

YOUR REF: 16-148
OUR REF: 2016/1638 (794075)

2 November 2016

Quicksilver Connections Limited
c/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

Attention: Matt Ingram

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 19 WARNER STREET PORT DOUGLAS**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 2 November 2016, 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 Simon Clarke of Development Assessment and Coordination on telephone number 07 4099 4444.

Yours faithfully

Paul Hoye | Manager
Sustainable Communities | Douglas Shire Council

Att

APPLICANT DETAILS

Quicksilver Connections Limited
c/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

ADDRESS

19 Warner Street, Port Douglas

REAL PROPERTY DESCRIPTION

Lot 31 on PTD20910

PROPOSAL

Business facilities

DECISION

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

DECISION DATE

2 November 2016

TYPE

Material Change of Use (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Building Works

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)

Not in conflict

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Ground Floor Plan	966_SD A-101 Rev 6	10 October 2016
Level 1 Plan	966_SD A-102 Rev 6	10 October 2016
Roof Plan	966_SD A-103 Rev 6	10 October 2016
Elevations	966_SD A-401 Rev 6	10 October 2016
Sections	966_SD A-501 Rev 6	10 October 2016
3D Perspective	966_SD A-901 Rev 6	11 October 2016

ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Water Supply and Sewerage Works Internal

3. Undertake the following water supply and sewerage works internal to the subject land:-
 - a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;

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

The plan of works must be approved by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.

Refuse Storage

4. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Advertising Signage

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

External Works

6. Undertake the following works external to the land at no cost to Council:
 - a. Upgrade the Grant and Warner Street frontages generally in accordance with Ground Floor Plan 966_SD A-101 Rev 6, dated 10 October 2016 including relocation of light/power pole/s, electrical infrastructure, at the front of the subject land, where required, to accommodate the development and the raised sections of walkways/planter beds;
 - b. Provide underground stormwater infrastructure that integrates with existing infrastructure;
 - c. Provide kerb and channel along the Warner Street frontage;
 - d. Provide road widening along the Warner Street frontage;

The abovementioned works must be designed to take into account the existing tree at the corner of Grant and Warner Streets which is required to be retained in accordance with Condition 14a.

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities (i.e. the provision of temporary kerb ramps if pedestrian diversions are necessary).

The external works outlined above constitute Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

Lawful Point of Discharge

7. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Minimum Fill and Floor Levels

8. All floor levels in all buildings must be 3.1 metres AHD. The applicant is to acknowledge in writing that this level may not achieve full Q100 flood immunity and devise an action plan, prior to the issue of a Development Permit for Building Work, to manage and prevent flood water from entering the building in an extreme weather event.

Vehicle Parking

9. A minimum of thirteen (13) car parking spaces are to be provided on-site including one space for wheel-chair accessible parking. In addition, four (4) on-street car parking spaces are to be provided in Warner Street. Car parking design must comply with the relevant Australian Standards, with all parking, driveway and vehicular manoeuvring areas being imperviously sealed, drained and line marked.

Awnings

10. The proposed awnings are to be designed to provide shade to the footpath below (i.e. minimise glass or translucent materials). Details are to be agreed in writing prior to the issue of a Development Permit for Building Work.

Protection of Landscaped Areas from Parking

11. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Bicycle Racks

12. Provide two on-site bicycle racks at the rear of the premises. The bicycle parking area must be constructed prior to Commencement of Use.

Lighting

13. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

Landscaping Plan

14. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:
 - a. The existing tree on the corner of Grant and Warner Street being retained and details of how this tree will be protected during works;
 - b. Street planting including street trees and planter boxes to both road frontages (i.e. lush tropical plantings of vegetation appropriate to the character of Port Douglas), using appropriate species with regard to any site constraints including underground services. All plants must be selected in accordance with Planning Scheme Policy No.7, with particular emphasis on appropriate species for Port Douglas;
 - c. Details of any fencing proposed at the rear of the premises;
 - d. Inclusion of any other relevant conditions included in this Development Permit. A copy of this Development Approval must 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. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Construction Access

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

Air-Conditioning Screens

16. Air-conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Stockpiling and Transportation of Fill Material

17. 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;
- b. before 7:00 am or after 6:00 pm Monday to Friday;
- c. before 7:00 am or after 1:00 pm Saturdays; or
on Sundays or Public Holidays.

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

Storage of Machinery and Plant

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

Sediment and Erosion Control

20. Soil and water management measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

Health Requirements

21. Noise from air-conditioning units, service equipment, swimming pool pumps or other mechanical equipment must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the *Environmental Protection Act 1994*.

Damage to Infrastructure

22. In the event that any part of Council's existing sewer/water infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced by Council, at the developer's cost.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.

3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. The Sustainable Planning Act 2009 confers rights to make representations and appeals in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

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

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

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

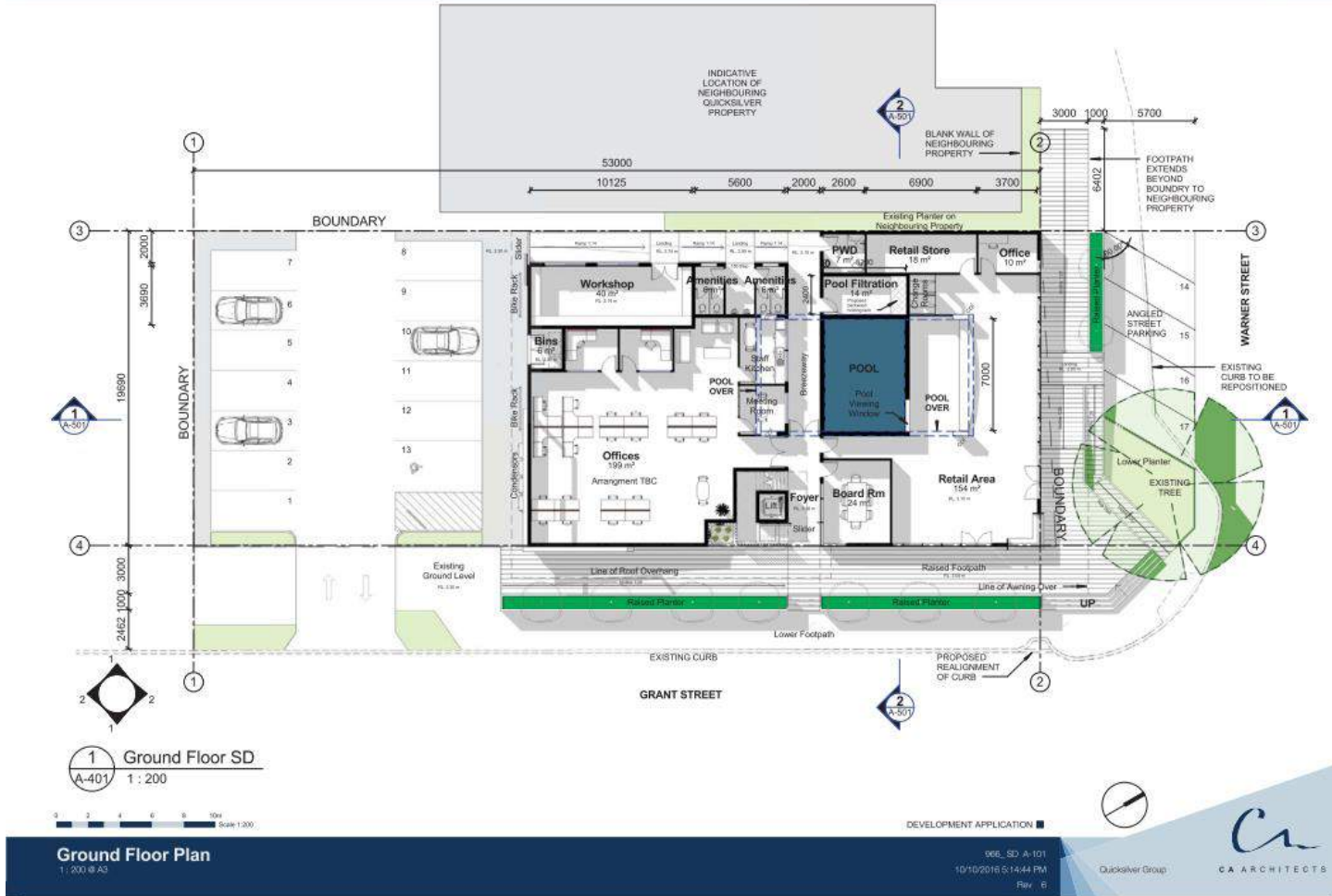
RIGHTS OF APPEAL

Attached

End of Decision Notice

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

966 Quicksilver Drive Port Douglas





1 Level 1 SD
A-401 1:200



Level 1 Plan
1:200 @ A3

DEVELOPMENT APPLICATION

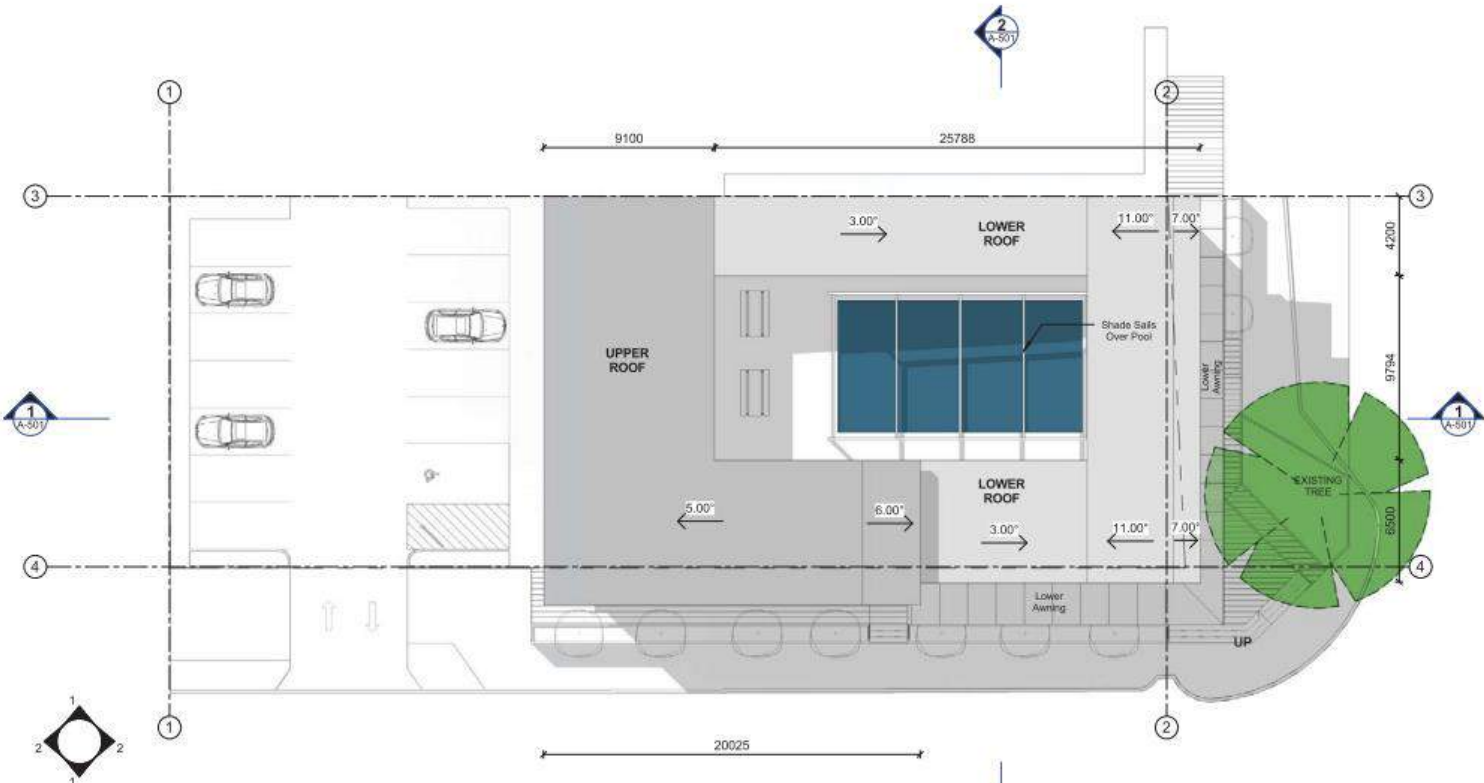
966_SD_A-102
10/10/2016 5:15:02 PM
Rev. 6



Quicksilver Group



CA ARCHITECTS



1 Roof Level SD
A-401 1 : 200

0 2 4 6 8 10m Scale 1:200

Roof Plan
1 : 200 @ A3

DEVELOPMENT APPLICATION

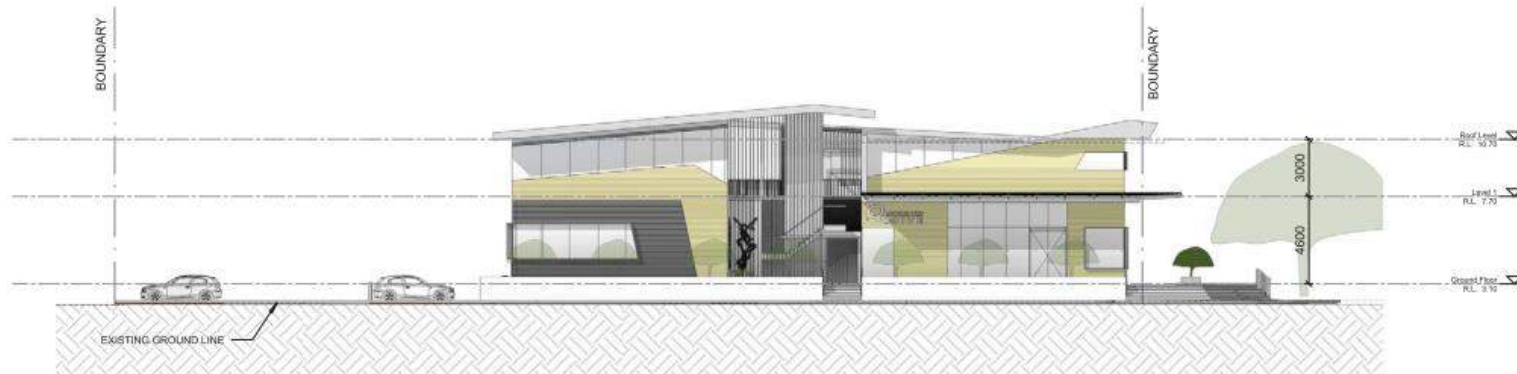
966_SD_A-103
10/10/2016 5:15:19 PM
Rev. 6



Quicksilver Group



CA ARCHITECTS



1 Elevation 1 - a East
A-101 1 : 200



2 Elevation 1 - b South
A-101 1 : 200



Elevations
1 : 200 @ A3

DEVELOPMENT APPLICATION ■

966_SD_A-401
10/10/2016 5:16:36 PM
Rev. 6

Quicksilver Group

CA ARCHITECTS



1 Elevation 1 - c West
A-101 1 : 200



2 Elevation 1 - d North
A-101 1 : 200



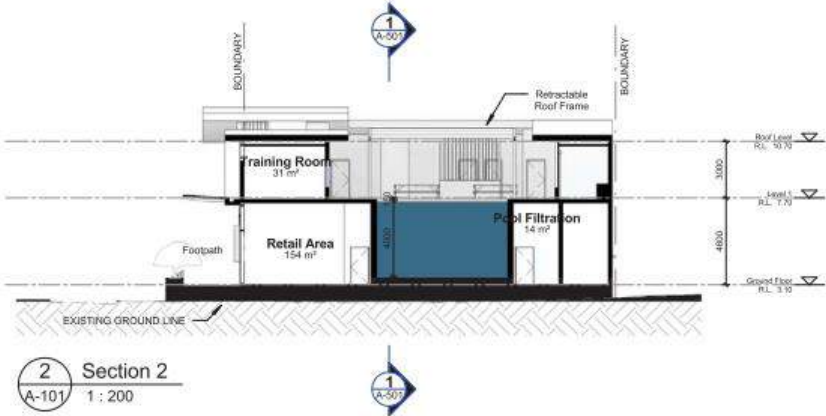
Elevations
1 : 200 @ A3

DEVELOPMENT APPLICATION ■

966_SD_A1-402
10/10/2016 5:16:59 PM
Rev. 6

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CA ARCHITECTS



Sections
1 : 200 @ A3

DEVELOPMENT APPLICATION ■

966_SD_A-501
10/10/2016 5:17:13 PM
Rev. 6

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1 Grant + Warner Elevated Perspective

0 2 4 6 8 10m Scale 1:200

3D Perspective
© AJ

DEVELOPMENT APPLICATION ■

966_SD_A-901
11/10/2016 8:59:47 AM
Rev. 6

Quicksilver Group

CA ARCHITECTS

YOUR REF: 16-148
OUR REF: 2016/1638 (794075)

2 November 2016

Quicksilver Connections Limited
c/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

Dear Sir

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
19 WARNER STREET PORT DOUGLAS**

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 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 648H 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 Simon Clarke of Development Assessment and Coordination on telephone number (07) 4099 9444.

Yours faithfully

Paul Hoye | Manager
Sustainable Communities | Douglas Shire Council

INFRASTRUCTURE CHARGES NOTICE

Quicksilver	0	0
DEVELOPERS NAME	ESTATE NAME	STAGE
19 Warner Street	Port Douglas	Lot 31 PTD20910
STREET N. & NAME	SUBURB	LOT & RP No.s
MCUC	1638/2016	24-Oct-16
DEVELOPMENT TYPE	COUNCIL FILE #	VALIDITY PERIOD (years)
792855	1	
DSC Reference Doc. No.	VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
Rural Areas - Water Only					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total					
Urban Areas - Water only					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			0.00		
Urban Areas - Water & Sewer					
proposed	629	50.10	31,512.90		
	0	0.00	0.00		
existing	1	14,342.13	14,342.13		
Total			17,170.77		
TOTAL			17,170.77		

Prepared by	S Clarke	24-Oct-16	Amount Paid	
Checked by	N Beck	24-Oct-16	Date Paid	
Date Payable			Receipt No.	
Amendments	Date	Cashier		

Note:
The Infrastructure Charges in this Notice are payable in accordance with Part 2 Division 1 of the *Sustainable Planning Act 2009 (SPA)*.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au