

**5.4. REQUEST TO EXTEND RELEVANT PERIOD OF APPROVAL - COMBINED APPLICATION (MATERIAL CHANGE OF USE AND RECONFIGURING A LOT)**

**REPORT AUTHOR(S)** Simon Clarke Coordinator Development Assessment and Coordination

**GENERAL MANAGER** Nick Wellwood, General Manager Operations

**DEPARTMENT** Development Assessment and Coordination

**PROPOSAL** Request to extend relevant period of approval - Combined Application (Material Change of Use and Reconfiguring a Lot)

**APPLICANT** Port Douglas Steam Train Company Pty Ltd  
C/- RPS Australia East Pty Ltd  
PO Box 1949  
CAIRNS QLD 4870

**LOCATION OF SITE** 4-10 and 9 Escape Street, Port Douglas

**PROPERTY** Lots 41 & 42 on RP747344 and Lots 49 & 51 on SP161464

**LOCALITY PLAN**



Figure 4 - Locality Plan

**LOCALITY** Port Douglas and Environs

**PLANNING AREA** Residential 2

<b>PLANNING SCHEME</b>	Douglas Shire Planning Scheme 2006
<b>REFERRAL AGENCIES</b>	Department of Natural Resources and Mines (An original Advice Agency)
<b>NUMBER OF SUBMITTERS</b>	Two (2) to the original public notification
<b>STATUTORY ASSESSMENT DEADLINE</b>	Not applicable
<b>APPLICATION DATE</b>	15 December 2016

### RECOMMENDATION

**That Council approve the request to extend the relevant period of approval for the combined application for a material change of use and reconfiguration of a lot (33 lots & common property) with a House on each lot and a display home over land described as Lots 41 & 42 on RP747344 and Lots 49 & 51 on SP161464, located at 4-10 and 9 Escape Street, Port Douglas for 2 years (up to 24 January 2019), subject to the conditions of approval contained in the amended Decision Notice dated 12 December 2008.**

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### EXECUTIVE SUMMARY

Council is receipt of an application to extend the currency period of approval of a development proposed to be located at 4-10 and 9 Escape Street, Port Douglas. The approved development is for a combined application for a material change of use and reconfiguration of a lot (33 lots & common property) with a House on each lot and a Display Home.

The *Sustainable Planning Act 2009* sets strict criteria for the assessment of applications to extend the currency period of approval. Given the passage of time, the plans associated with the development are becoming dated. It is likely that the new owner of the site will resubmit new plans as part of a new development application over the land in due course. However, the new owner needs more time to allow a reasonable opportunity to explore alternative land use opportunities for the land and / or act in accordance with the current approval should they seek to do so.

The planning circumstances that relate to the land and the development have not changed since the most recent extension to the relevant period of approval was granted. A two year extension is therefore recommended.

### TOWN PLANNING CONSIDERATIONS

#### Background

The former Douglas Shire Council issued a development permit by way of a Negotiated Decision Notice on 13 October 2006. An amended Decision Notice was later issued on 12 December 2008. A related approval for Operational Works was submitted to Council within the two year period, which provides for the 'roll forward' of the life of the Negotiated Decision Notice by four years from the date of receipt of the Operation Works Approval. The Operational Works Development Permit was received by the applicant on 21 January 2008,

and therefore, the Negotiated Decision Notice remained current up until 21 January 2012. Finally, in response to a request to extend the life of approval, the development approval was extended until 21 January 2016.

The site has been partially developed with roads, which are still visible. The site has been purchased after many years of being held by receivers and managers in liquidation. The site has recently been tidied-up and the steam train service and restaurant have recommenced operations (approvals that precede this development approval).

The applicant is now requesting a further 2 years to add to the life of the existing approval.

### Proposal

The approved layout plan and associated amended Negotiated Decision Notice are included at Attachment 1. The plans show a development consisting of 33 multiple dwelling units, each to be developed as part of a Community Title lot reconfiguration.

The steam train and restaurant uses are continuing land uses as part of the development application.

### State Planning Requirements

Section 383 of the *Sustainable Planning Act (SPA) 2009* outlines the matters that Council must only have regard to in deciding a request to extend the relevant period of an approval:

- (a) the consistency of the approval, including its conditions, with current laws and policies applying to the development; and
- (b) the community's current awareness of the development approval; and
- (c) whether, if the request were refused-
  - (i) further rights to make a submission may be available for a further development application; and
  - (ii) the likely extent to which those rights may be exercised; and
- (d) the views of any concurrence agency for the approval.

### Assessment of the Request

#### **(a) Consistency of the approval, including its conditions, with current laws and policies applying to the development**

The original Negotiated Decision Notice was issued under the now superseded (1996) Transitional Douglas Shire Planning Scheme. With respect to the superseded Transitional Planning Scheme, DCP2 Map shows the land within the 'Residential Area – Medium Density' and 'Open Space' designations. More specifically, Lots 41, 42, 51 and part of Lot 49 are contained within the 'Residential Area – Medium Density' designation, while part of Lot 49 is contained within the 'Open Space' designation.

The intent of the 'Residential – Medium Density' designation under the superseded planning scheme is:

*“To accommodate residential development, predominantly in the form of multiple dwellings (residential) and dwelling houses, together with related and compatible uses such as parks, some community facilities, child care centres and general stores in appropriate locations.”*

The land use designations under the superseded planning scheme have carried through to the land use designations under the current planning scheme. The purpose of the current Residential 2 Planning Area under the current planning scheme, which applies to the majority of the site, is to facilitate the following outcomes:

- *encourage residential development which provides for a wider choice of housing in terms of form, size and affordability to meet the needs of residents;*
- *encourage medium density housing in a range of accommodation types, particularly in areas with a high level of accessibility to public transport, shopping facilities, community facilities and employment centres;*
- *ensure residential development is of an appropriate scale and achieves an attractive built form which is sympathetic to the location and enhances the character of established residential areas;*
- *ensure that residential development is designed to take account of the tropical climate of the Shire by incorporating architectural features and elements which are appropriate in a tropical environment;*
- *promote the efficient use of physical and social infrastructure;*
- *ensure that Landscaping of residential development enhances the visual appearance of the development and streetscape, provides attractive outdoor spaces and privacy between adjoining developments; and*
- *provide for the establishment of facilities to service the local community.*

The applicant's consultant contends that the approved development is a high quality residential development that is in keeping with the desired intent for the area and that the approved development is in keeping with the style of development existing in the surrounding area and is also consistent with the type of development envisaged in the current planning scheme.

At the time Council considered the extension of the relevant period of approval in February 2016, Council's proposed planning scheme was not available for public consideration. Uncertainty with respect to the level of consistency the approved development with the proposed planning scheme was partially a motivating factor in Council only granting a 12 month extension of time to complete the development.

However, the proposed planning scheme has now been released for review and it is noted that the land is proposed to be included within a zone that is consistent with the existing approval. Therefore, in a general sense, no issue is raised with the land use. However, it is noted that the plans, being over 10 years old are becoming rather dated and probably do not take into account the tropical climate of the shire by incorporating tropical features and elements that are appropriate in a tropical climate. A further extension of two years is not opposed at this point in time to allow the new owners of the land an opportunity to consider their options with respect to developing the land. It is likely that a modified development design will be submitted in due course.

**(b) The community's current awareness of the development approval**

The application was originally publicly notified and received two submissions. The land has



been partially developed on site and those works are still evident. In addition, the land has been for sale and marketed for the proposed development for a considerable period of time. As such, it is likely that the community would remain reasonably aware of the proposed development.

- (c) **Whether, if the request were refused-**
- (i) **further rights to make a submission may be available for a further development application; and**
  - (ii) **the likely extent to which those rights may be exercised**

An application under the current planning scheme is Impact Assessable and would be subject to public notification. It is difficult to determine whether the proposed development would prompt brand new submissions if it was to be publicly re-notified. However, given the passage of time, it is possible that new residents in the area may make submissions.

**(d) The views of any concurrence agency for the approval**

The former Department of Natural Resources and Mines was a Referral Agency. This Department was only an advice agency, and not a concurrence agency, at the time in relation to Acid Sulfate Soil matters.

## Conclusion

Given the passage of time (more than ten years) it is likely that some community awareness of the application has dwindled. Furthermore, the approved plans have become dated.

However, the land has been held in receivership for a number of years and has only recently been sold to a new owner. Previously, only a 12 month period of approval was issued. However, given that the planning circumstances that relate to the land and the proposed development have not changed since the last extension to the relevant period of approval, it is recommended that a 2 year extension be granted to allow the new owner the opportunity to explore alternative development options for the site.

## 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:** Meeting the responsibilities associated with regulating activities through legislation or local law.

Under the *Sustainable Planning Act 2009* and the *Sustainable Planning Regulation 2009*, Council is the assessment manager for the application.

## ATTACHMENTS

1. Amended Negotiated Decision Notice - 12 December 2008 [5.4.1]

**ENQUIRIES:** Mrs Jenny Elphinstone  
**PHONE:** (07) 4044 3365 (Cairns)  
(07) 4099 9482 (Mossman) -  
**FAX:** (07) 4044 3836  
**OUR REF:** 8/37/130 (1910916)

12 December 2008

Ezcape St Projects Pty Ltd  
C/- Michael Kirkby  
PO Box 6036  
FRENCHS FOREST NSW 2086

Dear Sir

**DECISION NOTICE UNDER S3.5.15 INTEGRATED PLANNING ACT 1997:**  
**DEVELOPMENT APPLICATION FOR 4-10**  
**& 9 ESCAPE STREET, PORT DOUGLAS**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 12 December 2008, please find attached the relevant Decision Notice.

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

Should you have any enquires in relation to this Decision Notice, please contact Jenny Elphinstone of Council's Development Assessment Team on telephone number (07) 4099 9482.

Yours faithfully

Simon Clarke  
**Manager Development Assessment**

Att.

**DECISION NOTICE DETAILS**  
**(SECTION 3.6.16 INTEGRATED PLANNING ACT 1997)**

**APPLICANT DETAILS**

Ezcape St Projects Pty Ltd  
C/- Michael Kirkby  
PO Box 6036  
FRENCHS FOREST NSW 2086

**ADDRESS**

4-10 & 9 Escape Street Port Douglas Qld 4877

**REAL PROPERTY DESCRIPTION**

Lots 41 & 42 on RP747344, Lots 49 & 51 on SP161464

**PROPOSAL**

Material Change of Use and Reconfiguration of a Lot (33 lots and common property on a Community Title Scheme, development of a House on each lot, and use of one House as a Display Home)

**DECISION**

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

**DECISION DATE**

This Decision Notice dated 12 December 2008 replaces the Negotiated Decision Notice dated 13 October 2006.

**TYPE**

Material Change of Use (Development Permit)  
Reconfiguration of a Lot (Development Permit)

**REFERRAL AGENCIES**

*(Vegetation Clearing, Remnant Vegetation & Acid Sulfate Soils)*  
Department of Natural Resources and Water  
PO Box 937  
CAIRNS QLD 4870

**SUBMISSIONS**

There were two (2) submissions for this application:

A & V Crowe, 14 Escape Street, Port Douglas

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building Works  
Development Permit for Plumbing Works

**CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT**

None

40.2008.2639  
2/21

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**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

**CONDITIONS:**

**Plan of Development**

1. The approved development and the conduct of the approved use, the carrying out of any works on the premises and the construction of any buildings on the premises associated with the development must generally be in accordance with:

- (a) The approved plans of development No.AR02 Rev A, AR03 Rev A, AR04 Rev A, AR00 Rev C, AR01 Rev G prepared by Anna Vaughn Architects, dated September 2005 and attached to this approval. It is acknowledged that the proposed reconfiguration layout may be amended to accommodate the requirements of condition 2(a) and that the proposed development may be undertaken in stages to be determined at the Operational Works stage;
- (b) The plans and specifications submitted with the application to Council attached to this approval

Except where such plans and/or specifications are modified by the terms of this approval.

2. The Plan of Development must be amended as follows:

- (a) The minimum setbacks to boundaries as described under the Douglas Shire Planning Scheme shall apply, in particular no buildings will be permitted within the following setbacks:
  - (i) Escape Street – four (4) metres, except that Villas 15, 28 and 29 may have a building setback of three (3) metres from Escape Street subject to the provision of dense tropical landscaping between Villas 15, 28 and 29 and the Escape Street frontage subject to a plan to be submitted at Operational Works stage for Council approval. Any densely planted landscape areas adjacent to Villas 15, 28 and 29 will need to be included in the common property for the Development to ensure that the vegetation is retained.
  - (ii) St Crispins Avenue – six (6) metres
  - (iii) Side boundaries – half the height of the building element
- (b) The maximum height of any building is nine (9) metres. The structures on the roof terraces of dwelling type C will need to be reduced in height to



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below nine (9) metres. The only permitted roof structure on dwelling type C is over the proposed stairwell.

- (c) In accordance with section 10.6.8 (2) and (3) of the Planning Scheme the whole of the required setback to the road frontage of an allotment shall be provided as landscape and recreation area ~~with no fences within two (2) metres of the road frontages~~. A minimum depth of two (2) metres adjoining the road frontage shall be provided a deep planted landscaping at natural ground level. A suitable alternative may be negotiated in consultation with Council.

The amended plan of development is to be provided to Council for confirmation of compliance prior to the lodgement of an application for building work over the site or prior to Council endorsement of the Plan of Survey, whichever occurs first.

**Currency Period**

3. This development approval lapses four (4) years after the day that the development approval takes effect, unless extended under Section 3.5.22 of the *Integrated Planning Act 1997*.

**Amenity**

4. The approved use must not be conducted so as to cause a nuisance or annoyance to persons not associated with the use and so as not to adversely affect any other property.

**Traffic Management**

5. The ingress/egress to the site shall be provided with a physical means of speed control. Such speed control device shall be shown on any plans submitted for approval for building works and shall be constructed and maintained at all times.
6. The applicant shall provide bollard lighting at the property boundary to indicate access to the car parking area at the time of applying for carrying out building works.

**Landscaping & Fencing**

7. The landscaping concept plans submitted with the proposed development, referenced as plan No LMP-01, Type A Indicative Landscape Setout, LMSDA03, EVVP01 Issue E prepared by 360° Landscape Architects has been generally approved, subject to the following amendments:
- (a) The following plants are to be replaced on the planting schedule:
- i. *Alphitonia excelsa* (Red Ash); and
  - ii. *Nauclea orientalis* (Leichhardt Pine)
  - iii. These species are considered unsuitable in an urban environment.

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- (b) A detailed landscaping plan must be submitted for approval at Operational Works stage. This plan must indicate:
- i. proposed numbers of each species;
  - ii. stem densities;
  - iii. species composition;
  - iv. details of planting bed size, preparation and related landscape, etc.
- (c) Landscaping must not interfere with the rail easement so that the easement may remain functional for future use.
- (d) A maintenance schedule for the development must stipulate the correct disposal of garden waste so as to mitigate the potential spread of environmental weeds.

The amended plan is to be submitted to Council for an Operational Works Development Permit.

8. The landscaping shown on the approved plan shall be completed before the development is occupied and maintained thereafter.
9. The applicant shall provide a 1.8 metre high acoustic screen fence to the side boundaries to ensure the privacy and amenity of adjoining properties is maintained. A minimum standard for a fence of this type is a timber paling fence that is lapped and has no gaps.

**Waste Storage & Discharge**

10. The waste storage area must be located outside of a three (3) metre wide landscape strip to the road frontage in the location shown on the approved plan for this development. The waste storage area must:
- (a) Contain an impervious surface for the storage of waste containers suitably screened so as not to be visible from adjoining properties or the road reserve;
  - (b) Include a stop cock and stormwater diversion valve at the drainage point;
  - (c) Contain sufficient storage space for the storage of a 240 litre refuse bin for each unit in the development.

Refuse storage, removal and collection methods shall be in accordance with the "Environment Protection (Interim Waste) Regulations 1996".

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**Air Conditioning & Service Equipment**

11. All service equipment, outdoor lighting and air conditioning equipment must be located so as not to cause a nuisance to the occupants of adjoining units or neighbouring premises. The noise levels shall be maintained in accordance with the requirements of the Environmental Protection Policy - Noise.

**Stormwater Drainage**

12. All stormwater run-off from non-permeable surfaces and roof areas occurring on the site must be collected within the premises and discharged to the legal and practical point of discharge which has been nominated as Escape Street and/or the lagoon within the site.
13. The approved use must not:
  - (a) Interfere with the natural flow of stormwater;
  - (b) cause ponding of stormwater on adjoining properties.
14. The applicant is to install a pollution control device on stormwater pipes prior to the point of discharge into the road reserve to the west.
15. The applicant is to provide scour protection at the proposed discharge point/s. The location/s, size, velocity, proposed means of scour protection and bank stabilisation, where required, is to be designed and submitted for approval by Council prior to lodgement of an application for Building Work. Such stormwater drainage work shall be designed and constructed in accordance with the requirements of the Far North Queensland Regional Organisation of Councils' Development Manual and shall not cause scouring, erosion, loss of vegetation, excess turbidity and landslip either within or external to the site.

**Minimum Floor Levels**

16. The minimum floor level for all habitable rooms in any building erected on the premises must be a minimum of 3.4 metres AHD.

**Amalgamation**

17. Lots 49 and 51 on SP 161464 and Lots 41 and 42 on RP 747344 must be amalgamated into one (1) allotment. The Plan of Survey must be registered with the Department of Natural Resources and Water (DNRW) prior to the issue of a development permit for building work or commencement of building work. Alternatively, a new Survey Plan in accordance with the approved plan is to be lodged for Council endorsement.

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**Compliance**

18. All works required pursuant to the conditions of this Development Permit shall be undertaken and completed in accordance with Council's requirements contained in the Planning Scheme Provisions/Codes.
19. All conditions shall be complied with prior to the final building inspection for the proposed buildings on the land or as otherwise stated in any condition of this approval.

**External Works**

20. The applicant shall construct a six (6) metre wide concrete vehicle crossover to the site in accordance with the requirements of the FNQ Development Manual.

**Parkland**

21. The applicant shall make contribution for parkland for thirty-three (33) allotments in accordance with Council's requirements for parkland contribution, as defined under Planning Policy No.5 or any other relevant Policy or Code applicable at time of payment.

**Security**

22. To guarantee the satisfactory completion of the building, site works, landscaping, drainage works and any required works external to the land, the applicant shall lodge with the Council a Cash Bond or Guarantee to the value of \$20,000, such Guarantee shall be lodged prior to the issue of a Development Permit for Building Works on the land in relation to this Development Permit.

The Council may call up this Guarantee to complete all or any part of the works mentioned herein in accordance with the conditions of this approval, should the applicant fail to do so prior to issuing of a Certificate of Classification for the propose development.

**Acid Sulfate Soils**

23. The applicant is to undertake a detailed acid sulfate soil investigation over the subject land in accordance with the requirements of the (DNRW) Guidelines for Managing Acid Sulfate Soils. This report and associated management plan are to be provided to DNRW for approval prior to the approval of the Operational Works approval.

**Environmental Management Plan**

24. The applicant is to have prepared with the submission for approval of the engineering plans, an Environmental Management Plan (EMP) detailing the

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controls to be utilised to ensure that no environmental harm or nuisance is caused from the proposed use of the land and construction of the works. In particular, this plan should address such issues as dust suppression, waste disposal, acid sulfate soil management, noise management and stormwater management (to minimise discharges of sediment, wastes and other substances).

**Stormwater Management and Erosion and Sediment Control**

25. The management of stormwater and erosion and sediment control must be undertaken in accordance with the Preliminary Site Based Stormwater Management Plan and Erosion and Sediment Control Plan prepared by Arup and dated September 2004.

**Health Requirements**

26. The applicant shall ensure that on completion of any site construction works the subject land shall be maintained in a clean and tidy condition at all times.
27. All building work, maintenance, repair demolition and other activities on site shall be confined to the following hours:
- (a) 6:30 am to 6:30 pm Monday to Saturday inclusive, excepting that no machinery shall be operated in conjunction with building work prior to 7:00 am.
  - (b) Building work is not permitted on a Sunday or Public Holiday at any time.

All construction works are to be carried out in compliance with the *Environmental Protection Policy (Water)* and the *Environmental Protection Amendment Regulation (No. 2)*

**Water Supply**

28. The applicant shall connect to reticulated water supply via the main contained within the Escape Street road reserve.

The proposed connection point including all works required to take the reticulated supply to the boundary of the site are to be shown on the plans for Plumbing and Drainage Works approval.

29. The applicant shall provide a 100 mm diameter service to be contained within the common property to service the residential allotments and the common property.
30. The Council will make all connections to the existing main in Escape Street. The applicant is to prepay to the Council the estimated cost of the connection of the new main to the existing system. The applicant will be responsible for meeting the actual cost of the work.

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**Sewerage**

31. The plans and specifications of the internal sewerage works must be submitted to Council at Plumbing & Drainage Works application stage for review.
32. No buildings or other structures are permitted to be located within 3.5 metres of any main located on the subject site..

**Electrical & Telephone Services**

33. Prior to the endorsement of the Plan of Survey for the proposed development, the Applicant must submit to Council a copy of a letter from Ergon Energy stating that satisfactory arrangements have been made for the provision of:
  - (a) an underground electrical supply to the development; and
  - (b) street lighting in accordance with Council's adopted standards.
  - (c) locating of all above ground transformer cubicles clear of footpath areas.
34. All Electricity Lines along the full frontages of the subject site (Escape Street) are to be placed underground. These works are to be undertaken by Ergon Energy at the applicant's expense.
35. All external lighting installed upon the premises including car parking areas shall be certified by Ergon Energy or such other suitably qualified person such that it shall conform with the Planning Scheme whereby vertical illumination at a distance of 1.5 metres outside the boundary of the site shall not exceed eight (8) lux measured at any level upwards from ground level.
36. Prior to the endorsement of the Plan of Survey, the Applicant must submit to Council a copy of a letter from Telstra stating that satisfactory arrangements have been made for the provision of:
  - (a) an underground telephone service to the development lot; and
  - (b) locating of all above ground switching station cubicles clear of footpath areas.

**Bikeway/Pathway**

37. A bikeway/pathway shall be constructed to a minimum width of two (2) metres on the western side of Escape Street past the full frontage of the subject site.
38. The bikeway/walkway(s) shall be suitably signed in accordance with the relevant Standards Association of Australia Code.



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**Road Works**

39. All unused vehicle crossovers shall be reinstated with kerb and channel and landscaping.

**Maintenance Period**

40. The Applicant shall maintain in accordance with the requirements of the Far North Queensland Regional Organisation of Councils' Development Manual all road construction works of any nature whatsoever and any drainage works carried out under the provisions of this approval for the land for a period of twenty-four (24) months. The Applicant shall make good within such period any defects arising from faulty workmanship or materials in respect to such road construction and drainage works carried out as part of the works associated with the subdivision.

**Footpath Damage Liability**

41. All damage occasioned to footpaths and roadways adjacent to the site as a result of, or in connection with, this development must be repaired by the applicant, at their expense, prior to completion of works associated with the development.

**Access to St Crispins Station**

42. The applicant is to provide public pedestrian access to the St Crispins Rail/Tram Station from Escape Street within an easement for the purposes of public access. The minimum width of the easement is to be two (2) metres.

**Display Home**

43. After a period of two (2) years from the date of issue of the Development Permit for Building Work the use will cease and the display home will revert back to being used as a dwelling house.
44. This approval shall lapse four (4) years from the date of issue of this Development Permit, unless the use is substantially commenced and all conditions complied with.
45. The Display Home must be connected to Council's reticulated sewerage and water supply schemes. House connection branches are acceptable at this stage with full construction of the works to be undertaken prior to any additional works, beyond this approval, being undertaken on site. At time of further development the existing services to the Display House are to be disconnected and reconnected to the new system.

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**Plan of Survey**

46. Conditions 1, 2, 3, 5, 7, 9, 12, 13, 14, 15, 20, 21, 23, 24, 25, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 41 & 42 must be complied with prior to Council endorsement of the Plan of Survey for the proposed standard format subdivision.

**Easement**

47. The applicant is to create an easement for public access purposes benefiting Douglas Shire Council, over the complete area of land encumbered by Easement A on RP746139 and Easement J on SP161480. The details of this easement are to be dealt with as part of the formulation of the easement documentation in consultation with Council.
48. The applicant is required to tidy up the site and maintain the site to an acceptable standard.

**5. Further Development Approvals Required:**

Operational Work  
Building Work  
Plumbing and Drainage Work

Development Permit  
Development Permit  
Development Permit

**RIGHTS OF APPEAL**

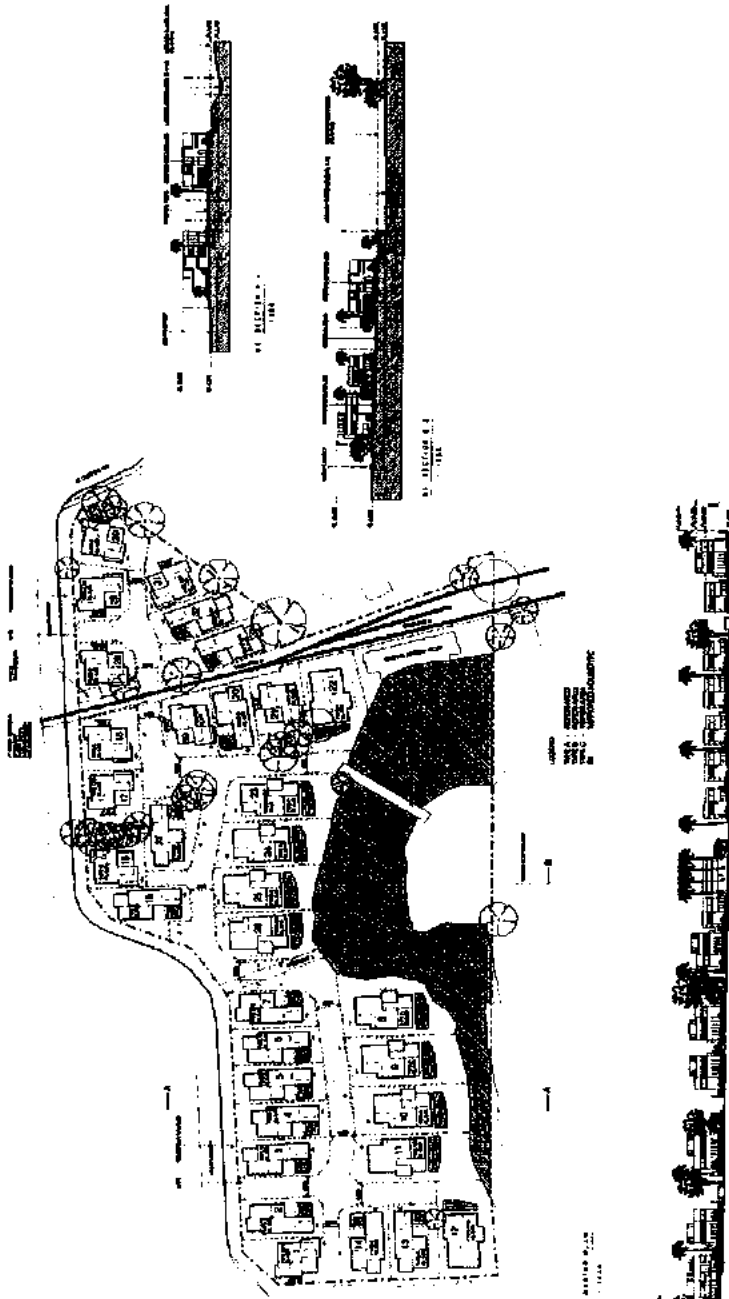
Attached

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**End of Decision Notice**

**DECISION NOTICE DETAILS  
(SECTION 3.5.16 INTEGRATED PLANNING ACT 1997)**

**APPENDIX 1: Approved Drawing(s) & Document(s)**



DATE	NO.	REVISION	BY	CHKD
A	01/10/10	PRELIMINARY	...	...
B	01/10/10	PRELIMINARY	...	...
C	21/10/10	SCHEMATIC FOR REVIEW	...	...
D	28/10/10	SCHEMATIC FOR REVIEW	...	...
E	28/10/10	SCHEMATIC FOR REVIEW	...	...
F	02/11/10	SCHEMATIC FOR REVIEW	...	...
G	02/11/10	SCHEMATIC FOR REVIEW	...	...

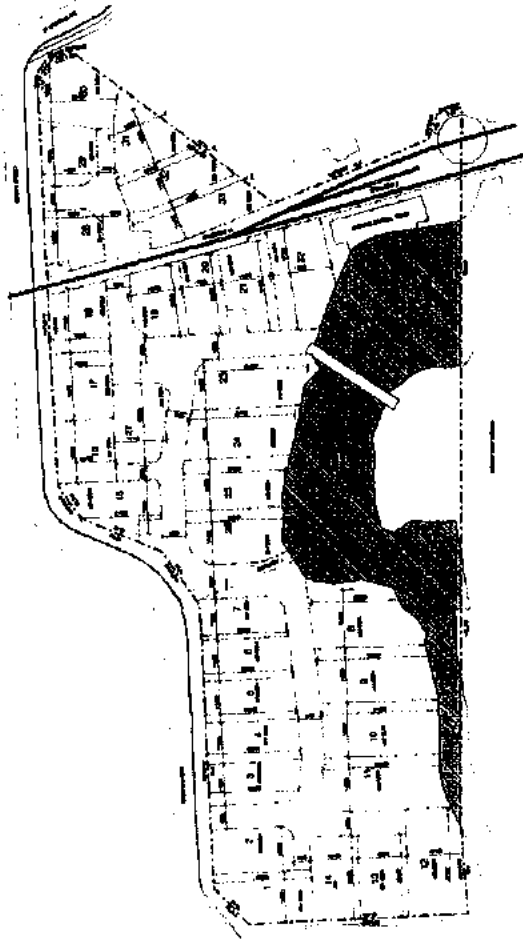
PROJECT	CLIENT	SCALE	DATE	DRAWN BY	REV
41 MAREE STREET, LINDFIELD	...	1:100	01/10/10	...	0

REVISIONS	DATE	DESCRIPTION
1	01/10/10	ISSUED FOR REVIEW
2	01/10/10	ISSUED FOR REVIEW
3	01/10/10	ISSUED FOR REVIEW
4	01/10/10	ISSUED FOR REVIEW
5	01/10/10	ISSUED FOR REVIEW
6	01/10/10	ISSUED FOR REVIEW
7	01/10/10	ISSUED FOR REVIEW
8	01/10/10	ISSUED FOR REVIEW
9	01/10/10	ISSUED FOR REVIEW
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15	01/10/10	ISSUED FOR REVIEW
16	01/10/10	ISSUED FOR REVIEW
17	01/10/10	ISSUED FOR REVIEW
18	01/10/10	ISSUED FOR REVIEW
19	01/10/10	ISSUED FOR REVIEW
20	01/10/10	ISSUED FOR REVIEW
21	01/10/10	ISSUED FOR REVIEW
22	01/10/10	ISSUED FOR REVIEW
23	01/10/10	ISSUED FOR REVIEW
24	01/10/10	ISSUED FOR REVIEW
25	01/10/10	ISSUED FOR REVIEW
26	01/10/10	ISSUED FOR REVIEW
27	01/10/10	ISSUED FOR REVIEW
28	01/10/10	ISSUED FOR REVIEW
29	01/10/10	ISSUED FOR REVIEW
30	01/10/10	ISSUED FOR REVIEW
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39	01/10/10	ISSUED FOR REVIEW
40	01/10/10	ISSUED FOR REVIEW
41	01/10/10	ISSUED FOR REVIEW
42	01/10/10	ISSUED FOR REVIEW
43	01/10/10	ISSUED FOR REVIEW
44	01/10/10	ISSUED FOR REVIEW
45	01/10/10	ISSUED FOR REVIEW
46	01/10/10	ISSUED FOR REVIEW
47	01/10/10	ISSUED FOR REVIEW
48	01/10/10	ISSUED FOR REVIEW
49	01/10/10	ISSUED FOR REVIEW
50	01/10/10	ISSUED FOR REVIEW

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<b>SCALE</b>	<b>DATE</b>	<b>REGION</b>	<b>BY</b>	<b>STATUS</b>
A. 1:1000	24/10/15	WISSELE PORTFOLIO	WJ	AS
B. 1:1000	02/11/15	WISSELE PORTFOLIO	WJ	AS
C. 1:1000	03/11/15	DA 1599C	WJ	AS

<b>PROJECT</b>	<b>WISSELE PORTFOLIO</b>		
<b>FILE</b>	<b>WISSELE PORTFOLIO</b>		
<b>SCALE</b>	<b>DATE</b>	<b>BY</b>	<b>STATUS</b>
1:1000	03/11/15	WJ	AS

<b>PROJECT</b>	<b>WISSELE PORTFOLIO</b>		
<b>FILE</b>	<b>WISSELE PORTFOLIO</b>		
<b>SCALE</b>	<b>DATE</b>	<b>BY</b>	<b>STATUS</b>
1:1000	03/11/15	WJ	AS

**OBJECTS**

1. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

2. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

3. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

4. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

5. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

6. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

7. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

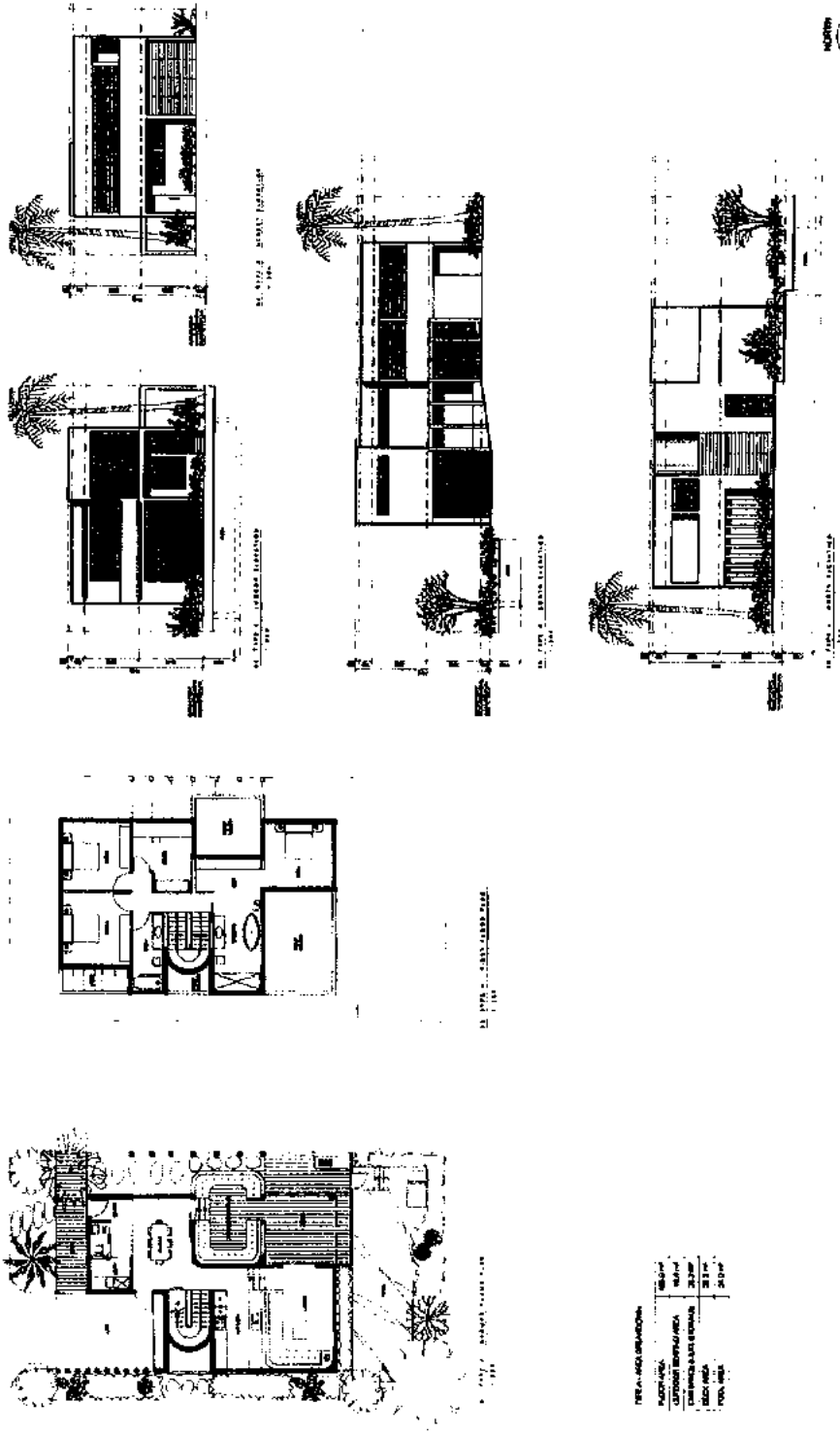
8. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

9. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

10. TO APPROVE THE PROPOSED DEVELOPMENT OF THE SITE AS SHOWN ON THE ATTACHED PLANS.

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ISSUE DATE	REVISION	BY	CHKD
21/08/2008	ISSUE FOR PERMIT	SM	SM
21/08/2008	ISSUE FOR PERMIT	SM	SM
21/08/2008	ISSUE FOR PERMIT	SM	SM
4/08/2008	IN ISSUE	SM	SM

PROJECT TITLE	SCALE	DATE	PROJECT NO.	DRAWN BY
DOMEX PROJECT FOR DOMEX	200/100	20/08/08	615	SM
TYPE-A-FLOOR PLANS				

AREA	DESCRIPTION	AREA (SQM)
FLOOR AREA	FLOOR AREA	180.00
LANDSCAPE IMPROVEMENT AREA	LANDSCAPE IMPROVEMENT AREA	180.00
TOTAL AREA	TOTAL AREA	360.00
TOTAL AREA	TOTAL AREA	360.00

PROJECT: DOMEX PROJECT FOR DOMEX  
 TITLE: TYPE-A-FLOOR PLANS  
 SCALE: 200/100  
 DATE: 20/08/08  
 PROJECT NO.: 615  
 DRAWN BY: SM

DATE: 21/08/2008  
 BY: SM  
 CHECKED: SM

PROJECT: DOMEX PROJECT FOR DOMEX  
 TITLE: TYPE-A-FLOOR PLANS  
 SCALE: 200/100  
 DATE: 20/08/08  
 PROJECT NO.: 615  
 DRAWN BY: SM





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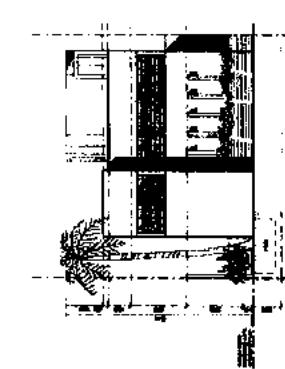


FIG. 1.1 - FRONT ELEVATION

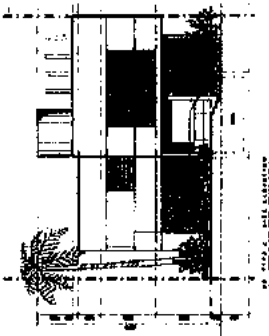


FIG. 1.2 - SIDE ELEVATION

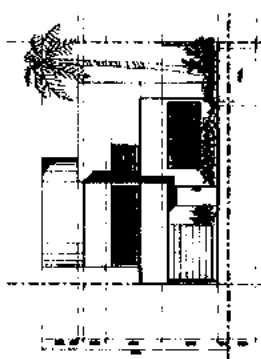


FIG. 1.3 - REAR ELEVATION



FIG. 1.4 - SIDE ELEVATION

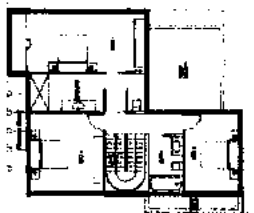


FIG. 1.5 - FLOOR PLAN

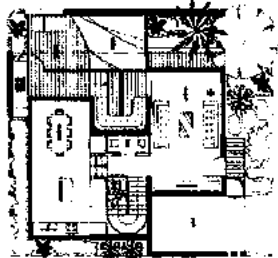


FIG. 1.6 - SITE PLAN

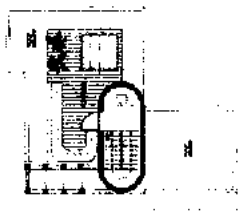
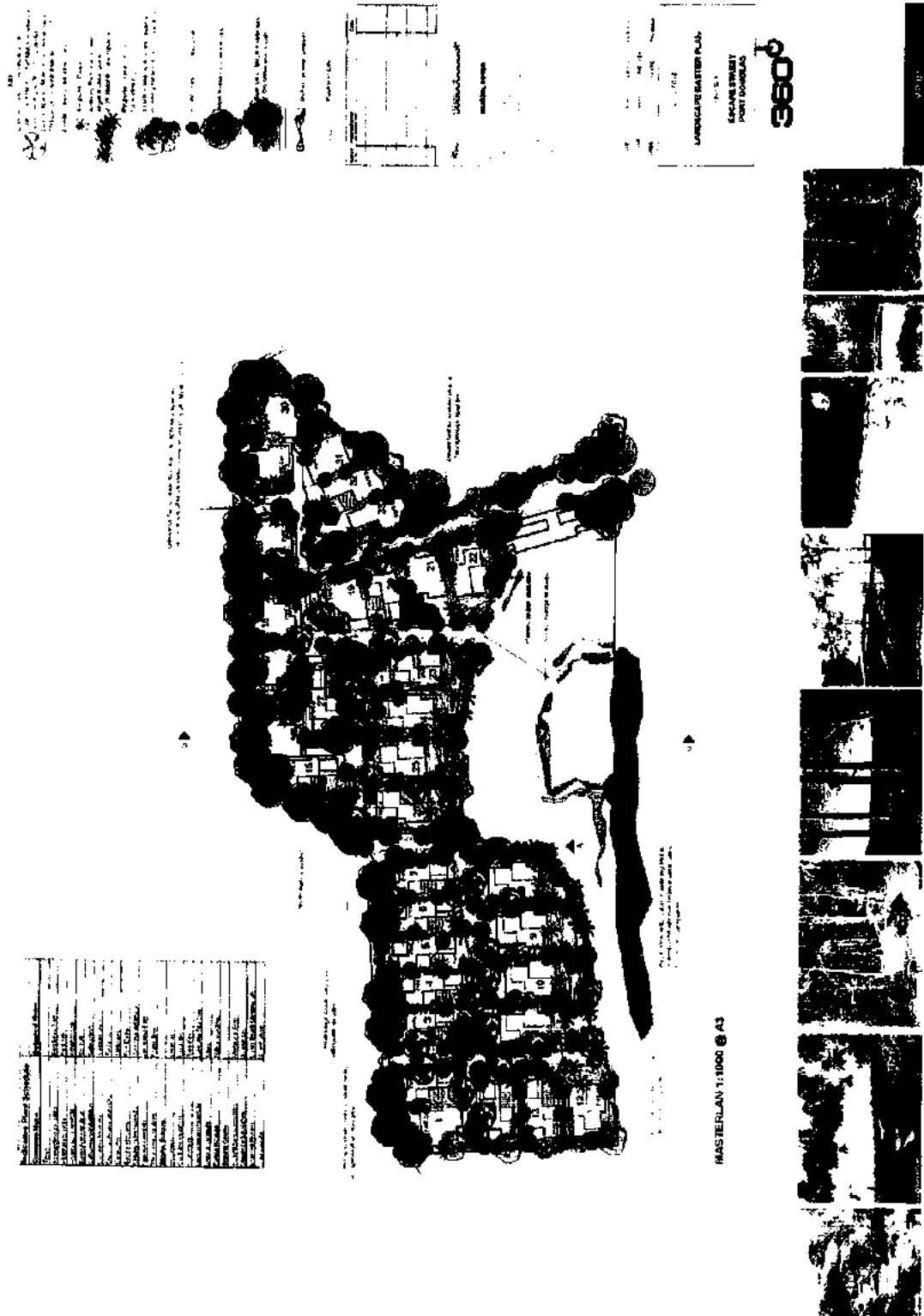


FIG. 1.7 - SITE PLAN

PROJECT: [illegible]  
 ADDRESS: [illegible]  
 DATE: [illegible]

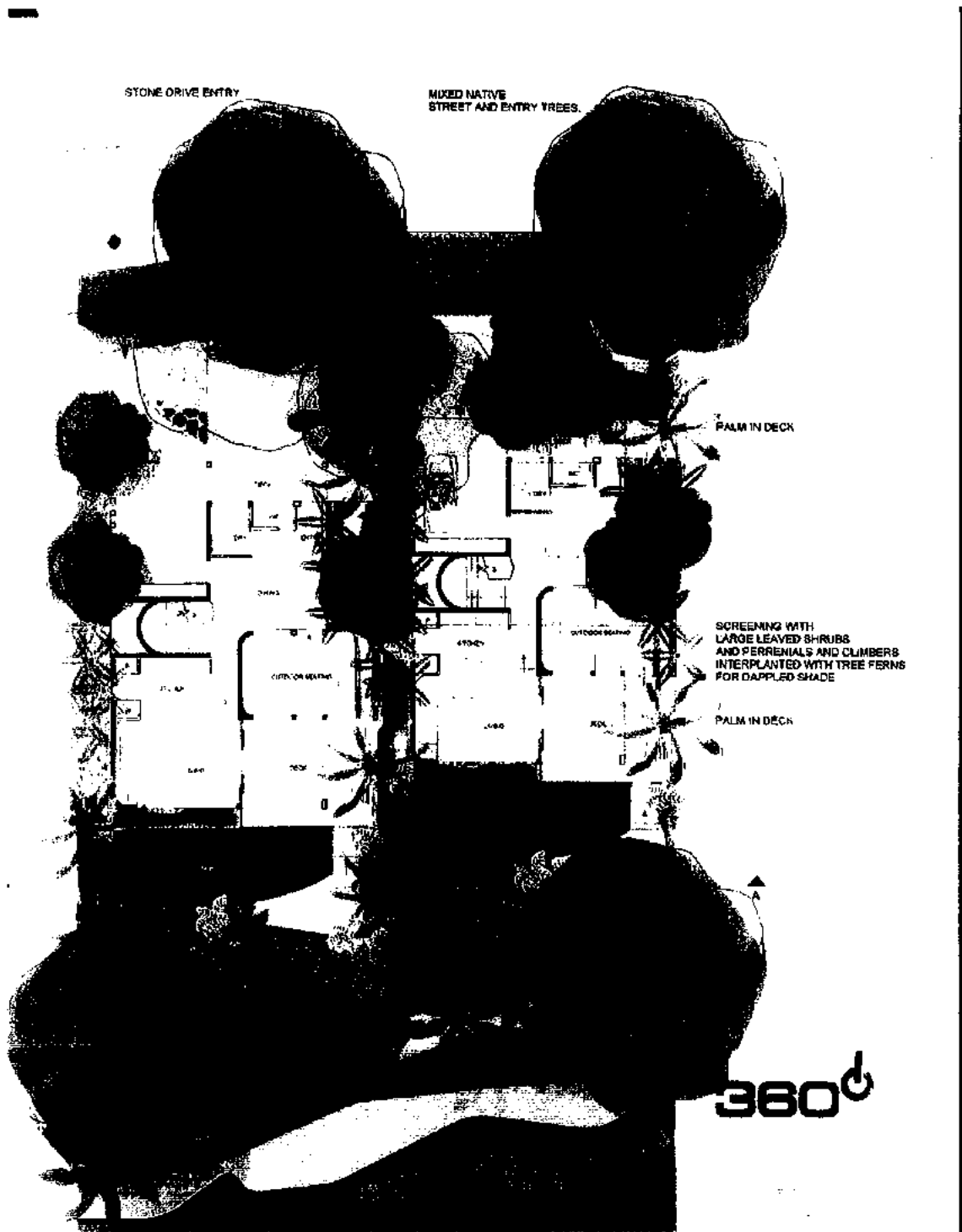
ISSUE	DATE	REASON	BY	DATE
1	2008	ISSUE FOR REVIEW	BY [illegible]	[illegible]
2	2008	ISSUE FOR REVIEW	BY [illegible]	[illegible]
3	2008	ISSUE FOR REVIEW	BY [illegible]	[illegible]

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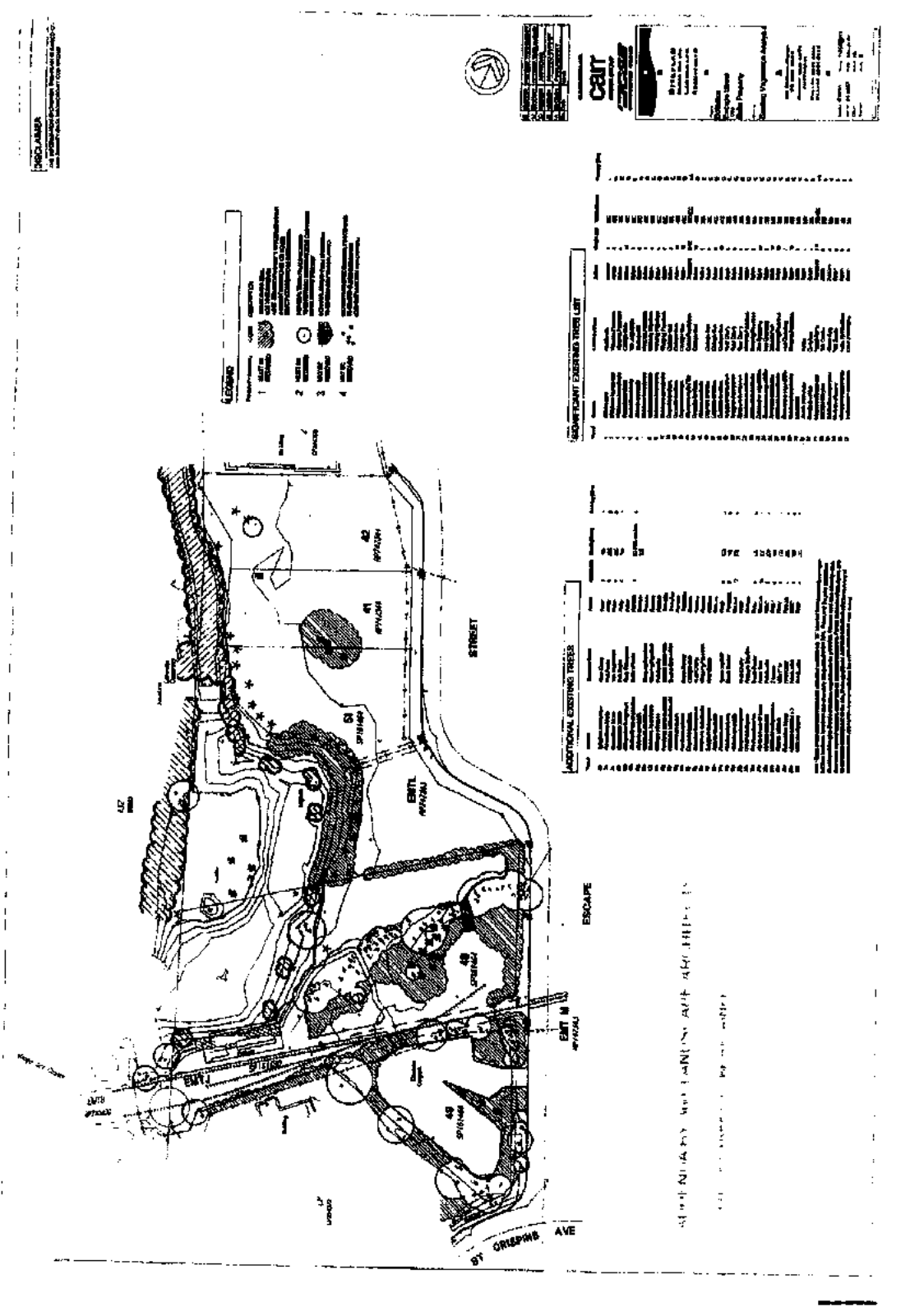
**DECISION NOTICE DETAILS  
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**TYPE A INDICATIVE LANDSCAPE SETOUT  
NTS**

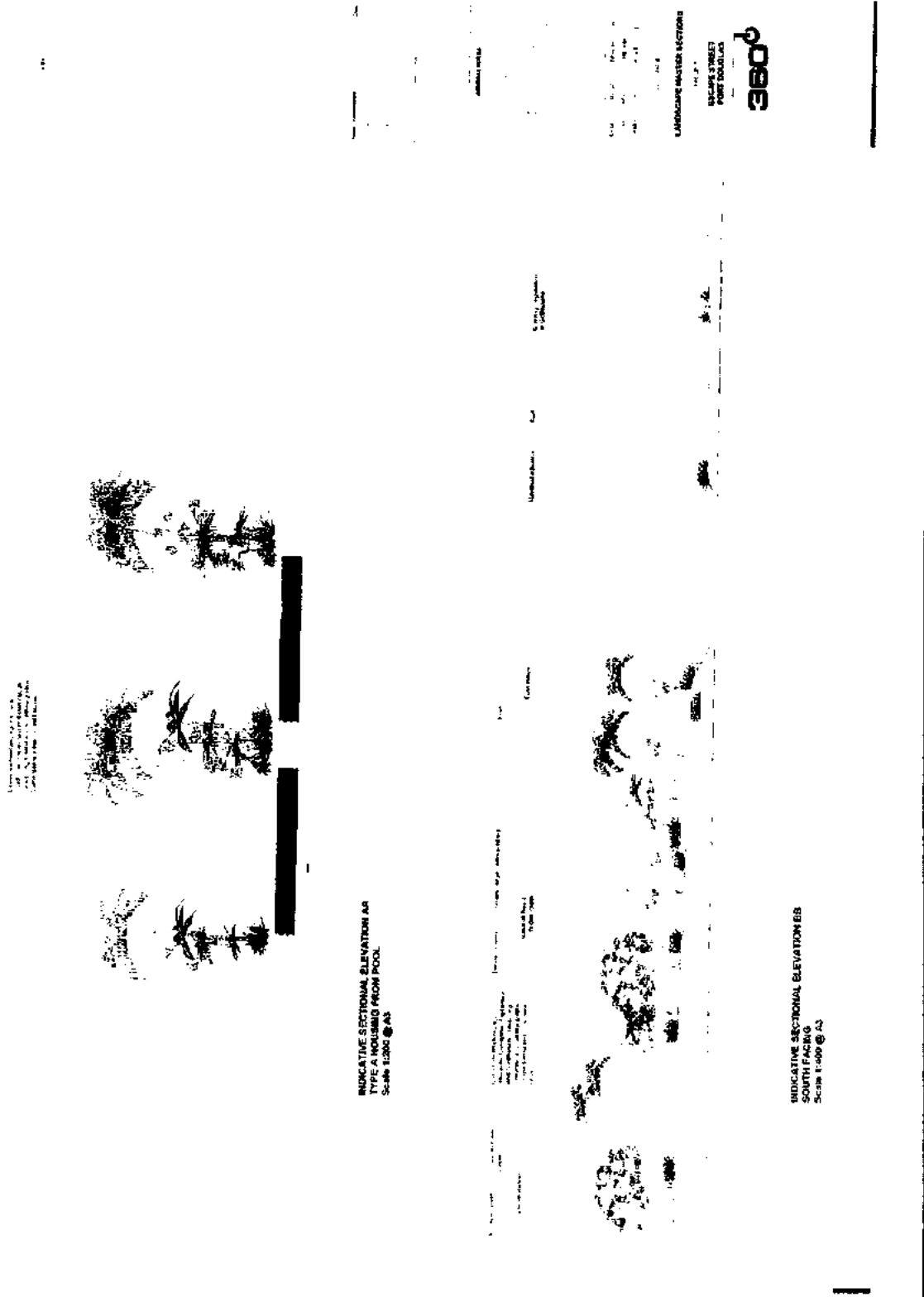
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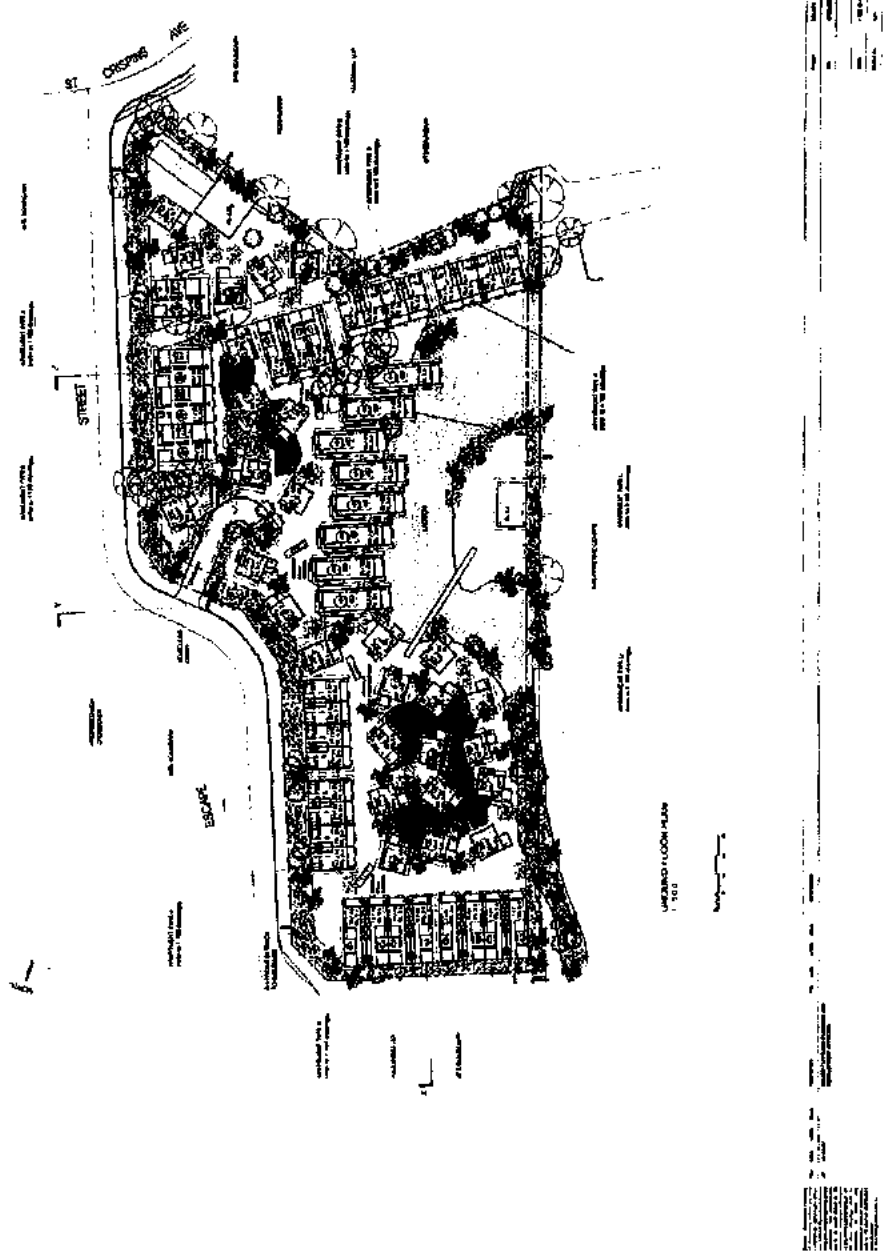
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**APPROVED DEVELOPMENT  
100 UNITS**

**CA10**

APPROVED DEVELOPMENT  
100 UNITS  
CA10



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