part of Operational Works, a 2 metre wide concrete footpath for the full frontage of the subject site connecting into the existing footpath terminating at the corner of Agnes Street and Springs Road is to be constructed in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <u>http://www.cmdg.com.au/index.htm</u>.

<u>Response</u>

It is requested that Condition 22 be amended to only require construction of the footpath for the full frontage of the property not beyond the site. As other properties develop in the precinct they should be required to do the same.

Alternatively, if Council wishes to maintain the condition, we would ask that council acknowledge the footpath construction as trunk infrastructure and the applicant be entitled to a full reimbursement of the cost of foot path as required by the Act. The footpath, as conditioned, will clearly service more than just the subject development site and in our view would meet the test for trunk infrastructure.

CONDITION 28: LANDSCAPING

Condition 28 currently reads:

28. As part of Operational Works, landscaping must be installed as per the approved Landscaping Plan.

<u>Response</u>

It is requested Condition 28 is amended to provide a manageable timeframe to install the landscaping as per the approved Landscaping Plan. Due to the current pandemic and damage relating to the recent extreme weather, it has created significant delays on completing certain conditions. As the proposed landscaping does not affect safe operations of the business, it is requested that Condition 28 is amended to read:

6. Within 12 months of the commencement of the use, the Applicant is required to install the landscaping as per the approved Landscaping Plan.

It is requested that Council officers consider the above and favourably amend the conditions of the Decision Notice dated 22 February 2022.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact Rhianne McMullen-Legdin or the undersigned on (07) 4972 3831.

Yours sincerely,

Steller Robers

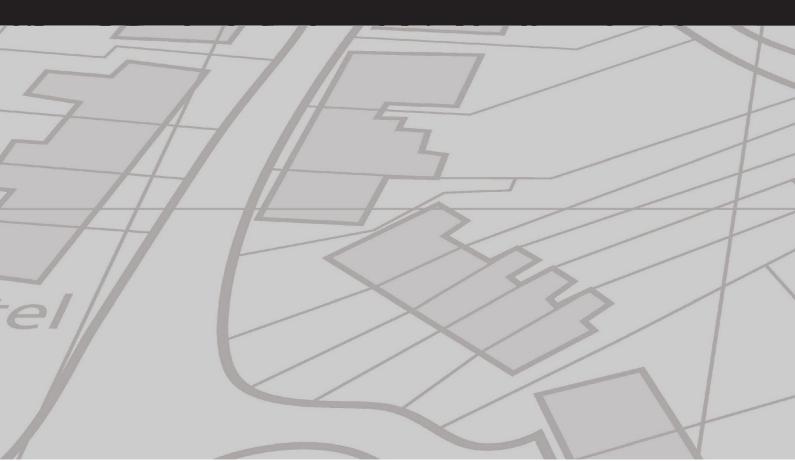
STEPHEN ENDERS | DIRECTOR ZONE PLANNING GROUP



ATTACHMENT #1

Gladstone Regional Council's Decision Notice







Gladstone Regional Council PO Box 29, Gladstone Qld 4680 Phone (07) 4970 0700 Fax (07) 4975 8500 Email info@gladstone.qld.gov.au Website www.gladstone.qld.gov.au

Please address all correspondence to The Chief Executive Officer

Contact Officer: Shaunte Farrington Our Ref: DA/56/2021

22 February 2022

Inholoex Investments Pty Ltd C/- Zone Planning Group PO Box 5332 GLADSTONE QLD 4680

Dear Sir/Madam

NOTICE OF DECISION PLANNING ACT 2016 S63

DA/56/2021 - MATERIAL CHANGE OF USE - IMPACT EDUCATIONAL ESTABLISHMENT, CARETAKERS ACCOMMODATION AND SHOP 4 JEFFERY COURT, AGNES WATER QLD 4677 LOT 20 RP 613382

Reference is made to the above Development Application and the Confirmation Notice dated 26 October 2021.

I wish to advise that the application was considered by Council at its 15 February 2022 General Meeting where it was resolved to approve the application. The approval is supported by a Notice of Reasons and is subject to conditions as set out in the following Notice of Decision.

Should you have any questions or require further clarification in relation to any matters raised in the Decision Notice, please do not hesitate to contact Council's Planning Officer Shaunte Farrington on (07) 4970 0700.

Yours sincerely

H A ROBERTSON MANAGER DEVELOPMENT SERVICES



NOTICE OF DECISION - DA/56/2021 PLANNING ACT 2016 S63

Application:	Material Change of Use - Impact - Educational Establishment, Caretakers Accommodation and Shop
Applicant Name & Address:	Inholoex Investments Pty Ltd C/- Zone Planning Group PO Box 5332 GLADSTONE QLD 4680
Owner:	Inholoex Investments Pty Ltd
Subject Land:	4 Jeffery Court, AGNES WATER QLD 4677
Location:	Lot 20 RP 613382
Zoning:	Mixed Use Zone
Site Area:	1,066m2
Definition of Use:	Caretakers Accommodation: A dwelling provided for a caretaker of a non-residential use on the same premises. Educational Establishment: Premises used for training and instruction designed to impart knowledge and develop skills. The use may include outside hours school care for students or on-site student accommodation. Shop: Premises used for the display, sale or hire of goods or the provision of personal services or betting to the public.
Submissions Received:	Four (4) Submissions
Application Received:	12 October 2021
Planning Scheme:	Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2

You are advised that your application was approved. The conditions relevant to this approval are attached. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

1. DETAILS OF THE APPROVAL

		Development Permit	Preliminary Approval
•	Material Change of Use made assessable by the planning scheme	✓	x

2. BENCHMARKS APPLIED TO THE DEVELOPMENT

The following is a description of the assessment benchmarks applying to the development:

Benchmarks applying to the development:	Benchmark reference:
State Planning Policy July 2017	 State Interest – Natural Hazards, Risk and Resilience
Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2	 Strategic Framework; Acid Sulfate Soils Overlay Code; Bushfire Hazard Overlay Code; Flood Hazard Overlay; Mixed Use Zone Code; Development Design Code; and Landscaping Code.

3. CURRENCY PERIOD FOR THE APPROVAL

The currency periods stated in section 85 of the *Planning Act 2016* apply to each aspect of development in this approval, as outlined below unless otherwise conditioned within this approval:-

- ✓ material change of use 6 years
- ✓ any other development not listed above 2 years

4. APPROVED PLANS

The approved plans and/or documents for this development approval are listed in the following table:

Drawing Number	Revision	Description	Author	Date
GD1781	С	Site Plan	Gladstone Drafting	23/07/2021
GD1781	С	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	С	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Elevations	Gladstone Drafting	23/07/2021
-	D	Landscape Concept Plan	LA3	December 2021
-	-	Operations Management Plan	Dive Spear and Sport Pty Ltd	-

5. OTHER NECESSARY DEVELOPMENT PERMITS

Listed below are other development permits that are necessary to allow the development to be carried out:-

- 1. Building Works
- 2. Plumbing & Drainage Works

6. NOTICE OF REASONS

The following provides the Notice of Reasons under section 63(5) of the Planning Act 2016:

Description of the development:

The approved development is for a Material Change of Use of Premises for an Educational Establishment, Shop and Caretakers Accommodation.

Assessment Benchmarks:

Benchmarks applying to the development:	Benchmark reference:
State Planning Policy July 2017	 State Interest – Natural Hazards, Risk and Resilience
Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2	 Strategic Framework; Acid Sulfate Soils Overlay Code; Bushfire Hazard Overlay Code; Flood Hazard Overlay; Mixed Use Zone Code; Development Design Code; and Landscaping Code.

Reasons for the Assessment Managers Decision:

- 1. The Application was properly made in accordance with the Planning Act 2016 and the Development Assessment Rules; and
- 2. The Application is deemed compliant with the relevant benchmarks of the State Planning Policy July 2017 and the Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2.

Reasons for Approval despite any Non-compliance with certain Benchmarks:

Benchmark reference	Reasons for the approval despite non- compliance with benchmark
Acid Sulfate Soils Overlay Code – Table 8.2.1.3.1 – Acceptable Outcome 1.1	Compliance with Acid Sulfate Soils Overlay Code – Table 8.2.1.3.1 – Acceptable Outcome 1.1 via a condition
Mixed Use Zone Code – Table 6.2.21.3.1 - Acceptable Outcome 1.2 and 1.4	Compliance with Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 1 via conditions
Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 16 to 21	Compliance with Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 16 to 21 via conditions
Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 26 and 27	Compliance with Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 26 and 27 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.1 and 2.1.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.1 and 2.1 via conditions.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1 to 6.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1 to 6 via conditions.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 11.1.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 11.1 via a condition.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 9.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 9 via a condition.
Development Design Code – Table	Compliance with Development Design Code –

9.3.2.3.1 – Acceptable Outcome 13.	Table 9.3.2.3.1 – Acceptable Outcome 13 via a condition.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 and 22.1.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 and 22.1 via a condition.
Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 6.	Compliance with Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 6 via a condition.
Landscaping Code – Table 9.3.5.3.1 – Acceptable Outcome 7.1 and 7.2.	Compliance with Landscaping Code – Table 9.3.5.3.1 – Acceptable Outcome 7.1 and 7.2 via a condition.

Relevant Matters under Section 45(5)(b) of the Act that the Development was Assessed Against:

Nil

Matters raised in Submissions and Councils response in dealing with these matters:

Submission	Officer's Response
Tourism benefits	
This state of the art, innovative experience fully matches Tourism and Events Queensland's Experience Framework (under Reef). Today's guests want more than just to see the sights. They are looking for experiences that emotionally connect them with real and authentic people, places and cultures – experiences they will never forget. The experience proposed aligns with the State Government's Tourism Plan.	The multifaceted operation proposed at the subject site aligns with the local Planning Scheme vision for tourism operations and appreciation of the surrounding pristine coast and reef/island opportunities. The site's location, proposed design and connections to external destinations and/or businesses provide sufficient justification to support the development.
Seeking tourism investment into a region is expensive and takes a long time. A golden opportunity from an experienced, industry- leading operator with state-of-the-art operations in NSW. This business will immediately be able to use their existing processes and generate income and exposure for the region	
Attraction for visitors	
The proposed development is going to bring visitors year-round, creating further sustainability to the region and being able to generate more employment. The average length of stay (ALOS) of a diving guest is 5-10 days, which is more than the current ALOS.	
The proposed development is a great asset to the existing tourism, noting diving is better in the winter months as its better visibility and this is predominantly Agnes Water regions low season which will further	

stimulate accommodation, food outlets,
clothing stores, etc would benefit greatly.
Educational/Skill benefits
A dive centre in the area means an
attractive opportunity for students to come
to know Agnes Water, learn about the Great
Barrier Reef and find a possible vocation.
Through this facility, our community and
those visitors wishing to access the reef
will be able to do so under the guidance of
a professional organisation.
Additional opportunities may arise for the
facility to approach schools and teach
children about sustainability and reef
management, beach clean ups,
environmentally conscious education as
these will be the pioneers of our future.
New tourism activity
I believe that the dive school benefits the
community by providing the opportunity to
participate in more positive activities and
integrating different age groups.
Development Design
The design of the centre, building etc has
been meticulously planned with
sustainability at the forefront and industry-
specific professionals.

Matters prescribed by a Regulation:

- 1. The State Planning Policy July 2017 Part E;
- 2. The Our Place Our Plan Gladstone Regional Council Planning Scheme, Version 2

7. SUBMISSIONS

There were four (4) properly made submissions about the application. The name and address of the principal submitter for each properly made submission are as follows:-

Name of principal submitter	Address	Electronic Address
Fabienne Wintle	-	fabienne@tourismtribe.com
Juan Jose Carrasco	5/2 Dolphin Court, Agnes Water QLD 4677	-
Javiera Urzua	24 Grahame Colyer Drive, Agnes Water QLD 4677	-
Oscar Eunson	22 Grahame Colyer Drive, Agnes Water QLD 4677	-

8. APPEAL RIGHTS

Schedule 1 of the *Planning Act 2016* details your appeal rights and the appeal rights of any submitters regarding this decision.

9. WHEN THE DEVELOPMENT APPROVAL TAKES EFFECT

This development approval takes effect:-

• From the time the decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court.

OR

- If there is a submitter and the applicant does not appeal the decision, the earlier date of either:
 - When the submitter's appeal ends; or
 - The day the last submitter gives the assessment manager written notice that the submitter will not be appealing the decision.

OR

• Subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court.

This approval will lapse if:-

- for a material change of use, the first change of use under the approval does not start within the relevant period stated in section 3 of this Notice of Decision;
- for a reconfiguration, a plan for the reconfiguration is not given to the local government within the relevant period stated in section 3 of this Notice of Decision;
- for a development approval other than a material change of use or reconfiguration, the development does not substantially start within the relevant period stated in section 3 of this Notice of Decision.

Should you wish to discuss this matter further, please contact Council's Planning Officer Shaunte Farrington on (07) 4970 0700.

Yours sincerely

H A ROBERTSON MANAGER DEVELOPMENT SERVICES

Attached: Conditions Appeal Rights Approved Plans



ASSESSMENT MANAGER CONDITIONS - DA/56/2021

Approved Documentation

1. Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:

Drawing Number	Revision	Description	Author	Date
GD1781	С	Site Plan	Gladstone Drafting	23/07/2021
GD1781	С	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	С	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	С	Proposed Elevations	Gladstone Drafting	23/07/2021
-	D	Landscape Concept Plan	LA3	December 2021
-	-	Operations Management Plan	Dive Spear and Sport Pty Ltd	-

And supporting documents

Documen t Number	Revision	Description	Author	Date
Z21133	-	Waste Management Plan	Zone Planning Group	11/10/2021
-	-	Stormwater Management Memo	AAA Design & Development Pty Ltd	24/08/2021

2. Upon commencement of the use, hours of operation for the Educational Establishment and Shop are limited between 7am and 9pm and closed on public holidays.

Operational Works

- 3. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following:
 - a. Road Works (Driveway and footpath);
 - b. Landscaping, environmental protection and associated works.

4. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards, the Engineering Design Planning Scheme Policy under the Our Place Our Plan Gladstone Regional Council Planning Scheme or any other applicable standards at the time of lodgement. Prior to the commencement of the use, all Operational Works conditioned by this approval must be accepted "on maintenance" by Council.

Advisory Note: The Capricorn Municipal Development Guidelines within the Engineering Design Planning Scheme Policy is the current document for preparing any Development Application for Operational Works which is found at <u>http://www.cmdg.com.au/index.htm.</u>

Acid Sulfate Soils

- 5. As part of any Development Application for Building Works, should any works associated with the Application result in the sediment at or below 5m AHD, the Applicant must immediately submit an Acid Sulfate Soil Investigation and Management Report to Council for approval and comply with the relevant recommendations. The Management Report is to:
 - a. Be prepared by a suitably qualified person experienced in the area of Acid Sulfate Soils
 - b. Determine whether the proposed works will expose/disturb Acid Sulfate Soils;
 - c. Detail the measures to be undertaken to reduce the risk of Acid Sulfate Soils during
 - d. construction and operation; and
 - e. Be in accordance with the Guidelines for Sampling and Analysis of Lowland Acid Sulfate
 - f. Soils in Queensland 1998 as per the Queensland Acid Sulfate Soll Technical Manual.

Building, Plumbing and Drainage Works

- 6. Prior to the commencement of the use, the Applicant is to construct a defined entry statement/art piece depicting the Agnes Water region, located adjacent to the proposed crossover. The defined entry statement/art piece is to be visible from Jeffery Court Precinct, as per the approved plans in Condition 1. The design is to utilise a range of colours and materials and is to be incorporated into the landscaping along the front of the site to promote a visually attractive piece for the local area.
- 7. As per the approved Operational Plan, the Applicant must construct the shade sail over the pool and install all necessary sound proofing within the proposed sheds for the associated noise generating equipment prior to the commencement of the use.
- 8. Prior to the commencement of the use, the Applicant is required to obtain a Development Permit and Building Final for the reclassification of the existing to Dwelling House to the align with the new Educational Establishment and Caretaker's Accommodation operation onsite.
- 9. The Applicant is required to obtain a Development Permit and Building Final for all new Building Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.

- 10. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2018* and the requirements of other relevant authorities.
- 11. Prior to the commencement of the use, all plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to other uses in the surrounding area.
- 12. Prior to the commencement of the use, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining the sites.
- 13. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting.
- 14. As part of Building Works, the location of the proposed buildings shall comply with Queensland Development Design Code MP 1.4.

Stormwater Infrastructure

15. Upon commencement of the use, all stormwater runoff must be piped from roofed areas and discharged to a kerb and channel drainage system in a Council controlled road, or an approved inter allotment stormwater drainage system, in accordance with the Queensland Urban Drainage Manual 2017.

Sewerage

16. Prior to the commencement of the use, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the development site, before connection to Council's sewerage infrastructure. The location and size of the sewer service is to be determined in consultation with Council.

Transportation Services

- 17. At all times, any parking issues associated with the drop off/pick scheduling remain the responsibility of the operator and its Operational Plan.
- 18. Prior to the commencement of the use, a minimum of six (6) parking spaces and one (1) bus storage space are to be provided on site generally in accordance with the approved plans, including designated disabled car parking spaces. These spaces and all vehicle movement areas are to be constructed, sealed, line marked, signed and maintained in accordance with the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme and AS2890.1.
- 19. Prior to the commencement of the use, a minimum of four (4) bicycle spaces are to be constructed onsite within 30m walking distance to the entry of the use. All bicycle spaces are to be constructed in accordance with AS2890.3 (2015).

20. As part of Operational Works, the Applicant is to upgrade the existing crossover accessing the development site from Jeffery Court to a Type B2 (minimum 6m) in accordance with Council's Standard Drawing Urban Commercial/Industrial Driveway.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <u>http://www.cmdg.com.au/index.htm</u>.

21. Prior to the commencement of the use, any damage to the driveway crossing and kerb and channel shall be repaired at the owner's expense and to Council's Standard Drawing Urban Commercial/Industrial Driveway.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <u>http://www.cmdg.com.au/index.htm.</u>

22. As part of Operational Works, a 2 metre wide concrete footpath for the full frontage of the subject site connecting into the existing footpath terminating at the corner of Agnes Street and Springs Road is to be constructed in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <u>http://www.cmdg.com.au/index.htm</u>.

23. Provision is to be made for the loading and unloading of goods within the property. Goods delivered shall not be made from the street. No parking associated with the operation of the development shall be permitted along Jeffery Court.

Acoustic and Air Quality

- 24. At all times, the Applicant must adhere to the recommendation of the proposed compressor use associated with the Educational Establishment as outlined in the approved Operational Plan.
- 25. At all times, the development must achieve the noise generation levels set out in the *Environmental Protection (Noise) Policy 2008*, as amended.
- 26. At all times, the development must achieve the air quality design objectives set out in the *Environmental Protection (Air) Policy 2008*, as amended.

Landscaping

- 27. Prior to the commencement of the use for each stage, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.
- 28. As part of Operational Works, landscaping must be installed as per the approved Landscaping Plan.
- 29. As part of the Operational Works application, all landscaping areas are to be constructed with an appropriate irrigation system. Details of the irrigation system are to reflect the approved Landscaping Plan.

Advisory Note: Council's construction specification is located Capricorn Municipal Development Guidelines - Drawings and Specifications at <u>http://www.cmdg.com.au/index.htm.</u>

30. Prior to the commencement of the use, a minimum 1.8m high screen fence to the side and rear boundaries must be maintained at all times.

Waste Management

- 31. Prior to the commencement of the use, refuse bins are to be provided in accordance with the approved Waste Management Plan.
- 32. Prior to the commencement of the use, the waste storage area/s are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted in close proximity to the enclosure to ensure the area can be easily and effectively cleaned.
- 33. Prior to the commencement of the use, open storage areas shall be adequately screened so as not to detract from the visual amenity of the area. One way of achieving compliance with this condition is as follows:
- a. Outdoor storage areas are situated in locations not visible from the street; and
- b. A 1.8m solid screen fence is located around storage areas.

Easements

- 34. Prior to the commencement of the use, the Applicant is required to provide at no cost to Council, one copy of the fully executed Easement Documentation (in accordance with Councils Standard Easement Document) for the following:
- a. Sewerage easement in favour of Council through burdening Lot 20 having a minimum width of 2m either side (4m in total) from the centreline of Councils asset;

Advisory Note: Council's Standard Easement Document Form 9 Version 4 can be obtained through Councils Development Services Department.

Lawful Commencement

- 35. Prior to the commencement of this use, the Applicant is to request that a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
- 36. Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the Applicant is to notify Council within 20 business days that this approved use has lawfully commenced.

END OF CONDITIONS

Advice to Applicant:

An Adopted Infrastructure Charge Notice in relation to the infrastructure charges applicable to this development has been provided separately.

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

- (ii) the building is, or is proposed to be, not more than 3 storeys; and
- (iii) the proposed development is for not more than 60 sole-occupancy units; or
- (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
- (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
- (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
- (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the *Plumbing and Drainage Act 2018*; or
- (i) an infrastructure charges notice; or
- (j) the refusal, or deemed refusal, of a conversion application; or
- (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
 - (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—

storey see the Building Code, part A1.1.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

For a development application other than an excluded application, an appeal may be made against—

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

<u> </u>	
Schedule	1

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal				
Column 1	Column 2	Column 3	Column 4	
Appellant	Respondent	Co-respondent (if any)	Co-respondent by election (if any)	
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	 A concurrence agency that is not a co-respondent If a chosen assessment manager is the respondent—th prescribed assessment manager Any eligible advice agency for the application Any eligible submitter for th application 	

For a change application other than an excluded application, an appeal may be made against—

(a) the responsible entity's decision on the change application; or

(b) a deemed refusal of the change application.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal				
Co	lumn 1	Column 2	Column 3	Column 4
Ap	pellant	Respondent	Co-respondent	Co-respondent
			(if any)	by election (if any)
1 2	The applicant If the responsible entity is the	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application
	assessment manager—an affected entity that gave a pre-request notice or response notice			2 If a chosen assessment manager is the respondent—th prescribed assessment manager
-			3 A private certifier for the development application	
			4 Any eligible advice agency for the change application	
				5 Any eligible submitter for the change application

3. Extension applications

For an extension application other than an extension application called in by the Minister, an appeal may be made against—

(a) the assessment manager's decision on the extension application; or

(b) a deemed refusal of the extension application.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal				
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)	
 The applicant For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application 	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager	

4. Infrastructure charges notices

An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—

- (a) the notice involved an error relating to—
 - (i) the application of the relevant adopted charge; or

Examples of errors in applying an adopted charge—

- the incorrect application of gross floor area for a non-residential development
- applying an incorrect 'use category', under a regulation, to the development
- (ii) the working out of extra demand, for section 120; or
- (iii) an offset or refund; or
- (b) there was no decision about an offset or refund; or
- (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or
- (d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal				
Column 1	Column 2	Column 3	Column 4	
Appellant	Respondent	Co-respondent	Co-respondent	
		(if any)	by election (if	
			any)	
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice			
5. Conversion applica	tions			
An appeal may be ma	de against—			
(a) the refusal of a co	onversion application;	or		
(b) a deemed refusal	of a conversion applic	ation.		
Column 1	Column 2	Column 3	Column 4	
Appellant	Respondent	Co-respondent	Co-respondent	
		(if any)	by election (if	
			any)	
The applicant	The local government to which the conversion application was made			
6. Enforcement notice	es		•	
An appeal may be ma	de against the decision	to give an enforcement	nt notice.	
Column 1	Column 2	Column 3	Column 4	
Appellant	Respondent	Co-respondent	Co-respondent	
		(if any)	by election (if	
			any)	

The person given the enforcement notice

If the enforcement

authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

The enforcement

authority

Table 2Appeals to the P&E Court only

1. Appeals from tribunal

An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—

(a) an error or mistake in law on the part of the tribunal; or

(b) jurisdictional error.

Column 1	Column 2	Column 3	Column 4		
Appellant	Respondent	Co-respondent	Co-respondent		
		(if any)	by election (if		
			any)		
A party to the proceedings for the decision	The other party to the proceedings for the decision				

2. Eligible submitter appeals

For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if any)
 For a development application—an eligible submitter for the development application For a change application—an eligible submitter for the change application 	 For a development application—the assessment manager For a change application—the responsible entity 	 The applicant If the appeal is about a concurrence agency's referral response—the concurrence agency 	Another eligible submitter for the application

Table 2Appeals to the P&E Court only

3. Eligible submitter and eligible advice agency appeals

For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

	11	Co-respondent by election (if any) Another eligible submitter for the application
 development application—an eligible submitter for the development application Por a change application—an eligible submitter for the change application For a change application—the responsible entity 	2 If the appeal is about a concurrence agency's referral	submitter for the
development application or change application	concurrence agency	
An appeal may be made against—		
a) a decision under section 32 about a compe	ensation claim: or	

- (b) a decision under section 265 about a claim for compensation; or
- (c) a deemed refusal of a claim under paragraph (a) or (b).

	Table 2Appeals to the P&E Court only				
Col	umn 1	Column 2	Column 3	Column 4	
App	pellant	Respondent	Co-respondent	Co-respondent	
			(if any)	by election (if any)	
	erson dissatisfied h the decision	The local government to which the claim was made		_	
5. R	Registered premise	s			
An	appeal may be ma	de against a decision o	of the Minister under cl	hapter 7, part 4.	
Col	umn 1	Column 2	Column 3	Column 4	
App	pellant	Respondent	Co-respondent	Co-respondent	
		-	(if any)	by election (if	
				any)	
1	A person given a decision notice about the decision	The Minister		If an owner or occupier starts the appeal—the owner of the registered	
2	If the decision is to register premises or renew the registration of premises—an			premises	
	owner or occupier of premises in the affected area for				
	the registered premises who is dissatisfied with the decision				

6. Local laws

An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

- (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or
- (b) the erection of a building or other structure.

Planning Act 2016

Schedule 1

Table 2Appeals to the P&E Court only				
Column 1 Column 2 Column 3 Column 4				
Appellant	Respondent	Co-respondent	Co-respondent	
		(if any)	by election (if	
			any)	
A person who— (a) applied for the decision; and	The local government			
(b) is dissatisfied with the decision or conditions.				

Table 3Appeals to a tribunal only

1. Building advisory agency appeals

An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval
			2 A private certifier for the development application related to the approval

Table 3Appeals to a tribunal only

2. Inspection of building work

An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
The applicant for the development approval	The person who made the decision		

3. Certain decisions under the Building Act and the *Plumbing and Drainage Act 2018*

An appeal may be made against—

- (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or
- (b) a decision under the *Plumbing and Drainage Act 2018*, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.

Column 1 Co	olumn 2	Column 3	Column 4
Appellant Re	espondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
	he entity that made ne decision		

4. Local government failure to decide application under the Building Act

An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.

Table 3 Appeals to a tribunal only					
Column 1	Column 2	Column 3	Column 4		
Appellant	Respondent	Co-respondent	Co-respondent		
		(if any)	by election (if		
			any)		
A person who was entitled to receive notice of the decision	The local government to which the application was made				

5. Failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*

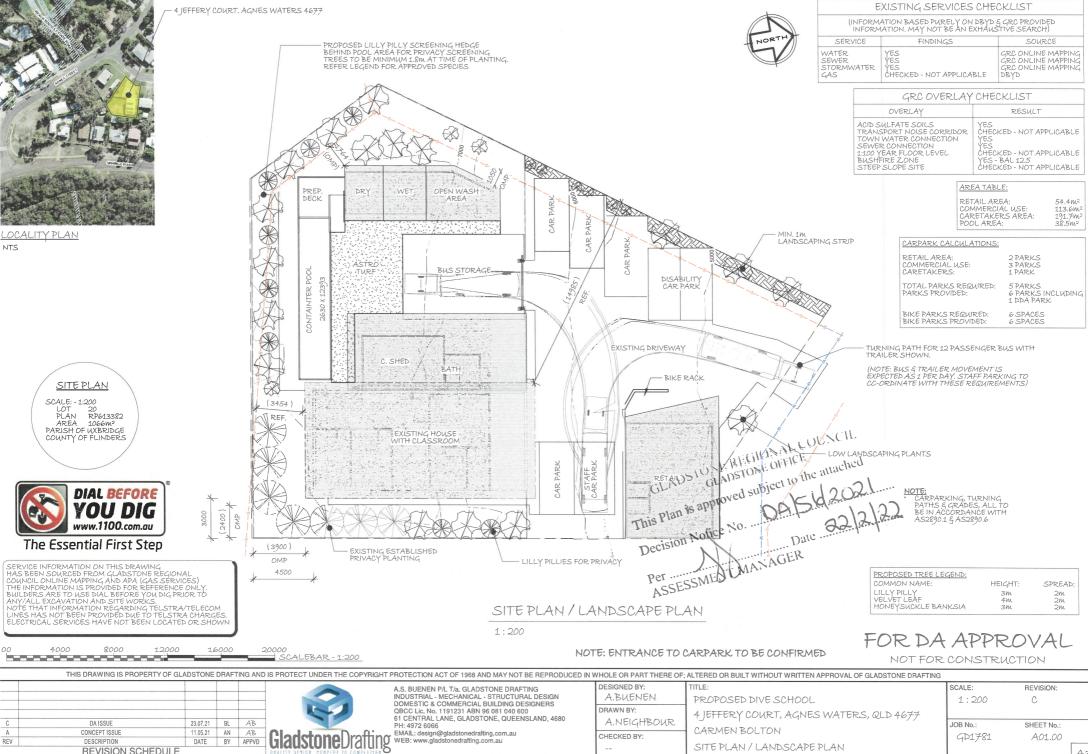
An appeal may be made against a failure to make a decision under the *Plumbing and Drainage Act 2018*, other than a failure by the Queensland Building and Construction Commission to make a decision, within the period required under that Act, if an information notice about the decision was required to be given under that Act.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent	Co-respondent
		(if any)	by election (if
			any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision		



REVISION SCHEDULE

LOCALITY PLAN NTS



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NORTH-EAST VIEW

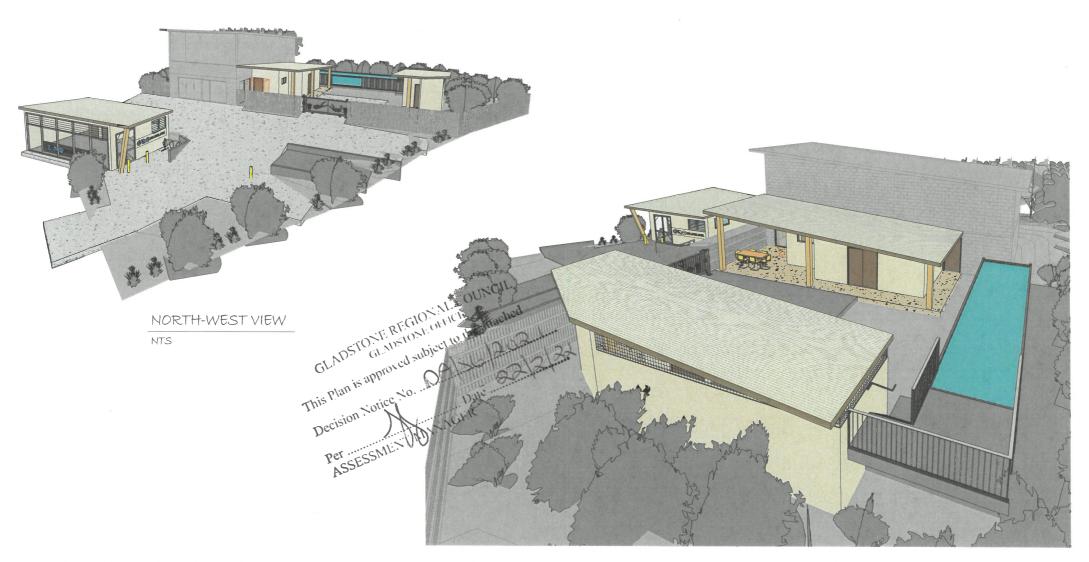
FOR DA APPROVAL



PROPOSED MURAL TO SIDE WALL OF RETAIL SPACE

NEW 2M HIGH LILLY PILLIES SCREENING HEDGE

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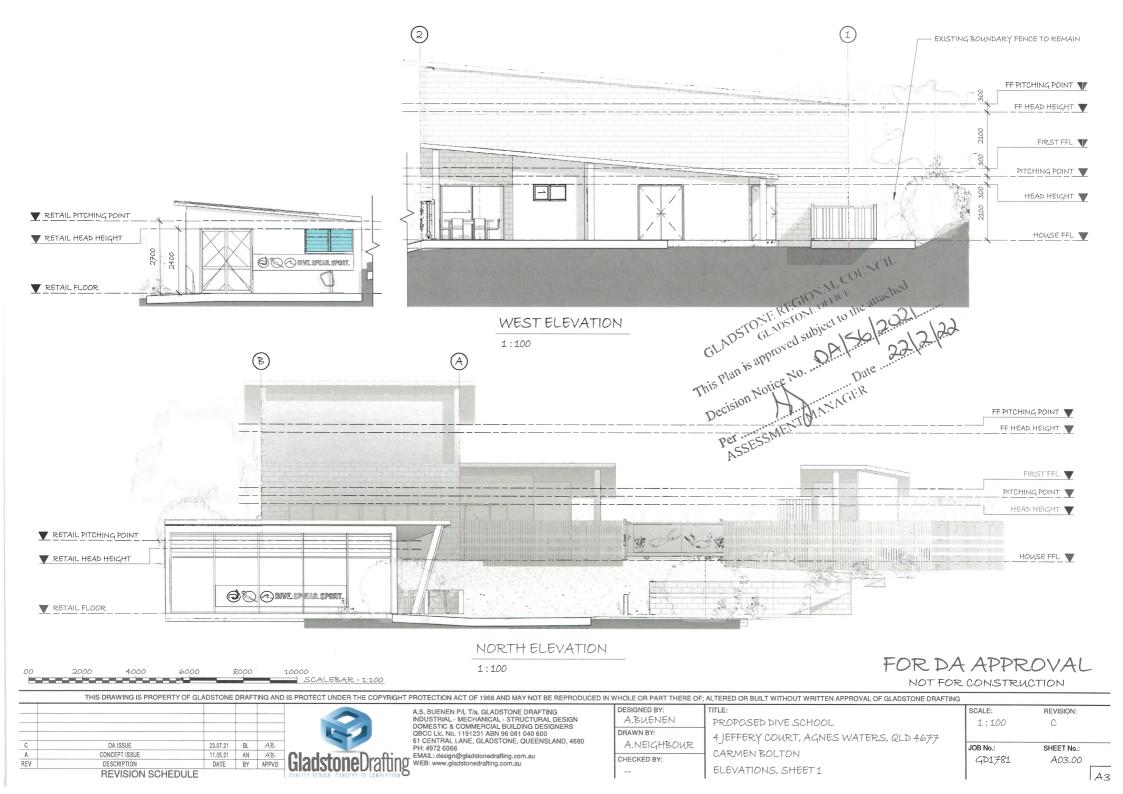
SOUTH-WEST VIEW

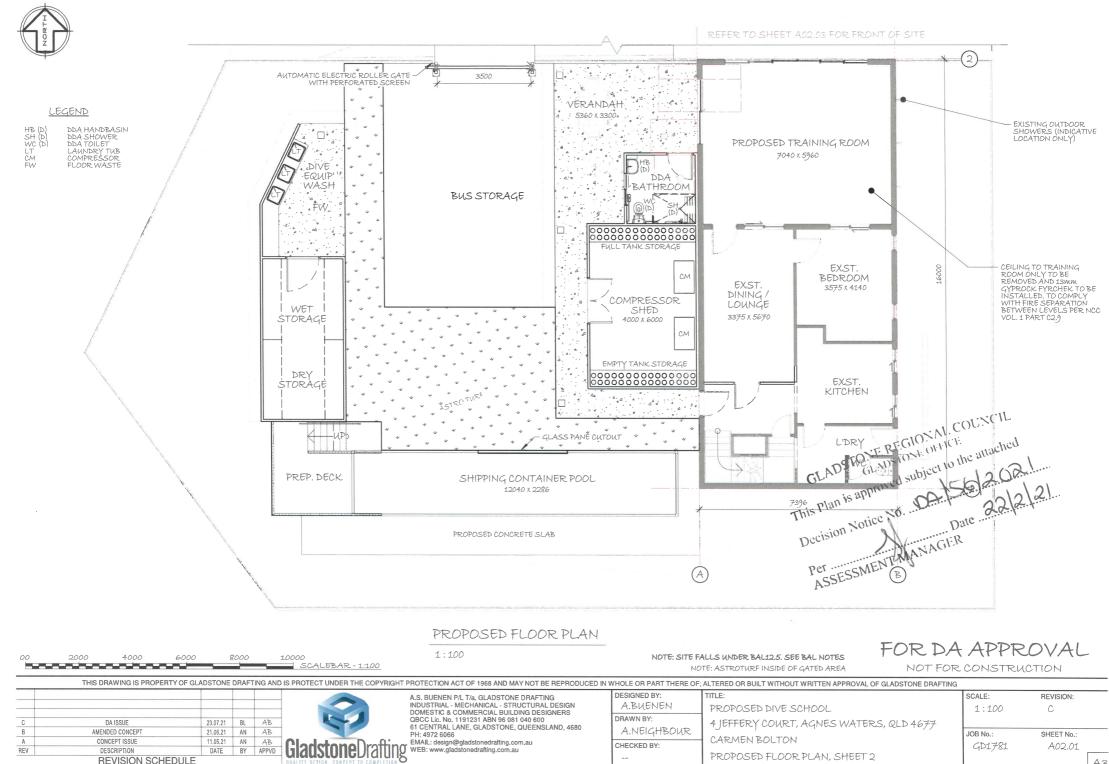
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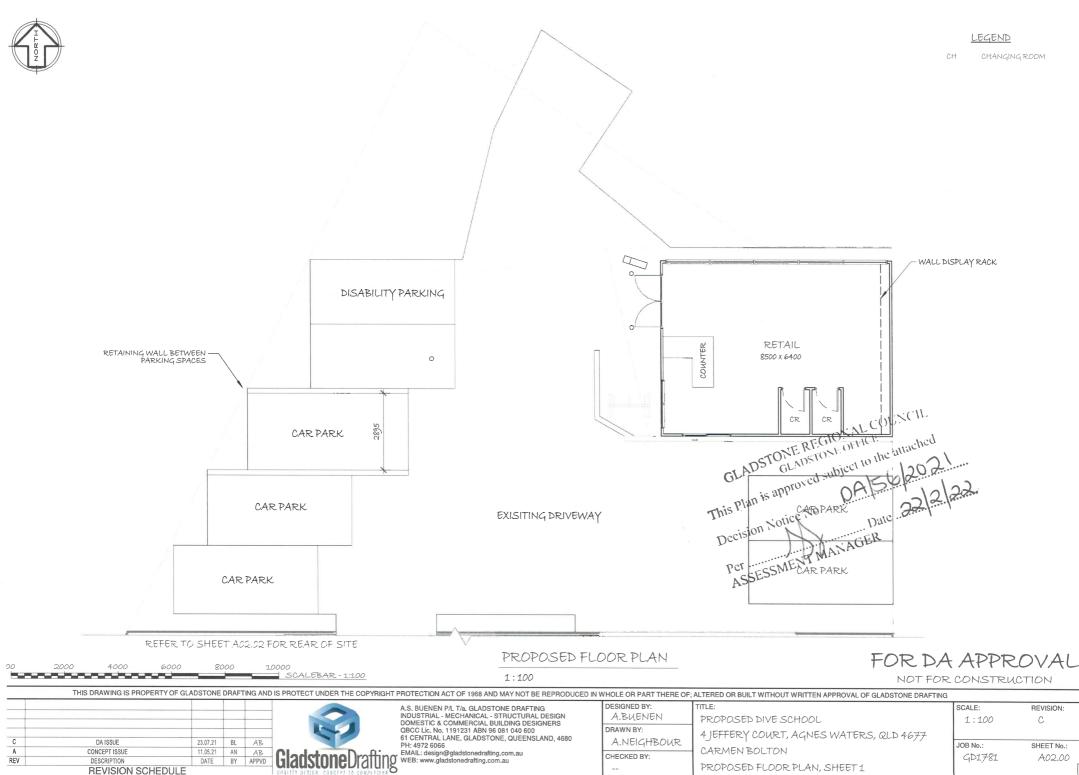
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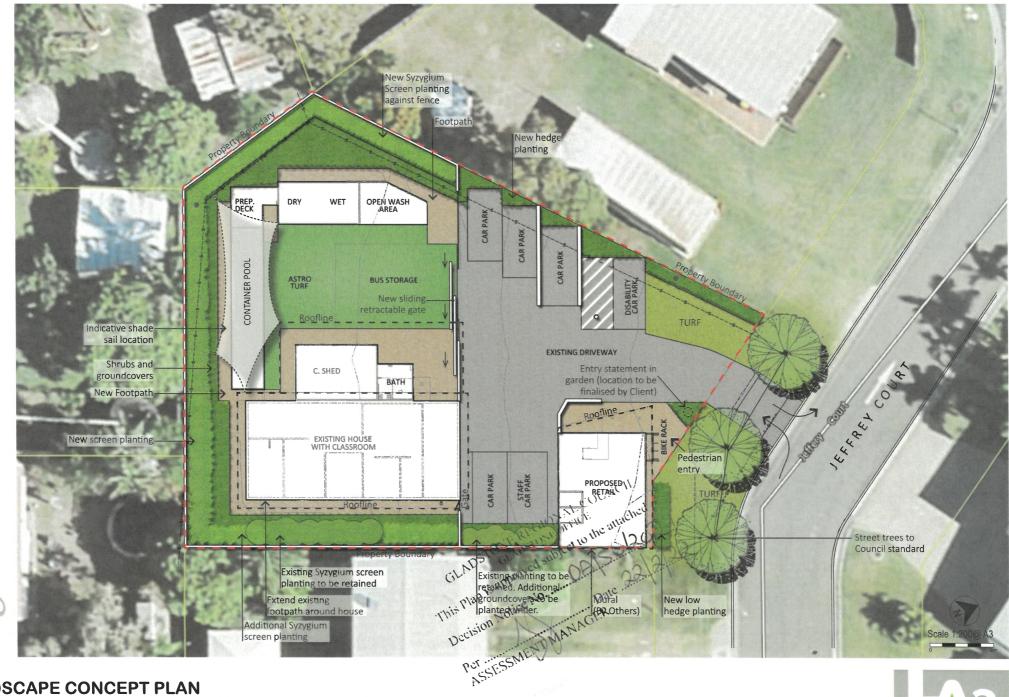




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LANDSCAPE CONCEPT PLAN PROPOSED DIVE SCHOOL 4 JEFFREY COURT, AGNES WATER QLD December 2021 - Issue D



& GROUNDCOVERS

SHRUBS



BOTANICAL NAME TREES Cupaniopsis anacardioides SHRUBS & GROUNDCOVERS Banksia spinulosa Baeckea virgata 'Mt Tozer' Callistemon 'White Anzac' Crinum pedunculatum Grevillea 'Poorinda Royal Banksia spinulosa Baeckea virgata 'Mount Tozer' Callistemon 'White Anzac' Crinum pedunculatum Mantle'(Prostrate Grevillea) Grevillea 'Royal Mantle' (Hairpin Banksia) (Mount Tozer Baeckea) (White Anzac Bottlebrush) (Swamp Lily) Grevillea 'Forest Rambler'

 Ferte



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PLANT PALETTE PROPOSED DIVE SCHOOL 4 JEFFREY COURT, AGNES WATER QLD December 2021 - Issue D

Operations Management Plan for

15612. 22 12. 122 1542. 22 12. 122 1118

Dive Spear and Sport, Agnes Water Location. 4 Jeffrey Court, Agnes Water Obb⁽¹⁾, ¹⁰, Director of Dive Spear and Sport Deci

Contact:

0408 550 571

carmen@divespearandsport.com.au

www.divespearandsport.com.au

Introduction:

The purpose of this document is to provide an expected overview of the day-to-day operations of Dive Spear and Sport's Agnes Water location.

In order to take into consideration a range of scenarios, we have drawn on our general operating in our Sydney site, and the impact of our operations on our current community.

Operating hours:

Operating hours will vary slightly from season to season. The core operating hours are:

Operations hours:

Monday to Sunday (7 days) – 7am to 5pm.

Closed Monday and Tuesday (off peak season)

Retail hours:

Monday to Sunday (7 days) – 9am to 2pm.

Closed Monday and Tuesday (off peak season)

Courses and training:

Course times vary with timing dependent on type of training, facility and instructor availability. This will be scheduled monthly.

- Courses may start as early as 8am and finish as late as 9pm. These will sessions will commence and finish in the classroom as theory sessions.
- Outdoor sessions (pool and facilities) will commence from 9am and not finish and later than 7pm in peak season, earlier in off peak season.

Traffic management:

The number of patrons participating in various activities will vary at Dive Spear and Sport.

In order to manage traffic in the centre at one time, we stagger our start times to minimise impact on the facility, the location in regards to traffic and noise as well as making logistical management easier on our staff.

Operations Traffic:

At full capacity, the Dive Spear and Sport vessel has a maximum capacity of 20 paying customers and four staff.

• Between the hours of 7am and 8am, we expect a maximum of 20 people staggered over the hour before being transported to the marina.

- To manage this traffic, Dive Spear and Sport will encourage any divers with their own transport to stop briefly and depart for the marina, or to go directly to the marina if they are not required at the centre.
- Those being transported by us, will be required to walk from their accommodation to Dive Spear and Sport and be transported by our minibus to the dive boat.

Training traffic:

At full capacity, the Dive Spear and Sport runs four students per course to one instructor.

- Dive Spear and Sport will be able to run two courses simultaneously at one time.
- The pool has a maximum capacity of four students to one instructor, except for freediving courses, which has a maximum capacity of eight students to two instructors.
- Expected number of students in training at one time will be eight students and two instructors.
- Courses start at 8am, after the departure of the operations customers, to stagger traffic impact on site.

Retail traffic:

Retail number will vary seasonally and are difficult to forecast.

- We have nominated retail opening hours between 9am and 2pm. This is after the commencement of drop off / arrival of course students.
- This will take place after the departure of operations customers.
- Closure of retail will occur before the return of operations staff.
- We expect retail traffic to be foot traffic, due to the proximity from the beach and town centre.
- Carparking will be available for retail customers.

Noise management:

General centre noise:

- Dive operations (where applicable) will meet at the centre from 7am. This will be for completion of paperwork, collection of personal dive gear and transporting to the marina.
- The loading of tanks and heavy gear, which may make some low level noise, will be completed the afternoon before the dive to minimise noise before 8am.

Compressor noise:

The centre requires a compressor, which will be located in a shed in the centre of the property. This is required for the filling of scuba diving tanks.

The sound level of this compressor is 89dB and will have a silencer fitted to minimise sound further.

- The operating hours of this compressor will be for approximately 1-2 hours per day between the hours of 9am and 4pm, with most consistent days of usage in peak season. Air is banked for any required filling outside of those hours.
- We will ensure we have an extra 50% of required tanks on hand, to ensure that we minimise filling upon return from day trips, ensuring the minimising of use of the compressor outside of core hours.
- The shed will be soundproofed to minimise impact on surrounding properties.
- Only trained staff and briefed staff are permitted to use the compressor.

This noise management plan has been in place at our current location, and previous location in Sydney, where our premises has been surrounded by apartment blocks, and have not received any noise complaints in six years of operation.

Water management:

Pool management:

The onsite training pool will undergo the following management.

- Weekly water analysis will be completed to comply with commercial pool operations.
- Regular pool cleaning is conducted without emptying the pool.
- Pool cover installed to improve the water quality and heating system which reduces wasted energy and water evaporation.
- Daily water test completed as part of operational procedures to monitor water quality.

Cleaning stations:

Washing stations will use approximately 600L for disinfection and cleaning of gear, based on a full boat.

- Water levels will be reduced according to number of passengers and gear on board.
- Tanks will be hosed using a water reducing nozzle while on trailer, on grassed area to minimise wastage.

Communication and review:

As with our current operation, our main priority in our centre is ensuring minimal impact to the local community and the local environment. Our operations manager makes himself known and approachable to the local community to ensure that any issues are addressed and handled swiftly and with ease.

As part of our operations, we will ensure that the operations are reviewed every six months to ensure that any changes to the business, impact as a result of growth or unforeseen difficulties due to practical application of procedures are addressed and modified quickly.

Next review date: Upon opening of new facility and then six months after commencement of trade.

AAA DESIGN & DEVELOPMENT PTY LTD ABN 33 109 041 287 13 Norval Court, Suite 11. Maroochydore, Old 4558 Tel: (07)54796747 Mobile: 0422039247 Email: d.lesmes@aaadesign.com.au Mail: PO Box 1822 Sunshine Plaza, QLD 4558



24th August 2021

24th August 2021 Site Address: 4 Jeffery Court Agnes Waters To Whom it May Concern, The aim of this report is to demonstrate that capturing the roof water from the existing building and the adjacent proposed Whild is approved to reduce the post development

building and the adjacent proposed build is sufficient to reduce the post development runoff to equal to or less than the predevelopment max runoff rate based on minor event 39% AEP as defined in the QUDM SSE

The predevelopment peak runoff was calculated based on the aerial photo below, the subject lot can be divided into two sections impervious and pervious areas; the impervious areas are 418.2m² (house + driveway), whilst the pervious area was the remaining yard at 648m².



Figure 1 - Qld Globe Aerial Photo. Accessed 19 Aug 2021

AAA DESIGN & DEVELOPMENT PTY LTD ABN 33 109 041 287 13 Norval Court, Suite 11. Maroochydore, Qld 4558 Tel: (07)54796747 Mobile: 0422039247 Email: d.lesmes@aaadesign.com.au Mail: PO Box 1822 Sunshine Plaza, QLD 4558



The peak runoff is determined using the rational method outlined in the QUDM Section 4.3. The rational method is defined as Q = C * I * A / 360.

Q = Flow rate in m³/s C = Coefficent of Discharge I = Rainfall Intensity (BOM website mm/hr) A = Area (Ha).

As the calculations on drawing 3311-01 show, the total peak runoff @ 5min for the **predevelopment is 33.78L/s**.

The same process was applied for the proposed or post development site conditions. Hence the following areas;

Impervious area (buildings) at 322.2m² Impervious area (Driveway) at 392.3m² Pervious Area (Grass) at 312.5m² Pool area and Prep Deck at 40.4m²

The pool area and prep deck was excluded from runoff area, as itself will act as 'retention basin' or storage tank for the initial 5minute duration during a rainfall event. As expected, the rainfall runoff after 5 min was greater, which is explained by the additional concrete surface area.

The calculated post development runoff is 36.4 L/s. Hence to reduce the runoff to predevelopment levels it was determined capturing the runoff from the existing house and the proposed additional shed would be sufficient.

As indicated in the engineering drawings the minimum capacity of the water tank nominated is 1800L and by limiting the outflow using a ϕ 25mm pipe, the peak runoff can be reduced by 6.84L/s, bringing the **post development peak runoff to 29.53L/s**.

As the property is under 2500m², the state planning policy does not require filtration of the stormwater runoff, so the existing point of discharge onto the street will suffice.

In conclusion, by capturing and retaining only the stormwater from the existing house and the proposed shed addition, it is shown that the 5 minute peak runoff into the existing stormwater network will be lowered from 33.78L/s to 29.53L/s.

David Lesmes.

Director of AAA Design and Development.



Waste Management Report

DEVELOPMENT PERMIT Material Change of Use for an Educational Establishment, Shop & Caretaker's Accommodation

Prepared for Inholoex Investments Pty Ltd

October 2021 Z21133

4 Jeffery Court, Agnes Water



This report was prepared by



Zone Planning Group Pty Ltd

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Issue	Date	Prepared by	Checked By
Draft	24/9/21	SH	RML
Final Version	11/10/21	SH	RML/EM

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Glossary of Terms

Bin carting route – the proposed route to move bins between the storage point and the servicing point.

Bulk bins - bins fitted with lids and side pockets to allow them to be serviced by a front-lift truck.

Clinical or related waste –waste that has the potential to cause disease, including, for example, the following –

- animal waste;
- discarded sharps;
- human tissue waste; or
- laboratory waste.

Commercial accommodation – for the purposes of this policy means commercial development that includes a domestic or residential component, such as Retirement facility, Community care centre, Rooming accommodation, Short term accommodation or Resort complex.

Commercial premises – for the purpose of this policy means any of the following types of premises:

- a Hotel, Short term accommodation, Tourist park, Food and drink outlet;
- an assembly building, institutional building, Child care centre, Educational establishment;
- premises where a sport or game is ordinarily played in public;
- an exhibition ground, show ground or racecourse;
- an Office, Shop or other premises where business or work other than a manufacturing process is carried out.

Commercial waste – means waste, other than green waste, recyclable waste, and interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of commercial developments.

Common servicing point – a common area where more than two dwellings/tenancies stand their wheelie bins for servicing.

Common storage point – a common area where more than two dwellings/tenancies store their wheelie bins.

Constructed hardstand area – a hardstand area, for example a concrete pad, which has been constructed for bin storage.

Digesters and dehydrators – machines specifically designed to reduce food waste volumes to allow for efficient disposal. Digesters typically process the material into sludge while dehydrators remove liquid from food waste generating a fertiliser as the end product. Disposal of end product can be used on either internal gardens or on external gardens/farms.

General waste – waste, other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic or commercial premises.

Glass crushers – machines that can reduce the volume of glass waste by up to 75%, saving valuable space.

Hazardous waste – solid waste that is or contains toxic material, for example light bulbs, fluorescence lights, batteries.

Internal servicing roadway – is a driveway, private roadway or other path intended for use by vehicles, in which the waste collection vehicle is required to use to service a bin.



Mixed-use development – for the purpose of this policy, any building or development complex used, or intended to be used, for residential purposes in combination with other commercial uses (e.g. Offices, Food and drink outlets etc).

Non-serviced area – an area within the boundaries of Gladstone Regional Council which is not serviced by Council's waste collection contractor.

Organic waste – is waste that comes from plants or animal that is biodegradable for example green waste and food waste.

Recycling chute – a duct in which recycling descends from one point to another.

Recyclable waste – for a local government's area, means clean and inoffensive waste that is declared by the local government to be recyclable waste for the area. In the Gladstone Regional Council the following wastes are deemed recyclable:

- all household plastics, bottles and containers;
- aluminium and steel cans and aerosols;
- bottles and jars made only of glass;
- clean cardboard, newspaper, loose paper, junk mail, magazines and cartons.

Related waste – means waste that constitutes, or is contaminated with, chemicals, cytotoxic drugs, human body parts, pharmaceutical products or radioactive substances.

Ro-Ro bin – roll-on roll-off bin.

Roll-on roll-off bin – large steel open top skip bins or enclosed bins. Bins are collected by a hook-lift truck.

Solid waste – any general or recyclable waste, be it commercial or domestic. Solid waste does not include waste discharges to sewer/water or the atmosphere.

Servicing point – the designated area allocated to the temporary storage of waste bins for the period of servicing only. The point may be within or external to a development.

Storage point – the area allocated to the permanent storage of waste bins. This is the normal location of the waste bins and excludes the period where the bin is serviced. A storage point may be a common storage point or an individual bin storage point.

Waste - includes anything, other than a resource that is:

- left over, or an unwanted by-product from an industrial, commercial, domestic or other activity; or
- surplus to the industrial, commercial, domestic or other activity generating the waste.

Waste carting distance – the distance required for a person to transport their waste from the nearest point of exit of their dwelling/tenancy to a storage point (or in the case of a multi-level building, to the nearest waste disposal point).

Waste chute – a duct in which waste descends from one point/level to a collection bin.

Waste disposal point – the point where waste is disposed of into the chute, also known as waste hopper. It consists of a fixed frame and hood unit, covered with a hinged or pivoted door.

Waste storage room - the room at the base of the chute used for the storage of waste bins.

Wheelie bin – two wheeled mobile garbage bins, made from high density polyethylene (HDPE). Wheelie bins are collected by a side-lift truck.



1.0 Introduction

1.1 Site & Application Details

Table 1: Site & Application Details

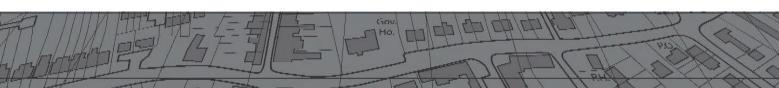
Address	4 Jeffery Court, Agnes Water	
Real Property Description	Lot 20 SP613382	
Site Area	1,066m ²	
Land Owner	Inholoex Investments Pty Ltd	
Applicant	Inholoex Investments Pty Ltd	
Applicant Contact Details	Zone Planning Group Sarah Hunt (07 4972 3831)	
Local Government	Gladstone Regional Council	
CQ Regional Plan Designation	Priority Living Area	
Planning Scheme Zone	Mixed Use Zone – Jeffery Court Precinct	

1.2 Site Characteristics

The site is comprised of a single allotment with a total site area of 1,066m² and a 20m principal road frontage to Jeffery Court. The site is located on the southern side of Jeffery Court, and currently has one vehicle crossover. The subject site is improved by a 2-storey Dwelling House, is currently serviced by all essential infrastructure and does not support any existing mature vegetation which could be considered as being worthy of retention. **Figure 1** below contains an aerial photograph of the site and immediately surrounding development.



Figure 1: Aerial Photograph of Site (Source: GRC Online Mapping)





The following information is provided in response to site investigations including searches performed and a site inspection undertaken.

Table 2: Site location & characteristics

Topography	The site slopes down to Jeffery Court.	
Vegetation & Waterways	The site is void of any vegetation or waterways.	
Availability of Services	The site has access to all reticulated services.	
Allotment Dimensions	The subject site measures approximately 44m x 34m at its greatest extents.	
Current Use & Improvements	Dwelling House	

1.3 Proposed Development

The development application proposes to establish Dive, Spear & Sports operations on the subject site, which consists of a Diving School for recreational and accredited dive and spear fishing courses, as well as a retail shop for the sale of associated dive equipment. The retail shop will also be the physical location for tourists to book tickets for diving charters out to Great Barrier Reef.



Figure 2: Perspective Image of Proposed Development

1.4 Scope of Report

This report presents a Waste Management Plan for the operation of the development which includes:

- details of the anticipated type and quantity of waste;
- details of the waste storage room requirements, waste chutes and waste storage bins; and
- details of the proposed waste collection arrangements.

This report is based on the plans referenced in **Appendix 1** and presents conceptual information on the abovementioned elements rather than detailed design and calculations and presents the 'end case' scenario once all stages of the proposed development have been constructed and are operational.



2.0 Waste & Recycling Generation

2.1 Type of Waste Streams

The proposed development is anticipated to generate commercial general and recycling waste.

2.2 General & Recycling Waste Quantities

Calculations of the general and recycling waste predicted to be generated by the development have been prepared using the typical waste generation rates provided by Council in *SC6.11 Planning Scheme Policy: Waste Management.*

Table 3: Waste Generation Calculations

LAND USE	GENERAL WASTE RATE	TOTAL	RECYCLING RATE	TOTAL
Shop*	50L / 100m² / floor area /day	150L	25L / 100m² / floor area / day	75L
Educational Establishment**	10L / 100m ² / day	56.5L	10L / 100m ² / day	56.5L
Caretaker's Accommodation (2 bedroom)	100L	100L	60L	60L
TOTAL		306.5L/week		191.5L/week

*6 days operation

**5 days operation



3.0 Waste & Recycling Storage

3.1 Waste & Recycling Bin Requirements

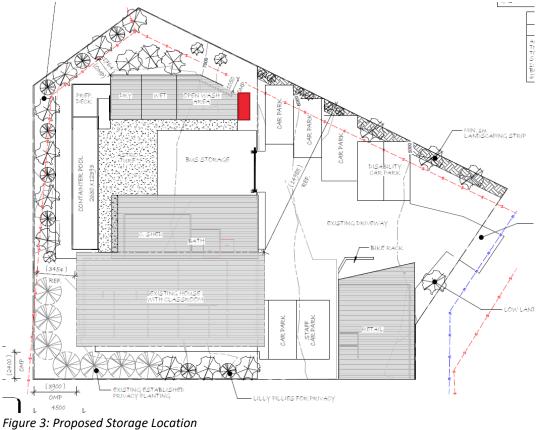
Table 4 below provides a breakdown of the general and recycling waste bins required by the development based on the calculations in Section 2.2 of this report. The screened waste storage point is located at ground level external to the building and has been designed to accommodate these bin sizes.

Table 4: Refuse Bin Requirements

General Waste	Recycling Waste	Total Waste
Storage Requirement	Storage Requirement	Storage Requirement
Combined Development (Total)		
306.5L/week	191.5L/week	General Waste:
2 x 240L general waste bins	2 x 240L recycling bins	2 x 240L general waste bins
Dimensions:	Dimensions:	Recycling:
660 length x 585 width x 1,060 height	660 length x 585 width x 1,060 height	2 x 240L recycling bins

3.2 Waste Storage Area

The waste storage area will be located external to the building at ground level adjoining the Open Wash Area, as shown below in **Figure 3**. This area is to be suitably screened from public view with rubbish to be transferred to this location by cleaning staff.



The refuse is proposed to be collected on site from the waste storage / collection area.





3.2.1 General Design Requirements

The waste storage / collection area will be subject to detailed design, subject to the following requirements. The waste storage / collection area must be:

- designed to allow for bins to be serviced in-situ with no steps or lips on bin carting route;
- not within 30m of an opening to a food premises or food handling area;
- located at least 5m from any door, window or fresh air intake within the development or any adjoining site;
- inclusive of clear and safe access to the disposal area for all users of the storage point;
- screened to ensure bins are not visible from passing vehicles and pedestrian traffic external to the site, or inhabitants of adjoining properties;
- ventilated in accordance with the Building Code of Australia (BCA);
- designed to allow for at least an additional 0.5m clearance surrounding each bin/container;
- comprised of a hardstand area with solid concrete base or equivalent;
- provided with a hose cock immediately outside of the storage room for cleaning of bins and the room;
- graded to fall to a drainage point within the storage area;
- connected to the sewer in accordance with trade waste requirements;
- signed, well-lit and easily accessible from within the development;
- fire rated in accordance with the BCA;
- designed to permit unobstructed access for the transfer of bins/containers to the storage and servicing point and for the positioning of bins/containers in appropriately in relation to the waste chute;
- not be located adjacent to or within any habitable portion of a building or place used in connection with food preparation (including food storage);
- designed to ensure doors are wide enough to allow for the easy removal of the largest bin/container to be stored;
- designed to ensure the walls, ceiling, floor and equipment of the waste storage room are constructed of impervious material with a smooth finish to allow for easy cleaning; and
- designed to be insect and vermin proof.



4.0 Collection Details

The following provides an overview of the refuse bin collection and servicing details relevant to this proposal.

Based on the calculations provided in Section 2.2 of this Report, and the bin requirements determined in Section 4.4, both general waste and recycling will require servicing once per week. Once the development is operational, the collection frequency should be reviewed to ensure that efficient practice is in place.

4.1 Temporary Bin Storage Point

Bins will be transferred to the kerb for on-street collection on collection day.

4.2 Collection Frequency

Given the nature of the development, refuse bins are required to be serviced several times per week as outlined below (See **Table 5**).

Table 5: Refuse bin collection frequency

Waste Stream	Refuse Bin Requirement	Collection Frequency
General Waste	2 x 240L bin	Once weekly
Recycling	2 x 240L bin	Once fortnightly



5.0 Conclusion

This Report has been prepared to demonstrate the proposed waste management practices to be implemented during the operational phase of the proposed development. Additional detailed engineering designs regarding waste area size, drainage and service vehicle access are to be completed by others during the detailed design stage of the development.

The proposed development consists of a Shop, Educational Establishment and Caretaker's Accommodation. The development is anticipated to generate general and recycling waste streams consistent with the development.

The proposed waste management arrangements consist of the following:

- upon completion, the development is anticipated to generate 306.5L of general waste per week and 191.5L of recycling per week;
- the development will require 2 x 240L wheelie bins for general waste and 2 x 240L wheelie bins for recycling;
- waste will be manually transported to the wheelie bins by cleaners;
- bins will be relocated to the kerb on collection days for servicing; and
- onsite staff will be responsible for returning the bins to their storage location after servicing has been completed.



ATTACHMENT #2

Revised Proposed Floor Plan



