

5.2. 69-73 MURPHY ST, PT DOUGLAS, MULTIPLE DWELLINGS REQUEST TO EXTEND APPROVAL

REPORT AUTHOR(S)	Jenny Elphinstone, Senior Planning Officer
GENERAL MANAGER	Nick Wellwood, General Manager Operations
DEPARTMENT	Development Assessment and Coordination
PROPOSAL	Request Extension to Relevant Period for the Material Change of Use (Impact Assessment) Multiple Dwellings- Residential
APPLICANT	R W Allen C/- MiCorp Property PO Box 7777 CAIRNS QLD 4870
LOCATION OF SITE	69 & 71-73 Murphy Street, Port Douglas
PROPERTY	Lot 516 on PTD PLN 2094 and Lot 2 on RP724386

LOCALITY PLAN



Figure 2 - Locality Plan

LOCALITY	Port Douglas and Environs
PLANNING AREA	Residential 1
PLANNING SCHEME	Douglas Shire Planning Scheme 1996
STRATEGIC PLAN	Urban
DCP	DCP 2 Port Douglas, Low Density Residential & Special Area Of Flagstaff Hill (Note the adjacent Esplanade Road is included in an Open Space designation.)
REGULATORY MAP	Land is included in the 7.2.1 Area and included in the Low Density Area
ZONE	Residential B
REFERRAL AGENCIES	None currently applicable
NUMBER OF SUBMITTERS	24 Submissions to the original application
STATUTORY ASSESSMENT DEADLINE	13 February 2017
APPLICATION DATE	22 December 2016 (Request to extend).

RECOMMENDATION

That Council approves the request for a two (2) year extension to the relevant period for the Development Approval for a Material Change of Use for Multiple Dwellings-Residential, over land described as Lot 516 on PTD PLN 2094 and Lot 2 on RP724386, located at 69 and 71-73 Murphy Street, Port Douglas, in accordance to the judgement dated 4 February 2013 for Planning and Environment Appeal 110 of 2011 held at Cairns and subject to the following:

A. The Applicant is advised that:

1. An Infrastructure Charges Notice is issued in respect to the development and requested extension in accordance with the *Sustainable Planning Act 2009*; and
2. The 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 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.

EXECUTIVE SUMMARY

Approval issued by the Planning and Environment Court for the development of a former quarry for six Multiple Dwellings (Residential). The approval was for land uses under the superseded 1996 planning scheme. The approval is due to expire four years from 4 February 2013. Request has been made by the land owner for a two year extension to the relevant period. SPA gives ability to Council to consider the request for an extension despite the approval having issued by the Court. In considering the request to extend Council is unable to amend conditions of the approval. The request is considered respective to the approval including the conditions against current planning requirements. The current scheme does not support the proposed use, being an impact assessable (inconsistent) use. However, should an application be lodged the development could be supported and considered sustainable having regard to SPA, as the conflict with the scheme is justified on planning merit. The proposed planning scheme recognises the nuances of the land and the need for suitable development in order to mitigate risk of landslide hazard. The development once constructed will stabilise and retain Murphy Street above the land. The report supports the request for a two year extension to the approval.

TOWN PLANNING CONSIDERATIONS

Background

Cairns Regional Council approved a request for assessment of a development application for a material change of use for Multiple Dwellings – Residential under the 1996 Planning Scheme. This decision meant that the subsequent application assessment was limited only to the 1996 (superseded) planning scheme. The development application was supported by the Cairns Regional Council and a Decision Notice to approve subject to conditions was determined and issued by the Iconic Places Panel. A neighbour appealed the decision and a Court Judgement released by consent of the parties with amended conditions. A copy of the Judgement is included in Attachment 1.

Since the issue of the approval the ability to apply for superseded scheme applications respective to the 1996 Planning Scheme has lapsed. Council adopted a draft major

amendment to the Planning Scheme that was exhibited in 2016. The land owner has lodged a submission supporting the proposed scheme amendment.

Proposal

The development Approval has a relevant period of Four (4) years that is due to expire on 4 February 2017. The Applicant has requested a two (2) year extension.

Planning Considerations

Sustainable Planning Act 2009

Section 388 of the Sustainable Planning Act 2009 provides the basis for the assessment of requests for extension of the relevant period.

In deciding a request, the assessment manager must 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 infrastructure charges payable under an infrastructure charges schedule; 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.*

(a) Consistency of the approval with current requirements.

State Matters

The land is in an urban area identified by the Regional Plan. The development is consistent with the State requirements. There has been no relevant change to the State Planning Policy since this issue of the Negotiated Decision Notice.

Douglas Shire Planning Scheme Assessment

The Planning Scheme has changed since the issue of the Approval.

The current 2006 Planning Scheme states the use is impact assessable (inconsistent) and is not supported by the Scheme. However, the draft exhibited Scheme identifies the site, acknowledges its individuality and difference from others fronting Murphy Street and has zoned the land Tourist Accommodation. Under the proposed draft scheme the use will be code assessable development, and an expected and anticipated land use. An assessment against the proposed draft scheme is tabled as follows.

Douglas Shire		Code Applicability	Compliance
Zone	Tourist Accommodation	✓	Meets acceptable solutions or adequately addressed through conditions.
Local Plan	Sub-precinct	X	-
Defined Use	Multiple dwelling	✓	Adequately addressed through conditions.
Overlay Codes	Acid Sulfate Soils Overlay	✓	While mapped, considered satisfactory due to nature of previous quarrying activity.
	Bushfire Hazard Overlay	✓	Part Potential Impact Buffer. Inappropriate mapping given specific urban location and form of development.
	Coastal Processes Overlay	✓	Coastal Zone. Complies through conditions.
	Dwelling House Overlay	X	-
	Flood and Storm Tide Inundation Overlay	X	-
	Hill Slopes Overlay	✓	Part of premises affected by hill slopes. Satisfactory through conditions.
	Landscape Values Overlay	✓	Part Scenic route buffer/ view corridor, part coastal scenery. Satisfactory through conditions.
	Natural Areas Overlay	X	-
	Places of Significance Overlay	✓	Flagstaff Hill. Satisfactory through conditions.
	Potential Landslide Hazard Overlay	✓	Potential Landslide hazard. Satisfactorily addressed through design and conditions.
	Transport Network (Pedestrian and Cycle) Overlay	X	-
	Transport Network (Road Hierarchy) Overlay	✓	Murphy Street – Access Road, Esplanade – not rated. Satisfactory through conditions.
	Transport Network (Transport Noise Corridors) Overlay	X	-
Other Codes	Access, Parking and Servicing Code	✓	Complies
	Advertising Devices Code	X	-
	Environmental Performance Code	x	-
	Filling and Excavation Code	✓	Complies through conditions.
	Infrastructure Works code	✓	Complies through conditions.
	Landscaping Code	✓	Complies through conditions.

	Reconfiguring a Lot Code	X	-
	Ship-sourced Pollutants Reception Facilities in Marinas code	X	-
	Vegetation Management Code	✓	Complies through conditions.

Compliance Issues

None.

The development was designed with the following inherent outcomes:

- a. to stabilise the back face of the former quarry and mitigate further erosion of the public road, Murphy Street; and
- b. to provide a suitable infill have respect to the height and outlooks of surrounding developments.

The current approval underwent a public notification process and submitter (neighbour) court appeal through which the specific needs of both the site and neighbouring developments were considered. The conditions of the consent approval reflect the technical requirements of the Planning Schemes (both the 1996 and proposed 2017 scheme) and the amenity for neighbouring residents. Lodgement of an application under the proposed scheme would produce a similar set of conditions.

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

There is no signage on the land regarding the development proposal. The use is impact assessable in the current scheme and public notification would be required. However, development under the proposed scheme would be code assessable and no public notification would be required. Enquiries with Council or review of the Scheme would identify this level of assessment and that no public notification could be expected to occur.

(c) Further rights for submissions and extent rights are exercised.

Under the current scheme the development is impact assessable (inconsistent) land use and an application would undergo assessment against the whole of the Scheme and undergo public notification. The instability of the former quarry face and subsequent risk to the hill area above, including Council road, are such that give merit to the form and land use proposed. There is benefit to the community in this instance and it is unlikely that a planning refusal based on a limited argument of not supporting an impact inconsistent use is sustainable in these circumstances. The current development has already undergone thorough examination and assessment of impact on the amenity of neighbouring land and the conditions of the approval reflect these needs.

The proposed draft scheme reflects the nuances of the land in the proposed Tourist Accommodation Zoning. Under the proposed draft scheme the level of assessment reduces in the proposed scheme to code assessable there will be no further rights to make a submission. The land is included in the Tourist Accommodation Zone in the

proposed Scheme and therefore it is anticipated that Multiple Dwellings will be developed on the land.

(d) Concurrence agency consideration.

There is no applicable concurrence agency.

ADOPTED INFRASTRUCTURE CHARGES

The original request for superseded scheme assessment was lodged and assessed against the *Integrated Planning Act 1997 (IPA)*. The subsequent development application was lodged under IPA and determined under the transitional provisions and the Court appeal provisions of SPA. Conditions of the consent judgment require the payment of developer contributions for water supply and wastewater contributions with no credit available for the vacant land, as per the Council's Developer Contributions Policy relevant at the time. SPA provides the ability to continue to apply these conditions.

Under the current regime of Adopted Infrastructure Charges credit applies for existing vacant lots. Refer to Attachment 2 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

1. Planning and Environment Court (Cairns) Appeal 110 of 2011 Consent Judgement dated 4 February 2013. **[5.2.1]**
2. Infrastructure Charges Notice **[5.2.2]**

In the Planning and Environment Court
Held at: Cairns

Number 110 of 2011

Between:

Jonathon Long

Appellant

And

State of Queensland – Douglas Iconic Panel

Respondent

And

Brandwill Holdings Pty Ltd ACN 106 063 432 and Roger Allen

First Co-Respondent

And

Cairns Regional Council

Second Co-Respondent

JUDGMENT

Before: His Honour Judge Everson

Date of hearing: 4 February 2013

Date of judgment/order: 4 February 2013

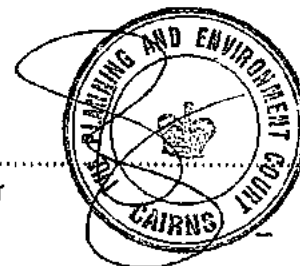
IT IS ADJUDGED BY CONSENT THAT:

1. The appeal be allowed in part, and that the development application for preliminary approval to override a superseded planning scheme and a development permit for material change of use for six multiple dwellings (residential) (impact assessable) on land described as Lot 2 on RP724386 and Lot 516 on PTD2094, located at 69-71 Murphy Street, Port Douglas be approved subject to the conditions of approval contained in the schedule constituting pages 2 - 15 of this order.

Filed on - 4 FEB 2013

Filed by: Miller Harris Lawyers
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Registrar



Judgment / Order

Filed on behalf of the Appellant
Form No. PEC-7

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SCHEDULE

This is a preliminary approval overriding the superseded planning scheme and a development permit for a material change of use for six (6) multiple dwellings (residential) (impact assessment) on land at 69-71 Murphy Street, Port Douglas, more particularly described as Lot 515 on PTD2094 and Lot 2 on RP724386.

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	Plot Date
Site and Development Plans	Wolveridge Architects P01 Site Context revision F as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P02 Basement Plan revision G as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P03 Lower Ground Floor Plan revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P04 Upper Ground Floor Plan revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P05 Elevations revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P06 Elevations revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P07 Sections revision G as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P08 Section A1 revision C as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P09 Sections revision G as amended by these	31.08.2012

	conditions of approval	
	Wolveridge Architects P10 Sections revision B as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P11 GFA Lower Ground revision D as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P12 GFA Upper Ground revision D as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P13 Site Coverage revision C as amended by these conditions of approval	31.08.2012
Geotechnical Reports	Joint Expert Report on Geotechnical Issues No. 1 as amended by these conditions of approval	13 July 2012
	Joint Expert Report on Geotechnical Issues No. 2 as amended by these conditions of approval	11 October 2012
Landscaping Plan	To be determined as per these conditions of approval	To be determined as per these conditions of approval

Conditions of Approval

1. The applicant/owner must at all times during development of the subject land carry out the development and construction of any building thereon and conduct the approved use(s) generally in accordance with:
 - a. The plans, specifications, facts and circumstances as set out in the application submitted to Council and modified by the site and development plans listed in the table of approved drawings and/or documents and further amended in accordance with condition 3 of this approval; and
 - b. the following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual;

except as further 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.

Amended plans/drawings to be submitted

3. Amended plans and drawings are to be submitted to the Cairns Regional Council's Chief Executive Officer which are generally in accordance with the approved drawings and/or documents but with the following amendments:
 - a. Where not encumbered by the existing quarry face and where physically possible provide a six metre landscaped setback to the Esplanade;
 - b. A landscaped setback from the property boundary of at least 0.5 metres to the entire frontage of Murphy Street;
 - c. A reduction in the width and expanse of the driveway area on the land, to an area and turning path required by Australian Standard AS2890.1 2004 ;
 - d. Deletion of paving to Murphy Street;
 - e. Provision of fixed screens on balconies and windows to inhibit overlooking of habitable rooms on the neighbouring residential properties;
 - f. Nomination on the approved elevations of all external building finishes and colours, for approval by Council. The colours must be non-reflective and blend with the natural colours of the surrounding environment. Roofs and structures (including any Water Tanks) must be shades of green, grey, blue or brown;
 - g. any consequential amendments to the approved plans and drawings as a result of the Revised Geotechnical Report required by Condition 16. These amendments, must be clearly detailed and annotated by the applicant in amended plans for approval; and
 - h. any revised Landscaping Plan required by condition 30.

Details of the above amendments must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to issue of a Development Permit for Building Work.

Air-Conditioning Screens

4. The location of any air-conditioning units located above ground level and visible from external properties, Murphy Street or the Esplanade are to be identified and are to be screened with materials approved by Cairns Regional Council's Chief Executive Officer in order to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Lockable Storage

5. Provide each unit with a minimum of 2.5 m² (minimum five (5) m³ volume) of lockable storage space conveniently located with respect to car accommodation.

Limitations on Balcony Screening

6. Street frontage balconies are not to be screened by shutters, glazing, louvers or similar permanent structures to a greater extent than twenty-five per cent of their horizontal dimension.

Water Supply Contribution

7. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of water supply infrastructure.

Contributions must be paid at the rates applicable at the time of payment. On the present method of calculation, the contributions are \$32,411.06 (4.8 EDUs).

Payment is required prior to the Commencement of Use or application for a Certificate of Compliance for the approval and dating of the Building Format Plan, whichever occurs first.

Wastewater Contributions

8. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of sewerage infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$18,166.63 (4.8 EDUs).

Payment is required prior to the Commencement of Use or application for a Certificate of Compliance for the approval and dating of the Building Format Plan, whichever occurs first.

External Works

9. Undertake the following works external to the land at no cost to Council:

- a. Design and construct access to the site by either:

- i. the extension of the Esplanade Road;

OR

- ii. the road opening through Julian Park, in accordance with the requirements of Department of Natural Resources and Mines should it be approved.

The construction of the access to the site shall be to a standard of an access street standard in accordance with Council's FNQROC Development Manual. The applicant shall ensure there is adequate signage in accordance with Manual of Uniform Traffic Control Devices (MUTCD) and a turn around facility provided in accordance with the requirements outlined in Council's

Development Manual (FNQROC), unless authorised by the Cairns Regional Council's Chief Executive Officer.

- b. The Applicant shall make provision for the collection of refuse by a standard garbage truck in accordance with section D1.12 of FNQROC;
- c. Make good the kerb(s) at redundant crossover(s); and
- d. Upgrade the street lighting for the road providing access to the site to comply with requirement of the FNQROC Development Manual.

The external works outlined above require Operational Works approval from Council. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Cairns Regional Council's Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Street Lighting

- 10. All electricity lines along the Esplanade frontage of the subject site are to be placed underground. Such works are to be undertaken by Ergon Energy or an Ergon Energy approved contractor at the applicant's expense.

Street lighting along the Esplanade frontage is to be upgraded to the applicable Lighting Category and lighting columns are to be of steel construction. Note street lighting along any access road to the development contained within a road reserve.

Ergon Energy must be notified of these requirements when making application for power supply.

All works must be completed prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Lawful Point of Discharge

- 11. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Cairns Regional Council's Chief Executive Officer.

Sediment and Erosion Control

- 12. Soil and water management 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).

Drainage Study of Site

13. Undertake a local drainage study of the site to determine 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, 20, 50 and 100 year ARI flood events;
 - d. Identify any requirement for drainage easements;
 - e. Identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the entire development;
 - f. Information on the proposed works and any impacts proposed at the drainage outlets from the proposed development; and
 - g. Lawful point of discharge.

The study must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being undertaken prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Ponding and/or Concentration of Stormwater

14. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.

Structural Certification

15. All retaining walls or structures higher than one (1) metre must be structurally certified prior to the issue of a Development Permit for Building Work.

Where the profile or height of the wall is redesigned during structural certification, amended plans must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Revised Geotechnical Report

16. The applicant must provide a Revised Geotechnical assessment of the site specifically considering and commenting on the following:
 - a. Cut Batter fronting Murphy St:
 - i. The global stability of the site must be shown to be stable by a suitably qualified and experienced geotechnical engineer (RPEQ)

when considering the stabilisation measures proposed in the amended application;

- ii. The design parameters, philosophy and adequacy of the proposed retaining structure along the entire length of the northern boundary of the site (fronting Murphy Street); and
- iii. The design and construction shall be of sufficient strength such that Murphy Street, adjacent to the property, could be traversed by a single car or local traffic.

b. Lower Fill Batter & Access Driveway Embankment:

- i. Stabilisation measures that will be undertaken as part of this development to ensure the stability of the lower batter which has been previously identified as "marginally" stable by the Golders Report (2001); and
- ii. The stability of the lower fill batter to be re-assessed in consideration of the loading imposed by the driveway embankment and stabilisation measures required by a suitably qualified and experienced geotechnical engineer (RPEQ);

c. Cut Along Boundary with 67 Murphy St

- i. The global stability of the site must be shown to be stable by a suitably qualified and experienced geotechnical engineer (RPEQ) when considering the stabilisation measures proposed in the amended application;
- ii. The design parameters, philosophy and adequacy of the proposed retaining structure along the entire length of the boundary with 67 Murphy Street.

d. Access Driveway:

- i. The design of the proposed access driveway includes a fill retaining structure and an outer footing located at the crest of the fill batter. The existing crest of the fill batter is composed of uncontrolled fill. The outer footing of the driveway structure must be founded at natural ground level, below that of the existing fill or as directed by the finding of the Amended Geotechnical Report; and
- ii. The foundations of the proposed gabion structures must be founded at natural ground level below any existing uncontrolled fill, or as directed by the findings of the Amended Geotechnical Report.

The revised Geotechnical Assessment is required to be completed and a revised set of drawings certified as being in accordance with the requirements of the Revised Geotechnical Assessment prior to the issue of a Development Permit for Operational Work or Development Permit for Building Works, whichever occurs first.

The revised geotechnical assessment of the site in conjunction with the retaining wall design must be carried out by a qualified and experienced geotechnical consultant, and the design must be amended to incorporate recommendations made. The revised geotechnical report and details of any amendments to design must be endorsed by the Cairns Regional Council Chief Executive Officer prior to issue of the Development Permit for Building Works.

Drainage Easement

17. Create a Drainage Easement having a minimum width of 3.0 metres along the entire length of L516 on PTD2094 in the location(s) shown on the proposal Plan No. K7775 P1, dated October 2009 and prepared by MMWC Consulting Engineers must be granted in favour of Council. 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 at the same time as seeking approval and dating of the Building Format Plan and must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.

Geotechnical Assessment

18. All earthwork batters steeper than 1 in 2 and/or higher than 1.8 metres must be certified by a qualified Geotechnical Engineer prior to the Commencement of Use.

Water Supply and Sewerage Works Internal

19. Undertake the following water supply and sewerage works internal to the subject land:
 - i. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures; and
 - ii.
 - i. The applicant/owner must provide written acceptance to Water and Waste for ownership, as a private sewer, of the section of existing sewer within the site (i.e. MH1 to MH2 on B1a2a1);

OR

 - ii. The applicant/owner must decommission the existing sewer branch extending to Lot 2 on RP724386 (i.e. MH1 to MH2 on B1a2a1).

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 Cairns Regional Council's Chief

Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

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

Damage to Infrastructure

20. 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, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Water and Waste immediately of the affected infrastructure and have it repaired or replaced by Water and Waste, at the developers cost, prior to the Commencement of Use.

Water Saving

21. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to 9 litres of water per minute.

Vehicle Parking

22. The development must provide a minimum of nine (9) car parking spaces of which three (3) 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.

Protection of Landscaped Areas from Parking

23. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Lighting

24. 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.

Above Ground Transformer Cubicles/Electrical Sub-Station

25. Any above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles/sub-stations to be setback from the street alignment behind a screen of

landscaping, or be incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Construction Access

26. Vehicular access to the site for construction and demolition purposes must be provided from the adjacent Esplanade only, unless authorised by the Cairns Regional Council's Chief Executive Officer.

Stockpiling and Transportation of Fill Material

27. 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;
 - b. before 7.00 am or after 6.00 pm Monday to Friday;
 - c. before 7.00 am or after 1.00 pm Saturdays; or
 - d. on Sundays or Public Holidays.
28. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Storage of Machinery and Plant

29. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Cairns Regional Council's Chief Executive Officer.

Landscaping Plan

30. The site must be landscaped in accordance with details included on a Revised Landscaping Plan. The Revised Landscaping Plan must show:
- a. Deep planting of setback areas;
 - b. Plantings to give protection to western walls;
 - c. A weed management plan including the removal of the two (2) declared weeds present on the land: American Rat's Tail Grass *Sporobolus jacquemontii*; and Singapore Daisy *Sphagneticola trilobata*;
 - d. Delete the inclusion of *Cerbera manghas* Native Frangipani from the design as this is toxic and should not be used;
 - e. Revegetation of the Esplanade adjacent to the land, in any areas disturbed by the construction of the access driveway, with inclusion of plant species that provide a suitable buffer and stability within five (5)

years of initial establishment. Otherwise, no proposed revegetation works to the Esplanade or Julian Park;

- f. Species to be planted in drainage areas and in adjacent areas must be suitable and not obstruct drainage flows;
- g. Inclusion of a three (3) metre wide landscaping buffer on the land to screen the driveway and garages;
- h. Inclusion of landscaping to the southern boundary that provides a suitable buffer and stability within five (5) years of initial establishment;
- i. Inclusion of any other relevant changes required by the conditions included in this Development Permit. A copy of this Development Approval must be given to the applicant's Landscape Architect/Designer.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Cairns Regional Council's 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 first. Landscaped areas must be maintained at all times to the satisfaction of the Cairns Regional Council's Chief Executive Officer.

Vegetation Clearing

- 31. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of access driveways, the installation of services and buildings and works as detailed on the approved plans. Any further clearing requires compliance with the Planning Scheme 2012 Vegetation Management Amendment

Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site. Trees to be retained should be identified and protected in accordance with AS 4970-2009 Protection of trees on development sites.

Wildlife

- 32. Prior to the removal of any tree and/or vegetation an inspection must be carried out for any signs of native wildlife. Should any native wildlife activity be identified, tree removal or clearing must not occur until the animal has vacated the area of immediate danger. Department of Environment and Heritage Protection should be contacted for advice if the animal does not move from the area of danger. Trees and/or vegetation that contain nesting native birds, dens or roosting sites of native animals are not to be removed while the tree and/or vegetation is in use as per the requirements of section 332 of the *Nature Conservation (Wildlife Management) Regulation 2006* and Sect 88C of the *Nature Conservation Act 1992* without the appropriate approvals from the Department of Environment and Heritage Protection.

Notification of Vegetation Clearing

33. Council's Development Assessment Branch must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing.

Parkland Protection

34. With the exception of the driveway access any common boundaries with Council Esplanade and drainage easements must be temporarily delineated and fenced off to restrict building access for the duration of construction activity.

Screen Fence

35. Where physically possible a screen fence must be provided to the side and rear boundaries of the subject land, to the satisfaction of the Cairns Regional Council's Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.

Street Fencing

36. 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 Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Combined Height of Fencing / Retaining Walls

37. The combined height of any retaining wall and fence to a property boundary to Murphy Street, The Esplanade and/or the properties adjoining the subject land must not exceed 2.5 metres in height above the immediately adjoining ground level in Murphy Street, the Esplanade and/or the properties adjoining the subject land as the case may be.

Finished Retaining Wall Colour

38. Any exposed retaining wall must be constructed of materials and/or finished in colours, which blend with the surrounding natural environment.

Refuse Storage

39. Refuse storage is required to service the site in accordance with Council requirements. Brochures on these requirements – "Requirements for Refuse Storage" are available from Cairns Water and Waste.
40. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Details of Development Signage

41. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

Construction Signage

42. 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.

Crime Prevention Through Environmental Design

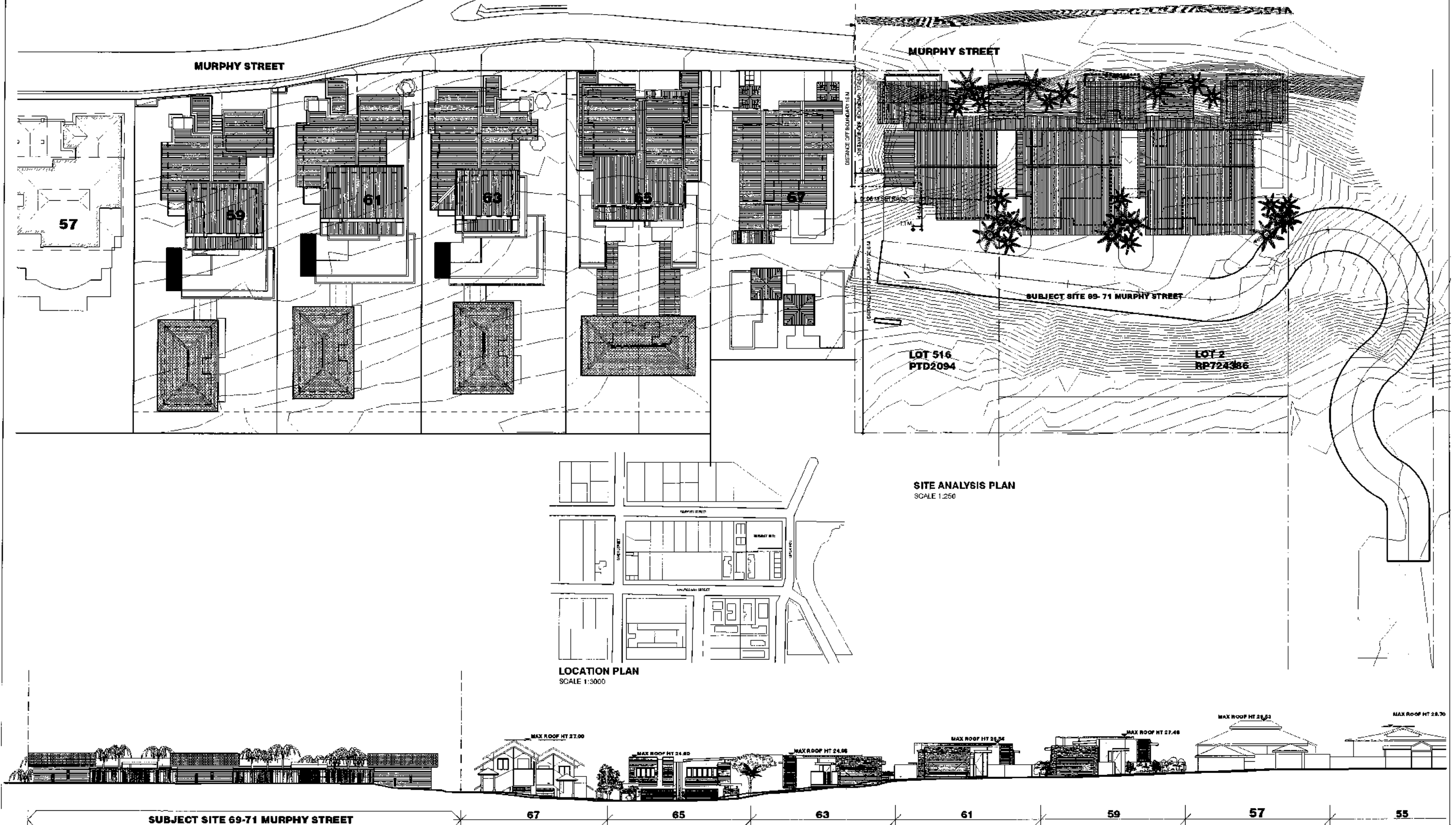
43. All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).
44. Noise from air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Cairns Regional Council's Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8, Part 3B of the *Environmental Protection Act 1994*.
45. Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004.

Amalgamation Required

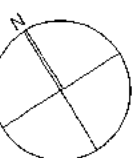
46. The applicant/owner is responsible for the reconfiguration (amalgamation) of Lot 2 on RP724386 and Lot 516 on PTD2094 into one (1) lot. The Plan of Survey must be registered with the Department of Natural Resources and Mines at the applicant's/owner's cost prior to Commencement of Use.

Advice

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four years from the day the approval takes effect in accordance with the provisions of Section 802 of the *Sustainable Planning Act 2009* and 3.5.21 of the *Integrated Planning Act 2007*.
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.
4. Headwork contribution calculations are attached as Appendix 3. Please note that the contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.
5. Supporting documentation outlining the required information for the Dewatering Report is attached to this Development Approval. Further information can be obtained from Council's Environmental Protection Unit on (07) 4044 3044.
6. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au. To access Council's Development Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.



STREET ELEVATION
SCALE 1:250



GENERAL NOTES

All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code (NCC) and the relevant Australian Standards.

All timber construction shall be in accordance with the Structural Engineers' specifications and drawings, the requirements of the Timber Framing Manual.

All services shall be installed to the requirements of the relevant authorities and connected at the legal point as prescribed by the relevant authority.

This drawing shall be read in conjunction with associated specifications, schedules and other consultant's drawings and specifications.

Do not access this drawing, set off nor erect out from existing building work also report any discrepancies to the Architect prior to any construction or fabrication work.

Timber production required to AS 3700 as directed by the R. Working Drawings.

Steel construction to conform to Part 3.9.1 of the BCA to include but not limited to the following:
Beams - 130mm maximum/115mm minimum
Floors - 355mm maximum/240mm minimum
For open truss provide a maximum gap of 105mm between trusses.

Balustrade construction to conform to Part 3.9.2 of the BCA to include but not limited to the following:
Provide a continuous handrail 1000mm minimum height to balconies and decks which are 1000mm or more above finish ground level.
Maximum openings between balustrades not to exceed 125mm.

Smoke 'selective' shall be fitted to the rear doors of the BCA minimum 1.0m floor level outside bedrooms within 1.5m of the door generally Refer AS 2706 for any requirements.

Fire rating and fireproofing shall comply with the fire area (spread) of Part 3.7.3 of the BCA and sound insulation requirements of Part 3.9.6 of the BCA.

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PLANNING PERMIT
NOT FOR CONSTRUCTION

REVISIONS

DATE

F FOR REVIEW
E ADDITIONAL OPTIONS A1, A2, C1, C2
D AMENDMENTS TO PLANNING APPLICATION
C PLANNING PERMIT ISSUE
B PLANNING PERMIT ISSUE
A PLANNING PERMIT ISSUE
PLANNING PERMIT ISSUE

06/07/12
17/09/09
26/04/08
26/07/08
06/07/08
20/06/08
05/06/08

WOLVERIDGE architects
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TEL: 03 9438 9882 FAX: 03 9438 9883

PROJECT
Murphy Street
69-71 Murphy Street,
Port Douglas

CLIENT
Brandwell Holdings Pty Ltd

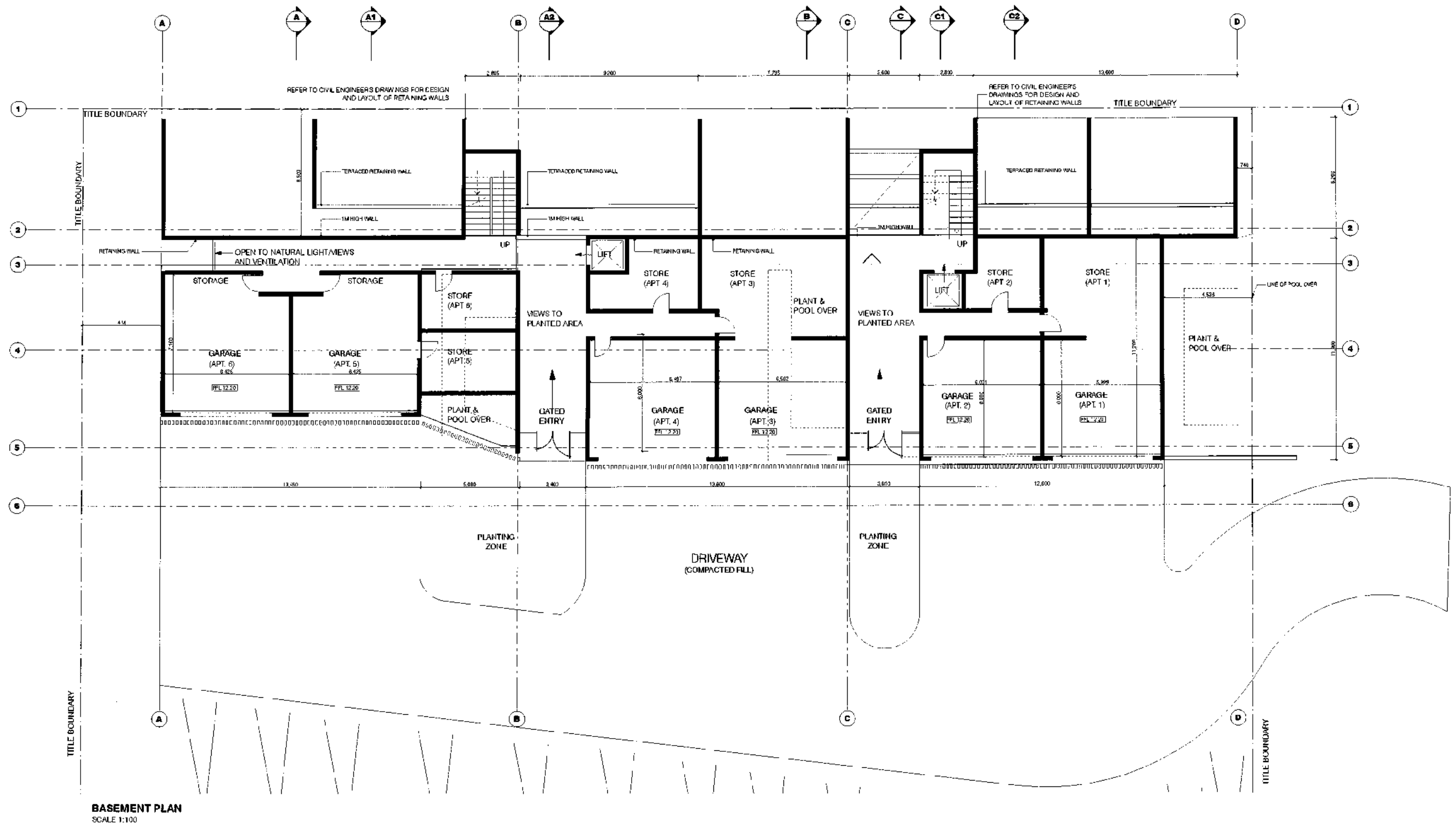
SCALE AS SHOWN @ A1

PLOT DATE: 3/08/2012


DRAWING TITLE
Site Context

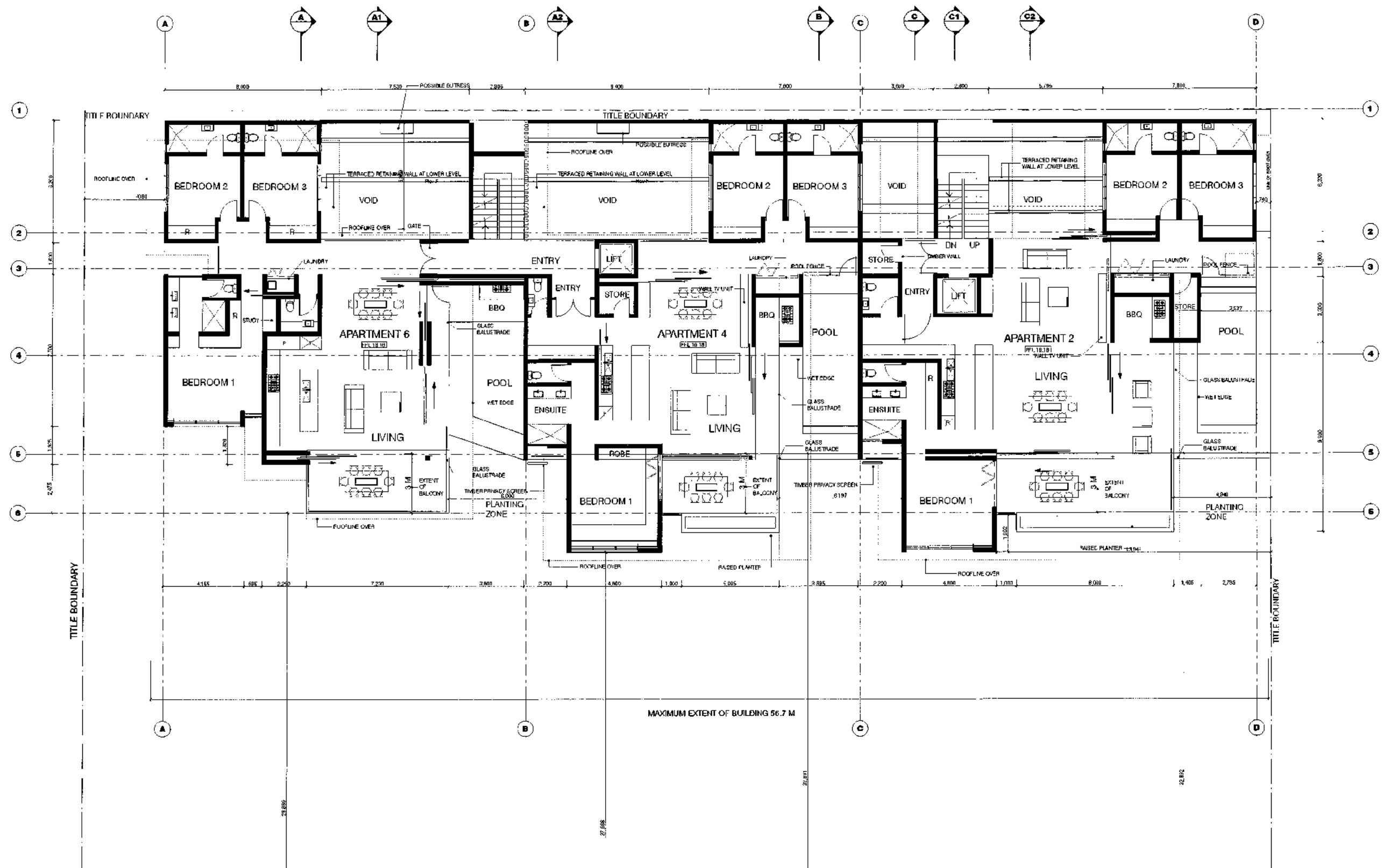
DRAWING NO
P01

REV: F



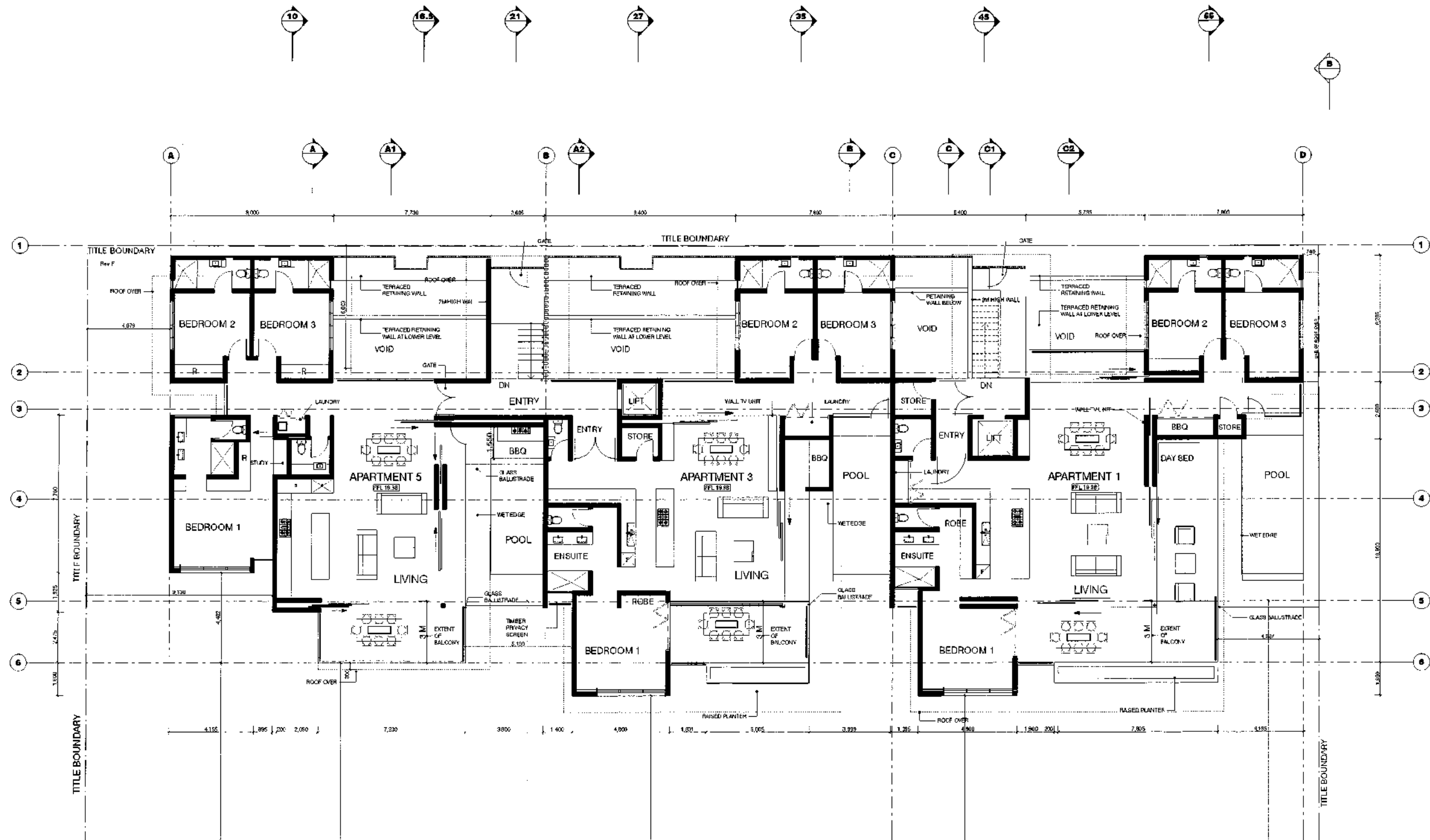
BASEMENT PLAN
SCALE 1:100

<div></div> <div><p>The copyright in this drawing is owned by the architect. It is to be used only for the project for which it was prepared and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect. Any use of this drawing for any other project is strictly prohibited. The architect assumes no responsibility for the accuracy or completeness of the information provided by the client or for the results of the design. The architect's liability is limited to the professional services provided.</p></div>	<div><p>GENERAL NOTES</p><p>All work shall comply with and be carried out in accordance with the requirements of the Local Authority, the National Construction Code of Australia and the relevant Australian Standards.</p><p>All timber construction shall be in accordance with the Structural Engineer's specifications and drawings and the requirements of the Timber Framing Manual.</p><p>All services shall be installed to the requirements of the relevant authorities and connected at the legal point as prescribed by the relevant authority.</p><p>This drawing shall be read in conjunction with associated applications, schedules and other consultants' drawings and specifications.</p><p>Do not scale this drawing, set out all new work out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.</p><p>Timber preservation required to AS 3600 as directed by the Building Surveyor.</p><p>Shall construction to conform to Part 3.9.1 of the BCA to include but not limited to the following: Roofs - 150mm maximum/115mm minimum Rafters - 85mm maximum/20mm minimum For open trade, provide a maximum gap of 125mm between batts.</p><p>Self-storage construction to conform to Part 3.9.2 of the BCA to include but not limited to the following: Provide a continuous vertical 1000mm minimum height to balconies and decks which are 1000mm or more above finish ground level. Maximum openings between balustrades not to exceed 125mm.</p><p>Smoke detectors shall be fitted to the requirements of the BCA minimum Type 1 or located outside bedrooms within 1.5m of the door generally Refer AS 2758 for any requirements.</p><p>Brickwork and party wall construction shall comply with the requirements of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.8.6 of the BCA.</p></div>		<div><p>PLANNING PERMIT NOT FOR CONSTRUCTION</p><div><div><p>REVISIONS</p><table><tr><td>A. FOR REVIEW</td><td>06/07/12</td></tr><tr><td>F. RETAINING WALL AMENDMENTS</td><td>20/10/19</td></tr><tr><td>E. ADDITIONAL SECTIONS, A1, A2, C1, C2</td><td>17/09/19</td></tr><tr><td>D. AMENDMENTS TO PLANNING APPLICATION</td><td>26/05/19</td></tr><tr><td>C. PLANNING PERMIT ISSUE</td><td>29/07/18</td></tr><tr><td>B. PLANNING PERMIT ISSUE</td><td>03/07/18</td></tr><tr><td>A. PLANNING PERMIT ISSUE</td><td>26/06/18</td></tr><tr><td>PLANNING PERMIT ISSUE</td><td>02/06/18</td></tr></table></div><div><p>DATE</p></div></div></div>	A. FOR REVIEW	06/07/12	F. RETAINING WALL AMENDMENTS	20/10/19	E. ADDITIONAL SECTIONS, A1, A2, C1, C2	17/09/19	D. AMENDMENTS TO PLANNING APPLICATION	26/05/19	C. PLANNING PERMIT ISSUE	29/07/18	B. PLANNING PERMIT ISSUE	03/07/18	A. PLANNING PERMIT ISSUE	26/06/18	PLANNING PERMIT ISSUE	02/06/18	<div><p>WOLVERIDGEarchitects</p><p>121 ROCKEY STREET COLLINGWOOD VICTORIA AUSTRALIA 3066 TEL: +61 3 9438 9982 FAX: +61 3 9436 9983</p><p>PROJECT Murphy Street 69-71 Murphy Street, Port Douglas</p><p>CLIENT Brandwill Holdings Pty Ltd</p><p>SCALE: AS SHOWN @ A1</p><p>DRAWING CREATED 25/03/18</p><p>DRAWING TITLE Basement Plan</p><p>DRAWING NO: P02</p><p>REV: G</p><p>www.wolveridge.com.au</p></div>
A. FOR REVIEW	06/07/12																			
F. RETAINING WALL AMENDMENTS	20/10/19																			
E. ADDITIONAL SECTIONS, A1, A2, C1, C2	17/09/19																			
D. AMENDMENTS TO PLANNING APPLICATION	26/05/19																			
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A. PLANNING PERMIT ISSUE	26/06/18																			
PLANNING PERMIT ISSUE	02/06/18																			

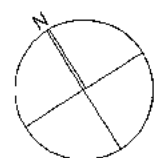


LOWER FLOOR PLAN
SCALE 1:100

	<p>GENERAL NOTES</p> <p>All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code Series/Building Code of Australia and the relevant Australian Standards.</p> <p>All timber construction shall be in accordance with the Structural Engineer's specifications and drawings the requirements of the Timber Framing Manual.</p> <p>All windows shall be fixed up to the height of the relevant authorities and connected at the top point as permitted by the relevant authority.</p> <p>This drawing shall be read in conjunction with associated specifications, schedules and other consultants drawings and specifications.</p> <p>Do not scale this drawing, set all dimensions out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.</p> <p>Timber protection required to AS 3609 as directed by the Building Surveyor.</p> <p>Steel construction to conform to Part 3.9.1 of the BCA to include but not limited to the following: Piles - 100mm maximum 15mm minimum Threads - 35mm in diameter 240mm in diameter For open threads provide a maximum gap of 25mm between threads</p> <p>Balustrade construction to conform to Part 3.9.2 of the BCA to include but not limited to the following: Provide a continuous handrail 1000mm minimum height to handrail and deck which are 100mm or more above finished ground level. Maximum opening between balustrade rails not to exceed 125mm.</p> <p>Timber balustrade shall be fixed to the wall at intervals of 1.5m minimum.</p> <p>Timber floor installed outside bedrooms within 1.5m of the door generally Refer AS 3609 for any requirements.</p> <p>Boundary and party wall construction shall comply with the fire requirements of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.8.8 of the BCA.</p>	<p>Ordinary Council Meeting - 24 January 2017</p>	<p>PLANNING PERMIT NOT FOR CONSTRUCTION</p> <p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ROOF OVERHANG ON BOUNDARY UPDATED</td> <td>01.08.12</td> </tr> <tr> <td>2</td> <td>FOR REVIEW</td> <td>06.07.12</td> </tr> <tr> <td>3</td> <td>RETAINING WALL AMENDMENTS</td> <td>20.10.12</td> </tr> <tr> <td>4</td> <td>AUDIT TUNNEL SECTIONS, A1, A2, C1, C2</td> <td>17.03.13</td> </tr> <tr> <td>5</td> <td>AMENDMENTS TO PLANNING APPLICATION</td> <td>26.05.13</td> </tr> <tr> <td>6</td> <td>PLANNING PERMIT ISSUE</td> <td>28.07.13</td> </tr> <tr> <td>7</td> <td>PLANNING PERMIT ISSUE</td> <td>09.07.13</td> </tr> <tr> <td>8</td> <td>PLANNING PERMIT ISSUE</td> <td>20.06.13</td> </tr> <tr> <td>9</td> <td>PLANNING PERMIT ISSUE</td> <td>02.08.13</td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	1	ROOF OVERHANG ON BOUNDARY UPDATED	01.08.12	2	FOR REVIEW	06.07.12	3	RETAINING WALL AMENDMENTS	20.10.12	4	AUDIT TUNNEL SECTIONS, A1, A2, C1, C2	17.03.13	5	AMENDMENTS TO PLANNING APPLICATION	26.05.13	6	PLANNING PERMIT ISSUE	28.07.13	7	PLANNING PERMIT ISSUE	09.07.13	8	PLANNING PERMIT ISSUE	20.06.13	9	PLANNING PERMIT ISSUE	02.08.13	<p>WOLVERIDGE architects 121 FOKESBY STREET COLLINGWOOD VICTORIA AUSTRALIA 3068 TEL: +61 3 9486 9882 FAX: +61 3 9486 9883</p> <p>PROJECT Murphy Street 68-71 Murphy Street, Port Douglas</p> <p>CLIENT Brandwill Holdings Pty Ltd</p> <p>SCALE: AS SHOWN @ A1</p> <p>PLT DATE: 3/05/2012</p> <p>DRAWING CREATED: 26/03/08</p> <p>DRAWING TITLE Lower Ground Floor Plan</p> <p>DRAWING NO: P03</p> <p>REV: H</p> <p>www.wolveridge.com.au</p>
NO.	DESCRIPTION	DATE																																
1	ROOF OVERHANG ON BOUNDARY UPDATED	01.08.12																																
2	FOR REVIEW	06.07.12																																
3	RETAINING WALL AMENDMENTS	20.10.12																																
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8	PLANNING PERMIT ISSUE	20.06.13																																
9	PLANNING PERMIT ISSUE	02.08.13																																



UPPER FLOOR PLAN
SCALE 1:100



GENERAL NOTE

All work shall comply with and be carried out in accordance with the requirements of the Local Authority, the National Construction Code (Building Code of Australia) and the relevant Australian Standards.

All work or construction shall be in accordance with the Structural Engineer's specifications and drawings the requirements of the Timber Framing Manual.

All services shall be installed to the requirements of the relevant authorities at all times and at the local point as prescribed by the relevant authority.

This drawing shall be read in conjunction with associated specifications, schedules and other documents drawings and specifications.

Do not scale this drawing. All work shall be carried out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.

Timber protection required to AS 3608 as directed by the Building Surveyor.

Roof construction to conform to Part 9.1 of the BCA to include: Roof - 180mm maximum/115mm minimum inside - 30mm maximum/20mm minimum. The open breasts provide a maximum gap of 25mm between batts.

Balustrade construction to conform to Part 9.3.2 of the BCA to include but not limited to the following: Provide a continuous vertical 1000mm minimum height in balustrades and decks which are 1000mm or more above finish ground level.

Maximum openings between balustrades not to exceed 125mm.

Smoke detectors shall be fitted to the requirements of the BCA minimum 1 per floor located outside bedrooms within 1.5m of the door generally Refer AS 2966 for any requirements.

Boundary and party wall construction shall comply with the requirements of Part 9.7.1 of the BCA and sound insulation requirements of Part 9.8.6 of the BCA.

PLANNING PERMIT

NOT FOR CONSTRUCTION

REVISIONS:

DATE

H. POOL OVERHANG ON BOUNDARY UPDATED
G. FOR REVIEW
F. RETAINING WALL AMENDMENTS
E. ADDITIONAL SECTIONS, A1, A2, C1, C2
D. AMENDMENTS TO PLANNING APPLICATION
C. PLANNING PERMIT ISSUE
B. PLANNING PERMIT ISSUE
A. PLANNING PERMIT ISSUE

31.08.12
05.07.12
20.10.09
17.06.09
26.05.09
25.07.08
02.07.08
25.06.08
02.06.08

WOLVERIDGE architects

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PROJECT: Murphy Street
60-71 Murphy Street,
Port Douglas

CLIENT: Brandvill Holdings Pty Ltd

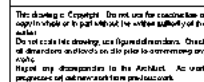
SCALE: AS SHOWN @ A1

DRAWING CREATED: 29/03/08

PLOT DATE: 01/06/2012

DRAWING TITLE: Upper Ground Floor Plan

DRAWING NO: P04 REV: H



All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code (NCC) Building Code of Australia and the relevant Australian Standards.

All timber construction shall be in accordance with the Structural Engineers specifications and drawings the requirements of the Timber Framing Manual.

All surveys shall be subject to the requirements of the relevant authorities and published at the legal price as prescribed by the relevant authority.

This drawing shall be read in conjunction with associated specifications, schedules and other consultant's drawings and specifications.

Do not cease the craning, set all new work out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication works.

Termite protection required to AS 3682 as directed by the Building Surveyor.

State compliance to conform to Part 99 of the BCA to include but not limited to the following:
Rising - 150mm minimum, 115mm minimum

For open threads provide a minimum gap of 125mm between threads.

Produce a continuous horizontal 1000mm minimum height to eavesline and down which are 1000mm or more above finish ground level.

Maximum openings between balusters not to exceed 125mm

7 per floor located outside buildings within 1.5m of the door generally Refer AS 3786 for any requirements.

Boundary and party wall construction shall comply with the fire requirements of Part 3.7.5 of the BCA and sound insulation requirements of Part 3.8.3 of the BCA.

REVISIONS.	DATE
H CONVENY CONSTRUCTION ASSIGNED	15 28
G EVALUATIONS UPDATED FOR CLARITY	09 37
F FOR REVIEW	06 37
E RETAINING WALL AMENDMENTS	20 10
D AMENDMENTS TO PLANNING APPLICATION	26 16
C PLANNING PERMIT ISSUE	29 67
B PLANNING PERMIT ISSUE	08 67
A PLANNING PERMIT ISSUE	29 66
PLANNING PERMIT ISSUE	02 68

TEL: +61 3 9486 9882 **FAX:** +61 3 9486 9883

PROJECT:	CLIENT:
Memphis County	Boydell Holdings, Inc.

69-71 Murphy Street.

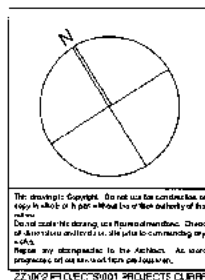
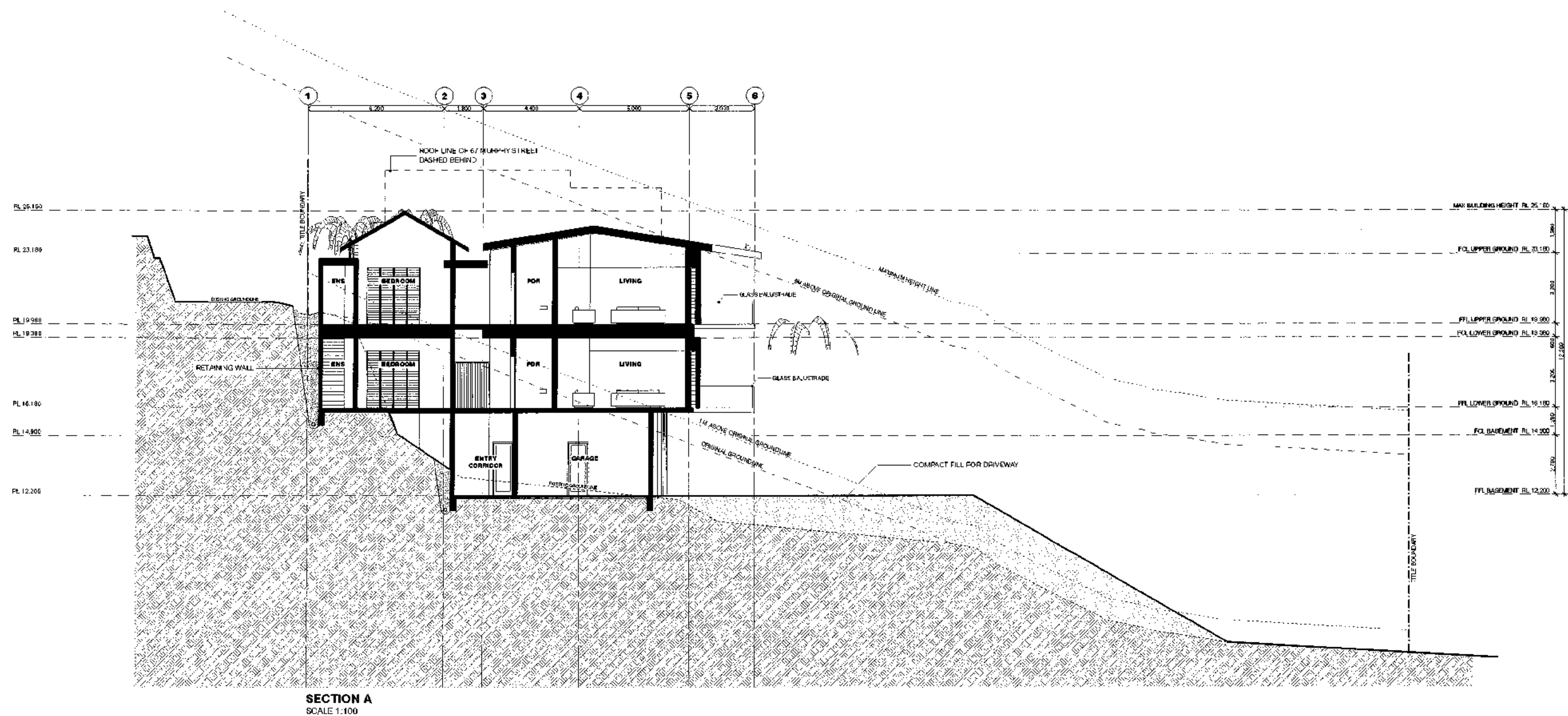
12	Port Douglas	SCALE. AS SHOWN @ A'
12		
12		

02	DRAWING CREATED	29/03/08	FILE DATE	31/08/2012
09				
30	DRAWING TITLE		DRAWING NO	

38
 39
 40
 41

DRAWING TITLE
Elevations

(unreleased.gov)
 P06



GENERAL NOTES

All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code (Building Code of Australia) and the relevant Australian Standards.

All timber construction shall be in accordance with the Structural Engineers' specifications and drawings the requirements of the Timber Framing Manual.

All windows shall be installed to the requirements of the relevant authorities and connected at the legal point as presented by the relevant authority.

This drawing shall be read in conjunction with associated specifications, schedules and other consultants drawings and specifications.

Do not add to this drawing, set of new work, cut from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.

Terms of protection required to AS 3988 as directed by the Building Surveyor.

Other construction to conform to Part 3.9.1 of the BCA to include but not limited to the following:

Risers - 180mm maximum/75mm minimum
Treads - 350mm maximum/240mm minimum
For open treads provide a maximum gap of 25mm between treads.

Balustrade construction to conform to Part 3.9.2 of the BCA to include but not limited to the following:

Provide a continuous handrail 1000mm minimum height to balustrades and decks which are 1000mm or more above level ground level.

Maximum opening between balustrades not to exceed 125mm.

Smaller balustrades shall be fixed to the requirements of the BCA minimum 1000mm above level ground level.

For any other construction shall comply with the requirements of Part 3.9.1 of the BCA and sound insulation requirements of Part 3.9.4 of the BCA.

PLANNING PERMIT
NOT FOR CONSTRUCTION

REVISIONS:	DATE
G DRIVEWAY CONSTRUCTION AMENDED	15.09.17
F FOR REVIEW	06.07.17
E 'M' ABOVE 'L' GEL SHOWN	17.07.17
D AMENDMENTS TO PLANNING APPLICATION	26.05.17
C PLANNING PERMIT ISSUE	28.07.16
B PLANNING PERMIT ISSUE	09.07.16
A PLANNING PERMIT ISSUE	26.06.16
PLANNING PERMIT ISSUE	02.06.16

WOLVERIDGE architects

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PROJECT
Murphy Street
69-71 Murphy Street,
Port Douglas

CLIENT
Brandwill Holdings Pty Ltd

SCALE As SHOWN @ A1

DRAWING CREATED 25/02/08

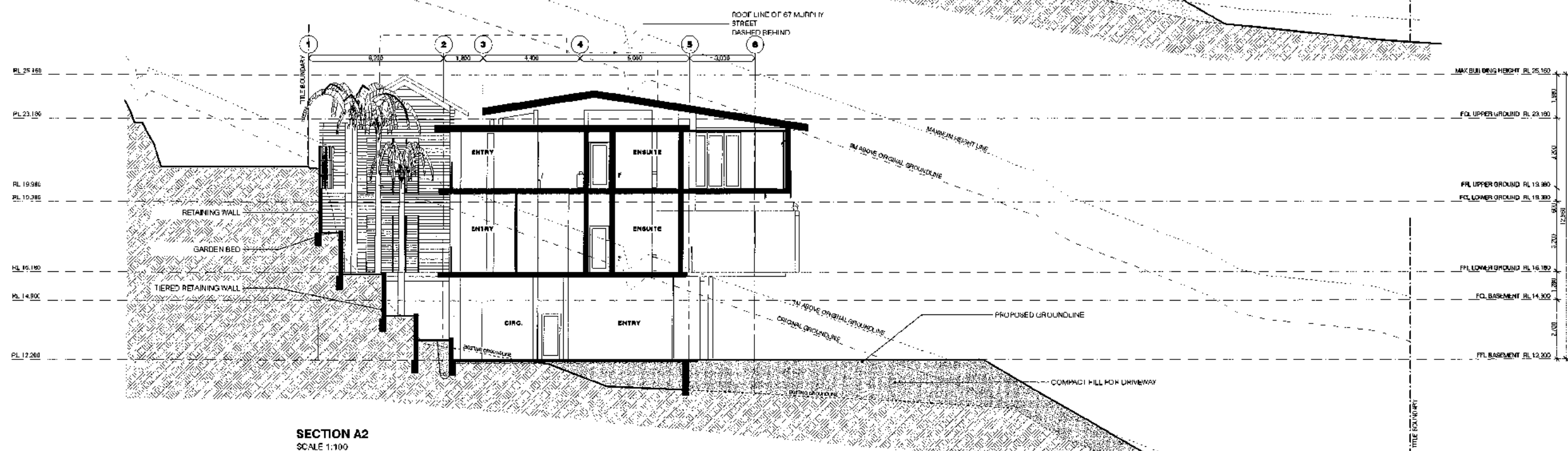
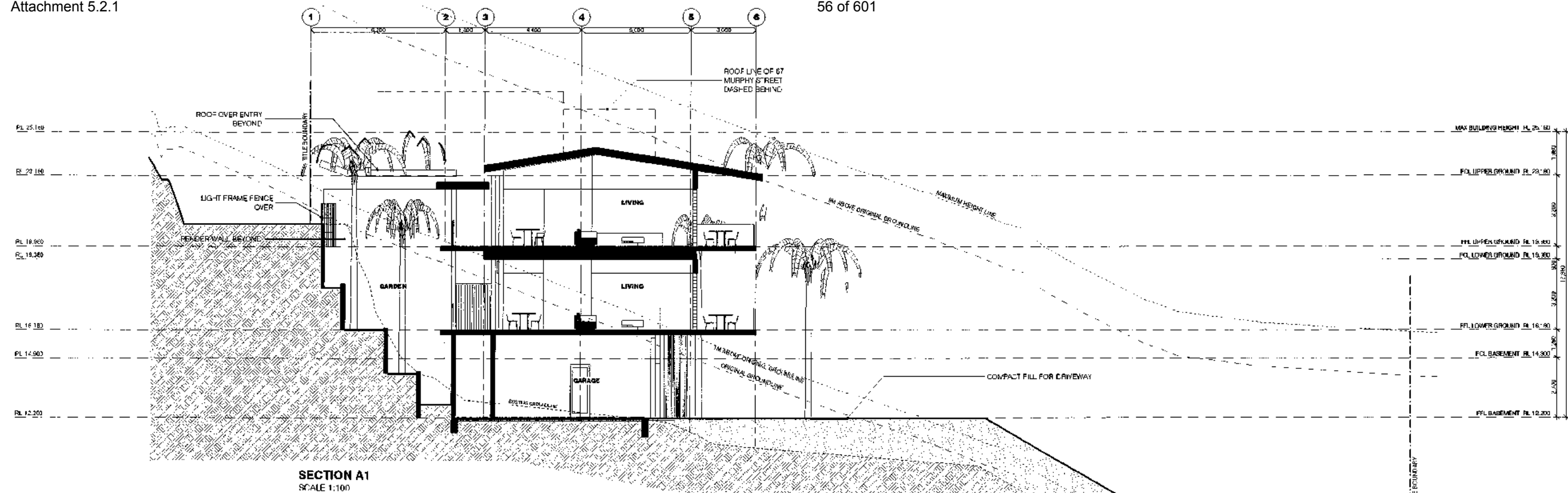
PLOT DATE 21/08/2012

DRAWING TITLE:
Sections

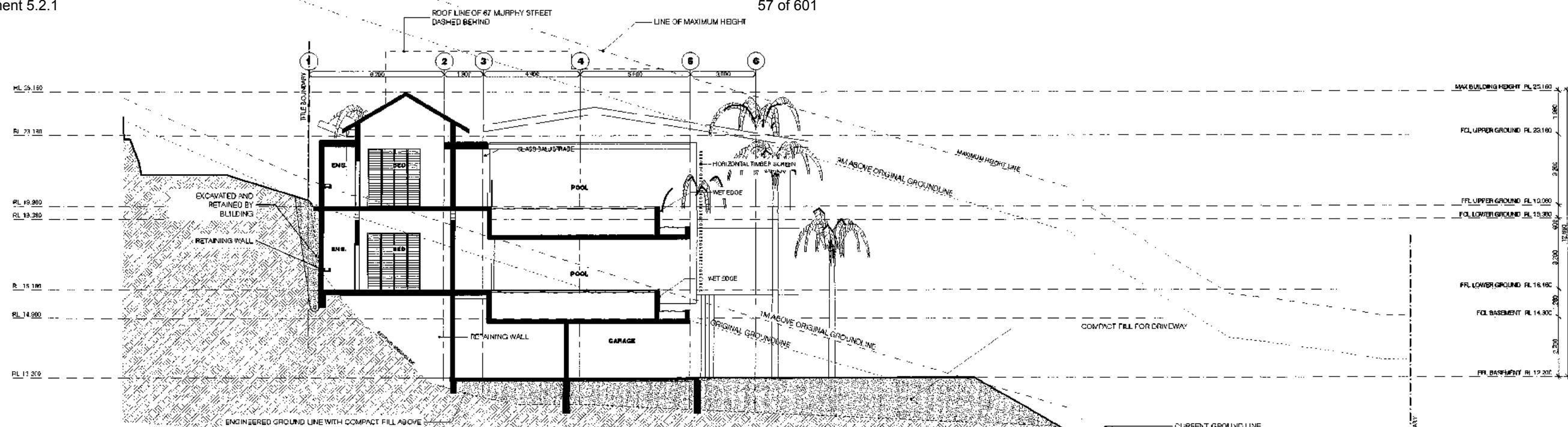
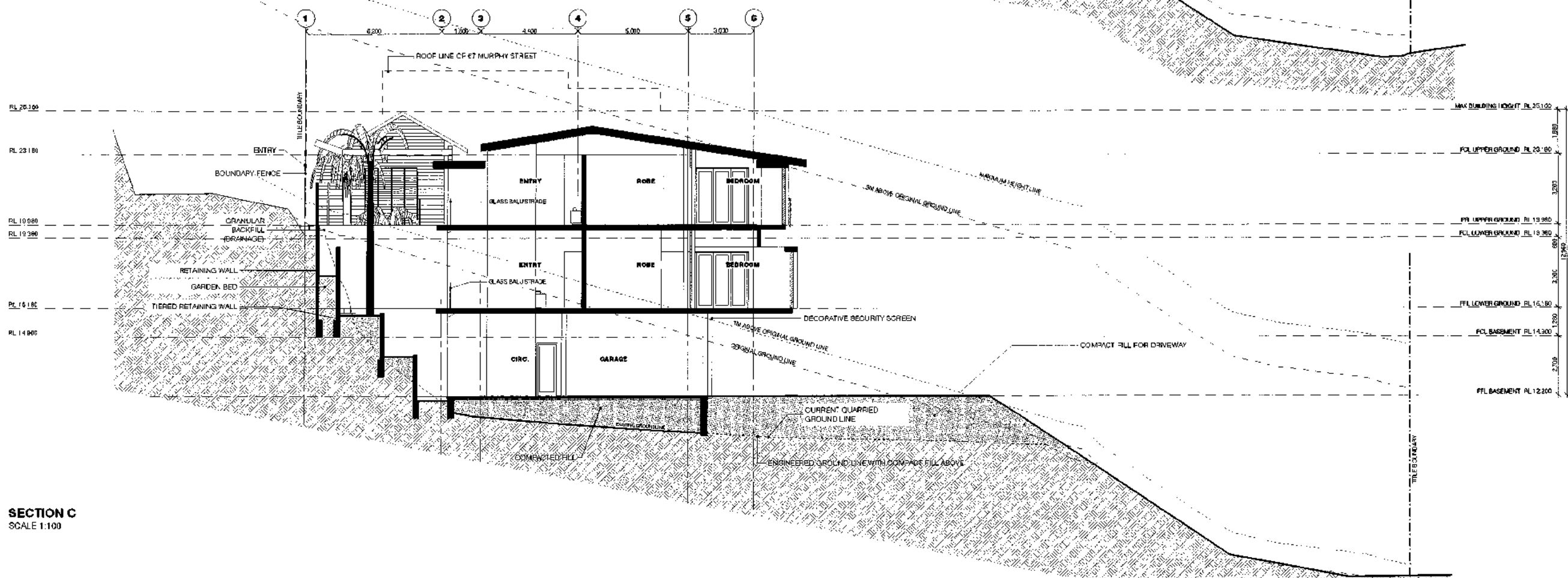
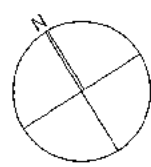
DRAWING NO

REV: G

Ordinary Council Meeting - 24 January 2017



	<p>GENERAL NOTES</p> <p>All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code (Building Code of Australia) and the relevant Australian Standards.</p> <p>All timber construction shall be in accordance with the Structural Engineers' specifications and drawings the requirements of the Timber Framing Manual.</p> <p>All services shall be installed to the requirements of the relevant authorities and connected at the legal point as prescribed by the relevant authority.</p> <p>This drawing shall be read in conjunction with associated specifications, schedules and other consultants drawings and specifications.</p> <p>Do not scale this drawing, all dimensions shall be taken from the original drawing and not from any photocopies or reproductions of this drawing.</p> <p>Timber protection required to AS 3602 as directed by the Building Surveyor.</p> <p>Boundary and set back construction shall comply with the requirements of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.8.6 of the BCA.</p> <p>Stair construction to conform to Part 3.9.7 of the BCA to include but not limited to the following:</p> <ul style="list-style-type: none"> Floors - 150mm minimum/115mm minimum Treads - 355mm maximum/240mm minimum For open treads provide a minimum gap of 125mm between treads <p>Retained construction to conform to Part 3.9.2 of the BCA to include but not limited to the following:</p> <ul style="list-style-type: none"> Provide a continuous handrail 1000mm minimum height to balconies and decks which are 1000mm or more above finished ground level. Maximum openings between balustrades not to exceed 125mm. <p>Smoke detectors shall be fitted to the requirements of the BCA minimum 1 per floor located outside bedrooms within 1.5m of the door generally Refer AS 3786 for any requirements.</p>	<p align="center">PLANNING PERMIT NOT FOR CONSTRUCTION</p> <p>REVISIONS: _____ DATE: _____</p> <p>C DRIVEWAY CONSTRUCTION AMENDED 15.08.12 B FOR REVIEW 06.07.12 A ADDITIONAL SECTION A1, A2 17.09.09 AMENDMENTS TO PLANNING APPLICATION 20.05.09</p>	<p>WOLVERIDGE architects 121 KILNEY STREET COLLINGWOOD VICTORIA AUSTRALIA 3066 TEL: +61 3 9486 9882 FAX: +61 3 9486 3683</p> <p>PROJECT: Murphy Street 60-71 Murphy Street, Port Douglas</p> <p>CLIENT: Brandwell Holdings Pty Ltd</p> <p>SCALE: AS SHOWN @ A1</p> <p>DRAWING CREATED: 26/03/08 DRAWING TITLE: Section A1 PLOT DATE: 31/05/2012 DRAWING NO: P08 REV: C</p>
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SECTION B
SCALE 1:100SECTION C
SCALE 1:100

GENERAL NOTES

All work shall comply with and be carried out in strict accordance with the requirements of the Council Authority, the National Construction Code (Building Code of Australia) and the relevant Australian Standards.

All timber construction shall be in accordance with the Structural Engineer's specifications and drawings the requirements of the Timber Framing Manual.

All services shall be installed to the requirements of the relevant authorities and connected at the legal point as provided by the relevant authority.

This drawing shall be used in conjunction with associated specifications, schedules and other consultant's drawings and specifications.

Do not scale this drawing, all dimensions shall be taken from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.

Termite protection required to AS 3680 as directed by the Building Surveyor.

Such construction to conform to Part 3.9.1 of the BCA to include but not limited to the following:
R-1.0 - 150mm maximum/115mm minimum
Treads - 350mm maximum/240mm minimum
For open treads provide a maximum gap of 125mm between boards.

Balustrade construction to conform to Part 3.9.2 of the BCA to include but not limited to the following:
Provide a continuous handrail 1000mm minimum height to balconies and decks which are 1000mm or more above finished ground level.
Maximum openings between balustrade not to exceed 125mm.

Smoke detectors shall be fitted to the requirements of the BCA minimum:
Type: floor located outside bedrooms within 1.5m of the door generally Refer AS 2187 for any requirements.

Boundary and party wall construction shall comply with the requirements of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.9.6 of the BCA.

PLANNING PERMIT
NOT FOR CONSTRUCTION

REVISIONS:

REVISIONS:	DATE:
G. DRYDOWN CONSTRUCTION AMENDED	15.08.12
F. PLAN REVIEW	06.04.12
E. 1M ABOVE N.G.L. SHOWN	17.05.09
D. AMENDMENTS TO PLANNING APPLICATION	26.05.08
C. PLANNING PERMIT ISSUE	29.07.08
B. PLANNING PERMIT ISSUE	09.07.08
A. PLANNING PERMIT ISSUE	20.06.08
PLANNING PERMIT ISSUE	02.06.08

WOLVERIDGE architects

12 ROCKEY STREET COLLINGWOOD VICTORIA AUSTRALIA 3066
TEL: +61 3 9486 9882 FAX: +61 3 9486 9883

PROJECT: Murphy Street
60-71 Murphy Street,
Port Douglas

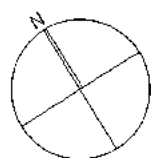
CLIENT: Brandwill Holdings Pty Ltd

SCALE: AS SHOWN @ A1

DRAWING CREATED: 26/03/08 PLOT DATE: 31/08/2012
DRAWING TITLE: Sections DRAWING NO.: P09 REV: G



SECTION C2
SCALE 1:100



All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code (Building Code of Australia) and the relevant Australian Standards.

All timber construction shall be in accordance with the Structural Engineer's specifications and drawings the requirements of the Timber Framing Manual.

All services shall be installed to the requirements of the relevant authorities and connected at the 'legal point' as prescribed by the relevant authority.

This drawing shall be read in conjunction with associated specifications, schedules and other consultant's drawings and specifications.

Do not scale this drawing, get all new work out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.

Tamda protection required to AS 3600 as directed by the Building Surveyor.

Their construction is conform to Part 39.1 of the BCA to include but not limited to the following:
Rebars - 180mm maximum/115mm minimum

Treads - 355mm maximum/240mm minimum
For open treads provide a maximum gap of 125mm between treads

*Provide a continuous handrail 1000mm minimum height to staircases and decks

Maximum openings between balustrade not to exceed 125mm

Smoke detectors shall be fitted to the requirements of the BCA minimum 1 per floor located outside bedrooms within 7.5m of the door generally Refer AS 3786 for BA requirements

Boundary and party wall construction shall comply with the fire requirements of

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2

© 2005

Ordinary Council Meeting - 24 January 2017

NOT FOR CONSTRUCTION

REVISORs

DATE _____

B DRIVEWAY CONSTRUCTION AMENDED
A FOR REVIEW
ADDITIONAL SECTION C1, C2

15 08
06 07
17 09

121 ROKEBY STREET COLLINGWOOD VICTORIA AUSTRALIA 3066
TEL. +61 3 9486 3882 FAX. +61 3 9486 3883

PROJECT	CLIENT
Murphy Street	Brandwill Holdings Pty Ltd

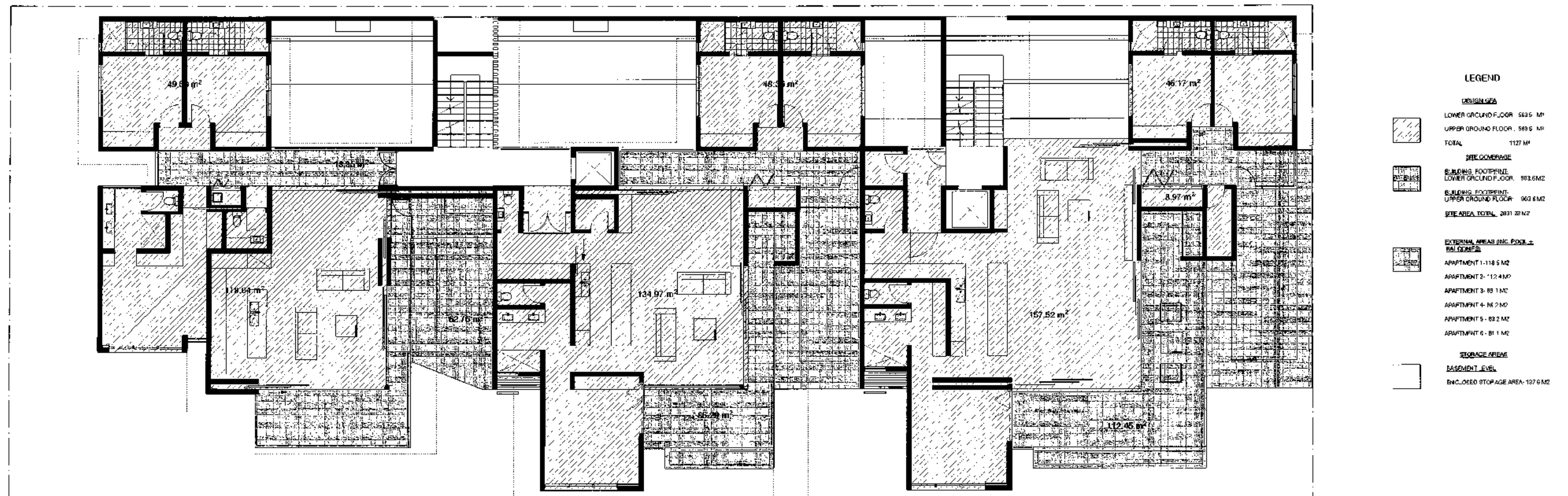
69-71 Murphy Street,
Bart Duvall

Port Douglas	SCALE	AS SHOWN @ A'
1000	1" = 100'	

DRAWING CREATED 25/03/03 FLO* DATE 31/08/2012

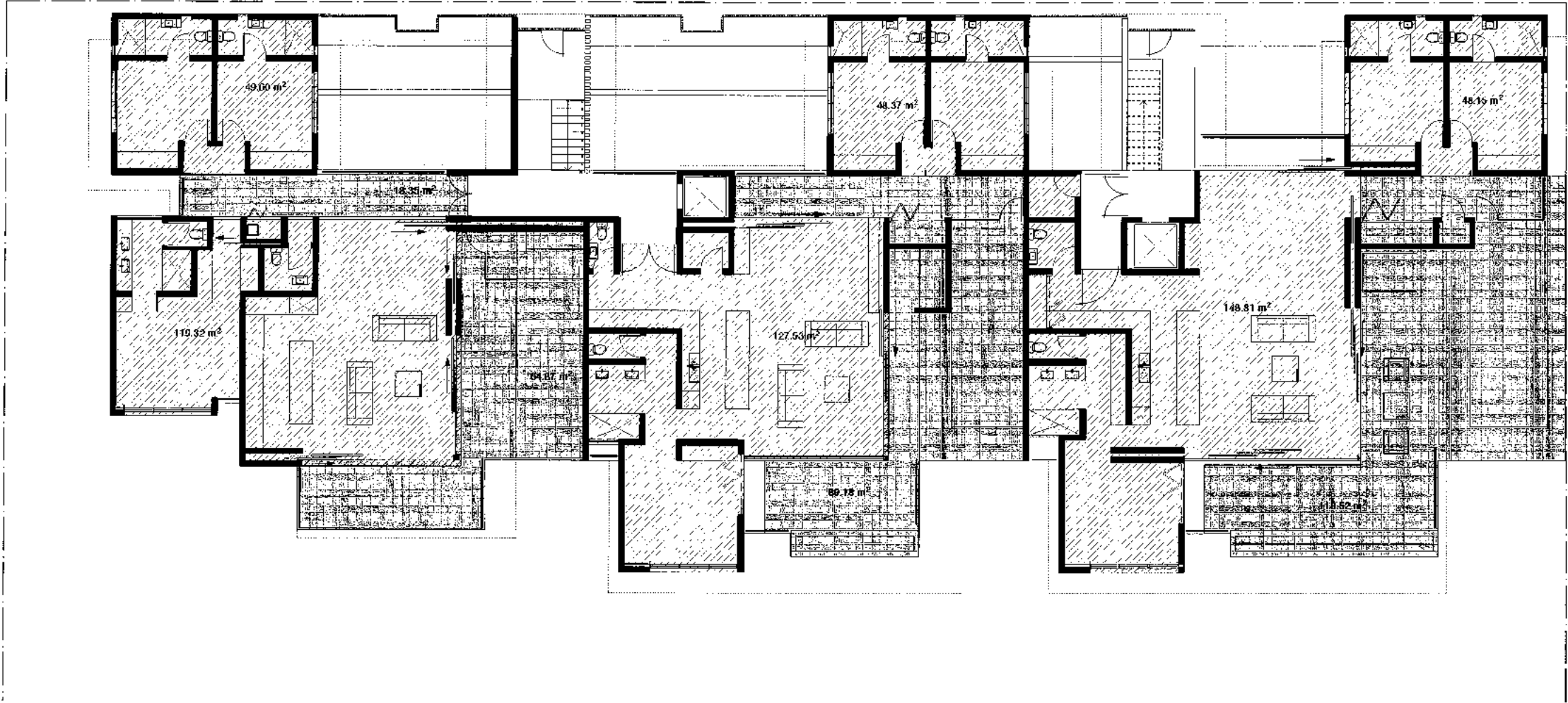
DRAWING TITLE: Sections DRAWING NO: P10

REV
6



G.F.A LOWER FLOOR
SCALE 1:100

	GENERAL NOTES All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code Series-Building Code of Australia and the relevant Australian Standards. All timber construction shall be in accordance with the Structural Engineers' specifications and drawings the requirements of the Timber Framing Manual. All services shall be installed to the requirements of the relevant authorities and connected at the legal point as prescribed by the relevant authority. This drawing shall be read in conjunction with associated specifications, schedules and other consultant's drawings and specifications. Do not scale the drawing, set all new work out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work. Timber protection required to AS 3663 as directed by the Building Surveyor.		Stair construction to conform to Part 3.9.1 of the BCA to include but not limited to the following: Floors - 180mm maximum/15mm minimum Bricks - 350mm maximum/20mm minimum For open levels provide a maximum gap of 125mm between treads. Balustrade construction to conform to Part 3.9.2 of the BCA to include but not limited to the following: Provide a continuous handrail 1000mm minimum height to balconies and decks which are 1000mm or more above finish ground level. Maximum openings between balusters not to exceed 125mm. Smoke detectors shall be fixed to the requirements of the BCA minimum 1 metre clear of the ceiling and 1.5m from the door generally Refer AS 2708 for any requirements. Fire entry and party wall construction shall comply with the 6 hours demands of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.8.6 of the BCA.	
	PLANNING PERMIT NOT FOR CONSTRUCTION		WOLVERIDGE architects 121 ROCKEY STREET COLLINGWOOD VICTORIA AUSTRALIA 3068 TEL: +61 3 9486 9882 FAX: +61 3 9486 3883 PROJECT: Murphy Street 69-71 Murphy Street, Port Douglas CLIENT: Brandwill Holdings Pty Ltd SCALE: AS SHOWN @ A1 DRAWING CREATED: 28/02/08 DRAWING NO: P11 DRAWING TITLE: GFA Lower Ground REV: D	



LEGEND	
	UPPER G.F.A.
	LOWER GROUND FLOOR: 583.5 m²
	UPPER GROUND FLOOR: 583.5 m²
	TOTAL: 1167 m²
	SITE COVERAGE
	BUILDING FOOTPRINT: 803.6 m²
	UPPER GROUND FLOOR: 803.6 m²
	SITE AREA TOTAL: 2031.25 m²
	EXTERNAL AREAS (INC. POOL & BALCONIES)
	APARTMENT 1: 119.5 m²
	APARTMENT 2: 112.4 m²
	STORAGE AREAS
	BASEMENT LEVEL
	CLOSED STORAGE AREA: 137.5 m²

G.F.A UPPER FLOOR
SCALE 1:100

GENERAL NOTES

All work shall comply with and be carried out in strict accordance with the requirements of the Local Authority, the National Construction Code Series/Building Code of Australia and the relevant Australian Standards.

All timber construction shall be in accordance with the Timber Framing Manual and drawings the requirements of the Timber Framing Manual.

All concrete shall be installed to the requirements of the relevant authority and corrected at the legal point as prescribed by the relevant authority.

This drawing shall be read in conjunction with associated specifications, schedules and other documents drawings and specifications.

Do not scale this drawing, set all new work out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work.

Timber protection required to AS 3660 as directed by the Building Surveyor.

Start construction to comply with Part 3.9 of the BCA to include but not limited to the following:

- Flashes - 150mm maximum/115mm minimum
- Trusses - 350mm maximum/240mm minimum
- For open trusses provide a minimum gap of 25mm between trusses

Balustrade construction to conform to Part 3.9.2 of the BCA to include but not limited to the following:

- Provide a continuous handrail 1000mm minimum height to balconies and decks which are 100mm or more above finish ground level.
- Maximum openings between balusters not to exceed 125mm

Smoke detectors shall be fitted to the requirements of the BCA minimum 10mm fire rated subfloor bedrooms within 5m of the door generally Refer AS 3786 for any requirements.

Boundary and party wall construction shall comply with the requirements of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.8.5 of the BCA.

PLANNING PERMIT	
NOT FOR CONSTRUCTION	
REVISIONS:	DATE:
D FOR REVIEW	06.07.12
PLANNING PERMIT ISSUE	29.07.12
PLANNING PERMIT ISSUE	06.07.12
PLANNING PERMIT ISSUE	20.08.12
PLANNING PERMIT ISSUE	06.08.12

WOLVERIDGE architects

121 ROXBURY STREET COLLINGSWOOD VICTORIA AUSTRALIA 3066
TEL: 03 9486 9882 FAX: 03 9486 9883

PROJECT: Murphy Street
60-71 Murphy Street,
Port Douglas

CLIENT: Brandwill Holdings Pty Ltd

SCALE: AS SHOWN @ A1

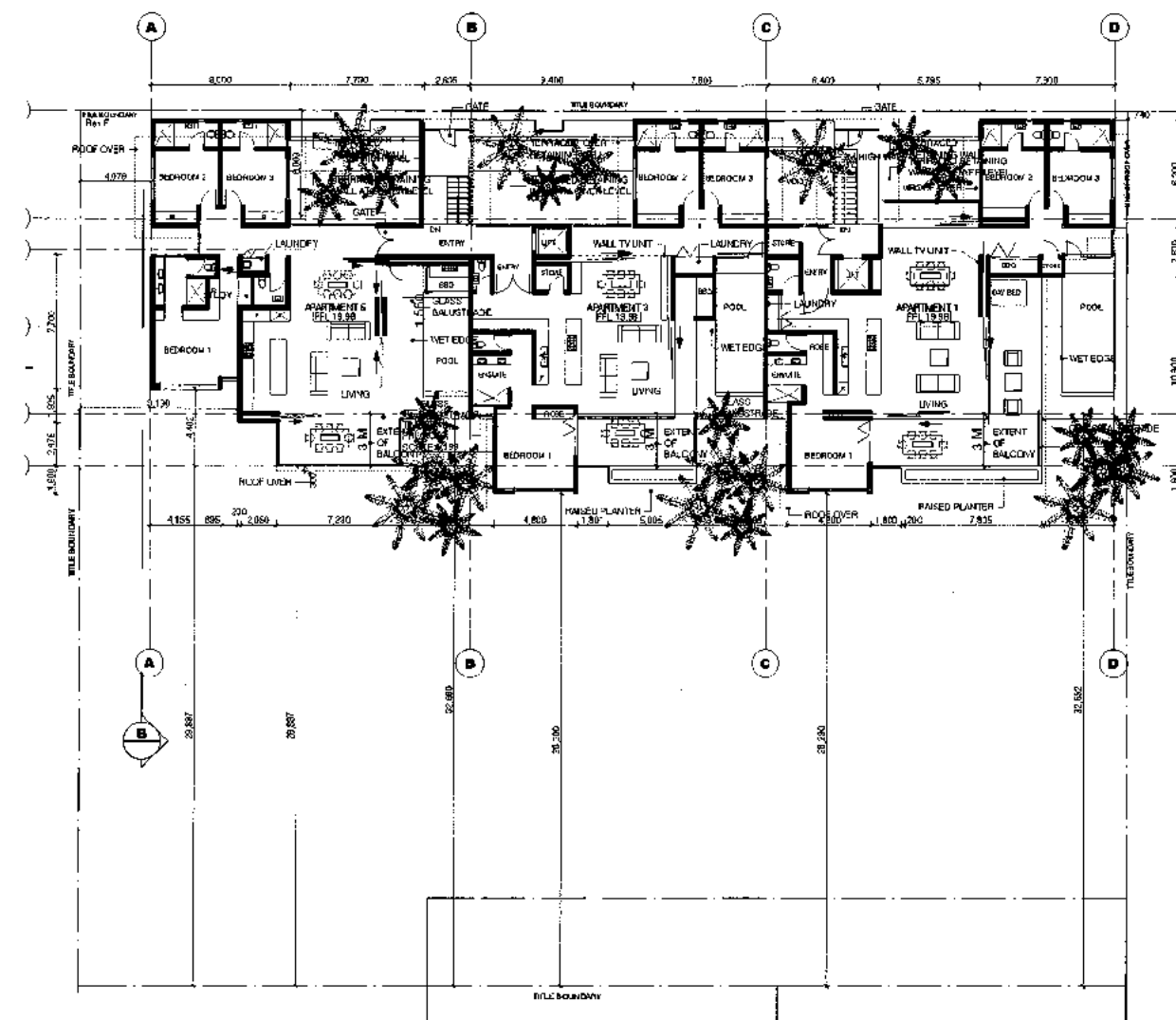
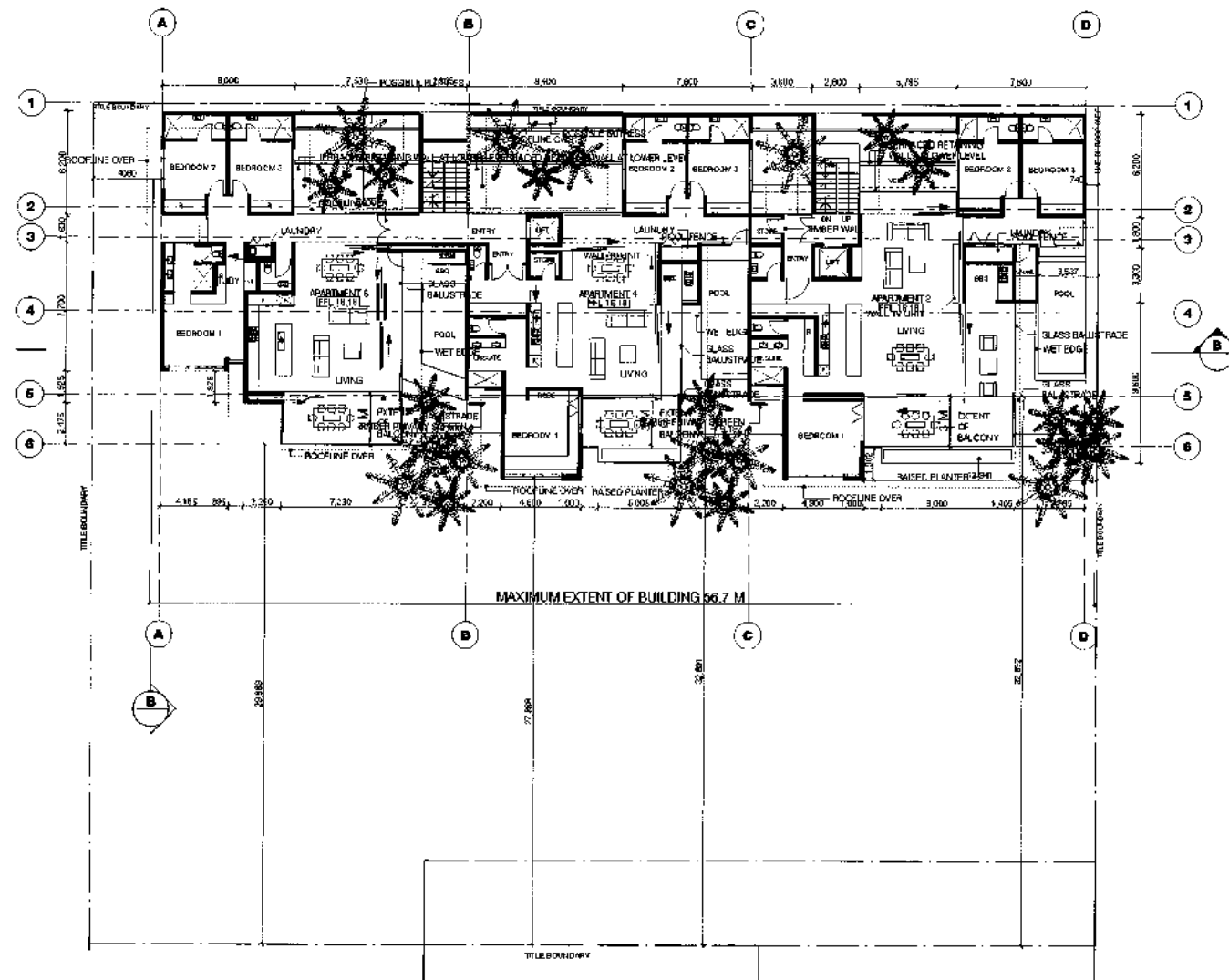
DRAWING CREATED: 26/08/08

DRAWING DATE: 08/08/2012


DRAWING TITLE: GFA Upper Ground

DRAWING NO: P12

REV: D



	GENERAL NOTES All works shall comply with and be carried out in strict accordance with the requirements of the Local Authority the National Construction Code (AS/NZS) Building Code of Australia and the relevant Australian Standards. All timber construction shall be in accordance with the Structural Engineer's specifications and drawings the requirements of the Timber Framing Manual. All services shall be installed to the requirements of the relevant standards and connected at the legal point as prescribed by the relevant authority. This drawing shall be read in conjunction with associated specifications, schedules and other consultant drawings and specifications. Do not scale this drawing, set all new work out from existing building work and report any discrepancies to the Architect prior to any construction or fabrication work. Templa protection required to AS 3568 as directed by the Building Surveyor.		Steel construction to conform to Part 2.9.1 of the BCA to include but not limited to the following: Floors - 180mm maximum (15mm minimum) Traps - 25mm maximum (20mm minimum) For open traps provide a maximum gap of 125mm between traps. Balustrade construction to conform to Part 3.8.2 of the BCA to include but not limited to the following: Provide a continuous handrail 1000mm minimum height to balcony and deck which are 1000mm or more above finished ground level. Maximum openings between balustrades not to exceed 125mm. Smoke detectors shall be fitted to the requirements of the BCA minimum 1 per floor located outside bedrooms within 1.5m of the door generally Refer AS 3786 for any requirements. Boundary and party wall construction shall comply with the 6 requirements of Part 3.7.1 of the BCA and sound insulation requirements of Part 3.9.8 of the BCA.		
	PLANNING PERMIT NOT FOR CONSTRUCTION		WOLVERIDGE architects 121 ROKESBY STREET COLLINGWOOD VICTORIA AUSTRALIA 3066 TEL: +61 3 9486 9882 FAX: +61 3 9456 3883 PROJECT: Murphy Street 60-71 Murphy Street, Port Douglas CLIENT: Brandwill Holdings Pty Ltd SCALE: AS SHOWN @ A1 DRAWING CREATED: 26/03/09 DRAWING TITLE: Site Coverage DRAWING NO: P13 REV: C		
PLANNING PERMIT ISSUE PLANNING PERMIT ISSUE PLANNING PERMIT ISSUE		29.07.09 09.07.09 20.08.09		29.07.09 09.07.09 20.08.09	

	2008 Douglas Shire Planning Schemes Applications
ADOPTED INFRASTRUCTURE CHARGES NOTICE	

Roger Allen DEVELOPERS NAME	0 ESTATE NAME	0 STAGE
69, 71-73 Murphy St STREET No. & NAME	Port Douglas SUBURB	L2 RP724386 L516 PTD2094 LOT & RP No.s
MCUI Multiple Dwellings DEVELOPMENT TYPE	MCUI 2688/2008 COUNCIL FIL	2343 2344 PARCEL No.
800782 DSC Reference Doc. No.	1 VERSION No.	VALIDITY PERIOD (year)

	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 6	11,473.71	68,842.26		
	0	0.00	0.00		
	existing 2	14,342.13	28,684.26		
	Total		40,158.00		
TOTAL			\$40,158.00		

Prepared by	J Elphinstone	10-Jan-17	Amount Paid	
Checked by	Neil Beck	12-Jan-17	Date Paid	
Date Payable				
Amendments				
			Receipt No.	
			Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Section 630 of the *Sustainable Planning Act 2009 (SPA)* as from Council's resolution from the Special meeting held on 24 June 2015.

Charge rates under the current Policy are not subject to indexing.

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