

**YOUR REF:** MCUC2095/2017 (825304)  
**OUR REF:** VGF-C1039

24 August 2017

Hilrok Hotel Group Pty Ltd  
c/- Victor G Feros Town Planning Consultants  
PO Box 1256  
**CAIRNS QLD 4870**

Attention: Nick Hardy

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR 7-9 MACROSSAN STREET & 6  
WARNER STREET PORT DOUGLAS**

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**

Hilrok Hotel Group Pty Ltd  
c/- Victor G Feros Town Planning Consultants  
PO Box 1256  
CAIRNS QLD 4870

**ADDRESS**

7-9 Macrossan Street & 6 Warner Street Port Douglas

**REAL PROPERTY DESCRIPTION**

Lot 10 on SP262348 & Easements A & B in Lot 11 on SP262348 & Part of the Macrossan Street Road Reserve

**PROPOSAL**

Material Change of Use (Refurbishment of Tavern & Ancillary and Associated Facilities)

**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	Concurrence	Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870

**SUBMISSIONS**

Not Applicable

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building 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	A.00.2.2	19/5/2017
Ground Floor Plan	A.00.4.1	9/12/2016
First Floor Plan	A.00.4.2	9/12/2016
Roof Plan	A.00.4.3	9/12/2016
Elevations	A.00.4.4	9/12/2016
Elevations	A.00.4.5	9/12/2016

**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.

**Water Supply and Sewerage Works Internal**

3. Undertake the following water supply and sewerage works internal to the subject land:
  - a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;
  - b. Replace the existing sewer main from the manhole adjacent to the southern boundary to the manhole adjacent to the northern boundary with uPVC pipe class SN8;
  - c. Provide further detail demonstrating how practical access is being maintained to the sewer manhole adjacent the northern boundary. Detail is to also demonstrate adequate separation and no loading of the sewer from proposed building works.

The above works constitute Operational Works. All works must be designed and constructed in accordance with the FNQROC Development Manual.

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Development Permit for Operational Works must be obtained prior to the issue of a Development Permit for Building Works. All works must be constructed in accordance with the approved plans prior to the Commencement of Use.

**Damage to Infrastructure**

4. 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, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at no cost to Council prior to the Commencement of Use.

**Vehicle Parking**

5. The amount of vehicle parking must be as specified in Drawing No. A.00.2.2 dated 19 May 2017 being a total of 11 spaces with 2 of those spaces being in tandem. 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.

During the operating hours of the Tavern, the car park must remain freely available and accessible for use by patrons and employees of the Tavern. A sign advising of the location of the off-street visitor parking area must be erected and maintained on the Warner Street frontage of 7-9 Macrossan Street to the satisfaction of the Chief Executive Officer.

**Lighting**

6. 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.

**Lawful Point of Discharge**

7. 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.

**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).

### **Advertising Signage**

9. All signage associated with the use must be approved by the Chief Executive Officer. The signage must comply with the Design and Siting of Advertising Devices Code contained within the Douglas Shire Planning Scheme and plans detailing the signage must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works or Commencement of Use, whichever occurs first.

### **Construction Signage**

10. 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 respective phone contact numbers:
  - a. Developer;
  - b. Project Coordinator;
  - c. Architect;
  - d. Builder

### **Construction Access & Building Work**

11. Vehicular access to the site for construction and demolition purposes must be provided from Warner Street only, unless authorised by the Chief Executive Officer.

Audible noise associated with building work is permitted between the hours of 6:30am – 6:30pm Monday to Saturday and not at all on Sundays or Public Holidays unless authorised by the Chief Executive Officer.

### **Works on Council Controlled Roads**

12. Approval must be obtained under the applicable Local Law for any scaffolding, hoardings or construction fencing to be placed on Macrossan Street and / or Warner Street road reserve throughout the duration of the construction works.

### **Health**

13. Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and the Food Standards Code.
14. Prior to construction or alteration of any premises used for storage, preparation, handling, packing and/or service of food, application for such must be made with Council's Environmental Health Unit.

**DECISION NOTICE DETAILS**  
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15. An application for the construction or alteration of any food premises must be accompanied by two copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction or alteration. All works must be carried out in accordance with the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises.
16. Prior to operation of the food business, the operator must hold a current Food Licence issued by Council's Public Health Unit under the Food Act 2006. Every licensed food business is required to have a Food Safety Supervisor who has met specified competencies and is reasonably available at all times the business is operating. Contact the Council's Environmental Health Unit for further information.
17. Noise from air conditioning units, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994, Environmental Protection (Noise) Policy 1998.
18. All power generation devices are to be positioned and housed (including noise attenuation material) so as to mitigate noise nuisance to adjoining and nearby residents.

**REFERRAL AGENCY CONDITIONS & REQUIREMENTS**

<b>Referral Agency</b>	<b>Referral Agency Reference</b>	<b>Date</b>	<b>Council Electronic Reference</b>
State Assessment & Referral Agency (Department of Infrastructure, Local Government & Planning)	SDA-0617-039757	20/07/2017	#822142

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 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

**DECISION NOTICE DETAILS**  
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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.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

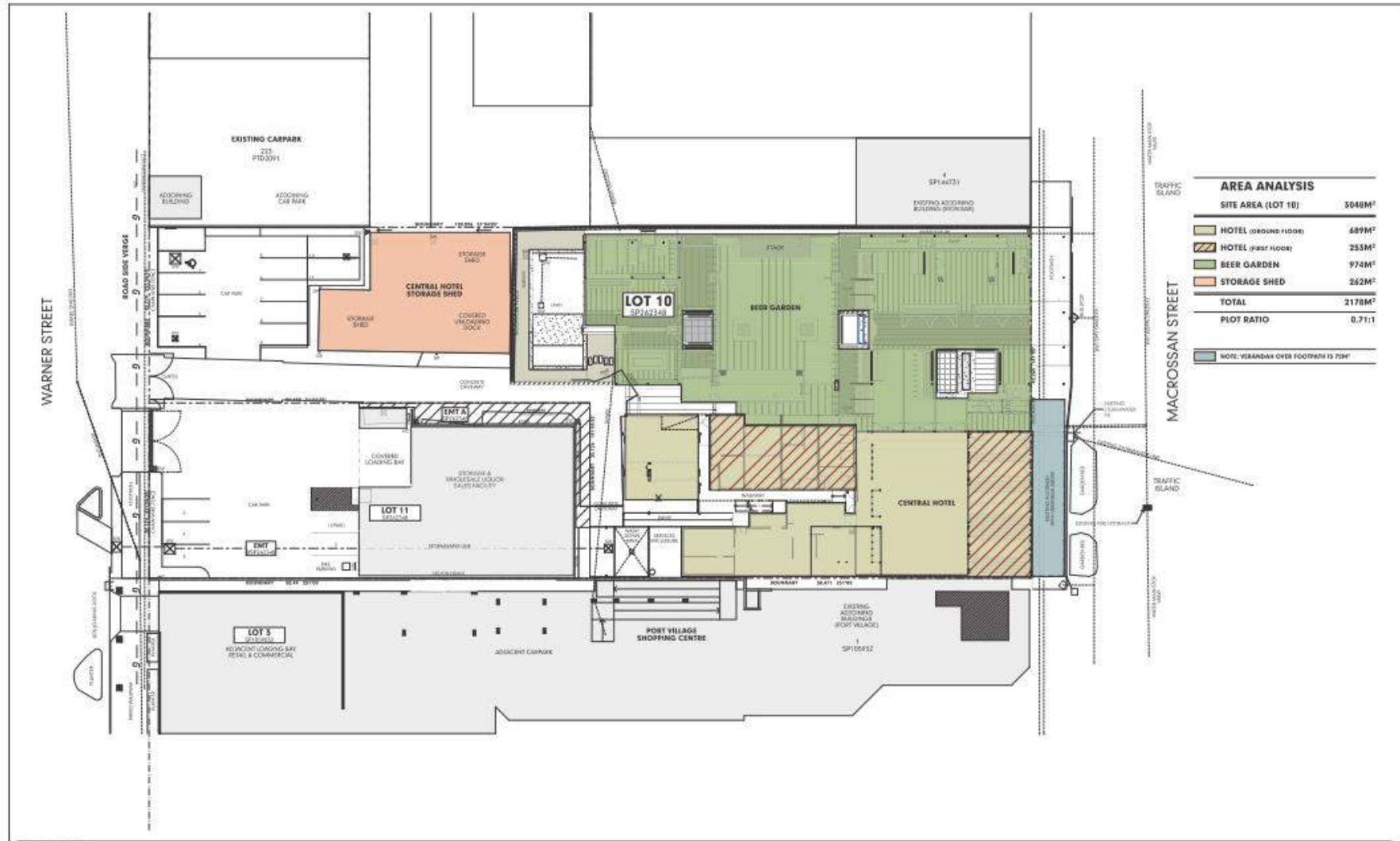
**RIGHTS OF APPEAL**

Attached

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**End of Decision Notice**

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



AREA ANALYSIS	
SITE AREA (LOT 10)	3048M <sup>2</sup>
HOTEL (GROUND FLOOR)	689M <sup>2</sup>
HOTEL (FIRST FLOOR)	233M <sup>2</sup>
BEER GARDEN	974M <sup>2</sup>
STORAGE SHED	242M <sup>2</sup>
TOTAL	2178M <sup>2</sup>
LOT RATIO	0.71:1

NOTE: VERANDA OVER FOOTPATH IS 73M<sup>2</sup>

## SITE PLAN

SCALE 1:300

**IMPORTANT NOTES**  
 1. THIS PLAN IS TO BE USED FOR THE PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL PORT DOUGLAS QLD 4877. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES.  
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT AND OTHER RELEVANT AUTHORITIES.  
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT AND OTHER RELEVANT AUTHORITIES.  
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NO.	DATE	DESCRIPTION	BY

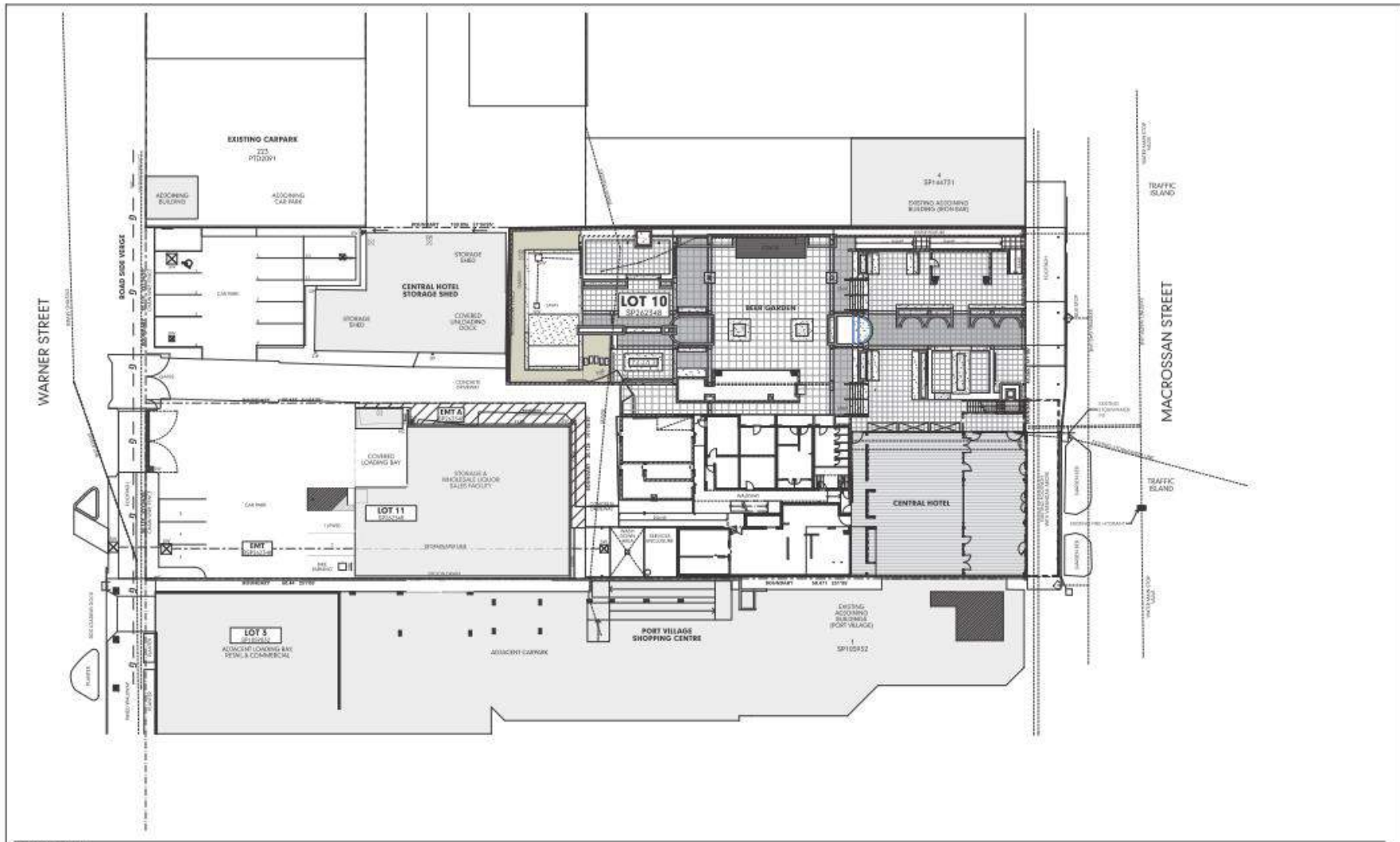


PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL PORT DOUGLAS, QLD 4877.  
 CLIENT: HILOCK PROPERTIES PTY LTD.

DATE: 9/12/2014	SCALE: A1	PROJECT: DA
SITE PLAN		
PROJECT NO:	DATE:	
PE1056	9/12/2014	
<b>A.00.2.2</b>		



**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**SITE PLAN**  
SCALE 1:300

**IMPORTANT NOTES**

1. THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL GOVERNMENT.
2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND RELEVANT AGENCIES.
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NO.	DATE	DESCRIPTION	BY

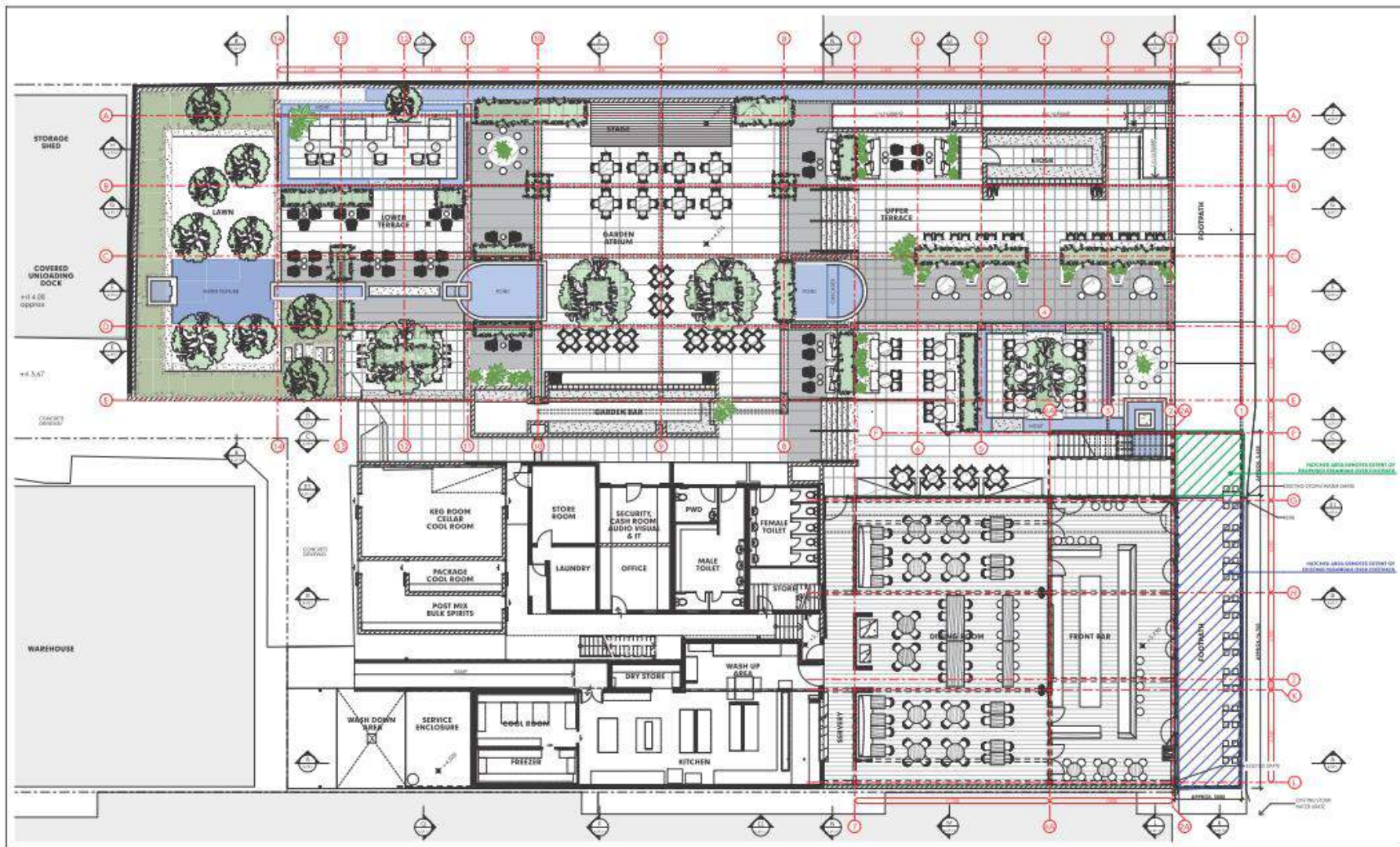


Address: 1000 North Brisbane  
 Phone: (07) 5555 1234  
 Email: info@huntguthrie.com.au  
 Website: www.huntguthrie.com.au

PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD 4877  
 CLIENT: HELOCK PROPERTIES PTY LTD

SCALE	1:300	DATE	19/5/17
PROJECT	A1	CLIENT	DA
TITLE	SITE PLAN		
PROJECT NO.	PT056	DATE	19/5/17
VERSION	A.00.2.2		

**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**GROUND FLOOR PLAN**  
SCALE 1:100

**IMPORTANT NOTES**  
 1. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE BUILDING REGULATIONS 2011 AND THE BUILDING ACT 1975.  
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL COUNCIL AND THE STATE GOVERNMENT.  
 3. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.  
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL COUNCIL AND THE STATE GOVERNMENT.  
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL COUNCIL AND THE STATE GOVERNMENT.

Rev#	Date	Change/Notes

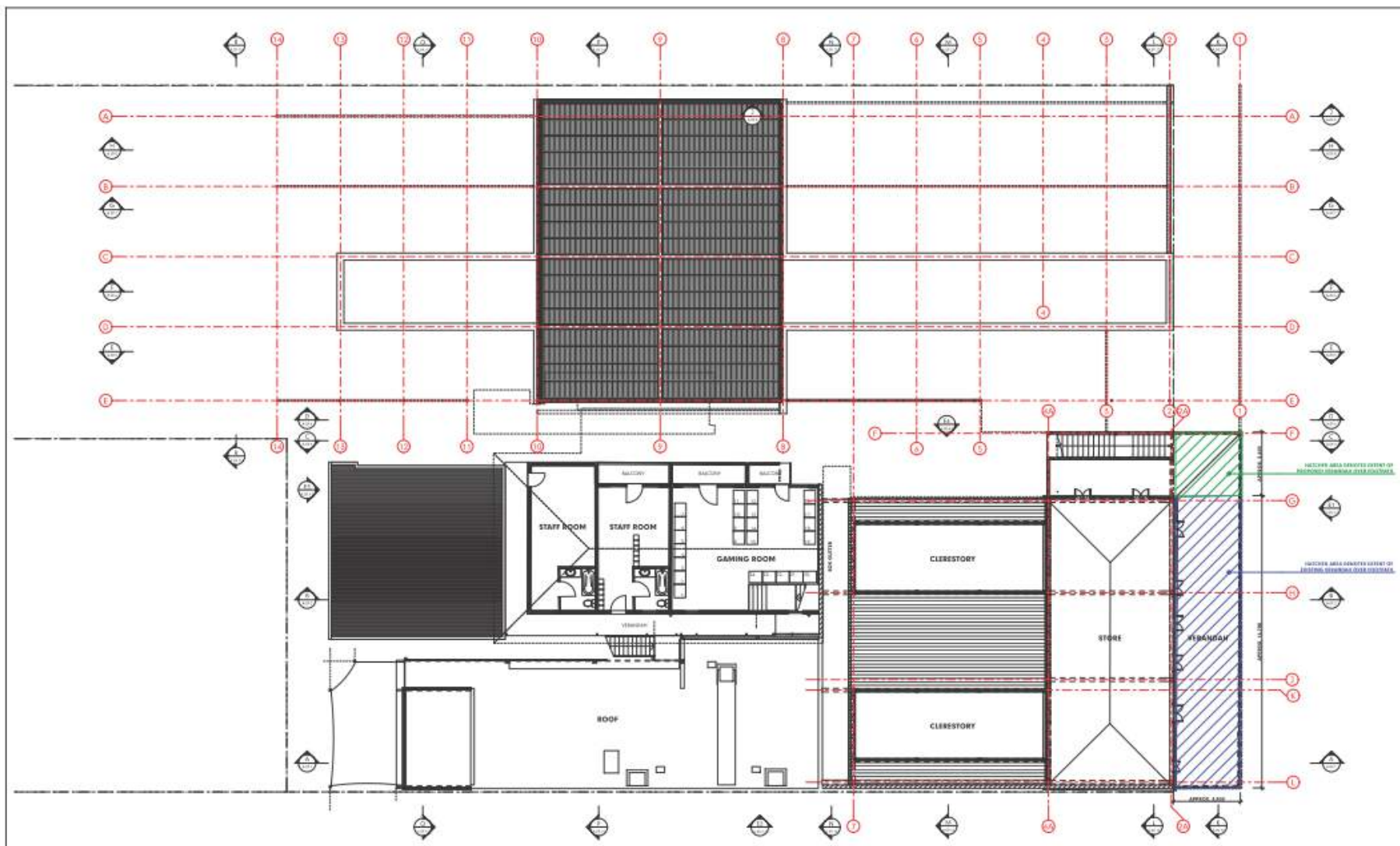


PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD, 4877.  
 CLIENT: HILROCK PROPERTIES PTY LTD.

DATE	1:100	DATE	
PROJECT	A1	PROJECT NO.	OA
PROPOSED BY	PET006	DATE	W/12/2016
SCALE	A.00.4.1		



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**



**FIRST FLOOR PLAN**  
SCALE 1:100

**IMPORTANT NOTES**

1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CURRENT AND APPLICABLE STANDARDS AND REGULATIONS.  
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NO.	DESCRIPTION	DATE

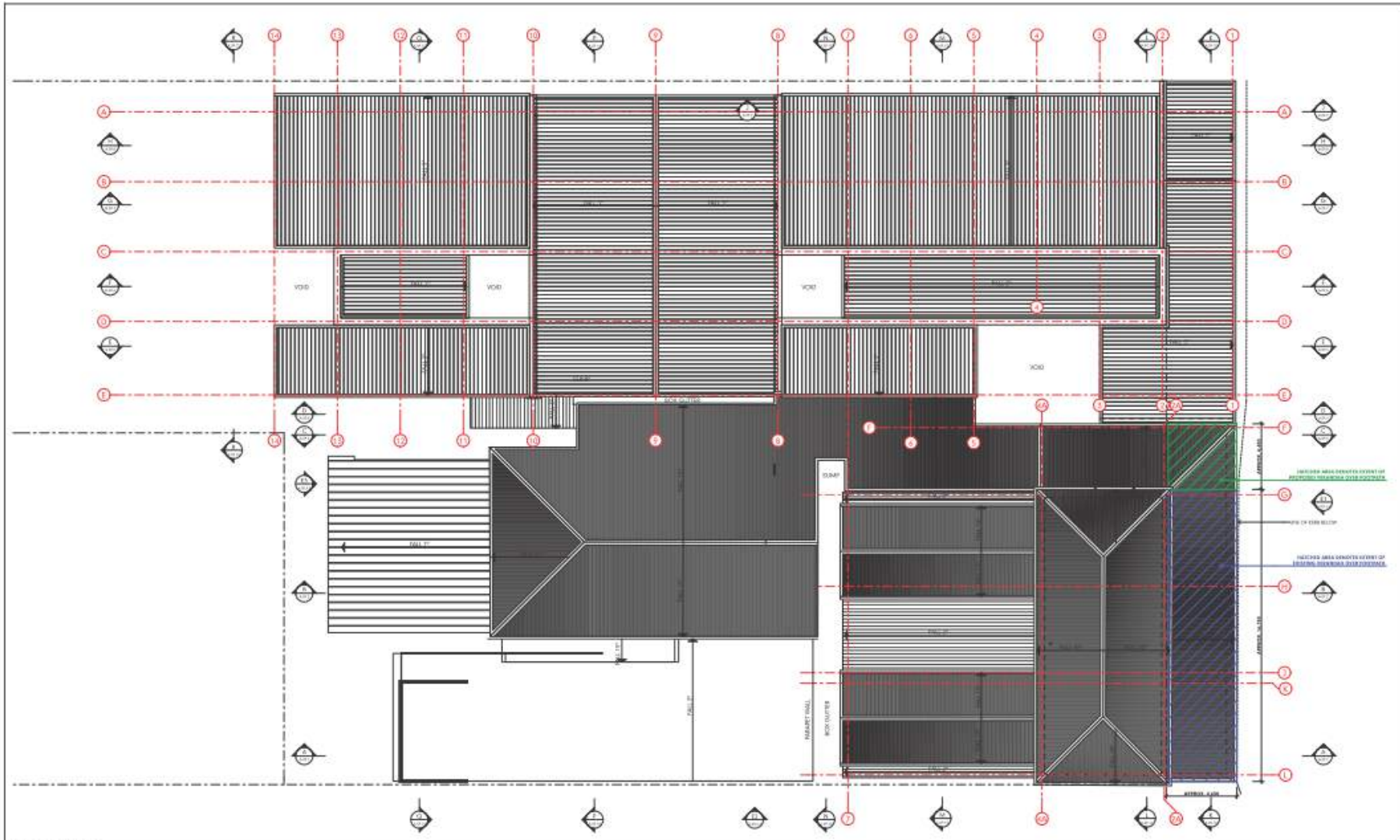


Architectural Services Planning Division  
 A1100 DA  
 10/11/2016  
 10/11/2016  
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 10/11/2016

PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD 4877  
 CLIENT: HILROCK PROPERTIES PTY LTD

SCALE: 1:100	DATE: 10/11/2016
PROJECT: A1	CLIENT: DA
PROPOSED	
<b>FIRST FLOOR PLAN</b>	
PROJECT: PET056	DATE: 9/12/2016
<b>A.00.4.2</b>	

**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**ROOF PLAN**  
SCALE 1:100

**IMPORTANT NOTES**  
 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING ACT 1975 AND THE BUILDING REGULATIONS 1975.  
 2. THE CLIENT SHALL OBTAIN ALL NECESSARY APPROVALS FROM THE LOCAL COUNCIL.  
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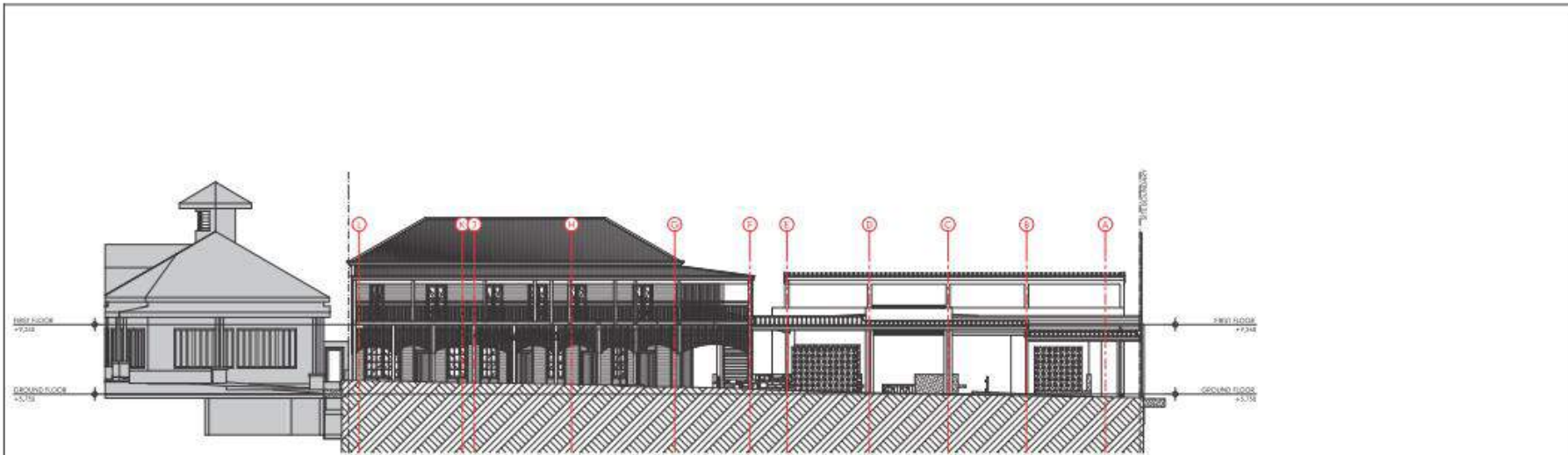
Rev	CD	Change/Notes	Date



PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD 4877  
 CLIENT: HEIROCK PROPERTIES PTY LTD

1:100	DA
A1	DA
PROPOSED	
ROOF PLAN	
PETOM	9/12/2014
<b>A.00.4.3</b>	

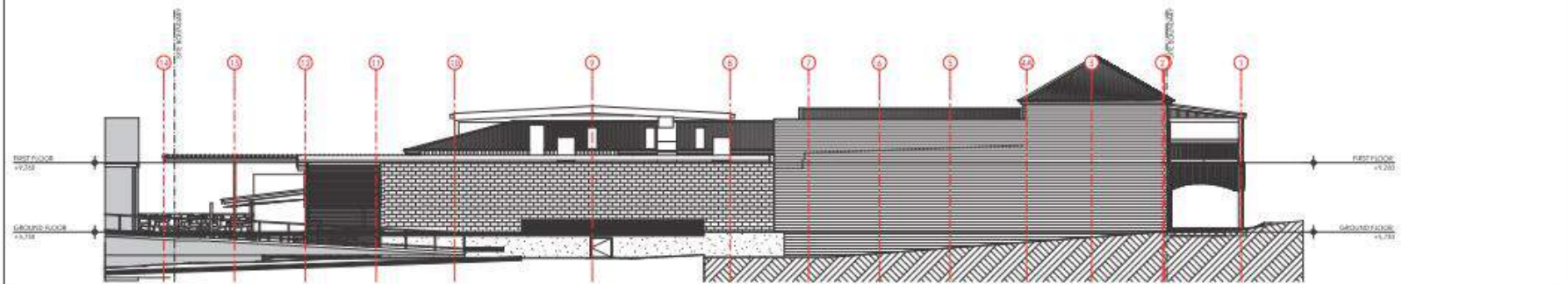
**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**



**NORTH EAST ELEVATION**  
SCALE: 1:100

**E1**

A100.1, A100.2, A100.3, A101.1, A101.2, A101.3, A101.4



**SOUTH EAST ELEVATION**  
SCALE: 1:100

**E2**

A101.1, A101.2, A101.3, A101.4, A101.5, A101.6

**IMPORTANT NOTES**  
 1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE AND STANDARDS OF THE PROFESSION.  
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.  
 3. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.  
 4. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER PROFESSIONALS.  
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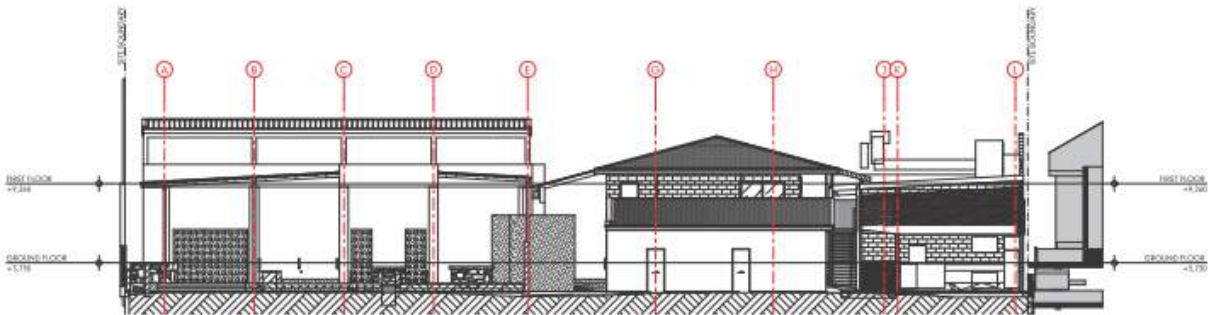
ARCHITECTS  
1000 EAST BRISBANE ROAD  
BRISBANE, QLD 4000  
TEL: 07 3251 1000  
WWW.HUNTDESIGN.COM

PROJECT: PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD 4877  
 CLIENT: HILROCK PROPERTIES PTY LTD

SCALE: 1:100	DATE: 9/12/2016
PROJECT: A1	STATUS: DA
PROPOSED: ELEVATIONS	
PROJECT: A.00.4.4	DATE: 9/12/2016



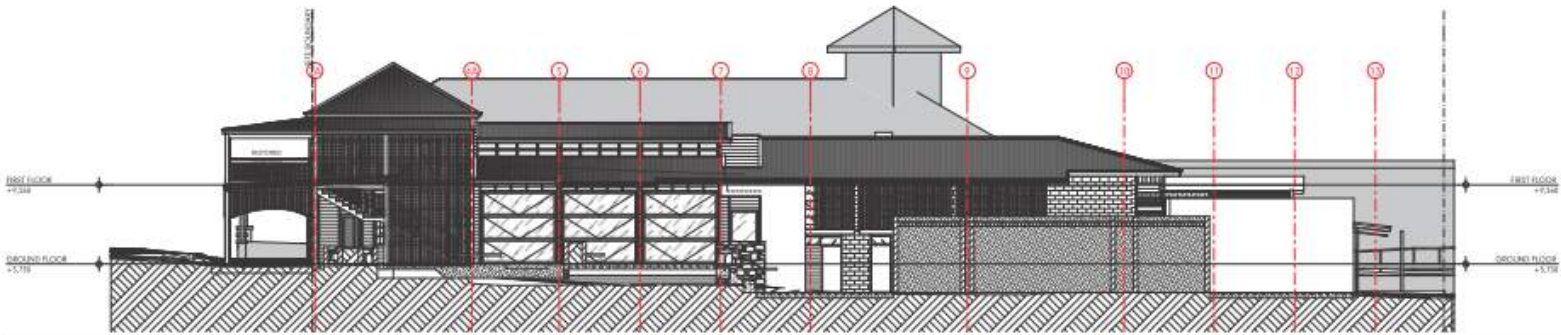
**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**



**SOUTH WEST ELEVATION**  
SCALE 1/10

**E3**

A00.4.1, A00.4.2, A00.4.3, A00.4.4, A00.4.5, A00.4.6, A00.4.7, A00.4.8, A00.4.9, A00.4.10



**NORTH WEST ELEVATION**  
SCALE 1/10

**E4**

A00.4.1, A00.4.2, A00.4.3, A00.4.4, A00.4.5, A00.4.6, A00.4.7, A00.4.8, A00.4.9, A00.4.10

**IMPORTANT NOTES**  
 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CURRENT AND APPLICABLE CODES OF PRACTICE AND STANDARDS.  
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Rev	Desc / Change Notes	Date



**PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD 4877**  
 CLIENT: HEIROCK PROPERTIES PTY LTD  
 PROJECT: CENTRAL HOTEL, PORT DOUGLAS, QLD 4877  
 DATE: 9/12/2014

SCALE	1:100
DATE	9/12/2014
PROJECT	PROPOSED ALTERATIONS AND ADDITIONS TO THE CENTRAL HOTEL, PORT DOUGLAS, QLD 4877
CLIENT	HEIROCK PROPERTIES PTY LTD
PROJECT NO.	A00.4.5
DATE	9/12/2014

## APPENDIX 2: REFERRAL AGENCY REQUIREMENTS



Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0617-039757  
Your reference: VGF-C1039  
Council Reference: MCU 2095/2017

20 July 2017

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

Attention: Mr Neil Beck

Dear Sir/Madam

### **Amended Concurrence agency response—with conditions**

Application for Material change of use (Refurbishment of tavern and ancillary and associated facilities) on land situated as 7-9 Macrossan Street, Port Douglas, Part of Macrossan Street road reserve and 6 Warner Street, Port Douglas and described as Lot 10 on SP262348 and Easements A and B in Lot 11 on SP262348

(Given under section 290(1)(b) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning issued a concurrence agency response under section 285 of the *Sustainable Planning Act 2009* on 17 July 2017 (dated 14 July, 2017).

On 17 July 2017 the department received representations from the applicant under section 320 (1) of the *Sustainable Planning Act 2009* requesting that the department amend its concurrence agency response under section 290(1)(b)(i) of the *Sustainable Planning Act 2009*.

The department has considered the written representations and agrees to issue an amended concurrence agency response.

### **Applicant details**

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Applicant name: Hilrok Properties Pty Ltd  
Applicant contact details: c/- Victor Feros Town Planning  
PO Box 1256  
CAIRNS QLD 4870  
caims@ferosplanning.com.au

Page 1

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

**Site details**

Street address:	7-9 Macrossan Street, 6 Warner Street (Easements A and B) and part of Macrossan Street road reserve, Port Douglas
Lot on plan:	Lot 10 on SP262348 and Easements A and B in Lot 11 on SP262348 and Part of Macrossan Street road reserve
Local government area:	Douglas Shire

**Application details**

Proposed development:	Material change of use – tavern (refurbishment of tavern and ancillary and associated facilities)
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**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	Tavern – refurbishment of tavern and ancillary and associated facilities	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
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**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
<b>Aspect of development: Material Change of Use (Refurbishment of Tavern and Ancillary and Associated Facilities)</b>				
Site Plan	Hunt Design + Heeker Guthrie	9/12/2016	A.00.2.2	-



Proposed Ground Floor Plan	Hunt Design + Heeker Guthrie	9/12/2016	A.00.4.1	-
First Floor Plan	Hunt Design + Heeker Guthrie	9/12/2016	A.00.4.2	-
Plan of Lot A (Proposed road closure in strata) Covering part of Macrossan Street abutting Lot 10 on SP262348	Queensland Government - Don Tennant	21/11/2016	CNS16\072	-

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

For further information, please contact Belinda Jones, Senior Planning Officer, SARA Far North QLD on 4037 3239, or email [belinda.jones@dilgp.qld.gov.au](mailto:belinda.jones@dilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



**Brett Nancarrow**  
Manager (Planner)

cc: Hilrok Properties Pty Ltd, [caims@ferosplanning.com.au](mailto:caims@ferosplanning.com.au)  
 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-0617-039757

Your reference: VGF-C1039

Council Reference: MCU 2095/2017

### Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material Change of 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):		
<b>In accordance with approved plans</b>		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>• The footpath, veranda and access arrangements depicted on site plan prepared by Hunt Design + Heeker Guthrie, dated 9/12/2016, Drawing No. A.00.2.2.</li> <li>• The footpath, veranda and access arrangements depicted on Proposed Ground Floor Plan prepared by Hunt Design + Heeker Guthrie, dated 9/12/2016, Drawing No. A.00.4.1.</li> <li>• The footpath, veranda and access arrangements depicted on First Floor Plan prepared by Hunt Design + Heeker Guthrie, dated 9/12/2016, Drawing No. A.00.4.2.</li> <li>• Plan of Lot A (Proposed road closure in strata) Covering part of Macrossan Street abutting Lot 10 on SP262348 prepared by Queensland Government, Don Tennant, dated 21/11/2016, Reference CNS16/072.</li> </ul>	Prior to the commencement of use and to be maintained at all times.

Our reference: SDA-0617-039757

Your reference: VGF-C1039

Council Reference: MCU 2095/2017

## **Attachment 2—Reasons for decision to impose conditions**

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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 as they relate to the State-controlled road – Port Douglas Road (Macrossan Street).

Our reference: SDA-0617-039757  
 Your reference: VGF-C1039  
 Council Reference: MCU 2095/2017

### Attachment 3—Further advice

General advice	
Ref.	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 <i>Transport Operations (Roads Use Management – Accreditation and Other Provisions) Regulations 2015</i> to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>

Our reference: SDA-0617-039757  
Your reference: VGF-C1039  
Council Reference: MCU 2095/2017

**Attachment 4—Approved plans and specifications**

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