DOUGLAS
SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

OUR REF: MCUI 1204/2015 (776343) SC

16 June 2016

Brisbane Congregation Of Jehovah's Witness Inc
17 Snapper Island Drive
WONGA BEACH QLD 4873

Attention: Mr Kevin Bowditch

Dear Sir

DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009: DEVELOPMENT APPLICATION FOR 80-82 ALCHERA DRIVE, MOSSMAN

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 15 June 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 Hoye
General Manager Operations
Att

43.2015.1204
1/25

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APPLICANT DETAILS
Brisbane Congregation Of Jehovah's Witness Inc
17 Snapper Island Drive
WONGA BEACH QLD 4873

ADDRESS
80-82 Alchera Drive, MOSSMAN

REAL PROPERTY DESCRIPTION
Lot 20 on RP745420

PROPOSAL
Extension to Place of Assembly

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

DECISION DATE
15 June 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
Compliance Assessment for Plumbing and Drainage 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
Site Plan	DA-01 issue C prepared by GDE with TMR Amendments	7 April 2016
Floor Plan	DA-03 issue B prepared by GDE	18 September 2015
Elevations	DA-04 issue B prepared by GDE	18 September 2015
Elevations	DA-05 issue B prepared by GDE	18 September 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 Council 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, including but not limited to mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost, prior to the Commencement of Use.

Protection of Landscaped Areas from Parking

4. 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.

External Works

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

   a. Construct the driveway access generally in accordance with drawing *Site Plan* DA-01 prepared by GDE dated 7 April 2016 with Department of Transport and Main Roads amendments, in accordance with the requirements of the Transport and Main Roads concurrence agency response, which includes the requirement for written approval to carry out road works that are road access works (including driveways) on a state-controlled road, under sections 62 and 33 of the Transport Infrastructure Act 1994.

Vehicle Parking

6. The amount of vehicle parking must be as specified in the approved plans (attached). 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 area must be imperviously sealed, drained and line marked.

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. Plantings to give protection to western walls.

   c. Species to have regard to Council's Planning Scheme Policy No.7 Landscaping.

   d. 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.

   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

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.

Drainage Study of Site

10. Undertake a local drainage study on the subject land to determine drainage impacts on downstream properties and the mitigation measures required to minimise such impacts. In particular, the post-development discharge of stormwater from the subject site must have no worsening effect on the drainage of upstream or downstream properties. The study must also identify the need and location of any drainage easements to convey stormwater to the lawful point of discharge.

    In addition, the drainage study must demonstrate the following:-

    a. How the proposed development is able to convey the stormwater run-off to a lawful point of discharge – as required by the principals of QUDM and the FNQROC Development Manual (D4.04 Cl.2);

    b. The size and extent of the existing stormwater infrastructure to adequately drain the site having regard to the principals of QUDM and the Council's FNQROC Development Manual (D4.04 Cl.4, 5 and 6).

    The drainage study, nomination of drainage infrastructure and supporting calculations must be submitted at the time of seeking a Development Permit for Operational Works. All drainage works must be implemented in accordance with the endorsed plan prior to Commencement of Use.

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.

Amplified Sound

12. The proposed development is not to utilise amplified music entertainment which constitutes a noise nuisance to neighbouring properties.

Lighting

13. 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, to minimise the potential for light spillage to cause nuisance to neighbours.

Hours of Operation

14. The approved use is only to occur between the hours of 7:00am and 6pm Monday to Friday, with the following exceptions;

    a. Wednesday 7:00pm-9:00pm

    b. Saturday 7:00am-12:00pm

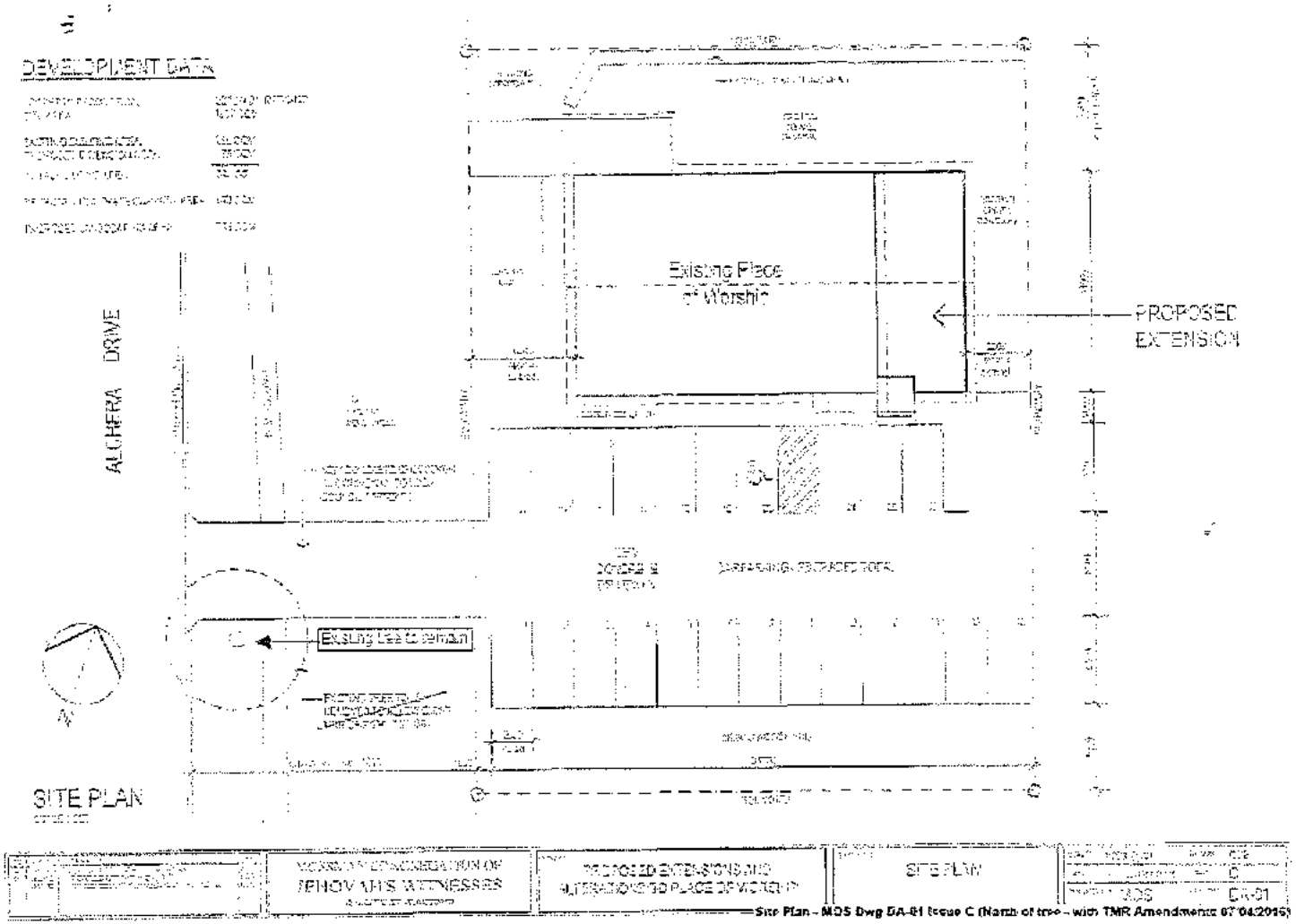
    c. Sunday 10:30am to 12:15pm

Should the facility require a temporary variation to the approved times specified above, for a specific event, written approval from the Chief Executive Officer is required prior to the commencement of the event.

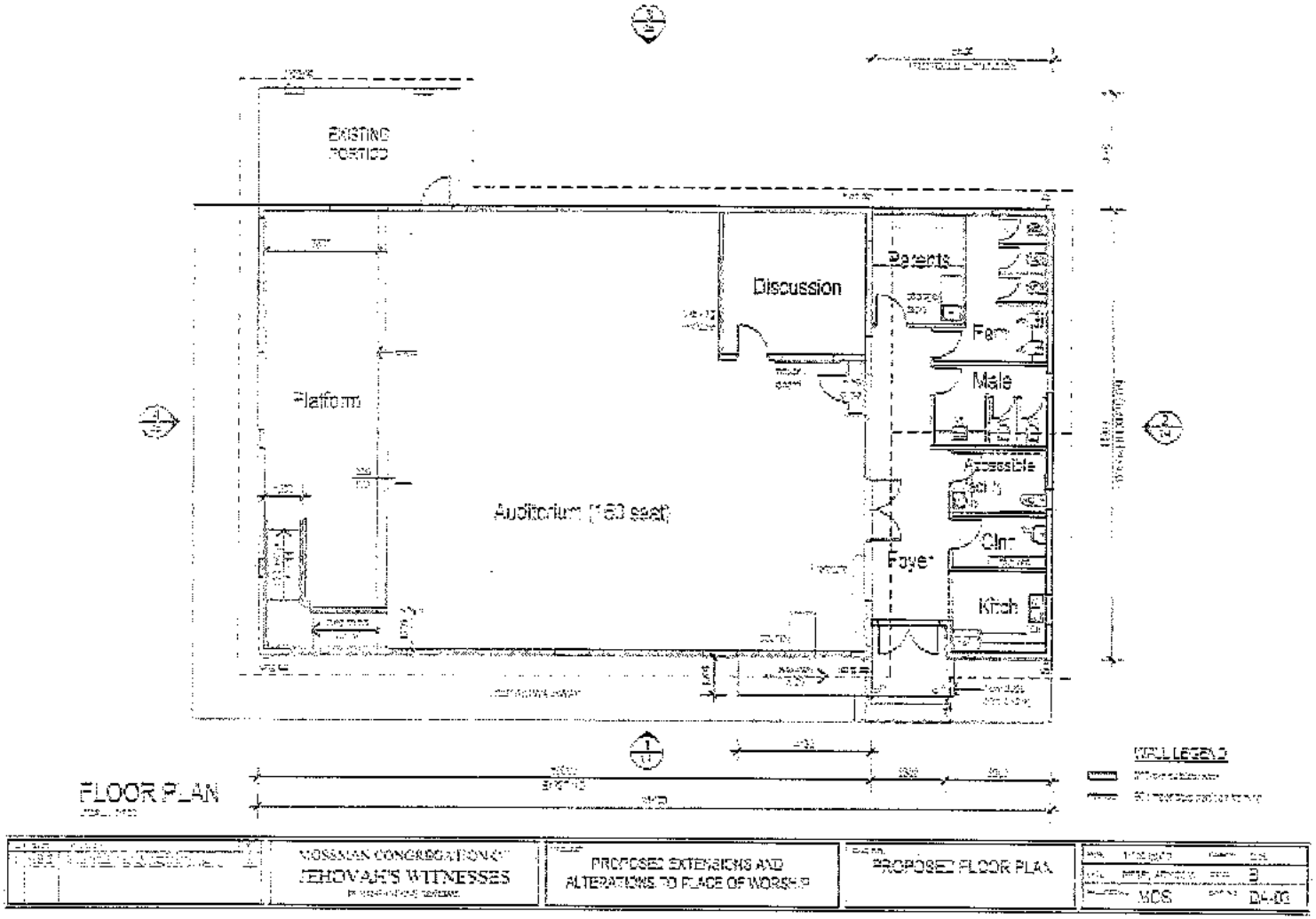
RIGHTS OF APPEAL
Attached

End of Decision Notice

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



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



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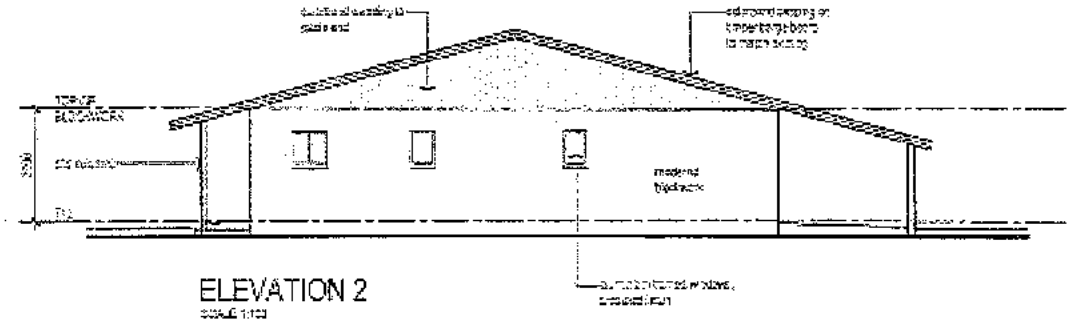
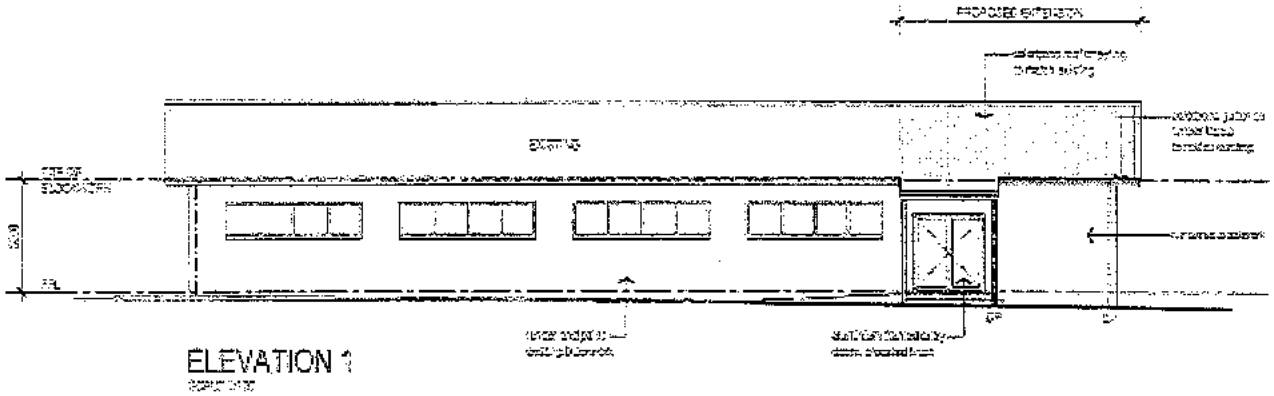
DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

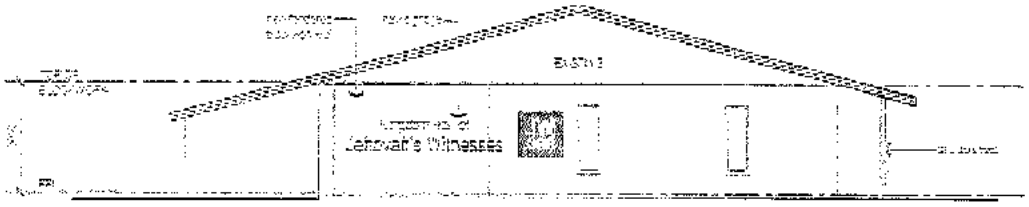




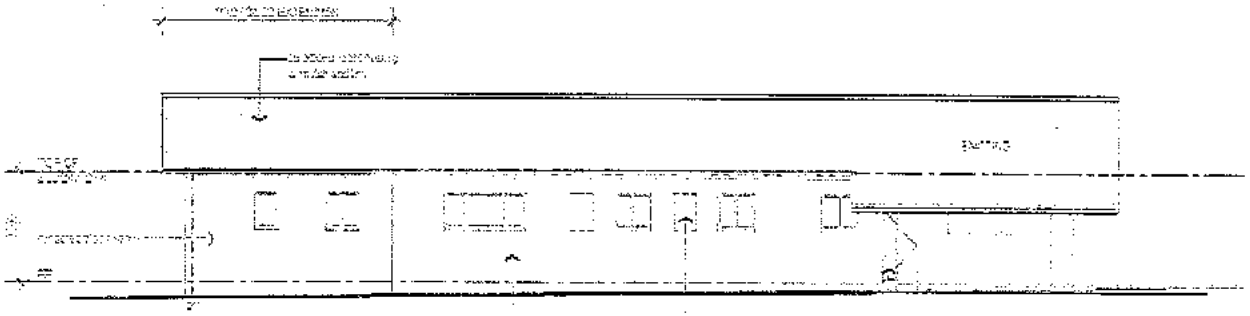
MOSMAN CONGREGATION OF JEHOVAH'S WITNESSES	PROPOSED EXTENSIONS AND ALTERATIONS TO PLACE OF WORSHIP	ELEVATIONS	MOS DA-08

43.2015.1204
9/25

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



ELEVATION 2



ELEVATION 3

	MOSSMAN CONGREGATION OF JEHOVAH'S WITNESSES	PROPOSED EXTENSIONS AND ALTERATIONS TO PLACE OF WORSHIP	ELEVATIONS

43.2015.1204
10/25

APPENDIX 2: REFERRAL AGENCY REQUIREMENTS

Queensland Government

Department of Infrastructure, Local Government and Planning

Our reference: SDA-0316-028570
Your reference:
Council reference: MCU 1204/2015

13 April 2016

Douglas Shire Council
PO Box 723
Mossman QLD 4873
enquiries@douglas.qld.gov.au

Attention: Daniel Lamond

Dear Sir/Madam

Concurrence agency response—with conditions
80-82 Alchera Road, Mossman, QLD 4873 – Lot 20 on RP745420
(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 18 March 2016.

Applicant details

Applicant name:	Brisbane Congregation of Jehovah's Witnesses
Applicant contact details:	17 Snapper Is Drive Wonga QLD 4873 KevinBowditch@Y7mail.com

Site details

Street address:	80-82 Alchera Road, Mossman, QLD 4873
Lot on plan:	Lot 20 on RP745420
Local government area:	Douglas Shire Council

Application details

Far North Queensland Regional Office
Ground Floor, Cairns Port Authority
PO Box 2358
Cairns QLD 4870

80A-0316-026576

Proposed development: Development Permit for Material Change of Use for Extension to Place of Assembly (Place of Worship)

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	Extension to Place of Assembly (Place of Worship).	Impact Assessment

Referral triggers

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

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

Conditions

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

Reasons for decision to impose conditions

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

Further advice

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

Approved plans and specifications

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

Drawing/Report Title	Prepared by	Date	Reference no.	Version / Issue
Aspect of development: Material change of use (Extension to Place of Assembly)				
Site Plan – Proposed Extension and Alterations to Place of Worship, amended in red	GDE	07/04/2016	DA-01	C
Proposed Floor Plan – Proposed Extensions and Alterations to Place of Worship	GDE	18/09/15	DA-03	B
Access Footprint (20A – 72.90km)	Queensland Government Transport and Main Roads	07/04/2016	275/20A (500-983)	A
TMR Layout Plan (20A – 72.91km)	Queensland Government Transport and Main Roads	07/04/2016	275/20A (500-983)	A
Commercial / Industrial Access	FNQROC	28/11/14	S1015	C

Crossovers				

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

For further information, please contact Tony Croke, Principal Planning Officer, SARA Far North QLD on 4037 3205, or email tony.croke@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Brett Nancarrow
Manager (Planning)

cc: Brisbane Congregation of Jehovah's Witnesses, KevinBowditch@Y7mail.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

Our reference: SDA-0316-028576
Your reference:
Council reference: MCU 1204/2015

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development permit – Material change of use (Extension to Place of Assembly)		
Schedule 7, Table 3, Item 1 – State-controlled roads—Pursuant to section 255D of the *Sustainable Planning Act 2009*, the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
In accordance with approved plans		
1.	The development must be carried out generally in accordance with the following plans: • Site Plan – Proposed Extensions and Alterations to Place of Worship prepared by GDE dated 18/09/15, Reference DA-01 and Revision C, as amended in red dated 07/04/2016. • Proposed Floor Plan – Proposed Extensions and Alterations to Place of Worship prepared by GDE dated 18/09/15, Reference DA-03 and Revision B. • Access Footprint (20A – 72.90km) prepared by Queensland Government Transport and Main Roads, dated 07/04/2016, File Ref: 275/20A (500-983) and Issue A. • TMR Layout Plan (20A – 72.91km) prepared by Queensland Government Transport and Main Roads, dated 07/04/2016, File Ref: 275/20A (500-983) and Issue A.	Prior to the commencement of use and to be maintained at all times.
Vehicular access to the state-controlled road		
2.	(a) The road access location, is to be located generally in accordance with the TMR Layout Plan (20A – 72.91km) prepared by Queensland Government Transport and Main Roads, dated 07/04/2016, File Ref: 275/20A (500-983) and Issue A. (b) Road access works comprising of a new five (5) metre sealed access, (at the road access location) must be provided generally in accordance with Access Footprint (20A – 72.90km) prepared by Queensland Government Transport and Main Roads, dated 07/04/2016, File Ref: 275/20A (500-983) and Issue A. (c) The road access works must be designed and constructed in accordance with Far North Queensland Regional Organisation of Councils (FNQROC) Standard Drawing S1015 - Access Crossovers dated 26/11/14, Revision C.	(a) At all times. (b)and (c): Prior to the commencement of use and to be maintained at all times.
Removal of redundant road access works		
3.	(a) The existing vehicular property accesses located between Lot 20 on RP745420 and Captain Cook Highway must be permanently closed and removed. (b) The kerb and channelling between the pavement edge and the property boundary must be reinstated in accordance with Far North Queensland Regional Organisation of Councils (FNQROC)	Prior to the commencement of use

No.	Conditions	Condition timing
	Standard Drawing S1009 – Concrete Kerb & Channel, dated 28/11/14, Revision E.	

Our reference: SDA-0316-028576
Your reference:
Council reference: MCU 1204/2015

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- 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.
- to ensure the design of any road access maintains the safety and efficiency of the state-controlled road
- to maintain the safety and efficiency of the state-controlled road by reducing the number of road access.

Our reference: SDA-0316-028576
Your reference:
Council reference: MCU 12047/2015

Attachment 3—Further advice

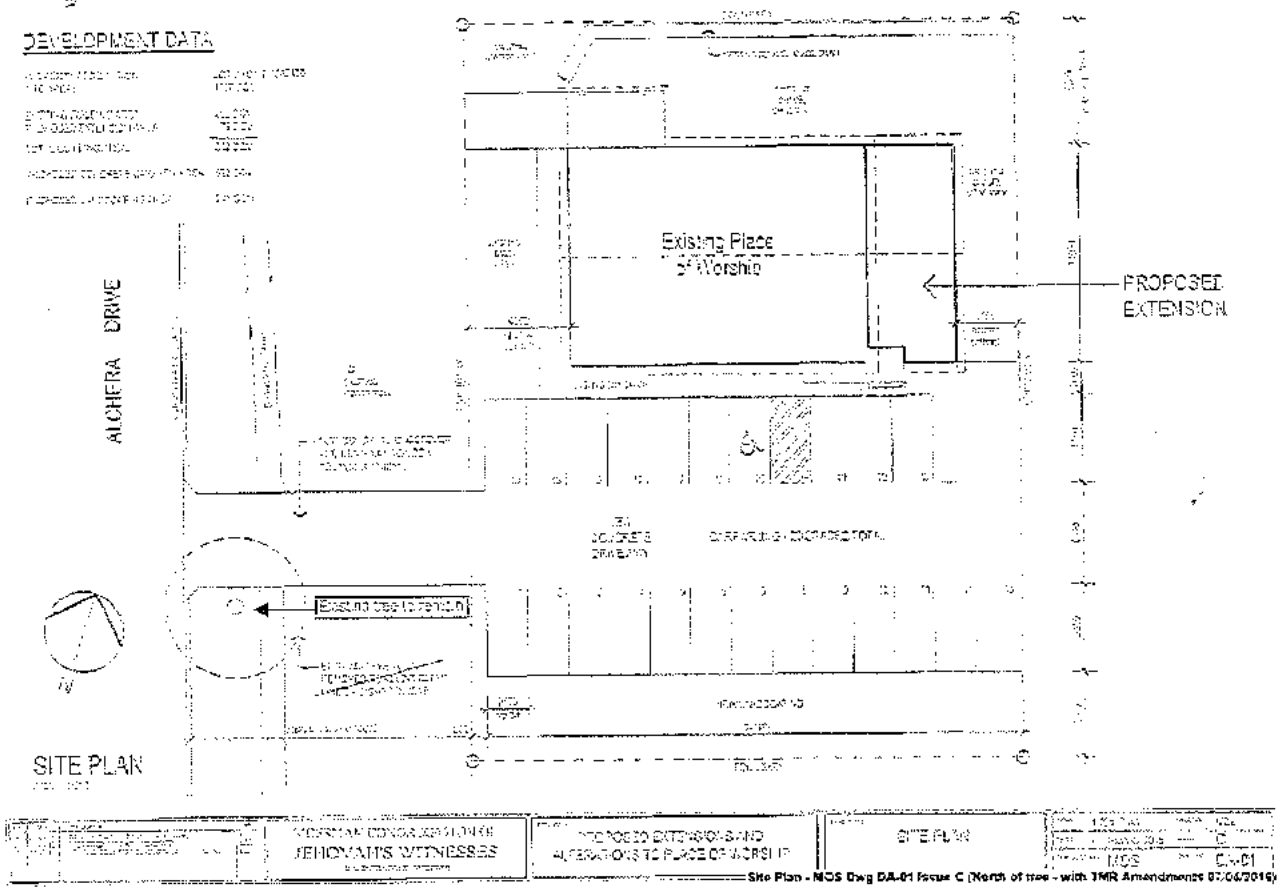
General advice	
Ref	**Approved Plans**
1.	The approved site plan has been amended in red to indicate existing tree is not to be removed.
	State Planning Policy July 2014 interim development assessment provisions
2.	Douglas Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014, and in particular the interim development assessment provisions, such as natural hazards (flood) and water quality to the extent it is relevant to the proposed development.
	Advertising device
3.	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. Note: DTMR has powers under section 111 of the *Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2005* to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.
Further development permits, compliance permits or compliance certificates	
Ref.	**Road access works approval**
4.	Under sections 62 and 33 of the *Transport Infrastructure Act 1994*, 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 Department of Transport and Main Roads on 4045 7144 at the Cairns district office to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). **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.**

Our reference: SDA-0316-028576
Your reference:
Council reference: MCU 1204/2015

Attachment 4—Approved plans and specifications

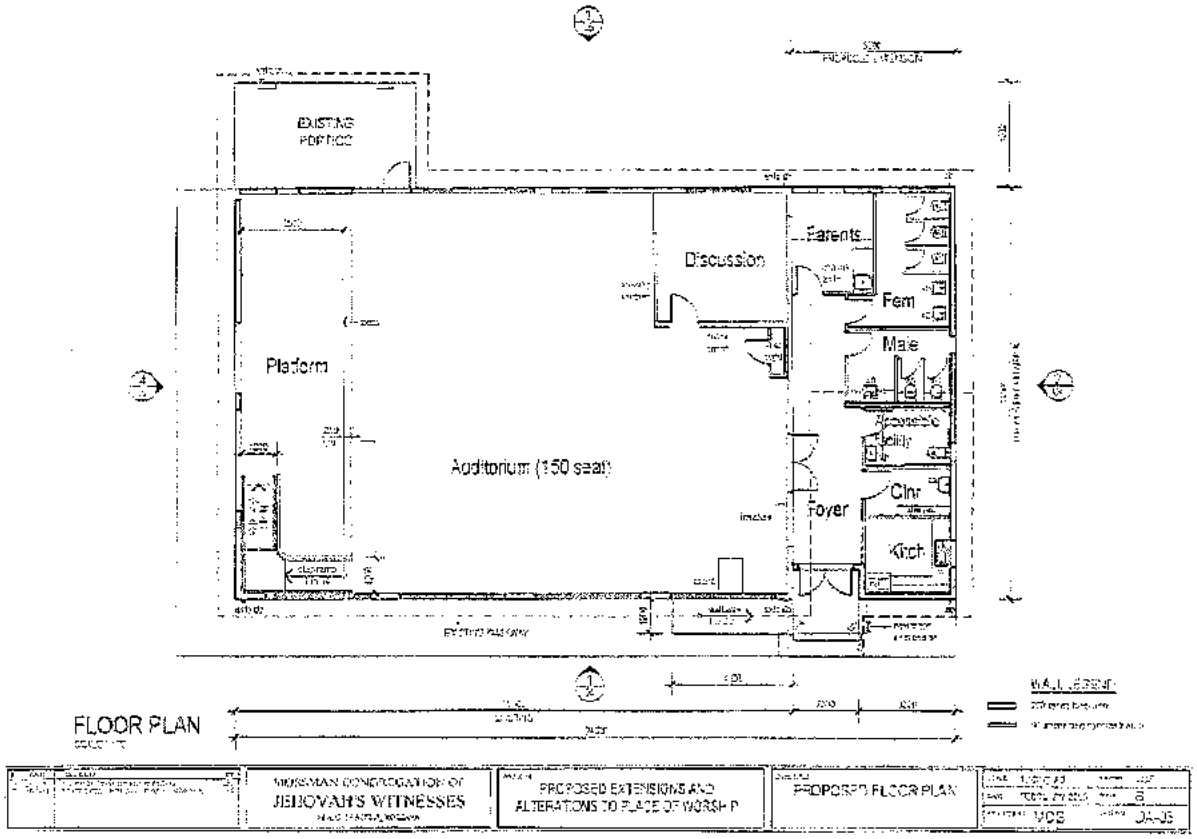
Far North Queensland Regional Office
Ground Floor, Cairns Port Authority
PO Box 2358
Cairns QLD 4870

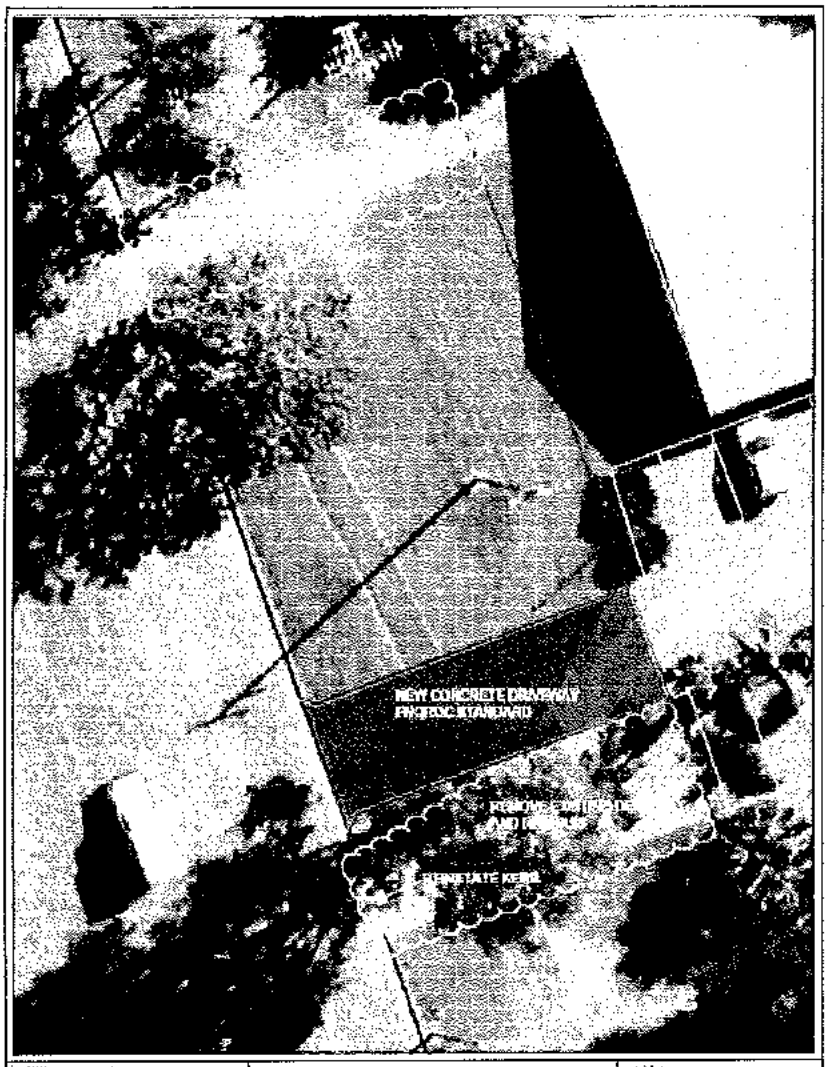
SDA-0316-028576



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

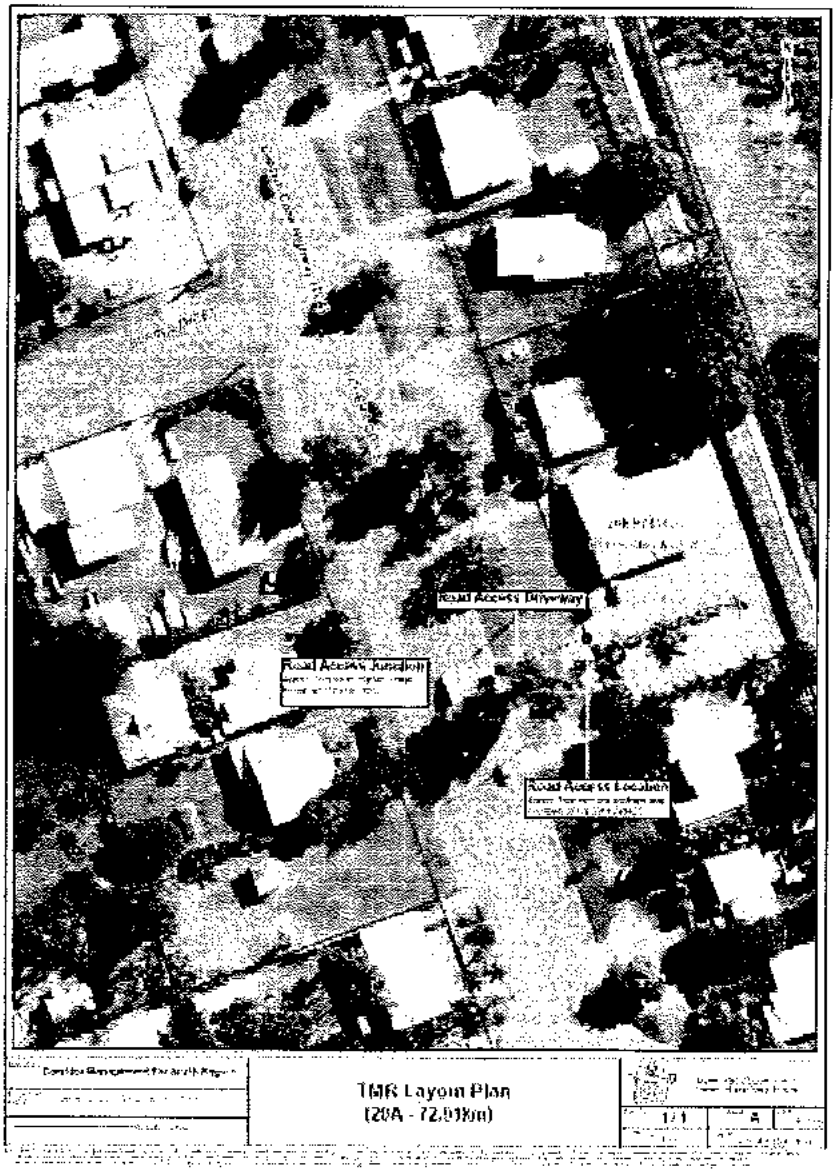
SDA-0316-026576

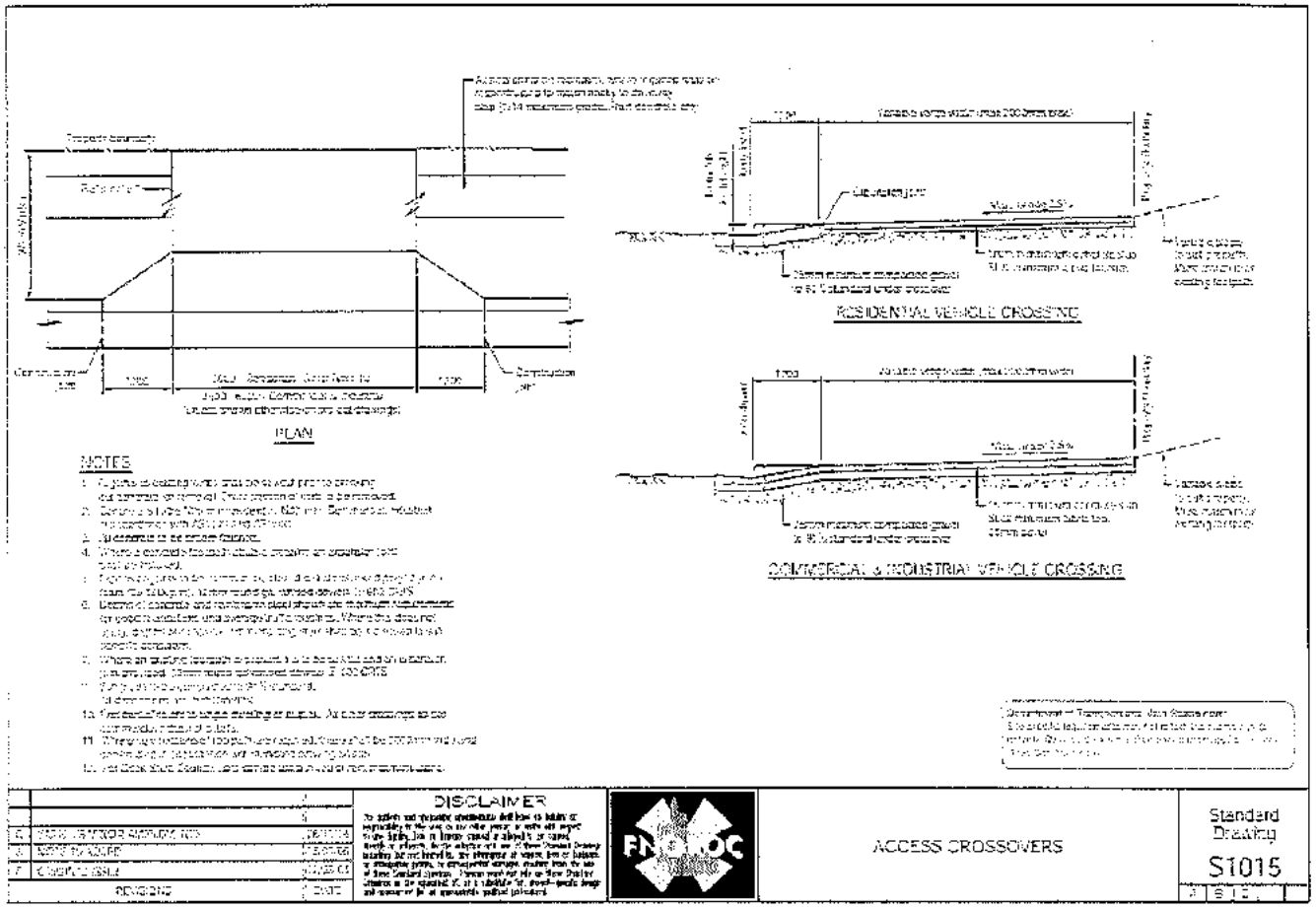




Corridor Management (Far North Region)	Access Footprint (20A - 72.90km)	

SDA-0318-026578




PLAN
NOTES
RESIDENTIAL VEHICLE CROSSING
COMMERCIAL & INDUSTRIAL VEHICLE CROSSING
DISCLAIMER
ACCESS CROSSOVERS
Standard Drawing
S1015

DOUGLAS
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OUR REF: MCUI 1204/2015 (776343)

16 June 2016

Brisbane Congregation Of Jehovah's Witness Inc
17 Snapper Island Drive
WONGA BEACH QLD 4873

Dear Sir

ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR 80-82 ALCHERA DRIVE MOSSMAN

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 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 .

Yours faithfully

Paul Hoye
General Manager Operations
Att

43.2015.1204
24/25

INFRASTRUCTURE CHARGES NOTICE

DOUGLAS SHIRE COUNCIL

2006 & 2008 Douglas Shire Planning Schemes Application

INFRASTRUCTURE CHARGES NOTICE

DEVELOPERS NAME	ESTATE NAME	STAGE
Brisbane Congregation of Jehovah's Witness Inc.	0	0

STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
Alchara Drive	Mossman	Lot 20 on RP745420	3013

DEVELOPMENT TYPE	COUNCIL FILE	VALIDITY PERIOD (years)
MCU	1204/2015	6-Jun-16

DSC Reference Doc. No.	VERSION No.	
776140	1	Four (4)

	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		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	75	59.50	4,462.50		
	0	0.00	0.00		
existing	232	58.50	13,804.00		
Total			-9,341.50		
		TOTAL	4,462.50		

Prepared by	D Lamond	6-Jun-16	Amount Paid	
Checked by	N Beck	6-Jun-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