

YOUR REF: 69, 71-73 Murphy St, Pt Douglas
OUR REF: MCUI 2688/2008 (D#802373)

25 January 2017

Mr Roger Allen
C/- Mi Corp Property
PO Box 7777
CAIRNS QLD 4870

Attention: Ms Sarah Mort

Dear Madam

**REQUEST TO EXTEND PERIOD OF APPROVAL
FOR DEVELOPMENT PERMIT
69 AND 71-73 MURPHY STREET PORT DOUGLAS**

In accordance with sections 387, 388 and 389 of the *Sustainable Planning Act 2009*, please be advised that at the Council's Ordinary Meeting held on 24 January 2017 Council resolved to extend the Period of Approval for two (2) years, up to and including 4 February 2019, subject to the conditions contained within the Court Judgement dated 4 February 2013 for Planning and Environment Court (Cairns) Appeal Number 110 of 2011 (copy attached).

This notice also includes an Infrastructure Charges Notice issued in accordance with sections 626, 630 and 635 of the *Sustainable Planning Act 2009*.

Please be advised that Council also resolved as follows.

1. *An Infrastructure Charges Notice is issued in respect to the development and requested extension in accordance with the Sustainable Planning Act 2009; and*
2. *The 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 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 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.

To clarify the indexing, please note at this point in time Council has resolved not to index the charges.

Should you require further information or assistance, please contact Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9482.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att

In the Planning and Environment Court
Held at: Cairns

Number 110 of 2011

Between:

Jonathon Long

Appellant

And

State of Queensland - Douglas Iconic Panel

Respondent

And

Brandwill Holdings Pty Ltd ACN 106 063 432 and Roger Allen

First Co-Respondent

And

Cairns Regional Council

Second Co-Respondent

JUDGMENT

Before: His Honour Judge Everson

Date of hearing: 4 February 2013

Date of judgment/order: 4 February 2013

IT IS ADJUDGED BY CONSENT THAT:

1. The appeal be allowed in part, and that the development application for preliminary approval to override a superseded planning scheme and a development permit for material change of use for six multiple dwellings (residential) (impact assessable) on land described as Lot 2 on RP724386 and Lot 516 on PTD2094, located at 69-71 Murphy Street, Port Douglas be approved subject to the conditions of approval contained in the schedule constituting pages 2 - 15 of this order.

Filed on - 4 FEB 2013

Filed by: Miller Harris Lawyers
Service address: Level 8 Cairns Corporate Tower
15 Lake Street, Cairns QLD 4870
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Registrar



Judgment / Order

Filed on behalf of the Appellant
Form No. PEC-7

Miller Harris Lawyers

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Our ref: NWH:2110795

Sustainable Planning Act 2009

Version 1

April 2010

SCHEDULE

This is a preliminary approval overriding the superseded planning scheme and a development permit for a material change of use for six (6) multiple dwellings (residential) (impact assessment) on land at 69-71 Murphy Street, Port Douglas, more particularly described as Lot 515 on PTD2094 and Lot 2 on RP724386.

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

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

Drawing or Document	Reference	Plot Date
Site and Development Plans	Wolveridge Architects P01 Site Context revision F as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P02 Basement Plan revision G as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P03 Lower Ground Floor Plan revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P04 Upper Ground Floor Plan revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P05 Elevations revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P06 Elevations revision H as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P07 Sections revision G as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P08 Section A1 revision C as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P09 Sections revision G as amended by these	31.08.2012

	conditions of approval	
	Wolveridge Architects P10 Sections revision B as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P11 GFA Lower Ground revision D as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P12 GFA Upper Ground revision D as amended by these conditions of approval	31.08.2012
	Wolveridge Architects P13 Site Coverage revision C as amended by these conditions of approval	31.08.2012
Geotechnical Reports	Joint Expert Report on Geotechnical Issues No. 1 as amended by these conditions of approval	13 July 2012
	Joint Expert Report on Geotechnical Issues No. 2 as amended by these conditions of approval	11 October 2012
Landscaping Plan	To be determined as per these conditions of approval	To be determined as per these conditions of approval

Conditions of Approval

1. The applicant/owner must at all times during development of the subject land carry out the development and construction of any building thereon and conduct the approved use(s) generally in accordance with:
 - a. The plans, specifications, facts and circumstances as set out in the application submitted to Council and modified by the site and development plans listed in the table of approved drawings and/or documents and further amended in accordance with condition 3 of this approval; and
 - b. the following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual;

except as further 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.

Amended plans/drawings to be submitted

3. Amended plans and drawings are to be submitted to the Cairns Regional Council's Chief Executive Officer which are generally in accordance with the approved drawings and/or documents but with the following amendments:
 - a. Where not encumbered by the existing quarry face and where physically possible provide a six metre landscaped setback to the Esplanade;
 - b. A landscaped setback from the property boundary of at least 0.5 metres to the entire frontage of Murphy Street;
 - c. A reduction in the width and expanse of the driveway area on the land, to an area and turning path required by Australian Standard AS2890.1 2004 ;
 - d. Deletion of paving to Murphy Street;
 - e. Provision of fixed screens on balconies and windows to inhibit overlooking of habitable rooms on the neighbouring residential properties;
 - f. Nomination on the approved elevations of all external building finishes and colours, for approval by Council. The colours must be non-reflective and blend with the natural colours of the surrounding environment. Roofs and structures (including any Water Tanks) must be shades of green, grey, blue or brown;
 - g. any consequential amendments to the approved plans and drawings as a result of the Revised Geotechnical Report required by Condition 16. These amendments, must be clearly detailed and annotated by the applicant in amended plans for approval; and
 - h. any revised Landscaping Plan required by condition 30.

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

Air-Conditioning Screens

4. The location of any air-conditioning units located above ground level and visible from external properties, Murphy Street or the Esplanade are to be identified and are to be screened with materials approved by Cairns Regional Council's Chief Executive Officer in order to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Lockable Storage

5. 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.

Limitations on Balcony Screening

6. Street frontage balconies are not to be screened by shutters, glazing, louvers or similar permanent structures to a greater extent than twenty-five per cent of their horizontal dimension.

Water Supply Contribution

7. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of water supply infrastructure.

Contributions must be paid at the rates applicable at the time of payment. On the present method of calculation, the contributions are \$32,411.06 (4.8 EDUs).

Payment is required prior to the Commencement of Use or application for a Certificate of Compliance for the approval and dating of the Building Format Plan, whichever occurs first.

Wastewater Contributions

8. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of sewerage infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$18,166.63 (4.8 EDUs).

Payment is required prior to the Commencement of Use or application for a Certificate of Compliance for the approval and dating of the Building Format Plan, whichever occurs first.

External Works

9. Undertake the following works external to the land at no cost to Council:

- a. Design and construct access to the site by either:

- i. the extension of the Esplanade Road;

OR

- ii. the road opening through Julian Park, in accordance with the requirements of Department of Natural Resources and Mines should it be approved.

The construction of the access to the site shall be to a standard of an access street standard in accordance with Council's FNQROC Development Manual. The applicant shall ensure there is adequate signage in accordance with Manual of Uniform Traffic Control Devices (MUTCD) and a turn around facility provided in accordance with the requirements outlined in Council's

Development Manual (FNQROC), unless authorised by the Cairns Regional Council's Chief Executive Officer.

- b. The Applicant shall make provision for the collection of refuse by a standard garbage truck in accordance with section D1.12 of FNQROC;
- c. Make good the kerb(s) at redundant crossover(s); and
- d. Upgrade the street lighting for the road providing access to the site to comply with requirement of the FNQROC Development Manual.

The external works outlined above require Operational Works approval from Council. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Cairns Regional Council's Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Street Lighting

- 10. All electricity lines along the Esplanade frontage of the subject site are to be placed underground. Such works are to be undertaken by Ergon Energy or an Ergon Energy approved contractor at the applicant's expense.

Street lighting along the Esplanade frontage is to be upgraded to the applicable Lighting Category and lighting columns are to be of steel construction. Note street lighting along any access road to the development contained within a road reserve.

Ergon Energy must be notified of these requirements when making application for power supply.

All works must be completed prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Lawful Point of Discharge

- 11. 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 Cairns Regional Council's Chief Executive Officer.

Sediment and Erosion Control

- 12. 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).

Drainage Study of Site

13. Undertake a local drainage study of the site to determine the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:
 - a. The contributing catchment boundaries;
 - b. The extent of the 100 year ARI flood event in relation to the site both pre and post development.
 - c. Primary and secondary flow paths for the 5, 20, 50 and 100 year ARI flood events;
 - d. Identify any requirement for drainage easements;
 - e. Identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the entire development;
 - f. Information on the proposed works and any impacts proposed at the drainage outlets from the proposed development; and
 - g. Lawful point of discharge.

The study must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work with the necessary works being undertaken prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

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.

Structural Certification

15. All retaining walls or structures higher than one (1) metre must be structurally certified prior to the issue of a Development Permit for Building Work.

Where the profile or height of the wall is redesigned during structural certification, amended plans must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Revised Geotechnical Report

16. The applicant must provide a Revised Geotechnical assessment of the site specifically considering and commenting on the following:
 - a. Cut Batter fronting Murphy St:
 - i. The global stability of the site must be shown to be stable by a suitably qualified and experienced geotechnical engineer (RPEQ)

when considering the stabilisation measures proposed in the amended application;

- ii. The design parameters, philosophy and adequacy of the proposed retaining structure along the entire length of the northern boundary of the site (fronting Murphy Street); and
- iii. The design and construction shall be of sufficient strength such that Murphy Street, adjacent to the property, could be traversed by a single car or local traffic.

b. Lower Fill Batter & Access Driveway Embankment:

- i. Stabilisation measures that will be undertaken as part of this development to ensure the stability of the lower batter which has been previously identified as "marginally" stable by the Golders Report (2001); and
- ii. The stability of the lower fill batter to be re-assessed in consideration of the loading imposed by the driveway embankment and stabilisation measures required by a suitably qualified and experienced geotechnical engineer (RPEQ);

c. Cut Along Boundary with 67 Murphy St

- i. The global stability of the site must be shown to be stable by a suitably qualified and experienced geotechnical engineer (RPEQ) when considering the stabilisation measures proposed in the amended application;
- ii. The design parameters, philosophy and adequacy of the proposed retaining structure along the entire length of the boundary with 67 Murphy Street.

d. Access Driveway:

- i. The design of the proposed access driveway includes a fill retaining structure and an outer footing located at the crest of the fill batter. The existing crest of the fill batter is composed of uncontrolled fill. The outer footing of the driveway structure must be founded at natural ground level, below that of the existing fill or as directed by the finding of the Amended Geotechnical Report; and
- ii. The foundations of the proposed gabion structures must be founded at natural ground level below any existing uncontrolled fill, or as directed by the findings of the Amended Geotechnical Report.

The revised Geotechnical Assessment is required to be completed and a revised set of drawings certified as being in accordance with the requirements of the Revised Geotechnical Assessment prior to the issue of a Development Permit for Operational Work or Development Permit for Building Works, whichever occurs first.

The revised geotechnical assessment of the site in conjunction with the retaining wall design must be carried out by a qualified and experienced geotechnical consultant, and the design must be amended to incorporate recommendations made. The revised geotechnical report and details of any amendments to design must be endorsed by the Cairns Regional Council Chief Executive Officer prior to issue of the Development Permit for Building Works.

Drainage Easement

17. Create a Drainage Easement having a minimum width of 3.0 metres along the entire length of L516 on PTD2094 in the location(s) shown on the proposal Plan No. K7775 P1, dated October 2009 and prepared by MMWC Consulting Engineers must be granted in favour of Council. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council.

The approved easement documents must be submitted at the same time as seeking approval and dating of the Building Format Plan and must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.

Geotechnical Assessment

18. All earthwork batters steeper than 1 in 2 and/or higher than 1.8 metres must be certified by a qualified Geotechnical Engineer prior to the Commencement of Use.

Water Supply and Sewerage Works Internal

19. Undertake the following water supply and sewerage works internal to the subject land:
 - i. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures; and
 - ii.
 - i. The applicant/owner must provide written acceptance to Water and Waste for ownership, as a private sewer, of the section of existing sewer within the site (i.e. MH1 to MH2 on B1a2a1);

OR

 - ii. The applicant/owner must decommission the existing sewer branch extending to Lot 2 on RP724386 (i.e. MH1 to MH2 on B1a2a1).

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 Cairns Regional Council's Chief

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

Three (3) copies of a plan of the works must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Damage to Infrastructure

20. In the event that any part of Council's existing sewer/water infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Water and Waste immediately of the affected infrastructure and have it repaired or replaced by Water and Waste, at the developers cost, prior to the Commencement of Use.

Water Saving

21. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to 9 litres of water per minute.

Vehicle Parking

22. The development must provide a minimum of nine (9) car parking spaces of which three (3) must be provided as visitor 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 manoeuvring areas must be imperviously sealed, drained and line marked.

Protection of Landscaped Areas from Parking

23. 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.

Lighting

24. 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.

Above Ground Transformer Cubicles/Electrical Sub-Stations

25. Any above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles/sub-stations to be setback from the street alignment behind a screen of

landscaping, or be incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Construction Access

26. Vehicular access to the site for construction and demolition purposes must be provided from the adjacent Esplanade only, unless authorised by the Cairns Regional Council's Chief Executive Officer.

Stockpiling and Transportation of Fill Material

27. Soil used for filling or spoil from the excavation 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.
28. 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

29. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Cairns Regional Council's Chief Executive Officer.

Landscaping Plan

30. The site must be landscaped in accordance with details included on a Revised Landscaping Plan. The Revised Landscaping Plan must show:
 - a. Deep planting of setback areas;
 - b. Plantings to give protection to western walls;
 - c. A weed management plan including the removal of the two (2) declared weeds present on the land: American Rat's Tail Grass *Sporobolus jacquemontii*; and Singapore Daisy *Sphagneticola trilobata*;
 - d. Delete the inclusion of *Cerbera manghas* Native Frangipani from the design as this is toxic and should not be used;
 - e. Revegetation of the Esplanade adjacent to the land, in any areas disturbed by the construction of the access driveway, with inclusion of plant species that provide a suitable buffer and stability within five (5)

years of initial establishment. Otherwise, no proposed revegetation works to the Esplanade or Julian Park;

- f. Species to be planted in drainage areas and in adjacent areas must be suitable and not obstruct drainage flows;
- g. Inclusion of a three (3) metre wide landscaping buffer on the land to screen the driveway and garages;
- h. Inclusion of landscaping to the southern boundary that provides a suitable buffer and stability within five (5) years of initial establishment;
- i. Inclusion of any other relevant changes required by the 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 Cairns Regional Council's 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 first. Landscaped areas must be maintained at all times to the satisfaction of the Cairns Regional Council's Chief Executive Officer.

Vegetation Clearing

- 31. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of access driveways, the installation of services and buildings and works as detailed on the approved plans. Any further clearing requires compliance with the Planning Scheme 2012 Vegetation Management Amendment

Vegetation to be retained is to be identified and adequately fenced off for protection purposes prior to construction work commencing on the site. Trees to be retained should be identified and protected in accordance with AS 4970-2009 Protection of trees on development sites.

Wildlife

- 32. Prior to the removal of any tree and/or vegetation an inspection must be carried out for any signs of native wildlife. Should any native wildlife activity be identified, tree removal or clearing must not occur until the animal has vacated the area of immediate danger. Department of Environment and Heritage Protection should be contacted for advice if the animal does not move from the area of danger. Trees and/or vegetation that contain nesting native birds, dens or roosting sites of native animals are not to be removed while the tree and/or vegetation is in use as per the requirements of section 332 of the *Nature Conservation (Wildlife Management) Regulation 2006* and Sect 88C of the *Nature Conservation Act 1992* without the appropriate approvals from the Department of Environment and Heritage Protection.

Notification of Vegetation Clearing

33. Council's Development Assessment Branch must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing.

Parkland Protection

34. With the exception of the driveway access any common boundaries with Council Esplanade and drainage easements must be temporarily delineated and fenced off to restrict building access for the duration of construction activity.

Screen Fence

35. Where physically possible a screen fence must be provided to the side and rear boundaries of the subject land, to the satisfaction of the Cairns Regional Council's Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.

Street Fencing

36. Any proposed fences and/or walls to any road frontage are to be limited to the following:
 - a. 1.2 metres in height if solid; or
 - b. 1.5 metres in height if at least 25% visually transparent; or
 - c. 1.8 metres in height if at least 50% visually transparent.

Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Cairns Regional Council's Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Combined Height of Fencing / Retaining Walls

37. The combined height of any retaining wall and fence to a property boundary to Murphy Street, The Esplanade and/or the properties adjoining the subject land must not exceed 2.5 metres in height above the immediately adjoining ground level in Murphy Street, the Esplanade and/or the properties adjoining the subject land as the case may be.

Finished Retaining Wall Colour

38. Any exposed retaining wall must be constructed of materials and/or finished in colours, which blend with the surrounding natural environment.

Refuse Storage

39. Refuse storage is required to service the site in accordance with Council requirements. Brochures on these requirements – "Requirements for Refuse Storage" are available from Cairns Water and Waste.
40. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Details of Development Signage

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

Construction Signage

42. 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.

Crime Prevention Through Environmental Design

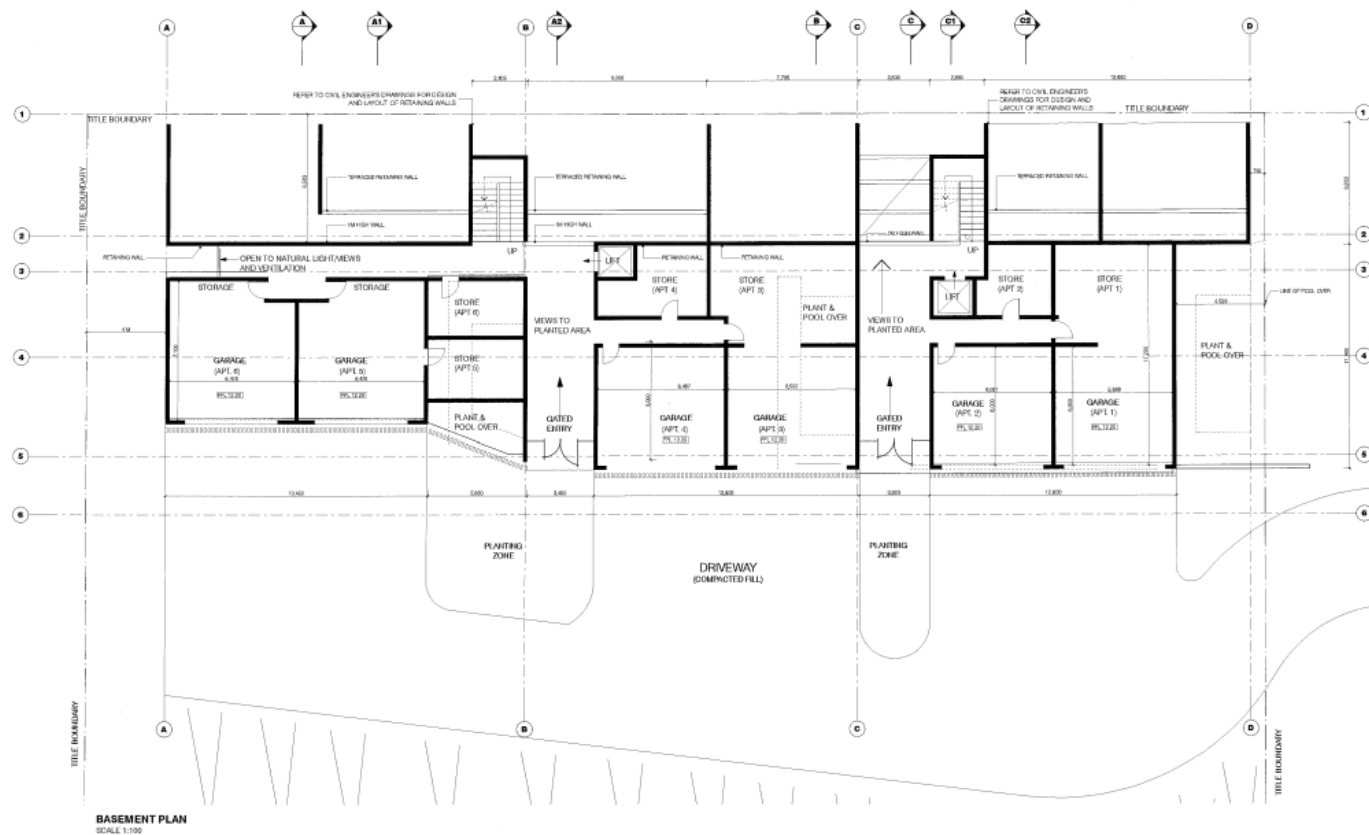
43. All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).
44. Noise from air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Cairns Regional Council's Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8, Part 3B of the *Environmental Protection Act 1994*.
45. Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004.

Amalgamation Required

46. The applicant/owner is responsible for the reconfiguration (amalgamation) of Lot 2 on RP724386 and Lot 516 on PTD2094 into one (1) lot. The Plan of Survey must be registered with the Department of Natural Resources and Mines at the applicant's/owner's cost prior to Commencement of Use.

Advice

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four years from the day the approval takes effect in accordance with the provisions of Section 802 of the *Sustainable Planning Act 2009* and 3.5.21 of the *Integrated Planning Act 2007*.
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.
4. Headwork contribution calculations are attached as Appendix 3. Please note that the contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.
5. Supporting documentation outlining the required information for the Dewatering Report is attached to this Development Approval. Further information can be obtained from Council's Environmental Protection Unit on (07) 4044 3044.
6. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdp.qld.gov.au. To access Council's Development Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.



BASMENT PLAN
SCALE: 1:100



GENERAL NOTES

All work shall comply with the requirements of the Building Act 1975 and the Building Regulations 1993, as amended, and the requirements of the Local Authority, the National Construction Code (NCC) and the relevant Australian Standards.

Where a specific standard is not stated, the designer's specifications and drawings shall be taken as compliance with the relevant Australian Standard.

The drawing shall be used in conjunction with associated specifications, schedules and other documents, which are provided as part of the contract.

Do not make any alterations, additions or deletions to the drawing without the written approval of the designer.

For the purposes of this drawing, the designer's specifications and drawings shall be taken as compliance with the relevant Australian Standard.

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PLANNING PERMIT

NOTICE OF INTENTION	DATE
1. FOR REVIEW	28.07.11
2. FOR REVIEW	28.07.11
3. FOR REVIEW	28.07.11
4. FOR REVIEW	28.07.11
5. FOR REVIEW	28.07.11
6. FOR REVIEW	28.07.11
7. FOR REVIEW	28.07.11
8. FOR REVIEW	28.07.11
9. FOR REVIEW	28.07.11
10. FOR REVIEW	28.07.11

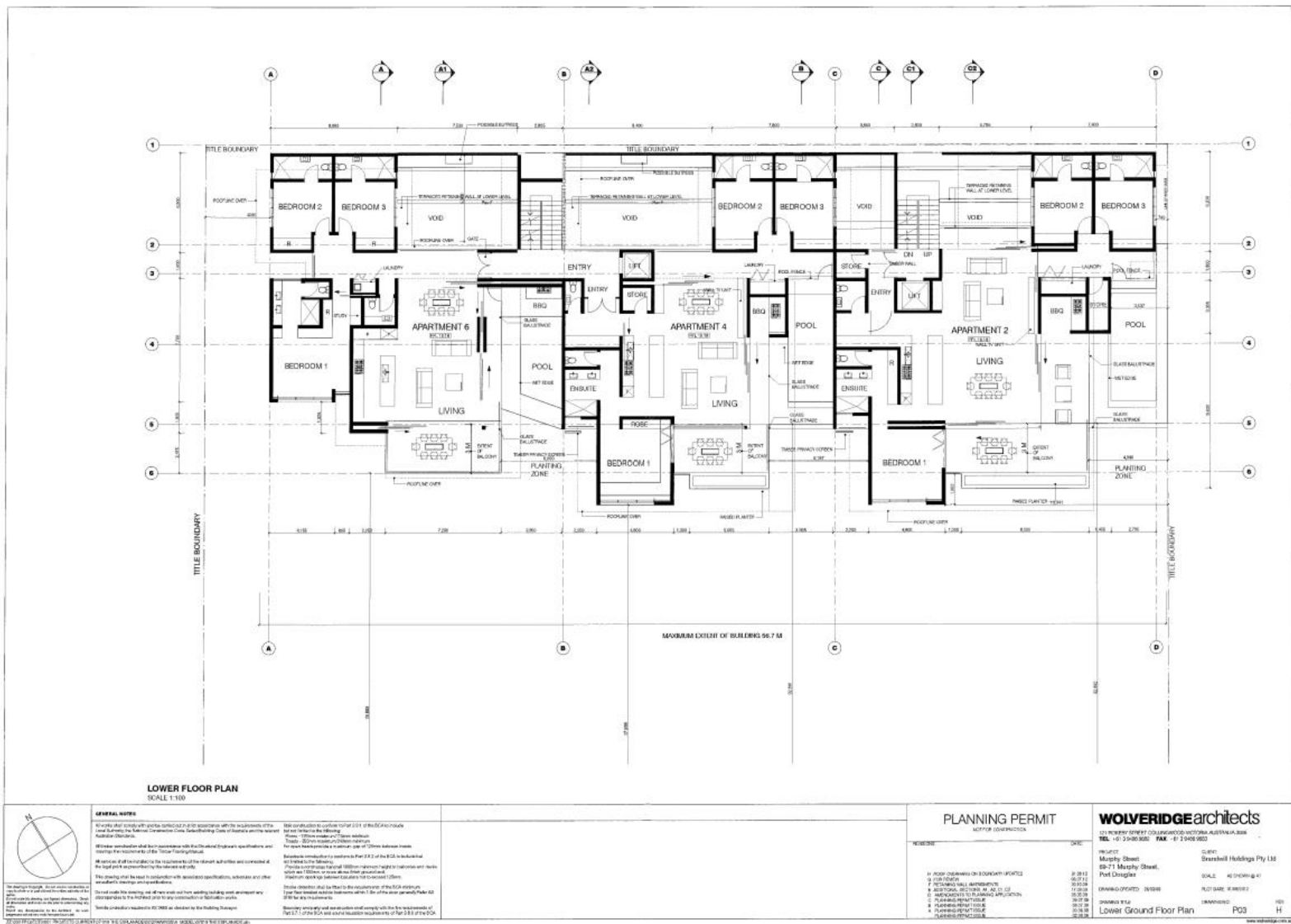
WOLVERIDGE architects

101 POWER STREET, MELBOURNE, AUSTRALIA 3000
TEL: +61 3 9598 9882 FAX: +61 3 9598 9883

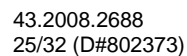
PROJECT: Murphy Street
69-71 Murphy Street,
Port Douglas

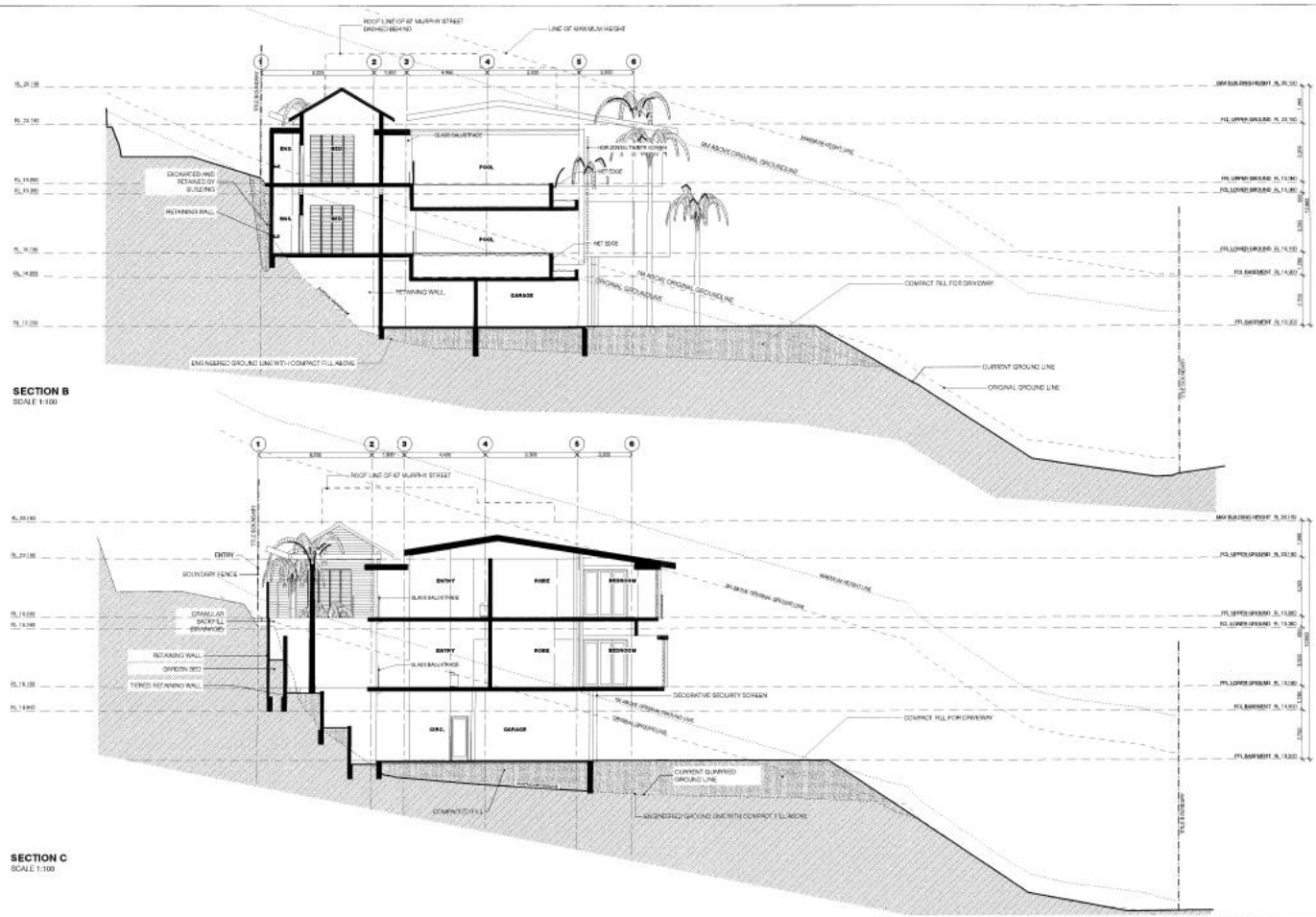
DESIGNED BY: DESIGN
DRAWING TITLE: Basement Plan
P02

CLIENT: Blandford Holdings Pty Ltd
SCALE: AS SHOWN ON PL
ALLOT DATE: 10/07/2011
DRAWING NO: P02
REV: G



43.2008.2688
20/32 (D#802373)





GENERAL NOTES

1. All work shall comply with the requirements of the Building Act 1993 and the Building Regulations 1993.

2. All work shall be done in accordance with the Australian Standard AS/NZS 1170:2002.

3. All work shall be done in accordance with the Australian Standard AS/NZS 1170:2002.

4. All work shall be done in accordance with the Australian Standard AS/NZS 1170:2002.

5. All work shall be done in accordance with the Australian Standard AS/NZS 1170:2002.

PLANNING PERMIT

NOT FOR CONSTRUCTION

1. The Planning Permit is issued for the purpose of the Building Act 1993.

2. The Planning Permit is issued for the purpose of the Building Act 1993.

3. The Planning Permit is issued for the purpose of the Building Act 1993.

4. The Planning Permit is issued for the purpose of the Building Act 1993.

5. The Planning Permit is issued for the purpose of the Building Act 1993.

WOLVERIDGE architects

12 ROSEBURY STREET COOMBERGEE AUSTRALIA 2355

PH: 08 9366 9888 FAX: 08 9366 9883

PROJECT: Murphy Street

CLIENT: Boardwalk Holdings Pty Ltd

SCALE: As Shown on Plan

DATE: 10/08/2008

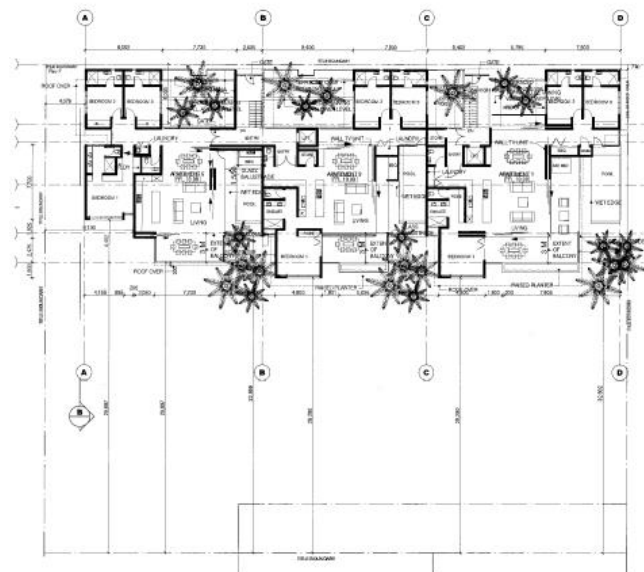
DRAWING NO: 43.2008.2688

DRAWING TITLE: Sections

PAGE: 009

REV: G

43.2008.2688
26/32 (D#802373)



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REVENUE	0
PLANNED PAYMENT 199.0	3
PLANNED PAYMENT 199.0	6
PLANNED PAYMENT 199.0	

121 ROBERT STREET, COLLEENAVOE, VICTORIA, AUSTRALIA 3008	
TEL: +61 3 9486 9852 FAX: +61 3 9486 9852	
PROJECT	CLIENT
Murphy Street	Brandwell Holdings Pty Ltd
65-71 Murphy Street,	
Port Douglas	SCALE: AS SHOWN AT
DRAWING CREATED: 20/03/08	PLOT DATE: 20/03/08
DRAWING TITLE	DRAWING NO.
Site Coverage	P13

YOUR REF: 69, 71-73 Murphy St, Pt Douglas
OUR REF: MCUI 2688/2008 (D#802373)

25 January 2017

Mr Roger Allen
C/- Mi Corp Property
PO Box 7777
CAIRNS QLD 4870

Attention: Ms Sarah Mort

Dear Madam

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
69 AND 71-73 MURPHY STREET PORT DOUGLAS**

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with sections 626, 630 and 635 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 in accordance with section 638 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 require further information or assistance, please contact Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9482.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Attch

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Roger Allen	0	0
DEVELOPERS NAME	ESTATE NAME	STAGE
69, 71-73 Murphy St	Port Douglas	L2 RP724386 L516 PTD2094
STREET No. & NAME	SUBURB	LOT & RP No.s
MCU Multiple Dwellings	MCUI 2688/2008	MCUI 2688/2008
DEVELOPMENT TYPE	COUNCIL FI	VALIDITY PERIOD (year)
800782	1	
DSC Reference Doc . No.	VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Rural Areas - Water Only					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
Urban Areas - Water only					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
Urban Areas - Water & Sewer					
proposed	6	11,473.71	68,842.26		
	0	0.00	0.00		
existing	2	14,342.13	28,684.26		
Total			40,158.00		
TOTAL			\$40,158.00		

Prepared by	J Elphinstone	10-Jan-17	Amount Paid	
Checked by	Neil Beck	12-Jan-17	Date Paid	
Date Payable			Receipt No.	
Amendments	Date		Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Section 630 of the *Sustainable Planning Act 2009 (SPA)* as from Council's resolution from the Special meeting held on 24 June 2015.

Charge rates under the current Policy are not 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

43.2008.2688

32/32 (D#802373)