

Change application form

Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an 'other' change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Allaro Homes
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	
Suburb	
State	QLD
Postcode	
Country	
Contact number	4031 0022
Email address (non-mandatory)	troy@allarohomes.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent - Is written consent of the owner required for this change application? <i>Note: section 79(1A) of the Planning Act 2016 states the requirements in relation to owner's consent.</i>	
<input type="checkbox"/>	Yes – the written consent of the owner(s) is attached to this change application
<input type="checkbox"/>	No

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)				
3.1) Street address and lot on plan				
<input type="checkbox"/> Street address AND lot on plan (all lots must be listed), or				
<input type="checkbox"/> Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).				
a)	Unit No.	Street No.	Street Name and Type	Suburb
		56B	Mudlo St	PORT DOUGLAS
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	7 & 2	PTD 20933	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (*appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay*)
Note: Place each set of coordinates in a separate

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

☐ Coordinates of premises by easting and northing

Longitude(s)	Latitude(s)	Zone Ref	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application
- ☒ Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

Douglas Shire Council

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	CA 2021_4090/1	23/9/2021	Douglas Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Change to pool, pool deck and pool pump shed location. Change to easement depth.

6.2) What type of change does this application propose?

- ☒ Minor change application – proceed to Part 5
- ☐ Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input checked="" type="checkbox"/> No – proceed to Part 7 <input type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: to complete this part it will be necessary for you to complete parts of DA Form 1 and in some instances parts of DA Form 2, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
9) Development details	
9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 as these sections relate to the new or changed aspects of development are provided with this application.	
9.2) Does the change application involve building work?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 as it relates to the change application is provided with this application	
10) Referral details – Does the change application require referral for any referral requirements?	
Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the Referral checklist for building work is also completed.	

11) Information request under Part 3 of the DA Rules

- ☒ I agree to receive an information request if determined necessary for this change application
- ☐ I do not agree to accept an information request for this change application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

- ☐ Part 7 of DA Form 1 is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) Change application checklist

I have identified the: ☒ Yes

- responsible entity in 4); and
- for a minor change, any affected entities; and
- for an 'other' change all relevant referral requirement(s) in 10)

Note: See the Planning Regulation 2017 for referral requirements

For an 'other' change application, the relevant sections of [DA Form 1 - Development application details](#) have been completed and is attached to this application ☐ Yes
☒ Not applicable

For an 'other' change application, where building work is associated with the change application, the relevant sections of [DA Form 2 - Building work details](#) have been completed and is attached to this application ☐ Yes
☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application ☒ Yes

Note: This includes any templates provided under 23.6 and 23.7 of DA Form 1 that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

Relevant plans of the development are attached to this development application ☒ Yes
Note: Relevant plans are required to be submitted for all relevant aspects of this change application.
For further information, see [DA Forms Guide: Relevant plans](#).

14) Applicant declaration

- ☐ By making this change application, I declare that all information in this change application is true and correct.
- ☐ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the responsible entity and any relevant affected entity or referral agency for the change application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*.

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – personal information collected in this form will be used by the responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the Planning Act 2016 and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 8 – FOR OFFICE USE ONLY

Date received:

Reference number(s):

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

GMA Certification Group

BUILDING SURVEYORS

ACN 150 435 617

Leaders in Building Certification Services

CAIRNS

P: 07 4041 0111 **E:** admincns@gmcert.com.au

310 Gatton Street, Manunda, Qld, 4870

P.O. Box 2760, Nerang Qld 4211



4 February 2022

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

Dear Sir/Madam,

**Re: Minor Change Application
56B Mudlo Street, Port Douglas | Lot 2&7/PTD20933**

GMA Certification Group has been engaged to certify the construction of a swimming pool at the abovementioned allotment as illustrated on the attached plans. The location of the proposed swimming pool does not comply with the Condition 1 of the Development Approval CA 2021_4090/1.

Accordingly, an application for Minor Change is enclosed for council's consideration which includes:

- IDAS Form 5;
- Assessment against the relevant codes;
- 1 x copy of plans.

As demonstrated from the below assessment, the construction of the proposed swimming pool in the positioned illustrated on the attached plans will satisfy performance criteria P1 and P2 of the *Queensland Development Code MP1.4*.

Should you require any further information or wish to discuss the application, please contact me on 4771 6532 or by email admincns@gmcert.com.au.

Kind Regards

Rebekah Mulligan
GMA Certification Group Pty Ltd

www.gmacert.com.au

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Application Summary

Application Information		
Address	56 Mudlo Street, Port Douglas	
Lot and Plan	Lot 7 PTD 20933	
Approved development	CA 2021_4090/1 Development Permit for Combined Application (Material Change of Use for Dual Occupancy and reconfiguring a Lot for one lot into two)	
Date of development approval	31 August 2021 for Development Approval, 23 September 2021 for Negotiated Decision Notice	
Approval authority	Douglas Shire council	
Applicant	N D Verri	
Proposed changes to conditions	Condition No	Applicant request
	1	Change to pool, pool deck and pool pump shed location. Change to sewer easement depth.

Proposal

It is proposed to erect the pool, pool deck and pool pump shed situated as per the attached plans and realign the proposed sewer easement to suite the new location.

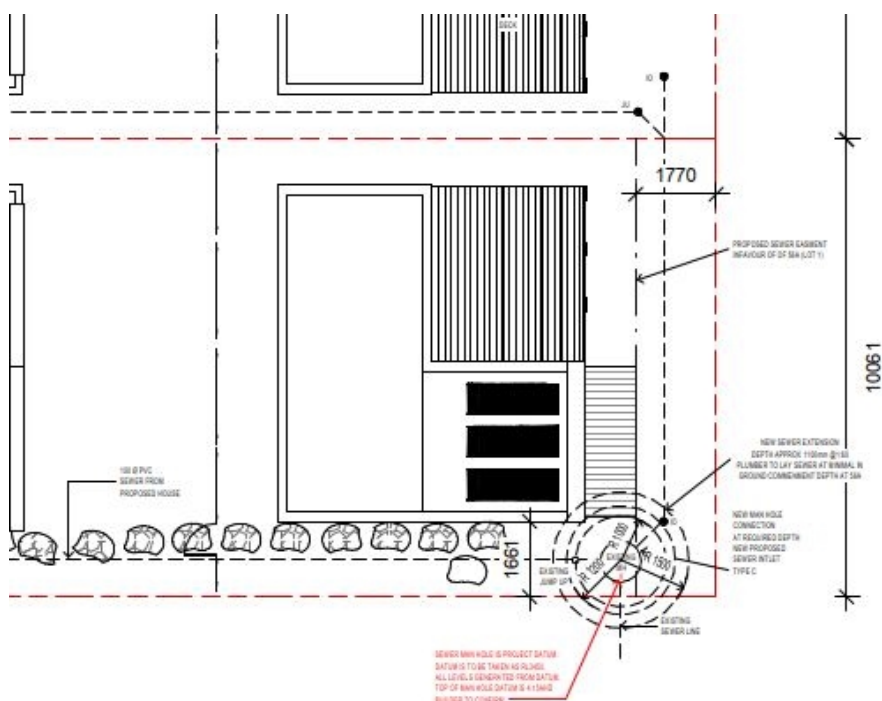
The location of the proposed swimming pool does not comply with A1(2)(ii) and A2.1(2)(a) prescribed under the acceptable solutions of the Queensland Development Code MP1.4 P1. However, the proposal can be shown to be consistent with the Performance Criteria of the *Code*.

The proposed encroachments include;

- The pool, pool deck and pool pump shed is proposed to be located 1m from the centre of the existing sewer manhole.

The following drawing shows the proposed changed development

Proposed Layout



Planning Assessment

P1 of the QDC provides that:

“A building or structure—

- (a) does not adversely affect the operation of relevant infrastructure; and*
- (b) does not place a load on the infrastructure that adversely affects its structure; and*
- (c) is constructed and located so its integrity is unlikely to be affected as a result of the infrastructure—*
 - (i) being maintained or replaced; or*
 - (ii) failing to function properly.”*

P2 of the QDC provides that:

“When completed, a building or structure allows—

- (a) gas that builds up in relevant infrastructure to escape in a way that ensures individuals in close proximity to the maintenance cover for the infrastructure are not harmed by the gas; and*
- (b) the relevant service provider the access above the infrastructure required for inspecting, maintaining or replacing the infrastructure.”*

The following table represents an assessment of the proposal with respect to P1 and P2 of the *Queensland Development Code MP 1.4*.

Performance Requirement	Proposal	Conclusion
P1 (a) does not adversely affect the operation of relevant infrastructure	The pool will not place additional loads causing disruptions to operations, on the sewer infrastructure. Please refer to the attached form 15 signed by Kel Fraser Bruce from KFB Engineers, RPEQ 5711.	Proposal complies
P1 (b) does not place a load on the infrastructure that adversely affects its structure	The pool will not place additional loads on the sewer infrastructure Please refer to the attached form 15 signed by Kel Fraser Bruce from KFB Engineers, RPEQ 5711.	Proposal complies
P1 (c) is constructed and located so its integrity is unlikely to be affected as a result of the infrastructure - (i) being maintained or replaced; or (ii) failing to function properly.	The construction and location of the pool is not likely to adversely affect the pools integrity in the event the infrastructure requires maintenance or replacement. Please refer to the attached form 15 signed by Kel Fraser Bruce from KFB Engineers, RPEQ 5711.	Proposal complies
P2 (a) gas that builds up in relevant infrastructure to escape in a way that ensures individuals in close proximity to the maintenance cover for the infrastructure are not harmed by the gas	The pool is a sufficient distance from the maintenance cover. Please refer to the attached form 15 signed by Kel Fraser Bruce from KFB Engineers, RPEQ 5711.	Proposal complies
P2 (b) the relevant service provider the access above the infrastructure required for	The pool location provides sufficient distances from the maintenance cover and sewer connection point and sewer inspection points.	Proposal complies

inspecting, maintaining or replacing the infrastructure	The pool can be emptied of water and braced to allow for safe access to the sewer main is required. Please refer to the attached form 15 signed by Kel Fraser Bruce from KFB Engineers, RPEQ 5711. The deck and pool pump are considered light weight structures and can be easily removed for access should it be required.	
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As demonstrated from the above assessment, the construction of the proposed swimming pool in the positioned illustrated on the attached plans will satisfy performance criteria *P1* and *P2* of the *Queensland Development Code MP1.4*.

Should you require any further information or wish to discuss the application, please contact me on 4771 6532 or by email admin@gmcert.com.au.

Kind Regards

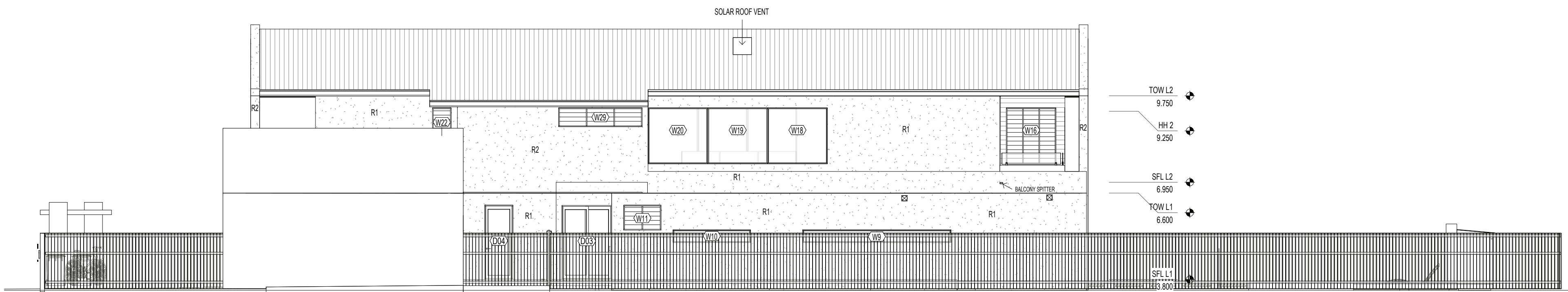


Rebekah Mulligan
GMA Certification Group Pty Ltd

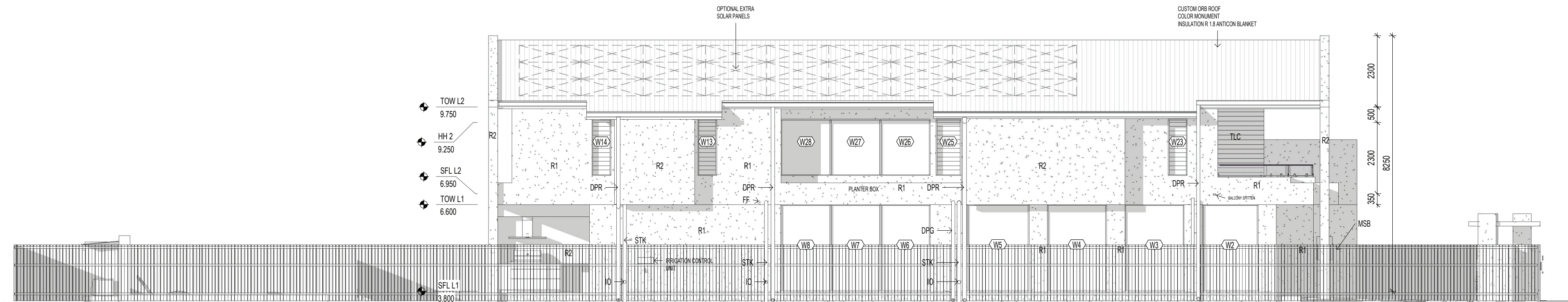


3D View 1

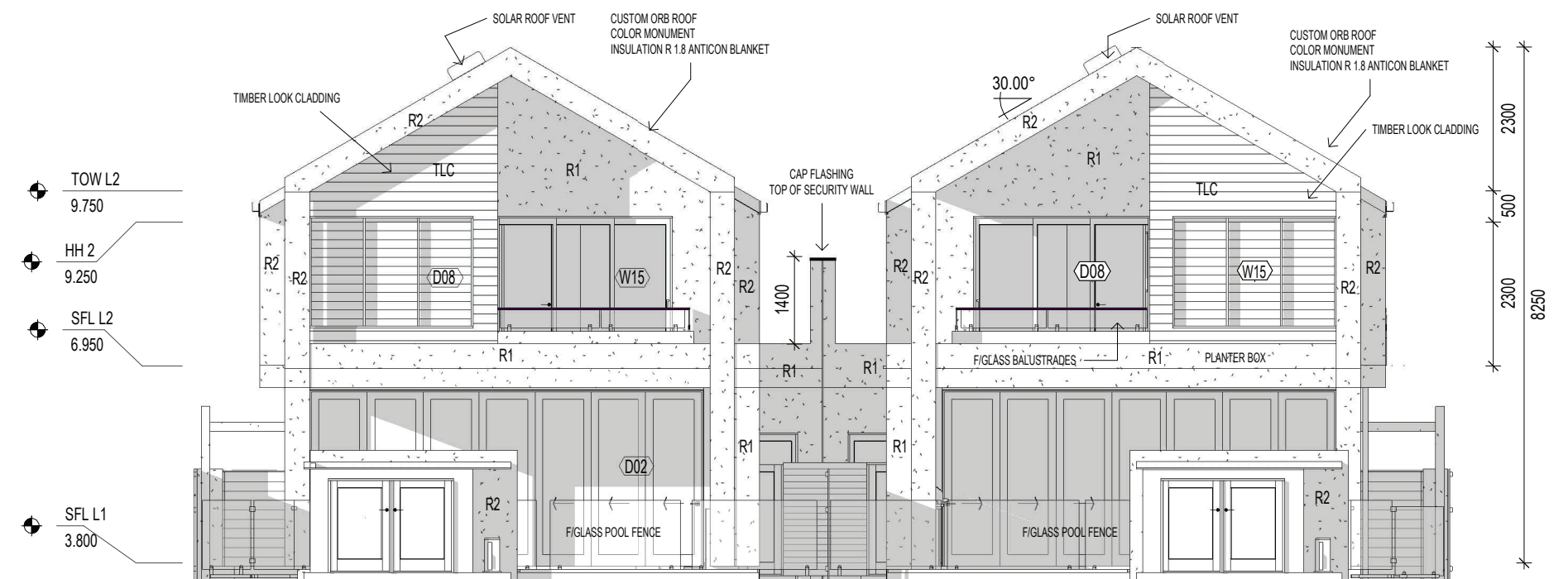
LEGEND	
D01	DOOR NUMBER
DPR	DOWN PIPE ROOF
DPG	DOWN PIPE GARDENS
FFL	FINISHED FLOOR LEVEL
GB	SELECT GLASS BALUSTRADE
HH	HEAD HEIGHT
R1	RENDER COLOUR SURF MIST
R2	RENDER COLOUR MONUMENT
STK	SEWER STACK
TLC	TIMBER LOOK CLADDING
W01	WINDOW NUMBER



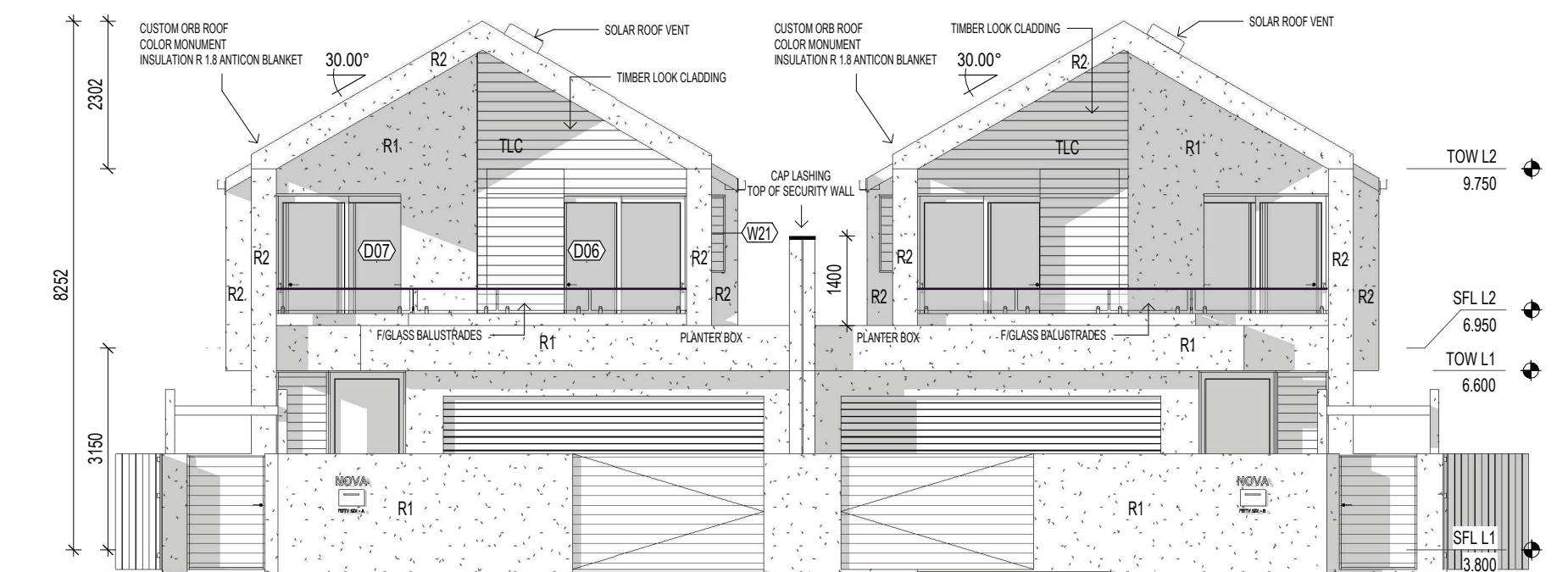
DEVIDING SOUTH ELEVATION
1:100




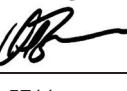
NORTH
1:100

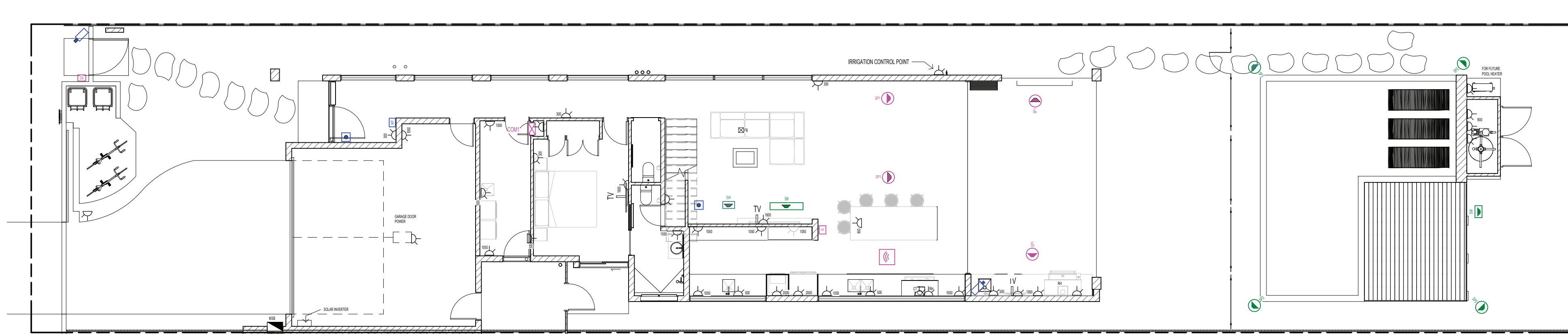


EAST
1:100

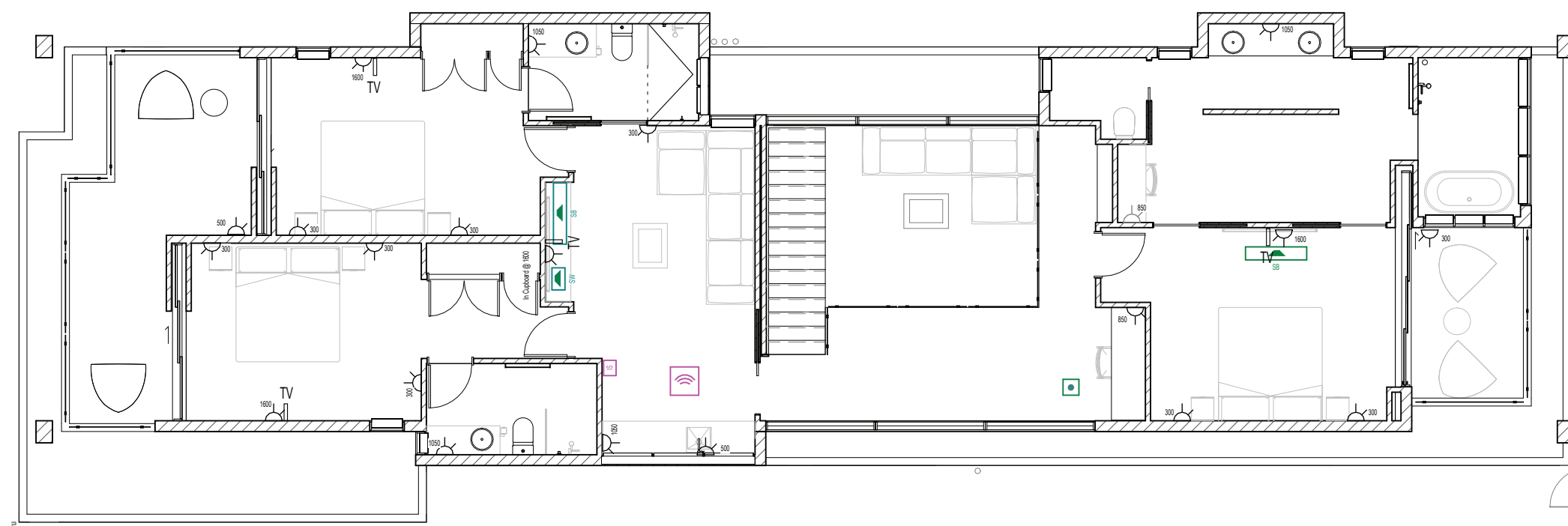


WEST
1:100

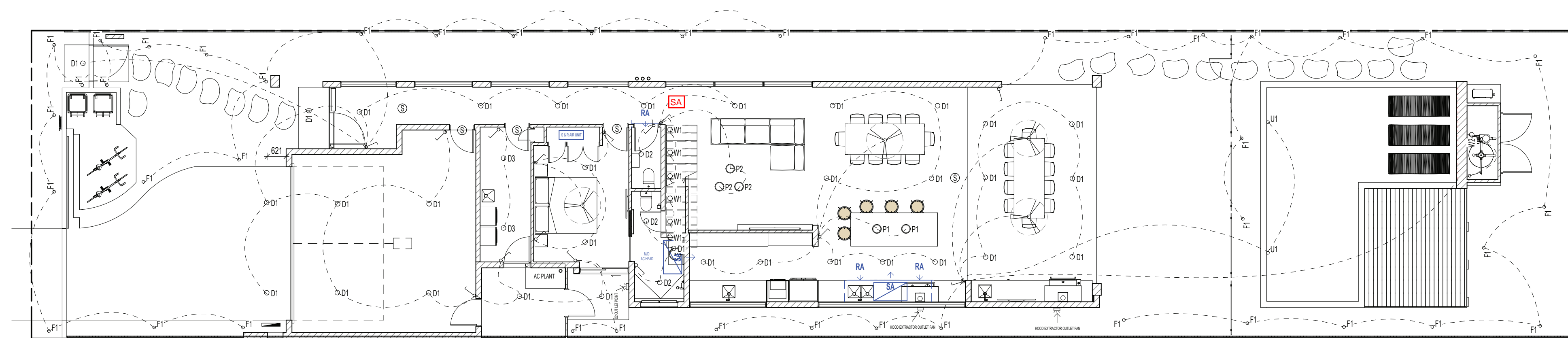
CERTIFIED AS STRUCTURALLY ADEQUATE	
	KFB Engineers Civil & Structural
138-42 Pease St. Cairns PO Box 927, Cairns Q 4870 P: 07 40320492 F: 07 40320692 E: email@kfbeng.com.au	
Date: 12/11/21	Signed: 
Job No: K-9743	RPEQ No: 5711



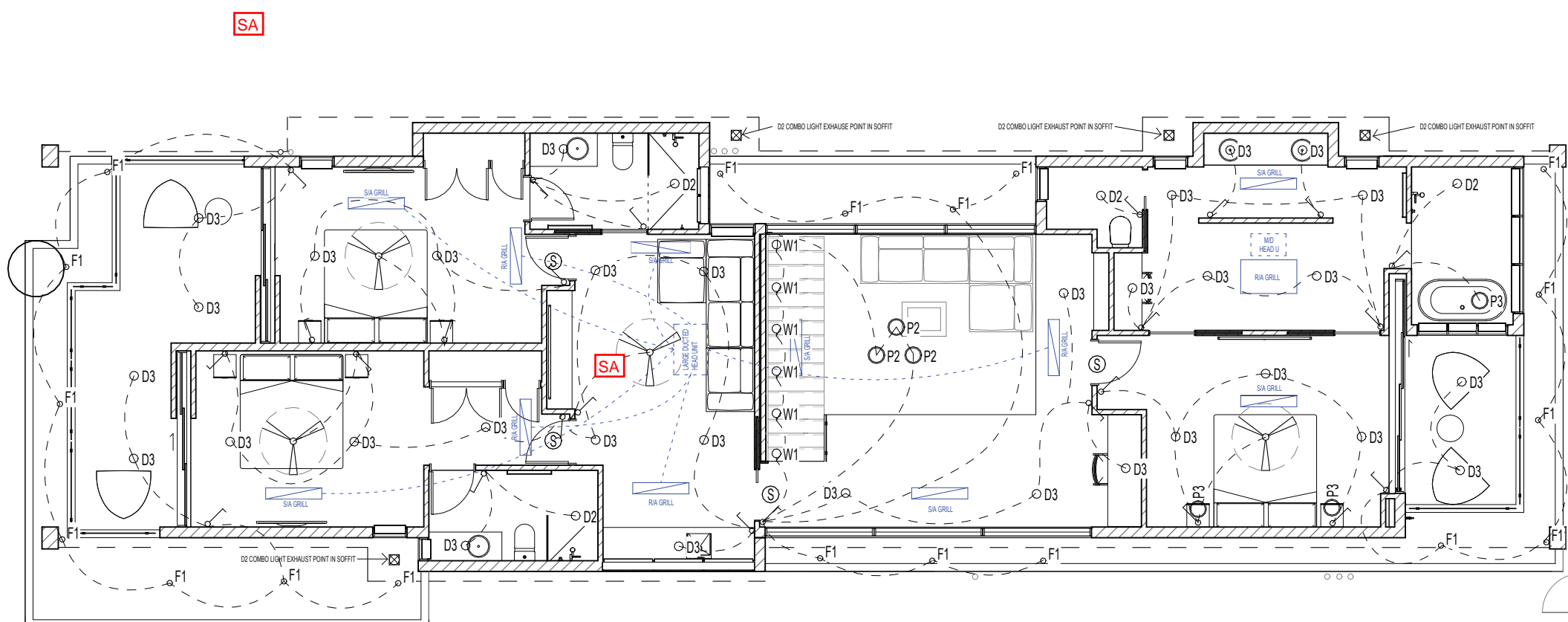
ELECTRICAL GROUND LEVEL POWER
1 : 100



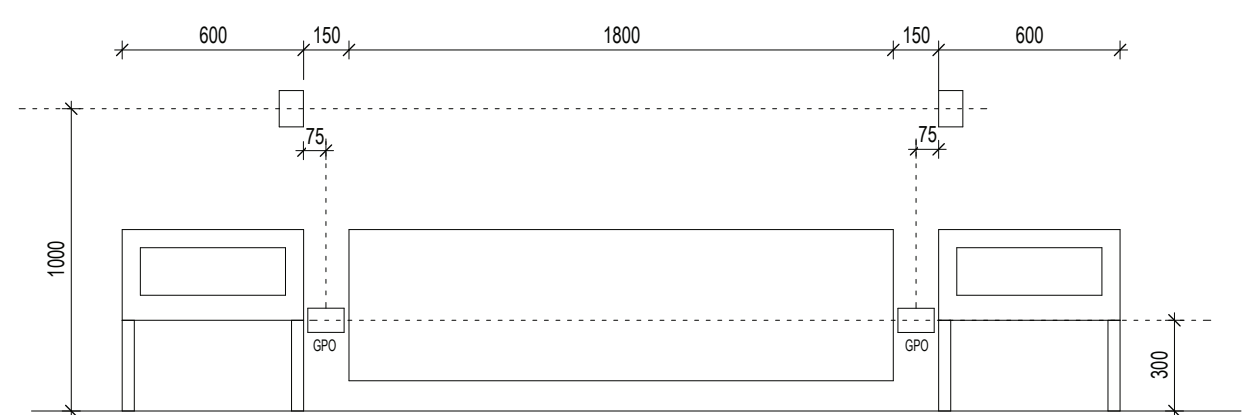
ELECTRICAL UPPER LEVEL POWER
1 : 100



ELECTRICAL - LIGHTING & AC GROUND
1 : 100



ELECTRICAL - LIGHTING & AC UPPER LEVEL
1 : 100



TYPICAL BED HEAD ELECTRICAL SET OUT
1 : 25

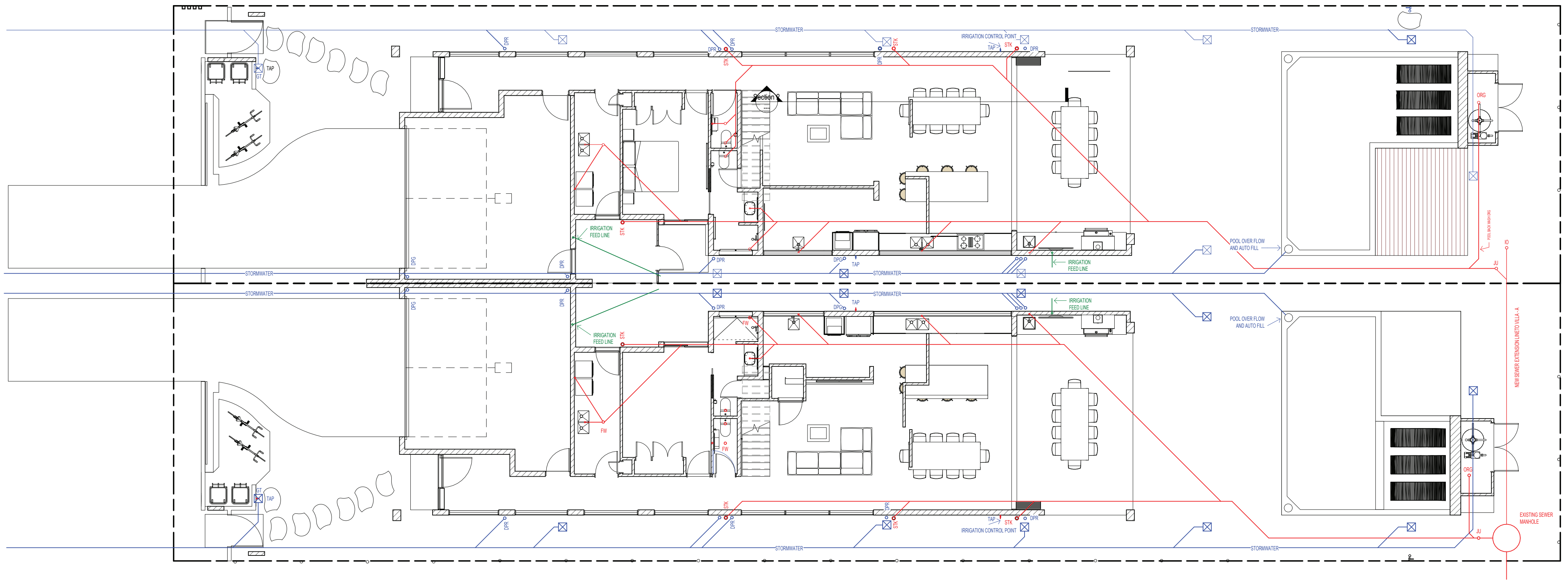
NOTE :
- WALL SWITCH PLATES 1300 ABOVE FLOOR TO CENTER, SWITCHES AT BED HEADS TO 1000 ABOVE FLOOR TO CENTER
- A MINIMUM 80% OF THE TOTAL FIXED INTERNAL LIGHTING WILL BE FITTED WITH ENERGY EFFICIENT LIGHTING AS DEFINED BY QDC PART MP 4.1 (MIN. 27 LUMENS PER WATT)
- IF AIR CONDITIONERS ARE BEING INSTALLED THEY WILL HAVE A MINIMUM 4-STAR MINIMUM ENERGY PERFORMANCE STANDARD (MEPS) RATING.
- FORM 16 CERTIFICATE TO BE PROVIDED FOR ALL WORKS
- PROVIDE ADDITIONAL DOCUMENTATION FROM LIGHT MANUFACTURER CONFIRMING THE LIGHT FITTINGS ACHIEVE THE MINIMUM 27 LUMENS PER WATT.
- ALL WORKS TO ALLOW FOR THE 'OFF FORM' TO SUSPENDED SLAB SOFFITS
- SMOKE DETECTOR LOCATIONS ARE SHOWN INDICATIVE ONLY, INSTALL MUST COMPLY WITH REGULATIONS.
- CABINETRY DRAWINGS TO BE USED FOR SET OUT.

ALL CONDUITS PIPES & PLUMBING TO BE CAST IN SUSPENDED SLAB TO ENSURE CLEAN AND CLEAR OFF FORM FINISH ACHIEVED

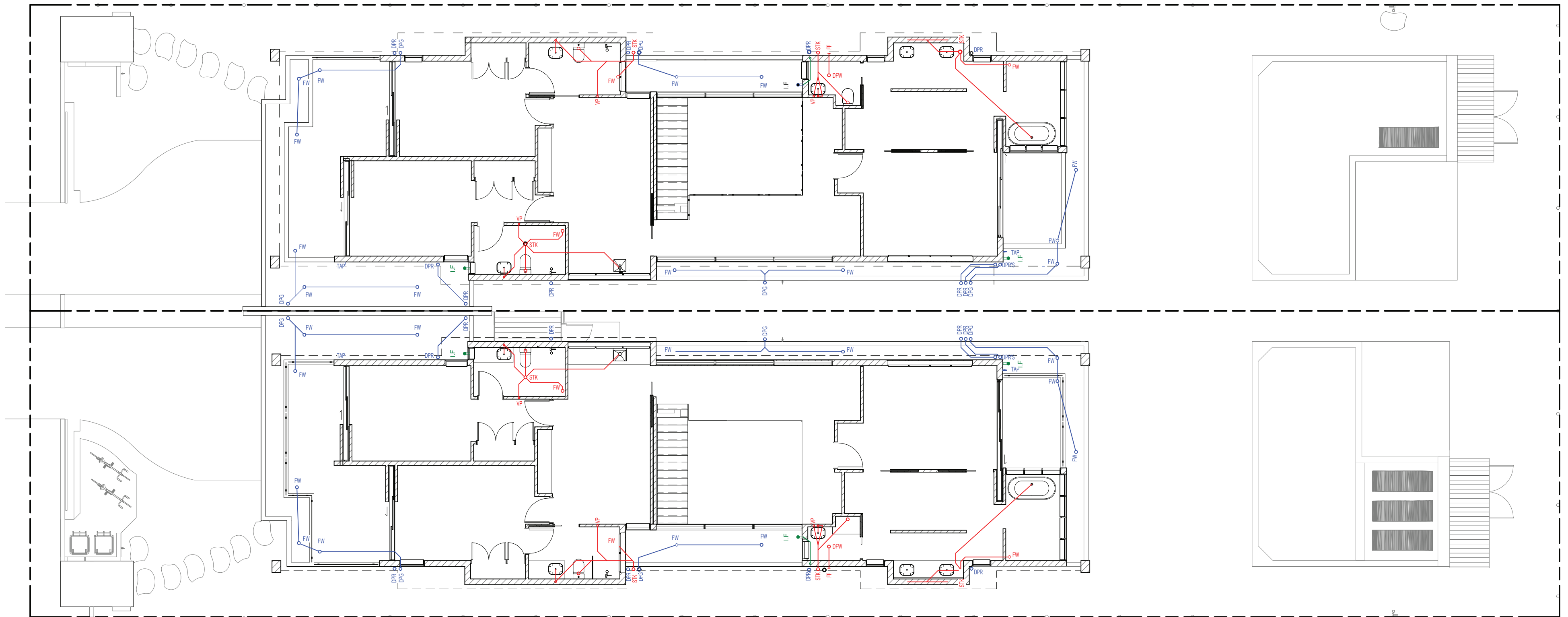
LEGEND - LIGHT, POWER, AUDIO & SECURITY

○ D1	LED RECESSED DOWNLIGHT	⊠ FB	DOUBLE 10A GPO IN FLOOR BOX	SP1	BASIC AUDIO & SECURITY PACKAGE INCLUDED IN BUILD COST
○ D2	FAN / LIGHT COMBO	TV	TV / CABLE AERIAL POINT	SP1	IN-CEILING SPEAKER
⊠	D2 LIGHT - EXHAUST FAN POINT	H	AVI LINK FROM CABINET TO 1400 AFL CONCEALED IN WALL	⊠ COM1	COMMS RACK LOCATION
○ D3	GIMBAL DOWNLIGHT	TEL	TELEPHONE POINT	DS	DS - INTERCOM SYSTEM
○ P1	PENDANT LIGHT - SET OUT TO BE CONFIRMED ON SITE	⊠	SMOKE DETECTOR	IS	IS - INTERCOM SCREEN
○ P2	PENDANT LIGHT - SET OUT TO BE CONFIRMED ON SITE	⊠	1400 DIA. CEILING FAN	⊠	WIRELESS ACCESS POINT
○ P3	PENDANT LIGHT - SET OUT TO BE CONFIRMED ON SITE	⊠	METER BOX / SWITCHBOARD (INCLUDING GENERATOR INPUT)		VARIATION WORKS - ENHANCED SECURITY PACKAGE, ONLY INSTALLED IF CLIENT SIGNS OFF ON VARIATION COST TO PROCEED
○ W1	WALL LIGHT - RECESSED INTO STAIR RISERS	⊠	ELECTRIC HOT WATER SERVICE	⊠	SC - SECURITY CAMERA, CEILING MOUNTED
○ W2	WALL LIGHT - BUNKER TYPE	⊠	SOLAR ROOF VENT	KP	INCEPTION ALARM KEYPAD
— L1	LED STRIP LIGHT	⊠	SOLAR PANEL SYSTEM WORKS ONLY INSTALLED IF CLIENT SIGNS OFF ON VARIATION COST TO PROCEED	⊠	PIR MOVEMENT SENSOR
○ F1	FEATURE PIN SPOT	⊠		SP2	GARDEN SPEAKER
○ F2	LED WALL RECESSED FLOOR WASHER	⊠		⊠	SOUND BAR
○ F3	LV GARDEN SPIKE LIGHT & TIMER	⊠		⊠	SUBWOOFER
○ U1	FEATURE POOL LIGHT	⊠			
— S	SWITCH	⊠			
⊠ 300	DOUBLE 10A GPO AT HEIGHT ABOVE FFL				
⊠ C	DOUBLE 10A GPO CEILING MOUNTED				
⊠ W	DOUBLE 10A GPO WEATHERPROOF AT HEIGHT ABOVE FFL				
⊠ CT	COOKER POINT POWER SUPPLY				

LEGEND - ELECTRICAL, AUDIO & SECURITY
1 : 100



PLUMBING GROUND
1 : 100



PLUMBING LEVEL 2
1 : 100

ALL CONDUITS PIPES & PLUMBING TO BE CAST IN SUSPENDED SLAB TO ENSURE CLEAN AND CLEAR OFF FORM FINISH ACHIEVED

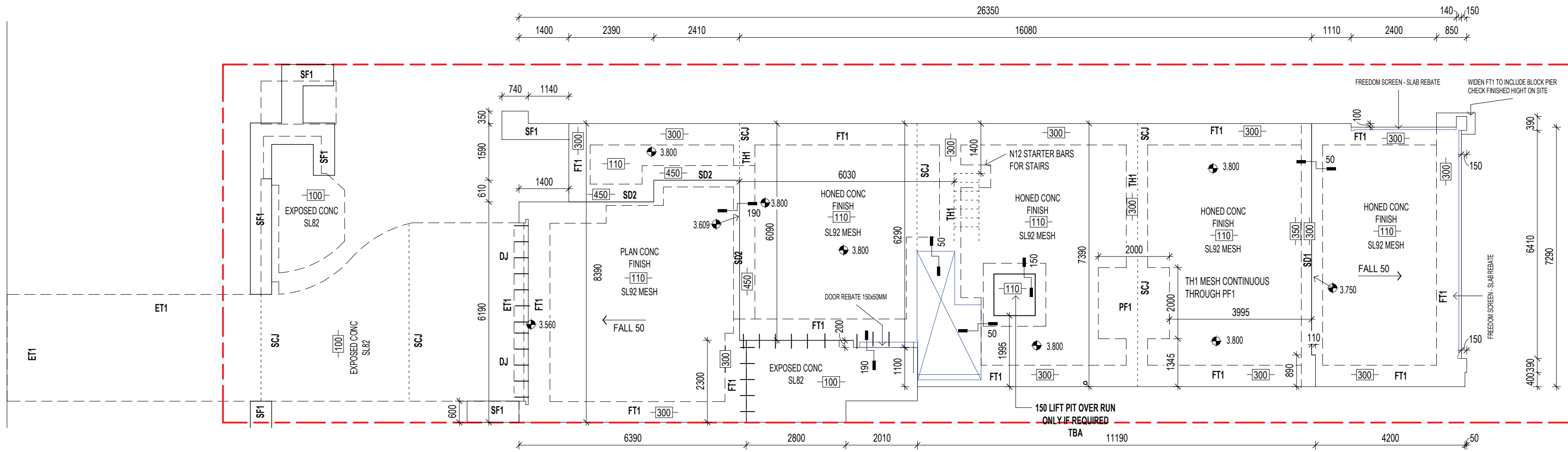
PLUMBING:

- ALL SHOWER ROSES TO BE 3 STAR (WELS) RATED IN ACCORDANCE WITH AS/NZS 6400 2004: 4 STAR WATER EFFICIENCY
- LABELING AND STANDARDS (WELS) SCHEME RATED CISTERNS WILL BE INSTALLED TO ALL WATER CLOSETS (PREVIOUSLY 3-STAR WELS RATED). MINIMUM 3-STAR WELS RATED TAP WARE WILL BE INSTALLED TO ALL KITCHEN SINKS, BATHROOM BASINS AND LAUNDRY TROUGHS (NEW DWELLING ONLY).
- PLUMBER TO PROVIDE FORM 16 CERTIFICATE FOR ALL WORKS.
- DRAWINGS TO BE USED IN CONJUNCTION WITH PRODUCT SPECIFICATION.
- ALL PIPE SET OUT TO BE AS PER PRODUCT SPECIFICATION.
- CABINETRY PLANS TO BE USED FOR SET OUT.
- ALL WORKS TO ALLOW FOR OFF FORM FINISH TO SUSPENDED SLAB SOFFITS.

PLUMBING & DRAINAGE:

BV	BACK VENT	I/F	IRRIGATION FEED
DPR	DOWN PIPE ROOF	GT	GT GULLY TRAP
DPG	DOWN PIPE GARDEN		
FW	FLOOR WASTE		
IC	INSPECTION CHAMBER		
IO	INSPECTION OPENING		
JU	JUMP UP		
ORG	OVERFLOW RELIEF GULLY		
PJC	PLAIN JUNCTION CAP		
SC	STOPOCK		
SIO	STACK + INSPECTION OPENING		
SD	SEWER DRAIN		
STK	SEWER STACK		
SV	STOP VALVE		
SWD	STORM WATER DRAIN		
VP	VENT PIPE		
WC	WATER CLOSET		

LEGEND - PLUMBING
1 : 50



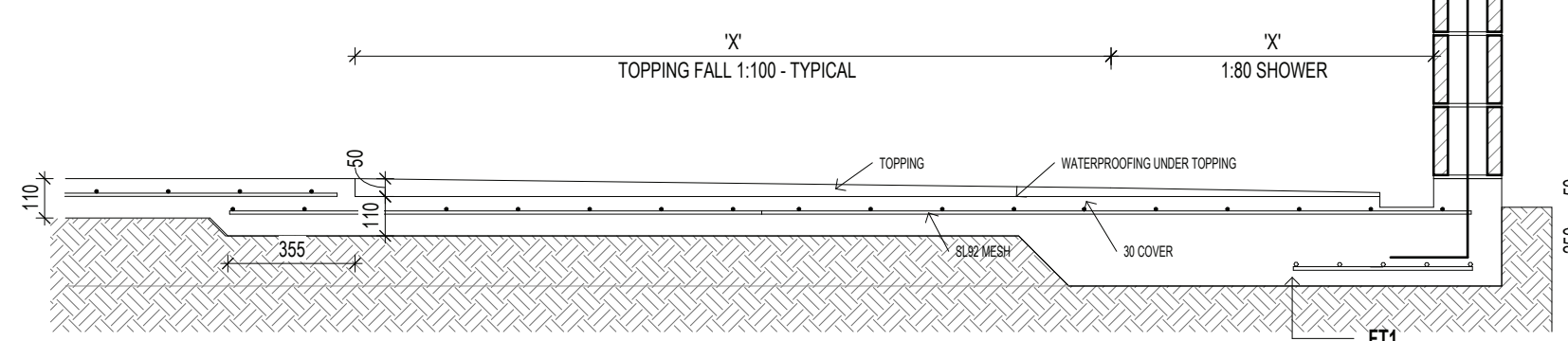
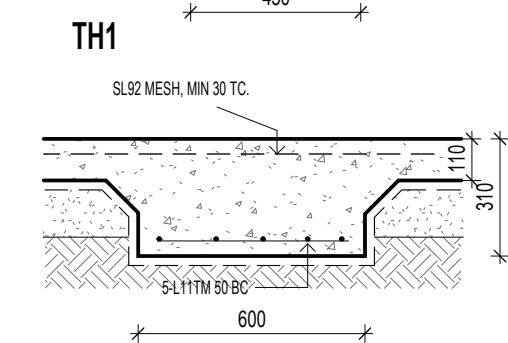
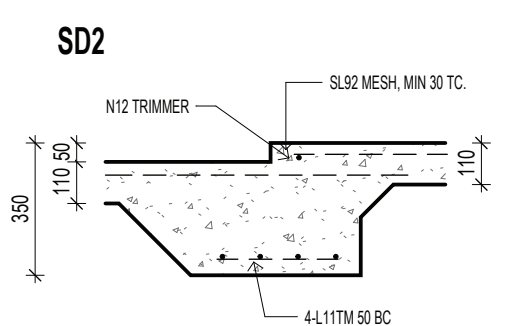
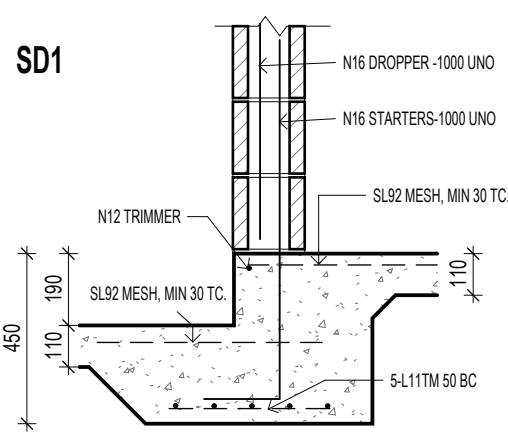
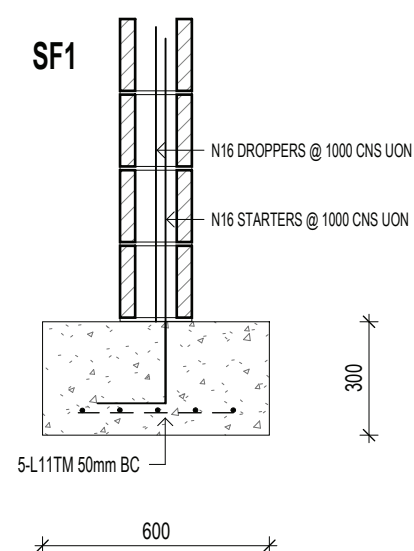
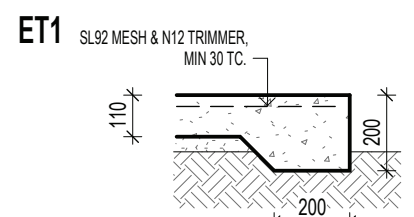
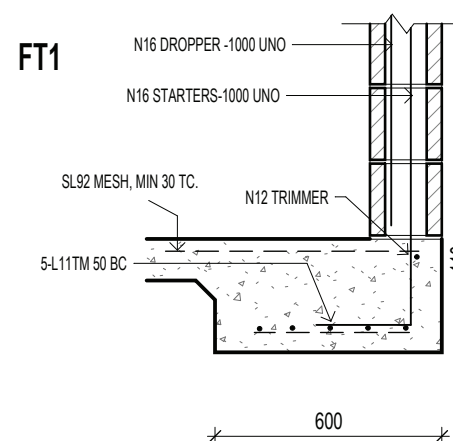
GROUND SLAB PROFILE PLAN
1 : 100

SITE NOTE:
REMEDIAL COMPACT BUILDING FOOTPRINT AND 1.5M
BEYOND WITH 6-8 PASSES OF A HEAVY (10 - 12 TONNE)
NON-VIBRATORY ROLLER.

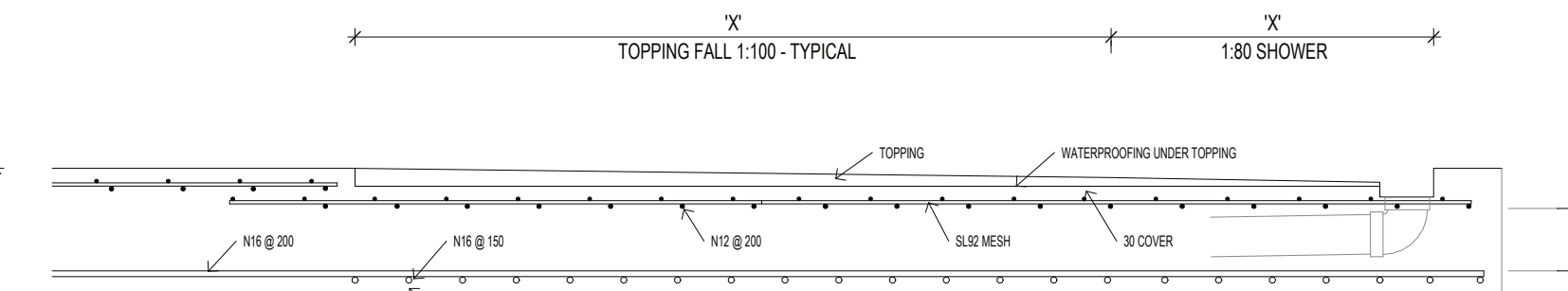
SCJ - 25mm SAW CUT MADE WITHIN 36 HOURS OF POUR
CUT EVERY 2ND BAR WIRE UNDER JOINT AND DEPRESS MESH
LOCALLY TO MAINTAIN COVER.

DU - R12 GAL DOWELS 300 LONG @ 400 CNS GREASED HALF, ABLEFLEX
AND SEALANT TO JOINT.

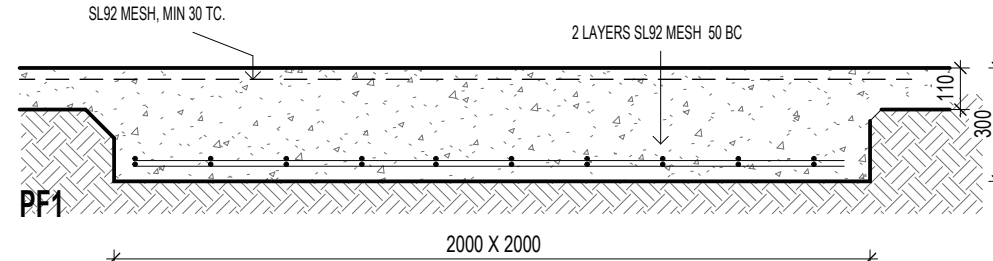
GROUND SLABS - N40 CONCRETE.



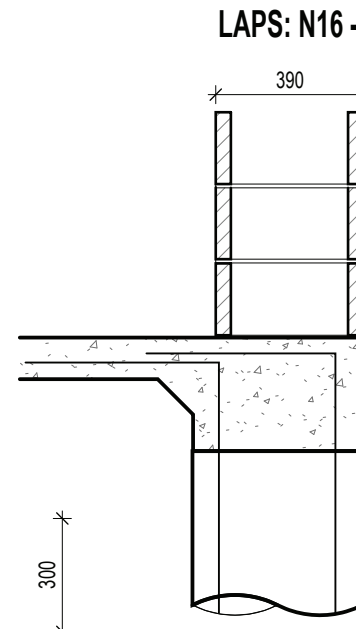
SECTION OF GROUND LEVEL WET AREA FLOOR REBATE



SECTION OF UPPER LEVEL WET AREA FLOOR REBATE



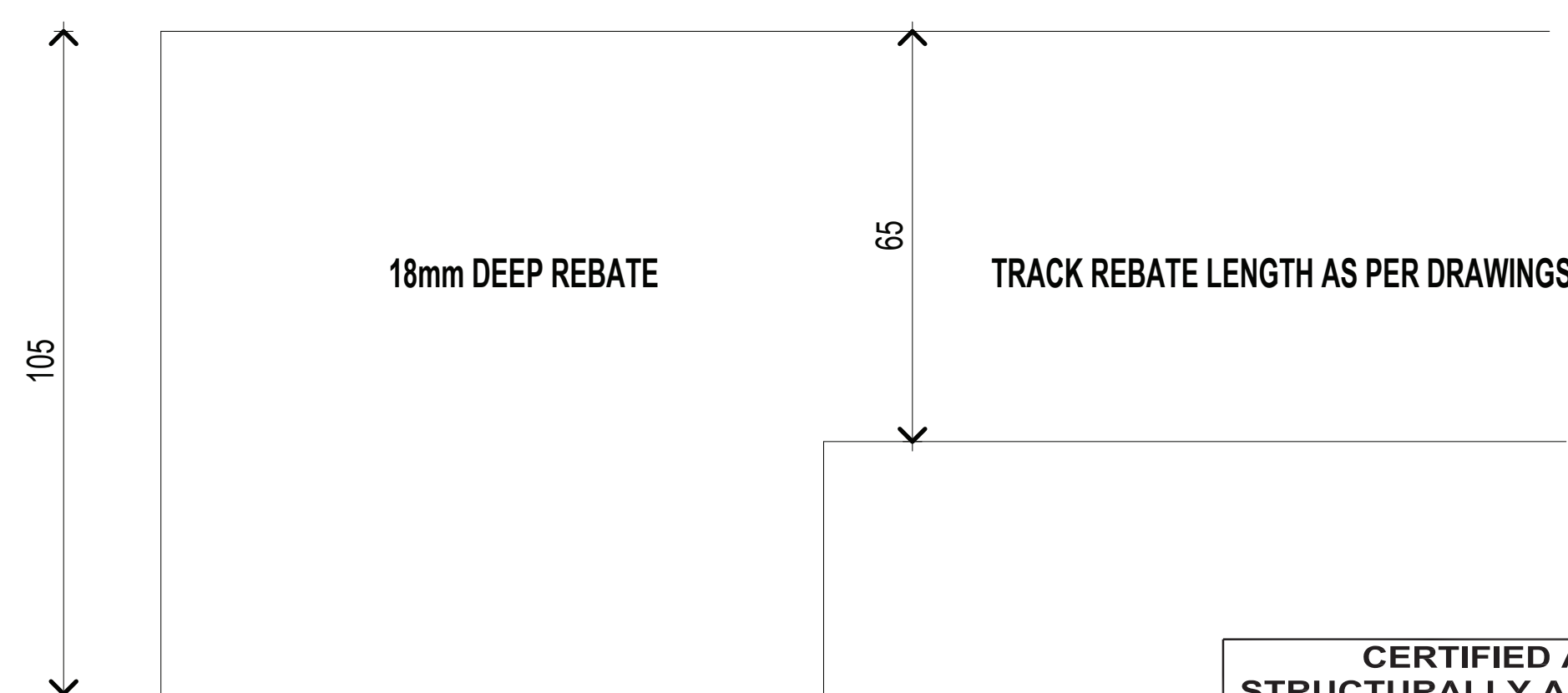
NOTE 1
REBATES TO FOOTINGS & SLABS AS REQUIRED.
MAINTAIN COVER AS REQUIRED.



LAPS: N16 - 800

BP1 - 450 DIA BORED PIER TO DEPTH OF
THE ADJACENT POOL.
4 N12 BARS COG 500 INTO FOOTING

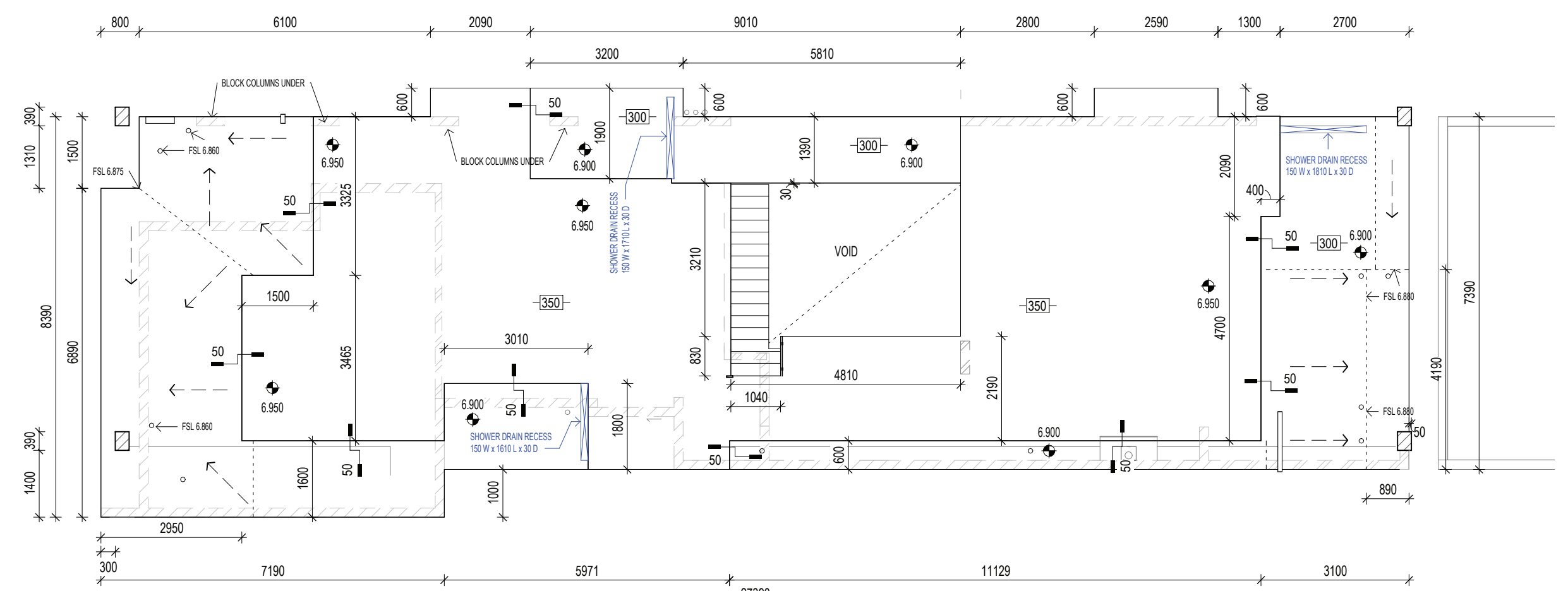
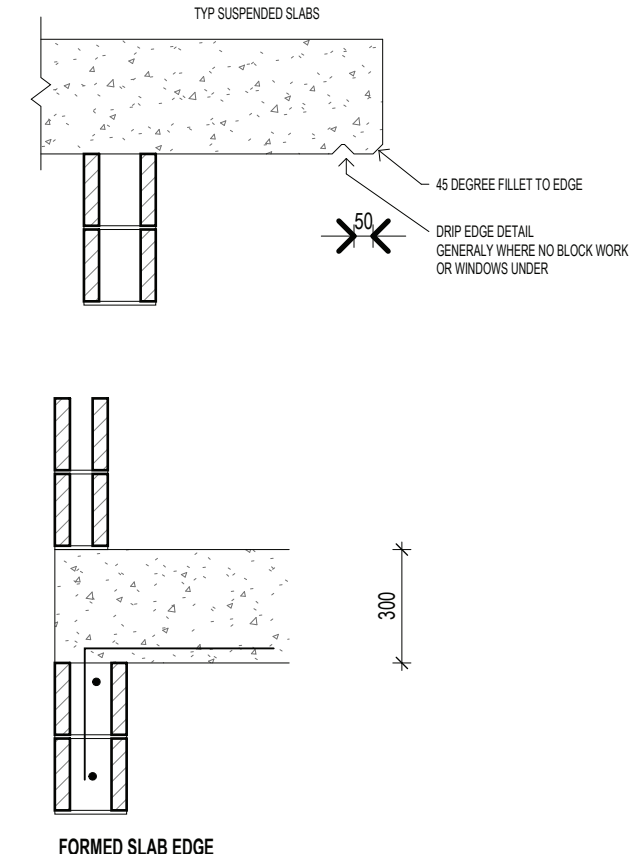
FOOTING DETAILS
1 : 20



FREEDOM SCREEN REBATE DETAILS
1 : 1

**CERTIFIED AS
STRUCTURALLY ADEQUATE**
KFB Engineers Civil & Structural
1738-42 Pease St, Cairns T PO Box 927, Cairns Q 4870
P: 07 40320492 | F: 07 40320692 | E: email@kfbeng.com.au
Date: 12/11/21 Signed: [Signature]
Job No: K-9743 RPEQ No: 5711

SUSPENDED SLAB EDGES
1 : 20

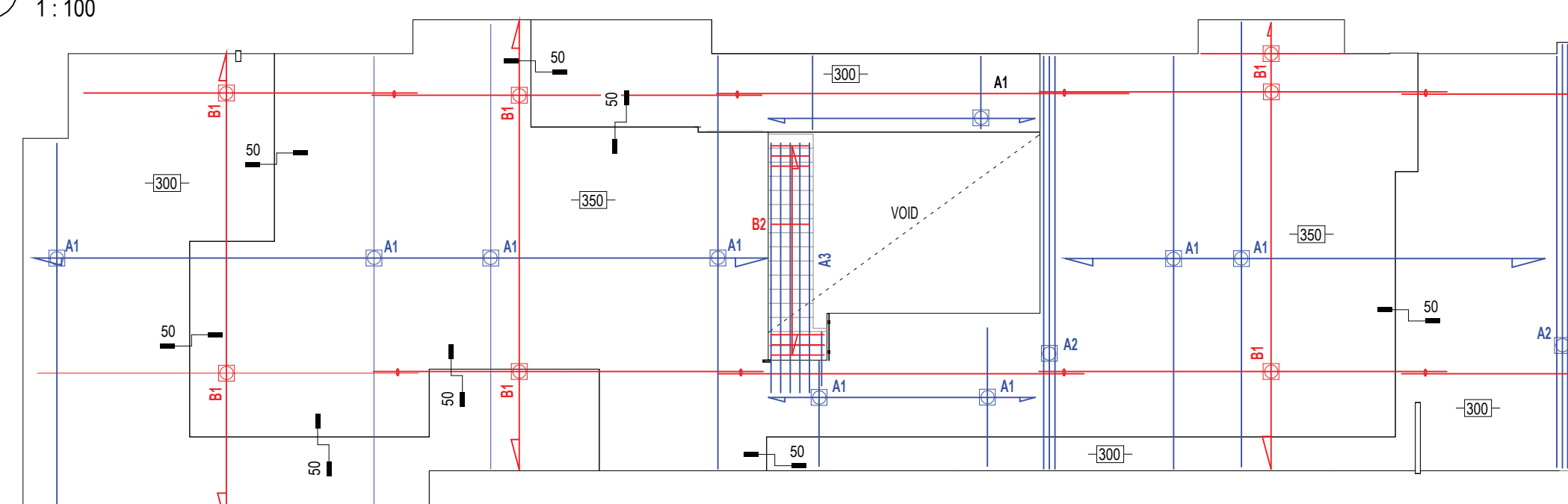


SUSPENDED SLAB PROFILE PLAN
1 : 100

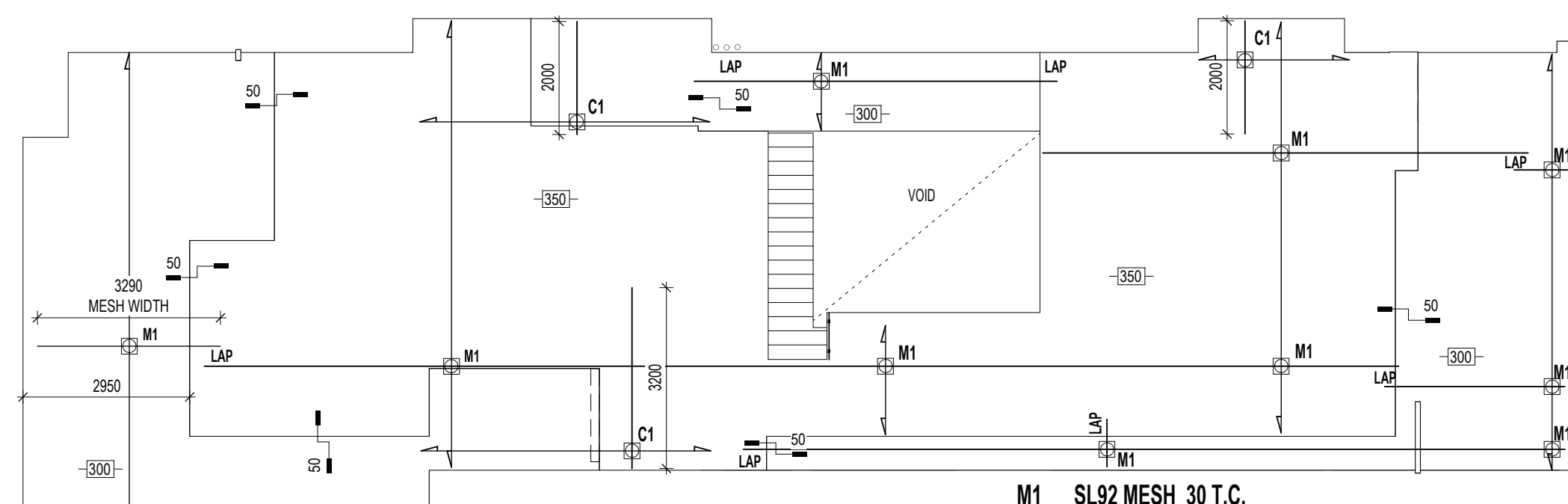
SUSPENDED SLAB N40 CONCRETE

- A1 N16 @ 150 CRS B/U, 30 B.C.
- A2 3-N16 @ 100 CRS
- A3 5-N12 @ 170 CRS
- B1 N16 @ 200 CRS B/O
- B2 N12 @ 200 CRS B/O

LAPS: N16 - 800

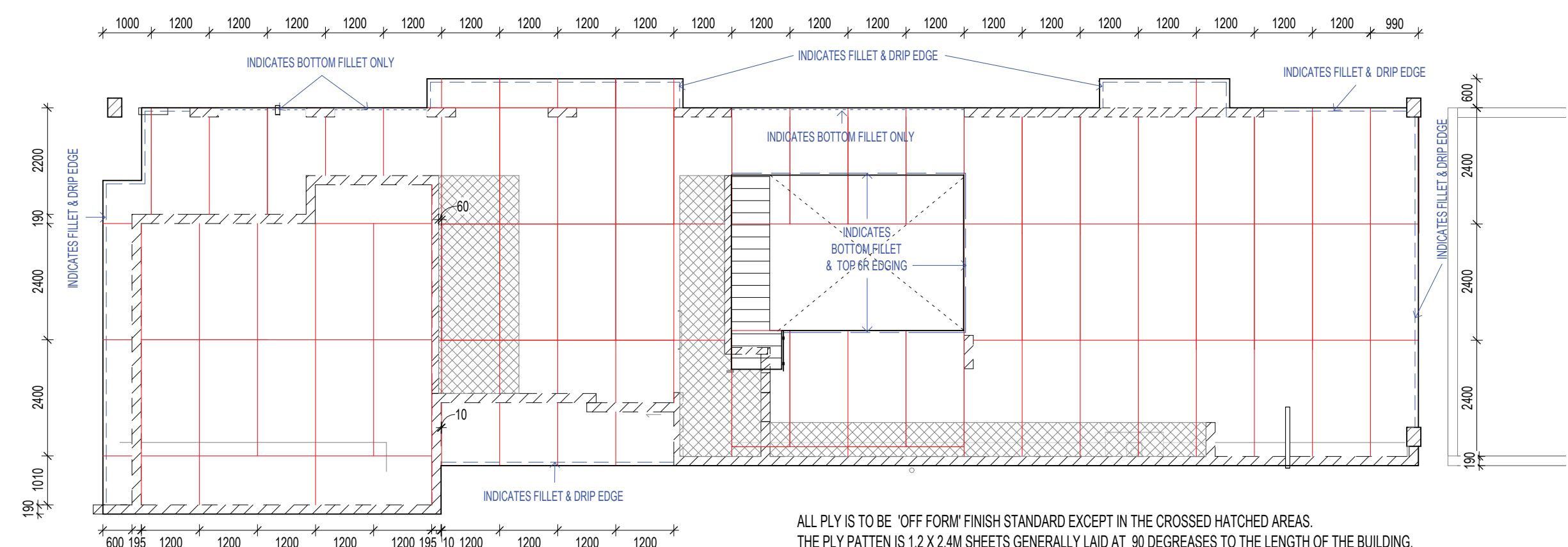


SUSPENDED SLAB BOTTOM REO PLAN
1 : 100



M1 SL92 MESH 30 T.C.
C1 EXTRA N12 @ 200 CRS TIED UNDER MESH
LAPS: MESH - 300

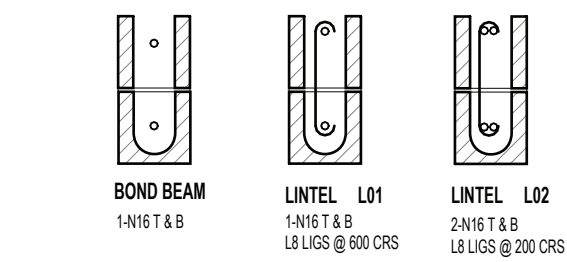
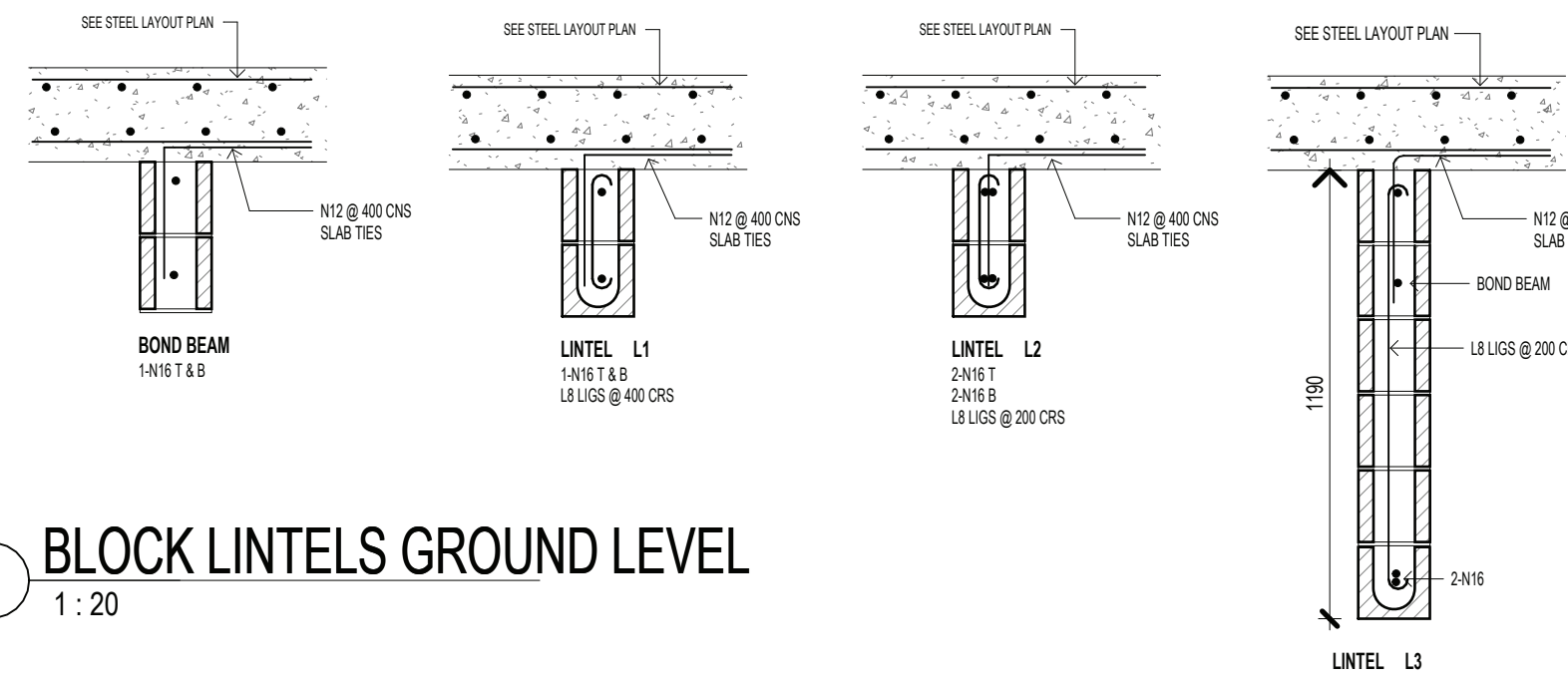
SUSPENDED SLAB TOP REO PLAN
1 : 100



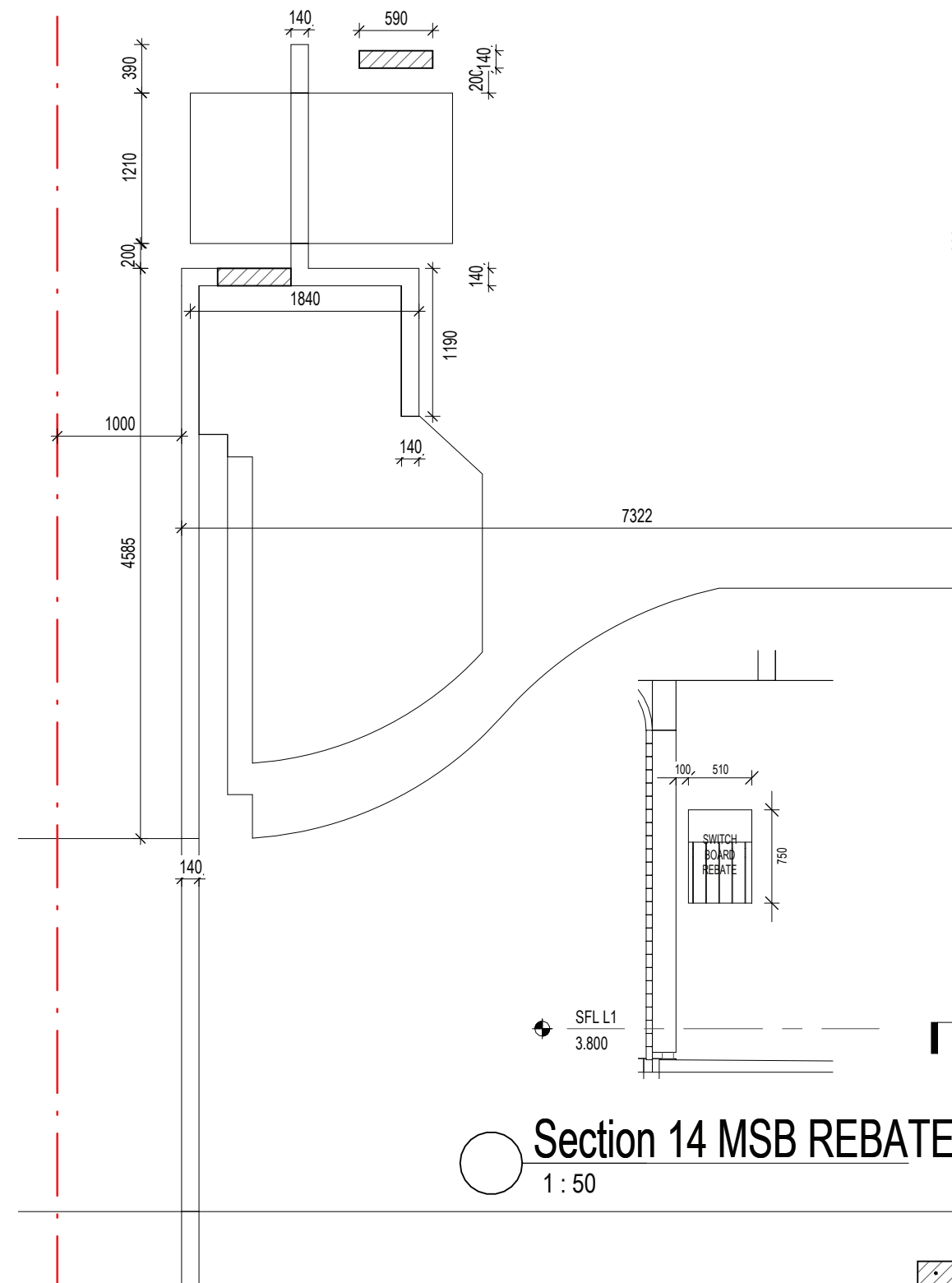
SUSPENDED SLAB PLY LAYOUT
1 : 100

ALL PLY IS TO BE 'OFF FORM' FINISH STANDARD EXCEPT IN THE CROSSED HATCHED AREAS.
THE PLY PATTERN IS 1.2 X 4M SHEETS GENERALLY LAID AT 90 DEGREES TO THE LENGTH OF THE BUILDING.
FLAT SOFFIT AT 2.8M ABOVE GROUND SLAB EXCEPT GARAGE WHERE IT IS 2.990M.
ANY & ALL AIR BUBBLE DEFECTS ETC, FOUND AFTER STRIP OF FORM WORK, TO BE PATCHED CAREFULLY
PATCHED WITH FOSROC FC.

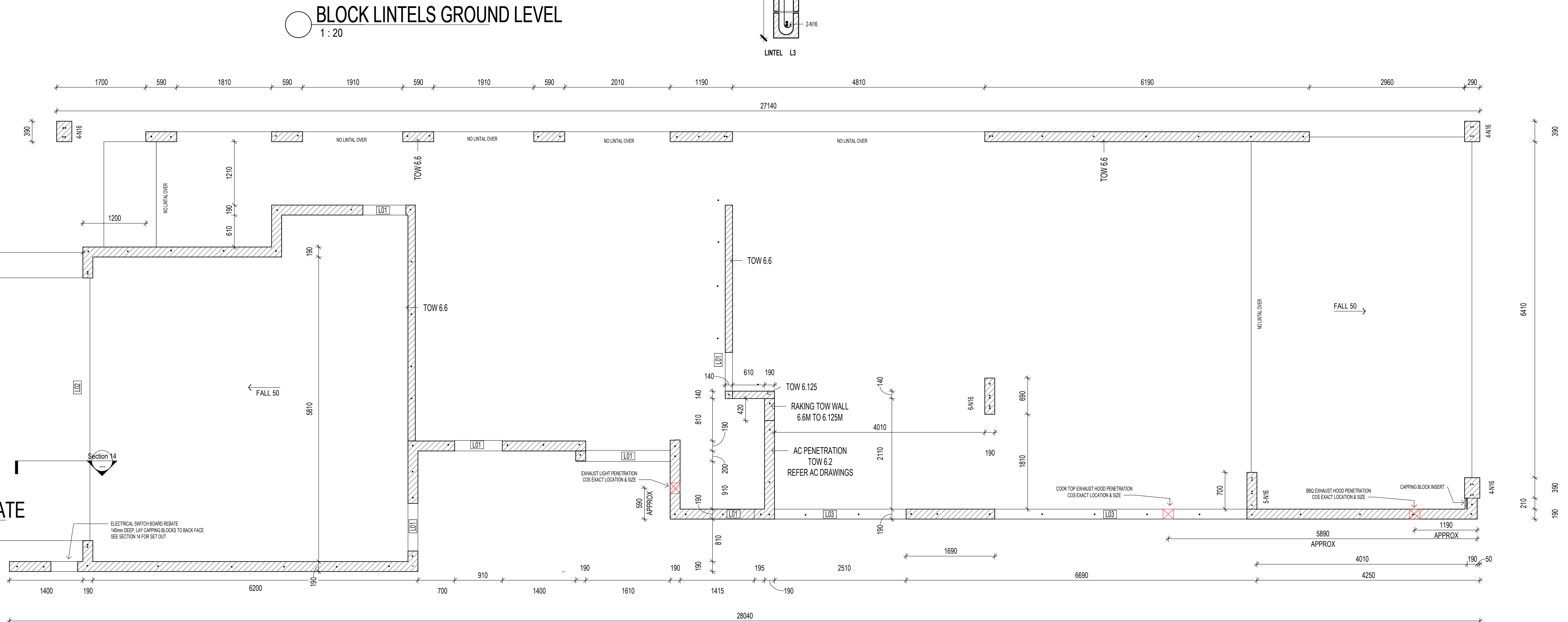
1. N16 VERTICAL BARS AT CORNERS AND BESIDE OPENINGS AND @ 1000 CRS
2. 2-N16 BARS BESIDE OPENINGS > 3000 WIDE
3. EXTRA BARS WHERE INDICATED
4. DOUBLE BOND BEAM BELOW SLAB, 1-N16 EACH COURSE
5. LINTELS AS SCHEDULED
6. SINGLE BOND BEAM TO SILLS, 1-N16
7. PLANTER WALLS N12 @ 400 EACH WAY SOLID FILLED
8. FILL REINFORCED CORES



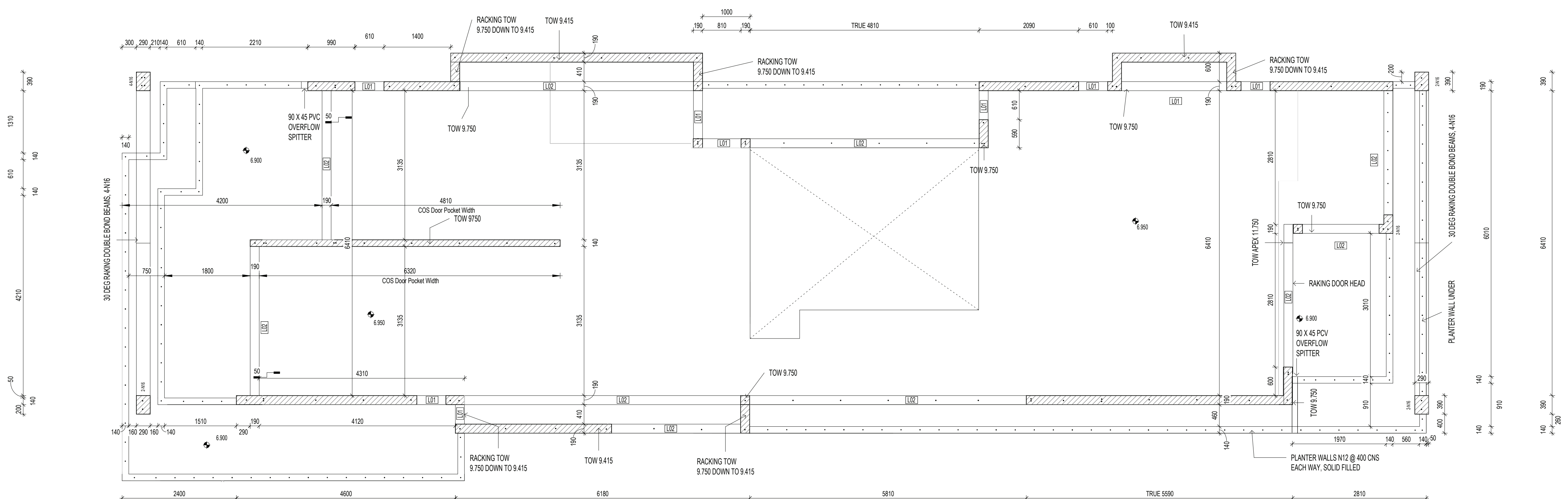
 BLOCK LINTELS UPPER LEVEL
1:20



Section 14 MSB REBATE

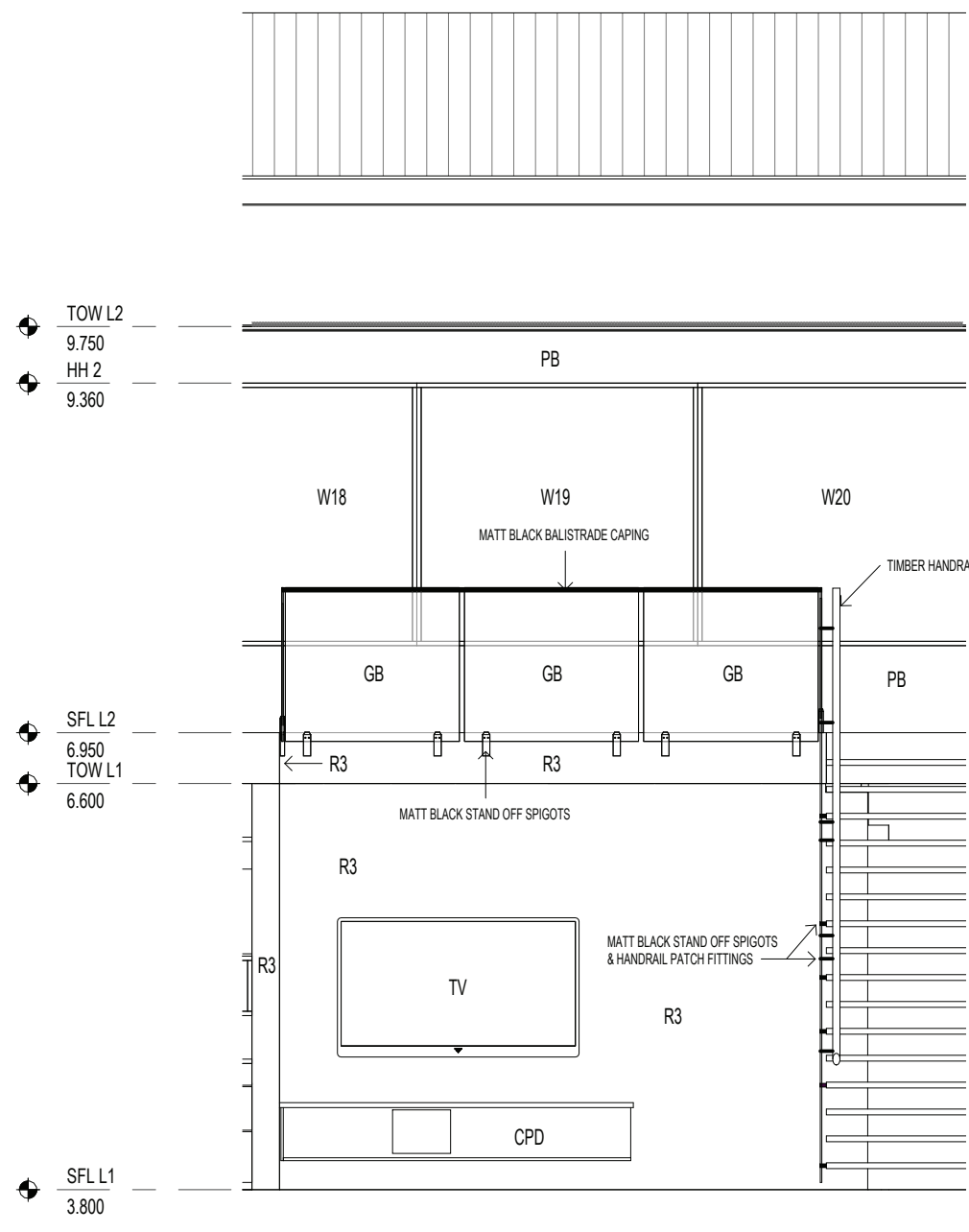


BLOCKWORK DETAILS - GROUND
1 : 50

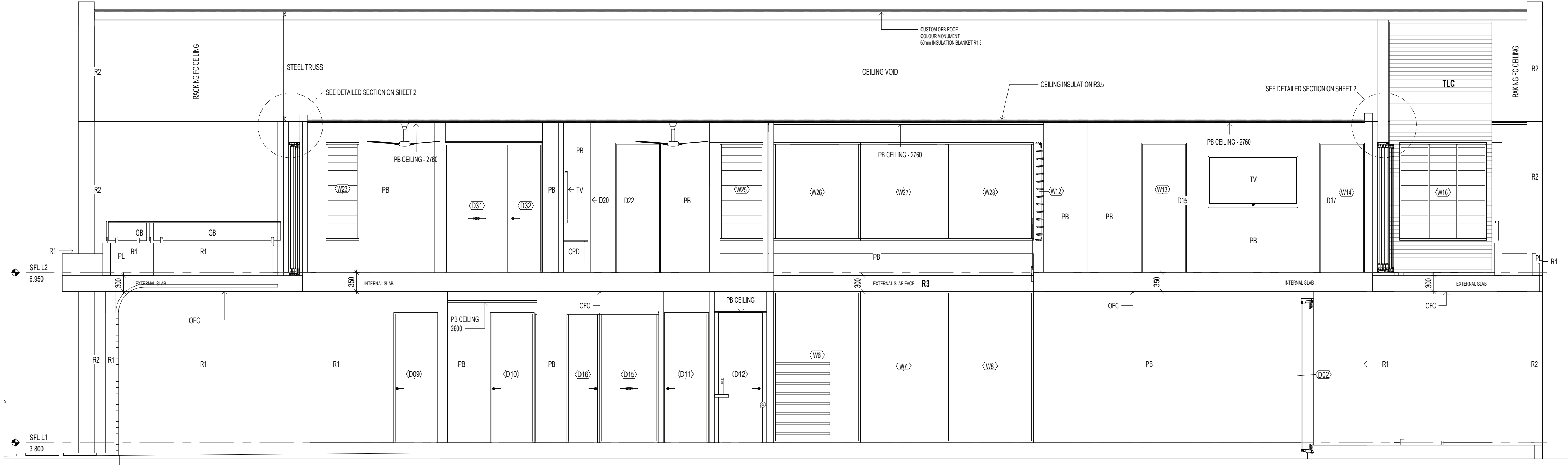


BLOCKWORK DETAILS UPPER LEVEL

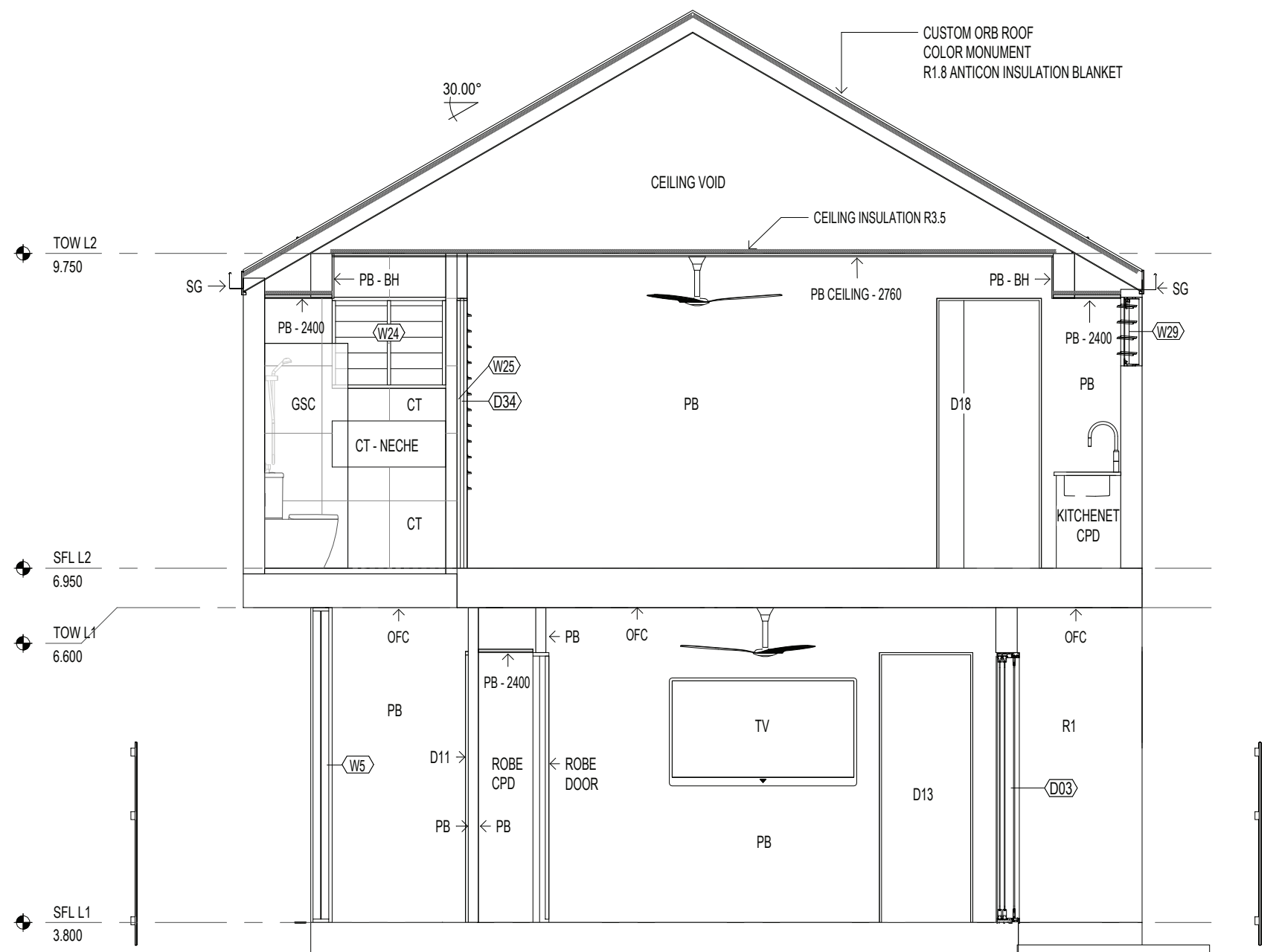




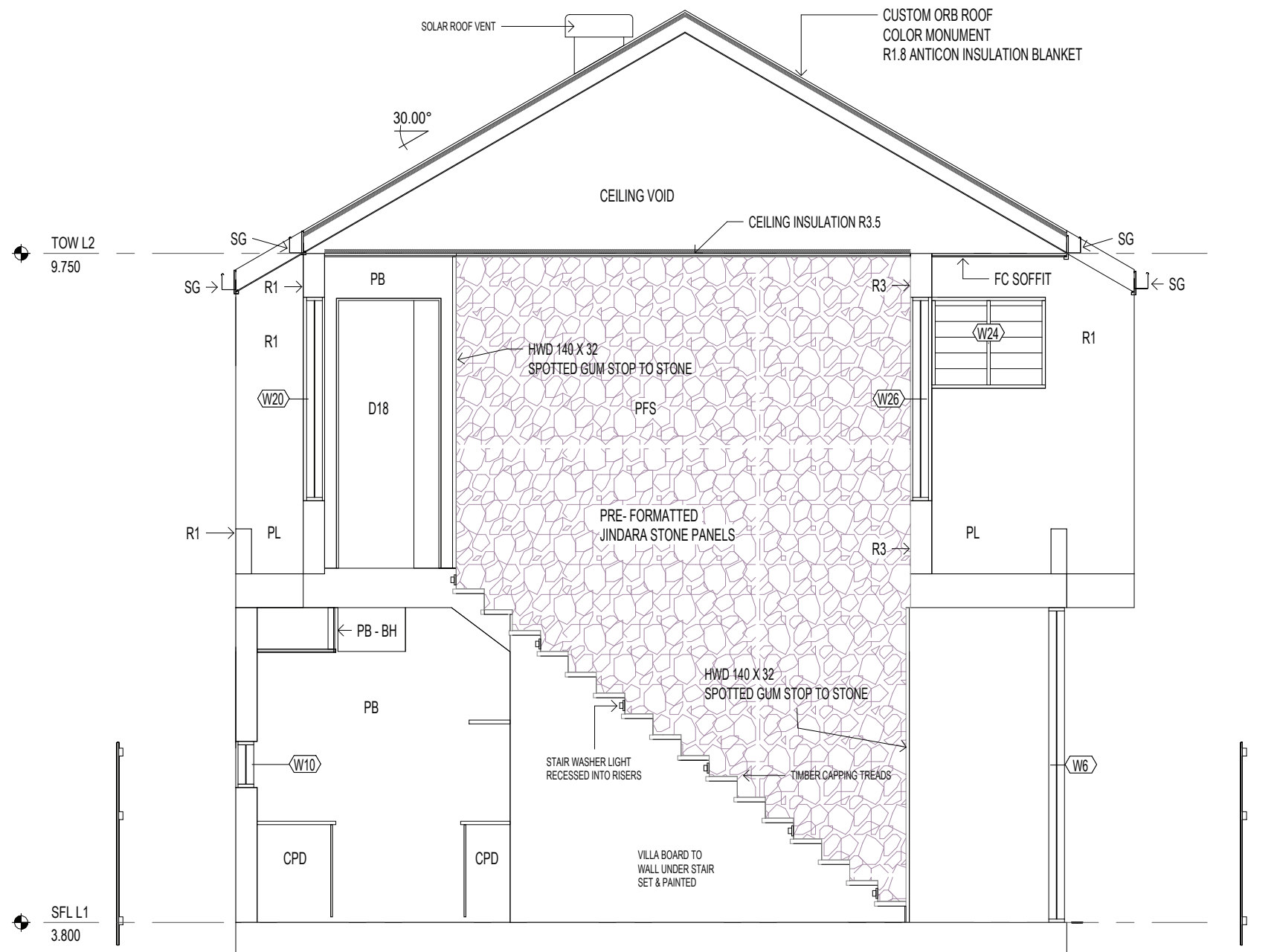
Section 19
1 : 50



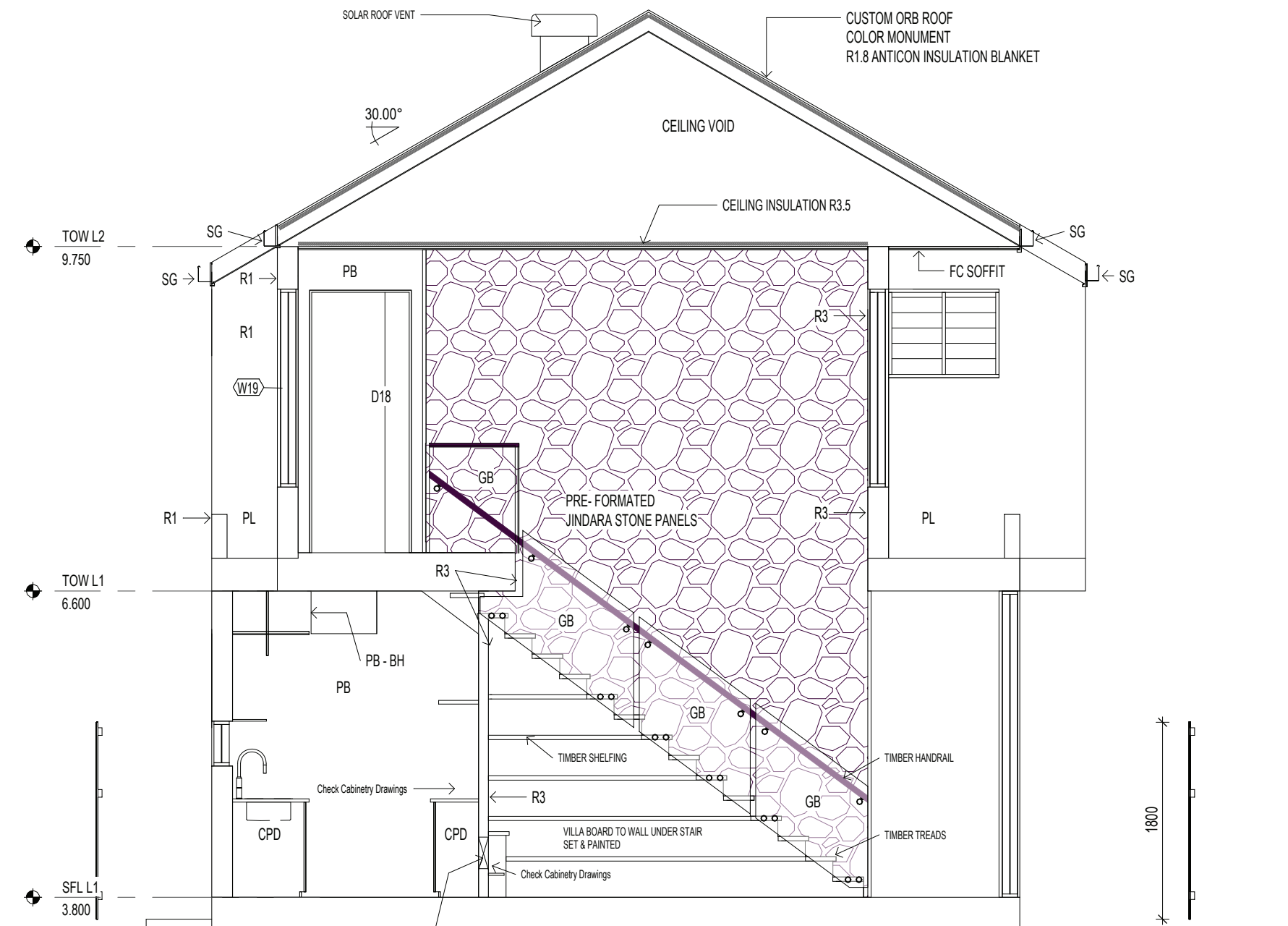
Section 1
1 : 50



Section 2
1 : 50



Section 3
1 : 50

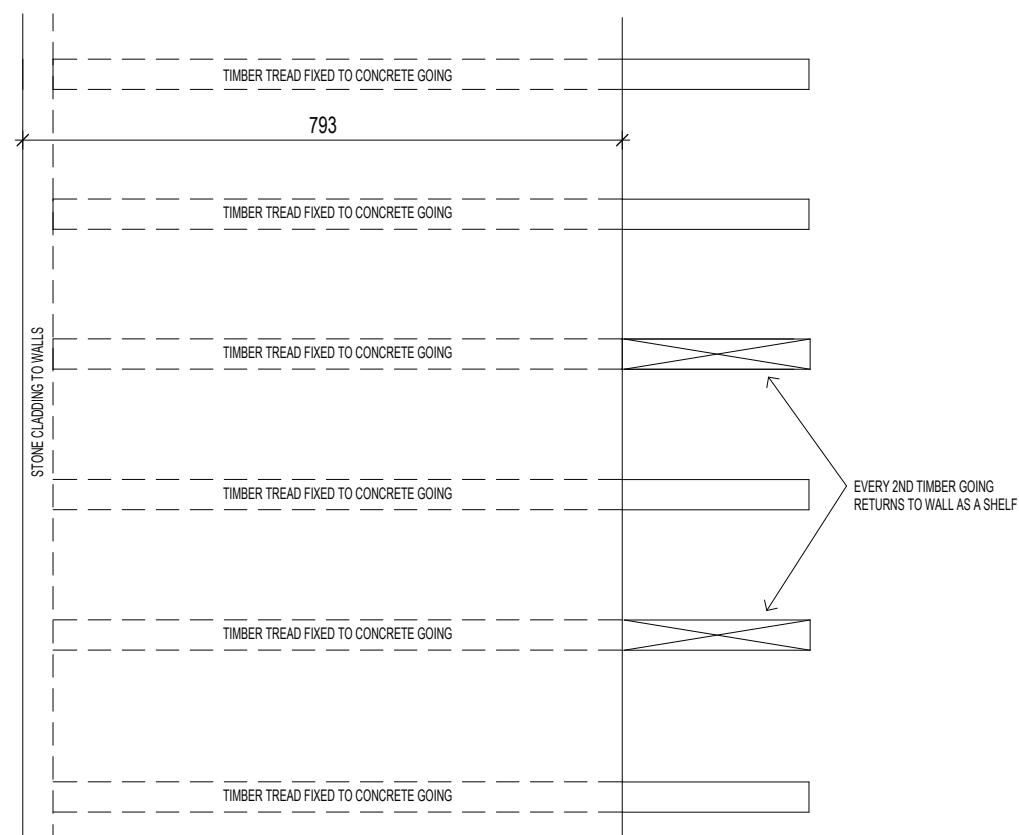


Section 10
1 : 50

LEGEND

AS	AUSTRALIAN STANDARD CODES
B	BENCHTOP
BH	BULK HEAD
CMB	CONCRETE MASONRY BLOCK
CONC	CONCRETE
COS	CONFIRM ON SITE
OPT	SELECT CARPET
CPD	CUPBOARD
CPS	CENTRES
CS	CAVITY SLIDER
CSK	COUNTERSINK
CT	SELECT CERAMIC TILE
CKT	COOKTOP
D01	DOOR NUMBER
DJ	DOWEL JOINT
DW	DISHWASHER
DPR	DOWN PIPE ROOF
DPS	DOWN PIPE GARDENS
EJ	EXPANSION JOINT
FC	FIBRE-CEMENT
FF	FROG FLAP
FFL	FINISHED FLOOR LEVEL
GB	SELECT GLASS BALUSTRADE
GSC	GLASS SHOWER SCREEN
GW	GLASS WALL
HH	HEAD HEIGHT
HR	SELECT SS HANDRAIL
HT	HEIGHT
HWD	HARDWOOD
HWS	HOT WATER SYSTEM
LJ1	LINTEL TYPE
MM	MILLIMETRES
MANUF.	MANUFACTURER
MAX.	MAXIMUM
MIN.	MINIMUM
MCP	MACHINE GRADED PINE
MIC	MICROWAVE OVEN
NCC	NATIONAL CONSTRUCTION CODE
NGL	NATURAL GROUND LEVEL
OFC	OFF-FORM CONCRETE FINISH
OG	OPPOSITE GLASS
OHC	OVERHEAD CUPBOARD
PB	PLASTERBOARD LINING
PC	POLISHED CONCRETE
PF	SELECT 100XH POOL FENCE
PFS	PRE-FORMATED STONE
PL	PLASTER
PVC	POLYVINYL CHLORIDE
R1	RENDER COLOUR SURF MIST
R2	RENDER COLOUR MONUMENT
R3	RAW 'OFF' TROWEL RENDER FINISH
REO	REINFORCING
RGH	ROUGHER HEADER H3 TREATED PINE
SCJ	SAW CUT JOINT
SFL	STRUCTURAL FLOOR LEVEL
SG	STRAMIT SQUARE LINE, M GUTTER
SLC	SELECT HMD SHIPLAP CLADDING
SS	STAINLESS STEEL
SPEC	SPECIFICATION
STK	SEWER STACK
TLC	TIMBER LOOK CLADDING
TOW	TOP OF WALL
UP	UNLESS NOTED OTHERWISE
UP	VENT PIPE
W01	WINDOW NUMBER

- 16 GOININGS
- 17 RISERS
- NO TIMBER CAPPING AT FSL TO GROUND OR UPPER LEVEL
- RISER'S ARE LINED IN VILLA BOARD
- WALL UNDER STAIR IS LINED BOTH SIDES IN VILLA BOARD
- SHELF RETURNS TO LOUNGE WALL AT EVERY SECOND GOING
- 40MM TIMBER STAIR TREAD



UPPER LEVEL FS

6MM PENCIL ROUND EDGING

6MM PENCIL ROUND EDGING

OFF FORM CONCRETE RISER

VOID SLAB EDGE

FILLET EDGE

VILLA BOARD RISER CLADDING

30

VILLA BOARD RISER CLADDING

TIMBER CAPPING TREAD

VILLA BOARD RISER CLADDING

VILLA BOARD RISER CLADDING

STRUCTURAL CONCRETE

900

140

140 BLOCK WALL

140 THROUGH

5-N12

N12 @ 200

CROSS SECTION OF STAIR UPPER

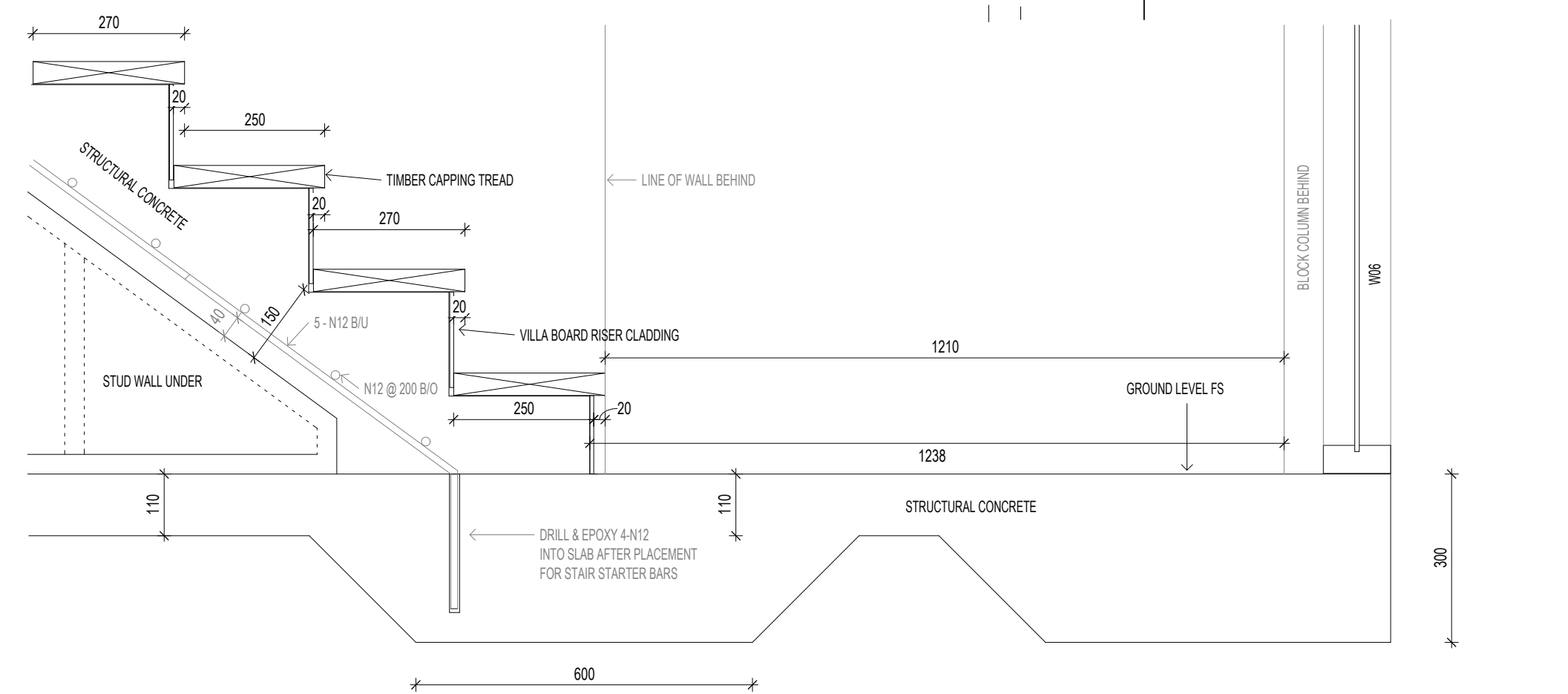
STAIR PLAN VIEW GROUND LEVEL

793
WIDTH STRUCTURAL CONCRETE UNDER

250
STUD WALL UNDER

250
TOP CEILING ABOVE

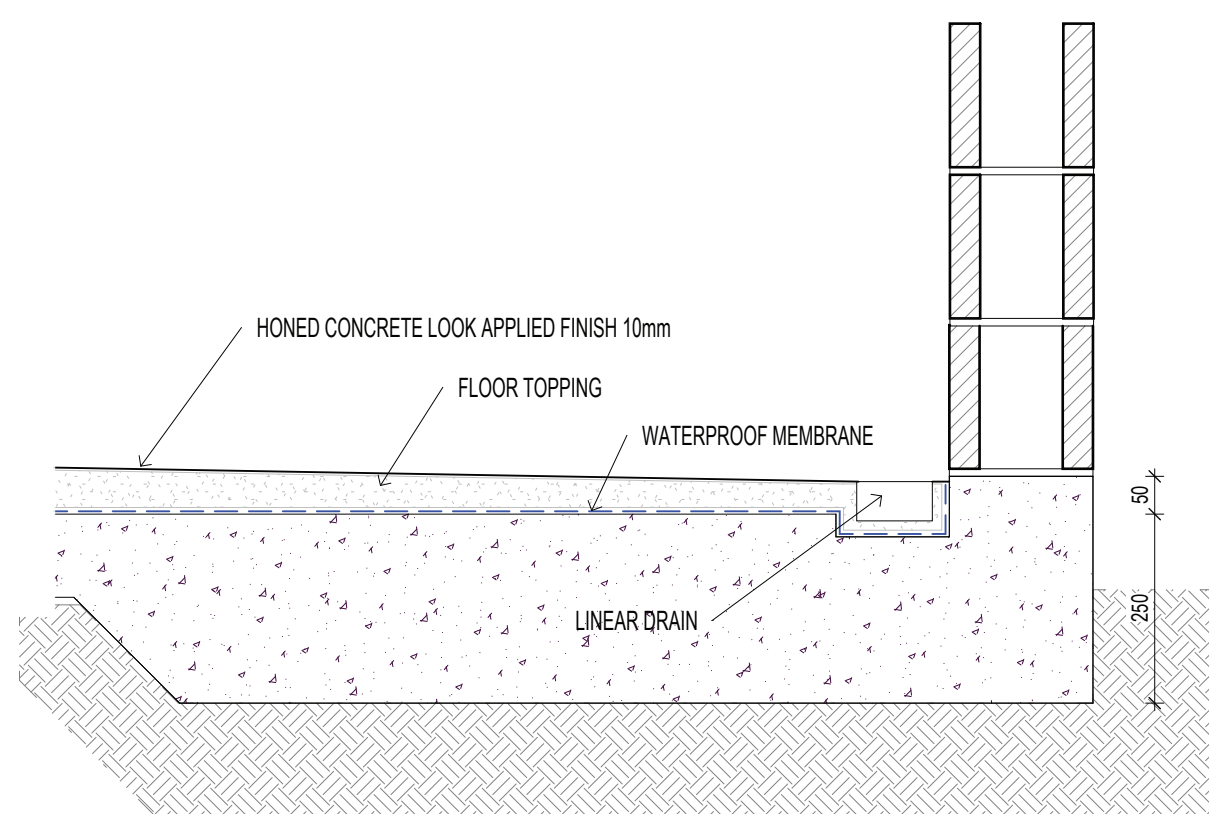
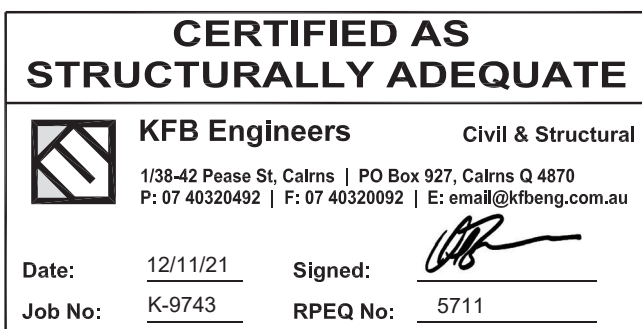
250
STONE CLADDING FROM TOP OF STAIRS UP



STAIR PLAN VIEW UPPER LEVEL

Labels and dimensions in the drawing include:

- TIMBER END CAP TO STONE CLADDING
- FEATURE STONE CLADDING
- WIDTH 1040
- STRUCTURAL CONCRETE
- 140
- BLOCK WORK UNDER
- 193
- WIDTH OF STRUCTURAL CONCRETE UNDER
- 250
- VILLA BOARD SHEETING UNDER & OVER STAIRS
- STUD WALL UPPER LEVEL TO CEILING
- STUD WALL UNDER
- 50mm ID TYPE FIXING MATT BLACK
- VOID SLAB EDGE
- STAND OFF TYPE FIXING MATT BLACK



SLAB WET AREA REBATE

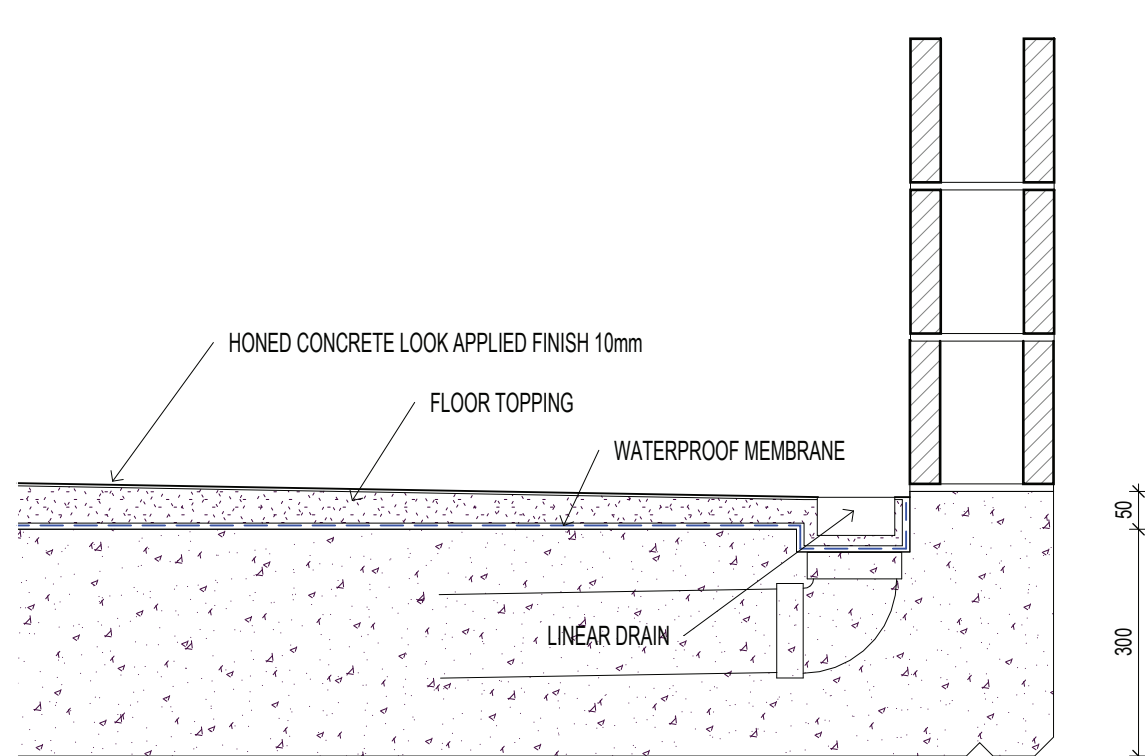
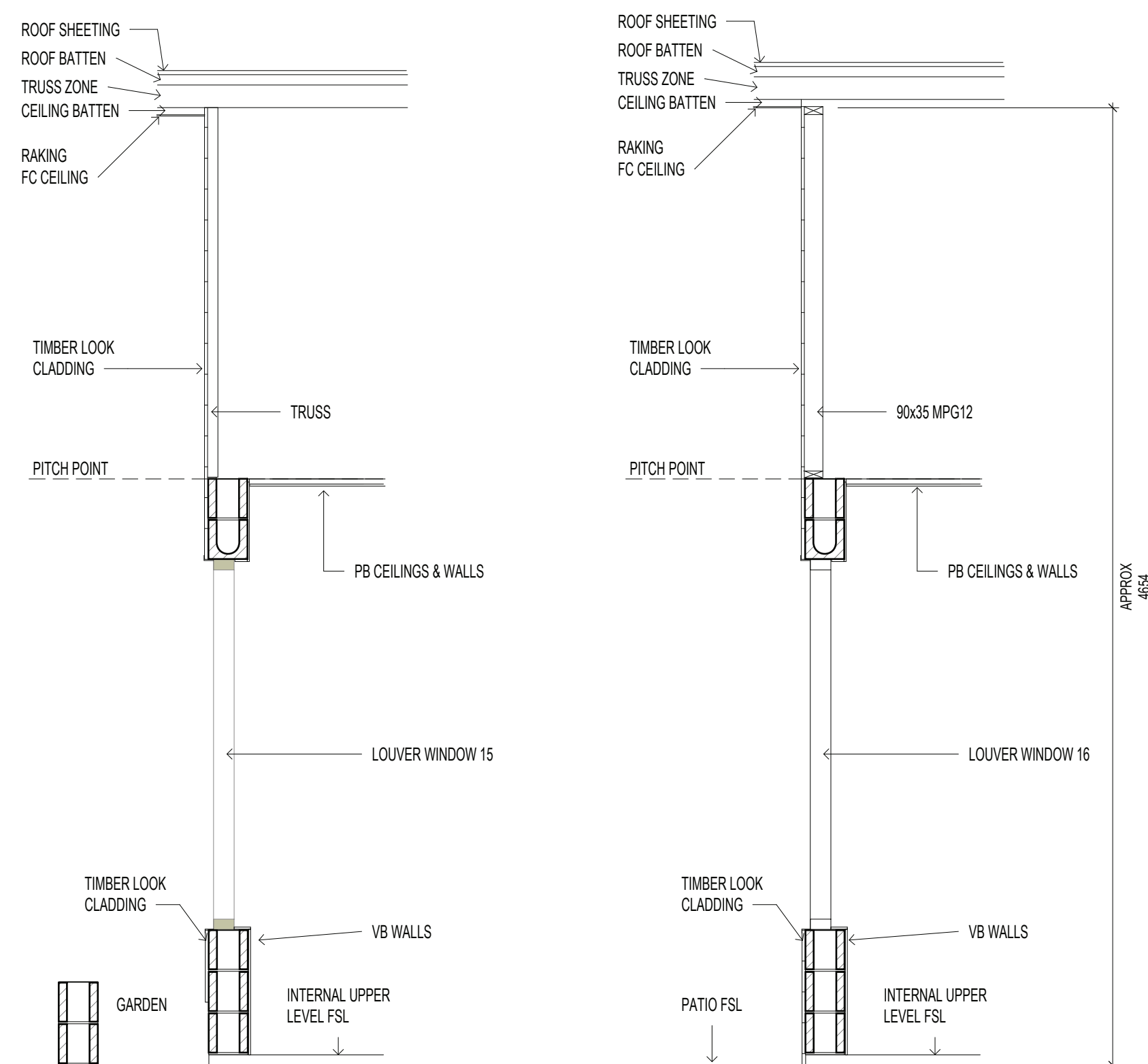


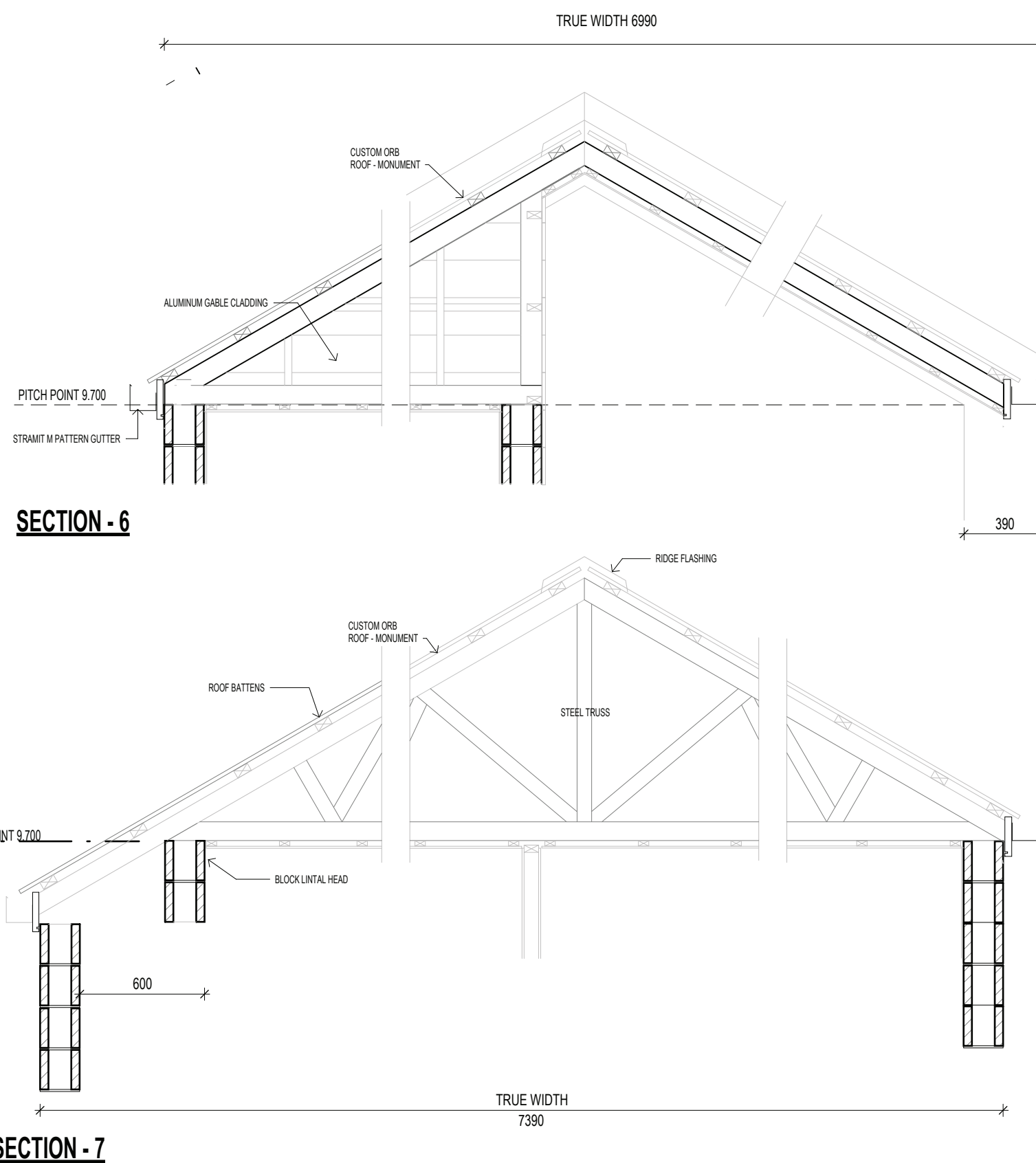
Diagram illustrating the cross-section of a garden waste water pipe installation, showing the following components and layers:

- R1 or R2 (Vertical Pipe)
- GARDEN MULCH
- R1 or R2 (Vertical Pipe)
- GEO FABRIC
- CORE FLUTE PROTECTION BOARD
- 1 - N12 TOP
- WP MEMBRANE
- RENDER SKIN COAT
- FREE DRAINING SOIL
- DRAINAGE CELL
- GARDEN WASTE WATER PIPE 100 PVC & PUDDLE FLANGE
- N12 @ 400 CRS

TYPICAL PLANTER DETAILS



SECTION AT WINDOW 16, MASTER ENS

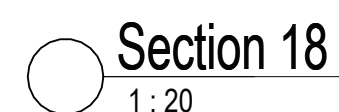


REVISION
ISO 3/11/2021 9:21:24 AM
A1

SHEET 10 REV



○ DECO V-GROOVE DETAILS
1:10

Section 17
1 : 20

POOL DECKING



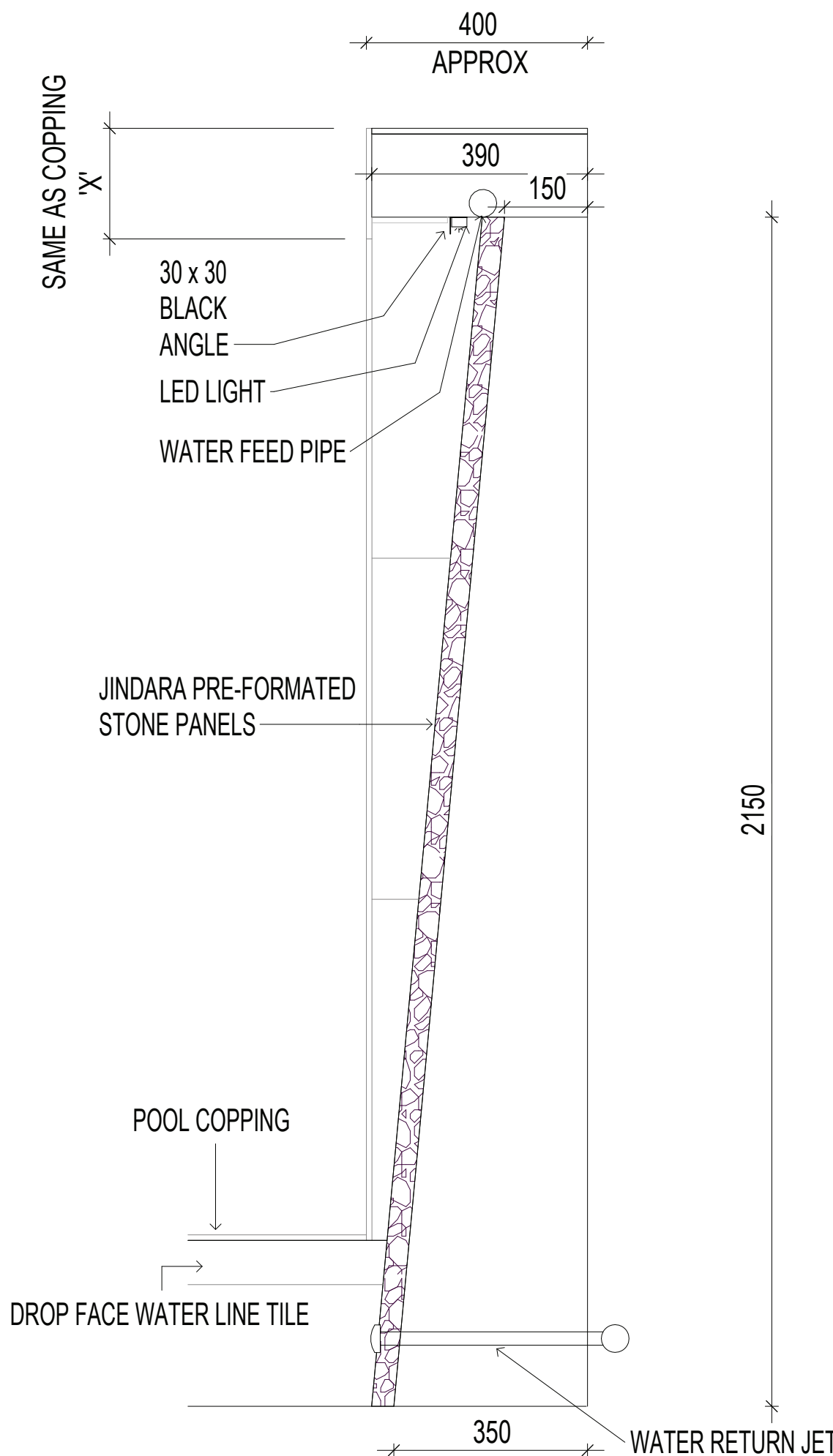


NOT DRAWN TO SCALE

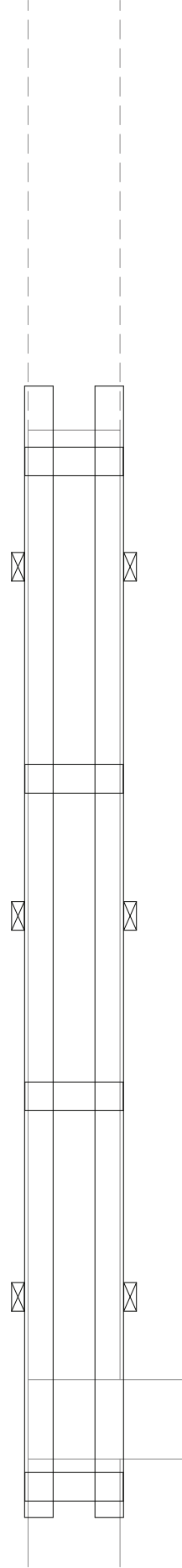
POOL STEEL N12 @ 200 CRS OR S12 @ 150 CRS EACH WAY CENTRALLY PLACED.



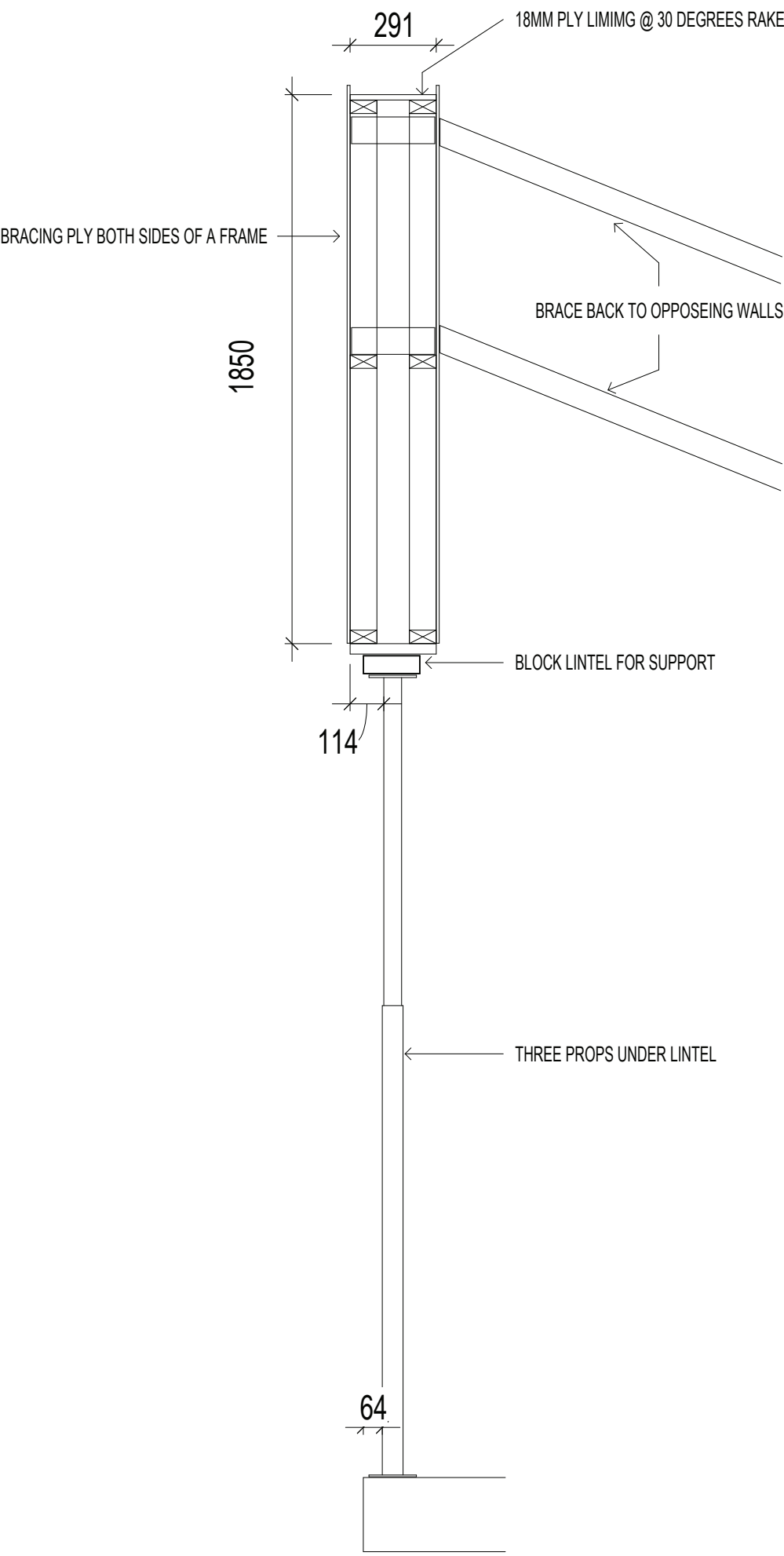
1. CONCRETE 32 MPa POOL SPRAY MIX. MIN COVER 60mm.
2. POOL PLUMBING AND ELECTRICAL AS SPECIFIED, TO BE CARRIED OUT BY LICENSED INSTALLERS.
3. POOL FINISH AND ACCESSORIES AS SPECIFIED BY BUILDER
4. ALL CONCRETE WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH AS 2783 & AS 3600 AND IN THE CASE OF PNEUMATICALLY APPLIED CONCRETE ONLY BY OPERATORS EXPERIENCED IN THIS TYPE OF CONCRETE.
5. CONCRETE SHALL COMPLY WITH AS 2783 & AS 3600 AND CALCIUM CHLORIDE SHALL NOT BE USED AS AN ADMIXTURE. THE EFFECTIVE CEMENT CONTENT OF THE CONCRETE SHALL NOT BE LESS THAN 280kg/m AND COMPRESSIVE STRENGTH NOT LESS THAN 32 MPa.
6. STEEL REINFORCEMENT SHALL BE N12 @ 200 EACH WAY CENTALLY PLACED IN THE 200MM THICK WALLS AND SLAB.
7. IT IS PREFERABLE TO PLACE PLASTIC PIPES OUTSIDE THE STRUCTURAL DESIGN SECTION OF THE CONCRETE. IF PLASTIC PIPING IS TO BE PLACED THEN RUN PARALLEL TO THE REINFORCEMENT, THE CONCRETE THICKNESS SHOULD BE INCREASED SO AS TO MAINTAIN THE COVER BETWEEN THE PIPE AND THE REINFORCEMENT AND THE PIPE TO THE CONCRETE SURFACE.
8. CONCRETE SHALL BE MOIST CURED FOR 7 DAYS. CURING COMPONENTS SHOULD NOT BE USED, AS THEY MAY INHIBIT THE BOND OF SUBSEQUENT COATINGS POST CURING PERIOD. EFFECTIVE CURING MAY BE OBTAINED BY A COMBINATION OF MEANS SUCH AS WET CURING, SEALING WITH PLASTIC SHEETS AND THE USE OF ALIPHATIC ALCOHOL AS AN EVAPORATION RETARDANT.
9. STEEL REINFORCEMENT SHALL BE PLACED TO ENSURE THAT THE MAXIMUM CLEARANCE BETWEEN PARALLEL BARS SHALL BE 200mm. BAR LAPS SHALL BE STAGGERED AND A MINIMUM LAP OF 600mm, ALL TIE WIRE TAILS SHALL BE BENT SO AS NOT TO INTRUDE INTO THE COVER ZONE.
10. HYDROSTATIC PRESSURE SHALL BE RELIEVED BY THE PROVISION OF A PRESSURE RELIEF VALVE AS DETAILED ON THIS DRAWING.



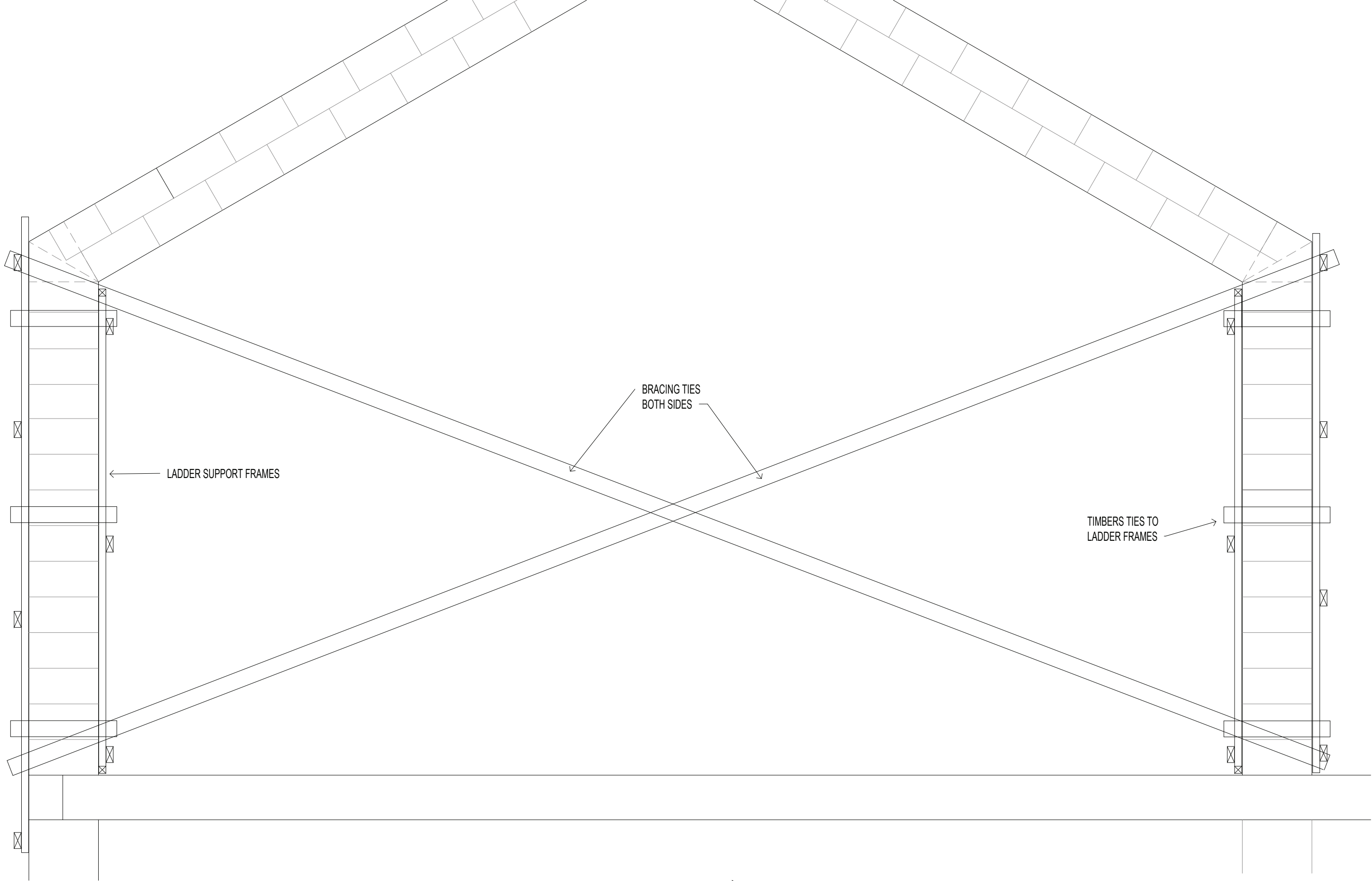
Water Fall Detail
1 : 10



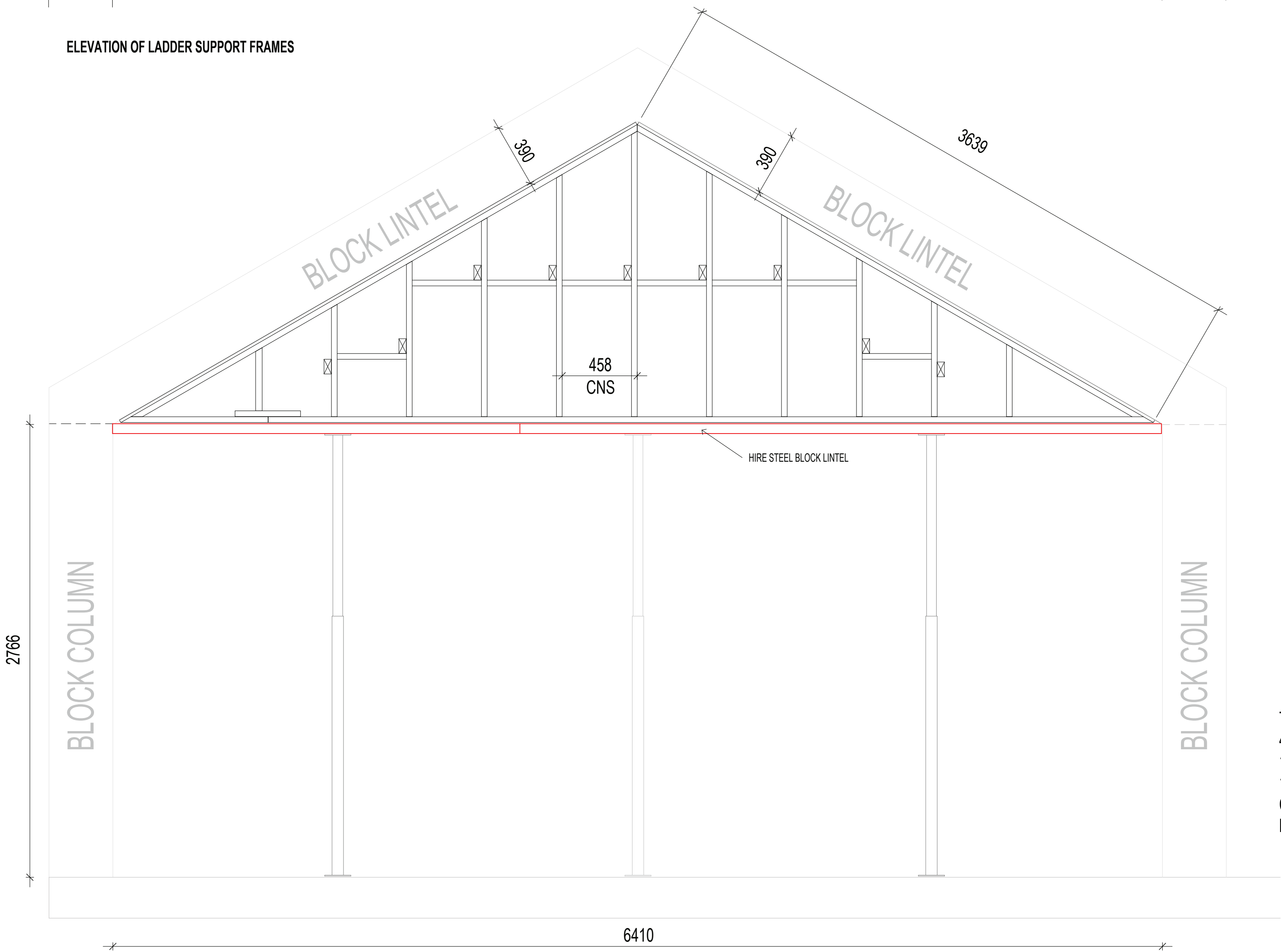
SIDE ELEVATION OF LADDER SUPPORT FRAME



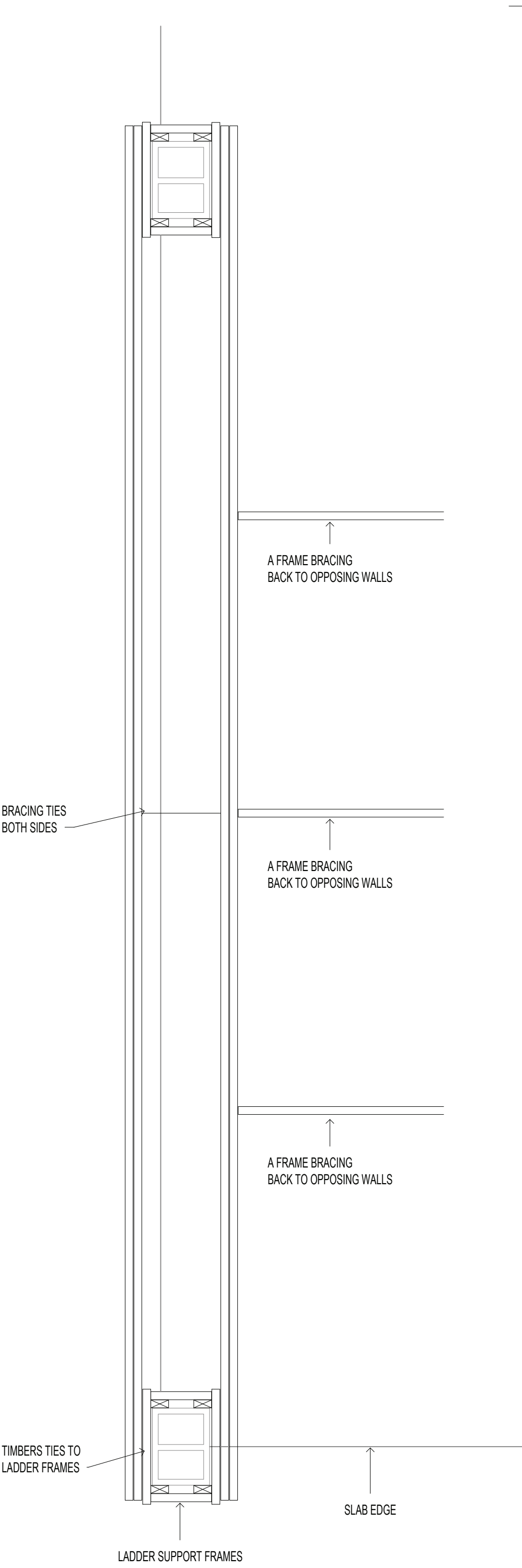
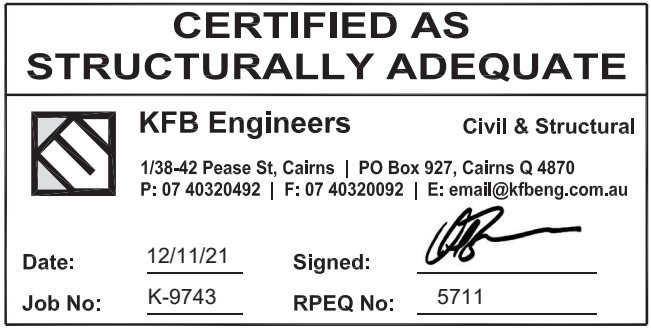
CROSS SECTION OF 'A' FRAME



ELEVATION OF LADDER SUPPORT FRAMES

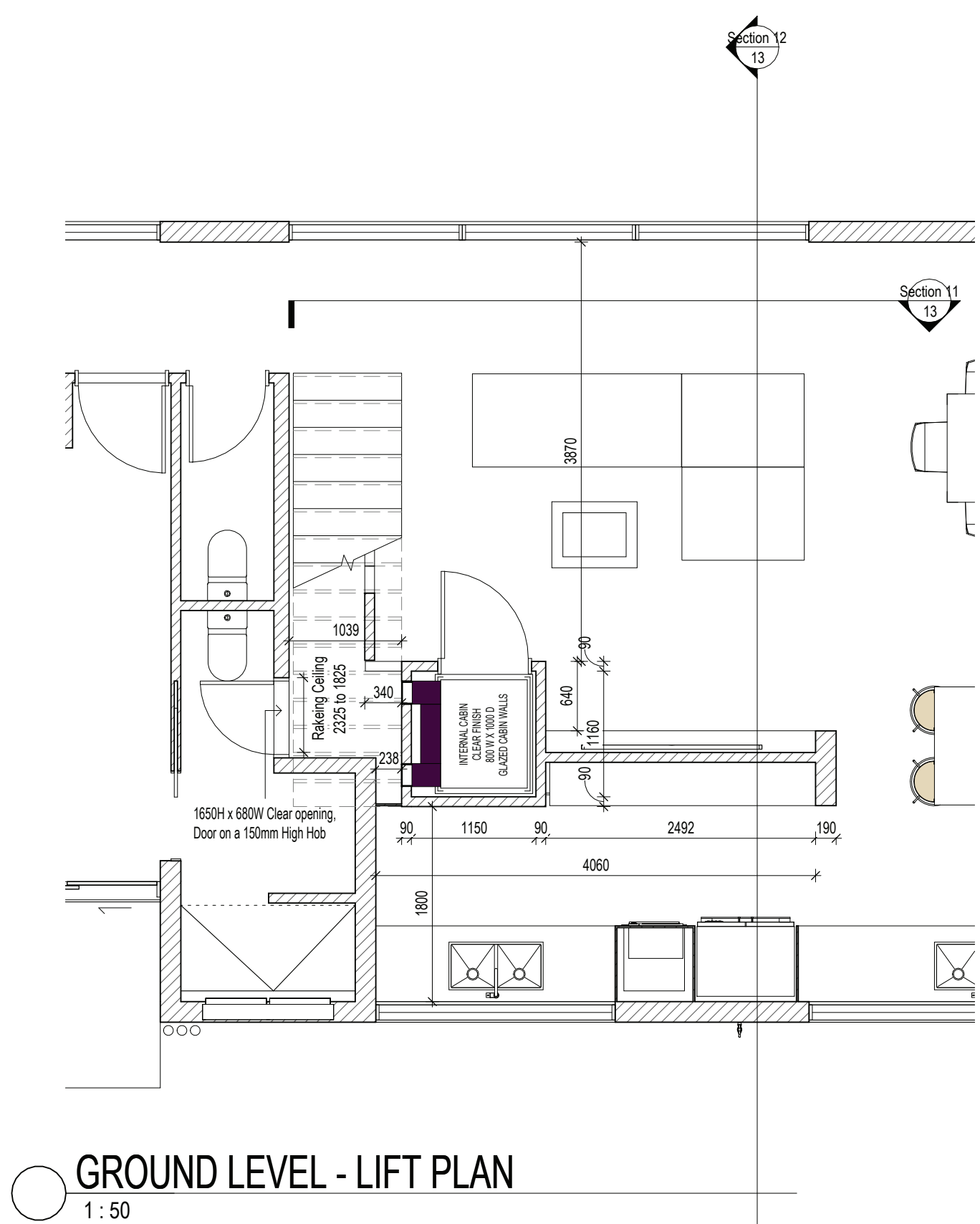


ELEVATION OF SUPPORT 'A' FRAME

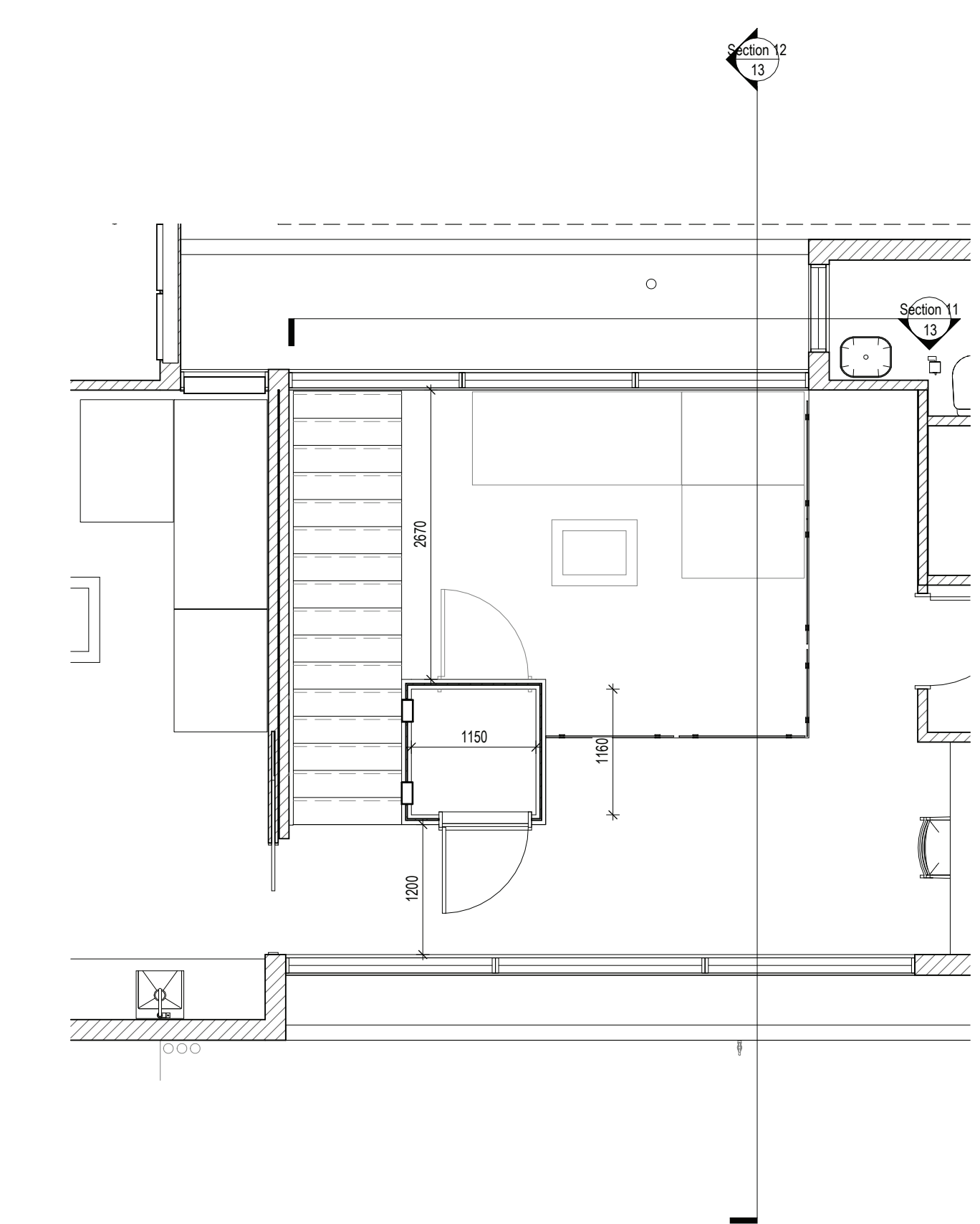


PLAN - LADDER SUPPORT FRAMES

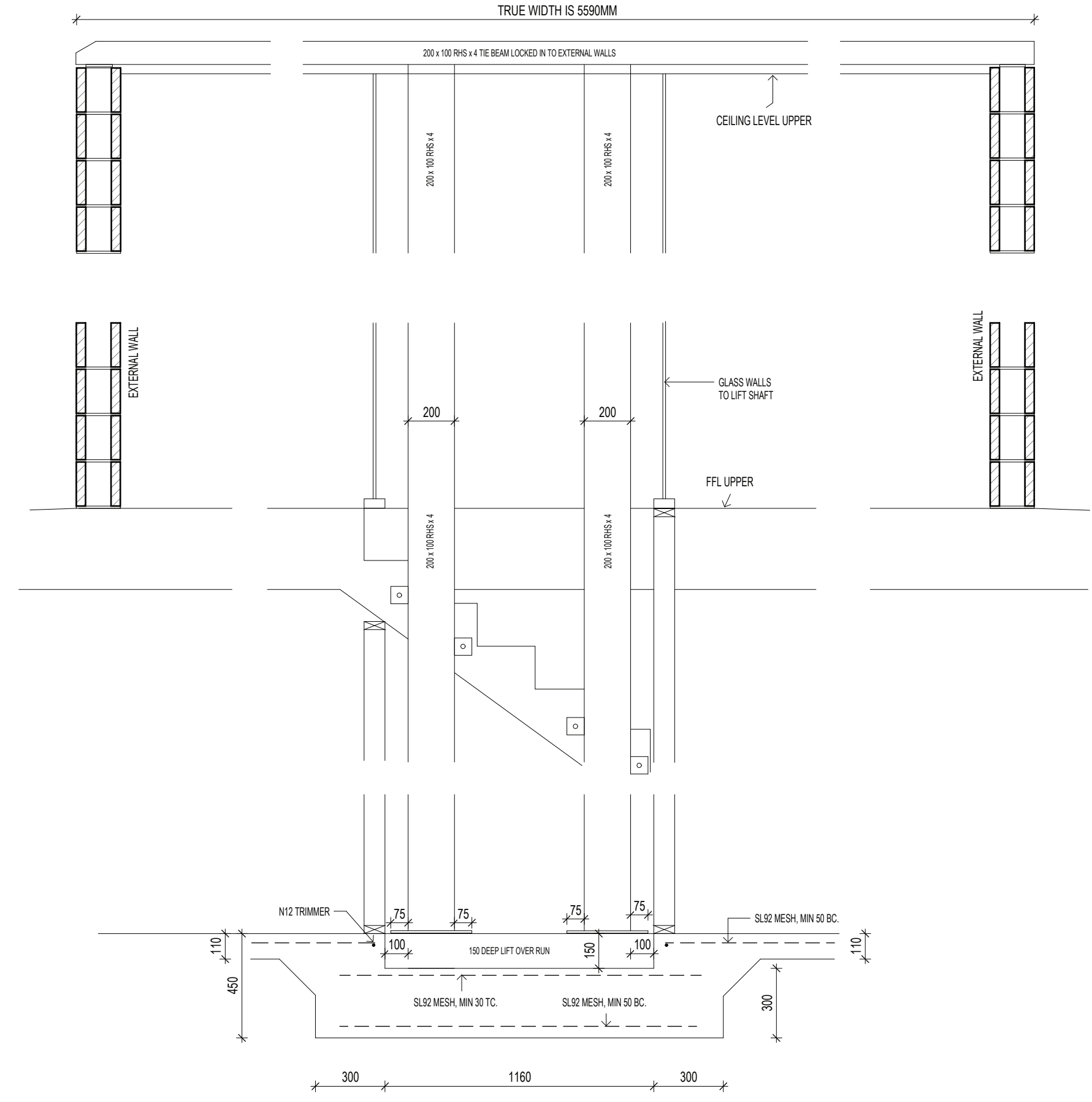
TIMBER FRAME MATERIAL 90 X 35 MGP12.
4.5MM BRACING PLY SHEETING - VERTICAL TO BOTH SIDES OF 'A' FRAME.
18MM SUPPORT PLY SHEETING - TOP OF 'A' FRAME AT 30 DEGREESE.
1 X SUPPORT PROP.
COLUMN ENDS OF 'A' FRAME SUPPORTED BY LADDER FRAME.
LADDER FRAMES THERE TO STOP COLUMNS PUSHING OUT FROM WEIGHT OF LINTEL BEAM UNTILL FILLED & CURED.



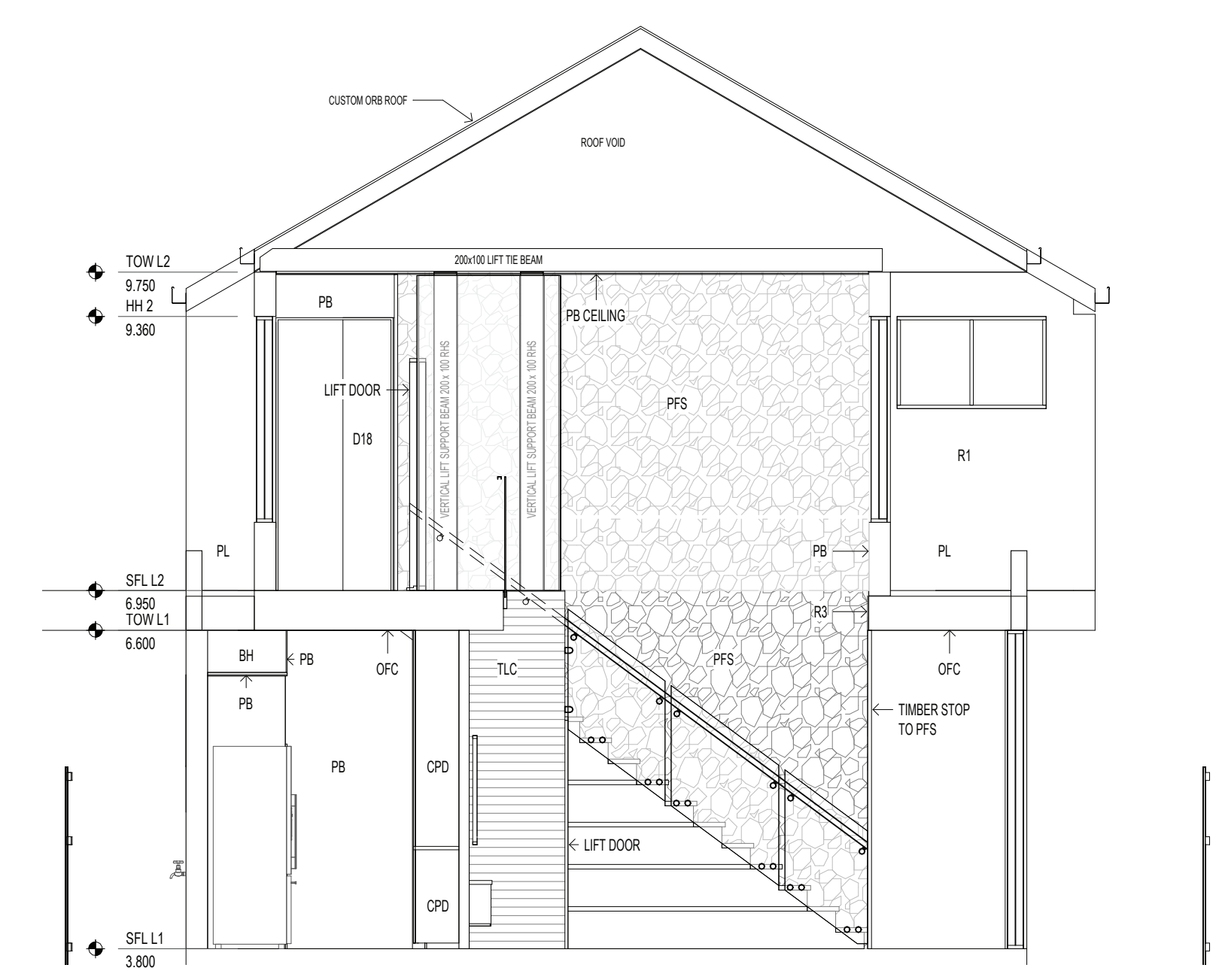
GROUND LEVEL - LIFT PLAN
1:50



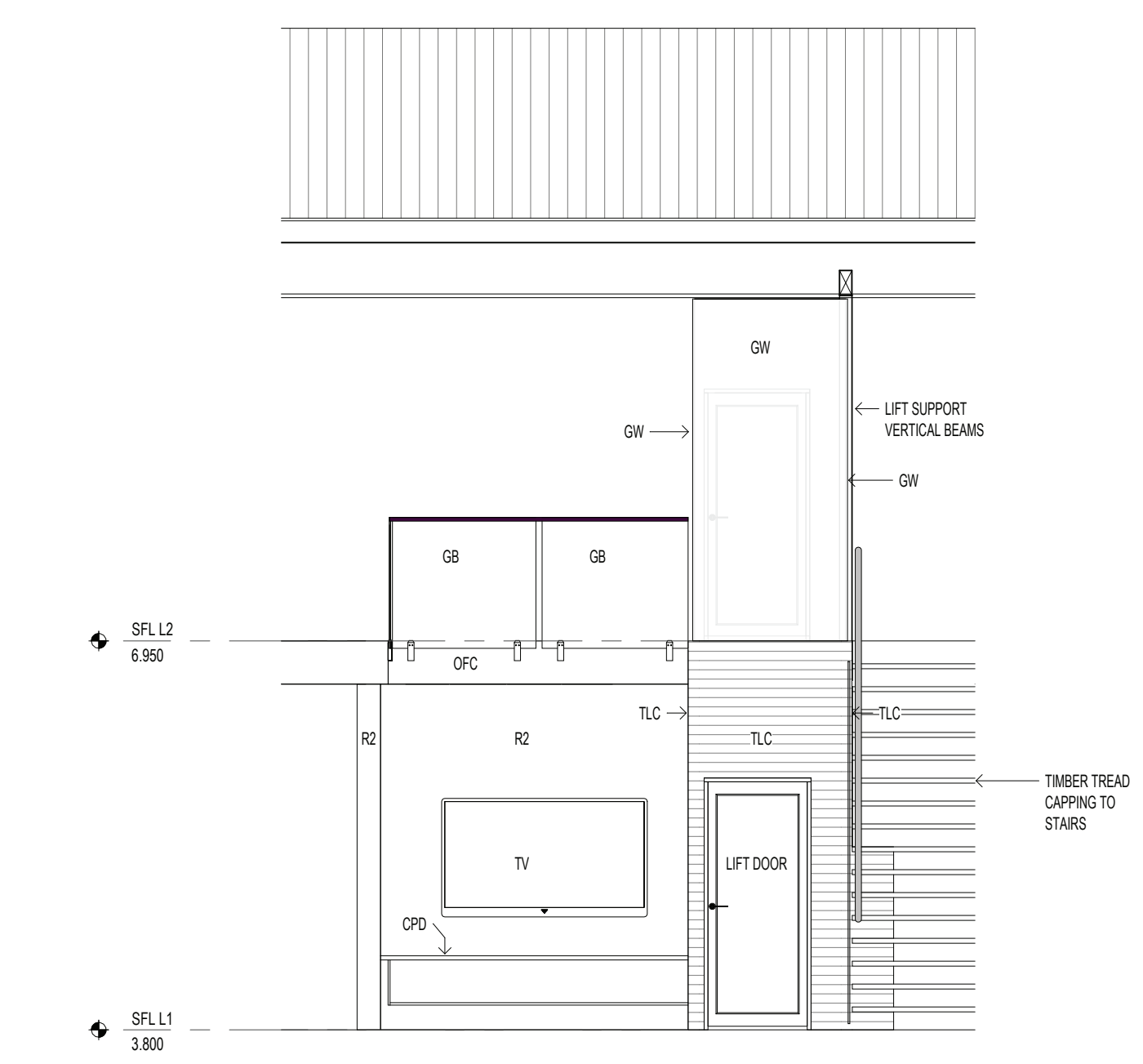
UPPER LEVEL - LIFT PLAN
1:50



LIFT SHAFT SECTION



Section 12
1:50



Section 11
1:50

LEGEND	
AS	AUSTRALIAN STANDARD CODES
S	BENCHTOP
BH	BULK HEAD
CMB	CONCRETE MASONRY BLOCK
CONC	CONCRETE
CONFIRM ON SITE	CONFIRM ON SITE
CPT	SELECT CARPET
CPD	CUPBOARD
CRS	CENTRES
CS	CAVITY SLIDER
CSK	COUNTERSUNK
CT	SELECT CERAMIC TILE
CKT	COOKTOP
D01	DOOR NUMBER
DJ	DOWEL JOINT
DW	DISHWASHER
DPR	DOWN PIPE ROOF
DPG	DOWN PIPE GARDENS
EJ	EXPANSION JOINT
FF	FROG FLAP
FC	FIBRE-CEMENT
FFL	FINISHED FLOOR LEVEL
GB	SELECT GLASS BALUSTRADE
GSC	GLASS SHOWER SCREEN
GW	GLASS WALL
HH	HEAD HEIGHT
HR	SELECT SS HANDRAIL
HT	HEIGHT
HWD	HARDWOOD
HWS	HOT WATER SYSTEM
L01	LINTEL TYPE
MM	MILLIMETRES
MANUF.	MANUFACTURER
MAX	MAXIMUM
MIN	MINIMUM
MGP	MACHINE GRADED PINE
MIC	MICROWAVE OVEN
NCC	NATIONAL CONSTRUCTION CODE
NGL	NATURAL GROUND LEVEL
OFC	OFF-FORM CONCRETE FINISH
OG	OBSCURE GLASS
OH	OVERHEAD CUPBOARD
PB	PLASTERBOARD LINING
PC	POLISHED CONCRETE
PF	SELECT 1200H POOL FENCE
PFS	PRE-FORMATED STONE
PL	PLASTER
PVC	POLYVINYL CHLORIDE
R1	RENDER COLOUR SURF MIST
R2	RENDER COLOUR MONUMENT
R3	RAW OFF TROWEL RENDER FINISH
REQ	REINFORCING
RGH	ROUGHER HEADER H3 TREATED PINE
SCJ	SAW CUT JOINT
SFL	STRUCTURAL FLOOR LEVEL
SC	STRAMIT SQUARE LINE IN GUTTER
SJC	SELECT HVID SHIPLAP CLADDING
SS	STAINLESS STEEL
SPEC	SPECIFICATION
STA	SEWER STACK
TLC	TIMBER LOOK CLADDING
TOW	TOP OF WALL
UNO	UNLESS NOTED OTHERWISE
VP	VENT PIPE
W01	WINDOW NUMBER

CERTIFIED AS
STRUCTURALLY ADEQUATE

KFB Engineers

Civil & Structural

1/38-42 Pease St, Cairns | PO Box 927, Cairns Q 4870

P: 07 40320492 | F: 07 40320092 | E: email@kfbeng.com.au

Date: 12/11/21

Signed:

Job No: K-9743

RPEQ No: 5711

INLET TYPE C

23 September 2021

Enquiries: Daniel Lamond
Our Ref: CA 2021_4090/1 (1038153)

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

N D Verri
C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870

Dear Sir

**Negotiated Decision Notice for Combined Application (Material Change of Use for
Dual Occupancy and Reconfiguring a Lot for one lot into two)
At 56 Mudlo Street PORT DOUGLAS
On Land Described as LOT: 7 TYP: PTD PLN: 20933**

Please find attached the Negotiated Decision Notice for the above-mentioned development application.

Please quote Council's application number: CA 2021_4090/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Daniel Lamond on telephone 07 4099 9444.

Yours faithfully



For
Paul Hoyer
Manager Environment & Planning

encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)



Negotiated Decision Notice

Approval (with conditions)

Given under section 63 of the Planning Act 2016

Applicant Details

Name: N D Verri
Postal Address: C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870
Email: evan@planningplusqld.com.au or

Property Details

Street Address: 56 Mudlo Street PORT DOUGLAS
Real Property Description: LOT: 7 TYP: PTD PLN: 20933
Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit for Combined Application (Material Change of Use for Dual Occupancy and reconfiguring a Lot for one lot into two)

Decision

Date of Decision: 31 August 2021 for Development Approval, 23 September 2021 for Negotiated Decision Notice
Decision Details: Approved (subject to conditions)

Approved Drawing(s) and/or Document(s)

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing or Document	Reference	Date
Site Plan, General Notes & Legend	Nathan Verri plan, Sheet 01, Rev 9	3 August 2021
Floor Plans	Nathan Verri plan, Sheet 02, Rev 9	3 August 2021

Elevations and Perspectives	Nathan Verri plan, Sheet 03, Rev 9	3 August 2021
Landscape Concept Plan	Plan prepared by Kate Hewett Landscape Design, page 1 of 3, issue C	4 August 2021
Details and typical level 1 planting	Plan prepared by Kate Hewett Landscape Design, page 2 of 3, issue B	12 July 2021
Landscape Planting Plan	Plan prepared by Kate Hewett Landscape Design, page 2 of 3, issue B	12 July 2021

Assessment Manager Conditions & Advices

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Air-conditioning Screens

3. Air-conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Damage to Council Infrastructure

4. In the event that any part of Council's existing sewer/water or road infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at no cost to Council.

Sewerage Works Internal

5. Connect each dwelling via separate jump-up to Councils sewerage network traversing the rear of the property.

Vehicle Parking

6. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with

Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

Lighting

7. The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

External Works

8. Undertake the following works external to the land at no cost to Council:
 - a. Provide two vehicle crossovers and aprons to Mudlo Street;
 - b. Undertake planting of a 600mm wide garden bed with appropriate species along the exterior edge of the perimeter fence on the Mudlo Street road reserve;
 - c. Construct a 2000mm wide concrete footpath across the Mudlo Street frontage in accordance with the FNQROC Development Manual;
 - d. Repair any damage to existing 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.

Stockpiling and Transportation of Fill Material

9. Soil excavated from the site is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.
Transportation of fill or spoil to and from the site must not occur within:
 - a. peak traffic times;
 - b. before 7:00 am or after 6:00 pm Monday to Friday;
 - c. before 7:00 am or after 1:00 pm Saturdays; or
 - d. on Sundays or Public Holidays.

Emissions

10. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Storage of Machinery and Plant

11. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Landscaping Plan

12. The site must be landscaped in accordance with details included on the landscaping plans prepared by Kate Hewett Landscape Design, with the exception of the following changes and requirements;
 - a. No stepping stones are permitted on the road verge;
 - b. Side boundary deep planting is to be in a staggered and offset pattern;

- c. Prior to deep planting of side boundaries, the locations of plantings on the ground must be endorsed by the Chief Executive Officer.

Lawful Point of Discharge

13. All stormwater from the property must be directed to a lawful point of discharge being Mudlo Street, such that it does not adversely affect surrounding properties or properties downstream from the development.

Ponding and/or Concentration of Stormwater

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

Minimum Fill and Floor Level

15. All floor levels in all buildings must be located 300mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

Sediment and Erosion Control

16. Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

Refuse Storage Area

- ~~17. The refuse bin enclosure must be roofed, bunded, and connected to sewer with a bucket trap. A hose cock fitting must also be provided to the refuse facility.~~
17. Area for two 240L wheelie bins must be provided for each dwelling unit.

Construction Signage

18. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:
 - a. Developer;
 - b. Project Coordinator;
 - c. Architect/Building Designer;
 - d. Builder;
 - e. Civil Engineer;
 - f. Civil Contractor;
 - g. Landscape Architect.

RECONFIGURATION OF A LOT

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

Drawing or Document	Reference	Date
Site Plan, General Notes & Legend	Nathan Verri plan, Sheet 01, Rev 9	2021

ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Council endorsing the Survey Plan, except where specified otherwise in these conditions of approval.

Fire Separation

3. The boundary placement between each dwelling must be in accordance with the National Construction Code and in particular, the building setbacks from the side boundaries must comply with the fire regulations within the code.

Timing of Lot Reconfiguration

4. Prior to Council endorsing the Plan of Survey;
 - a. The under slab must be completed for both dwellings with the relevant building inspection undertaken. The slab must be deemed satisfactory with the relevant documentation submitted to Council.
 - b. Construction of the dual occupancy development must be commenced to the extent of three courses of blocks.

Water Supply

5. Provide separate water meters and connection for each dwelling unit.

Sewer Connection

6. The development must be connected to Council's reticulated sewer system in accordance with the following requirements;
 - a. Provide a separate sewer connection for each allotment;
 - b. Create an easement in favour of proposed lot 1 burdening proposed lot 2, to contain the house connection branch traversing proposed lot 2;

- c. No sewer main extension is to occur.

Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work

All Plumbing and Drainage Work must only be carried in compliance with the Queensland *Plumbing and Drainage Act 2018*.

Currency Period for the Approval

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

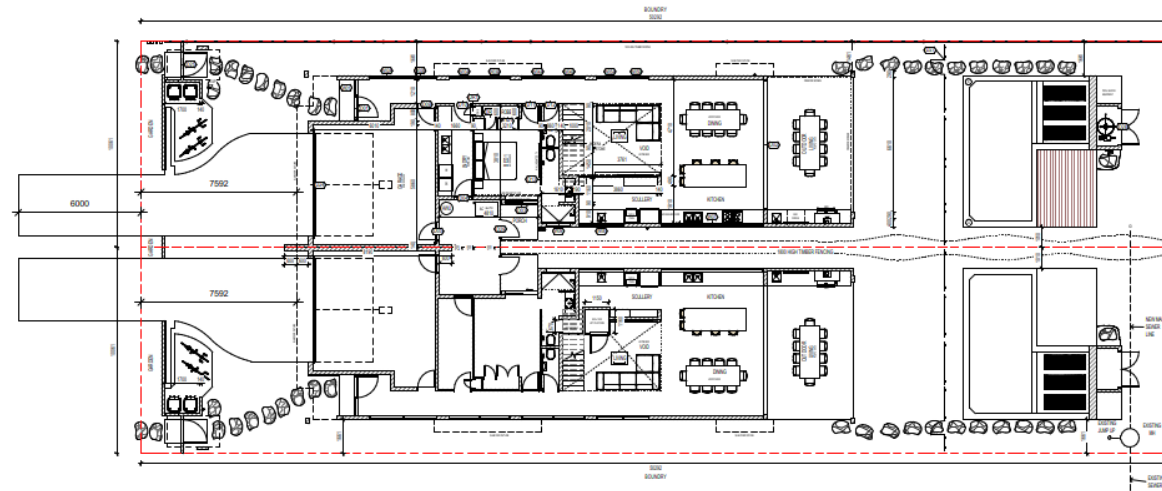
Rights to make Representations & Rights of Appeal

The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

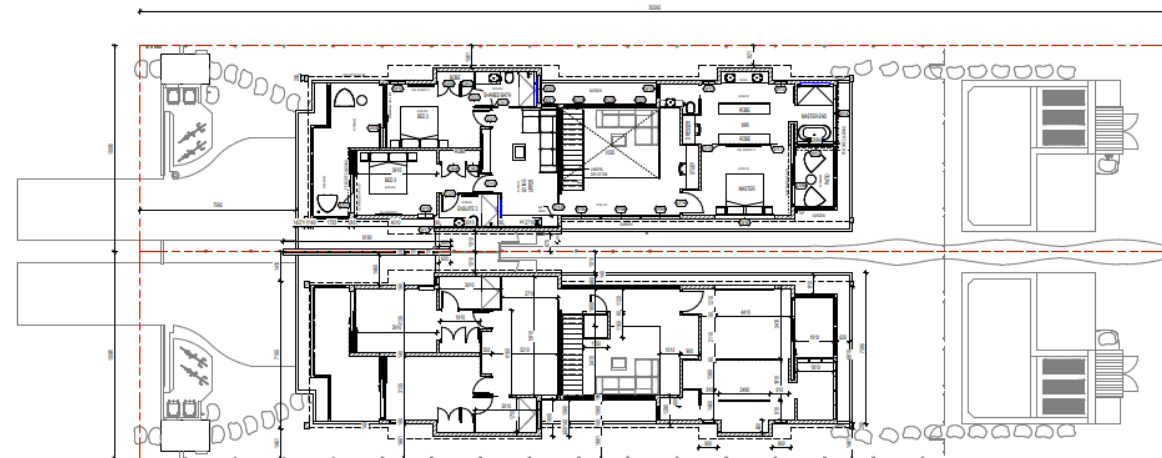
A copy of the relevant appeal provisions are attached.

ULTIMATE RESPONSIBILITY OF STATE DESIGN AND PRELIMINARY					
DATE	DESIGNER	REVISION	DATE	DESIGNER	REVISION
12/1/20	1.0	12/1/20	12/1/20	1.0	12/1/20
12/1/20	1.0	12/1/20	12/1/20	1.0	12/1/20
12/1/20	1.0	12/1/20	12/1/20	1.0	12/1/20
12/1/20	1.0	12/1/20	12/1/20	1.0	12/1/20

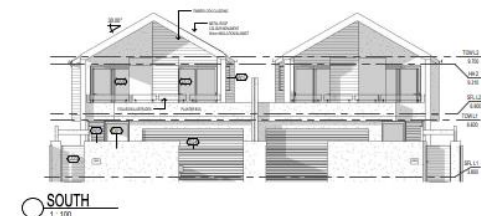
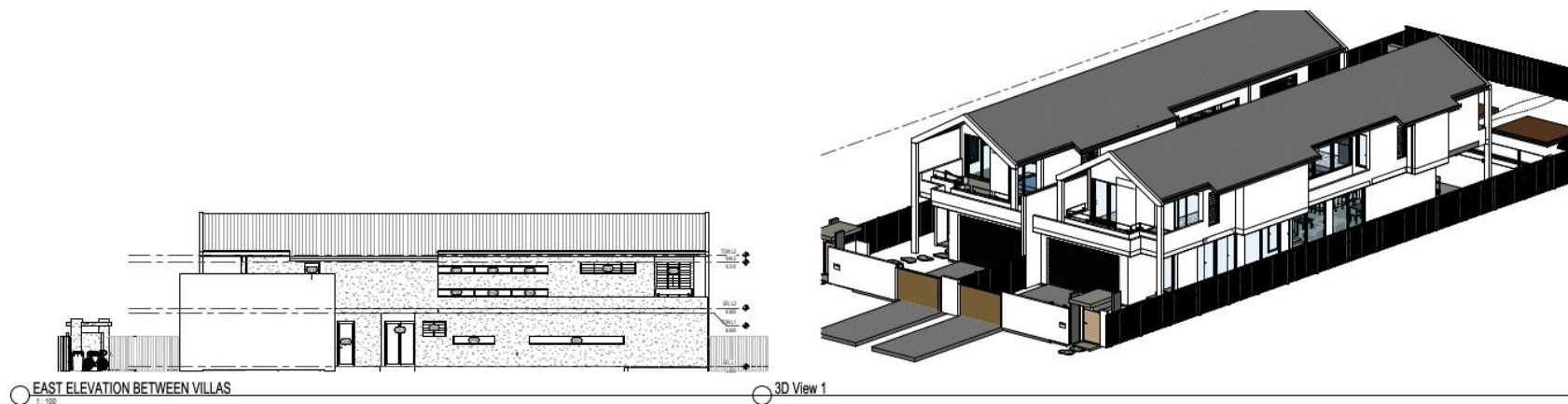
FLOOR AREA FOR VILLA	
DATE ISSUED	12/1/20
DATE	12/1/20
LONGER INTERNAL	12/1/20
LONGER EXTERNAL	12/1/20
UPPER INTERNAL, NO VIO	12/1/20
UPPER EXTERNAL	12/1/20
LOWER FLOOR AREA	12/1/20
LOWER AREA	12/1/20
LOWER AREA	12/1/20
LOWER AREA	12/1/20



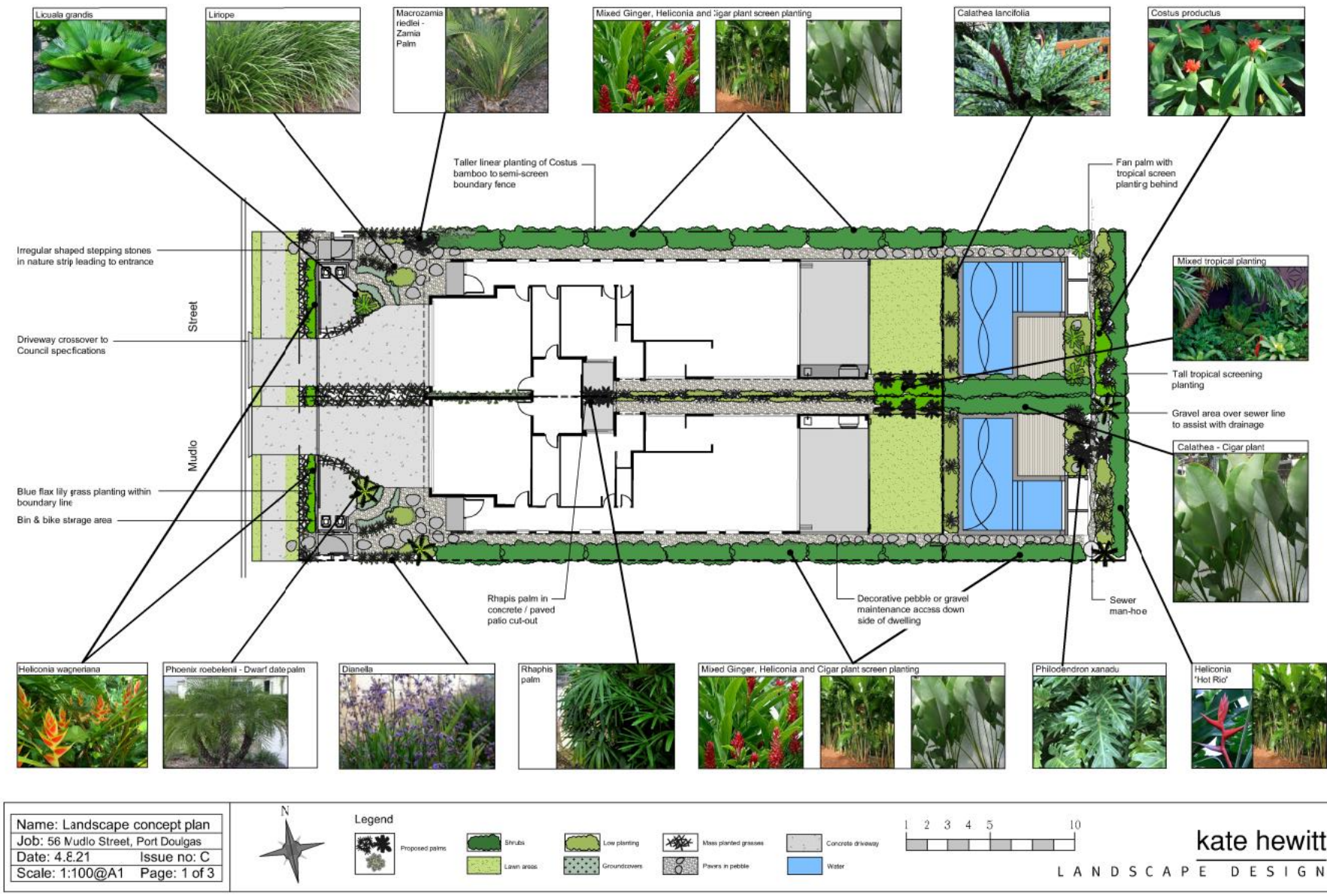
FLOOR PLAN - LEVEL 1
1:100



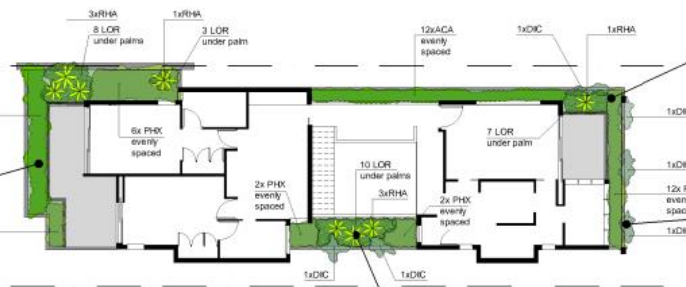
FLOOR PLAN - LEVEL 2
1:100



Landscape concept plan - Ground floor 1:100 @ A1



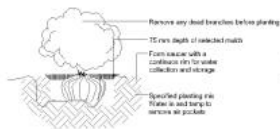
A horizontal number line with tick marks at 1, 2, 3, 4, 5, and 10. The segments between the tick marks are shaded as follows: the segment from 1 to 2 is shaded, 2 to 3 is unshaded, 3 to 4 is shaded, 4 to 5 is unshaded, and 5 to 10 is shaded. There are four shaded segments in total.



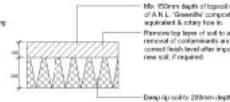
Palm planting detail n.t.s



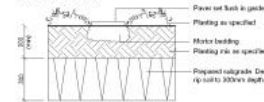
Shrub planting detail n.t.s



Soil preparation detail n.t.s



Stepping stones in garden &
river stones n.t.s

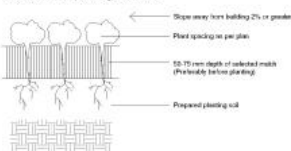


1. Soil preparation
All proposed plant beds to be stripped of 150mm of soil and topped with at least 200mm of soil (preferably local)

2. New plantings
Newly planted trees and large shrubs should be secured to stakes to prevent any damage.
Planting holes for plant material should be large enough in size to take root ball with additional space to take back filling of good quality planting mix.
Mature heights of planting as shown on planting schedule show the greatest height possible in ideal conditions.
These heights may vary and are subject to particular site conditions, possible container environments and intended hedging or pruning for functional requirements such as available planting width, intended access under branches and solar access.

3. Turf / lawn
Lay turf on prepared leveled soil. Ensure drainage is correct.
Use locally available suitable turf mix.
Curved steel edging (or similar) to be confirmed and chosen by owner.

Groundcover planting detail n.t.s



Symbol	Botanical name	Common name	Cent. size	Mature height	Spacing	No. req.
Ferns / Palms / Accent Plants						
RHA	<i>Raphia excelsior</i>	Lady Finger Palm	300mm	3-2.0M	As specim	8
Groundcovers / Climbers						
ACH	<i>Acynonitis repens</i>	Summer Love	150mm	0.5M	600mm	22
OC	<i>Ocrotia Silver Falls</i>	Silver Falls	150mm	0.3M	As specim	6
LOR	<i>Loropetium chinensis</i>	Purple Jade	150mm	0.3M	400mm	38
Ornamental grasses/trapperyaved plants						
PRK	<i>Philodendron 'Gloria'</i>	Xanadu (practical weed secondary / tender plants)	200mm	0.4M	600mm	25

Planting schedule specifies to be sourced from local nurseries supplying plants of local provenance wherever possible. Numbers are exact. If unsure please contact Landscape Designer.

Container sizes may vary due to availability. In most cases please ensure a size that will work for this site.

Planting schedule species to be sourced from local nurseries, supplying plants of local provenance wherever possible.
Numbers are exact. If unsure please contact Landscape Designer.
Container sizes may vary due to availability, in most cases please ensure a size that will work for this site.

Name: Details & Typical level 1 planting	
Job: 56 Mudlo Street, Port Douglas	
Date: 12.7.21	Issue no: B
Scale: 1:100@A1	Page: 2 of 3



kate hewitt
LANDSCAPE DESIGN

[illegible]

Symbol	Botanical name	Common name	Cont. size	Mature height	Spacing	No. req.
Ferns / Palms / Accent Plants						
ALP	<i>Alpinia purpurata</i>	Red Ginger	300mm	2-2.5M	1000mm	0
CAL	<i>Cyrtos actinoides</i>	Tree Fern (Native tree fern)	300mm	2-4.0M	As shown	0
CAE	<i>Calathea lutea</i>	Cuban Cigar plant	300mm	2-3M	1000mm	0
CAL-R	<i>Calathea lancifolia</i>	Rattlesnake plant	300mm	1-2M	800mm	0
COS	<i>Cosmos stenophyllus</i>	Cobra Geyser	300mm	1.5-2M	800mm	0
COP	<i>Cosmos productus</i>	Spiral girger	200mm	1M	800mm	0
COR	<i>Cordyline alliodora</i>	Cordyline "Purple Prince"	200mm	1M	As shown	0
HEL	<i>Heliconia wagneriana</i>	Heliconia	200mm	1.5-2M	800mm	0
HEL-B	<i>Heliconia lutea</i>	Heliconia "Hot Rio Nights"	200mm	2-3M	800mm	0
LJO	<i>Localandras</i>	Fan Palms	300mm	2M	As shown	0
PHO	<i>Phoradendron nobile</i>	Orange Dots Palm	300mm	1.5-3M	As shown	0
RHA	<i>Rapis excelsior</i>	Lady Finger Palm	300mm	2-2.5M	As shown	0
MAC	<i>Macrozamia reedii</i>	Zamia Palm	300mm	1.0M	As shown	0
Groundcovers / Climbers						
TRA	<i>Trachepseumum jasminoides</i>	Chinese Star Jasmine	150mm	1-2M	As shown	0
FIC	<i>Ficus pumila</i>	Creeping fig	150mm	climber	As shown	0
Ornamental Grasses/Trappy leaved plants						
DC	<i>Danella Little Jess</i>	Blue Flax Lily 'Little Jess'	100mm	0.4M	800mm	0
LJR	<i>Liriope muscari</i>	Lily turf	100mm	0.6M	800mm	0
SPA	<i>Sparganium</i>	Peace Lily	100mm	0.4M	800mm	0
PHX	<i>Phlox dendron 'Xanadu'</i>	Xanadu (shade tolerant / understory / border plant)	200mm	0.5M	700mm	0

A horizontal number line with tick marks at every integer from 1 to 10. The numbers 1, 2, 3, 4, and 5 are labeled above the first five tick marks. There is an additional tick mark at the far right, which is not labeled.

LANDSCAPE DESIGN

Reasons for Decision

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
 - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
 - b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
 - a. the development application was properly lodged to the Douglas Shire Council on 14 April 2021 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
 - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
 - a. the development triggered assessable development under the Assessment Table associated with the Tourist Accommodation Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
 - c. the applicant's reasons have been considered and the following findings are made:
 - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.
4. Reasons for decision despite non-compliance with benchmarks.
 - a. The development is consistent with the planning intent for the area and is consistent in form and scale with the surrounding street-scape.

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
 - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
 - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
 - (c) as if a reference in section 76 to a development application were a reference to a change application; and
 - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
 - (e) with any other necessary changes.

75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than—
 - (i) a matter stated because of a referral agency's response; or

- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
- (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
 - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - (ii) the applicant receives notice that the assessment manager does not agree with the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that

- must be considered when assessing a development application, to the extent those matters are relevant.
- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
- (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
- (3) A decision notice (a ***negotiated decision notice***) that states the assessment manager agrees with a change representation must—
- (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and

- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

7 September 2021

Enquiries: Daniel Lamond
Our Ref: CA 2021_4090 (1035121)
Your Ref:

N D Verri
C/- Planning Plus
PO Box 399
REDLYNCH QLD 4870

Dear Sir

**Adopted Infrastructure Charge Notice
For Combined Application for Material Change of Use for Dual Occupancy and
Reconfiguring a Lot for one into two lots.
At 56 Mudlo Street PORT DOUGLAS
On Land Described as LOT: 7 TYP: PTD PLN: 20933**

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Please quote Council's application number: CA 2021_4090 in all subsequent correspondence relating to this matter.

Should you require any clarification regarding this, please contact Daniel Lamond on telephone 07 4099 9444.

Yours faithfully



Paul Hoyer
Manager Environment & Planning

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

Adopted Infrastructure Charges Notice



2018 Douglas Shire Planning Schemes Applications

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Nathan Verri Pty Ltd C/- Planning Plus Pty Ltd DEVELOPERS NAME		NOVA ESTATE NAME	0 STAGE
56 Mudlo Street STREET No. & NAME	Port Douglas SUBURB	L7 PTD20933 LOT & RP No.s	1995 PARCEL No.
Dual Occupancy DEVELOPMENT TYPE		MCUC 2021/ 4090 COUNCIL FILE NO.	6 VALIDITY PERIOD (year)
1029633 DSC Reference Doc. No.	1 VERSION No.		

Adopted Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021.

Locality	Charge per Use	rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Mossman						
Proposed Demand						
Dual Occupancy 2	1	29,697.35	3 or more bedroom	59,394.70		
Total Demand				59,394.70		
Existing Credit						
House 1	1	29,697.35	1	29,697.35		
						Code 895 GL 07500.0135.0825

Required Payment or Credit **TOTAL** **\$29,697.35**

Prepared by	D Lamond	12-Aug-21	Amount Paid	N/A
Checked by	N Beck	12-Aug-21	Date Paid	N/A
Date Payable				
Amendments		Date	Receipt No.	N/A
			Cashier	N/A

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 Ordinary Meeting held on 23 February 2021

Charge rates under the current Policy are not currently 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

Subdivision 5 Changing charges during relevant appeal period

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
 - (a) agrees with a representation; and
 - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
 - (a) must be in the same form as the infrastructure charges notice; and
 - (b) must state the nature of the changes; and
 - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

126 Suspending relevant appeal period

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

Division 3 Development approval conditions about trunk infrastructure

Subdivision 1 Conditions for necessary trunk infrastructure

127 Application and operation of subdivision

- (1) This subdivision applies if—
 - (a) trunk infrastructure—
 - (i) has not been provided; or
 - (ii) has been provided but is not adequate; and
 - (b) the trunk infrastructure is or will be located on—
 - (i) premises (the *subject premises*) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or
 - (ii) other premises, but is necessary to service the subject premises.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and

- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

K-9743-CRT-015-C

This form is to be used by an appointed competent person for the purposes of section 10 of the *Building Act 1975* and sections 73 and 77 of the Building Regulation 2021 (Design-specification certificate) stating that an aspect of building work or specification will, if installed or carried out as stated in this form, comply with the building assessment provisions.

Additional explanatory information is included in the Appendix at the end of this form.

1. Property description

This section need only be completed if details of street address and property description are applicable.

E.g. in the case of (standard/generic) pool design/shell manufacture and/or patio and carport systems this section may not be applicable.

The description must identify all land the subject of the application.

The lot and plan details (e.g. SP/RP) are shown on title documents or a rates notice.

If the plan is not registered by title, provide previous lot and plan details.

Street address	56 Mudlo St		
	Suburb/locality	PORT DOUGLAS	
State	QLD	Postcode	4877
Lot and plan details (<i>attach list if necessary</i>)			
Lot 7 on PTD20933			
Local government area the land is situated in			
Douglas Shire Council			

2. Description of aspect/s certified

Clearly describe the extent of work covered by this certificate, e.g. all structural aspects of the steel roof beams.

Structural aspects of proposed residences and pools.
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3. Basis of certification

Detail the basis for giving the certificate and the extent to which tests, specifications, rules, standards, codes of practice and other publications were relied upon.

Certified as structurally adequate in accordance with relevant Australian codes and standards and otherwise in accordance with good engineering practice.

Design conditions:

Wind - C2 (W50C)
Foundations - Site Classification 'P'

Plumbing articulation joints are not required for this residence.

Structures within 1500mm from the centre of manhole comply with P1 & P2 of QDC MP1.4.

4. Reference documentation

Clearly identify any relevant documentation, e.g. numbered structural engineering plans.

Drawings by Nathan Verri, Project No. 20ASPC, see Drawing Register below ...

DRAWING REGISTER		
SHEET	TITLE	REV
01	SITE PLAN, GENERAL NOTES & LEGEND	
02	FLOOR PLANS	
03	ELEVATIONS & PERSPECTIVES	
04	ELECTRICAL, AIR CON & SECURITY	
05	PLUMBING	
06	STRUCTURAL SLABS	
07	BLOCKWORK	
08	CROSS SECTIONS	
09	DETAILED SECTIONS	
10	ROOF DETAILS	
11	POOL DECK DETAILS	
12	POOL DETAILS	
13	LINTEL FRAME	
14	LIFT DETAILS	

Dirt Professionals Site Classification Report No. 22766
AS1170.1/2, AS1684.3, AS1720.1, AS2870, AS3600, AS3700, AS4055, AS4100, AS4600

5. Building certifier reference number and building development approval number

Building certifier reference number		Building development application number (if available)	
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6. Appointed competent person details


Under Part 6 of the Building Regulation a person must be assessed as a competent for the type of work (design-specification) by the relevant building certifier.

Name (in full)	Kel Fraser Bruce		
Company name (if applicable)	KFB Engineers		
Contact person	Kel Bruce		
Business phone number	07 40320492	Mobile	0419769017
Email address	kel@kfbeng.com.au		
Postal address	PO Box 927		

		Suburb/locality	Cairns
State	QLD	Postcode	4870
Licence class or registration type (if applicable)	RPEQ		
Licence or registration number (if applicable)	5711		

9. Signature of appointed competent person

This certificate must be signed by the individual assessed and appointed by the building certifier as competent to give design-specification help.

Signature		Date	21/12/2021
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LOCAL GOVERNMENT USE ONLY

Date received	Click or tap to enter a date.	Reference number/s	
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Appendix – explanatory information

IMPORTANT NOTE: it is an offence for a competent person to give a building certifier a document, including this form, that the person knows or reasonably suspects, is false or misleading.

Who can complete this certificate? (sections 10 of the *Building Act 1975* (Building Act) and 73 of Building Regulation 2021 (BR 2021))

A building certifier can accept from a competent person (design – specifications) a certificate stating that the competent person has assessed the building design or specification for the aspect of building work, and it will, if installed or carried out under the certificate, comply with the building assessment provisions, including any relevant standards and codes.

Schedule 10 of the BR 2021 defines *building design or specification* as any material, system, method of building or other thing related to the design of or specifications for building work.

For a competent person to meet the regulation requirements (section 77 of the BR 2021) they must substantially complete all sections of this form, including information, such as the design of a particular material, system, method of building or that a building element complies with the Building Code of Australia or a provision of the Queensland Development Code. It is also important that the details of the relevant reference documents are included, for example, the applicable Australian Standards or other technical provisions that may be applicable to the subject work.

What is the purpose of this form? (section 10 of the *Building Act 1975*)

The information in this form informs the building certifier's decision making when they are assessing a building development application and issuing the building development approval for the building work the subject of the certificate (form).

When is this form not required?

The assessment of some building applications will be entirely within the expertise of the relevant building certifier and therefore they may not seek the help of a competent person. In these instances, this form is not required.

Is a manufacturer or supplier required under the BR 2021 to complete and sign this Form 15, if requested?

No. A manufacturer or supplier of building materials is not required to complete and give this form or any aspect and inspection certificates if requested by a construction contractor, builder, appointed competent person, or a building certifier.

However, a manufacturer or supplier may give the construction contractor, builder, competent person or the building certifier evidence of suitability such as a manufacturers statement for an aspect or material that it is compliant with the relevant reference documents in the BCA i.e. the applicable Australian Standard/s.

What if there is not enough space for all the supporting material/documents?

Items 2, 3 and 4 requires the competent person to clearly identify the extent of the assessment that was undertaken for aspect/s of work identified in this form.

For instance, there is provision for material such as specifications, standards, codes or other relevant publications to be referenced in the form. However, if the space in the form is not sufficient to accommodate all of this material, you can create and refer to additional material in an addendum or attachment to the form.

The form is also available in a Microsoft Word version, that you can download and edit to include additional material in the relevant parts of the form. **Note:** that editing the form in the Microsoft Word version may cause the relevant boxes to expand and increase the length of the document. This is acceptable and does not change the approved form, provided the section text (description on the left-hand side of the page) is not altered.

Appointed competent person (design or specification) – (sections 34 and 36 of the BR 2021)

A building certifier must assess and decide to appoint an individual as a competent person before they can, as a competent person, give design-specification help. The building certifier is required to keep detailed records about what was considered when appointing a competent person.

A building certifier must be satisfied that an individual is competent to give the type of inspection help having regard to the individual's experience, qualifications and skills and if required by law to hold a licence or registration, that the individual is appropriately registered or licensed.

An individual is appointed as competent to give design-specification help on or from a particular day. The building certifier can also decide an individual is a competent person (design-specification) and a competent person (inspection) at the same time or for the same systems or components of the work.

For further information about assessment of someone as a competent person refer to the **Guideline for the assessment of competent persons**.

PRIVACY NOTICE

The Department of Energy and Public Works is collecting personal information as required under the *Building Act 1975*. This information may be stored by the Department, and will be used for administration, compliance, statistical research and evaluation of building laws. Your personal information will be disclosed to other government agencies, local government authorities and third parties for purposes relating to administering and monitoring compliance with the *Building Act 1975*. Personal information will otherwise only be disclosed to third parties with your consent or unless authorised or required by law.