

Contact Officer: Helen McLaren-Greiss  
Our Ref: DA/264/2016

19 June 2018

Beaches of 1770 Pty Ltd  
Care Zone Planning  
31 Langdon St  
TANNUM SANDS QLD 4680

Dear Sir/Madam

**NEGOTIATED NOTICE OF DECISION**  
*Sustainable Planning Act S334 & S335*

**DA/264/2016 - MATERIAL CHANGE OF USE - IMPACT - CARAVAN PARK  
UNDER THE SUPERSEDED PLANNING SCHEME FOR MIRIAM VALE SHIRE 2009  
33 SPRINGS ROAD, AGNES WATER QLD 4677  
LOT 1 RP 612382, UXBRIDGE**

Reference is made to the above Development Application and to your request to make representations in relation to certain matters within Council's Notice of Decision dated 5 April 2018.

I wish to advise that your request was considered by Council at its 19 June 2018 General Meeting where it was resolved to agree to the representations in part as set out in the following Negotiated Notice of Decision. The Negotiated Notice of Decision replaces the Notice of Decision previously issued and dated 5 April 2018.

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 Helen McLaren-Greiss on 07 4977 6851.

Yours faithfully



H A ROBERTSON  
MANAGER DEVELOPMENT SERVICES



**NEGOTIATED NOTICE OF DECISION - DA/264/2016**  
**SUSTAINABLE PLANNING ACT S334 & S335**

Application:	Material Change of Use - Impact - Caravan Park - Under the superseded Planning Scheme for Miriam Vale Shire 2009
Applicant Name & Address:	Beaches of 1770 Pty Ltd C/ Zone Planning 31 Langdon St TANNUM SANDS QLD 4680
Owner:	Australian National Homes Pty Ltd and Beaches of 1770 Pty Ltd
Subject Land:	33 Springs Road, AGNES WATER QLD 4677
Location:	Lot 1 RP 612382, Uxbridge
Zoning:	Medium Density Residential Zone
Site Area:	1.109 Hectares
Submissions Received:	4 Properly Made
Application Received:	22 December 2016

You are advised that your Negotiated application was Approved in Part. The condition 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
• <b>Material change of use</b> made assessable by the planning scheme	✓	x

**2. NATURE OF CHANGES**

The nature of the changes are:

- Condition 1 – Amended
- Condition 23 – Amended
- Condition 35 – Deleted
- Condition 39 – Amended

**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:

Document Number	Revision	Description	Author	Date
1609-SK01	N/A	Development Layout Plan	Contour Consulting Engineers	22/11/2017
1609-SK02	N/A	Typical Sections	Contour Consulting Engineers	22/11/2017
1609-SK03	N/A	Turning Template Plan	Contour Consulting Engineers	22/11/2017
1609-SK05	N/A	Preliminary Sewer Longitudinal Section	Contour Consulting Engineers	22/11/2017

#### 5. OTHER NECESSARY DEVELOPMENT PERMITS

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

1. Operational Works
2. Building Works
3. Plumbing & Drainage Works

#### 6. SUBMISSIONS

There were 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
Mr Graham Wallace Smith	PO Box 941, MAROOCHYDORE QLD 4558
Mr Gary E Smith	PO Box 5522, BUNDABERG WEST QLD 4670
Mr Graham Brian Wengel	PO Box 174, AGNES WATER QLD 4677
Mr Desmond Clarence Young	PO Box 7268, KIN KORA QLD 4680

#### 7. APPEAL RIGHTS

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

#### 8. WHEN THE DEVELOPMENT APPROVAL TAKES EFFECT

This development approval takes effect:-

- From the time the Notice of Decision 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 Helen McLaren-Greiss on (07) 4977 6851.

Yours faithfully



H A ROBERTSON  
**MANAGER DEVELOPMENT SERVICES**

**Attached:    Conditions  
                  Appeal Rights  
                  Approved Plans**

**ASSESSMENT MANAGER CONDITIONS - DA/264/2016**

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:

Document Number	Revision	Description	Author	Date
1609-SK01	N/A	Development Layout Plan	Contour Consulting Engineers	22/11/2017
1609-SK02	N/A	Typical Sections	Contour Consulting Engineers	22/11/2017
1609-SK03	N/A	Turning Template Plan	Contour Consulting Engineers	22/11/2017
1609-SK05	N/A	Preliminary Sewer Longitudinal Section	Contour Consulting Engineers	22/11/2017

**Special Conditions**

2. Stage 1 and 2 must be completed within 4 years of this approval taking effect.
3. The Community Facilities building must remain ancillary to the Caravan Park Use at all times and be discontinued if the Caravan Park use ceases. The Community Facilities building must be used exclusively for use of patrons/residents of the Caravan Park at all times.

*Advisory Note: Use of the Community Facilities Building for functions such as a wedding reception or birthday party that includes external guests will trigger a requirement for a separate approval for a Material Change of Use of premises for a Function Facility.*

4. As part of the first application for Operational Works, the Applicant must provide a Noise Assessment Report (NAR) prepared by a suitably qualified consultant for Council approval. The NAR must demonstrate how the proposed development will sufficiently mitigate any potential noise nuisance from the proposed use on nearby sensitive land uses as well as identify the minimum height and design specifications of the proposed acoustic fence along the Western property boundary. The proposed acoustic fence must be constructed as part of Stage 1 of the development, wholly within the boundary line of the immediate development footprint, be certified by the appropriately qualified RPEQ, take into account overland flow constraints, and be constructed in accordance with the recommendations contained within the NAR.
5. Prior to the commencement of the use, a 6m wide landscaped buffer must be provided along the Western and Southern property boundary as per the approved

plans. The landscaping buffer must be wholly contained within the subject allotment (Lot 1 RP 612382) and incorporate a range of species heights reaching a minimum mature height of 1.8m with species from Council's Preferred Species List. Details of potting sizes, planting densities and plant selection must be provided as part of a landscaping plan, and existing trees within the buffer area must be retained and integrated within the overall landscape design.

6. Prior to lodgement of the first application for Building Approval for Stage 1, the Applicant is to submit architectural concept plans (ACPs) for the proposed Amenities block. The ACPs must illustrate building design with architectural merit consistent with exemplary coastal building design within the Agnes Water Locality. The building design must incorporate a mixture of lightweight construction, generous roof overhangs and a variety of at least four different textures and colours as well as including notable articulation within the horizontal and external façades of the building. Details of the proposed colour scheme, materials and finishes for all external areas of the building are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works. The design must consider the minimization of nuisance to the adjoining residences, particularly in regards to light and noise.
7. Prior to lodgement of the first application for Building Approval for Stage 3, the Applicant is to submit architectural concept plans (ACPs) for the Community Facilities Building. The ACPs must illustrate building design with architectural merit consistent with exemplary coastal building design within the Agnes Water Locality. The building design must incorporate a mixture of lightweight construction, generous roof overhangs and a variety of at least four different textures and colours as well as including notable articulation within the horizontal and external façades of the building. Details of the proposed colour scheme, materials and finishes for all external areas of the building are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.
8. At all times, camp fires are not permitted.
9. Prior to the commencement of the use, a Flood Hazard Emergency Management Plan (FEMP) must be provided to Council for approval. The FEMP is to:
  - a. Be prepared by a suitably qualified person experienced in the area of flood management;
  - b. Incorporate the findings of the Stormwater Flood Hazard Assessment noted as part of Condition 1;
  - c. Be provided for the whole of the site;
  - d. Provide an evacuation and emergency plan in the event of a flood event;
  - e. Identify an alternative evacuation route in order to achieve an acceptable level of flood risk;
  - f. Identify areas of cut and fill which alters the behaviour of flood hazard;
  - g. Identify of the location and severity of all flood risks including creeks, waterways and floodplains; and
  - h. Be implemented by the Applicant for the life of the approval.

### **Operational Works**

10. 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 (including signage and footpaths);
  - b. Sewer Infrastructure;
  - c. Water Infrastructure;
  - d. Landscaping, environmental protection and associated works;
  - e. Street lighting, electrical and telecommunications; and
  - f. Stormwater Management (quantity, quality, flood and drainage control).
11. 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 Version 2 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 <http://www.cmdg.com.au/index.htm>.

#### **Building, Plumbing and Drainage Works**

12. The Applicant is required to obtain a Development Permit and Building Final for all Building Works as required and 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. This includes appropriate access and facilities for the disabled and compliance with the relevant building classification requirements for all new and existing structures (including any building re-classification requirements for the new proposed use) in accordance with the Building Code of Australia.
13. As part of Building Works, the Community Facility building and the Amenities block must not exceed two storeys or have a finished roof height greater than 8.5m above Natural Ground Level.
14. 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 2002* and the requirements of other relevant authorities.
15. 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 residential uses in the surrounding area.
16. As part of the Operational Works Application, the Applicant is to provide plans demonstrating the street lighting to be provided on the internal roads and pathways for pedestrian safety. At all times, 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 sites.

## **Sewerage Infrastructure**

17. As part of the first Operational Works application, the Applicant is to submit and have approved by Council detailed plans drafted by a suitably qualified person outlining the grades, sizing and connections for the proposed sewer network.
18. As part of any Operational Works Application, any on-site effluent disposal systems are to be sited above the 1% AEP flood level.
19. 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. The property is to have one connection point only to Council's existing sewerage infrastructure.
20. Prior to the commencement of the use, connections to Council's live sewerage network must be carried out by Council. The cost of these works is to be borne by the Applicant.

Advisory Note: Council's Application for Sewer is found at <http://www.gladstone.qld.gov.au/forms>.

## **Stormwater Infrastructure**

21. As part of the first Development Application for Operational Works, the Applicant is to submit for approval by Council an amended Site Based Stormwater Management Plan, to allow for the inclusion for the 1.8 metre acoustic fence along the western boundary of the property within the flood modelling. The Site Based Stormwater Management Plan must address the impacts of this structure, including amended mapping for all 1% and 20% AEP events and provide mitigation options in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and the *State Planning Policy – July 2017*. The Site Based Stormwater Management Plan must be certified by a Registered Professional Engineer of Queensland experienced in this type of work.

## **Transportation Services**

22. Prior to the commencement of use, a minimum of 34 car parking spaces are to be constructed on site generally in accordance with the approved plans and is to be staged as follows:
  - a. A minimum of 17 car parking spaces adjacent to each caravan/annex pad which are to remain grassed and be constructed prior to the commencement of use for Stage 1;
  - b. A minimum of 2 car parking spaces are to be constructed, sealed, line marked, provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and AS2890.1, prior to the commencement of use for Stage 1; and
  - c. A minimum of an additional 15 car parking spaces are to be constructed on site generally in accordance with the approved plans, sealed, line marked,

provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and AS2890.1, prior to the commencement of use for Stage 2.

**23. As part of the Operational Works Application, the Applicant is to provide amended plans certified by a RPEQ demonstrating the vehicle swept paths of the following:**

- a. **A vehicle towing a caravan (minimum length of 12.5 metres) exiting and entering the site, contained wholly within the driveway for Council approval; and**
- b. **A recreational vehicle (R.V) of a minimum length of 10 metres, entering and exiting the powered RV sites, contained wholly within the R.V site and within the property boundaries of the site. The location of sites 9 and 10 are not considered to allow sufficient space for this movement.**

24. Prior to the commencement of use, all vehicle movement areas are to be constructed, sealed, line marked and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and AS2890.1.

25. Prior to the commencement of the use, the existing driveway crossover is to be replaced with a Commercial Driveway crossover constructed in accordance with Council's Standard Drawing Urban Commercial/Industrial Driveway. The Commercial Driveway crossover is to be contained wholly within the property's frontage.

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

26. Prior to the commencement of Stage 1, a total of 4 bicycle spaces are to be constructed onsite. All bicycle spaces are to be constructed in accordance with AS2890.3 (2015).

27. Prior to the construction of any works within Council's road reserve, the Applicant shall obtain a Works on a Council Road Approval for construction of the driveway crossover in conformity with Council's Subordinate Local Law No. 1.15.

*Advisory Note: Council's Local Law No. 1.15 - Application to Construct (and maintain) a Driveway (vehicle crossover) is found at <http://www.gladstone.qld.gov.au/forms>.*

28. Prior to the commencement of the use, any damage to the kerb and channel as a result of development works undertaken must 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 <http://www.cmdg.com.au/index.htm>.*

29. Prior to the commencement of the use, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.

30. Prior to the commencement of the use for Stage 1, the existing 2 metre wide concrete footpath along the Springs Road frontage of the site must be saw cut, amended and tied in to the constructed driveway 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 <http://www.cmdg.com.au/index.htm>.

31. The internal roads system is designed to cater for all anticipated vehicle use enabling suitable manoeuvrability and safety whilst avoiding congestion. Internal roads are to be a minimum of 4m wide for a one-way road and 6m wide for a two-way road and must be constructed, sealed, line marked and maintained in accordance with the Engineering Design Planning Scheme Policy under the Our Place Our Plan Gladstone Regional Council Planning Scheme and AS2890.1.
32. The internal road to service the caravan/annex pads is to be one way movement only, with appropriate signage installed at the entrance and exit of the internal access road.
33. As part of the Operational Works Application, the Applicant is to provide RPEQ signed plans demonstrating the vehicle swept paths of a vehicle towing a caravan (minimum length of 12.5 metres) exiting and entering the site, contained wholly within the driveway for Council approval.
34. As part of the Operational Works Application, a turning facility is to be provided at the end of the terminating road within the development and must have a minimum radius of 9 metres, an approach of 15 metres and be completely contained within the property boundaries.
35. Deleted

### Landscaping Works

36. As part of the first Development Application for Operational Works, the Applicant must provide a full Landscaping Plan in accordance with Table 9.3.4.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification. The full Landscaping Plan is to be certified by a Landscape Architect.

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

37. As part of Operational Works, all landscaping areas are to be constructed with an appropriate irrigation system. Details of the irrigation system are to be provided as part of the full Landscaping Plan.
38. As part of Operational Works, street trees are to be installed along the Springs Road frontage, at a rate of 1 tree per 10m in accordance with Table 9.3.4.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional*

*Council Planning Scheme and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification.*

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

## **Waste Management**

39. **As part of the first Development Application for Operational Works, an updated Waste Management Plan is to be submitted and approved by Council showing that the waste and recycling bin storage area is located on the corner of the primary internal road and the one-way road for Stage 1, closest to the southern property boundary, ensuring unimpeded access to the subject site from Springs Road for vehicles at all times. The Waste Management Plan is to be in accordance with the Waste Management Planning Scheme Policy of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2.***
40. Prior to the commencement of the use, refuse bins are to be provided in accordance with Table SC6.11.3.2 of Schedule 6.11 Waste Management at a rate of one (1) 240 litre waste bins for every four (4) caravan sites, and one (1) 240 litre recycling bin for every four (4) tent camp sites. Bulk bins can be used in lieu of the aforementioned service level for caravan sites provided the capacity of the bin equates to 60 litres of waste storage per caravan site per week, and 60 litres of recycling storage per caravan site per week.
41. Prior to the commencement of the use for Stage 1, the refuse service area is to have sufficient width for a refuse vehicle to be stationary and accessing the waste, while allowing for vehicles to pass.
42. 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.
43. 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**

44. The Applicant is to provide registered easement documents in favour of Council and at no cost to Council over infrastructure (sewerage) within the development and over other parts of the development property as may be deemed necessary by Council having considered the engineering drawings submitted with the Operational Works application for a particular stage of the development and the amended Site Based Stormwater Management Plan.

## **Miscellaneous**

45. Prior to commencement of the use, Lot 1 RP 612382 and Lot 55 SP140371 must be amalgamated into a single indefeasible title.

## **Lawful Commencement**

46. Prior to the commencement of this use for each stage, the Applicant must apply for and receive approval from Council for a "License to Operate a Caravan Park" in accordance with the Gladstone Regional Council Subordinate Law No 1.8 (Operation of Caravan Parks) 2011.

Advisory Note: Gladstone Regional Council Subordinate Law No 1.8 (Operation of Caravan Parks) 2011 prescribes the minimum Council standards for the Operation of Caravan Parks, and the provision of amenities to be complied with. Where caravan parks do not meet the minimum standards outlined in the Gladstone Regional Council Subordinate Law No 1.8 (Operation of Caravan Parks) 2011, the Owner/Operator must obtain a "License to Operate a Caravan Park" to legally operate.

47. Prior to the commencement of the use, a Compliance Inspection is to be undertaken by the relevant Council Officer, with all conditions to be appropriately addressed. The premises may be subject to a future compliance inspection as part of Council's routine compliance inspection process.

## **Advice to Applicant:**

Council provides a comprehensive certification service for any Building Certification requirements.

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

## **Division 8                      Appeals to court relating to development applications and approvals**

### **461      Appeals by applicants**

- (1) An applicant for a development application may appeal to the court against any of the following—
  - (a) the refusal, or the refusal in part, of the development application;
  - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
  - (c) the decision to give a preliminary approval when a development permit was applied for;
  - (d) the length of a period mentioned in section 341;
  - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the *applicant's appeal period*) after—
  - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
  - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

### **462      Appeals by submitters—general**

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

- 
- (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
  - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
- (a) the giving of a development approval;
  - (b) any provision of the approval including—
    - (i) a condition of, or lack of condition for, the approval; or
    - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
- (a) withdraws the submission before the application is decided; or
  - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the *submitter's appeal period*) after the decision notice or negotiated decision notice is given to the submitter.

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

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
  - (a) development for an aquacultural ERA; or

- (b) development that is—
  - (i) a material change of use of premises for aquaculture; or
  - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
  - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive;
  - (b) a referral agency's response mentioned in subsection (2).

#### **464 Appeals by advice agency submitters**

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
  - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
  - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

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**465 Appeals about decisions relating to extensions for approvals**

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

**466 Appeals about decisions relating to permissible changes**

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
  - (a) if the responsible entity for making the change is the assessment manager for the application—
    - (i) the person who made the request; or
    - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
  - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.

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

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

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

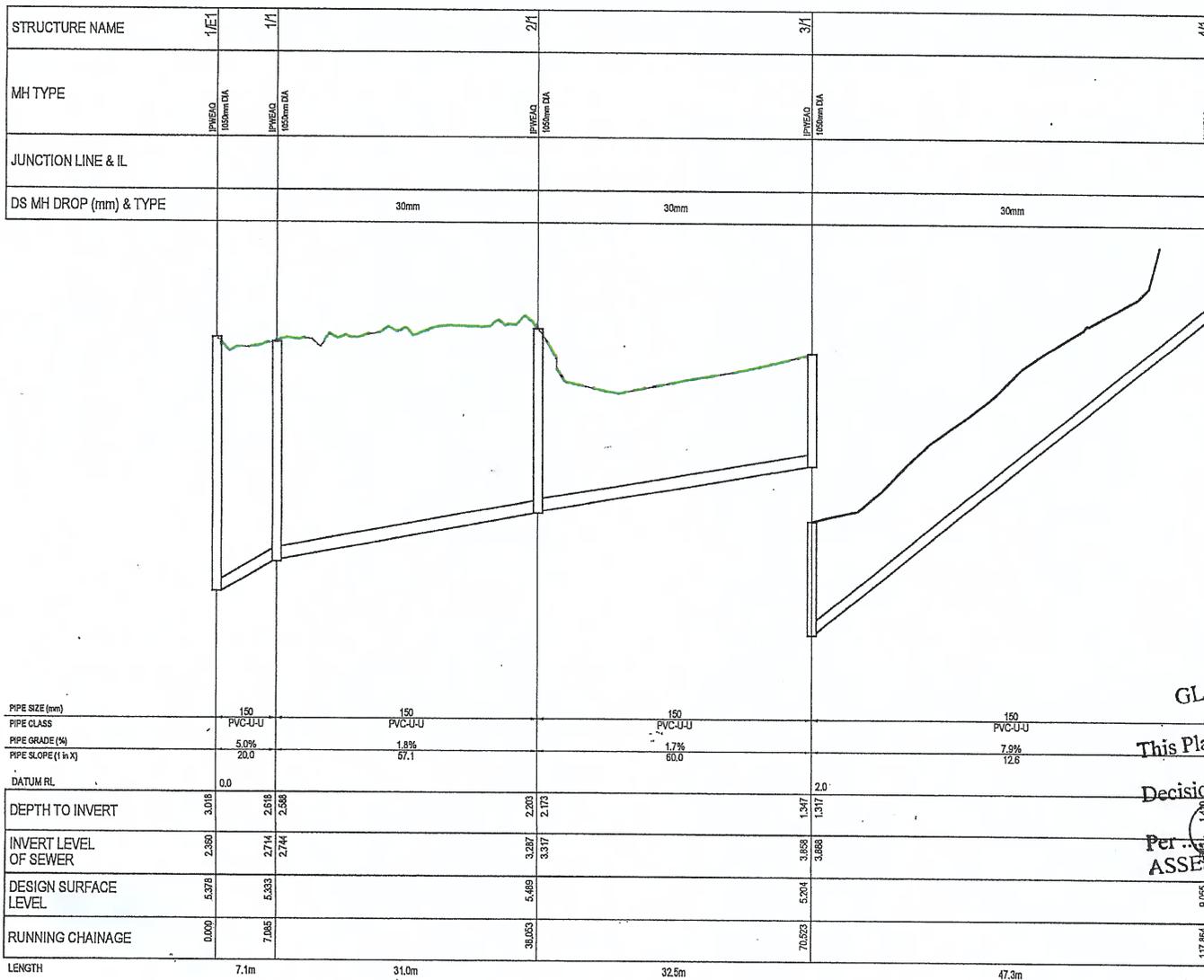
**Division 9 Appeals to court about compliance assessment**

**468 Appeals against decision on request for compliance assessment**

- (1) A person to whom an action notice has been given under section 405(5) about a request for compliance assessment of development, a document or work may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the notice is given to the person.

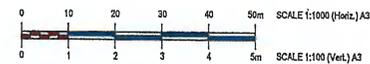
**469 Appeals against condition imposed on compliance permit or certificate**

- (1) A person who is given a compliance permit or compliance certificate subject to any conditions may appeal to the court against the decision to impose the condition.
- (2) The appeal must be started within 20 business days after the day the compliance permit or compliance certificate is given to the person.



GLADSTONE REGIONAL COUNCIL  
GLADSTONE OFFICE

This Plan is approved subject to the attached  
Decision Notice No. DA/264/2016  
Per [Signature] Date 5/4/18  
ASSESSMENT MANAGER



PLAN DETAILS:		REVISIONS:	
Designed:	M.K	Rev	Date / Comment
Drawn:	W.F		
Checked:	M.K		
Datum:	A.H		
Date:	22-11-17		

**PROPOSED CARAVAN PARK  
AT 33 SPRINGS ROAD, AGNES WATER  
FOR AWH & THE 1770 GROUP**

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PLAN TITLE:  
**PRELIMINARY SEWER LONGITUDINAL SECTION**

PLAN No: **1609 - SK05** REVISION: " " SHEET: 1 OF 1



**TELECOMMUNICATIONS SERVICE PROVIDERS**

Optus, Telstra, NBN

NOTE: SERVICE LOCATIONS ARE APPROXIMATE ONLY FROM PROVIDERS PLANS. LOCATIONS ARE TO BE CONFIRMED PRIOR TO START OF CONSTRUCTION. PHONE DBYD SERVICE LOCATIONS ON 1100 FOR DETAILS.

**ENERGY SERVICE PROVIDERS**

Origin, Ergon Energy, energex

NOTE: SERVICE LOCATIONS ARE APPROXIMATE ONLY FROM PROVIDERS PLANS. LOCATIONS ARE TO BE CONFIRMED PRIOR TO START OF CONSTRUCTION. PHONE DBYD SERVICE LOCATIONS ON 1100 FOR DETAILS.

**EXISTING SERVICES SHOWN THROUGHOUT THESE DRAWINGS ARE DERIVED FROM FIELD SURVEY, DIAL BEFORE YOU DIG, AS CONSTRUCTED INFORMATION AND GROUND INSPECTION. THE RELATIVE POSITION OF EACH UNDERGROUND SERVICE IS THEREFORE ADVISORY ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACTUAL LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BEAR THE COST OF ANY RECTIFICATION OF SERVICES DAMAGED DURING OR AS A RESULT OF CONSTRUCTION.**



**EXISTING FEATURES LEGEND**

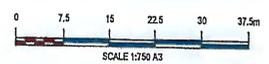
- RP BOUNDARY
- FENCE LINE
- - - TELSTRA (DBYD)
- - - WATER (DBYD)
- - - SEWER (DBYD)
- - - SWD STORMWATER (DBYD)
- - - EOH OVERHEAD ELECTRICAL
- - - EDGE OF BITUMEN
- ▬ BUILDING/STRUCTURE FACE
- TREE
- - - 6.0 SURFACE CONTOURS
- STORMWATER (SURVEYED)
- SEWER (SURVEYED)
- SRM SEWER RISING MAIN (DBYD)

**PROPOSED FEATURES LEGEND**

- SEWER
- ACOUSTIC FENCE
- TENT SITE
- ▭ CARAVAN/ANNEX PAD
- ▬ LANDSCAPE BUFFER
- ▬ GRAVEL SURFACING
- ▬ AC SURFACING
- ① SEWER STRUCTURE NUMBER
- STAGE BOUNDARY
- DRAINAGE SWALE
- 7.25 PAD LEVEL

NOTE: REFER DWG 1609-SK04 FOR SEWER LONGITUDINAL SECTION

NOTE: THE DEVELOPMENT LAYOUT SHOWN IS CONCEPTUAL ONLY, PENDING FULL PLANNING, ENGINEERING, ENVIRONMENTAL & GEOTECHNICAL EVALUATION BASED ON DETAILED FIELD SURVEY.



GLADSTONE REGIONAL COUNCIL  
GLADSTONE OFFICE

This plan is approved subject to the attached  
Decision Notice No. DA/264/2016  
Date 5/4/18

ASSESSMENT MANAGER

**CONTOUR**

AU/11 82 117 061 009  
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PLAN DETAILS:		PLAN AMENDMENTS:	
Designed:	MJK	Rev:	
Drawn:	WLF	Date:	
Checked:	###	Comment:	
Datum:	AHD	Altered:	Checked:
Date:	22-11-17		

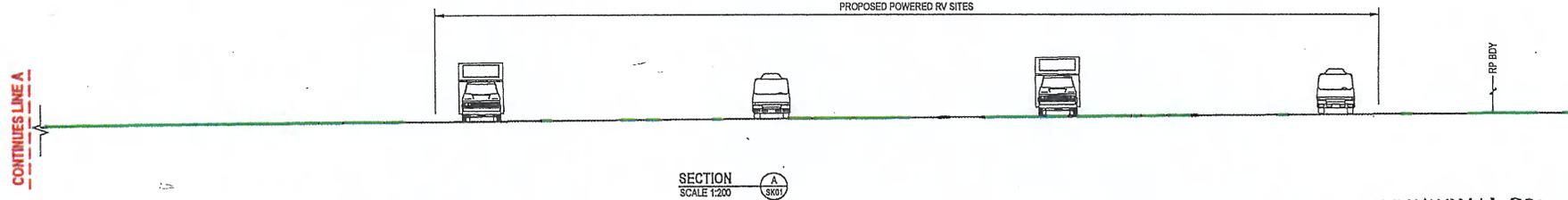
**PROPOSED CARAVAN PARK AT 33 SPRINGS ROAD, AGNES WATER FOR AWH & THE 1770 GROUP**

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PLAN TITLE: **DEVELOPMENT LAYOUT PLAN**

PLAN No: **1609 - SK01** REVISION: # SHEET: 1 OF 1

**NOT FOR CONSTRUCTION**



SECTION A  
SCALE 1:200

GLADSTONE REGIONAL COUNCIL  
GLADSTONE OFFICE  
This Plan is approved subject to the attached  
Decision Notice No. DA/264/2016  
Per [Signature] Date 5/4/18  
ASSESSMENT MANAGER



SECTION B  
SCALE 1:200



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PLAN DETAILS:		PLAN AMENDMENTS:				
Designed:	M.K	Rev	Date	Comment	Altered	Checked
Drawn:	W.P					
Checked:	A.H					
Dated:	22-11-17					

**PROPOSED CARAVAN PARK  
AT 33 SPRINGS ROAD, AGNES WATER  
FOR AWH & THE 1770 GROUP**

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PLAN TITLE:			
<b>TYPICAL SECTIONS</b>			
PLAN No:	1609 - SK02	REVISIONS:	#
FILED:	33 SPRINGS ROAD, AGNES WATER, CARAVAN PARK DESIGN - TYPICAL SECTIONS (REVISED) (A3) (A3) (A3)		
			SHEET: 1 OF 1

