

YOUR REF:

OUR REF: ROL1967/2017 (835222)

28 November 2017

J Marano & S Marano
c/- Veris,
PO Box 7627
CAIRNS QLD 4870

Attention: Michael Tessaro

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 142R TATI ROAD MIALLO**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 21 November 2017, 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 Sustainable Communities on telephone number 07 4099 9451.

Yours faithfully

Paul Hoye
Manager Sustainable Communities

Att

APPLICANT DETAILS

J Marano & S Marano
c/- Veris, PO Box 7627
CAIRNS QLD 4870

ADDRESS

142R Tati Road MIALLO

REAL PROPERTY DESCRIPTION

Lot 73 on SP240928

PROPOSAL

(1 lot into 4 lots)

DECISION

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

DECISION DATE

21 November 2017

TYPE

Reconfiguration of a Lot (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were Not Applicable submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Operational Work

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
Proposed Lots 1-3 & 5	Drawing No. 32204PP-01 Revision E	16 September 2017

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; and
 - 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 Council endorsing the Plan of Survey, except where specified otherwise in these conditions of approval.

Drainage

3. Undertake drainage investigations of the site and surrounds to determine the following:-
 - a. The finished surface levels of the lots to achieve immunity from a 100 year ARI event and extent of earthworks required to achieve the required immunity;
 - b. Detail the lawful point of discharge for each allotment along with any necessary drainage easements, the profile of the drainage easement and supporting stormwater calculations;
 - c. Nominate the minimum floor level for the future houses to provide immunity to the 100 year ARI flood event including the appropriate freeboard as required by the Queensland Urban Drainage Manual; and
 - f. Information on the drainage outlet(s) from the proposed development.

The above investigations must be endorsed by an RPEQ and submitted to Council as supporting documentation to an Operational Works application. All works must be undertaken in accordance with approved plans prior to Council endorsing the Plan of Survey.

Fencing

4. A timber paling fence having a minimum height of 1.8 metres is to be installed along the rear boundary of proposed Lots 1 – 3 inclusive. The height of the fence will need to increase in the south western portion of Lot 3 to maintain a minimum height of 1.8 metres above finished lot levels. Details of the fence are to be provided as part of the Operational Works application.

Stockpiling and Transportation of Fill Material

5. 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; or
 - b. before 7:00 am or after 6:00 pm Monday to Friday; or
 - c. before 7:00 am or after 1:00 pm Saturdays; or
 - d. on Sundays or Public Holidays.
6. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

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.

Sediment and Erosion Control

8. An erosion and sediment control plan (ESC Plan) must be submitted prior the issue of a Development Permit for Operational Works for any filling proposed on the land. The measures detailed on the ESC Plans 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).

Existing Services

9. Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:
 - a. Relocate the services to comply with this requirement; or
 - b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with seeking Council endorsement of the Plan of Survey creating the lot.

Electricity Supply

10. Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to Council endorsing the Plan of Survey.

Electricity and Telecommunications

11. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both electricity supply and telecommunications service will be provided to the development prior to Council endorsing the Plan of Survey.

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 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 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.

Infrastructure Charges Notice

4. A 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 original 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.

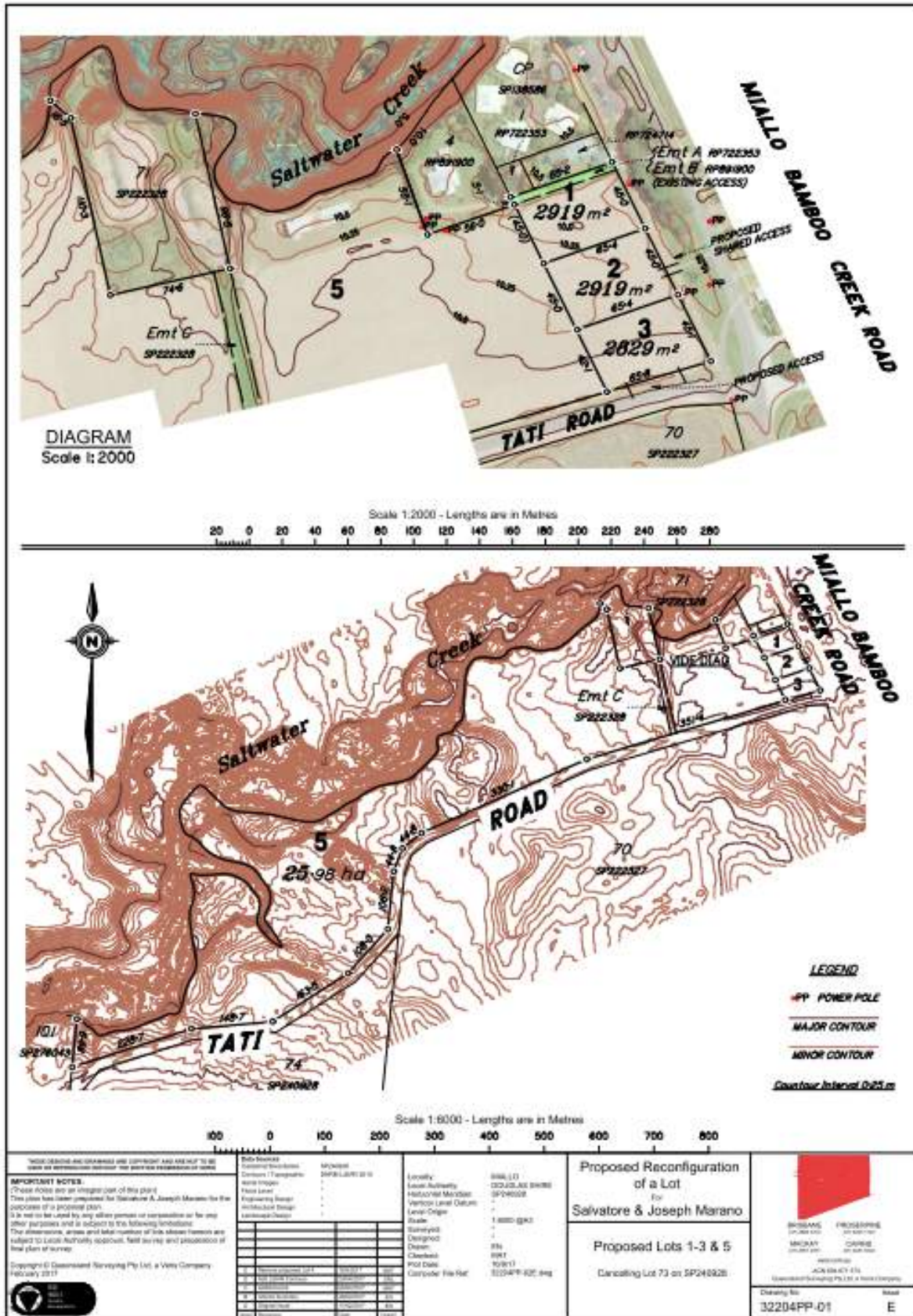
The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact Development Assessment and Coordination at Council for review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

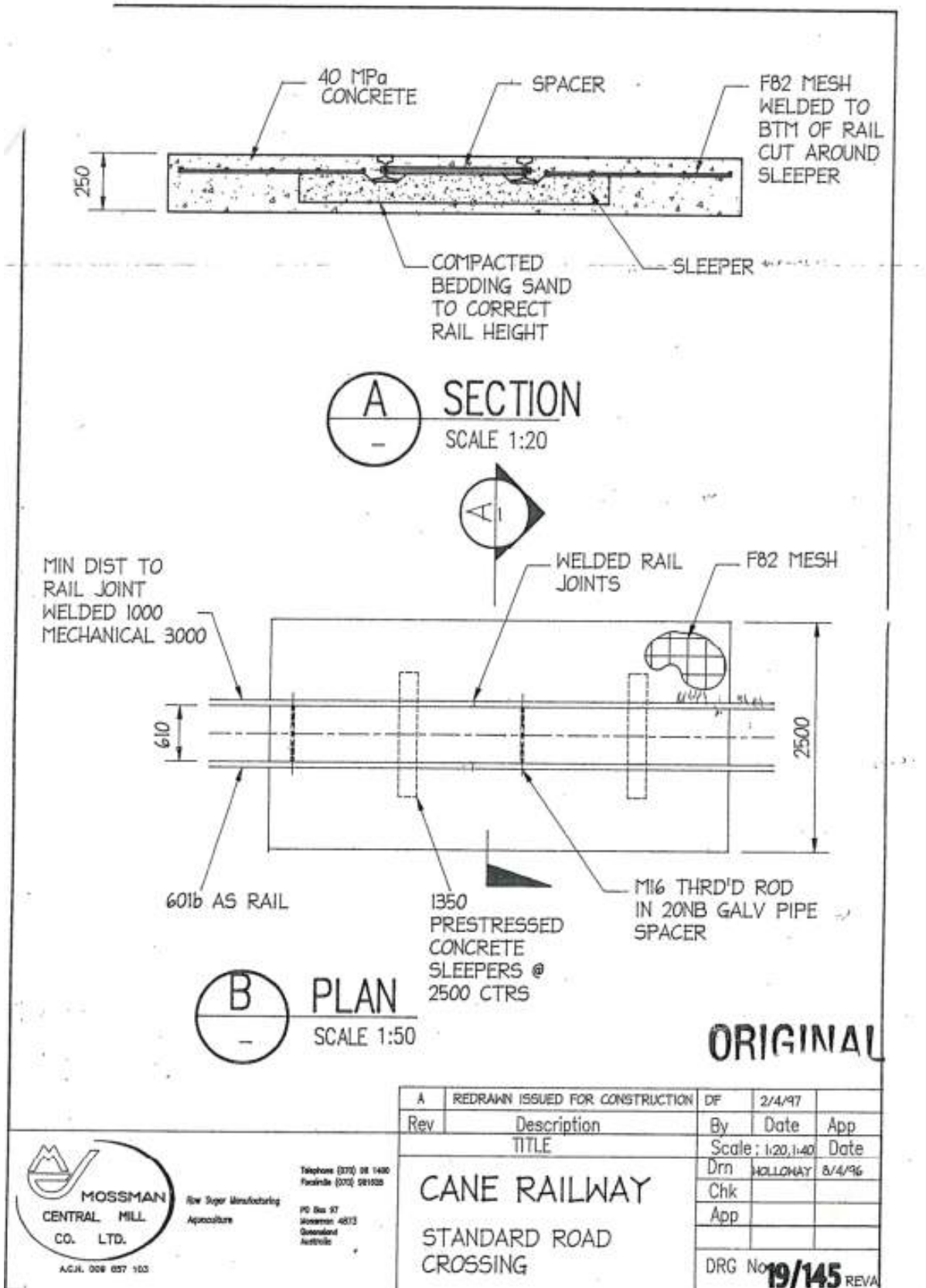
RIGHTS OF APPEAL
Attached

End of Decision Notice

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



APPENDIX 2 – CANE RAILWAY – STANDARD ROAD CROSSING



YOUR REF:

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28 November 2017

J Marano & S Marano
c/- Veris
PO Box 7627
CAIRNS QLD 4870

Dear Sir

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
142R TATI ROAD MIALLO**

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 not subject to index adjustments and may be different at the time of payment. Please contact Sustainable Communities prior to payment.

These charges are payable prior to endorsing 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 Sustainable Communities on telephone number 07 4099 9451.

Yours faithfully

Paul Hoye
Manager Sustainable Communities

41.2017.1967

Infrastructure Charges Notice

	2006 & 2008 Douglas Shire Planning Schemes Application
INFRASTRUCTURE CHARGES NOTICE	

S & J Marano DEVELOPERS NAME	0 ESTATE NAME	0 STAGE
142R Tati Road STREET No. & NAME	Miallo SUBURB	Lot 73 on RP240928 LOT & RP No.s
155751 PARCEL No.	1967/2017 COUNCIL FILE	8-Nov-17 VALIDITY PERIOD (years)
ROL DEVELOPMENT TYPE	833428 DSC Reference Doc. No.	Four (4) VERSION No.

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Rural Areas - Water Only					
proposed	4	14,263.83	57,055.32		
			0.00		
existing	1	14,263.83	14,263.83		
Total			42,791.49		
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	11				
existing	0	0.00			
Total					
TOTAL			42,791.49		

Prepared by	Neil Beck	8-Nov-17	Amount Paid	
Checked by	Dan Lamond	8-Nov-17	Date Paid	
Date Payable			Receipt No.	
Amendments			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