

YOUR REF: PR125276/OCK/AMB/L74472
OUR REF: ROL 722/2015 (454289)

7 May 2015

Mr & Mrs Andrew & Sally Viola
C/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Attention: Alex Bowen

Dear Sir/Madam

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

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 5 May 2015, 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 Neil Beck of Development and Environment on telephone number 07 4099 9451.

Yours faithfully

Paul Hoyer
General Manager Operations

Att

APPLICANT DETAILS

Andrew & Sally Viola
C/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

ADDRESS

53 Endeavour Street, Port Douglas

REAL PROPERTY DESCRIPTION

Lot 144 on RP747296

PROPOSAL

Reconfiguring of a Lot (1 Lot into 2 Lots plus Access Easement)

DECISION

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

DECISION DATE

5 May 2015

TYPE

Reconfiguration of a Lot (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Operational Works

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

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
Reconfiguration of a Lot prepared by RPS Group	PR125276-1	2/3/2015

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;
 - 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 the issue of a Compliance Certificate for the Plan of Survey, except where specified otherwise in these conditions of approval.

Amendment to Design

3. Demonstrate by way of swept path diagrams that a vehicle can enter and exit proposed Lot 2 in forward gear. This may require amendment to the internal boundaries between proposed Lot 1 and 2, and/or an alternative car accommodation arrangement within proposed Lot 2.

Relocation of Services

4. Provide written evidence from a licensed surveyor that all services (water, storm water, telecommunications and power) are contained within each respective lot.

Sewerage Works Internal

5. Undertake the following sewerage works internal to the land:
 - a. Augment the existing sewer main to provide Lot 2 with an internal sewer connection and connect the house drain to this new location point;

- b. Provide Lot 1 with a separate internal sewer and connect the house drain to this new location point for the existing building.

The above works constitutes Operational Works. The above works must be designed and constructed in accordance with a Development Permit for Operational Works and the *FNQROC Development Manual*.

Access Easement/s

6. Create an access easement to allow vehicle access over proposed Lot 2 in favour of proposed Lot 1. The approved easement documents must be submitted at the same time as seeking a Compliance Certificate for the Plan of Survey and must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.

Lawful Point of Discharge

7. All stormwater from proposed Lot 1 must be directed to a lawful point of discharge, being Endeavour Street, to the requirements and satisfaction of the Chief Executive Officer.

Electricity and Telecommunications

9. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey.

Building and Plumbing Works

10. Evidence of a Development Permit for Building Work and Plumbing Work and associated Final Certificates for the self-contained residential dwelling unit on proposed Lot 1 must be provided to Council prior to issue of a Compliance Certificate for the Plan of Survey.

Alternatively, in the absence of a Development Permit for Building and Plumbing Work, retrospective approvals and certificates must be obtained and supplied to Council prior to the issue a Compliance Certificate for the Plan of Survey.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 339 and Section 341 of the *Sustainable Planning Act 2009*.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

3. A monetary contribution to Council towards the provision of infrastructure is required in accordance with the Infrastructure Charges Notice attached to this decision. The contribution payable will be in accordance with the Planning Scheme Policy.

Contributions must be paid at the rates applicable at time of payment. Payment is required prior to the issue of a Compliance Certificate for the Plan of Survey.

4. 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.

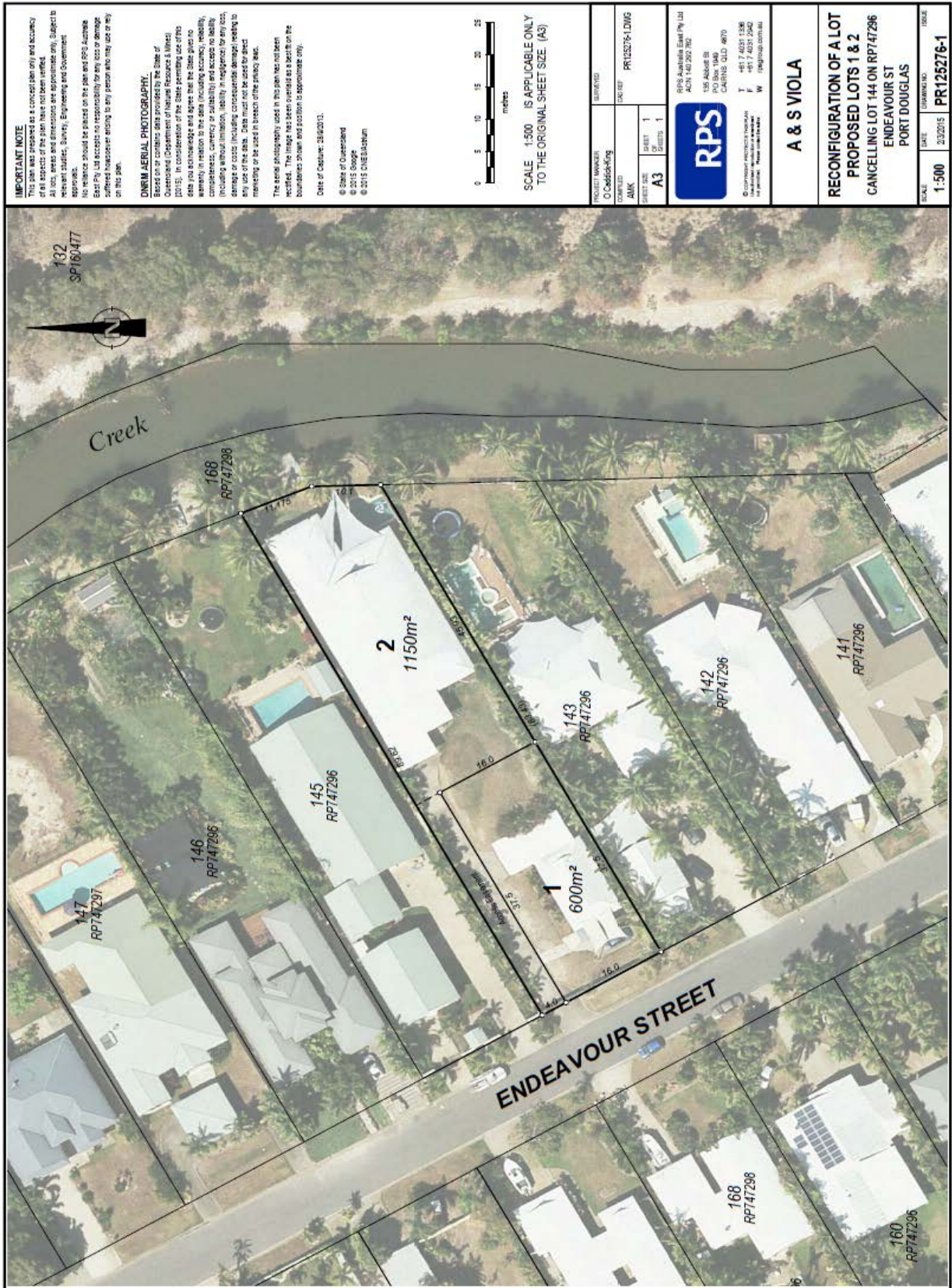
RIGHTS OF APPEAL

Attached

End of Decision Notice

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**

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



IMPORTANT NOTE
This drawing is a technical plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only. Subject to relevant statutes, Survey, Engineering and Government approvals.
No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage sustained hereafter arising to any person who may use or rely on this plan.

DNRM AERIAL PHOTOGRAPHY
Based on or contains data provided by the State of Queensland (Department of Natural Resources and Mines (DNRM)). In consideration of the State providing such data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence for any loss, damage or costs) (including consequential damage) resulting to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy Act.
The aerial photography used in this plan has not been certified. The image has been oriented as a best fit to the boundaries shown and position to approximate only.

Date of Capture: 28/02/2015
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RPS Australia East Pty Ltd
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SCALE 1:500 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3)

PROJECT MANAGER O'Connell King	DATE REVISION PR125276-1 DWG
COMPILED AMK	SHEET NO. 1
SHEET SIZE A3	TOTAL SHEETS 1



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A & S VIOLA
**RECONFIGURATION OF A LOT
PROPOSED LOTS 1 & 2
CANCELLING LOT 144 ON RP747296
ENDEAVOUR ST
PORT DOUGLAS**
SCALE 1:500 DATE 2/3/2015 TITLE PR125276-1

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

APPENDIX 2: INFRASTRUCTURE CHARGES NOTICE

DOUGLAS SHIRE COUNCIL		2006 & 2008 Douglas Shire Planning Schemes Applications	
INFRASTRUCTURE CHARGES NOTICE			
A Viola & S A Viola		N/A	0
DEVELOPERS NAME		ESTATE NAME	STAGE
53 Endeavour Street		Port Douglas	Lot 144 on RP747296
STREET No. & NAME		SUBURB	LOT & RP No.s
ROL		ROL 722/2015	31-Dec-14
DEVELOPMENT TYPE		COUNCIL FILE NO.	R&B INDEX QUARTER ENDING
452957		1	VALIDITY PERIOD
DSC Reference Doc . No.		VERSION No.	This logsheet is indexed appropriately only for payments made within the quarter noted above.

	DIST.	\$/ EDC	NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code & GL Code
WATER							
Existing	11	6,547.95	X 1.00	0.00	\$6,547.95		861GL 07470.0135.0823
Proposed	11	647.61	X 1.00	0.00	\$647.61		875 GL 07470.0135.0824
Port Douglas Water sub - total					\$7,195.56		
SEWERAGE							
Existing	5	3,806.13	X 1.00	0.00	\$3,806.13		885 GL 07480.0135.0823
Proposed	5	314.84	X 1.00	0.00	\$314.84		891 GL 07480.0135.0824
Pt D Portions 10% Sewerage sub - total					\$4,120.97		
OPEN SPACE							
Off-Site Car Parking	DSC Area				\$0.00		894 GL 07230.0135.0825
	0.00				\$0.00		
TOTAL					\$11,316.53		

Prepared by	Neil Beck	on	22-Apr-15	Amount Paid	
Checked by	J Elphinstone	on	23-Apr-15	Date Paid	
Date Payable					
Amendments		Date		Cashier	

Note:

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

Charge rates are subject to index adjustments (QLD Road & Bridge Index, ABS data as per SPA). The total charge amount indicated on this notice is current at the date of issue. The total charge due at the date of payment must reflect the current indexed value. Please contact the Development & Environment Douglas Shire Council prior to payment for review.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

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7 May 2015

Mr & Mrs Andrew & Sally Viola
C/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Dear Sir/Madam

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
53 ENDEAVOUR 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.

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 and Environment at Council for review of the charge amount prior to payment.

These charges are payable prior to the issue of a Compliance Certificate for the Plan of Subdivision.

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 Neil Beck of Development and Environment on telephone number 4099 9451.

Yours faithfully

Paul Hoyer
General Manager Operations

Att

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