

Contact Officer: Helen McLaren-Greiss
Our Ref: DA/8/2019

1 May 2019

Mr Michael Oliver and Ms Michaela Prutscher
The Ole Gumtree
2143 Round Hill Rd
ROUND HILL QLD 4677

Email: theolegumtree@gmail.com

Dear Sir/Madam

NOTICE OF DECISION
PLANNING ACT 2016 S63

DA/8/2019 - MATERIAL CHANGE OF USE - CODE
NATURE BASED TOURISM (15 SITES - 3 STAGES)
2143 ROUND HILL ROAD, ROUND HILL QLD 4677
LOT 13 RP 619103

Reference is made to the above Development Application and the Confirmation Notice dated 25 March 2019.

I wish to advise that the application was assessed under Delegated Authority on 30 April 2019 and was approved. The approval is supported by a Notice of Reasons and is subject to conditions as set out in the following Notice of Decision.

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

Yours faithfully



T R MCDONALD
MANAGER DEVELOPMENT SERVICES



NOTICE OF DECISION - DA/8/2019
PLANNING ACT 2016 S63

Application:	Material Change of Use - Code - Nature Based Tourism (15 sites - 3 Stages)
Applicant Name & Address:	Mr Michael Oliver and Ms Michaela Prutscher The Ole Gumtree 2143 Round Hill Rd ROUND HILL QLD 4677
Owner:	Mr M A Oliver and Ms M Prutscher
Subject Land:	2143 Round Hill Road ROUND HILL QLD 4677
Location:	Lot 13 RP 619103
Zoning:	Rural Zone Code
Site Area:	17.41 hectares
Definition of Use:	Nature Based Tourism: <i>The use of land or premises for a tourism activity, including tourist and visitor short-term accommodation, that is intended for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value, local ecosystem and attributes of the natural environment.</i> <i>Nature-based tourism activities typically:</i> <ul style="list-style-type: none"> • <i>maintain a nature based focus or product</i> • <i>promote environmental awareness, education and conservation</i> • <i>carry out sustainable practices.</i>
Submissions Received:	N/A
Application Received:	25 March 2019
Planning Scheme:	<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>

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

1. DETAILS OF THE APPROVAL

	Development Permit	Preliminary Approval
• Material change of use made assessable by the planning scheme	✓	x

2. BENCHMARKS APPLIED TO THE DEVELOPMENT

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

Benchmarks Applying to the Development	Benchmark Reference
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> Assessment Benchmarks - Natural Hazards, Risk and Resilience
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> Acid Sulfate Soils Overlay Code Biodiversity Overlay Code Bushfire Hazard Overlay Code Coastal Hazard Overlay Code Rural Zone Code Development Design Code Landscaping Code

3. CURRENCY PERIOD FOR THE APPROVAL

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

- ✓ Material Change of Use - 6 years

4. APPROVED PLANS

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

Drawing Number	Rev.	Description	Author	Date
-	-	Stage 1	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	Stage 2	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	Stage 3	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	Ablution block	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	3(2) Position of all waste containers and fire safety installations	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
FDS Sheet 1 or 5	-	Foundation Plan	Discovery Sheds Pty Ltd	4 March 2019
FDS Sheet 2 or 5	-	Exterior Elevations	Discovery Sheds Pty Ltd	4 March 2019
-	-	Fire Safety Policy	The Ole Gumtree – Traveller's Rest	Submitted 15 March 2019

5. OTHER NECESSARY DEVELOPMENT PERMITS

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

1. Building Works
2. Plumbing & Drainage Works

6. NOTICE OF REASONS

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

Description of the development:

The approved development is for a Material Change of Use of Premises for a Nature Based Tourism use (The Ole Gumtree – Traveller’s Rest) on land 2143 Round Hill Road, Round Hill.

Assessment Benchmarks:

Benchmarks applying to the development	Benchmark reference
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> • Assessment Benchmarks - Natural Hazards, Risk and Resilience
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> • Acid Sulfate Soils Overlay Code • Biodiversity Overlay Code • Bushfire Hazard Overlay Code • Coastal Hazard Overlay Code • Rural Zone Code • Development Design Code • Landscaping Code

Reasons for the Assessment Managers Decision:

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

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

Benchmarks applying to the development	Benchmark Reference
<i>Biodiversity Overlay Code Table 8.2.3.3.1 – Acceptable Outcome 1</i>	<i>Compliance with Performance Outcome 1</i>
<i>Biodiversity Overlay Code Table 8.2.3.3.1 – Acceptable Outcome 2 and Performance Outcome 2</i>	<i>Compliance with Overall Outcome 2(a)</i>
<i>Bushfire Hazard Overlay Code Table 8.2.4.3.1 – Acceptable Outcomes 5.1, 5.2 and 5.3</i>	<i>Compliance via Condition</i>
<i>Rural Zone Code Table 6.2.22.3.1 – Acceptable Outcome 3.2</i>	<i>Compliance via Condition</i>
<i>Rural Zone Code Table 6.2.22.3.1 – Acceptable Outcomes 6.1</i>	<i>Compliance via Condition</i>
<i>Rural Zone Code Table 6.2.22.3.1 – Performance Outcome 13</i>	<i>Compliance via Condition</i>

Benchmarks applying to the development	Benchmark Reference
<i>Rural Zone Code Table 6.2.22.3.1 – Performance Outcome 14</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 1.2</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 2.2</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 9</i>	<i>Compliance with Performance Outcome 9</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 11.1</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 15</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 16</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 18</i>	<i>Compliance via Condition</i>
<i>Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 21</i>	<i>Compliance via Condition</i>
<i>Landscaping Code Table 9.3.5.3.1 – Acceptable Outcomes 3.1 and 3.3</i>	<i>Compliance with purpose of Landscape Code</i>
<i>Landscaping Code Table 9.3.5.3.1 – Performance Outcome 4</i>	<i>Compliance with purpose of Landscape Code</i>
<i>Landscaping Code Table 9.3.5.3.1 – Performance Outcome 6</i>	<i>Compliance via Condition</i>
<i>Landscaping Code Table 9.3.5.3.1 – Acceptable Outcomes 7.1, 7.2 and 7.3</i>	<i>Compliance with purpose of Landscape Code</i>
<i>Landscaping Code Table 9.3.5.3.1 – Acceptable Outcomes 9.1 and 9.2</i>	<i>Compliance with purpose of Landscape Code</i>

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

N/A

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

Matters raised in Submission(s)	How the matters were dealt with
N/A	N/A

Matters prescribed by a regulation:

N/A

7. APPEAL RIGHTS

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

8. WHEN THE DEVELOPMENT APPROVAL TAKES EFFECT

This development approval takes effect:-

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

OR

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

OR

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

This approval will lapse if:-

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

Should you wish to discuss this matter further, please contact Council's Planning Officer Helen McLaren-Greiss on (07) 4970 0700.

Yours faithfully



T R MCDONALD
A/MANAGER DEVELOPMENT SERVICES

Attached: Conditions
Appeal Rights
Approved Plans



GLADSTONE
REGIONAL COUNCIL

ASSESSMENT MANAGER CONDITIONS - DA/8/2019

Approved Documentation

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

Drawing Number	Rev.	Description	Author	Date
-	-	Stage 1	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	Stage 2	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	Stage 3	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	Ablution block	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
-	-	3(2) Position of all waste containers and fire safety installations	Not marked – assumed to be M Oliver & M Prutscher	Submitted 15 March 2019
FDS Sheet 1 or 5		Foundation Plan	Discovery Sheds Pty Ltd	4 March 2019
FDS Sheet 2 or 5		Exterior Elevations	Discovery Sheds Pty Ltd	4 March 2019

And supporting documents

Document Number	Revision	Description	Author	Date
-	-	Fire Safety Policy	The Ole Gumtree – Traveller's Rest	Submitted 15 March 2019

Special Conditions

2. Upon commencement of the use, each stage is to occur as follows:
 - a. Stage 1: A maximum of nine (9) camp sites and one (1) ablution block in accordance with approved plans;
 - b. Stage 2: An additional three (3) camp sites (12 camp sites in total); and
 - c. Stage 3: An additional three (3) camp sites (15 camp sites in total); and one (1) camp kitchen.

3. At all times, the total number of guests must not exceed 60 people.
4. At all times, open campfires are prohibited.
5. The extent of the designated campground area must maintain a distance of a minimum of 10m from the front and side boundaries at all times.
6. At all times, the development must achieve the noise generation levels set out in the *Environmental Protection (Noise) Policy 2008*. That is the development must prevent or minimize the generation of any noise or vibration such that nuisance is not caused to other nearby sensitive land uses.

Overlay Conditions

7. As part of Building Works for Stage 1, a cleared fire break is to be provided at minimum of 10m *of the immediate development footprint*.
8. Prior to the commencement of the use of Stage 1, the Applicant is to provide an easily accessible fire-resistant water storage tank. The water storage infrastructure is:
 - a) To be constructed with fire brigade fittings;
 - b) To have a minimum capacity of 5,000 litres;
 - c) To be located within 100m of the immediate development footprint; and
 - d) To be readily identifiable with clear signage.
9. Prior to the commencement of the use of Stage 1, the Applicant is to construct all internal roads with a minimum cleared width of 6m and a minimum formed width of 4m and with a maximum grade of 12.5%.

Building, Plumbing and Drainage Works

10. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
11. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2002* and the requirements of other relevant authorities.
12. Prior to the commencement of the use, all plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.
13. Prior to the commencement of the use of Stage 1, the development is to incorporate a variety of at least four different textures, colours and designs within the external façade of the Ablution Block. Details of the proposed colour scheme, materials and finishes for all external areas of the building are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.
14. Prior to the commencement of the use of Stage 3, the development is to incorporate a variety of at least two different textures, colours and designs within the external

façade of the Kitchen Camp. Details of the proposed colour scheme, materials and finishes for all external areas of the building are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.

15. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
16. Prior to the commencement of the use of each stage, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining the sites.

Water Infrastructure

17. Prior to the commencement of the use, for the relevant stage and any preceding stages, an appropriately sized water tank and/or tanks, as designed and certified by a Registered Professional Engineer of Queensland experienced in this type of work, is to be constructed for the purpose of on-site water.

Advisory Note: On-site water storage as specified above is to be in addition to the 5,000L fire-resistant water storage tank required in Condition 8 of the Overlay Conditions.

18. At all times, an adequate supply of water must be provided and maintained for the purposes of drinking, cooking, and personal hygiene. The water supply for drinking purposes must be potable water in accordance with the *Water Supply (Safety and Reliability) Act 2008*.

If water obtained from a particular water outlet in the campground is not suitable for drinking, a sign must be permanently displayed at the outlet stating that it is "Unsuitable for Drinking".

Sewerage Infrastructure

19. As part of any Development Application for Plumbing and Drainage Works, any on-site effluent disposal systems are to be sited above 1% of the Defined Flood Event flood level.

Transportation Services

20. Prior to the commencement of the use of each stage, car parking spaces are to be constructed onsite, for the relevant stage and any preceding stage, generally in accordance with the approved plans and Council's car parking rates for Nature Based Tourism, including designated disabled car parking spaces, and all vehicle movement areas are to be constructed and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and AS2890.

21. Prior to the commencement of the use, a Rural Road Access is to be constructed in accordance with Council's Standard Drawing Rural Roads Access.

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

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

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

Landscaping

23. Prior to commencement of the use of Stage 1, additional shrubs and trees are to be planted and maintained within the first 10m from the front boundary and south west corner of the lot with Round Hill Road in order to screen the development from the view of Round Hill Road. The density of planting must achieve a screening effect of 50% or more within four years from the commencement of use of Stage 1.

Plant species should be locally sourced native species or species listed in Table 9.3.4.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*

Waste Management

24. Prior to the commencement of the use of each stage, refuse bins are to be provided in accordance with Table SC6.7.3.2 of Schedule 6.7 Waste Management at a rate of one 240L waste storage bin and one 240L recycling bin per 4 campsites.

25. Prior to the commencement of the use of each stage, the waste storage area/s are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted in close proximity to the enclosure to ensure the area can be easily and effectively cleaned.

26. Prior to the commencement of the use of Stage 1, open storage areas shall be adequately screened so as not to detract from the visual amenity of the area. One way of achieving compliance with this condition is as follows:
- Outdoor storage areas are situated in locations not visible from the street; and
 - A 1.8m solid screen fence and/or screening vegetation is located around storage areas.

Miscellaneous

27. Prior to the commencement of the use of Stage 1, the Applicant must submit a Property Pest Management Plan for approval by Council. The Plan is to detail what restricted matter under the *Biosecurity Act 2014* (Qld) the Plan relates to; the location of restricted matter on the site; and what actions will be undertaken to manage the restricted matter before, during and after the development activity. Upon approval of the Pest Management Plan, the Applicant must undertake all recommended actions.

Advisory Note: Council's Regulatory Services Division (Pest Management Section) can provide support in the development of this Property Pest Management Plan which are contactable on (07) 4970 0700.

Lawful Commencement

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

END OF CONDITIONS

Advice to Applicant:

Council provides a certification service for any Building Certification requirements.

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

The Applicant must meet the minimum standards outlined in the Gladstone Regional Council Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011, the Owner/Operator at all times or will be required to obtain a "Licence to Operate a Campground" to operate legally.

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
 - conduct* means an act or omission.
 - representative* means—
 - (a) of a corporation—an executive officer, employee or agent of the corporation; or
 - (b) of an individual—an employee or agent of the individual.
 - state of mind*, of a person, includes the person's—
 - (a) knowledge, intention, opinion, belief or purpose; and
 - (b) reasons for the intention, opinion, belief or purpose.

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
 - (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 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.

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- (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, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (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 Other appeals

- (1) Subject to this chapter, 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—

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

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

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

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—
storey see the Building Code, part A1.1.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal
1. Development applications For a development application other than an excluded application, an appeal may be made against— <ul style="list-style-type: none">(a) the refusal of all or part of the development application; or(b) the deemed refusal of the development application; or(c) a provision of the development approval; or(d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<p>1 A concurrence agency that is not a co-respondent</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 Any eligible advice agency for the application</p> <p>4 Any eligible submitter for the application</p>
<p>2. Change applications</p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity's decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>1 A concurrence agency for the development application</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p>3. Extension applications</p> <p>For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager
<p>4. Infrastructure charges notices</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> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></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 style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(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>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
<p>5. Conversion applications An appeal may be made against—</p> <p>(a) the refusal of a conversion application; or</p> <p>(b) a deemed refusal of a conversion application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
<p>6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.</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 enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 2 Appeals to the P&E Court only			
<p>1. Appeals from tribunal</p> <p>An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of—</p> <p>(a) an error or mistake in law on the part of the tribunal; or</p> <p>(b) jurisdictional error.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
<p>2. Eligible submitter appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	Another eligible submitter for the application

Table 2 Appeals to the P&E Court only			
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
<p>5. Registered premises</p> <p>An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
<p>6. Local laws</p> <p>An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			

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

Table 3 Appeals to a tribunal only			
<p>1. Building advisory agency appeals</p> <p>An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<p>1 A concurrence agency for the development application related to the approval</p> <p>2 A private certifier for the development application related to the approval</p>

Table 3 Appeals to a tribunal only			
<p>2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p>3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against—</p> <p>(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or</p> <p>(b) a decision under the Plumbing and Drainage Act, part 4 or 5, if an information notice about the decision was given or required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The person who made the decision	—	—
<p>4. Local government failure to decide application under the Building Act An appeal may be made against a local government’s failure to decide an application under the Building Act within the period required under that Act.</p>			

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

Stage 1

- 3. (2)
 - (c) The division of the camping ground into camp sites including the location and number of potential camp sites with each site clearly defined & bearing a distinguishing mark / number.
 - (d) The location of each road and building situated within the camping ground.
 - (g) Details of the sewerage system including the position of each sanitary convenience, ablation and laundry building.

GLADSTONE REGIONAL COUNCIL
GLADSTONE OFFICE

This Plan is approved subject to the attached

Decision Notice No. DA/8/2019

Per [Signature] Date 1/5/19
ASSESSMENT MANAGER



Stage 2

(2) (c) division of the camping ground into camp sites including the location & number of potential camp sites with each site clearly defined and bearing a distinguishing number / mark.

Stage 1 sites are marked as white circles.

Stage 2 proposed sites are marked as yellow circles.

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Per ... AS/19 ... Date ...
ASSESSMENT MANAGER



Stage 3

(3) (2) (c) The division of the camping ground into camp sites including the location & number of potential camp sites with each site clearly defined and bearing a distinguishing number / mark.

Stage 1 sites are marked as white circles.

Stage 2 proposed sites are marked as yellow circles.

Stage 3 proposed sites are marked as green circles.

(d) The location of each road & building situated within the camping ground

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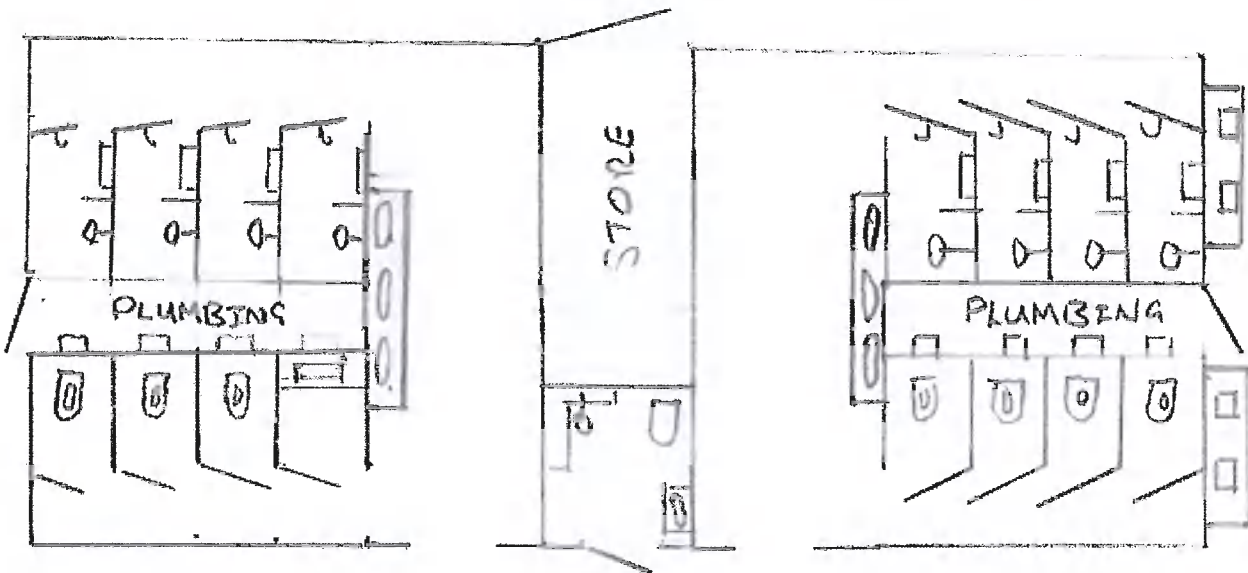
Per [Signature] Date 1/5/19

ASSESSMENT MANAGER



ABLUTION BLOCK

Width ↓	Length ↔	Scale: 1 to 1:1,000	Total: 6.9 m w x 18.3 m L
F/M area –	6.9 m w x 7.3 m l		
Disabled –	2.2 m w x 2.2m l		
Storeroom –	4.7 m w x 2.2 m l		
Shower Cubicle –	1.2 m w x 2.2 m l		
Toilet Cubicle –	1.2 m w x 1.5 m l		
Walkways –	1.1 m w		
Handbasin area –	6.9 m w x 2.5 m l		
Plumbing –	6.9 m w x 1.5 m l		
Sink Slab –	6.9 m w x 1.5 m l		
Disabled Door –	1.1 m w		



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Per [Signature] Date 1/5/2019
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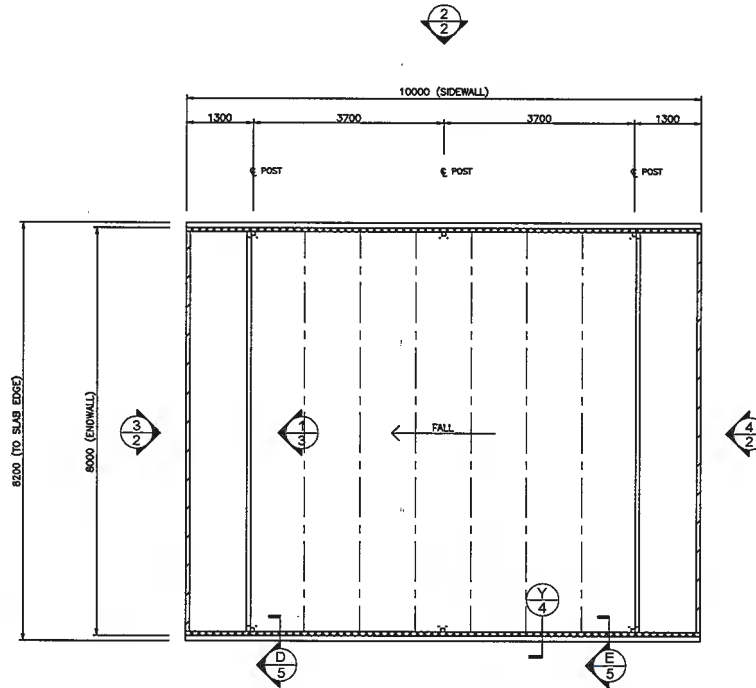
3. (2)

(f) The position of all waste containers (marked purple)

(j) The nature & position of all fire safety installations (marked red)



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FOUNDATION PLAN
SCALE: 1:100

- LEGEND:
- ROOF PURLIN
 - BEAM
 - RAFTER
 - EAVE PURLIN

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GLADSTONE OFFICE
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Per [Signature] Date 1/5/19
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PROPOSED
DRAWN FOR AT
FDS
CHECKED TM
DATE 4/3/2019
JOB NO. AGNE10186
SHEET 1 OF 5

DISCOVERY SHEDS PTY LTD
07 48035137
MIKE AND MIKA OLIVER
2143 ROUND HILL RD
AGNES WATER



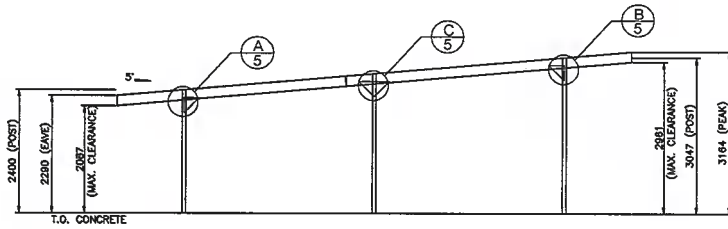
NORTHERN CONSULTING
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Registered Certifying Engineer (Structural) N.T.
Registered Engineer - (Civil) VIC
Registered Engineer - (Civil) TAS

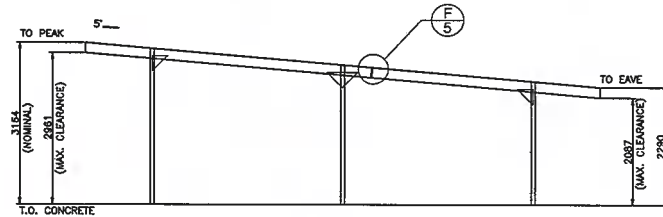
Regn. No. 2559980
Regn. No. 9885
Regn. No. 116373ES
Regn. No. EC36692
Regn. No. CC9549M

Mr Timothy Roy Messer BE MIEAust RPEQ
Registered Professional Engineer 2558980
Signature [Signature]
Date 4/3/2019
Registered on the NPER in the areas of practice
of Civil & Structural National Professional
Engineers Register

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1 SIDEWALL EXTERIOR ELEVATION
2 SCALE: 1:100

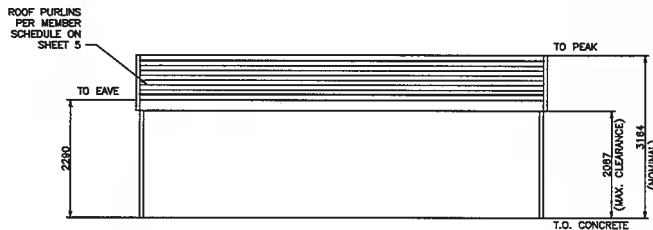


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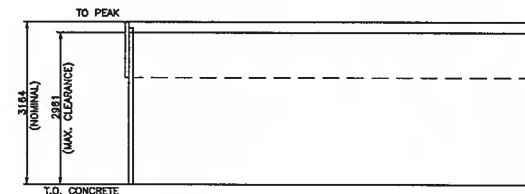
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13 SIDEWALL EXTERIOR ELEVATION
2 SCALE: 1:100

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Per [Signature] Date 1/5/19
ASSESSMENT MANAGER



3 ENDWALL EXTERIOR ELEVATION
2 SCALE: 1:100



4 ENDWALL EXTERIOR ELEVATION
2 SCALE: 1:100

2 OF 5	SHEET	
	JOB NO.	AGNE10186
	DATE	4/3/2019
	CHECKED	T.M.
	DRAWN	FDS

PROPOSED
FOR
AT

DISCOVERY SHEDS PTY LTD
07 48035137
MIKE AND MIKA OLIVER
2143 ROUND HILL RD
AGNES WATER

NORTHERN CONSULTING
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Registered Chartered Professional Engineer
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Registered Certifying Engineer (Structural) N.T.
Registered Engineer - (Civil) VIC
Registered Engineer - (Civil) TAS

Regn. No. 2558960
Regn. No. 9985
Regn. No. 116378ES
Regn. No. EC36892
Regn. No. CC3648M

Mr Timothy Roy Messer BE MIEAust RPEQ
Registered Professional Engineer 2558980

Signature [Signature]

Date 4/3/2019

Registered on the NPER in the areas of practice
of Civil & Structural National Professional
Engineers Register

FIRE SAFETY POLICY

“The Ole Gumtree - Traveller’s Rest”

1. The purpose of the “Fire Safety Policy” is to ensure:

- a. The risks to life, property, community, economic activity and the environment during uncontrolled bushfire events are minimised (GRC Planning Scheme 8.2.4 Bushfire hazard – 8.2.4.2 Purpose 1.a.)
- b. Development does not increase the potential for bushfire damage or risk on-site or to other property ((GRC Planning Scheme 8.2.4 Bushfire hazard – 8.2.4.2 Purpose 1.b.)

Measurements taken:

1. Fire Break is put in place and surrounds entire property, a second fire break has been established within the proposed area surrounding all sites and is maintained on a regular basis to manage regrowth .
2. Proposed area connects to Round Hill Road on one side creating a Fire Break
3. Fire Resistant Water tank (157,000 ltr) with fire hose attachment close by and easily accessible
4. Easy access to Bore and Dam Water
5. Sites are free from scrub and bush and will be well-maintained at all times
6. Fires are prohibited at any time
7. Provision of fire blanket and fire extinguisher in kitchen area
8. The use of generators are prohibited on site

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Decision Notice No. DA/18/2019

Per  Date 1/5/19
ASSESSMENT MANAGER

Investments after approval:

1. Fire Truck with 1,500 litre water tank and Fire Hose for easy access and use in the event of an unforeseen Bushfire

- Fire break surrounding entire property
- Fire break surrounding proposed area
- Watertank 157 000 litres
- Proposed Area (Campground)
- Dam approx. 1 000 000 litres

