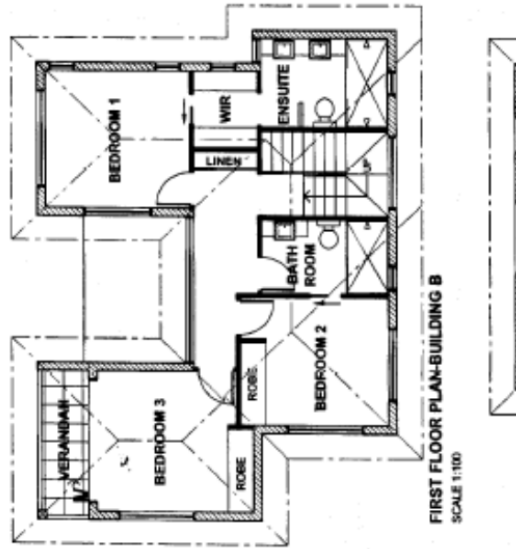
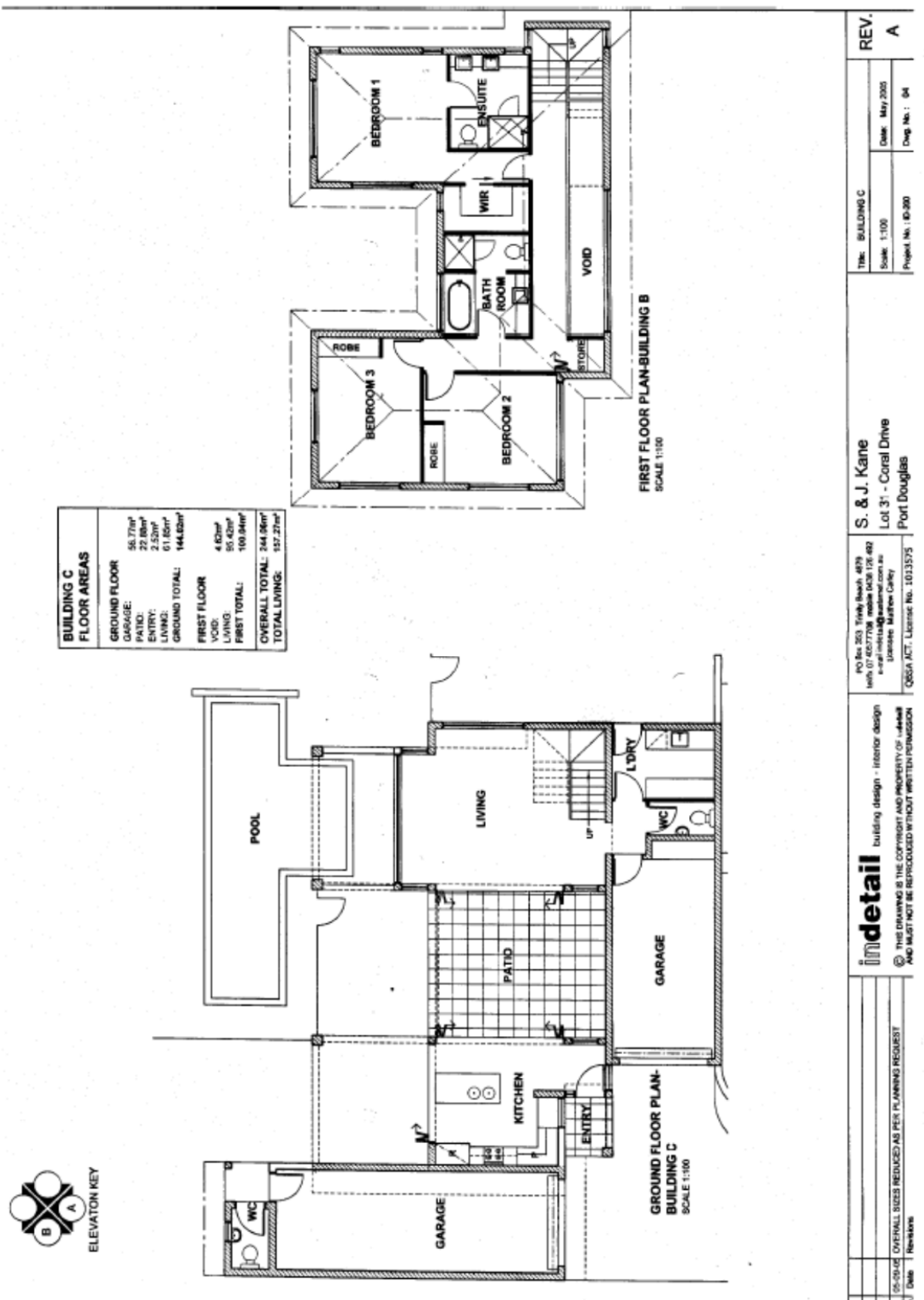
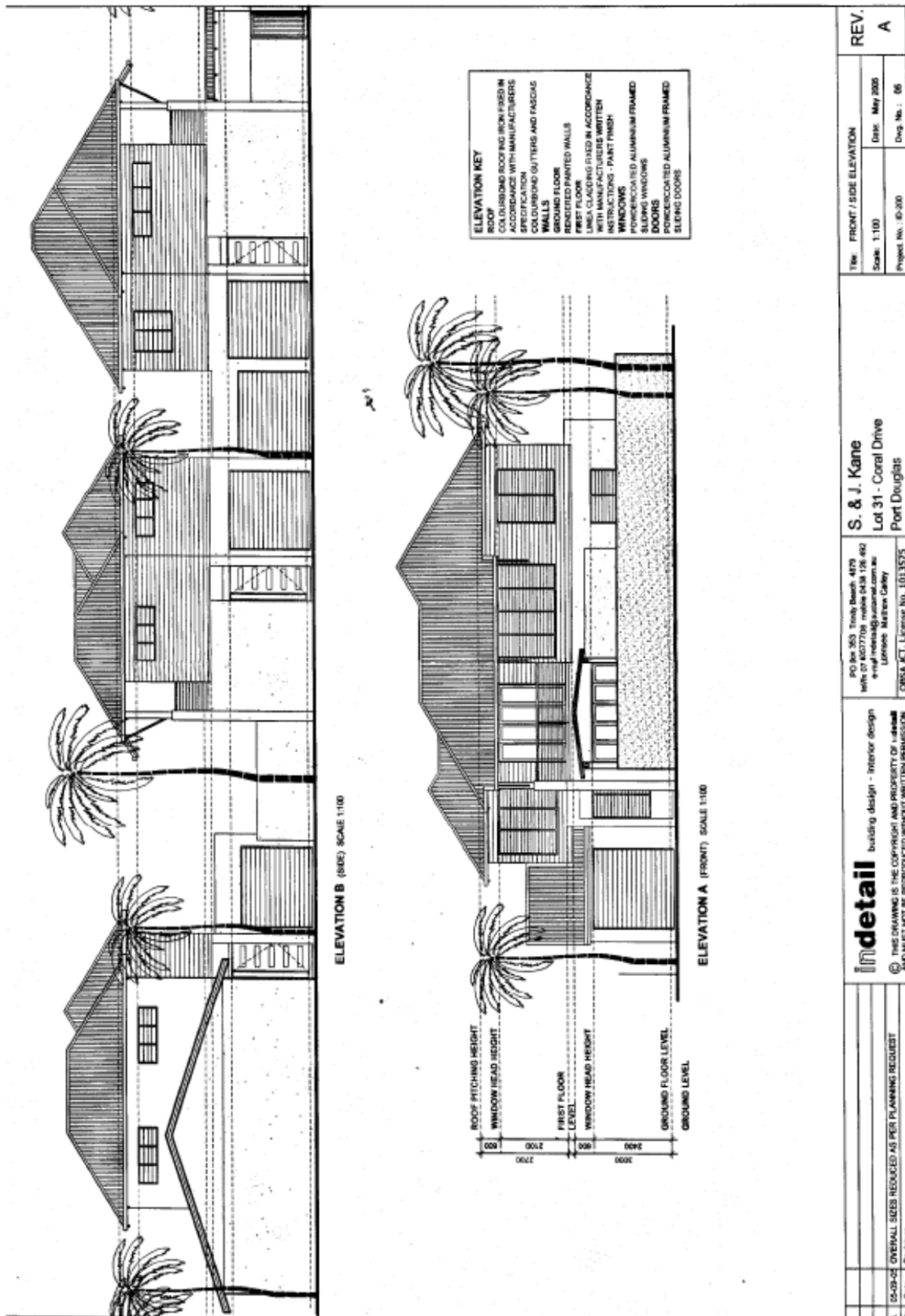


| BUILDING B<br>FLOOR AREAS |                      |
|---------------------------|----------------------|
| GROUND FLOOR              | 44.32m <sup>2</sup>  |
| GARAGE                    | 14.40m <sup>2</sup>  |
| PATIO                     | 2.94m <sup>2</sup>   |
| ENTRY                     | 55.38m <sup>2</sup>  |
| LIVING                    | 116.84m <sup>2</sup> |
| GROUND TOTAL              | 116.84m <sup>2</sup> |
| FIRST FLOOR               | 4.50m <sup>2</sup>   |
| VERANDAH                  | 14.50m <sup>2</sup>  |
| LIVING                    | 73.89m <sup>2</sup>  |
| FIRST TOTAL               | 73.89m <sup>2</sup>  |
| OVERALL TOTAL             | 190.44m <sup>2</sup> |
| TOTAL LIVING              | 129.42m <sup>2</sup> |



|   |   |  |  |                    |                |
|---|---|--|--|--------------------|----------------|
| 05-09-08 OVERALL SIZES REDUCED AS PER PLANNING REQUEST<br>Revisions | <b>indetail</b><br>building design - interior design<br>© THIS DRAWING IS THE COPYRIGHT AND PROPERTY OF indetail<br>AND MUST NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION | PO Box 303 Trinity Beach 4873<br>Mobile 07 4077708 mobile 0438 125 492<br>e-mail <a href="mailto:Feedback@indetail.com.au">Feedback@indetail.com.au</a><br>Lynette Mathew Casey<br>QMSA ACT, License No. 1013375 | S. & J. Kane<br>Lot 31 - Coral Drive<br>Port Douglas | Title: BUILDING B  |                |
|   |   |  |  | Scale: 1:100       | Date: May 2002 |
|   |   |  |  | Project No.: B-300 | Draw. No.: 00  |
|   |   |  |  |                    |                |





[illegible]

## APPENDIX 2: APPLICANT'S SUPPORTING REASONS



**Charles O'Neill Surveyors & Planners**

Chief Executive Office  
Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

Attention: Development Assessment - J. Elphinstone

Our Ref: 30702-01  
Your Ref: TPC 1215 (CRC Ref: 8/38/2)

2 June 2014

Dear Jenny,

**RE: REQUEST TO EXTEND CURRENCY PERIOD OF DEVELOPMENT APPROVAL - TPC 1215  
MATERIAL CHANGE OF USE - MULTIPLE DWELLINGS  
23 CORAL DRIVE, PORT DOUGLAS - LOT 31 ON RP734536**

I refer to the above approval which was originally conveyed by Council's Decision Notice of 6<sup>th</sup> June 2006 and Council's further Decision Notice of 8 July 2010 providing an extension of the currency period and advise that we act for S. & J. Kane Enterprises Pty Ltd and herein request the Assessment Manager to extend to the relevant period of that Decision Notice for an additional four (4) years, pursuant to the provisions of Section 383 of the Sustainable Planning Act 2009.

Pursuant to Section 383(3a) of the Sustainable Planning Act, we enclose IDAS Form - Request to change an existing approval template, duly completed, including the land owner's consent as required by Section 383(3d) of the Sustainable Planning Act. We also enclose our client's cheque for \$1,109.50 being for the applicable fee for this request.

The Development Approval for which this request relates to is a Development Application that was lodged in 2005 for the re-development of a site containing three (3), existing Council approved dwellings into three (3), three (3) bedroom units. The subject application was made under the now superseded, 1996 Planning Scheme.

Circumstances outside the applicant's control, including the onset of the Global Financial Crisis (GFC) have prevented the development being completed within the currency period. As a result of the GFC, residential development in Far North Queensland as a region, including Port Douglas became a high risk ventures to all lending institutions. The global downturn and the corporate banking attitude sustained a futile attitude to financing such development programs

We ask Council to consider the merits of this approval when accessing the request to extend the currency period.

1. The approval is for the re-development of the site containing three (3) existing, Council approved dwellings. The re-development of the site would not result in a net increase of dwellings on the subject land.

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25 Grafton Street  
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ABN 55 156 210 052  
trading as Charles O'Neill  
Surveyors and Planners.



|                       |              |
|-----------------------|--------------|
| DOUGLAS SHIRE COUNCIL |              |
| Received              |              |
| File Name             | MCU1227/2014 |
| Document No           |              |
| - 3 JUN 2014          |              |
| Attention             | JE orig ✓    |
| Information           |              |



2. The subject property already attracts rate charges for three (3) dwellings
3. The approved development is consistent with existing residential developments in Coral Drive. This is evident when viewing the plot ratios of nearby residential developments located at 10-12, 13-15, 14 & 16 Coral Drive.
4. The re-development will provide modern, high quality dwellings that will complement the streetscape of Coral Drive.
5. The re-development will stimulate the local building industry with flow on effects for the local economy.

The applicant acknowledges that during the assessment of this request, Council must have regard to Section 388 of the Sustainable Planning Act. As indicated below;

**388 Deciding request**

- (1) In deciding a request under section 383, the assessment manager must only have regard to—
- (a) the consistency of the approval, including its conditions, with the current laws and policies applying to the development, including, for example, the amount and type of infrastructure contributions, or charges payable under chapter 8, part 1; 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 given under section 385

The matters to be considered by Council when deciding the request are addressed in further detail below.

**The consistency of the approval with the current laws and policies.**

The Development Approval for which this request relates is to a Development Application that was lodged in 2005 for the development of three (3), three (3) bedroom units. The subject application was made under the now superseded, 1996 Planning Scheme. The 1996 Planning Scheme depicted the land to within the Residential Zone having a Medium Density designation. The current Scheme includes the land in the Port Douglas and Environs locality in the Residential 1 Planning Area with a Low Scale Plot Ratio.

The approved development achieves significant compliance with the current planning scheme in that the current scheme still permits the site to be developed for Multiple Dwellings (Residential). It is considered that the conditions previously imposed would be appropriate to the proposed development should it be approved today.



The communities awareness of the development approval

The development application that was made in 2005 was for impact assessable development, requiring public notification. There were no submissions made against the development application.

In receiving no submissions, suggests that the proposed development did not cause concern for the community as;

1. The proposal was for the re-development with no net increase in dwellings onsite;
2. The proposal was consistent with surrounding residential development on Coral Drive; and
3. The proposal would result in a high quality development that compliments the streetscape of Coral Drive

It is expected that granting of the extension of currency period would be generally accepted by the community now.

Further rights to make a submission may be available for a further development application and the likely extent to which those rights will be exercised

As indicated above, it is expected that a development approval made today would not attract any submissions as per the original application made to Council.

The views of any concurrence agency

Not applicable to this request as there were no concurrence agencies identified as part of the original application.

We consider the above request to be reasonable in the circumstances and reflecting realistic market and development considerations of the land owner, as outlined above. In particular, I would like to emphasise that the approval is for the re-development of site with no net increase in dwellings. In these circumstances, we consider that an extension of four (4) years is warranted.

Should you require any additional information or would like to discuss this matter further, please contact the undersigned.

Yours faithfully

**Michael Tessaro**  
Planner

Bc: S. & J. Kane Enterprises Pty Ltd  
Enc: Request to change existing approval template;  
Cheque - \$1109.50