

YOUR REF: Extensions Unit 2
OUR REF: SITE 341/2014 TPC 712 (D#806776) *SL*

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

7 March 2017

Sharon and Stuart Croxford
1/34 Pecten Ave
PORT DOUGLAS QLD 4877

Dear Sir/Madam

**NOTICE OF DECISION UNDER S 376 SUSTAINABLE PLANNING ACT 2009:
REQUEST FOR A PERMISSIBLE CHANGE FOR A DUPLEX
AT 34 PECTEN AVENUE PORT DOUGLAS**

Reference is made to your request for a permissible change a development approval, which was determined under Instrument of Delegation on 3 March 2017.

Applicant Details:

Sharon and Stuart Croxford

1/34 Pecten Ave
Port Douglas QLD 4877

Land Details:

Street Address:

34 Pecten Avenue, Port Douglas

Real Property Description:

Common Property (Lot 0) and Lot 2
on SP126929

Date original application decided:

24 March 1994 (Douglas Shire Council). A copy of this original Decision notice is attached.

Request

Date Request Lodged:

17 February 2017

Referral Agency:

None

Decision:

The request for a permissible change to the existing duplex Town Planning Consent 712 issued 24 March 1994 for front and rear patio subject to the following.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

A. The approval is subject to the following requirements:

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	Date
Existing Floor Plan	Clarkeville Designs, drawing 2-5-14 Sheet 1 of 6	28 January 2015
New Floor Plan	Clarkeville Designs, drawing 2-5-14 Sheet 2 of 6 dated 28 January 2015 and as amended by Condition 2 of the approval.	To be determined
Front, Side and Rear Views	Clarkeville Designs, drawing 2-5-14 Sheet 5 of 6 dated 28 January 2015 and as amended by Condition 2 of the approval.	To be determined
Site Plan	Clarkeville Designs, drawing 2-5-14 Sheet 6 of 6 dated 28 January 2015 and as amended by Condition 2 of the approval.	To be determined

B. The following additional conditions are included on the approval.

14. This amended approval replaces the amendment dated 2 March 2015.
15. 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

16. The proposed rear extension to Unit 2 is to have a maximum depth of 4 metres.
17. The setback area between the new, rear addition and the rear boundary fence must be suitably landscaped and maintained with deep landscaping of a tropical character.

Timing of Effect

18. The additional building work and associated concrete driveway/crossover must be completed within four years from the date of the approval for the permissible change.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

19. Prior to the issue of a Development Permit for Building Work the Applicant must amend the land title to ensure all works approved for the Unit 2/34 Pecten Avenue, Port Douglas are suitably included on the lot area(s) for Unit 2 and are not constructed in common property.

C. The following Advice is included on the approval.

Advice:

1. 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.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements including Council's Planning Scheme and the *FNQROC Development Manual*.
3. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws, the Douglas Shire Planning Scheme and other applicable Policies log on to www.douglas.qld.gov.au.

Decision Date: 3 March 2017
Douglas Shire Council
Determined Under Delegate Authority

The Notice of Decision dated 3 March 2017 replaces the Decision Notice issued 24 March 1994 and the Notice of Decision dated 2 March 2015.

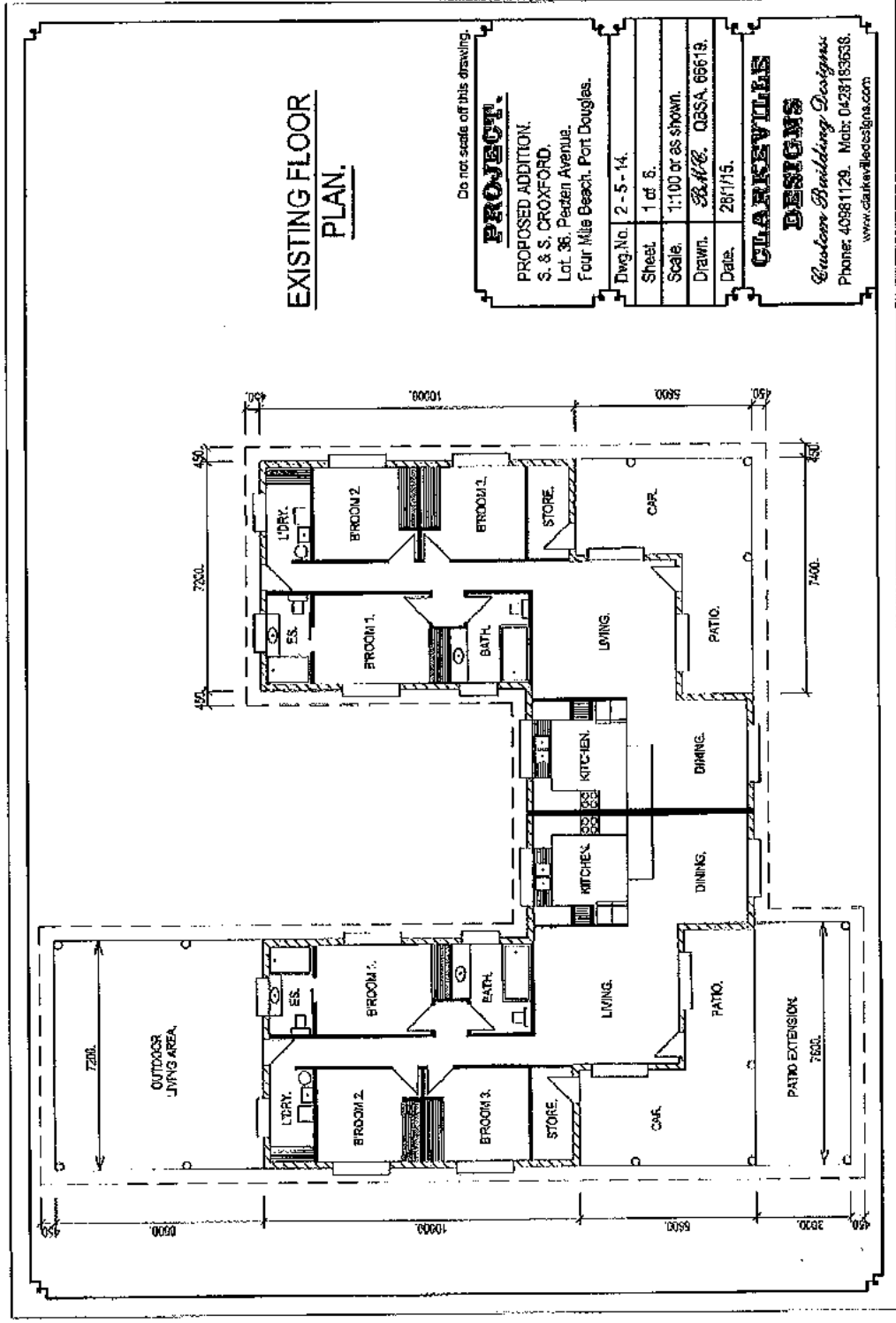
Should you have any enquiries in relation to this Decision Notice, please contact Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9482.

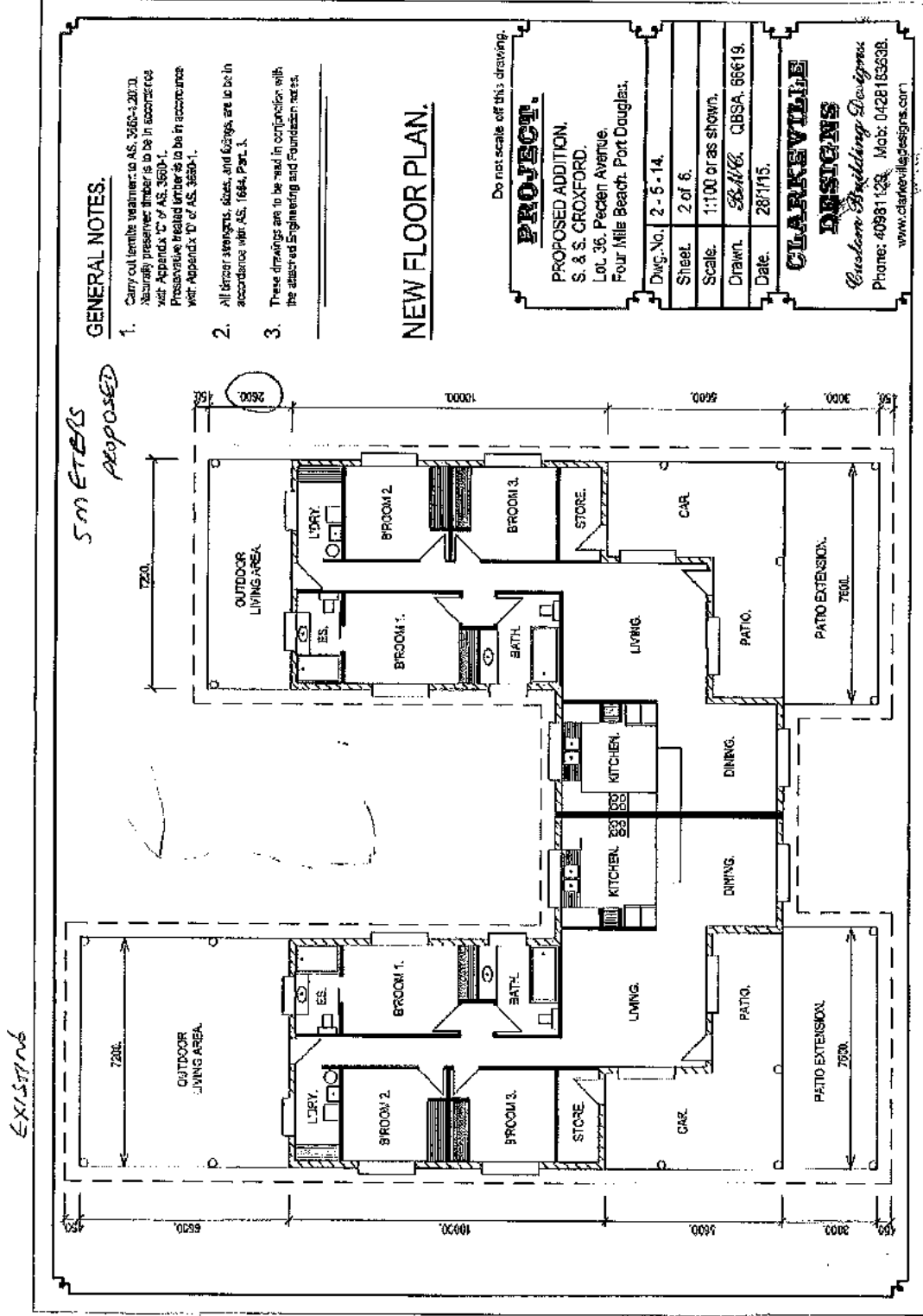
Yours faithfully


Paul Hoyer
Manager Sustainable Communities

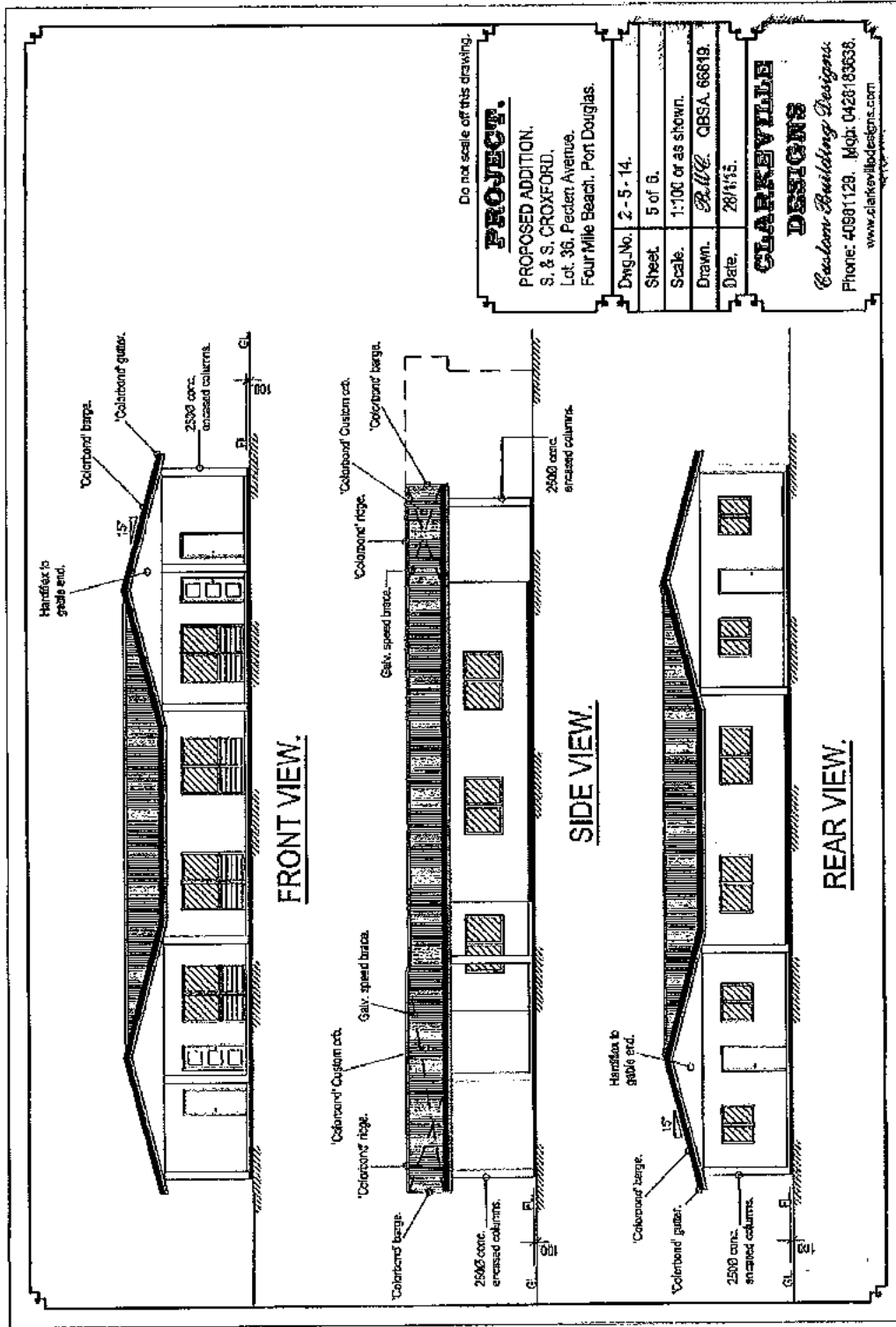
Att

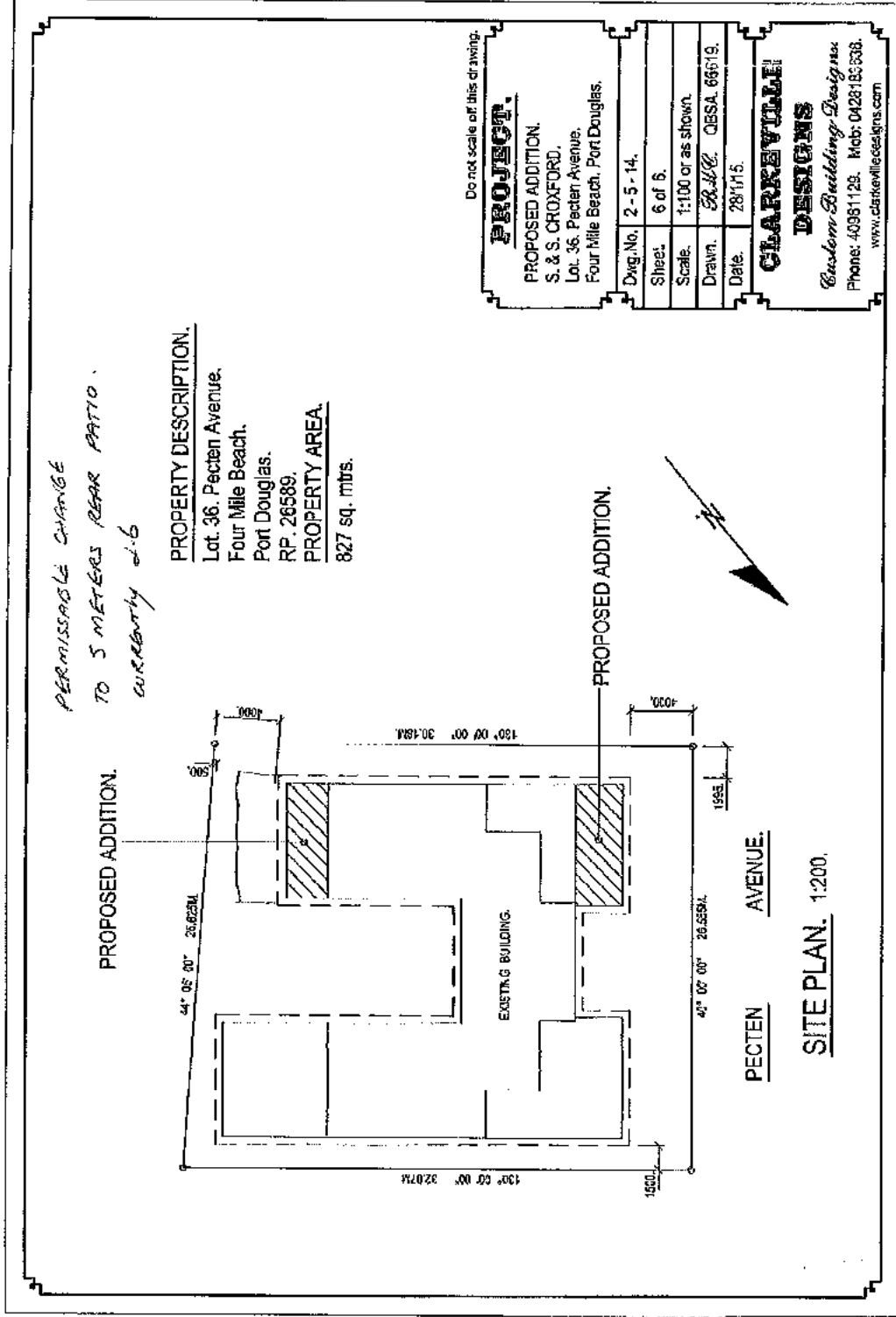
APPENDIX 1: APPROVED PLAN(S) & DOCUMENT(S) – TO BE AMENDED AS PER CONDITION 16





DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



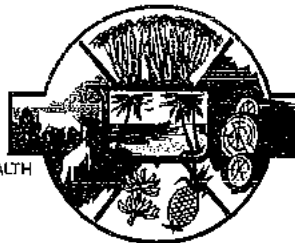


APPENDIX 2: COPY OF CURRENT APPROVAL

DOUGLAS SHIRE COUNCIL

PO BOX 367
MOSSMAN QLD 4873

TELEPHONE: (070) 98 1555 — ADMINISTRATION
(070) 98 1644 — WORKS DEPOT
(070) 98 1822 — ENGINEERING & HEALTH
(070) 98 1194 — LIBRARY
FACSIMILE: (070) 98 1902



ALL COMMUNICATIONS TO BE ADDRESSED TO:
THE SHIRE CLERK

IF CALLING OR TELEPHONING ON THIS MATTER
ASK FOR:

QUOTE REFERENCE:

YOUR REFERENCE:

Whiteglen Pty Ltd
PO Box 144
PORT DOUGLAS QLD 4871

TOWN PLANNING CONSENT PERMIT

Application Number: TPC 712
Permit Number: 712
Date of Issue: 24th March, 1993

Real Property Description: Lot 34 RP 26589,
Parish of Salisbury, County of Solander.

Postal Address of Land: 34 Pecten Avenue,
PORT DOUGLAS QLD 4871

Nature of Existing Use: Vacant Land.

Council Meeting: 9th February, 1993.

Nature of Approved Use: Two (2) Multiple Dwelling Units.

...2/.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

- 2 -

Conditions of Approval:-

1. Should work on the development as approved not be commenced within a period of two (2) years from the date of the permit, Council may implement action to revoke the approval as given.
2. The Building Application when submitted must be in accordance with the Building Act and must also substantially comply with the sketch plan submitted with the consent application.
3. The approval does not constitute a Building Permit and a Building Permit must be obtained before any building operations proceed.
4. All development must comply with the provisions of:-
 - (a) Council's Town Planning Scheme;
 - (b) The Local Government Act, The Local Government (Planning and Environment) Act, The Building Act, The Fire Safety Act, The Traffic Act, and all other relevant acts and regulations and the By-Laws of the Council shall at all times be observed and performed in relation to the land, the building, and the use and occupation thereof.
5. The applicant is to contribute, in accordance with Council's policy provided for in Section 6.2 and 6.3 of the Local Government (Planning and Environment) Act, towards the provisions of water headworks. The contribution is to be paid in accordance with the provisions of Council's policy and at the rate applicable at the time of payment. On the basis of the Facts and Circumstances set out in the application and the current provisions of the policy the estimated contribution is \$2,001-00.
6. The applicant is responsible for the external works to connect the site with Council's water supply at a point specified by the Shire Engineer.
7. The applicant is to contribute, in accordance with Council's policy provided for in Section 6.2 and 6.3 of the Local Government (Planning and Environment) Act, towards the provision of sewerage headworks. The contribution is to be paid in accordance with the provisions of Council's policy and at the rate applicable at the time of payment. On the basis of the Facts and Circumstances set out in the application and the current provisions of the policy the estimated contribution is \$5,000-00.

...3/.

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

- 3 -

8. The applicant is responsible for the external works to connect the site with Council's sewerage reticulation system at a point of discharge specified by the Shire Engineer.


9. The required landscaped area as outlined in Chapter 53 of the Council's By-Laws shall be planted and maintained to the satisfaction of the Building Surveyor.

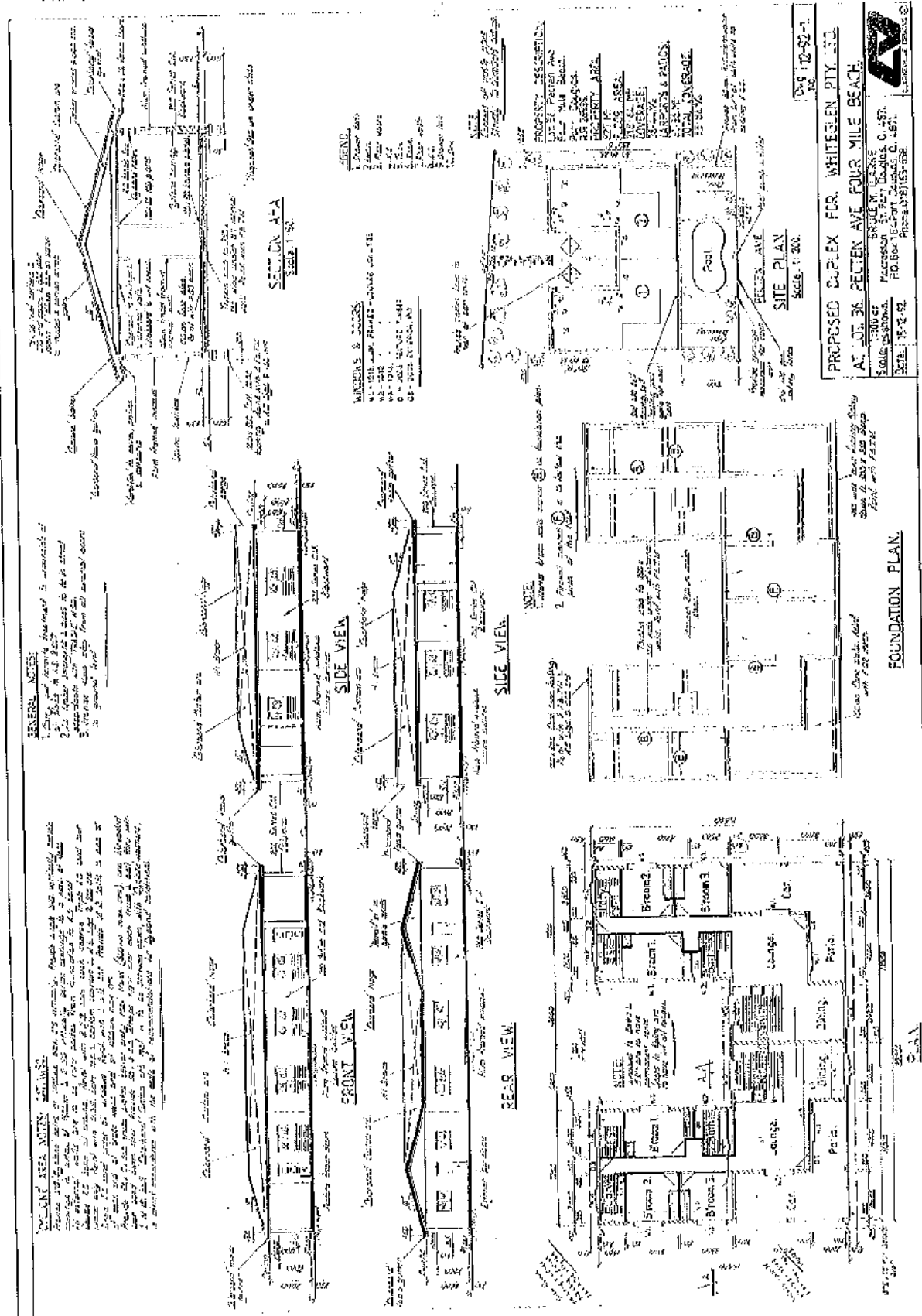
10. Pecten Avenue is to be upgraded, for the full frontage of the site, to a design standard and on an alignment as specified by the Shire Engineer.

11. All car parking areas and driveways including the driveways from the property alignment to the existing pavement in Pecten Avenue shall be bitumen or otherwise imperviously sealed to the satisfaction of the Building Surveyor.

12. The applicant shall provide for a suitable stormwater drainage system discharging to a lawful point of discharge to the satisfaction of the Shire Engineer.

13. The conditions of the Town Planning consent are to be effected prior to the commencement of the specific use of the said consent.


A. J. Twomey
SHIRE CLERK



RIGHTS OF APPEAL

Attached

End of Notice of Decision

