

YOUR REF:

OUR REF: MCUC2097/2017 (825308)

24 August 2017

M & R Kitchens Pty Ltd
C/- Planz Town Planning
PO Box 181
EDGE HILL QLD 4870

Attention: Nikki Huddy

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 2-6 BEOR STREET CRAIGLIE**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 22 August 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.

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Development Assessment and Coordination on telephone number 07 4099 9451.

Yours faithfully

Tracey Crouch
Acting Manager Sustainable Communities

Att

APPLICANT DETAILS

M & R Kitchens Pty Ltd
C/- Planz Town Planning
PO Box 181
EDGE HILL QLD 4870

ADDRESS

2-6 Beor Street CRAIGLIE

REAL PROPERTY DESCRIPTION

Lot 12 on RP857607

PROPOSAL

Material Change of Use (Extension to existing industrial use)

DECISION

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

DECISION DATE

22 August 2017

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

Not Applicable

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	103-17 Rev A – Sheet 1 of 3	17/05/2017
Floor Plan	103-17 Rev A – Sheet 2 of 3	17/05/2017
Elevations	103-17 Rev A – Sheet 3 of 3	17/05/2017

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 Commencement of Use, except where specified otherwise in these conditions of approval.

External Works

3. Undertake the following works external to the land at no cost to Council:
 - a. Provision of an industrial concrete crossover and apron on the Downing Street frontage and Beor Street frontage in accordance with FNQROC Development Manual Standard Drawing S1015. The concrete crossover and apron on Downing Street must be constructed to drain stormwater to the stormwater inlet pit in Beor Street;
 - b. Reinstate the kerb and channel at the redundant exit point and remove the concrete apron at the Beor Street frontage and undertake necessary works to the footpath to ensure connectivity.

Such work must be constructed prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first.

Council Infrastructure

4. 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

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limited to mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Douglas Shire Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owner's/builder's cost, prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first.

Lawful Point of Discharge

5. 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.

Landscaping Plan

6. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:-
 - a. Deep planting of the 2 metre setback area adjacent to the Beor Street frontage to soften the appearance of the development overtime;
 - b. Retention of the existing vegetation within the Beor Street road reserve;
 - c. No additional plantings to take place within the Beor Street road reserve;
 - d. Species to have regard to Council's Planning Scheme Policy No.7 Landscaping;
 - e. Replace the fence pailings along the Beor Street frontage to create an effective screen fence and remove the gates along the Beor Street frontage.

The Landscape Plan does not need to be professionally prepared by a Landscape Architect. However must be of sufficient detail to establish plant species, planting density and bag size of plants to achieve the intent of the condition. The landscape plan must be endorsed by the Chief Executive Officer with the completion of landscaping works being undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs.

Vehicle Parking

7. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of fourteen (14) spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and Australian Standard AS2890.6 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. The parking area must be provided prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first.

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Sediment and Erosion Control

8. 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).
9. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Advertising Signage

10. Due to the reduced setback and the requirement to screen and soften the development when viewed from Beor Street and the Captain Cook Highway, advertising signage on the wall fronting Beor Steet is not permitted.

REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0617-040165	19/07/2017	#822021

Refer to Attachment 2: Referral Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

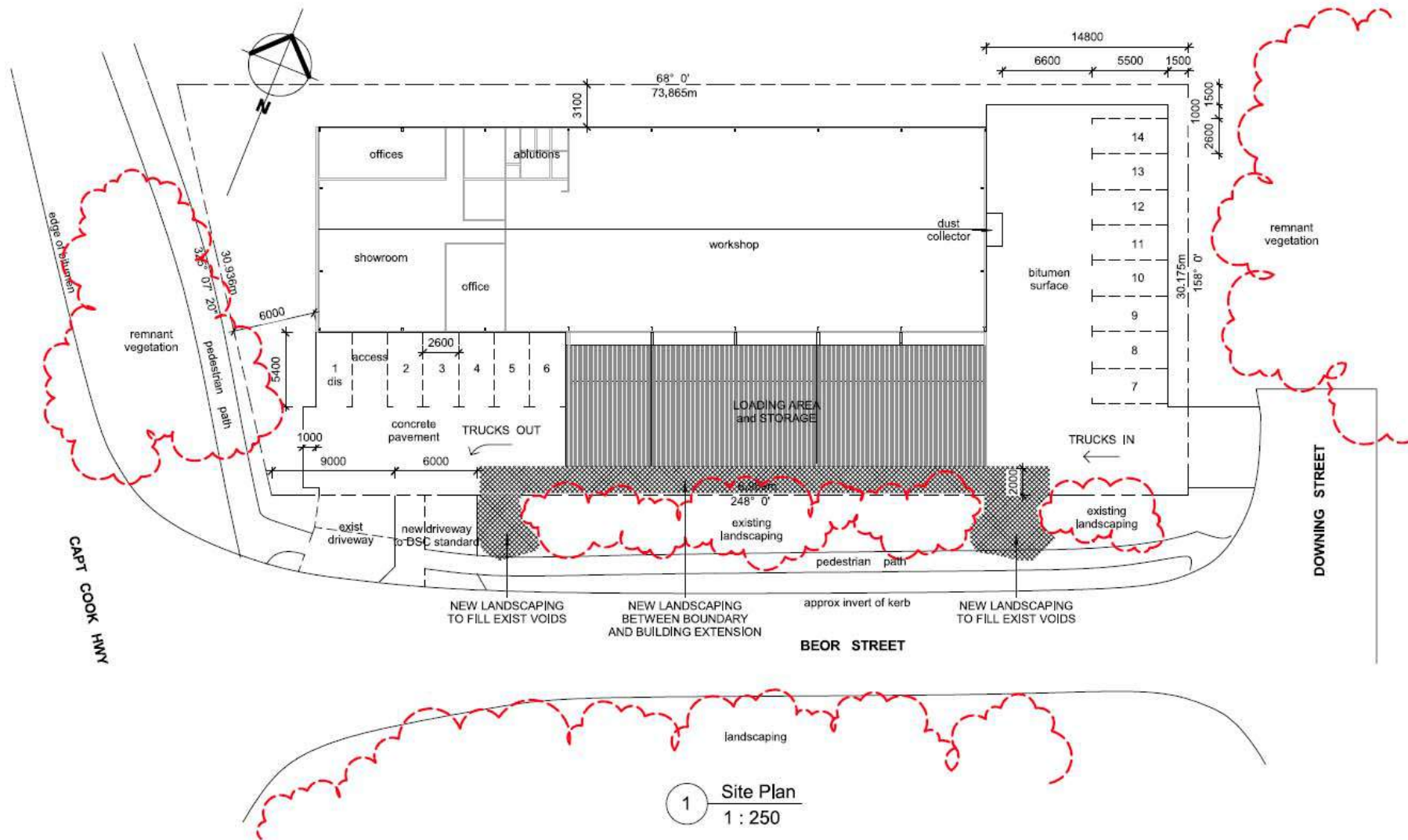
ADVICE

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 sections 339 and 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 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. For information relating to the *Sustainable Planning Act 2009* log on to www.dilqp.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to www.douglas.qld.gov.au.

RIGHTS OF APPEAL
Attached

End of Decision Notice

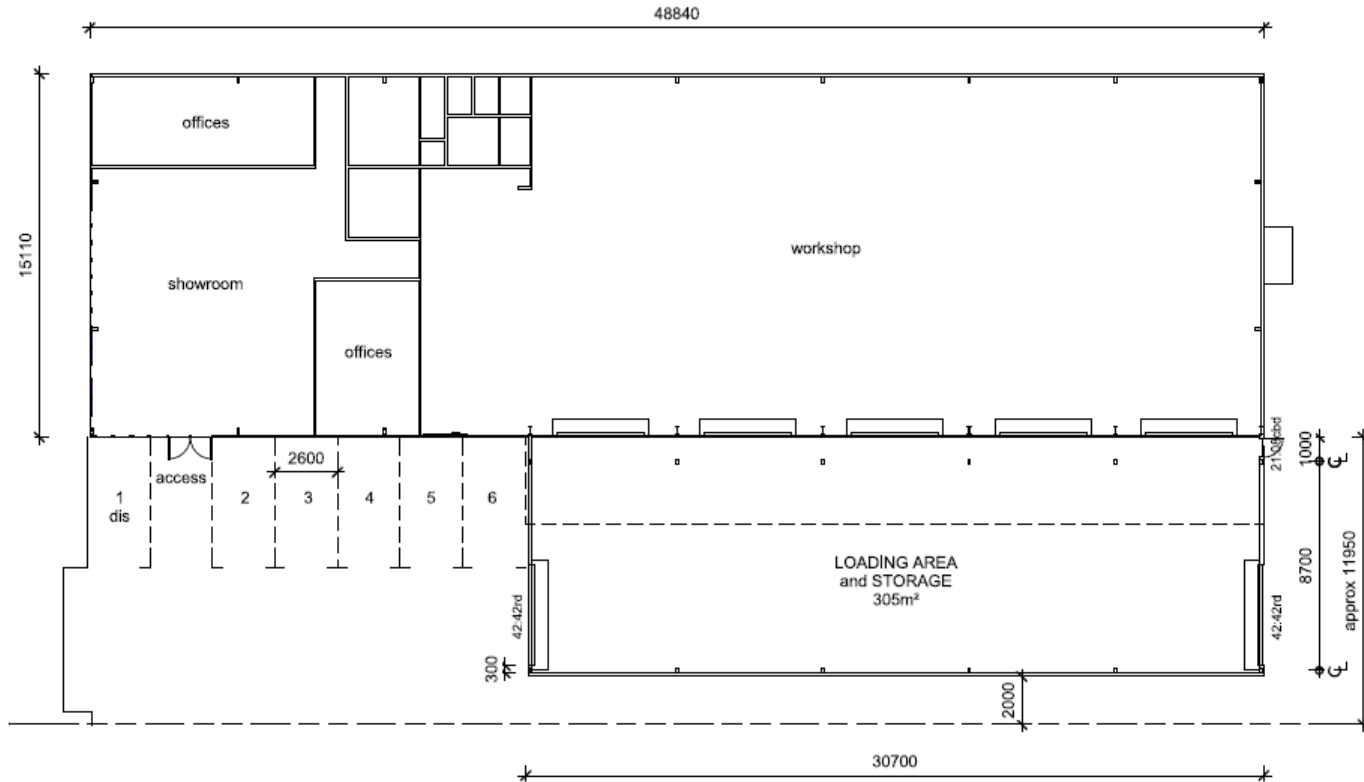
APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)



1 Site Plan
1 : 250

GREG SKYRING <i>Design</i> and DRAFTING Pty, Ltd. <small>Lic Under QBSA Act 1991 • No 1040371</small> 11 Noli Close, Mossman Q, 4873 Phone/Fax: (07) 40982061 Mobile: 0419212652 Email: greg@skyringdesign.com.au	PROJECT Proposed Extension to Existing Shed, 2 - 6 Beor St, (cnr Capt Cook Hwy), L12 RP857607, CRAIGLIE	CLIENT	WIND CLASS	PLAN NUMBER	SHEET
		M & R Constructions	C2	103-17	1 of 3
		SCALES	PLAN TITLE	DATE OF ISSUE	REV
		1 : 250	Site Plan	17.05.17	A

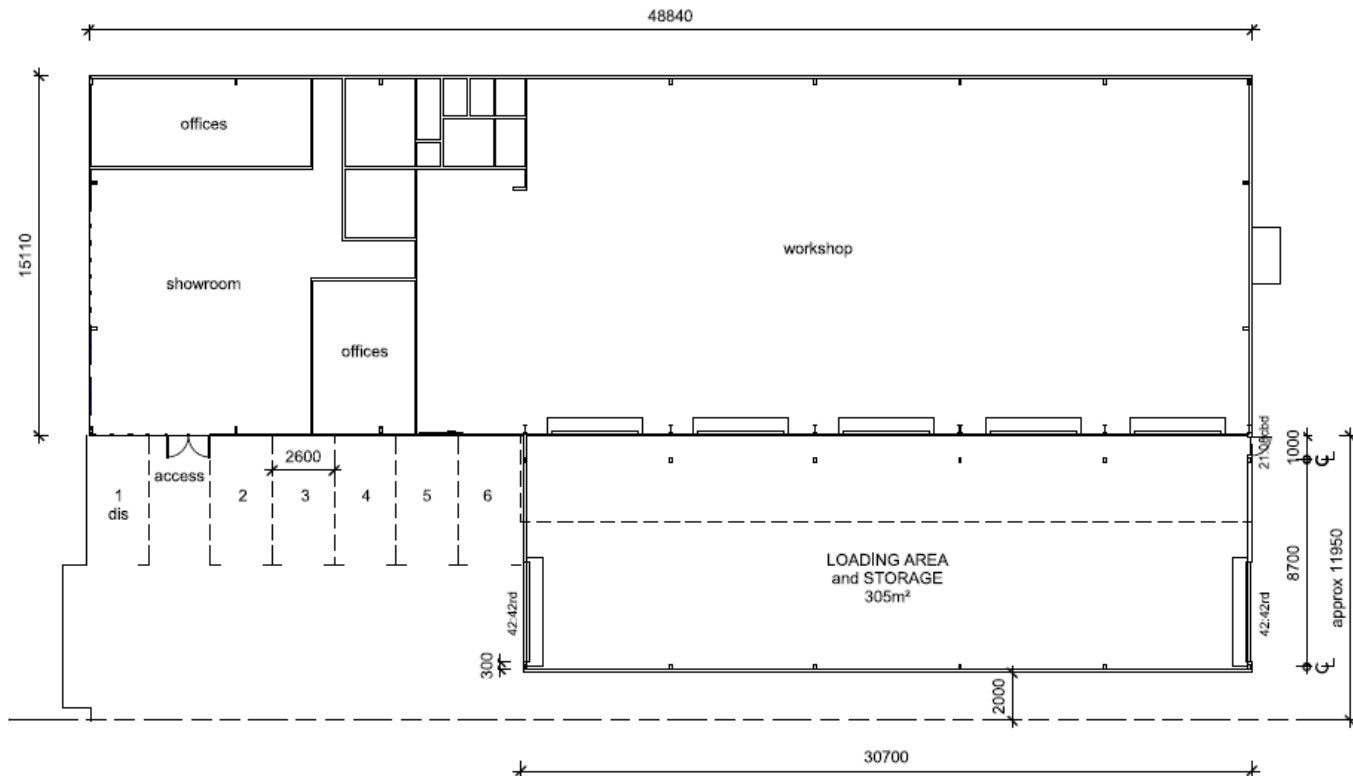
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1 Floor Plan
1 : 200

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		SCALES 1 : 200	PLAN TITLE Floor Plan	DATE OF ISSUE 17.05.17	REV A

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① Floor Plan
1 : 200

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		SCALES 1 : 200	PLAN TITLE Floor Plan	DATE OF ISSUE 17.05.17	REV A

APPENDIX 2: REFERRAL AGENCY REQUIREMENTS



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-0817-040165
Your reference: MCUC2087/2017
Applicant's ref: P71749

19 July 2017

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873

Attention: Neil Beck

Dear Sir / Madam

Concurrence agency response—with conditions Material Change Use (expansion of an industry use) 2-6 Beor Street, Craiglie - Lot 12 on RP857607

(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 15 June 2017.

Applicant details

Applicant name: M & R Kitchens Pty Ltd
Applicant contact details: C/ Planz Town Planning
PO Box 181
Edge Hill QLD 4870
info@planztp.com

Site details

Street address: 2-6 Beor Street Craiglie
Lot on plan: Lot 12 on RP857607
Local government area: Douglas Shire Council

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SDA-0617-040165

Application details

Proposed development: Material Change of Use for extension to an existing industry use

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 an existing industry use	Code 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				
Site Plan	Greg Skyring Design and Drafting Pty Ltd	17.05.17	103-17	A

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

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SDA-0617-040165

For further information, please contact Julie Colman, Senior Planning Officer, SARA Far North QLD on 4037 3233, or email julie.colman@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc: M & R Kitchens Pty Ltd, info@planztp.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

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SDA-0617-040165

Our reference: SDA-0617-040165
Your reference: MCUC2097/2017
Applicant's ref: P71749

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material Change of Use – extension to an existing industry use		
Schedule 7, Table 3, Item 1: State-controlled road - Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of 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):		
1.	Vehicular access to the site and circulation must be generally in accordance with the following plan: <ul style="list-style-type: none">• Site Plan prepared by Greg Skyring Design and Drafting Pty Ltd, dated 17.05.17, Plan Number 103-17 and Revision A.	Prior to the commencement of use and to be maintained at all times.

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SDA-0617-040165

Our reference: SDA-0617-040165

Your reference: MCUC2097/2017

Applicant's ref: P71749

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

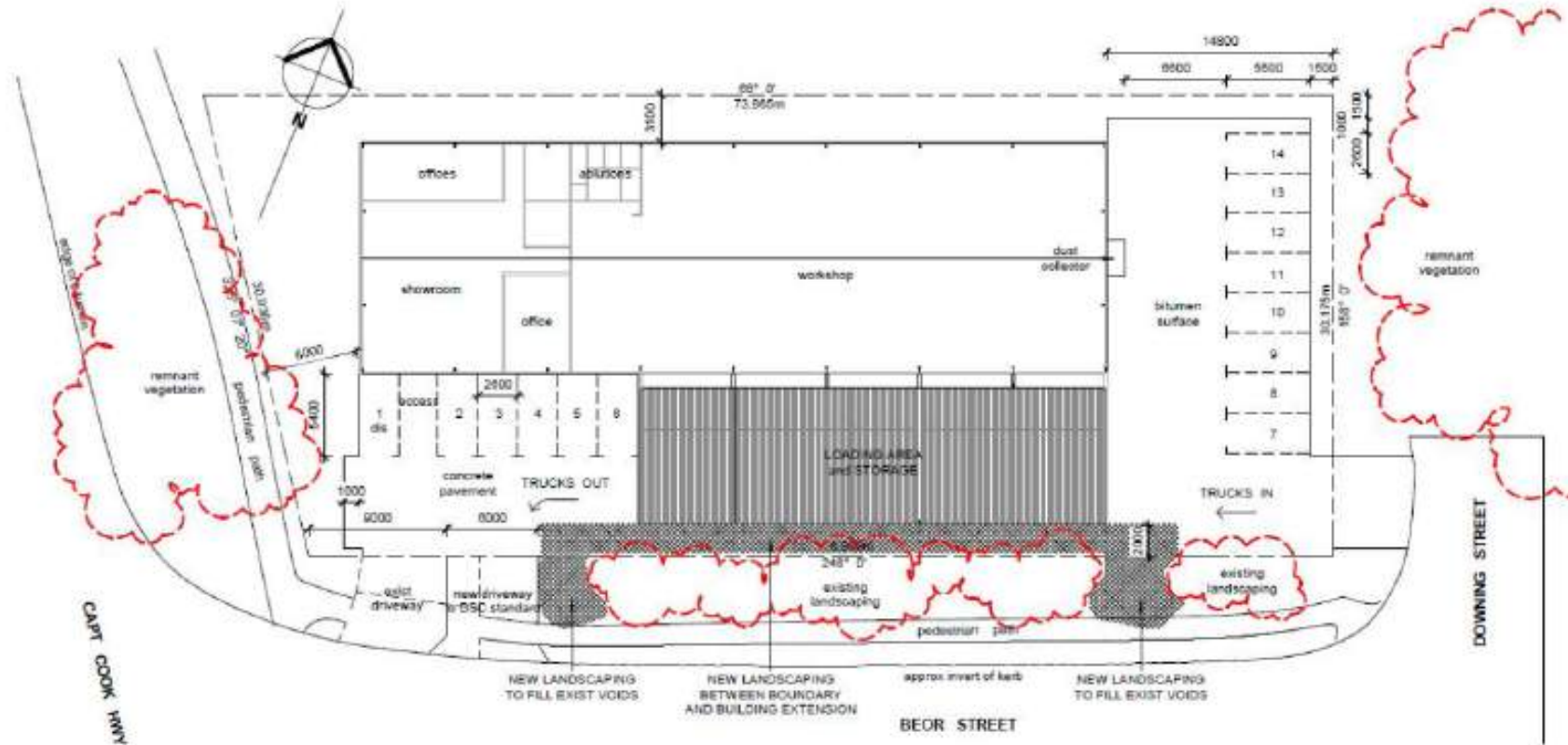
- To ensure the development is carried out generally in accordance with the plan of development submitted with the application.
- To ensure development complies with State Development Assessment (version 1.10) – Modules 1, 18 and 19.

Our reference: SDA-0617-040165
Your reference: MCUC2097/2017
Applicant's ref: P71749

Attachment 3—Further advice

General Advice - Advertising device	
1.	<p>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.</p> <p>Note: DTMR has powers under section 139 of the Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2015 to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>

Attachment 4—Approved plans and specifications



PLANS AND DOCUMENTS
referred to in the
DEVELOPMENT APPROVAL

Approval no: SDA-0617-040165
Date: 19 July 2017

1 Site Plan
1 : 250

<p>GREG SKYRING <i>Design and DRAFTING Pty Ltd</i> LIC Under QBSA Act 1991 - No 1340371 11 Nell Close, Mossman Q. 4873 Phone/Fax: (07) 42462661 Mobile: 0419212852 Email: greg@skyringdesign.com.au</p>	<p>PROJECT Proposed Extension to Existing Shed, 2 - 6 Bear St. (cnr Capt Cook Hwy), L12 RP857607, CRAIGLIE</p>	CLIENT	M & R Constructions	WIND CLASS	C2	PLAN NUMBER	103-17	SHEET	1 of 3
		SCALE	1 : 250	PLAN TITLE	Site Plan	DATE OF ISSUE	17.05.17	REV	A

