

YOUR REF: HRP15394
OUR REF: CA 1235/2015 (774357)

18 May 2016

The Salvation Army & Douglas Shire Council
C/- Cardno HRP
PO Box 1619
Cairns QLD 4870

Attention: Mr Dominic Hammersly

Dear Sir

**NEGOTIATED DECISION NOTICE UNDER S 335 AND S 241 SUSTAINABLE
PLANNING ACT 2009: DEVELOPMENT APPLICATION FOR JOHNSTON
ROAD, MOSSMAN GORGE**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 23 February 2016, please find attached a Negotiated Decision Notice which was determined by Council at its Ordinary Meeting held 17 May 2016.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

This notice also includes an 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 Simon Clarke of Development assessment and coordination on telephone number 07 4099 9480.

Yours faithfully

Paul Hoyer
General Manager Operations

Att

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

APPLICANT DETAILS

The Salvation Army & Douglas Shire Council
C/- Cardno HRP
PO Box 1619
CAIRNS QLD 4870

ADDRESS

Johnston Road, Mossman Gorge

REAL PROPERTY DESCRIPTION

Lot 1 on SP150474

PROPOSAL

Combined Application for a Retirement Facility (Stage 1), Reconfiguring a Lot & Preliminary Approval for the balance portion for a future Retirement Facility (Stage 2)

DECISION

Approved subject to conditions (refer to approval package below).

DECISION DATE

17 May 2016 (This Decision Notice replaces Amended Decision Notice dated 7 March 2016)

TYPE

Material Change of Use (Development Permit Stage 1), Reconfiguration of a lot (Development Permit), Material Change of Use (Preliminary Approval Stage 2).

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Building Works
Development Permit for Operational Works
Development Permit for Material Change of Use for Stage 2

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)

Not in conflict

A] CONDITIONS APPLICABLE TO RETIREMENT FACILITY (STAGE 1) – DEVELOPMENT PERMIT

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

The term ‘approved drawing(s) and/or document(s)’ or other similar expression means:

Drawing or Document	Reference	Date
Site Plan	15.0285.11 SK02 prepared by Thomson Adsett	17 December 2015
Floor Plan	15.0285.11 SK03 prepared by Thomson Adsett	17 December 2015
Section	15.0285.11 SK09 prepared by Thomson Adsett	17 December 2015
Elevations	15.0285.11 SK15 prepared by Thomson Adsett	17 December 2015

ASSESSMENT MANAGER CONDITIONS:

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*.

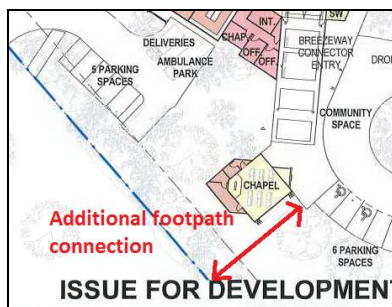
Except where modified by these conditions of approval

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.

Amendment to Design

3. The proposed building / development must be amended to accommodate the following changes:
 - a. Provide a direct footpath to Johnston Road in the vicinity of the Chapel connecting to the Breezeway Connector Entry (see below).



Street Layout and Design

4. The street layout and design must be revised to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:

a. Provide a design for the new access road that is to service Stage 1 ~~and future Stage 2~~ which shall have the following minimum dimensions unless otherwise approved by Council:

- Verge width of 4.5m;
- Carriageway width of 4.5m;
- Median width of 4m;
- Reserve width of 22m (Note: the additional 3 metres is to be added to proposed Lot 2 on the north-eastern side of the proposed road reserve);
- 2 metre wide footpath along the north-eastern side verge;

The design of the road is to be for the full extent shown on Thompson Adsett drawing number SK02-30 dated 11 February 2016 including sufficient interface with Stage 2 to verify the future connection. The extent of the design is to be a minimum of 80m from the Johnston Road reserve boundary.

The actual extent to be constructed with the Stage 1 works is to be agreed between Council and the applicant subject to the construction tenders received and the available Enabling Infrastructure budget. The minimum amount to be constructed beyond the entry driveway to Stage 1 is 5 metres. The extent of works is to be determined in association with an Operational Works application.

- b. Provision of appropriate access arrangements for Stage 1 of the development and access to Stage 2 from the proposed new road in the south east corner of the site. The design must seek to locate infrastructure such that access from the new road is readily facilitated for the future development.
- c. In particular, the operation of the two accesses from the proposed new road must be considered in determining the road form, median breaks and infrastructure locations (including stormwater and street lighting). The road layout and carriageway alignments must be updated to reflect this requirement.

An amended plan incorporating the above requirements must be submitted prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, **for the agreed extent of works**, to the requirements and satisfaction of the Chief Executive Officer, prior to Commencement of Use.

Water Supply and Sewerage Master Plan

5. A Water Supply and Sewerage Master Plan accompanied by supporting calculations must be provided which demonstrates how the current and future development can be serviced.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the issue of a Development Permit for Operational Works.

Water Supply and Sewerage Infrastructure Plan

6. An updated water supply and sewerage infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular the plan must:

- a. Identify external catchments that will be connected to the internal sewer or water networks; and
- b. Identify any trunk infrastructure external to the site that may require upgrading to accommodate the development.

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Water Supply and Sewerage Works External

7. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:
- a. Extend the water main to provide a loop main within the section of proposed new road. The minimum size is to be 100mm on one side and 50mm internal diameter on the other side subject to pressure and flow conditions. Road crossings are to be minimum of 100 mm. The water connection for the development is to be provided from the extended water main;
 - b. Extend the sewer main within the road reserve of Johnston Road to connect to Council's existing system at a point where sufficient capacity exists.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the Commencement of Use.

Water Supply and Sewerage Works Internal

8. Undertake the following water supply and sewerage works internal to the subject

land:

- a. Provide a single internal sewer connection to proposed lot 1 in accordance with the FNQROC Development Manual;
- b. Provide appropriate valves and fittings to enable the Stage 1 connection to the new main;
- c. Provide appropriate valves and fittings to enable the future connection of a minimum 100mm service at the northern end of the new road.

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 the issue of commencement of use.

Damage to Infrastructure

9. In the event that any part of Council's existing sewer / water infrastructure is damaged as a result of construction activities occurring on the site, the applicant / owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced by Douglas Shire Council, at the developer's cost, prior to the Commencement of Use.

General External Works

10. Undertake the following external works:-

- a. Provide design drawings for the Upgrade of the northern side of Johnston Road (eastbound carriageway) for the full frontage of the site to provide a minimum 3.5m wide lane and a 1m sealed shoulder.

A tender schedule for these works is to be provided with the civil works tendering as a stand-alone item and allocated as a provisional quantity item. The applicant and Council are to agree the extent of works to be completed with Stage 1 based on the final tender amounts and with consideration of the minimum requirements for safety at the intersection conflict point(s).

- b. Provide a detail design for the intersection and access with Johnston Road including design for drainage between the existing road and the site boundary.
- c. The design must include suitable treatment for the intersection of the new access road with Johnston Road generally in accordance with Drawing Ref: Concept Site Access 645-001 Rev.1 prepared by Projex Partners dated 17 December 2015;
- d. ~~The treatment required for the secondary access to the site (utility and staff access) may be a BAR/BAL treatment in accordance with Austroads Guide to Road design subject to reconfirming the traffic volumes based on the fully developed traffic conditions for the development approved within the~~

catchment.

- de. Construct a 2.0-metre-wide footpath for the full frontage of the Johnston Road frontage of the site;**

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plan prior to the Commencement of Use.

Drainage Study of Site

- 11. Update the local drainage study of the site to determine the works necessary to provide flood immunity to the site to the 1 in 100 year ARI (1% AEP event) including determining the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:**
- a. The contributing catchment boundaries;**
 - b. The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;**
 - c. Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events;**
 - d. The extent of filling and/or levee required to prevent the 100 year ARI (1%AEP) event from entering the site;**
 - e. The extent of flow and depth of inundation through the site for events above 1 in 100 year ARI and up to 1 in 200 year ARI;**
 - f. Identify any requirement for drainage easements including along the northern boundary of the site to facilitate drainage from the road back to Marrs Creek;**
 - g. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.**
 - h. Lawful point of discharge.**

The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be undertaken in accordance with the study prior to commencement of use.

Access Construction

- 12. Construct a concrete driveway or other approved surface to the nominated utility and Staff parking area as detailed on the architectural drawings for the site.**

All works must be carried out in accordance with the approved plans and must be to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

Service Conduits

- 13. Provide appropriate service conduits to Stage 2 to the satisfaction of services authorities and Council to ensure that the road reserve constructed and formalised with stage 1 does not need further works to service the later stage. This includes conduits for underground power supply.**

All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to commencement of use.

Stockpiling and Transportation of Fill Material

- 14. 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 7:00 am or after 6:00 pm Monday to Friday; or**
 - c. before 7:00 am or after 1:00 pm Saturdays; or**
 - d. on Sundays or Public Holidays.**
- 15. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.**

Storage of Machinery and Plant

- 16. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.**

Construction Access

- 17. Vehicular access to the site for construction and demolition purposes must be provided from Johnstone Road only, unless authorised by the Chief Executive Officer.**

Access Adjacent Creeks and Streams

- 18. An Access Easement in favour of Council containing all land below the top of the high bank and nominally a minimum 5 metre minimum wide strip adjacent to the top of the bank, relative to the vegetation line that permits practical access along the top of the bank. The drainage easement is to be pegged on-site for Council's approval. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to commencement of use.**

Existing Creek and Drainage Systems

- 19. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented**

to in writing by the Chief Executive Officer.

The applicant / owner must obtain any necessary approvals from the Department of Environment & Resource Management for carrying out works in a watercourse.

Lawful Point of Discharge

20. All stormwater from each lot 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.
21. The lawful point of discharge for the new road opened with Stage 1 must be drained to Marrs Creek via an easement within the Stage 1 site or to Johnston Road.

Sediment and Erosion Control

22. A sediment and erosion control plan must be prepared as part of the construction phase of the development. Sediment and erosion control measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

Existing Services

23. Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:
 - a. Relocate the services to comply with this requirement; or
 - b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of a Compliance Certificate for the Plan of Survey creating the lot.

Electricity Supply

24. Written evidence from Ergon Energy advising that the substation required for this development has the ability to be upgraded to accommodate the demand of Stage 2 over the balance of the land. 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.

Electricity and Telecommunications

25. 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 prior to the issue of a Development Permit for Operational Works.

Street Lighting

26. The following arrangements for the installation of street lighting must be provided prior to the Commencement of Use:-

- a. Prior to the issue of a Development Permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to the Chief Executive Officer for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual, applicable to only the new intersection with Johnston Road. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual.**

The lighting scheme must show light pole locations that represent the permitted design spacing and must not conflict with stormwater, kerb inlet pits and other services. ~~For lighting associated with the new road, t~~The lighting is to be located within the landscaped median, where practicable.

The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 and must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard for the intersections.

- b. Prior to the issue of a Compliance Certificate for the Plan of Survey written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.**
- c. ~~Where a new intersection is formed on an existing roadway for the purpose of accessing a new development, t~~The intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant Lighting Category. This applies for the new access road and Johnston Road intersection.**

Vehicle Parking

27. The amount of vehicle parking must be as specified on the approved plan which is a minimum of fifteen (15) spaces of which 10 must be provided as visitor spaces. 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 manoeuvring areas must be imperviously sealed, drained and line marked.

Bicycle Parking

28. Provide secured, on-site bicycle parking in accordance with Table 10-1 of *AUSTROADS Guide to Traffic Engineering Practice Part 14 – Bicycles*. The bicycle parking area must be constructed prior to Commencement of Use.

Lighting

29. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

Air-Conditioning Screens

30. Air-conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Landscaping Plan

31. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:

Planting Design

- a. Species to have regard to Council's Planning Scheme Policy No.7 Landscaping.
- b. A planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;
- c. Provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers.

Hard Landscaping Works

- a. Details of location and design of proposed artworks;
- b. Natural and finished ground levels including details of all retaining works;
- c. Details of any perimeter, private yard or street fencing (Note: A 1.8 metre high screen fence will be required to screen the extent of the working farm along the south-western boundary);
- d. Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction;

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Street Fencing

32. Any proposed fences and/or walls to any road frontage are to be limited to the

following:

- a. 1.2 metres in height if solid; or
- b. 1.5 metres in height if at least 25% visually transparent; or
- c. 1.8 metres in height if at least 50% visually transparent.

Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. In principle, the 'horizontal timber effect aluminium fence with random patterns to the street' as shown on the approved section drawings and perspective drawing 15.0285.11 SK11 prepared by Thomson Adsett and dated 17 December 2016 appear to satisfy this requirement.

Construction Signage

33. 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.

Colours/Materials of Construction

34. The colours, textures and materials of construction are to be generally in accordance with perspective drawings 15.0285.11 SK10 – 12 & 14 prepared by Thomson Adsett and dated 17 December 2016.

Siam Weed Control

35. In order to prevent the spread of Siam Weed {a class 1 declared pest plant under the *Land Protection (Pest and Stock Route Management) Act 2002*}, all machinery working on site must be cleaned down on site prior to leaving. No material / soil is to leave the site wherever possible. Should material need to be carted away it should be taken to council's Drum Sarah quarry and placed under quarantine where it can be monitored for recruitment and treated as required.

Kitchen Facilities

36. An application for the construction or alteration of any food premises must be accompanied by two (2) copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

included in the construction or alteration. All works must be carried out in accordance with approved and the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises. Plans must be approved prior to the issue of a Development Permit for Building Work and all works must be completed in accordance with the approved plan prior to the Commencement of Use.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
2. 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 cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. *The Sustainable Planning Act 2009* confers rights to make representations and appeals in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development and Environment at Council for review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

5. For information relating to the *Sustainable Planning Act 2009* log on to www.dilgp.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

- Verge width of 4.5m;
- Carriageway width of 4.5m;
- Median width of 4m;
- Reserve width of 22m (Note: the additional 3 metres is to be added to proposed Lot 2 on the north-eastern side of the proposed road reserve);
- 2-metre-wide footpath along the north-eastern side verge;

The design of the road is to be for the full extent shown on Thompson Adsett drawing number SK02-30 dated 11 February 2016 including sufficient interface with Stage 2 to verify the future connection. The extent of the design is to be a minimum of 80m from the Johnston Road reserve boundary.

The actual extent to be constructed with the Stage 1 works is to be agreed between Council and the applicant subject to the construction tenders received and the available Enabling Infrastructure budget. The minimum amount to be constructed beyond the entry driveway to Stage 1 is 5 metres. The extent of works is to be determined in association with an Operational Works application.

- Provision of appropriate access arrangements for Stage 1 of the development and access to Stage 2 from the proposed new road in the south east corner of the site. The design must seek to locate infrastructure such that access from the new road is readily facilitated for the future development.**
- In particular, the operation of the two accesses from the proposed new road must be considered in determining the road form, median breaks and infrastructure locations (including stormwater and street lighting). The road layout and carriageway alignments must be updated to reflect this requirement.**

An amended plan incorporating the above requirements must be submitted prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, for the agreed extent of works, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.

General External Works

- Undertake the following external works: -**
 - Provide design drawings for the Upgrade of the northern side of Johnston Road (eastbound carriageway) for the full frontage of the site to provide a minimum 3.5m wide lane and a 1m sealed shoulder.**

A tender schedule for these works is to be provided with the civil works tendering as a stand-alone item and allocated as a provisional quantity item. The applicant and Council are to agree the extent of works to be completed

with Stage 1 based on the final tender amounts and with consideration of the minimum requirements for safety at the intersection conflict point(s).

- b. Provide a detail design for the intersection and access with Johnston Road including design for drainage between the existing road and the site boundary.**
- c. The design must include suitable treatment for the intersection of the new access road with Johnston Road generally in accordance with Drawing Ref: Concept Site Access 645-001 Rev.1 prepared by Projex partners dated 17 December 2015;**
- ~~d. The treatment required for the secondary access to the site (utility and staff access) may be a BAR/BAL treatment in accordance with Austroads Guide to Road design subject to reconfirming the traffic volumes based on the fully developed traffic conditions for the development approved within the catchment.~~**
- de. Construct a 2.0-metre-wide footpath for the full frontage of the Johnston Road frontage of the site;**

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plans prior to the issue of a Compliance Certificate for the Plan of Survey, unless otherwise approved by Council.

Drainage Study of Site

- ~~5. Update the local drainage study of the site to determine the works necessary to provide flood immunity to the site to the 1 in 100 year ARI (1% AEP event) including determining the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:~~**
 - ~~a. The contributing catchment boundaries;~~**
 - ~~b. The extent of the 100 year ARI flood event in relation to the site both pre and post development;~~**
 - ~~c. Primary and secondary flow paths for the 5, 10 and 100 year ARI flood events;~~**
 - ~~d. The extent of filling and/or levee required to prevent the 100 year ARI (1%AEP) event from entering the site;~~**
 - ~~e. The extent of flow and depth of inundation through the site for events above 1 in 100 year ARI and up to 1 in 200 year ARI;~~**
 - ~~f. Identify any requirement for drainage easements including along the northern boundary of the site to facilitate drainage from the road back to Marrs Creek;~~**

~~g. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.~~

~~h. Lawful point of discharge.~~

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

Access Adjacent Creeks and Streams

5.6. An Access Easement in favour of Council containing all land below the top of the high bank and nominally a minimum 5 metre minimum wide strip adjacent to the top of the bank, relative to the vegetation line that permits practical access along the top of the bank. The drainage easement is to be pegged on-site for Council's approval. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to commencement of use.

Drainage Easement

6.7. A Drainage Easement must be granted in favour of Council within proposed Lot 1 providing for any required drainage of stormwater from the end of the new road to Marrs Creek. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted prior to the issue of a Compliance Certificate for the Plan of Survey.

Service Conduits

7.8. Provide appropriate service conduits to Stage 2 to the satisfaction of services authorities and Council to ensure that the road reserve constructed and formalised with stage 1 does not need further works to service the later stage.

All works must be carried out to the requirements of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

Siam Weed Control

8.9. In order to prevent the spread of Siam Weed {a class 1 declared pest plant under the *Land Protection (Pest and Stock Route Management) Act 2002*}, all machinery working on site must be cleaned down on site prior to leaving. No material / soil is to leave the site wherever possible. Should material need to be carted away it should be taken to council's Drum Sarah quarry and placed under quarantine where it can be monitored for recruitment and treated as required.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

3. For information relating to the *Sustainable Planning Act 2009*, log on to www.dip.qld.gov.au. To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.dsc.qld.gov.au.

C] CONDITIONS APPLICABLE TO STAGE 2 RETIREMENT FACILITY (PRELIMINARY APPROVAL)

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
Master Plan	Mossman and District Aged Care Precinct prepared by Hunt Design	10 February 2016

ASSESSMENT MANAGER CONDITIONS

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 Preliminary Approval must be demonstrated in any future application for a development permit for a Retirement Facility over the land to the extent relevant, unless specified otherwise in these conditions of approval.

Design Parameters (Applicable over proposed Lot 2)

3. The site coverage of the development does not exceed 40%.
4. The gross floor area of the development does not exceed 0.5 x site area.
5. Buildings and structures are setback no less than:
 - a. 6 metres to Johnston Road;
 - b. 4.5 metres to the new road;
 - c. 4 metres to the common boundary with the showgrounds and hospital; and
 - d. 10 metres from the top of the high bank to Marrs Creek; and
 - e. Outside that part of the land included within the Conservation planning area.
6. Buildings and structures are limited to 2 storeys (8.5 metres) in height (Note: height is inclusive of roof height).
7. Future development reduces the appearance of building bulk, ensures a human scale and demonstrates variations in horizontal and vertical profile by incorporating a range of design elements including balconies, verandahs, terraces, recesses and the like.

8. Buildings must exhibit tropical design elements that are appropriate to Douglas Shire's tropical climate, character and lifestyle such as:
- a. pitched roofs;
 - b. wide eaves to shade and protect external walls;
 - c. light colours;
 - d. variations in building colours, materials and texture;
 - e. permeable external building facades;
 - f. well-considered cross-ventilation;
 - g. weather protected external extensions to living spaces;
 - h. verandahs;
 - i. well-insulated roofs;
 - j. low thermal mass construction;
 - k. seamless integration of external and internal spaces.
9. Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements:
- a. seating;
 - b. barbecue;
 - c. swimming pool;
 - d. communal gardens.

The proposed development must include an 'activities building' as part of stage 1 of any proposed retirement facility.

10. No development is to occur in that part of the land included within the Conservation Planning Area.

Access

11. Access to Jack Street via the Showgrounds is not part of this approval.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse 4 years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
- 2.. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
3. For information relating to the *Sustainable Planning Act 2009* log on to www.dilgp.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

LAND USE DEFINITIONS*

In accordance with the Douglas Shire Planning Scheme 2006, the approved land use of Retirement Facility is defined as:

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

The use of premises as an integrated community for permanent residential accommodation for older or retired persons, generally 55 or more years in age.

The use can include:

- dwelling units
- serviced rooms/Private rooms
- nursing home accommodation as well as facilities for the use of residents and staff, such as:
 - indoor and outdoor recreational facilities;
 - meeting rooms;
 - medical consulting rooms;
 - therapy rooms;
 - chapels;
 - meal preparation facilities; and
 - staff accommodation
- a display unit which displays to the general public the type of construction or design offered by builder/developer, for a maximum period of twelve months and which is then demolished, (if freestanding replica), or converts to its intended use within the complex.

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

RIGHTS OF APPEAL

Attached

End of Decision Notice

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**

APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)



PROPOSED LOT 1	13,935 m2
PROPOSED LOT 2	29,845 m2
GFA	3,066 m2
COVERED AREA	1,122 m2
PRIVATE OPEN SPACE	5,976 m2
PUBLIC COMMUNITY SPACE	3,771 m2
RESIDENTIAL UNITS	42 BEDROOMS
CAR PARKING	14 SPACES

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ISSUE FOR DEVELOPMENT APPLICATION



Project | **MOSSMAN AGED CARE PLUS CENTRE** Drawing Title | **SITE PLAN**
 Client | **THE SALVATION ARMY** Date | **17.12.2015**

Drawing Number | **15.0295.11 SK02**
 Scale | **1 : 1000** **B**

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**



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ISSUE FOR DEVELOPMENT APPLICATION

thomson adsett	Project	MOSSMAN AGED CARE PLUS CENTRE	Drawing Title	FLOOR PLAN	Drawing Number	15.0285.11 SK03
	Client	THE SALVATION ARMY	Date	17/12/2015	Scale	1 : 500 8

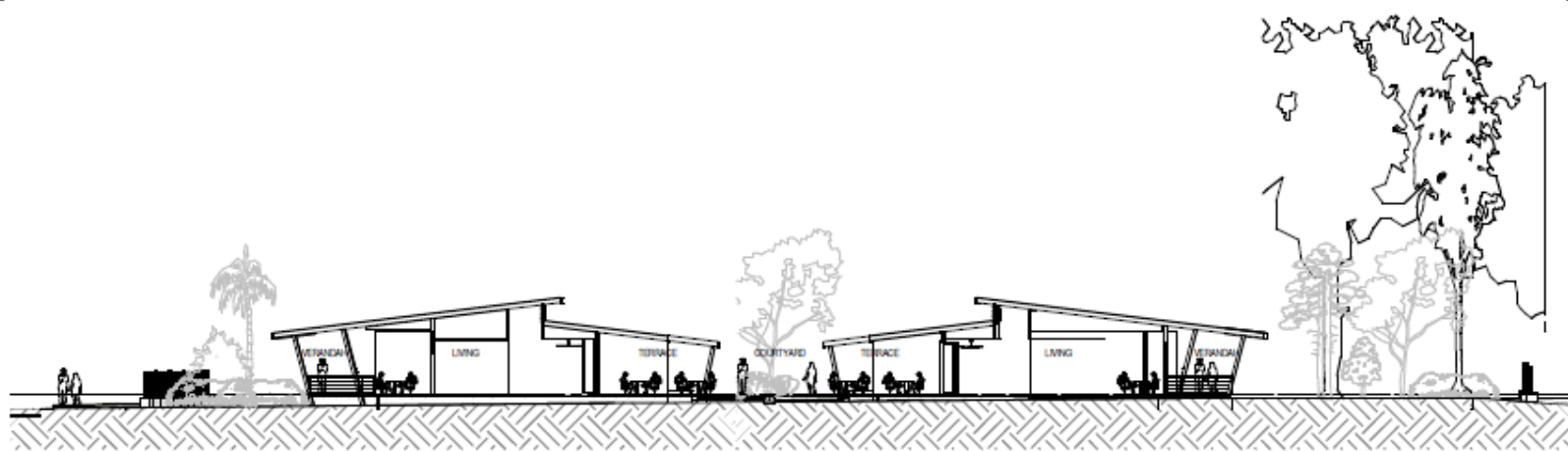
47.2015.123
23/31

© COPYRIGHT 2015 17/12/2015 11:45:06 AM

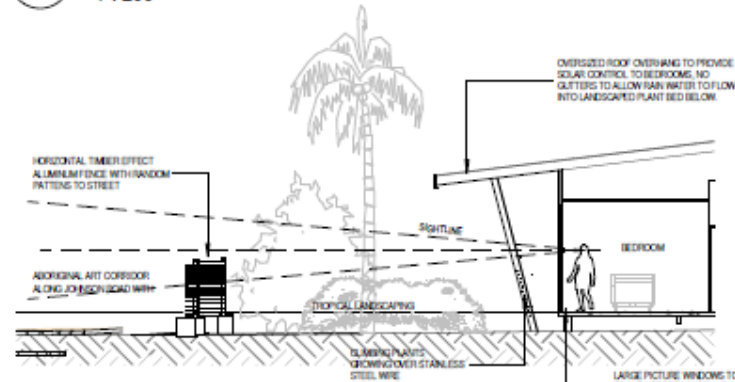
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Original Sheet Size A3 - 297 x 420mm

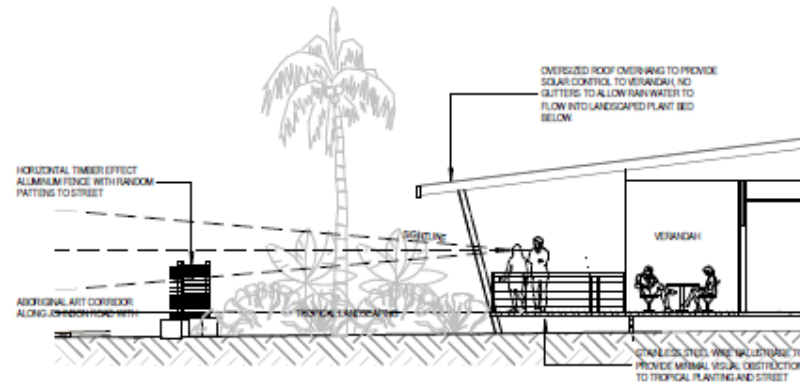
DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



2 SECTION AA
 1 : 200



3 STREET VIEW FROM BEDROOM
 1 : 100



4 STREET VIEW FROM COMMUNAL VERANDAH
 1 : 100

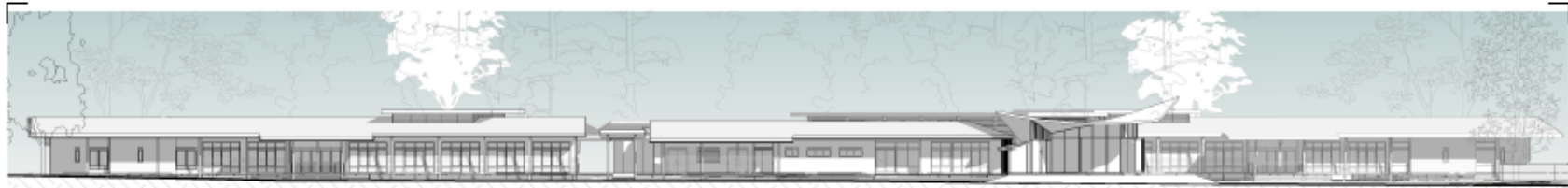
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ISSUE FOR DEVELOPMENT APPLICATION

thomson adsett	Project MOSSMAN AGED CARE PLUS CENTRE	Drawing Title SECTION	Drawing Number 15.0285.11 SK09
	Client THE SALVATION ARMY	Date 17/12/2015	Scale Indicated 2

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1 SE ELEVATION
 1 : 350



2 NW ELEVATION
 1 : 350



3 SW ELEVATION
 1 : 350



4 NE ELEVATION
 1 : 350

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ISSUE FOR DEVELOPMENT APPLICATION

47.2015.12
 25/31

thomson adsett	Project	MOSSMAN AGED CARE PLUS CENTRE	Drawing Title	ELEVATIONS	Drawing Number	15.0285.11 SK15
	Client	THE SALVATION ARMY	Date	17/12/2015	Scale	1 : 350 1

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MASTER PLAN

SCALE 1:500 @ A3

MOSSMAN & DISTRICT AGED CARE PRECINCT



DOUGLAS hunt
SHIRE COUNCIL DESIGN

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



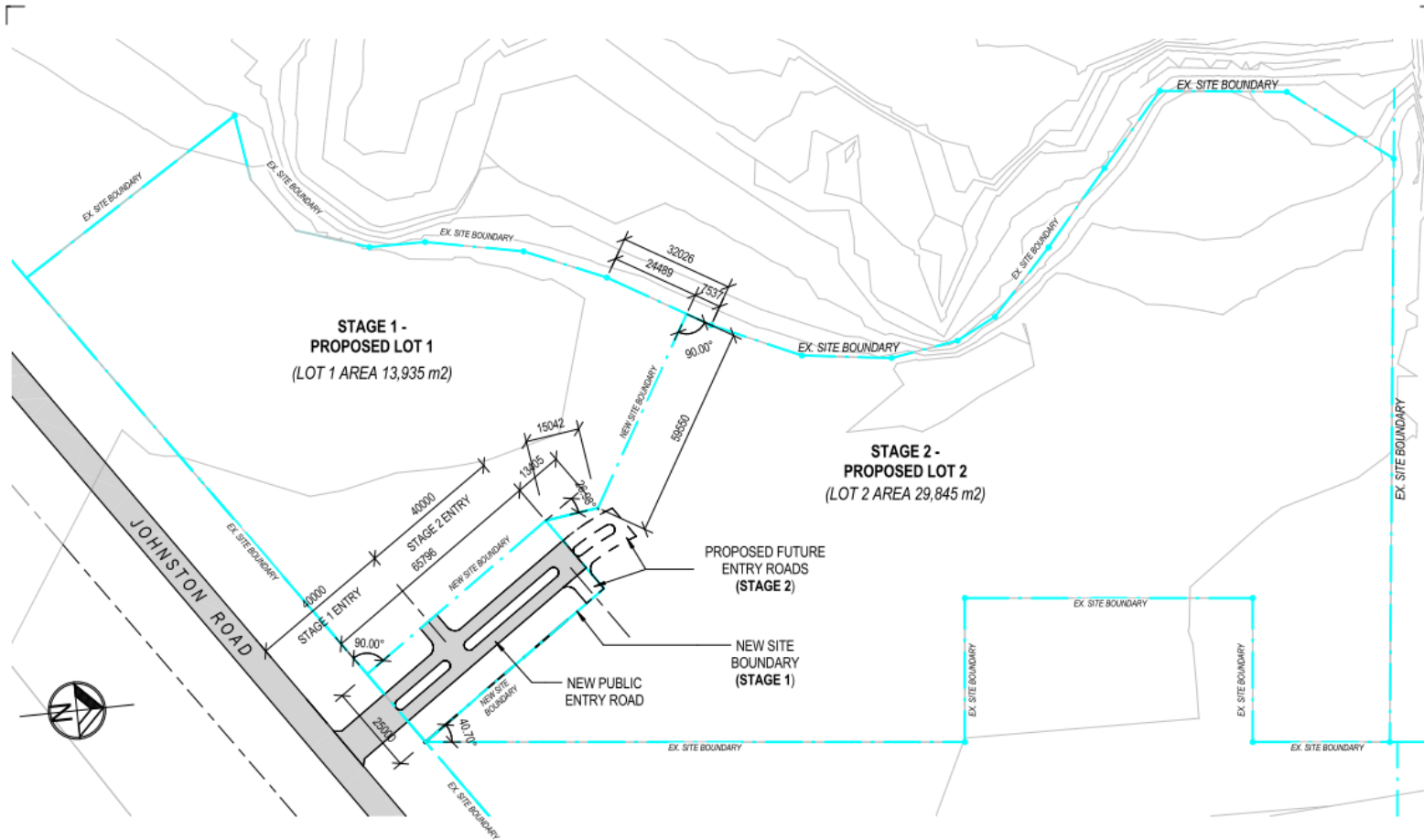
PROPOSED LOT 1	13,935 m2
PROPOSED LOT 2	29,845 m2
GFA	3,066 m2
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PUBLIC COMMUNITY SPACE	3,771 m2
RESIDENTIAL UNITS	42 BEDROOMS
CAR PARKING	14 SPACES

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47.2015
27/31

	Project	MOSSMAN AGED CARE PLUS CENTRE	Drawing Title	SITE PLAN	Drawing Number	15.0285.11 SK02
	Client	THE SALVATION ARMY	Date	11.02.2016	Scale	1 : 1000

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**



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Project | MOSSMAN AGED CARE PLUS CENTRE
Client | THE SALVATION ARMY

Drawing Title | PROPOSED SUBDIVISION PLAN
Date | 11.02.2016

Drawing Number | 15.0285.11 SK30
Scale | 1 : 1000 9

© COPYRIGHT 2015 11/02/2016 3:06:03 PM

C:_REVITLOCALFILES\2015\15.0285.11 Site Plan_newmanp.rvt

Original Sheet Size A3 - 297 x 420mm

YOUR REF: HRP15394
OUR REF: CA 1235/2015 (774357)

18 May 2016

The Salvation Army & Douglas Shire Council
C/- Cardno HRP
PO Box 1619
CAIRNS QLD 4870

Dear Sir

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
JOHNSTON ROAD MOSSMAN GORGE**

In response to your request under Section 641 of the *Sustainable Planning Act* 2009 (the Act), please be advised that Council did not support the request and the Infrastructure Charges remain.

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act* 2009 (the Act).

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development and Environment at Council for review of the charge amount prior to payment.

These charges are payable prior to the change of use occurring in accordance with section 648H of the Act.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Should you have any enquiries in relation to this Adopted Infrastructure Charges Notice, please contact Simon Clarke of Planning and Environment on telephone number 4099 9480.

Yours faithfully

Paul Hoyer
General Manager Operations

INFRASTRUCTURE CHARGES NOTICE

The Salvation Army		N/A	0
DEVELOPERS NAME		ESTATE NAME	STAGE
Johnston Road		Mossman	Lot 1 SP150474
STREET No. & NAME		SUBURB	LOT & RP No.s
Combined Application		CA123520 15	31-Mar-15
DEVELOPMENT TYPE		COUNCIL FILE	VALIDITY PERIOD (years)
767729		1	
DSC Reference Doc. No.		VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Rural Areas - Water Only					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
Urban Areas - Water only					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
Urban Areas - Water & Sewer					
proposed	42	5,909.15	248,184.30		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			248,184.30		
TOTAL			\$248,184.30		

Prepared by	D Lamond	18-Feb-16	Amount Paid	
Checked by	S Clarke	18-Feb-16	Date Paid	
Date Payable			Receipt No.	
Amendments	Date		Cashier	
Payment required prior to the Commencement of Use				

Note:

The Infrastructure Charges in this Notice are payable in accordance with Part 2 Division 1 of the Sustainable Planning Act 2009 (SPA).

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

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