



25 February 2022

Gurukol Pty Ltd
C/- Mewing Planning Consultants
GPO Box 1506
Brisbane QLD 4001

Attention: Jared Stewart

Delivered via email: jared.stewart@mewing.com.au

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:

DATE OF DECISION

Council approved the Development Application at the Weipa Town Authority General Meeting held on 23 February 2022.

APPLICATION DETAILS

Application No: DA210012

Approval Sought: Development Permit for a Material Change of Use – Short Term Accommodation and Food and Drink Outlet

Planning Scheme: Weipa Town Planning Scheme 2019 (v1.0)

LOCATION DETAILS

Street Address: 2 Tom Morrison Drive, Rocky Point

Real Property Description: Lot 2 on SP183867

DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use – Short Term Accommodation and Food and Drink Outlet

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

The referral agencies for the application are:

- State Assessment Referral Agency (SARA)

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Plumbing and Drainage Work
- Development Permit for Building Work
- Development Permit for Operational 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 – Referral Agency – SARA Response

Attachment 5 – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*).

ATTACHMENT 1 – Conditions Imposed by the Assessment Manager
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No.	Conditions	Condition Timing																																
Material Change of Use																																		
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.	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	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.	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 WTA to create a hazard to the community, it must be repaired immediately.	At all times.																																
1.5	All development conditions contained in this development approval about <i>infrastructure</i> under Chapter 4 of the <i>Planning Act 2016</i> (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.	At all times.																																
1.6	Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the Weipa Town Planning Scheme, FNQROC Development Manual and any other relevant guideline and standards.	At all times.																																
1.7	All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).	At all times																																
2.0 Approved Plans and Documents																																		
2.1	<p>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:</p> <table border="1"> <thead> <tr> <th>Document Name</th> <th>Document No.</th> <th>Revision</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Cover Sheet</td> <td>A00.00</td> <td>J</td> <td>November 2021</td> </tr> <tr> <td>Demolition Site Plan</td> <td>A00.10</td> <td>C</td> <td>November 2021</td> </tr> <tr> <td>Proposed Site Plan LOT 2 on SP183867</td> <td>A00.11</td> <td>P</td> <td>November 2021</td> </tr> <tr> <td>Proposed Ground Floor Plan</td> <td>A10.02</td> <td>M</td> <td>November 2021</td> </tr> <tr> <td>Proposed Upper Floor Plan</td> <td>A10.12</td> <td>M</td> <td>November 2021</td> </tr> <tr> <td>Proposed Roof Plan</td> <td>A12.02</td> <td>G</td> <td>November 2021</td> </tr> <tr> <td>Area Diagrams</td> <td>A15.20</td> <td>F</td> <td>November 2021</td> </tr> </tbody> </table>	Document Name	Document No.	Revision	Date	Cover Sheet	A00.00	J	November 2021	Demolition Site Plan	A00.10	C	November 2021	Proposed Site Plan LOT 2 on SP183867	A00.11	P	November 2021	Proposed Ground Floor Plan	A10.02	M	November 2021	Proposed Upper Floor Plan	A10.12	M	November 2021	Proposed Roof Plan	A12.02	G	November 2021	Area Diagrams	A15.20	F	November 2021	At all times.
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	Proposed Elevations	A20.02	E	November 2021	
	Proposed Sections	A30.00	D	November 2021	
	Typical Unit Floor Plans	A50.50	F	November 2021	
	Building Perspectives	A90.00	D	November 2021	
	Finishes Palette	A90.50	D	November 2021	
	Site Plan	SD-01	B	2021-12-02	
	Fence Plan	SD-02	B	2021-12-02	
	Site Sections	SD-03	B	2021-12-02	
	Indicative Plant Palette	SD-04	B	2021-12-02	
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.				At all times.
2.3	<p>Approved Use</p> <p>The approved eight (8) rooms for staff accommodation and associated recreation and kitchen facilities are to be used by staff employed at the premises and must not be used for guest accommodation, unless otherwise approved by WTA.</p>				At all times.
3.0 Car Parking and Access					
3.1	Vehicle access to the onsite carparking spaces must be achieved from the existing access driveway from Tom Morrison Drive in accordance with the approved plan of development.				At all times.
3.2	A total of sixty-four (64) carparking spaces must be provided on site in accordance with the approved plan of development.				Prior to commencement of the use and at all times.
3.3	All car parking and vehicle manoeuvring areas must be either asphalt sealed or concreted, in accordance with the approved plans.				Prior to commencement of the use.
3.4	Design and construct all car parking and vehicle manoeuvring areas in accordance with the approved plans, Far North Queensland Regional Organisation of Councils Development Manual (FNQROCDM), Australian Standard AS2890 "Off Street Car Parking", Manual of Uniform Traffic Control Devices (Queensland).				Prior to commencement of the use.
3.5	The carparking area located within the existing easement (Easement A on CP MP38188) must be designed and constructed in accordance with Operational Works approval required in condition 5.3.				Prior to commencement of the use and at all times.
4.0 Landscaping and Fencing					
4.1	Establish, maintain and retain all landscaping generally in accordance with the approved Landscaping Plan. The landscaped areas must be subject to ongoing maintenance and replanting programme (if necessary).				Prior to commencement of the use and at all times.
4.2	Additional landscaping must be provided within the area between the Central Avenue frontage and the proposed carparking area.				Prior to commencement of the use and at all times.
4.3	Side boundary fencing must be provided in accordance with the approved plan of development.				Prior to commencement of the use and at all times.
5.0 Stormwater					
5.1	Stormwater must be discharged to a lawful point of discharge without causing annoyance or nuisance to any person in accordance with the Queensland Urban Drainage Manual (QUDM).				At all times.

5.2	Submit to WTA for endorsement, a detailed site-based stormwater management plan certified by a suitably Registered Professional Engineer of Queensland.	Prior to or at the same time as a development application for Operational Work.
5.3	Obtain a Development Permit for Operational Works for Engineering Works for Stormwater Drainage Works.	Prior to the issue of a development permit for building works.
5.4	All stormwater infrastructure must be designed, constructed, and maintained in accordance with the approved stormwater management plan, FNQROC Development Manual and the Queensland Urban Drainage Manual.	At all times.
6.0 Sewerage and Water		
6.1	Connect the development to WTA reticulated sewerage and water network. Sufficient reticulated water capacity must be provided for domestic and firefighting purposes.	Prior to commencement of the use and at all times.
6.2	Design and construct all sewerage and water works in accordance with the approved plans, <i>FNQROC Development Manual, Water Supply (Safety and Reliability) Act</i> and the <i>Plumbing and Drainage Act</i> .	Prior to commencement of the use and at all times.
6.3	Remove all redundant sewerage and water infrastructure, including but not limited to pipes and connection points.	Prior to commencement of the use and at all times.
7.0 Services		
7.1	Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.	Prior to commencement of the use and at all times.
8.0 Waste Management		
8.1	A designated area for waste storage area must be provided in accordance with the approved plan of development and designed to accommodate at least nine (9) 240L wheelie bins. The storage area must be screened from view from any road or adjoining property.	At all times.
8.2	Refuse collection is to be undertaken from a kerbside collection by WTA contractor. Wheelie bins must be positioned to minimise impacts on adjoining residences and following collection all wheelie bins must be returned and stored onsite.	At all times
9.0 Amenity and Environmental Health		
9.1	Install and maintain suitable screening to all air conditioning and plant and service facilities located on the top or external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.	Prior to commencement of the use and at all times.
9.2	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.	Prior to commencement of the use and at all times.
9.3	Install and operate all outdoor lighting to comply with AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”.	Prior to commencement of the use and at all times.
10.0 Site Works and Erosion and Sediment Control		
10.1	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	Prior to commencement of the use and at all times.

	cause a nuisance or worsening to adjoining properties or infrastructure.	
10.2	Prepare and implement an Erosion and Sediment Control Strategy (ESCS) in accordance with the FNQROCDM Design Guideline D5 (Stormwater Quality) as it relates to the construction phase. The ESCS must be available for inspection by WTA officers during the construction phase.	Prior to commencement of the use.
10.3	Implement the ESCS for the duration of the construction phase and until such time all exposed soils areas are permanently stabilised (for example, turfed, hydro mulched, concrete or landscaped).	Prior to commencement of the use.
11.0 Asset Management		
11.1	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..	At all times.

Advisory Notes		
1.	Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for operational work, building work, and plumbing and drainage work, as required under relevant legislation for this work.	
2.	Infrastructure Charges must be paid to WTA as indicated on the Infrastructure Charges Notice at the rate applicable at the time of payment.	
3.	This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the 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	
4.	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.	
5.	This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").	

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:	DA210012
Applicant:	Gurukol Pty Ltd c/- Mewing Planning Consultants
Proposal:	Development Permit for Material Change of Use
Description of the Development:	Short Term Accommodation and Food and Drink Outlet
Street Address:	2 Tom Morrison Drive, Rocky Point
Real Property Description:	Lot 2 on SP183867
Planning Scheme:	Weipa Town Planning Scheme 2019 (v1.0)
Land Zoning:	Tourism Zone
Assessment Type:	Code

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for Material Change of Use – Short Term Accommodation and Food and Drink Outlet
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):

- Tourism Zone Code;
- Centre Uses Code;
- Parking and Access Code; and
- Works Service and Infrastructure Code
- Airport Environs 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:

- (a) An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
- (b) The proposed development has been appropriately designed to minimise adverse impacts on adjoining residences.
- (c) The approval can be appropriately conditioned to ensure adequate servicing of the development.

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, and any conditions or plans relating to the development, please refer to Council's website.

ATTACHMENT 4

REFERRAL AGENCY – SARA RESPONSE

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

ATTACHMENT 5**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 ACCOMMODATION - MOTEL EXPANSION

2 TOM MORRISON DRIVE, ROCKY POINT (LOT 2 ON SP183867)

Sheet List				
Sheet Number	Sheet Name	Current Revision	Current Revision Date	Drawn By
A00.00	Cover Sheet	J	02.12.21	MW
A00.10	Demolition Site Plan	C	02.12.21	MT
A00.11	Proposed Site Plan	P	02.12.21	MT
A10.02	Proposed Ground Floor Plan	M	02.12.21	MW
A10.12	Proposed Upper Floor Plan	M	02.12.21	MW
A12.02	Proposed Roof Plan	G	02.12.21	MW
A15.20	Area Diagrams	F	02.12.21	MW
A20.02	Proposed Elevations	E	02.12.21	MT
A30.00	Proposed Sections	D	02.12.21	MT
A50.50	Typical Unit Floor Plans	F	02.12.21	MT
A90.00	Building Perspectives	D	02.12.21	MT
A90.50	Finishes Palette	D	02.12.21	MT



PROPOSED SHORT-TERM ACCOMMODATION DEVELOPMENT
2 Tom Morrison Drive, Rocky Point

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
Lot: 2 on SP183867

Referred to in WTA's Decision Notice

Approval Date: 23/02/2022
Application Number: DA210012

DEVELOPMENT INFORMATION - SITE		LOT 2 on SP183867
ZONE:	TOURISM ZONE	
BUILDING HEIGHT:	11.5m & 3 STOREYS	
SITE COVER:	60% MAX. (Approx. 43% PROVIDED)	
SITE AREA:	7321m ²	
BOUNDARY SETBACKS:	FRONT: 6m (PRIMARY STREET FRONTAGE) 4m (PRIMARY STREET FRONTAGE FROM VERANDAH) 3m (ALL OTHER ROAD FRONTAGES) SIDE: 1.5m (BELOW 4.5m) 2.0m (BETWEEN 4.5m - 7m) +0.5m (FOR EVERY 3m OR PART THEREOF GREATER THAN 7.5m) REAR: Not Specified	
BUILDING LENGTH:	10m FOR ANY BUILDING FACADE WITHOUT OPENINGS OR A CHANGE IN MATERIALITY	
PRIVATE OPEN SPACE:	25m ² REQUIRED FOR GROUND FLOOR (MIN. 5m x 5m)	
CAR PARKING:	64 SPACES PROVIDED. REFER TRAFFIC REPORT	

DEVELOPMENT INFORMATION - BUILDING							LOT 2 on SP183867
BUILDING	STOREYS	HEIGHT	GROUND LEVEL AREA	FIRST LEVEL AREA	TOTAL AREA	+ BALCONY / POS	
BUILDING 01 (Ex.)	1	5m	455.0 m ²	RESTAURANT INCL. = 338.0 m ²	0.0 m ²	455.0 m ²	-
BUILDING 02 (Ex.)	2	8m	625.0 m ²	625.0 m ²	1250.0 m ²	-	
BUILDING 03	2	8m	680.0 m ²	676.0 m ²	1356.0 m ²	348.0 m ²	
BUILDING 04	2	8m	302.0 m ²	292.0 m ²	594.0 m ²	111.0 m ²	
BUILDING 05	1	5m	183.0 m ²	0.0 m ²	183.0 m ²	-	
TOTAL	-	-	2245.0 m²	1593.0 m²	3838.0 m²	4297.0 m²	

SITE AREA	7321.0 m ²
IMPERVIOUS AREA (EXCLUDING AREAS INCLUDED IN SITE COVER)	2880.0 m ²
SITE COVER	43%

ROOM TYPE	BUILDING 3 GROUND LEVEL	BUILDING 3 FIRST LEVEL	BUILDING 4 GROUND LEVEL	BUILDING 4 FIRST LEVEL	BUILDING 4 GROUND LEVEL	TOTAL COUNT
STUDIO UNIT	0	11	0	0	0	11
STUDIO UNIT (DDA)	1	0	0	0	0	1
1 BED SERVICED UNIT	7	2	2	2	0	13
1 BED SERVICED UNIT+	0	2	0	0	0	2
1 BED SERVICED UNIT (DDA)	2	0	0	0	0	2
2 BED SERVICED UNIT	0	0	2	2	0	4
STAFF STUDIO	0	0	0	0	8	8
TOTAL	10	15	4	4	8	41

J	DA Issue	MT	02.12.21
H	Preliminary DA Issue	MT	01.12.21
G	Coordination Issue	MT	26.11.21
F	WIP Plans	MT	22.11.21
E	Issue for Information	MW	15.10.21
D	Issue for Review	MW	07.10.21
C	Issue for Information	NW	06.10.21
B	Issue for Information	MW	17.09.21
A	PRELIMINARY	MW	16.09.21
Issue	revision	initials	date

Cayas
Suite 2, 19-25 Musk Avenue, Kelvin Grove, PO Box 360, Wilston Q 4051
p 07 3356 6100 e admin@cayasarchitects.com.au

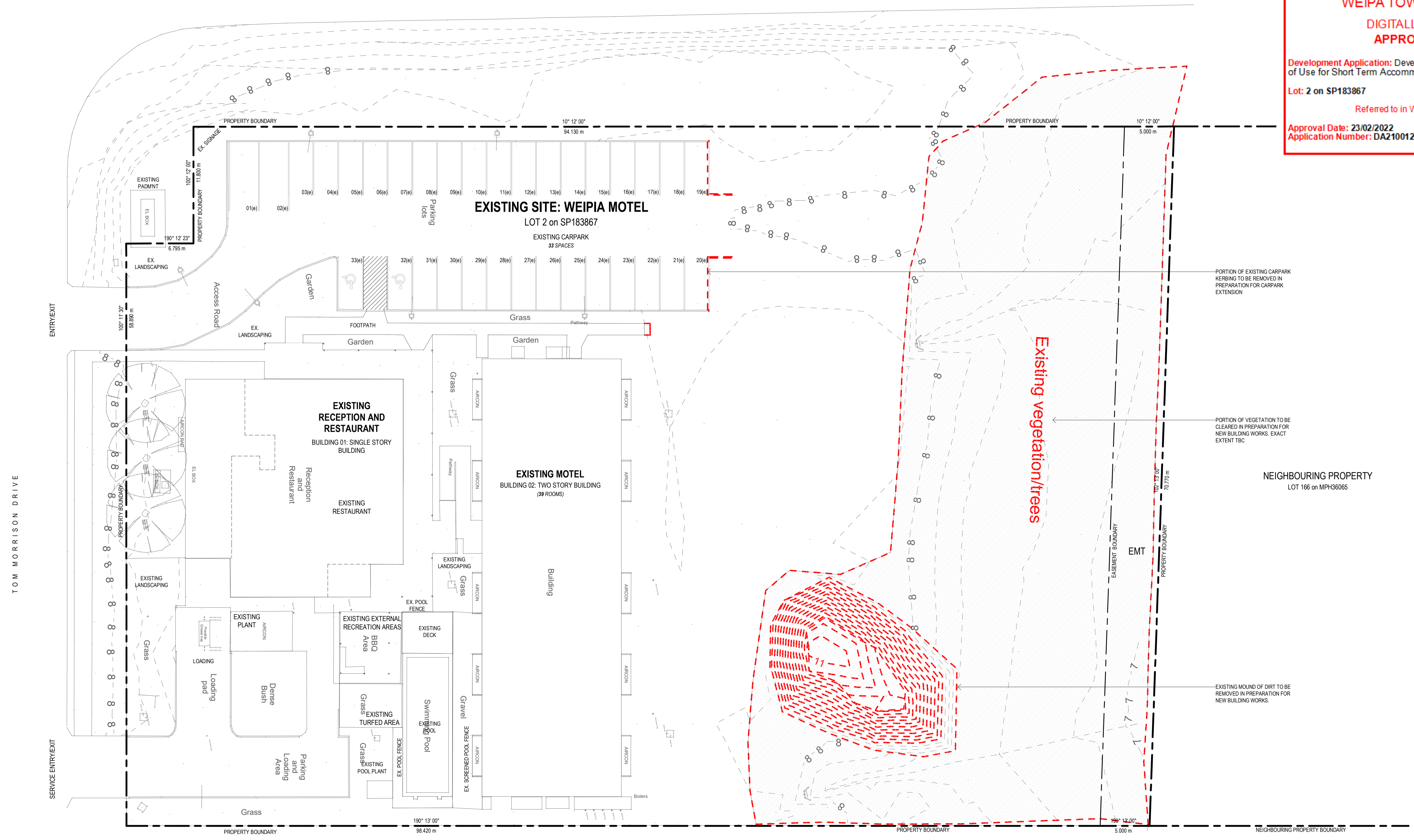
client	Owner	
project	Weipa Accommodation Tom Morrison Drive	
drawing title	Cover Sheet	
drawn	MW	
date	NOVEMBER 2021	
scale	As indicated@A1	
project no.	drawing number	issue
2181	A00.00	J

CENTRAL AVE

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
 Lot: 2 on SP183867
 Referred to in WTA's Decision Notice

Approval Date: 23/02/2022
 Application Number: DA210012



PORTION OF EXISTING CARPARK KERBING TO BE REMOVED IN PREPARATION FOR CARPARK EXTENSION

PORTION OF VEGETATION TO BE CLEARED IN PREPARATION FOR NEW BUILDING WORKS. EXACT EXTENT TBC

NEIGHBOURING PROPERTY
LOT 166 on MPH36065

EXISTING MOUND OF DIRT TO BE REMOVED IN PREPARATION FOR NEW BUILDING WORKS.

C	DA Issue	MT	02.12.21
B	Preliminary DA Issue	MT	01.12.21
A	Coordination Issue	MT	26.11.21
Issue	revision	initials	date

Cayas
 Suite 2, 19-25 Musk Avenue, Kelvin Grove, PO Box 360, Wilsonton QLD 4051
 p 07 3356 6100 e admin@cayasarchitects.com.au

client	Owner
project	Weipa Accommodation Tom Morrison Drive
drawing title	Demolition Site Plan

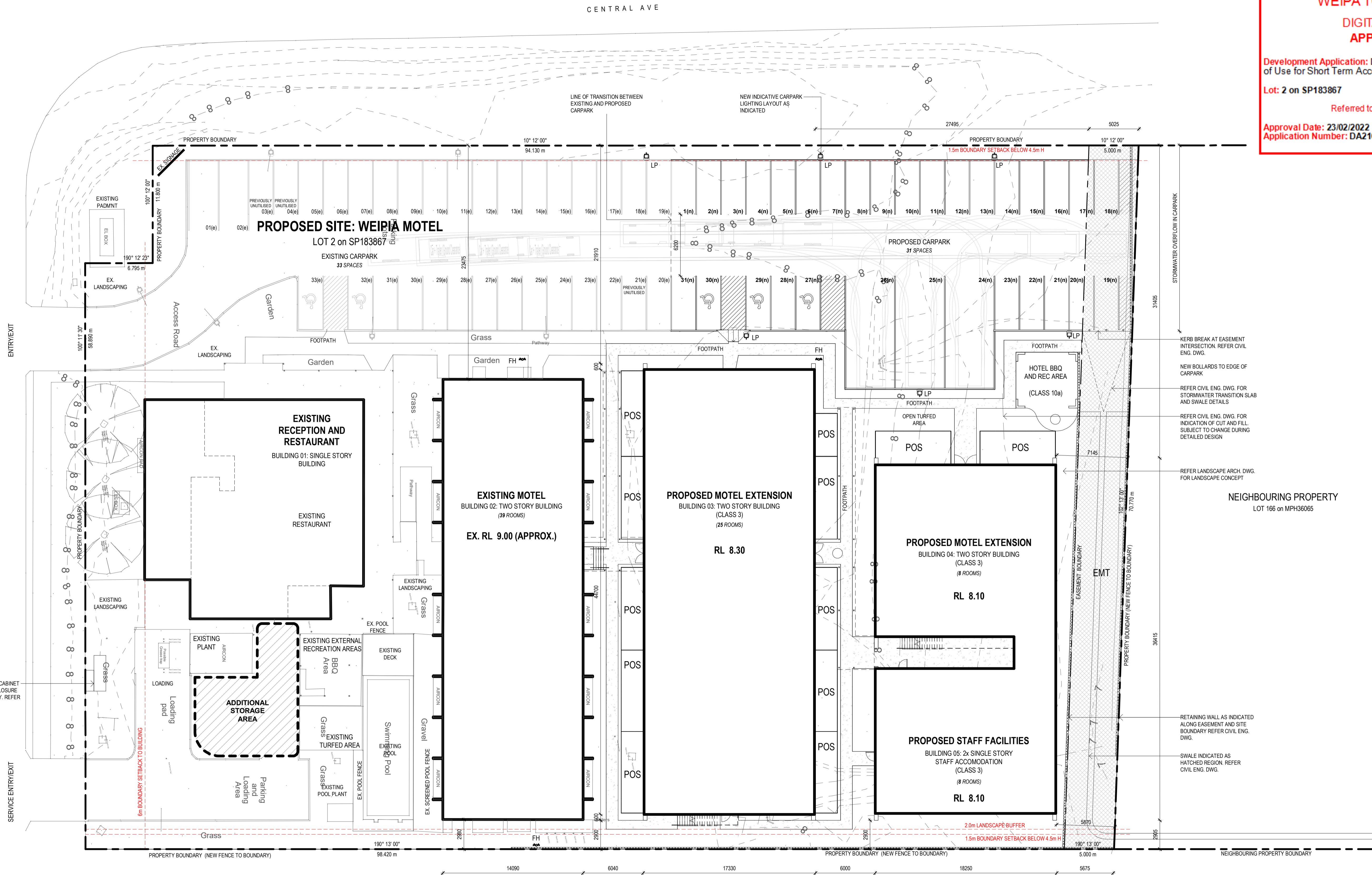
drawn	MT
date	NOVEMBER 2021
scale	1 : 200@A1

project no.	drawing number	issue
2181	A00.10	C

NOTE: LEVELS PROVIDED ARE INDICATIVE AND ARE SUBJECT TO CHANGE DURING DETAILED DESIGN

WEIPA TOWN AUTHORITY DIGITALLY STAMPED APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
Lot: 2 on SP183867
Referred to in WTA's Decision Notice
Approval Date: 23/02/2022
Application Number: DA210012



Revision table with columns: Issue, Description, Initials, Date. Includes entries for DA Issue, Preliminary DA Issue, Coordination Issue, Survey Overlay, WIP Plans, WIP Plans, WIP Plans, Updated Carpark, Issue for Information, Issue for Review, Issue for Information, Issue for Information, Issue for Information, Preliminary Plan, Preliminary Plan.

Cayas Suite 2, 19-25 Musk Avenue, Kelvin Grove, PO Box 360, Wilsonton QLD 4051 p 07 3356 6100 e admin@cayasarchitects.com.au

Project metadata table with columns: client, project, drawing title, drawn, date, scale, project no., drawing number, issue. Values include Owner, Weipa Accommodation Tom Morrison Drive, Proposed Site Plan LOT 2 on SP183867, MT, NOVEMBER 2021, As indicated@A1, 2181, A00.11, p.

NOTE: LEVELS PROVIDED ARE INDICATIVE AND ARE SUBJECT TO CHANGE DURING DETAILED DESIGN
NOTE: NEW BUILDINGS TO BE PROVIDED WITH A SMOKE DETECTION AND/OR ALARM SYSTEM. D&C SCOPE OF WORKS

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED APPROVED PLAN
Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
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KERB BREAK AT EASEMENT INTERSECTION REFER CIVIL ENG. DWG.
NEW BOLLARDS TO EDGE OF CARPARK
NEW INDICATIVE CARPARK LIGHTING LAYOUT AS INDICATED
REFER CIVIL ENG. DWG. FOR STORMWATER TRANSITION SLAB AND SWALE DETAILS
REFER CIVIL ENG. DWG. FOR INDICATION OF CUT AND FILL. SUBJECT TO CHANGE DURING DETAILED DESIGN
REFER LANDSCAPE ARCH. DWG. FOR LANDSCAPE CONCEPT

1 A30.00

2 A30.00

RETAINING WALL AS INDICATED ALONG EASEMENT AND SITE BOUNDARY REFER CIVIL ENG. DWG.

SWALE INDICATED AS HATCHED REGION. REFER CIVIL ENG. DWG.

Issue	revision	initials	date
M	DA Issue	MT	02.12.21
L	Preliminary DA Issue	MT	01.12.21
K	Coordination Issue	MT	26.11.21
J	WIP Plans	MT	22.11.21
H	WIP Plans	MT	16.11.21
G	For Comment	MT	05.11.21
F	Issue for Information	MW	15.10.21
E	Issue for Review	MW	12.10.21
D	Issue for Review	MW	07.10.21
C	Issue for Information	MW	06.10.21
B	Issue for Information	MW	17.09.21
A	PRELIMINARY	MW	16.09.21

Cayas
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p 07 3356 6100 e admin@cayasarchitects.com.au

client	Owner	
project	Weipa Accommodation Tom Morrison Drive	
drawing title	Proposed Ground Floor Plan	
drawn	MW	
date	NOVEMBER 2021	
scale	As indicated@A1	
project no.	drawing number	issue
2181	A10.02	M

NOTE:
LEVELS PROVIDED ARE INDICATIVE AND ARE
SUBJECT TO CHANGE DURING DETAILED DESIGN

NOTE:
NEW BUILDINGS TO BE PROVIDED WITH A SMOKE
DETECTION AND/OR ALARM SYSTEM. D&C SCOPE OF
WORKS

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN
Development Application: Development Permit for Material Change
of Use for Short Term Accommodation and Food and Drink Outlet
Lot: 2 on SP183867
Referred to in WTA's Decision Notice
Approval Date: 23/02/2022
Application Number: DAZ10012



Issue	revision	initials	date
M	DA Issue	MT	02.12.21
L	Preliminary DA Issue	MT	01.12.21
K	Coordination Issue	MT	26.11.21
J	WIP Plans	MT	22.11.21
H	WIP Plans	MT	16.11.21
G	For Comment	MT	05.11.21
F	Issue for Information	MW	15.10.21
E	Issue for Review	MW	12.10.21
D	Issue for Review	MW	07.10.21
C	Issue for Information	MW	06.10.21
B	Issue for Information	MW	17.09.21
A	PRELIMINARY	MW	16.09.21

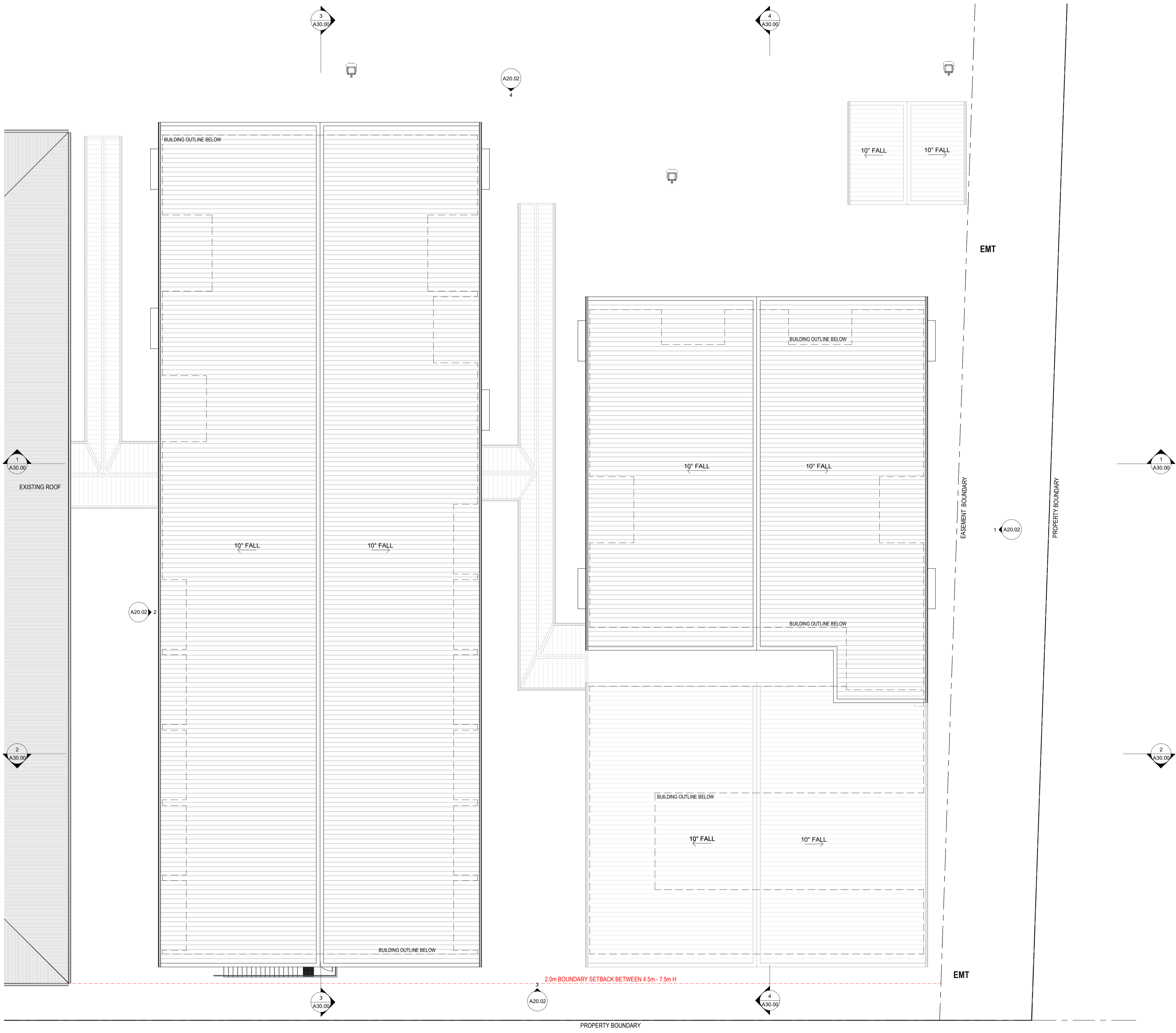
Cayas
Suite 2, 19-25 Musk Avenue, Kelvin Grove, PO Box 360, Wiston Q 4051
p 07 3356 6100 e admin@cayasarchitects.com.au

client	Owner	
project	Weipa Accommodation Tom Morrison Drive	
drawing title	Proposed Upper Floor Plan	
drawn	MW	
date	NOVEMBER 2021	
scale	As indicated@A1	
project no.	drawing number	issue
2181	A10.12	M

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
 Lot: 2 on SP183867
 Referred to in WTA's Decision Notice

Approval Date: 23/02/2022
 Application Number: DA210012



G	DA Issue	MT	02.12.21
F	Preliminary DA Issue	MT	01.12.21
E	Coordination Issue	MT	26.11.21
D	WIP Plans	MT	22.11.21
C	For Comment	MT	05.11.21
B	Issue for Information	MW	15.10.21
A	Issue for Review	MW	12.10.21
Issue	revision	initials	date

Cayas
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 p 07 3356 6100 e admin@cayasarchitects.com.au

client | Owner

project | Weipa Accommodation
Tom Morrison Drive

drawing title | Proposed Roof Plan

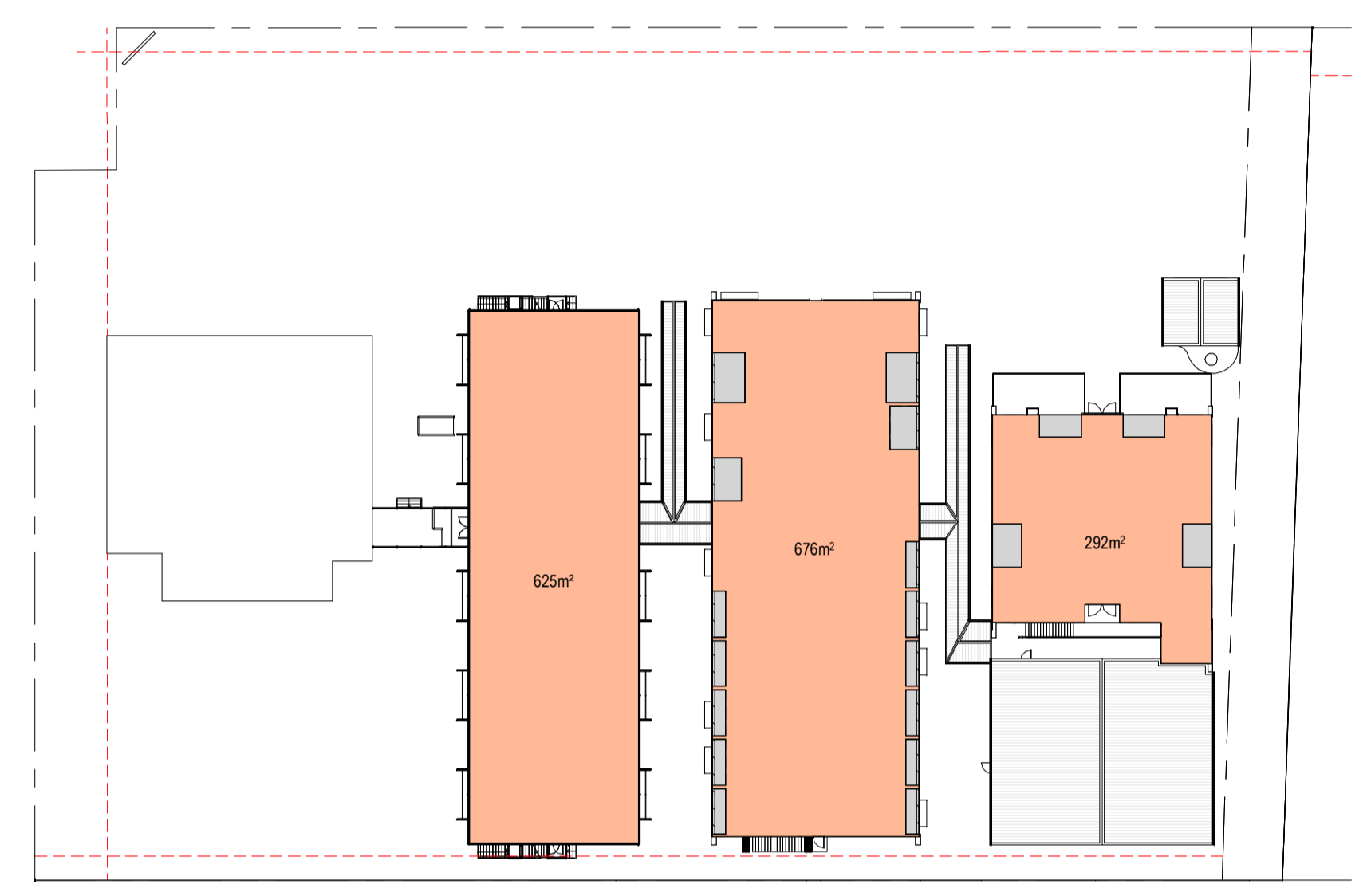
drawn | MW
 date | NOVEMBER 2021
 scale | 1 : 100@A1

project no. | drawing number | issue
2181 | A12.02 | G

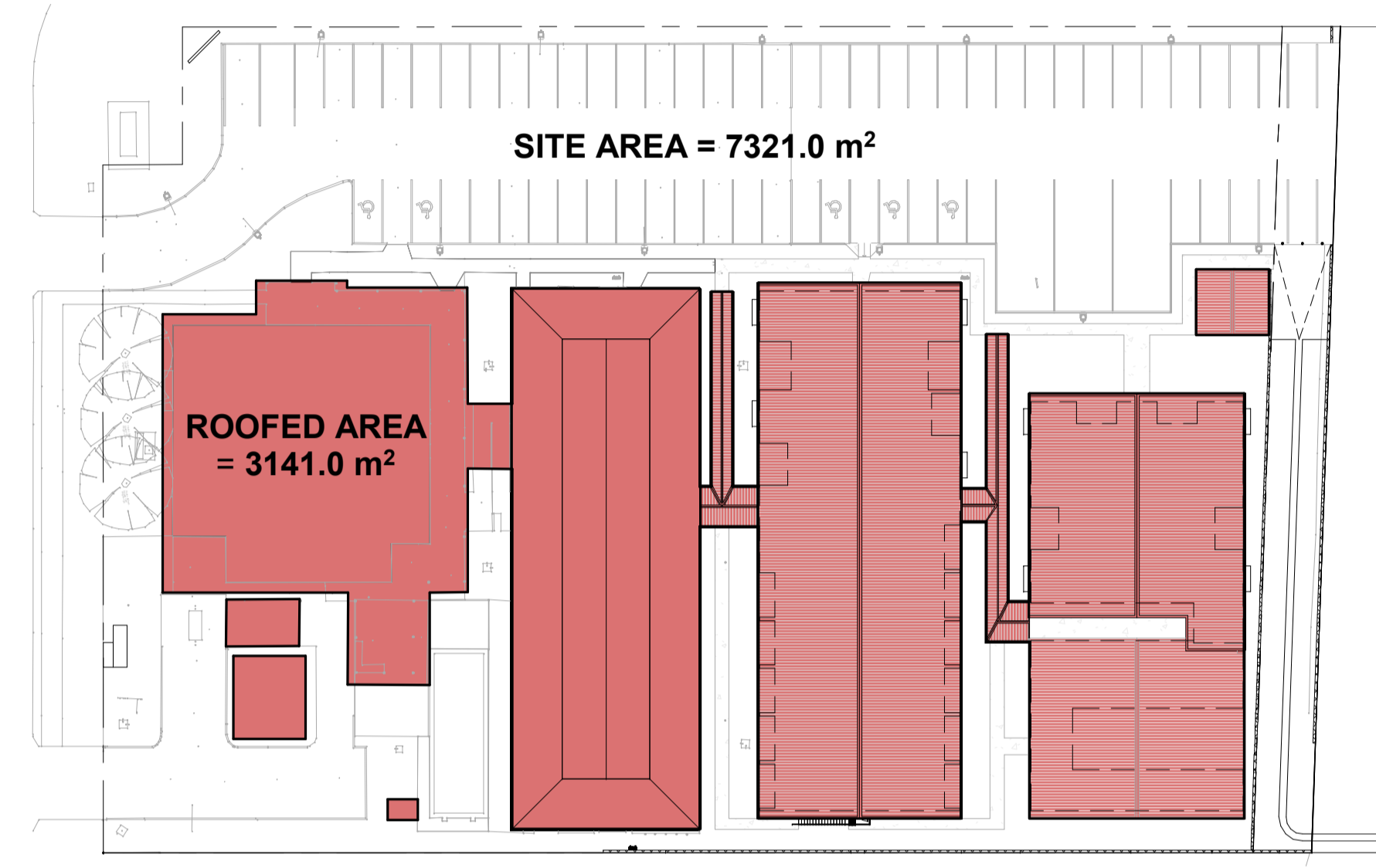
WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

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 Lot: 2 on SP183867
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1 GFA Diagram - Upper Floor
1 : 500

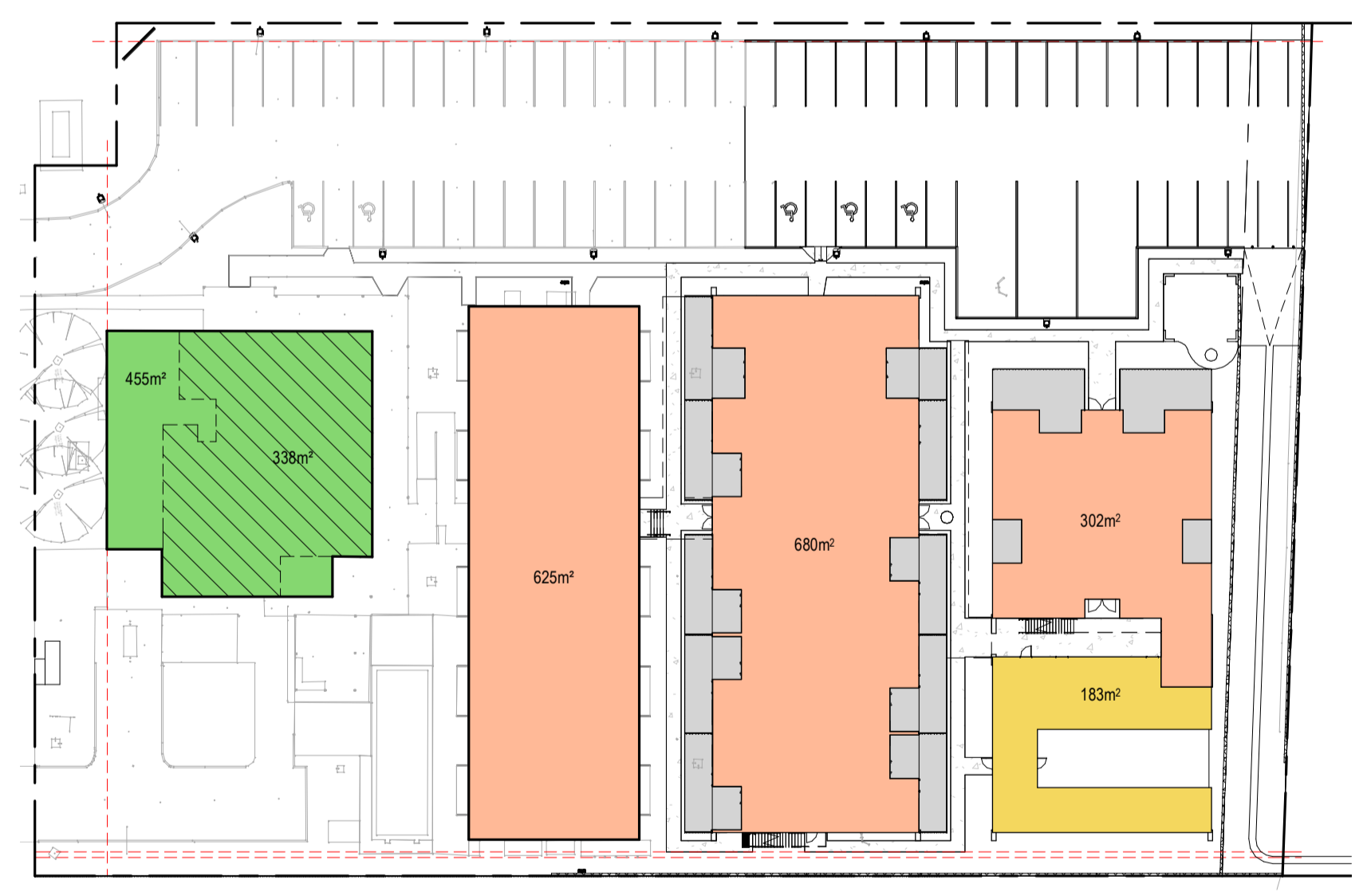


3 Site Cover Diagram - Roof
1 : 500

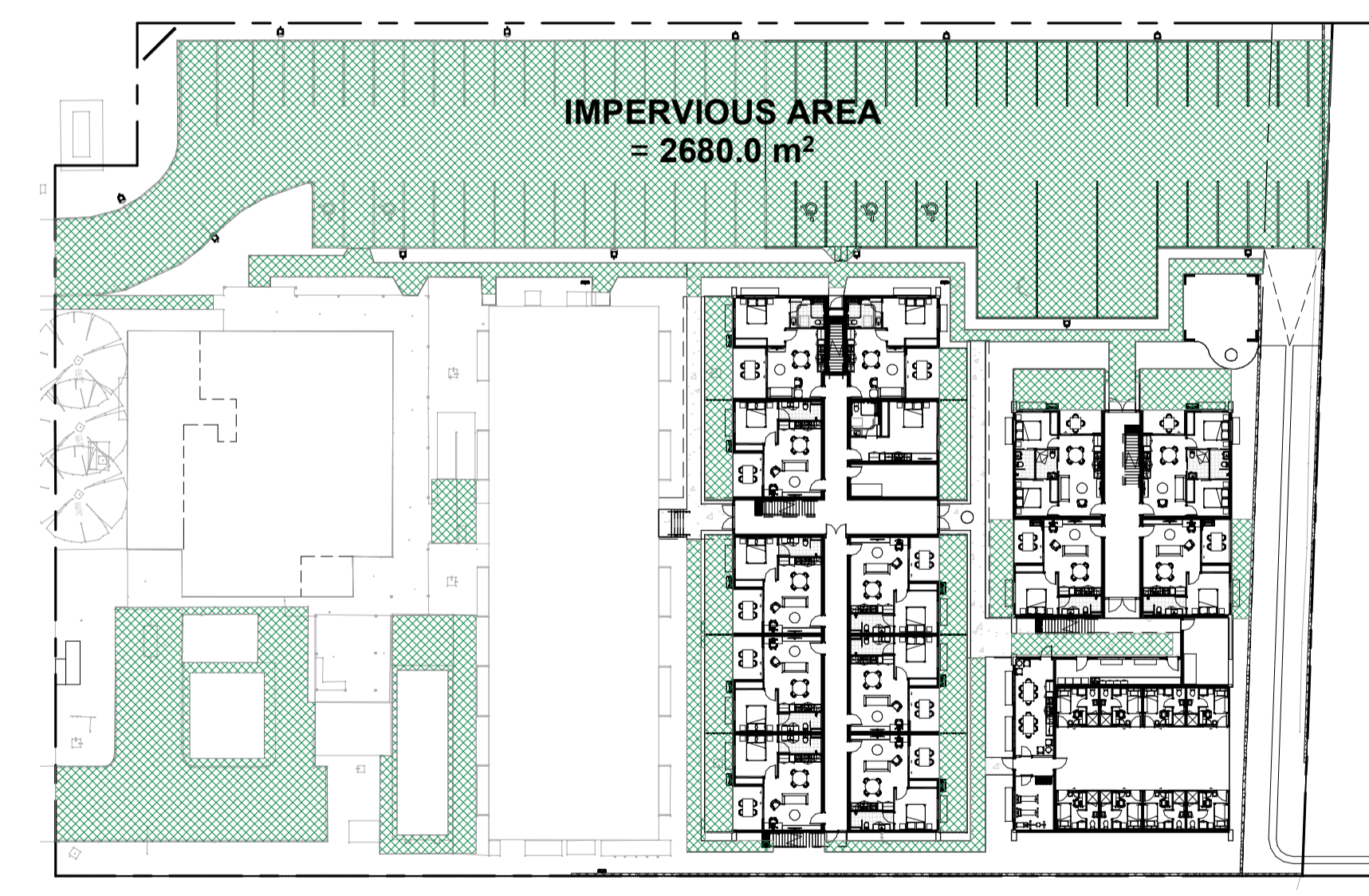
DEVELOPMENT INFORMATION - BUILDING LOT 2 on SP183867						
BUILDING	STOREYS	HEIGHT	GROUND LEVEL AREA	FIRST LEVEL AREA	TOTAL AREA	+ BALCONY / POS
BUILDING 01 (Ex.)	1	5m	455.0 m ² RESTAURANT INCL = 338.0 m ²	0.0 m ²	455.0 m ²	-
BUILDING 02 (Ex.)	2	8m	625.0 m ²	625.0 m ²	1250.0 m ²	-
BUILDING 03	2	8m	680.0 m ²	676.0 m ²	1356.0 m ²	348.0 m ²
BUILDING 04	2	8m	302.0 m ²	292.0 m ²	594.0 m ²	111.0 m ²
BUILDING 05	1	5m	183.0 m ²	0.0 m ²	183.0 m ²	-
TOTAL	-	-	2245.0 m²	1593.0 m²	3838.0 m²	4297.0 m²

SITE AREA	7321.0 m ²
IMPERVIOUS AREA (EXCLUDING AREAS INCLUDED IN SITE COVER)	2680.0 m ²
SITE COVER	43%

ROOM TYPE	BUILDING 3 GROUND LEVEL	BUILDING 3 FIRST LEVEL	BUILDING 4 GROUND LEVEL	BUILDING 4 FIRST LEVEL	BUILDING 4 GROUND LEVEL	TOTAL COUNT
STUDIO UNIT	0	11	0	0	0	11
STUDIO UNIT (DDA)	1	0	0	0	0	1
1 BED SERVICED UNIT	7	2	2	2	0	13
1 BED SERVICED UNIT+	0	2	0	0	0	2
1 BED SERVICED UNIT (DDA)	2	0	0	0	0	2
2 BED SERVICED UNIT	0	0	2	2	0	4
STAFF STUDIO	0	0	0	0	8	8
TOTAL	10	15	4	4	8	41



2 GFA Diagram - Ground Floor
1 : 500



4 Impervious Area Diagram - Ground Floor
1 : 500

F	DA Issue	MT	02.12.21
E	Preliminary DA Issue	MT	01.12.21
D	Coordination Issue	MT	26.11.21
C	WIP Plans	MT	22.11.21
B	For Comment	MT	05.11.21
A	Issue for Information	MW	15.10.21
Issue	revision	initials	date

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client | Owner

project | Weipa Accommodation
Tom Morrison Drive

drawing title | Area Diagrams

drawn | MW
 date | NOVEMBER 2021
 scale | As indicated@A1

project no. | drawing number | issue
2181 | A15.20 | F

NOTE:
LEVELS PROVIDED ARE INDICATIVE AND ARE SUBJECT TO CHANGE DURING DETAILED DESIGN

NOTE:
TOPOGRAPHY SHOWN INDICATIVELY ONLY. REFER CIVIL ENG. DWG. FOR INDICATION OF CUT AND FILL. SUBJECT TO CHANGE DURING DETAILED DESIGN

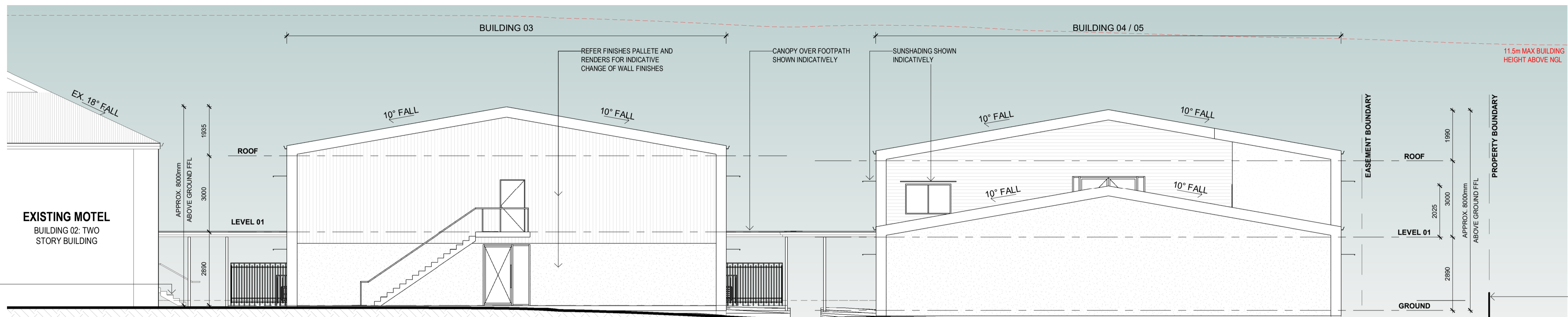
1 North Elevation
1 : 100



PROPERTY BOUNDARY
APPROX. 8000mm ABOVE GROUND FFL
2025
ROOF
LEVEL 01
GROUND

BUILDING 03 BEYOND SHOWN HALFTONE
SUNSHADING SHOWN INDICATIVELY
SUNSHADING SHOWN INDICATIVELY
MOTEL BBQ AND REC AREA
NEW RETAINING WALL REFER CIVIL ENG. DWG

3 East Elevation
1 : 100



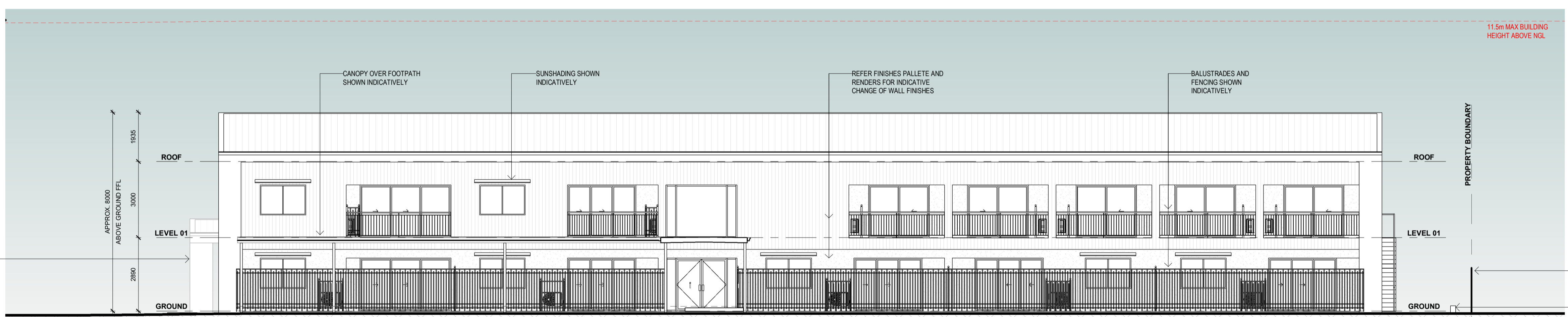
BUILDING 03
BUILDING 04 / 05
EASEMENT BOUNDARY
PROPERTY BOUNDARY
APPROX. 8000mm ABOVE GROUND FFL
1935
ROOF
LEVEL 01
GROUND

EXISTING MOTEL BUILDING 02: TWO STORY BUILDING
NEW STAIRCASE BETWEEN EXISTING MOTEL AND NEW BUILDING
NEW FENCE TO ALIGN WITH PROPERTY BOUNDARY
NEW RETAINING WALL REFER CIVIL ENG. DWG

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN

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Referred to in WTA's Decision Notice
Approval Date: 23/02/2022
Application Number: DA210012

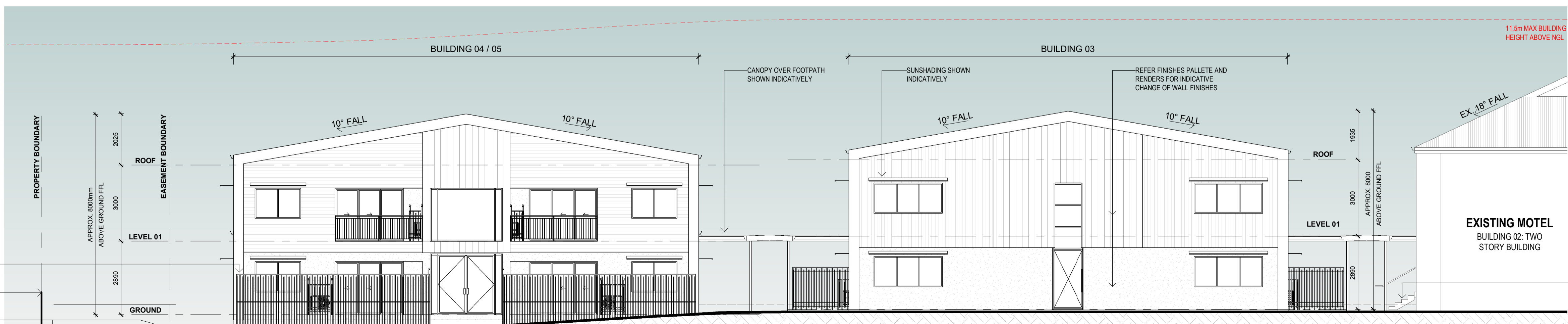
2 South Elevation
1 : 100



PROPERTY BOUNDARY
APPROX. 8000 ABOVE GROUND FFL
1935
ROOF
LEVEL 01
GROUND

MOTEL BBQ AND REC AREA BEYOND SHOWN HALFTONE
NEW FENCING TO ALIGN WITH PROPERTY BOUNDARY
NEW RETAINING WALL REFER CIVIL ENG. DWG

4 West Elevation
1 : 100



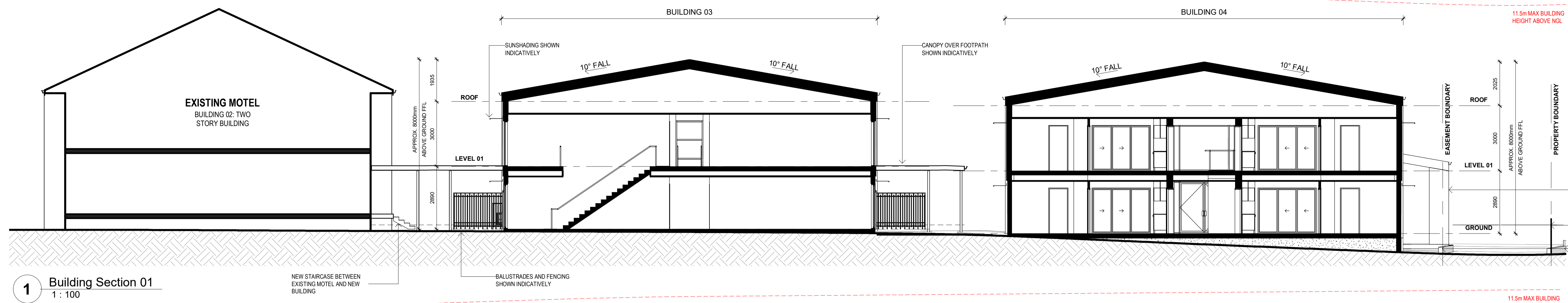
PROPERTY BOUNDARY
EASEMENT BOUNDARY
APPROX. 8000mm ABOVE GROUND FFL
2025
ROOF
LEVEL 01
GROUND

BUILDING 04 / 05
BUILDING 03
EXISTING MOTEL BUILDING 02: TWO STORY BUILDING
NEW STAIRCASE BETWEEN EXISTING MOTEL AND NEW BUILDING

E	DA Issue	MT	02.12.21
D	Preliminary DA Issue	MT	01.12.21
C	Coordination Issue	MT	26.11.21
B	WIP Plans	MT	22.11.21
A	For Comment	MT	05.11.21
Issue	revision	initials	date

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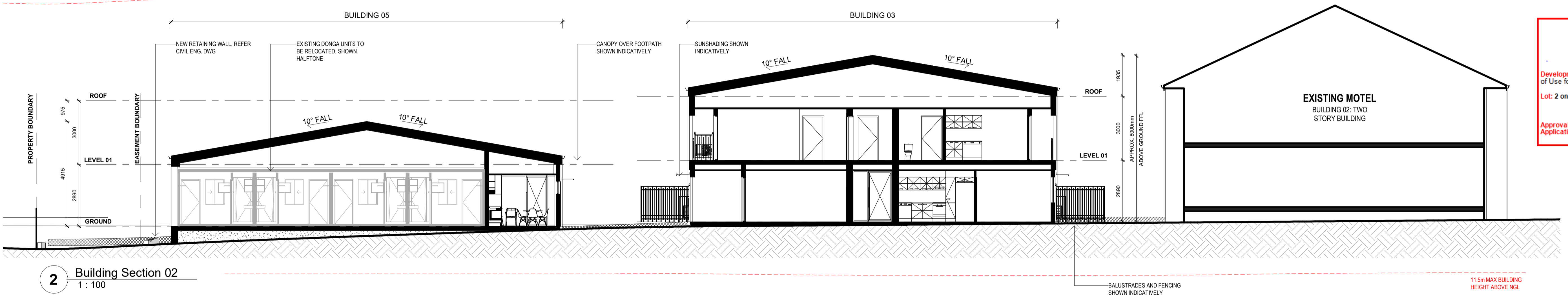
client	Owner
project	Weipa Accommodation Tom Morrison Drive
drawing title	Proposed Elevations
drawn	MT
date	NOVEMBER 2021
scale	As indicated@A1
project no.	2181
drawing number	A20.02
issue	E



1 Building Section 01
1 : 100

NOTE:
LEVELS PROVIDED ARE INDICATIVE AND ARE SUBJECT TO CHANGE DURING DETAILED DESIGN

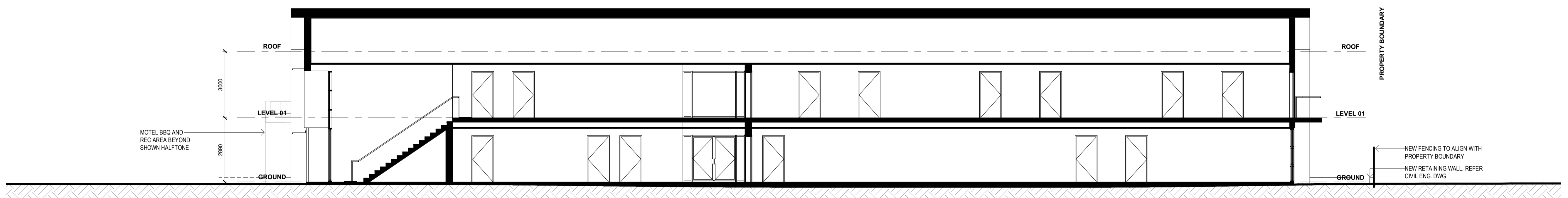
NOTE:
TOPOGRAPHY SHOWN INDICATIVELY ONLY. REFER CIVIL ENG. DWG. FOR INDICATION OF CUT AND FILL. SUBJECT TO CHANGE DURING DETAILED DESIGN



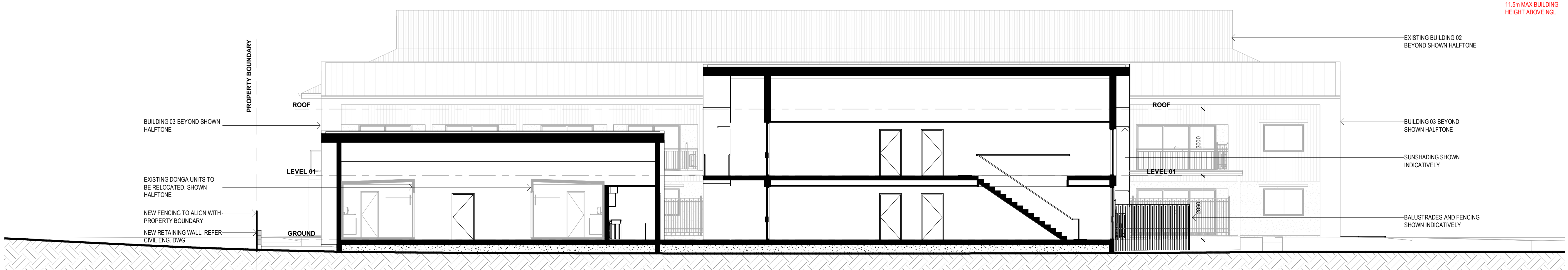
2 Building Section 02
1 : 100

WEIPA TOWN AUTHORITY
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APPROVED PLAN

Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
Lot: 2 on SP183967
Referred to in WTA's Decision Notice
Approval Date: 23/02/2022
Application Number: DA210012



3 Building Section 03
1 : 100

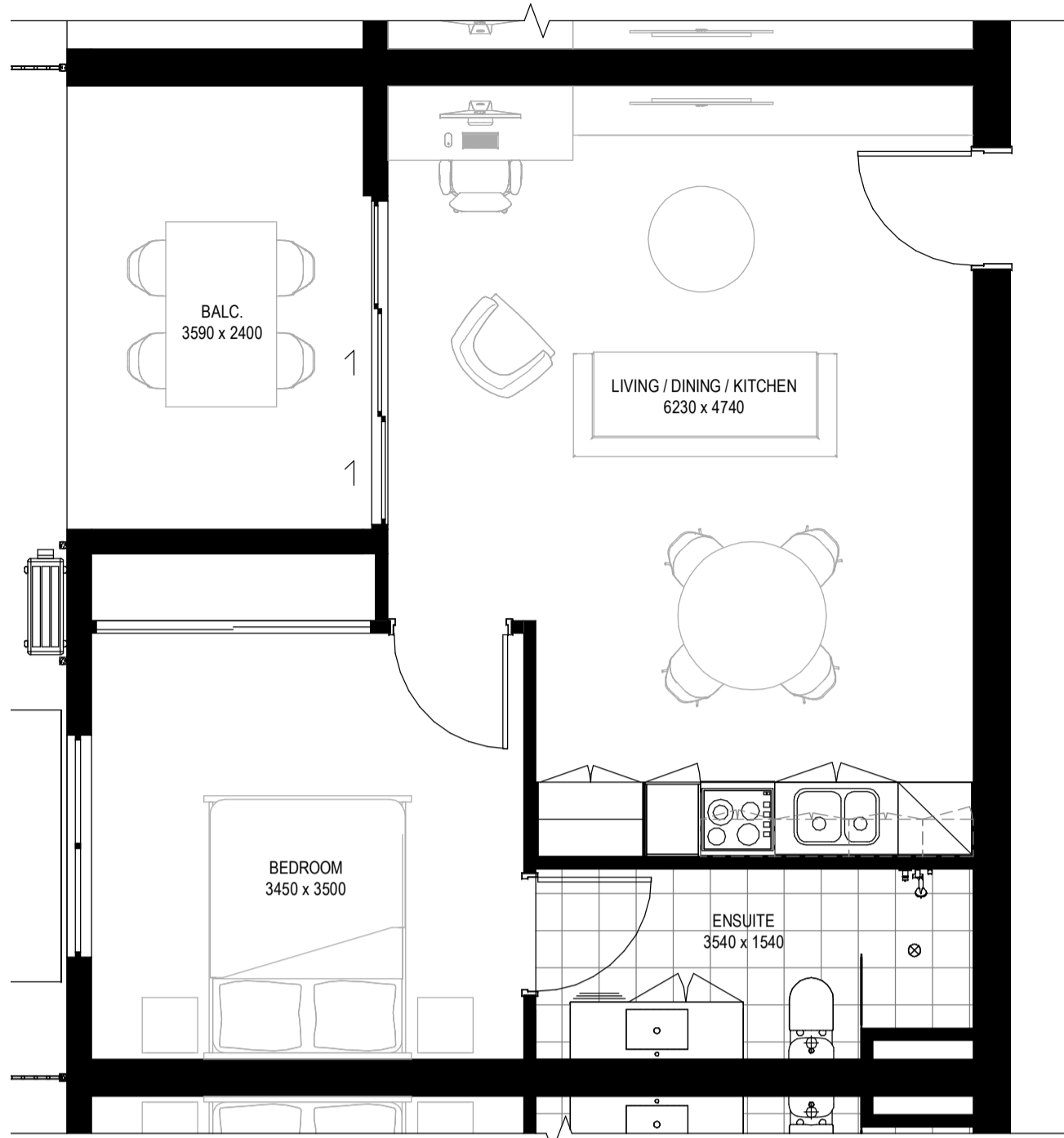


4 Building Section 04
1 : 100

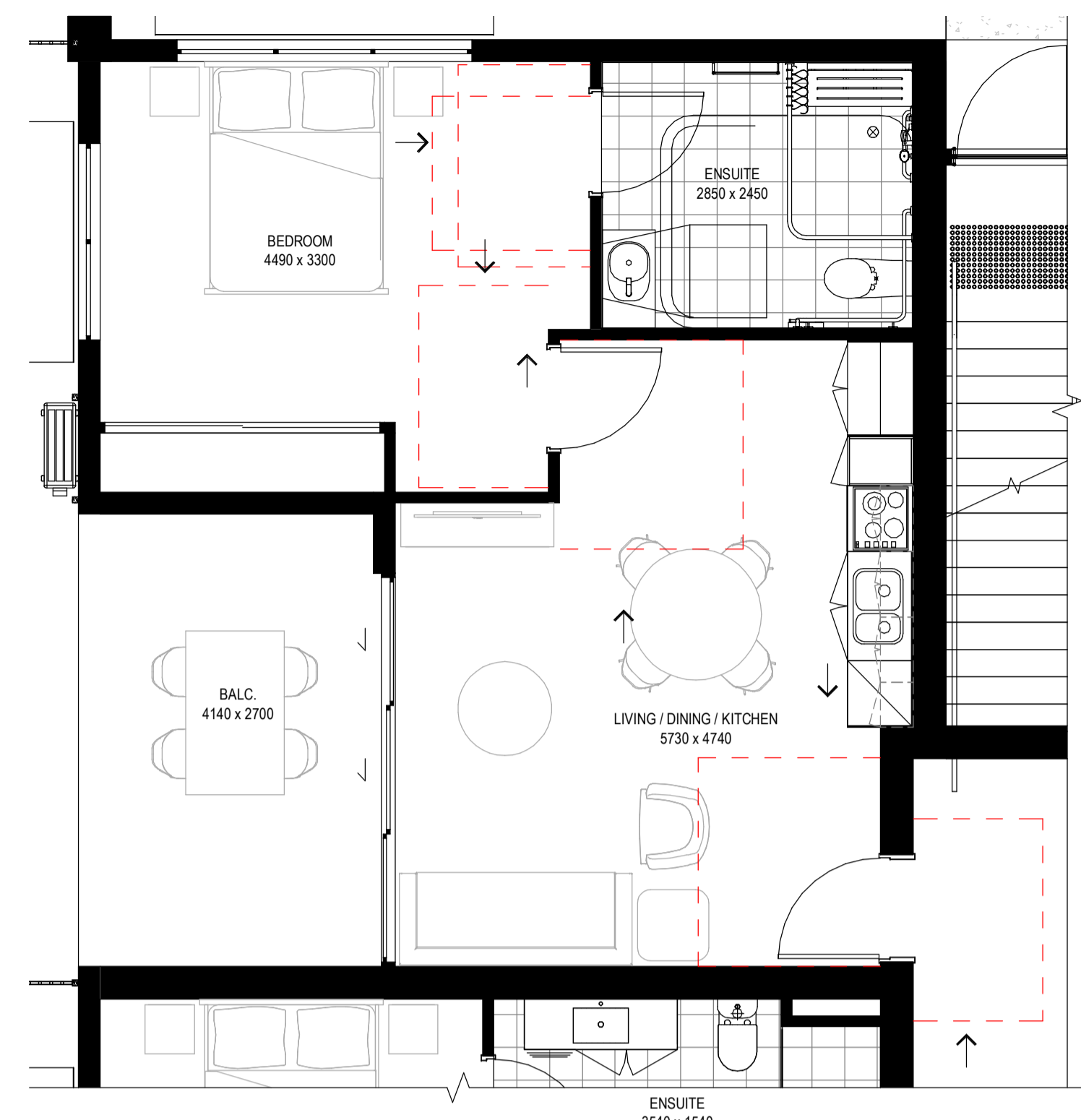
D	DA Issue	MT	02.12.21
C	Preliminary DA Issue	MT	01.12.21
B	Coordination Issue	MT	26.11.21
A	WIP Plans	MT	22.11.21
Issue	revision	initials	date

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p 07 3356 6100 e admin@cayasarchitects.com.au

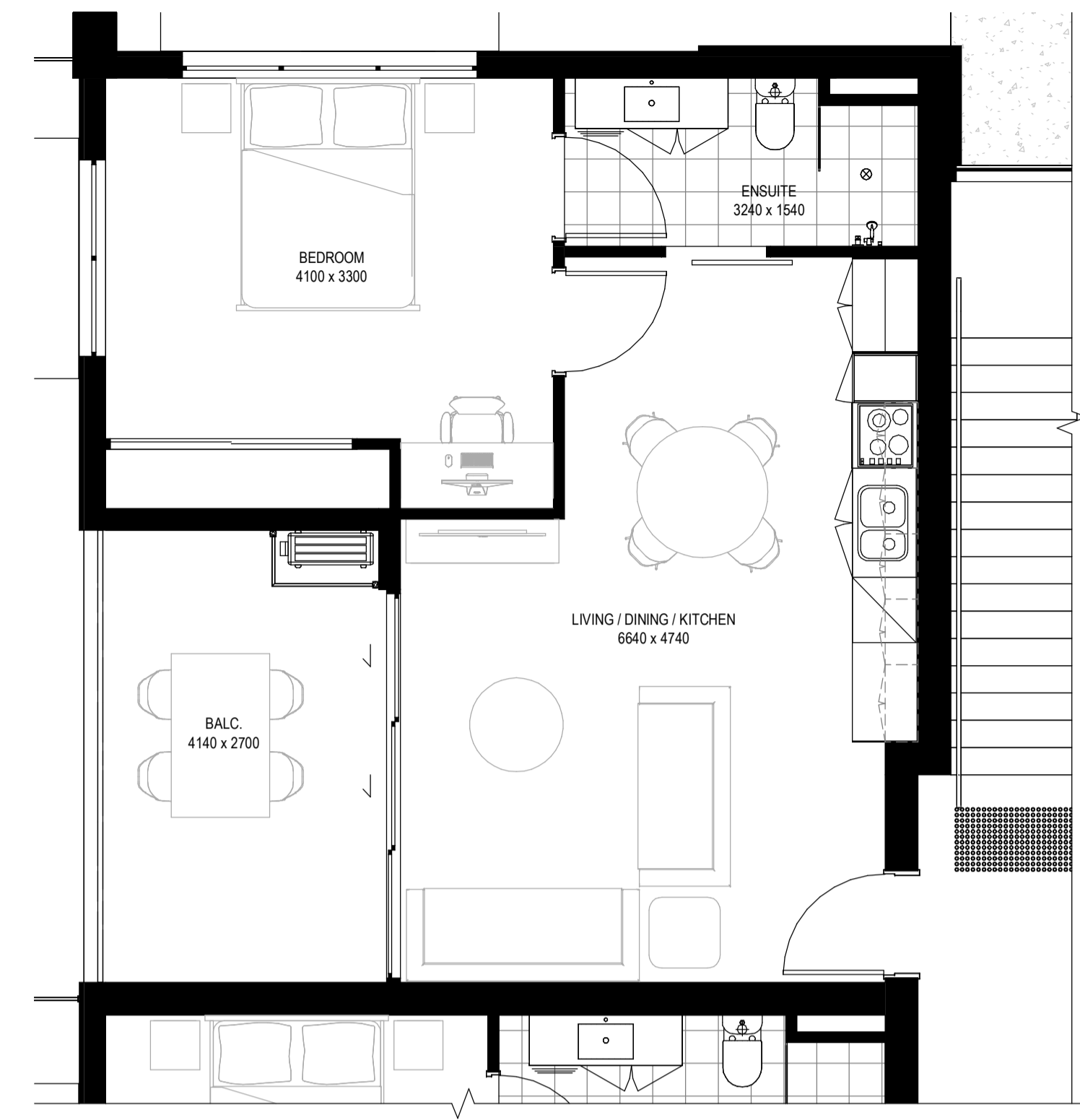
client	Owner
project	Weipa Accommodation Tom Morrison Drive
drawing title	Proposed Sections
drawn	MT
date	NOVEMBER 2021
scale	As indicated@A1
project no.	2181
drawing number	A30.00
issue	D



1 1 Bed Serviced Unit - Typical
1 : 50



2 1 Bed Serviced Unit (DDA) - Typical
1 : 50

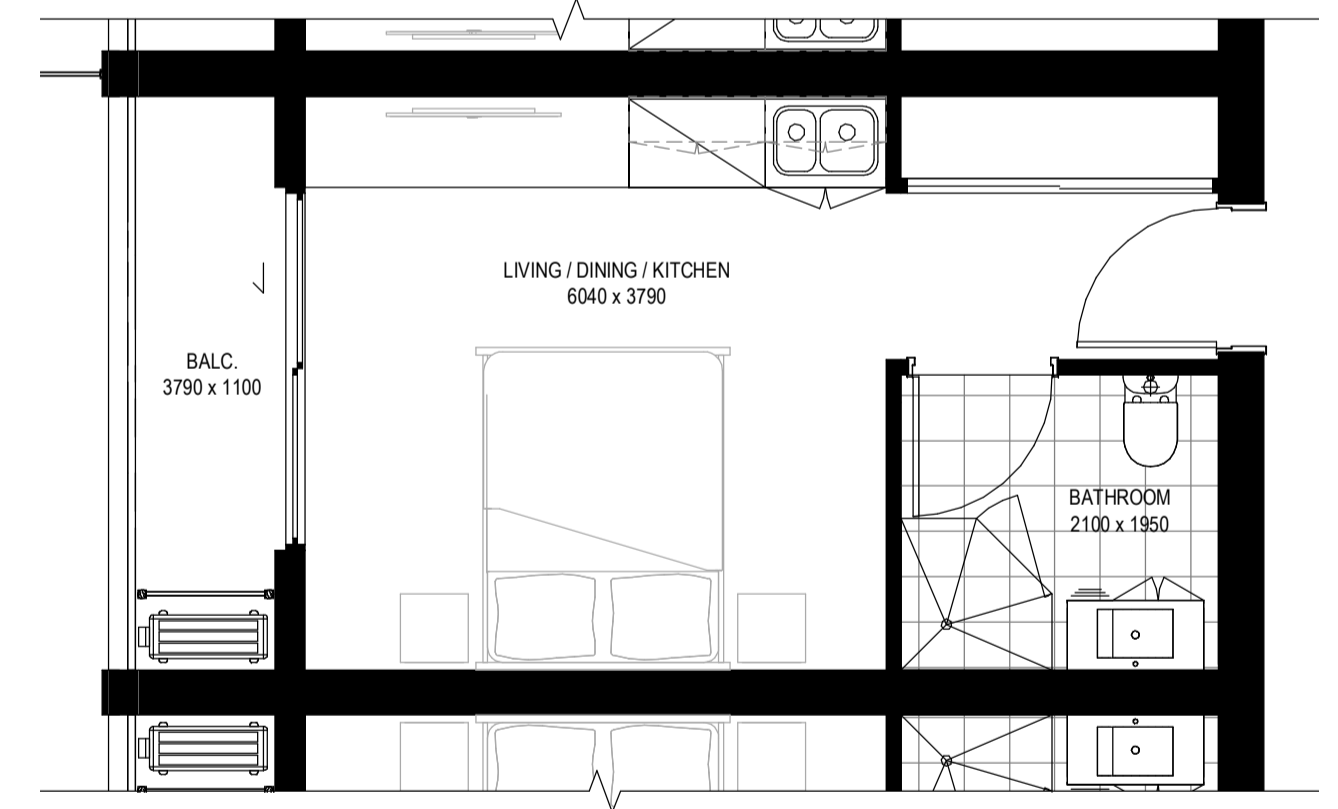


7 1 Bed Serviced Unit+ - Typical
1 : 50

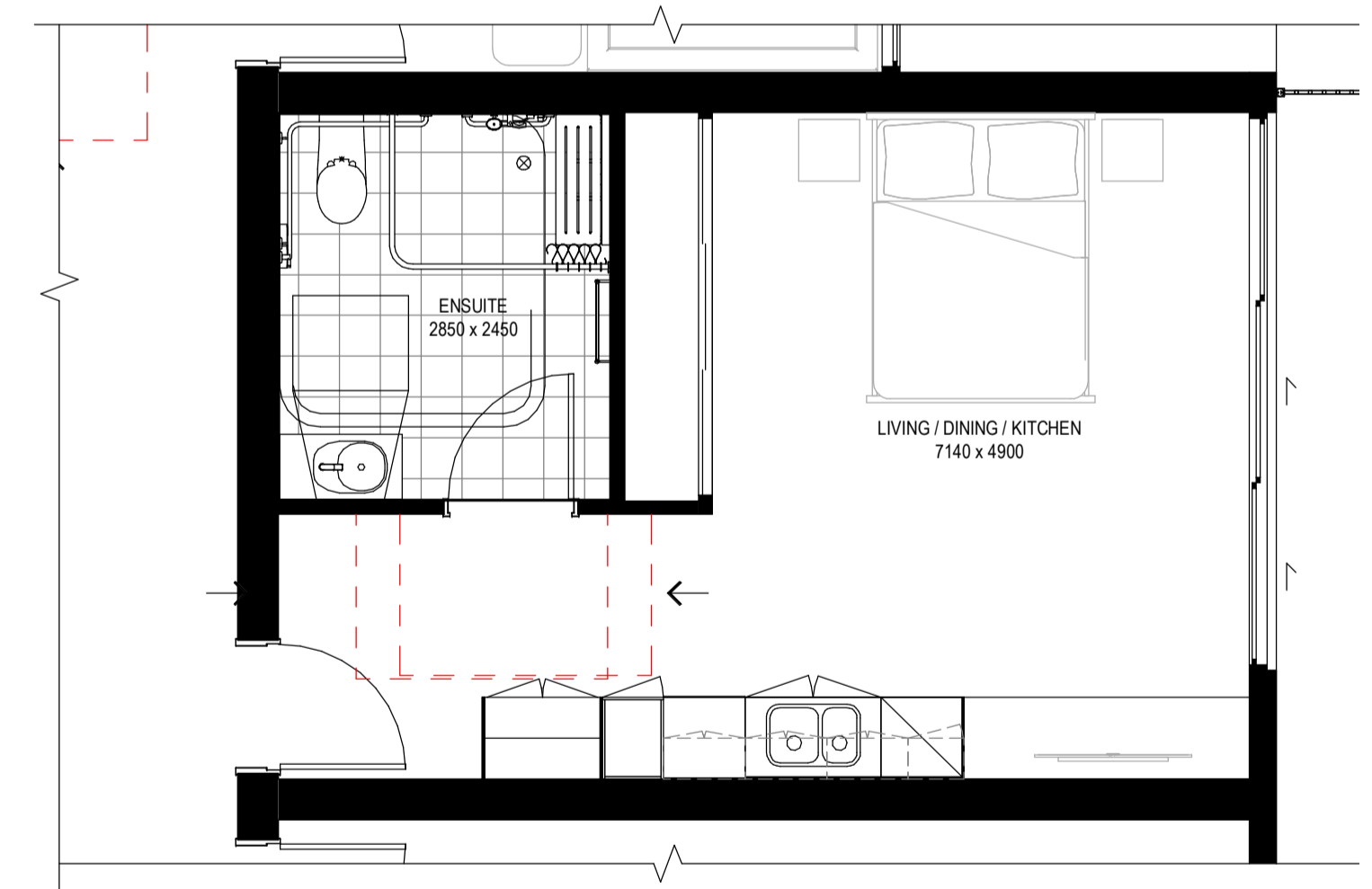
WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
APPROVED PLAN
Development Application: Development Permit for Material Change of Use for Short Term Accommodation and Food and Drink Outlet
Lot: 2 on SP183867
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Approval Date: 23/02/2022
Application Number: DA210012



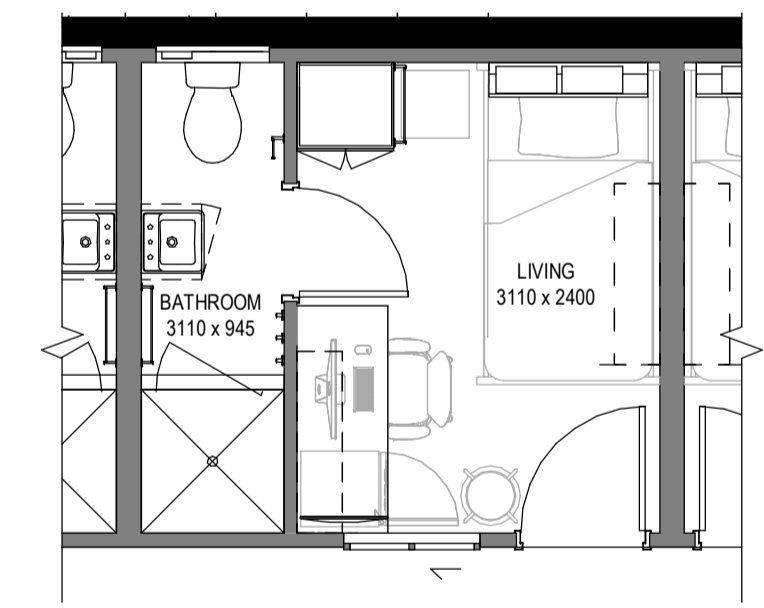
4 2 Bed Serviced Unit - Typical
1 : 50



5 Studio Unit - Typical
1 : 50



3 Studio Unit (DDA) - Typical
1 : 50



6 Existing Donga Unit Re-located - Typical
1 : 50

F	DA Issue	MT	02.12.21
E	Preliminary DA Issue	MT	01.12.21
D	Coordination Issue	MT	26.11.21
C	WIP Plans	MT	22.11.21
B	WIP Plans	MT	16.11.21
A	For Comment	MT	05.11.21
Issue	revision	initials	date

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client	Owner	
project	Weipa Accommodation Tom Morrison Drive	
drawing title	Typical Unit Floor Plans	
drawn	MT	
date	NOVEMBER 2021	
scale	1 : 50@A1	
project no.	drawing number	issue
2181	A50.50	F



* RENDERS SHOWN INDICATIVELY ONLY

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
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Lot: 2 on SP183867

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D	DA Issue	MT	02.12.21
C	Preliminary DA Issue	MT	01.12.21
B	Coordination Issue	MT	26.11.21
A	WIP Plans	MT	22.11.21
Issue	revision	initials	date

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p 07 3356 6100 e admin@cayasarchitects.com.au

client | Owner

project | Weipa Accommodation
Tom Morrison Drive

drawing title | Building Perspectives

drawn | MT
date | NOVEMBER 2021
scale | @A1

project no. | drawing number | issue
2181 | **A90.00** | **D**



#01
FLOORING
EXPOSED AGGREGATE
CONCRETE FOR EXTERNAL
ENTRY PATHWAYS



#02
WALLS
RENDER AND PAINT
GENERALLY FOR EXTERNAL
WALLS



#03
WALLS
LIGHT WEIGHT EXTERNAL
WALL CLADDING



#04
FRAMES
POWDERCOATED DOOR AND
WINDOW FRAMES



#05
ROOF / WALL SHEETING
FINISH AND APPLICATION OF
ROOF / WALL CLADDING



WEIPA TOWN AUTHORITY
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D	DA Issue	MT	02.12.21
C	Preliminary DA Issue	MT	01.12.21
B	Coordination Issue	MT	26.11.21
A	WIP Plans	MT	22.11.21
Issue	revision	initials	date

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client	Owner		
project	Weipa Accommodation Tom Morrison Drive		
drawing title	Finishes Palette		
drawn	MT		
date	NOVEMBER 2021		
scale	1 : 100@A1		
project no.	drawing number	issue	
2181	A90.50	D	

WEIPA TOWN AUTHORITY
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Application Number: DA210012

CONTENTS	
SITE PLAN	SD-01
FENCE PLAN	SD-02
SITE SECTIONS	SD-03
INDICATIVE PLANT PALETTE	SD-04

PAGE	
SD-01	
SD-02	
SD-03	
SD-04	

Existing verge

Central Avenue



- Proposed carpark lighting located opposite linework to avoid vehicle overhang
- Storm water overflow over carpark shown hatched
- New carpark lighting
- Kerb break at easement intersection. Refer Civil drawing
- Bollards (3) to prevent swale access by vehicles - refer Architects
- Stormwater transition slab and swale. refer Civil drawings
- Motel BBQ and Recreation Area. Refer Architect specification
- Feature pot plant - irrigated
- Private Open Space (POS). Paving refer Architects. Screen planting
- All softscape to be irrigated via automatic irrigation system
- Swale - Refer Civil for profile. Turf finish
- Canopy to link buildings - Refer Architects
- New 1800mm high timber fence on retaining wall to boundary. All timber materials to not be in contact with the ground. Finish TBC. Refer Civil for retaining wall, Architect for fence spec.
- Canopy over path - Refer Architects
- Gravel mulch under drip lines of canopy. Subsoil drainage to connect to SW
- Additional planting to screen existing building
- Fire egress to rear door
- 2m wide screen planting as landscape buffer to boundary
- New 1800mm high timber fence on low retaining wall to boundary shown dark blue dash. All timber materials to not be in contact with the ground. Finish TBC

SCHEMATIC DESIGN - SITE PLAN

WEIPA MOTEL - 2 Central Ave, Rocky Point QLD

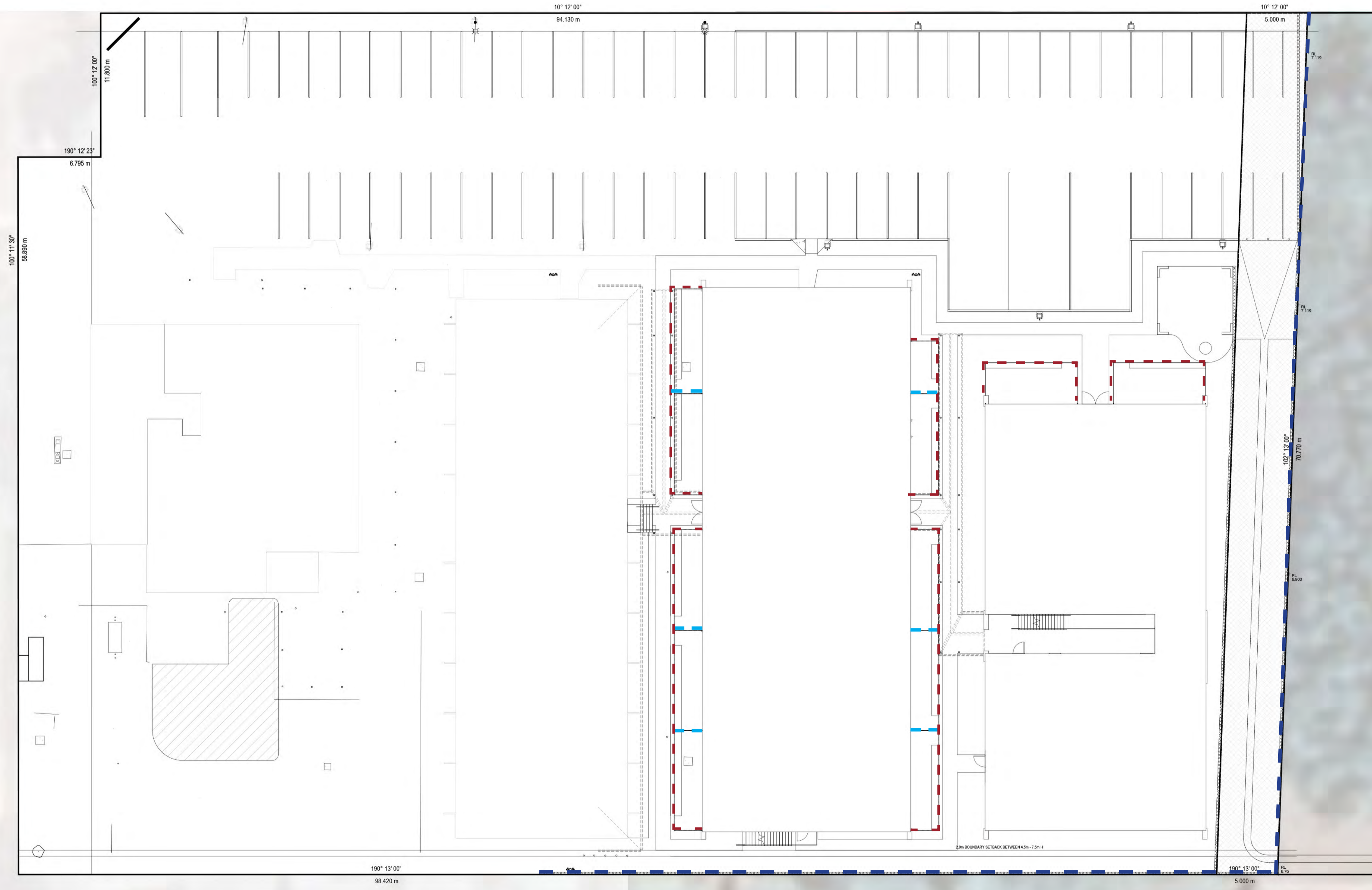
WEIPA TOWN AUTHORITY
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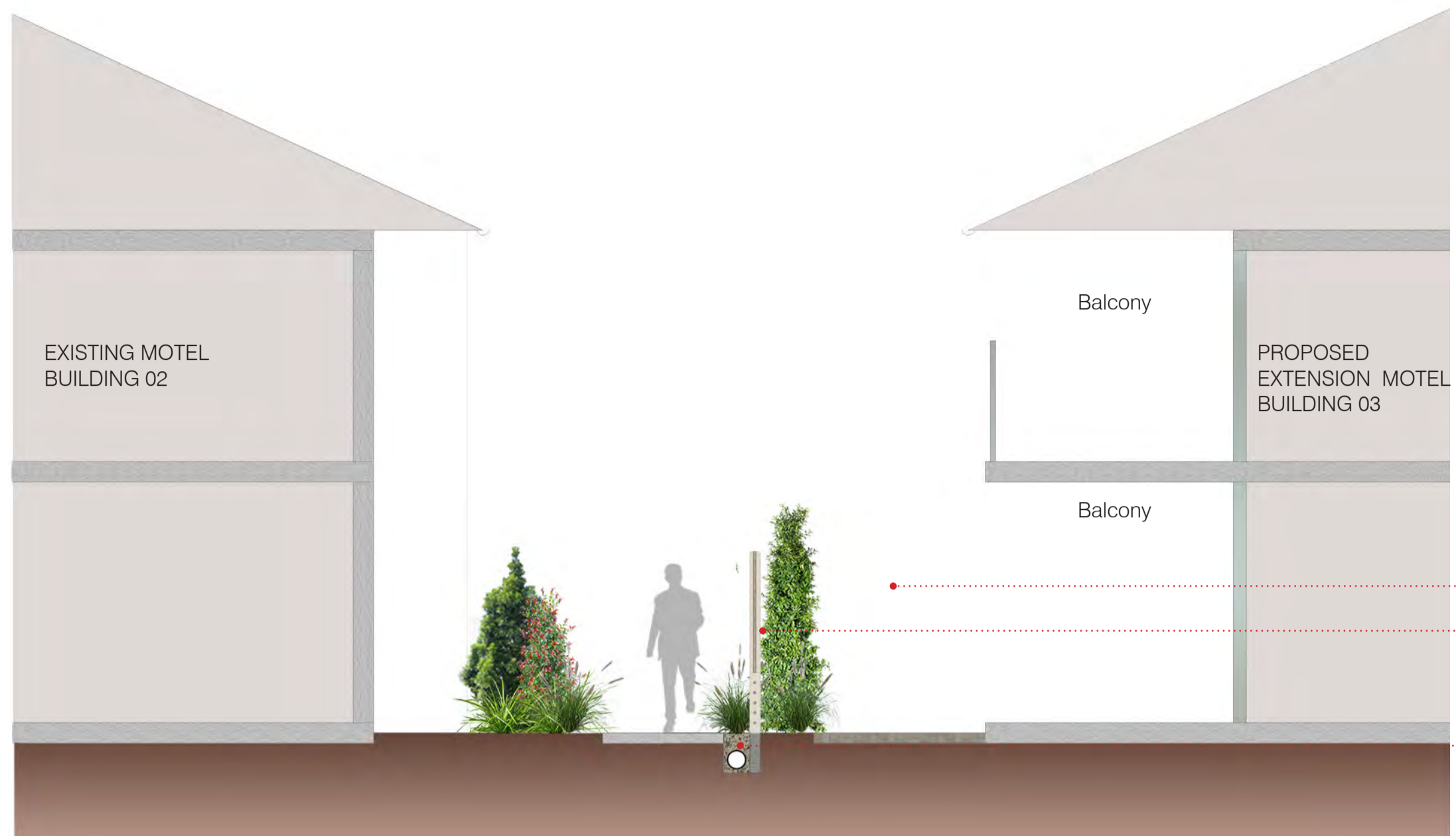


LEGEND

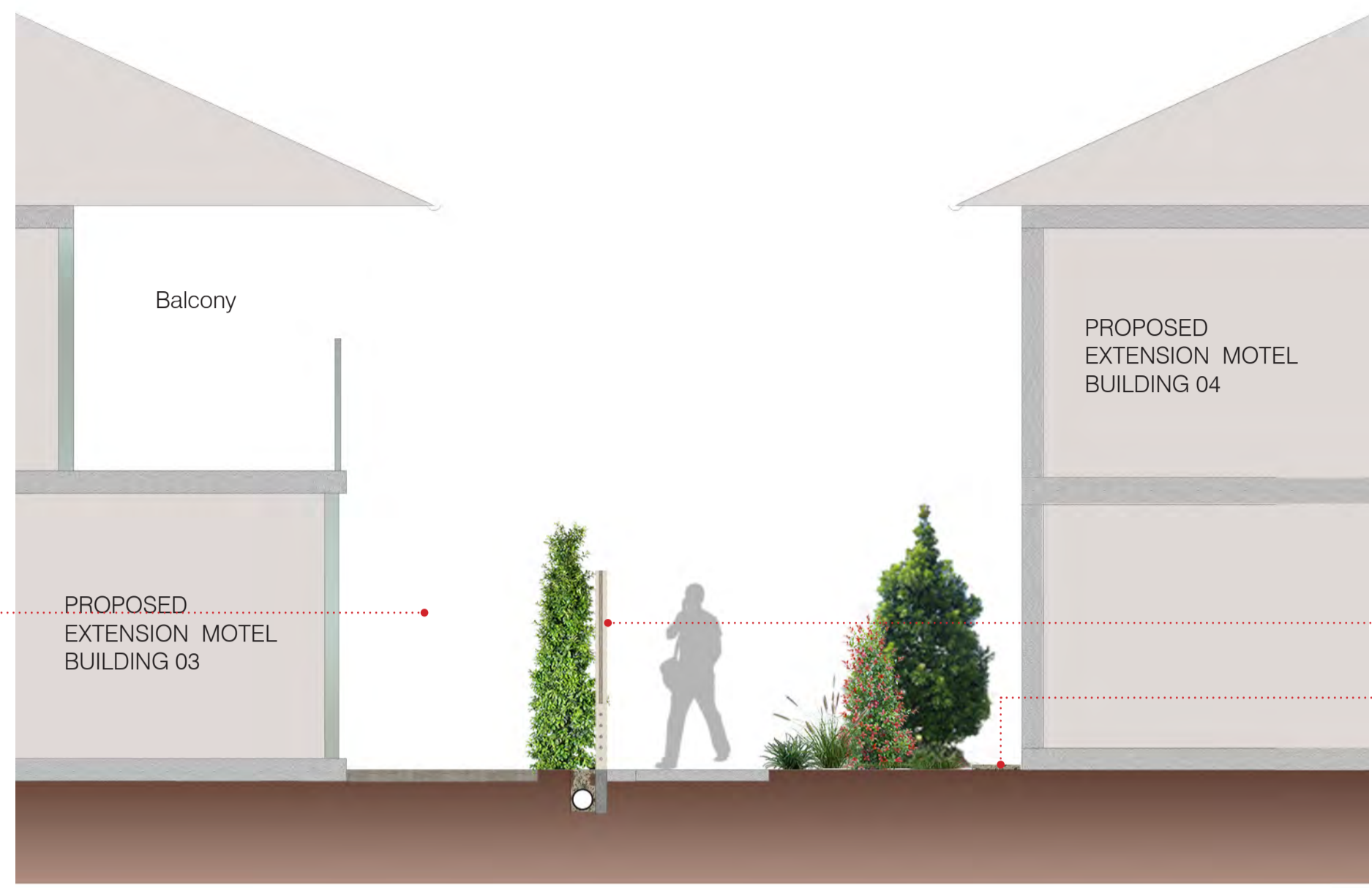
- - - - - 1800mm Timber Fence
- - - - - 1800mm Timber Fence on retaining wall
- - - - - POS screen

SCHEMATIC DESIGN - FENCE PLAN

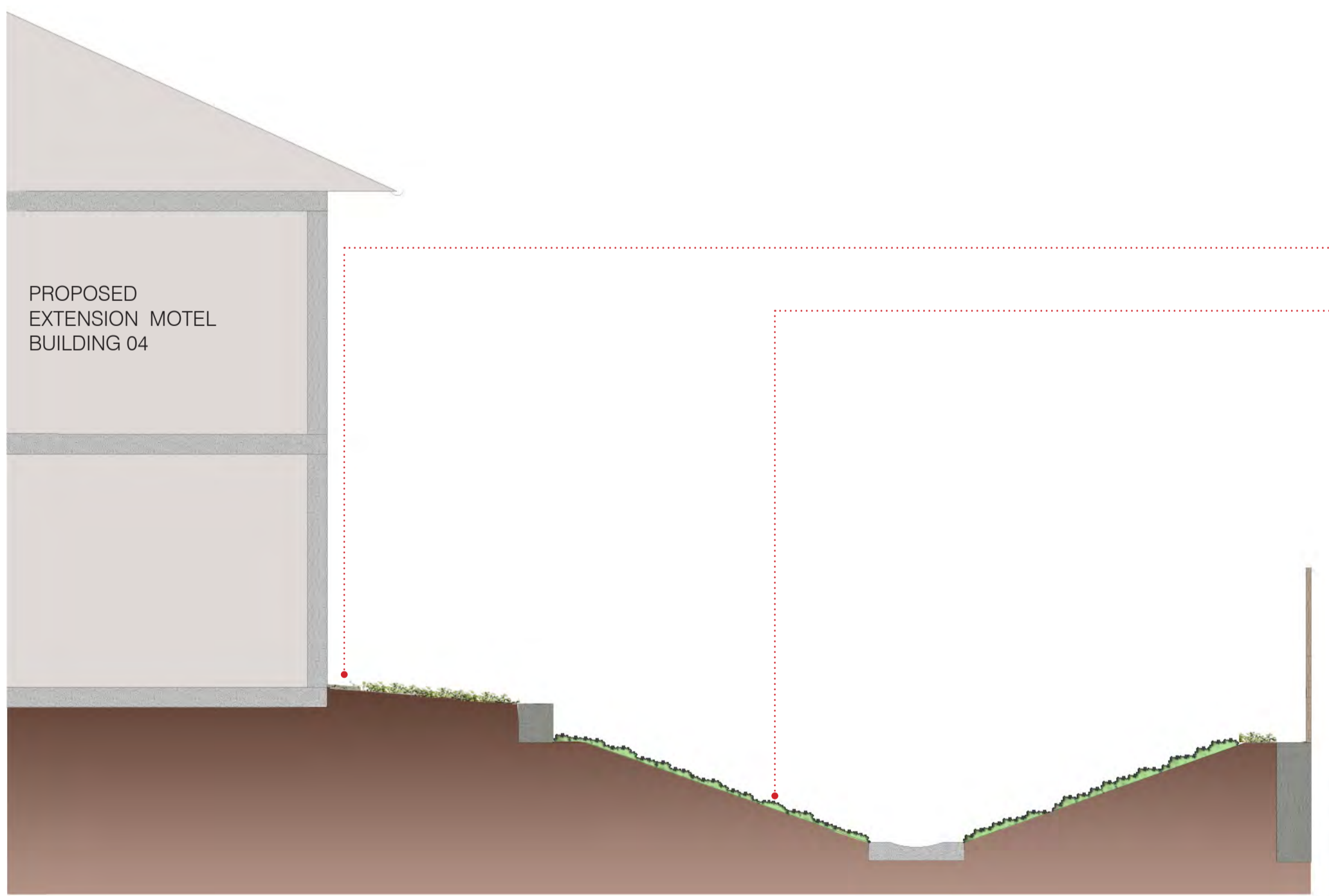
WEIPA MOTEL - 2 Central Ave, Rocky Point QLD



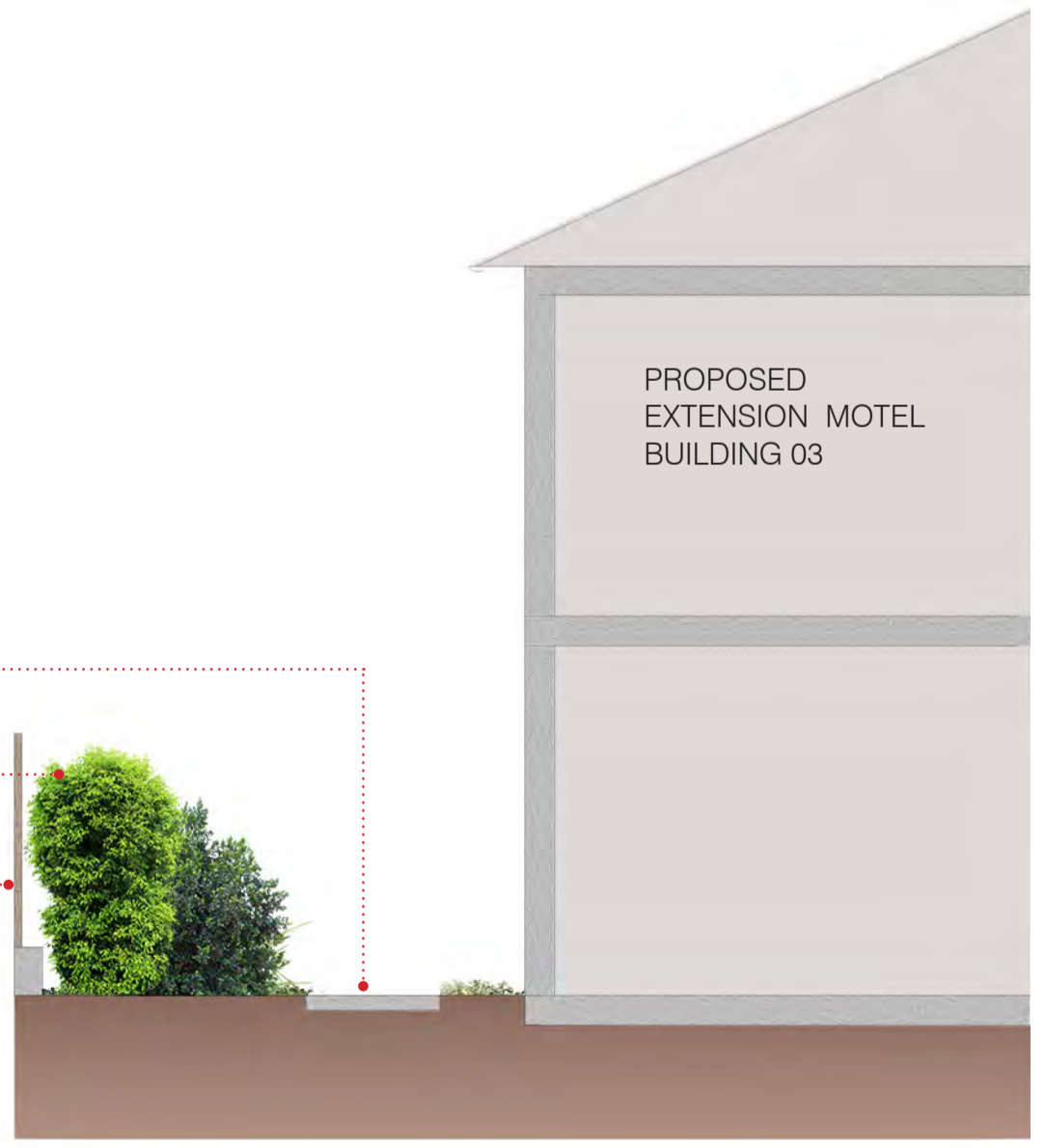
SECTION A
SCALE 1:50 @ A1
SCALE 1:100 @ A3



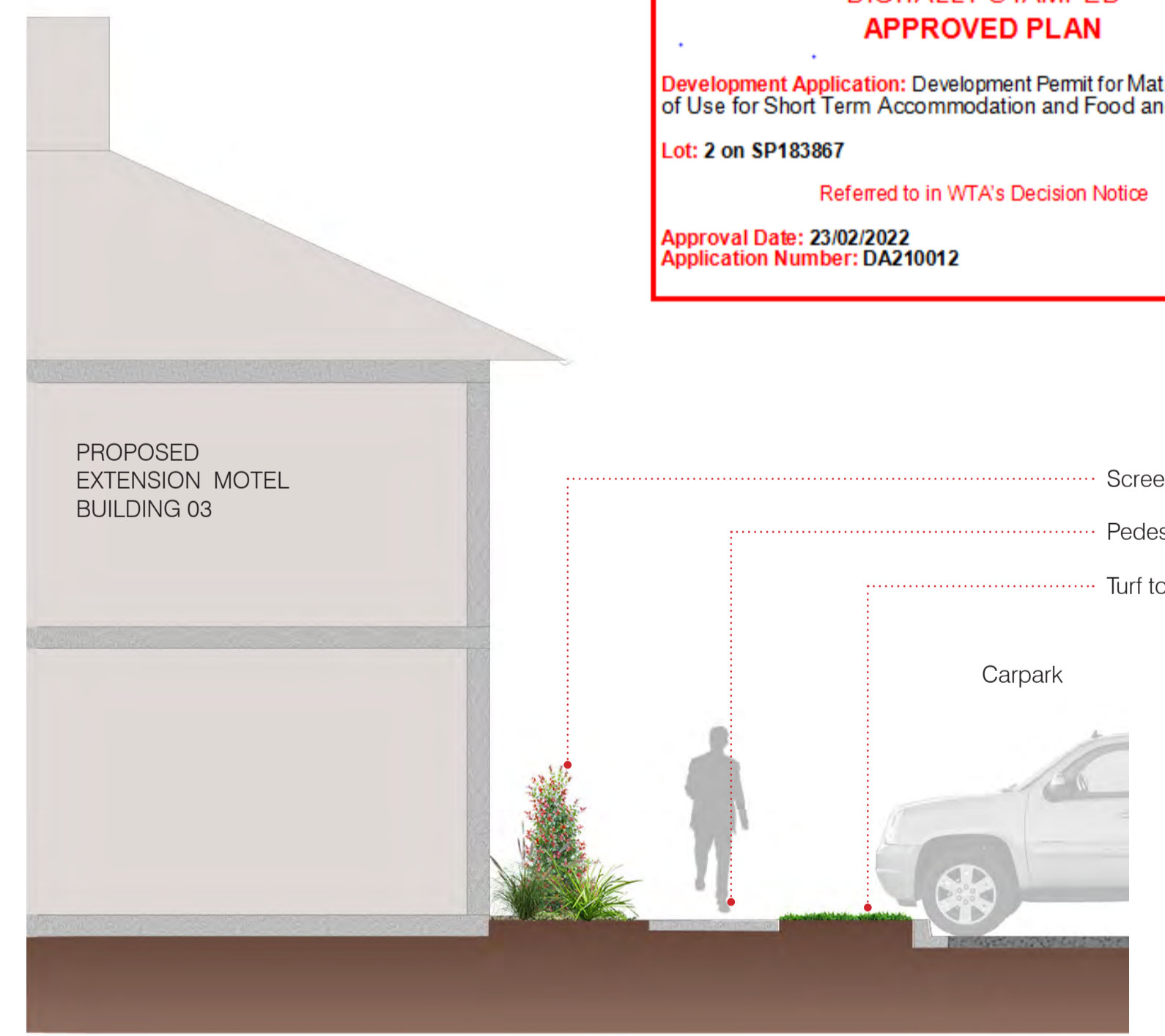
SECTION B
SCALE 1:50 @ A1
SCALE 1:100 @ A3



SECTION C
SCALE 1:50 @ A1
SCALE 1:100 @ A3



SECTION D
SCALE 1:50 @ A1
SCALE 1:100 @ A3



SECTION E
SCALE 1:50 @ A1
SCALE 1:100 @ A3

WEIPA TOWN AUTHORITY
DIGITALLY STAMPED
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SCHEMATIC DESIGN - SITE SECTIONS

WEIPA MOTEL - 2 Central Ave, Rocky Point QLD

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ACMENA hemilampra



BUCKINGHAMIA celsissima



CORDYLINE australis



DELONIX regia



GREVILLEA baileyana

SPECIES	COMMON NAME
ACMENA hemilampra	Blush Satinash
BUCKINGHAMIA celsissima	Ivory Curl Tree
CASSIA javanica	Rainbow Showers
CORDYLINE australis	Cabbage Tree
DELONIX regia	Poinciana
DRACAENA marginata	Dragon Tree
ELAEOCARPUS eumundii	Smooth Quandong
GREVILLEA baileyana	White Oak

TREES



ALPINEA mutica



ASPIDISTRA elatior



CALLISTEMON viminalis 'Little John'



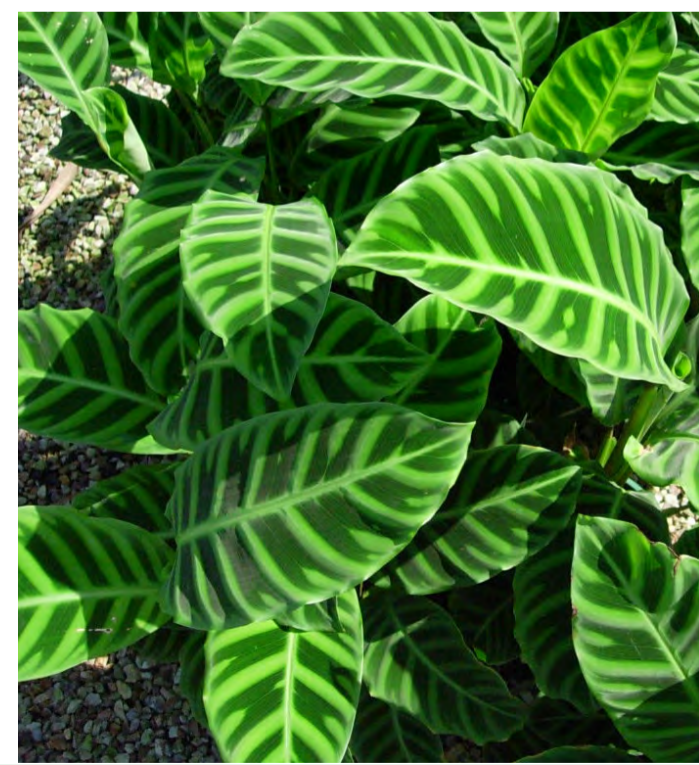
CALLISTEMON saignus 'Great Balls of Fire'



METROSIDEROS excelsa

SPECIES	COMMON NAME
ALCANTAREA glaziouana	Bromeliad
ALPINIA mutica	False Cardamom
ALPINIA zerumbet	Shell Ginger
ASPIDISTRA elatior	Cast Iron Plant
CALLISTEMON viminalis 'Little John'	Dwarf Bottlebrush
CALLISTEMON saignus 'GBF'	Great Balls of Fire
CORDYLINE fruticosa	Palm Lily
GARDENIA augusta	Cape Jasmine
HYMENOCALLIS littoralis	Spider Lily
METROSIDEROS excelsa	NZ Christmas Tree
RHAPIS excelsa	Lady Palm

SHRUBS



CALATHEA zebrina



DIANELLA brevipedunculata



LIRIOPE Evergreen Giant



TRACHELOSPERMUM jasminoides



VIOLA hederacea

SPECIES	COMMON NAME
CALATHEA zebrina	Zebra Plant
CURCULIGO capitulata	Weevil Plant
DIANELLA brevipedunculata	Flax Lilly
LIRIOPE 'Evergreen Giant'	Liriope
LOMANDRA hystrix	Mat Rush
NEOREGELIA caroliniae	Blushing Bromeliad
PANDOREA jasminoides	Southern Belle
PHILODENDRON 'Xanadu'	Compact Philodendron
RHOEO spathacea	Moses-In-The-Cradle
SANSIVIERIA trifasciata	Mother-In-Law's Tongue
TRACHELOSPERMUM jasminoides	Star Jasmine
VIOLA hederacea	Native Violet

GROUNDCOVERS + CREEPERS

SCHEMATIC DESIGN - INDICATIVE PLANT PALETTE

WEIPA MOTEL - 2 Central Ave, Rocky Point QLD

RA9-N



SARA reference: 2112-26432 SRA
 Council reference: DA210012
 Applicant reference: 21199

10 January 2022

Superintendent
 Weipa Town Authority
 PO Box 420
 Weipa Qld 4874
 admin@weipatownauthority.com.au

Attention: Kerri Kuehn

Dear Sir/Madam

SARA response—Weipa Motel Expansion at 2 Tom Morrison Drive, Rocky Point, Weipa (Lot 2 on SP183867)

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 13 December 2021.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	10 January 2022
Advice:	Advice to the applicant is in Attachment 1 .
Reasons:	The reasons for the referral agency response are in Attachment 2 .

Development details

Description:	Development permit	Material Change of Use for Short-term Accommodation, and Food and Drink Outlet
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) – Development impacting on State transport infrastructure thresholds (accommodation for over 75 people)	

SARA reference: 2112-26432 SRA
Assessment Manager: Weipa Town Authority
Street address: 2 Tom Morrison Drive, Rocky Point, Weipa
Real property description: Lot 2 on SP183867
Applicant name: Gurukol Pty Ltd
Applicant contact details: C/- Mewing Planning Consultants
GPO Box 1506
Brisbane QLD 4000
jared.stewart@mewing.com.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules)

Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Anthony Westbury, Planning Officer, on 40373215 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson
A/Manager (Planning)

cc Gurukol Pty Ltd, jared.stewart@mewing.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

- The site has no road frontage or direct vehicular access, to a state-controlled road.
- Vehicle access to the site is via Tom Morrison Drive, a local council road.
- The site is shown on SARA's DA Mapping system as approximately 40km from the nearest mapped state-controlled road - the Peninsula Developmental Road.
- The development is unlikely to significantly impact on, or result in a worsening of safety, operation / management and network conditions, of the Peninsula Developmental Road.
- The proposed development complies with the relevant provisions of State code 6: Protection of state transport networks.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6)
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 3—Representation provisions

(page left intentionally blank – attached separately)

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.



Infrastructure Charges Notice

Planning Act 2016, section 119 & 121

Application Number:	DA210012	Your reference:	NA
Date Properly Made:	7 December 2021	Contact:	Matthew Turnbull
Date of Decision:	23 February 2022	Contact number:	(07) 4030 9400

1. APPLICANT DETAILS

Name:	Gurukol Pty Ltd		
Postal address:	C/- Mewing Planning Consultants GPO Box 1506 BRISBANE QLD 4001		
Phone:	0421 780 354	Email:	jared.stewart@mewing.com.au

2. PROPERTY DESCRIPTION

Street Address:	2 Tom Morrison Drive, Rocky Point
Property Description:	Lot 2 on SP183867

3. OWNER DETAILS

Name:	Gurukol Pty Ltd
Postal Address:	N/A

4. DEVELOPMENT APPROVAL

- Development Permit for Material Change of Use for Short-term Accommodation and Food and Drink Outlet

5. DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the *Planning Act 2016*, WTA decided to give an Infrastructure Charges Notice relevant to the development based on the developments increased demand on trunk infrastructure.

6. INFRASTRUCTURE CHARGE

The charge is levied pursuant to the *Weipa Town Authority Charges Resolution (No.1) 2019*. The details and breakdown of the charge are outlined below:

Total charge:	\$420,135.20 This charge may be indexed in line with Consumer Price Index on an annual basis.
Charge area:	-

Calculation:	<p>The proposed development for Short-term accommodation is included in the 'Accommodation – short-term' category in Table 1.1 of CR (No. 1) 2019.</p> <p>In accordance with Table 2.1 of the ICR No. 1, WTA's adopted charge for Short-term accommodation is \$10,247.20 per 1 or 2 bed suite or bed that is not part of a suite. The total adopted charge for the accommodation component is \$420,135.20 (41 bed/suite x \$10,247.20).</p> <p>The proposed development for Food and Drink outlet is included in the 'Commercial Retail' category in Table 1.1 of CR (No. 1) 2019. In accordance with Table 2.2 the applicable charge for the Food and Drink Outlet (commercial retail category) is \$184.45 per m² GFA plus \$10.25m² impervious area for stormwater.</p> <p>No charge applicable for the Food and Drink Outlet as the existing credit for the Restaurant ancillary to the existing Motel is greater than the applicable charge for the Food and Drink Outlet.</p>
Credit:	<p>Short-term accommodation component - no credits are applicable.</p> <p>Food and Drink Outlet component - exiting credit for the restaurant associated with the Motel (Table 1.1 and 1.2 Entertainment category, adopted charge of \$204.95 m² GFA plus \$10.25m² impervious area for stormwater).</p> <p>Credit for existing lawful use (\$204.95) is greater than the applicable charge for Food and Drink Outlet (\$184.45 per m²).</p>
Offset:	No offsets are applicable to the development.

7. PAYMENT DETAILS

The charge must be paid:	Prior to the change of use for occurring.
Payment options:	<p>Payment of the infrastructure charge can be made:</p> <p>IN PERSON</p> <ul style="list-style-type: none"> • At Weipa Town Authority's Customer Service Centre at Hibberd Drive. <p>TELEPHONE</p> <ul style="list-style-type: none"> • Call (07) 4030 9400 to pay via MasterCard or Visa. <p>MAIL</p> <ul style="list-style-type: none"> • Post a cheque payable to 'Weipa Town Authority and send to PO Box 420 Weipa QLD 4874.

8. LAPSING OF INFRASTRUCTURE CHARGES NOTICE

This infrastructure charges notice lapses if the development approval to which it pertains ceases to have effect in accordance with section 71 and 119 (11) of the *Planning Act 2016*.

9. APPEAL RIGHTS

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about an infrastructure charges notice are set out in chapter 6, part 1 of the *Planning Act 2016* and an extract is provided in Attachment 1. For particular applications, there may also be a right to make an application for a

declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

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

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

10. ASSESSMENT MANAGER

Judey Haeusler Superintendent	<i>Judey Haeusler</i>	Date:	25 February 2022
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Attachment 1 – Appeal rights

Planning Act 2016 Extract from schedule 1 - Appeals

The extract is provided for information purposes only. Whilst care is taken to ensure the data is current, WTA accepts no responsibility for reliance on this information where amendments to the legislation are not reflected in the information. The applicant must refer to the Act available on the Legislation Queensland website

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) Table 2 states the matters that may be appealed only to the P&E Court.
- (3) Table 3 states the matters that may be appealed only to the tribunal.
- (4) 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.
- (5) 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.

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
<p>4 .Infrastructure charges notice</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <ol style="list-style-type: none"> (i) the application of the relevant adopted charge; or <p>Examples of errors in applying an adopted charge —</p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development <p>(ii) the working out of extra demand, for section 120; or</p> <p>(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(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.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-