

**John L**

---

**From:** John L <jlland1@bigpond.com>  
**Sent:** Wednesday, 11 February 2015 11:30 AM  
**To:** CairnsSARA@dsdip.qld.gov.au  
**Cc:** jenny.elphinstone@douglas.qld.gov.au; 'John L'  
**Subject:** extension/consent

MORNING CAN YOU PLEASE ASSIST ME AS A MATTER OF URGENCY RE EXTENSION OF D/A Approval

Attention SARA /OTHERS

PLEASE SEE ALL ATTACHED DOCUMENTS, HOPEFULLY THIS WILL SUFFICE FOR THE STANDARD REQUEST ATTACHED/  
AND YOUR EXPEDIENT APPROVALS WITHIN YOUR DEPARTMENTS

ALSO CONFIRM IF AT ALL ANY FEES APPLY

KIND REGARD JOHN

PS FEEL FREE TO CALL TO DISCUSS

JOHN LORDAN 0408365900



# Request to change an existing approval template

(Sustainable Planning Act 2009 version 1.1 effective March 2010)

A

This template may be used for giving a written notice asking the responsible entity to make a permissible change to a development approval under section 369 of the *Sustainable Planning Act 2009* (SPA). It should be noted that if the responsible entity for the request has a form for the request, the request must be made using that form.

This template must be lodged with the following entity (the responsible entity) as applicable:

- if the change is to a condition imposed by a Minister under chapter 6, part 11, division 1 of SPA the template must be lodged with the Minister that imposed the condition
- if the approval was given by a Minister under chapter 6, part 11, division 2 of SPA the template must be lodged with the Minister that gave the approval
- if the change is to a condition of the approval imposed by a concurrence agency the template must be lodged with the concurrence agency
- if the approval was given by the Planning and Environment Court the template must be lodged with the Planning and Environment Court
- in all other cases the template must be lodged with the assessment manager for the original development application.

Attach extra pages if there is insufficient space on this template. Terms used in this template having the meaning given in the *Sustainable Planning Act 2009*.

## 1. Who is making the request?

Name/s (individual or company name in full)

OUR STUFF P/L (JOHN LORDAN) SOLE DIR

For companies, contact name

JOHN LORDAN

Postal address

PO BOX  
2252

PO Box 2252 Research  
Melb 3095

Contact phone number

0408 365 900

Mobile number (non-mandatory)

0408 365 900

Fax number (non-mandatory)

—

e-mail address (non-mandatory)

jlland1@Big Pond.Com  
@





(B)

2. What are the details of the existing approval sought to be changed?

Type of approval	Identification number	Date decision notice or negotiated decision notice issued	Name of entity that issued the approval or imposed the condition sought to be changed
<input checked="" type="checkbox"/> Development permit			SEE ATTACHED
<input type="checkbox"/> Preliminary approval			

3. Is the approval for a mobile and temporary environmentally relevant activity (ERA)?

- ☒ No  
☐ Yes—complete table A and then go to question 5

Table A—name of each local government area in which the mobile and temporary ERA is proposed to operate/ is operating

N/A

4. Location of the premises (complete table B and/or table C as applicable. Identify each lot in a separate row)

Table B—street address/lot for the premises or street address/lot on plan for the land adjoining or adjacent to the premises

- ☒ street address/lot on the plan  
☒ street address/lot on plan for the land adjoining or adjacent to the premises (appropriate for development in water e.g. jetty, pontoon)

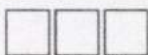
LOT 102 RP 723702

97-107 DAVIDSON ST PORT DOUGLAS

Street address				Lot on plan description		Local government area (e.g. Logan, Cairns)
Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
97/107		DAVIDSONS ST		Port Douglas		

LOT 102 RP 723702





(C)

**Table C—premises coordinates** (appropriate for development in remote areas, over part of a lot or in water e.g. channel dredging in Moreton Bay)

Coordinates (note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
		N/A			<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> Other	

**5. Details of the proposed change**

PERMIT EXTENSION (ONLY)

**6. Is owner's consent required for this request?** (refer to notes at the end of this form for more information)

- ☐ No  
☐ Yes—complete either table D or table E as applicable

I AM THE OWNER  
JOHN LONDON SOLE DIRECTOR

**Table D**

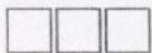
Name of owner of the land	OUR STUFF P/L
I, the above-mentioned owner of the land, consent to the making of this request.	
Signature of owner of the land	JOHN LONDON
Date	11/2/15

**Table E**

Name of owner of the land	OUR STUFF P/L
<input checked="" type="checkbox"/> The owner's written consent is attached ABN 65098474652	

JOHN LONDON  
SOLE DIRECTOR





7. Does the request involve a state resource prescribed under the *Sustainable Planning Regulation 2009*, schedule 14? (e.g. the application involves state land, or taking quarry materials. Refer to the notes at the end of this form for more information)

- ☒ No ☐ Yes—the written agreement of the chief executive from whom evidence would need to be obtained under the *Sustainable Planning Act 2009*, section 254(1) must be attached.

8. Has a pre-request response notice been given for this request?

- ☒ No ☐ Yes—a copy of the pre-request response notice must be attached to this request

9. Is a copy of this request required to be given to another entity under section 372 of the *Sustainable Planning Act 2009*? (refer to notes at the end of this form for more information)

- ☒ No ☐ Yes—complete Table F

Table F

A copy of this request has been provided to the entities identified below (provide details for each entity given a copy of the request and the date the copy was given)

- |  |  |
|--|--|
| <input type="checkbox"/> Assessment manager for the original application   |  |
| <input type="checkbox"/> Concurrence agencies for the original application |  |
| <input type="checkbox"/> Any other entity prescribed by a regulation       |  |

10. Provide details of any other supporting information attached to this request

Please see ATTACHED MATERIAL 1-2-3-4-5

(1-5)

Notes for completing this template

- This template is not an approved form under the *Sustainable Planning Act 2009*. The entity responsible for deciding the request may have their own form for the purpose of making a written request to change an existing development approval. A change to an existing development approval may involve:
  - a change to an approval given by the assessment manager
  - a change to a condition imposed by a concurrence agency
  - a change to an approval given by the Minister under a Ministerial call in
  - a change to a condition imposed by the Minister under a Ministerial direction
  - a change to an approval given by the Planning and Environment Court





⑤

**Question 6:**

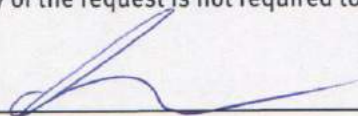
- Under section 371 of the Sustainable Planning Act 2009, if the person making the request is not the owner of the land to which the approval relates, the request must be accompanied by the owner's consent.
- However, owner's consent is not required if the approval:
  - relates to land that was acquisition land to which section 263(2)(d) of the Sustainable Planning Act 2009 applied when the application for the approval was made
  - is for building work or operational work for the supply of community infrastructure on land designated for the community infrastructure, or
  - the consent of the owner would not be required under section 263(1) of the Sustainable Planning Act 2009 if a development application were made for the requested change
- Also, owners' consent is not required if the responsible entity is satisfied that:
  - the number of owners of the land make it impracticable to obtain owners' consent, and the requested change does not materially affect the owners' land, or
  - having regard to the nature of the proposed change, the owner has unreasonably withheld consent and the requested change does not materially affect the owner's land.

**Question 7:**

- Section 370(3) and (4) of the Sustainable Planning Act 2009 requires that if an application for the development approval were made at the time of making this request and evidence under section 264(1) of the Sustainable Planning Act 2009 would be required to support the application, this request must be accompanied by the written agreement of the chief executive from whom evidence would be required under section 264(1). (Section 264 of the Sustainable Planning Act 2009 provides that if a development involves a State resource, a regulation may require the application to be supported by certain evidence prescribed under the regulation. Schedule 14 of the Sustainable Planning Regulation 2009 prescribes the State resources for which evidence is required to be given, and the evidence required, to support the application.)

**Question 9:**

- Section 372 of the Sustainable Planning Act 2009 requires that a copy of the request be given to:
  - the assessment manager for the original application, if the request is made to a concurrence agency, the Minister, or the court
  - any concurrence agencies for the original application, if the request is made to the assessment manager for the original application, the Minister or the court
  - any other entity prescribed by a regulation.
- However, a copy of the request is not required to be given to an entity that has given a pre-request response notice for the request.

 JOHN LINDAHL

**OFFICE USE ONLY**

Date received		Reference numbers	
---------------	--	-------------------	--



John L

---

**From:** John L <jlland1@bigpond.com>  
**Sent:** Wednesday, 11 February 2015 10:57 AM  
**To:** 'John L'  
**Subject:** FW: DSC Advice RE: Request to extend approval 97-107 Davidson Street, Port Douglas Lots 1 and 2 RP723702,  
**Attachments:** Decision Notice Req to Ext.pdf; 20150210091006487.pdf  
**Importance:** High

---

**From:** Jenny Elphinstone [mailto:Jenny.Elphinstone@douglas.qld.gov.au]  
**Sent:** Tuesday, 10 February 2015 10:10 AM  
**To:** 'John L'  
**Subject:** DSC Advice RE: Request to extend approval 97-107 Davidson Street, Port Douglas Lots 1 and 2 RP723702,  
**Importance:** High

John,  
RE: Your request for an extension of the period of approval.

My apologies – I spoke to Susie at TMR and she corrected me in that your request to extend the period of approval must now go to the Department of State Development Infrastructure and Planning.

This can be lodged with the Cairns office

Email: [CairnsSARA@dsdip.qld.gov.au](mailto:CairnsSARA@dsdip.qld.gov.au)

The SARA Department then internally refers the request to Transport and Main Roads and SARA will then issue a decision to both Council and yourself.

SARA contact details:

### **Far North Queensland regional office**

Main office – Cairns

Visit: Ground Floor, Cairns Port Authority Building, Cnr Grafton and Harley Streets, Cairns

Post: PO Box 2358, Cairns Qld 4870

Tel: 07 4037 3209

I do not know if there is a fee associated with the request.

Request form – form is not mandatory but may make the process easier - click on link for the form: <http://www.dsdip.qld.gov.au/resources/template/request-change-existing-approval-template.pdf>

See copy of current approval attached.

See copy of TMR previous response attached.

Other

The above advice is provided on a without prejudice basis.

Regards

**Jenny Elphinstone** | Senior Planning Officer

**Development & Environment | Douglas Shire Council**

**P:** 07 4099 9482 | **F:** 07 4098 2902

**E:** [jenny.elphinstone@douglas.qld.gov.au](mailto:jenny.elphinstone@douglas.qld.gov.au) | **W:** [douglas.qld.gov.au](http://douglas.qld.gov.au)

**Mail:** PO Box 723, Mossman Q 4873 | **Office:** 64-66 Front St, Mossman Q 4873

②

**OUR REF:** MCUC 4125/2011 (422469)

12 June 2014

Our Stuff Pty Ltd  
C/- Projex North Pty Ltd  
PO Box 4571  
**CAIRNS QLD 4870**

Attention: Mr Peter Robinson

Dear Sir

**DECISION NOTICE UNDER S 383 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR  
97-107 DAVIDSON STREET, PORT DOUGLAS**

Reference is made to your request to extend the relevant period for the abovementioned Development Application, which was determined under Instrument of Delegation on 11 June 2014.

The Development Permit is now valid up to and including 23 February 2015.

The Notice includes extracts from the Act with respect to lodging an Appeal.

This Notice also includes an Amended Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009*.

Should you have any enquiries in relation to this Decision Notice, please contact Jenny Elphinstone of Council's Development and Environment Branch on telephone number 07 4099 9482.

Yours faithfully

Donna Graham  
Manager Development & Environment

Att



APPENDIX 1: CURRENT APPROVAL

RECEIVED  
10 MAR 2005



ENQUIRIES: Mr Paul Gleeson - Acting Manager Planning Services  
DEPARTMENT: Planning Services Section - ☎ (07) 4099 9450

OUR REF: PTG  
YOUR REF: TPC1170

23 February 2005

John Lordon Developments Pty Ltd  
C/-George Rollo  
Frangipani  
Andrews Close  
PORT DOUGLAS QLD 4870

**INTEGRATED PLANNING ACT  
NEGOTIATED DECISION NOTICE  
DEVELOPMENT APPLICATION**

**Applicant's Name:** John Lordon Developments Pty Ltd  
**Owner's Name:** Banks Pat & Delma & Jalacorp Pty Ltd Tte Salter Pr & Queensland Industry Development  
**Proposal:** Material Change of Use to permit the construction of 100 Multiple Dwellings (tourist) including 92 x 2 bedroom and 8 x 1 bedroom Units, Caretaker's Residence and ancillary facilities  
**Application Number:** TPC1170  
**Site Address:** 97-107 Davidson Street, Port Douglas  
**Property Description:** Lot 1 & 2 on RP723702

This Negotiated Decision Notice supersedes the Decision Notice dated 20 December 2004. Conditions 2(a)i, 2(a)ii, 3(b), 13 and 23 have been amended. All other conditions remain unchanged.

1. Decision:

Decision Date: 16/02/2005

Approved with Conditions

ADMINISTRATION CENTRE  
(ALL DEPARTMENTS)  
64-66 FRONT STREET, MOSSMAN

PHONE (07) 4099 9444 FACSIMILE (07) 4098 2902  
EMAIL: [info@dsc.qld.gov.au](mailto:info@dsc.qld.gov.au)  
INTERNET [www.dsc.qld.gov.au](http://www.dsc.qld.gov.au)

1 IRDAPY 14 MILL ST MOSSMAN

PHONE (07) 4099 9496 FACSIMILE (07) 4098 3298

ALL COMMUNICATIONS TO BE  
ADDRESSED TO:  
THE CHIEF EXECUTIVE OFFICER  
P.O. BOX 357  
MOSSMAN, QLD 4873





Queensland  
Government

Council Ref: 8/38/2

11 February 2011

Chief Executive Officer  
Cairns Regional Council  
PO Box 359  
Cairns Qld 4870



Attention: Leon Doutre

Dear Mr Doutre

***Sustainable Planning Act 2009 – Request to extend currency period***

**Applicant:** John Lordan Developments Pty Ltd

**Application:** Material Change of Use (Multiple Dwellings (Tourist) & Caretaker's Residence)

**Location:** Lots 1 & 2 on RP723702, Parish of Salisbury  
97-107 Davidson Street, Port Douglas

I refer to:

- the above application received at the former Department of Main Roads (DMR) on 26 August 2004 requesting consideration of the above development
- DMR referral agency response dated 22 September 2004 of conditions of development,
- Council's negotiated decision notice dated 23 February 2005,
- request for an extension to the currency period from Our Stuff Pty Ltd received at DMR on 9 August 2007,
- DMR letter dated 20 August 2007,
- further request for an extension to the currency period from Our Stuff Pty Ltd received at DMR on 16 June 2008,
- DMR letter dated 23 June 2008,
- Council's extension of currency period received at DMR 4 December 2004 with incorrect referral agency response attached, and
- further request for an extension to the currency period from Our Stuff Pty Ltd received at the Department of Transport & Main Roads on 11 February 2011..

This department has no objection to a further extension of the currency period, subject to Council's determination.

Assets & Operations  
Far North Regional Office  
Floor 4 Cairns Corporate Tower 15 Lake Street  
PO Box 6185 CAIRNS Queensland 4870  
ABN 39 407 690 291

Our ref 214/6504/102 (1590)

Enquiries MALCOLM HARDY  
Telephone +61 7 4050 5511  
Facsimile +61 7 4050 5438

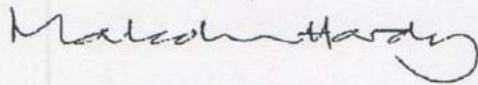


5

The Department would appreciate a copy of Council's decision regarding the application.

A copy of this letter has been sent to the applicant.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Malcolm Hardy". The signature is fluid and cursive, with the first name "Malcolm" being more prominent than the last name "Hardy".

Malcolm Hardy  
Senior Planner (Assets & Operations) Far North