



25 February 2022

Weipa Men's Shed Inc.
Attn: Maree Baldwin
PO Box 214
Weipa QLD 4874

Delivered via email: maree.baldwin@riotinto.com

Dear Sir/Madam

Decision Notice – Approval
Given under section 63 of the Planning Act 2016

With reference to the abovementioned Development Application, please find attached the relevant Decision Notice, which was approved by Weipa Town Authority in full, subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	DA210004
Approval Sought:	Development Permit for a Material Change of Use for Community Use (Men's Shed)
Planning Scheme:	Weipa Town Planning Scheme 2019 (v1.0)

LOCATION DETAILS

Street Address:	Andoom Road, Rocky Point
Real Property Description:	Lot 473 on MP36593

DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for Community Use (Men's Shed)

CURRENCY PERIOD

The use of the subject land must be commenced within a period of six (6) years from the date, unless otherwise stated, the approval takes effect in accordance with section 71 of the *Planning Act 2016*. Should the subject use not be commenced prior to the expiry of such period, this approval will lapse.

ASSESSMENT MANAGER CONDITIONS

This approval is subject to the conditions in Attachment 1.

PROPERLY MADE SUBMISSIONS

Not applicable – no part of the application required public notification.

REFERRAL AGENCIES

There were no referral agencies as part of this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

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

APPROVED PLANS AND SPECIFICATIONS

The approved plans are attached to this Decision Notice.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the Planning Act 2016 is attached.

OTHER DETAILS

You are further advised that the truth and accuracy of the information provided in the application form and accompanying information is relied on when assessing and deciding this application. If you find an inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Weipa Town Authority on (07) 4030 9400.

DELEGATED PERSON

Name: Judey Haeusler

Signature: *Judey Haeusler*

Date: 25 February 2022

Enc. **Attachment 1** – Conditions imposed by the Assessment Manager
Attachment 2 – Approved Plans
Attachment 3 – Notice about a Decision Notice
Attachment 4 – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*).

ATTACHMENT 1 - CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

1.0 PARAMETERS OF APPROVAL

- 1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer at all times unless otherwise stated.

Timing: At all times.

- 1.2 Where these conditions refer to "WTA" in relation to requiring Weipa Town Authority to approve or be satisfied as to any matter, or conferring on the WTA a function, power, or discretion, that role of the WTA may be fulfilled in whole or in part by a delegate appointed for that purpose by WTA.

Timing: At all times.

- 1.3 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the WTA or relevant utility provider, unless otherwise stated in a development condition.

Timing: At all times.

- 1.4 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed by Council to create a hazard to the community, it must be repaired immediately.

Timing: At all times.

- 1.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant WTA policies, guidelines and standards.

Timing: At all times.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Plan/Document Number	Date
Site Plan - Weipa Town Authority Andoom Oval Proposed Improvements		06.05.20
Shed Plan – Layout	AWSI211049-3	10.05.21
Shed Plan – Component Position	AWSI211049-10	10.05.21

Timing: At all times.

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 STORMWATER AND ROOF AND ALLOTMENT DRAINAGE

- 3.1 All roof and allotment runoff from the development site must be directed to a lawful point of discharge and must not restrict, impair, or change the natural flow of runoff water or cause nuisance to surrounding land or infrastructure.

Timing: At all times.

4.0 SEWERAGE AND WATER

- 4.1 The development must be connected to the site's existing reticulated water and sewerage connections and be maintained in accordance with the approved plans, FNQROCDM, *Water Supply (Safety and Reliability) Act and the Plumbing and Drainage Act*.

Timing: Prior to commencement of the use and at all times.

5.0 SERVICES

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

Timing: Prior to commencement of the use and at all times.

6.0 WASTE MANAGEMENT

- 6.1 Store all waste within a waste storage area (for example, general waste recyclable waste, pallets, empty drums etcetera). The waste storage area must be:
- (a) Designed to not cause nuisance to neighbouring properties;
 - (b) Screened from any road frontage or adjoining property.
 - (c) Of a sufficient size to accommodate a single 240L waste bin.

Timing: At all times.

7.0 AMENITY AND ENVIRONMENTAL HEALTH

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

Timing: At all times.

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

Timing: At all times.

8.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL

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

Timing: Prior to commencement of the use and at all times.

9.0 ASSET MANAGEMENT

- 9.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to WTA.

ADVISORY NOTES

1. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, as required under relevant legislation for this work.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the WTA may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the WTA.
3. General environmental duty under the Environmental Protection Act 1994 and subordinate legislation prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.
4. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).

ATTACHMENT 2

APPROVED PLANS

Attached under separate cover (this page has been intentionally left blank)

ATTACHMENT 3**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and*
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.*

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	DA210004
Applicant:	Weipa Men's Shed Inc.
Proposal:	Development Permit for Material Change of Use for Community Use (Men's Shed)
Description of the Development:	Men's Shed
Street Address:	Andoom Road, Rocky Point
Real Property Description:	Lot 473 on MPH36593
Planning Scheme:	Weipa Town Planning Scheme 2019 (v1.0)
Land Zoning:	Recreation and Open Space Zone
Assessment Type:	Code

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for Material Change of Use for Community Use (Men's Shed)
Date of Decision:	23 February 2022

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Categorising Instrument (*Planning Regulation 2017*)

This application did not trigger any matters prescribed by the regulation

Categorising Instrument (*State Planning Policy - July 2017*)**Local Categorising Instrument (*Weipa Town Planning Scheme 2019 v1.0*):**

- Recreation and Open Space zone code;

- Parking and Access code;
- Works, Services and Infrastructure code;
- Airport Overlay Code
- Open Space and Stormwater Drainage Network overlay code.

Local Categorising Instrument (Variation Approval)

- Not applicable.

Local Categorising Instrument (Temporary Local Planning Instrument)

- Not applicable.

PUBLIC NOTIFICATION

Not applicable – no part of the application required public notification.

REASONS FOR THE DECISION

The application is **approved** on the following grounds:

- The proposal is compliant with the assessment benchmarks of the Weipa Town Planning Scheme 2019;
- The subject site is not subject to defined natural risks or hazards or environmental values;
- The proposal is consistent with the purpose of the Open Space and Stormwater Drainage Network Overlay code and does not impact or restrict the public use of the reserve.
- The proposal achieves compliance with the Parking and Access code as the site has more than adequate area for onsite carparking and there is no proposed change to the existing arrangements to the site.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not applicable.

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not applicable.

OTHER MATTERS PRESCRIBED BY THE PLANNING REGULATION 2017

Not applicable.

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice, any conditions or plans relating to the development, please refer to Council's website.

ATTACHMENT 4**APPEAL RIGHTS**

(Planning Act 2016 & Planning Regulation 2017)

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

Appeal by an eligible submitter

An eligible submitter for a development application may appeal to the Planning and Environment Court against the decision to approve the application, to the extent the decision relates to:

- any part of the development application that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 4 is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit:

<https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Community Use (Men's Shed)

Lot: 473 on MPH36593

Referred to in WTA's Decision Notice

Approval Date: 23/02/2022

Application Number: DA210004

NOTE
 ALL SPOON DRAINS 2M WIDE
 SHALLOW AT 125-150MM DEEP
 ROADS SITTING UP ABOUT 150MM
 FROM THE REST OF GROUND

EXACT LOCATION OF ROAD
 AND RUNNING TRACK
 AT NORTH END SHALL TO
 BE DETERMINED

LOT 473
MPH36593

ANDOOM ROAD

PROPOSED SHED 20M X 13M
 PIPE TO BE INSTALLED UNDER
 ROAD FROM END OF OUR SPOON
 DRAIN TO MAIN DRAIN

PROPOSED STAIRS
 20M X 10M
 TO PLACE
 HERE TO BE
 DETERMINED

EXISTING
 BUILDING
 10M X 10M

MEN'S SHED
 20M X 10M
 WITH 6M HEIGHT

PIPE TO BE INSTALLED UNDER
 ROAD FROM END OF OUR SPOON
 DRAIN TO MAIN DRAIN

PROPOSED
 SPORTS FIELD
 70M X 50M

BULL RING

EXISTING
 PUMP STN

PROPOSED
 6M X 6M SHED

PROPOSED V-DRAIN

WEIPA 100 WIDE 1/2 FALL 50MM
 FORMERS 100MM SPOON DRAIN

PROPOSED EXAMINATION

UNIDENTIFIED
 VEHICLE ENTRY

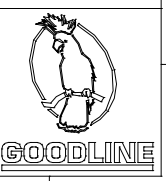
McLEOD DRIVE

1.	CONTRACT NO	NOT APPLICABLE
2.	VARIATION NO	NOT APPLICABLE
3.	REVISION	0
4.	SHEET SIZE	A3
5.	SCALE	NOT TO SCALE
6.	SURVEY DATUM	MGA
7.	HEIGHT DATUM	AHD
8.	SURVEY REF	
9.	SURVEY DATE	11 MAY 2021
0.	SURVEYOR	

DESIGNED	6/05/20
SURVEY CHECK	
QA CHECK	
REVIEWED	
CLIENT TO COMPLETE	
COMPANY	
REPRESENTATIVE	
DATE	
SIGNED	



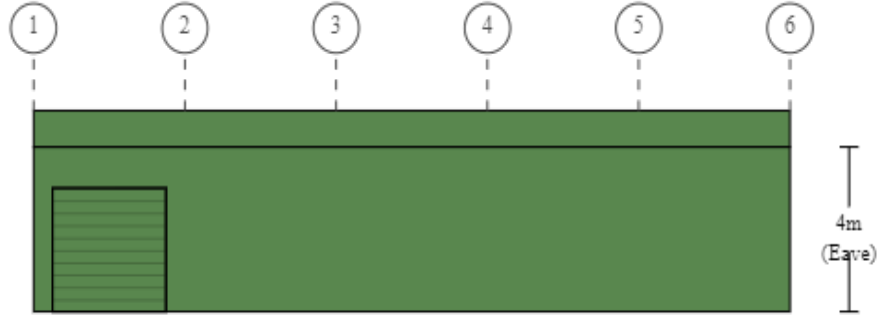
Ribshire Pty Ltd trading as **GOODLINE**
 WEIPA TOWN AUTHORITY
 ANDOOM OVAL
 PROPOSED IMPROVEMENTS
 DRG.NO.



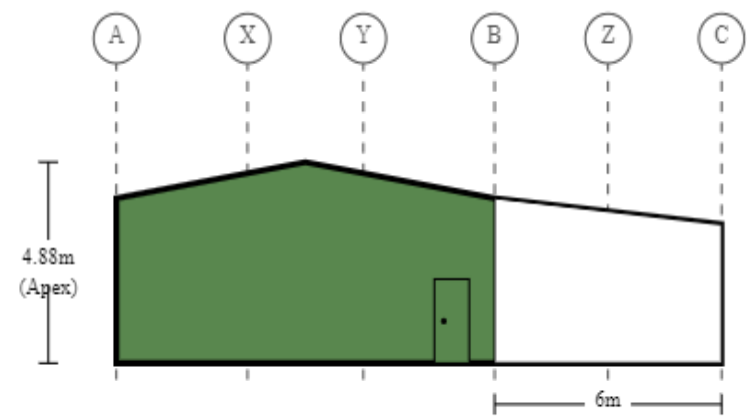
WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Community Use (Men's Shed)
Lot: 473 on MPH36593
 Referred to in WTA's Decision Notice

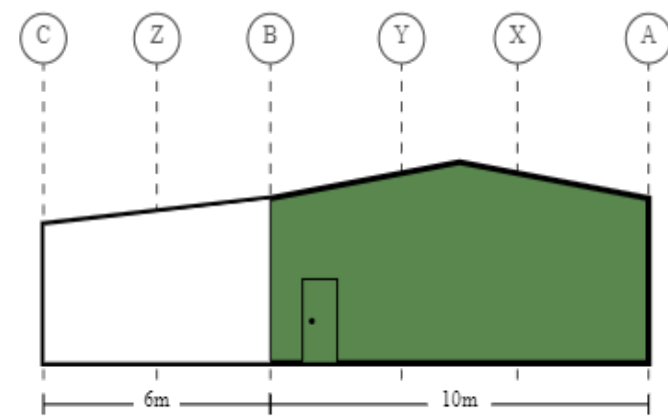
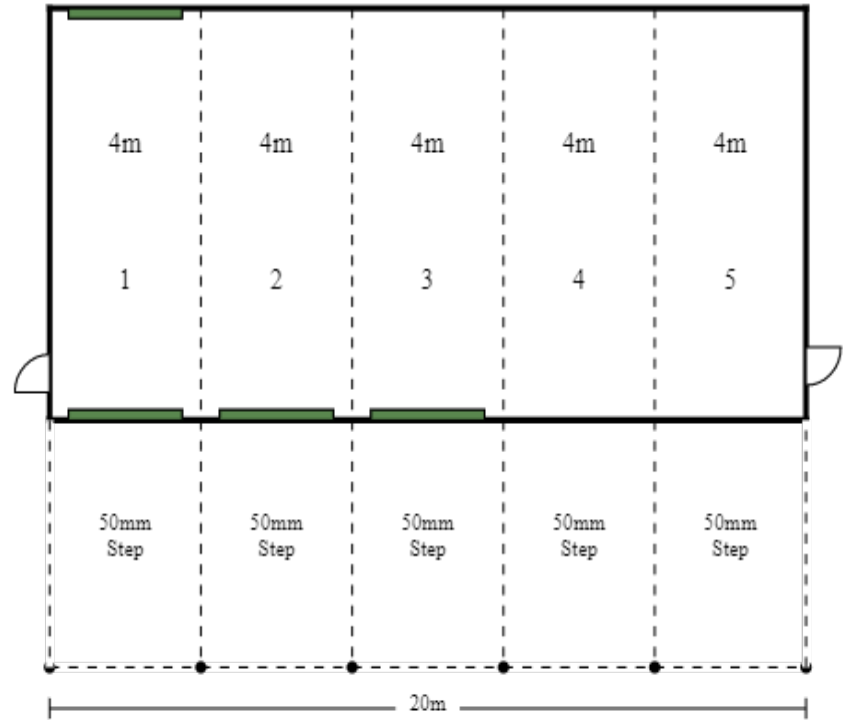
Approval Date: 23/02/2022
Application Number: DA210004



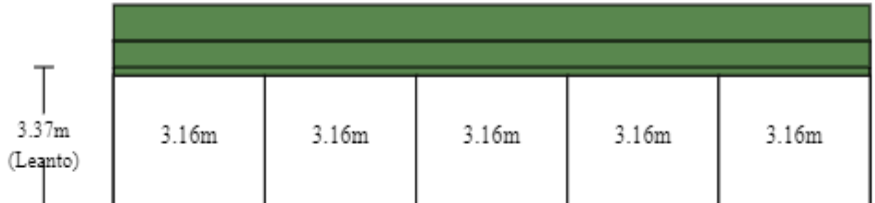
Left Side



Left End



Right End



Right Side

Purchaser Name: Weipa Men's Sheds Inc.

Site Address: Andoom Road Weipa QLD 4874 Australia


Drawing # AWSI211049 - 3

Print Date: 10/05/21

Layout
NOT FOR CONSTRUCTION
 Not to Scale
 © Copyright Steelx IP Pty Ltd

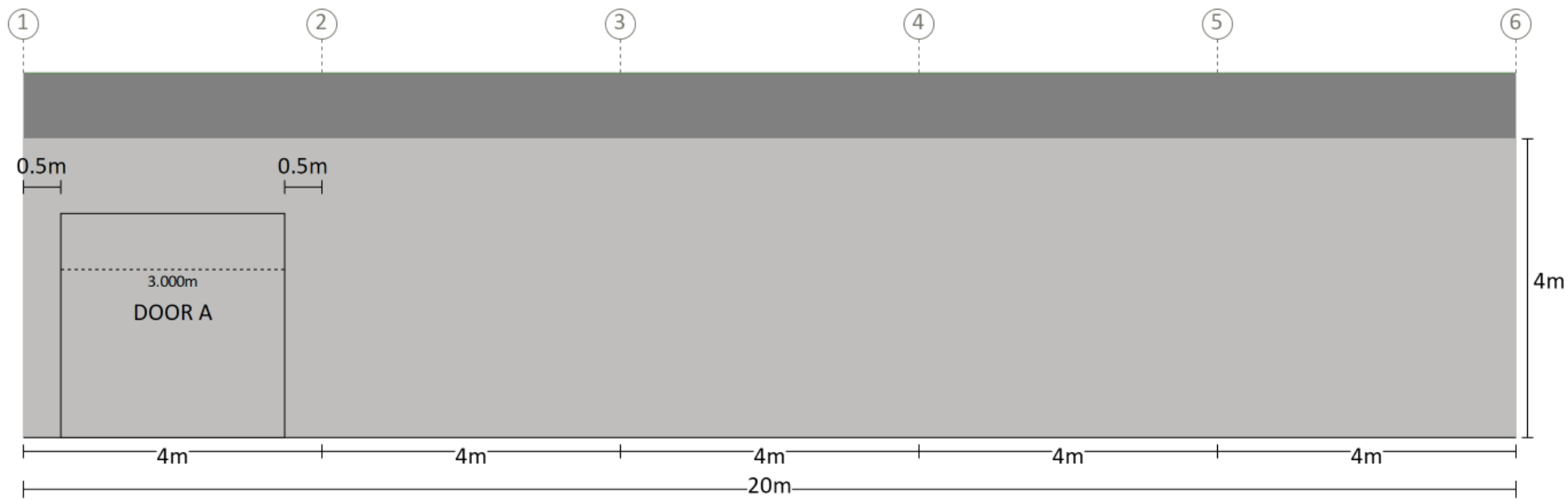
Seller: Wide Span Sheds Industrial
 Wide Span Sheds Pty Ltd
 Phone: 07 5657 8888
 Fax: 07 5657 8899
 Email: admin@sheds.com.au

Apex Engineering Group PTY LTD
 ACN 632 588 562
 ME Aust. (Registered NER Structural) 5276680
 QLD : RPEQ No. 24223; TAS : 185770492; VIC : EC67493; N.T. : 303557ES;
 Practising Professional Structural & Civil Engineers

Signature:  J. Ronaldson
 Date: 10/05/21

This setout is provided as a guide only. It is the responsibility of the concreter/erector to confirm that all dimensions are correct.

Left Side

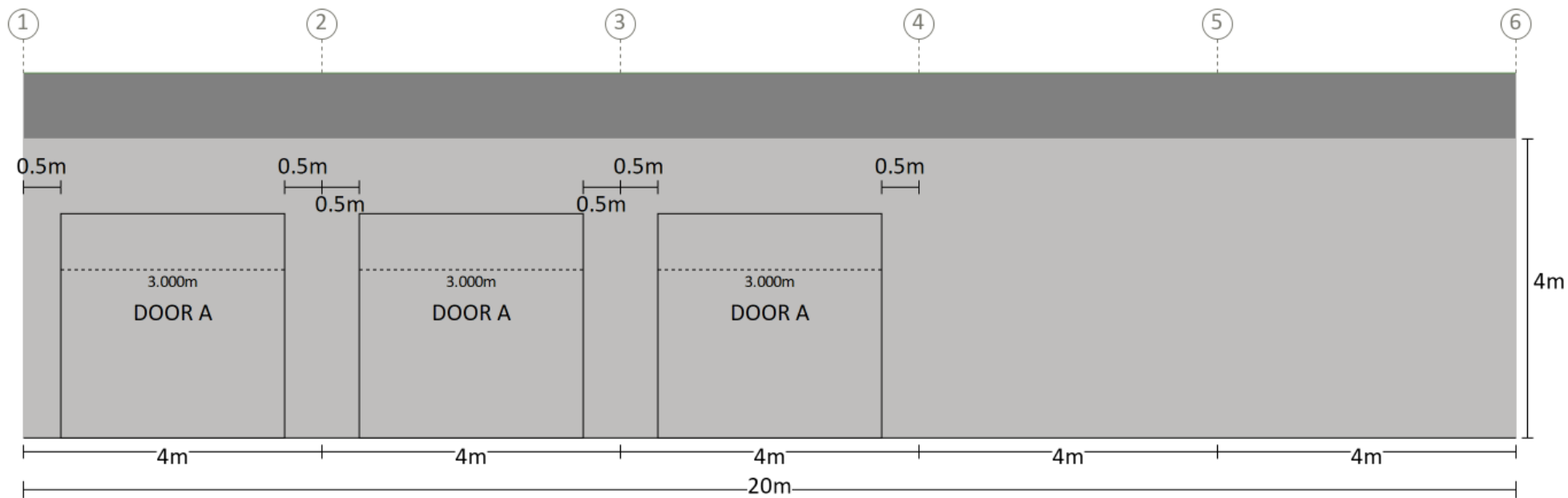


WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Community Use (Men's Shed)
Lot: 473 on MPH36593
 Referred to in WTA's Decision Notice
Approval Date: 23/02/2022
Application Number: DA210004

Measurements are from the outside of end girts (end bays) and/or centre of columns (mid bays) to inside of component opening size.

Right Side



Measurements are from the outside of end girts (end bays) and/or centre of columns (mid bays) to inside of component opening size.

Purchaser Name: Weipa Men's Sheds Inc.

Site Address: Andoom Road Weipa QLD 4874 Australia

Drawing # AWSI211049 - 10

Print Date: 10/05/21

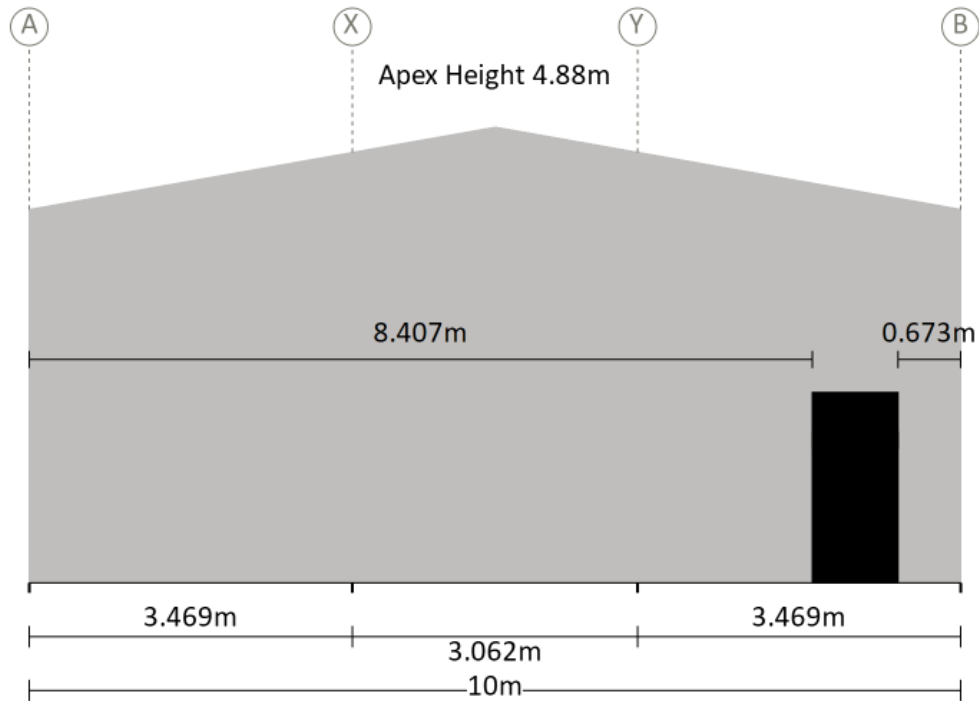
Component Position
NOT FOR CONSTRUCTION
 Not to Scale
 Page 1 of 2
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Seller: Wide Span Sheds Industrial
 Wide Span Sheds Pty Ltd
 Phone: 07 5657 8888
 Fax: 07 5657 8899
 Email: admin@sheds.com.au

Apex Engineering Group PTY LTD
 ACN 632 588 562
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 Practising Professional Structural & Civil Engineers

Signature:  J. Ronaldson
 Date: 10/05/21

Left End



Measurements are from the outside of side girts to the inside of component opening size.

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

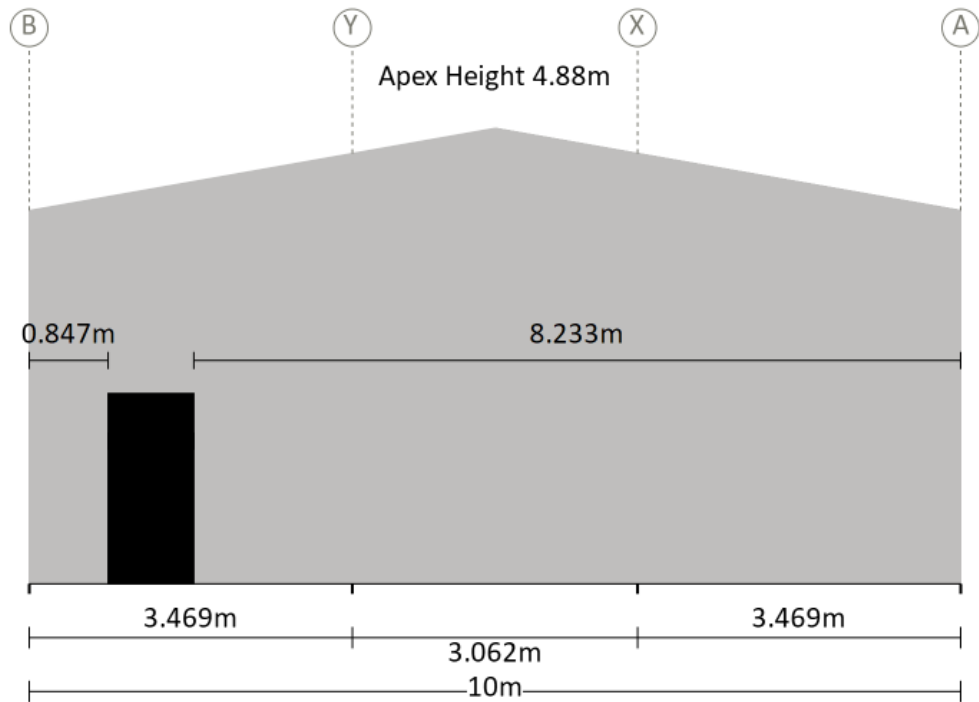
Development Application: Development Permit for Material Change of Use for Community Use (Men's Shed)

Lot: 473 on MPH36593

Referred to in WTA's Decision Notice

Approval Date: 23/02/2022
Application Number: DA210004

Right End




Measurements are from the outside of side girts to the inside of component opening size.

Purchaser Name: Weipa Men's Sheds Inc.	
Site Address: Andoom Road Weipa QLD 4874 Australia	
Drawing # AWSI211049 - 10	Print Date: 10/05/21

Component Position
NOT FOR CONSTRUCTION
 Not to Scale
 Page 2 of 2
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Seller: Wide Span Sheds Industrial
 Wide Span Sheds Pty Ltd
 Phone: 07 5657 8888
 Fax: 07 5657 8899
 Email: admin@sheds.com.au

Apex Engineering Group PTY LTD
 ACN 632 588 562
 ME Aust. (Registered NER Structural) 5276680
 QLD : RPEQ No. 24223; TAS : 185770492; VIC : EC67493; N.T. : 303557ES;
 Practising Professional Structural & Civil Engineers

Signature:  J. Ronaldson
 Date: 10/05/21

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

Planning Act 2016
Chapter 6 Dispute resolution

[s 229]

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and

- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department’s website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.