

6.16. PRELIMINARY APPROVAL AND APPLICATION FOR 1 INTO 33 LOTS AND COMMON PROPERTY 42-52 MITRE STREET

REPORT AUTHOR	Daniel Lamond, Planning Officer
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DEPARTMENT	Environment and Planning
APPLICATION NO	CA 2023_5488/1
PROPOSAL	Combined Application for Preliminary Approval including a Variation Request for Use Rights Associated with the Low-Medium Density Residential Zone Code and Development Permit for Reconfiguring a Lot (3 Lots into 33 Lots)
APPLICANT	Allaro Homes Cairns Pty Ltd C/- Planning Plus PO Box 399 REDLYNCH QLD 4870
LOCATION	42-44 Mitre Street CRAIGLIE, 46-52 Mitre Street CRAIGLIE, Sagiba Avenue CRAIGLIE
PROPERTY	Lot 900 on SP342106 and Lot 0 on SP342106
PLANNING SCHEME	2018 Douglas Shire Council Planning Scheme Version 1.0
ZONING	Tourist Accommodation Zone
LEVEL OF ASSESSMENT	Impact
PROPERLY MADE DATE	28 August 2023
STATUTORY ASSESSMENT DEADLINE	4 May 2024
REFERRAL AGENCIES	State Assessment & Referral Agency

LOCALITY

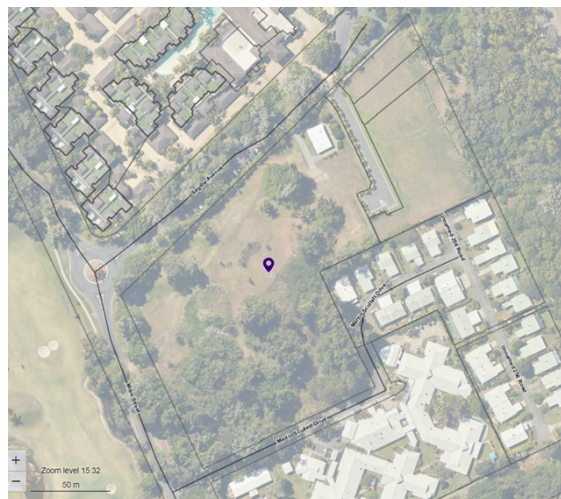


Figure 1 – Locality Plan

RECOMMENDATION

That Council approves the development application for Combined Application for Preliminary Approval including a Variation Request for Use Rights Associated with the Low-Medium Density Residential Zone Code and Development Permit for Reconfiguring a Lot (3 Lots into 33 Lots) over land described as Lot 900 on SP342106 and Lot 0 on SP342106, subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and/or document(s) or other similar expressions means:

Drawing or Document	Reference	Date
RAL Proposal Plan	AU6631-06a prepared by RPS Group	8 April 2024
Plan of Development	AU213006631-07b prepared by RPS Group	8 April 2024

ASSESSMENT MANAGER CONDITIONS & ADVICES

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Community Management Scheme

3. Prepare a Community Management Statement which provides for the following:
 - a. development to be in accordance with the approved Plan of Development AU6631-07b, dated 8 April 2024 prepared by RPS Group and;
 - b. house construction and design to be compliant with the document entitled 'Design Guideline, 42 – 52 Mitre Street and Sagiba Avenue, Craiglie';
 - c. no prohibition of informal vehicle parking on the road verge of the common property where crossover blockage does not occur.

The Community Management Statement must be endorsed by the Chief Executive Officer prior to approval of the Plan of Survey.

Access Road

4. Provide the access road as detailed in the approved Plan of Development AU6631-07b, dated 8 April 2024 prepared by RPS Group with a minimum of six (6) formalised visitor parking spaces and a two metre wide internal footpath.
5. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular maneuvering areas must be imperviously sealed, drained and line marked.

Existing Parking Space Offsets

6. Provide seven (7) on-street parking spaces in Sagiba Avenue to replace those removed by the driveway access. Detailed design of the on-street parking must be submitted as part of the Development Application for Operational Works.

Matters of Environmental Significance

7. The development must be carried out in accordance with the recommendations of the 'Matters of Environmental Significance' report dated 25 September 2023 by EcoRex.

Staging Plan

8. Provide a staging plan demonstrating the proposed amount and sequencing of stages for house construction to be endorsed by the Chief Executive Officer prior to submission of the Operational Works Development Application.

Operational Works

9. A Development Permit for Operational Works must be obtained for the following activities:
 - a. vegetation removal and bulk earthworks associated with site grading;
 - b. construction of internal roads and drainage works;
 - c. water supply and sewer works;
 - d. All external works.

A Development Permit for Operational Works must be obtained prior to commencing any works associated with the redevelopment of the site. Operational Works.

Fire Hydrants

10. Place fire hydrants at intervals of no more than 120 metres and at each intersection within the common property road. Hydrants may have a single outlet and be sited above or below ground.

Retaining Walls

11. All retaining walls or structures higher than 1.0m must be certified by a suitably experienced RPEQ Structural Engineer.

Where the profile or height of the wall is redesigned during structural certification, amended plan(s) must be approved by Council.

12. The design of all retaining wall structures must be wholly contained within the development site and must not encroach into adjacent lots or road reserve.

The design of all retaining structures proposed must be provided to the satisfaction of the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Construction Signage

13. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:

- a. Developer;
- b. Project Coordinator;
- c. Architect/Building Designer;
- d. Builder;
- e. Civil Engineer;
- f. Civil Contractor;
- g. Landscape Architect.

Minimum Fill and Floor Level

14. All building pad levels must be constructed to be immune of the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

Site Based Stormwater Management Plan

15. Provide a Site Based Stormwater Management Plan (SBSMP) reporting on the stormwater quantity and quality management required for the land, and must focus on, but not be limited to, the following:
- a. nominate best practice site management procedures to control the severity and extent of soil erosion, pollutant transport, and other water quality issues that may arise during the construction phase and post-construction phase;
 - b. nominate requirements for ongoing post-construction management (inclusive of responsibility) of the drainage channel located adjacent Lot 33, and within the turnaround road internal to the site; and
 - c. the drainage network for the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council

specifications for stormwater quality improvement devices (SQID), namely:

- i. End-of-line stormwater quality improvement devices (SQID) must be of a proprietary design and construction and must carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit;
- ii. SQIDs must be positioned to provide appropriate unrestricted access for maintenance equipment;
- iii. SQIDS (e.g. GPTs) must allow simple and economical maintenance of the device. They must be positioned to allow for economic and efficient maintenance operations and be provided with a hardstand structure suitable to bear the weight of a design truck and located off the road pavement so as to not to interfere with the movement of traffic or household driveways whilst in operation;
- iv. Clearly nominate Council infrastructure and privately owned stormwater infrastructure. The maintenance of all private stormwater infrastructure is the sole responsibility of the owner/operator of the development site. Council is under no obligation to maintain private stormwater quality device/s installed on the subject site;

The SBSMP must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Stormwater

16. Provide drainage calculations to demonstrate capacity for existing infrastructure on Sagiba Avenue to convey the post-development runoff through to the Esplanade area with no adverse operational issues for the road function.

Information must include:

- a. Revised stormwater catchments (internal and external);
- b. Supporting drainage calculations for the existing Lucus Lane cross road culvert and concrete lined drain; and
- c. Longitudinal and cross sections of the current drainage profile on Sagiba Avenue.

The calculations must demonstrate capacity to convey the post-development discharge to the satisfaction of the Chief Executive Officer prior to issue of a Development Permit for Operational Works.

17. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development to the requirements and satisfaction of the Chief Executive Officer prior to Works Acceptance.

Pump Station Access

18. The pump station driveway hardstand is to be amended to allow the service vehicle to exit the driveway hardstand in a forward direction. The amended driveway hardstand design and vehicle turn path must be provided to submitted with the Development Application for Operational Works.

Electricity

19. Any padmount transformer must be installed on site and positioned in accordance with the following requirements:
 - a. not located on land used for open space or sport and recreation purposes;
 - b. screened from view by landscaping, sightscreens and/or fencing;
 - c. accessible for maintenance in accordance with the relevant utility provider;
 - d. must be located clear of footpaths;
 - e. must not be located over existing infrastructure;

Internal Sewer

20. An exclusion radius of 30m from the existing sewer pump station must be provided to all dwellings within the development, generally as shown on the approved 'Plan of Development' AU6631-07b, dated 8 April 2024 prepared by RPS Group.

The exclusion radius must be to the satisfaction of the Chief Executive Officer prior to Works Acceptance.

Water Supply Works Internal

21. Undertake the following water supply works internal to the subject land:
 - a. provide a single internal water connection; and
 - b. water supply sub-metering must be designed and installed in accordance with The Plumbing and Drainage Act 2002 and the Water Act 2000 and applies to developments which will be reconfigured by Standard Format Plan with common property.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Plan of Survey, whichever occurs first.

Landscaping

22. The development site must be landscaped in accordance with a landscaping plan. landscape plans are to be provided to and endorsed by the chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All landscaping works must be undertaken prior to approval and dating of the Plan of Survey and must be maintained at all times to the satisfaction of the Chief

Executive Officer.

23. Prior to the issue of a Development Permit for Operational Works, provide a Tree Protection Plan prepared by a minimum qualification level 5 arborist for the trees on road reserve at Sagiba Avenue and Mitre Street, for endorsement by the Chief Executive Officer. The plan must include SRZ and TPZ measures.

These protection measures are to be maintained at all times until works acceptance.

24. Council must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing within the development site.

Stockpiling and Transportation of Fill Material

25. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the Commencement of Works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times; or
- b. before 7:00am or after 6:00pm Monday to Friday; or
- c. before 7:00am or after 1:00pm Saturdays; or
- d. on Sundays or Public Holidays.

Environmental Protection Policy – Noise & Dust

26. All reasonable and practicable measures must be implemented during the construction phase of the development for the purpose of ensuring the development does not create a noise or dust nuisance in accordance with the Environmental Protection Policy. These measures must be capable of minimising the potential for unreasonable impacts to residents, guests and other activities that may be occurring on site or at nearby locations.

Damage to Council Infrastructure

27. Prior to any works occurring on the site, the applicant is to prepare a road condition report of the proposed road access and haulage route(s) to and from the site. The report is to identify relevant existing defects or problems with the roadway along the identified route.

On completion of the works, the access and haul route(s) shall be subject to a joint inspection by the applicant and Council Officers to identify any further damage that has occurred. Where additional damage has occurred, all rectification works shall be at the applicant's expense, to the satisfaction of the Chief Executive Officer.

28. In the event that any part of Council's existing water, sewer or road infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost.

Electricity Supply

29. Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding

the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy.

Details regarding electricity supply must be provided prior to the issue of a Development Permit for Operational Works.

30. Where Ergon Energy requires a padmount substation within the development site, written confirmation from Ergon Energy of this requirement and details of the proposed location must be submitted to the Chief Executive Officer.

Electricity and Telecommunications

31. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to approval and dating of the Plan of Survey.
32. Ownership, costs and maintenance associated with all electrical metering internal to the development will not be the responsibility of Council at any time before, during or post construction.

Acid Sulfate Soil Investigation

33. Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in, '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) or updated version of document produced by the Department of Resources, and State Planning Policy 2/02 – '*Planning and Managing Development involving Acid Sulfate Soils*'. The results of this investigation must be submitted to Council for approval prior to any earthworks or clearing being commenced on the site.

Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of DR – QASSIT: '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) will trigger the requirement for preparation of an Acid Sulfate Soil Environmental Management Plan in accordance with the most recent requirements of the DR: '*Queensland Acid Sulfate Soil Technical Manual*' (2002) including Soil Management Guidelines (updated Feb. 2003) which must be prepared to the satisfaction of the Chief Executive Officer.

ADVICE

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the *Planning Act 2016*.
2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.
3. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
4. For information relating to the *Planning Act 2016*, log on to www.dsd.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.

Cultural Heritage

5. The *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* (the Cultural Heritage Acts) require anyone who carries out a land-use activity to exercise a duty of care.

This '*duty of care*' means land users must take all reasonable and practicable measures to ensure their activity does not harm Aboriginal or Torres Strait Islander cultural heritage. The duty of care applies to any activity where Aboriginal or Torres Strait Islander cultural heritage is located. This includes cultural heritage located on freehold land and regardless of whether or not it has been identified or recorded in a database.

Consultation with the Aboriginal or Torres Strait Islander party for an area may be necessary if there is a high risk that the activity may harm Aboriginal or Torres Strait Islander cultural heritage. Guidelines have been produced to enable assessment of sites under the Act. These are available from the Queensland Government website and can be downloaded from the following website.

<https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care>.

Environmental

6. An Ecoaccess approval must be obtained from the Department of Environment and Science prior to the clearing of vegetation and/or tree removal that involves damage or destruction of plant species protected under the provisions of the *Nature Conservation Act 1992*. Information on Ecoaccess approvals may be obtained at www.des.qld.gov.au.

Infrastructure Charges Notice

7. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The Infrastructure Charges Notice will be provided under separate cover.

The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution. Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The *Planning Act 2016* confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrence Agency	Concurrence Agency Reference	Date	Doc ID
State Assessment and Referral Agency	2308- 35408 SRA	19 February 2024	1211711

REASONS FOR DECISION

The reasons for this decision are:

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
 - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and

- b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
- a. the development application was properly lodged to the Douglas Shire Council on 28 August 2023 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
 - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
- a. the development triggered assessable development under the Assessment Table associated with the Tourist Accommodation Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
 - c. the applicant's reasons have been considered and the following findings are made:
 - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.
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EXECUTIVE SUMMARY

Council is in receipt of a combined development application for Preliminary Approval including a Variation Request for Use Rights Associated with the Low-medium density residential zone code and Development Permit for Reconfiguring a Lot (3 Lots into 33 Lots). The application is made over land at 42 – 52 Mitre Street, Craiglie, formally described as lots 1, 2 and 6 on C2253.

The Preliminary Approval for a Variation Request for use rights associated with the Low-medium density residential zone component of the application is impact assessable. Public notification was carried out for 30 business day in accordance with section 53 of the Planning Act 2016 and Council received no submissions.

The subdivision component of the application being reconfiguring the lots from three into 33 lots is code assessable.

The application does not include the house designs, but it seeks to set up use rights that allow for the subdivision of land into smaller residential allotments rather than larger allotments which are intended to be development for resort style accommodation under the current Tourist accommodation zoning of the site. Future development applications for a Material Change of Use will be triggered for the house designs as the application does not include this component and detail of the development.

The application is recommended for approval subject to conditions.

TOWN PLANNING CONSIDERATIONS

Background

The site is contained within the Tourist accommodation zone under the 2018 Douglas Shire Planning Scheme. The current zoning of the site reflects its locality being opposite the Sea Temple Resort and a current approval for a resort style of development providing for holiday accommodation. The critical difference between the Tourist accommodation zone and the Low-medium density residential zone is the minimum lot size prescribed within the planning scheme.

The Tourist accommodation zone requires a minimum lot size of 1000 square metres and the Low-medium density residential zone requires a minimum lot size of 450 square metres. The applicant is seeking to develop a higher density residential subdivision with allotments in the order of 450 square metres in size hence the proposal to vary the effect of the planning scheme.

The site is spread across three titles which make up a total area of 2.9091 hectares with frontage to Sagiba Avenue to the north, Mitre Street to the west and Martin Scullett Drive to the south. This site adjoins Esplanade to the east.

The land is generally level and is partially vegetated although the northern parts of the site have been disturbed by past activities, with an existing house being located adjacent to Sagiba Avenue. The eastern portion of the site has been developed with a common property access servicing seven (7) constructed, but untitled, lots.

Proposal

Proposed is the development of 33 residential allotments to be part of a community titles scheme with common property within the Low-medium density residential zone. The application is for a conversion of the current zoning to allow for the creation of smaller lots appropriate for housing rather than lot sizes reflective of tourist accommodation development.

The proposed 33 allotments are of a range of sizes to support a range of future housing choice. The proposed lots range from 401 to 1000 square metres in size. The smaller allotments are designed with building envelopes nominated on the proposal plans to limit adverse impacts on amenity and privacy considerations when a dwelling is constructed on each allotment. The larger lots may be developed in the future for multiple dwellings with additional density or be developed for single houses. The design will be subject to future Material Change of Use development applications.

Common property access is given from Sagiba Avenue with visitor parking within the private internal road. The application includes a development guideline for future house design within the gated community.

State Planning Requirements

State Planning Policy

The State Planning Policy ('SPP') was introduced on 3 July 2017 as part of the State's planning system. The SPP defines the Queensland Government's policies about matters of state interest in land use planning and development, providing direction for the preparation of local planning instruments and assessment of development applications.

The 2018 Douglas Shire Planning Scheme version 1.0 reflects the applicable State interests to the extent relevant to the proposed development and further assessment against the SPP is unnecessary.

Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009-2031 ('FNQ Regional Plan') provides the framework for the sustainable management of growth and development in Far North Queensland. The site is contained within the Urban area of the FNQ Regional Plan.

The Planning Regulation 2017 requires the development be assessed against the Regional Plan to the extent that the Regional Plan is not appropriately reflected in the Planning Scheme.

The Douglas Shire Planning Scheme has been endorsed by the Minister as appropriately integrating the Regional Plan. Further assessment with respect to the Regional Plan is unnecessary.

State Assessment and Referral Agency

The application triggers referral to the State Assessment and Referral Agency (SARA) as part of the site is within the coastal management district and the wetland protection trigger area. The application was referred to SARA and a technical assessment was undertaken by the Department of Environment and Science. SARA has issued its concurrence agency response with conditions regulating the proposed works. Generally the conditions relate to stormwater runoff quality and environmental offsets.

DOUGLAS SHIRE PLANNING SCHEME ASSESSMENT

The following benchmarks are applicable to the proposed development:

Douglas Shire Planning Locality	Comment
Planning Zone	
Low-medium Density Residential Zone	Complies
Local Plan Code	
Port Douglas/Craiglie	Site located within the local plan area but not located within a specific precinct
Overlay Codes	
Acid sulphate soils overlay	See comment below
Bushfire hazard overlay	See comment below
Coastal environment overlay	Complies
Flood and storm tide hazard overlay	See comment below
Natural areas overlay	See comment below
Transport network overlay	See comment below
Other Development Codes	
Access, parking and servicing code	Complies
Infrastructure works code	Complies
Landscaping code	See comment below
Reconfiguring a lot code	See comment below

Compliance Issues

Low-medium Residential Zone Code

The proposal seeks the application of the Low-medium residential zone code to accommodate the subdivision with small allotments.

Performance Outcome PO7 of the code prescribes that new lots contain a minimum area of 450m². The proposal includes four lots with site area as low as 401m². PO8 prescribes that new lots have a minimum road frontage of no less than 15 metres and PO9 requires that new lots have a 20m x 15m rectangle. 23 of the 33 proposed lots do not comply with the three performance outcomes as the lots are as small as 401m² and have frontages 10 metres wide. The overall outcomes of the code must be assessed as the proposal is not compliant with the performance outcomes.

In particular, the overall outcomes seek a range of residential dwelling choices including multiple dwellings at overall outcome (a). It is evident that the proposal provides a diverse range of allotments for single detached houses or multiple dwelling construction by proposing lots ranging from 401m² to 1000m² and it must be noted that the proposed allotments are regular in shape and are not constrained by acute boundary angles or rear lot design.

Overall outcome (b) seeks that development encourages and facilitates urban consolidation and the efficient use of infrastructure. The proposal is a good example of efficient urban consolidation as the site is already serviced by water, sewer and external drainage infrastructure as is sited between two existing urban developments. Further, the development does not result in urban sprawl.

Overall outcome (c) seeks that development provides safe and walkable neighbourhoods. The proposal includes a private internal access road equipped with an internal footpath connecting to the footpath network on Sagiba Avenue.

Overall outcome (d) prescribes that development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts. The site is not adjacent a high order road or any uses with incompatible impacts to sensitive uses.

Overall outcome (e) requires that development is reflective and responsive to the environmental constraints of the land. The urban development of the land relies upon clearing the vegetation on the land in order to fill and create sufficient drainage solutions. The development includes two bioretention basins to improve stormwater quality for discharge to the receiving ecosystem downstream. A Matters of Environmental Significance Assessment has been undertaken and the report gives recommendations for the appropriate management and relocation of protected species. The vegetation on the land is highly fragmented and isolated within an existing urban area and is considered to provide limited ecological function. Urban land in Port Douglas is finite and becoming more limited, therefore it is considered that there is no overriding need to retain this section of land in its current state.

Overall outcome (f) prescribes that the development provides a high level of amenity and is reflective of the surrounding character of the area. Small lots on their own generally result in poor amenity outcomes as the size constraint means that there are limited opportunities to achieve adequate privacy outcomes with the future building design. However, the applicant has provided a building envelope plan which is master planned for the small allotments proposed in the subdivision. This plan regulates which boundaries can be built to, and how close construction can occur to adjoining boundaries of other lots. In addition, the applicant has prepared a building design guideline which regulates a high standard of building appearance through design features and also regulates privacy implications through window locations, balcony locations, the use of privacy screens and window slats and other appropriate measures. Given the proposed subdivision is centred around an internal private

road and reflects a gated community outcome, there is no detrimental impact on the character of the area, albeit that the area is already characterised by small residential houses on the adjoining allotment and small modular villas as the Sea Temple across the road.

Overall Outcome (g) seeks that development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community. The proposal includes a central area of open space sited with visitor parking spaces. The site is located as close to the beach and there is ample opportunity for recreation at Four Mile Beach which is easily accessible via the existing path at the end of Sagiba Avenue.

Reconfiguring a Lot Code

The primary component of the application is the proposal to apply the Low-medium density residential zone framework to the land. The reconfiguration component of the proposal is for the subdivision of the three lots into 33 residential lots and must be assessed against the provisions of the Reconfiguring a Lot development code from the planning scheme.

AO4 of the code requires that existing site features such as significant vegetation and trees are incorporated into open space, road reserves, or a common property. The site is partly vegetated with significant and well established category B vegetation. If the land is to be developed for urban purposes, the vegetation cannot be retained. This is because the land needs filling in order to re-profile for flood immune allotments. Further, the installation of sewer and water reticulation and associated trenching is not compatible at scale with the existing vegetation. The State Assessment and Referral Agency has agreed to allow the application to proceed on the basis that environmental offsets are paid for the loss of the vegetation community. The applicant has undertaken a Matters of Environmental Significance assessment and has found that the site contains matters of both State and National Environmental Significance. The report includes recommendations for the management and relocation of the relevant species such as ant plants in order to comply with the corresponding performance outcome PO4, requiring that development responds appropriately to its local context, natural systems and site features. Further, it must be noted that the existing approval over the land for a large holiday accommodation development already includes approval to clear the vegetation. The subdivision design includes two considerable areas within the common property set aside as bio-retention basins which manage the water quality of the runoff leaving the site.

Acid Sulphate Soils Overlay Code

The site is within the potential acid sulphate soils trigger area given its proximity to the coast and elevation below five metres AHD. The application was not accompanied by an acid sulphate soils investigation; however, this is required as greater than 100 cubic metres of fill is being imported. A condition has been imposed to require the applicant to undertake the investigation and supply results to Council prior to site works commencing.

Bushfire Hazard Overlay Code

The site includes impact buffer areas and medium and high potential hazard areas given by the overlay code for bushfire hazard. However, given the site is being cleared and will be developed between two existing urban developments, the risk of bushfire is diminished. No concerns are raised with bushfire hazard post development.

Flood and Storm Tide Hazard Overlay Code

The site is within the medium hazard storm tide overlay area. A condition has been imposed to require that the finished pad levels are immune. The finished floor level published on Council's website is approximately 3.5m AHD. The applicant has prepared detailed design

plans nominating compliant pad levels with considerations for hydraulic grade effects from stormwater.

Natural Areas Overlay Code

The code requires that development mitigates impacts on environmental values including water quality, hydrology and biological processes at acceptable outcome AO1.3. The corresponding performance outcome requires that development protects matters of environmental significance at PO1. As detailed above, the development application material was accompanied by a matters of environmental significance ecology report which gave recommendations for relocation endangered species located at the site. It is considered that the vegetation is of low retention value and that the removal is justified by way of the offset payment SARA have required. In addition, the site has been developed with on-site stormwater detention bio-retention basins which clean stormwater prior to discharge to the downstream catchment. The bio-retention basins are designed within the common property central to the development.

Transport Network Overlay Code

The codes prescribe that development does not compromise the safety and efficiency of the transport network at acceptable outcome AO1.2. It must be noted that the common property access driveway location at Sagiba Avenue results in the loss of seven on-street car parking spaces. However, a condition has been imposed to require the applicant to construct seven car parking spaces in an alternative location on Sagiba Avenue as car parking is a known issue for the street. It should also be noted that the development provides for ample on-site visitor parking opportunities and a condition has been imposed to require that the Community Management Statement for the common property cannot prohibit internal informal visitor parking.

Landscaping Code

Acceptable Outcome A01 requires that development is landscaped in accordance with planning scheme policy SC6.7. The applicant has not prepared a landscaping plan. A condition has been imposed to require the submission of a landscaping plan which will be implemented as part of the subdivision construction.

Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The strategic framework is the highest order component of the planning scheme and prevails over all other components to the extent of inconsistencies. The proposal does not represent inconsistencies or conflict with the strategic framework.

The strategic framework anticipates the highest densities in the shire to be consolidated in the urban area of Port Douglas. Theme 1- Settlement pattern, is particularly relevant here. Theme 4- Strong Communities and Identity with a range of housing choices also represents strong compliance for the proposal. It should be noted that the planning scheme has nominated that the land be zoned for tourist accommodation development to reflect a historic existing approval and recognise its locality opposite the well-known Sea Temple resort. However, the site borders two residential developments to the south which place it equally appropriate for residential development when considered in context of its locality. Therefore, it is considered that the preliminary approval to apply the residential zoning framework represents no conflict with the strategic framework. If anything, the proposal advances the intent of the strategic framework.

Public Notification / Submissions

Public notification was carried out in accordance with section 53 of the *Planning Act 2016* for the proposed development. A 30 business day public notification period was carried out. No submissions were received by Council in relation to the proposed development.

Referral Agency Requirements

The State Assessment and Referral Agency has issued a concurrence agency response. This response includes conditions regulating the development. Copy of the response is included in Attachment 2.

Internal Referrals

Advice was received from the following internal departments:

Department	Comments
Water Reticulation	The existing service at the site's frontage has capacity to service the development.
Waste Water	The existing service and on-site pump station has been designed for a larger scale development and therefore no capacity concerns are raised.
Infrastructure	Stormwater must be discharged to the existing network in Sagiba Avenue.

ADOPTED INFRASTRUCTURE CHARGES

The development triggers Infrastructure Charges.

Refer to Attachment 3 to review the calculated Infrastructure Charge.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following area outlines where Council has a clear responsibility to act:

Regulator: Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes based approach that balances the needs of the community with social and natural justice.

Under the *Planning Act 2016* and the *Planning Regulation 2017*, Council is the assessment manager for the application.

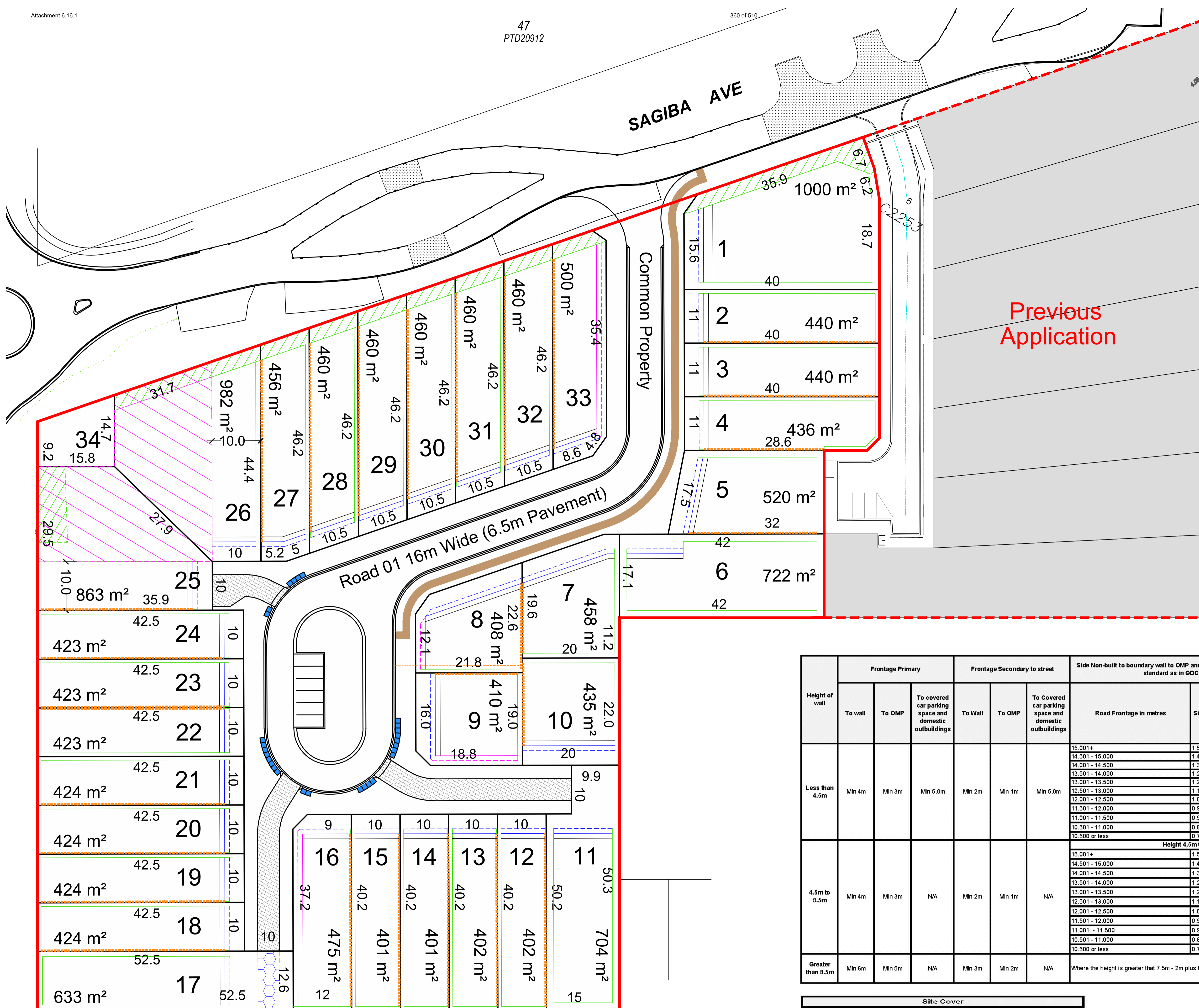
ATTACHMENTS

1. Attachment 1- Proposal Plans [**6.16.1** - 2 pages]
2. Attachment 2- Concurrence Agency Response [**6.16.2** - 12 pages]
3. Attachment 3- Infrastructure Charges [**6.16.3** - 1 page]
4. Attachment 4- House Design Guideline [**6.16.4** - 3 pages]

MITRE STREET PORT DOUGLAS PLAN OF DEVELOPMENT

PLAN REF: **AU6631 - 07b**
 DATE: 8th APRIL 2024
 CLIENT: Allara Homes
 DRAWN BY: MJB
 CHECKED BY: MJB

Note:
 All Lot Numbers, Dimensions and Areas are approximate only, and are subject to survey and Council approval.
 Dimensions have been rounded to the nearest 0.1 metres.
 Areas have been rounded down to the nearest 5m².
 The boundaries shown on this plan should not be used for final detailed engineers design.
Source Information:
 Site boundaries: Registered Survey Plans.
 Adjoining information: DCCB.
 Contours: RPS Survey
 Aerial photography: Google Earth
 Environment constraints: RPS Tree Survey (2004)



Previous Application

Legend

- Approximate site boundary - 2.13Ha
- - - Previous Application
- 30m SPS buffer
- Proposed sewer easement (confirm width)
- Proposed SPS easement to restrict construction to non habitable structures only eg. pool, shed
- Proposed Drainage easement
- Frontage Primary Setback - Wall
- Frontage Primary Setback - OMP
- Frontage Secondary Setback - Wall
- Frontage Secondary Setback - OMP
- Setback - Garage
- Optional Built to Boundary Wall (BTB)
- Non BTB - Side and Rear Setback

Height of wall	Frontage Primary			Frontage Secondary to street			Side Non-built to boundary wall to OMP and wall. Rear to OMP and wall. Refer to standard as in QDC (listed below)		Length and height of built to boundary wall
	To wall	To OMP	To covered car parking space and domestic outbuildings	To Wall	To OMP	To Covered car parking space and domestic outbuildings	Road Frontage in metres	Side & Rear Boundary Clearance to OMP	
Less than 4.5m	Min 4m	Min 3m	Min 5.0m	Min 2m	Min 1m	Min 5.0m	15.001+	1.500	Max Length: 70% of the length of the boundary. Max Height: 7.5m.
							14.501 - 15.000	1.425	
							14.001 - 14.500	1.350	
							13.501 - 14.000	1.275	
							13.001 - 13.500	1.200	
							12.501 - 13.000	1.125	
							12.001 - 12.500	1.050	
							11.501 - 12.000	0.975	
							11.001 - 11.500	0.900	
							10.501 - 11.000	0.825	
10.500 or less	0.750								
4.5m to 8.5m	Min 4m	Min 3m	N/A	Min 2m	Min 1m	N/A	Height 4.5m to 7.5m		
							15.001+	1.500	
							14.501 - 15.000	1.425	
							14.001 - 14.500	1.350	
							13.501 - 14.000	1.275	
							13.001 - 13.500	1.200	
							12.501 - 13.000	1.125	
							12.001 - 12.500	1.050	
							11.501 - 12.000	0.975	
							11.001 - 11.500	0.900	
10.501 - 11.000	0.825								
10.500 or less	0.750								
Greater than 8.5m	Min 6m	Min 5m	N/A	Min 3m	Min 2m	N/A	Where the height is greater than 7.5m - 2m plus 0.5m for every 3m or part exceeding 7.5m.		

Site Cover		
Building Height	Less than 700sqm	Greater than 700sqm
8.5m or less	70%	60%
>8.5m	60%	50%

URBAN DESIGN
 Unit 1
 5-7 Barlow Street
 South Townsville QLD 4810
 T +61 7 4724 4244
 W rpsgroup.com



**MITRE STREET
PORT DOUGLAS
RURAL PROPOSAL PLAN
CANCELLING LOTS
1,2 & 6 C2253**

PLAN REF: **AU6631 - 06a**
 DATE: 8th APRIL 2024
 CLIENT: Allara Homes
 DRAWN BY: MJB
 CHECKED BY: MJB

Note:
 All Lot Numbers, Dimensions and Areas are approximate only, and are subject to survey and Council approval.
 Dimensions have been rounded to the nearest 0.1 metres.
 Areas have been rounded down to the nearest 5m².
 The boundaries shown on this plan should not be used for final detailed engineers design.
Source Information:
 Site boundaries: Registered Survey Plans.
 Adjoining information: DCCB.
 Contours: RPS Survey
 Aerial photography: Google Earth
 Environment constraints: RPS Tree Survey (2004)

Legend

- Approximate site boundary - 2.13Ha
- - - Previous application
- 30m SPS buffer
- Proposed sewer easement (confirm width)
- Proposed SPS easement to restrict construction to non habitable structures only eg. pool, shed
- Proposed drainage easement
- Bin pads for garbage collection
- Ⓐ Lots 10,11,12 & 13
- Ⓑ Lot 14 & 15
- Ⓒ Lots 17
- Ⓓ Lots 18,19,20 & 21
- Ⓔ Lot 25
- Ⓕ Lots 26,27

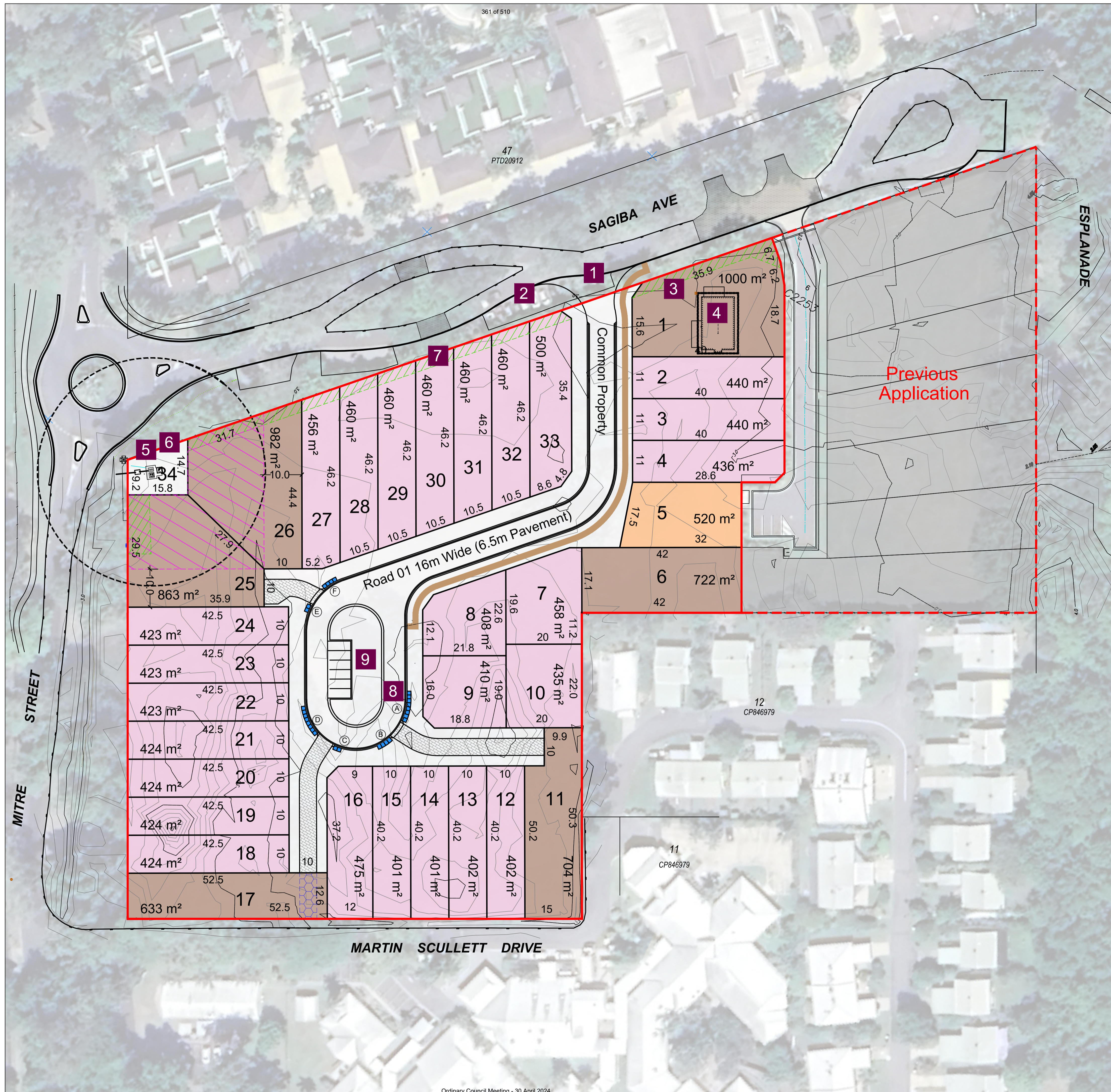
- 1** New entry/exit - located east of the existing median to provide all movements access.
- 2** Partial removal of existing parking bays.
- 3** Future duplex allotment.
- 4** Temporarily retain the existing structure.
- 5** Signage feature - Common Property
Detail design to be agreed with Council
- 6** Pump station lot. Transfer to Council.
- 7** Confirm property boundary clearance to the existing manhole.
- 8** 5.5m Pavement - 2 way movement.
- 9** Landscape feature.

Development Statistics

Saleable Land - 1.67 Ha
 Road Area - 0.43 Ha (20.1%)
 Total No Allotments **33**

400m ² - 500m ² Allotments	26
501m ² - 600m ² Allotments	1
>600m ² Allotments	6

Average Lot Size - 505m²
 Average Lot Size (inc. previous application) - 580m²



URBAN DESIGN
 Unit 1
 5-7 Barlow Street
 South Townsville QLD 4810
 T +61 7 4724 4244
 W rpsgroup.com



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 Please contact the author.



SARA reference: 2308-36408 SRA
 Council reference: CA2023_5488/1 (1178907)
 Applicant reference: 23-06/001261

19 February 2024

Chief Executive Officer
 Douglas Shire Council
 PO Box 723
 Mossman QLD 4873

enquiries@douglas.qld.gov.au

Attention: Daniel Lamond

Dear Sir/Madam

SARA referral agency response

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 1 September 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	19 February 2024
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Reconfiguring a Lot (3 Lots into 33 Lots)
	Preliminary approval that includes a variation request	Material change of use for use rights consistent with the Low to Medium Density Residential Zone
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 17, Division 3, Table 5, Item 1 (10.17.3.5.1) of the Planning Regulation 2017 - Reconfiguring a lot in a coastal	

Far North Queensland regional office
 Ground Floor, Cnr Grafton and Hartley
 Street, Cairns
 PO Box 2358, Cairns QLD 4870

management district

Schedule 10, Part 17, Division 3, Table 6, Item 1 (10.17.3.6.1) of the Planning Regulation 2017 - Material change of use involving work in a coastal management district

Schedule 10, Part 20, Division 4, Table 2, Item 1 (10.20.4.2.1) of the Planning Regulation 2017 - Reconfiguring a lot in a wetland protection area

Schedule 10, Part 20, Division 4, Table 3, Item 1 (10.20.4.3.1) of the Planning Regulation 2017 - Material change of use of premises in a wetland protection area

SARA reference: 2308-36408 SRA

Assessment manager: Douglas Shire Council

Street address: 42-44 & 46-52 Mitre Street Craiglie

Real property description: Lot 1 on C2253; Lot 6 on C2253 and Lot 2 on C2253 (now Lot 900 on SP342106)

Applicant name: Allaro Homes Cairns Pty Ltd C/- Planning Plus

Applicant contact details: PO Box 399
REDLYNCH QLD 4870
info@planningplusqld.com.au

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Isley Peacey, Senior Planning Officer, on 4037 3202 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Allaro Homes Cairns Pty Ltd C/- Planning Plus, info@planningplusqld.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant

Attachment 3 - Reasons for referral agency response

Attachment 4 - Representations about a referral agency response provisions

Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
10.17.3.6.1 - Material change of use involving work in a coastal management district and 10.20.4.3.1 – Material change of use of premises in a wetland protection area —The chief executive administering the <i>Planning Act 2016</i> nominates the Department of Environment, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development must be undertaken generally in accordance with the following plans: <ul style="list-style-type: none"> - Locality Plan prepared by Neon Consulting dated 14/07/2023, drawing number 016-2304-00-SK-0001, revision A. - Earthworks Concept prepared by Neon Consulting dated 17/10/2023, drawing number 016-2304-00-SK-0021, revision A. 	Prior to the commencement of use and to be maintained at all times
2.	For the proposed works, only use clean materials which are free from prescribed water contaminants.	For the duration of the works.
3.	Development must prevent the release of sediment to tidal waters and/or to the wetland by installing and maintaining erosion and sediment control measures in accordance with the Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association).	For the duration of the works.
4.	Stormwater discharge must be treated in accordance with the <i>Queensland Best Practice Environmental Management Guidelines</i> before stormwater flow enters the buffer of the wetland as show on Figure 3-1 MUSIC Model Layout – Stormwater Catchment and Land Uses within Technical Memorandum prepared by SLR Consulting Australia dated 21 December 2023, project no. 620.040627.00001.	At all times
5.	(a) In the event that the works cause disturbance or oxidisation of acid sulfate soil, the affected soil must be treated and thereafter managed (until the affected soil has been neutralised or contained) in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines</i> , prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014. (b) Certification by an appropriately qualified person, confirming that the affected soil has been neutralised or contained, in accordance with (a) above is to be provided to palm@des.qld.gov.au or mailed to: Department of Environment, Science and Innovation Permit and Licence Management Implementation and Support Unit	(a) Upon disturbance or oxidisation until the affected soil has been neutralised or contained. (b) At the time the soils have been neutralised or contained.

	GPO Box 2454 Brisbane Qld 4001	
	Note: Appropriately qualified person means a person or persons who has professional qualifications, training, skills and experience relevant to soil chemistry or acid sulfate soil management and can give authoritative assessment, advice and analysis in relation to acid sulfate soil management using the relevant protocols, standards, methods or literature.	
6.	Enter into an agreed delivery arrangement to deliver an environmental offset in accordance with the <i>Environmental Offsets Act 2014</i> to counterbalance the significant residual impacts on the matter/s of state environmental significance being 0.87ha of Wildlife Habitat (endangered or vulnerable).	Prior to commencing any works that impact on the Wildlife Habitat (endangered or vulnerable)
7.	A licenced fauna spotter catcher must be present during clearing activities.	During clearing activities.
8.	Operational works must not be undertaken between 01 December to 31 March.	For the duration of works.
Reconfiguring of a lot		
10.17.3.5.1 -Reconfiguring a lot in a coastal management district and 10.20.4.2.1 - Reconfiguring a lot in a wetland protection area -The chief executive administering the <i>Planning Act 2016</i> nominates the Department of Environment, Science and Innovation to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
14.	The reconfiguration must be undertaken generally in accordance with the following plans: - Locality Plan prepared by Neon Consulting dated 14/07/2023, drawing number 016-2304-00-SK-0001, revision A.	Prior to submitting the Plan of Survey to the local government for approval

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

- The development complies with State code 8: Coastal development and tidal works of SDAP. Specifically, the development:
 - o protects life, buildings and infrastructure from the impacts of coastal erosion;
 - o maintains coastal processes;
 - o conserves coastal resources;
 - o maintains appropriate public use of, and access to and along, State coastal land;
 - o account for the projected impacts of climate change;
 - o reasonably minimises and mitigates impacts on matters of state environmental significance
 - o provides an offset for the significant residual impact on a matter of state environmental significance.
- The development complies with State code 9: Great Barrier Reef wetland protection areas of SDAP. Specifically, the development:
 - o is located outside of a wetland;
 - o does not have an unacceptable impact on wetland environmental values;
 - o reasonably minimises and mitigates impacts on matters of state environmental significance
 - o provides an offset for the significant residual impact on a matter of state environmental significance.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³


³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2308-36408 SRA

Date: 19 February 2024






PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2308-36408 SRA

Date: 19 February 2024




LEGEND - DEPTH OF EARTHWORKS



NOTE: DEPTHS ARE MEASURED BETWEEN EXISTING AND FINISHED SURFACES

LEGEND



	2018 Douglas Shire Planning Scheme version 1.0 Applications	
ADOPTED INFRASTRUCTURE CHARGES NOTICE		
Alvaro Homes Cairns Pty Ltd <small>DEVELOPERS NAME</small>		<small>ESTATE NAME</small>
42-52 Mitre Street and Sagiba Avenue <small>STREET No. & NAME</small>		900 on SP342106, 0 on SP342106 <small>LOT & RP No.s</small>
Preliminary Approval including a Variation Request for Use Rights associated with the Low – Medium Density Residential Zone and <small>DEVELOPMENT TYPE</small>		158436, 158437 <small>PARCEL No.</small>
1221782 <small>DSC Reference Doc. No.</small>		6 <small>VALIDITY PERIOD (year)</small>
Craiglie <small>SUBURB</small>		Prior to signing and sealing of survey form for ROL
1 <small>VERSION No.</small>		

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

	Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Proposed Demand						
Residential Dwelling_house	\$_per_3_or_more_bedroom_dwelling	26,479.47	33	\$873,822.51		
Total Demand				\$873,822.51		
Credit						
No credit available						
Total Credit				\$0.00		
TOTAL				\$873,822.51		

Prior arrangement for online payment via invoicing - see below.

Code 895
GL GL7500.135.825

Prepared by	D Lamond	12-Apr-24	Amount Paid	
Checked by	N Beck	12-Apr-24	Date Paid	
Date Payable	ROL - Before the Local Government approves the plan of subdivision		Receipt No.	
Amendments		Date	Cashier	

Note:
The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

Charge rates under the Policy are subject to indexing.
Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

If you seek to pay online, please request an invoice to be issued via enquiries@douglas.qld.gov.au

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

Design Guideline

42 – 52 Mitre Street and Sagiba Avenue, Craiglie

Height

1. The maximum height of buildings shall be 2 stories and 9m to the peak of roof or 3 stories and 11.5m to the peak of the Roof.

Setbacks

2. Setbacks are as per the plan of development table.
3. Built to boundary walls are optional. The location of built to boundary walls are indicated on the plan of development.

Where built to boundary walls are not adopted side setbacks shall be in accordance with the plan of development table.

4. Setbacks are measured to the outer edge of the wall or balcony. Eaves, hoods, screens and projected architectural elements may extend a maximum of 1m into the setback or to a minimum of 400mm from the boundary, whichever is the lesser.

Parking

5. 2 car spaces per dwelling of which at least 1 is covered.

Building design

6. The homes are to have a window or balcony from a habitable room that faces the street and open space.
7. No more than three houses in a row (sequence) are positioned on the same building setback. Where building setbacks variation is required, the setback difference between any two adjoining houses shall be a minimum of 1m.
8. The garage cannot be the closest part of the home to the street and must be setback at least 1m behind another part of the home for 2 and 3 storey homes.
9. Garages are to have a maximum internal width of 6.4m.

10. Refuse bins are to be either stored behind the building line (external to the dwelling) and screened from public view. The screen must complement the home. Or stored on a purpose-built refuse bin area.

11. Driveways are to be a minimum of 0.5m from the side boundary.

Private open space

12. Dwellings with their main living areas located at ground level must have a minimum area of private open space consisting of at least 25m² and a minimum dimension of 3m, preferably accessible from the main living area.

13. Dwellings with their main living areas located above ground level must have a minimum area of private open space, in the form of a balcony, consisting of at least 8m² for 1 bed with a minimum dimension of 2m, 12m² for 2 bed with a minimum dimension of 2.5m or 16m² for 3 bed & greater with a minimum dimension of 3m, preferably accessible from the main living area.

14. Patios and covered outdoor living or recreation areas are included in the above private open space requirements.

Fencing

15. Fencing to the primary road frontage to be at least 50% transparent or not to exceed 1.2 meters in height.

16. Fencing to public open space to be at least 50% transparent and not to exceed 1.8 meters in height.

17. Fencing on secondary street frontage (excluding laneways) to be at least 50% transparent, and maximum 1.8m in height.

18. Fencing to be a maximum of 1.8m high to all side and rear boundaries.

19. Where fencing is proposed on both the primary and secondary street frontages, the secondary street frontage fence (complying with note 18) is to step to the primary frontage fence (complying with note 16) a minimum of 1.0m behind the building line.

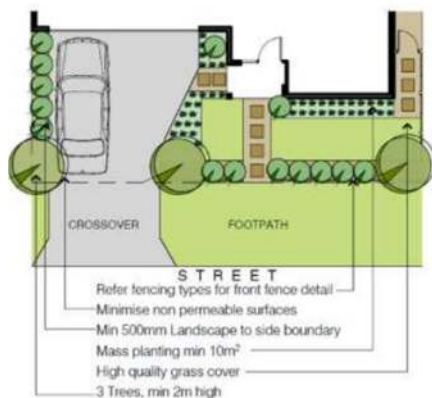
Landscaping

20. Landscaping to road frontages is to include:

- High quality cover to all areas, not just mulched.
- Minimum of 10m² of mass planting areas to each street frontage that are mulched and edged to define the boundary and maintained free of weeds and rubbish.
- At least 3 trees (minimum 1.5m high) along each street frontage.
- Non permeable surfaces are to be limited to driveways, patios and footpaths and cannot nominate the street frontage.

21. Secondary street frontages are to be similarly landscaped to primary street frontages.

22. New plantings on the lot will not include plant species prohibited by the local council.



Definitions

Secondary frontage of the lot is deemed to be the frontage of the greater dimension or as indicated on the site development plan.