



Department of
**State Development,
Infrastructure and Planning**

Our reference: SDA-0315-019010
Your reference: MCUC 727/2015

31 March 2015

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

Att: Jenny Elphinstone

Dear Madam

Concurrence agency response—with conditions

Material change of use for intensive animal husbandry (homeless animal shelter and boarding kennels) and administration and caretaker building on land at Captain Cook Highway, Killaloe and more particularly described as Lot 1 on RP843595 in the Douglas Shire
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the *Sustainable Planning Act 2009* on 12 March 2015.

Applicant details

Applicant name: The Homeless Animal Society & Boarding Kennels Inc.
Applicant contact details: PO Box 719
Port Douglas QLD 4877
michael.kerr@news.com.au

Site details

Street address: Captain Cook Highway Killaloe, Douglas Shire
Lot on plan: Lot 1 on RP843595
Local government area: Douglas Shire

Application details

Proposed development: Development permit for material change of use for intensive animal husbandry (homeless animal shelter and boarding kennels) and administration and caretaker building

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Intensive Animal Husbandry (Homeless Animal Shelter and Boarding Kennels) and administration and caretaker building	Code Assessment

Referral triggers

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

Referral trigger Schedule 7, Table 3, Item 1 – State-controlled road

Conditions

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

Reasons for decision to impose conditions

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

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material change of use				
Site Plan & GFA Paws & Claws Facility	Unknown	6/03/2015	N/A	C
Site Plan Paws & Claws Facility	Unknown	6/03/2015	N/A	C
Concept Drawing	TMR	12/02/2015	275/20A (500-811)	A

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

For further information, please contact Joanne Manson, Senior Planning Officer, SARA Far North QLD on 4037 3228, or email joanne.manson@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in cursive script that reads "Angela Foster".

Angela Foster
A/Manager (Planning)

cc: The Homeless Animal Society & Boarding Kennels Inc, email: michael.kerr@news.com.au
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

Our reference: SDA-0315-019010

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use for intensive animal husbandry (homeless animal shelter and boarding kennels) and administration and caretaker building		
Schedule 7, Table 3, Item 1: State-controlled road —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Site Plan & GFA Paws & Claws Facility, dated 6/03/2015, Revision C. • Site Plan Paws & Claws Facility, dated 6/03/2015, Revision C. • TMR Concept Drawing, dated 12/02/2015, reference No 275/20A (500-811), Issue A. 	At all times
Location of the direct vehicular access to the state-controlled road		
2.	<p>The permitted road access location, for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained, is to be located between Lot 1 on RP843595 and the Captain Cook Highway, generally in accordance with Site Plan Paws & Claws Facility, dated 6/03/2015, Revision C.</p>	At all times
3.	<p>Direct access is not permitted between the Captain Cook Highway and the subject site at any location other than the permitted road access location (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained).</p>	At all times
Stormwater and Drainage impacts on the state-controlled road		
4.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ol style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto the state-controlled road. 	(a) and (b) At all times

No.	Conditions	Condition timing
Design vehicle and traffic volume		
5.	<p>Road access works comprising of a sealed rural basic left turn treatment (BAL) to the development, (for which approval under section 33 of the <i>Transport Infrastructure Act 1994</i> must be obtained), at the permitted road access location, must be provided generally in accordance with TMR Concept Drawing, dated 12/02/2015, Reference No 275/20A (500-811), Issue A.</p> <p>The road access works must be designed and constructed generally in accordance with Department of Transport and Main Roads Road Planning and Design Manual and Part 4A of Austroads Guide to Road Design: Unsignalised and Signalised Intersection, Figure 8.2.</p>	Prior to the commencement of use and to be maintained at all times
Internal and external manoeuvring associated with direct vehicular access to the state-controlled road		
6.	All vehicles must enter and exit the subject site at the permitted road access location (for which approval under section 62 of the <i>Transport Infrastructure Act 1994</i> must be obtained) in a forward motion.	At all times

Our reference: SDA-0315-019010

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are to ensure

- the development is carried out generally in accordance with the plans of development submitted with the application
- the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road
- that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor
- the design of any road access maintains the safety and efficiency of the state-controlled road
- the turning movements of vehicles entering and exiting the premises via the road access maintains the safety and efficiency of the state-controlled road

Our reference: SDA-0315-019010

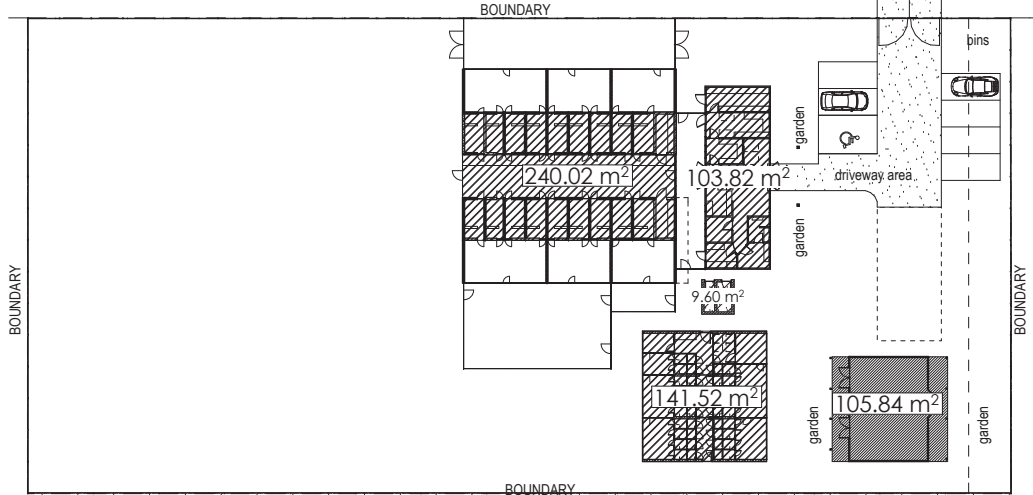
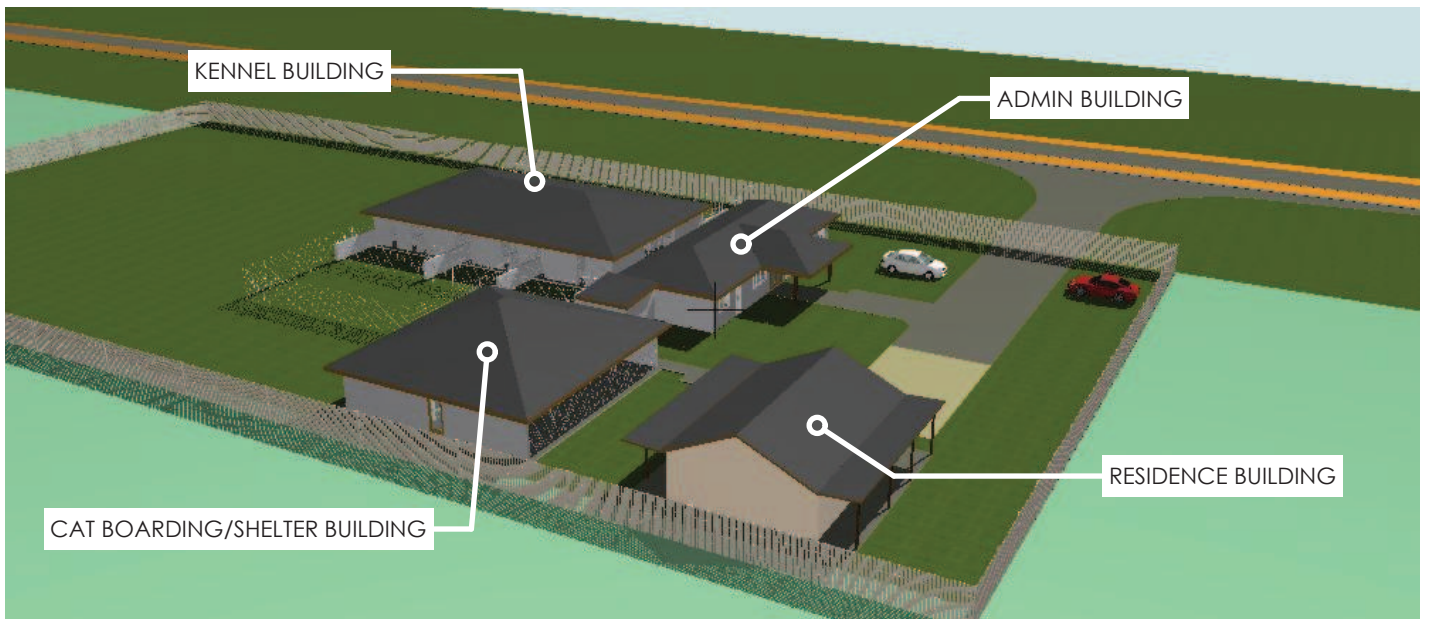
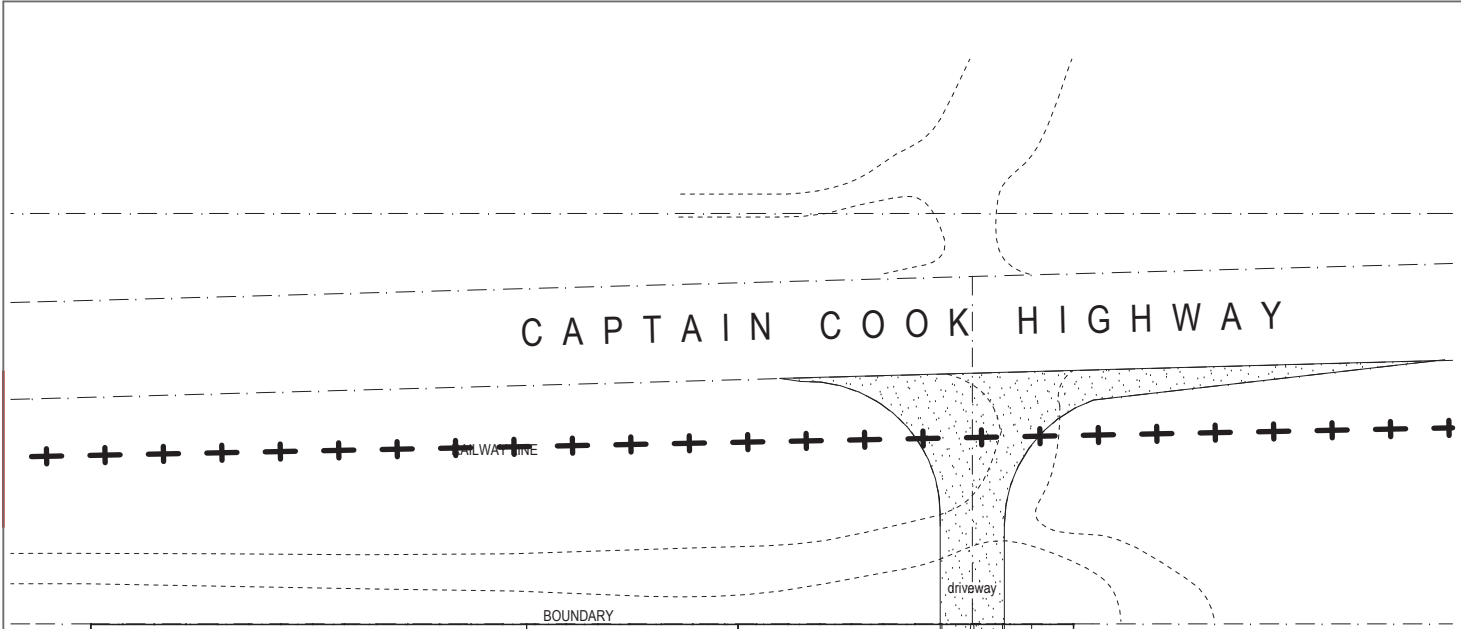
Your reference: MCUC 727/2015

Attachment 3—Further advice

General advice	
State Planning Policy July 2014 interim development assessment provisions	
1.	Douglas Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014, and in particular the interim development assessment provisions, such as Natural hazards, risk and resilience to the extent it is relevant to the proposed development.
Advertising device	
2.	Under section 43 of the <i>Transport Infrastructure Act 1994</i> , a local government must obtain approval from the Department of Transport and Main Roads if it intends to approve the erection, alteration or operation of an advertising sign or other advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.
Further development permits, compliance permits or compliance certificates	
Road access works approval	
3.	<p>Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road.</p> <p>Please contact the Department of Transport and Main Roads on 4045 7144 at the Cairns district office to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road access works approval process takes time – please contact the Department Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

Our reference: SDA-0315-019010

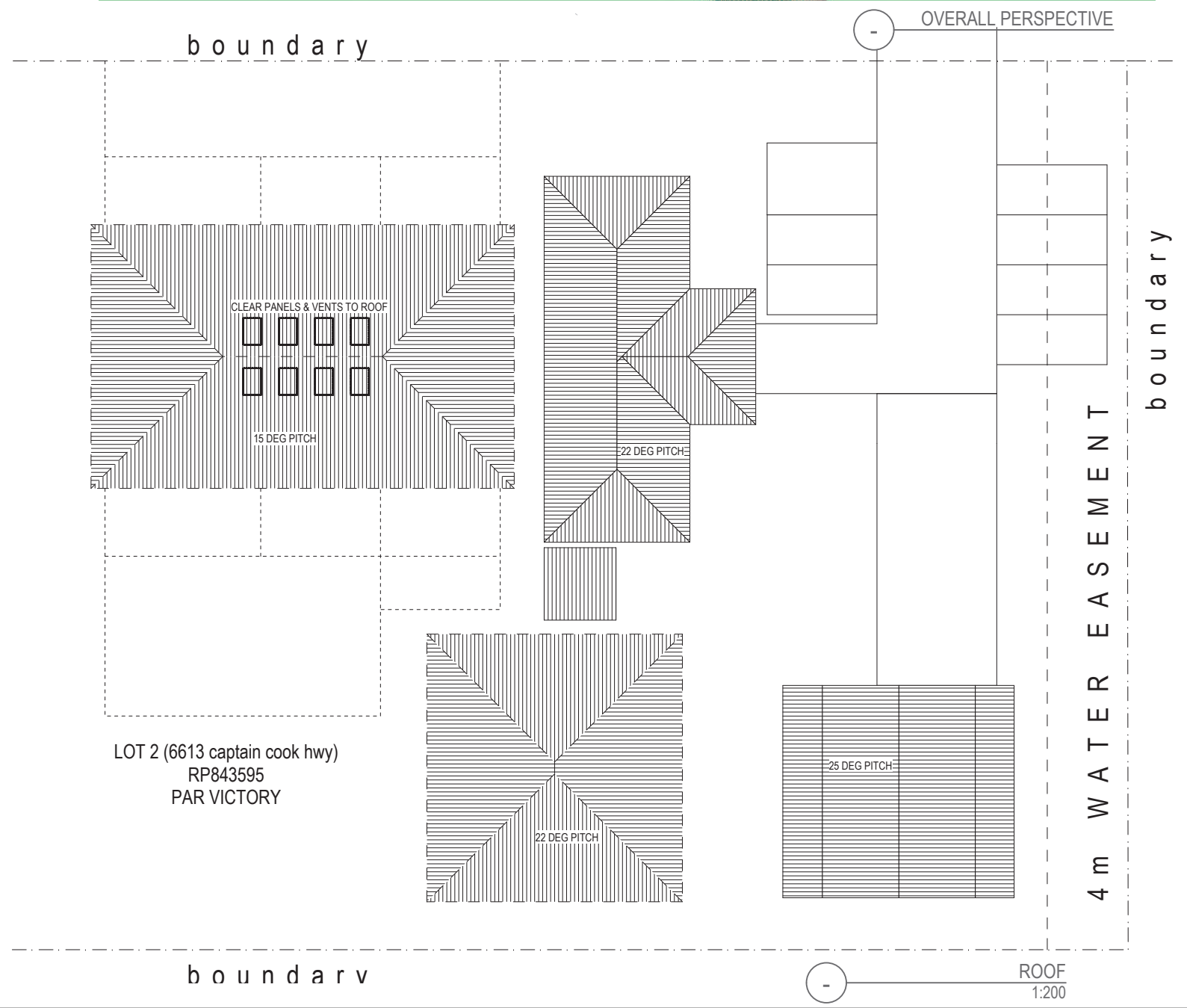
Attachment 4—Approved plans and specifications



AREA PLAN
1:500

kennel modules	
internal	1.8m x 3.6m
shared run (3 kennels)	4m x 6m
cat modules	
internal	0.9m x 2m
shared run (4 cats)	4m x 3m

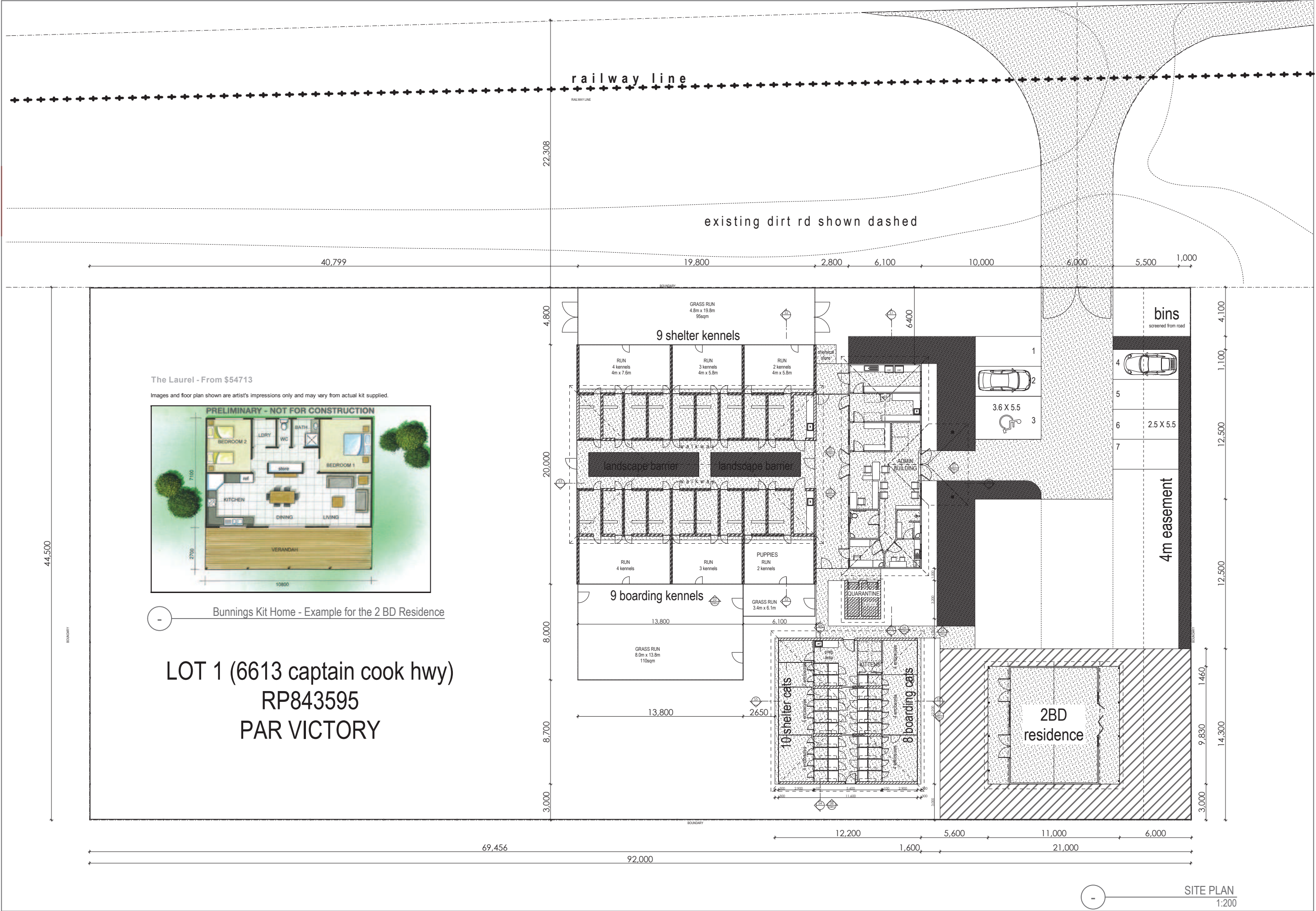
AREA ANALYSIS	
SITE AREA	4094m ²
Kennels	240.02 m ²
cattery	141.52 m ²
admin	103.82 m ²
quarantine	9.60 m ²
residence	105.84 m ²
TOTAL proposed	600.8 m ²



LOT 2 (6613 captain cook hwy)
RP843595
PAR VICTORY

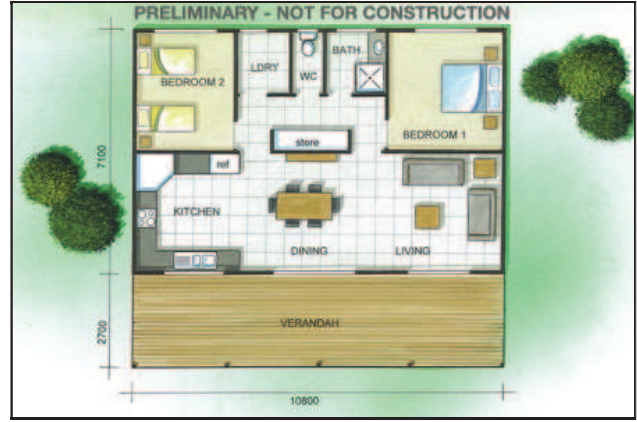
OVERALL PERSPECTIVE

ROOF
1:200



The Laurel - From \$54713

Images and floor plan shown are artist's impressions only and may vary from actual kit supplied.



Bunnings Kit Home - Example for the 2 BD Residence

LOT 1 (6613 captain cook hwy)
RP843595
PAR VICTORY

SITE PLAN
1:200

© The State of Queensland, 2009. © Piney Bowes Software Pty Ltd. 2009. Based on [Dataset - State Digital Road Network (SDRN)] provided with the permission of Piney Bowes Software Pty Ltd (Current as at 12/08) and other state government datasets. Disclaimer: While every care is taken to ensure the accuracy of this data, Piney Bowes Software Pty Ltd and/or the State of Queensland makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.



Branch/Unit :	Corridor Management/Far North Region
Projection/ Datum :	Geocentric Datum of Australia (GDA) 1994
File location :	Indicitive requirements only

TMR Concept Drawing (20A - 65.80km)



Queensland Government
Transport and Main Roads

Plan No: 1 / 1	Issue: A	Date: 12/02/2015
Drawn by: RPK	File ref: 275/20A (500-811)	