

15 May 2018

Enquiries: Jenny Elphinstone  
Our Ref: ROL 125/2014 (41.2014.125) (Doc ID 852106)  
Your Ref: ROL 125/2014

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

Mrs Valmai Vivienne Christie  
8 Connolly Street  
MOSSMAN QLD 4873

[vvchristie37@bigpond.com](mailto:vvchristie37@bigpond.com)

Dear Madam

**APPLICATION REQUESTING EXTENSION TO CURRENCY PERIOD FOR DEVELOPMENT  
PERMIT FOR RECONFIGURING A LOT (1 LOT INTO 106 LOTS) STAGES 4 & 5 SHEPHERD  
VALLEY ESTATE AT 52-80 CORAL SEA DRIVE MOSSMAN GORGE AND L45 CONNOLLY  
STREET MOSSMAN, ON LAND DESCRIBED AS  
LOT 10 ON RP887362 & LOT 45 ON SP183690**

Council refers to your application received on the 14 April 2018 and properly made, by payment of the application fee on the 16 April 2018.

Please find attached the Decision Notice for the above-mentioned application requesting a fur year extension to the currency period.

This notice also includes an Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

Please quote Council's application number: ROL 125/2014 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9482.

Yours faithfully

  
**PAUL HOYE**  
Manager Sustainable Communities

cc. SARA Cairns: Department of State Development, Manufacturing, Infrastructure and Planning, [CairnsSARA@dilgp.qld.gov.au](mailto:CairnsSARA@dilgp.qld.gov.au)

encl.

- Decision Notice
- Adopted Infrastructure Charges Notice

**DECISION NOTICE — APPROVAL**  
**(GIVEN UNDER SECTION 87 OF *THE PLANNING ACT 2016*)**

Thank you for your development application detailed below which was properly made on 15 February 2018. Please be aware that Douglas Shire Council has assessed your application and decided it as follows:

**1. *Applicant's details***

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Name: Mrs Valmai Vivienne Christie

Postal Address: Mrs Valmai Vivienne Christie  
8 Connolly Street  
MOSSMAN QLD 4873

**2. *Location details***

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Street Address: 52-80 Coral Sea Drive Mossman Gorge and Lot 45 Connolly Street Mossman.

Real Property Description: Lot 10 on RP 887362 and Lot 45 on SP183690

Local Government Area: Douglas Shire Council

**3. *Details of proposed development***

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Extension application for the Development Permit for the Reconfiguring a Lot (2 Lots into 106 Lots) Stages 4 & 5 Shepherd Valley Estate, up to and including 4 November 2022.

**4. *Decision***

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Date of decision: 15 May 2018.

Decision details: Approved.

**5. *Approved Development***

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A copy of the approved development is included in Schedule 1.

## **6. Further development permits**

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Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Operational Work.

## **7. Properly made submissions**

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Not applicable — no part of the application required public notification.

## **8. Referral Agencies**

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A copy of the Decision is issued to the Referral Agency the Department of State Development, Manufacturing, Infrastructure and Planning.

## **9. Currency period for the approval**

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This development approval has a currency period up to and including the 4 November 2022.

## **10. Adopted Charges**

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Adopted Infrastructure Charges apply to the extension and these are included in Schedule 2.

## **11. Rights of appeal**

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The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions is included in Schedule 3.

## SCHEDULE 1 – ORIGINAL DECISION NOTICE

**YOUR REF:** 091213  
**OUR REF:** ROL 125/2014 (43302a)

4 November 2014

Mr Wayne Storey  
PO Box 1285  
INNISFAIL QLD 4860

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR 52-80 CORAL SEA DRIVE, MOSSMAN  
GORGE & CONNOLLY STREET, MOSSMAN**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 4 November 2014, 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 Jenny Elphinstone of Development and Environment on telephone number 07 4099 9456.

Yours faithfully

Paul Hoyer  
General Manager Operations

Att

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**APPLICANT DETAILS**

Wayne Storey  
PO Box 1285  
INNISFAIL QLD 4860

**ADDRESS**

52-80 Coral Sea Drive, Mossman Gorge & Connolly Street, Mossman

**REAL PROPERTY DESCRIPTION**

Lot 10 on RP887362 & Lot 45 on SP183690

**PROPOSAL**

Reconfiguring a Lot (2 Lots into 106 Lots) Stages 4 & 5 Shepherd Valley Estate

**DECISION**

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

**DECISION DATE**

4 November 2014

**TYPE**

Reconfiguration of a Lot (Development Permit)

**REFERRAL AGENCIES**

| For an application involving                | Name of referral agency                                      | Advice agency or concurrence agency | Address  |
|---|--|-------------------------------------|--|
| Native vegetation clearing                  | Department of State Development, Infrastructure and Planning | Advice or Concurrence               | Far North Queensland Regional Office<br>PO Box 2358<br>CAIRNS QLD 4870 |
| State transport infrastructure (thresholds) | Department of State Development, Infrastructure and Planning | Advice or Concurrence               | Far North Queensland Regional Office<br>PO Box 2358<br>CAIRNS QLD 4870 |

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Operational Work

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**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

**A. CONDITIONS OF APPROVAL FOR RECONFIGURING A LOT FOR STAGES 4 & 5 SHEPHERD VALLEY ESTATE OVER LAND DESCRIBED AS LOT 10 ON RP887362 AND LOT 45 ON SP183690, LOCATED AT 52-80 CORAL SEA DRIVE, MOSSMAN GORGE AND CONNOLLY STREET, MOSSMAN**

**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             |
|---|---|------------------|
| Coral Sea Drive Development, Drainage Study Internal Catchment Drainage Plan                      | Projex Partners Drawing 601-001-SK03 Revision 2 dated 9 July 2014 and as amended by Condition 4 of the Approval     | To be determined |
| Proposed Reconfiguration of Lot 45 on SP183690 and lot 10 on RP887362 – Stage 4 Layout            | Benchmark Survey and Design Drawing 031213-C01 Revision A dated 12/13 and as amended by Condition 4 of the Approval | To be determined |
| Proposed Reconfiguration of Lot 45 on SP183690 and lot 10 on RP887362 – Stage 5 Layout            | Benchmark Survey and Design Drawing 031213-C02 Revision A dated 12/13 and as amended by Condition 4 of the Approval | To be determined |
| Proposed Reconfiguration of Lot 45 on SP183690 and lot 10 on RP887362 – Stage 4 and 5 Road Layout | Benchmark Survey and Design Drawing 031213-C03 Revision A dated 12/13 and as amended by Condition 4 of the Approval | To be determined |

**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

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**Timing of Effect**

2. The conditions of the Development Permit must be effected prior to the issue of a Compliance Certificate for the Plan of Survey, except where specified otherwise in these conditions of approval.

**Access**

3. No lot is to be accessed from Coral Sea Drive.

**Lot Yield**

4. The allotment yield as detailed on Drawing No 601-001-SK03 Revision 2 dated 9 July 2014 prepared by Projex Partners may reduce due to constraints. The lot yield will ultimately be determined following compliance with the conditions of this Development Permit with particular reference to Condition 5 requiring further design and also to the Condition 6 requiring an update to the stormwater master plan, which also has potential implications to the lot layout.

**Street Layout and Design**

5. The street layout and design must be revised to comply with Queensland Streets and the *FNQROC Development Manual*, to the satisfaction of the Chief Executive Officer. In particular:

- a. Provide a detailed survey of Parker's Creek upstream from the south-eastern boundary of Lot 45 on SP183690 to identify the top of bank. Setback lots a minimum of ten (10) metres from the northern top of bank or a distance as required from a geotechnical report for slumping or incised bank of Parker Creek;
- b. Proposed Lots 89 to 97 and proposed Lots 104 and 105 are not approved and are subject to further design to prove that all services sewer and stormwater can be provided to these lots without need to resort to extensive retaining. Council does not accept that a 3.8m retaining wall is an acceptable outcome.

Where the cul-de-sac and part of proposed Lots 89 to 97 can be shown to be developed without need for extensive earthworks and retaining adjacent the boundary, Council may be able to accept some of the lots;

- c. Discharge of stormwater to the drain at the rear of proposed Lot 47 is indicated to be at RL 16.0m on the stormwater master plan. All development below the 16m contour is subject to confirmation of serviceability without resorting to significant earthworks and resulting high retaining walls.
- d. Provision of a two (2) metre wide footpath is to be constructed within all Access Streets and higher order roads in accordance with Table D1.3;

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- e. Revisit the design of proposed Lots 79 to 82 to ensure that each allotment is provided with sufficient area to accommodate a building envelope. The building envelope must be free from vegetation and must reflect the slope of the lots to accommodate an individual driveway of suitable gradient for each proposed lot.

Nominate all access driveways and excavations to establish a preliminary building pad on these lots;

- f. Ensure the access place 'street leg length' is designed to satisfy the design speed control criteria for the respective road hierarchy; and
- g. Demonstrate that the required on-street car parking spaces can be provided in the vicinity of cul-de-sacs and lots with frontage less than 17m.

An amended plan incorporating the above requirements must be submitted prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

**Water Supply and Sewerage Master Plan**

- 6. A Water Supply and Sewerage Master Plan accompanied by supporting calculations must be provided which demonstrates how the development can be serviced.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey.

**Water Supply and Sewerage Infrastructure Plan**

- 7. A water supply and sewerage infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular the plan must:
  - a. Identify any external catchments that will be connected to the internal sewer or water networks;
  - b. Identify any trunk infrastructure external to the subdivision that may require upgrading to accommodate the development; and
  - c. Provide any required pump station with a service vehicle turnaround area.

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The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

**Water Supply and Sewerage Works Internal**

8. Undertake the following water supply and sewerage works internal to the subject land:
- a. Provide a single internal sewer connection to each lot in accordance with the *FNQROC Development Manual*;
  - b. Provide water reticulation within the estate in accordance with the *FNQROC Development Manual*; and
  - c. Construct service vehicle turnarounds for any required pump station(s).

All the above works must be designed and constructed in accordance with the *FNQROC Development Manual*.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

**Inspection of Sewers**

9. CCTV inspections of all constructed sewers must be undertaken for all sewers that will become an asset of Council. An assessment of the CCTV records will be undertaken and any identified defects are to be rectified to the satisfaction of the Chief Executive Officer at no cost to Council.

**Road Layout**

10. Further investigations must be undertaken by an appropriately qualified professional with respect to the proposed road layout and compliance with Queensland Streets and the *FNQROC Development Manual*. The investigation is to include but not be limited to the following:
- a. Proposed Lots 36 and 43 and the proximity of these lots to the roundabout and the ability to provide suitable access. Sight distance to these lots on the roundabout, and any requirements for the driveway locations (including possible specification for access at the side boundaries) is to be nominated. In addition any implications for existing Lots 15 and 16 on RP 910268 are to be advised.
  - b. Batters from road and access onto proposed Lots 68 to 78 are to be demonstrated on plans prior to the issue of a Development Permit for Operational Works for those stages. Driveway access is to be confirmed to each lot once the final road grading is confirmed.

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- c. A car parking plan is to be provided in support of the operational works application showing how on-street car parking at the cul-de-sacs will be provided at the rate nominated in Queensland Streets. The plan must include driveways and infrastructure to verify that the car parks are available within the road system. Where additional parking is required this must be documented in the operational works plans for approval by Council.

The advice on the outcomes from this review must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. Where specific access locations are nominated for particular allotments, the cross-over and aprons must be constructed prior to the issue of a Compliance Certificate for the Plan of Survey.

**Geotechnical Report**

- 11. A geotechnical assessment must be carried out by a qualified and experienced geotechnical consultant for proposed Lots 67-93. The preliminary geotechnical reports are to be lodged with the application for a Development Permit for Operational Works, with a final geotechnical report endorsed by the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

**Updated Drainage Study of Site**

- 12. Undertake an update to the local drainage study of the site to determine the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:
  - a. The contributing catchment boundaries including justification for the contour data utilised, (it is noted that there are discrepancies between the internal and external contour information at the limit of the detail survey);
  - b. The extent of the 100 year ARI flood event in relation to the site both pre- and post-development;
  - c. Primary and secondary flow paths for the 2, 5, 10 and 100 year ARI flood events;
  - d. Identify any requirement for drainage easements, and provide substantiation of the easement widths supported by details of flow depths, water spread and freeboard to adjacent lots);
  - e. Identify the need and tenure for flood detention areas to ensure a no-worsening impact on downstream properties for the entire development;
  - f. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development;
  - g. Lawful point of discharge;

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- h. Clarification of the drainage concept for the park area and the swale behind proposed Lots 62 to 66. The master plan appears to indicate duplicate drainage systems. The function, size and capacity of each system is to be advised so Council can assess its acceptance or otherwise of the concept being proposed;
- i. The width of the drainage easement in the rear of proposed Lots 43 to 55 is to be confirmed with detailed stormwater calculation submitted with the operational works applications for the relevant stage. In particular the calculations shall demonstrate that the adjacent lots are provided with freeboard in accordance with the requirements of the *QUDM Development Manual*.

The afflux at any culverts and associated implications for hydraulic gradient is to be calculated with these calculations submitted to Council as part of the operational works supporting information.

The stormwater designer must certify the runoff is fully contained with appropriate freeboard for all events;
- j. The profiling of proposed Lot 62 is to demonstrate that the lot is not at risk to external flows from the west with an apparent low spot mid-way along the rear boundary. The lot profiling must also show that the lot is provided with freeboard to the adjacent drain;
- k. Stormwater catch drain at the rear of proposed Lots 83 to 92 appears to be relied on for protecting these lots. No information is provided on the capacity, tenure and long term stability of this diversion. The revised stormwater study is to provide further advice on this diversion and demonstrate how it meets the requirements of the *FNQROC Development Manual* and the *QUDM Development Manual*;
- l. Stormwater modelling of Parker Creek is to confirm immunity and freeboard to adjacent lots;
- m. Flows through the park are to be conveyed underground to ensure utility of the Park is not compromised by surface drainage channels. If the park is intended to have any detention function, details are to be provided to demonstrate what immunity is provided to the park and the operation and maintenance of any infrastructure;
- n. The drainage for road flows in the vicinity of proposed Lots 61 and 62 is to be confirmed. If the major flows are intended to be conveyed from a sag point at this location, calculations and details of the localised road grading are to be provided for review at operational works phase;
- o. Proposed Lots 1 to 13 are below the road, this has implications for the major flow capacity of the road. The updated stormwater master plan is to confirm that the stormwater can be managed noting the reduction to permissible road flow capacity;

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- p. Stormwater drainage reserve behind proposed Lots 62 to 66 must demonstrate that there is appropriate capacity to avoid overtopping into lots below the drainage reserve. Controls for surface flows at bends are to be nominated; and
- q. Stormwater easement in proposed Lots 56 to 61 must demonstrate that there is appropriate capacity to avoid overtopping into lots below the easement. Any controls on fencing must be nominated in the revised Master Plan.

The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

**Earthworks on Lots**

- 13. Having regard to condition 5e above for the Lots in the area of proposed Lots 79 to 82 construct a vehicle access driveways and excavations to establish a preliminary building pad on each lot.

The height of batters / retaining structures shall be generally limited to avoid visual amenity issues. All batters must be constructed in a manner that minimises the construction footprint and has the ability to be screened.

Typical details of the various methods to be used to achieve this must be submitted to Council in conjunction with seeking a Development Permit for Operational Works. In instances where batters will exceed 1.8 metres in height, Council will require details to be submitted that include, but are not limited to, the following:

- a. Details of the specific means of supporting or retaining to be used. This must include a geotechnical report supporting each of the proposed treatments at each location;
- b. Drawings (plans, longitudinal and cross sections) showing the extent of the proposed treatments at each location;
- c. Methods to be used to minimise the visual impact; and
- d. Elevations showing the visual impact when viewed from vantage points.

A geotechnical assessment by a qualified and experienced geotechnical consultant must also be submitted with the application for Operational Works, with a final geotechnical report to be endorsed by the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

**External Works**

- 14. Undertake the following external works:-
  - a. Upgrade the northern drain including outlet into Parker's Creek, as recommended in the drainage report.

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Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plan prior to the issue of a Compliance Certificate for the Plan of Survey.

**Fence Requirement – For Stage 4**

15. Construct an acoustic fence to the eastern boundary of Stage 5 that is to remain in good condition until the release of lots in Stage 5.

**Demolish Structures**

16. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to the issue of a Compliance Certificate for the Plan of Survey.

**Temporary Vehicle Turnaround**

17. A temporary vehicle turnaround at end of all partially constructed roads where the length of road exceeds 60 metres (ie, maximum acceptable reversing distance for garbage truck) must be provided. The turning facility must be of sufficient size to turn around a garbage truck, either in a continuous forward movement or by a three-point turn.

**Filling Lots**

18. Each lot must be filled to achieve a Q100 plus hydraulic modelling flood immunity for the building envelope area and access thereto. No fill can occur in the Parker Creek area (including ten (10) m from top of bank) and no filling can be such that detrimentally impacts on the drainage areas.

The applicant must ensure that as a result of the filling there is no impact on upstream or downstream drainage.

Details of the proposed fill must be provided as part of the application for a Development Permit for Operational Work.

All filling must be completed and stabilised to the satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for approval the Survey Plan.

**Building Envelope Plan**

19. A building envelope plan for proposed Lots 67 to 93 must be lodged with Council prior to approval and dating of the Plan of Survey. The building envelope plan must comply with the following requirements:
  - a. The building envelope must be pegged on site to the requirements and satisfaction of the Chief Executive Officer;
  - b. No building setback shall be closer than 1.5 metres to a completed sewer main;

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- c. No building envelope shall extend into an existing or proposed easement;
- d. No building envelope shall contain slopes in excess of 1:3 and contain limited areas having slopes between 1:4 and 1:6;
- e. A suitable building envelope, which seeks to exclude all or most significant vegetation, must be identified for each new allotment. The vegetation which is approved to be cleared must be removed prior to the issue of a Compliance Certificate for the Plan of Survey;
- f. The building envelope must be clear of the sewer unless alternative arrangements are made to make the existing sewer line redundant to the satisfaction of the Chief Executive Officer;
- g. Building envelopes must be located to accommodate any necessary set-backs from drainage paths and sewerage soakage envelopes;
- h. The building envelope plan must show the actual edge of the existing drainage path;

The applicant / owner must also ensure that the endorsed building envelope plans are made known to all prospective purchasers of the lots.

Proposed clearing on these lots is to be nominated on the engineering drawings submitted for Operational Works approval.

The boundary of building envelopes must be delineated with marker pegs prior to any removal of vegetation. Driveway access corridors must also be clearly marked within the designated vegetation retention areas.

**Stockpiling and Transportation of Fill Material**

- 20. 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.
- 21. 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**

- 22. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

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**Construction Access**

23. Vehicular access to the site for construction and demolition purposes must be provided from Forest Glen Road only, unless authorised by the Chief Executive Officer. No access is permitted of Coral Sea Drive.

**Drainage Easements**

24. A Drainage Easement having a minimum width of four (4) m in the location(s) shown on the Drainage Study Plan drawing 601-001-SK03 revision 2, dated 4 July 2014 and prepared by Projex Partners must be granted in favour of Council. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted at the same time as seeking approval and dating of the Plan of Survey and must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.

**Damage to Council Infrastructure**

25. 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/owner's/builder's cost, prior to the Commencement of Use.

**Provision of Park**

26. The physical provision of Park land must be the dedicated proposed Lot 106 as shown in accordance with the Plan 601-001-SK03 Revision 2 prepared by Projex Partners and dated 7 July 2014.

The Park land must be developed with the following Park improvements:

- a. Bollards surrounding the entire road frontage to the park to prevent vehicular access to the park;
- b. A play space to cater for a wide range of age groups. The play space is to have shade in the form of both shade cloth and trees;
- c. A picnic set with shade structure;
- d. A bubbler with tap and dog drinking bowl;
- e. Landscaping including trees (ie. plants that will become trees). Plants must be agreed to by Council and must be native species. The remaining areas must be turfed;
- f. Two (2) seats with one (1) adjacent to the play space;
- g. Pathways linking surrounding paths and streets;

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- h. Open areas sufficient for informal kick around;
- i. Minimum of one (1) bin to be located adjacent to the picnic area; and
- j. An electric BBQ.

Park improvements must also be completed to the satisfaction of the Chief Executive Officer. The park improvements must be completed prior to the issue of a Compliance Certificate for the Plan of Survey for Stage 4.

This area is to be a fair average of the type of land to be reconfigured and shall be filled, graded, and drained, and all declared pest plants to be destroyed and left in a mowable condition to the requirements and satisfaction of the Chief Executive Officer. Bollards to prevent vehicle access must also be installed as part of the physical land dedication.

Three (3) copies of an amended plan showing the required parkland for the entire estate must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

The park areas shall be transferred to the Crown at the same time as the issue of a Compliance Certificate for the Plan of Survey for Stage 4.

**Landscape Plan**

27. Undertake landscaping of the site and street frontages of new roads in accordance with *FNQROC Development Manual* and in accordance with a landscape plan. The landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work. In particular, the plan must show:

- a. Planting of the footpath with trees, using appropriate species;
- b. The provision of shade trees, especially in parks;
- c. The revegetation of cut and fill batters;
- d. Species to have regard to the Planning Scheme Policy No.7 Landscaping;
- e. Remediation and revegetation works to be undertaken within the both the major drainage line and the drainage line in the northern portion of the site to enhance these areas as a passive recreational spaces; and
- f. Inclusion of all requirements as detailed in other relevant conditions included in this Approval, with a copy of this Development Approval to be given to the applicant's Landscape Architect / Designer.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer prior to the Issue of a Development Permit for Operational Works. Areas to be landscaped must be established prior to approval and dating of the Plan of Survey and must be maintained for the duration of the on-maintenance period to the satisfaction of the Chief Executive Officer.

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**Weed Management**

28. A Weed Management Plan for invasive pest species must be submitted to and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.
29. A vehicle wash down and inspection facilities for all machinery entering and leaving the site during construction must be provided to reduce the spread of invasive weed species.

**Vegetation Clearing**

30. Existing vegetation on the subject land must be retained in all areas except those affected by construction of roadworks / access driveways and/or installation of services as detailed on the approved plans as stated in this approval. Any further clearing requires an Operational Works Approval.

**Buffer Around Vegetation**

31. Any common boundaries with the area of Parker's Creek drainage reserves must be temporarily delineated and fenced off to restrict building access for the duration of construction activity. A minimum two (2) metre wide buffer shall be provided around the vegetation to be retained and around the vegetation within the area of Parker's Creek. This buffer must consist of suitable fencing to ensure that machinery, equipment or construction materials are not stored or used within this area. This buffer is to be established prior to the commencement of any works on the site and must be maintained at all times for the duration of the construction to the satisfaction of the Chief Executive Officer.

Council is to inspect the buffer prior to machinery, equipment or construction materials being delivered to the site.

**Wildlife**

32. Prior to removal of any tree, an inspection must be carried out for any signs of protected wildlife including nests and animal habitat. Should any recent wildlife activity be identified, removal of the tree must not occur until the animal has vacated the area of immediate danger. If the animal does not move from the area of danger, the Queensland Parks and Wildlife Services must be contacted for advice. Important habitat trees should be retained wherever possible.

**Reserves Over Creeks and Streams**

33. A Drainage Reserve containing all land below the top of the high bank and a 10 metre minimum wide strip adjacent to the top of the bank or the limit of the Q100 ARI event, whichever is the greater must be transferred to the Crown for Drainage Purposes. The land (reserve) must be transferred in conjunction with registration of the Plan of Survey.

The land must be handed over as the adjacent stage is registered.

**Existing Creek and Drainage Systems**

34. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

The Applicant / owner must obtain any necessary approvals from the Department of Natural Resources and Mines for carrying out works in a watercourse.

**Rehabilitation of Drainage Line**

35. The drainage line located on the south side of the land has deteriorated and must be rehabilitated to a natural maintenance-free watercourse, with rock protection for invert erosion stability as required with respect to velocities, and banks laid back to a slope of 1:4, landscaped with naturally occurring tree species that will shade out grass and weed species within two (2) years.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plan prior to approval and dating of the Plan of Survey.

**Lawful Point of Discharge**

36. 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 to the requirements and satisfaction of the Chief Executive Officer.

**Plan of Drainage Works**

37. The subject land must be drained to the satisfaction of the Chief Executive Officer, in particular:
- a. Drainage infrastructure in accordance with the *FNQROC Development Manual*;
  - b. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQIDs), namely:
    - i. End-of-line stormwater quality improvement devices (SQIDs) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit;

- ii. SQIDs shall remove at least ninety-five per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQIDs treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated;
  - iii. The design of the SQIDs shall not compromise the hydraulic performance of the overall drainage system;
  - iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.
- c. All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event; and
  - d. Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s).

**Sediment and Erosion Control**

38. A sediment and erosion control plan must be submitted prior the issue of a Development Permit for Operational Works. Such 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**

39. Written confirmation of the location of existing services for the land must be provided. All services must be contained within the lot it serves. In any instance where existing services are not contained within the lot it serves 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, the lodgement of a Compliance Certificate for the Plan of Survey creating the lot.

**DECISION NOTICE DETAILS**  
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**Electricity Supply**

40. 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 the issue of a Development Permit for Operational Works.

**Electricity and Telecommunications**

41. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey.

**Street Lighting**

42. The following arrangements for the installation of street lighting within the proposed subdivision must be provided prior to the issue of a Compliance Certificate for the Plan of Survey:
- a. Prior to the approval and dating of the Plan of Survey, a Rate 2 lighting scheme is to be prepared by Ergon Energy or its approved consultant and submitted to the Chief Executive Officer for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the *FNQROC Development Manual*.

The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the *FNQROC Development Manual*.

The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 at the following road elements:

- i. Intersections;
- ii. Pedestrian Refuges;
- iii. Cul-de-sacs; and
- iv. LATM Devices (Including Roundabouts).

LATM Devices are to be shown on the civil layout design, the electrical services and street lighting design must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard.

- b. Prior to the issue of a Compliance Certificate for the Plan of Survey written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.

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**DECISION NOTICE DETAILS**  
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- c. Where a new intersection is formed on an existing roadway for the purpose of accessing a new subdivision development, the intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant Lighting Category.
- d. Where an existing intersection is required to be upgraded as part of a development approval, the intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant Lighting Category.

**CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS**

| Concurrence Agency  | Concurrence Agency Reference | Date        | Council Electronic Reference |
|---|------------------------------|-------------|------------------------------|
| Department of State Development, Infrastructure and Planning. | SDA-0414-009734              | 3 June 2014 | D#422178                     |

Refer to Appendix 2: Concurrence 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.

**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.

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

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 appeal 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 the Development and Environment Branch 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.

6. For information relating to the *Sustainable Planning Act 2009* log on to [www.dsdp.qld.gov.au](http://www.dsdp.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).

**B. THE FOLLOWING NOTATIONS WILL BE PLACED ON COUNCIL'S FUTURE RATES RECORD:**

1. For Lots 67 to 93:

**Building Envelope**

- a. The future dwelling and outbuildings must be sited within the building envelope as detailed on the Building Envelope Plan held by Council. A copy of the Building Envelope Plan is available from Council.

**Geotechnical Report**

- b. Future development on this site must occur in accordance with the Geotechnical Report required under Condition 11 of the approval. Any request to undertake alterations to the cut / fill batters must be accompanied by a report prepared by a qualified and experienced geotechnical consultant. A copy of the Geotechnical Report is available from Council.

2. For Lots 68 to 83:

**Access Limitation**

- a. Access to the lot is only permitted via the internal road within the development. Dual access is not permitted.

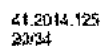
**RIGHTS OF APPEAL**  
Attached

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**End of Decision Notice**

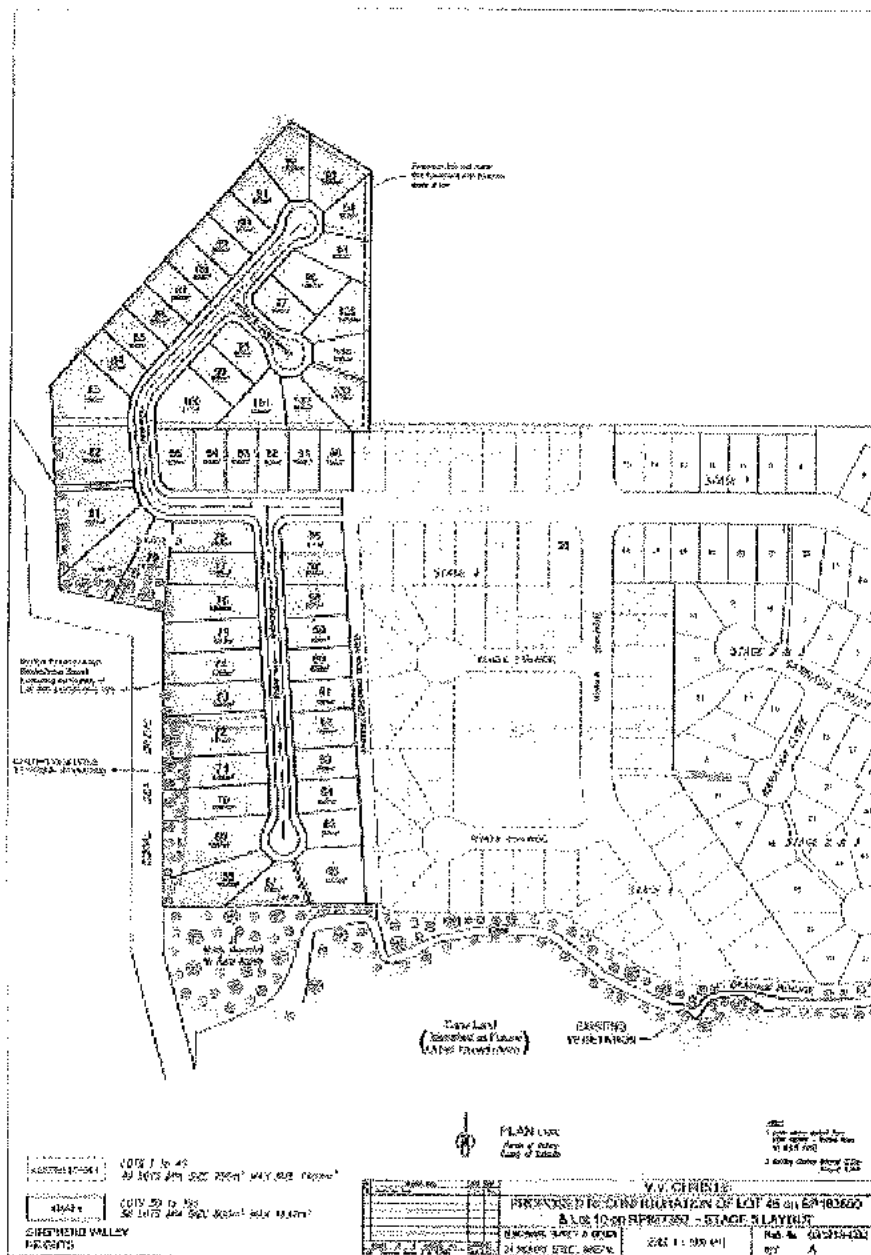
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**APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)**

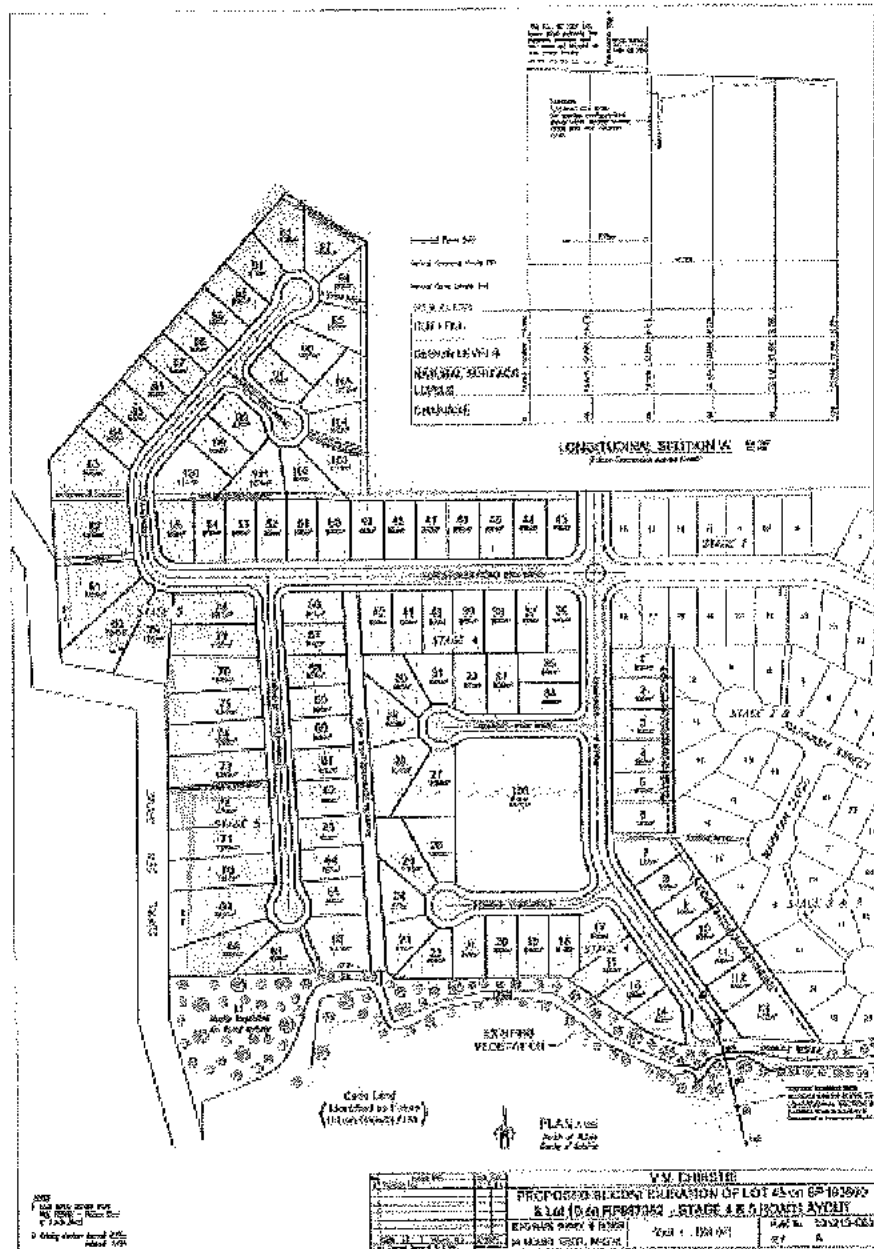


## DECISION NOTICE DETAILS

### SUSTAINABLE PLANNING ACT 2009

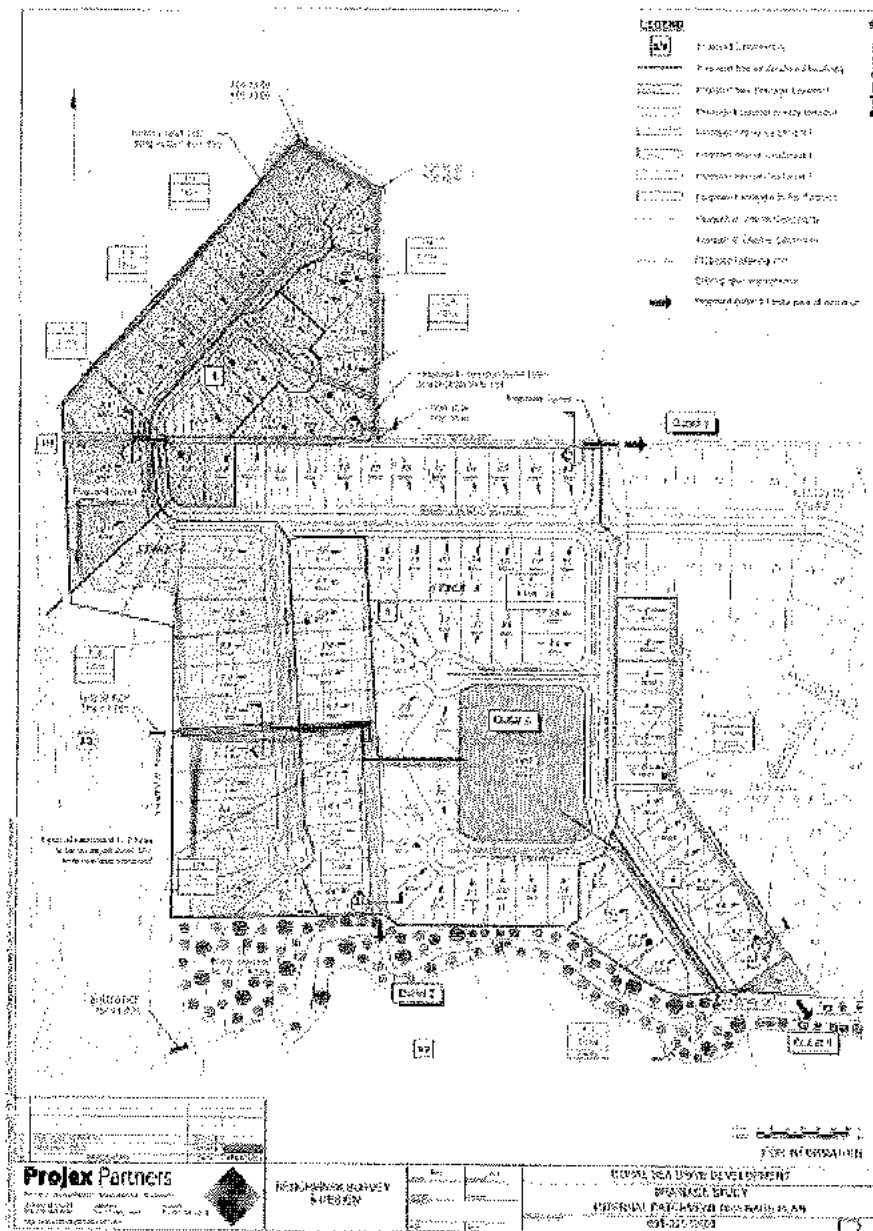
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## DECISION NOTICE DETAILS

### SUSTAINABLE PLANNING ACT 2009

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

**APPENDIX 2: REFERRAL AGENCY REQUIREMENTS**

SDA 0414 009734



Department of  
State Development,  
Infrastructure and Planning

Our reference: SDA-0414-009734  
Your reference: ROL 125/2014

Date: 3 June 2014

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

Dear Ms Cardew,

**Consentance agency response –with conditions**  
**Reconfiguration of a lot (2 Lots into 105 Lots) –**  
**52-80 Coral Sea Drive and Forest Glen Road, Mossman**  
**(Lot 10 on RP867362 & Lot 45 on SP183690)**  
**(Given under section 205 of the Sustainable Planning Act 2009)**

The referral agency material for the development application described below was received by the Department of State Development, Infrastructure and Planning under section 272 of the Sustainable Planning Act 2009 on 29 April 2014.

**Applicant details**

|                            |                                     |
|----------------------------|-------------------------------------|
| Applicant name             | Mr Wayne Stoney                     |
| Applicant contact details: | PO Box 1285<br>Innisfail, Qld, 4850 |

**Site details**

|                            |   |
|----------------------------|---|
| Street address:            | 52-80 Coral Sea Drive and Forest Glen Road, Mossman |
| Real property description: | Lot 10 on RP867362 & Lot 45 on SP183690             |
| Site area:                 | 149,968m <sup>2</sup>                               |
| Local government area:     | Douglas Shire Council                               |

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PO Box 2309, Cairns  
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Telephone +61 7 4088 1111  
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Email [CustomerService@dsip.qld.gov.au](mailto:CustomerService@dsip.qld.gov.au)  
Fax 08 230 172 130

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

SCA-0414-002/04

**Application details**

Proposed development: Development Permit for Reconfiguration of a Lot - 2 Lots into 186 Lots

**Aspects of development and type of approval being sought**

| Nature of Development | Approval Type      | Brief Description of Proposal | Level of Assessment |
|-----------------------|--------------------|-------------------------------|---------------------|
| Reconfiguring a Lot   | Development Permit | 2 Lots into 186 Lots          | 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 2 – Development impacting on state transport infrastructure

**Conditions**

Under section 267(1)(a) of the Sustainable Planning Act 2009, the department requires that the conditions set out in Attachment 1 attach to any development approval.

**Reasons for decision to impose conditions**

Under section 268(1) of the Sustainable Planning Act 2009, the department is required to set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

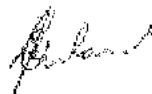
**Further advice**

Under section 267(6) of the Sustainable Planning Act 2009, the department offers advice about the application to the assessment manager – see Attachment 3.

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

If you require any further information, please contact Charlton Best, Senior Planning Officer, on 07 4048 1499 or via email at [CarrieSARA@dsdp.qld.gov.au](mailto:CarrieSARA@dsdp.qld.gov.au), who will be pleased to assist.

Yours sincerely



Darren Cleland  
Regional Director

Port Authority Building  
Cnr Griffin and Harley Streets, Cairns  
PO Box 2356 Cairns  
Queensland 4870 Australia

Telephone: (61 7 4048 6111)  
Web: [www.dsdp.qld.gov.au](http://www.dsdp.qld.gov.au)  
Email: [CarrieSARA@dsdp.qld.gov.au](mailto:CarrieSARA@dsdp.qld.gov.au)  
ASN 26 232 318 536

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

SDA-2014-008734

cc: Mr Wayne Storey, highland@seafair.com.au  
Attachment 1--Conditions to be imposed  
Attachment 2--Reasons for decision to impose conditions  
Attachment 3--Further advice

Port Authority Building  
Cnr Gordon and Harley Streets, Cairns  
PO Box 6585, Cairns  
Queensland 4870, Australia

Telephone: 08 7 6666 1111  
Website: [www.cairnsport.gov.au](http://www.cairnsport.gov.au)  
Email: [Cairns@ Cairnsport.gov.au](mailto: Cairns@ Cairnsport.gov.au)  
Fax: 08 7666 1111

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

2014.125.2734

Our reference: 50A-0414-008724  
 Your reference: ROL 125/2014

**Attachment 1—Conditions to be imposed**

| No.   | Conditions  | Condition timing  |
|---|---|---|
| <b>Development Permit – Reconfiguring a Lot (2 Lots into 106 Lots – Stages 4 &amp; 5)</b>   |   |   |
| 1   | <p>Development must be carried out generally in accordance with the following plans and reports, except as modified by these concurrence agency conditions:</p> <ul style="list-style-type: none"> <li>Benchmark Survey &amp; Design Proposed Reconfiguration of Lot 45 on SP183690 &amp; Lot 10 on RP887362 – Stage 4 Layout, Plan No 031213-001, Rev A, dated 31/12/13</li> <li>Benchmark Survey &amp; Design Proposed Reconfiguration of Lot 45 on SP183690 &amp; Lot 10 on RP887362 – Stage 5 Layout, Plan No 031213-002, Rev A, dated 31/12/13</li> <li>Benchmark Survey &amp; Design Proposed Reconfiguration of Lot 45 on SP183690 &amp; Lot 10 on RP887362 – Stage 4 &amp; 5 Road Layout, Plan No 031213-003, Rev A, dated 31/12/13</li> <li>Proposal Report to Council, Mt Carm Stage 4 &amp; 5, prepared by Benchmark Survey &amp; Design, dated January 2014</li> <li>Drainage Study, Ref: 601-001-001, prepared by Propt Partners, dated 13/03/14</li> <li>Geotechnical Assessment Proposed Stage 5, Ref: 1315AA-D, R01, V1601-001-001 – Valenzia Christie, prepared by GEO Design, dated 30/01/2014</li> </ul> | Prior to submitting the Plan of Survey to the local government for approval                         |
| <p><b>State-controlled road</b> - Pursuant to section 255D of the Sustainable Planning Act 2009, the chief executive administering the Sustainable Planning Act 2009 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 conditions:</p> |   |   |
| 2   | The permitted road access location for the development is between subject land (Lot 10 on RP887362 and Lot 45 on SP183690) and the Captain Cook Highway via Forest Glen Road (Maxwell Street North), generally in accordance with the Proposal Report to Council and Stage 4 & 5 Layout Plans   | Prior to submitting the Plan of Survey to the local government for approval                         |
| 3   | <p>(a) The Captain Cook Highway and Forest Glen Road (Maxwell Street North) intersection must be upgraded to include a Channelised Right Turn (CHR) and Auxiliary Left Turn (A/LT) (S) treatment. The intersection must be designed and constructed in accordance with a CHR / A/LT(S) intersection design, generally in accordance with Figure 13.60 – Channelised Right Turn Treatment (CHR) and Figure 13.61 – Auxiliary Left Turn with a Short Turn Slot treatment on a Rural Road, as per Chapter 13 of the Department of Transport and Main Roads' Road Planning and Design Manual including the Interim Guide to Road Planning and Design Practice</p> <p>AND</p> <p>(b) The intersection upgrade must be designed and constructed to include:</p>   | <p>(a) – (d)</p> <p>Prior to submitting the Plan of Survey to the local government for approval</p> |

State Authority Building  
 One Brisbane and Darling Streets, Cairns  
 PO Box 2355, Cairns  
 Queensland 4870 Australia

Telephone +61 7 4032 3111  
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 Email [Cairns@dta.qld.gov.au](mailto:Cairns@dta.qld.gov.au)  
 ACN 20 280 176 530

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

01/04/14 09:01:24

| No. | Conditions   | Condition timing  |
|-----|--|---|
|     | <ul style="list-style-type: none"> <li>The installation of lighting of V3 category at the intersection of the Captain Cook Highway and Forest Glen Road (Maxwell Street North) in accordance with Chapter 17 of the Department of Transport and Main Roads' Road Planning and Design Manual including the Interim Guide to Road Planning and Design Practice.</li> </ul> <p>AND</p> <p>(c) The intersection must be provided by the applicant at no cost to the Department of Transport and Main Roads</p> <p>AND</p> <p>(d) All adjustments and/or relocations to existing services within the state-controlled road as a result of the development are at the applicant's expense.</p> |   |
| 4.  | <p>The applicant must provide permanent road closure works to the Maxwell Street (South) intersection with the Captain Cook Highway to the satisfaction of the Department of Transport and Main Roads. This road closure is to prevent all turning movements into and out of Maxwell Street (South).</p> <p>AND</p> <p>The works shall include a turnaround facility in Maxwell Street (South) in general accordance with FNORDC standards and to the satisfaction of Council</p> <p>AND</p> <p>The applicant must provide a 'No Through' road sign in Maxwell Street (South) at a location to the satisfaction of Council.</p>  | <p>Prior to submitting the Plan of Survey to the local government for approval.</p> |
| 5.  | <p>The applicant must provide a footpath along the full length of the new road from Forest Glen Road as shown by Stage 4 &amp; 5 Road Layout, Plan No 03/213-CB3. The footpath must provide safe and adequate connectivity and be designed to integrate with the existing footpath network. The footpath must be designed and constructed to FNORDC standards and to the satisfaction of Council.</p>  | <p>Prior to submitting the Plan of Survey to the local government for approval.</p> |

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 One Graham and Gordon Streets, Cairns  
 PO Box 2358, Cairns  
 Queensland 4870 Australia

Telephone +61 7 4043 1111  
 Website [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au)  
 Email [CairnsCARR@ Cairns.qld.gov.au](mailto:CairnsCARR@ Cairns.qld.gov.au)  
 ABN 20 230 173 530

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**DECISION NOTICE DETAILS**  
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SDA 852106/34

Our reference: SDA 852106/34  
Your reference: 852106/34

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

The reasons for this decision are

- To ensure the development achieves the performance outcomes within the State Development Assessment Provisions – Module 17, Module 18 and Module 19.
- To ensure the development is carried out generally in accordance with the submitted plan and development application.
- To ensure vehicular impacts from the development are controlled and minimised and that safety and efficiency of the state-controlled road is maintained.
- The development will generate pedestrian and cycle movements, additional active transport infrastructure is required.
- The closure of Maxwell Street (South) will rationalise and reduce road access locations onto the Captain Cook Highway, a state-controlled road.
- To ensure that the development does not compromise the safe and efficient operation of the State-controlled road.

*Findings on material questions of fact*

- The development application was properly referred to the Department of State Development, Infrastructure and Planning on 30 April 2014. The subject site does not have road frontage or direct access to the Captain Cook Highway, a state-controlled road.
- The access location for the development is via Forest Glen Road (Maxwell Street North).
- The intersection between Forest Glen Road (Maxwell Street North) and the Captain Cook Highway will be required to be upgraded due to an increase in traffic generation from the proposed development, existing residential traffic volumes and existing and future through road traffic generation.
- The Maxwell Street (South) intersection is required to be closed permanently with all traffic and turning movements at the Maxwell Street (South) intersection prohibited. The road access closure will improve the safety and efficiency of the Captain Cook Highway.
- The development proposal is considered to meet or proposes acceptable outcomes or actions that meet with the performance outcomes specified in the statutory planning instrument, the State Development Assessment Provisions.

*Evidence or other material on which the findings were based*

- The development application material including documents, plans, and drawings submitted with the application.
- Technical advice on 2 June 2014 by Department of Transport and Main Roads (TMR).
- State Development Assessment Provisions (SDAP), particularly:
  - Module 17 – Public and active transport,
  - Module 18 – State transport infrastructure protection, and
  - Module 19 – State transport network functionality.

Post Albany Building  
For Graham and Murray Streets (East)  
PO Box 3358, Cairns  
Queensland 4870 Australia

Telephone: 08 7 2046 1111  
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Email: [SDAP@transport.qld.gov.au](mailto:SDAP@transport.qld.gov.au)  
ABN 28 204 178 530

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55A-0214-000714

- SARA mapping online system
- SPP interactive mapping system (O4 Mapping)
- Professional technical reports
- Historical DTMR planning documentation
- *Transport Infrastructure Act 1994*
- *Transport Planning and Coordination Act 1994*
- *Sustainable Planning Act 2009*
- *Sustainable Planning Regulation 2009*

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One O'Connell and Harley Streets, Cairns  
PO Box 2164, Cairns  
Queensland 4870 Australia

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Website [www.fortauthority.com.au](http://www.fortauthority.com.au)  
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RPM 29 750 139 634

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

SCA-0614-00014

Our reference: SCA-0614-010005  
Your reference: 41/14/125

**Attachment 1--Further advice**

| General advice |   |
|----------------|---|
| 1.             | <b>Advertising Device</b><br>Under section 43 of the Transport Infrastructure Act 1994, a local government must obtain approval from the Department of Transport and Main Roads if it intends to approve the erection, alteration or operation of an advertising sign or other 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.   |
| 2.             | <b>Road Access Works</b><br>In accordance with section 33 of the Transport Infrastructure Act 1994 (TIA), an applicant must obtain approval from the Department of Transport and Main Roads to carry out road works, including road access works on a state-controlled road. Please contact the Department of Transport and Main Roads on 4045 7144 to make an application for approval under section 33 of the Transport Infrastructure Act 1994 (TIA) to carry out road works. The approval process may require the approval of engineering designs of the proposed works certified by a Registered Professional Engineer of Queensland (RPEQ). |

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One Gateway and Market Street, Cairns  
FPO Box 233, Cairns  
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Telephone 461 7430 1151  
Website [www.sca.qld.gov.au](http://www.sca.qld.gov.au)  
Email [scasupport@scs.qld.gov.au](mailto:scasupport@scs.qld.gov.au)  
Fax 461 7430 1151

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**DECISION NOTICE DETAILS  
SUSTAINABLE PLANNING ACT 2009**

**APPENDIX 3: INFRASTRUCTURE CHARGES NOTICE**

| <b>DOUGLAS</b><br>SHIRE COUNCIL  |            | <b>2006 &amp; 2008 Douglas Shire Planning Schemes Application</b> |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
|--|------------|---|-----------|-------------|-----------------------|-------------|------------------------|------------|------------|-------------|------------------------|--------------|--|--|--|--|--|--|--|----------|---|------------|--------|------|--------------|--|------------------------|----------|---|---------|--------|------|------------|--|------------------------|--------------------------------|--|--|--|--|--------------|--|--|-----------------|--|--|--|--|--|--|--|----------|---|------------|--------|------|--------------|--|------------------------|----------|---|-----------|--------|------|--------------|--|------------------------|------------------------------------|--|--|--|--|----------------|--|--|-------------------|--|--|--|--|--|--|--|----------|--|--|--|--|--------|--|------------------------|-----------------------------|--|--|--|--|--------|--|--|--------------|--|--|--|--|-----------------------|--|--|
| <b>INFRASTRUCTURE CHARGES NOTICE</b>   |            |   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Wayne Sherry   |            | Shepherd Valley   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| DEVELOPERS NAME  |            | ESTATE NAME   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| 42-00 Coral Sea Drive & Connolly St  |            | L43, or SP143590 L10 RP087382                                     |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| STREET No. & NAME  |            | LOT & RP Nos  |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| RCL (100 km + Park)  |            | 30-Jun-14   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| DEVELOPMENT TYPE   |            | COUNCIL FILE NO.  |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| 431863   |            | 1   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| DEC Reference Doc. No.   |            | VERSION No.   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| 431863   |            | 1   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| R&B DDPX QUARTER ENDING: VACUITY PERIOD:<br>This logsheet is indexed appropriately only for payments made within the quarter noted above.  |            |   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| <table border="1"> <thead> <tr> <th></th> <th>DIST</th> <th>\$ / EDC</th> <th>AREY EDC</th> <th>ADJUSTMENT</th> <th>AMOUNT DUE</th> <th>AMOUNT PAID</th> <th>Receipt Code &amp; GL Code</th> </tr> </thead> <tbody> <tr> <td><b>WATER</b></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Existing</td> <td>4</td> <td>4,273.15 X</td> <td>135.00</td> <td>0.00</td> <td>\$193,210.17</td> <td></td> <td>809 GL 07475.0135 0823</td> </tr> <tr> <td>Proposed</td> <td>4</td> <td>35.10 X</td> <td>135.00</td> <td>0.00</td> <td>\$3,160.40</td> <td></td> <td>813 GL 07475.0135 0824</td> </tr> <tr> <td colspan="5">Mosman South Water sub - total</td> <td>\$196,370.57</td> <td></td> <td></td> </tr> <tr> <td><b>SEWERAGE</b></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Existing</td> <td>1</td> <td>2,224.11 X</td> <td>135.00</td> <td>0.00</td> <td>\$233,593.30</td> <td></td> <td>801 GL 07480.0135 0823</td> </tr> <tr> <td>Proposed</td> <td>1</td> <td>6089.72 X</td> <td>135.00</td> <td>0.00</td> <td>\$780,228.47</td> <td></td> <td>807 GL 07480.0135 0824</td> </tr> <tr> <td colspan="5">Mosman (Coor) Sewerage sub - total</td> <td>\$1,013,721.80</td> <td></td> <td></td> </tr> <tr> <td><b>OPEN SPACE</b></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DSC Area</td> <td></td> <td></td> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>804 GL 07255.0135 0820</td> </tr> <tr> <td><b>Off-site Car Parking</b></td> <td></td> <td></td> <td></td> <td></td> <td>\$0.00</td> <td></td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>TOTAL</b></td> <td><b>\$1,814,128.45</b></td> <td></td> <td></td> </tr> </tbody> </table> |            |   |           |             | DIST                  | \$ / EDC    | AREY EDC               | ADJUSTMENT | AMOUNT DUE | AMOUNT PAID | Receipt Code & GL Code | <b>WATER</b> |  |  |  |  |  |  |  | Existing | 4 | 4,273.15 X | 135.00 | 0.00 | \$193,210.17 |  | 809 GL 07475.0135 0823 | Proposed | 4 | 35.10 X | 135.00 | 0.00 | \$3,160.40 |  | 813 GL 07475.0135 0824 | Mosman South Water sub - total |  |  |  |  | \$196,370.57 |  |  | <b>SEWERAGE</b> |  |  |  |  |  |  |  | Existing | 1 | 2,224.11 X | 135.00 | 0.00 | \$233,593.30 |  | 801 GL 07480.0135 0823 | Proposed | 1 | 6089.72 X | 135.00 | 0.00 | \$780,228.47 |  | 807 GL 07480.0135 0824 | Mosman (Coor) Sewerage sub - total |  |  |  |  | \$1,013,721.80 |  |  | <b>OPEN SPACE</b> |  |  |  |  |  |  |  | DSC Area |  |  |  |  | \$0.00 |  | 804 GL 07255.0135 0820 | <b>Off-site Car Parking</b> |  |  |  |  | \$0.00 |  |  | <b>TOTAL</b> |  |  |  |  | <b>\$1,814,128.45</b> |  |  |
|  | DIST       | \$ / EDC  | AREY EDC  | ADJUSTMENT  | AMOUNT DUE            | AMOUNT PAID | Receipt Code & GL Code |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| <b>WATER</b>   |            |   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Existing   | 4          | 4,273.15 X  | 135.00    | 0.00        | \$193,210.17          |             | 809 GL 07475.0135 0823 |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Proposed   | 4          | 35.10 X   | 135.00    | 0.00        | \$3,160.40            |             | 813 GL 07475.0135 0824 |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Mosman South Water sub - total   |            |   |           |             | \$196,370.57          |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| <b>SEWERAGE</b>  |            |   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Existing   | 1          | 2,224.11 X  | 135.00    | 0.00        | \$233,593.30          |             | 801 GL 07480.0135 0823 |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Proposed   | 1          | 6089.72 X   | 135.00    | 0.00        | \$780,228.47          |             | 807 GL 07480.0135 0824 |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Mosman (Coor) Sewerage sub - total   |            |   |           |             | \$1,013,721.80        |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| <b>OPEN SPACE</b>  |            |   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| DSC Area   |            |   |           |             | \$0.00                |             | 804 GL 07255.0135 0820 |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| <b>Off-site Car Parking</b>  |            |   |           |             | \$0.00                |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| <b>TOTAL</b>   |            |   |           |             | <b>\$1,814,128.45</b> |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Prepared by  | JT Gifford | on  | 21 Oct 14 | Amount Paid |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Issued by  | Bob Cook   | on  | 21 Oct 14 | Exch Paid   |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Claim / Payable  |            |   |           |             |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |
| Authorised   |            | Date  |           | Cash/       |                       |             |                        |            |            |             |                        |              |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |         |        |      |            |  |                        |                                |  |  |  |  |              |  |  |                 |  |  |  |  |  |  |  |          |   |            |        |      |              |  |                        |          |   |           |        |      |              |  |                        |                                    |  |  |  |  |                |  |  |                   |  |  |  |  |  |  |  |          |  |  |  |  |        |  |                        |                             |  |  |  |  |        |  |  |              |  |  |  |  |                       |  |  |

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Section 82B of the Sustainable Planning Act 2009 (SPA)

Charge rates are subject to index and increases (GL 17 Road & Budget Index, ABS data as per SPN). The total charge amount indexed covers notice is correct at the date of issue. The total charge due at the date of payment must reflect the current indexed value. Please contact the Development & Environment Douglas Shire Council prior to payment for review.

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, Mosman QLD 4083. 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 07 099 9044 or by email [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

41.2014.125  
32/34

**YOUR REF:** 031213  
**OUR REF:** ROL 1252014 (433022)

4 November 2014

Mr Wayne Storey  
PO Box 1285  
INNISFAIR QLD 4860

Dear Sir

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR  
52-80 CORAL SEA DRIVE, MOSSMAN GORGE &  
CONNOLLY STREET, 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.

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

These charges are payable prior to the issue of a Compliance Certificate for 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 Jenny Elphinstone of Development and Environment on telephone number 07 4099 9482.


Yours faithfully

Paul Hogg  
General Manager Operations

AH

41.2014.125  
33/34

# INFRASTRUCTURE CHARGES NOTICE

|   |              | <b>2006 &amp; 2008 Douglas Shire Planning Schemes Application</b> |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
|--|--------------|---|-------------|----------------------|-------------|------------------------|------------|------------|-------------|------------------------|--------------|--|--|--|--|--|--|----------|---|-----------|--------|------|------------|------------------------|----------|---|---------|--------|------|-----------|------------------------|---------------------------------|--|--|--|--------------|--|--|-----------------|--|--|--|--|--|--|----------|---|-----------|--------|------|-------------|------------------------|----------|---|-----------|--------|------|-------------|------------------------|------------------------------------|--|--|--|-------------|--|--|-------------------|--|--|--|--|--|--|----------|--|--|--|--------|--|------------------------|----------------------|--|--|--|--------|--|--|--------------|--|--|--|----------------------|--|--|
| <b>INFRASTRUCTURE CHARGES NOTICE</b>   |              |   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Wayne Storey   |              | Shepherd Valley   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| DEVELOPER'S NAME   |              | ESTATE NAME   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| 32-00 Gorae Res Drive & Connolly St.   | Mossman      | L49 on SP183690 L10 RPH7392                                       | 11895, 8412 |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| STREET No. & NAME  |              | LOT & RP No.  |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| RCL (105 lots + Park)  |              | 20-Jun-14   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| DEVELOPMENT TYPE   |              | COUNCIL FILE NO.  |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| 811693   |              | 1   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| DSC Reference Des. No.   |              | VERSION No.   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| 811693   |              | 1   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| <p><b>RAT INDEX QUARTER ENDING</b>      <b>VALIDITY PERIOD</b><br/>         This logsheet is indexed appropriately only for payments made within the quarter noted above.</p>  |              |   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| <table border="1"> <thead> <tr> <th>DIST</th> <th>ST EDC</th> <th>RST EDC</th> <th>ADJUSTMENT</th> <th>AMOUNT DUE</th> <th>AMOUNT PAID</th> <th>Receipt Code &amp; GL Code</th> </tr> </thead> <tbody> <tr> <td colspan="7"><b>WATER</b></td> </tr> <tr> <td>Existing</td> <td>2</td> <td>4275.15 X</td> <td>100.00</td> <td>0.00</td> <td>0149810.17</td> <td>859 GL 07470.0135.0023</td> </tr> <tr> <td>Proposed</td> <td>0</td> <td>00.00 X</td> <td>100.00</td> <td>0.00</td> <td>50.150.00</td> <td>873 GL 07470.0135.0024</td> </tr> <tr> <td colspan="4">Mossman Sewer Water sub - total</td> <td>\$498,976.88</td> <td></td> <td></td> </tr> <tr> <td colspan="7"><b>SEWERAGE</b></td> </tr> <tr> <td>Existing</td> <td>1</td> <td>2421.15 X</td> <td>100.00</td> <td>0.00</td> <td>3233.031.32</td> <td>881 GL 07480.0136.0023</td> </tr> <tr> <td>Proposed</td> <td>1</td> <td>0000.00 X</td> <td>100.00</td> <td>0.00</td> <td>5700.320.17</td> <td>887 GL 07480.0136.0024</td> </tr> <tr> <td colspan="4">Mossman Sewer Sewerage sub - total</td> <td>2933,351.49</td> <td></td> <td></td> </tr> <tr> <td colspan="7"><b>OPEN SPACE</b></td> </tr> <tr> <td colspan="4">DSC Area</td> <td>\$0.00</td> <td></td> <td>894 GL 07230.0135.0020</td> </tr> <tr> <td colspan="4">Off Site Car Parking</td> <td>\$0.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL</b></td> <td><b>61,389,128.45</b></td> <td></td> <td></td> </tr> </tbody> </table> |              |   |             | DIST                 | ST EDC      | RST EDC                | ADJUSTMENT | AMOUNT DUE | AMOUNT PAID | Receipt Code & GL Code | <b>WATER</b> |  |  |  |  |  |  | Existing | 2 | 4275.15 X | 100.00 | 0.00 | 0149810.17 | 859 GL 07470.0135.0023 | Proposed | 0 | 00.00 X | 100.00 | 0.00 | 50.150.00 | 873 GL 07470.0135.0024 | Mossman Sewer Water sub - total |  |  |  | \$498,976.88 |  |  | <b>SEWERAGE</b> |  |  |  |  |  |  | Existing | 1 | 2421.15 X | 100.00 | 0.00 | 3233.031.32 | 881 GL 07480.0136.0023 | Proposed | 1 | 0000.00 X | 100.00 | 0.00 | 5700.320.17 | 887 GL 07480.0136.0024 | Mossman Sewer Sewerage sub - total |  |  |  | 2933,351.49 |  |  | <b>OPEN SPACE</b> |  |  |  |  |  |  | DSC Area |  |  |  | \$0.00 |  | 894 GL 07230.0135.0020 | Off Site Car Parking |  |  |  | \$0.00 |  |  | <b>TOTAL</b> |  |  |  | <b>61,389,128.45</b> |  |  |
| DIST   | ST EDC       | RST EDC   | ADJUSTMENT  | AMOUNT DUE           | AMOUNT PAID | Receipt Code & GL Code |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| <b>WATER</b>   |              |   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Existing   | 2            | 4275.15 X   | 100.00      | 0.00                 | 0149810.17  | 859 GL 07470.0135.0023 |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Proposed   | 0            | 00.00 X   | 100.00      | 0.00                 | 50.150.00   | 873 GL 07470.0135.0024 |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Mossman Sewer Water sub - total  |              |   |             | \$498,976.88         |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| <b>SEWERAGE</b>  |              |   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Existing   | 1            | 2421.15 X   | 100.00      | 0.00                 | 3233.031.32 | 881 GL 07480.0136.0023 |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Proposed   | 1            | 0000.00 X   | 100.00      | 0.00                 | 5700.320.17 | 887 GL 07480.0136.0024 |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Mossman Sewer Sewerage sub - total   |              |   |             | 2933,351.49          |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| <b>OPEN SPACE</b>  |              |   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| DSC Area   |              |   |             | \$0.00               |             | 894 GL 07230.0135.0020 |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Off Site Car Parking   |              |   |             | \$0.00               |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| <b>TOTAL</b>   |              |   |             | <b>61,389,128.45</b> |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Prepared by  | J. Lightfoot | on  | 21 Oct 14   | Amount Paid          |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Checked by   | Neil Beck    | on  | 21 Oct 14   | Date Paid            |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Gain Payable   |              |   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
| Amendments   |              | Nil   |             |                      |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |
|  |              |   |             | Cashier              |             |                        |            |            |             |                        |              |  |  |  |  |  |  |          |   |           |        |      |            |                        |          |   |         |        |      |           |                        |                                 |  |  |  |              |  |  |                 |  |  |  |  |  |  |          |   |           |        |      |             |                        |          |   |           |        |      |             |                        |                                    |  |  |  |             |  |  |                   |  |  |  |  |  |  |          |  |  |  |        |  |                        |                      |  |  |  |        |  |  |              |  |  |  |                      |  |  |

## Notes:

The Infrastructure Charges in this Notice are payable in accordance with Section 629 of the Sustainable Planning Act 2009 (SPA)

Charge rates are subject to index requirements (GL 01 Road & Budget Index, ABS data as per SPA). The total charge amount indicated on this notice is correct at the date of issue. The total charge due at the date of payment must reflect the current indexed value. Please contact the Development & Environment Douglas Shire Council prior to payment for review.

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 clearance 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 9344 or by email on enquiries@douglas.qld.gov.au

41.2014.125  
39/34

## SCHEDULE 2 ADOPTED INFRASTRUCTURE CHARGES

|                                 |  |
|---------------------------------|--|
| <b>DOUGLAS</b><br>SHIRE COUNCIL | 2008 Douglas Shire Planning Schemes Applications<br><b>ADOPTED INFRASTRUCTURE CHARGES NOTICE</b> |
|---------------------------------|--|

|  |                                       |  |
|--|---------------------------------------|--|
| <b>DEVELOPERS NAME</b><br>Y Christie                                     | <b>ESTATE NAME</b><br>Shepherd Valley | <b>STAGE</b><br>4 and 5                                |
| <b>STREET No. &amp; NAME</b><br>52-80 Coral Sea Drv, L48 Connochy St     | <b>SUBURB</b><br>Mossman              | <b>LOT &amp; RP No.s</b><br>L45 SP183880, L10 RP687382 |
| <b>DEVELOPMENT TYPE</b><br>ROL (2 Into 105 residential Lots, 1 Park Lot) | <b>PARCEL No.</b><br>11685 & 5112     | <b>COUNCIL FILE NO.</b><br>ROL 125/2014                |
| <b>VERSION No.</b><br>D8952071   | <b>VALIDITY PERIOD (year)</b><br>1    |  |

|  | Use | Charge per Use | Amount Due            | Amount Paid | Receipt Code & GL Code |
|--|-----|----------------|-----------------------|-------------|------------------------|
| <b>Rural Areas - Water Only</b>        |     |                |                       |             |                        |
| proposed                               | 0   | 0.00           | 0.00                  |             |                        |
|  | 0   | 0.00           | 0.00                  |             |                        |
| existing                               | 0   | 0.00           | 0.00                  |             |                        |
|  |     |                |                       |             |                        |
| <b>Total</b>                           |     |                | <b>0.00</b>           |             |                        |
| <b>Urban Areas - Water only</b>        |     |                |                       |             |                        |
| proposed                               | 0   | 0.00           | 0.00                  |             |                        |
|  | 0   | 0.00           | 0.00                  |             |                        |
| existing                               | 0   | 0.00           | 0.00                  |             |                        |
|  |     |                |                       |             |                        |
| <b>Total</b>                           |     |                | <b>0.00</b>           |             |                        |
| <b>Urban Areas - Water &amp; Sewer</b> |     |                |                       |             |                        |
| Proposed Residential Lots              | 105 | 14,342.13      | 1,505,823.65          |             |                        |
| Proposed Park Lot                      | 1   | 0.00           | 0.00                  |             |                        |
|  | 0   | 0.00           | 0.00                  |             |                        |
| Less Existing Lots                     | 2   | 14,342.13      | 28,684.26             |             |                        |
| <b>Total</b>                           |     |                | <b>1,477,239.39</b>   |             |                        |
| <b>TOTAL</b>                           |     |                | <b>\$1,477,239.39</b> |             |                        |

|              |               |             |             |
|--------------|---------------|-------------|-------------|
| Prepared by  | J Elphinstone | 24-Apr-16   | Amount Paid |
| Checked by   | D Leonard     | 27-Apr-16   | Date Paid   |
| Date Payable |               |             |             |
| Amounts      | Date          | Receipt No. |             |
|              |               | Cochran     |             |

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Special meeting held on 24 June 2015.

Charge rates under the current Policy are not subject to indexing.

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](mailto:enquiries@douglas.qld.gov.au)

## SCHEDULE 3 – PLANNING ACT EXTRACT ON APPEAL RIGHTS

Planning Act 2016  
Chapter 6 Dispute resolution

[s 229]

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
  - conduct* means an act or omission.
  - representative* means—
    - (a) of a corporation—an executive officer, employee or agent of the corporation; or
    - (b) of an individual—an employee or agent of the individual.
  - state of mind*, of a person, includes the person's—
    - (a) knowledge, intention, opinion, belief or purpose; and
    - (b) reasons for the intention, opinion, belief or purpose.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and

Current as at 3 July 2017

Page 203

Authorised by the Parliamentary Counsel

- (iii) who is a co-respondent in an appeal of the matter; and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
  - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.



- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

### **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
  - (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
  - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
  - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and

- (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

## 231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—  
*decision* includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

**non-appealable**, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

## 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

15 May 2018

Enquiries: Jenny Elphinstone  
Our Ref: ROL 125/2014 (41.2014.125) (Doc ID 852106)  
Your Ref: ROL 125/2014

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

Mrs Valmai Vivienne Christie  
8 Connolly Street  
MOSSMAN QLD 4873

[vvchristie37@bigpond.com](mailto:vvchristie37@bigpond.com)

Dear Madam

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR  
EXTENSION APPLICATION FOR DEVELOPMENT APPROVAL FOR A  
RECONFIGURING A LOT (1 LOT INTO 106 LOTS) STAGES 4 & 5 SHEPHERD  
VALLEY ESTATE AT 52-80 CORAL SEA DRIVE MOSSMAN GORGE AND L45  
CONNOLLY STREET MOSSMAN, ON LAND DESCRIBED AS  
LOT 10 ON RP887362 & LOT 45 ON SP183690**

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016* (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 subject to index adjustments and may be different at the time of payment. Please contact Development and Environment at Council for review of the charge amount prior to payment.

These charges are payable prior to the change of use occurring in accordance with section 119 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 Jenny Elphinstone of Development Assessment and Coordination, Sustainable Communities on telephone number (07) 4099 9482.

Yours faithfully

  
Paul Hoyer  
Manager Sustainable Communities

Attch – Adopted Charges Notice

## Adopted Charges Notice

|  |   |
|--|---|
| <b>DOUGLAS</b><br>SHIRE COUNCIL              | <b>2008 Douglas Shire Planning Schemes Applications</b> |
| <b>ADOPTED INFRASTRUCTURE CHARGES NOTICE</b> |   |

|   |                            |                        |
|---|----------------------------|------------------------|
| V Christie                                    | Shepherd Valley            | 4 and 5                |
| DEVELOPERS NAME                               | ESTATE NAME                | STAGE                  |
| 62-80 Coral Sea Dr, L45 Connolly St           | L45 SP183890, L10 RP887382 | 11695 & 8112           |
| STREET No. & NAME                             | SUBURB                     | LOT & RP No.           |
| ROL (2 Into 108 residential Lots, 1 Park Lot) |                            | ROL 125/2014           |
| DEVELOPMENT TYPE                              | COUNCIL FILE NO.           | VALIDITY PERIOD (year) |
| D8852071                                      | 1                          |                        |
| DSC Reference Doc. No.                        | VERSION No.                |                        |

|  | Use | Charge per Use | Amount Due            | Amount Paid | Receipt Code & GL Code |
|--|-----|----------------|-----------------------|-------------|------------------------|
| <b>Rural Areas - Water Only</b>        |     |                |                       |             |                        |
| proposed                               | 0   | 0.00           | 0.00                  |             |                        |
|  | 0   | 0.00           | 0.00                  |             |                        |
| existing                               | 0   | 0.00           | 0.00                  |             |                        |
|  |     |                |                       |             |                        |
| Total                                  |     |                | 0.00                  |             |                        |
| <b>Urban Areas - Water only</b>        |     |                |                       |             |                        |
| proposed                               | 0   | 0.00           | 0.00                  |             |                        |
|  | 0   | 0.00           | 0.00                  |             |                        |
| existing                               | 0   | 0.00           | 0.00                  |             |                        |
|  |     |                |                       |             |                        |
| Total                                  |     |                | 0.00                  |             |                        |
| <b>Urban Areas - Water &amp; Sewer</b> |     |                |                       |             |                        |
| Proposed Residential Lots              | 105 | 14,342.13      | 1,505,923.65          |             |                        |
| Proposed Park Lot                      | 1   | 0.00           | 0.00                  |             |                        |
|  | 0   | 0.00           | 0.00                  |             |                        |
| Less Existing Lots                     | 2   | 14,342.13      | 28,684.26             |             |                        |
| Total                                  |     |                | 1,477,239.39          |             |                        |
| <b>TOTAL</b>                           |     |                | <b>\$1,477,239.39</b> |             |                        |

|              |               |             |             |  |
|--------------|---------------|-------------|-------------|--|
| Prepared by  | J Elphinstone | 24-Apr-18   | Amount Paid |  |
| Checked by   | D Diamond     | 27-Apr-18   | Date Paid   |  |
| Date Payable |               |             |             |  |
| Amendments   | Date          | Receipt No. |             |  |
|              |               | Cashier     |             |  |

### Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the Planning Act 2016 as from Council's resolution from the Special meeting held on 24 June 2015.

Charge rates under the current Policy are not subject to indexing

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](mailto:enquiries@douglas.qld.gov.au)

## Rights to Make Representations and Appeals Regarding Infrastructure Charges

Planning Act 2016  
Chapter 4 Infrastructure

[s 124]

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- (a) whether the levied charge under the notice may be paid other than as required under section 122 including whether the charge may be paid by instalments;
  - (b) whether infrastructure may be provided instead of paying all or part of the levied charge.
- (2) If the levied charge is subject to an automatic increase provision, the agreement must state how increases in the charge are payable under the agreement.

### Subdivision 5 Changing charges during relevant appeal period

#### 124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

#### 125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
  - (a) agrees with a representation; and
  - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
  - (a) must be in the same form as the infrastructure charges notice; and

- (b) must state the nature of the changes; and
  - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

#### **126 Suspending relevant appeal period**

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

### **Division 3 Development approval conditions about trunk infrastructure**

#### **Subdivision 1 Conditions for necessary trunk infrastructure**

##### **127 Application and operation of subdivision**

- (1) This subdivision applies if—

