

YOUR REF: J000266:WAKS:SR
OUR REF: MCUC 765/2015 (452889)

16 April 2015

Waks Developments Pty Ltd
C/- Gilvear Planning Pty Ltd
PO Box 228
BABINDA QLD 4861

Attention: Ms Sera Rohan

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 27 OWEN STREET, CRAIGLIE**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 16 April 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.

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

Donna Graham
Manager Development & Environment

Att

APPLICANT DETAILS

Waks Developments Pty Ltd
PO Box 563
PORT DOUGLAS QLD 4877

ADDRESS

27 Owen Street, Craiglie

REAL PROPERTY DESCRIPTION

Lot 102 on SP256262

PROPOSAL

Service Industry

DECISION

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

DECISION DATE

16 April 2015

TYPE

Material Change of Use (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Building 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
Site Plan	Lot 102 Site Layout Plan Sheet SK1 Revision C prepared by RECS Consulting Engineers and Designers	Received 2 April 2015
Front Elevation Rear Elevation	Quote 00001826 Shed 10a 8.8x17 - 4.25 bays prepared by Sunsteel Buildings	Received 2 April 2015
Left Elevation Right Elevation	Quote 00001826 Shed 10a 8.8x17 - 4.25 bays prepared by Sunsteel Buildings	Received 2 April 2015
Plan	Quote 00001826 Shed 10a 8.8x17 - 4.25 bays prepared by Sunsteel Buildings	Received 2 April 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 Commencement of Use, except where specified otherwise in these conditions of approval.

Damage to Infrastructure

3. 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 by Water & Waste at no cost to Council.

Vehicle Parking

4. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of four (4) spaces. 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 maneuvering areas must be imperviously sealed, drained and line marked.

Protection of Landscaped Areas from Parking

5. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Access Works

6. Undertake the following access works:
 - a. Provide concrete crossover(s) and apron(s) at the entrance to Lot 102 in accordance with *FNQROC Development Manual Standard Drawing S1015*. A copy is attached at Appendix 2.

Storage of Machinery and Plant

7. 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

8. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:
 - a. Deep planting of setback areas;
 - b. Species to have regard to Council's Planning Scheme Policy No 7 Landscaping.
 - c. Inclusion of 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 Commencement of Use. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Lawful Point of Discharge

9. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Sediment and Erosion Control

10. 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*).

Ponding and/or Concentration of Stormwater

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

Refuse Storage

12. Refuse storage is required to service the site in accordance with Council requirements. Brochures on these requirements – ‘Requirements for Refuse Storage’ are available from Council.

Advertising Signage

13. All signage associated with the use must be approved by the Chief Executive Officer. The signage must comply with the Design and Siting of Advertising Devices Code contained within the Douglas Shire Planning Scheme and plans detailing the signage must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works or Commencement of Use, whichever occurs first.

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 section 339 and section 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 potential cyclone warning 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 relevant Local Laws and statutory requirements.
4. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdiq.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .
5. The site is located within a pest quarantine area declared under section 4(1) of the *Plant Protection (Electric Ant) Quarantine Notice 2006*. The *Plant Protection (Electric Ant) Quarantine Notice 2006* places restrictions on the movement of electric ants and ‘high risk items’ within and out of the pest quarantine area and places certain obligations and restrictions on land owners within the quarantine area. For further information on the *Plant Protection (Electric Ant) Quarantine Notice 2006* consult the Department of Agriculture & Fisheries. Further information is also available at the following website: <https://www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/electric-ants>

LAND USE DEFINITIONS

In accordance with Douglas Shire Planning Scheme the approved land use of Service Industry is defined as:

Service Industry

Means any premises used, or intended to be used for trades and services that cater to the tourist and marine activities in Port Douglas. This includes the manufacturing of goods on the premises, depots for receiving goods to be serviced and any administration and minor sales functions associated with the use, where these are carried out on the same Site and are ancillary to the Service Industry activity. Service Industry uses are limited to uses, which are allied to tourist and marine activities in Port Douglas.

The term may include but is not limited to the following activities:

- *Limousine/bus depot;*
- *Cleaning or detailing of motor vehicles;*
- *Catering business;*
- *Servicing of small items and appliances such as:*
 - *Bicycles;*
 - *Cameras;*
 - *Electrical appliances for domestic or office use; and*
 - *Marine equipment;*
- *Printing;*
- *Fishing gear manufacturing;*
- *Marine engineering;*
- *Bulk storage and ancillary sales of:*
 - *Indoor/Outdoor furniture;*
 - *Hardware supplies;*
 - *Raw materials;*
 - *Plants and Landscaping supplies;*

Any off-Site effects do not cause any detriment to the amenity of the area. In particular, the noise levels generated, any dust, fumes, odours or other emissions produced from the Site, the appearance of the Site and any traffic generated by the activities on the Site must be managed so as not to cause detriment to adjoining Sites.

*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

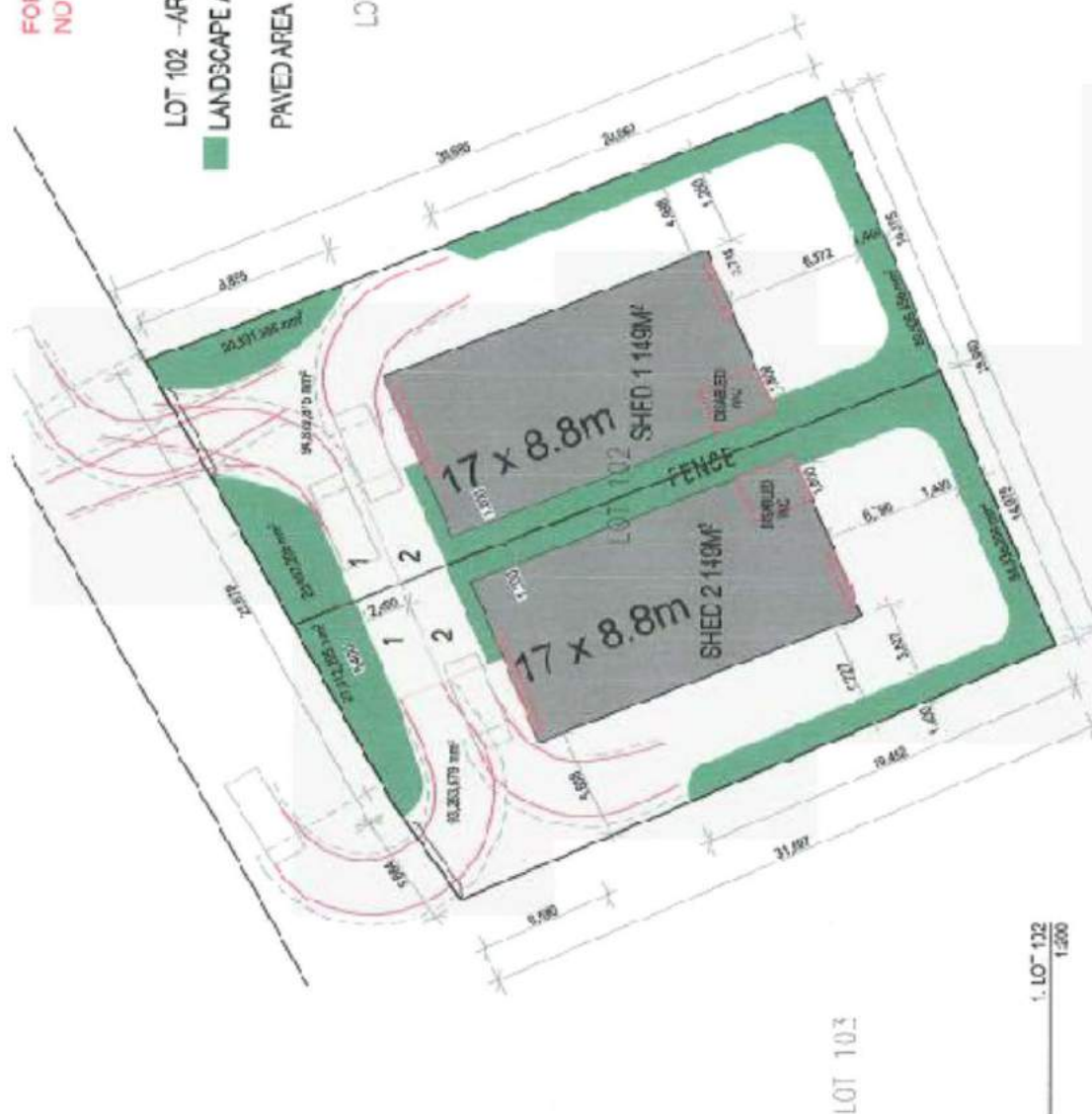
End of Decision Notice

FOR DEVELOPMENT APPROVAL ONLY
NOT FOR CONSTRUCTION

LOT 102 --AREA 1194m²
LANDSCAPE AREA 20% 238m²

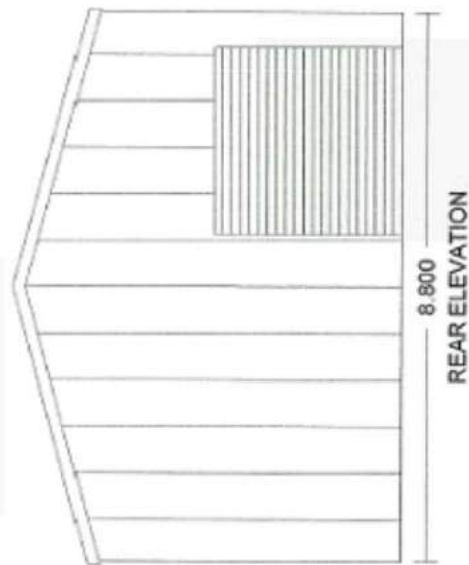
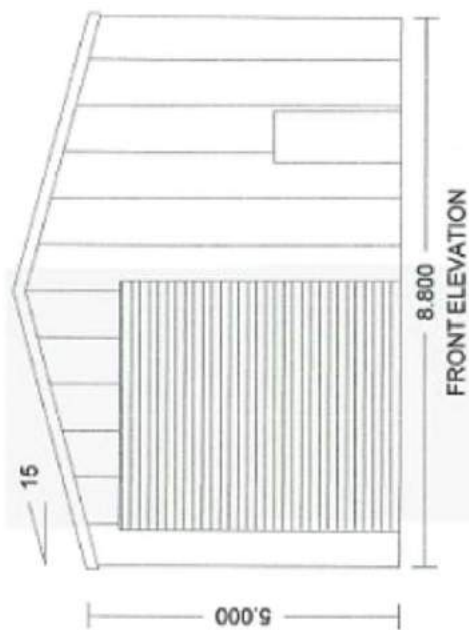
PAVED AREA 187m²

101-07



① $\frac{1.10^{-122}}{1200}$

[illegible]



Plans Drawn By

Sunsteel Buildings

37A Gordon Street, Bowen QLD 4805

Ph: 07 4786 6007 Fax: 07 4786 6300

Email: sunsteelbuild@bigpond.com

For Customer

Proposed Project: Shed 10a 8.8x17 - 4.25 bays

Client: TVR Constructions Trevor Woodward

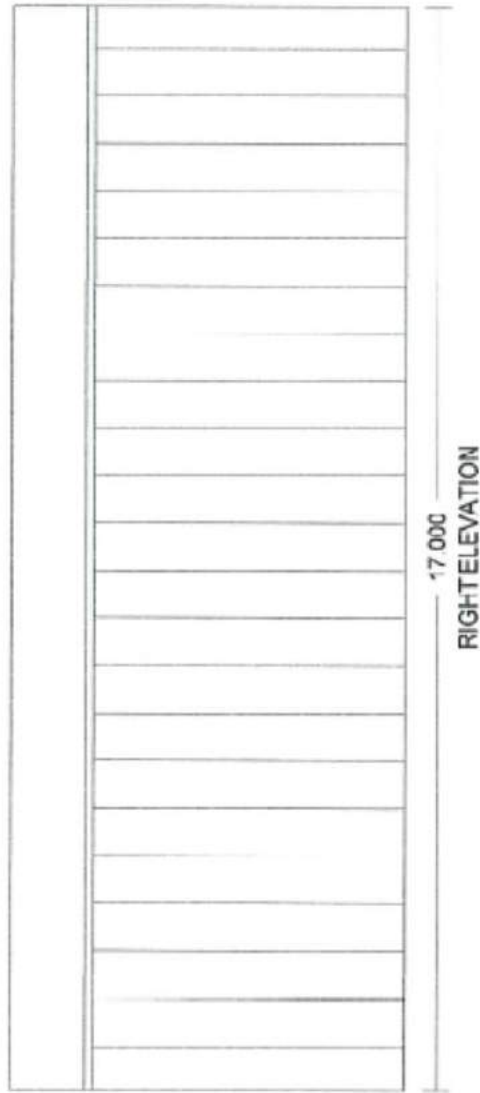
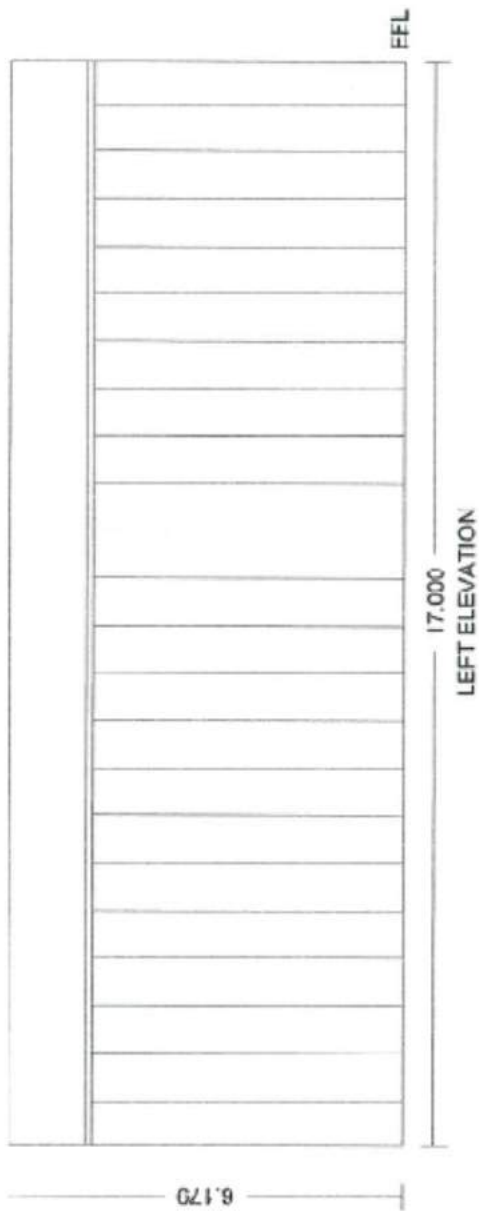
Site: PO Box 857 PORT DOUGLAS

to be in accordance with Accompanying Engineers Details

Architectural Drawings

Quote: 00001826

Drawing: Draft



Plans Drawn By

Sunsteel Buildings

37A Gordon Street, Bowen QLD 4803

PH: 07 4795 8007 Fax: 07 47866308

Email: sunsteelbuildings@optusnet.com.au

For Customer

Proposed Project: Shed 10a 8.8x17 - 4.25 bays

Client: TVR Constructions Trevor Woodward

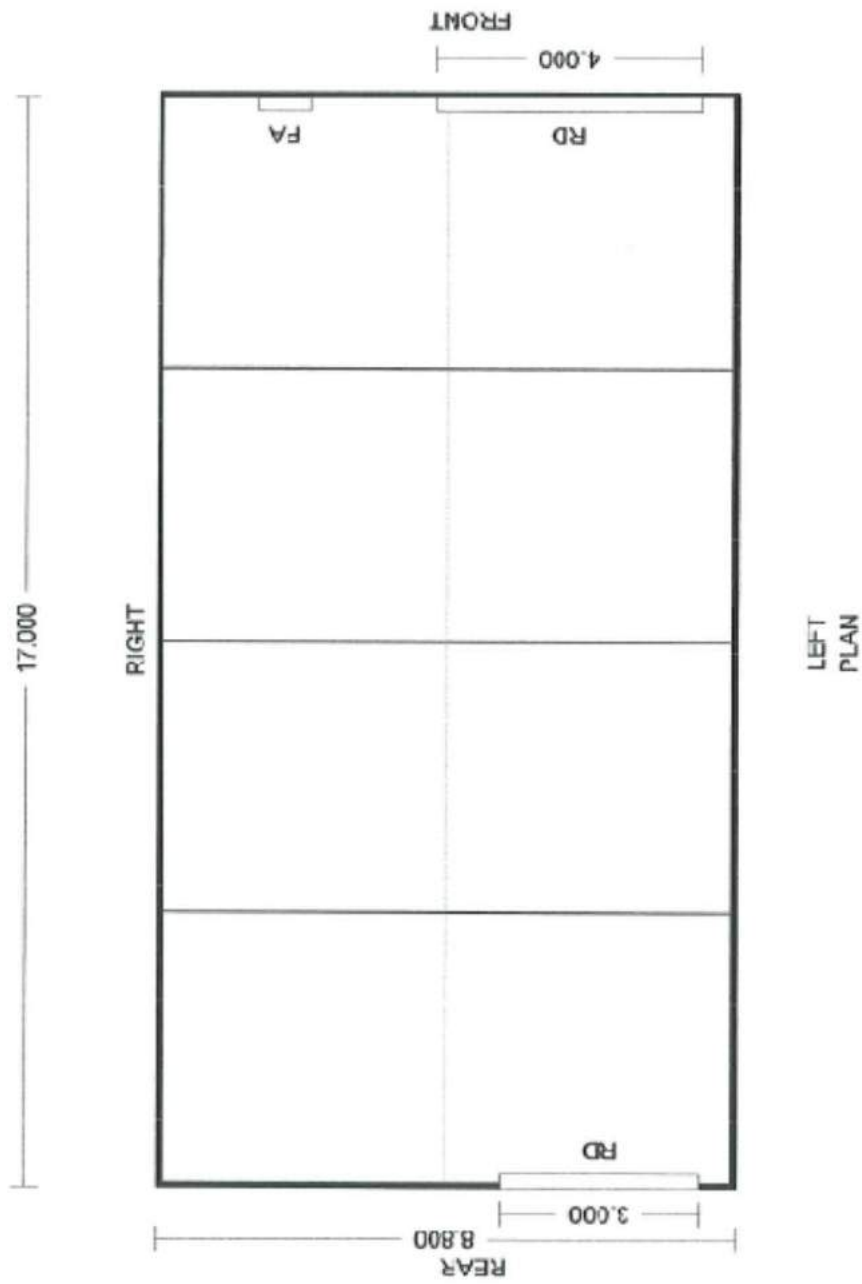
Site: PO Box 657 PORT DOUGLAS

OK TO BE IT ACCORDANCE WITH APPROPRIATE ENGINEERING LISTS

Architectural Drawings

Quote: 80001826

Drawing: Draft



Plans Drawn By

Sunsteel Buildings

37A Budden Street, Bowen QLD 4600

PH: 07 4786 0307 FAX: 07 4786 6300

Email: sunsteelbldg@bigpond.com

For Customer

Proposed Project: Shear 10m x 8m x 7 - 4 25 bays

Client: TVR Constructions Trevor Woodward

Site: PO Box 857 PORT DOUGLAS

all To Be in accordance with accompanying engineers details

Architectural Drawings

Quanta: 00001925

Drawing: Draft

APPENDIX 2: FNQROC DEVELOPMENT MANUAL STANDARD DRAWING S1015

