



# Decision Notice Approval

Planning Act Form 2 (version 1.1 effective 22 June 2018) made under Section 282 of the Planning Act 2016 for a decision notice (approval) under s63(2) Planning Act 2016

Application number:	D/6-2019	Contact:	Jonathon Trevett-Lyall
Notice Date:	21 March 2019	Contact Number:	1300 22 55 77

## APPLICANT DETAILS

Name:	<b>Muhammad Ihsan</b>		
Postal address:	<b>C/- Rufus Design Group - Trevor Rufus PO Box 5134 RED HILL ROCKHAMPTON QLD 4701</b>		
Phone no:	(07) 4928 8011	Mobile no:	0407 288 011
Email:	<a href="mailto:mailbox@rufusdesigngroup.com">mailbox@rufusdesigngroup.com</a>		

I acknowledge receipt of the above application on 22 January 2019 and confirm the following:

## DEVELOPMENT APPROVAL

<b>Development Permit for a Material Change of Use for a Dwelling House</b>
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## PROPERTY DESCRIPTION

Street address:	259 Archer Street, The Range
Real property description:	Lot 35 on R26183, Parish of Rockhampton

## OWNER DETAILS

Name:	S Rafiq and M U Ihsan
Postal address:	4 Red Penda Court, NORMAN GARDENS QLD 4701
<b>Dear Muhammad Ihsan</b> I advise that, on <b>20 March 2019</b> the above development application was: <input checked="" type="checkbox"/> approved in full with conditions* (refer to the conditions contained in <b>Attachment 1</b> )  *Note: The conditions show which conditions have been imposed by the assessment manager and which conditions have been imposed by a referral agency.	

## 1. DETAILS OF THE APPROVAL

The following approvals are given:

	Development Permit	Preliminary Approval
Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval - Material Change of Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 2. CONDITIONS

This approval is subject to the conditions in Attachment 1.

## 3. FURTHER DEVELOPMENT PERMITS REQUIRED

Please be advised that the following development permits are required to be obtained before the development can be carried out:

Type of development permit required	Subject of the required development permit
Plumbing and Drainage Works	
Building Works	

## 4. REFERRAL AGENCIES

NIL

## 5. THE APPROVED PLANS

The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Plan/Document Reference	Dated
Site Existing and Proposed Site Plan	180107-01, Sheet 1 of 14, Rev A	22 November 2018
Ground Floor Plan	180107-02, Sheet 2 of 14, Rev A	22 November 2018
First Floor Plan	180107-03, Sheet 3 of 14, Rev A	22 November 2018
Elevations	180107-04, Sheet 4 of 14, Rev A	22 November 2018
Ground Floor Slab and SW Drainage Plan	180107-05, Sheet 5 of 14, Rev A	22 November 2018
Obstacle Limitation Surfaces Study	062501-01	14 March 2019

## 6. CURRENCY PERIOD FOR THE APPROVAL (s.85 of the *Planning Act*)

The standard currency periods stated in section 85 of *Planning Act 2016* apply to each aspect of development in this approval, if not stated in the conditions of approval attached.

## 7. STATEMENT OF REASONS

Description of the development	The proposed development is for a Development Permit for a Material Change of Use for a Dwelling House.
Reasons for Decision	<ul style="list-style-type: none"><li>a) The height of the Dwelling House will not exceed the inner horizontal surface level of the operational airspace of the Rockhampton Airport.</li><li>b) The proposed Dwelling House will not adversely impact on the urban form of the locality.</li><li>c) The proposed use does not compromise the strategic framework in the <i>Rockhampton Region Planning Scheme 2015</i>;</li><li>d) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity;</li><li>e) The proposed development does not compromise the relevant State Planning Policy; and</li><li>f) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</li></ul>

<b>Assessment Benchmarks</b>	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Low Density Residential Zone; and</li> <li>• Airport Environs Overlay Code.</li> </ul>	
<b>Compliance with assessment benchmarks</b>	<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.</p>	
	<b>Assessment Benchmark</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
	Low Density Residential Zone Code	The proposed Dwelling House will not adversely impact on the urban form of the locality.
	Airport Environs Overlay Code	The Dwelling House will be 1.42 metres below the inner horizontal surface level of the Rockhampton Airport. Therefore, the Dwelling House will not exceed the operational airspace of the Rockhampton Airport.
<b>Matters prescribed by regulation</b>	<ul style="list-style-type: none"> <li>• The <i>State Planning Policy – Part E</i>;</li> <li>• The <i>Central Queensland Regional Plan</i>;</li> <li>• The <i>Rockhampton Region Planning Scheme 2015</i>; and</li> <li>• The common material, being the material submitted with the application.</li> </ul>	

## 8. APPEAL RIGHTS

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*. 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*.

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

**Attachment 2** is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

## 9. 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

- When the submitter's appeal period ends – if there is a submitter and the applicant does not appeal the decision to the court.

Or

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

#### 10. ASSESSMENT MANAGER

Name:	<b>Tarnya Fitzgibbon</b> <b>COORDINATOR</b> <b>DEVELOPMENT ASSESSMENT</b>	Signature:		Date:	21 March 2019
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#### Attachment 1 – Conditions of the approval

**Part 1 – Conditions imposed by the assessment manager** [Note: where a condition is imposed about infrastructure under Chapter 4 of the Planning Act 2016, the relevant provision of the Act under which this condition was imposed must be specified.]

#### Attachment 2—Extract on appeal rights

#### 1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed:
  - 1.3.1 to Council's satisfaction;
  - 1.3.2 at no cost to Council; and
  - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
  - 1.5.1 Plumbing and Drainage Works; and
  - 1.5.2 Building Works.
- 1.6 A Development Permit for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

#### 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Existing and Proposed Site Plan	180107-01, Sheet 1 of 14, Rev A	22 November 2018
Ground Floor Plan	180107-02, Sheet 2 of 14, Rev A	22 November 2018
First Floor Plan	180107-03, Sheet 3 of 14, Rev A	22 November 2018
Elevations	180107-04, Sheet 4 of 14, Rev A	22 November 2018

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Ground Floor Slab and SW Drainage Plan	180107-05, Sheet 5 of 14, Rev A	22 November 2018
Obstacle Limitation Surfaces Study	062501-01	14 March 2019

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

2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Building Works.

### 3.0 ACCESS WORKS

3.1 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and *Australian Standard AS2890 "Parking facilities"*.

3.2 The existing access to the development must be removed.

3.3 A new access to the development must be provided to Archer Street.

3.4 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.

### 4.0 PLUMBING AND DRAINAGE WORKS

4.1 A Development Permit for Plumbing and Drainage Works must be obtained for the development site.

4.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.3 The development must be connected to Council's reticulated sewerage and water networks.

4.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

### 5.0 STORMWATER WORKS

5.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.

### 6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

6.1 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 a nuisance to surrounding land or infrastructure.

### 7.0 SITE WORKS

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

- 7.2 Retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 7.3 Retaining structures close to or crossing sewerage infrastructure must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* The structure must be self-supporting and no additional load must be applied to Council's sewerage infrastructure.
- 8.0 BUILDING WORKS
- 8.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the development site.
- 8.2 All building works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*
- Note: A Building Over or Adjacent to Sewer Infrastructure Permit must be obtained from Council for any non-compliance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*
- 9.0 ELECTRICITY
- 9.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 10.0 TELECOMMUNICATIONS
- 10.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 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 Council.
- 11.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.
- 12.0 OPERATING PROCEDURES
- 12.1 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 of construction machinery or contractors' vehicles must not occur within Archer Street.

## ADVISORY NOTES

### NOTE 1. 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"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

NOTE 2. 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 3. 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 constructed on a road.

NOTE 4. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guidelines, Standard Drawings*) will be required for the access works.



The following is an extract from the *Planning Act 2016* (Chapter 6)

## 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.
  - (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) 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.

### 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—
  - (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, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a 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.

## 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
    - (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—
    - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
    - (ii) the Plumbing and Drainage Act, part 4 or 5; or
  - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
  - (i) a decision to give an infrastructure charges notice; or
  - (j) the refusal, or deemed refusal, of a conversion application; or
  - (k) a matter that, under another Act, may be appealed to the tribunal; 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.

**Table 1**  
**Appeals to the P&E Court and, for certain matters, to a tribunal**

1. Development applications An appeal may be made against— (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.			
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	1 A concurrence agency that is not a co-respondent

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

<b>Table 1</b> <b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
<b>4. Infrastructure charges notices</b> An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds a) The notice involved an error relating to – (i) The application of the relevant adopted charge; or Examples of errors in applying an adopted charge – <ul style="list-style-type: none"> <li>The incorrect application of gross floor area for a non-residential development</li> <li>Applying an incorrect ‘use category’, under a regulation, to the development <ul style="list-style-type: none"> <li>The working out of extra demands, for section 120; or</li> <li>An offset or refund; or</li> </ul> </li> </ul> b) There was no decision about an offset or refund; or c) If the infrastructure charges notice states a refund will be given – the timing for giving the refund; or d) The amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.			
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	-	-
<b>5. Conversion applications</b> An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
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	-	-
<b>6. Enforcement notices</b> An appeal may be made against the decision to give an enforcement notice.			
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

<b>Table 2</b> <b>Appeals to the P&amp;E Court only</b>			
<b>1. Appeals from tribunal</b> An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
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	-	-

**Table 2**  
**Appeals to the P&E Court only**

**2. Eligible submitter appeals**

An appeal may be made against the decision to give a development approval, or an approval for a change application, to the extent that the decision relates to—

- (a) any part of the development application for the development approval that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

**3. Eligible submitter and eligible advice agency appeals**

An appeal may be made against a provision of a development approval, or failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or the change application, for the development approval, that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

**4. Compensation claims**

An appeal may be made against—

- (a) a decision under section 32 about a compensation claim; or
- (b) a decision under section 265 about a claim for compensation; or
- (c) a deemed refusal of a claim under paragraph (a) or (b).

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	-	-

**5. Registered premises**

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

<b>Table 3</b> <b>Appeals to the tribunal only</b>			
<b>1. Building advisory agency appeals</b> 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.			
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	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval
<b>3. Certain decisions under the Building Act and the Plumbing and Drainage Act</b> An appeal may be made against a decision under— (a) the Building Act, other than a decision made by the Queensland Building and Construction Commission; or (b) the Plumbing and Drainage Act, part 4 or 5.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)

<b>Table 3</b> <b>Appeals to the tribunal only</b>			
A person who received, or was entitled to receive, notice of the decision	The person who made the decision	-	-
<b>4. Local government failure to decide application under the Building Act</b> 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.			
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	-	-



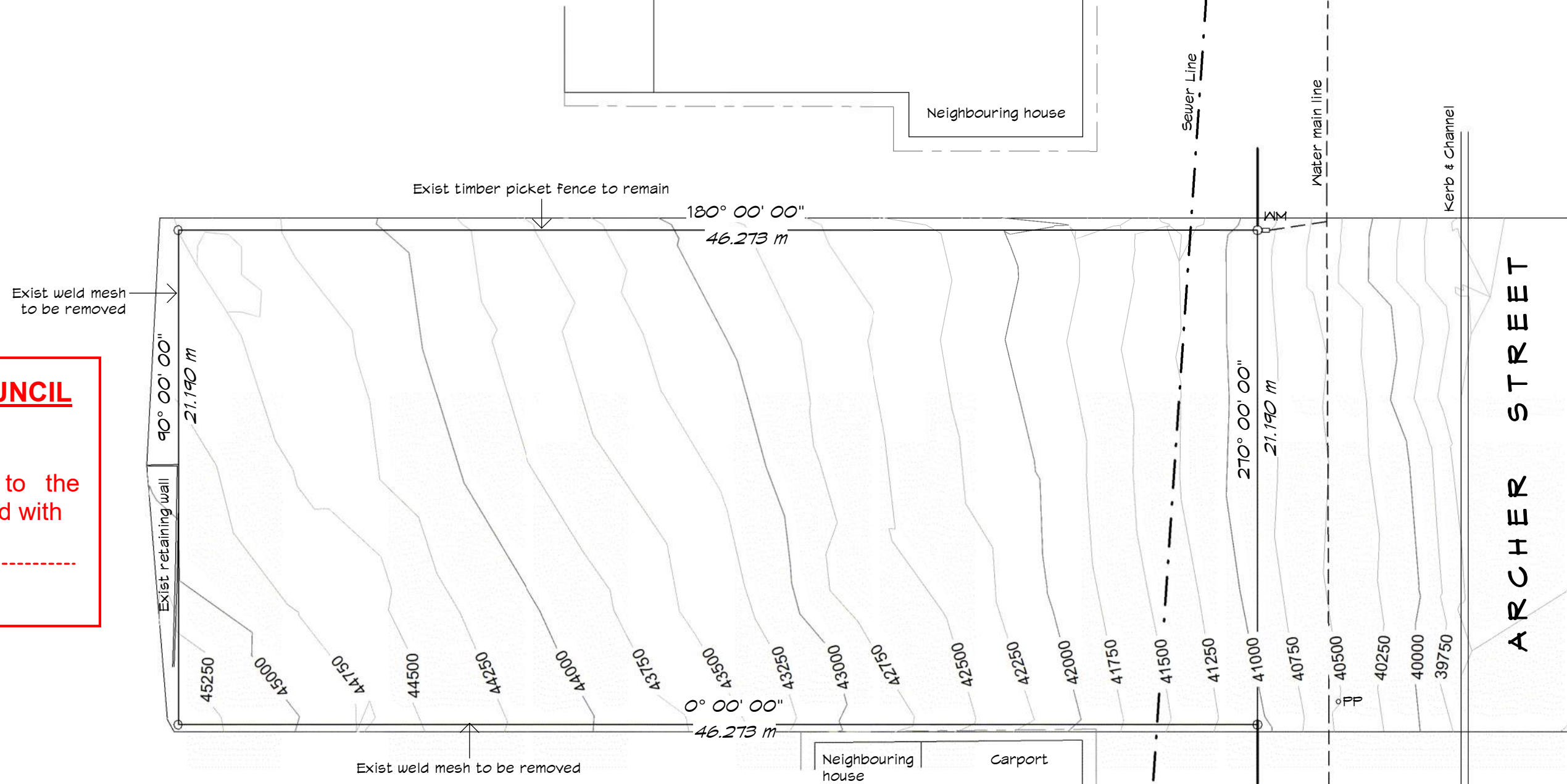
## ROCKHAMPTON REGIONAL COUNCIL

### APPROVED PLANS

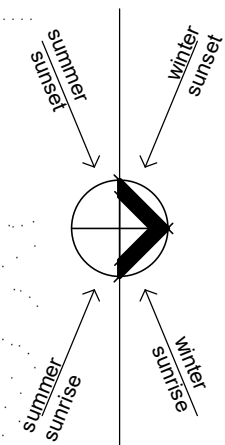
These plans are approved subject to the current conditions of approval associated with

Development Permit No.: D/6-2019

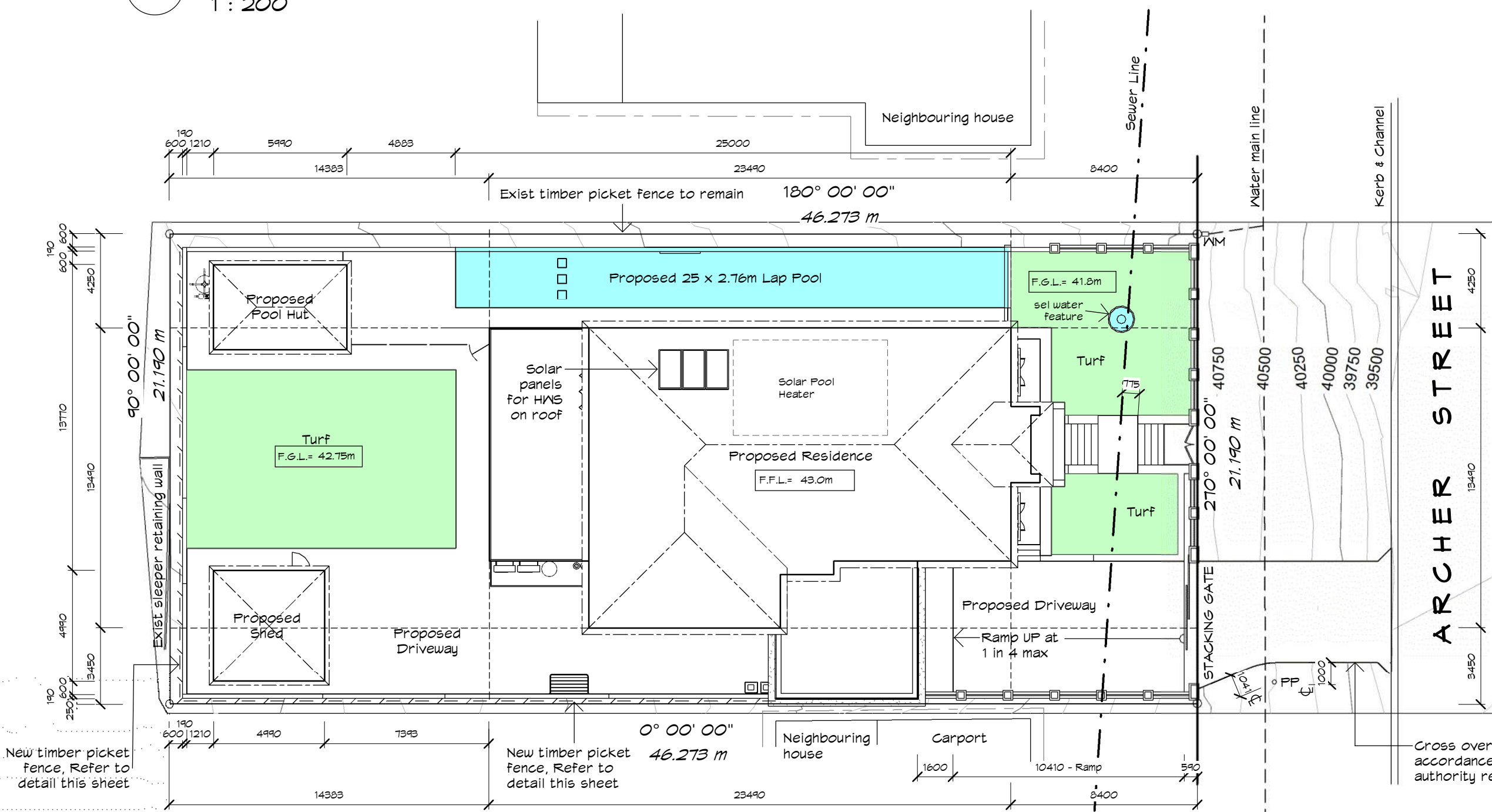
Dated: 21 March 2019



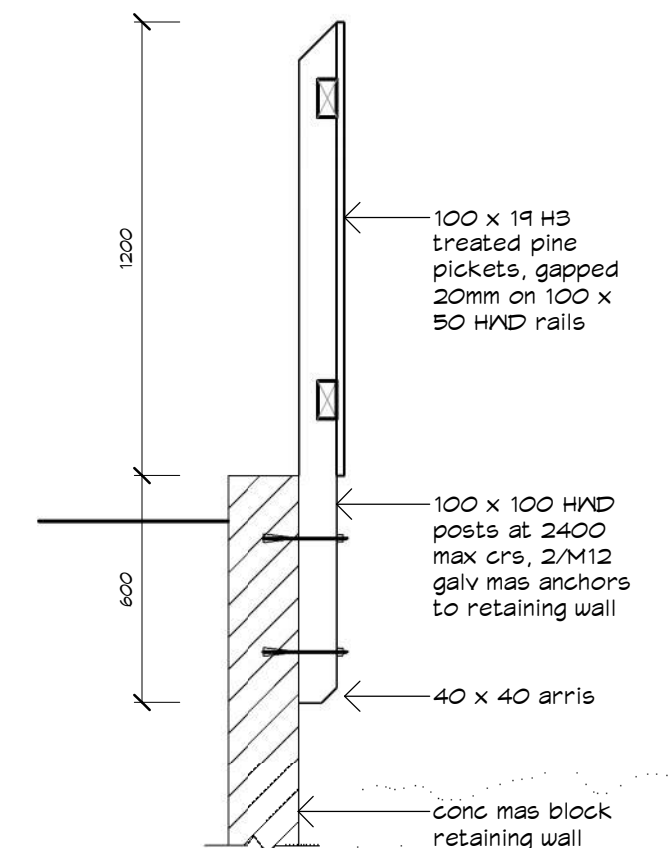
2 Site Existing  
1 : 200



R.P.D.  
Lot Number : 35  
Reg./Survey Plan Number : R26183  
Parish : Rockhampton  
County : Livingstone  
Area : 981 sqm



1 Proposed Site Plan  
1 : 200



3 Picket Fence Detail  
1 : 20

REVISIONS	No.	DESCRIPTION	DATE
A	1	TENDER ISSUE	22/11/18

PROPOSED RESIDENCE  
FOR M & S. IHSAN  
AT 259 ARCHER STREET  
THE RANGE

this drawing  
Site Existing & Proposed  
Site Plan



MEMBER  
BUILDING DESIGNERS  
ASSOC. OF QLD INC.

Licensed under  
the QBSA Act  
Lic No.  
1180286

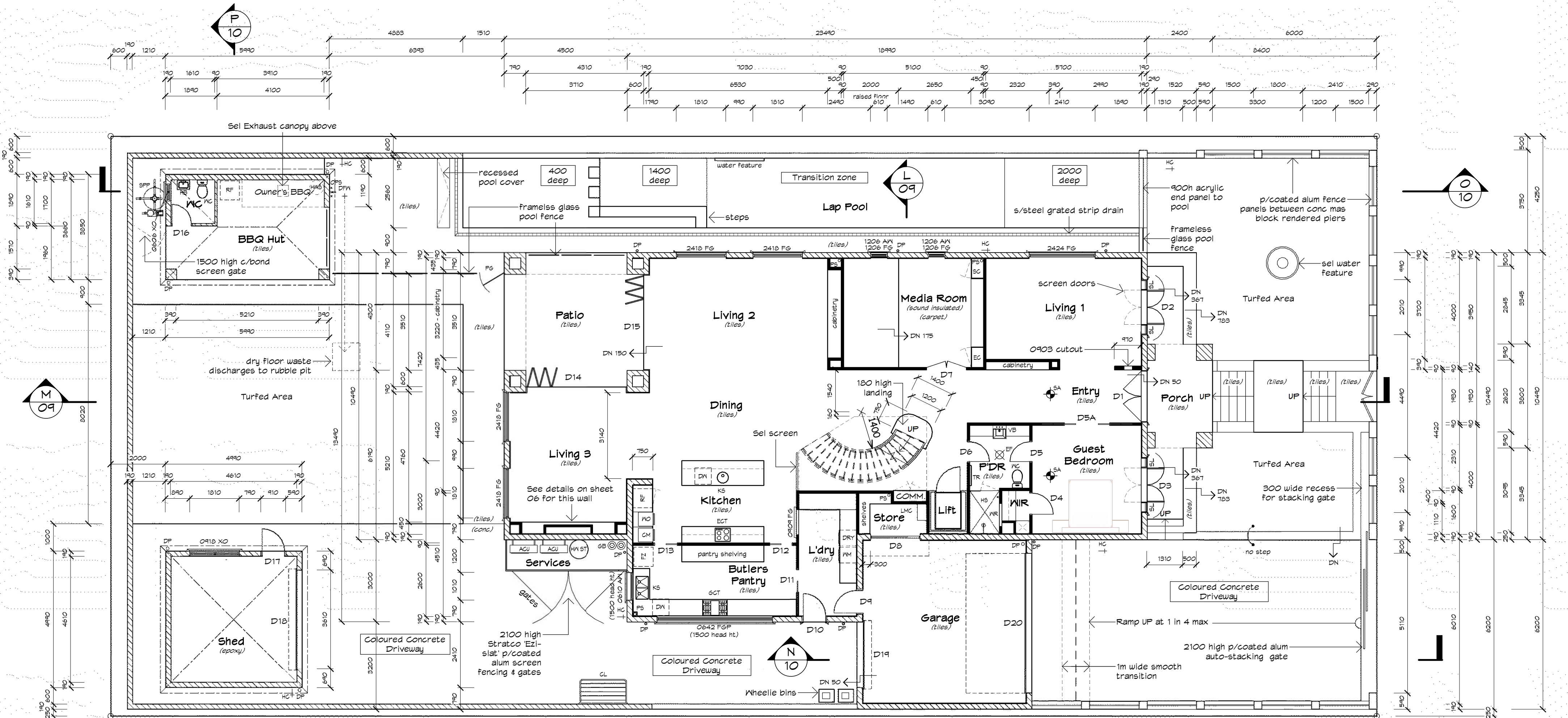
Telephone 61 7 49288011  
Facsimile 61 7 49266579  
E-mail mailbox@rufusdesigngroup.com

PROJECT  
MANAGER : TJR  
DRAWN : DAW  
CHKD : TJR

WIND  
SPEED : C1  
PLAN  
SIZE : A2

PROJECT NUMBER  
180107 - 01  
SHEET 01 OF 14 SHEETS  
REVISION : A





Plan Legend	
ACU	Air Conditioner Unit
BTH	Free standing Bath
CC	Ceiling Cassette
CF	Ceiling Fan
CL	Wall Mounted Clothes Line
CM	Coffee machine
DFW	Dry Floor Waste
DP	Down Pipe
DRY	Dryer
DT	Built-in Dressing Table
DW	Dishwasher
EC	Electronics cabinet by cabinetmaker
ECT	Electric Cooktop
EF	Mechanical exhaust fan discharging to outside air in accord. with AS 1668.2 ( 25L/sec per. min.)
FW	Floor Waste
FZ	Freezer
GB	Gas Bottles
GCT	900mm wide gas Cooktop
HB	Hand Basin
HC	Hose Cock
HS	Hobless Shower
HW ST	Solar Hot Water Storage Tank
HWS	Hot Water System

Plan Legend	
KS	Under slung Kitchen Sink
LMC	Lift Machine Cabinet
MH	Man Hole
OPS	Outdoor Pool Shower (hot & cold)
PG	1200 high glass self closing Pool gate with safety latch
PS	Plumbing Stack
RF	Refrigerator
SA	Photoelectric Smoke Alarm
SC	Storage cabinet by cabinetmaker
SPA	1400 x 1400 Jacuzzi Spa
SPP	Swimming Pool Pump
TR	Towel Rail
VB	Vanity Basin
WC	Toilet
WM	Washing Machine
WO	Wall Oven
WR	Shower Wall Recess, see detail on sht 03

## ROCKHAMPTON REGIONAL COUNCIL

### APPROVED PLANS

These plans are approved subject to the current conditions of approval associated with

**Development Permit No.: D/6-2019**

**Dated: 21 March 2019**

1

Ground Floor Plan

1:100

## Window Legend

1218 - 1200 high x 1800 wide  
 XO - Sliding / Fixed  
 X - Sliding  
 O - Fixed  
 D - Double Hung  
 A - Awning  
 CMT - Casement  
 L - Louvre  
 F.G. - Fixed Glass  
 Glazing to wet areas to be obscure  
 Glazing to remainder to be solarblock

## Floor Areas

External	
Porch	9.1 m <sup>2</sup>
BBQ Hut	23.1 m <sup>2</sup>
Patio	23.7 m <sup>2</sup>
Shed	24.9 m <sup>2</sup>
Open Deck	47.2 m <sup>2</sup>
Internal	
Garage	39.0 m <sup>2</sup>
First Floor Habitable	216.3 m <sup>2</sup>
Ground Floor Habitable	248.5 m <sup>2</sup>
Grand total	631.8 m <sup>2</sup>

REVISIONS

No.	DESCRIPTION	DATE
A	TENDER ISSUE	22/11/18

PROPOSED RESIDENCE  
 FOR M & S. IHSAN  
 AT 259 ARCHER STREET  
 THE RANGE

this drawing  
 Ground Floor Plan



MEMBER  
 BUILDING DESIGNERS  
 ASSOC. OF QLD INC.  
 Lic No.  
 1180286  
 Telephone 61 7 49288011  
 Facsimile 61 7 49266579  
 E-mail mailbox@rufusdesigngroup.com

PROJECT MANAGER: **TJR.**  
 DRAWN: **DAW**  
 CHKD: **TJR.**

WIND SPEED: **C1**  
 PLAN SIZE: **A2**  
 PROJECT NUMBER: **180107 - 02**  
 SHEET 02 OF 14 SHEETS  
 REVISION: **A**



# ROCKHAMPTON REGIONAL COUNCIL

## APPROVED PLANS

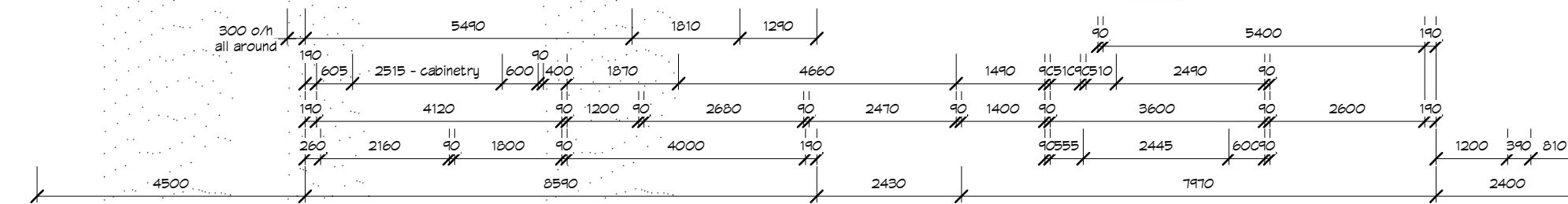
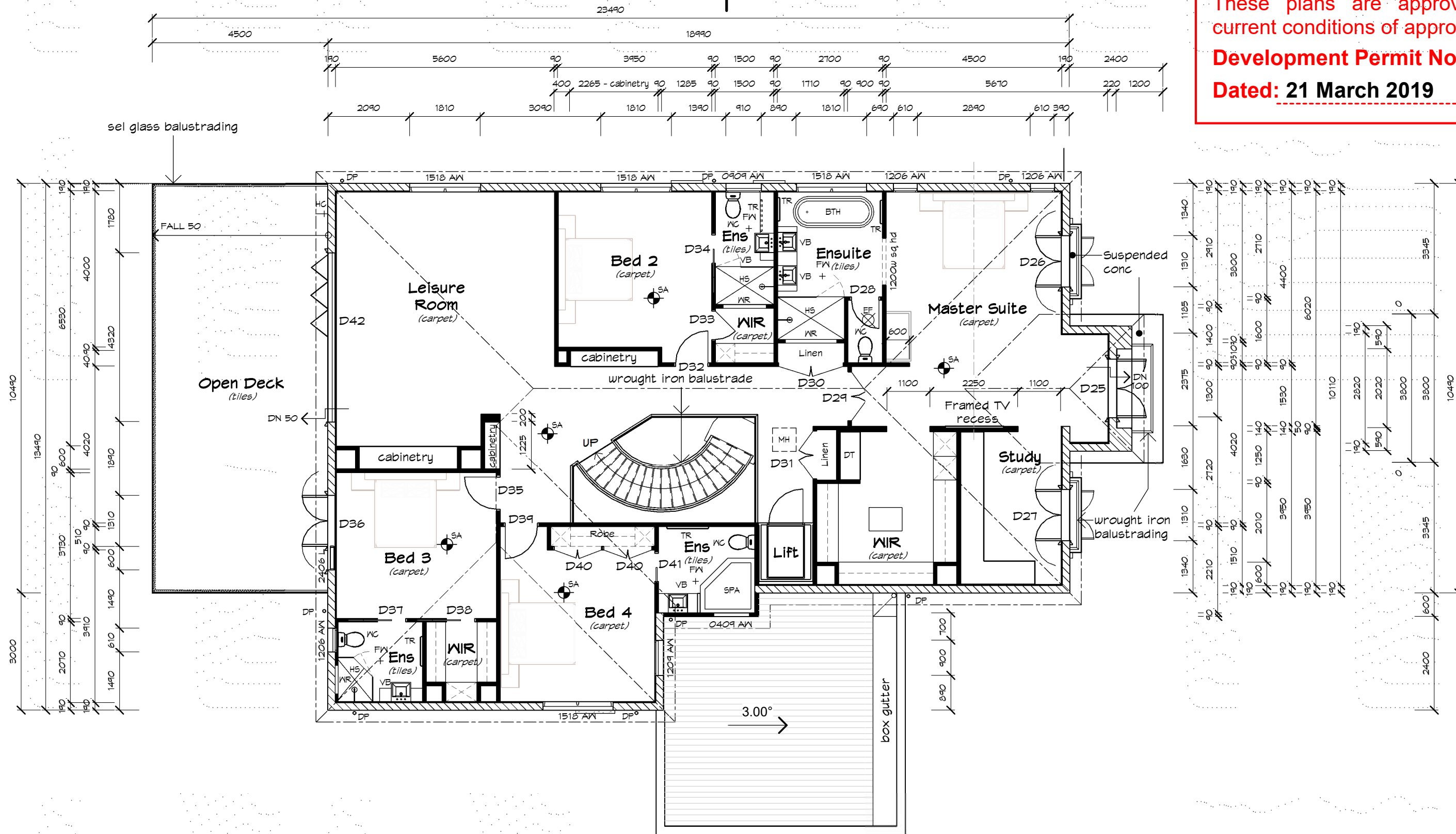
These plans are approved subject to the current conditions of approval associated with

Development Permit No.: D/6-2019

Dated: 21 March 2019

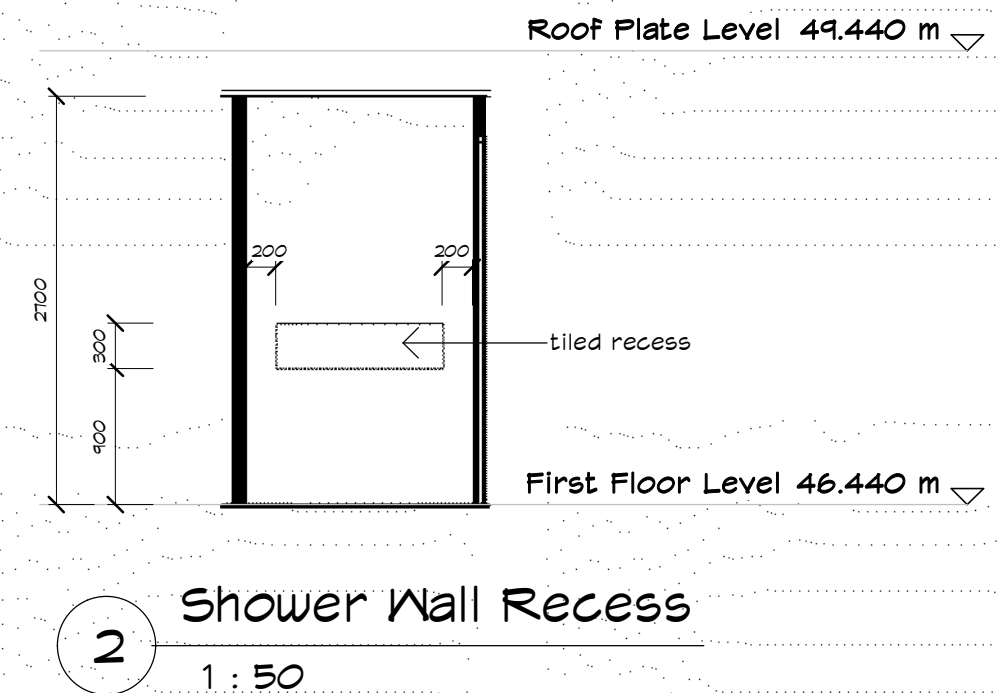
### Window Legend

1218 - 1200 high x 1800 wide  
 XO - Sliding / Fixed  
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 A - Awning  
 CMT - Casement  
 L - Louvre  
 F.G. - Fixed Glass  
 Glazing to wet areas to be obscure  
 Glazing to remainder to be solarblock



Floor Areas	
External	
Porch	9.1 m <sup>2</sup>
BBQ Hut	23.1 m <sup>2</sup>
Patio	23.7 m <sup>2</sup>
Shed	24.9 m <sup>2</sup>
Open Deck	47.2 m <sup>2</sup>
Internal	
Garage	39.0 m <sup>2</sup>
First Floor Habitable	216.3 m <sup>2</sup>
Ground Floor Habitable	248.5 m <sup>2</sup>
Grand total	631.8 m <sup>2</sup>

1 First Floor Plan  
 1 : 100



2 Shower Wall Recess  
 1 : 50

Plan Legend	
ACU	Air Conditioner Unit
BTH	Free standing Bath
CC	Ceiling Cassette
CF	Ceiling Fan
CL	Wall Mounted Clothes Line
CM	Coffee machine
DFW	Dry Floor Waste
DP	Down Pipe
DRY	Dryer
DT	Built-in Dressing Table
DW	Dishwasher
EC	Electronics cabinet by cabinetmaker
ECT	Electric Cooktop
EF	Mechanical exhaust fan discharging to outside air in accord. with AS 1668.2 ( 25L/sec per. min.)
FW	Floor Waste
FZ	Freezer
GB	Gas Bottles
GCT	900mm wide gas Cooktop
HB	Hand Basin
HC	Hose Cock
HS	Hobless Shower
HW ST	Solar Hot Water Storage Tank
HWS	Hot Water System

Plan Legend	
KS	Under slung Kitchen Sink
LMC	Lift Machine Cabinet
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SPP	Swimming Pool Pump
TR	Towel Rail
VB	Vanity Basin
WC	Toilet
WM	Washing Machine
WO	Wall Oven
WR	Shower Wall Recess, see detail on sht 03

REVISIONS		
No.	DESCRIPTION	DATE
A	TENDER ISSUE	22/11/18

PROPOSED RESIDENCE  
 FOR M & S. IHSAN  
 AT 259 ARCHER STREET  
 THE RANGE

this drawing  
 First Floor Plan

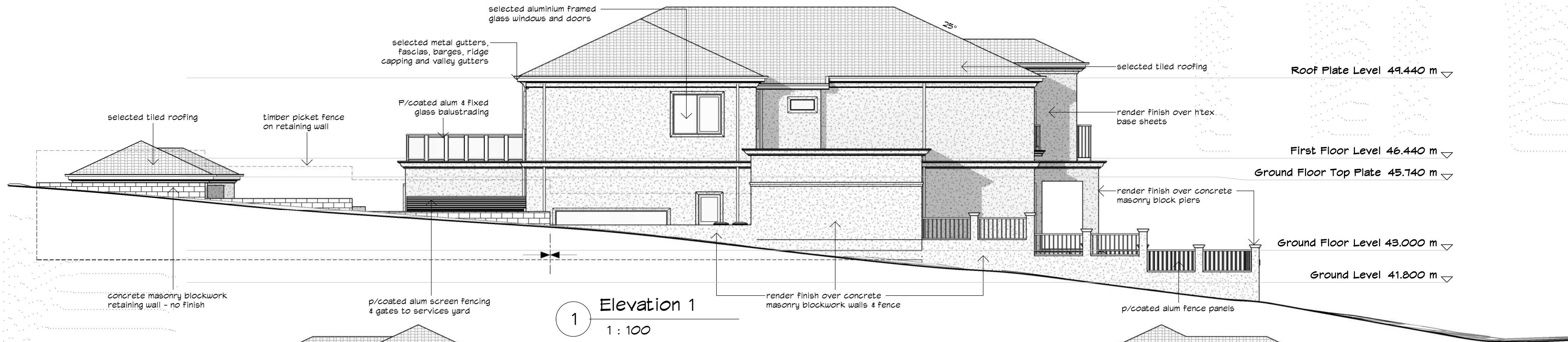


MEMBER  
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 E-mail mailbox@rufusdesigngroup.com



PROJECT MANAGER: T.J.R.  
 DRAWN: DAW  
 CHKD: T.J.R.

WIND SPEED	C1	PROJECT NUMBER	180107 - 03
PLAN SIZE:	A2	SHEET 03 OF 14 SHEETS	
REVISION	A		

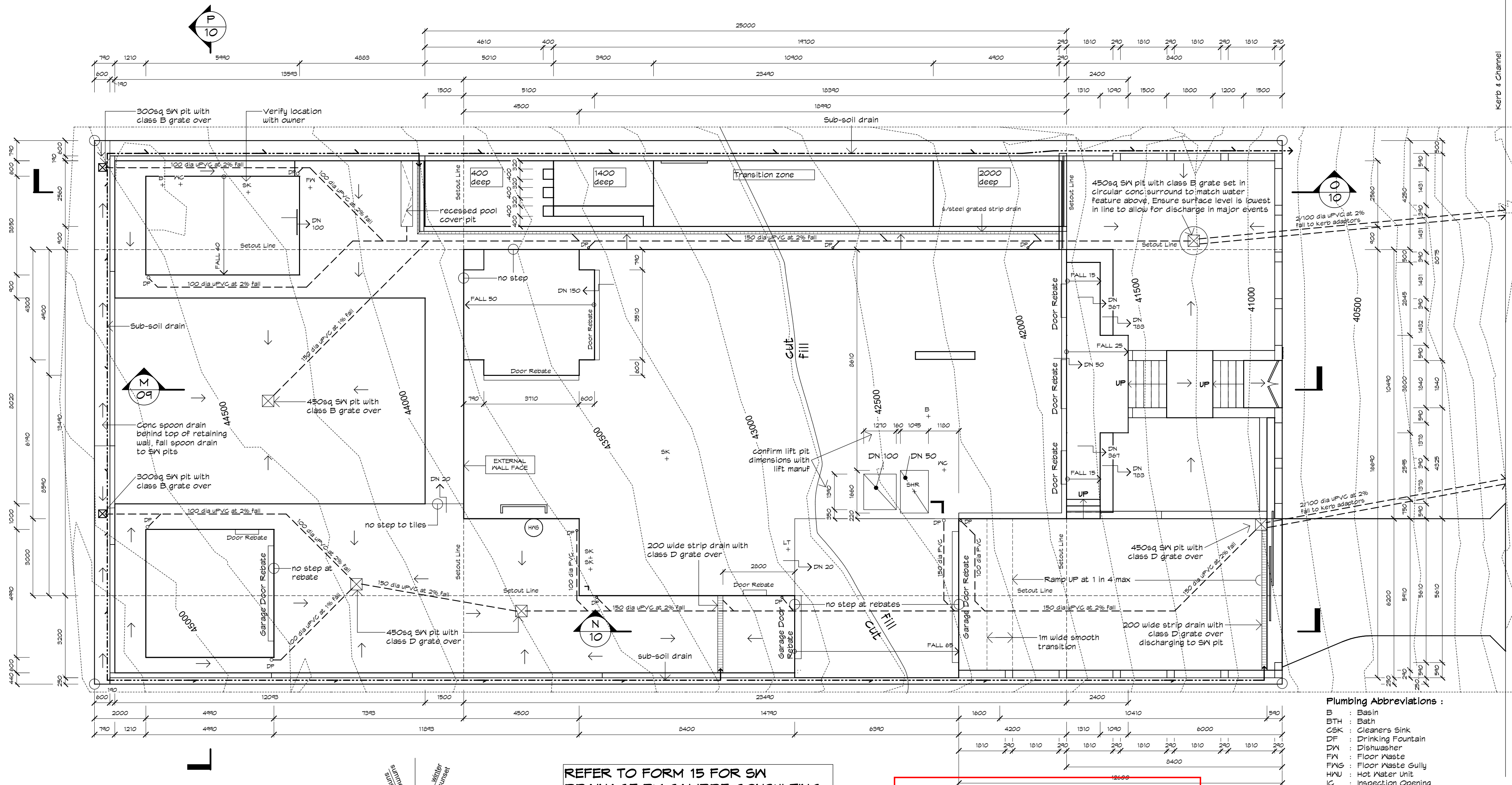




**ROCKHAMPTON REGIONAL COUNCIL**  
**APPROVED PLANS**  
 These plans are approved subject to the current conditions of approval associated with  
**Development Permit No.: D/6-2019**  
**Dated: 21 March 2019**

REVISIONS			PROPOSED RESIDENCE FOR M & S. IHSAN AT 259 ARCHER STREET THE RANGE	this drawing Elevations	 MEMBER BUILDING DESIGNERS ASSOC. OF QLD INC. Licenced under the QBSA Act Lic No. 1180286 Telephone 61 7 49288011 Facsimile 61 7 49266579 E-mail mailbox@rufusdesigngroup.com	 PROJECT MANAGER : T.J.R.  DRAWN : DAW  CHKD : T.J.R.	WIND SPEED : C1	PLAN SIZE : A2	PROJECT NUMBER 180107 - 04  SHEET 04 OF 14 SHEETS REVISION : A	
A	TENDER ISSUE	22/11/18								
No.	DESCRIPTION	DATE								





# STORMWATER NOTES

1. Stormwater drainage to be 1% grade unless otherwise noted
2. All noted stormwater grades are minimum
3. All stormwater pits within trafficable areas to have heavy duty class D grates

REFER TO FORM 15 FOR SW DRAINAGE BY CALIBRE CONSULTING

1 Ground Floor Slab & SW Drainage Plan  
1 : 100

## ROCKHAMPTON REGIONAL COUNCIL

### APPROVED PLANS

These plans are approved subject to the current conditions of approval associated with  
**Development Permit No.: D/6-2019**  
**Dated: 21 March 2019**

#### Plumbing Abbreviations :

B : Basin  
BTH : Bath  
CSK : Cleaners Sink  
DF : Drinking Fountain  
DW : Dishwasher  
FW : Floor Waste  
FWG : Floor Waste Gully  
HWU : Hot Water Unit  
IC : Inspection Opening  
IO : Inspection Chamber  
MH : Manhole  
ORG : Overflow Relief Gully  
SHR : Shower  
SK : Sink  
SW : Stormwater  
SWP : Storm Water Pit  
LT : Laundry Tub  
TD : Tundish  
UR : Urinal  
VP : Vent Pipe  
WC : Water Closet  
WM : Washing Machine

REVISIONS		
No.	DESCRIPTION	DATE
A	TENDER ISSUE	22/11/18

PROPOSED RESIDENCE  
FOR M & S. IHSAN  
AT 259 ARCHER STREET  
THE RANGE

this drawing  
Ground Floor Slab & SW  
Drainage Plan



MEMBER  
BUILDING DESIGNERS  
ASSOC. OF QLD INC.  
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the QBSA Act  
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PROJECT  
MANAGER : **TJR.**  
DRAWN : **DAW**  
CHKD : **TJR.**

WIND  
SPEED **C1**  
PLAN  
SIZE: **A2**

PROJECT NUMBER  
**180107 - 05**  
SHEET 05 OF 14 SHEETS  
REVISION **A**

M & S Ihsan  
4 Red Penda Court  
Norman Gardens, QLD 4701

By email: [umerihsan@hotmail.com](mailto:umerihsan@hotmail.com)

Our ref: 062501-01

**ROCKHAMPTON REGIONAL COUNCIL**

**APPROVED PLANS**

These plans are approved subject to the current conditions of approval associated with

**Development Permit No.: D/6-2019**

**Dated: 21 March 2019**

Dear Mr and Mrs Ihsan

**Re: 259 Archer Street, The Range – Rockhampton Airport – Obstacle Limitation Surfaces Study**

Please find in this correspondence an assessment of the proposed development located at 259 Archer Street, The Range, Rockhampton, QLD 4700 relative to the obstacle limitation surfaces (OLS) of Rockhampton Airport.

**1.1. Project background**

Rufus Design Group (RDG) is preparing an application for height concession with Rockhampton Regional Council for a residential house located on Lot 35R26183 at 259 Archer Street, The Range, Rockhampton, in Queensland (QLD).

The proposed development (the Project) involves the construction of a two-storey residential house.

Figure 1 shows the proposed design of the project (source: RDG, project No. 180107-17, revision A, dated 22 November 2018).

**1.2. Scope of Works**

RDG has engaged Aviation Projects to set out the planning context from an aviation perspective and prepare an assessment of the project relative to Rockhampton Airport's OLS.

**1.3. Task methodology**

The task was performed according to the steps outlined below:

1. Review supplied client material;
2. Review and set out the planning context;
3. Prepare an OLS assessment;
4. Prepare a draft letter report for client review; and
5. Prepare a final report for client acceptance.

**Aviation. From the ground up.**

Aviation Projects Pty Ltd / ABN 88 127 760 267

**E** [enquiries@aviationprojects.com.au](mailto:enquiries@aviationprojects.com.au)

**P** +61 7 3371 0788 **F** +61 7 3371 0799

PO Box 116, Toowong DC, Toowong Qld 4066

19/200 Moggill Road, Taringa Qld 4068

**[aviationprojects.com.au](http://aviationprojects.com.au)**

REVIEWS			PROPOSED RESIDENCE FOR M & S. IHSAN AT 259 ARCHER STREET THE RANGE	 MEMBER BUILDING DESIGNERS 1800CC OF OLD PAC. 04 96 119288 Telephone 617 42938011 Facsimile 617 42966579 Email <a href="mailto:info@rufusdesigngroup.com">info@rufusdesigngroup.com</a> STYLE • QUALITY • INNOVATION	PROJECT MANAGER TJR DRAFTER DPH CHD PROJECT NUMBER 130107 - 17 SHEET 01 OF 01 SHEETS PLAN AS REVISED PRINT DATE: 16/02/2018 12:49:07 PM
	A TENDER ISSUE No. DESCRIPTION DATE	22/11/18			

## 1.4. References

- Airservices Australia, Aeronautical Information Package; including AIP Book, Departure and Approach Procedures, and En Route Supplement Australia effective 28 February 2019;
- Civil Aviation Safety Authority, *Manual of Standards Part 139 – Aerodromes*, version 1.14: dated January 2017;
- Department of Infrastructure, Local Government and Planning, QLD State Government, Development Assessment mapping system and State Planning Policy Planning interactive mapping system;
- Rockhampton Region Planning Scheme, version 1.1, dated 2015; and
- other references as noted.



### 1.5. Client material

RDG provided the following materials for the purposes of this assessment:

- RDG, Proposed Residence for M & S Ihsan at 259 Archer Street the Range.pdf, project number 180117-17, revision A, dated 22 November 2018;
- RDG, Application for Height Concession;
- Rockhampton Regional Council, Airport Height Limitation Map, accessed 20 February 2019; and
- Rockhampton Airport, Rockhampton Airport Master Plan 2017-2037, 17 November 2017.

### 1.6. Site overview

The Project site is located approximately 1.3 km (0.7 nm) north east from Rockhampton Airport's runway 33 threshold.

Figure 2 shows the location of the project relative to Rockhampton Airport (source: Google Earth, 2019).



Figure 2 Project site location

## **1.7. Planning context**

The Civil Aviation Safety Authority (CASA) regulates aviation activities in Australia. Applicable requirements include the Civil Aviation Regulations 1988 (CAR), Civil Aviation Safety Regulations 1998 (CASR) and associated Manual of Standards (MOS) and other guidance material.

Chapter 7 of Manual of Standards Part 139—Aerodromes, provides specific regulatory provisions relating to obstacle limitation surfaces which are copied below:

*7.1.3.1 An aerodrome operator must establish the OLS applicable to the aerodrome.*

**Note:** *A description and illustration of the obstacle limitation surfaces is provided in Section 7.3.*

*7.1.3.2 The following OLS must be established for a non-instrument runway and a non-precision instrument runway:*

- (a) conical surface;*
- (b) inner horizontal surface;*
- (c) approach surface;*
- (d) transitional surface; and*
- (e) take-off climb surface.*

*7.1.3.4 The physical dimensions of the OLS surfaces, for approach runways, must be determined using Table 7.1-1.*

A copy of Table 7.1-1 is provided in Figure 3.



**Table 7.1-1: Approach Runways**

OLS & Dimensions (in metres and percentages)	Runway Classification									
	Non-instrument				Instrument					
					Non-precision			Precision		
	Code No				Code No			I Code No	II & III Code No	
	1*	2	3	4	1, 2	3	4	1, 2	3, 4	3, 4
OUTER HORIZONTAL										
Height (m)									150	150
Radius (m)									15000	15000
CONICAL										
Slope	5%	5%	5%	5%	5%	5%	5%	5%	5%	5%
Height (m)	35	55	75	100	60	75	100	60	100	100
INNER HORIZONTAL										
Height (m)	45	45	45	45	45	45	45	45	45	45
Radius (m)	2000	2500	4000	4000	3500	4000	4000	3500	4000	4000
APPROACH										
Length of inner edge (m)	60	80	150 <sup>a</sup>	150	90	150	300 <sup>b</sup>	150	300	300
Distance from threshold (m)	30	60	60	60	60	60	60	60	60	60
Divergence each side	10%	10%	10%	10%	15%	15%	15%	15%	15%	15%
First section length (m)	1600	2500	3000	3000	2500	3000	3000	3000	3000	3000
Slope	5%	4%	3.33%	2.5%	3.33%	3.33%	2%	2.5%	2%	2%
Second section length (m)	-	-	-	-	-	3600 <sup>c</sup>	3600	12000	3600	3600
Slope	-	-	-	-	-	2.5% <sup>c</sup>	2.5%	3%	2.5%	2.5%
Horizontal section length (m)	-	-	-	-	-	8400 <sup>c</sup>	8400	-	8400	8400
Total length (m)	1600	2500	3000	3000	2500	15000 <sup>d</sup>	15000	15000	15000	15000
INNER APPROACH										
Width (m)								90	120	120
Distance from threshold (m)								60	60	60
Length (m)								900	900	900
Slope								2.5%	2%	2%
TRANSITIONAL										
Slope	20%	20%	14.3%	14.3%	20%	14.3%	14.3%	14.3%	14.3%	14.3%
INNER TRANSITIONAL										
Slope								40%	33.3%	33.3%
BAULKED LANDING										
Length of inner edge (m)								90	120	120
Distance from threshold (m)								<sup>e</sup>	1800 <sup>f</sup>	1800
Divergence each side								10%	10%	10%
Slope								4%	3.3%	3.3%

Figure 3 A copy of Table 7.1-1

### 1.8. Rockhampton Region Planning Scheme

Rockhampton Region Planning Scheme version 1.1. dated 2015 includes an Airport environs overlay code. The purpose of the airport environs overlay code is to ensure that:

- (a) *the current and future operations of the Rockhampton Airport and associated aviation facilities are not adversely impacted by development and land uses;*
- (b) *development within the vicinity of the Rockhampton Airport is not adversely impacted by the operation of airports and aviation facilities; and*
- (c) *the number of people likely to be adversely affected by significant aircraft noise is not increased.*

Acceptable Outcome A01.1 of Rockhampton Region Planning Scheme ensures that new development does not penetrate the airport's operational airspace as identified on overlay map OM-2A.

Copy of overlay map OM-2A is provided in Figure 4 (source: Rockhampton Region Planning Scheme, version 1.1, dated 2015).

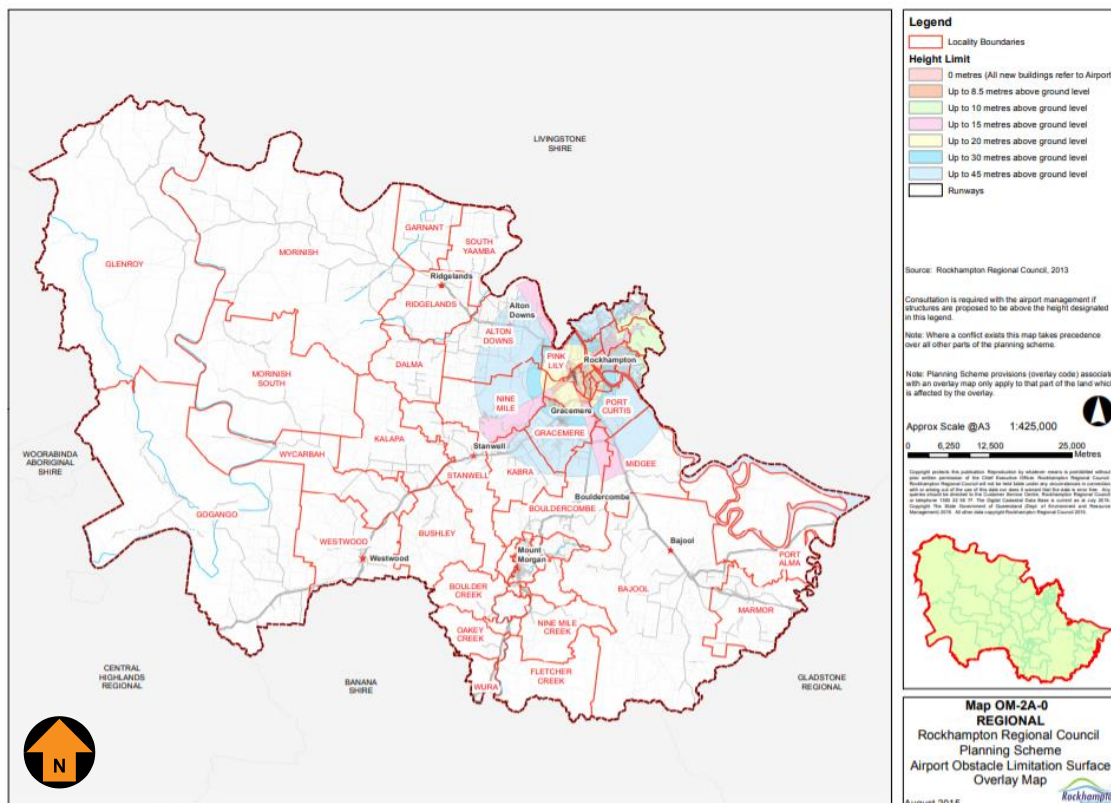


Figure 4 Airport Obstacle Limitation Surface Overlay Map OM-2A

A close up of Rockhampton overlay map OM-2A is provided in Figure 5.

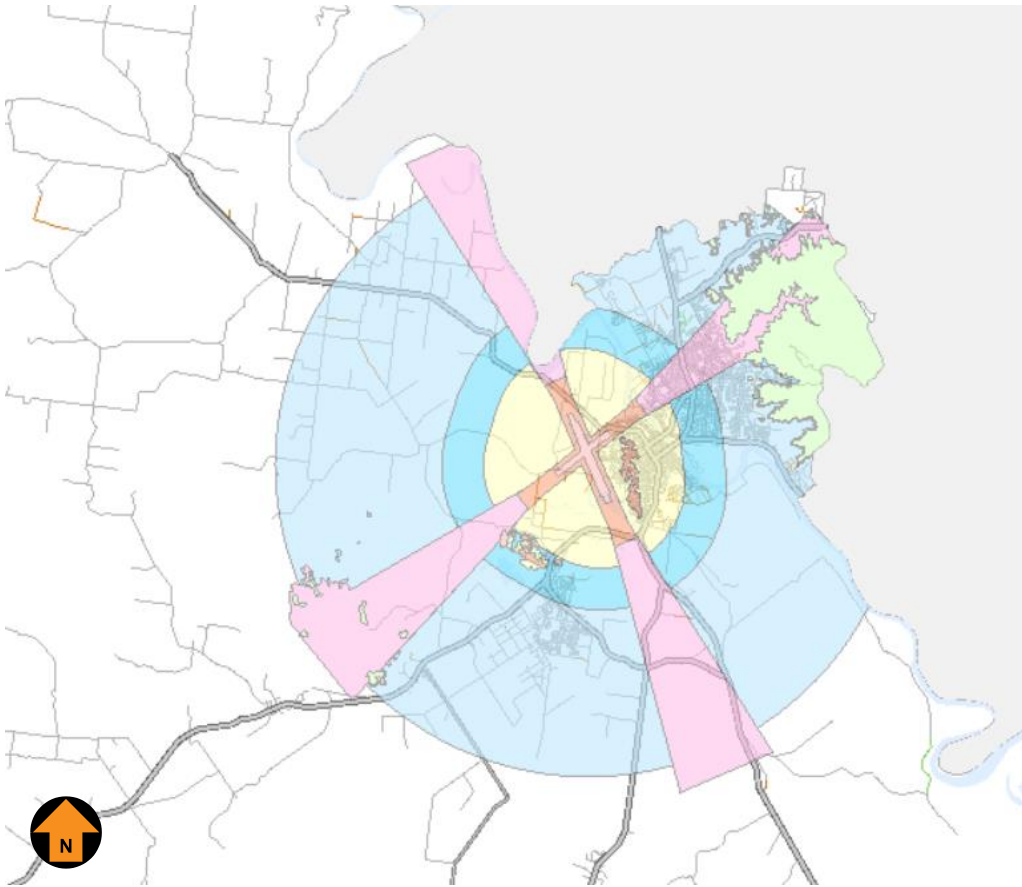


Figure 5 Rockhampton Airport's OLS - Rockhampton Region Planning Scheme Maps

The Rockhampton Airport OLS Overlay map shows new development height constraints in metres above ground level (AGL) rather than specifying the OLS's height constraint in metres Australian Height Datum (AHD). This is not as specified in Chapter 7 of the MOS 139. Therefore, for the purposes of the OLS assessment, the overlay map OM-2A does not provide sufficient information to assess the potential impact of the Project on the OLS.

### 1.9. Rockhampton Airport Master Plan

Rockhampton Airport Master Plan 2017-2037 (dated 17 November 2017) considers the OLS for the long-term future airport development. These OLS are based on Code 4 (runway 04/22) and Code 2 (runway 13/33) runways.

Exhibit 7-1 of Rockhampton Airport Master Plan in relation to Rockhampton Airport OLS is provided in Figure 6.



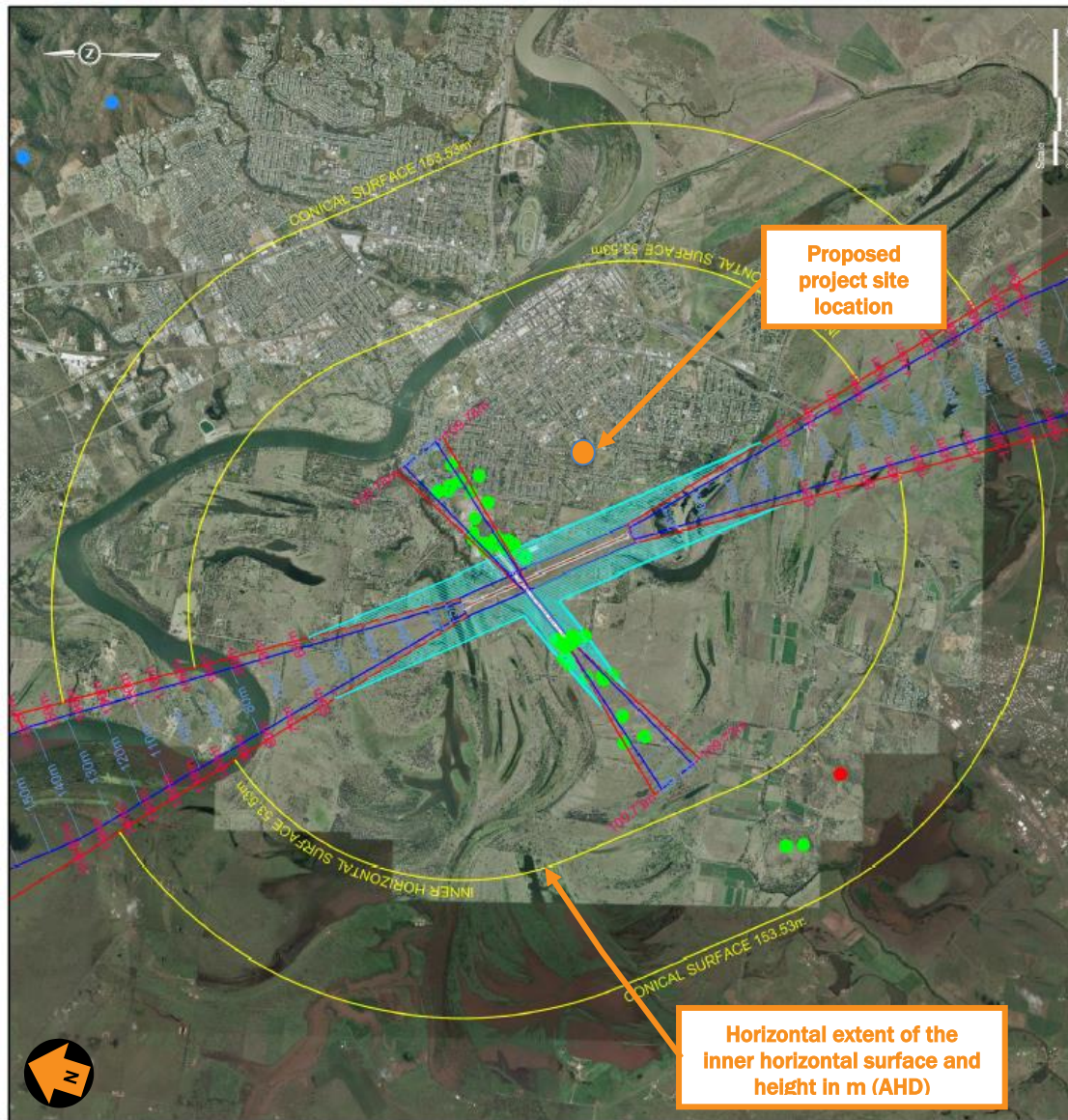


Figure 6 Copy of Exhibit 7-1

The height of the inner horizontal surface as illustrated in the Rockhampton Airport Master Plan is 53.53 m AHD. The height of the inner horizontal surface should be rounded off to 53.5 m AHD as per the recommendations of subsection 7.3.2.1 of MOS 139.





A close up of the project site location relative to the inner horizontal surface of Rockhampton Airport is provided in Figure 8 (source: Queensland Government, State Planning Interactive Mapping System, Strategic Airport and Aviation Facilities, Obstacle limitation surfaces contours).

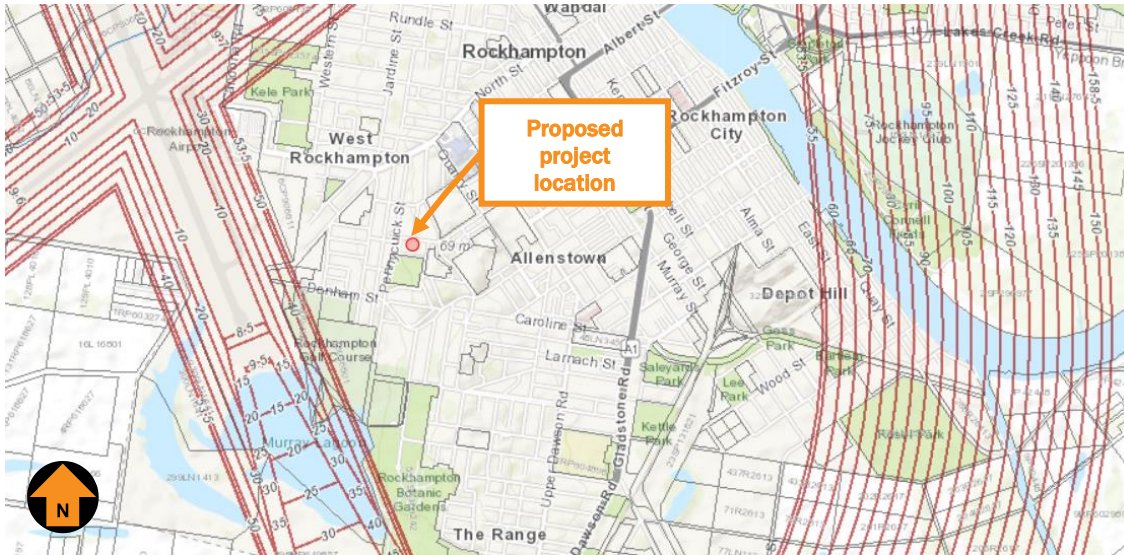


Figure 8 A close up of the project site vs inner horizontal surface

### 1.11. OLS assessment

Runway 15/33 at Rockhampton Airport is an instrument, non-precision Code 4 runway. According to MOS 139 Chapter 7, the critical obstacle limitation surfaces for an instrument, non-precision Code 4 runway are as follows:

- Conical surface at 5% slope and 100 m in height;
- Inner horizontal surface 4000 m in radius and up to 45 m in height;
- Approach and take-off surface total length – 15 000 m; and
- Transitional surface – at 14.3% slope from the edge of a runway strip.

The project is located within the horizontal extent of the inner horizontal surface of Rockhampton Airport. This surface is a horizontal plane at 45 m above Rockhampton Airport's reference elevation datum and within a radius of 4000 m from the edge of the runway strip.

The project site is constrained by the inner horizontal surface at a height of approximately 53.5 m AHD, which is based on a reference elevation datum of 8.5 m AHD plus 45 m height of the inner transitional surface.

The residence roof height is 52.080 m AHD (as per drawing 180107-17, revision A, dated 22 November 2018) which is approximately 1.42 m below the upper limit of the inner horizontal surface. Therefore, the proposed project will not penetrate the inner horizontal surface of Rockhampton Airport.

**1.12. Summary**

Aviation Projects has concluded that the proposed project located on Lot 35R26183 (259 Archer Street, The Range, Rockhampton, QLD 4700) will be located within the horizontal extent of, and approximately 1.42 m AHD below, the inner horizontal surface of Rockhampton Airport and will therefore not penetrate the obstacle limitation surfaces of Rockhampton Airport.

If you wish to clarify or discuss the contents of this correspondence, please contact me on 0417 631 681.

Kind regards



Keith Tonkin

Managing Director

14 March 2019