



## DECISION NOTICE APPROVAL

PLANNING ACT 2016, SECTION 63

I refer to your application and advise that on 23 May 2018, Weipa Town Authority decided to approve the application in full, subject to conditions. Details of the decision are as follows:

### 1. APPLICATION DETAILS

<b>Application Number:</b>	P18-008
<b>Properly Made Date:</b>	13 April 2018
<b>Decision Date:</b>	23 May 2018
<b>Planning Scheme:</b>	Advisory Development Plan for Weipa Local Government Area 1996

### 2. APPLICANT DETAILS

<b>Name:</b>	The Trustee for Embecca Property Trust
<b>Postal Address:</b>	PO Box 744 BUNGALOW QLD 4870
<b>Email Address:</b>	<a href="mailto:andrew@embeca.com.au">andrew@embeca.com.au</a>

### 3. PROPERTY DETAILS

<b>Street Address:</b>	14 Iraci Crescent, EVANS LANDING
<b>Real Property Description:</b>	Lot 1007 on MP37180
<b>Local Government Area:</b>	Weipa Town Authority

### 4. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for *Industry* (Machinery Repair and Storage and Ancillary Retail).

### 5. 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.

## 6. ASSESSMENT MANAGER CONDITIONS

### 1. General

- 1.1 The use of the subject land must be commenced within a period of six (6) years from the date 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.
- 1.2 The conditions of the development permit must be effected prior to the commencement of the use, at no cost to Weipa Town Authority, except where specified otherwise in these conditions of approval.
- 1.3 This approval is for *Industry* (Machinery Repair and Storage and Ancillary Retail) only.

### 2. Approved Plans and Documents

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents and any amendments arising through conditions to this development approval:

Drawing title	Date	Reference	Revision	Drawn by
Site Plan	09-04-2018	1818/1A	A	H Colefax
Floor Plan	23-11-2017	Q00729;A	-	R&F Steel Buildings
Elevations	23-11-2017	Q00729;B	-	R&F Steel Buildings

- 2.2 Submit for Weipa Town Authority approval an amended Site Plan that is compliant with condition 3.1, clearly showing how nine (9) on-site car parking spaces will be provided to cater for the proposed development. The plan must be submitted for approval within (1) month of this approval taking effect.
- 2.3 Where there is any conflict between the conditions of development approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

### 3. Car Parking and Access

- 3.1 Nine (9) on-site car parking must be constructed, retained and maintained in accordance with the amended approved Site Plan (refer to Condition 2.1) and *Australian Standard AS2890 "Parking Facilities"*.
- 3.2 The car parking area may be constructed of gravel or an impervious surface treatment.
- 3.3 All car parking spaces must be clearly delineated using either signage, line-marking or a combination of both.
- 3.4 One of the existing crossovers at the northern extent of the site and the existing crossover at the western extent of the site to Iraci Crescent must be concrete sealed to ensure the turning circling of the maximum design vehicle does not mount the kerb or gravel either side of the crossover.

#### **4. Engineering**

- 4.1 The developer is responsible for any relocation and/ or alteration to any public utility installation required as a result of any works carried out in connection with this development. These works are to be carried out by the relevant authority, and at the developer's expense.
- 4.2 The developer must forward to Weipa Town Authority within twenty-eight (28) days of the completion of the relocation and/or alteration, written evidence or statement from the relevant public utility authority that such relocation and/or alteration has been carried out to the satisfaction of the relevant authority.

#### **5. Landscaping**

- 5.1 All existing landscaping, including trees, plants and shrubs must be retained and maintained.
- 5.2 A landscaping strip with a nominal width of 1.5 metres must be provided, retained and maintained along the full length of the northern side of the proposed building, except where required for access.
- 5.3 Landscaping must be completed in accordance with an approved landscape plan prior to commencement of the use and must be maintained at all times in accordance with that plan. In particular, the plan must show: the location of existing and proposed planting; proposed species of vegetation; and location of watering systems.
- 5.4 The landscape must be submitted for approval, with or without amendment, by Weipa Town Authority. The landscape plan is to be prepared by a person skilled or experienced in the landscape design not less than six weeks prior to completion of the building work.

#### **6. Stormwater Drainage**

- 6.1 Discharge of stormwater from the site is to be controlled, so as to restrict peak flow discharge to pre-development flows (by detention). No stormwater discharge onto downstream properties may result in increased concentration of flow. Stormwater management associated with the approved development must be designed, constructed and supervised by a Registered Professional Engineer of Queensland.
- 6.2 All roof and allotment runoff from the development 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.

#### **7. Soil Erosion, Minimisation, Sediment Control and Dust Control**

- 7.1 During the construction phase of this development the developer is responsible for the installation and maintenance of erosion and sediment management facilities.
- 7.2 The developer is responsible for the suppression of dust arising from the construction work and/or the cartage of material that may cause a nuisance to adjoining properties.

#### **8. Environmental Consideration**

- 8.1 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to the sewer network in accordance with a trade waste permit.
- 8.2 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 8.3 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.

## **9. Operational Procedures**

- 9.1 All construction materials, waste, waste skips, machinery and contractors vehicles must be located and stored or parked within the development site. Storage of materials or parking construction machinery or contractors vehicles must not occur within Iraci Crescent.
- 9.2 Contaminants such as oils or chemicals must not be released onto the gravel surface area that is utilised as part of the approve development.

## **10. Bin Storage**

- 10.1 A waste storage area must be:
  - 10.1.1 Designed, located and constructed as to not cause nuisance to neighbouring properties;
  - 10.1.2 Be screened from view by any member of the public from any public place
  - 10.1.3 Of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning.

## **11. Definitions**

- 11.1 In these conditions:
  - a. A reference to an Act includes all statutory instruments and subordinate legislation made under that Act; and
  - b. Terms used have the meaning contained in the Weipa Advisory Development Plan, the *Planning Act 2016* or the relevant legislation referred to in these conditions, as the case may be.

## **7. ADVISORY NOTES**

### **NOTE 1 – General Environmental Duty**

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or

smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

**NOTE 2 – General Safety of Public during Construction**

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works, being construction on a road.

**NOTE 3 – Ancillary Retail Component**

As per the land use definition for *Industry* contained in the *Advisory Development Plan 1996*, the sale (including renting) of goods resulting from but ancillary to the industrial activity is permitted. The sale component must remain subordinate to the primary *Industry* use or otherwise will become separately defined.

**8. STATEMENT OF REASONS**

**8.1 Description of Development –**

The development application for a Development Permit for Material Change of Use for *Industry* (Machinery Repair and Storage and Ancillary Retail) approved as per Decision Notice P18-009.

**8.2 Assessment Benchmarks –**

The following are the benchmarks applying for this development:

Benchmark applying for the development	Benchmark reference
<ul style="list-style-type: none"> <li>• Section 2.1 (Principal Aim of the ADP)</li> <li>• Section 2.2 (Supplementary Aims of the ADP)</li> <li>• Section 4.2 (Industry)</li> </ul>	<i>Advisory Development Plan for Weipa Local Government Area 1996</i>
<ul style="list-style-type: none"> <li>• State Interest for Liveable Communities</li> <li>• State Interest for Strategic Airports and Aviation Facilities</li> </ul>	<i>State Planning Policy July 2017</i>
<ul style="list-style-type: none"> <li>• Regional Policy 1</li> </ul>	<i>Cape York Regional Plan</i>

**8.3 Relevant Matters –**

The relevant matters relevant to the proposed changes and assessment benchmarks are as follows:

- (a) The site is located in the Industry Preferred Dominant Land Use Area, which is generally the most appropriate location for *Industry* to occur;
- (b) The proposal is for the material increase in intensity and scale of the existing industry activity over the development site; and
- (c) The proposal, including both the activity and built form, is consistent with the prevailing land use pattern and character of the surrounding area.

**8.4 Matters Raised in Submission**

No submissions received during notification period.

**8.5 Reason for Decision**

The development application is approved and the reasons for the decision are based on findings on material questions of fact:

- (a) The development is able to comply with Section 2.1 (Principal Aim of the ADP), Section 2.2 (Supplementary Aims of the ADP) and Section 4.2 (Industry) specifically –
- (i) The proposal does not compromise the health, safety, environmental or general welfare of the community;
  - (ii) The proposal promotes economic development and advances the intent of the Industry Preferred Dominant Land Use area by facilitating the expansion of industrial use;
  - (iii) The proposal will not prejudice other preferred development from occurring on surrounding lots or in the wider area; and
  - (iv) Conditions of approval have been included that ensure the approved use maintains compliance with provisions of the ADP for the duration of its use.
- (b) The development does not compromise the relevant State interests and is able to comply with the relevant State interest policies and assessment benchmarks;
- (c) The development advances Regional Policy 1 of the Cape York Regional Plan by promoting economic development in Weipa; and
- (d) On balance, the application should be approved because the circumstances favour Weipa Town Authority exercising its discretion to approve the application.

#### **9. REFERRAL AGENCIES**

There were no referral agencies as part of this application.

#### **10. FURTHER DEVELOPMENT PERMITS REQUIRED**

The following further Development Permits are required:

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

#### **11. 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 ☎ 4030 9400.

#### **12. DELEGATED PERSON**

**Name:** Lucy Boxall

**Signature:**  **Date:** 25 May 2018

**Enc:** Approved Plans  
Appeal Rights

**SITE PLAN**  
SCALE 1:250



**IRACI CRESCENT**

BOUNDARY 73.863 95°08'40"

14.427 51°18'40"

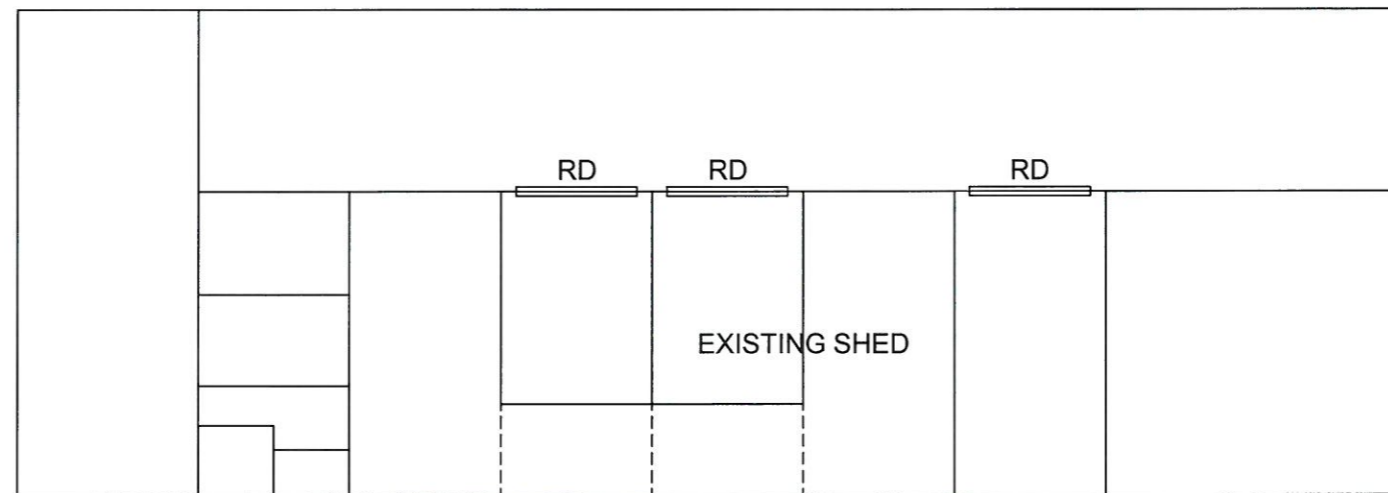
6000  
EXISTING ENTRY GATE

**APPROVED**  
TOWN PLANNING SECTION  
WEIPA TOWN AUTHORITY  
P18-008  
DATE: 23 May 2018

**IRACI CRESCENT**

46.7010 7°28'40"

EXISTING ENTRY GATE



BOUNDARY 86.250 277°28'40"

2528

4227

6000

2500

59.960 185°08'40"

45000

6738

8178

DATE	REVISION
09/04/2018	A EXISTING SHED CLARIFIED

PROPOSED EXTENSIONS  
for ANDREW SANDS  
LOT 1007 IRACI CRESCENT  
WEIPA

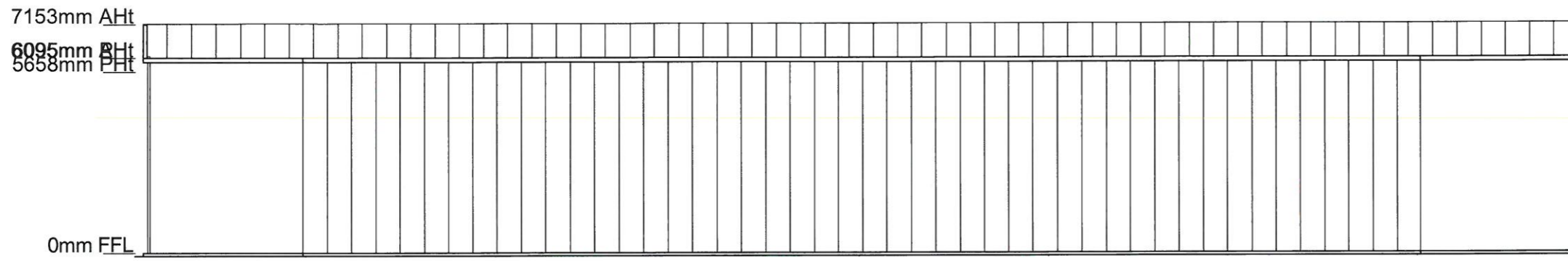
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drawn: H COLEFAX  
date: APRIL 2018  
dwg no.: 1818/1A

Suite 3 / 111 Spence Street  
Cairns Q 4870  
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W www.driscollcarvey.com.au  
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ABN 35 721 456 136

**driscoll carvey**  
building design & interiors





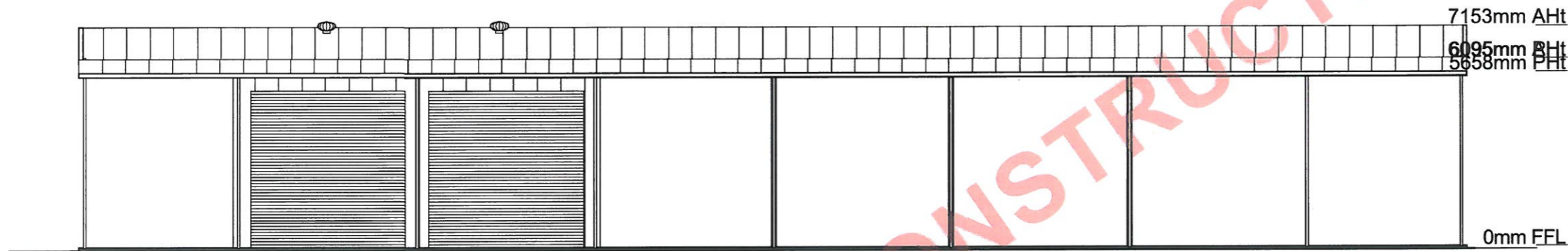


View 3

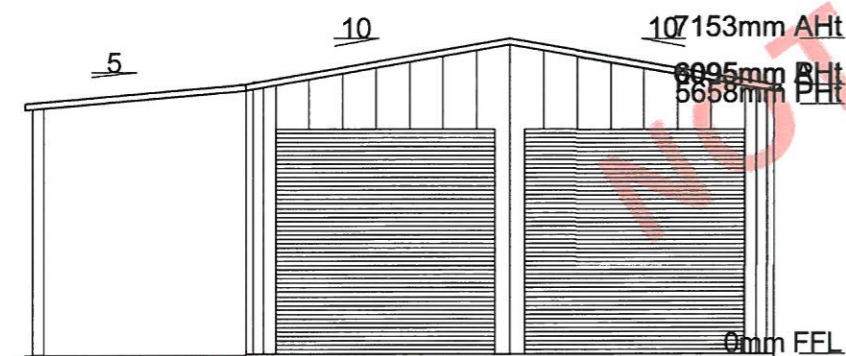
Colours / Profiles	
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Roof Colour	Colorbond
Ridge Capping	Flashing 1
Ridge Colour	Colorbond
Barge Capping	Type-M
Barge Colour	Colorbond
Guttering	Type-M
Gutter Colour	Colorbond
Gutter Drops	90mm Dia. Drop
Downpipe Included	No
Ext. Wall Sheeting	0.42 BMT Monoclad
Ext. Wall Colour	Colorbond
Sheeting Direction	Vertical

Label ; Colour ; Profile

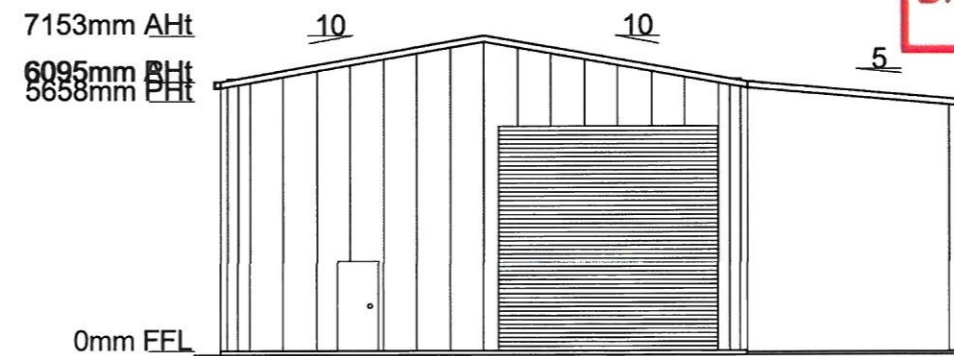
PAD1 2040Hx920W ; Colorbond  
RAD1 5100Hx5000W ; Colorbond



View 4



View 1



View 2

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WEIPA TOWN AUTHORITY  
p18-008  
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R&F Steel Buildings - Cairns 4033 2233  
ABN 4054 2804  
QBCC15011673 cairns@rfsteelbuildings.com.au  
Shop 7, 175-185 Newell Street, Burghfield QLD 4870

TITLE: **ELEVATIONS**

PROJECT NO:  
**Q00729**

CUSTOMER:  
**Andrew Sands**  
CLIENT:

SITE:

**LOT: 1007 RP/SP: mp 37180**

DATE: 23/11/2017

ULT WIND SPEED:  
**53.11m/s**

DRAWING No:  
**Q00729;B**