

## 5.6. EXTEND RELEVANT PERIOD FOR ROL COMPONENT FOR 40-52 MITRE STREET CRAIGLIE

<b>REPORT AUTHOR(S)</b>	Jenny Elphinstone, Senior Planning Officer
<b>GENERAL MANAGER</b>	Nick Wellwood, General Manager Operations
<b>DEPARTMENT</b>	Development Assessment and Coordination
<b>PROPOSAL</b>	Request to extend the relevant period for the Reconfiguration of a Lot component of the Combined Application for Multiple Dwellings, Restaurant and Ancillary Facilities, Reconfiguring a Lot & Preliminary Approval for Dwelling Houses
<b>APPLICANT</b>	David and Jane Lucas PO Box 329 PORT DOUGLAS QLD 4877
<b>LOCATION OF SITE</b>	42-44, 46-52 and 40-52 Mitre Street, Craiglie
<b>PROPERTY</b>	Lots 1, 2 and 6 on CPLN2253
<b>LOCALITY PLAN</b>	

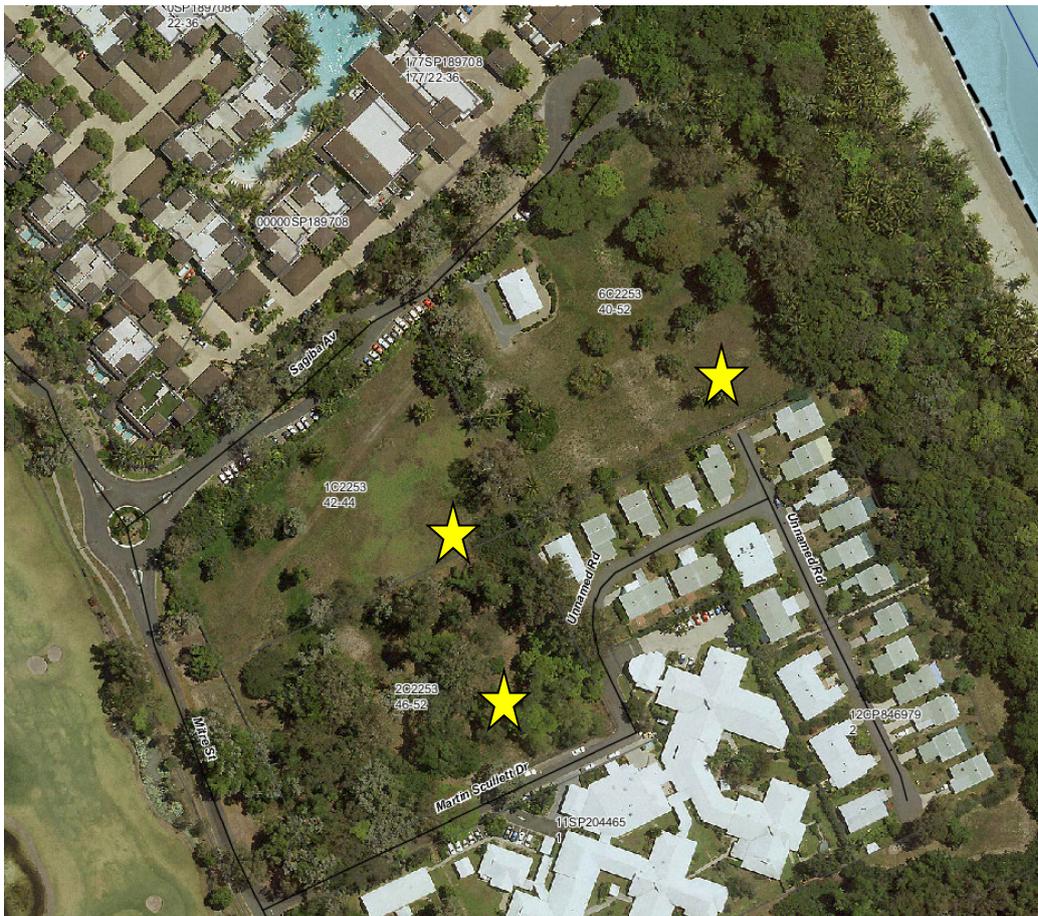


Figure 1 - Locality Plan

<b>LOCALITY</b>	Port Douglas and Environs
<b>PLANNING AREA</b>	Residential 1
<b>PLANNING SCHEME</b>	Douglas Shire Planning Scheme 1996
<b>REFERRAL AGENCIES</b>	Department of Environment & Natural Resources (Originally a referral agency – referral no longer applicable under <i>Planning Regulation 2017.</i> )  Department of Transport & Main Roads (Originally a Concurrence agency – referral no longer applicable under <i>Planning Regulation 2017.</i> )
<b>NUMBER OF SUBMITTERS</b>	Not Applicable.
<b>STATUTORY ASSESSMENT DEADLINE</b>	13 October 2017.
<b>APPLICATION DATE</b>	14 September 2017.

#### **RECOMMENDATION**

- A. That Council approves the request for extension of the relevant period for part of the approval, being the reconfiguring of a lot, over land described as Lots 1, 2 and 6 on CPLN2253, located at 42-44, 46-52 and 40-52 Mitre Street, Craiglie, for a further four (4) years, up to and including the 13 October 2022; and**
- B. That an Adopted Infrastructure Charges Notices be issued to the Applicant in respect to the Reconfiguring of a Lot component of the approval.**

#### **EXECUTIVE SUMMARY**

The land is situated on the north east corner of Mitre Street and Sagiba Avenue and also abuts Esplanade. Land on the western side of Sagiba Avenue is developed with the Sea Temple resort and the Palmer Golf Links have been developed opposite the land on the southern side of Mitre Street.

Approval was originally issued under the 1996 Planning Scheme by the former Douglas Shire Council in May 2006 for a resort, to create residential lots fronting the foreshore and for a house on each of the foreshore lots. Extensions of the currency period were issued by both the Cairns Regional Council and the Douglas Shire Council. The material change of use component has been acted on.

The reconfiguring of a lot component has a currency period that is due to expire on 13 October 2018 and the applicant has requested a four year extension to this component.

An application for a Development Permit for Operational Work associated with the Reconfiguring of a Lot component is currently being determined by Council. The Assessment of this application has given consideration to the 0.8m sea level rise due to climate change.

No concern is raised with the request and it is recommended the request be approved and a new Adopted Charges Notice be issued reflecting Council's current charges policy.

## TOWN PLANNING CONSIDERATIONS

### Background

The application was first approved by the former Douglas Shire Council, under the 1996 Douglas Shire Planning Scheme, with a Negotiated Decision having been approved in October 2006. The approval then encompassed reconfiguration of three lots into five lots, 106 Multiple Dwellings (Tourist), ancillary facilities including reception area, restaurant and recreation facilities and a Preliminary Approval to construct a dwelling on each of the four, foreshore lots. The tourist lot was provided with a significant frontage to the Esplanade.

Cairns Regional Council approved changes to the application on 9 December 2009. An extension to the relevant period was approved by Cairns Regional Council on 7 July 2010 included minor changes to the infrastructure charges conditions as per legislative requirements. The approved changes also relocated the resort's main reception building to front the Esplanade.

The request in 2013 for an extension of the currency period was accompanied by a further request to change the approval. These changes relocated the main reception building away from the Esplanade, detailed only individual house lots to front the Esplanade and reduced the overall scale of the resort development. The changes were considered consistent with the current planning scheme. A copy of the existing approval is included in Appendix 1.

### Proposal

#### Application for an Extension Approval

The applicant has requested a four (4) year extension for the approval up to and including 13 October 2022 for the Reconfiguring of a Lot component. A summary of the applicant's reasons for requesting the extension is as follows:

- a. The application for a development permit for operational work associated with the lot reconfiguration is still progressing;
- b. During the course of developing the land detailed discussions have occurred with the Department of Environment and Heritage and the Department of Infrastructure, Local Government and Planning (Cairns SARA) regarding the planned storm water drain through the Esplanade, due to an inadequate storm water system available in Sagiba Avenue;
- c. It had been anticipated that the development of the new lots would have been completed within the current four year relevant period. However, due to the complexity of issues the design is now being finalised. During this period the wetland area has been remapped for the land and recently SARA has advised that the proposed drain is now satisfactory; and
- d. Significant expenditure has been dedicated through consultants' reports including planners, engineers, wetland experts and botanists to achieve a sustainable outcome.

## **Planning Act 2016 (PA)**

The request has been lodged under section 86 of the *Planning Act 2016* (PA).

Council must decide the request for an extension approval to the Decision Notice under section 87(a) of the PA,

*“When assessing an extension application, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.”*

Since the issue of the approval the State has included part of the land in the Coastal Management District. The State has advised that no referral is necessary for the request to extend the approval having regard to this issue.

The associated development application for operational work has been referred to the State in relation to the Coastal Management District.

The Department of Main Roads and the Department of Natural Resource and Water were concurrence and advice agencies for the application respectfully. Under the *Planning Regulation 2017* these entities are no longer referral agencies.

As matter of courtesy a copy of the extension can be forwarded to the State Department of Infrastructure, Local Government and Planning (SARA) for their record.

In deciding the request section 87(2) of the PA states that the assessment manager must decide whether to:

- “(a) give or refuse the extension sought; or*
- (b) extend the currency period for a period that is different from the extension sought.”*

## **State Planning Requirements**

The State Planning Policy (SPP) requires consideration be given to state interests, including a principle position of 0.8m sea level rise. This matter has already been considered as part of assessment of the operational work.

## **Douglas Shire Planning Scheme Assessment**

The consideration by Cairns Regional Council in 2013 for an extension to the relevant period included an assessment of the application against the current Planning Scheme.

This assessment is agreed with.

Assessment against the proposed 2016 Planning Scheme for the lot reconfiguration component is tabled below.

Table 1.

Proposed 2017 Douglas Shire Planning Scheme		Code Applicability	Compliance
<b>Zone</b>	Tourist Accommodation Zone	✓	Refer to comment
<b>Local Plan</b>	Port Douglas / Craiglie	✓	Complies.
<b>Precinct / Sub Precinct</b>	None Specified	✓	
<b>State Codes</b>	Community Residence Code	x	Not Applicable
	Forestry For Wood Production Code	x	Not Applicable
	Reconfiguring A Lot (Subdividing One Lot Into Two Lots) And Associated Operational Work Code	x	Not Applicable
<b>Overlay Codes</b>	Acid Sulfate Soils Code	✓	<ul style="list-style-type: none"> <li>ASS &lt;5m AHD</li> </ul> Satisfactory through condition.
	Bushfire Hazard Code	✓	<ul style="list-style-type: none"> <li>Part High Potential Bushfire Intensity</li> <li>Part Potential Impact Buffer</li> </ul> Satisfactory as in an urban area and new development will be fire compliant for construction and accommodation purposes.
	Coastal Environment Overlay Code	✓	Not mapped in Scheme CMD area. Part erosion prone area – addressed through conditions of approval and operational work assessment.
	Flood And Storm Tide Hazard Overlay Code	✓	<ul style="list-style-type: none"> <li>Part High and Part Medium Storm Tide Hazard</li> </ul> Satisfactory through conditions of approval and required fill on land and operational work assessment..
	Hillslopes Overlay Code	x	Not mapped
	Landscape Values Overlay Code	✓	<ul style="list-style-type: none"> <li>Adjacent to Esplanade that is Coastal Scenery.</li> </ul> Satisfactory through conditions of approval.
	Natural Areas Overlay Code	✓	<ul style="list-style-type: none"> <li>Part mapped as regulated vegetation.</li> </ul> Refer to comment.
	Places Of Significance Overlay Code	x	Not mapped
	Potential Landslide Hazard Overlay Code	x	Not mapped
	Transport Network Overlay Code: (Pedestrian and Cycle) Overlay	✓	<ul style="list-style-type: none"> <li>Mitre Street is a neighbourhood route.</li> </ul> Complies through conditions.

Proposed 2017 Douglas Shire Planning Scheme		Code Applicability	Compliance
	Transport Network Overlay Code: (Road Hierarchy) Overlay	✓	<ul style="list-style-type: none"> <li>Mitre Street is an access road</li> <li>Sagiba Cave is not mapped.</li> </ul> Complies through conditions
	Transport Network Overlay Code: (Transport Noise Corridor) Overlay	✓	Not mapped
	Land Use Code:	x	No consideration of MCU component.
<b>Other Development Codes</b>	Access, Parking And Servicing Code	x	Not applicable
	Advertising Devices Code	x	Not applicable
	Environment Performance Code	x	Not applicable
	Filling And Excavation Code	x	Not Applicable
	Infrastructure Works Code	✓	Complies through conditions of approval.
	Landscaping Code	x	Not Applicable.
	Reconfiguring A Lot Code	✓	Complies through conditions of approval.
	Ship-Sourced Pollutants Reception Facilities In Marina Code	x	Not Applicable
	Vegetation Management Code	✓	Satisfactory

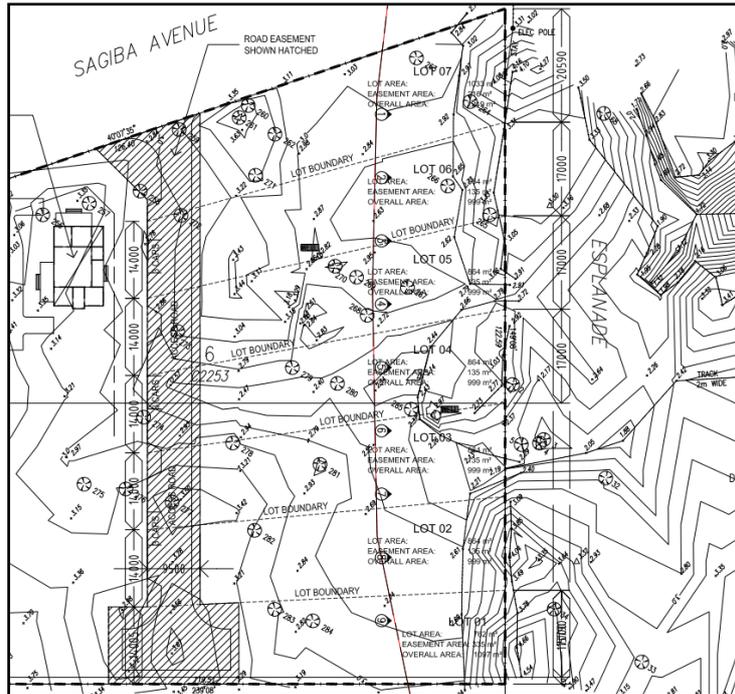
### Compliance Issues

The Tourist Accommodation Zone seeks as Performance Criteria that each new lot has a site area of a minimum of 1000m<sup>2</sup> site area. The intent of this lot size is to enable tourist development, including tourist units.

The proposed lot layout consists of seven new, residential lots to front the Esplanade with a single balance lot for the Multiple Dwellings, Restaurant and Ancillary Facilities component of the development.

The smaller, individual residential lots share internal pedestrian and vehicle access easement generally in accordance with the layout in Figure 2 below. The individual lot areas, exclusive of easement are, with the exception of proposed Lot 01, more than 850m<sup>2</sup>. Lot 01 has a lot area exclusive of the easement of 762m<sup>2</sup>.

The easement areas increase the individual lots size enabling each lot to have a size of approximately 1000m<sup>2</sup> or greater in area and thereby achieving the Performance Criteria.



**Figure 2 – Extract of the Reconfiguring of a Lot Layout Plan**

The conditions of the approval require the internal easement road to be constructed to the FNQROC Development Manual standard of an access place and to include appropriate street lighting. The internal access easement will physically reflect a standard. Consequently, the usable area of the created house lots will be less than 1000m<sup>2</sup> and these lots are likely to yield a lower density of development. This outcome is supported given the location of the house lots immediately adjacent to the Esplanade, a naturally vegetated area and an area that is subject to coastal process.

While part of the land is mapped as having regulated vegetation, on the ground assessment identified the majority of natural vegetation to be on the adjacent Esplanade. The development satisfactorily meets the Natural Areas Overlay Code requirements.

### **Public Notification / Submissions**

There were no submissions received against the original application. The development is code assessable against the current and proposed planning schemes.

### **ADOPTED INFRASTRUCTURE CHARGES**

The proposed development triggers infrastructure charges. A new Adopted Charges Notice is to be issued as per Attachment 2.

### **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. Mitre Street ROL Attachment 1 Current Approval **[5.6.1]**
2. Mitre Street ROL Attachment 2 Adopted Charges **[5.6.2]**

## Attachment 1 – Current Approval

**OUR REF:** CA 3504/2014 (prev 8/7/1815) 423040

24 June 2014

Mr & Mrs David & Jane Lucas  
C/- MiCorp Property Pty Ltd  
PO Box 7777  
**CAIRNS QLD 4870**

Dear Sir/Madam

### **REQUEST TO CHANGE APPROVAL AND EXTEND RELEVANT PERIOD FOR COMBINED APPLICATION 40-52 MITRE STREET, CRAIGLIE**

With reference to the abovementioned request, please find attached the relevant Amended Decision Notice which was determined by under Instrument of Delegation on 19 June 2014.

It was further determined that the relevant period for the reconfiguring of a lot component be extended for a period of four (4) years up to and including 13 October 2018.

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

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

Yours faithfully

Donna Graham  
Manager Development & Environment

Att

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**APPLICANT DETAILS**

David & Jane Lucas  
C/- MiCorp Property Pty Ltd  
PO Box 7777  
CAIRNS QLD 4870

**ADDRESS**

40-52 Mitre Street, 42-44 Mitre Street and 46-52 Mitre Street, Craiglie

**REAL PROPERTY DESCRIPTION**

Lots 1, 2 & 6 on C2253

**PROPOSAL**

Request to change approval and extend relevant period for the reconfiguring a Lot component of the Combined Application

**DECISION**

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

**DECISION DATE**

This Amended Decision Notice dated 23 June 2014 replaces the mended Decision Notice dated 7 July 2010.

**TYPE**

Combined Application

**REFERRAL AGENCIES**

*(State Controlled Roads)*  
Department of Transport & Main Roads  
Road Assets & Operations  
Senior Planner  
PO Box 6185  
CAIRNS QLD 4870

*(Vegetation Clearing, Remnant Vegetation & Acid Sulfate Soils)*  
Development Application Lodgement  
Department of Environment & Heritage Protection  
(formerly Department of Environment & Resource Management)  
PO Box 15155  
CITY EAST QLD 4002

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building Works  
Development Permit for Plumbing Works  
Development Permit for Operational Works

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

None

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

Not in conflict

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

The term 'approved drawing(s) and/or document(s)' or other similar expressions means:

- A. Material Change of Use for Multiple Dwellings (Tourist) and Ancillary Facilities (including two central facilities areas with restaurant, lounge/bar, spa, gym and conference/function rooms).**

**Plan of Development**

- The approved development and the carrying out of any works on the premises associated with the development must generally be in accordance with Plans all dated 13.11.09, titled and numbered:

Drawing No 2.0 – Master Plan – Ground Floor Level,  
Drawing No 2.1 – Master Plan – First Floor Level,  
MiHaven Project 182 Drawing SK-02 Revision B, Coloured Layout (Dated  
May 2014)

Drawing No 2.2 – Master Plan – Car Park Level,  
MiHaven Project 184 Drawing SK-01 Revision A, Coloured Layout (Dated  
May 2014)

MiHaven Project 182 Drawing SK-01 Revision E, Layout

Drawing No 3.0 – Typical Apartment Plans,  
 Drawing No 3.1 – Typical Villa Plans,  
 Drawing No 3.2 – Typical House Plans,  
 Drawing No 3.3 – Central Facilities Plan,  
 Drawing No 4.0 – Central Facilities Elevation,  
 Drawing No 4.1 – Central Facilities Elevation,  
 Drawing No 4.2 – Central Facilities Section,  
 Drawing No 4.3 – Typical Apartments,  
 Drawing No 5.0 – Typical Apartments Perspective

attached to this approval, subject to:

- modifications required by any condition of this approval and any minor alterations found necessary by Council at the time of examination of engineering plans;

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- (ii) the applicant is to provide a minimum of 120 car spaces/parks on site. Alternatively, the applicant may provide less car parking spaces with the shortfall to be provided in the form of a monetary contribution equivalent to \$3575 per space in accordance with Planning Scheme Policy No 2 or by way of providing any shortfall in car parking spaces on-site within on-street works adjacent to the site. Any monetary contribution associated with this condition is to be paid prior to the granting of a building approval and any on-street works associated with this condition are to be completed prior to the commencement of the use;
- (iii) the proposed development and any associated works, contributions and lodgement of security being undertaken/made in stages to be determined at the Operational Works stage.
  - a. It is anticipated that the development will occur in several informal stages and be complemented by multiple approvals for Operational work. The extent of operational work required to be undertaken in respect to the part development of the Material Change of Use is to be determined by the Chief Executive Officer and provided by the land owner prior to the Commencement of Use for that part of the development.
- 2. The following external works will be required to connect the proposed development to the existing water supply network.
  - (i) Extend the existing 150 mm diameter water main located at the eastern end of Sagiba Avenue along the length of Sagiba Avenue to connect with the existing 150 mm main in Mitre Street.
- 3. The design will be required to be provided for approval prior to construction at Operational Works stage.

#### **Sewerage**

- 4. The following external works will be required to connect the proposed development up to the existing sewerage network:
  - Installation of a sewerage pump station to be located internally to the site together with a rising main to connect to Council's existing trunk sewer main located in Old Port Road. Council will pay half the cost of the rising main only.
- 5. The design will be required to be provided for approval prior to construction at Operational Works stage.

#### **Water Supply and Sewerage Headworks**

- 6. The Applicant shall pay to the Council headworks contributions for water supply and sewerage in accordance with Council's Contributions Policy in force at the time of payment.

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The contribution shall be calculated at the rate per Equivalent Domestic Connection ('EDC') applicable at the time of payment in accordance with the Policy.

#### **Electrical and Telephone Services**

7. Prior to approval of any development application for Building Work, the Applicant must submit to Council a copy of a letter from Ergon Energy stating that satisfactory arrangements have been made for the provision of:
  - a. an underground electrical supply to the development; and
  - b. street lighting in accordance with Council's adopted standards.
  - c. locating of all above ground transformer cubicles clear of footpath areas.
  
8. Prior to approval of any development application for Building Work, the Applicant must submit to Council a copy of a letter from Telstra stating that satisfactory arrangements have been made for the provision of:
  - a. an underground telephone service to the development including undergrounding of aboveground powerlines adjacent to the site; and
  - b. locating of all above ground switching station cubicles clear of footpath areas.

#### **Landscaping**

9. All fences, on road frontages, are to be set back two (2) metres from the property boundary with at least two (2) metres dense tropical landscaping provided to the frontage of the fence.

#### **Landscaping Plan**

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

#### **Planting Design**

- a. The location and species of all existing trees, with an indication as to whether each tree is to be retained or removed, and natural and finished ground levels if filling is to occur in the vicinity of any tree.
- b. The inclusion of individual character through landscape design and plant species for the various streets within the development;
- c. A planting design which is in accordance with the FNQROC Development Manual;
- d. A planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;
- e. Provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers;

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- f. The landscaped areas must be mulched with shredded/chipped vegetation waste, or similar material. The landscaped area must be regularly maintained and watered with a drip or sprinkler irrigation system;

#### **Hard Landscaping Works**

- a. Natural and finished ground levels including details of all retaining works;
- b. Details of any perimeter, private yard or street fencing;
- c. Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction;
- d. Clothes drying areas screened from public view and have access to natural sunlight.

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 first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

- 11. The landscaping required by condition 10 shall be completed before the development is occupied and maintained thereafter. The applicant is also required to revegetate the esplanade adjacent to the subject site, with the design to be subject to Council approval with the full landscape plans required by condition 10.

#### **Earthworks**

- 12. Details of the proposed filling and excavation for the development including a detailed acid sulfate soils assessment including management program must be submitted for Operational Works approval.

#### **Stormwater Drainage**

- 13. The legal point of discharge for all impervious surfaces, including roof water, is the swale located in the Esplanade to the east of the development site. The balance of the site can be drained to the points of discharge nominated on Plan number 83307/82 – C01 prepared by ARUP. This discharge point requires the approval of the EPA for drainage works in the Coastal Management District (CMD). This approval will be required prior to Council issuing an Operational Works Development Permit for external and internal site works.
- 14. Drainage easements and/or reserves as reasonably required following review of Operational Works drawings are to be registered in Council's favour, at no cost to Council.

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15. The developer is required to place pollution control devices and sumps in the stormwater systems within their allotment. The quality of any stormwater discharge from the site is to meet the EPA Queensland coastal waters of the Douglas Shire draft environmental values and water quality objectives May 2005.

#### **Roadworks**

16. The applicant is to undertake the following roadworks external to the site in accordance with the requirements of the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer:

- ~~Upgrading of the intersection of Nautilus Street and Mitre Street with the design and construction of a roundabout; and~~
- ~~Lighting of the roundabout in accordance with the requirements of the FNQROC Development Manual.~~
- ~~A two (2) metre wide footpath along the full Mitre Street and Sagiba Avenue (new road) frontages of the subject site.~~
- Provide a connecting footpath from the Main entry in Sagiba Avenue, across Sagiba Avenue to connect to the existing footpath on the north side of Sagiba Avenue; and
- Provide a connecting footpath from the entry point of the Multiple dwellings (tourist) use in Mitre Street to the existing footpath on the western side of Mitre Street.

The connecting footpaths are to be undertaken at a time as nominated by the Chief Executive Officer commensurate with the extent of development proposed.

#### **Environmental Management Plans**

17. The applicant is to have prepared with the submission for approval of the engineering plans, an Environmental Management Plan (EMP) detailing the controls to be utilised to ensure that no environmental harm or nuisance is caused from the proposed use of the land and construction of the works. In particular, this plan should address such issues as dust suppression, waste disposal, acid sulfate soil management, noise management and stormwater management (to minimise discharges of sediment, wastes and other substances).

#### **Carparking and Access**

18. The access/egress point to and from the western carpark is to be relocated so as to avoid the removal of trees numbered 115 and 116 on Plan number VP01 Revision A prepared by Siteplan.
19. The proposed egress onto Martin Scullet Drive is not approved.

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**Basement Parking**

20. Submit a report prepared by a qualified and experienced, registered engineer on the basement parking and a separate report prepared by a qualified and experienced hydrologist on the dewatering process. Both reports must be endorsed by the Chief Executive Officer prior to commencement of any works on the site related to basement parking.
- a. The basement parking report must include, but is not limited to the following:
    - i. Construction techniques;
    - ii. Techniques to imperviously seal the basement; and
    - iii. Method of basement ventilation.
  - b. The dewatering report must include, but is not limited to the following:
    - i. Method of water extraction pre and post development and the layout of the dewatering pumps and pipelines;
    - ii. Water quality;
    - iii. Lawful discharge of water; and
    - iv. How the results (being the form and frequency) will be reported to Council.
  - c. The access to the basement parking area must be designed to prevent 100 year ARI flood waters from entering the basement parking area, to include a 150 mm freeboard and must have a minimum vertical clearance of 2.1 metres.
21. The ingress and egress of the basement carparks shall be designed to prevent floodwaters entering the carparks. The entrance to the carparks are to be provided with 150 mm of freeboard. The Q100 immunity level is 3.4 metres AHD plus any hydraulic grade effect.

**Waste Storage and Discharge**

22. The waste storage area must be located outside of a three (3) metre wide landscape strip to the road frontage in the location shown on the approved plan for this development. The waste storage area must:
- a. Contain an impervious surface for the storage of waste containers suitably screened so as not to be visible from adjoining properties or the road reserve;
  - b. Include a stop cock and stormwater diversion valve at the drainage point;
  - c. Contain sufficient storage space for the storage of a 240 litre refuse bin for each unit in the development.
23. Refuse storage, removal and collection methods shall be in accordance with the 'Environment Protection (Interim Waste) Regulations 1996'.

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**Airconditioning and Service Equipment**

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

**Footpath Damage Liability**

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

**Maintenance**

26. The Applicant shall maintain in accordance with the requirements of the Operational Works Development Permit and the FNQROC Development Manual, all works of any nature whatsoever works carried out under the provisions of the subdivision of the land by-laws for a period of 24 months. The Applicant shall make good within such period any defects arising from faulty workmanship or materials in respect to such works carried out as part of the works associated with the development.

**Operational Works Development Permit**

27. Full engineering drawings, prepared and/or checked by a Registered Professional Engineer, shall be submitted for all road works, stormwater drainage, water supply, sewerage and lot improvement at Operational Works Application stage proportional to the extent of works proposed. Drawings should, in general, include the following and be designed in accordance with the requirements of the FNQROC Development Manual:
- a. locality plan;
  - b. layout and staging plan, where applicable;
  - c. earthworks plan;
  - d. layout plan for each driveway;
  - e. longitudinal section of each driveway;
  - f. cross sections for each driveway, including standard cross sections;
  - g. layout plan for each stormwater drainage;
  - h. longitudinal sections for each stormwater drain line;
  - i. details for non-standard drainage structures;
  - j. Sewerage Reticulation Plan;
  - k. Water Reticulation Plan;
  - l. Erosion and Sediment Control Strategy;
  - m. Service providers conduit plan, including street lighting; and
  - n. Such other details for the proper construction of the works ie retaining walls etc.

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**Security**

28. Appropriate security is to be provided to Council in accordance with the FNQROC Development Manual with an application for Operational Works.

**Currency Period**

29. This development approval lapses eight (8) years after the day that the development approval takes effect, ie the approval lapses 13 October 2014.

**Compliance with Conditions**

30. All works required pursuant to the above conditions shall be undertaken and completed in accordance with Council's requirements contained in the Planning Scheme Provisions/Codes and Engineering Standards.
31. Unless otherwise specified in this development permit, the conditions of this permit must be complied with prior to the occupancy of the building for the approved use or commencement of the approved use on the land.

**Acid Sulfate Soils**

32. The Golders Associates acid sulfate soil management plan ref 05673000-17(A) must be revised to reflect the current site conditions and requirements of the amended proposed Development.
33. That the bunding of any material should be as per section 8.3.6 Treatment Pad design in the Queensland Acid Sulfate Soil Technical Manual Management Guidelines 2002 by Dear et al.
34. Prior to the commencement of any excavation work on the basement carpark or the installation of underground services the Construction Manager is to provide evidence to Council that site personnel have received the appropriate training in the recognition and management of PASS material as per as per Appendix 'A' of the ASS Management Plan prepared by Golder Associates.
35. Provide to Council information on where the off-site treatment of Pass from the basement carpark and or the installation of underground services is to occur and where this material is to be disposed.
36. A report from a specialist consultant covering the excavations, treatment and disposal of PASS materials is to be provided to Council on the completion of the basement excavations.
37. A report from a specialist consultant covering the monitoring and treatment of seepage and dewatering discharges is to be provided to Council on the completion of excavation and dewatering works.
38. All discharge of surface waters, groundwater, seepage and dewatering is to meet the performance indicators prescribed in Appendix 5 of the ASS Management Plan.

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**Lawful Point of Discharge**

39. 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 to the requirements and satisfaction of the Chief Executive Officer.

**Drainage Study of Site**

40. 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 and conditions for a fully developed catchment;
  - 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 2 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 outlet from the proposed development.
  - g. The study is to include any impacts that the downstream tail water level will have on any proposed drainage infrastructure on secondary flowpaths for a major event.
  - h. Lawful point of discharge.

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

41. Drainage easements and/or reserves as reasonably required following review of Operational Works drawings are to be registered in Council's favour, at no cost to Council.

**Plan of Drainage Works**

42. The subject land must be drained to the satisfaction of the Chief Executive Officer. In particular,
- a. Drainage infrastructure in accordance with the FNQROC Development Manual

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- b. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQIDs), namely:
  - i. End-of line stormwater quality improvement devices (SQIDs) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit.
  - ii. SQIDs shall remove at least 95 per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQIDs treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated.
  - iii. The design of the SQIDs shall not compromise the hydraulic performance of the overall drainage system.
  - iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.
- c. All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event; and
- d. Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s).

#### External Works

- 43. Undertake the following works external to the land at no cost to Council:
  - a. ~~Construct a two (2) metre wide concrete footpath to Mitre Street and Sagiba Drive frontage in accordance with FNQROC Development Manual Standard Drawing 1035;~~
  - ba. Provision of a concrete crossovers and aprons in accordance with FNQROC Development Manual Standard Drawing 1015, in accordance with need and commensurate with the extent of development proposed;
    - i. Make good the kerb(s) at redundant crossover(s);
  - eb. Upgrade the street lighting to comply with requirements of the FNQROC Development Manual, where necessary at the Mitre Street entry when this vehicle crossing is to be utilised;

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- dc. Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.
- ed. Construct kerb and channel to Mitre Street and Sagiba Drive (including any drains required to Mitre Street) or an agreed alternative design commensurate on the extent of development proposed;

The external works outlined above require approval from Council in accordance with the FNQROC Development Manual for an Operational Works Application for the subject site. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the 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 Chief Executive Officer prior to Commencement of Use for the relevant component of the work or approval and dating of the Building Format Plan, whichever occurs first.

#### **Street and Internal Lighting**

- 44. The following arrangements for the installation of street lighting for the proposed subdivision must be provided prior to the approval and dating of the Plan of Survey:
  - a. Prior to the approval and dating of the Plan of Survey, both a street and internal lighting design is to be prepared by an approved consultant generally in accordance with the FNQROC Development guidelines and submitted to the Chief Executive Officer for approval.
  - b. Prior to approval and dating of the Survey Plan, written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.
  - c. Category V5 street lighting is to be provided at the new intersection off Mitre Street and the intersection approaches along Mitre Street for a distance equivalent to at least two spans either side of the intersection.
  - d. Internal roads and associated pathways are to be lit to at least AS/NZS 1158 Lighting Category P4.
  - e. Internal car parks are to be lit to at least AS/NZS 1158 Lighting Category 11B.
  - f. All internal lighting is to be connected to a private metered supply.

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**Above Ground Transformer Cubicles/Electrical Sub-Station**

45. 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 incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.

**Under Grounding of Electricity Supply**

46. All electricity lines along the full frontages 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 full frontages is to be upgraded to the applicable Lighting Category and lighting columns are to be of steel construction.

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.

**Minimum Fill and Floor Levels**

47. All floor levels in all buildings must be located 150 mm above the Q100 flood immunity level of 3.4 metres AHD, plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

**Existing Creek and Drainage Systems**

48. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

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

**Water Supply and Sewerage Works External**

49. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:
  - a. Augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties and such that a water service connection can be provided at the lot frontage;

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- b. Augment existing sewers and pump station downstream of the site, to the extent required to accommodate the increased flows generated by the development;
- c. Extend the sewer main as required by Cairns Regional Council;
- d. Sewerage pumping and lift stations will not be accepted external to the development.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual as shown on the plan of works.

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the 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 Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

#### **Water Supply and Sewerage Works Internal**

50. Undertake the following water supply and sewerage works internal to the subject land:

The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures.

Sewerage pump stations and lift stations shall be privately owned and maintained.

Water supply sub-metering must be designed and installed in accordance with *The Plumbing and Drainage Act 2002 and the Water Supply (Safety and Reliability) Act 2008*.

Construct internal property sewers and private pump stations if required to connect individual premises to the property connection branch servicing the development.

Private Water and Sewerage infrastructure must be managed by a Community Management Scheme. If the development consists of more than one (1) Body Corporate within Lot 1, 2 and 6 on C2253, a parent Body Corporate shall be established to manage the operation and maintenance of the internal water and sewerage infrastructure.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

The plan of works must be approved by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

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

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All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

#### **Inspection of Sewers**

51. CCTV inspections of sewers must be undertaken both prior to commencement of works on site and at works completion where works have been undertaken over or to sewers. Defects must be rectified to the satisfaction of the Chief Executive Officer at no cost to Council prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

#### **Damage to Infrastructure**

52. 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 Douglas Water & Waste immediately of the affected infrastructure and have it repaired or replaced by Douglas Water & Waste, at the developer's cost, prior to the Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

#### **Water Saving**

53. 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 nine (9) litres of water per minute.

#### **Refuse Storage**

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

#### **B. Reconfiguration of a Lot (3 Lots into 9-8 Lots)**

1. The approved reconfiguration and the carrying out of any works on the premises associated with the reconfiguration must be generally in accordance with Plan of Reconfiguration Drawing No: 1.1 dated 16 November 2009 – MiHaven Project 182 Drawing SK-01 Revision B, Coloured Layout dated May 2018 and amended where all land other than those lots numbered 01 to 07 and the associated common property road is included as a single balance lot attached to this approval, subject to:

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- (i) modifications required by any condition of this approval and any minor alterations found necessary by Council at the time of examination of engineering plans.

The lots to have a minimum level within the building footprints to be determined at the Operational Works stage as described in Council's development manual.

- a. It is anticipated that the development will occur in several informal stages and be complemented by multiple approvals for Operational work. The extent of operational work required to be undertaken in respect to the part development of the Reconfiguration of a Lot is to be determined by the Chief Executive Officer and provided by the land owner prior to the issue of a Certificate of Compliance for a relevant Survey Plan.

2. The applicant shall make contribution for parkland for five (5) additional allotments in accordance with Council's requirements for parkland contribution valid at time of payment.
3. The Applicant shall pay to the Council headworks contributions for water supply and sewerage in accordance with Council's Contributions Policy in force at the time of payment.

The contribution shall be calculated at the rate per Equivalent Domestic Connection ('EDC') applicable at the time of payment in accordance with the Policy.

4. This development approval lapses ~~eight (8)~~ twelve (12) years after the day that the development approval takes effect, ie the approval lapses 13 October ~~2014~~ 2018 unless the Plan of Survey has been lodged with Council for endorsement.

All works required pursuant to the above conditions shall be undertaken and completed in accordance with Council's requirements contained in the Planning Scheme Provisions/Codes and Engineering Standards.

Unless otherwise specified in this development permit, the conditions of this permit must be complied with prior to Council endorsement of the Plan of Survey

#### **Earthworks**

5. Details of the proposed filling and excavation for the development including a detailed acid sulfate soils assessment including management programme must be submitted for Operational Works approval. All proposed residential lots are to be provided with Q100 immunity and be drained to a Lawful Point of Discharge in accordance with the FNQROC Development Manual and the Douglas Shire Planning Scheme 2008.

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### External Works

6. Undertake the following works external to the land at no cost to Council:
- a. ~~Construct a two (2) metre wide concrete footpath to Mitre Street and Sagiba Drive frontage in accordance with FNQROC Development Manual Standard Drawing 1035;~~
  - b. Provision of a concrete crossovers and aprons in accordance with FNQROC Development Manual Standard Drawing 1015;
    - i. Make good the kerb(s) at redundant crossover(s);
  - c. ~~Upgrade the street lighting to comply with requirements of the FNQROC Development Manual;~~
  - db. Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.
    - i. Construct landscaping and appropriate road finish to match existing from the common property road along Sagiba Avenue to the eastern boundary of the land, commensurate to the extent of development proposed. kerb and channel to Mitre Street and Sagiba Drive;

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded.

The external works outlined above require approval from Council in accordance with the FNQROC Development Manual for an Operational Works Application for the subject site. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the 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 Chief Executive Officer prior to sealing of the Survey Plan.

### Maintenance

7. The Applicant shall maintain in accordance with the requirements of the Operational Works Development Permit and the FNQROC Development Manual, all works of any nature whatsoever works carried out under the provisions of the subdivision of the land by-laws for a period of 24 months. The Applicant shall make good within such period any defects arising from faulty workmanship or materials in respect to such works carried out as part of the works associated with the development.

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**Drainage Study of Site**

8. 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 and conditions for a fully developed catchment;
  - 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 2 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 outlet from the proposed development.
  - g. The study is to include any impacts that the downstream tail water level will have on any proposed drainage infrastructure on secondary flowpaths for a major event.
  - h. Lawful point of discharge.

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

9. Drainage easements and/or reserves as reasonably required following review of Operational Works drawings are to be registered in Council's favour, at no cost to Council.

**Plan of Drainage Works**

10. The subject land must be drained to the satisfaction of the Chief Executive Officer. In particular,
  - a. Drainage infrastructure in accordance with the FNQROC Development Manual
  - b. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQIDs), namely:

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- i. End-of line stormwater quality improvement devices (SQIDs) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit.
  - ii. SQIDs shall remove at least 95 per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQIDs treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated.
  - iii. The design of the SQIDs shall not compromise the hydraulic performance of the overall drainage system.
  - iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.
- c. All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event; and
  - d. Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s).

#### **Existing Creek and Drainage Systems**

11. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

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

#### **Operational Works Development Permit**

12. Full engineering drawings, prepared and/or checked by a Registered Professional Engineer, shall be submitted for all road works, stormwater drainage, water supply, sewerage and lot improvement at Operational Works Application stage. Drawings should, in general, include the following and be designed in accordance with the requirements of the FNQROC Development Manual:
- a. locality plan;
  - b. layout and staging plan, where applicable;
  - c. earthworks plan;
  - d. layout plan for each driveway;
  - e. longitudinal section of each driveway;
  - f. cross sections for each driveway, including standard cross sections;

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- g. layout plan for each stormwater drainage;
- h. longitudinal sections for each stormwater drain line;
- i. details for non-standard drainage structures;
- j. Sewerage Reticulation Plan;
- k. Water Reticulation Plan;
- l. Erosion and Sediment Control Strategy;
- m. Service providers conduit plan, including street lighting; and
- n. Such other details for the proper construction of the works i.e. retaining walls etc.

#### **Access to proposed residential lots**

13. Construct the proposed common road in accordance with the standard for an Access Place in accordance with the FNQROC Development Manual otherwise demonstrate how the proposed design will be able to service the proposed lots with regards to, but not limited to, drainage, water, sewer, power, telecommunications and provision of a turnaround for vehicles at road end.

All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

#### **Service Conduits**

14. Provide service conduits to new proposed lots adjacent the proposed common road together with associated access pits if necessary, to end of the proposed access.

All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

#### **Existing Services**

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

#### **Electricity Supply**

16. Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to the issue of a Development Permit for Operational Works.

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**Electricity and Telecommunications**

- 17 Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to approval and dating of the Plan of Survey.

**Street and Internal Lighting**

18. The following arrangements for the installation of street lighting for the proposed subdivision must be provided prior to the approval and dating of the Plan of Survey:
- a. Prior to the approval and dating of the Plan of Survey, both a street and internal lighting design is to be prepared by an approved consultant generally in accordance with the FNQROC Development Manual guidelines and submitted to the Chief Executive Officer for approval.
  - b. Prior to approval and dating of the Survey Plan, written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.
  - c. Category V5 street lighting is to be provided at the new intersection off Mitre Street and the intersection approaches along Mitre Street for a distance equivalent to at least two (2) spans either side of the intersection.
  - d. Internal roads and associated pathways are to be lit to at least AS/NZS 1158 Lighting Category P4.
  - e. Internal car parks are to be lit to at least AS/NZS 1158 Lighting Category 11B.
  - f. All internal lighting is to be connected to a private metered supply.

**Access Easement/s**

19. Create an Access Easement to allow vehicle access and on-site manoeuvring to proposed lots ~~2—9—01-07~~ over proposed lot 1—single balance lot, to the requirements and satisfaction of the Chief Executive Officer. 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 Plan of Survey and must be lodged and registered with the Department of Environment and Resource Management in conjunction with the Plan of Survey.

**Water Supply and Sewerage Works**

20. Undertake the following water supply and sewerage works to the subject land:

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- a. Provide water and sewer connections to each lot (including proposed lots ~~2 to 9-01~~ to 07 and the single balance lot) in accordance with the FNQROC Development Manual;

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

#### **Services Easements**

21. Create a Service Easement over proposed ~~Lot 4~~ single balance lot for the benefit of Lots ~~2 to 9-01~~ to 07 to the requirements and satisfaction of the Chief Executive Officer. 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 Plan of Survey and must be lodged and registered with the Department of Environment and Resource Management in conjunction with the Plan of Survey.

#### **Parkland Contribution**

22. Pay a monetary contribution equivalent to ten (10) per cent of the Unimproved Capital Value of the created allotment/s in accordance with the Planning Scheme Policy.

At the time of seeking approval and dating of the Plan of Survey, a security equivalent to the amount payable must be submitted to Council. This security can take the form of a cash bond or bank guarantee. The amount payable must be determined by an appropriately qualified property valuer and must be submitted to Council as supporting information when seeking endorsement of the Survey Plan.

The contribution payable must be made within three (3) months of the registration of the allotment/s.

### **C. Preliminary Approval for five (5) Dwelling Houses.**

#### **Dwelling Houses (Preliminary Approval)**

1. A further application for Material Change of Use (Code Assessment) will be required to construct a Dwelling House on proposed Lots 2 to 6.
2. No building work (including pools) is permitted to be erected or constructed within the Erosion Prone Zone as shown on Plan LPP 1.00 dated October 2005 and prepared by Siteplan.
3. No vegetation is to be removed from the Erosion Prone Zone.

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4. The height of any proposed Dwelling House is not to exceed 7.5 metres above natural ground level.
5. This development approval lapses eight (8) years after the day that the development approval takes effect, unless an application for a Material Change of Use Development Permit over each proposed allotment has been lodged for the approval of Council.
6. All works required pursuant to the above conditions shall be undertaken and completed in accordance with Council's requirements contained in the Planning Scheme Provisions/Codes and Engineering Standards.
7. Unless otherwise specified in this development permit, the conditions of this permit must be complied with prior to the occupancy of the building for the approved use or commencement of the approved use on the land.

**RIGHTS OF APPEAL**

Attached

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**End of Decision Notice**40.2009.3504  
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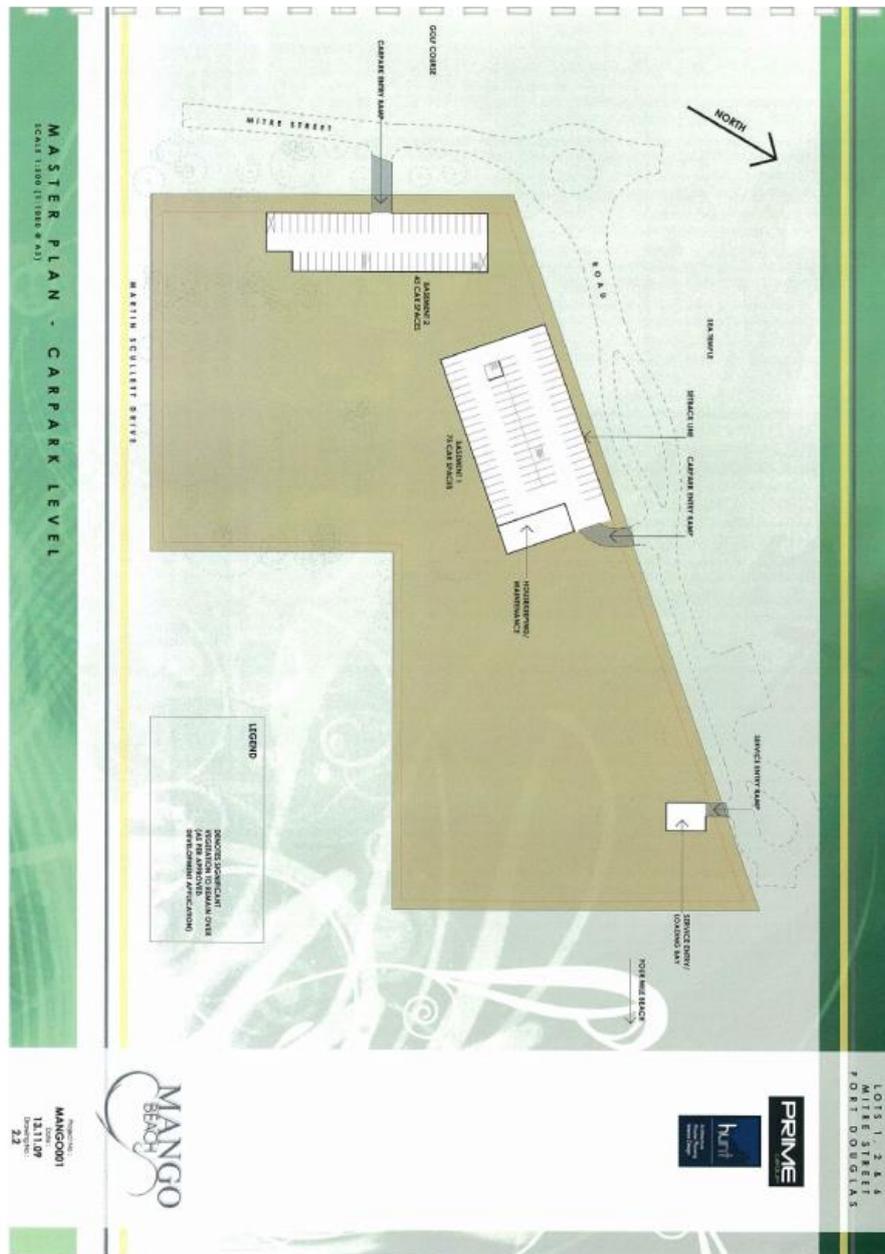


**APPENDIX 2 APPROVED PLANS & DOCUMENTS FOR MATERIAL CHANGE OF USE COMPONENT**



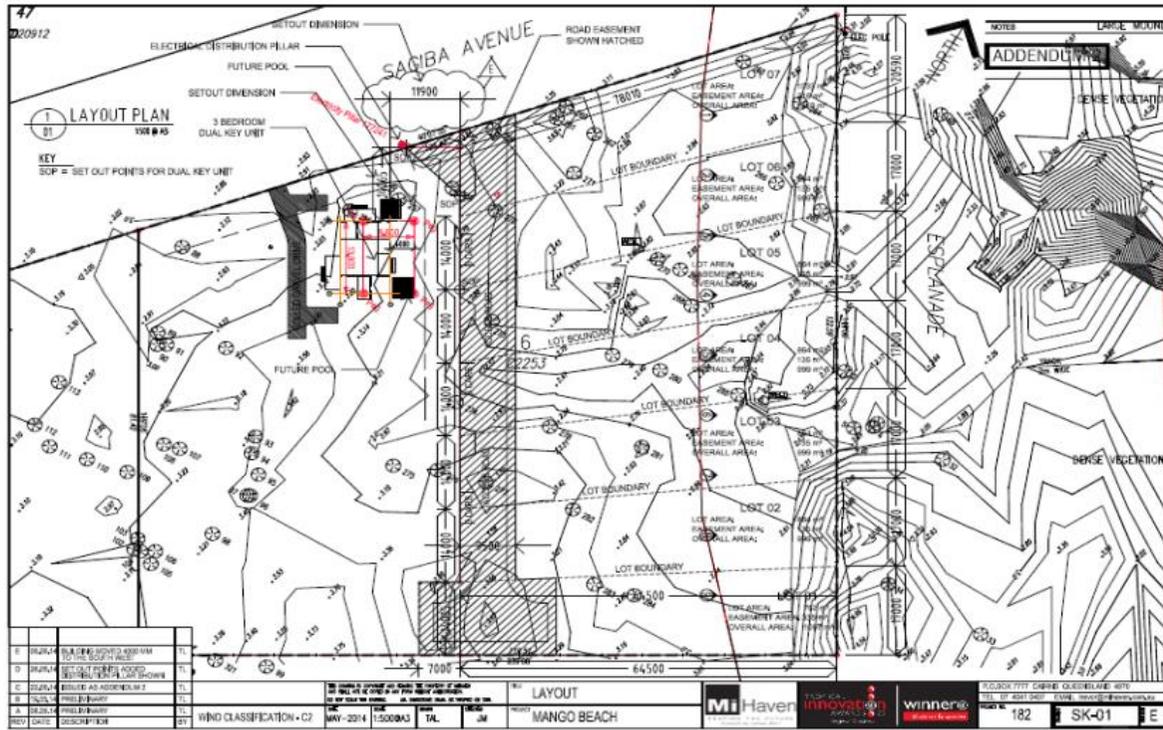
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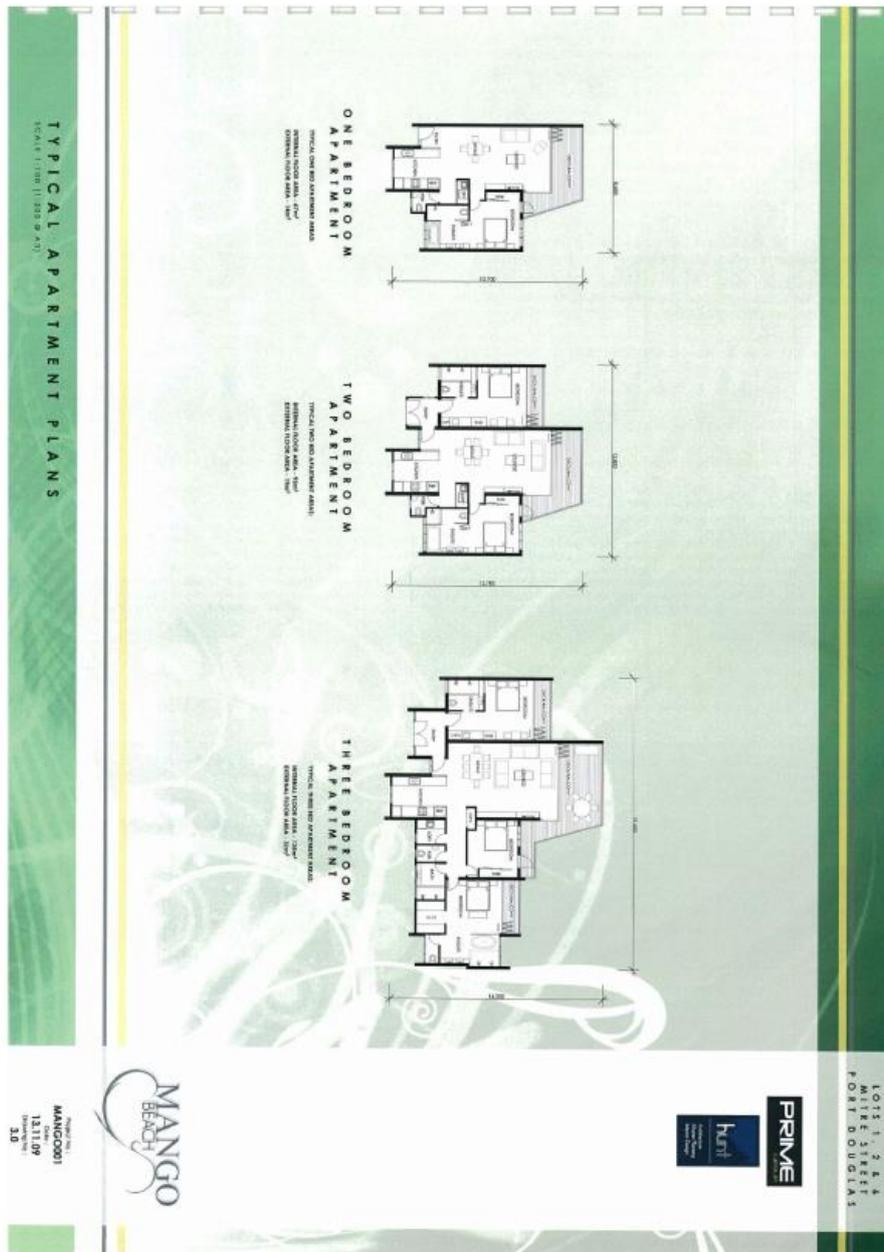
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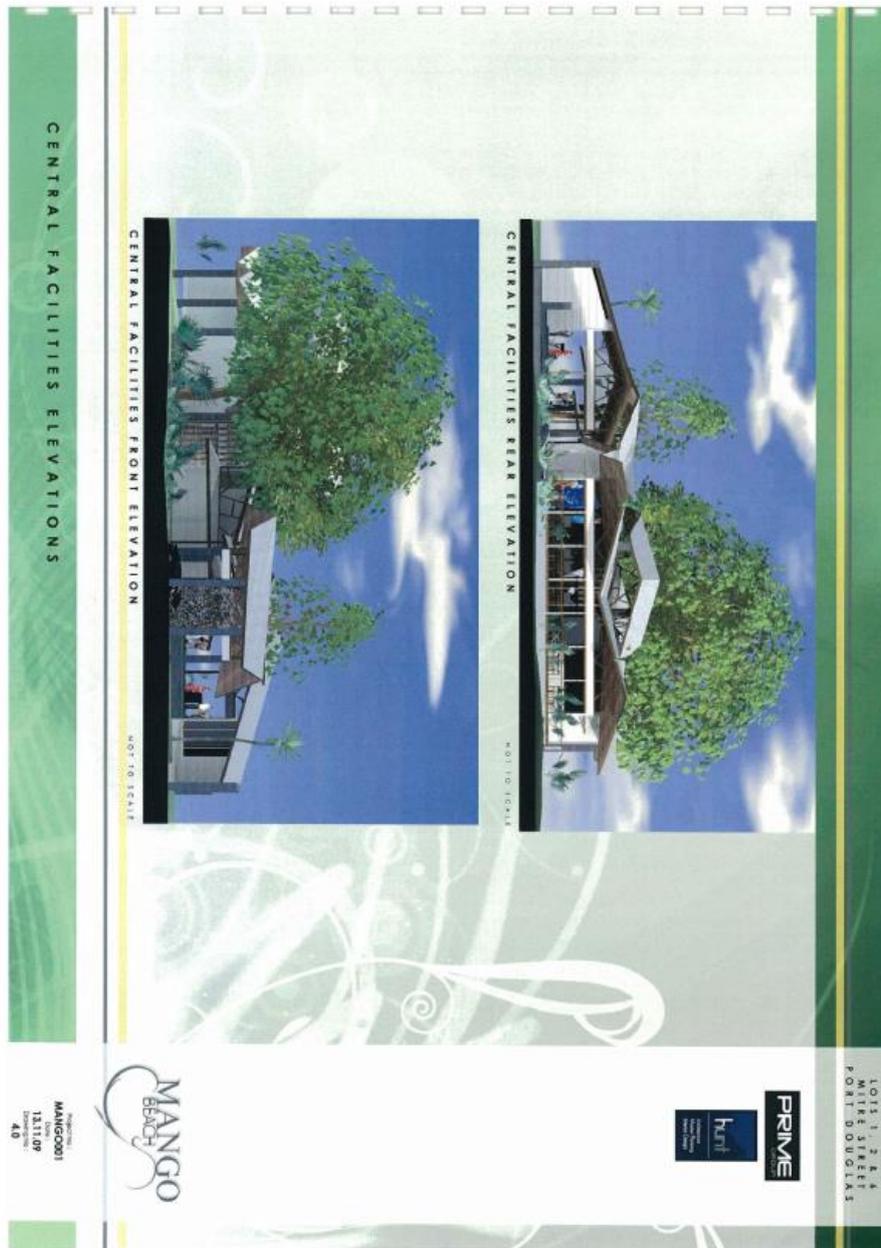


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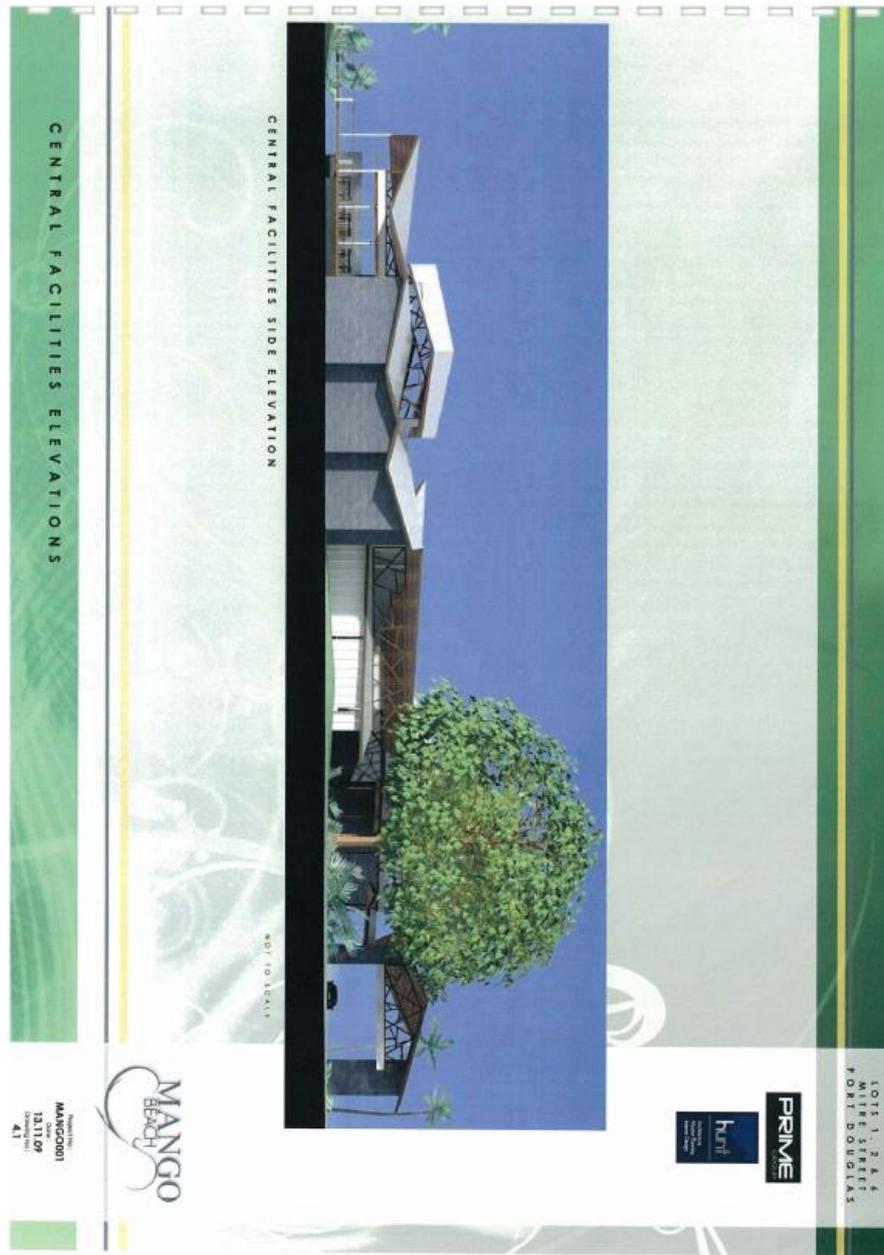


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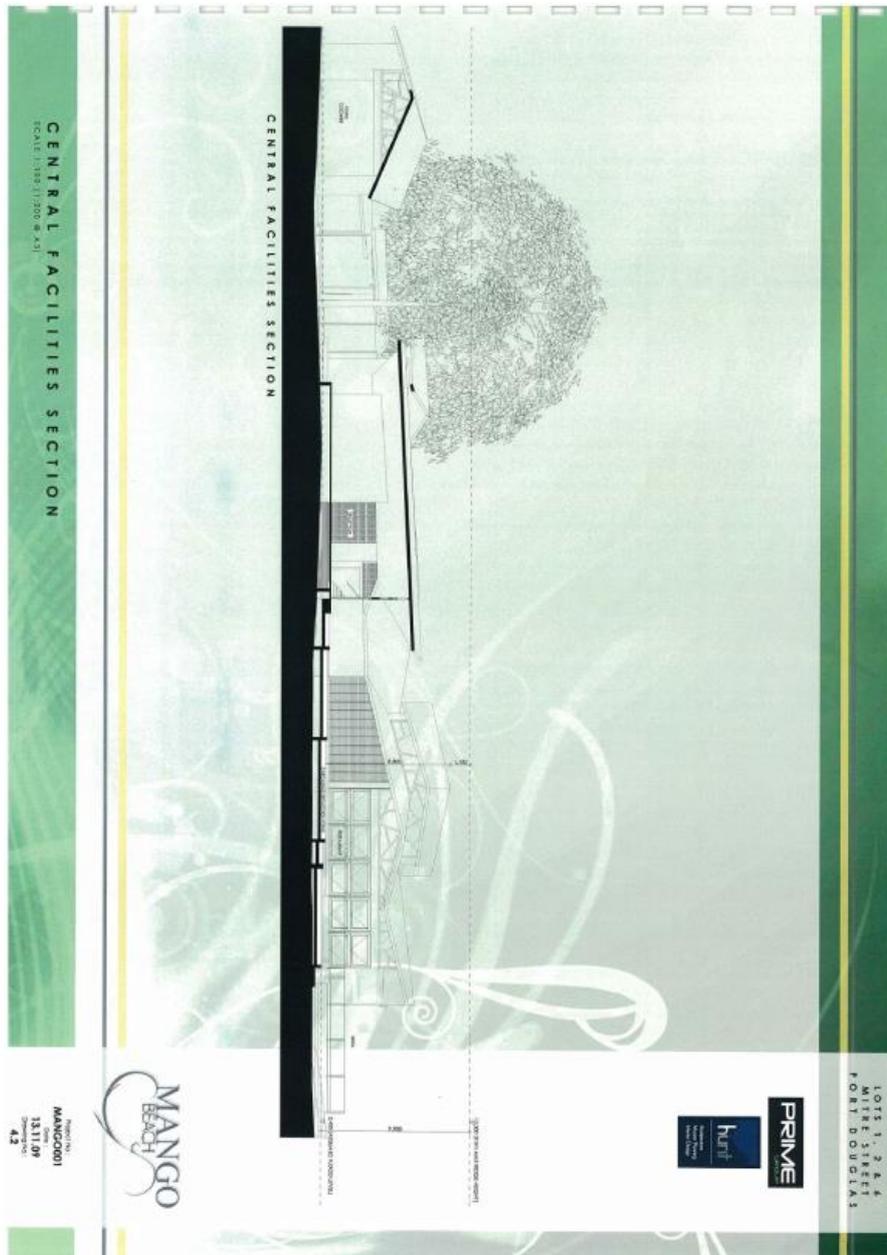




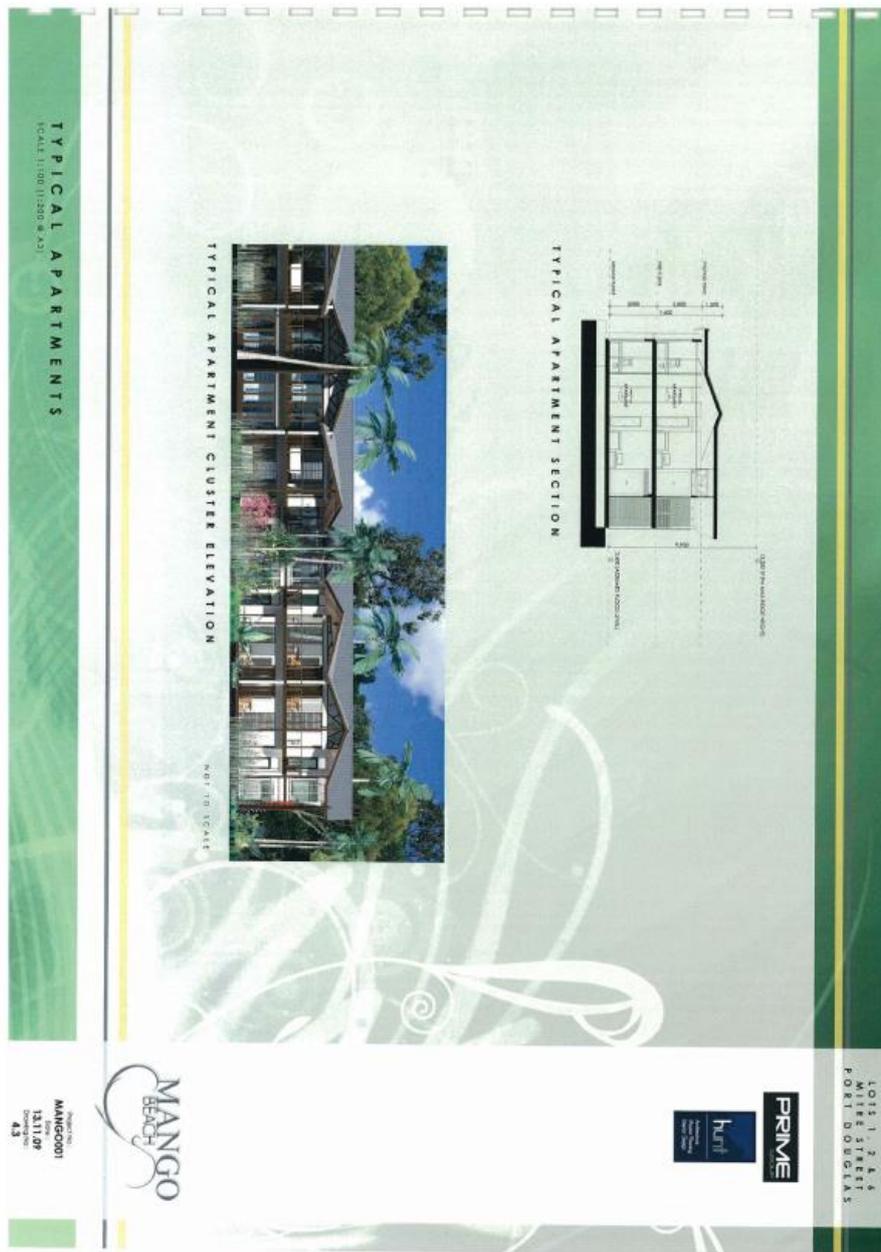
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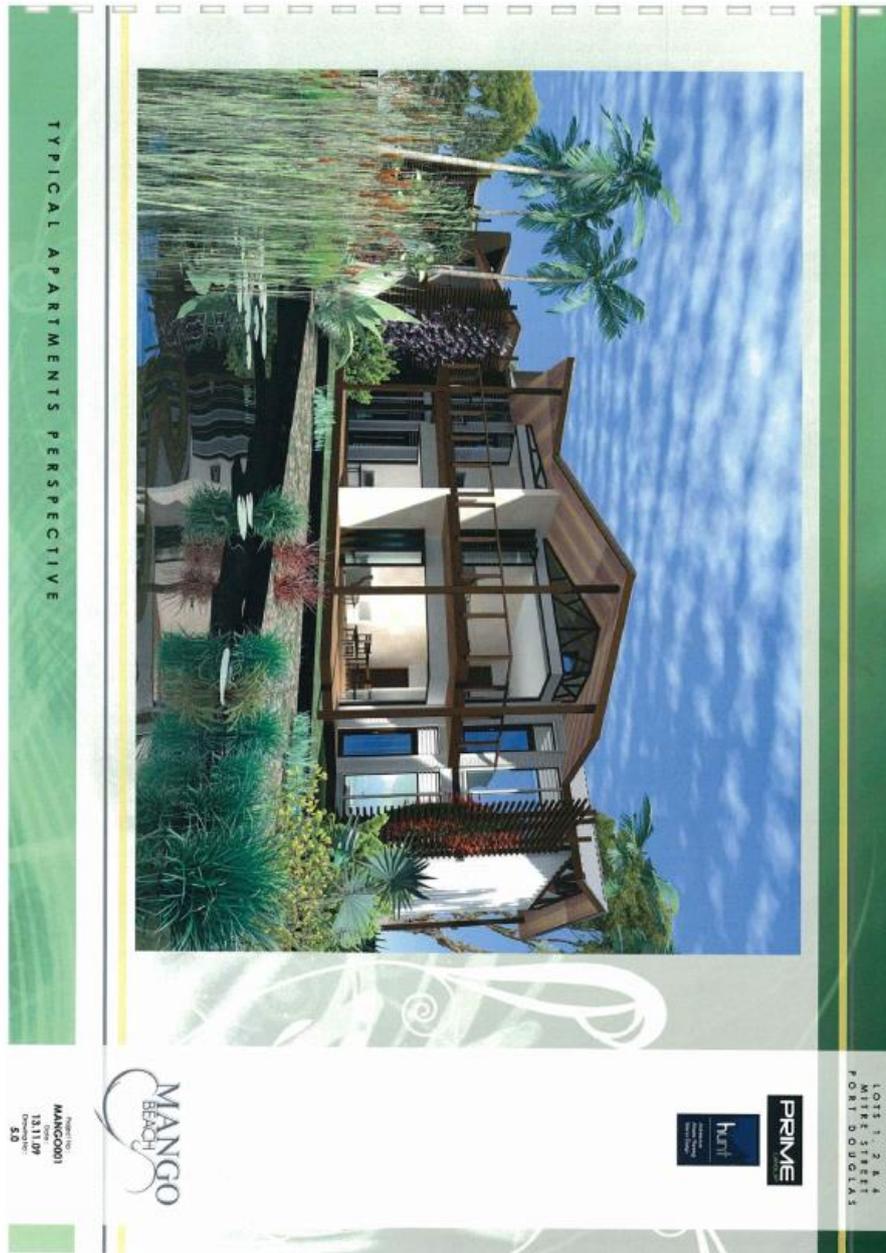
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### APPENDIX 3 – CONCURRENCE AGENCY CONDITIONS AND REQUIREMENTS



Council Ref: 8/7/1815

31 May 2010

Department of Main Roads

Chief Executive Officer  
Cairns Regional Council  
PO Box 359  
Cairns Qld 4870

Attention: Luke Jackson

Dear Mr Jackson



**Sustainable Planning Act 2009 – Request to extend currency period**

**Applicant:** Mango Beach Port Douglas Pty Ltd

**Application:** Material Change of Use (106 Multiple Dwellings (Tourist), Restaurant/bar & 4 Dwelling Houses) & Reconfiguration of Lot (5 Allotments & Common Property)

**Location:** Lots 12, 2 & 6 on C 2253, Parish of Salisbury  
Mitre Street, Port Douglas

I refer to:

- the above application received on 18 August 2004 requesting consideration of the above development
- this department's referral agency response dated 27 August 2004 of no requirements,
- Council's decision notice of 18 April 2006,
- Council's amended decision notice 9 December 2009, and
- request to extend the currency period received on 28 May 2010.

This department has no objection to the request being granted.

The Department would appreciate a copy of Council's decision regarding the application.

A copy of this letter has been sent to the applicant.

Yours sincerely

Malcolm Hardy  
Senior Planner (Road Assets & Operations) Far North

Road Assets & Operations  
Far North Regional Office  
Floor 4 Cairns Corporate Tower 15 Lake Street  
PO Box 8185 CAIRNS Queensland 4870  
ABN 39 407 690 291

Our ref 214/20A/102 (1600)

Enquiries MALCOLM HARDY  
Telephone +61 7 4050 5511  
Facsimile +61 7 4050 5438

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Department of Environment and Resource Management

Our Reference: IC0510CNS0007; CNS:022938  
Contact: Graeme Masterman  
Directorate / Unit: Planning and Assessment  
Phone: 07 4039 8270

10 June 2010

The Chief Executive Officer  
Cairns Regional Council  
PO Box 359  
CAIRNS QLD 4870



Attention: Luke Jackson

Dear Mr Jackson

**Request for an Extension of Period of Approval - Multiple Dwellings (Tourist) and Ancillary Facilities Mango Beach, 40-52 Mitre Street, Craiglie described as Lots 1, 2 and 6 on C2253 – Concurrence agency response**

I refer to the above request and advise that the Department of Environment and Resource Management in accordance with section 3.5.23 (5) (a) of the *Integrated Planning Act 1997* has no objection to an extension of the approval by four years to October 2014.

Should you have any questions about the above, please contact Graeme Masterman on telephone number 07 4039 8270, quoting the above reference number.

Yours sincerely

Graeme Masterman  
Senior Project Officer

10/6/2010

Cc Belle Property Mango House Pty Ltd  
C/o Planz Town Planning Pty Ltd  
2 Crowley Close  
CAIRNS QLD 4870

Department of Environmental  
Resource Management  
Level 3, 5b Sheridan Street  
PO Box 937  
Cairns Queensland 4870  
Australia  
Telephone + 617 4039 8270  
Facsimile + 61 7 4057 3365  
Website [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

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### APPENDIX 4 – DEVELOPER HEADWORKS CONTRIBUTIONS ESTIMATES

		<b>DEVELOPERS CONTRIBUTIONS</b>	
2006 Planning Scheme (Including 2008 Amendments)		SUMMARY	
<b>Preliminaries</b> Developer: Mango Beach Pty Ltd Estate Name: #VALUES Stage: 0 Street No. and Name: 40 -52 Mave Street Suburb: Craigie Parcel No.: 1093 1094 1095 Lot and RP No.: Lot 1, 2 & 6 on C2253 Development Permit No.: 8771915		Development Type: MC11 - Multi-Unit Dwelling Status: 2006 DSC Planning Scheme Applications Quarter Ending Effective: Mar-10 SDCS No.: 2638674 Version No.: 1 Current R&B: 0.00 Current-CPM: 178.00 Valuing Period: 4 Current R&B: 0	
<b>Water Supply</b> District No.: 11 District Name: Port Douglas Adjustment Index: CPI Receipt Code Existing: 05674 Receipt Code Proposed: 05680 Base Rate - existing: \$5,864.87 Current Rate (Indexed): \$598.21 Base Rate - proposed: \$500.03 Current Rate (Indexed): \$5,862.25 Base Rate - total: \$6,444.70 Base Date: Jun-09 Base Index: 171.80		<b>Sewerage</b> District No.: 4 District Name: Pt D Four Mile Area Adjustment Index: CPI Receipt Code Existing: 05687 Receipt Code Proposed: 05681 Base Rate - existing: \$3,933.82 Current Rate (Indexed): \$470.26 Base Rate - proposed: \$470.26 Current Rate (Indexed): \$4,403.88 Base Rate - total: \$4,403.88 Base Date: Jun-03 Base Index: 171.80	
<b>Proposed Demand</b> 50 Multi-Unit Housing (1 bedroom unit): 30.00 EDC 36 Multi-Unit Housing (2 bedroom unit): 18.00 EDC 10 Retirement Facility (3 bedroom): 0.00 EDC 7.15 Restaurant: 14.30 EDC Total demand: \$0.30 EDC <b>Existing land use</b> 3 House: 3.00 EDC None: 0.00 EDC None: 0.00 EDC Nominal use credit: 3.00 EDC <b>Long term water use</b> Credit for long term water consumption removed from policy on 12-2-2002 as per minutes of meeting #403699		<b>Proposed Demand</b> 50 Multi-Unit Housing (1 bedroom unit): 25.00 EDC 36 Multi-Unit Housing (2 bedroom unit): 25.20 EDC 10 Multi-Unit Housing (3 bedroom unit): 8.00 EDC 7.2 Restaurant: 14.30 EDC Total demand: 72.50 EDC <b>Existing land use</b> 3 House: 3.00 EDC None: 0.00 EDC None: 0.00 EDC Nominal use credit: 3.00 EDC <b>Long term water use</b> Credit for long term water use removed from policy on 12-2-2002 as per minutes of meeting #403699	
<b>Previous contribution</b> Historical amount: \$0.00 Date of payment: 0-Jan-00 Credit for previous payment: 0.00 EDC <b>Credit for Works External</b> Opening balance of works external: \$0.00 Opening balance of credits: \$0.00 Credit claimed: \$0.00 Net demand: 57.30 EDC Net Charges: 360 \$344,260.91 Net Charges Proposed Works: 357 \$34,049.23 Contributions: \$378,309.14 Time of payment: 0		<b>Previous contribution</b> Historical amount: \$0.00 Date of payment: 0-Jan-00 Credit for previous payment: 0.00 EDC <b>Credit for Works External</b> Opening balance of works external: \$0.00 Opening balance of credits: \$0.00 Credit claimed: \$0.00 Net demand: 69.50 EDC Net Charges Existing Works: 359 \$280,070.05 Net Charges Proposed Works: 356 \$33,482.07 Contributions: \$313,552.12 Time of payment: prior to commencement of use	
<b>Road Network</b> District No.: 0 District Name: No Policy in Former DSC Area Receipt Code: 0 Base Rate: \$0.00 /ERA Base Date: Jan-00 Current Rate (Indexed): 0.00 Base Index: 0.00 <b>Proposed Demand</b> None: 0.00 ERA None: 0.00 ERA None: 0.00 ERA Total demand: 0.00 ERA <b>Existing land use</b> None: 0.00 ERA None: 0.00 ERA None: 0.00 ERA Allowable credit: 0.00 ERA Net demand: 0.00 ERA Subtotal: \$0.00 <b>Credit for Works External</b> Works external: 0 \$0.00 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing Balance for works external: \$0.00 Contributions: \$0.00 Time of payment:		District No.: 44 District Name: No Policy in Former DSC Area Mitigation: HA Potentially Inheres DSC Area Unit: Ha Quantity: 0.00 Receipt Code: 0 Base Rate: \$0.00 Base Date: Jan-00 Current Rate (Indexed): 0.00 <b>Demand</b> None: \$0.00 Sub-total: \$0.00 <b>Credit for Works External</b> Works external: 0 \$0.00 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing Balance for works external: \$0.00 Contributions (Mitigation): \$0.00 <b>Water Quality</b> Unit: Ha Quantity: 0 Receipt Code: 0 Base Rate: \$0.00 Base Date: Jan-00 Current Rate (Indexed): 0.00 <b>Demand</b> None: \$0.00 Sub-total: \$0.00 <b>Credit for Works External</b> Works external: 0 \$0.00 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing Balance for works external: \$0.00 Contributions (Water Quality): \$0.00 Time of payment:	
<b>Open Space</b> Adjustment Index: Other Districts: Name: Former DSC Area Receipt Code: 516 Contribution: \$0.00 Time of payment:		<b>Other Bonds and Contributions</b> None: \$0.00 None: \$0.00 0: 000/000 \$0.00 None: \$0.00 Subtotal: \$0.00 Time of payment: prior to commencing works for reconfiguration Adjustment Index: CPI	
<b>Amendments</b>		Prepared: Luke Jackson 25-Jun-10 Checked: Leon Doube 25-Jun-10 <b>TOTAL: \$891,861.38</b>	

Base Master Document: 575334

Developer Contributions Project

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		<b>2006 Douglas Shire Planning Scheme Applications</b>	
<b>DEVELOPERS HEADWORKS CONTRIBUTIONS</b>			
<b>Mango Beach Pty Ltd</b>		<b>#VALUE!</b>	<b>0</b>
DEVELOPERS NAME		ESTATE NAME	STAGE
<b>40 -52 Mitre Street</b>	<b>Craiglie</b>	<b>Lot 1, 2 &amp; 6 on C2253</b>	<b>1093 1094 1095</b>
STREET No. & NAME		SUBURB	LOT & RP No.s PARCEL No.
<b>MCU - Multiple dwellings</b>	<b>8/7/1815</b>	<b>31-Mar-10</b>	<b>4</b>
DEVELOPMENT TYPE		COUNCIL FILE NO.	QUARTER ENDING VALIDITY PERIOD
<b>2638674</b>		<b>1</b>	<b>This logsheet is indexed appropriately only for payments made within the quarter noted above.</b>
SKIDS No.		VERSION No.	

	DIST	\$ / ERA	NET ERA	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	RECEIPT TYPE
<b>WATER</b>							
EX	11	6,008.04	X 57.30	0.00	\$344,260.91		T 615/ 05674
Pro	11	594.21	X 57.30	0.00	\$34,048.23		T 616/ 05660
<b>Water sub - total</b>					<b>\$378,309.14</b>		
<b>SEWERAGE</b>							
EX	4	4,029.79	X 69.50	0.00	\$280,070.08		T 617/ 05687
Pro	4	481.76	X 69.50	0.00	\$33,482.07		T 618/ 05681
<b>Sewerage sub - total</b>					<b>\$313,552.15</b>		
<b>Road Network</b>		Not Applicable in Former DSC Area		0			
		District No.		0	\$0.00		000/ 0
<b>DRAINAGE</b>		Not Applicable in Former DSC Area		None			
		Stream Management			\$0.00		0
		Stormwater Quality			\$0.00		0
<b>OPEN SPACE</b>		Former DSC Area			\$0.00		T 614 / 546
<b>BONDS</b>		None			\$0.00		
		None			\$0.00		
<b>OTHER</b>		0.00			\$0.00		000/000
		None			\$0.00		
<b>TOTAL</b>					<b>\$691,861.30</b>		

Prepared by	Luke Jackson	on	29-Jun-10	Amount Paid	
Checked by	Leon Doutre	on	29-Jun-10	Date Paid	
Amendments		Date		Receipt No.	
				Cashier	

1. The Developer should confirm these details with City Assessment prior to arranging payment
  2. City Assessment must update these details if the effective quarter is no longer current
  3. City Assessment must update these details in the event of policy change or variation to Development Approval
  4. These details must be presented at time of payment
  5. A photocopy of these details to be forwarded to City Assessment once payment is received
  6. The original of these details to be forwarded to Finance Department with receipt once payment is received
  7. Payment details to be entered into Developer Contributions Register by Finance Officer
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		<b>DEVELOPERS CONTRIBUTIONS</b>	
<b>2006 Planning Scheme (including 2008 Amendments)</b>		<b>SUMMARY</b>	
<b>Preliminaries</b> Developer: Mango Beach Pty Ltd Estate Name: #/ALLUEI Stage: 0 Street No. and Name: 40 - 52 Mile Street Suburb: Craigie Parcel No: 1093 1094 1095 Lot and RP No: Lot 1, 2 & 6 on C2253 Development Perm No: 8/711815		Development Type: RCL - 3,483.9 sqm Status: 2006 DSC Planning Scheme Application Quarter Ending Effective: Mar-10 SKIDS No: 2639127 Version No: 1 Current-R&B: 0.00 Current-R&B: 176.00 Validity Period: 4 Current R&B: 8	
<b>Water Supply</b> Adjustment Index: CPI District No: 11 District Name: Port Douglas Receipt Code Existing: 05874 Receipt Code Proposed: 05860 Base Rate - existing: \$5,864.67 Base Rate - proposed: \$580.03 Base Rate - total: \$6,444.70 Base Date: Jun-09 Current Rate (Indexed): \$6,008.04 Current Rate (Indexed): \$594.21 Current Rate (Indexed): \$6,602.25 Base Index: 171.80		<b>Sewerage</b> Adjustment Index: CPI District No: 4 District Name: P1 D Four Mile Area Receipt Code Existing: 05687 Receipt Code Proposed: 05681 Base Rate - existing: \$3,933.62 Base Rate - proposed: \$470.26 Base Rate - total: \$4,403.88 Base Date: Jun-03 Current Rate (Indexed): \$4,029.79 Current Rate (Indexed): \$481.76 Current Rate (Indexed): \$4,511.54 Base Index: 171.80	
<b>Proposed Demand</b> 9 House: 9.00 EDC None: 0.00 EDC None: 0.00 EDC Total demand: 9.00 EDC <b>Existing land use</b> 3 House: 3.00 EDC None: 0.00 EDC None: 0.00 EDC Normal use credit: 3.00 EDC <b>Long term water use</b> Credit for long term water consumption removed from policy on 12.2.2002 as per minutes of meeting #420699		<b>Proposed Demand</b> 9 House: 9.00 EDC None: 0.00 EDC None: 0.00 EDC Total demand: 9.00 EDC <b>Existing land use</b> 3 House: 3.00 EDC None: 0.00 EDC None: 0.00 EDC Normal use credit: 3.00 EDC <b>Long term water use</b> Credit for long term sewer use removed from policy on 12.2.2002 as per minutes of meeting #420699	
<b>Previous contribution</b> Historical amount: \$0.00 Date of payment: 0-Jan-00 Credit for previous payment: 0.00 EDC <b>Credit for Works External</b> Opening balance of works external: \$0.00 Opening balance of credits: \$0.00 Credit claimed: 0.00 EDC Net demand: 0.00 EDC Net Charges: 360 \$36,048.26 Net Charges: 357 \$3,565.26 Contributions: <u>\$39,613.52</u> Time of payment: prior to approval of plan of survey		<b>Previous contribution</b> Historical amount: \$0.00 Date of payment: 0-Jan-00 Credit for previous payment: 0.00 EDC <b>Credit for Works External</b> Opening balance of works external: \$0.00 Opening balance of credits: \$0.00 Credit claimed: 0.00 EDC Net demand: 0.00 EDC Net Charges Existing Works: 359 \$24,178.71 Net Charges Proposed Works: 356 \$2,890.54 Contributions: <u>\$27,069.25</u> Time of payment:	
<b>Road Network</b> Adjustment Index: CPI District No: 0 District Name: No Policy in Former DSC Area Receipt Code: 0 Base Rate: \$0.00 /ERA Base Date: Jan-00 Current Rate (Indexed): 0.00 Base Index: 0.00 <b>Proposed Demand</b> None: 0.00 ERA None: 0.00 ERA None: 0.00 ERA Total demand: 0.00 ERA <b>Existing land use</b> None: 0.00 ERA None: 0.00 ERA None: 0.00 ERA Allowable credit: 0.00 ERA Net demand: 0.00 ERA Subtotal: \$0.00 <b>Credit for Works External</b> Works external: 0 \$0.00 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing Balance for works external: \$0.00 Contributions: <u>\$0.00</u> Time of payment:		<b>Drainage</b> District No: 44 District Name: None Mitigation: No Policy in former DSC Area Unit: Ha Adjustment Index: 0 Quantity: 0.00 Receipt Code: 0 Base Rate: \$0.00 Base Date: Jan-00 Current Rate (Indexed): 0.00 <b>Demand</b> None: \$0.00 Sub-total: \$0.00 <b>Credit for works external</b> Works external: 0 \$0.00 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing Balance for works external: \$0.00 Contributions (Mitigation): <u>\$0.00</u> <b>Water Quality</b> Unit: Ha Adjustment Index: 0 Quantity: 0 Receipt Code: 0 Base Rate: \$0.00 Base Date: Jan-00 Current Rate (Indexed): 0.00 <b>Demand</b> None: \$0.00 Sub-total: \$0.00 <b>Credit for works external</b> Works external: 0 \$0.00 Opening balance of credits: \$0.00 Credit for this work: \$0.00 Closing Balance for works external: \$0.00 Contributions (Water Quality): <u>\$0.00</u> Time of payment:	
<b>Open Space</b> Adjustment Index: Other <b>Monetary Contribution</b> No. of new allotments: 6 Contribution rate: 10.00% UCV of subject land: ha Area of subject land: ha Area of new lots: Districts: Number: 2 Name: Former DSC Area Receipt Code: 516 \$0.00 Contribution: <u>\$0.00</u> Time of payment:		<b>Other Bonds and Contributions</b> None: \$0.00 None: \$0.00 0: 000/000 \$0.00 None: \$0.00 Subtotal: <u>\$0.00</u> Time of payment: prior to commencing works for reconfiguration Adjustment Index: CPI	
<b>Amendments</b>		Prepared: Luke Jackson 29-Jun-10 Checked: Leon Doure 29-Jun-10 <b>TOTAL</b> <u>\$66,682.77</u>	

Base Master Document: 575334

Developer Contributions Project

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		<b>2006 Douglas Shire Planning Scheme Applications</b>	
<b>DEVELOPERS HEADWORKS CONTRIBUTIONS</b>			
<b>Mango Beach Pty Ltd</b>		<b>#VALUE!</b>	<b>0</b>
DEVELOPERS NAME		ESTATE NAME	
<b>40 - 52 Mitre Street</b>	<b>Craiglie</b>	<b>Lot 1, 2 &amp; 6 on C2253</b>	<b>1093 1094 1095</b>
STREET No. & NAME		PARCEL No.	
<b>ROL - 3 into 9 lots</b>	<b>8/7/1815</b>	<b>31-Mar-10</b>	<b>4</b>
DEVELOPMENT TYPE		VALIDITY PERIOD	
<b>2639127</b>	<b>1</b>	<b>This logsheet is indexed appropriately only for payments made within the quarter noted above.</b>	
SKIDS No.		VERSION No.	

	DIST.	\$/ ERA	NET ERA	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	RECEIPT TYPE
<b>WATER</b>							
EX	11	6,008.04	X 6.00	0.00	\$36,048.26		T 615/ 05674
Pro	11	594.21	X 6.00	0.00	\$3,565.26		T 616/ 05660
Water sub - total					\$39,613.52		
<b>SEWERAGE</b>							
EX	4	4,029.79	X 6.00	0.00	\$24,178.71		T 617/ 05687
Pro	4	481.76	X 6.00	0.00	\$2,890.54		T 618/ 05681
Sewerage sub - total					\$27,069.25		
<b>Road Network</b>							
Not Applicable in Former DSC Area					0		
District No. 0					\$0.00		000/ 0
<b>DRAINAGE</b>							
Not Applicable in Former DSC Area					None		
Stream Management					\$0.00		0
Stormwater Quality					\$0.00		0
<b>OPEN SPACE</b>							
Former DSC Area					\$0.00		T 614 / 546
<b>BONDS</b>							
None					\$0.00		
None					\$0.00		
<b>OTHER</b>							
0.00					\$0.00		000/000
None					\$0.00		
<b>TOTAL</b>					<b>\$66,682.77</b>		

Prepared by	Luke Jackson	on	29-Jun-10	Amount Paid	
Checked by	Leon Doure	on	29-Jun-10	Date Paid	
Amendments			Date	Receipt No.	
				Cashier	

1. The Developer should confirm these details with City Assessment prior to arranging payment
2. City Assessment must update these details if the effective quarter is no longer current
3. City Assessment must update these details in the event of policy change or variation to Development Approval
4. These details must be presented at time of payment
5. A photocopy of these details to be forwarded to City Assessment once payment is received
6. The original of these details to be forwarded to Finance Department with receipt once payment is received
7. Payment details to be entered into Developer Contributions Register by Finance Officer

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**UPDATED ADOPTED INFRASTRUCTURE CHARGES**

<b>DOUGLAS SHIRE COUNCIL</b>		<b>2006 &amp; 2008 Douglas Shire Planning Schemes Applications</b>					
<b>INFRASTRUCTURE CHARGES NOTICE</b>							
Dr Lucas & J Lucas		Mango Beach	0				
DEVELOPERS NAME		ESTATE NAME	STAGE				
40-52, 42-44 & 46-52 Mitre Street		Port Douglas	L1, 2 & 6 on C2253				
1093, 1094, 1095							
STREET No. & NAME		SUBURB	LOT & RP No.s				
ROL		CA 3504/2009	31-Mar-14				
DEVELOPMENT TYPE		COUNCIL FILE NO.	QUARTER ENDING				
422807		1	This logsheet is indexed appropriately only for payments made within the quarter noted above.				
DSC Reference Doc. No.		VERSION No.					
	DIST	\$ / EDC	NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code
<b>WATER</b>							
Existing	11	6,641.15	X 8.00	0.00	\$53,129.24		861
Proposed	11	656.83	X 8.00	0.00	\$5,254.61		875
Port Douglas	<b>Water sub - total</b>				<b>\$58,383.85</b>		
<b>SEWERAGE</b>							
Existing	4	4,453.04	X 8.00	0.00	\$35,624.29		884
Proposed	4	532.45	X 8.00	0.00	\$4,259.60		890
Pt D Four Mile	<b>Sewerage sub - total</b>				<b>\$39,883.88</b>		
<b>OPEN SPACE</b>							
DSC Area					\$0.00		894
<b>Off-Site Car Parking</b>							
None					\$0.00		
<b>TOTAL</b>					<b>\$98,267.73</b>		
Prepared by	J Elphinstone		on	18-Jun-14	Amount Paid		
Checked by	H Beck		on	18-Jun-14	Date Paid		
Date Payable							
Amendments			Date		Cashier		

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Section 629 of the *Sustainable Planning Act 2009*.

Charge rates are subject to index adjustments. The total charge amount indicated on this notice is current at the date of issue, the total charge due at the date of payment may change. Please contact the Development & Environment Douglas Shire Council prior to payment for review.

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

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<b>DOUGLAS</b> SHIRE COUNCIL		<b>2006 &amp; 2008 Douglas Shire Planning Schemes Applications</b>					
<b>INFRASTRUCTURE CHARGES NOTICE</b>							
Dr Lucas & J Lucas		Mango Beach		0			
DEVELOPERS NAME		ESTATE NAME		STAGE			
40-52, 42-44 & 46-52 Mitre Street		Port Douglas		L1, 2 & 6 on C2253			
1093, 1094, 1095							
STREET No. & NAME		SUBURB		LOT & RP No.s			
MCU		CA 3504/2009		31-Mar-14			
PARCEL No.				4			
DEVELOPMENT TYPE		COUNCIL FILE NO.		QUARTER ENDING			
422808		1		This logsheet is indexed appropriately only for payments made within the quarter noted above.			
DSC Reference Doc. No.		VERSION No.					
	DIST	\$ / EDC	NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code
<b>WATER</b>							
Existing	11	6,641.15	X 53.15	0.00	\$352,977.38		861
Proposed	11	856.83	X 53.15	0.00	\$34,910.31		875
Port Douglas	<b>Water sub - total</b>				<b>\$387,887.69</b>		
<b>SEWERAGE</b>							
Existing	4	4,453.04	X 58.20	0.00	\$259,166.68		884
Proposed	4	532.45	X 58.20	0.00	\$30,988.58		890
Pl D Four Mile	<b>Sewerage sub - total</b>				<b>\$290,155.26</b>		
<b>OPEN SPACE</b>							
DSC Area					\$0.00		894
<b>Off-Site Car Parking</b>							
None					\$0.00		
<b>TOTAL</b>					<b>\$678,042.95</b>		
Prepared by	J Elphinstone		on	18-Jun-14	Amount Paid		
Checked by	N Beck		on	18-Jun-14	Date Paid		
Date Payable							
Amendments			Date				
							Cashier

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Section 629 of the *Sustainable Planning Act 2009*.

Charge rates are subject to index adjustments. The total charge amount indicated on this notice is current at the date of issue, the total charge due at the date of payment may change. Please contact the Development & Environment Douglas Shire Council prior to payment for review.

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

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## Attachment 2 Adopted Infrastructure Charges Notice

<b>DOUGLAS</b> <small>SHIRE COUNCIL</small>	<b>2008 Douglas Shire Planning Schemes Applications</b>		
<b>ADOPTED INFRASTRUCTURE CHARGES NOTICE</b>			
David and Jane Lucas <small>DEVELOPERS NAME</small>	0 <small>ESTATE NAME</small>	ROL <small>STAGE</small>	
42-44, 46-52 and 40-52 Mitre Street <small>STREET No. &amp; NAME</small>	Craiglie <small>SUBURB</small>	Lots 1, 2 and 6 on CPLN 2253 <small>LOT &amp; RP No.s</small>	157270 <small>PARCEL No.</small>
ROL (1 into 8 Lots) <small>DEVELOPMENT TYPE</small>		CA 3504/2009 <small>COUNCIL FILE NO.</small>	4 <small>VALIDITY PERIOD (year)</small>
D#828201 <small>DSC Reference Doc . No.</small>	1 <small>VERSION No.</small>		

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
<b>Rural Areas - Water Only</b>					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
<b>Total</b>			<b>0.00</b>		
<b>Urban Areas - Water only</b>					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
<b>Total</b>			<b>0.00</b>		Code 895 GL 07500.0135.0825
<b>Urban Areas - Water &amp; Sewer</b>					
Proposed House Lots	7	14,342.13	100,394.91		
	0	0.00	0.00		
	0	0.00	0.00		
	0	0.00	0.00		
<b>Total</b>			<b>100,394.91</b>		
<b>TOTAL</b>			<b>\$100,394.91</b>		

Prepared by	J Elphinstone	25-Sep-17	Amount Paid	
Checked by	Simon Clarke	25-Sep-17	Date Paid	
Date Payable			Receipt No.	
Amendments			Date	
			Cashier	

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* 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