

5.06. MATERIAL CHANGE OF USE - SHOPPING FACILITIES AND RESTAURANT, 5961R DAVIDSON STREET, CRAIGLIE

REPORT AUTHOR(S): Simon Clarke, Planning Consultant
GENERAL MANAGER: Paul Hoyer, General Manager Operations
DEPARTMENT: Development and Environment

PROPOSAL Material Change of Use (Impact Assessment) - Shopping Facilities & Restaurant

APPLICANT Yenor Pty Ltd
 C/- Peter Robinson
 PO Box 2133
 Cairns QLD 4870

LOCATION OF SITE 5961R Davidson Street, Craiglie

PROPERTY Lot 58 on C22511

LOCALITY PLAN



LOCALITY Port Douglas and Environs

PLANNING AREA Industry

PLANNING SCHEME Douglas Shire Planning Scheme 2006

REFERRAL AGENCIES State Assessment and Referral Agency

NUMBER OF SUBMITTERS

None

**STATUTORY ASSESSMENT
DEADLINE**

11 March 2016

APPLICATION DATE

24 August 2015

RECOMMENDATION

That Council approves the development application for Shopping Facilities (including a bottle shop) & Restaurant (other than a bistro, bar and grill, drive through food outlet and fast food outlet) with a combined total NLA of 482m² over land described as Lot 58 on C22511, located at 5961R Davidson Street, Craiglie, 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
Site Plan	PR1 prepared by Hunt Design	30 June 2016
Floor Plan	PR2 prepared by Hunt Design	30 June 2016
Elevations	PR3 prepared by Hunt Design	30 June 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 Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

External Improvements

3. The external improvements to the building design and landscaping generally as shown on the approved plans are an integral component to this approval and must be undertaken prior to commencement of any rear tenancy shopping facility / restaurant use.

Air-Conditioning Screens

4. 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.

Vehicle Parking

5. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of twenty (20) spaces of which (one) 1 must be provided for disabled parking. 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.

Landscaping Plan

6. The site must be landscaped in accordance with details included on a Landscaping Plan.

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 issue of a Certificate of Classification or Commencement of Use whichever occurs. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Advertising Signage

7. All signage associated with the use must be approved by the Chief Executive Officer. The signage must comply with the Design and Siting of Advertising Devices Code contained within the Douglas Shire Planning Scheme and plans detailing the signage must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works or Commencement of Use, whichever occurs first.

Refuse Storage

8. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Food Premises

9. Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the *Food Act 2006* and the Food Standards Code.

REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0915-024147	21 October 2015	732872

Refer to Attachment 2: Referral Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

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 other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

3. 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 Assessment and Coordination 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.

4. 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 .

EXECUTIVE SUMMARY

The development proposal involves existing premises originally approved as a warehouse, with an ancillary bottle shop. The warehouse component has since vacated the rear tenancy which technically, in a town planning sense, leaves the bottle shop as the dominant land use (i.e. a Shopping Facility use as opposed to a Service Industry [Warehouse] use). This application seeks to authorise the existing use.

In addition, the vacant rear tenancy is proposed for an alternative Shopping Facility / Restaurant use, which is not specified at this stage, other than it is not intended that premises operate as a bistro, bar and grill, drive through food outlet or fast food outlet.

The premises shares access to and from the Captain Cook Highway with the adjoining service station to the north and while the premises has its own separate land title, it operates as an integrated development rather than as a stand-alone development. In the circumstances, it is not unreasonable to accept a small scale (restricted floor space) Restaurant / Shopping Facility use within these premises, notwithstanding the inconsistency with the Industry Planning Area that applies to the land. It is worth noting that until very recent times, the adjoining premises to the immediate south operated as a seafood outlet, takeaway with outdoor dining without causing any detriment to the surrounding area or the 'balance of zones'.

The development proposes a significant upgrading of the external appearance of the building and to the landscaping and it is a requirement that these improvements be undertaken prior to commencement of any Restaurant / Shopping Facility use in the rear premises. An approval is recommended subject to conditions as this represents a pragmatic outcome for this particular site's circumstances.

TOWN PLANNING CONSIDERATIONS

Background

The site is described as Lot 58 on C22511 and is located at Davidson Street, Craiglie. The land has an area of 2,568m². The front half of the site has been developed as a warehouse with an ancillary bottle shop, facing Davidson Street. The rear portion of the building, previously used as a warehouse, is now vacant and this effectively makes the previous 'ancillary' bottle shop, a stand-alone Shopping Facility under the planning scheme. The rear half of the land is undeveloped.

The adjoining use to the north is the recently redeveloped service station / shop. A shared access arrangement via an easement is provided between the premises and the service station.

The land is flood free and relatively flat.

Proposal

The development application is for a development permit for a Shopping Facility / Restaurant. This will allow the existing retail bottle shop to remain as a lawful use, while the current unused rear portion of the premises will be converted into a convenience retailing and/or food service premises to meet the needs of the local community, including employees of the local industrial area, as well as members of the travelling public, including tourists passing through Craiglie.

The planning report that accompanies the application imposes specific limits on the range of retailing and restaurant activities, describing the proposed use as consisting of:

- Shopping Facility (including a bottle shop, but limited to 269m²);
- Restaurant (other than a bistro, bar and grill, drive through food outlet and fast food outlet).

(Note: This GFA calculation is incorrect. The Net Lettable Floor Area (NLA) of the total development has been confirmed to be 482m²)

No increase in gross floor area is proposed as part of the development application, other than two small alfresco dining areas that serve to improve the appearance of the building and make it more customer friendly.

Additional car parking and improved landscaping will be provided at the rear of the premises. The layout plan is included in Attachment 1.

State Planning Requirements

The application was referred to the State Agency and Referral Agency (Department of Transport and Main Roads) due to the site's access to a State-controlled Road. The State Agency and Referral Agency approved the proposal by way of letter dated 21 October 2015 (see Attachment 2).

Douglas Shire Planning Scheme Assessment

The land is part of the Port Douglas and Environs District Locality and is included within the Industry Planning Area. Shopping Facility and Restaurant uses are both Impact (Inconsistent) uses in the Industry Planning Area. As such the application is required to be assessed the entire planning scheme.

Development within the Shire must satisfy outcomes identified in the Planning Scheme which seek to achieve ecological sustainability. Outcomes are categorised within the following levels:

- Desired Environmental Outcomes
- Overall Outcomes for Localities
- Specific Outcomes for areas affected by an Overlay
- Specific Outcomes for Planning Areas or Particular Development
- Performance Criteria and associated Acceptable Solutions for a Specific Outcome, Performance Criteria and associated or Acceptable Solutions for Overall Outcomes.

Desired Environmental Outcomes

Chapter 2 of the Planning Scheme outlines the Desired Environmental Outcomes that underpin the Planning Scheme.

The Desired Environmental Outcomes are grouped under core matters which comprise ecological sustainability as follows:

- Ecological Processes and Natural Systems
- Economic Development
- Cultural, Economic, Physical and Social Well-being of the Community.

(1) Ecological Processes and Natural Systems

Desired Environmental Outcome	Response
<p>DEO 1: The unique environmental values of the Shire, which result from its location within the Wet Tropics Bioregion, are maintained and protected for current and future generations.</p> <p>DEO 2: Those parts of the Shire located within the Wet Tropics and Great Barrier Reef World Heritage Areas and other adjacent areas of environmental value and ecological significance, are preserved and protected for nature conservation, landscape/scenic quality, biodiversity and habitat values, in particular the protection of the Southern Cassowary and its habitat and to ensure the integrity of natural processes.</p> <p>DEO 3: Natural waterways such as the Daintree River, the Mossman River, the Mowbray River and Dickson Inlet, all wetlands but particularly those on the Directory of Wetlands of Importance in Australia, being the Lower Daintree River, Alexandra Bay and the Hilda Creek Headwater; and all catchments located in the coastal areas within the Shire, are managed to protect their ecological processes, enhance water quality, conserve riparian ecological values and landscape/scenic quality, while acknowledging nature based recreation opportunities.</p> <p>DEO 4: The unique environmental character of the Shire comprised of internationally renowned landscapes, ecologically significant rainforest systems, sensitive coastal systems and areas of unsurpassed natural beauty, are maintained in association with sustainable development practices, which seek to minimise the effects of development on the natural environment.</p>	<p>DEO 1 – 4 Response: The proposal will not impact on the environmental values of the shire as nominated in DEOs 1 – 4.</p>

(2) Economic Development

Desired Environmental Outcome	Applicant's response
<p>DEO 5: A prosperous community with a strong rural sector, a dynamic tourism industry and commercial and industrial activities offering a diverse range of employment opportunities is supported by the sustainable use and management of the natural resources of the Shire.</p> <p>DEO 6: The natural resources of the Shire, such as GQAL, extractive resources, water and forestry resources, are protected and managed in a manner that ensures their ecological and economic values are assured for present and future generations.</p> <p>DEO 7: The values of the Shire are protected by a preferred pattern of development through identifying GQAL which sustains productive primary industries, particularly sugar, horticulture and cattle grazing industries, and consolidates growth and employment opportunities, primarily in the identified locations of Mossman and Port Douglas.</p> <p>DEO 8: The economic development of the Shire is facilitated by the provision of physical infrastructure which complements the conservation economy of the Shire with 82% of its lands within the WTWHA in an efficient, equitable and environmentally safe manner, as well as circulation networks which provide for the efficient movement of people and goods, without compromising the Captain Cook Highway as the scenic entry corridor to the Shire.</p>	<p>DEO 5 – 8 response The proposal supports the achievement of DEO5 by (in a small way) diversifying employment opportunities and supporting the community and tourism industry.</p> <p>DEO 6 and DEO 7 are not relevant to the development application.</p> <p>The development supports achievement of the relevant parts of DEO 8.</p>

(3) Cultural, Economic, Physical and Social Well-being of the Community

Desired Environmental Outcome	Applicant's response
<p>DEO 9: Places of cultural and heritage significance, both Indigenous and European, are identified, protected and retained for their significance and importance to the history and identity of the Shire.</p> <p>DEO 10: A range of housing options, which provide a high standard of living and a variety of different residential lifestyle opportunities, are available in the Shire and are provided in a sustainable manner with regard to the environment, including its people and communities and the provision of services and facilities.</p> <p>DEO 11: The distinctive character and unique sense of place of the towns, villages and other settlement areas in the Shire including the Daintree Lowlands Community are maintained, promoting community pride and well-being and community safety and prosperity.</p> <p>DEO 12: Residential communities, particularly within the major tourism areas of Port Douglas, Daintree Village and the Daintree Lowlands maintain a prosperous economy, a sense of community with the natural features, character of those areas and community values and cohesion, promoting harmony between residents and visitors.</p>	<p>DEO 9 – 12 response: DEOs 9 – 11 are not relevant to the development application.</p> <p>The development supports achievement of the relevant parts of DEO 12.</p>

Collectively, no issue is raised with compliance with the DEOs contained within the planning scheme.

Overall Outcomes for Localities

The land is included within the Port Douglas and Environs Locality.

The proposed use is considered to be generally consistent with the overall outcomes of the locality code, as outlined below:

- The land use provides convenience retail and food services in a location that will assist in meeting the needs of tourists and travelers along the Captain Cook Highway and is therefore consistent with consolidating accommodation and tourist service centre activities in Port Douglas;

- The enhanced design will enrich the visual quality of the building and will provide interesting shading elements and therefore is consistent with ensuring that development complements the tropical image of the town by incorporating attractive design and architectural features.

The land is also part of Special Management Area 3 (SMA) Craiglie – Service Industry Precinct. The SMA is mentioned within the Code that is part of the Port Douglas and Environs Locality Code, as follows:

P29 Development within the Craiglie Service Industry Precinct supports the tourism and marine industries in Port Douglas.

The associated Acceptable Solution states:

A29 Only Service Industry uses are located in the Service Industry Precincts (Craiglie).

AND

The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the tourism or marine industry in Port Douglas.

The background to this code requirement in the planning scheme has never been fully understood and as a consequence, it has never been rigorously applied. To do so would limit a vast range of development opportunities in this part of the Shire and this considered not to be in the community's best interest.

Specific Outcomes for Areas affected by an Overlay

The subject land is affected by the Acid Sulfate Soils Overlay.

(i) The Acid Sulfate Soils Overlay

The purpose of this Code is to ensure that development which occurs on a site containing or potentially containing acid sulfate soils is undertaken so that the potential risks associated with disturbing Acid Sulfate Soils are addressed. As no earthworks are proposed, the code is of little relevance.

Specific Outcomes for Planning Areas

The land is included within the Industry Planning Area. The purpose of the Industry Planning Area Code is to:

- provide for the establishment of Industry Class A and Industry Class B and Service Industry on appropriate land with regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;
- ensure Industry achieves appropriate environmental standards;
- ensure that industry buildings have a high standard of layout and building design that provides an efficient, safe and attractive working environment;
- ensure that Industry Class A and Industry Class B and Service Industry do not adversely impact on surrounding land uses and setback areas provide landscaped buffers to adjacent incompatible land uses;
- ensure that landscaping provides an attractive streetscape and screens utility, storage and car parking from the street; and

- ensure that industrial land uses are protected from the encroachment of incompatible land use activities.

Individual planning areas with a planning scheme only deal with land use on a very broad basis. It is rare to find any planning area which consists purely of a single range of uses. As such the Industry Planning Area at Craiglie includes a range of uses that do not exactly fit with the intention of an Industrial Planning Area. For example, the Service Station use on the adjoining land operated as a traditional service station consisting of the sale of fuel and offering a mechanical servicing and repair business. The recently redeveloped service station has moved away from the traditional service station use into a much broader convenience retail operation. Similarly, up until recently the premises to the immediate south operated as a seafood sales and take-away food outlet, with outdoor dining.

The building subject to this current application, while being separate from the service station, operates as integrated development sharing access (ingress and egress), car parking and manoeuvring areas. Given the mixing of the site for general public use, it is probably no longer desirable for the building to function as industrial premises for safety reasons.

Furthermore, given the restriction on the size of the proposed development (482m² NLA), the use of the premises as proposed, will not impact on the carefully planned hierarchy of retailing established in Douglas Shire. In the circumstances, an alternative land use for this specific building is considered to be a reasonable and practical alternative outcome.

Performance Criteria and associated Acceptable Solutions

The following table addresses the applicability of each code within the planning scheme and the specific performance criteria and acceptable solutions contained within those codes. The dialogue following the table addresses specific areas of issue and/or non-compliance with the codes.

Compliance Issues

Douglas Shire Port Douglas and Environs Planning Locality		Code Applicability	Compliance
Defined Use	Restaurant - Existing Building , Shopping Facility - Existing Building		
Overlay Codes	Acid Sulfate Soils Code	✓	Complies
	Cultural Heritage and Valuable Sites Code	✗	n/a
	Natural Hazards Code	✗	n/a
General Codes	Design and Siting of Advertising Devices Code	✓	Condition to comply.
	Filling and Excavation Code	✗	n/a
	Landscaping Code	✓	Can comply.
	Natural Areas and Scenic Amenity Code	✗	n/a
	Reconfiguring a Lot Code	✗	n/a
	Vehicle Parking and Access Code	✓	Complies
	Sustainable Development Code	✗	n/a

Issues

Car parking

Additional car parking is required to be provided to the premises. The plans show a total of 19 spaces. The planning scheme requires 20, based on a NLA of 482m². A condition has been applied accordingly.

Upgrading of the building's appearance

It is critical that the proposed upgrading of the external appearance of the building and landscaping be undertaken prior to commencement of use of the rear tenancy. The original building has been designed as a warehouse presents a blank façade out toward the service station with little in the way of pedestrian walkways/shelter. The improvement shown in the drawings will make the development much more pedestrian friendly and will significantly improve the appearance of the building. A condition has been applied accordingly.

Public Notification / Submissions

The application was publicly notified with no submissions be received in response.

ADOPTED INFRASTRUCTURE CHARGES

The proposed development triggers Adopted Infrastructure Charges. Refer to Appendix 3 to view calculations.

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

- Attachment 1 – Approved Plan(s) & Document(s)
- Attachment 2 – Referral Agency Conditions & Requirements
- Attachment 3 – Infrastructure Charges Notice



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AREA ANALYSIS

BAKERY AREA	155 m ²
CAFE AREA	90 m ²
AMENITIES	24 m ²
TOTAL INTERNAL AREA	269 m ²
ALFRESCO AREAS	60 m ²

CAR PARKING REQUIREMENTS

BAKERY AREA	1 SPACE PER 2 STAFF	2 SPACES
CAFE & ALFRESCO AREAS (150 m ²)	1 SPACE PER 25 m ²	6 SPACES
TOTAL		8 SPACES

NOTE : INCLUDES 1 PWD CAR SPACE

11.11

ADJOINING SERVICE STATION SITE



EXISTING MELALEUCAS
TO BE REMOVED

LINES INDICATE POSSIBLE
FUTURE CAR PARK EXPANSION

EXISTING MELALEUCAS
TO REMAIN

67°52'30" 82.53

2 CAR PARKING SPACES
TO BE RELOCATED
TO NEW CAR PARK

EXISTING DRIVEWAY

LINE OF NEW
ROOF OVER

47.526

EXISTING CAR PARK



6.293

CAPTAIN COOK HWY

144°40'35"

24.747

EXISTING GARDEN

EXISTING DRIVEWAY

EXISTING CAR PARK

6

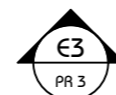
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8

9

SEWER

247°53'10" 89.616



SITE PLAN

SCALE 1:250 @ A3

PROPOSED NEW BAKERY CAFE - (LOT 58) 5961 CAPTAIN COOK HWY, CRAIGLIE

PR 1

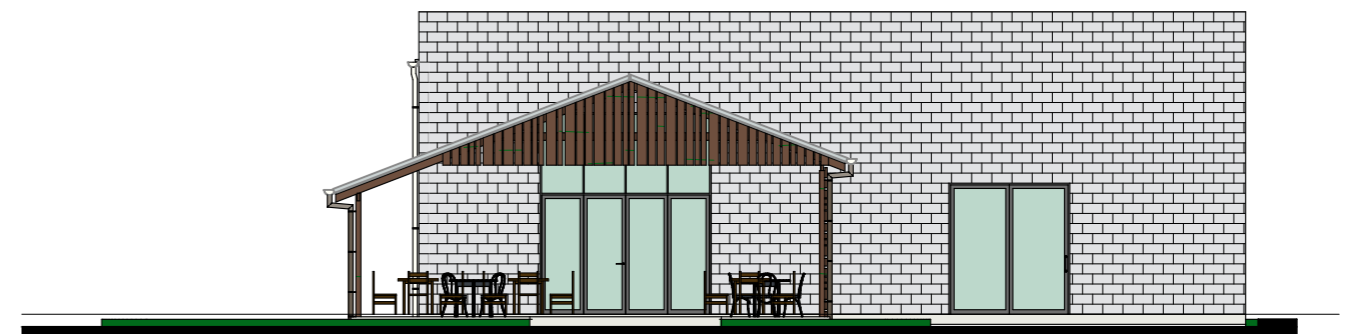
30/06/15 P2

Conceptual
Studies By
hunt
DESIGN

FOR URBAN AND REGIONAL PLANNING

$$\dot{I} \in \mathbb{A} \quad \dot{A} \in \mathbb{A}$$


PR 1



PR 1

PR 1



PR 1

SCALE 1:150 @ A3

PR 3

30/06/15 P2



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0915-024147

Your reference: MCUI 1005/2015

21 October 2015

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

Dear Sir / Madam

Concurrence agency response—with conditions

Development Permit for Material Change of Use (Restaurant and Shopping Facilities)

5961R Davidson Street, Craiglie, described as Lot 58 on C22511

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 15 September 2015 and was properly referred on 29 September 2015.

Applicant details

Applicant name:	Yenor Pty Ltd
Applicant contact details:	c/- Projex Partners PO Box 2133 Cairns QLD 4870 peterrobinson@projexpartners.com.au

Site details

Street address:	5961R Davidson Street, Craiglie, QLD
Lot on plan:	58 on C22511
Local government area:	Douglas Shire

Application details

Proposed development:	Development Permit for Material Change of Use (Restaurant and Shopping Facilities)
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Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Restaurant (other than Bar and Grill, drive through food outlet and fast food outlet), Shopping Facility (providing convenience shopping for the local community, travellers and tourists)	Impact Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger	Schedule 7 Table 3 Item 1
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Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Site Plan – Proposed New Bakery Café (Lot 58)	Hunt Design	30/06/15	PR1	-
TMR Layout Plan (20A – 59.50km)	Queensland Government Transport and Main Roads	12/10/2015	275/20A (500-189)	A

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

For further information, please contact Brett Nancarrow, Principal Planning Officer, SARA Far North QLD on 4037 3229, or email brett.nancarrow@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Robin Clark

Robin Clark
Manager (Planning)

cc: Yenor Pty Ltd, peterrobinson@projexpartners.com.au
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

Your reference:

No.	Conditions	Condition timing
Schedule 7 Table 3 Item 1—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
In accordance with approved plans		
1	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Site Plan – Proposed New Bakery Café (Lot 58) prepared by Hunt Design, dated 30/06/15, PR1. • TMR Layout Plan (20A – 59.50km) prepared by Queensland Government Transport and Main Roads dated 12/10/2015, Ref: 275/20A (500-189), Issue A. 	At all times.
Location of the direct vehicular access to the state-controlled road		
2	Direct access is not permitted between the Captain Cook Highway and the subject site at any location other than the permitted road access location (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained).	At all times.
3	The permitted road access location, (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained), is to be located generally in accordance with TMR Layout Plan (20A – 59.50km) prepared by Queensland Government Transport and Main Roads dated 12/10/2015, Red:275/20A (500-189). Issue A.	At all times.
Stormwater and Drainage impacts on the state-controlled road		
4	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ol style="list-style-type: none"> create any new discharge points for stormwater runoff onto the state-controlled road; interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; surcharge any existing culvert or drain on the state-controlled road; reduce the quality of stormwater discharge onto the state-controlled road. 	(a) and (b): At all times.

Our reference: SDA-0915-024147

Your reference:

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor.
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.

Our reference: SDA-0915-024147

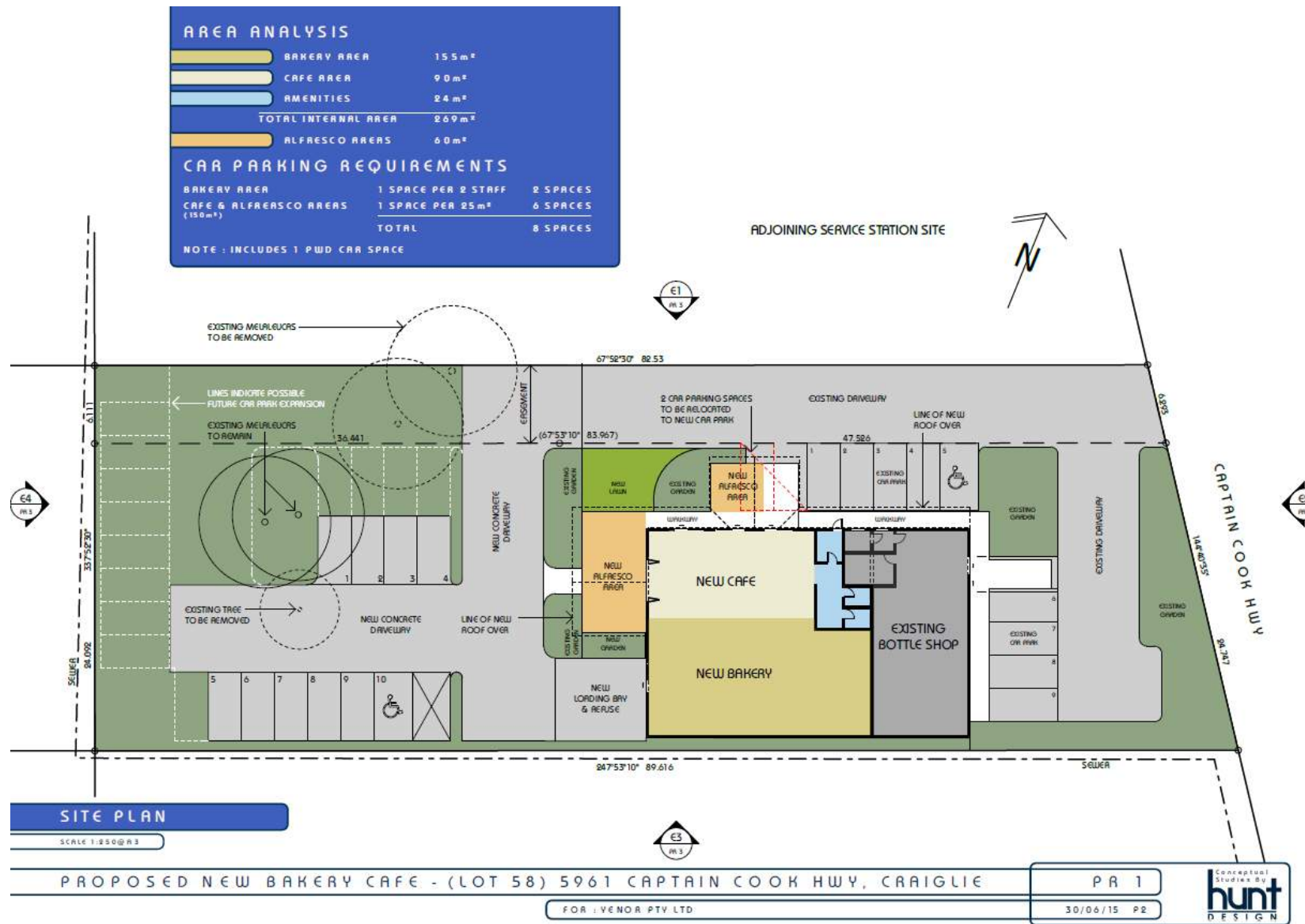
Your reference:

Attachment 3—Further advice

General advice	
Advertising Device	
1.	<p>A local government should obtain Department of Transport and Main Roads advice if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: Department of Transport and Main Roads has powers under section 111 of the <i>Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005</i> to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>
Advice for State-Controlled Roads	
2.	All loading and unloading associated with the development must not be carried out within the state-controlled road reserve (Captain Cook Highway).
3.	The applicant must ensure there is sufficient onsite car parking without the reliance on parking in the state-controlled road reserve (Captain Cook Highway).
Further development permits, compliance permits or compliance certificates	
4.	<p>Under section 62 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to lawfully operate, construct, maintain and carry out road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads on 4045 7144 at the Cairns district office to make an application for approval under section 62.</p> <p>The road access approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining an access approval is not delayed.</p>

Our reference: SDA-0915-024147
Your reference:

Attachment 4—Approved plans and specifications







Yenor Pty Ltd		N/A		0	
DEVELOPERS NAME		ESTATE NAME		STAGE	
Davidson Street		Craiglie		120	
STREET No. & NAME		SUBURB		LOT & RP No.s	
MCUI		1005/2015		31-Mar-15	
DEVELOPMENT TYPE		COUNCIL FILE		VALIDITY PERIOD (years)	
767406		1			
DSC Reference Doc . No.		VERSION No.			

TOTAL	\$51,499.80
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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