

YOUR REF: P71631
OUR REF: MCUC1553/2016 (796561)

22 November 2016

Planz Town Planning Nikki Huddy
PO Box 181
Edge Hill QLD

Attention: Nikki Huddy

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 33 DAVIDSON STREET, PORT
DOUGLAS**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 22 November 2016, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

This notice also includes an Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009*.

Should you have any enquiries in relation to this Decision Notice, please contact Daniel Lamond of Development Assessment and Coordination on telephone number 07 4099 9456.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att

APPLICANT DETAILS

Foxwise Developments Pty Ltd
C/- Planz Town Planning
PO Box 181
Edge Hill QLD

ADDRESS

33 Davidson Street, PORT DOUGLAS

REAL PROPERTY DESCRIPTION

Lot 903 on PTD2092

PROPOSAL

Multi-Unit Housing and Holiday Accommodation

DECISION

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

DECISION DATE

22 November 2016

TYPE

Material Change of Use (Development Permit)

REFERRAL AGENCIES

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
State-controlled road	Department of Infrastructure, Local Government and Planning	Advice or Concurrence	Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Building Works
Development Permit for Operational Works

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

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

Not in conflict

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

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

Drawing or Document	Reference	Date
Street View Render	Project No: DANBRY001, Drawing No: A.1 REV A. Prepared by Hunt Design	16 August 2016
Basement Level	Project No: DANBRY001, Drawing No: A.2 REV A. Prepared by Hunt Design	16 August 2016
Level 1	Project No: DANBRY001, Drawing No: A.3 REV A. Prepared by Hunt Design	16 August 2016
Level 2	Project No: DANBRY001, Drawing No: A.4 REV A. Prepared by Hunt Design	16 August 2016
Level 3	Project No: DANBRY001, Drawing No: A.5 REV A. Prepared by Hunt Design	16 August 2016
Roof Level	Project No: DANBRY001, Drawing No: A.6 REV A. Prepared by Hunt Design	16 August 2016
Rear View Render	Project No: DANBRY001, Drawing No: A.7 REV A. Prepared by Hunt Design	16 August 2016
North and East Elevations	Project No: DANBRY001, Drawing No: A.8 REV A. Prepared by Hunt Design	16 August 2016
South and West Elevation	Project No: DANBRY001, Drawing No: A.9 REV A. Prepared by Hunt Design	16 August 2016
Section Plan	Project No: DANBRY001, Drawing No: A.10 REV A. Prepared by Hunt Design	16 August 2016
Rear View Render 2	Project No: DANBRY001, Drawing No: A.11 REV A. Prepared by Hunt Design	16 August 2016
Appendix A- Drawing Not to Scale	Project No: DANBRY001, Drawing No: A.12 REV A. Prepared by Hunt Design	16 August 2016

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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

- 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.

Approved Land Use

3. The Development Permit for the Material Change of Use (Multi-Unit Housing) extends over eight (8) of the ten (10) approved units. The remaining two (2) units are approved for Holiday Accommodation. Plans nominating those units to be used for Holiday Accommodation must be submitted to Council prior to the issue of a Development Permit for Building Works. The Community Management Statement must detail those units to be used as Holiday Accommodation and be to the satisfaction of the Chief Executive Officer prior to endorsement of the Building Format Plan. There is no limitations as to which unit is used for Holiday Accommodation. Those units approved for Multi-Unit Housing can also be used for Holiday Accommodation. Such requirements must be made known to future purchases.

Alternatively, the development must be redesigned to accommodate the following changes:

- a. reduce the number of units to nine (9), or
- b. provide an additional two spaces onsite.

Details of the above requirements must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

Amendment to Design

4. The layout of the proposed development must be amended to accommodate the following changes:-
 - a. Provide a refuse storage area which makes provision for commercial bins which are of sufficient size and capacity to service the development. Suitable access must also be provided to allow access to the facility to enable the bins to be emptied.
 - b. Detail any above ground transformer cubicles and/or electrical sub-station required to service the development. Such facilities are to be positioned so that they do not detract from the appearance of the streetscape.

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

Air-conditioning Screens

5. 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

6. 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.

Lockable Storage

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

Water Supply and Sewerage Works Internal

8. Undertake the following water supply and sewerage works internal to the subject land:
 - a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;
 - b. Water supply sub-metering must be designed and installed in accordance with The Plumbing and Drainage Act 2002 and the Water Supply (Safety and Reliability) Act 2008;
 - c. Upgrade to the extent necessary water supply and sewer connections to cater for the demand of the development;
 - d. The sewer connection must be a minimum of 1.5 metres away from the swimming pool and clear of the zone of influence from the footings and foundations of any building/structure.

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

Vehicle Parking

9. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of twelve (12) spaces unless otherwise amended by conditions of this Development Permit. 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

10. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

External Works

11. Undertake the following works external to the land at no cost to Council:
 - a. Undertake bitumen widening adjacent the existing carriageway of Davidson Street in the vicinity of the existing street light to seal and improve the visual appearance of the street frontage of the development;
 - b. Construct a barrier consisting of a kerb treatment around the existing street light in the Davidson Street road reserve. The barrier must provide a clearance of 820mm from the streetlight to face of kerb in accordance with the FNQROC Development Manual;
 - c. Provide a vehicle crossover and apron to Davidson Street. The location and design of the access must not detrimentally impact on the significant street trees as detailed on Drawing No. A.12 Rev A. The location and the design of vehicle access to the site will be determined in conjunction with the Department of Transport & Main Roads and in accordance with advice and recommendations of an appropriately qualified arborist to ensure the health of the trees as detailed in other conditions of the Development Permit;
 - d. Taper the existing garden bed adjacent the carriageway of Davidson Street on the southern side of the existing street light;
 - e. Undertake deep planting of the existing garden beds for the frontage of the site and partly along the frontage of 27 – 31 Davidson Street with appropriate species and in accordance with other conditions of this Development Permit;
 - f. Continue existing garden edging present along the frontage of the site and continue in a southerly direction beyond the existing street light;
 - g. Detail if any modification to the existing road verge is proposed in order to achieve a lawful point of discharge to the development and adequate cover of stormwater infrastructure;
 - h. 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.

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to

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

Protection of Significant Street Trees

12. An investigation to determine the most appropriate driveway access in order to determine the least impact on the single stem tree within the road reserve of Davidson Street must be undertaken by an appropriately qualified arborist. Regard must be given to Australian Standard 4970-2009/Amdt 1-2010 (Protection of Trees on Development Sites). This investigation will be paramount in determining driveway access.

Demolish Structures

13. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.

Stockpiling and Transportation of Fill Material

14. 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

15. 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

16. 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

17. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must detail the following:
 - a. Further planting of appropriate trees and shrubs within established gardens beds along the frontage of the site and adjoining land to the north having regard to Planning Scheme Policy No 7;

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

- b. Deep planting of setback areas and planter beds within the development;
- c. Provide fencing details (materials and finishes), particularly with respect to any fencing fronting Davidson Street;
- d. Deep planting of the front setback area to provide for an attractive street appearance and to soften building bulk;
- e. Landscaping of areas and treatments external to the development as detailed in conditions of approval;
- f. Include any other relevant conditions included in this Development Permit. A copy of this Development Approval must be given to the applicant's Landscape Architect/Designer.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Lawful Point of Discharge

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

A hydraulic plan complete with supporting calculations and certified by an RPEQ must be provided demonstrating how stormwater from the site is appropriately and adequately delivered to a lawful point of discharge. Such details must be to the satisfaction of the Chief Executive Officer.

Ponding and/or Concentration of Stormwater

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

Minimum Fill and Floor Levels

- 20. All floor levels in all buildings must be located 150 mm 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

- 21. 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

22. 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.

Details of Development Signage

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

Construction Signage

24. 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;
 - b. Architect/Building Designer;
 - c. Builder;
 - d. Civil Engineer;
 - e. Civil Contractor;
 - f. Landscape Architect.

Acid Sulfate Soil Investigation

25. Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in, '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) or updated version of document produced by the Department of Natural Resources and Mines (Previously DNRW – QASSIT), and State Planning Policy 2/02 – '*Planning and Managing Development involving Acid Sulfate Soils*'. The results of this investigation must be submitted to Council for approval prior to any earthworks or clearing being commenced on the site.

Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of DNRM – QASSIT: '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) will trigger the requirement for preparation of an Acid Sulfate Soil Environmental Management Plan in accordance with the most recent requirements of the DNRM: '*Queensland Acid Sulfate Soil Technical Manual*' (2002) including Soil Management Guidelines (updated Feb. 2003) which must be prepared to the satisfaction of the Chief Executive Officer.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Sediment and Erosion Control

26. 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).

REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0716-031872	13 September 2016	#785209

Refer to Attachment 2: Referral Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse **four (4)** years from the day the approval takes effect in accordance with the provisions of sections 339 and 341 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

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

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. The Sustainable Planning Act 2009 confers rights to make representations and appeals in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Assessment and Coordination at Council for review of the charge amount prior to payment.
The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

5. For information relating to the *Sustainable Planning Act 2009* log on to www.dilgp.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to www.douglas.qld.gov.au.

LAND USE DEFINITIONS*

In accordance with the *Douglas Shire Planning Scheme 2006*, the approved land uses of **Multi-Unit Housing** and **Holiday Accommodation** are defined as:

Multi-Unit Housing

Means the use of premises comprising two or more dwelling units on one lot for residential purposes.

The use includes accommodation commonly described as:

- *duplexes;*
- *flats;*
- *home units;*
- *apartments;*
- *townhouses;*
- *villa houses; or*
- *a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished if a freestanding replica or converts to its intended use within the complex.*

Holiday Accommodation

Means the use of premises for the accommodation of tourists or travellers in private accommodation.

The use may also include:

- *Restaurants;*
- *bars;*
- *meeting and function facilities;*
- *dining room;*
- *facilities for the provision of meals to guests;*
- *a managers unit and office; and*

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

- *a display unit which displays to the general public the type of construction or design offered by the builder/developer, for a maximum period of twelve (12) months and which is then demolished, (if a freestanding replica), or converts to its intended use within the complex.*

When these facilities are an integral part of the accommodation.

The use includes facilities commonly described as:

- *holiday apartments or suites;*
- *international or resort hotel or motel.*

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

RIGHTS OF APPEAL

Attached

End of Decision Notice

APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)

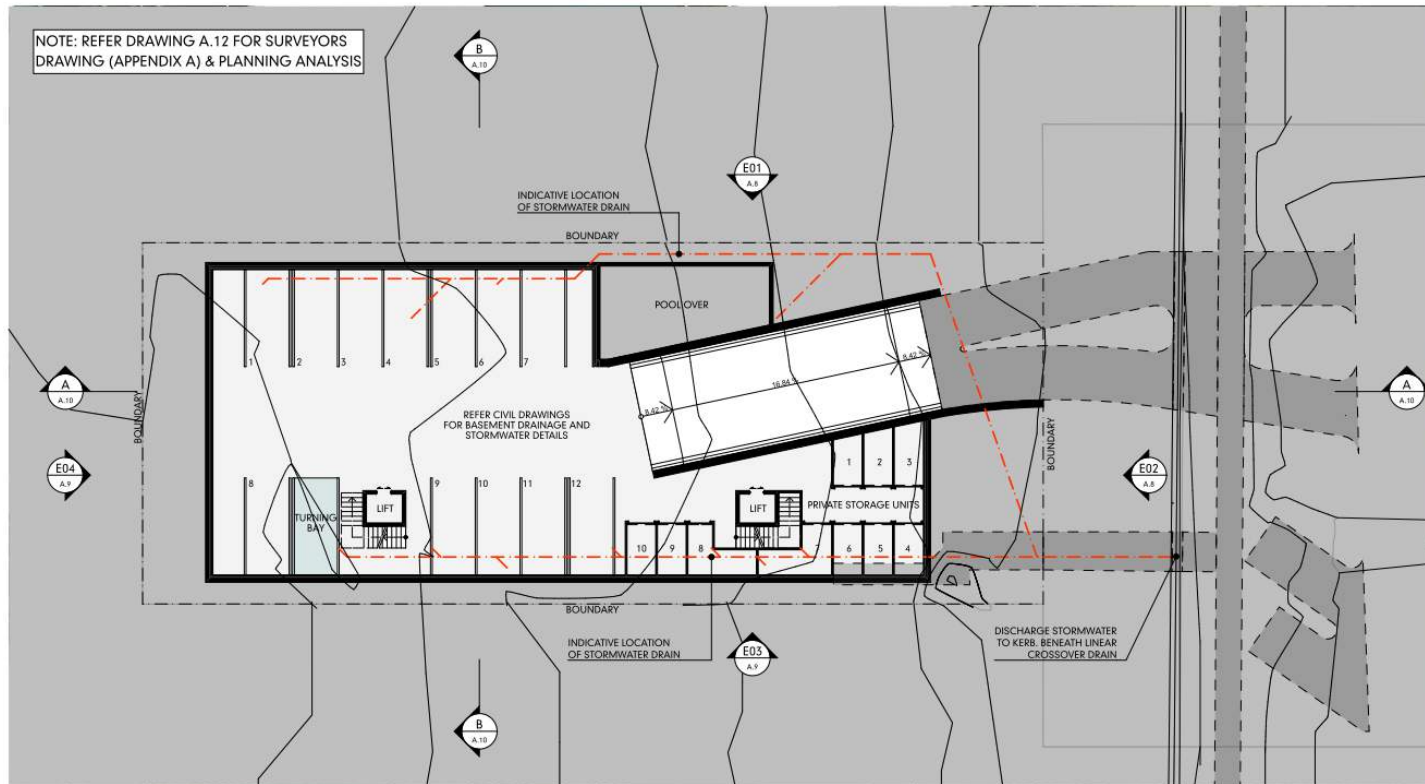


PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.1 REV A



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



BASEMENT LEVEL

SCALE 1:200

PROJECT : PROPOSED NEW APARTMENT BUILDING
 AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
 FOR : FOXWISE DEVELOPMENTS PTY LTD



PROJECT No: DANBRY001
 DATE : 16/08/2016
 DRAWING No : A.2 REV A



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



LEVEL 1
SCALE 1:200

PROJECT : PROPOSED NEW APARTMENT BUILDING
 AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
 FOR : FOXWISE DEVELOPMENTS PTY LTD



PROJECT No: DANBRY001
 DATE : 16/08/2016
 DRAWING No : A.3 REV A



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



LEVEL 2
SCALE 1:200

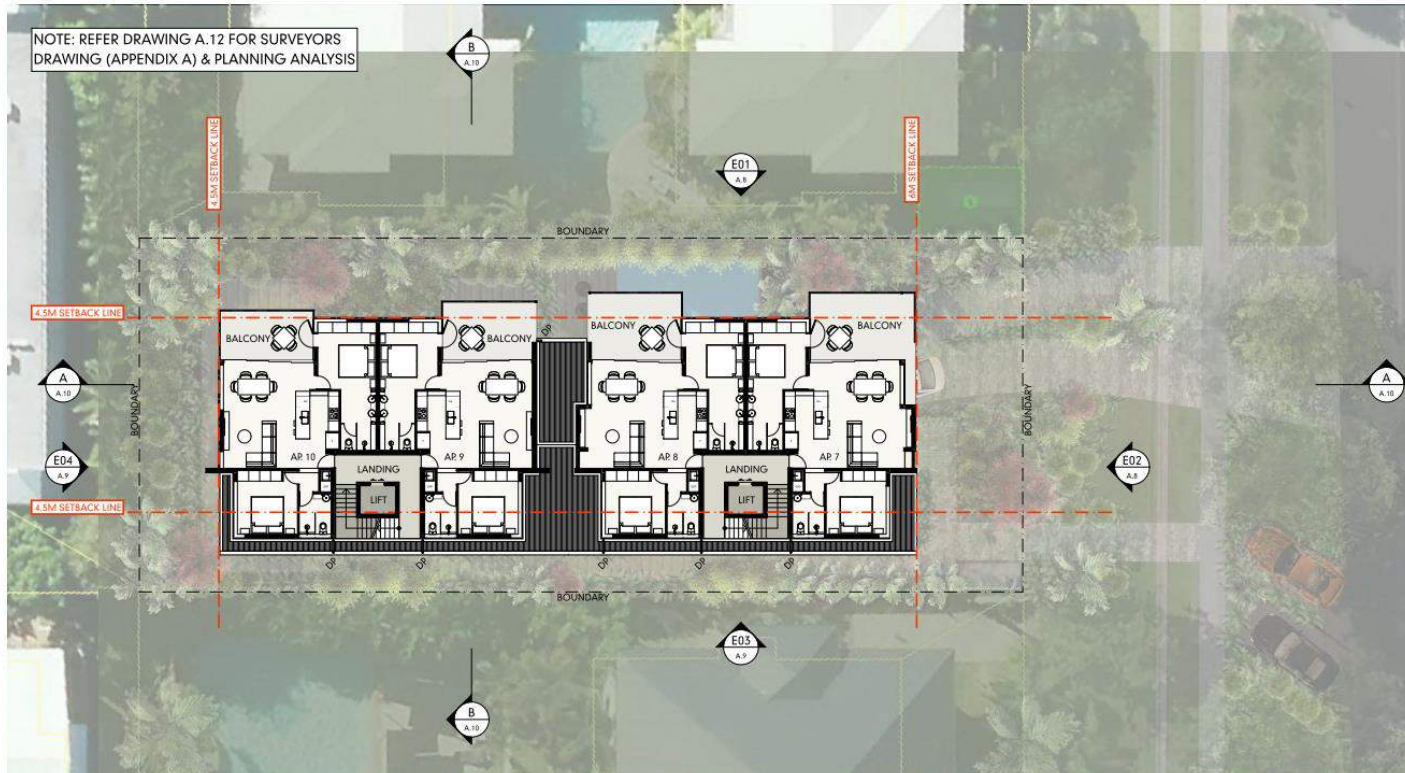
PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD



PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.4 REV A



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



LEVEL 3
SCALE 1:200

PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD



PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.5 REV A



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



NOTE: REFER DRAWING A.12 FOR SURVEYORS
DRAWING (APPENDIX A) & PLANNING ANALYSIS

ROOF LEVEL
SCALE 1:200

PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD



PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.6 REV A



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.7 REV A



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



NORTH ELEVATION
SCALE 1:200

E01

A.2, A.3, A.4, A.5, A.6



EAST ELEVATION
SCALE 1:200

E02

A.2, A.3, A.4, A.5, A.6

PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.8 REV A



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



SOUTH ELEVATION

SCALE 1:200

E03

A.2, A.3, A.4, A.5, A.6



WEST ELEVATION

SCALE 1:200

E04

A.2, A.3, A.4, A.5, A.6

PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.9 REV A



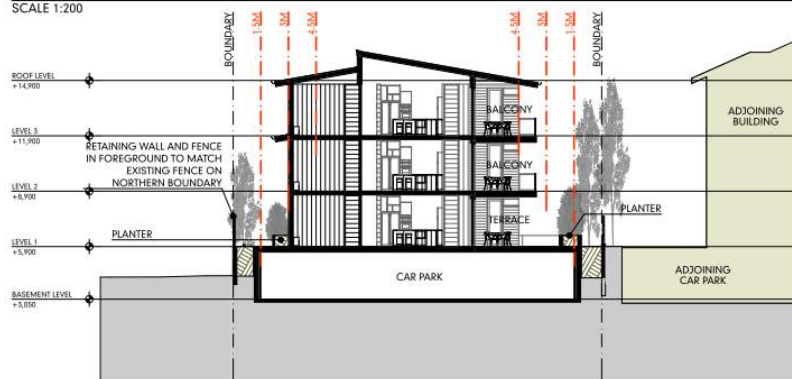
DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



SECTION
 SCALE 1:200

A

A.2, A.3, A.4, A.5, A.6



SECTION
 SCALE 1:200

B

A.2, A.3, A.4, A.5, A.6

PROJECT : PROPOSED NEW APARTMENT BUILDING
 AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
 FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
 DATE : 16/08/2016
 DRAWING No : A.10 REV A



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

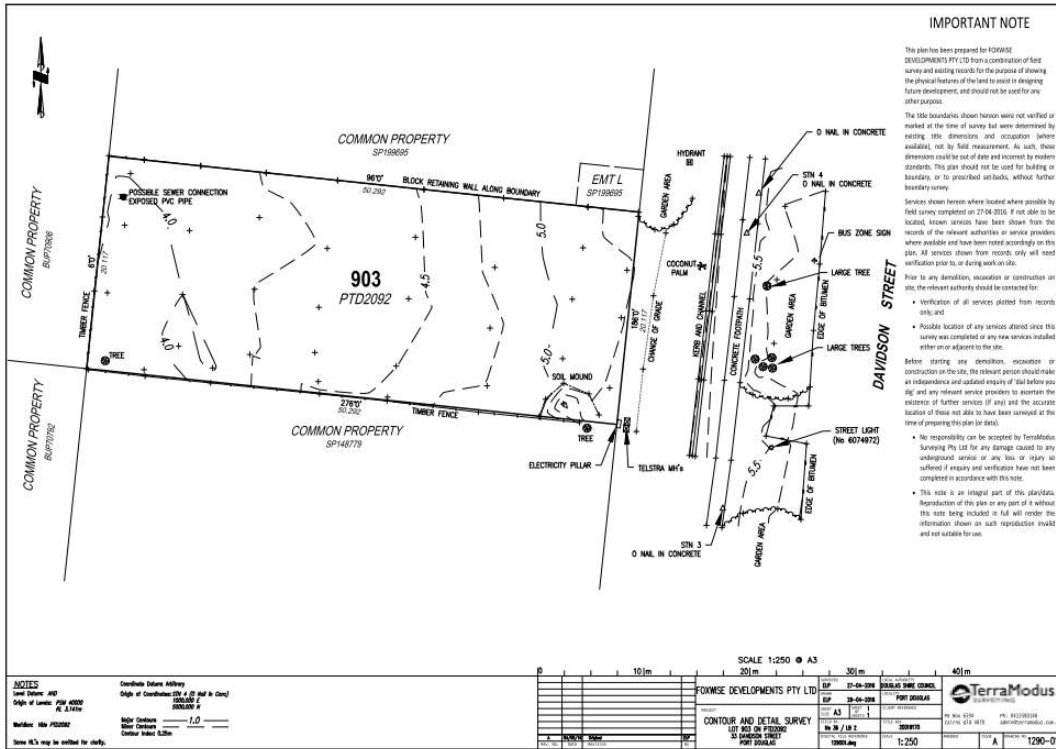


PROJECT : PROPOSED NEW APARTMENT BUILDING
AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
DATE : 16/08/2016
DRAWING No : A.11 REV A



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



PLANNING ANALYSIS	
PLANNING AREA -	TOURIST & RESIDENTIAL
SITE AREA	1000 M ²
BASEMENT AREA (NOT INCLUDING RAMP)	540 M ²
LEVEL 1 GFA (INCLUDING ACCESS STAIR & LANDING) (50 M ²)	314 M ²
LEVEL 2 GFA (NOT INCLUDING ACCESS STAIR & LANDING) (48 M ²)	304 M ²
LEVEL 3 GFA (NOT INCLUDING ACCESS STAIR & LANDING) (48 M ²)	297 M ²
TOTAL GFA (NOT INCLUDING STAIR, LIFT & LANDINGS)	915 M ²
PLOT RATIO	0.915
SITE COVERAGE	
LEVEL 1	324 M ² (33%)
LEVEL 2	412 M ² (41%)
LEVEL 3	395 M ² (40%)
10 APARTMENTS	8 x 2 BEDROOM 2 x 3 BEDROOM
CAR PARKING	13 SPACES PROVIDED 1 SPACE PER 2 BED APARTMENT 2 SPACES PER 3 BED APARTMENT 2 SPACE ON STREET (NEW)

APPENDIX A - DRAWING NOT TO SCALE

PROJECT : PROPOSED NEW APARTMENT BUILDING
 AT : 33 DAVIDSON STREET (LOT 903 ON PTD2092) PORT DOUGLAS, QLD, 4877, AUSTRALIA
 FOR : FOXWISE DEVELOPMENTS PTY LTD

PROJECT No: DANBRY001
 DATE : 16/08/2016
 DRAWING No : A.12 REV A



APPENDIX 2: REFERRAL AGENCY CONDITIONS & REQUIREMENTS



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0716-031872
Your reference: #779412

13 September 2016

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

Attn: Daniel Lamond

Dear Sir / Madam

Concurrence agency response—with conditions

Application for material change of use (multi-unit housing and holiday accommodation) on land situated at 33 Davidson Street Port Douglas, formally known as Lot 903 on PTD2092
(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 Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 8 July 2017.

Applicant details

Applicant name: Foxwise Developments Pty Ltd
Applicant contact details: c/- Planz Town Planning
PO Box 181
Edge Hill Qld 4870
info@planztp.com

Site details

Street address: 33 Davidson Street Port Douglas
Lot on plan: Lot 903 on PTD2092
Local government area: Douglas Shire Council

Application details

Proposed development: Development permit for material change of use (multi-unit housing and holiday accommodation – 10 units)

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	Multi-unit Housing and Holiday Accommodation - 10 units	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 roads

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				
TMR Layout Plan	Queensland Government Transport and Main Roads	05/09/2016	TMR16-17670 (500-1017)	A
Stormwater Concept	Flanagan Consulting Group	12 August 2016	4694-SK01	-
Access Crossovers	FNQROC	26/11/14	S1015	C
Concrete Driveway for Allotment Access	FNQROC	26/11/14	S1110	D

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

SDA-0716-031872

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

For further information, please contact Michele Creecy, Senior Planning Officer, SARA Far North QLD on 4037 3206, or email michele.creecy@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc: Foxwise Developments Pty Ltd c/- Planz Town Planning, info@planztp.com
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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

SDA-0716-031872

Our reference: SDA-0716-031872
Your reference: #779412

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Aspect of development – material change of use		
Schedule 7, Table 3, Item 1 —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of 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.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> • TMR Layout Plan (6504 – 4.92km) prepared by Queensland Government Transport and Main Roads, dated 05/09/2016, Reference TMR16-17670 (500-1017), Issue A. • Stormwater Concept prepared by Flanagan Consulting group, dated 12 August 2016, Reference 4694-SK01. 	Prior to the commencement of use and to be maintained at all times.
2.	(a) The road access location, is to be located generally in accordance with TMR Layout Plan, prepared by Queensland Government Transport and Main Roads, dated 05/09/2016 reference TMR16-17670 (500/1017), revision A. (b) Road access works comprising of a sealed access, (at the road access location) must be provided generally in accordance with TMR Layout Plan, prepared by Queensland Government Transport and Main Roads, dated 05/09/2016, reference TMR16-17670 (500-1017), revision A. (c) The road access works must be designed and constructed in accordance with: <ul style="list-style-type: none"> • Far North Queensland Regional Organisation of Councils (FNQROC) Standard Drawing S1015 - Access Crossovers, dated 26/11/14, Revision C; and • Far North Queensland Regional Organisation of Councils (FNQROC) Standard Drawing S1110 – Concrete Driveway for allotment Access, dated 26/11/14, Revision D. 	(a) At all times. (b) and (c): Prior to the commencement of use and to be maintained at all times.
3.	Stormwater management of the development must ensure no worsening or actionable nuisance to Port Douglas Road.	At all times

Our reference: SDA-0716-031872
Your reference: #779412

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- **Condition 1** – to ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- **Condition 2** – to ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road and to ensure the design of any road access maintains the safety and efficiency of the state-controlled road.
- **Condition 3** – to ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

SDA-0716-031872

Our reference: SDA-0716-031872
Your reference: #779412

Attachment 3—Further advice

General advice	
Ref.	Advertising device
1.	<p>A local government should obtain advice from the Department of Transport and Main Roads (DTMR) if it intends to approve the erection, alteration or operation of an advertising sign or another 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.</p> <p>Note: DTMR has powers under section 111 of the <i>Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005</i> to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>
Ref.	Transport noise corridor
2.	<p>Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated transport noise corridor. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a transport noise corridor are designed and constructed to reduce transport noise. Transport noise corridor means land designated under Chapter 8B of the Building Act 1975 as a transport noise corridor. Information about transport noise corridors is available at state and local government offices. This tool is available at the Department of Local Government and Planning website: http://www.dilgp.qld.gov.au/planning/state-planning-instruments/spp-interactive-mapping-system.html and allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land. Transport Noise Corridors (NAPMAP) are located under Administrative Layers.</p>
Further development permits, compliance permits or compliance certificates	
Ref.	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. Please contact the Cairns district office of the Department of Transport and Main Roads on 4045 7144 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 Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

SDA-0716-031872

State Planning Policy April 2016 interim development assessment provisions	
4.	Douglas Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy April 2016, and in particular the interim development assessment provisions, such as Liveable communities, Water quality (acid sulfate soils) and Natural hazards, risk and resilience (flood hazard area) to the extent it is relevant to the proposed development.
Far North Queensland Regional Plan	
5.	Douglas Shire Council, in its role as assessment manager, must assess the development application against the Far North Queensland Regional Plan 2009, such as the urban development and infrastructure policies, to the extent they are not identified in its planning scheme as being appropriately reflected.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

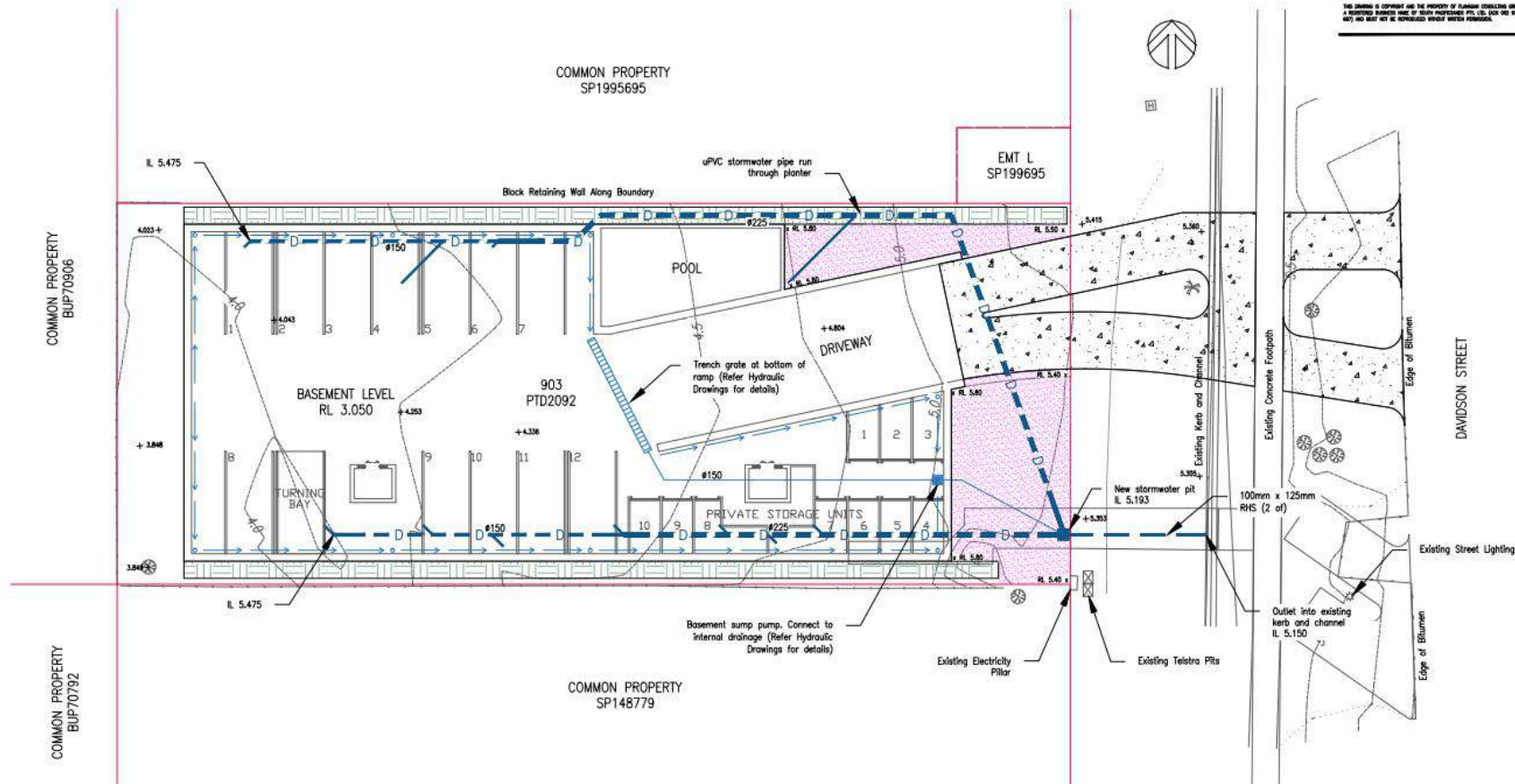
SDA-0716-031872

Our reference: SDA-0716-031872
Your reference: #779412

Attachment 4—Approved plans and specifications



THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF FLANAGAN CONSULTING GROUP. A REPRODUCED PARTIAL VIEW OF THIS DOCUMENTARY FILE, IN WHOLE OR IN PART, MAY NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.



- LEGEND**
- Proposed 100x125 RHS Pipe (2 of)
 - Proposed uPVC roof water drainage pipe hung from basement soffit
 - Proposed Planter Box
 - Proposed Concrete Driveway
 - Proposed fill area, graded to drain to frontage
 - Proposed basement perimeter spoon drain and pits (Refer Hydraulic Drawings)
 - Proposed Spot Levels
 - Existing Surface Contour (0.25m Interval)
 - Existing Lot Boundary
 - Existing Fence
 - Existing Spot Levels

- GENERAL NOTES**
1. This drawing is to be read in conjunction with the Architect's Drawings and Building Hydraulic Drawings.
 2. The Contractor shall verify the location of all existing services with the relevant authority prior to construction commencing. The location of all existing services are approximate only.
 3. Check all existing levels where new works match into existing works prior to construction.

DRAINAGE SUMMARY

Pre-development

Site falls from east to west at a slope of 2.5-3.0%. All stormwater from site sheet flows over the western boundary.

Catchment Area = 1000 m²
 Impervious Area = 0 m²
 T_c = 5.0 Minutes
 Q₁₀₀ = 0.079 M³/S

Post-development

The developed site is comprised of two catchments, an eastern and a western catchment. Stormwater runoff from the eastern catchment includes overland flow at the site frontage and roof water up to Q₂₀ flows, all discharging into Davidson Street. The roof water network will be sized to cater for Q₂₀ flows.

Eastern Catchment
 Frontage fill area = 133 m² (54 m² impervious)
 T_c = 5.0 Minutes
 Q₁₀₀ = 0.012 M³/S

Roof Catchment Area = 574 m² (574 m² impervious)
 T_c = 5.0 Minutes
 Q₂₀ = 0.040 M³/S

Western Catchment
 Catchment area = 293 m² (54 m² impervious)
 T_c = 5 Minutes
 Q₁₀₀ = 0.040 M³/S

Excess flows from roof catchment
 Q₂₀ - Q₂₀ = 0.014 M³/S

Total Q₁₀₀ FLOW = 0.054 m³/S

FLANAGAN CONSULTING GROUP
 DEVELOPMENT CONSULTANTS • PROJECT MANAGEMENT • ENGINEERING • PLANNING

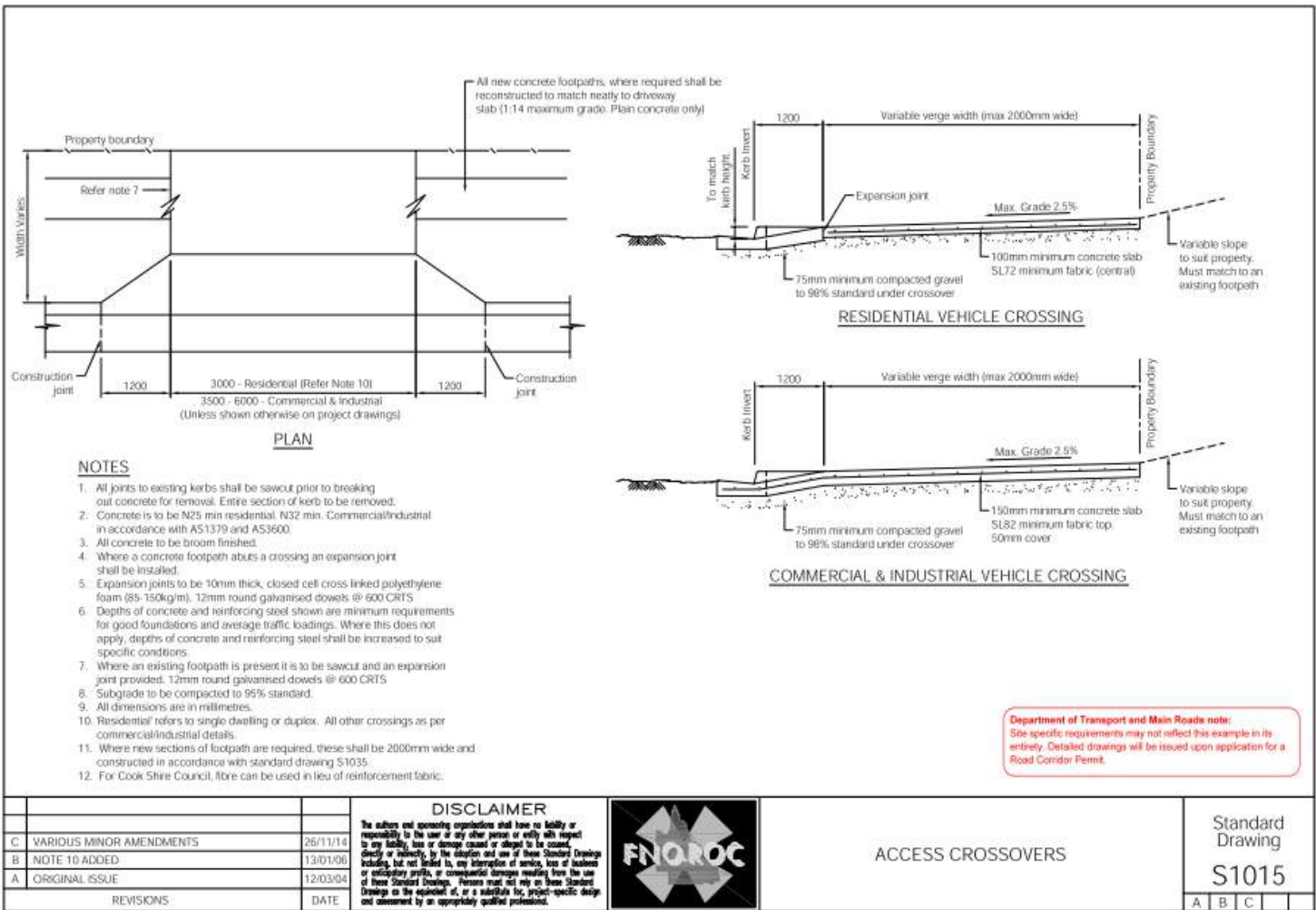
CARRIS (01) 4831 3191 DARWIN (08) 9811 9046 MACKAY (07) 4844 1200 TOWNSVILLE (07) 4724 9757
 www.flanagancollaborating.com.au

33 DAVIDSON ST DEVELOPMENT
 STORMWATER CONCEPT
 Sheet 1 of 1

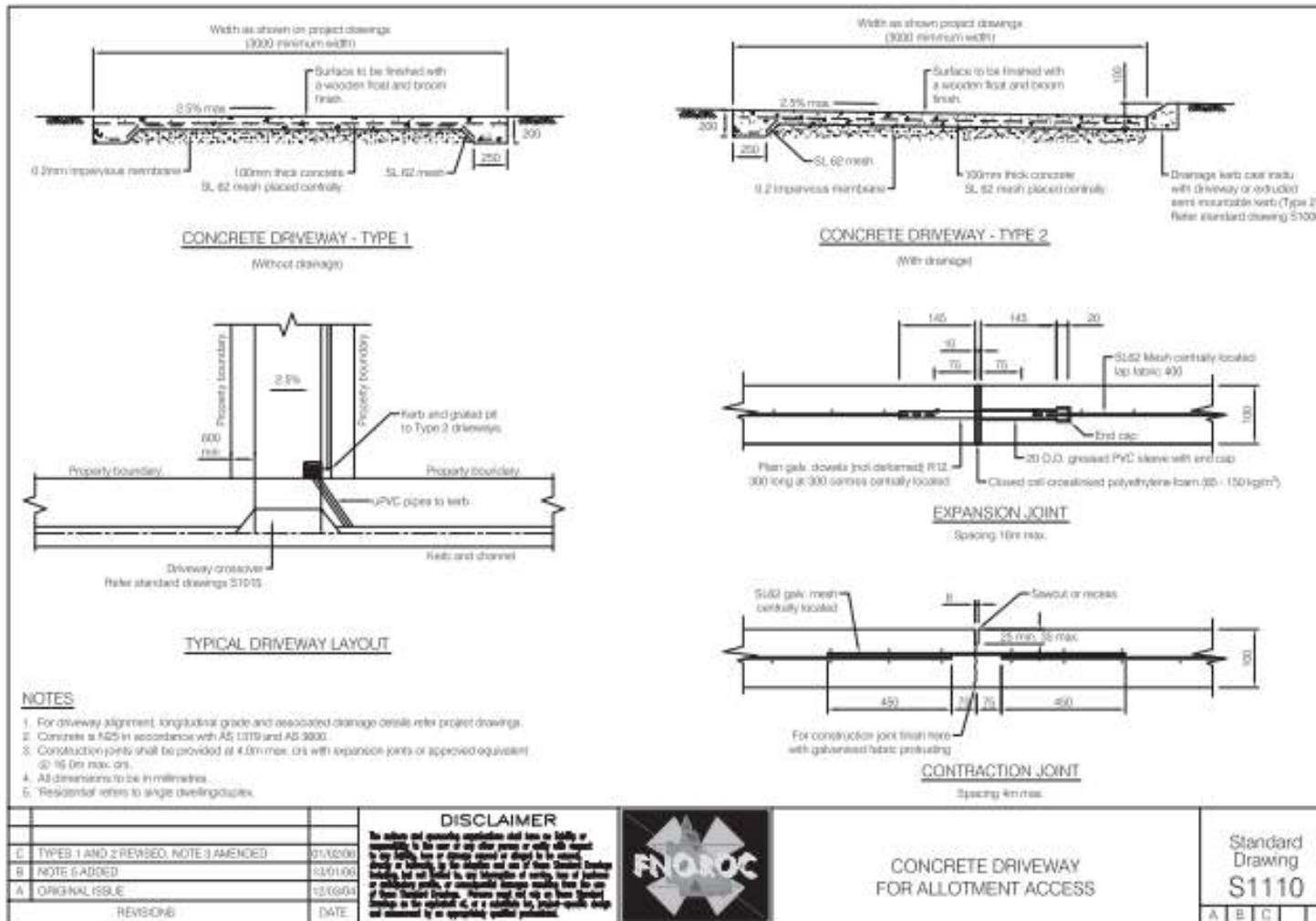
4694-SK01 1:100
At Full Size

Acad No. 4694-SK01 DWG 12 August 2016

DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



DISCLAIMER

In reliance on quantity information and drawings, the contractor shall be responsible for the accuracy of the drawings and shall be liable for any errors, omissions or omissions in the drawings. The contractor shall be responsible for the accuracy of the drawings and shall be liable for any errors, omissions or omissions in the drawings. The contractor shall be responsible for the accuracy of the drawings and shall be liable for any errors, omissions or omissions in the drawings.



CONCRETE DRIVEWAY FOR ALLOTMENT ACCESS

Standard
Drawing
S1110

A B C

YOUR REF: P71631
OUR REF: mcuc1553/2016 (796561)

22 November 2016

Foxwise Developments Pty Ltd
C/- Planz Town Planning
PO Box 181
Edge Hill QLD

Dear Madam

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
33 DAVIDSON STREET, PORT DOUGLAS**

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009* (the Act).

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

These charges are payable prior to the change of use occurring, or prior to the issue of a Compliance Certificate for the Building Format Plan, or which ever occurs first, in accordance with section 648H of the Act.

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.


Should you have any enquiries in relation to this Adopted Infrastructure Charges Notice, please contact Daniel Lamond of Development Assessment and Coordination on telephone number no 4099 9456.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att

INFRASTRUCTURE CHARGES NOTICE

		2006 & 2008 Douglas Shire Planning Schemes Application	
INFRASTRUCTURE CHARGES NOTICE			
Foxwise Developments Pty Ltd DEVELOPERS NAME		0 ESTATE NAME	0 STAGE
33 Davidson Street STREET No. & NAME		Port Douglas SUBURB	Lot 903 on PTD2092 LOT & RP No.s
Material Change of Use DEVELOPMENT TYPE		1553/2016 COUNCIL FILE	10-Nov-16 VALIDITY PERIOD (years)
795292 DSC Reference Doc. No.		1 VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Rural Areas - Water Only					
proposed			0.00		
existing	0	0.00	0.00		
Total					
Urban Areas - Water only					
proposed	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
Urban Areas - Water & Sewer					
proposed	Multiple Dwelling	8,356.93	50,141.58		
existing	Multiple Dwelling	11,473.71	22,947.42		
existing	Short-term Accommodation	9,000.00	18,000.00		
existing	1	14,342.13	14,342.13		
Total			76,746.87		
TOTAL			76,746.87		

Prepared by	D Lamond	10-Nov-16	Amount Paid	
Checked by	N Beck	11-Nov-16	Date Paid	
Date Payable			Receipt No.	
Amendments	Date		Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Part 2 Division 1 of the Sustainable Planning Act 2009 (SPA).

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